

The Evolving Role of Private Sector in Turkish Cadastral System

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Key words: Cadastre, Cadastre 2014, Private Sector, Turkish Cadastre.

SUMMARY

Today, the global drivers like sustainable development, globalization, urbanization, and information technology have an important influence on many disciplines. Cadastral sector is one of them. Therefore, reviewing current situation and developing a new vision for future cadastral system is a very significant task to make it much valuable. In this context, the “Cadastre 2014” report prepared by FIG Commission 7 is a very significant material. Especially, the six statements declared in Cadastre 2014 present clear and valuable vision for future cadastral system. Considering the fact that many countries still trying to complete or upgrade their cadastral works, importance of the vision could be better understood.

Turkey is one of the countries trying to complete its cadastral works. It is a large country with 780.000 square kilometres area. In cadastral works, almost 32 million land parcels which cover 85% of the whole country have been registered since 1925. In other words, 15% of the works have not been completed yet. In addition, because of the current error-prone documentation systems and inadequate maps, there is an urgent need for re-cadastre in some areas. So, in order to speed up Turkish cadastral works, rather than public sector, private sector should be involved in the system. In this point, ‘Statement 5 on Cadastre 2014’ which says that “Cadastre 2014 will be highly privatized! Public and private sector are working closely together!” has been a vision for this issue. Before 2000, private sector had not been involved in cadastral works in Turkey, but today they are working actively in cadastral actions in some pilot areas of the country. In this paper, firstly, the evolving role of private sector in Turkish cadastral system is evaluated. Then, the new initiatives in private sector involvement to cadastral works, its some advantages and disadvantages are expressed.

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1. INTRODUCTION

Today, the global drivers like sustainable development, globalization, urbanization, and information technology have an important influence on many disciplines. So, most disciplines are trying to reengineer their systems to keep up with these drivers. Cadastral sector is one of them.

Because cadastre has a vital role in land administration, many countries are trying to complete their cadastral works. In this point, the “Cadastre 2014” report prepared by Working Group 1 of FIG Commission 7 has been a driver for these works throughout the world. Especially, the six statements declared in Cadastre 2014 present clear and valuable vision for the future cadastral system. One of these statements is related with private sector involvement in cadastral works.

2. PRIVATE SECTOR INVOLVEMENT IN CADASTRAL WORKS

According to *the Statement 5 on Cadastre 2014*, “Cadastre 2014 will be highly privatized! Public and private sector are working closely together!” (Kaufmann and Steudler, 1998). When it is considered that public sector is not sufficient in many countries to constitute and maintain land administration functions, the importance of this statement could be better understood (Dale and McLaughlin, 1999). So, today, private sector involvement in cadastral works is seen as inevitable in general. There are also some agreed views about this matter. One of the most important of them is that the main task and responsibility of the public sector is to control the development of society and not to be engaged in operational activities. The capabilities of the public sector should be used to manage and control the activities of the public administration and to involve the private sector in operational activities as much as possible (UNECE, 2000).

As a general rule, the addition of new or amended information to a land register, for instance relating to new owners, should be made by the responsible public organization. But the management of a computerized database, the establishment of networks and the marketing of land information to meet the needs of users can be contracted out to the private sector. It is important that the public sector has the expertise to manage and monitor contracts with the private sector (UNECE, 2000).

Nowadays, as parallel to these generally accepted views, private sector involvement in cadastral activities also has been put into practice in Turkey. Understanding of the existing situation of the Turkish cadastral systems is very important in order to realize this involvement’s importance.

Turkey is a large country with 780.000 square kilometres area. From 1925 when cadastral works were started to today, almost 32 million land parcels which cover 85% of the whole country have been surveyed and registered. In other words, 15% of the cadastral works have not been completed yet. In addition, some of the existing cadastral maps produced in different times with different methods, coordinate systems and scales have lost their applicability (Cete and Yomralioglu, 2004). Besides, these bases are not enough for today's expectations. So, re-cadastré is a need for some areas. On the other hand, General Directorate of Land Registry and Cadastre has a target to complete the whole cadastral activities in three years.

Realizing the completion and upgrading of Turkish cadastral works by public sector in a short period of time is very difficult. Therefore, application of 'Statement 5 on Cadastre 2014' is vital for Turkey.

3. THE ROLE OF PRIVATE SECTOR IN TURKISH CADASTRAL WORKS

The first cadastral law of Turkey is 'Land Title Law' dated 1934. According to this law, technical part of cadastral works could be contracted to the private individuals or legal entities in appropriate areas. However, because of the high cost of technical personals and devices, this article had not been put into practice. The same issue has come to order densely in 1980's and then the same article has been put into the 'Cadastre Law' dated 1987 (Kul 1998). However, this article also had not been put into practice until 2004. At that time, 'direct income support' has come into order for farmers as an agricultural policy. However, there was no data for agricultural parcels in some regions. Cadastre was an urgent need for these areas. As a result of this situation and effect of 'Cadastre 2014' vision, the article has put into practice. Technical parts of cadastral works were contracted to private surveyors in some areas as pilot projects. Today, these works still have been carrying on by private sector.

3.1. Private Sector Involvement

In Turkey, private sector involvement in cadastral works was started extensively in 2004. These works have been realized in a village extent. At the beginning of the works, public surveys were realized in the villages to learn house numbers, whether villagers want cadastral works or not and whether there is a problem relating to forest and pasture areas, etc. or not in the village. As a result of this public surveys, the villages having priority were determined. At the same time, the contract specifying procedures and pre-requisites in detail was prepared by the General Directorate of Land Registry and Cadastre (TKGM, 2004).

200 working days are given to private sector institutions for each working areas. However, the days with improper weather conditions are added to the project time. The role of private surveyors in these works is only in technical mean. Non-technical procedures are realized by land registry and cadastre officials. Duties and responsibilities of the private and public sectors are seen in Figure 1 and Figure 2.

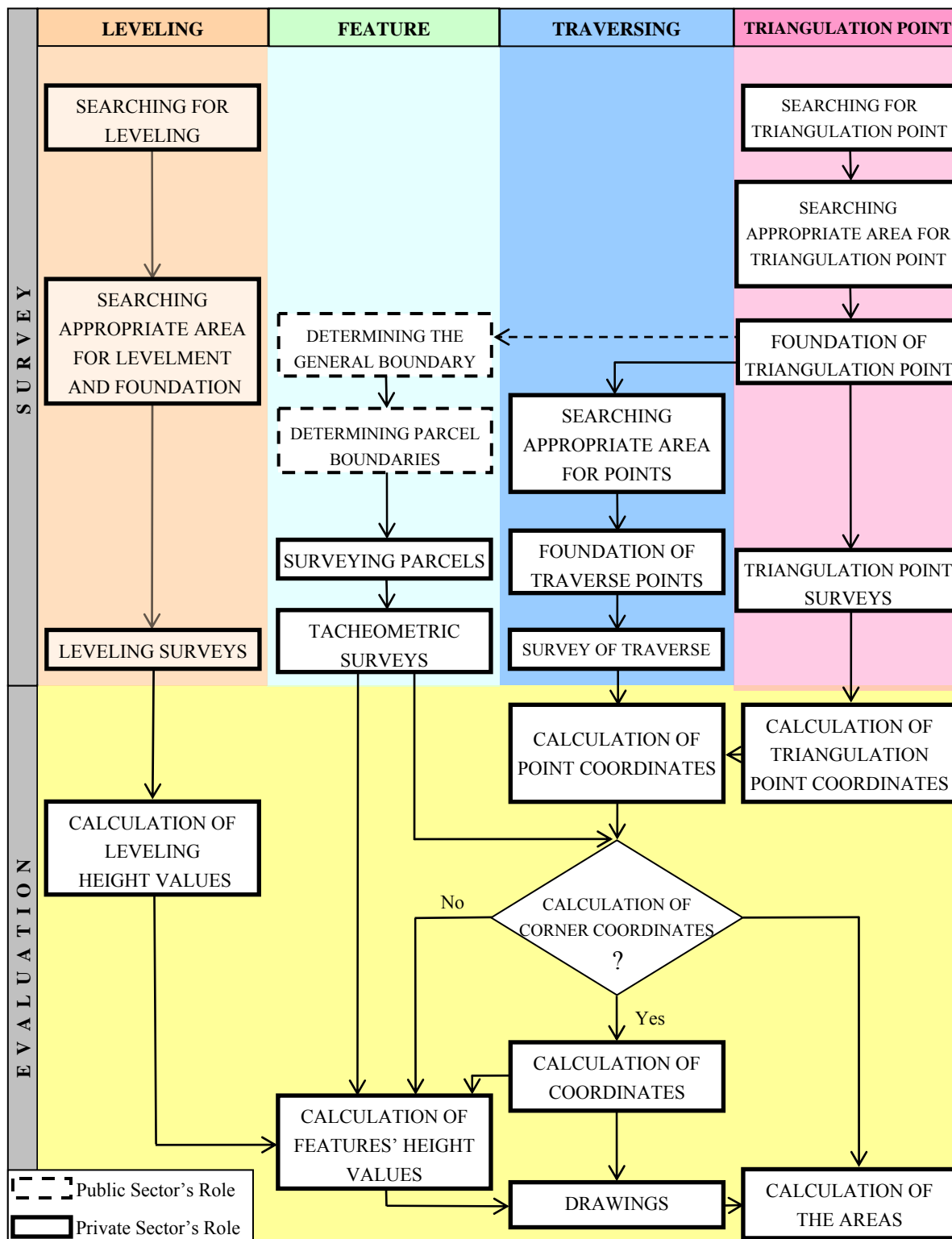


Figure 1: Flowchart of the Turkish Cadastral Works from Technical Perspective (Bıyık and Tüdeş, 1997)

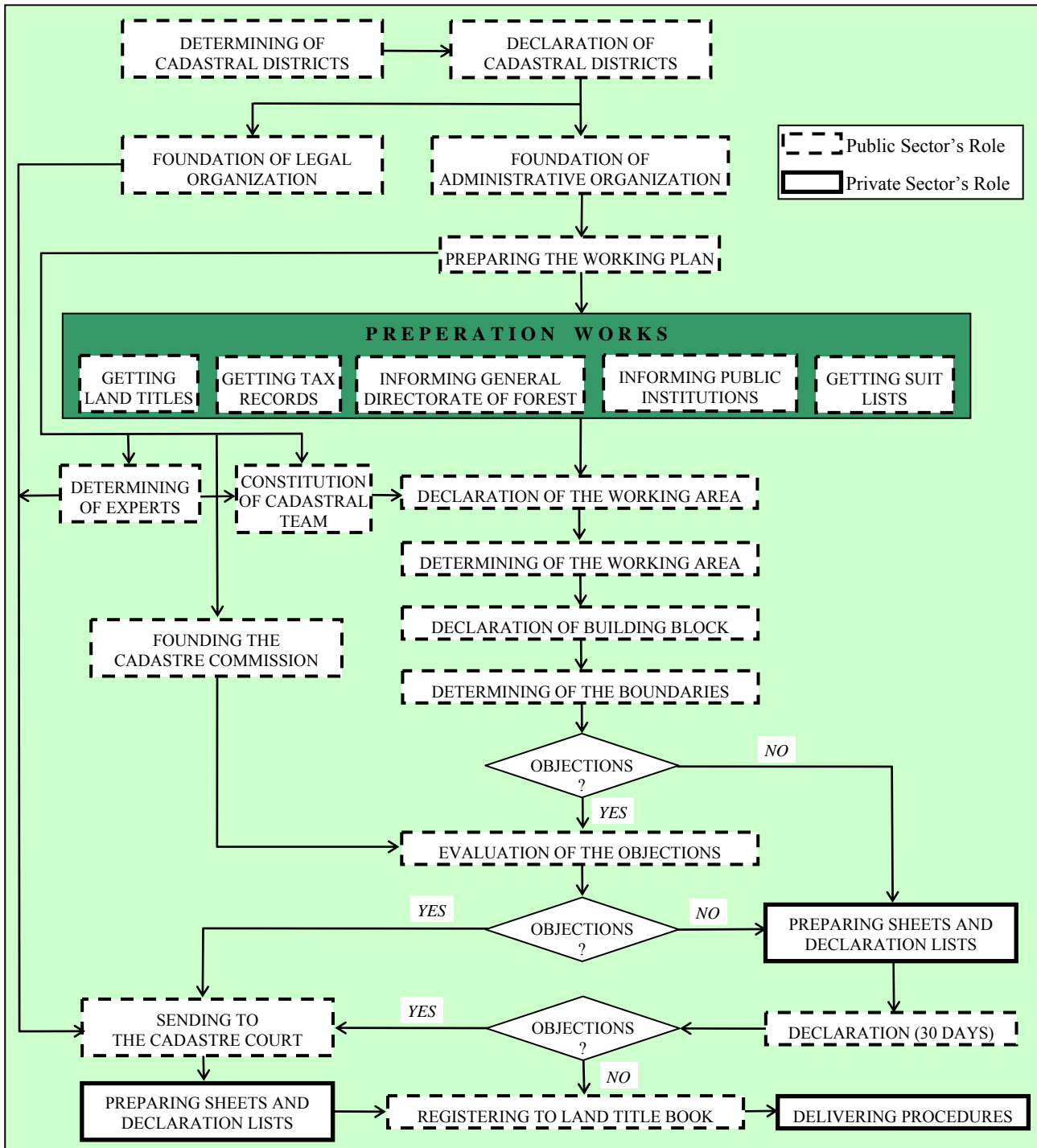


Figure 2: Flowchart of the Turkish Cadastral Works from Legal Perspective (Bıyık and Tüdeş, 1994)

3.2. Advantages of Private Sector Involvement in Cadastral Works and Issues

Involvement of private sector in cadastral works has provided great advantages for Turkish cadastral works. In this period, number of staff of the General Directorate of Land Registry and Cadastre has reduced. The main cause of this is retirements. The workers who had not wanted being retired before private sector involvement in cadastre, today they want to be retired. Because, private sector need expertise staffs in cadastral works. So, these people are carrying on working in private sector after retirement. On the other hand, 3D cadastre which had not put into practice in general before private sector involvement is in action with this initiative. Also technological skills and devices of private sector have been started to use in cadastral works. In addition, cost of the cadastral works has been diminished. The most important issues faced by private sector in cadastral works are in forest and pasture areas in Turkey. The lack of experienced individual is an important issue for private sector.

4. CONCLUSION

Private sector involvement in cadastral works is very important matter especially for the countries which have not completed or are upgrading their cadastral works. The Turkish cadastral administrators are very glad from private sector involvement in cadastral works. Also they want to speed up such works to complete Turkish cadastre in a digital environment as soon as possible. At the same time, private sector involvement in cadastral works is a very cost effective way for cadastral works.

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BIOGRAPHICAL NOTES

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