FIG **Kadaster K**

Good Administration of Land in Europe

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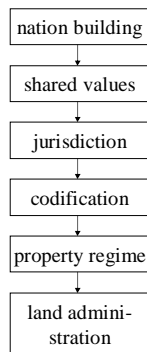('Cadastre and Land Management') (chair)

INTERNATIONAL INSTITUTE FOR GEO-INFORMATION SCIENCE AND EARTH OBSERVATION

History of Europe

- Europe is more than European Union
- Development from Greek civilization onwards
- Important:
  - Post Napoleon (1825)
  - Post WW 1 (> 1918)
  - Post WW 2 (> 1945)
  - Post Communism (> 1989)
- Establishment of nations took many years

Nation building and property rights

nation building
↓
shared values
↓
jurisdiction
↓
codification
↓
property regime
↓
land admini-stration

A variety of institutional arrangements

- '80: Complaints about the ineffective, money wasting, inflexible, inert and large public service
- '90: restoration primacy of politics, reducing tasks ministries, privatisation, improving output (Great Britain), decentralisation & deconcentration (France), deregulation, revitalisation & private initiative (Germany)
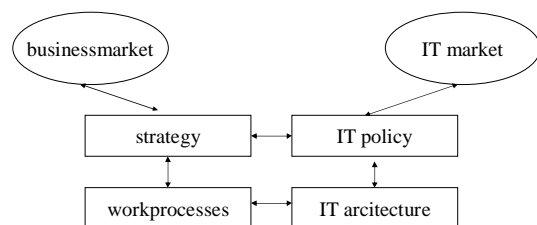

Some independent public agencies for land administration

- England & Wales
- Netherlands
- Sweden
- Czech Republic
- Lithuania
- Scotland

What do these organisations share?

businessmarket   IT market

strategy ↔ IT policy

workprocesses ↔ IT arcitecture

strategic alignment (MIT)

However: various land administration arrangements

- Courts and Cadastre:
1. France
2. Sweden
3. Norway
4. Denmark
5. Finland
6. Poland
7. Croatia
8. Estonia
9. Bulgaria

Various arrangements

- 'Grundbuch' and Cadastre
1. Germany
2. Austria
3. Switzerland
4. Latvia

Various arrangements

- Private Registrars and public Cadastre
1. Spain
2. Portugal

Various arrangements

- Registry and Cadastre in 1
1. England & Wales
2. Scotland
3. Netherlands
4. Belgium
5. Hungary
6. Italy
7. Greece
8. Albania
9. Lithuania
10. Czech Republic

The administration of land

- Land Policy = the whole complex of socio- economic and legal prescriptions that dictate how the land and the benefits from the land are to be allocated (UN/ECE 1996)
- Execution of public power = interference in private right to dispose
- Therefore: growing number of public restrictions on land (and thus registration)

Land administration & infrastructure

- Government bodies collect, process, and distribute similar data for own purposes
- Multi datacollection, storage & disseminaton
- Substantial cost for government and burden to citizens and companies
- Solution: data sharing

Land administration & infrastructure

- People need solution for problems.
- A solution requires information from various sources
- Integration data from distributed databases

How to create an infrastructure?

- Exchange of data, through formats
- Servers which communicate, through industry standards
- Sharing and integration of information, through agreements on semantics
- Availability of key datasets, through new government information policy

How to do?

- Standards:
  - data: formats available
  - servers: OpenGis© consortium
  - information: agreements
- Key registers (geodetic network, terrain models, topographical maps, geographical names, administrative boundaries, cadastre, hydrography, land use/cover) single collection & storage

Bottom up of top down

- Standards:
  - Selfregulation (national associations for geo information)
  - Codification
  - If not: impose law.
- Key registers:
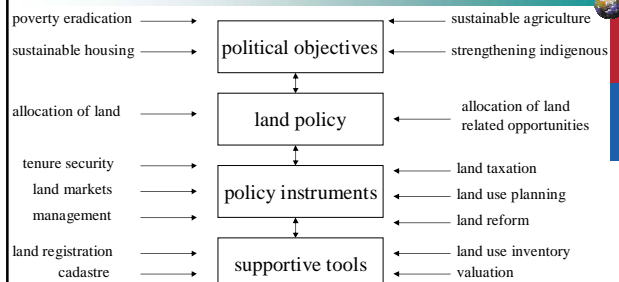 - law
- Leadership needed

Eurogi members

What is 'land administration'

- Land administration is the process of determining, recording and disseminating information about ownership, value and use of land, when implementing land management policies (UN Land Administration Guidelines)
- 'Ownership' = mode in which rights to land are held, either by statutory, common and customary law

Functions of land administration

poverty eradication → political objectives ← sustainable agriculture
sustainable housing → political objectives ← strengthening indigenous

allocation of land → land policy ← allocation of land related opportunities

tenure security → policy instruments ← land taxation
land markets → policy instruments ← land use planning
management → policy instruments ← land reform

land registration cadastre → supportive tools ← land use inventory valuation

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Problems and barriers in Europe

- Legal frameworks need reform to adopt electronic age
- Governmental information infrastructures need reform to adopt datasharing and dataintegration
- Operational workprocesses and IT architecture need redesign and renewal to adopt market pull and technology push

Issues of political consideration

- Embark on a coordinated information management within the government, to reap the economic benefits of sharing and integration of data.
- Create laws that facilitate legal use and authenticity of electronic signatures and electronic documents.
- Show leadership in change management.