Sustainable Land Governance
in support of the Global agenda

Prof. Stig Enemark
FIG Honorary President
Aalborg University, Denmark
Land governance is about the policies, processes and institutions by which land, property and natural resources are managed. This includes decisions on access to land; land rights; land use; land development.

Land governance is about determining & implementing sustainable land policies.

The land management paradigm
Land Administration Systems provide the infrastructure for implementation of land policies and land management strategies in support of sustainable development.

**Land Tenure:** Allocation and security of rights in lands; legal surveys of boundaries; transfer of property;

**Land Value:** Assessment of the value of land and properties; gathering of revenues through taxation;

**Land Use:** Control of land-use through adoption of planning policies and land-use regulations at various levels;

**Land Develop:** Building of new infrastructure; implementation of construction works and the change of land-use;
## Benefits to Society

<table>
<thead>
<tr>
<th>Support for governance and the rule of law</th>
<th>Protection of state lands</th>
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</thead>
<tbody>
<tr>
<td>Alleviation of poverty</td>
<td>Management of land disputes</td>
</tr>
<tr>
<td>Security of tenure</td>
<td>Improvement of land planning</td>
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<tr>
<td>Support for formal land markets</td>
<td>Development of infrastructure</td>
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<tr>
<td>Security of credit</td>
<td>Management of resources and environment</td>
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<tr>
<td>Support for land and property taxation</td>
<td>Management of land information and statistics</td>
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Free copy at: www.esri.com/landing-pages/industries/land-administration/e-book#sthash.Lp4BYcKW.dpbs
Cadastral Systems

Social Stability
Economic Growth
Efficient Land Markets
Security of Tenure and Investments

Land Tenure
Land Rights
Legal Means

CADASTRAL SYSTEMS

Land Value
Valuation, Taxation
Fiscal Means

Collateral and Tax Basis
Financial Services
Public Services

Land Use
Planning Control
Environmental Means

Land Development
Resource Management
Environmental Sustainability

The concept of the multipurpose cadastre
Deeds System (French/Latin/USA style): A register of owners; the transaction is recorded – not the title.

Title System (German, Torrens/English style): A register of properties; the title is recorded and guarantied.
International soft law instrument. The Guidelines represent a global consensus on internationally accepted principles and standards for responsible practices.


Guidance for a variety of actors. Actors can determine whether their proposed actions and the actions of others constitute acceptable practices.
Facing the Global Agenda

Trustable land information and good land administration is fundamental for:

- Responsible governance of tenure
- Managing the use of land
- Coping with climate change
- Enforcing equity and human rights
- Achieving sustainable development

Land governance to underpin the core components of the global agenda
Global Level Impact of Climate Change

Climate change - The world in terms of carbon emission

Climate change - The world in terms of increased mortality
The monitoring experience of the MDGs has shown that data will play a central role in advancing the new development agenda. We need sustainable data to empower people and support sustainable development. There is a call for a data revolution.
The Post 2015 Agenda
17 Goals, 169 targets, and a wide range of indicators

https://sustainabledevelopment.un.org/?menu=1300
GOAL 1  End poverty in all its forms everywhere
GOAL 2  Zero hunger; achieve food security and improved nutrition and promote sustainable agriculture
GOAL 3  Good Health and well being: ensure healthy lives and promote well-being for all at all ages
GOAL 4  Quality education; ensure inclusive and equitable quality education and lifelong learning for all
GOAL 5  Gender equality and empower all women and girls
GOAL 6  Clean water and sanitation; availability and sustainable management of water and sanitation for all
GOAL 7  Affordable and clean energy; access to affordable, reliable, sustainable and modern energy for all
GOAL 8  Decent work and economic growth; sustained, inclusive economic growth, full and productive employment and decent work for all
GOAL 9  Industry, innovation and infrastructure; resilient infrastructure, inclusive and sustainable industrialization and innovation
GOAL 10 Reduced inequality within and among countries
GOAL 11 Sustainable cities and communities; make cities and human settlements inclusive, safe, resilient and sustainable
GOAL 12 Responsible consumption and production; sustainable consumption and production patterns
GOAL 13 Climate action; combat climate change and its impacts
GOAL 14 Life below water; conserved and sustainably use the oceans, seas and marine resources for sustainable development
GOAL 15 Life on land; protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and biodiversity loss
GOAL 16 Peace, justice and strong institutions; peaceful, inclusive societies for sustainable development, access to justice for all and effective, accountable and inclusive institutions at all levels
GOAL 17 Partnerships for the goals; Strengthen the means of implementation and revitalize the global partnership for sustainable development
Goal 1. End poverty in all its forms everywhere

1.1 By 2030, eradicate extreme poverty for all people everywhere, currently measured as people living on less than $1.25 a day.

1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.
## Rapid Urban Growth

<table>
<thead>
<tr>
<th></th>
<th>1950</th>
<th>1975</th>
<th>2007</th>
<th>2025</th>
<th>2050</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>World Urban Population (million)</strong></td>
<td>737</td>
<td>1,518</td>
<td><strong>3,294</strong></td>
<td>4,584</td>
<td><strong>6,398</strong></td>
</tr>
<tr>
<td><strong>Percentage</strong></td>
<td>29.1%</td>
<td>37.3%</td>
<td><strong>49.4%</strong></td>
<td>57.2%</td>
<td><strong>69.6%</strong></td>
</tr>
<tr>
<td><strong>More Developed Region (million)</strong></td>
<td>427</td>
<td>702</td>
<td><strong>916</strong></td>
<td>995</td>
<td><strong>1,071</strong></td>
</tr>
<tr>
<td><strong>Less Developed Region (million)</strong></td>
<td>310</td>
<td>817</td>
<td><strong>2,382</strong></td>
<td>3,590</td>
<td><strong>5,327</strong></td>
</tr>
</tbody>
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Close to 1 billion people live in slums, one third of the world's urban population.
Land Administration and Human Rights

- The Human Rights Declaration 1948 can be regarded as a “Global Code of Ethics” being promoted and enforced through political commitment and societal institutions.

- The Declaration states a range of general human rights such as Art 1. All human being are born free and equal, and Art 3: The right to life, liberty and security.

- Land Administration and planning systems are highly instrumental in this regard – especially in developing countries.

- Of special interest to land and property is the human rights to own things (Art. 17) and the right of food and adequate housing for all (Art 25). This cannot be achieved or enforced without well functioning land administration systems.

- Land professionals must reflect the human rights perspective when managing the people to land relationship.
Meeting the Global Agenda

- Only about 40 countries in the world have well functioning land administration systems.

- About 75 percent of the world’s population do not have access to formal systems to register and safeguard their land rights.

- “There is an urgent need to build systems which can identify the way land is occupied and used and accordingly provide for secure land rights and control of land-use”.

- “When building such systems the focus should be on a "fit-for-purpose approach" that will meet the needs of society today and can be incrementally improved over time”.

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A fit-for-purpose approach includes the following elements:

- **Flexible** in the spatial data capture approaches to provide for varying use and occupation.
- **Inclusive** in scope to cover all tenure and all land.
- **Participatory** in approach to data capture and use to ensure community support.
- **Affordable** for the government to establish and operate, and for society to use.
- **Reliable** in terms of information that is authoritative and up-to-date.
- **Attainable** to establish the system within a short timeframe and within available resources.
- **Upgradeable** with regard to incremental improvement over time in response to social and legal needs and emerging economic opportunities.

FIG/WB, 2014

http://www.fig.net/pub/figpub/pub60/figpub60.htm
**Fit-For-Purpose – what is it ?**

- **Fit-for-purpose:** The systems should be designed for managing current land issues – and not guided by high tech solutions and costly / time consuming field survey procedures.

- **Basic purposes:** Include all land; provide secure tenure for all; and control the use of land.

- **Flexibility:** Scale and accuracy relate to geography, density of development, and budgetary capacity.

- **Incremental improvement:** Advanced Western style concepts may well be seen as the end target but not as the point of entry.

- **Good practice:** Rwanda leads the way with about 10 million parcels demarcated and registered in about five years - unit costs of 5 USD per parcel.
Fit-For-Purpose Approach

3 Fundamental Characteristics
- Focus on Purpose
- Flexibility
- Incremental Improvement

Fit-For-Purpose Concept
3 Core Components
- Spatial Framework
- Legal Framework
- Institutional Framework

Each Framework has 4 Key Principles

- **Focus on Purpose:**
  Focusing firstly on the “what” in terms of the end outcome and then designing the “how” to be the most “fit” for achieving the purpose.

- **Flexibility:**
  It is about flexibility in terms of demands for accuracy; for recording of a range of different tenure types, and for shaping the legal and institutional framework to best accommodate societal needs.

- **Incremental improvement:**
  A Fit-For-Purpose approach will ensure that basic and appropriate land administration systems are built within a relatively short time frame and at affordable costs … and the systems can then be incrementally improved over time..
Fit-for-Purpose Land Administration – the Concept

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

Fit-For-Purpose Land Administration

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
Building the Spatial Framework
- a continuum of accuracy

- Visual boundaries rather than fixed boundaries
  - Visual (General) boundaries will be sufficient for most land administration purposes.

- Aerial/ satellite imageries rather than field surveys.
  - Aerial imageries are 3-5 times cheaper and less capacity demanding than field surveys.
  - Aerial imageries provide not only the framework of the parcels but also the general topography to be used for a range of land administration functions.

- Accuracy relates to the purpose rather than technical standards
  - Accuracy should be seen as a relative term related to the use of the information

- Opportunities for updating, upgrading and improvement
  - Building the spatial framework is not a one stop process
  - In turn, incremental improvement will establish a fully integrated land administration system.
  - This could be named as a “Continuum of Accuracy”
Using aerial imageries for participatory field adjudication

Orthophoto used as a field work map sheet with a georeferenced grid. The map shows the delineated parcel boundaries and parcel identification numbers.

Vectorised field map showing the resulting cadastral map with parcel boundaries and cadastral numbers.

Source: Zerfu Hailu, Ethiopia
Building the Legal Framework
- a continuum of tenure

- A flexible framework designed along administrative rather than judicial lines
  - The legal framework needs to be flexible and managed through administration rather than court decisions.

- A continuum of tenure rather than just freehold.
  - The STDM concept should be applied to ensure that legal as well as social tenure be secured independent of formality and technical accuracy.

- Flexible recordation rather than only one register
  - The FFP approach will require a flexible recordation system.
  - Applying the continuum of land rights will require innovative pro-poor recordation systems

- Ensuring gender equity for rights in land
  - Women make two thirds of the worlds poor.
  - Women’s access to land must be seen as a universal human right.
Building the Institutional Framework
- a continuum of services

- Good and transparent land governance rather than bureaucratic barriers.
  - The term “good governance” includes for government to be legitimate, transparent, accountable, and dedicated to integrity.

- A holistic Institutional framework rather than sectorial siloes
  - Focusing on treating land and natural resources as a coherent whole

- Flexible IT-approach rather than high-end technology solutions
  - Clear description of mandates, work processes and responsibilities
  - Alternatives such as open source solutions should be considered.

- Transparent land information with access for all
  - Applying the FAO Guidelines on Responsible Governance of Tenure.
Guiding Principles for Building Country Specific Land Administration Solutions.

Resettlement Registry is an administration of farms acquired by the government for the purpose of resettling citizens that qualify.

AALS farms are farms acquired by a Namibian citizen with financial support of the Agribank under the Affirmative Action Loan Scheme (AALS).

FLTS areas are peri-urban informal settlements targeted by the government of Namibia using the new Flexible Land Tenure System (FLTS).

Surveyed Land in Communal Areas contains around 250,000 communal land parcels.

MAWF Farms are farms that are being operated under control of the Ministry of Water and Forests (MAWF).

Conservancies are farms operated under the Conservancies Scheme, with special extra attention to the purpose of nature conservation.

Restricted areas relate to diamond mining areas and thus closed to the general public.
Key message:

Meeting the Global Agenda requires Good Land Governance and Closing the Cadastral Gap

... Let’s make it happen in our lifetime
Concluding remarks

Land administration is basically about people. It is about the relation between people and places, and the policies, institutions and regulations that govern this relationship.

When building land administration systems in less developed countries - focus should be on a “fit-for-purpose approach” that will meet the needs of society today and can be incrementally improved over time.

Windhoek, Namibia

Thank you for your attention