Integrated Land Management for the Society
- A Global Perspective

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LAND MANAGEMENT COURSE
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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

Land Management includes all activities associated with the management of land and natural resources that are required to fulfill political objectives and achieve sustainable development.

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.

Land Management

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

WHO OWNS THE WEST?
Federal Land as a Percentage of Total State Land Area

Data source: U.S. General Services Administration, Federal Real Property Profile 2004, includes trust properties.
**Australia – Land Tenure**

<table>
<thead>
<tr>
<th>Tenure Type</th>
<th>km²</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private land</td>
<td>4,819,600</td>
<td>62.7</td>
</tr>
<tr>
<td>Aboriginal and Torres Strait Islander land</td>
<td>1,094,800</td>
<td>14.3</td>
</tr>
</tbody>
</table>

**Public land**
- Nature reserve: 524,100
- Aboriginal freehold: 7,000
- National Park: 990,700
- Vacant crown land: 50,600
- Other crown land: 148,200
- Forestry reserve: 11,000
- Water reserve: 18,600
- Defence Land: 5,000
- Mining reserve: 5,000
- Mixed category lands: 8,900

**Total public land**: 1,767,900

<table>
<thead>
<tr>
<th>Tenure Type</th>
<th>km²</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>7,682,300</td>
<td>100</td>
</tr>
</tbody>
</table>

**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; adjudication of disputes regarding rights and boundaries.

**Land Value**: 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.

**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.

**Rights**: Tenure positions

**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.

**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

Continuum of rights (GLTN-agenda)

From:  illegal or informal rights
To:    legal or formal rights
**Land Registration Systems around the World**

- **Deeds System (French/Latin/USA style):** A register of owners; the transaction is recorded—not the title.

- **Title System (German, Torrens/English style):** A register of properties; the title is recorded and guaranteed.

**Deeds/Title Registration . . .**

<table>
<thead>
<tr>
<th>System</th>
<th>Deeds system</th>
<th>Titles system</th>
</tr>
</thead>
<tbody>
<tr>
<td>Content</td>
<td>Who owns what</td>
<td>What is owned by whom</td>
</tr>
<tr>
<td>Register</td>
<td>A register of owners</td>
<td>A register of properties</td>
</tr>
<tr>
<td>Legal effect</td>
<td>Registration of the transaction</td>
<td>Registration of the title (guaranteed by the state)</td>
</tr>
<tr>
<td>Actors</td>
<td>Notaries/lawyers/registrars</td>
<td>Lawyers/surveyors</td>
</tr>
<tr>
<td>Role of the Cadastre</td>
<td>Taxation purposes</td>
<td>Identification and title purposes</td>
</tr>
<tr>
<td>Boundaries</td>
<td>Sketch for the deed</td>
<td>Surveyed (fixed) boundaries (general boundaries UK/IRL)</td>
</tr>
</tbody>
</table>

**U.S.A.**

- **Deeds system:**
  - Registration of the transaction
  - Titles are not guaranteed
  - Notaries, registrars, lawyers, and insurance companies hold central positions
  - Ministry of justice
  - Interest in the deed is described in a description of area and bounds

- **Title system:**
  - Land records are maintained at local district courts
  - Titles are based on cadastral identification
  - Registered titles are guaranteed
  - Ministry of finance or similar

**Australia**

- **Cadastral Lite, PSMA 2001**
- One map - 10.2 mill parcels

**Table 2.3. General relationships between land registries and cadastres**

<table>
<thead>
<tr>
<th>Style of system</th>
<th>Land registration</th>
<th>Cadastre</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Deeds system</strong></td>
<td>Registration of the transaction</td>
<td>Cadastre maintained by licensed surveyors or government officials</td>
</tr>
<tr>
<td><strong>Titles system</strong></td>
<td>Land records are maintained at local district courts</td>
<td>Cadastre maintained by government officials</td>
</tr>
<tr>
<td><strong>Cadastral Lite</strong></td>
<td>One map - 10.2 mill parcels</td>
<td>Cadastre maintained by government officials</td>
</tr>
</tbody>
</table>

Australia – Torrens System

Multipurpose Cadastral Systems

Characteristics of traditional Cadastral Systems

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.

Comparing Cadastral Systems

Parameters for comparison:

• Property Definition
  - Where and how is it defined
  - Legal/economic/physical concept
• Property Determination
  - General/fixed boundaries
  - determination process
• Property Formation
  - Process, institutions and actors - who does what
  - Role of the surveyors
• Property Transfer
  - Process, institutions and actors - who does what
  - legal consequences

A worldwide Comparison of Cadastral Systems

www.cadstraltemplate.org
Significance of the Cadastre

- **Cadastral engines**
  1. Multipurpose Cadastre (German style)
  2. Title or deeds tenure style Cadastres (Torrens/English style)
  3. Taxation driven cadastre (French/Latin/USA style)

- **Tenure**
  - Value
  - Use
  - Development

- **Incorporating**
  - Land policy
  - Spatially enabled LAS Services to business and public
  - Sustainable development - Economic - Environmental - Social - Governance

Property Restrictions
- two conflicting approaches

- **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.

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.
  - Providing monitoring and enforcement procedures

- **Comprehensive planning**
  - Combining aims and objectives, land-use structure planning, and land use regulations into one comprehensive planning document covering the total jurisdiction

- **Public participation**
  - Providing awareness and understanding of the need for planning regulations in respond to local needs.
  - Legitimising local political decision making

Integrated land-use management
The European Perspective

A joint vision for development of the European territory

A compendium comparing the systems of planning control

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

Annual General Assembly (98 member associations, 80 countries)

Council President and 4 Vice-Presidents

ACCO Advisory Committee of Commission Officers

Chairman, vice-chairs, national delegates, work plan, working groups, seminars etc.

www.FIG.net
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.

Urban population growth

<table>
<thead>
<tr>
<th>Year</th>
<th>Rural</th>
<th>Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970</td>
<td>63%</td>
<td>37%</td>
</tr>
<tr>
<td>2000</td>
<td>63%</td>
<td>37%</td>
</tr>
<tr>
<td>2030</td>
<td>40%</td>
<td>60%</td>
</tr>
</tbody>
</table>

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)

Mega cities of the world 2015

- Mexico
- Hong Kong
Mexico City

Informal settlement Cape Town 2001

Vietnam

North Ghana

Kibera, Nairobi, 250 ha, 1 mill+ people

Eviction, Cape Town, 2006
It is all about:

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

### FIG Global Partnership with

- **FAO,** projects on capacity building, good governance, land economics, etc.
- **UN-HABITAT,** partner in the GLTN network, projects on informal settlement, informal development, gendered land tools, etc.
- **World Bank,** joint conference on Land Governance in support of the MDGs

### 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.

- 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

[Link to FIG publications: WWW.FIG.NET]
Thank you for your attention