# Country Report 2003

(Based on the PCGIAP-Cadastral Template 2003)

# IRAN

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| Country/state for which the indications are valid: | Islamic Republic of Iran (IRAN) |
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## I. Country Report

### A. Country Context

*Geographical Context*

Iran is the large country in Middle East, with a total area of 1,648,195 sq km, lying south of Armenia, Azerbaijan, Turkmenistan, and nourth of Qatar, U.A.E, Bahrein, Saudi-Arabia, Kuwait and west of Pakistan and Afghanistan and east of Iraq and Turkey. The Land Boundary is almost 5,261 km along above countries. The Coast Line is about 2440 km along Caspian Sea, Oman Sea and Persian Golf.  According to the National Geographic Organization statistics the Total length of Iranian borderlines is 8731 km. The Iran-Iraq borderline is 1609, Iran-Turkey borderline is 486, Iran-Turkmenistan borderline is 767, Iran-Armenia borderline is 40, Coastline in north is 657, Iran-Afghanistan borderline is 945, Iran-Pakistan is 978, and Coastline in south is 2043 km.

At least 13 neighbours are connected to our border and for this reason Iran has very Important.

The population is approximately 65.5 million, with a growth rate of about 1.5%. The largest Lake in the world is located in the North of Iran which is called Caspian Sea. The Capital is Tehran and The Climate is mostly arid and semi-arid; subtropical along the Caspian Sea. The Language is Persian (51%) and Persian dialects but there are some other ones such as: Kurdish(7%), Luri(2%), Balock(2%), Arabic(3%), Gilaki and Mazandarani(8%), Turkish(24%).  The Religion is mostly Islam (99%) that 89% of the people is Shia and 10% of them is Sunni and 1% is Zoroastrian, Jewish, Christian and Bahai.  The Currency is 1 Toman which is equal to 10 Iranian rials.

*Historical Context*

Archaeological findings have placed knowledge of Iranian prehistory at middle Paleolithic times. The earliest sedentary cultures date from 14,000 to 18,000 years ago. By the sixth millennium B.C.E, a fairly sophisticated agricultural society and proto-urban population had emerged. As a part of the third wave of migration from Europe, Aryan tribes traveled across the Caspian Sea
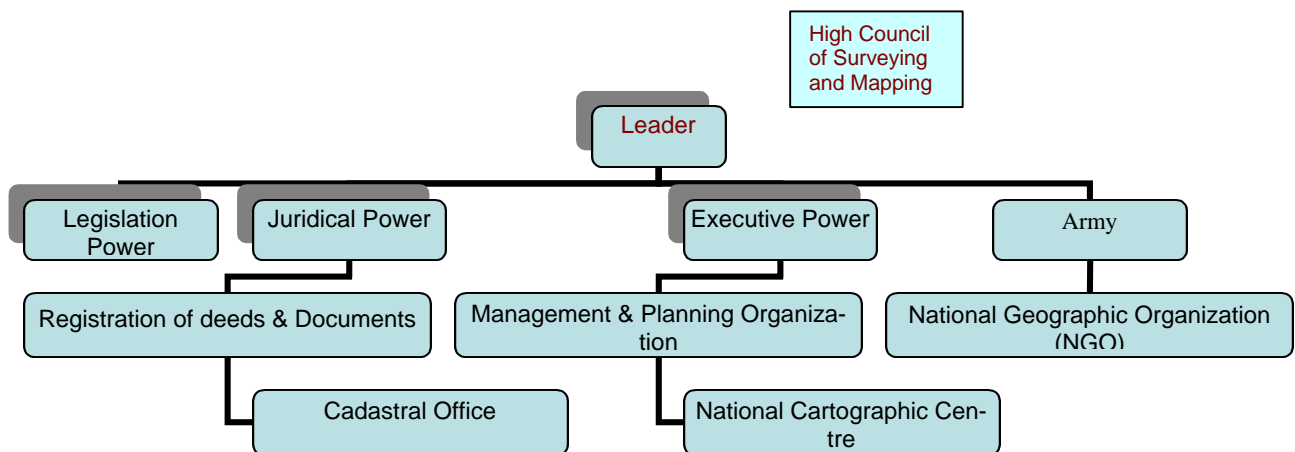
and settled the area of Iran around 1500 B.C.E. After centuries of inhabitation and peaceful co-mingling with the indigenous population, two major civilizations emerged out of these peoples, the Persian and the Medes. The following dynasties that ensued were called the Achaemenian the Parthians, .the Sassanian, the Arabs (such as Omayyads, Abbasids, Ghazna, the Seljuk Turks, the Kharazmshahi, the Safavid, the Zand, the Qajar, the Pahlavi, and at last Islamic Republic.

On Feb. 1, 1979, a religious leader, Ayatollah Ruhollah Khomeini, returned from France to direct a revolution that resulted in a new, theocratic republic guided by Islamic principles. Back in Iran after 15 years in exile, Khomeini remained Iran's national religious and political leader until his death in 1989.

In 1989, just after the Ayatollah's death, Ali Akbar Rafsanjani, was elected president. During his administration, Rafsanjani strengthened the bond between mosque and state, thought to be synonymous in Iran. He also brought Iran more onto the world stage, both economically and politically. Rafsanjani was eventually re-elected to a second and final term in 1993. During his second term, Rafsanjani lost some public support due to his economic policies. These policies caused food shortages and a reduction in public services. In turn, there were riots and demonstrations throughout the country.

In 1997, Ali Mohammad Khatami was elected president of Iran. President Khatami has emphasized the need for domestic stability and the need to repair the national economy. There are efforts under way to improve the petroleum industry and make Iranian oil more marketable. Conflicting conservative and moderate factions continue to grapple over the effects of such policies on the country's future. Supporters of Khatami's reform policy dominated the new Iranian parliament formed after the February 2000 elections, while hardliners continue to control the judiciary branch as well as the military and government media. The struggle between would-be reformers and fundamentalist hard-liners is discussed in greater detail below.

## *Current Political and Administrative Structures:*



## *Historical Outline of Cadastral System*

Establishing an exact, simple, rapid, certain and changeable system during the time for managing the affairs related to properties and buildings in the country.

Quantitative objects:

1- Legal Delimitation for ownership of different buildings (1,200,000 hectares urban cadastre) and fields belonging to real and government bodies and of endowed fields.

2- Reviewing the information and maps during the lifetime of cadastre project and finally changing the existing system to modern registration system (cadastre).

Qualitative objects:

1- Providing simple and certain relationship for deeds issuing amending immediately and accurately.

2- Creating certainty and speed in properties transactions.

3- Widespread decreasing of trespassing in properties and the relevant claims in the law courts.

4- Access to the needed financial cadastral information or, eventually, providing of such information.

5- Utilizing the technical cadastral documents such as maps, aerial photos, and other information for researching, developing and preparing the urban development programs.

6- Supporting the right of government in all stages of property transformations on basis of the relevant deeds.

7- Supporting the income of the government directly or indirectly.

8- Procuring a continuous income by selling the maps and cadastral data to the clients, private and public sectors.

9- Access to the necessary means for housing policy, land, property and division of population and development of cultural, social, economical and agricultural planning.

10- Providing useful technical occupation in different fields of surveying, computer and legal registration.

## B. Institutional Framework

### *Government Organizations*

The Cadastral Office centralized all cadastral maps in Iran at the Capital (Tehran). But during few years ago the main provinces (at least 11 ones) in Iran established their divisions within the Province. They are going to collect the data for provincial cadastre and manipulating data and solving the problems within the province.

### *Private Sector Involvement*

Most cadastral surveys are undertaken by the private sector. Qualification of a license or registration for surveying firms is required to perform cadastral surveys, and accredit by Management & Planning Organization, same as the other surveys such as engineering surveys. Management of the geodetic network and the other fundamental activities remains primarily a government responsibility, however updating and upgrading is not often the responsibilty of the private sectors.

### *Professional Organization or Association*

There is a main organization for mapping and geomatics purposes which is called National Cartographic Centre (NCC) comprising of around 1000 members. There is a Division in all provinces. NCC is represented in the International Federation of Surveyors (FIG) and also represented in the Permanent Committee on GIS Infrastructure for Asia & the Pacific (PCGIAP). Iran made some activities in International Society for Photogrammetry and Remote Sensing (ISPRS) such as presenting the papers or workshops. Iran also has representative in the ISO/TC211 Committee (as observer) to standardize the whole activities in the field of Geomatics with international viewpoint. Other than above associations some other societies or cants exist in Iran such as: Iranian Society of Surveyors, Iranian Society of Remote Sensing and GIS and Iranian Society of Surveying and Geomatics Engineering.

*Licensing*

Management and Planning Organization identify guidelines for licensing and registration of (cadastral) land surveyors. A firm applying for registration must be issued with a certificate of competency in cadastral surveying which is issued by Management and Planning Organization (MPO) and in addition must pass some further professional examinations and practical exercises supervised by the Board of Surveying engineers. An expert who has the Geomatic background could take part in the examination to get the certification from courthouse (for the period of time) to solve the disputes between the claims if the court wants to know which one has a right. This certification must be renewed after a period of time.

*Education*

The Cadastral Office has sent a lot of students (around 3,000) to the universities such as: Tehran, Khajenasir-addin, Azad, and so on to get the degrees (BSc & Msc in Geomatics, Surveying Mapping, Photogrammetry, Cartography ...). About 10% of them studying at these universities are women.

## C.  Cadastral System

*Purpose of Cadastral System*

The First Cadastre Project's objective is to develop a real estate registration program which will provide:
   (a)  Property owners with security of ownership rights;
   (b)  commercial banks with the confidence necessary to give secured credit against real estate;
   (c)  the real estate market with information on ownership and location of property as needed for the market to function effectively;
   (d)  Government agencies and institutions with basic information for urban planning and land management;
   (e)  The real estate market with information or property values; and
   (f)  The private sector with opportunities to develop in areas related to real estate registration.

In Iran the objective of the cadastral project is the creation of a Legal Cadastre system at this time and consequently multipurpose cadastral system in the future**.**

*Types of Cadastral System*

Historically to distinguishing the ownership of properties a <u>conventional land registration</u> system developed for the semi accurate mapping, surveying, management and administration of public and private lands. Through computerization of the abstract of Deeds these two mapping systems must be integrated to facilitate wider land management and environmental planning. Today the aim is to distribute the activities of cadastral mapping through the provinces with the responsibility of maintaining an updating within provincial cadastral offices. The <u>Economic Ministry</u> also supports fiscal cadastre and fulfil the all taxation activities inside the country. There is urgent necessity to integrate these three agencies (Ministry & Organization) and coordinates the activities.

*Cadastral Concept*

Cadastral systems in Iran are operated by the 11 state offices and operate in such a way that land parcels are surveyed in the field while the corresponding land ownership titles are recorded in the Land Registry. The Land Registry uniquely identifies each parcel corresponding to the title if the property has formal deed. The relationship between these two main units is usually a 1:1-relationship, i.e. each land parcel is usually related to one land ownership entry in the land registry.

The taxation and legal aspects are doing in parallel ways. Nowadays in Iran we are trying to have one street address for each property within the cities and each property usually has one or more houses or apartments. On the other hand the Iranians are going to have Civic codes as well (which is called Melli Code in Iran). In most cases, however, a property consists of one parcel only. While the title registration is of interest to the land registry, the most cases (around 80% or more) to transfer the land or property is, issuing the advocacy letter (which is called Bonchagh in Iran) and is very efficiently doing. Land and Buildings are part of the property records with records maintained by many local councils, especially in rural areas, as well.

According to the law, if somebody doesn't have any formal evidence to prove his ownership, he could come to land registration and apply one (The Laws 147 & 148 in Land Registry). The cadastral office will survey his property and give him the deed within certain time if there is no adversely claim comes up on that time.

### Content of Cadastral System

Iranian Cadastral system typically comprises the following components:

- Database Component – the land register identifies real property parcels, which includes all land parcels and identifies owners' rights.
- Spatial Component - Cadastral maps show all land parcels graphically corresponding to the registered title with plan numbers and unique identifiers. These are all now digitised. Cadastral maps consist of fixed and general boundaries.
  - Fixed boundaries are those with legally surveyed measurements used to precisely identify most parcel boundaries determined by cadastral surveys such as subdivision etc.
  - General boundaries (graphical) are not survey accurate or are not distinguish at photos and are based on natural or man-made physical features, such as walls and buildings as found on Cluster or Strata Titles.
- Additional legal, valuation, local government, utilities and planning activities are involved in land administration, and are heavily reliant on the fundamentals of the cadastral system. In particular local government rates, land tax and stamp duty (as a result of land transfer) on land parcels is a major revenue raiser for the economy.
- Vaghf Lands Management have management and administrative responsibility for some public state owned lands

## D.  Cadastral Mapping

### Cadastral Map

The map in scale of 1:500, using photogrammetric outputs of the cadastral system is the standard digital base and field surveying methods. This procedure is the same procedure which is used to prepare the 1:25000 map scale for whole country. The total number of digital maps covering urban areas prepared in 1:500 scale figures to around100,000 sheets. These sheets should cover at least 1,200,000 hectares in urban areas. Since 1989 till 1996 the cadastral maps includes around 71 features with 270 fields in databases. But after that time they decided to have just 4 features on the maps with few fields in databases only for legal purposes.

The Tehran GIS office within the Municipality of Tehran also prepare the 1:2000 map scale for own purposes. It should be integrated with cadastral activities in Tehran.

### Example of a Cadastral Map

Below are two examples of the different digital cadastral maps vary based on applications e.g. the Namkabrood map at scale 1:1000 (especial case, Fig. 1) and the Kish Map Base at scale 1:500 (Fig. 2).
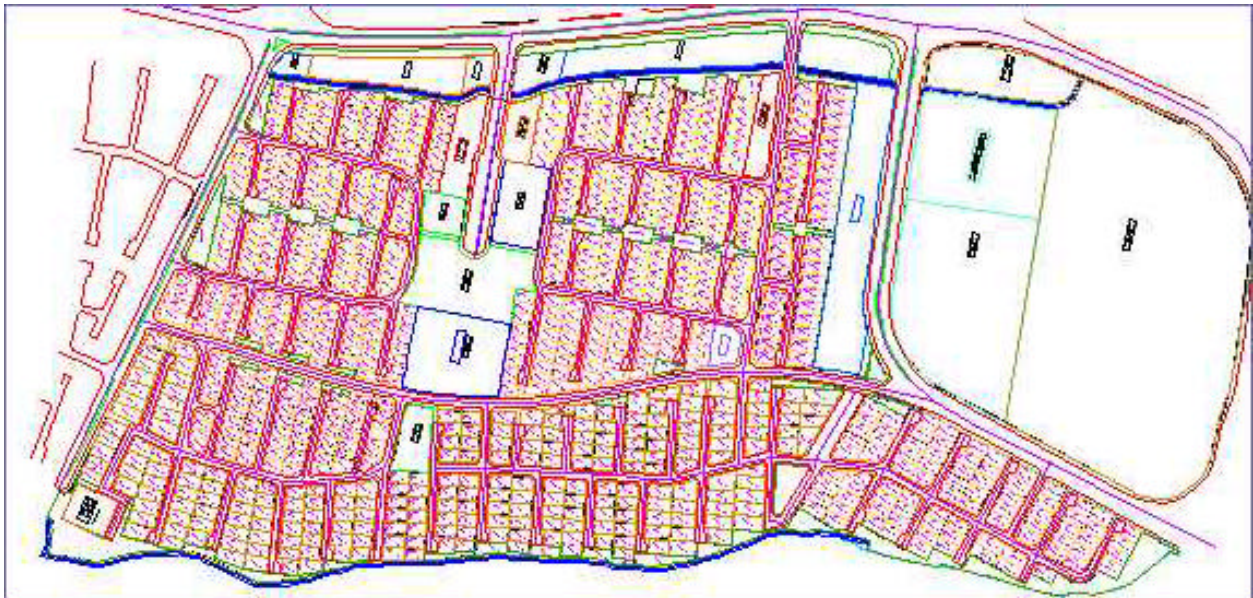
Fig. 1:  Iranian Land use Digital Map – Namkabrood at scale 1:1,000.


### *Role of Cadastral Layer in SDI*

Iran currently does not have a formal NSDI, but the subject has been addressed in Iran's National Plan for Map and Spatial Data production (currently reviewed by the HCSM, <u>High Council of  Surveying and Mapping</u>). The HCSM coordinates all geomatics and geodetics activities within the country as a whole and conduct the SDI in future. Cadastral data (land parcels) can be considered as one of the fundamental data layers in the NSDI.The Users Council (UC) started in 1995 and its mission is, distinguishing the needs of GIS users and combined from the nominates of all ministries. The sub-committee of Users Council which is called Expertism Committee for Urban GIS (ECUG) was started few months ago and conducting all activities which are resulting the Urban GIS spatial layers within the standardization of  Large scale GISs. The Cadastral office has right to have a nominate in HCSM and consequently, has a main role in establishing SDI in Iran.


## E.  Reform Issues

### *Cadastral Issues*

a.  Boundary disputes: Nowadays there is a lot of Disputes Settlement in Iran that needs to make conformity between the accurate maps which are producing by Cadastral Office and Conventional maps which are using inside the Land Registry Organization.

b.  Expropriation and Compensation: During civil activities especially in cities, some lands and parcels are taken by the Government to promote the facilities there and compensate somewhere else.

c.  Reform on the laws and rules: Sometimes the rules and laws are doing the opposite way of cadastral office interests and needs to be reformed as well. The old rules conflict to the modern technology and its strategies.

d.  Protection of Property Rights: the government of Iran recognizes intellectual property rights. Iran is a member of the Paris Convention for Protection of Industrial Property. Iran has legislated its own trademark and patent laws to protect both national and expatriate property.

e.  Private Ownership Rights: In general, ownership of private property is respected. Foreigner individuals or corporate entities who wish to own immobile property are required to ask permission from the government of Iran.

The amount of foreign direct investment is limited to 49 percent of a joint venture and the partnership must be made with Iranian nationals.

f.   Moving from Deed to Title Registration: Historically Deed Registration is very efficient and public today. But Government has some encouragement tools to invite people to have the title Registration as well.

*Current Initiatives*

1.   Automation of Abstracts of Deeds: In some Land registration offices especially in Tehran, the abstracts of deeds have been recorded in the computer and expected to have full digital abstraction within two next years.

2.   Make a new Cooperation between Cadastre and the other mapping agencies: The National Cartographic Centre and Cadastral office as well as National Geographic Organization have intention to be coordinated through HCSM and also have recently some directly linkage between them.

3.   Make the networks within the provinces to access the cadastral data: Within state there is strong need to change or send the data and make some legal queries as well.

## References:

www.sci.or.ir - IRAN Statistical Digest 1380 (Statistical Centre of Iran)

www.countrywatch.com

www.ncc.org.ir

Report of the audit mission of Cadastral office.

# II. Questionnaire

## 1. Cadastral Principles

*Deed or title registration*

1.1　Is your cadastral system based on deeds registration or on title registration?

- ☐ Deeds registration
- ☐ Title registration
- ☒ Other: deed registration for somehow  informal and title registration for formal arrangement…

*Registration of land ownership*

1.2　By law, is registration of land ownership compulsory or optional?

- ☒ Compulsory
- ☐ Optional
- ☐ Other: …………

1.3　If felt necessary, please, comment how registration works in practice, and what the legal consequences are for not registering a land ownership title:

> If someone wants to transfer his/her property, he/she should register it. (Compulsory) otherwise it could be optional.

*Approach for the establishment of the cadastral records*

1.4　Are landowners required to register their properties systematically during the initial establishment of the cadastre or is registration sporadic, i.e. triggered only by specific actions (such as for example sale)?

- ☐ Systematic
- ☐ Sporadic
- ☒ Both
- ☐ All properties are already registered
- ☐ Other: …………

## 2. Cadastral Statistics

*Population*

2.1　What is the **population** of your country?

| 65.5 million |
| --- |

2.2　Please, estimate the **population distribution** between urban and rural areas.

| urban: | …61.5… % |
| --- | --- |
| rural: | …38.5… % |
| total: | …100… % |

### Number and distribution of land parcels

2.3 Please, estimate the approximate **total number of the smallest uniquely identified land units**, often called "land parcels" in your country, including urban and rural areas?

| |
|---|
| 50 million |

*The total number would include all freehold and state owned land, regardless of registered, non-registered or informal holding.*

2.4 What is the approximate **total number of registered strata or condominium units**? This number would be in addition to the number of land parcels indicated in 2.3?

| |
|---|
| 5,000,000 |

2.5 For **URBAN areas**, please, estimate the **distribution between the smallest uniquely identified land units, often called "land parcels"** (i) that are legally registered and surveyed, (ii) that are legally occupied but not registered or surveyed, and (iii) that are informally occupied without any legal title (this may include illegal occupation or squatting).

*If the estimation is too difficult or complex using land parcels, you may base your estimation alternatively on the number of people occupying these forms of land parcels.*

| |
|---|
| legally registered and surveyed: …88… % |
| legally occupied, but not registered or surveyed: …10… % |
| informally occupied without legal title: …2… % |
| total: …100… % |

2.6 For **RURAL areas**, please, estimate the **distribution between the smallest uniquely identified land units, often called "land parcels"** (i) that are legally registered and surveyed, (ii) that are legally occupied but not registered or surveyed, and (iii) that are informally occupied without any legal title (this may include illegal occupation or squatting).

*If the estimation is too difficult or complex using land parcels, you may base your estimation alternatively on the number of people occupying these forms of land parcels.*

| |
|---|
| legally registered and surveyed: …21… % |
| legally occupied, but not registered or surveyed: …78… % |
| informally occupied without legal title: …1… % |
| total: …100… % |

### Number of professionals

Please estimate the total number of *academic professionals* that are active within the cadastral system and the proportion of the time that they actually commit for cadastral matters (as opposed to work outside of the cadastral system) ?

2.7 Total number of **professional land surveyors**, such as licensed surveyors active within the cadastral system:

| |
|---|
| 10,000 |

2.8 Proportion of the time that these land surveyors commit for cadastral matters:

| |
|---|
| …90…% |

| 2.9 | Total number of **lawyers/solicitors** or equivalent active within the cadastral system or land market: | 40,000 |
| --- | --- | --- |
| 2.10 | Proportion of time that these lawyers/solicitors commit for cadastral matters or land market: | …30…% |

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*Remarks and Comments*

Please, identify the best aspect of this questionnaire ?

Perhaps some religious and social conditions (Laws) could be considered. e.g. Vaghf is one of them in Islamic countries.

Please, suggest the area in the questionnaire that could be improved?

Some questions are difficult to answer due to the lack of statistics but I accept that the best guess is better than no data.