

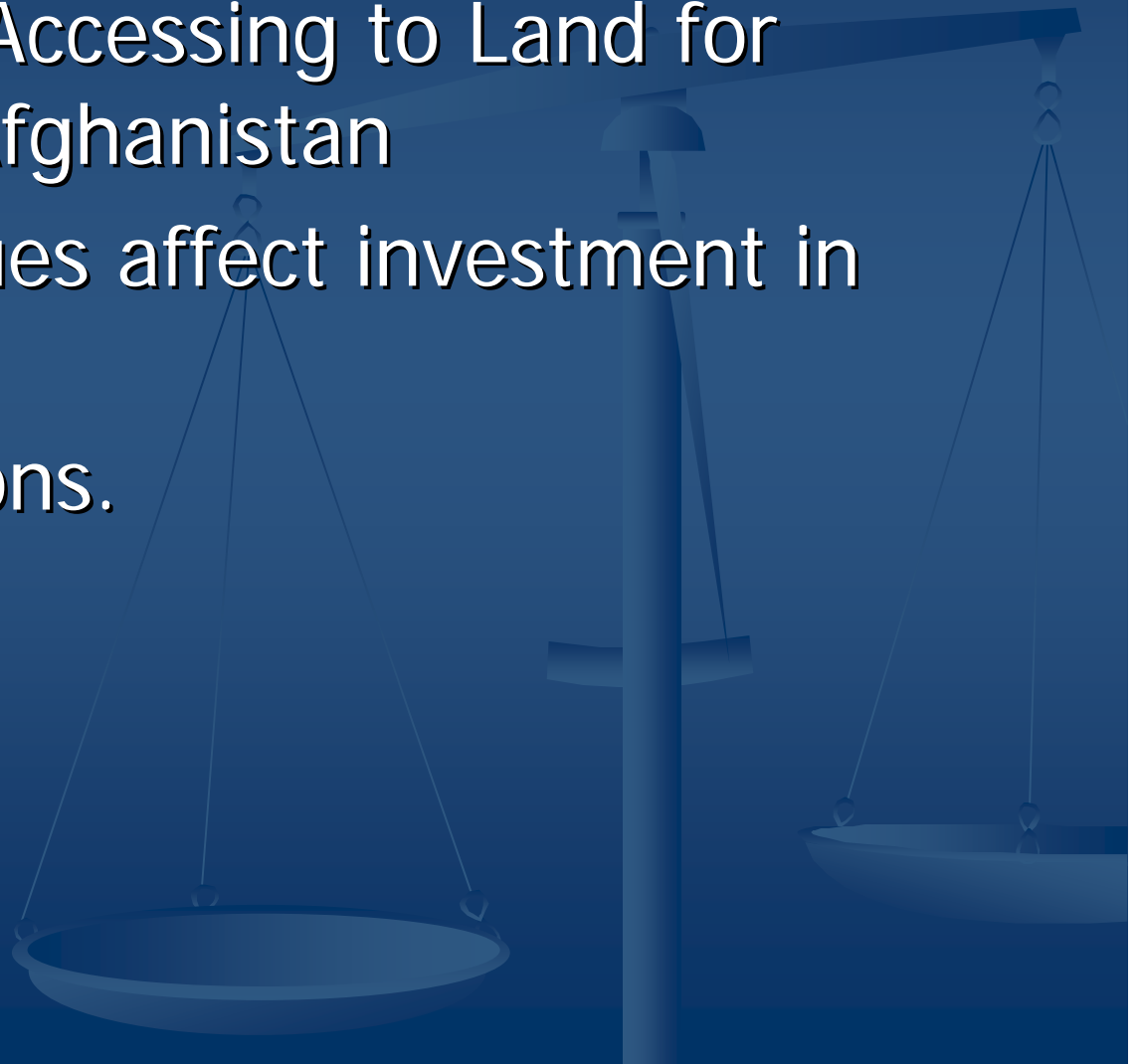
# Issue of Access to Land



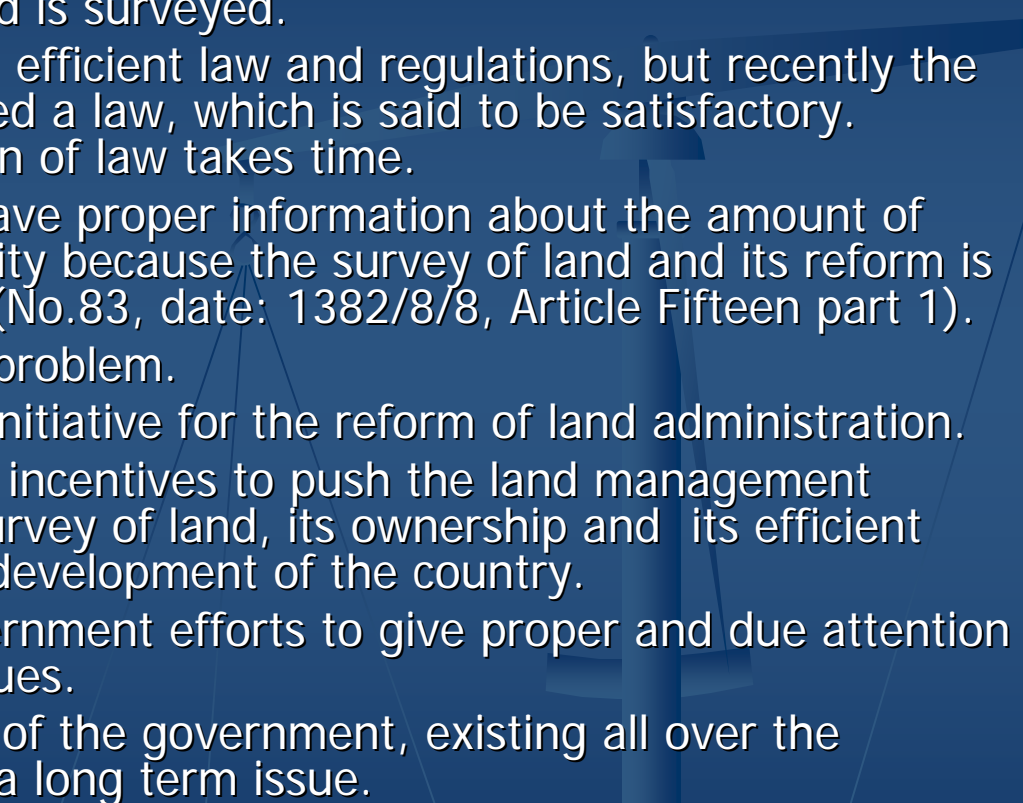
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# Outline

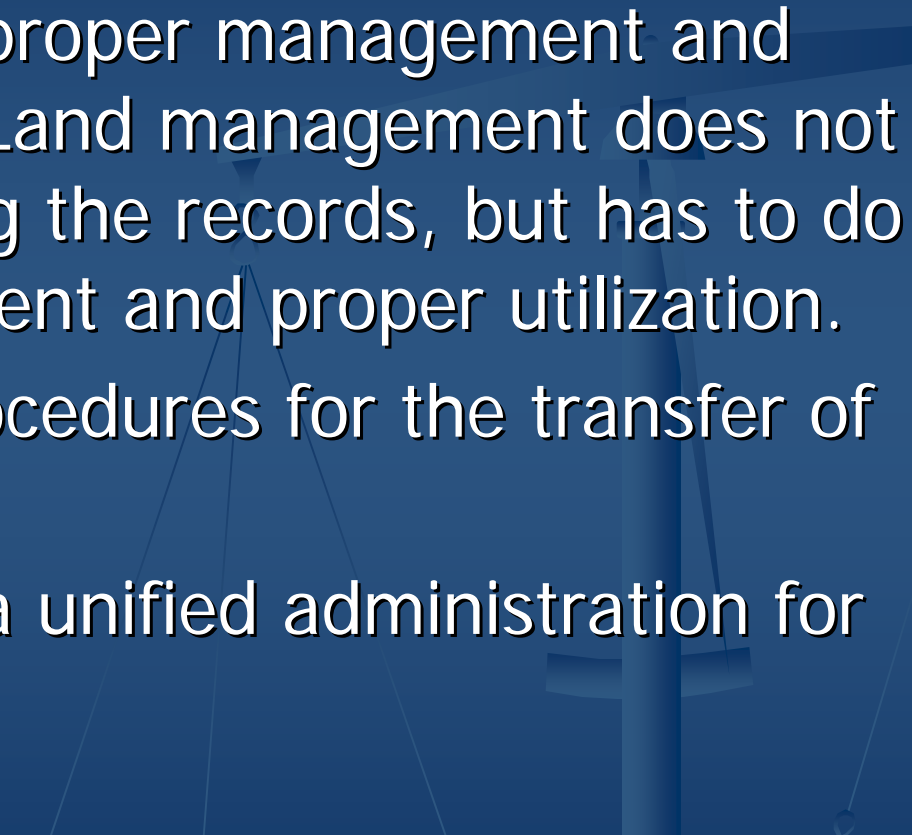
- Current Issues Accessing to Land for Investment in Afghanistan
- Why do the issues affect investment in Afghanistan?
- Recommendations.



# Issues of access to Land for Investment in Afghanistan

- Only 30 to 33 percent of land is surveyed.
  - Non-existence of proper and efficient law and regulations, but recently the Afghan Parliament has passed a law, which is said to be satisfactory. However, the implementation of law takes time.
  - The government does not have proper information about the amount of land, its ownership and quality because the survey of land and its reform is halted by the promulgation (No.83, date: 1382/8/8, Article Fifteen part 1).
  - The promulgation itself is a problem.
  - Currently there is no active initiative for the reform of land administration.
  - Lack of skill, knowledge and incentives to push the land management administration to plan the survey of land, its ownership and its efficient utilization for the economic development of the country.
  - Lack of the donors and government efforts to give proper and due attention to the land management issues.
  - Corruption and bureaucracy of the government, existing all over the country, which is said to be a long term issue.
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# Current issues access to Land for investment in Afghanistan...cont

- Non-existence of proper management and planning of land. Land management does not only mean keeping the records, but has to do with it's development and proper utilization.
  - Lack of proper procedures for the transfer of land.
  - Non-existence of a unified administration for land registration.
  - other.
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# Why lack of access to land affects investment in Afghanistan.

- Because land is the factor of production without which the investor can't function. People, who want to invest in industries, need land for their machinery to be placed in....etc. The agro businessman can't work without land, the construction companies need a place for stationing their machines, construction materials...etc. Land is the need of each investor.
- It's a major problem because without having their own land the investor's work would not be sustainable.
- Installing industry in rented places is inappropriate and expensive, plus it is illegal according to the NEPA law.
- Although its not the only problem that the investor faces. However, it is the first and most critical problem for the investor after security.
- A large amount of investment is retarded due to the lack of access to land.
- Provision of land for industries also ensure some level of security.

# Recommendations

- The Promulgation dated 1383/8/8 should be nullified and replaced with the following.
- Creation of an Action committee with authority lead by experts, and support by donors who will do the following
  - Land reform need assessment
  - Planning, strategy, administration and implementation of the reform and land development and its efficient utilization.
  - A new law for the land management, utilization should be drafted.
  - Reform of the land administration should include:
    - Reform of the function of land administration.
    - Removal of the corrupt and inefficient officials.
    - Recruitment of efficient and educated staff and the provision of automotive administrative equipments.
- Land survey, mapping or topography and registration.
- Identification, classification and analysis of land.
- Verification and clarification of the disputed land through a transparent feasible mechanism.
- Economic Zones planning and developing the procedure for land transfers ( from the public to public or private sector or vice versa).
- Planning for the utilization of arable land which is not used by any one.
- All the actions can happen simultaneously.