THE HELLENIC APPROACH FOR IMPLEMENTATION OF A MODERN CADASTRE DIFFICULTIES AND PERSPECTIVES

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System of Transfers and Mortgages

1853: Operation of a system of Transfers and Mortgages

- Registration of deeds
- Person-centric system
- Registration of all legal rights concerning land
- Sporadic geometrical data in urban areas
- Operation by the Private Sector under the supervision of the Ministry of Justice
- Legal information is not guaranteed by the State
- Network of 400 Mortgage Bureaux

Sufficient land tenure is achieved after investigation in the archives. This system cannot support: efficient land market development and regional planning.
Main problems of the system of Transfers and Mortgages

• Deeds do not prove entitlement
• Analogue system & person-centric
  **Difficulties in access and data processing**
• No correlation between descriptive and geometrical data
• Unknown & unprotected Public owned land
• Inappropriate tool for environmental monitoring
  in combination with the lack of Forest Maps
• The system provides no possibility for fair land taxation policy
Alternative solutions for system modification

1. Improvement of the current Transfers and Mortgage System
   Introduction of Information Technology (IT)
   Limited possibilities for real improvement

2. Parallel establishment of a second agency:
   Land registry (Mortgage Bureau)
   Cadastral Office
   Difficulty in maintaining identical and up-to-date information

3. Implementation of a new Cadastral System
   Abolishment of Transfers and Mortgages System
   Maintaining of all data under the auspices of one organisation
Selection of the Cadastral System: Hellenic Cadastre project

- Mature environment for good Public and Political acceptance for the cadastral system implementation
  Proper advertisement - Complete devaluation of the current system
- Governmental effort for a general policy reform due to the approaching entering of Greece to the EU Common Market
- Sufficient technical knowledge and tools at the Private sector for the compilation of a digital cadastre

The new system would:
- Improve the land tenure and the security of Public owned land
- Regulate the land markets
- Facilitate the environmental resources management and the regional planning
- Provide a tool for NSDI implementation
Concept of the new Hellenic Cadastre system

Implementation and maintenance of a modern

**Spatial Information System at National Level**

by collection, registration, organisation of the digital spatial and the associated legal information and

the creation of an effective managing system for keeping updated and easy to access all the cadastral information
Main characteristics of the Hellenic Cadastre

- Title registration system – Positive countrywide cadastre
- One unique organisation **under the Ministry of E.RP.PW.**
- Compilation of CS are commissioned to Private Offices
  - Original time schedule 15 years (1995-2010)
- Fully digital methods - GIS operation
  - Rural areas: Orthophotos at a scale of 1:5,000
  - Urban areas: Vector maps at a scale of 1:1,000
- New legislation for: Implementation Cadastral surveys
  - Adjudication process
  - First Registration

**Operation/maintenance**

- Establishment of Cadastral Offices
- Available budget for the first 5 years **US$120M out of $640M**
  - Co-financing from EU (75%) & Hellenic Government (25%)
Weak points of the proposed new System (1)

• Absence of a reliable Strategic and Implementation Plan
  Lack of awareness and experience of Land Administration and Cadastral issues
  Insufficient knowledge about the necessary procedures for the compilation of the Cadastral Surveys
  Lack of updated necessary statistical data
  Complete absence of cost-effective analysis

• Great vision and enthusiasm for the new system’s capabilities
  Exaggerated and diverted expectations from a cadastral system
  Overestimation of the level of State-independence of the responsible agency
  No quality control system for the deliverables
  No serious consideration about the risks appointed by international and local experts
Weak points of the proposed new System (2)

- No adoption of fundamental issues for successful cadastral implementation
  
  Acceptance of the value of the cadastre by all State Services
  Coordination and common relative policy in all Ministries
  Common and flexible legislation framework for compilation and maintenance procedures
  Affordable cost for the country’s financial policy

- Plan for complete abolishment of the current system
  Legal rights collection from the scratch
  No use at all of the existing cartographic infrastructure

- Problematic transitional period
  Simultaneous operation of the previous and the new system
  Sporadic enrollment of small areas under cadastral survey
  Maintenance of the cadastral data by the private offices during the implementation period
Progress of the Hellenic Cadastre

1995  Law for the implementation
1996  Beginning of the Cadastral Surveys
1997  Establishment of the Organization (KTHMATOLOGIO S.A.)
1998  Law for the operation of the Cadastral Offices
2001  Proposal for new Strategic Plan
2002  Problems with EU contribution to the financing of the project
   Re-engineering ?
2003  ?
Main problems of the Hellenic Cadastre (1)

• Failure in meeting the time-schedule requirements
  None cadastral survey has come to an end so far
  Only the 6.5% of the jurisdiction is under cadastral surveys till now and these are expected to be finished gradually by the end of 2003

• Excessive compilation cost – far from estimated cost
  For the 6.5% of the jurisdiction >20% of the initial estimated cost will be spend
  Full compilation completion demands 250% of the originally, already high, declared budget

• Difficulties in the continuation of the EU financing
  Strict requirements are to be imposed
Main problems of the Hellenic Cadastre (2)

• No Cadastral Office operates so far
• No IT development plan available
• Absence of technical specifications for the maintenance of the Cadastral data
• Absence of quality control specifications for the deliverables
• Very expensive & time consuming adjudication process (objections examination)
• No inter-Ministerial cooperation in issues that affect the project:
  - Compilation of forest maps (Ministry of Agriculture)
  - Coastal zone management (Ministry of Finance)
  - Transfers and Mortgage Offices (Ministry of Justice)

More than 1 year “dead” period, creates difficulties in recovering and speeding up the project
RE-ENGINEERING?

- Administrative
- Legislation
- Economic/financial
- Technical
- IT development

MAJOR REALIGNMENT OF THE PROJECT!

- New Strategic Plan
- New Implementation Plan
Principles of the new Implementation plan (1)

- Clarification of the objectives and the target of the HC
  - Well-defined objectives
  - Clear strategy for their achievement
- Institutional arrangements
  - Institutional infrastructures
  - Clarification of the responsibilities of the agency
- Cost-effective analysis
  - Compilation: Low cost - short compilation time
  - Operation: Self-recoverable
- Technical specifications for the compilation and the maintenance

Selection of low cost techniques:
  - compilation of index maps
  - boundary determination with lower accuracy
  - use of existing cartographic data
Principles of the new Implementation plan (2)

- Legal framework for the compilation and maintenance
  - Gradual merging (not abolition) of the current system of Transfers and Mortgages with the new Cadastral system
  - Development of databases with servitudes, mortgages and seizures derived from the current system of Transfers and Mortgages
  - Cheaper collection procedure of the descriptive cadastral data
  - Simplification of the adjudication procedure with a prolonged period until the State-guaranteed titles
- Immediate operation of Cadastral Offices
  - Determination of the Regional Structure of the HC
- IT development
  - Cadastral database management
  - Monitoring of the work
Perspectives of the HC project

The HC project MUST succeed: no doubt about that!!

The only solution is its re-engineering with:

- Maximum use of the existing legal and geometrical information
- Use of digital methods and GIS operation as originally planned
- Decrease of accuracy requirements for boundaries
- Simplification of legal adjudication process
- Use of ITU for decreasing bureaucratic procedures
- Adoption of a product availability policy and a self-recoverability approach
- Cooperation among all Public Services and the involved professionals for the benefit of the project