Land Administration for REDD+ and Voluntary Carbon Market Projects

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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.
Land administration (LA)

- ‘tool’ to help implement (land) policies
- role of land:
  - Economic Growth and Sustainable Development
  - Good Governance and Social Stability
- tendency to focus on land registration and cadastre part

Land administration (LA)

- conventional LA systems
  - record the main right on each parcel; not so much secondary rights or land use rights
  - start with ‘land titling’, large operation, expensive, donor support
  - maintenance and updating afterwards often problematic
  - deal with ‘formal’ land rights (statutory, often ‘colonial’ system)
  - neglect customary (and informal) rights
  - even if customary rights are acknowledged by law, non recorded their proof becomes a challenge
Local Land Records in Namibia (van Asperen 2008)

LA and Climate mitigation payments

- need to know who to pay to
  - need to pay to the one holding the ‘carbon rights’
  - need to pay to those who need to change (or remain) their usage
- deal with the complexity of the land and resource tenure(s)
- payments not always go to landholder most entitled
- (non commercial) agricultural and forest areas regularly not (fully) covered by LA and often many ‘informal rights’ there
- carbon reporting guidelines not much on this
- at least indigenes groups ‘protected’ by international treaties
LA systems

- developing LA systems
- that improve security of tenure of landholders
- that are sustainable
- without adverse effects on secondary rights holders
- that record rights that are consistent with de facto use
- where all legitimate stakeholders agree to the rights to be recorded and their geographical extent
- not easy
- some ‘best practices’ in the paper

LA systems

- Processes of
  - Preparation (study all the de jure rights and create map base)
  - Adjudication
  - Demarcation
  - Recording of rights
  - Registration or certification
- Formal land titling mainly urban and peri-urban, successful if land agency has strong capacity and strong governance
LA and PES

- Free, prior, informed consent: all landholders consulted
- Rights to natural resources are almost always contested
  - esp. when resource has (gets) market value
  - trees might have different owner than land, access to the trees
  - does tree tenure include carbon tenure?
- Look at the relationship between
  - Management and information required for REDD+ and VCM reporting
  - Information used to record property (compare IACS/LPIS in EU)
- See overlapping rights (deal with) and conflicting claims (solve)

LA and PES

- A lot of (base) information can be seen from above (remote sensing), for carbon, but also component of tenure/innovative LA
- Not all relevant information is usually available in (formal) records
  - if adjacent to well running LA system it can be expanded
  - elsewhere need an innovative approach
- ‘carbon cadastre’ as well as carbon rights in normal cadastre
Recording interests in land and resources

- Continuum
  - formal registration and issuance of land titles
  - low-cost approaches to recording interest in land
- Titling 'oversimplifies' reality (in forest and rural areas)
- Individual tenure might be culturally inappropriate
- Titling not a panacea for true security
- Some innovative approaches are used, often pilots and not at scale

Use of RS (Ethiopia 2008)
Recording interests in land and resources

- Review all interests in land and resources
- Clarifying property rights to determine beneficiaries
- Formally recognizing these rights: reconcile diverse customary rights and governance mechanisms with statutory tenure and other formal legal mechanisms (base for e.g. co-management)
- Monitor impact on communities
- Develop Spatial Date Infrastructures for implementing and monitoring
- Large capacity building required
- Decentralization and local institutions