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17 April 1995

Ms. Dianne Blane
USAID/Tirana
Washington, DC 20523

Dear Ms. Blane:

Please find enclosed a copy of the first 1995 Quarterly Progress Report from the IPRS Action Plan. This is one of the reporting requirements for the Cooperative Agreement EUR-0049-A-00-4031-00.

Thank you,

Teresa K. Barry

Teresa K. Barry

cc: Norm Sheldon
PPC/POL/CDIE/DI
Steve Szadek

Enclosure

N M P

Njësia e Menaxhimit të Projektit për
Sistemin e Regjistrimit të Pasurisë
së Paluajtshme (SRPP)

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P M U

Project Management Unit
Immovable Property Registration
System (IPRS)

No. 40 Prot.

Tirana, 10.04 1995

SUBJECT : PMU activity Report for January-March 1995

To: Mr. David Stanfield

UW Advisor

Please find attached the activity report of the Project
Management Unit for IPRS, January - March 1995.

General Manager

Ahmet Jazoj

REPORT

on

Work activity on the implementation of the Action Plan for IPRS January 1 - March 31, 1995

The Project Management Unit (PMU) for Immovable Property Registration System (IPRS), which implements the Action Plan of the Albanian Government and is funded by the Albanian Government and international donors (USAID, PHARE Program, World Bank), is working to achieve the general objectives of creating a fluid land market in the future which is socially and environmentally sustainable.

During the first 3 month period of 1995, PMU continued to work on the implementation of the second phase of the Action Plan:

Activities in this period were undertaken for assembling information for the IPRS in the three districts, Lushnje, Kavaja, Tirana, as well in 27 other districts of the country originally scheduled for Phase 3 of the Action Plan.

According to the goals established for 1995, the following activities were carried out during the first three months of 1995:

1. Surveying and Mapping Aspect

1.1 Priority is given to the field updating of properties for rural and urban zones as well as their placing on the index maps, scale 1:2500. In order to complete the first registration of all properties in each cadastral zone, special emphasis was given to survey and mapping in village settlement for the preparation of the Registry Index Maps.

1.2 During the three month period we worked in 25 districts, and in March we began to work in two others. The work is carried out by means of order contracts for all the activities and the contracts are being administered by district coordinators according to the PMU regulations and programme.

1.3 During this period, field work order contracts totaled 31 000 Lek, including 2000 ha in village settlement zones.

1.4 In the three pilot districts, 5850 ha have been updated, out of which 630 ha are in the village settlement zones.

1.5 As of March 31, 1995, 136 200 ha have been updated, out of which 36,500 ha in the

pilot districts and 99,700 ha in other Districts.

1.6 Through March 1995, work in 493 cadastral zones has been done for first registration in the new registration system; of these, the field survey work has been completed in 191 zones (including agricultural and urban land). The updating of just the agricultural lands has been finished in another 143 cadastral zones and work on these lands in another 104 cadastral zones are in the process. During this three month period, out of 493 cadastral zones work was done in 193 cadastral zones.

1.7 In cooperation with district coordinators, a detailed plan has been prepared for the field work for the period 1995-1998. For 1995, this plan includes a time schedule for each cadastral zone with a defined period of its completion.

1.8 Concerning the preparation of base maps, 800 map sheets (1:5000) have been enlarged to 1:2500, of which 650 map sheets have been done by the Land Institute and 150 by the Military Topographic Institute. In this aspect we have also signed an order contract for the production of base maps with the Geographic Institute at the Academy of Science, which has not responded on time.

1.9 Registry Index Maps are ready for registration in 40 cadastral zones and we are working on 80 others. In the pilot districts Registry Index Maps for 25 cadastral zones are ready.

1.10 The experimental phase for the new technology adoption for the preparation of the maps from the aerial photography and digitalization of the cadastral maps is completed. The work has begun for this technology utilization to the benefit of the Action Plan.

1.11 During this three month period PMU has checked up the field work in 14 districts, focusing on the field work quality. We have the information for each control action, and at the same time we have set out the measures to be taken for correction of errors encountered.

1.12 The advisors from the EU Technical Assistance represented by OSI- Southampton, England began to work with us 6 March, 1995. During the first few weeks, the representative learned about the situation here, and is gradually increasing the cooperation with the PMU and field teams for the solution of the problems that have arisen especially in the urban zones.

In spite of these results, some problems have arisen:

a) Cooperation with the Cartographic Institutions in the country;

Some of them are on the state budget, and they do not well meet our requests because they can not afford the workers' payments. The institutions which are self-financed, such as the Geodetic Enterprise asks for higher payments for the production, since they have a monopoly on certain maps and at the same time claim exclusive ownership over the state archive information.

b) Lack of the Urban Cadastre and the delivery of the ownership documentation in these zones, makes us experiment the set up of an Urban Cadastre and then continue with the set up of the Registration System in these Zones.

2. Immovable Property Registration Aspect

2.1 The time of the public Display for the Immovable Property in Lumth-Lushnje, finished and some owners' claims have been sent to the Cadastre and Commune for solution. Thus, in this Zone the New Registration System can function once the Registrar for Lushnja is named.

2.2 Immovable properties are being displayed in Imslit - Lushnja.

2.3 The immovable property registration on Kartelas is completed in 13 Cadastral Zones in 7 districts:

Lushnja	4 zones,
Tirana	3 zones,
Korça	2 zones,
Kavaja	1 zone,
Librazhd	1 zone,
Durrës	1 zone,
Berat	1 zone.

The registration work in 6 other zones is in process (Tirana 3 zones, Pogradec 2 zones, Korça 1 zone).

2.4 Concerning the registration and the preparation of the relevant documentation, attention has been paid to the legal and procedural problems.

2.5 The tender for printing the initial order for 1 million kartelas has been completed and the corresponding contract has been signed. The delivery of the printed kartelas has begun by the winning Company.

Numerous legal and technical problems have come out regarding the registration of the property information on the kartelas, especially in the urban zones. Procedures are being developed to deal with different situations, including the drafting of special legislation and decisions to provide the legal basis for registration.

3. Legal Aspect

3.1 We have prepared the draft regulations for the operation of registration offices and 15 types of certificates which these offices will issue. We have discussed with the proper ministries and the further approval of these certificates and forms for application to register requires the nomination of the Chief Registrar who will manage this activity.

3.2 In cooperation with the University of Wisconsin specialists, we have worked on the preparation of some draft legislation:

- Land Tribunals;
- Agricultural land buying and selling;
- Legal conflicts especially between the Civil Code and the Immovable Property Registration

Law. Concerning these problems we have had discussions with specialists at the Ministry of Agriculture and Food.

3.3 We have prepared the draft law "Amendments to the Immovable Property Registration Law".

3.4 We have worked in group for the juridical solution of the urban property registration problem having to do with the lack of a legal basis for regularizing the ownership of houses and house plots in villages and cities.

3.4 In cooperation with the Land Policy Department, we are working on the draft laws on Land Protection and Leasing of State Owned Agricultural Land.

Problems that have come out in this aspect are:

The immediate nomination of the Chief Registrar is urgently needed. This is due to the fact that some registration activities, in conformity with the law, should be approved by the Chief Registrar and some have to be approved by the appropriate Registrar. The proper legislation and a number of juridical acts create conditions for the institutionalization of the new Registration System, but the nomination of qualified personnel by Government is lacking.

4. Land Policy aspect

4.1 During this three month period we discussed and did preliminary work concerning the further cooperation for the implementation of Action Plan in connection with the problems of land degradation due to erosion, pollution, landslides, location of solid waste disposal, urbanization, etc. Concerning these problems, in cooperation with the University of Wisconsin specialists, we organized 2 seminars on:

- * Institutional and legal methods for the land control and protection.
- * The experience of the developed countries concerning the preservation of highly productive agricultural land around urban areas.

The conclusions of these seminars defined the need for a separate Land Protection Action Plan. The work to prepare that Plan has already begun by the formation of working groups.

4.2 In cooperation with the Legal Department and some specialists of the Ministry of Agriculture and Food, we worked on the "Agricultural Land Buying and Selling" draft Law.

4.3 During this period we reviewed the work of the 9 research groups which work on four different projects:

- four groups on "Agricultural land Fragmentation and Consolidation.
- three groups on "Environment protection and management"
- one group on "Division of urban and agricultural land"
- one group on "The intra household rights over the land"

The two last groups were approved in January 1995 and they have been allocated the first

instalment of the budgets prepared according to the proper contracts. The second payment has also been given to projects which have made satisfactory progress in order to assure their completion.

4.4 Two projects' reports have been submitted for review and in April 15, 4 others will be submitted. The total sum paid during this period for all the projects is 393 590 Lek.

5. Logistical aspect

5.1 We have worked to secure adequate supplies for the project within the guidelines of the funding agencies.

5.2 Eleven photocopy machines were delivered to the PMU (from the U. of Wisconsin), and seven have been installed in Districts.

5.3 Measures are taken for the continual providing of registration Kartelas.

5.4 We prepared and submitted the Work Programme No.3 for the PHARE/Programme. We replanned the funds delivery according to the contracts and the financial means to cover them.

5.5 The requests for some training by the PHARE/Programme are prepared.

5.6 In Kavaja the rehabilitation of the registration offices is completed and we worked on the equipment of the pilot district offices. We are working on the rehabilitation of the offices in Skrapar, Gramsh, Pogradec and Permet.

The problem lies with the necessary office space in Berat, Shkoder, Korce, Elbasan, Vlora, Durres, and Fier, since a great volume of field work is done but there is inadequate office space for the preparation of the Registry Index Maps. The local Governments in these Districts have not provided the needed office space. The situation is the same in Tirana.

In spite of the efforts we have made, we are not that optimistic about government provision of the needed office space. We want a greater involvement of the Ministry of Agriculture and the Government. It would be a great impulse for the Project if we secured the spaces in the big cities esp. in Tirana. This failure by government has lead to a kind of pessimism even in the foreign donors.

6. Financial Aspect

During this three month period January - March 1995, PMU continues its activities based on the funds from the EU and Wisconsin University. These funds have been deposited in its accounts in ECU and US\$ and are delivered in conformity with the respective agreement between PMU and PMU/ PHARE of EU and with the Wisconsin University for the USAID funds.

EC funds transferred to the checking account of PMU until December 1994 are 243.080 ECU. During this three month period 30.770 ECU were transferred. The expenses paid out

of these funds for this period are in total 89.968 ECU detailed as follows:

	ECU
- Surveying contracts for field work	77 022 ECU
- Topography sector contract for enlargement and mapping	1.072 ECU
- Expenses for vehicle renting	6.839 ECU
- Miscellaneous	1.184 ECU
- Expenses for social security and coordinators' diems	2.147 ECU
- Training (Conferences)	1.704 ECU
TOTAL	<hr/> 89.968 ECU

PMU is also implementing the Action Plan of IPRS from the USAID funds provided through the Wisconsin University through a currency transfer based on Work Programme No.1. for the amount of US\$ 220.510 in August, 1994.

For this three month period the total expenses are 45.062 \$ detailed as follows:

	\$
- Expenses, salaries, social security and diems for PMU staff	10.810 \$
- Exp. for Vehicle renting and maintenance.	3.990 \$
- Exp. for registration offices rehabilitation	3.528 \$
- Exp. for Land Policy contracts	4.217 \$
- Exp. for offices equipment and refurbishing	12.528 \$
- Cartographic expenses	2.664 \$
- Translation and foreign specialists diems expenses	500 \$
- Service contract and other expenses	2.419 \$
- Training expenses	4.364 \$
Sub-Total	<hr/> 45.062 \$

Besides the expenses paid directly by PMU, there are some expenses for the purchase of equipment made by the University of Wisconsin:

Xerox purchase	82.430 \$
Computers and supplies	9.408
Sub-total	91,838 \$

**Total expenditures from AID funds
by PMU and UW (capital) 136.900 \$**

Final Remarks:

In addition to a better organization, a higher professional level of the employees, we point out once again the need for a greater assistance by the Government, especially concerning:

- space for the registration offices and the central registration system office in Tirana and in districts.

- nomination of the Chief Registrar and his Vice so that institutionalization of the Registration System functions in conformity with the "Immovable Property Registration" Law.

- resolution of the institutional restructuring of the various mapping agencies.



General Manager
Ahmet Jazoj