

Fit-For-Purpose Land Administration:

Why is it ?

What is it ?

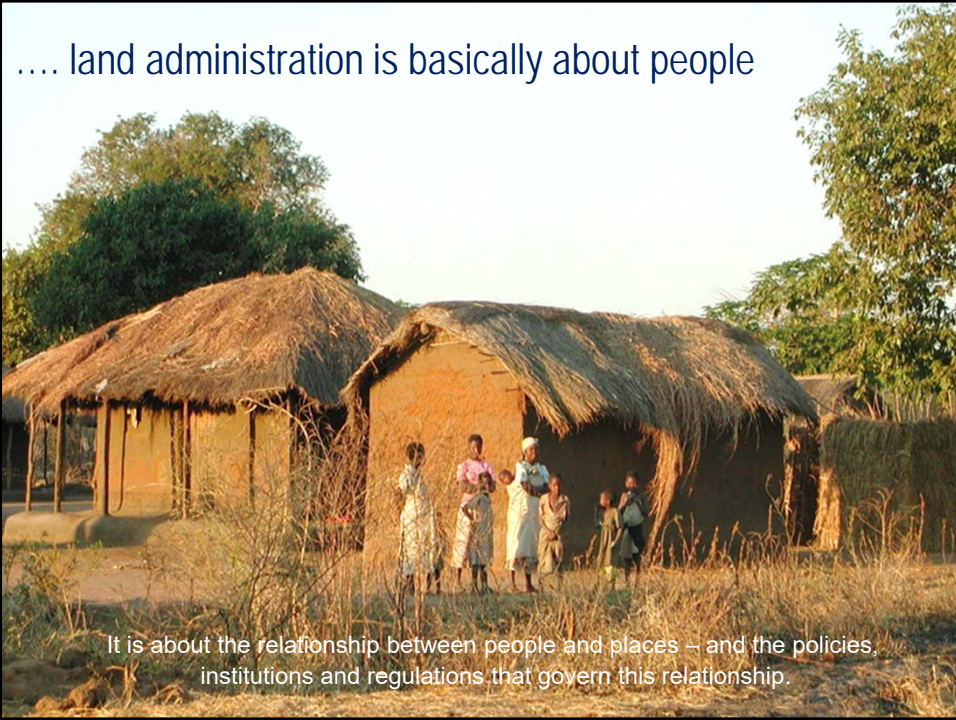
What are the benefits?



 Prof. Stig Enemark
Honorary President
Aalborg University, Denmark

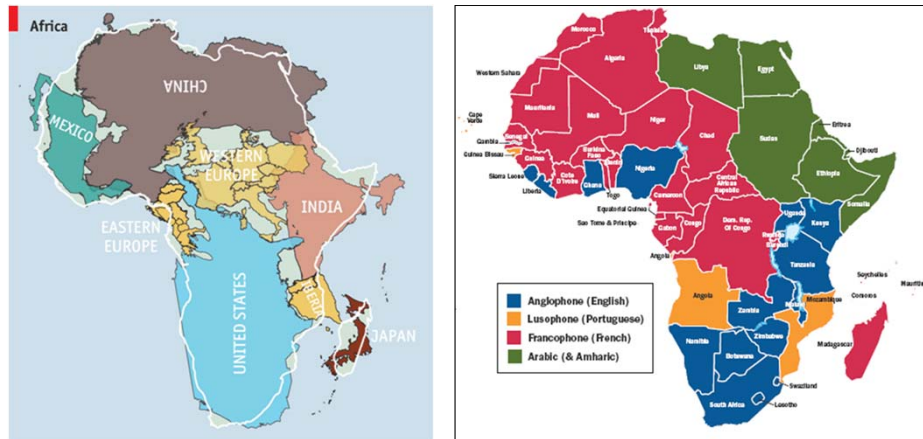
**EALAN CONFERENCE
KAMPALA, UGANDA, 24-25 JULY 2018**

.... land administration is basically about people



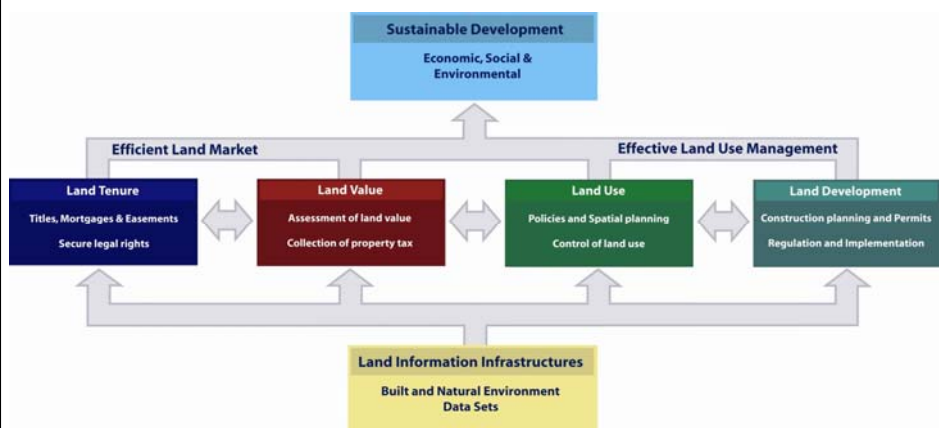
It is about the relationship between people and places – and the policies, institutions and regulations that govern this relationship.

Focus on Africa



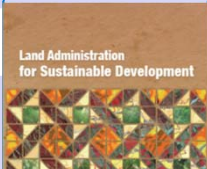
Land Administration Systems

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

<ul style="list-style-type: none"> • Support for governance and the rule of law 		<ul style="list-style-type: none"> • Protection of state lands
<ul style="list-style-type: none"> • Alleviation of poverty 		<ul style="list-style-type: none"> • Management of land disputes
<ul style="list-style-type: none"> • Security of tenure 		<ul style="list-style-type: none"> • Improvement of land use planning
<ul style="list-style-type: none"> • Support for formal land markets 		<ul style="list-style-type: none"> • Development of infrastructure
<ul style="list-style-type: none"> • Security of credit 		<ul style="list-style-type: none"> • Management of resources and environment
<ul style="list-style-type: none"> • Support for land and property taxation 		<ul style="list-style-type: none"> • Management of information and statistical data

Free download available at
<http://go.esri.com/landrecords-ebook>

Williamson, Enemark, Wallace, Rajabifard,
 ESRI Press, 2010, 500 pages.

Why do we need a FFP approach to Land Administration Systems ?

Two main reasons:

1. Supporting the SDGs, VGGTs and NUA in terms of poverty alleviation, food security, gender equity, human rights, sustainable cities and strong institutions ... through providing secure tenure for all and enabling management of the use of all land.
2. Taking advantage of new and emerging technology development for changing the focus from costly high tech solutions to providing secure tenure for all



The Wider Global Agenda

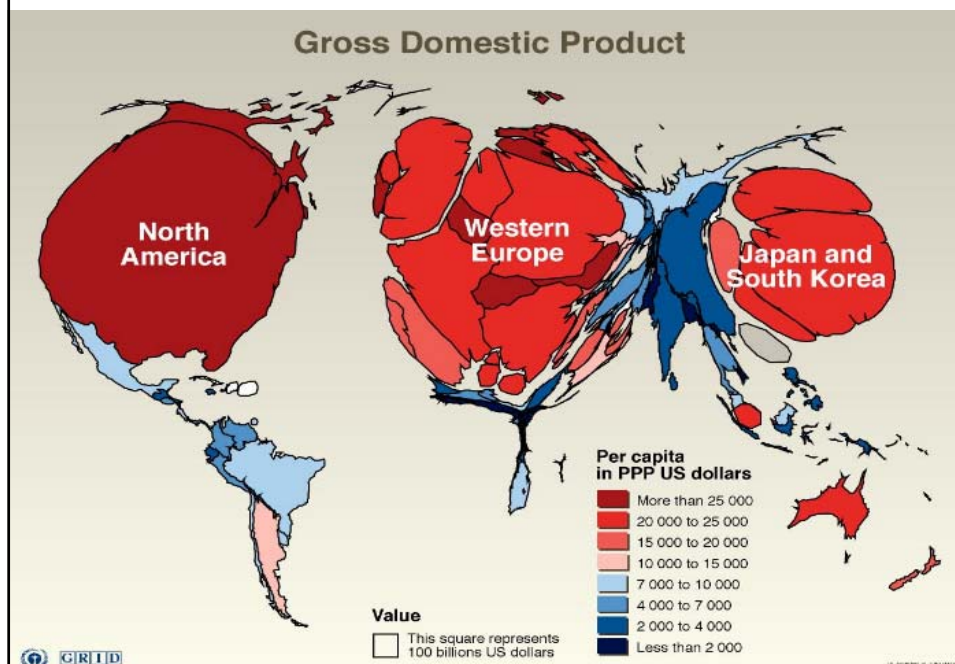


1. Supporting the global agenda

- SDGs Target 1.4: By 2030, ensure that all men and women, have equal rights to ownership and control over land and other forms of property.
 SGD Target 5a: Ownership or secure rights for women over agricultural land
- VGGTs, para 4.4: States should provide legal recognition for legitimate rights not currently protected by law
- NUA, para 35: We commit ourselves to promoting ... increased security of tenure for all, recognizing the plurality of tenure types, and to developing fit-for-purpose and age-, gender- and environment-responsive solutions within the continuum of land and property rights, ...



Sustainable Development is about Poverty Eradication



2. Taking advantage of new technology

changing the focus from costly high tech solutions
to providing secure tenure for all



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

The resulting map with connecting land right are very useful
for a range of land administration functions

Fit-For-Purpose – why is it ?

- The cadastral gap:**
 Only about 40 countries in the world have well functioning land administration systems
 In most developing countries less than 10 per cent of the land is included in formal systems.
- Limitations:** Western style systems are too costly and too time consuming and capacity demanding – and they do not serve the millions of people whose tenure are predominantly social rather than legal.
- Benefits:** 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 ... they can then be incrementally improved over time.



“From 30% of the world covered by secure tenure in 2015 to 80% in 2030”

Fit-For-Purpose – what is it ?

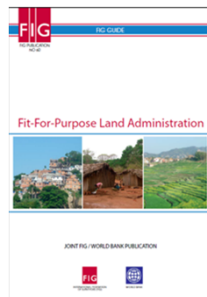
- Fit-for-purpose:** The systems should be designed for managing current land issues – and not guided by high tech solutions and costly / time consuming field survey procedures.
- Basic purposes:** Include all land; provide secure tenure for all; and control the use of all land.
- Flexibility:** Scale and accuracy relate to geography and density of development; tenure relates to legal as well as legitimate land rights.
- 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 6 USD per parcel



“As little as possible – as much as necessary”

Meeting the Global Agenda

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



<http://www.fig.net/pub/figpub/pub60/figpub60.htm>



FIG /WB Declaration

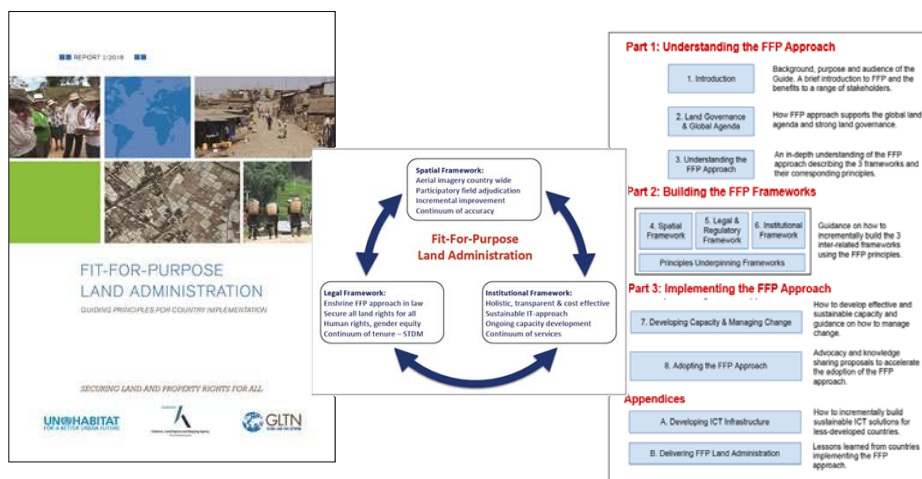


A **fit-for-purpose** approach includes the following elements:

- **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

Fit-For-Purpose Land Administration Guiding Principles for Country Implementation



<https://gltn.net/home/2016/11/01/fit-for-purpose-land-administration-guiding-principles-for-country-implementation/>

Fit-For-Purpose Land Administration

KEY PRINCIPLES

Spatial Framework	Legal Framework	Institutional Framework
<ul style="list-style-type: none"> ▪ Visible (physical) boundaries rather than fixed boundaries ▪ Aerial / satellite imagery rather than field surveys ▪ Accuracy relates to the purpose rather than technical standards ▪ Demands for updating and opportunities for upgrading and ongoing improvement 	<ul style="list-style-type: none"> ▪ A flexible framework designed along administrative rather than judicial lines. ▪ A continuum of tenure rather than just individual ownership ▪ Flexible recordation rather than only one register ▪ Ensuring gender equity for land and property rights. 	<ul style="list-style-type: none"> ▪ Good land governance rather than bureaucratic barriers ▪ Holistic institutional framework rather than sectorial siloes ▪ Flexible IT approach rather than high-end technology solutions ▪ Transparent land information with easy and affordable access for all

Building the Spatial Framework

Using visual boundaries, a participatory approach and locally trained land officers, means that the process can be carried out in parallel through the country



Mapping applications for urban and rural land

Urban and rural land	Scale
Urban central High density, high value	Large scale of 1:500 – 1:2000
Residential urban Medium density, high value	Large scale 1:1000 – 1:2000
Peri-urban Medium density, good value	Medium scale 1:2000 – 1:5000
Informal/slums Very high density	Large scale 1:500 – 1:2000
Small towns, villages High density, low value	Medium scale 1: 2000
Rural agricultural Medium density, good value	Medium scale 1:2000 – 1: 5000
Rural remote, forest Low density, low value	Low scale 1:5000 – 1:10000
Rural mountainous	Low scale 1:5000 – 1. 50000

Accuracy should be seen as a relative term related to use of the information

The FFP provides **identification** of the land parcels that is sufficient for the purpose of security of tenure.

Accuracy can then be improved over time when relevant or needed.

Building the Legal Framework

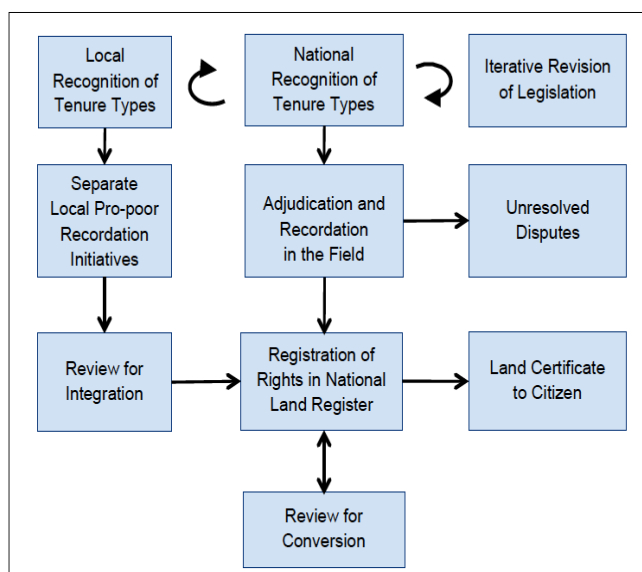
Recording legal as well as legitimate tenure rights

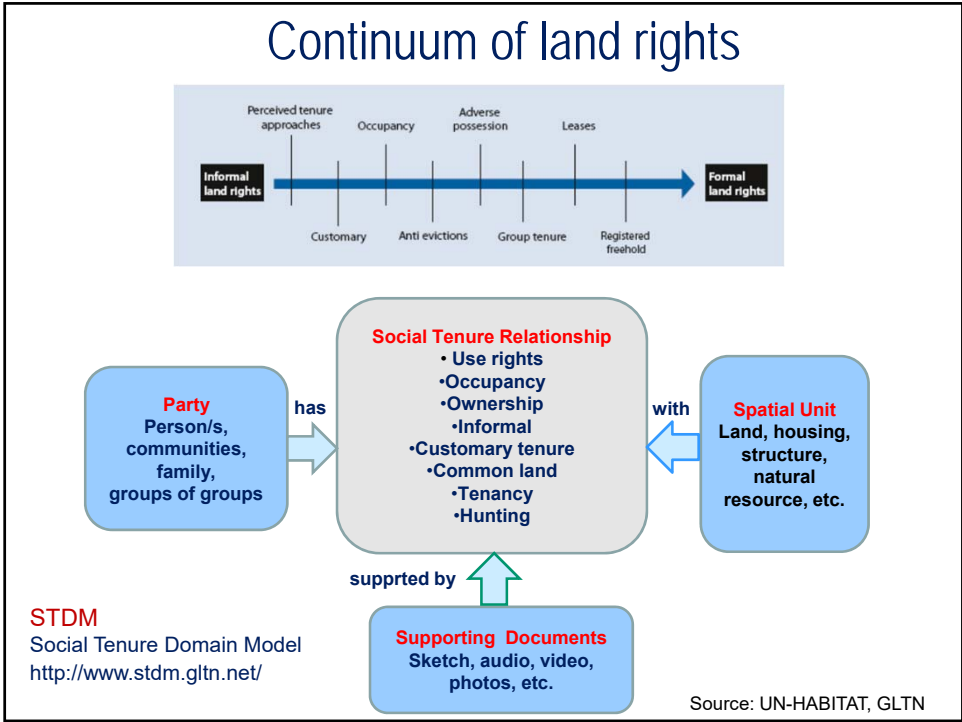
Recognise
tenure types to be included

Record
collecting data on land rights as part of the building the spatial framework

Review
assessing any outstanding claims

The FFP approach must be enshrined in the land law





Building the Institutional Framework

Applying responsible land governance

Figure 5. PERCENTAGE OF PEOPLE WHO REPORTED PAYING BRIBES IN THE PREVIOUS 12 MONTHS, BY SERVICE

Service	Percentage (%)
Police	~8
Judiciary	~6
Land Services	~5
Registry & Permit Services	~4
Education Services	~3
Medical Services	~2
Tax Revenue	~1
Utilities	~1

Source: Transparency International Global Corruption Barometer 2013. Percentages are weighted and calculated for each the program listed. Citizens indicate that there is a 4% margin of error.

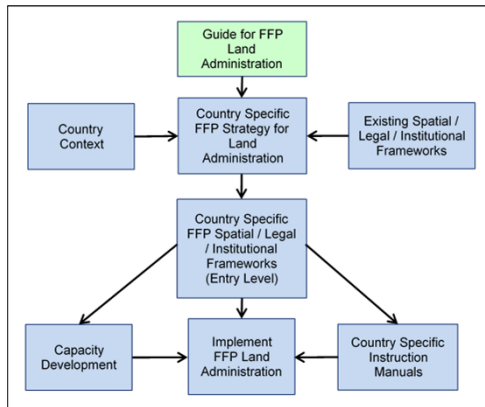
VOLUNTARY GUIDELINES ON THE Responsible Governance of Tenure OF LAND, FISHERIES AND FORESTS IN THE CONTEXT OF NATIONAL FOOD SECURITY

CFS
FAO

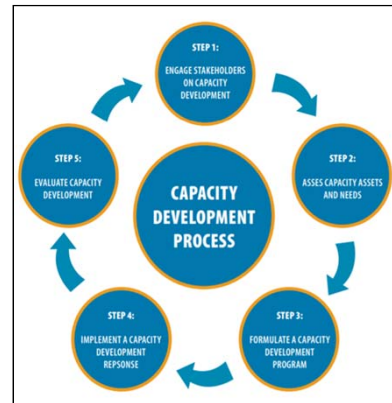
- **Integrated land management**
Viewing land tenure, land value, land use and land development as a coherent whole.
- **Holistic National Land Policy**
Identifying what government wishes to achieve and what access and rights people will have.
- **Decentralisation**
Decisions taken closest to a local community and matching government expenditure against local priorities.
- **Easy accessible**
Customer focused, dedicated to service delivery and supporting on-going maintenance. A national cadastre should still be maintained.

www.fao.org/docrep/016/i2801e/i2801e.pdf

Country Specific Strategies and Capacity Development for Implementation




Fit-For-Purpose Land Administration: Developing country specific strategies implementation.
 WB conference, 2017
[file://plan.aau.dk/Users/enemark/Downloads/05-07-Enemark-192_paper%20\(4\).pdf](file://plan.aau.dk/Users/enemark/Downloads/05-07-Enemark-192_paper%20(4).pdf)




Fit-For-Purpose Land Administration: Capacity development for country implementation
 WB conference, 2018
[file://plan.aau.dk/Users/enemark/Downloads/10-04-Enemark-182_paper%20\(1\).pdf](file://plan.aau.dk/Users/enemark/Downloads/10-04-Enemark-182_paper%20(1).pdf)


Nepal




Location of Nepal in Asia Map



NEPAL MAP
physical features





- **Area:** 140.800 km² – 27% is arable; Population: 28 mill.
- **Administration:** New Constitution with three levels: Federal, provincial and about 750 local municipalities with responsibility for land administration issues.
- **Land parcels:** About 75% of the arable land is formally registered representing about 30 mill land parcels. About 10 mill parcels are outside the formal land register.

Nepal

Current key issues:

- A new land policy for implementing the new constitution
- Institutional restructuring in federal, provincial and local levels with responsibility for land admin. Issues
- Providing security of tenure for about 10 million informal settlers
- Rehabilitation of victims of the mega earthquake of 2015 destroying about 1 mill houses.

FFP solutions:

- A holistic land policy and strategy for implementing a FFP approach
- A comprehensive legal and institutional FFP framework to with clearly defined responsibilities
- Mapping legitimate rights using aerial imageries and recording legitimate land rights through participatory enumeration and reallocating earthquake affected households.



Nepal

Lessons learnt:

- Secure land rights for all is achievable
- The people can do it, many governments can use it
- Need for land documents and earthquake grants for all victims
- Households participated active in the enumeration
- Working together brings results
- The government knows where the people are, the people know where the government is and what the government is doing for them
- It works !



Indonesia



- **Area:** 1.9 mill km² ; Population: 255 mill;
- **Administration:** 36 districts - divided into regencies, districts and villages,
- **Land parcels:** 120 mill of which 40 mill are registered and only 20 mill are mapped.
- **The President:** Registration of 5 mill in 2017, 7 mill 2018 and 9 mill 2019.

Pilot Project, Gresik District, East Java, Indonesia



- Land parcels boundaries delineated at high resolution imagery
- 3000 parcels mapped and tenure evidence collected by three teams over 12 days using locally trained land officers
- Yellow colour indicates parcels already registered with certificates.

Indonesia

Current key issues:

- Sporadic registration with measurement and boundary marking of individual parcels
- Demands for accuracy of measurement and area
- Fragmented sectors for land tenure, land value and land use
- Lack of capacity and land professionals

FFP solutions:

- Systematic registration with aerial mapping and participatory land adjudication.
- Visual boundaries and areas calculated on the map
- Integrated land management based on a one map policy.
- Use of locally trained land officers acting as trusted intermediaries.



Implementation

Resources:

- The costs are hard to estimate – evidence from the Rwanda says 6 USD per parcel but will be country specific.
- The capacity relates to training local land officers to manage the participatory field process ...
- In principle the process can be undertaken by the country itself – with some limited donor support
- Capacity for maintaining the system must be addressed up front
- “Don’t start what you can’t sustain”



Implementation

How to instigate:

- Advocate to create political will
- Develop a policy/strategy for implementation
- Develop country specific spatial, legal and institutional frameworks
- Develop country specific instruction manuals
- Include key stakeholders in the process and try to overcome vested interests - FFP is not a threat but an opportunity
- FFP will not change the existing system – it's an inclusive add-on



Fit-For-Purpose Land Administration

Spatial

From: Sporadic field surveys

To: Visible boundaries on aerial imagery covering all land

Legal

From: Focus on land titling

To: Recording legal as well as legitimate land rights for all

Institutional

From: Serving mainly the elite

To: Responsible land governance with equal access for all

The future belongs to our children

