

Summary Notes of the ECES Roundtable on:
**The State Land Management System: Current Situation and Proposals
for Development**

Wednesday, 18 April 2018, from 10 AM to 1 PM

The Egyptian Center for Economic Studies gave a presentation on a study named after the roundtable's title, with the presence of:

- Eng. Ibrahim Mahlab, Assistant to the President of the Republic for National and Strategic Projects and former Prime Minister
- Major General Amir Sayed Ahmed, Advisor to the President of the Republic for Urban Planning

Main Points of the Presentation:

- The origin of the **problem of the State land management system in Egypt** is:
 - **The multiplicity of entities** empowered to own, use or dispose of State land
 - **The accumulation of laws** and regulations governing the methods of management and disposal of State land
 - **Absence of a comprehensive national strategic plan**
 - **Lack of an integrated and up-to-date information system** on land in Egypt
 - **The multiplicity of concepts** and unrealistic and inconsistent classifications, such as inside and outside the "Dhimam" (inhabited area) and the definition of different regions, both in the law or among ministries.
- **Many efforts have been made to recover State lands after 2011**, but they have been fragmented and focused on addressing the effects of the management system. They also have not addressed the origin of the problem, and hence the conflict between the multiple entities in the use and management of State lands has remained.
- **The experiences of some countries offer models that can be followed in terms of reforming the land system.** Four countries were selected: Singapore, South Korea, China and Georgia. Reform efforts in these countries were based on three pillars: an institutional framework, a legislative framework and an informational framework. It is possible to draw on the efforts of these countries, taking into account the specificity of the Egyptian situation.

A second session has followed the presentation to tackle specialized issues of land allocation. Main comments included:

First, State efforts in land recovery:

- In the face of infringements on State land, public interest and the rule of law on the one hand and social dimensions on the other hand are balanced. Good intentions was also a main determinant in the recovery of State land.

- It is unacceptable to legalize the situation of the encroachers on the territory of the State because this is deemed a reward for those who did not abide by the law and is unfair to those who did.
- The period during which the land was utilized during encroachment is considered a period of usufruct and an amount is calculated and paid on a case by case basis.
- There are cases of infringements that cannot be formalized because of being built inappropriately against safety rules or on historic sites, natural reserves or on railway or Nile territories.

Second, problems related to land allocations for industrial development

- The State does not pay much attention to detailed urban plans, leaving them to developers despite the importance of the role of the State at this level of detail.
- The principle of "proving seriousness" required by various Authorities from the investor resulted in a legal imbalance that led to the difficulty of land registration
- There are three main problems faced by developers and industrial investors: the multiplicity of entities, registration - whether land or facilities, in addition to databases of industrial zones and available opportunities
- The registration problem results in the inability of the enterprise to register the land or to use it as collateral to obtain financing
- The problem of usufruct in Egypt lies in the fact that it is not possible to obtain financing using the asset as collateral
- The Urban Development Authority grants an allocation that does not generate any rights. It is just a preliminary sale contract
- The legal system that was established in the late 1940s with the issuance of the Egyptian Civil Code was working efficiently until the sixties, but omitted allocation
- The Egyptian civil law has been applied in a number of Arab countries (e.g., Iraq, Oman, Kuwait, for example). These countries have no problems with land registration.

Third, integration of technological development within the State land system

- New technology allows for the issuance of dynamic planning maps that take into account the views received from different bodies to coordinate land use
- A project has been started for postal codes, in which the country is divided into squares all the way down to one square meter.