Environment and Land Administration

Focus on

Rights, Restrictions and Responsibilities

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FIG COMMISSION 7 OPEN SYMPOSIUM
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Beautiful Verona

Greetings from Copenhagen

Greetings from the FIG Home Base

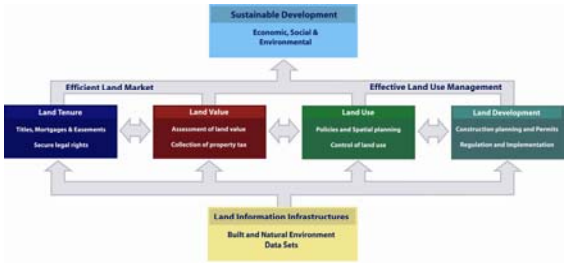
Aalborg – my home town

Outline of Presentation

Environment and Land Administration
- Rights – Restrictions – Responsibilities
- Spatially Enabled Government

The Challenge for the Global Surveying Profession
- The Millennium Development Goals
- The Role of FIG and the Global Surveying Community

LAS provide the infrastructure for implementation of land polices and land management strategies in support of sustainable development.



Land Tenure: the allocation and security of rights in lands; the legal surveys of boundaries; the transfer of property through sale or lease; and the management; adjudication of disputes regarding rights and boundaries.
Land Value: the assessment of the value of land and properties; the gathering of revenues through taxation; and the management and adjudication of land valuation and taxation disputes.
Land-Use: the control of land-use through adoption of planning policies and land-use regulations at various levels; the enforcement of land-use regulations; and the management and adjudication of land-use conflicts.
Land Development: the building of new infrastructure; the implementation of construction planning; and the change of land-use through planning permission and granting of permits.

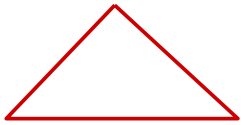
The value to society

12.5% of Britain's GDP is based on the activity of Ordnance Survey of Great Britain - £100 billion
(one thousand times the turnover of OSGB)

Interests in land

Land administration systems are the basis for conceptualising rights, restrictions and responsibilities related to people, policies and places.

Rights:
Tenure positions



Responsibilities:
Cultural attitudes

Restrictions:
Land use options

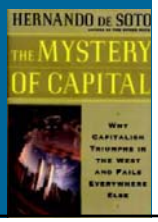
The RRR´s

- Property Rights
  - Are concerned with ownership and tenure
  - Are normally available in the Land Registry
- Property Restrictions
  - Are concerned with controlling use and activities on land
  - Are normally available through planning documents or general land use provisions
- Property Responsibilities
  - Relate a more social, ethical commitment or attitude to environmental sustainability and good husbandry.
  - The human kind to land relationship is dynamic.

The increasing role of property rights

"Civilised living in market Economies is not simply due to greater prosperity but to the order that formalised property rights bring"

Hernando de Soto – 1993

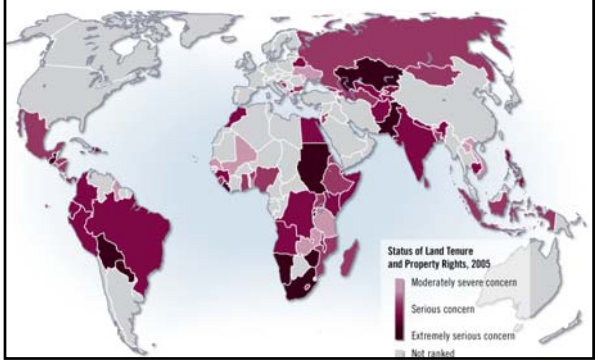


Continuum of rights (GLTN-agenda)

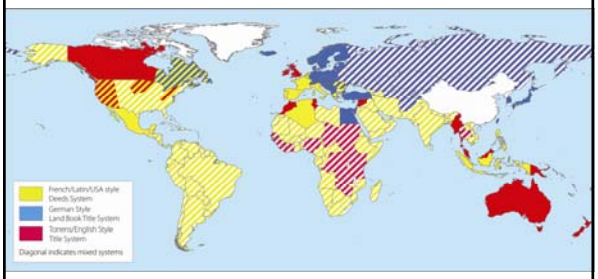
From: illegal or informal rights

To: legal or formal rights

Wold Status of Land Tenure and Property Rights



Land Registration Systems around the World



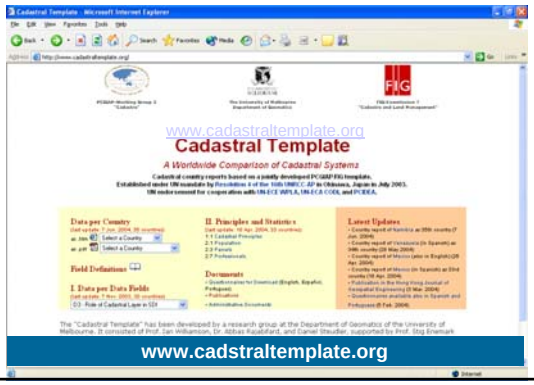
Deeds System (French/Latin/USA style): A register of owners; the transaction is recorded – not the title.
Title System (German, Torrens/English style): A register of properties; the title is recorded and guarantied.

What is a good property system ?

- People in general can participate in the land market; widespread ownership; everybody can make transactions and have access to registration
- The infrastructure supporting transactions must be simple, fast, cheap, reliable, and free of corruption.
- The system provides safety for housing and business, and for capital formation

Only 25-30 countries in the world apply to these criteria.

A worldwide Comparison of Cadastral Systems

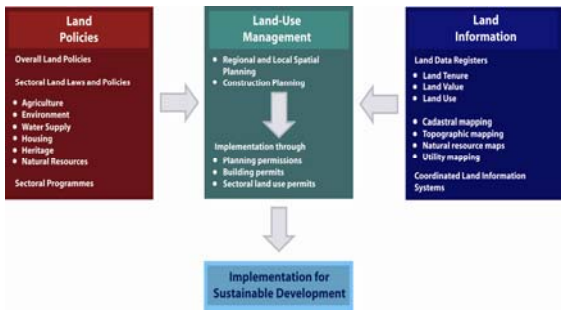


www.cadstraltemplate.org

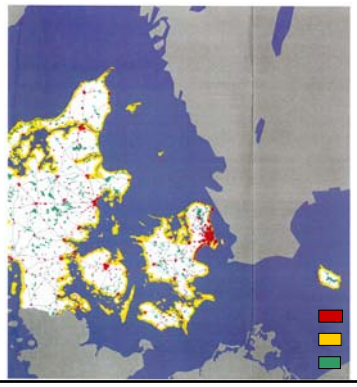
Property Restrictions
- two conflicting approaches

- The free market approach (current debate in the US)
  - Land owners should be obligated to no one and should have complete domain over their land.
  - The role og government to take over, restrict, or even regulate its use should be non-existent or highly limited.
  - Planning restrictions should only be imposed after compensation for lost land development opportunities
- The central planning approach (European perspective)
  - The role of democratic government include planning and regulating land systematically for public good purposes.
  - A move **from** every kind of land use being allowed unless it was forbidden **to** every change of land use is forbidden unless it is permitted and consistent with adopted planning regulations and restrictions.

Integrated land-use management



General Zoning

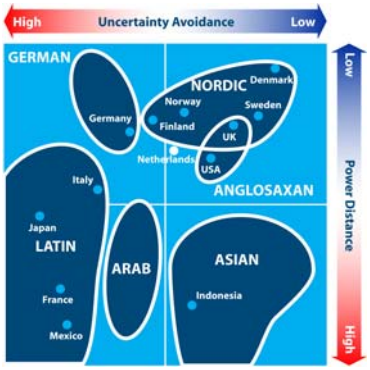


The European Perspective

A joint vision for development of the European territory

A compendium comparing the systems of planning control

Responsibilities:
A cultural map of the world



Uncertainty avoidance:

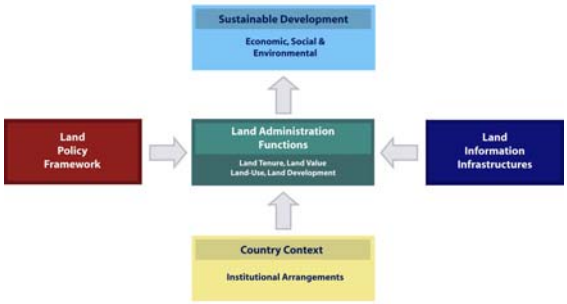
The preference of structured situations over unstructured or flexible ones

Power distance:

The degree of inequality among people accepted by the population

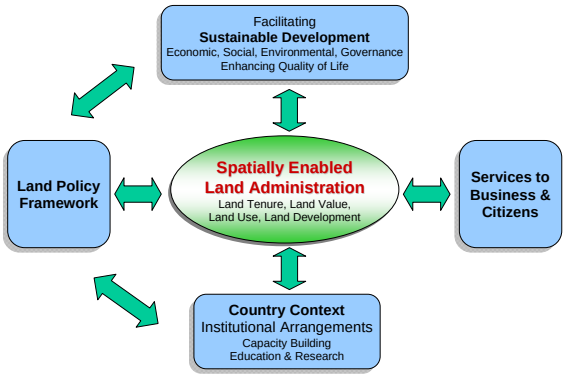
Geert Hofstede (2001).

Understanding the Land Management Paradigm



Land Management includes all activities associated with the management of land and natural resources that are required to fulfill political objectives and achieve sustainable development.

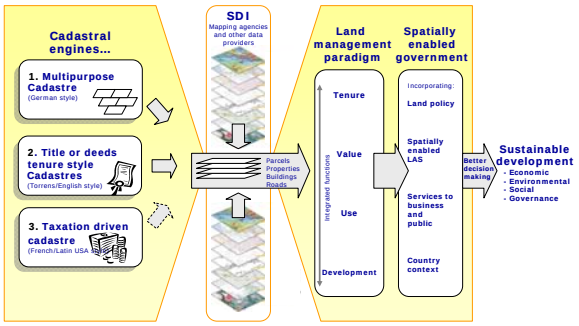
A Land Management Vision



Spatially Enabled Government

- A spatially enabled government organises its business and processes around "place" based technologies, as distinct from using maps, visuals, and web-enablement.
- Identification of "the place" in ways that are understandable by non-technical people (Google Earth)
- Capacity of businesses and citizens to manipulate the information should be organised through the use of service oriented IT- architecture.
- The technical core of Spatially Enabling Government is the spatially enabled cadastre.

Significance of the Cadastre

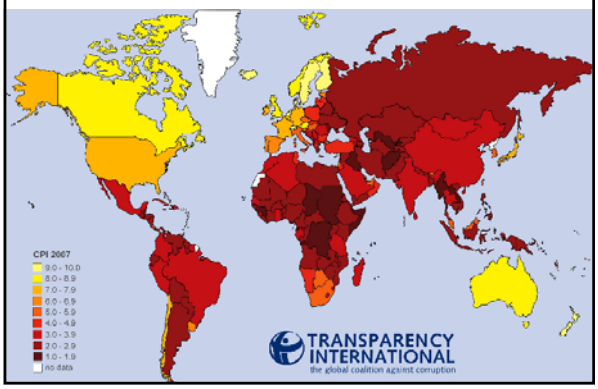


Good Governance is:

- **Sustainable and locally responsive:** It balances the economic, social, and environmental needs of present and future generations, and locates its service provision at the closest level to citizens.
- **Legitimate and equitable:** It has been endorsed by society through democratic processes and deals fairly and impartially with individuals and groups providing non-discriminatory access to services.
- **Efficient, effective and competent:** It formulates policy and implements it efficiently by delivering services of high quality
- **Transparent, accountable and predictable:** It is open and demonstrates stewardship by responding to questioning and providing decisions in accordance with rules and regulations.
- **Participatory and providing security and stability:** It enables citizens to participate in government and provides security of livelihoods, freedom from crime and intolerance.
- **Dedicated to integrity:** Officials perform their duties without bribe and give independent advice and judgements, and respects confidentiality. There is a clear separation between private interests of officials and politicians and the affairs of government.

Adapted from FAO, 2007

Good governance



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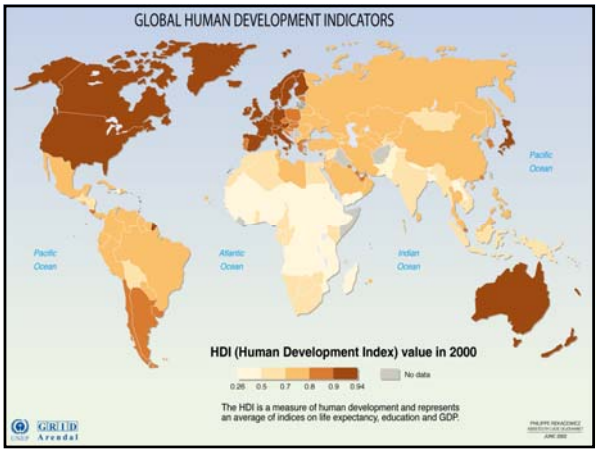


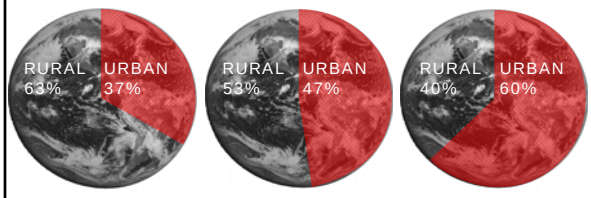
The UN Millennium Development Goals

Goal 1: Eradicate extreme poverty and hunger
Goal 2: Achieve universal primary education
Goal 3: Promote gender equality and empower women
Goal 4: Reduce child mortality
Goal 5: Improve maternal health
Goal 6: Combat HIV/AIDS, malaria and other diseases
Goal 7: Ensure environmental sustainability

Goal 8: Develop a Global Partnership for Development

The framework includes 18 targets and 48 indicators enabling the ongoing monitoring of annual progress

Urban population growth



1970 2000 2030

2007:	Total world population :	6.5 billion
	Total urban population:	3.3 billion
	Total slum dwellers:	1.1 billion

Mega cities of the world 2015


Hong Kong


Northern Ghana

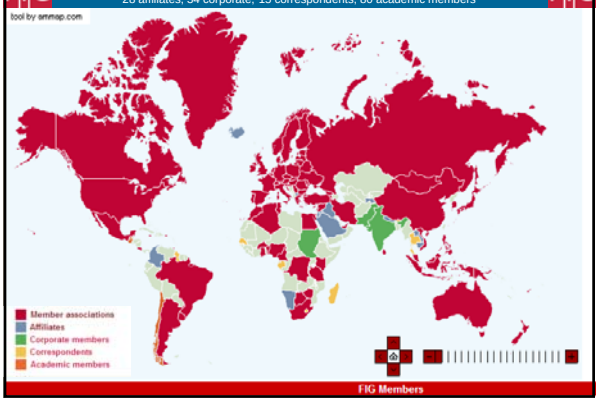

Kibera, Nairobi

Pace of Change in Land Administration in the Third Woeld

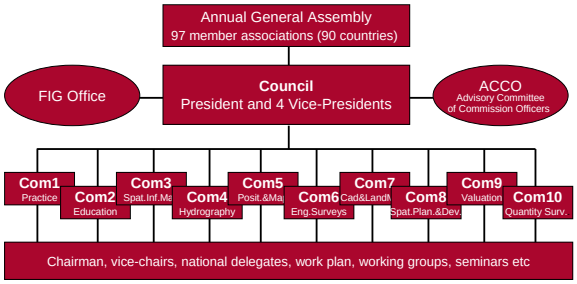
- Pace of Change is so important to successful interventions
- Speed is relative
- Lands agencies conservative

98 FIG Member Associations from 80 Countries

28 affiliates, 34 corporate, 15 correspondents, 80 academic members



The International Federation of Surveyors
Organizational Structure



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The Role of FIG

- Professional Development
  - Global forum for professional discussions and interactions
  - Conferences, symposia, commission working groups, …..
- Institutional Development
  - Institutional support for educational and professional development at national and international level
- Global Development
  - Cooperation with international NGO´s such as the UN agencies, World Bank, and sister organisations
  - Joint activities and common policy-making to reduce poverty and enforce sustainable development

The Role of Surveying Profession

- Professional Skills
  - High level education and training
  - CPD opportunities and requirements.
- Professional Responsibilities
  - Toward the clients
  - Toward society
  - Strong professional organisations
- Professional and Ethical Codes of Conduct
  - Providing common values of honesty, integrity, responsibility
  - Standards for delivery of professional services
  - Indemnity insurance

The Role of FIG

FIG, this way, intend to play a strong role in building the capacity to design, build and manage national surveying and land administration systems that facilitates sustainable Land Governance.

Thank you for your attention