The Capacity Building Challenge

- In many countries, the national capacity to manage land rights, restrictions, and responsibilities is not well developed in terms of mature institutions and the necessary human resources and skills.

- In this regard, the capacity building concept offers some guidance for analyzing the capacity needs and developing adequate responses at societal, organizational and individual levels.

… Capacity Building – what is it ?

It is two-dimensional:

- **Capacity Assessment**
  A structured and analytical process whereby the various dimensions of capacity are assessed within the broader systems context, as well as evaluated for specific entities and individuals within the system.

- **Capacity Development**
  The process by which individuals, groups, organisations, institutions and society increase their ability to:

  Perform core functions, solve problems, define and achieve objectives; and understand and deal with their development needs in a broader context and in a sustainable manner (OECD Definition).

Levels and Dimensions of Capacity Building

It has three levels:

- **The broader system/societal level**
  Dimensions include: Policies, legal/regulatory framework, management and accountability perspective, and the resources available.

- **The entity/organisational level**
  Dimensions include: Mission and strategies, culture and competencies, processes, resources (human, financial, information) and infrastructures.

- **The group-of-people/individual level**
  Dimensions include: Education and training programs to meet the gaps within the skills base and the number of staff to operate the systems in the short, medium and long term perspective.
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.

Land Administration Systems (LAS) provide the infrastructure for implementation of land policies and land management strategies in support of sustainable development. LAS are concerned with the four land administration functions of land tenure, land value, land-use, and land development.

Basic Principles for Land Administration Capacity

- **Policies and a legal framework** that define the private and public status of land in terms of tenure, value, and use.
- **Organisations** that are empowered to meet the social demands at low possible costs in order to optimize the support to land tenure security, land markets, land use control, management of natural resources, land reform, and other land related social structures.
- **Managers and employees** who are empowered to meet individual demands in terms of skills and professional competence for working efficient and effective.
- **Businesses and citizens**, who are empowered to participate effectively in order to comply with the land related social arrangements.

Methodology

Identification of the specific steps considered as the building blocks for self-assessment of capacity needs in land administration.

For each step, the capacity of the system can be assessed and possible or needed improvements can be identified.

A Logical Framework

- Each step is addressed in a box posing some key questions to be analyzed.
- Some comments are given in each box in order to facilitate the analyses.
- The analyses may lead to the need for organizational changes or improvements.
- The analyses may also indicate the need for developing the necessary human resources and skills for improving the competence of the existing personnel.
- The analysis must be realistic and may lead to adjustment of the political objectives and/or the business objectives of the organisation.

Box example – Land policy

9.1.2 Land Policy

See the political objectives expressed in the current land policy?

- Does the land policy address the key issues?
- Is the access to land, the allocation of land, and the investment in land in conformity with the political objectives?

Components:

- Governance: should develop a policy on how the land access is to land and the benefits of the land given to land-related opportunities not to be abused. With the area is implemented this policy is responsible for that the general attitude is to the protection of land, control of misuse, and economic aspects of land.
- Access to land and land-related responsibilities can be represented in different ways, for example: from the point of view of capacity of land management, or ensuring critical thinking through imposing a minimum size of the holding, or controlling land holdings through different kinds of land ownership. Access to land can mean different things to different people. Access to land can be defined as the capacity to land, control of misuse, and economic aspects of land.
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Decision matrix:

- If the way the government wants to allocate the land and the benefits of the land is not in line with the political objectives, which will enhance the whole capacity to fulfill the political objectives.
5.3.1 Allocation of Mandates - General

Are the mandates in place for execution of land related legal framework?
- Are the mandates overlapping?
- Are the mandates clear and manageable?

Comments:
Clear mandates within the public administration enhance the effectiveness. There are countries where various organizations have a mandate on land related issues (for example the surveying of land titles). This is not only causing friction in the public administration, but moreover also confuses the citizen. Governments should take into account the operational aspects of the mandates. It makes no sense to impose a mandate that is expected not to be workable and manageable.

Impact on capacity:
The ability of our land administration system relies on clear mandates. Without a clear and manageable mandate, good performance can never be guaranteed.

5.3.2 Allocation of Mandates - Decentralisation

Does the allocation of mandates reflect a well-balanced approach to decentralisation?
- Are the linkages between the mandated organizations well defined to ensure good institutional co-operation?

Comments:
Land administration is often associated with decentralisation. The reason is that decisions on land very much affect ordinary people, and therefore it is efficient and effective to allocate these tasks at an appropriate level of government. The allocation of tasks at that specific level, the need for sharing information should be taken into account. E.g., applications of information technology can provide a system of central processing and storage, and local information management.

Impact on capacity:
The ability of land administration organisations should on one hand reflect the importance of local presence, on the other hand guarantee countrywide application. This balance is important to meet customer demands.

More examples …

Conclusions

- The paper is facing the widely stated problem of poor institutional capacity of land administration agencies in many developing and transition countries.
- Capacity building addresses the broader concept of the ability of organisations and individuals to perform functions effectively, efficiently and sustainably.
- The guidelines for self-assessment of capacity needs are developed to serve as a logical framework for addressing capacity building for the development of national strategic planning instruments, and legal frameworks; over mandates, business objectives, and work processes, to the necessary human resources and training programs.
- The guidelines aim mainly at developing countries, posing the right questions rather than giving all the right answers.