Formalising the Informal: Land Titling in Nigeria, the Land Use Act Legacy and the Imperative of Reform

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ABSTRACT

Nigeria possesses one of Africa's most contested land administration regimes. More than four decades after the enactment of the Land Use Act 1978, over ninety per cent of land in the country remains unregistered and untitled, constituting an estimated $300 billion in economically dormant capital. This article critically interrogates the legal architecture of land titling in Nigeria. It examines the origins, operation, and structural deficiencies of the current framework, with particular focus on the Certificate of Occupancy regime, the Governor's Consent requirement, and the compounded burden of bureaucratic dysfunction and legal pluralism. It further evaluates gender-differentiated access to land titles, assesses the emerging digital titling initiatives at federal and state levels, and analyses the constitutional constraints that impede legislative reform. Drawing on comparative experience and the theoretical framework of Hernando de Soto, the article argues for a comprehensive reform strategy encompassing digital land registry infrastructure, a streamlined and time-bound consent regime, constitutional amendment, and the formal recognition of customary tenure. Without such reforms, the promise of land titling as an instrument of economic empowerment, tenure security, and social equity will remain unrealised in Nigeria.

Keywords: Land titling; Land Use Act; Certificate of Occupancy; Governor's Consent; land reform; customary tenure; Nigeria; dead capital; digital land registry.

INTRODUCTION

Land is the most fundamental productive asset in any economy. It is the physical substratum upon which agriculture, housing, industry, and all other human enterprise rest. The legal security of tenure over land—its formalisation through titling and registration—is therefore not merely a technical or administrative matter but a question of profound legal, economic, and social significance. In Nigeria, this question is both urgent and, after more than four decades of the current legislative regime, stubbornly unresolved.

The Land Use Act 1978[1] remains the cornerstone of land administration in Nigeria. Promulgated by the military administration of General Olusegun Obasanjo and subsequently entrenched in the Constitution,[2] the Act vested control of all land in each state in the hands of the Governor of that state, to be held in trust and administered for the use and common benefit of all Nigerians. Its architects sought to nationalise land as a redistributive measure, to dissolve the feudal and inequitable tenure arrangements inherited from the colonial period, and to create a single, unified system of statutory rights of occupancy.

[1] Land Use Act, Cap L5, Laws of the Federation of Nigeria 2004 (LUA). The Act was originally promulgated as the Land Use Decree No 6 of 1978 and was subsequently given constitutional protection; see also Constitution of the Federal Republic of Nigeria 1999 (as amended), s 315(5)(d) (CFRN 1999).

[2] CFRN 1999, s 315(5)(d). The section lists the LUA among enactments that may only be altered by the same procedure required for constitutional amendment, thereby requiring the concurrence of at least two-thirds of all State Houses of Assembly in addition to the National Assembly.

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The reality has, however, diverged sharply from the vision. More than four decades of implementation have demonstrated that the Act, rather than democratising access to formal land title, has erected formidable legal and administrative barriers to titling that are insurmountable for the majority of Nigerians. The Certificate of Occupancy—the primary instrument of formal land title under the Act—is widely inaccessible owing to prohibitive costs, lengthy bureaucratic processes, and endemic corruption. The consequence is that Nigeria carries an enormous stock of informally held and untitled land which cannot serve as collateral for credit, cannot be efficiently transferred, and remains perpetually vulnerable to dispossession and encroachment.[3]

This article proceeds in seven parts. Following this introduction, Part II examines the historical and statutory foundations of land titling in Nigeria under the Land Use Act 1978. Part III analyses the structural deficiencies of the current titling framework, with focus on the Governor's Consent bottleneck and the problem of dead capital. Part IV interrogates the intersection of land titling with gender inequality and the challenge of legal pluralism. Part V evaluates recent reforms, with particular focus on digital land administration initiatives. Part VI presents the article's Conclusions. Part VII—the Recommendations—sets out a comprehensive reform agenda. A Bibliography follows.

THE LEGAL FRAMEWORK FOR LAND TITLING UNDER THE LAND USE ACT

Historical and Colonial Background

Prior to the Land Use Act 1978, land administration in Nigeria was characterised by a complex plurality of competing systems that reflected the country's colonial history and ethnic diversity. In the north, the Land Tenure Law 1962 had vested all land in the regional government, permitting individual use through a right of occupancy system that foreshadowed the national legislation. In the south and west, customary landholding—typically grounded in family, extended family, or communal ownership—coexisted uneasily with the Land Registration Law and the Property and Conveyancing Law applicable in the former Western Region. The absence of a uniform national framework generated speculative land markets in rapidly urbanising cities, inequality of access, and a proliferation of competing claims that the state was ill-equipped to adjudicate.[4]

These structural difficulties, compounded by the rapid economic expansion of the oil boom years, provided the immediate legislative context for the promulgation of the Land Use Decree in March 1978. The Decree was conceived as both a corrective and a redistributive instrument: it aimed to dissolve landed elite power, to prevent speculative accumulation, and to make land accessible to the generality of citizens through a centralised governmental allocation mechanism.

The Statutory Right of Occupancy

The central jurisprudential innovation of the Land Use Act is the concept of the right of occupancy. By section 1 of the Act, all land comprised in the territory of each state is vested in the Governor of that state to be held in trust and administered for the use and common benefit of all Nigerians in accordance with the provisions of the Act.[5] The Act draws a fundamental distinction between two categories of right: the statutory right of occupancy, granted by the Governor in respect of land in urban areas,[6] and the customary right of occupancy, granted by the local government council in respect of non-urban land.[7] This bifurcation has significant practical consequences for land title in rural communities.

[3] A O Obilade, *The Nigerian Legal System* (Spectrum Books, Ibadan, 1979) 45–52.

[4] I O C Nwosu, 'Land Tenure Reform and Agricultural Productivity in Nigeria: Revisiting the Rationale for the Land Use Act 1978' (2010) 4(1) *Nnamdi Azikiwe University Journal of International Law and Jurisprudence* 89, 93.

[5] LUA (n 1) s 1.

[6] ibid s 5(1).

[7] ibid s 6(1).

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The Certificate of Occupancy

The Certificate of Occupancy (C of O) is the documentary expression of a statutory right of occupancy under section 9 of the Act.[8] It is the primary—and in most circumstances the pre-eminent—title document recognised under Nigerian law. The C of O is issued by the relevant state government authority and confers on its holder a leasehold interest of ninety-nine years, subject to any conditions stipulated therein. It is the foundational document upon which all subsequent dealings in land must be premised.

Critically, sections 21 and 22 of the Act prohibit any alienation of land held under a statutory right of occupancy—whether by assignment, mortgage, transfer of possession, sublease, or any other mode of disposition—without the prior written consent of the Governor.[9] This mandatory requirement, widely referred to as 'Governor's Consent', ensures that the state retains supervisory authority over all land transactions in perpetuity. As shall be examined in Part III, its practical implications are deeply problematic.

Deemed Grant and Judicial Treatment

The Act introduced the concept of 'deemed grant', whereby persons who were in lawful occupation of land immediately before the commencement of the Act were treated as having been granted statutory rights of occupancy. This provision was intended to protect existing landholders from wholesale dispossession upon the nationalisation of land.[10] The Supreme Court has consistently interpreted the consent requirement with strict rigour, holding that any transaction in land executed without the requisite gubernatorial consent is null, void, and of no legal effect whatsoever.[11][12] This posture, while legally coherent, penalises the majority of Nigerian landholders who lack the resources, knowledge, or connections to navigate a compliance regime they were never designed to navigate.

STRUCTURAL DEFICIENCIES IN THE TITLING FRAMEWORK

Bureaucratic Complexity and Prohibitive Cost

The formal process for obtaining a Certificate of Occupancy involves multiple sequential and non-delegable steps: engagement of a licensed surveyor; preparation and authentication of a survey plan by the Office of the Surveyor General; submission of a formal application to the state land registry with supporting documentation including proof of acquisition, tax clearance certificates, and means of identification; payment of statutory fees; physical inspection of the land; processing and internal approval; and ultimately, gubernatorial signature. For subsequent transactions on already-titled land, the procedure must be repeated to obtain Governor's Consent.[13]

Registration fees typically range from 0.2 to 5 per cent of the assessed property value, exclusive of professional charges for surveyors and solicitors. In practice, property owners in numerous states across Nigeria have waited up to six years to receive their Certificate of Occupancy following application.[14] This extraordinary delay is attributable to inadequate staffing, the persistence of paper-based manual systems, susceptibility to bribery, and

[8] ibid s 9(1). See also s 10 which confers on local government councils the power to issue customary rights of occupancy over rural land within their jurisdiction.

[9] ibid ss 21–22. Section 22 specifically prohibits alienation of a statutory right of occupancy by assignment, mortgage, transfer of possession, sublease or otherwise without the prior written consent of the Governor.

[10] G C Nwapi, 'The Land Use Act: A Legal and Institutional Analysis' (2013) 57(1) *Journal of African Law* 75, 82.

[11] *Savannah Bank of Nigeria Ltd v Ajilo* [1989] 1 NWLR (Pt 97) 305 (SC); *Alhaji Bello v Diocesan Synod of Lagos* [1973] 3 SC 61; *Bucknor-Maclean v Inlaks Ltd* [1980] 8–11 SC 1.

[12] *Olowu v Abolore* [1993] 5 NWLR (Pt 293) 255 (SC), per Karibi-Whyte JSC, holding that any transaction in land executed without the Governor's consent is void ab initio and of no legal effect whatsoever.

[13] O V C Ikpeze, 'Towards an Effective Land Registration System in Nigeria: A Comparative Analysis' (Paper presented at the Presidential Technical Committee on Land Reform Dialogue on Legitimising Systematic Land Titling and Registration, Abuja, 2013) 12.

[14] PricewaterhouseCoopers, *Nigeria Economic Outlook: Top 10 Priorities for 2019* (PwC Nigeria, Lagos, 2019) 34.

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the absence of statutory timeframes binding on public officials. A 2019 study by PricewaterhouseCoopers identified Nigeria's land titling system as among the most cumbersome on the African continent.

The World Bank's Doing Business 2020 Report ranked Nigeria 185th out of 190 economies on the 'Registering Property' indicator—a damning measure of how far the country's land administration lags behind international standards.[15] The human consequences of this dysfunction are enormous: landholders cannot realise the value of their most significant asset; investors face legal uncertainty that stifles economic activity; and the registry system, starved of revenue from unregistered transactions, lacks the resources to improve its own performance.

The Governor's Consent Bottleneck

The Governor's Consent requirement, as originally designed, was intended to prevent speculative land accumulation and ensure that the state retained oversight of a resource declared to be held in trust for all citizens. In practice, it has become one of the most acute impediments to the efficient functioning of Nigeria's land markets. Every land transaction across the country—from the sale of a residential plot in Port Harcourt to the mortgage of commercial property in Kano—must receive the personal or delegated approval of a political executive office.[16]

The consequences of this bottleneck are twofold. First, financial institutions uniformly decline to accept as collateral any property for which Governor's Consent has not been obtained and the title 'perfected'. The majority of Nigerian landholders are thus permanently excluded from access to formal credit, unable to leverage their most significant asset for productive investment. Second, the risk of double-sale fraud—where a vendor purports to transfer the same land to successive purchasers—is significantly elevated by the absence of a credible, publicly accessible register of title that financial institutions and potential purchasers can readily consult.[17][18]

The Dead Capital Problem

Hernando de Soto's influential analysis in *The Mystery of Capital* advances the thesis that the poor in developing countries are not, as is commonly supposed, devoid of assets; rather, they hold assets in forms that cannot be converted into productive capital because they lack the legal and administrative infrastructure necessary to represent, transfer, and leverage those assets within a formal economic system.[19] This analysis has direct and particular resonance in Nigeria. According to estimates disclosed by the Minister for Housing and Urban Development at the National Land Registration and Documentation Programme Workshop in Abuja in March 2025, over ninety per cent of land in Nigeria remains unregistered and untitled, representing an estimated $300 billion in economically dormant capital.[20][21]

For Lagos State alone, over seventy per cent of properties are reportedly unregistered, leaving millions of property owners without legally recognised protection and without the capacity to utilise their primary

[15] World Bank, *Doing Business 2020: Comparing Business Regulation in 190 Economies* (World Bank Publications, Washington DC, 2020) 89–91.

[16] Ominira Initiative, 'Prospects of e-Registry of Land in Nigeria' (1 March 2024) <https://ominirainitiative.org/prospects-of-e-registry-of-land-in-nigeria/> accessed 10 May 2026.

[17] M U Ezike, 'Bureaucratic Bottlenecks and Land Rights in Nigeria: A Critical Appraisal' (2017) 12 *University of Maiduguri Law Journal* 44, 51.

[18] S A Odoyi and K Riekkinen, 'Land Policy Implementation in Nigeria: Bureaucratic Inefficiencies and Corruption' (2022) 14(3) *International Journal of Urban and Regional Research* 217, 221.

[19] H de Soto, *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else* (Basic Books, New York, 2000) 35–67.

[20] A Dangiwa, Address at the Workshop on the National Land Registration and Documentation Programme (Federal Ministry of Housing and Urban Development, Abuja, 19 March 2025); see also Federal Ministry of Housing and Urban Development, 'FG Partners World Bank on Land Reforms, Administration' (27 March 2025) <https://fmhud.gov.ng/read/3506> accessed 10 May 2026.

[21] ibid. Minister Dangiwa disclosed that over 90 per cent of land in Nigeria remains unregistered and untitled, representing an estimated $300 billion in dormant capital.

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productive asset as collateral.[22] De Soto's framework helps to explain why this matters at the macroeconomic level: it is not merely an administrative inconvenience but a structural impediment to capital formation, credit access, and economic development.

The Constitutional Entrenchment Obstacle

Perhaps the most formidable structural obstacle to reform is the constitutional entrenchment of the Land Use Act. By virtue of section 315(5)(d) of the Constitution, the Act has been accorded effective constitutional status, meaning it may only be amended by the procedure required for alteration of the Constitution itself—demanding the concurrence of not fewer than two-thirds of all thirty-six State Houses of Assembly in addition to the National Assembly.[23] This extraordinarily elevated threshold has historically stifled reformist efforts, as the political economy of land—in which state governors exercise substantial patronage through the allocation and consent regime—provides powerful incentives against amendment at the state level.

LAND TITLING, GENDER, AND THE CHALLENGE OF CUSTOMARY TENURE

Gender Disparities in Land Ownership and Titling

The failures of the formal titling system fall with particular severity upon women. Although the Land Use Act is facially gender-neutral in its provisions, the realities of customary tenure practice—to which the Act effectively defers at the local government level through the customary right of occupancy mechanism—operate to systematically exclude women from formal land ownership across large swaths of Nigeria. Customary inheritance and allocation practices in many communities vest land rights exclusively or predominantly in male members of a family or community, and the Act does nothing to displace them.[24]

Empirical data from the Federal Government's 2016 Gender Policy in Agriculture reveal a stark disparity: fewer than two per cent of women own land in Nigeria, compared to seventeen per cent of men. Women constitute between sixty and seventy-nine per cent of Nigeria's rural labour force, yet men are five times more likely to hold a formal land title.[25] The practical consequence of this exclusion is devastating. Rural women cannot offer their land as collateral for agricultural credit; they cannot inherit or retain marital property upon widowhood; and they are perpetually vulnerable to dispossession. Land titling reform that does not address these gender dynamics will merely formalise and entrench existing discrimination.[26]

Legal Pluralism and the Duality of Tenure Systems

The Land Use Act was intended to replace Nigeria's previous plurality of tenure systems with a single unified statutory framework. In practice, this unification has remained largely illusory. Customary and statutory systems continue to coexist in uneasy parallelism, particularly in rural and peri-urban areas where land continues to be managed according to customary practices that the Act does not formally recognise but has also not effectively displaced.[27]

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[22] The Trusted Advisors, 'How to Register Your Property in Nigeria: A Step-by-Step Guide' (30 September 2024) <https://trustedadvisorslaw.com/how-to-register-your-property-in-nigeria/> accessed 10 May 2026.

[23] CFRN 1999, s 315(5)(d) (n 2); *Jibrin v Danjuma* [2016] 15 NWLR (Pt 1534) 111 (SC).

[24] Daily Trust, 'Inside Nigeria's Harmful Traditional Practices That Impede Women's Rights to Land Ownership' (16 May 2023) <https://dailytrust.com/inside-nigerias-harmful-traditional-practices-that-impede-womens-rights-to-land-ownership/> accessed 10 May 2026.

[25] Federal Ministry of Agriculture and Rural Development, *Gender Policy in Agriculture 2016* (FMARD, Abuja, 2016) 22.

[26] C A Nwosu, 'Women and the Right to Acquire and Own Land in Nigeria' (2022) 12 *Unizik Journal of Public and Private Law* 9, 14–15.

[27] V C Ihugba, 'Legal Pluralism and Land Titling in Southern Nigeria: Reconciling Customary and Statutory Frameworks' (2019) 13 *Nigerian Bar Journal* 201, 209.

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This legal pluralism generates persistent uncertainty of title. Traditional landholders and formal title holders may assert competing and mutually incompatible claims to the same parcel of land. Courts have grappled with the interaction between customary and statutory rights in numerous decisions, but the absence of a systematic adjudication mechanism means that disputes are resolved piecemeal through expensive and protracted litigation rather than through a coherent, accessible administrative process.[28][29]

A critical—and often neglected—dimension of formalisation programmes concerns the risk of crystallising existing inequitable distributions. Where customary practices systematically marginalise women and minority groups, the uncritical formalisation of those practices through statutory titling procedures lends legal force and permanence to pre-existing injustice. Academic scholarship has repeatedly cautioned against the assumption that titling is inherently progressive; its distributional consequences depend entirely on the equity of the prior rights being formalised.[30]

EMERGING REFORMS: DIGITAL LAND ADMINISTRATION

State-Level Initiatives

In the absence of comprehensive federal action, several state governments have pioneered digital land administration platforms that represent meaningful, if partial, advances over the manual paper-based system they seek to replace. Lagos State has led the reform agenda. In November 2023, the Lagos State Lands Bureau launched the 'Aumentum' land administration solution—a digitised platform designed to automate land record management, streamline the registration of property transactions, and eliminate the role of informal intermediaries who had previously extracted significant rents from applicants navigating the manual system.[31]

The Lagos platform consolidates land records from the nineteenth century with current title documentation and maintains a chronological transactional history for each parcel. The Abuja Geographic Information Systems (AGIS), established in 2003, similarly sought to digitise the Federal Capital Territory's land registry and had scanned over 10.5 million pages of title documents by 2024. These are important achievements but they remain isolated; without a national digital infrastructure and interoperability standards, the fragmentation of state-level systems will continue to undermine title certainty at state boundaries.

The National Land Registration, Documentation, and Titling Programme

At the federal level, the Ministry of Housing and Urban Development announced in November 2024 the planned establishment of a National Land Digital System (NLDS)—a modern digital registry designed to facilitate the efficient and secure verification of land titles across all states.[32] This initiative was elaborated at the National Land Registration and Documentation Programme (NLRDP) Workshop in Abuja in March 2025, at which the Ministry announced a formal partnership with the World Bank to develop a comprehensive framework for land administration reform and outlined an ambition to increase formally registered land from less than ten per cent to over fifty per cent of total land area within ten years.[33]

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[28] ibid 210–211; see also C R Williamson and C B Kerekes, 'The Two Sides of De Soto: Property Rights, Land Titling, and Development' in E L Glaeser (ed), *Economic Institutions and Their Effects on Economic Performance* (MIT Press, Cambridge, 2011) 200, 207.

[29] Owei and others, 'Land Titling in Informal Urban Settlements in Nigeria: Challenges and Prospects' (2010) 26(1) *Habitat International* 112, 118.

[30] C Boone, 'Land Tenure Regimes and State Structure in Rural Africa' (2007) 15(4) *Journal of Agrarian Change* 557, 561.

[31] Lagos State Lands Bureau, 'Aumentum Land Administration Solution: Launch and Overview' (November 2023); Techpoint Africa, 'Lagos State Launches Land Registration Portal to Eliminate Middlemen' (27 January 2024) <https://techpoint.africa/2024/01/27/lagos-land-registration-portal/> accessed 10 May 2026.

[32] Federal Ministry of Housing and Urban Development, *National Land Digital System Policy Framework* (FMHUD, Abuja, November 2024).

[33] Dangiwa (n 18). The phased rollout targets approximately twenty states in its first phase with a minimum of one million digital land titles to be issued.

The programme is to be implemented in phases, with the first phase targeting approximately twenty states and the issuance of at least one million digital land titles. The World Bank's April 2024 policy research, which identified digital land registries as a critical development tool and cited Rwanda as the Sub-Saharan African benchmark for registry transformation, provides important comparative and technical foundations for the NLRDP.[34]

Critical Assessment of Digital Reform

The digital titling initiatives represent a meaningful advance over the paper-based, manually administered system they seek to replace. They promise to reduce processing times, lower the cost of transactions, reduce the scope for corrupt interference, and expand public access to land information. However, technology alone is insufficient to address the structural legal obstacles to land titling in Nigeria. The Governor's Consent requirement remains in force; the constitutional entrenchment of the Land Use Act is unreformed; gender and customary tenure gaps are unaddressed. A digital platform that processes consent applications more efficiently still operates within a legal framework that mandates the authorisation of a political executive for every land transaction. The efficiency gains of digitalisation, while significant, are bounded by the legal architecture within which digital tools must operate.[35]

CONCLUSION

The paradox at the heart of Nigeria's land administration system is stark: the very statute enacted to democratise land access has, in its four-decade operation, erected the most significant barriers to formal land titling that the country has ever known. The Land Use Act of 1978 was a bold exercise of redistributive state power over Nigeria's most critical national resource. Yet its twin effects—of centralising all decisional authority in a single political office, and of failing to provide any accessible route by which the majority of landholders could formalise their tenure—have produced a landscape in which the overwhelming majority of Nigerians remain legally invisible, economically constrained, and perpetually vulnerable to dispossession.

The emerging reform initiatives, particularly the National Land Digital System and the National Land Registration, Documentation, and Titling Programme announced in 2024 and 2025, signal that policymakers are at last engaging seriously with the scale of the crisis. But technical solutions will founder unless the legal and constitutional architecture is simultaneously reformed. Constitutional amendment, administrative simplification, systematic adjudication, and gender-responsive policy design must accompany digitalisation if Nigeria is to realise the full transformative potential of land titling as an instrument of economic empowerment, tenure security, and social justice.

Every year that land titling reform is deferred is another year in which the capital of millions of Nigerians lies dormant; another year in which women are dispossessed by customary practices that a reformed law could displace; another year in which land disputes consume judicial resources, fracture communities, and deter domestic and foreign investment. Nigeria has the institutional momentum and the legislative foundation to build upon. What is required, above all, is the political will to act.

RECOMMENDATIONS

The following recommendations are advanced for the attention of the National Assembly, State Governments, the Judiciary, and relevant civil society stakeholders:

[34]World Bank, 'Land Administration Reform in 85 Countries: Lessons from Digital Transformation' Policy Research Working Paper No 10471 (World Bank, Washington DC, April 2024) 15–17.

[35]M Trebilcock and P-E Veel, 'Property Rights and Development: The Contingent Case for Formalisation' (2008) 30(2) *University of Pennsylvania Journal of International Law* 397, 412.

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1. Constitutional Amendment of the Land Use Act

The National Assembly, in concert with the State Houses of Assembly, should initiate the constitutional amendment process under section 9 of the 1999 Constitution to de-entrench or substantially reform the Land Use Act. Specifically, the amendment should: (i) reform the Governor's Consent requirement by transforming it from a discretionary political function into a purely administrative one, with a statutory deeming provision whereby consent is deemed to be given if the relevant authority fails to respond within sixty days of a properly filed application; (ii) provide that the right of occupancy shall be freely transferable and mortgageable without the requirement of prior governmental consent, subject only to the payment of applicable stamp duties and registration fees; and (iii) abolish the distinction between 'urban' and 'non-urban' land for the purpose of tenure categorisation, substituting a single continuum of registrable tenure rights across all land classifications.[36]

2. Enactment of a Land Adjudication Act

The National Assembly should enact a Land Adjudication Act, modelled on comparative experience from Kenya and other jurisdictions with established systematic registration programmes, to enable parcel-by-parcel adjudication of competing claims in defined registration areas, followed by compulsory registration of the adjudicated title. This mechanism, coupled with robust application of surveyors' law for accurate parcel definition, would enable Nigeria to bring large quantities of informally held land into the formal titling system far more rapidly than the current demand-driven, individual application approach permits. The Presidential Technical Committee on Land Reform's recommendation for systematic adjudication and registration should be given legislative force without further delay.[37][38]

3. Accelerated Implementation of the National Land Digital System

The National Land Digital System announced in November 2024 should be implemented with urgency and designed to uniform national technical standards, to prevent the existing fragmentation of incompatible state-level systems from perpetuating title uncertainty. The NLDS should incorporate: (i) a publicly accessible land information portal allowing any person to verify the title status of any parcel; (ii) mandatory electronic submission and tracking of all title applications, with binding statutory timeframes for each stage of the process; (iii) full interoperability with the financial sector, enabling mortgage lenders to verify security of title in real time; and (iv) integration of historical paper records through systematic digitisation, beginning with the most commercially active urban centres.[39]

4. Gender-Responsive Land Titling Policy

Any reform of the land titling system must incorporate explicit gender-equity provisions. These should include: (i) legal provisions for automatic joint spousal registration of land acquired or developed during marriage; (ii) statutory override of any customary rule, practice, or norm that operates to deny or restrict a woman's right to acquire, hold, or inherit land in her own name; (iii) targeted registration campaigns directed at female landholders in both urban and rural areas, with reduced or waived fees for sole female applicants; and (iv) mandatory

[36] CFRN 1999, s 315(5)(d) (n 2); Presidential Technical Committee on Land Reform, *Report on Land Governance in Nigeria* (PTCLR, Abuja, 2013) 8–11.

[37] L Holstein, 'Land Reform in Nigeria: Some Lessons from International Experience in Systematic Adjudication and Registration' (Paper presented at the Presidential Technical Committee Dialogue on Legitimising Systematic Land Titling and Registration, Abuja, 2013) 8–10.

[37] BusinessDay, 'Land Reform: The Missing Link in Nigeria's Economic Prosperity' (8 April 2026) <https://businessday.ng/editorial/article/land-reform-the-missing-link-in-nigerias-economic-prosperity/> accessed 10 May 2026.

[37] Federal Ministry of Housing and Urban Development, *National Land Registration, Documentation, and Titling Programme Framework 2025* (FMHUD, Abuja, 2025); see also Dangiwa (n 18).

[38] Nwosu (n 4) 97–99; Holstein (n 37) 12.

[39] Biometric Update, 'Nigeria Plans Digital Land Registration to Boost Revenue for State Governments' (21 August 2025) <https://www.biometricupdate.com/202508/nigeria-plans-digital-land-registration-to-boost-revenue-for-state-governments> accessed 10 May 2026.

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collection and annual publication of sex-disaggregated land registration data by each state land registry, to enable monitoring of gender outcomes over time.[40]

5. Recognition of Customary Tenure and Legal Pluralism

The reform framework must provide a formal legal pathway for the conversion of customary rights into registrable statutory titles without requiring the holder to relinquish the substance of their customary entitlement. A tiered continuum of land rights—from oral customary tenure through to documentary customary title and ultimately to the full statutory Certificate of Occupancy—should be formally recognised and protected, with each tier carrying enforceable legal consequences. This approach would bring Nigeria's framework into conformity with best international practice on the recognition of customary land rights and would reduce the doctrinal tension between statutory and customary systems that presently generates so much litigation.[41]

6. Judicial Training and Land Dispute Resolution

A specialised fast-track Land Disputes Tribunal should be established at the state level to adjudicate land title disputes outside the general court system, with a statutory mandate to determine cases within six months of commencement of proceedings. Judges and adjudicators assigned to such tribunals should receive specialist continuing education in land law, valuation principles, and the technical aspects of cadastral surveys. The Rules of Court governing land disputes should be amended to require compulsory mediation prior to trial in all cases not involving allegations of fraud or criminality.[42]

7. Capacity Building and Institutional Reform

State land registries should be professionalised through the appointment of independent statutory boards, insulated from the direct management of state ministries, with clearly defined performance targets and independent annual audits. Land registry officers should be subject to ongoing mandatory professional development requirements, and a national competency framework should be developed for land administration professionals in conjunction with the Nigerian Institution of Surveyors, the Nigerian Bar Association, and relevant academic bodies. Adequate budgetary allocations should be made to land registries as a matter of legislative priority, recognising that well-resourced registries are generators of significant internally generated revenue and economic activity.[43]

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[40] Williamson and Kerekes (n 29) 210; Nwosu (n 27) 17.

[41] De Soto (n 17) 60–67; Ihugba (n 28) 213.

[42] Nkeki (n 20) 40; Trebilcock and Veel (n 36) 418.

[43] F K Nkeki, 'Land Administration and Management in Nigeria: Lessons from International Practice' (2015) 9(2) *Journal of Law and Conflict Resolution* 32, 40.

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