

# THE CROSS RIVER REVIVAL

## ONCE CRIPPLED BY LAND MANAGEMENT DISARRAY, THE NIGERIAN STATE OF CROSS RIVER IS BOUNCING BACK WITH A CUTTING EDGE PLAN TO RESTORE TRUST AND TRANSPARENCY.



It's taken five hours along a ragged Nigerian road, but you have finally arrived at Calabar, the capital of Cross River State. It hasn't been an easy trip. You left Cross River's rural northern region early this morning. To reach this coastal city in Nigeria's southeast corner, you've endured roads blocked by fallen trees and flooded by overflowing streams. You're soaked to the skin from the rain. And the little money you've stashed in the sole of your boot suddenly doesn't seem like nearly enough for what you have in mind.

You haven't come to the bustling streets of Calabar for any nefarious purpose. You're here to register your land.

And the hardest part of your journey is still to come.

You've entered the world of Cross River land tenure, circa 2008. You'll be swallowed up in the land ministry office, passed from one official to another, paying fee-after-fee. You may wait in the capital for days while someone searches for a paper copy of your title. Maybe they'll find it in a mildewed cardboard box or among piles scattered on the ground. Maybe they'll never find it.

The entire process may take anywhere from six months — to three or four years. It could cost you between \$500 and \$2,000. And in the end, when you are finally frustrated by the cost, the travel and the corruption, you may simply give up.

Only a few years ago, Cross River, a state of just over 3 million people, was in the grips of land anarchy.

An antiquated land management system relied on paper records and a manual process that was cumbersome, time-consuming and fraught with error. Documents were forged. Parcels of land were sometimes allocated to multiple owners. The entire system was vulnerable to theft and corruption. Land disputes were rampant. The state lost precious revenue. And investors were reluctant to risk their money in such a tenuous environment.

"There was no peace of mind," says Bassey Oqua, Cross River's Commissioner for Special Projects. "You could never be sure if the land you lived on was really yours."

Today, Cross River's land disarray "is a thing of the past," says Dr. Clement Oshaka, director general of the Cross River Geographic Information System. In 2009, the Cross River State government launched a new era in land administration. Led by Governor Liyel Imoke, Cross River has made land reform the centerpiece of a bold effort to encourage development, promote investment and bolster the trust of its citizenry.

Funded entirely by a 1 billion naira (approximately 6 million USD) investment by the Cross River State government, the project aims to secure the policy and legal frameworks for land management. The first step was creating the Cross River Geographical Information Agency (CRGIA), an independent agency designed to give the public easy access to geographic and land-related information. With



the help of management solutions from Thomson Reuters and Teqbridge Limited of Nigeria — from technology to implementation services to training — CRGIA is striving to replace an inefficient and error prone land administration system with the framework for a modernized process.

Gone are the fragile paper deeds. In their place are digital documents scanned and indexed in a state-of-the-art geographic information system. Gone are the five hour treks back and forth from an understaffed government office. Now, Cross River citizens can conduct their land transactions in person at CRGIA's newly opened Customer Service Center or via a publicly hosted Web portal. Gone are "mystery" fees that block your path to a title. Now, all land transactions are transparent. The new digital system automatically computes government-approved fees and ground rents — eliminating arbitrary "discounts" and payoffs. And registering your title — a process that once took months or years — can now be completed in a week. By summer 2013, more than 12,000 documents were processed digitally. And more rents and fees were collected in just two months than in the entire four years before the onset of the Cross River reforms.

"It is no longer business-as-usual in Cross River," Oqua says. "What we have done here is quite peculiar and very unique. Ultimately, the entire state — every inch and every parcel of land — will be documented and registered. For our people, there is now a sense of security. Your land is your land."

**A STATE OF DISARRAY**

Nigeria is an economic powerhouse in Africa, with valuable natural resources and a rapidly growing economy. But the nation faces significant governance challenges — including land registration policies that stifle the real estate market. Supported by massive oil deposits and record high prices for fuel, many Nigerian states long neglected the need for effective land administration — despite outrage from citizens who were frustrated by a chaotic and often corrupt process. In 2012, as Cross River embarked on its land reform efforts, the World Bank's "Doing Business" survey ranked Nigeria 182 of 185 countries — the lowest in Africa — on its ease of registering property. This important indicator chastised Nigeria as a country where "property transfer is too costly or complicated," and noted that the antiquated system is "limiting access to finance."

Recently delisted as an oil producing state, Cross River has been forced to look for alternative approaches for promoting economic growth. With attractions like the mountain tops of Obudu and

the rainforests of Afi — not to mention the annual Calabar Carnival, dubbed "Africa's Biggest Street Party" — Cross River has energized its tourism industry. But while Cross River has launched initiatives to advance its infrastructure — from modernizing its road network to increasing access to health care — 70% of the state's population still live in rural areas, where more than three-quarters of Cross Riverians survive on less than a dollar a day.

The state recognized land tenure as a crucial aspect in its economic growth. By ensuring that land transactions can be made quickly, transparently and with confidence, officials hope to highlight Cross River as a prime investment location in Nigeria — and West Africa as a whole. But to do that, Cross River would need to overhaul a system that often left both investors and citizens questioning the security of their own land rights.

"We are human beings. We don't live in the air. We live on land. We farm on land. What is more important than securing your land?" Dr. Oshaka says.

**THE COVETED CofO**

Most Cross River citizens, particularly in rural areas, subscribe to communal land tenure practices. In these cases, traditional rulers often manage tracts for the entire community. They can grant land-use rights to outsiders, but these transactions are often undocumented. The "buyer" is left with a perilously insecure asset. Grantees can see their land suddenly taken from them by community heads or discover that the same plot was sold to multiple buyers.

Instead, land-owners can seek a measure of security by acquiring a title, known as a Certificate of Occupancy — or CofO. A CofO isn't mandatory for owning land, but it's required if the owner plans to use his private land for commerce or as collateral for banking transactions. "Without a CofO, the land is not bankable," Oshaka says. "A CofO empowers a land-owner as a means of wealth creation."

But obtaining a CofO has historically been a long and arduous process. In the past, the Ministry of Lands and Housing doled out CofOs. But the land ministry was hampered by a lack of institutional knowledge, a four-person staff and outdated resources. All transactions occurred in the capital, adding costs and frustrations to CofO-seekers traveling to-and-from government offices.

The manual, paper-based system caused a slew of problems. With the registry largely lacking indices and storage space, searching for records was time-consuming — and often unsuccessful. Paper records were lost or worn from constant handling. The

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irreplaceable CofOs were exposed to everything from rats and beetles to age and the elements. The lack of structure and oversight encouraged corruption. Some Cross River citizens were largely convinced that the only way to successfully navigate the CofO steps was to pay your way through them.

“The process was so cumbersome, so grinding, that people simply gave up,” says Chiemeka Ngwu, president of Teqbridge Limited. “You keep going back and forth. You’re always spending one way or the other. It’s taken so long — and you are no closer to [a CofO] than when you started. You finally say, ‘Enough is enough. I’m going home.’” Indeed, only 80 CofOs were issued state-wide in 2010, and less than 10,000 have been granted since their inception in 1978.

Not only does the dearth of CofOs lead to land rights havoc, it also deprives the state of much-needed revenue in ground rents and other land-related fees. Years of outstanding rents and late payment penalties went uncollected due to incomplete records or land officials who simply don’t want to make the effort. “CofOs are a big part of the [Cross River] revenue stream,” Oqua says. “It’s this flow that contributes to our infrastructure, our water, our medicine, our education.”

#### SAFEGUARDING LAND RIGHTS

The centerpiece of the land reform initiative was the creation of the CRGIA, an independent “one-stop-shop” agency for land management. With the backing of the state governor, the project coordinators realized that, in order to fully adopt a modernization strategy, they’d need to reform the legislative framework. In July 2012, the Cross River Governor, Senator Liyel Imoke signed into law the bill for the establishment of CRGIA as the state’s new land authority, with the legal power to issue and register CofOs and collect fees.

But to jump start its land registry program, CRGIA still needed to improve both its human resources and its technology. To establish credibility, the agency had to install a modern land information system with accurate and reliable data. With the help of Teqbridge and Thomson Reuters, systems have been implemented to create a modern, transparent land management system.

Employing Thomson Reuters Registry and Cadastre solutions, CRGIA is combining geographic information systems (GIS) software with an integrated document management system. Old CofOs can be recertified while new CofOs are registered. CofOs are scanned and indexed for rapid searches. The system automatically computes bills like ground rents and other fees. “There is no more guess work,” Teqbridge’s Ngwu says. “You know all the fees. You know all the

steps you must take. Anyone who comes and meets these conditions will be given a title. It’s not voodoo. You get a title, and it’s real.”

Still, as the agency prepared to debut its new customer service center, CRGIA recruited well-trained and motivated staff. The agency interviewed hundreds of applicants, settling on 48 hires to staff the new department. Many of the employees lacked the skill sets needed to work in an archive or registry office. Prior to joining CRGIA, few had experience with information technology. “Some had never seen a mouse before,” Ngwu laughs. “They were afraid to touch it. They looked at it like it was dangerous. We could get them to tap it, but not move it.”

Over the course of several months, training sessions (including on the job training) helped staffers become conversant with the new registry and cadastre systems. It takes 4 to 6 months (plus on-the-job experience) to train staffers as system administrators, GIS experts and land administration specialists — not to mention customer-service professionals, Ngwu notes. “Training was fantastic,” he says. “Not only were [staff] introduced to computing and GIS, but they also learned the importance of treating every customer with respect.”

#### AN EXCITING TIME

From a numbers perspective, the reform has vastly improved Cross River’s land management record. As of summer 2013, a total of 20,724 property files were delivered from the Ministry of Lands and Housing to the CRGIA center for electronic record archiving. Of these total files, 12,375 files have been processed and, with about 5,000 nearly finished. Meanwhile, the agency has collected over NGN1.6 million in fees for title searches and registrations. More than NGN471,000.00 was collected in the first few months of 2013 — more than the total amount recouped between 2006 and 2010.

The project hasn’t achieved all of its goals. So far, public awareness campaigns have lagged behind technology and process advances. “Too many Cross River residents are not aware that everything has changed,” Oshaka notes. In the next phase of the project, an aggressive public awareness campaign will “coat the entire state,” Oqua says, with everything from electronic media to strategically-placed billboards to radio ads and town criers in rural regions.

Most importantly, officials say, the new system is restoring confidence in the security of Cross River land rights, among citizens and potential investors. “I think investors are very, very comfortable in Cross River now,” Oqua says. “When you are seeking the title for a property, there are no more headaches, no



more problems whatsoever.” Cross River officials hope their efforts will serve as a roadmap for other Nigerian states and African governments to modernize their land policies. “Now, people are saying that Cross River has the best land administration system they’ve seen in Nigeria,” Ngwu says.

In December 2012, Cross River achieved another milestone when the new Cross River Geographical Information Agency in Calabar opened its doors to the public. The scene would have been all but unimaginable just a few years earlier: Cross River citizens walking into an office to register properties in a software system. One by one, people were led by a greeter to the appropriate desks, where staff helped them digitize their deeds — and secure their land.

“It’s an exciting time to live in Cross River. It’s a new era,” Oqua says. “Everything is changing. It’s amazing to see something as beautiful as this.”

