Land Administration Systems
Managing Rights, Restrictions, and Responsibilities in Land

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Greetings from Copenhagen

Greetings from the Home Base

Aalborg – my home town

Outline of Presentation

Land Administration Systems
• Rights – Restrictions – Responsibilities
• Spatially Enabled Government

The Global Challenges
• The Millennium Development Goals
• The Role of FIG and the Global Surveying Community

LAS provide the infrastructure for implementation of land polices 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.
Land administration systems are the basis for conceptualising rights, restrictions and responsibilities related to people, policies and places.

**Rights:**
- Registration and security of tenure positions

**Responsibilities:**
- Social, ethical commitment to environmental sustainability and good husbandry

**Restrictions:**
- Planning and control of land-use and land development

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"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

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**Wold Status of Land Tenure and Property Rights**

- Status of Land Tenure and Property Rights, 2005
- Moderate or serious issues
- Serious concerns
- Extremely serious concerns
- Not applicable

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**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.**

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**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

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**A worldwide Comparison of Cadastral Systems**

- Cadastral Template
- www.cadastraltemplate.org
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

Integrated land-use management

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.

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.


Understanding the Land Management Paradigm

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

- A 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.

Good Governance is:

- Sustainable and locally responsive: It balances the economic, social, and environmental needs of present and future generations, and locates its service provision at the closest level to citizens.
- Legitimate and equitable: It has been endorsed by society through democratic processes and deals fairly and impartially with individuals and groups providing non-discriminatory access to services.
- Efficient, effective and competent: It formulates policy and implements it efficiently by delivering services of high quality.
- Transparent, accountable and predictable: It is open and demonstrates stewardship by responding to questioning and providing decisions in accordance with rules and regulations.
- Participatory and providing security and stability: It enables citizens to participate in government and provides security of livelihoods, freedom from crime and intolerance.
- Dedicated to integrity: Officials perform their duties without bribe and give independent advice and judgements, and respect confidentiality. There is a clear separation between private interests of officials and politicians and the affairs of government.

Adapted from FAO, 2007
Global Partnerships in Land Management

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

- 1970: Total world population: 3.3 billion
- 2000: Total urban population: 3.3 billion
- 2030: Total slum dwellers: 1.1 billion

Mega cities of the world 2015

- Mexico
- Hong Kong
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

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

98 FIG Member Associations from 80 Countries

- 28 affiliates
- 34 corporate
- 15 correspondents
- 80 academic members

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.

The International Federation of Surveyors
Organizational Structure

www.FIG.net
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

The Role of FIG

Fig this way, intend to play a strong role in building the capacity to design, build and manage national surveying and land administration systems that facilitates sustainable Land Governance.

Thank you for your attention