Building Fit-For-Purpose Land Administration Systems

Providing Secure Tenure for All

Christiaan Lemmen – Kadaster International
Fit-for-Purpose Land Administration
The World Bank Trilogy

Stig Enemark
Part 1 - Overview

Christiaan Lemmen
Part 2
Providing Secure Tenure For All

Robin McLaren
Part 3
Making it Work
Fit-for-Purpose Land Administration – the Concept

Spatial Framework:
- Aerial imagery country wide
- Participatory field adjudication
- Incremental improvement
- Continuum of accuracy

Legal Framework:
- Enshrine FFP approach in law
- Secure all land rights for all
- Human rights, gender equity
- Continuum of tenure – STDM

Institutional Framework:
- Holistic, transparent & cost effective
- Sustainable IT-approach
- Ongoing capacity development
- Continuum of services
Slums
Customary Lands
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Land Rights – Aspects to be Supported

- Recognise
- Record
- Review

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’Recognise’

- Recognition, classification and development of a typology in land rights on the basis of an assessment of existing legitimate rights at the country level
- Publication in a National Tenure Atlas
’Record’

• Collecting data on evidence of land rights based on FFP approaches in land administration
‘Review (Conversion)’

- Assessing the evidence of rights and any possible outstanding claims and when conditions are met, the security of the rights will be increased.
Building the Legal Framework

- The legal framework needs to be flexible and managed through administration rather than court decisions
- The **STDM** concept should be applied to ensure that legal as well as social tenure be secured independent of formality and technical accuracy
- The FFP approach will require a flexible recordation system
- Applying the continuum of land rights will require innovative pro-poor recordation systems
- Women make two thirds of the world's poor
- Women's access to land must be seen as a universal human right
FFP Process

Local Recognition of Tenure Types
- Separate Local Pro-poor Recordation Initiatives
  - Review for Integration

National Recognition of Tenure Types
- Adjudication and Recordation in the Field
  - Registration of Rights in National Land Register
    - Review for Conversion

Iterative Revision of Legislation
- Unresolved Disputes
  - Land Certificate to Citizen
FFP Process - Building a National Land Recordation System

1. **Local Recognition of Tenure Types**
   - Separate Local Pro-poor Recordation Initiatives
     - Review for Integration

2. **National Recognition of Tenure Types**
   - Adjudication and Recordation in the Field
     - Registration of Rights in National Land Register
       - Review for Conversion

3. **Iterative Revision of Legislation**
   - Unresolved Disputes
     - Land Certificate to Citizen
FFP Process - Pro-Poor Land Recordation Initiatives

- Local Recognition of Tenure Types
  - Separate Local Pro-poor Recordation Initiatives
  - Review for Integration

- National Recognition of Tenure Types
  - Adjudication and Recordation in the Field
  - Registration of Rights in National Land Register
  - Review for Conversion
  - Land Certificate to Citizen
  - Unresolved Disputes

- Iterative Revision of Legislation
Recognising, Recording, Reviewing Land Rights
Recognising, **Recording**, Reviewing Land Rights
Recognising, Recording, Reviewing Land Rights

Diagram:
- Local Recognition of Tenure Types
  - Separate Local Pro-poor Recordation Initiatives
  - Review for Integration
- National Recognition of Tenure Types
  - Adjudication and Recordation in the Field
  - Registration of Rights in National Land Register
  - Review for Conversion
- Iterative Revision of Legislation
  - Unresolved Disputes
  - Land Certificate to Citizen

Red Circle:
- Local Recognition of Tenure Types
- Separate Local Pro-poor Recordation Initiatives
- Review for Integration
- National Recognition of Tenure Types
- Adjudication and Recordation in the Field
- Registration of Rights in National Land Register
- Review for Conversion
## Legal/Legitimate

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<th>Non-legitimate</th>
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<td><strong>Legal</strong></td>
<td>Law followed in letter and spirit; usually documented via titles</td>
<td>Law followed in letter but not in spirit; titles gotten via unethical processes</td>
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<tr>
<td><strong>Extra-legal</strong></td>
<td>Societal and/or historical accepted access to land; no (official) documents</td>
<td>Criminal land access</td>
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Source: Laarakker/Zevenbergen
National Tenure Atlas

Source: Ministry of Lands and Resettlement, Namibia
Source: Mathilde Molendijk
GLTN BRIEFING AND PROGRAMME

Source: IGAC

NARIÑO

Territorios Comunidades Negras
Resguardos Indígenas
Parques Nacionales Naturales
Reserva Forestal Ley 2a

Source: IGAC
Área Condicionada y Sin Restricciones para Formalización de la Propiedad Privada

Municipios con Falsa Tradición > 25%

Se Excluyen zonas de Macroregiones UAEGRTD

Predios Sin Matrícula Inmobiliaria

Predios con Mejoras Registradas en Catastro

Predios sin Interrelación Catastro-Registro

Se Excluyen zonas de Macroregiones UAEGRTD

Zonas Potenciales a Priorizar

Priorización

Prioridad 1
Prioridad 2
Prioridad 3
Condicionantes

Source: IGAC
Over **30,000 communities** covering **52% of area** of Mexico

- Operated for over **80 years**
- Affects the rights of over **5 million people**
- **Community level** documentation of land transactions
- Extensive **pro-poor** statutory registry system
- Most successful **land reform** in Latin America
A Variety of Continuums

Continuum of land rights
- Informal land rights:
  - Perceived tenure approaches
  - Occupancy
  - Adverse possession
  - Leases
- Formal land rights:
  - Customary
  - Anti evictions
  - Group tenure
  - Registered freehold

Land recordation
- Less Complex:
  - Shoebox with titles
  - Paper register with paper imagery
  - Google/OpenStreetMap based
- More Complex:
  - Register without
  - Register with
  - Deed based
  - Digital System
  - 3D Cadastre

Representation of rightholders
- Group non-defined Membership:
  - Religious
  - Local Government
  - Ministry
  - Married
- Indivisual:
  - Group
  - Community
  - Cooperative
  - Individual

Continuum of Accuracy
- Incomplete Reference:
  - Text Point based
  - Photo/Video Point based
  - Set of Lines
  - Different Sources
- Complete Reference:
  - Polygon
  - High Accuracy
  - Sketch
  - Reference
  - Polyeon
  - Volume

Representations of spatial units
- Incomplete Reference:
  - Text Point based
  - Photo/Video Point based
  - Set of Lines
  - High Accuracy
- Complete Reference:
  - Sketch
  - Plane table
  - Rotation

Acquisition methods
- Inaccurate Reference:
  - Tape/Plane table
  - Handheld GPS
  - Satellite Imagery
- Accurate Reference:
  - Legacy Maps
  - Legacy Images
  - Google Maps
  - OpenStreetMap
  - MS Virtual Earth
  - Aerial Camera
  - UAV
  - GPS/CORS
STDM
UN-Habitat/GLTN Social Tenure Domain Model - FIG YSN
DESIGNING A LAND RECORDS SYSTEM FOR THE POOR

SECURE LAND AND PROPERTY RIGHTS FOR ALL

UN-Habitat
UNIVERSITY OF TWENTE
GLTN GLOBAL LAND-TITLES NETWORK
Information and Communication Technology

ICT is not just about technology –

– it’s about the ways in which information and technology are used to deliver better services and enhance trust and confidence in land administration and government
Information and Communication Technology

Adopting an effective, scalable supporting ICT infrastructure is considered to be crucial for the implementation of the FFP approach.
ICT Principles for FFP

- ICT Principles for FFP
- Governance & Management of ICT
- Technical Platforms and Standards
- Key Strategic Decisions
Thanks!