There have been several changes worldwide during the last decade, influencing rural and urban land development. These changes created several challenges to be solved and very much affected developed, transition and developing countries as well. Tasks to be achieved are very different in countries with developed market economies and countries with less developed economy.

The way how to solve challenges are also varying from country to country in every region depends on the historical, economic and political background. These changes strongly influence the economy, the land and real estate market. There is a very strong need in any country of the existence of proper legal and institutional framework which can coordinate as infrastructure of the land and real estate property activities and the sustainable development in long term.

Commission 7 deals with land administration matters: “the process of determining, recording and disseminating information about the ownership, value and use of land when implementing land management policies.”

Ownership should be seen as a broad concept of land tenure within various jurisdiction (statutory, customary, informal, etc.).

Commission 7 deals with land management, that is the implementation of land policy by a wide range of land policy instruments (land reform, land consolidation, land markets, land taxation, marine resource management, etc.)

COMMISSION 7 aims
- to provide a world wide forum for enhancing and exchanging the knowledge and understanding about land administration and land management
- elaborating the role of land administration and land management for sustainable development
- encouraging the development of appropriate concepts and tools for land administration and land management with regard to specific institutional and operational context of developed and developing countries
- playing leading role in advancing land administration and land management

Important issues have been selected
- land administration, land management in customary and informal areas
- land administration, land management in the marine environment
- avoiding land fragmentation
- institutional conditions
- efficiency and effectiveness
- low costs land administration systems
- ICT support for modern land administration and land management
- Capacity building for land administration and land management

To achieve Commission 7 Work Plan 2002-2006, three working groups have been formed
- Working group 7.1. Creation Land Administration in formal and informal environment
- Working group 7.2 Instruments for land distribution
- Working group 7.3 Advances in Modern Land Administration

Creation Administration and informal environment
- The implementation of sustainable development has been one of the greatest challenges worldwide since years
- Success of sustainable development not an environmental question only, mainly economic task
- The utilisation of natural sources, the importance of long term land and real estate property development has been increased during the last decades all over the world

Changes effected the land related activities on land- and real estate properties
- CHANGES
  Globalisation, increasing poverty in the developing countries, rural - population moves to cities, lack of drinking waters in many region in the world, etc.
- CHALLENGES
  Sustainable development, creation active land market and land administration in developing and transition countries, access to land and real estate property for all people, etc.

- Sustainable development requires an integrated approach, means, legal framework, institutional infrastructures at central and local level, good communication between central and local level
- Sustainable development covers rural and urban issues, rural lands are potential sources for the further urban development
- Creation legal and institutional framework for land related activities (land administration) is not enough, well operational institutions require educated staff as well
IMPORTANT elements of legal and institutional framework supporting the sustainable development

- The law must guarantee
  - the security of tenure
  - equal access to land and real estate property
- Land administration institutions regulate the land and real estate markets and infrastructure for sustainable development
  - land registry, cadastre
  - spatial planning
  - valuation
- "Sustainable development is not attainable without land administration" ref. Bathurst Declaration

In developed and transition countries the task the establishment, reestablishment, modernising legal and institutional framework "creation land administration"

- In the majority of developing and transition countries the lack of legal security of land tenures hampers:
  - the use of rural and urban land
  - national and international investments
  - efficient land management
- Without security of land tenure, equal rights to access land and real estate properties, the economy can’t improve and sustainable development couldn’t be reality

Why is it important to develop efficient land administration?

- basic condition to develop the land and real estate markets
- infrastructure for the implementation of sustainable development

Why is it important to register land tenures and guarantee the security of tenures

- no long term economic development

LAND TENURE

- Land tenure means the mode by which rights to land are held. The tenure can exist through customs and traditions, legal developments of case law (common law) or statute. Ref. "Bathurst Declaration"
- Land tenure, through law, registered in land registry and cadastre in developed countries
- Many countries worldwide with non registered existing informal land tenure and customary tenure
- To support the economic development it should be essential to register informal land tenure, customary tenure
INFORMAL LAND TENURE

Usually exists in urban areas, there is no sufficient land for housing. Often informal land tenure is considered to be illegal, it is not recognised either by customary or by statutory law.

Ref. "Bathurst Declaration"

CUSTOMARY TENURE

Customary tenure is in principle a legal tenure system based on customary law. It is formal in the sense that it may be consistent with oral or written law. Often customary tenure is connected to land use by minority ethnic groups.

Ref. "Bathurst Declaration"

FORMALISATION OF INFORMAL TENURE

Formalisation of informal tenure, registration of customary tenure require establishment of legal and institutional framework, creation land administration.

Or extension of the existing land registration systems.

The demand for formal land tenure, demand for registration of customary land tenure should come from the people in the area.

ROLE of Commission 7. Working group 1

- Role in development of land administration in developing and transition countries
- Terms of reference
  - Identify how customary and informal land tenure can be integrated in land administration system
  - Identify when customary and informal land tenure should be recorded, registered
  - Identify land management requirements to land administration systems in formal and informal environment, with focus on land use
  - Contribute to access to land by women and vulnerable groups
  - Develop guidelines
  - Identify good practices
  - Organising and contribute to regional conferences

The Working group 1. Decided about topics to be investigated

- Customary tenure are different in each country - even within country itself - common elements are to be identified
- Problems in land restitution/redistribution
- Preparation of guidelines for registration of customary rights. It is important to justify why it is essential to prepare guidelines. It could be the alleviation of poverty.
- Valuation is a precondition for land restitution. Compensation is another issue that should be investigated.
- Land reform process are too slow
  - Lack of financial and human resources
  - Even good existing law cannot be implemented
  - There is no political decision for comprehensive land reform.

The Working group 1. can’t achieve its goals without collecting information from countries and contribution by professionals from the aimed countries

- Contact persons
- Questioners
- Regional conferences
- Active contribution by UN organisations, (FAO, HABITAT)

Regional conferences
- 2004 December Nairobi, Kenya
- 2005 Jordan

CONCLUSIONS

- The importance of existing and operational land administration & licensing work
- The demand for formal land tenure and registration of customary land tenure should come from the people in a area.
- Creation of land administration is a common theme of each country to support the sustainable development for the implementation of this principle, the type of legal and institutional framework depends on the context, political and historical background.
- There is no static model or single solution to professional development of land administration.
- The Commission 7 makes all of its efforts to promote the implementation of sustainable land administration services to improve the economic development and support sustainable development.
- Supporting development is seen as an essential land administration.