Integrated Land Management for the Society

- A Global Perspective

Prof. Stig Enemark
President
Aalborg University, Denmark

Greetings from Denmark

43,000 sq km
5 mill inhabitants
One third lives in the capital area
Flat country
70 % agriculture
10 % urban
7000 km coastline

Greetings from Copenhagen

Greetings from the Home Base

Aalborg – my home town
Outline of Presentation

Land management is about managing interests in land. In generic terms this is about managing rights, restrictions and responsibilities in land.

Underpinning Land Management
• Rights – Restrictions – Responsibilities
• Spatially Enabled Government

The Role of FIG
• Facing the Millennium Development Goals
• “Building the Capacity”

Understanding the Land Management Paradigm

Lack of an integrated approach

• In many countries there is a tendency to separate land tenure rights from land use rights
• Planning and land use control is not linked with land values and the operation of the land market.
• This may be compounded by poor management procedures that fail to deliver required services.
• This reveals a much deeper problem: the failure to treat land and its resources as a coherent whole.
• Many countries around the world – also in Europe – are facing problems in this regard and with regard to informal urban development.
Land Management

Public Lands Managed by the Bureau of Land Management (BLM)

Land Administration Systems (LAS)

LAS provide the infrastructure for implementation of land policies and land management strategies in support of sustainable development.

Land Tenure: the allocation and security of rights in lands; the legal surveys of boundaries; the transfer of property through sale or lease; and the management and adjudication of disputes regarding rights and boundaries.

Land Valuation: the assessment of the value of land and properties; the gathering of revenues through taxation; and the management and adjudication of land valuation and taxation disputes.

Land Use: the control of land use through adoption of planning policies and land use regulations at various levels, the enforcement of land use regulations, and the management and adjudication of land use conflicts.

Land Development: the building of new infrastructure, the implementation of construction planning; and the change of land use through planning permission and granting of permits.

The RRR’s

- **Property Rights**
  - Are concerned with ownership and tenure
  - Are normally available in the Land Registry

- **Property Restrictions**
  - Are concerned with controlling use and activities on land
  - Are normally available through planning documents or general land use provisions

- **Property Responsibilities**
  - Relate to a more social, ethical commitment or attitude to environmental sustainability and good husbandry.
  - The human kind to land relationship is dynamic.

Australia

Cadastral Lite, PSMA 2001

One map - 10.2 mill parcels

Land Values:
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Land Development:
the building of new infrastructure, the implementation of construction planning; and the change of land use through planning permission and granting of permits.

Rights:
Tenure positions

Responsibilities:
Cultural attitudes

Restrictions:
Land use options

Interests in land

Land administration systems are the basis for conceptualising rights, restrictions and responsibilities related to people, policies and places.

The increasing role of property rights

"Civilised living in market economies is not simply due to greater prosperity but to the order that formalised property rights bring" - Hernando de Soto - 1993
Land Registration Systems around the World

Deeds System (French): A register of owners; the transaction is recorded – not the title.
Title System (German, English, Torrens): A register of properties; the title is recorded and guaranteed.

USA: Linking a legal land description to the GIS Cadastre

(Meets and bounds description)

Characteristics of traditional Cadastral Systems

The Cadastral register identifies the land parcels by number and area
The Cadastral map identifies the land parcels geographically
The Land Book secures the legal rights based on the cadastral identification
The cadastral measurements identify the position of the property boundaries

Australia – Torrens System

What is a good property system?

• People in general can participate in the land market; widespread ownership; everybody can make transactions and have access to registration
• The infrastructure supporting transactions must be simple, fast, cheap, reliable, and free of corruption.
• The system provides safety for housing and business, and for capital formation

Only 25-30 countries in the world apply to these criteria.

Multipurpose Cadastral Systems
A worldwide Comparison of Cadastral Systems

Cadastral Template
A Worldwide Comparison of Cadastral Systems
Cadastral template has been developed by a research group of the Department of Geoinformatics and Spatial Information Systems at Technische Universität München, Germany. Copyright © 2012.

www.cadstraltemplate.org

Rights to land also include the rights of use, however:
- The right of use is limited through public land use planning regulations and restrictions, sectoral land use provisions, and private land use regulations.
- Many land use rights are in fact restrictions that control the future use of land. The number and kind of land use restrictions is huge.
- Land Use restrictions will normally not appear in the Land Registry, but may be available through planning documents and general land use provisions.

Land Use Restrictions

The free market approach (current debate in the US)
- Land owners should be obligated to no one and should have complete domain over their land.
- The role of government to take over, restrict, or even regulate its use should be non-existent or highly limited.
- Planning restrictions should only be imposed after compensation for lost land development opportunities.

The central planning approach (European perspective)
- The role of democratic government include planning and regulating land systematically for public good purposes.
- A move from every kind of land use being allowed unless it was forbidden to every change of land use is forbidden unless it is permitted and consistent with adopted planning regulations and restrictions.

Property Restrictions
- two conflicting approaches

The three core principles

Decentralisation of planning responsibilities
- Local representative democracy responsible for local needs.
- Combining responsibility for decision making with accountability for economic, social and environmental consequences.
- Monitoring and enforcement procedures.

Comprehensive planning
- Combining plan and objectives, land-use structure planning, and land use regulations into one planning document covering the total jurisdiction.

Public participation
- Combining responsibility for decision making with accountability for financial and economic consequences.
Integrated land-use management

Responsibilities:
A cultural map of the world

Uncertainty avoidance:
The preference of structured situations over unstructured or flexible ones

Power distance:
The degree of inequality among people accepted by the population

Professor of Organizational Anthropology and International Management (1985-93), Maastricht University, the Netherlands

Sustainability:
balancing social, economic and environmental needs while being responsive to the present and future needs of society.

Subsidiarity:
allocation of authority at the closest appropriate level consistent with efficient and cost-effective services

Equity:
Women and men must participate as equals in all decision making, priority setting, and resource allocation processes

Efficiency:
Public services and local economic development must be financially sound and cost-effective.

Transparency and Accountability:
Decisions taken and their enforcement follow rules and regulations. Information must be freely available and directly accessible.

Civic Engagement and Citizenship:
Citizens must be empowered to participate effectively in decision-making processes.

Security:
All stakeholders must strive for prevention of crime and disasters. Security also implies freedom from persecution, forced evictions and provision of land tenure security.

Good Governance is essential

• Sustainability: balancing social, economic and environmental needs while being responsive to the present and future needs of society.
• Subsidiarity: allocation of authority at the closest appropriate level consistent with efficient and cost-effective services
• Equity: Women and men must participate as equals in all decision making, priority setting, and resource allocation processes
• Efficiency: Public services and local economic development must be financially sound and cost-effective.
• Transparency and Accountability: Decisions taken and their enforcement follow rules and regulations. Information must be freely available and directly accessible.
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Adapted from UN-Habitat 2002

A Land Management Vision

Facilitating Sustainable Development
Economic, Social, Environmental, Governance Enhancing Quality of Life

Land Policy Framework

Spatially Enabled Administration
Land Tenure, Land Value, Land Use, Land Development

Emergency response, taxation assessment, environmental monitoring and conservation, economic planning and assessment, social services planning, infrastructure planning, etc.

Spatially Enabled Government

Spatially enabled government is achieved when governments use place as the key means of organising their activities in addition to information, and when location and spatial information are available to citizens and businesses to encourage creativity.

Centre for Spatial Data Infrastructure and Land Administration
Department of Geomatics, University of Melbourne, 2006.

spatially enabled government organises its business and processes around "place" based technologies, as distinct from using maps, visuals, and web-enablement.

Identification of "the place" in ways that are understandable by non-technical people (Google Earth)

Capacity of businesses and citizens to manipulate the information should be organised through the use of service oriented IT architecture.

The technical core of Spatially Enabling Government is the spatially enabled cadastre.
An Overall Conceptual Approach

Land Policy determines values, objectives and the legal regulatory framework for management of land as the key asset of any society.

Land Management encompasses all activities associated with the management of land and natural resources that are required to achieve sustainable development. These activities include the core land administration functions: land tenure, land value, land use and land development.

The Land Administration System provides the infrastructure for implementation of land policies and land management strategies, and underpins the operation of efficient land markets and effective land use management. The cadastre is at the core of any LAS.

The Cadastre provides the spatial integrity and unique identification of every land parcel usually through a cadastral map updated by cadastral surveys. The parcel identification provides the link for securing rights in land and controlling the use of land.

The Land Parcel is the key object for identification of land rights and administration of restrictions and responsibilities in the use of land. The land parcel simply provides the link between the system and the people.

The role of FIG

What is the role of FIG in this regard?

The International Federation of Surveyors
Organizational Structure

The Global Agenda

Is strongly committed to the MDGs and the UN-Habitat agenda on the GLTN

The UN Millennium Development Goals

Goal 1: Eradicate extreme poverty and hunger
Goal 2: Achieve universal primary education
Goal 3: Promote gender equality and empower women
Goal 4: Reduce child mortality
Goal 5: Improve maternal health
Goal 6: Combat HIV/AIDS, malaria and other diseases
Goal 7: Ensure environmental sustainability
Goal 8: Develop a Global Partnership for Development

The framework includes 18 targets and 48 indicators enabling the ongoing monitoring of annual progress
Total world population: 6.5 billion
Total urban population: 3.3 billion
Total slum dwellers: 1.1 billion (100 million to be improved by 2015)
It is all about:

- People, human rights, engagement and dignity
- Politics, land policies and good governance
- Places, shelter, land rights, and natural resources
- Power

Cooperation Agreement with UN-Habitat

Traditional cadastral systems do not provide for security of tenure in informal settlements.

A more flexible system is needed for identifying the various kinds of social tenure existing in informal settlements.

Such systems must be based on a global standard and must be manageable by the local community itself: The Social Tenure Domain Model.

Cooperation Agreement with the World Bank

- Mutual representation at conferences, forums and meetings
- Mutual representation in collaborative projects
- Joint publications
- Joint promotion
- Organizing a joint WB/FIG high profile conference March 2009 at the WB headquarters in Washington DC entitled “Land Administration in Support of the MDG’s”

The role of FIG

“Building the capacity”
The role of the surveying profession

The MDGs is a powerful concept towards development, security and human rights for all.
The surveying profession plays a key role by providing:
• Geographic information in terms of mapping and databases on the natural and built environment
• Secure tenure systems
• Systems for land valuation, land use management and land development
• Systems for transparency and good governance

The Role of FIG

• Professional Development
  - Global forum for professional discussions and interactions
  - Conferences, symposia, commission working groups, …..
• Institutional Development
  - Institutional support for educational and professional development at national and international level
• Global Development
  - Cooperation with international NGO’s such as the UN agencies, World Bank, and sister organisations
  - Joint activities and common policy-making to reduce poverty and enforce sustainable development

FIG publications

WWW.FIG.NET

From Cadastre to Holistic and Pro Poor Land Management

- Holding of rights to land
- Economic aspects of land
- Control of land use and development

Administering the people to land relationship through
- Land Policy
- Land Management
- Good Governance
  and
- Building the capacity to deal with this

Thank you for your attention