

# **Land Governance in Support of the Millennium Development Goals -A new Agenda for Land Professionals**

**Stig ENEMARK, Denmark, Robin MCLAREN, United Kingdom, and  
Paul VAN DER MOLEN, Netherlands**

**Key words:** Land Governance, Land Administration, Land Professionals, MDG, Millennium Development Goals, New Global Challenges

## **ABSTRACT**

This paper reports about a joint FIG/World Bank conference on Land Governance in support of the Millennium Development Goals (MDG's), held in Washington DC, USA, 9-10 March 2009. After an observation on how the concepts of 'land governance' and 'land professionals' developed within FIG, the dedication of FIG towards sustainable development and to the Millennium Development Goals is described as well as the policy of FIG to work in cooperation with the UN agencies such as UN-HABITAT, UN-FAO, and the World Bank. The paper explains why FIG and the World Bank decided to team up in the organisation of this conference and what both organisations considered as their key goals. One important element concerned the development of a common declaration and a new agenda for land professionals. How this finally worked out, is extensively reported in this paper. The paper concludes that the goals were very successfully achieved. A full report of the conference is available as FIG publication No 45.

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## **1. INTRODUCTION**

This paper reports about a joint FIG/World Bank conference on Land Governance in support of the Millennium Development Goals (MDG's), held in Washington DC, USA, 9-10 March 2009. However, as an introduction the paper starts by outlining how the concepts of 'land governance' and 'land professionals' developed within FIG, and also how FIG developed the dedication towards sustainable development and to the Millennium Development Goals in a partnership with the UN agencies.

### **FIG-policy documents on sustainable development**

The International Federation of Surveyors (FIG) has a standing policy when it comes to creating awareness in the land surveying profession about its responsibility for a better world. Already shortly after the publication of the report '*Our Common World*' by the Brundtland Commission in 1987, FIG summarized its policy in one of the first issues of its new Publication Series, namely *Number 3 'Sustainable Development: a challenge and responsibility for surveyors'* (1991). Since then, many of the -meanwhile- 52 publications have concerned various related issues, such as: 'The Surveyor's Contribution to Land Management' (1991); 'Land Tenure, Land Management, and Land Information Systems' (1995); 'The Bathurst Declaration on Land Administration for Sustainable development' (1999); 'FIG Agenda 21' (2001); 'Land Information Management for Sustainable Development of Cities' (2002); 'Aguascalientes Statement on Development of Land Policies in the America' (2005); 'Marrakech Declaration on Urban-Rural Interrelationships for Sustainable Development' (2005); 'Informal Settlements: the Road towards more Sustainable Places' (2008); 'Costa Rica Declaration on Integrated Coastal Zone Management' (2008) and 'Improving Slum conditions through Innovative Financing' (2008).

### **FIG Conferences dedicated to the surveyor's role in sustainable development**

Also, many FIG-conferences were explicitly dedicated to the role of surveyors for sustainable development. We mention –just as examples- the conference on 'Land Tenure and Cadastral Infrastructures for Sustainable development' (Melbourne 1999), 'Spatial Information for Sustainable Development' (Nairobi, 2001), 'Urban-Rural interrelationships' (Marrakech, 2003), 'Economic, Environmental, and Social Development' (Jakarta, 2004), 'Shaping the Change' (Munich, 2006), 'Promoting Land Administration and Good Governance (Accra, 2006), 'Coastal Areas and Land Administration' (San José, 2007), 'Spatial Data Serving People: Land Governance and the Environment' (Hanoi, 2009). Many of these meetings have enjoyed active support by the UN agencies, such as UN-HABITAT, UN-FAO, and the World Bank.

### **FIG Commission activities in the field**

Since the work within FIG is organised around 10 Commissions, many activities were also pursued at the Commission level around issues of sustainable development and good governance. Commission 3 held well attended conferences on ‘Spatial Information Management towards Environmental Management of Megacities’ (2008) and ‘Spatial Information for the Management of Sustainable Urban Areas’ (2009), Commission 7 on ‘New Legal Framework and Tools’ (2004, 2005), ‘Land Administration in Post Conflict Areas’ (2004), and ‘State and Public Land Management’ (2008), Commission 6 on ‘Measuring the Change’ (2008), Commission 9 on ‘Compulsory Compensation in Land Acquisition and Takings’ (2007).

### **To strengthen cooperation: MoU’s**

Based on its policies and performance, FIG is pleased to demonstrate its dedication for good cooperation with UN bodies. In 2002 Memoranda of Understanding were signed with UN-HABITAT and UN-FAO, in 2004 with UN Outer Space, and in 2007 with the World Bank. These MoU’s are vital documents, which encourage and guide the participation of FIG in the work of these UN Agencies, while at the same time the participation of the agencies in FIG conferences is guaranteed. Many FIG events are supported by the UN, while regularly topics of conferences are initiated after discussion with the UN contact persons.

### **From ‘sustainable development’ towards ‘the Millennium Development Goals’**

Since the adoption of the UN Millennium Declaration (New York, 2000), the Millennium Development Goals are a leading guide for international cooperation. Since then, also in FIG publications, the role of ‘land’, ‘land management’ and ‘land surveyors’ for the MDG’s is often addressed, such as during the FIG Conference in Munich in 2006 with presentations on ‘Responding to the MDG’s’ (Stig Enemark), ‘World Bank support for land administration and management: responding to the MDG’s’ (Keith Bell), a presentation to a World Bank conference in 2006 on ‘People, politics and places: responding to the MDG’s’ (Stig Enemark), a presentation during the FIG week in Hong Kong in 2007 on ‘The role of FIG in responding to the MDG’s’ (Stig Enemark), and during the FIG working week in Eilat in 2009 on ‘Facing the global agenda - focus on land governance’ (Stig Enemark).

### **From ‘Land Management’ towards ‘Land Governance’**

‘Land administration’ and ‘land management’ are concepts widely discussed within FIG for many years. However, some years ago the term ‘land governance’ came into being as an elaboration of the concept of ‘good governance’. Already in 2006 the World Bank published a brochure on ‘Good Governance in Land Administration’ (Zakout, Wehrmann & Törhönen) and during a FIG/FAO expert meeting in Rome in 2006, Richard Grover (the UK member of Commission 7) presented his ‘Framework for Good Governance in land Administration’. In 2007 during a workshop of UNDP in Oslo, a background paper talked about ‘pro poor land governance’. In 2009 FAO, together with UN HABITAT, published ‘Towards Improved Land Governance’ (Land Tenure Working Paper 11) and subsequently the word ‘land governance’ was a widely accepted concept, indicating ‘the policies, processes and

institutions by which land, property and natural resources are managed, including access to land, land rights, land use and land development, according to Stig Enemark (2009, FIG Eilat, on 'Facing the global agenda - focus on land governance').

### **From 'land surveyor' towards 'land professional'.**

The definition of a 'surveyor' was adopted in FIG's General Assembly in Helsinki (1990) and reformulated in the General Assembly of Athens (2004). It now states clearly that a land surveyor is a professional person that conducts the following activities: (a) to determine, measure, evaluate and represent land, three dimensional objects, point fields, and trajectories; (b) to assemble and interpret land, geographically and economically related information; (c) to use that information for the planning and efficient administration and management of the land, the sea and any structures thereon; (d) to carry out urban and rural development and land management; and (e) to conduct research into and develop such practices. The emphasis FIG puts on capacity building (or better 'building the capacity', as the theme of the FIG Conference 2010 reads), has two sides of a coin. On one hand it refers to building the institutional and human capacity in the field of land governance, on the other hand it refers to good initial and continuous education of land surveyors in their professional practise.

The President of FIG, by consequence, talks about 'land professionals' rather than 'land surveyors' (for example refer to his opening and closing remarks of the FIG conferences, such as in Costa Rica, 2007). The President believes that we experience a 'big swing' that brings us from 'surveyors, who will still be the high level experts within measurement science' towards 'the surveyors who will be increasingly contributing to building sustainable societies as experts in managing land, properties and resources'. In Eilat (2009) the President asked 'Do surveyors have a role to play in the global agenda?' – yes! Simply because no development will take place without having a spatial dimension and no development will happen without the footprint of surveyors - the land professionals'. During his keynote at the FIG Conference in Stockholm, 2008, Dr. Ashraf Ghani, director of the famous Institute for State Effectiveness in Afghanistan, said 'The land professional can bring information, knowledge and wisdom into harmony'. What more can we say!

### **Workplan 2007-2010 and the FIG/WB High Level Conference**

Logically, the dedication to the MDG's is reflected in the official FIG Workplan 2007-2010, where it states that FIG 'should contribute to solving the global challenges as presented through the MDG's'. The workplan fully recognises that the eight MDG's form a blueprint agreed to by all world's states and the world's leading development institutions and that the MDG's represent a powerful concept towards development, security and human rights. It states that surveyors have to play a key role in providing some of the fundamental preconditions for development, in supporting issues like land tenure security, pro-poor land management and good governance in land administration. Modern surveying technologies offer good opportunities for FIG's technical commissions to contribute in this process. To achieve FIG's contribution, co-operation with sister organisations as well as UN agencies is a prerequisite, says the FIG workplan and it recommended that a high level conference should jointly be organised by the FIG and the World Bank, in order to present FIG's and World

Bank's policies in this area and to further develop common efforts on achieving the MDG's with a special focus on capacity building in land administration and good governance.

FIG aims at combining 'high level' events with a 'real life attitude'. As the workplan states: 'Flying high and keeping the feet on the ground'. The Council's policy is to serve the needs of the member associations, other members and individual surveyors, and make sure that they benefit from FIG's global activities. The new brochure on *The FIG Profile*, summarises that one of the members' benefit concerns the international recognition of the national professions and enhancement of the profile of the individual surveying professional.

### **FIG/World Bank Conference Washington DC USA, 9-10 March 2009**

Being aware of the 'big swings' as depicted above, representatives of the World Bank and FIG discussed the subject of the joint conference and did not have much of a problem. The subject should focus on 'Land Governance in Support of the Millennium Development Goals'. Backed by The Agricultural and Rural Development Department (ARD) of the World Bank and supported by UN-HABITAT and UN-FAO, a small team under the leadership of Stig Enemark (President FIG) and Klaus Deininger (lead economist World Bank) developed the programme of the conference and invited the speakers. The aim of the conference for the World Bank was to enhancing the Bank's awareness about the role of 'land governance' for the realisation of the objectives of the Bank (the MDG's combined with the evolving issues like climate change, food security and rapid urbanisation); for FIG, the aim was to highlight the profile of 'the land professionals' in the Bank as well as globally, and to develop a 'new agenda for land professionals' that would guide the future direction of FIG. Both parties believed that the publication of a joint Declaration would demonstrate the intentions as agreed in the existing Memorandum of Understanding between FIG and the Bank.

### **FIG/World Bank future partnership**

Following a successful conference as outlined below FIG and the World Bank is looking at partnering in a joint initiative that would highlight the importance of land information and land governance to achieving the MDGs and allow to better address some of the burning issues related to climate change, rapid urbanisation, and increasing demand for land.

### **What brings this paper?**

This paper reports about the themes of the conference, summarises the outcomes and looks to the future. A more detailed report of the conference is published as FIG publication No 45.

## **2. THE CONFERENCE**

The conference was attended by about 200 invited international experts from all over the world. The conference took place at the headquarters of the World Bank, Washington DC, from 9-10 March 2009. A full report of the conference is available as FIG publication No 45.

## **Global Challenges**

The 21st century has dawned with the world facing global issues of climate change, critical food and fuels shortages, environmental degradation and natural disaster related challenges as today's world population of 6.8 billion continues to grow to an estimated 9 billion by 2040 when over 60% will be urbanised. This is placing excessive pressure on the world's natural resources.

The eight Millennium Development Goals (MDG's) form a blueprint agreed to by all the world's countries and the world's leading development institutions to support the mitigation of these global issues. The first seven goals are mutually reinforcing and are directed at reducing poverty in all its forms. The last goal – global partnership for development– is about the means to achieve the first seven. These goals are now placed at the heart of the global agenda.

## **Land Governance Supporting the Global Agenda**

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, and land development. Land governance is basically about determining and implementing sustainable land policies and establishing a strong relationship between people and land. Sound land governance is fundamental in achieving sustainable development and poverty reduction and therefore a key component in supporting the global agenda, set by adoption of the MDG's. The contribution of the global community of Land Professionals is vital. Measures for adaptation to climate change will need to be integrated into strategies for poverty reduction to ensure sustainable development. The land management perspective and the role of the operational component of land administration systems therefore need high-level political support and recognition.

The **Land Governance for the 21st Century** theme focused on adapting and improving our approaches to land governance to be more sensitive to and supportive of these new challenges and to make stakeholders fully aware of the incentives to adopt this paradigm shift. Good land governance must not only control and manage the effective use of physical space, but must also be holistic to ensure sound economic and social outcomes. The World Bank's land governance assessment framework provides countries with an opportunity to assess and improve their current approaches to meet these global challenges, especially climate change. Land governance must be further democratised by developing tools for all stakeholders to increasingly participate and form partnerships in policy formulation, implementation and monitoring all within more realistic timeframes. The international community must also provide guidance and contract evaluation tools and services to mitigate the risks for countries negotiating international land acquisition contracts – the so called 'farmlands grab.'

The **Building Sustainable, Well Governed Land Administration Systems (LAS)** theme emphasised the role of LAS in providing the infrastructure for implementing land policies and land management strategies in support of sustainable development. LAS must evolve and

must be aligned with the current needs of a country through the requirements defined in a land policy framework. LAS are most effective when managed as a business and have a sustainable funding model based on a robust business case. Early investments in positioning infrastructures can realise significant benefits in a wide range of land applications. However, it is estimated that LAS are only fully operational and work reasonably well in about 30 and mainly western countries. Thus, the fundamental support of LAS in achieving the MDG's is of serious concern.

The **Securing Social Tenure for the Poorest** theme addressed the need of securing tenure for the rural poor and the 1 billion slum dwellers world-wide; reaching 1.4 billion by 2020 if no remedial action is taken. Conventional cadastral and land registration systems cannot supply security of tenure to the vast majority of the low income groups. It is imperative that we develop innovative new approaches that can be scaled to solve this escalating global issue. It is essential to establish good land policies that achieve equitable land distribution and fair laws that are pro-poor. However, new pro-poor, scalable tools to achieve security of tenure for the slum dwellers need to include social and customary tenure approaches and the corresponding LAS should adopt the Social Tenure Domain Model that is currently being developed in a co-operation between FIG, ITC, UN-HABITAT and the World Bank.

The **Making Land Markets Work for All** theme identified ways of breaking down the barriers to land markets access. In many countries certain land rights are not a tradable commodity, such as customary land rights, allodial lands, religious lands etc., and access to the market may be restricted by financial, corruption, social or informational reasons. The sub-prime mortgage crisis and the unbundling of property rights into complex commodities have also exposed high risk groups and in many cases poor people have been left landless. Fairer and more equitable access to the land sales and rental markets can be achieved through an effective primary land market, the provision of homeowners guarantee funds, government co-ordination of social housing, market transparency to reduce corruption and the introduction of monitoring tools to evaluate the performance of the functioning of land markets, e.g. the World Bank 'Doing Business Reports.

The **Improving Access to Land and Shelter** theme focused on interventions to support the increasing number of citizens who do not have access to land and adequate shelter. This exclusion is caused, in many cases, by structural social inequalities, inheritance constraints, conflicts, and often land administrations systems are ineffective and expensive for the end user. Land reform is unfinished business and interventions are still necessary to reduce the structural inequalities since market forces will not naturally alleviate the situation. The forced migration of people in conflict situations, or the result of disasters, causes significant access issues to land and shelter. Longer term measures for housing and land and property rights need to be put in place to support social stability. Finally, more effective gender responsive land tools are required to widen women's access to land. All these interventions need to be applied within the broader context of economic growth and poverty reduction policies.

The **Land governance for Rapid Urbanisation** theme reviewed responses to this global phenomenon that will result in 60% of the world's population being urbanized by 2030. This incredibly rapid growth causes severe ecological, economical and social problems with over 70% of the growth in developing countries currently happening outside of the formal planning process. However, urbanisation with the continuing concentration of economic activities in cities is inevitable and generally desirable. Increasing economic density remains the objective for all areas at different stages of urbanization. Due to the significant dynamics of urbanisation, urban planning and public infrastructure provision tends to be reactive rather than a guide to development. It is therefore essential that appropriate priorities for policies are set at different stages in urbanisation, essentially providing the elements of an urbanisation strategy that conforms to the reality of growth and development.

### 3. FIG WORLD BANK DECLARATION

The 'FIG-World Bank Declaration on Land Governance in Support of the Millennium Development Goals' reads as follows.

All countries have to deal with governing their land. They have to deal with the governance of land tenure, land value, land use and land development in some way or another. A country's capacity may be advanced and combine all the activities in one conceptual framework supported by sophisticated ICT models or, more likely, capacity will be involved in very fragmented and basically analogue approaches.

Effective systems for recording various kind of land tenure, assessing land values and controlling the use of land are the foundation of efficient land markets and sustainable and productive management of land resources. Such systems should be based on an overall land policy framework and supported by comprehensive land information and positioning infrastructures.

Sustainable land governance should:

- **Provide** transparent and easy access to land for all and thereby reduce poverty;
- **Secure** investments in land and property development and thereby facilitate economic growth;
- **Avoid** land grabbing and the attached social and economic consequences;
- **Safeguard** the environment, cultural heritage and the use of natural resources;
- **Guarantee** good, transparent, affordable and gender responsive governance of land for the benefit of all including the most vulnerable groups;
- **Apply** a land policy that is integrated into social and economic development policy frameworks;
- **Address** the challenges of climate change and related consequences of natural disasters, food shortage, etc.; and
- **Recognise** the trend of rapid urbanisation as a major challenge to sustain future living and livelihoods.

## 4 THE WAY FORWARD: A NEW AGENDA FOR LAND PROFESSIONALS

### 4.1 Theme Land Governance for the 21<sup>st</sup> century.

#### 1. Adapt land governance to be more supportive of our global challenges.

Effective and democratised land governance is at the heart of delivering the global vision of our future laid out in the MDG's. However, the route to this vision is changing as a series of new environmental, economic and social challenges spread through and impacts every aspect of our lives. The degree of change and uncertainty in our world is increasing. As land professionals we must understand and respond quickly to this on-going change. Our approaches and solutions across all facets of land governance must be reviewed and adapted so that we can better manage and mitigate the negative consequences of change. Central to this is our response to climate change.

#### 2. Adopt the World Bank assessment framework to improve current approaches to land governance.

Poor land governance has far-reaching economic and social consequences: lack of inward investment and economic growth; limited poverty reduction; increased deep-rooted conflicts; significant corruption and land grabbing. This all leads to social instability. The increase in population and the growing demand for land driven by food security and biofuels needs will increase the value of land. These trends will worsen the current land related problems unless land governance can be improved to cope with these new challenges. The World Bank's land governance assessment framework provides countries with an opportunity to assess and improve their current approaches to land governance.

This should be an on-going process and countries should transparently publish their assessment results in the public domain. The assessment framework should also be regularly updated to ensure that the land governance we aspire to is increasingly relevant to the new millennium, global challenges, especially climate change.

#### 3. Increase participatory tools to build partnerships and further democratize land governance.

As the visibility and role of land governance strengthens in the wider policy arena, it is essential that we further democratise land governance by developing tools for stakeholders to increasingly participate and form partnerships in policy formulation implementation and monitoring. For example, land policy reforms contribute more fully to poverty reduction and sustainable development when closely related to processes that empower civil society, especially poor men and women, in decision-making processes. And more effective aid is provided when development partners are involved early in planning policy implementation. These tools need to be shared across the international community. However, secure land rights are fundamental in minimising arbitrary dispossession and maximising local benefit.

#### 4. Provide contract evaluation tools to safeguard nations from inappropriate large scale, international land acquisitions.

The ethical basis and the economic and social impacts of the increasing number of large scale, international land acquisitions, driven by food security and the scramble for biofuels, need to be questioned. Large areas of relatively unproductive land across the globe are being

leased or sold to foreign governments and corporations for large scale agricultural production. This mostly involves government land and commons. The contracts rarely provide benefits to local people and there are major concerns about the environmental and social impacts, especially when agricultural produce is being exported from countries with food deficits. Too often these contracts are signed without sufficient *due diligence* on their affect on the ground. The international community needs to provide contract evaluation tools and services to countries negotiating international land acquisition contracts.

#### 5. Adopt realistic timeframes to ensure more effective land policy implementations.

Over the past decade around 15 African nations have successfully formulated their National Land Policies through participative and inclusive approaches. However, their corresponding record in implementing their National Land Policies is less successful. This lack of success derives, in many cases, from overly ambitious implementation timescales and insufficient institutional and legal reforms to support the new land policies. Countries need to adopt a more realistic and incremental approach to implementation, where small successful steps will build optimism and effectively change the power relationships over land issues in the country.

### **4.2 Theme Building Sustainable and Well Governed Land Administration Systems**

#### 1. Create a land policy framework to let the LAS function more effectively.

LAS products and services must be aligned with the current needs of a country. These requirements must be defined in land policy, describing how governments intend to deal with the allocation of land and land related benefits and how LAS are supposed to facilitate the implementation. Such implementation includes the rules for land tenure and land tenure security, the functioning of the land market, land use planning, land development, land taxation, management of natural resources, land reform etc.

#### 2. Adopt a business led approach to deliver better managed LAS.

Although based on scientific concepts, methods, and principles, land administration is a business process that should be managed as a business. Therefore, land administrators need to be acquainted with business administration knowledge, safeguarding good process design and workflow management, performance monitoring and daily financial management. Managers need to have knowledge of both professional matters and ICT matters, to guarantee good alignment between business objectives and ICT support. A sharp eye for customer relations is a prerequisite for sound performance, and a sufficient justifier for investments. Essentially, land administration functions need to be transparent and free from corruption.

#### 3. Invest early in positioning infrastructures to realise benefits in a wide range of land applications.

Historically, national triangulations have formed the base for consistency in land surveying. Nowadays, these positioning infrastructures constitute not only the base for land surveying and place based land information in all its forms, but the infrastructures also supports a wide range of land applications. The performance of LAS has proven to be enhanced strongly by

applying appropriate ICT-tools, including satellite imagery, aerial photographs and GNSS. Early investments in this positioning infrastructure are crucial.

#### 4. Promote evidence of LAS to support economic growth and poverty reduction.

LAS can be sustainable when the solution fulfils its expected function by users on a continuous and satisfying basis. Good quality management procedures continually safeguard the relevance of the LAS in current and changing times. Maintenance of the records and underlying information, as a minimum, is of paramount importance and financial arrangements should allow for registers and maps to reflect the situation on the ground day by day. Without appropriate funding arrangements this is difficult. Therefore the development of the LAS must be based on a realistic business model. Although investments in land administration are usually justified through qualitative arguments, more attention should be paid to providing robust quantitative evidence such as contributions to economic growth and poverty reduction that are of direct interest to politicians.

### **4.3 Theme Securing Social Tenure for the Poorest.**

#### 1. Adopt a continuum of rights approach to deliver faster and wider security of tenure to the poor.

UN-HABITAT's 'continuum of rights' recognises that rights to land and resources can have many different forms and levels. Just as 'land tenure' has the notion of a statutory land right, other forms of land rights, such as anti-eviction 'right', group tenure etc., refer to the recognition of somebody's land possession within the social community and can be called 'social tenure'. Land professionals must include 'social tenure' in their scope of professional attention and deliver more social tenure oriented solutions.

#### 2. Include customary tenure in Land Administration Systems to reduce vulnerability.

The diversity, imprecision and flexibility of communal or customary systems makes it difficult to provide them with legal definition. However, it is essential that these social groups are provided with appropriate forms of tenure security within Land Administration Systems that do not restrict their ongoing evolution. These sections of society, especially in rural areas, need a potential route out of poverty and reduced threats from farmland grabs, for example.

#### 3. Adopt the Social Tenure Domain Model to support pro-poor Land Administration System solutions.

Traditionally, the technology supporting Land Administration Systems uses models and terminology that is aligned with formal, legal systems, making it impossible to adequately support social tenure systems with pro-poor technical and legal tools. However, the development of a solution to this problem is being supported by FIG called the Social Tenure Domain Model (STDM), originally developed as the Core Cadastral Domain Model (CCDM). The STDM is a tool to deal with the kind of social tenure that exist in informal settlements (and also in areas based on customary tenure) that cannot be accommodated in traditional Land Administration Systems. It is planned to provide this ISO standards based

solution as free and open source software and should be available as a tool for local communities as well as public authorities.

#### 4. Develop pro-poor and gender sensitive land tools to improve the lives of the poor.

UN-HABITAT has an agenda around the Global Land Tool Network (GLTN) that aims to facilitate the attainment of the MDG's through improved land management and tenure tools for poverty alleviation and the improvement of the livelihoods for the poor. All Land Professionals are encouraged to support and contribute to this effective initiative to alleviate the current level and scale of poverty.

### **4.4 Theme Making Land Markets work for all.**

#### 1. Improve primary land delivery to boost land markets.

In many countries the trade in land rights between parties (secondary land market) can only develop after the delivery of land to citizens by the government (primary land market). When the primary market does not function well, the secondary market cannot effectively develop causing informal or illegal land occupation, slums and illegal land markets. This land delivery is hampered by long lasting procedures, complex regulations, and weak government structures, for example. Therefore, an effective primary land market is a prerequisite for any market improvement.

#### 2. Don't leave social housing to market forces.

A consequence of a poorly functioning primary land market is the lack of social housing supply. When the land market does not work for certain groups in society, especially the poor, the principles of institutional economics dictate that governments should assume responsibility for providing social housing. The allocation of houses in this situation should not be left to the land market, but to social housing organisations. Governments should meet their responsibility to coordinate social housing.

#### 3. Guarantee homeowners funds to protect the poor.

When secured credit is used for production purposes, such as buying livestock, seeds and fertilizers, opportunities for capitalising on property might exist, on the understanding that the loans can be reasonably paid back. Some countries offer state guarantees in the form of homeowners guarantee funds, which aim at protecting the poor against unbearable debts when, unfortunately, loans cannot be paid back and the property might be forcedly sold against liquidity value. The development of such homeowners guarantee funds is highly advisable.

#### 4. Reduce corruption through transparency of markets and incorruptible land professionals.

Corruption investigations have revealed that the land sector is prone to significant grand and petty corruption. Transparency is the key to fair and equitable access to the land sales and rental market for all. A high standard of ethics in the work of land administrators is also a prerequisite to combat bribing and land grabbing. Therefore, the FIG developed codes of conduct should be adopted by national and local land professional associations.

### 5. Offer fair compensation when the State acquires land and evicts people.

Often the poor suffer from unfair acquisition of land by the State. Although the justification for land taking might be legitimate, private right holders should be treated fairly when losing their land rights. In many circumstances, local government officials play an important role in offering fair compensation for people to be evicted and land professionals should develop transparent procedures for land acquisition with fair compensation mechanisms.

### 6. Introduce monitoring tools to measure the effective functioning of the land markets.

Many countries are simplifying the number of procedures and reducing the time and costs involved in transactions in the land market and are realising economic benefits. Monitoring tools need to be introduced to evaluate the performance of the functioning of the land market. An example of an existing tool is the World Bank 'Doing Business Reports'. Land administration systems also need to support both traditional and modern communal systems to ensure that they are protected within the market context.

## **4.5 Theme Improving Access to Land and Shelter**

### 1. Continue effective and sustainable land reform to reduce poverty and Inequality.

Land is poor people's main and usually only productive asset. Around 1.5 billion people today have gained farmland due to land reform, resulting in many being less poor, or not poor. However, huge land inequalities remain, or have re-emerged, in many low-income countries; this has been caused by inheritance rather than efficiency and generated inefficient, low-employment farm output. In many developing areas with no, minor, ineffective or incomplete land reform the poorer half of farming people normally control below 10% of farmland. The impact on the poor is compounded since not only does extreme land concentration increase income inequality, but in developing countries it also reduces farm output and slows growth.

### 2. Accept that land reform is an on-going process.

Land reform interventions are still necessary, in many cases, to reduce the structural inequalities since market forces will not naturally alleviate the situation. Land reform is 'unfinished business'. The new land reform approaches adopted need to be carefully attuned to their target contexts to attain their goals of reducing poverty and inequality, ensuring output efficiency and growth, and achieving sustainability, stability and legitimacy. Future approaches should be shaped and sensitive to a range of constraints, including the degree of social and land rights inequalities, demographic demand, genders rights and roles, resilience of customary rights, willingness of land owners to cost share, economic affordability of compensation and the capacity of the population to tolerate and support the proposed changes.

### 3. Address land and shelter access issues up front in conflict and disaster situations.

The forced migration of people in conflict situations, or the result of disasters, causes significant short and long term access issues to land and shelter. Even where land is at the

centre of the conflict, the emergency, or first phase, is dominated by emergency issues and short-term'ism. It is only in the second, or reconstruction phase, that housing, land and property rights are treated within a medium to long term framework. Too often there is little funding for the second phase by comparison to the first phase. This means that housing, land and property issues in post conflict situations are not always addressed adequately. The approach needs to be improved and longer term measures put in place from the outset and the delivery of solutions accelerated to support social stability.

#### 4. Identify gender responsive land tools to widen women's access to land.

Women's lack of access to and control over land is a key factor contributing to poverty, especially in the increasing feminisation of agriculture, and needs to be addressed for sustainable poverty reduction. Although the policy statements of almost all donors active in the land and natural resources sector emphasise women's access to land and many countries also make reference to gender equality in their constitutions, laws relating to property rights do not often give equal status to women. Women's access to and control over resources is shaped by complex systems of common and civil law as well as customary and religious laws and practices. The practise and perception of a woman's position in the household, family and community still affects to what extent women can exercise their rights. The challenge now is to translate this political will into action and produce gender equality across the land sector. We need to identify practical solutions, particularly at the grassroots level, that support women's effective and sustainable access to land and make policy-makers aware of how this can be achieved.

### **4.6 Theme Land Governance for Rapid Urbanisation**

#### 1. Adapt land governance measures to support evolving cities for economic growth.

Urbanisation with the continuing concentration of economic activities in cities is inevitable and generally desirable. Increasing economic density remains the objective for all areas at different stages (incipient, intermediate and advanced) of urbanisation. It is essential that appropriate priorities for policies are set at different stages in urbanisation, essentially providing the elements of an urbanization strategy that conforms to the reality of growth and development. For example, land markets and land management policies must be sensitive to the urbanisation stage and adapt over time to allow the use of the same piece of land to change to accommodate greater value-added activity. This increase in economic density needs to be balanced with environmental safeguarding through sustainable development policies and land policies need to manage and connect megacities and their hinterlands holistically to maximise the significant economic and social benefits across the region.

#### 2. Develop urban indicators and new information management approaches to manage complex and dynamic urban environments.

Due to the significant dynamics of urbanisation, urban planning and public infrastructure provision tends to be reactive rather than a guide to development. Large portions of cities grow outside of the legislative or development control framework. Lack of information about the informal sector and its dynamics hinders city officials in formulating and implementing

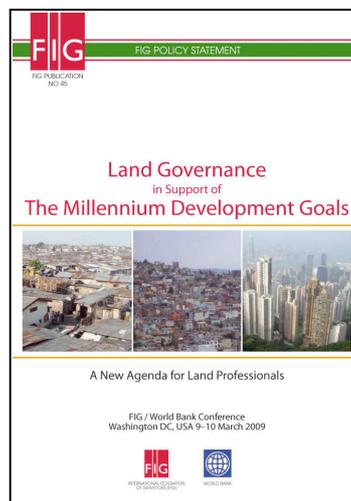
an urbanisation strategy and increases the ecological, economic and social problems and risks, such as the threat of disasters. A new set of urban indicators is needed. This should be supported by a new information collection / management paradigm with tools, techniques and policies to monitor and model growth and change across the urban area – all within shorter timeframes than previously accepted.

### 3. Develop comprehensive and scalable solutions to the shelter problem.

Rapid urbanisation challenges the human right of access to land and shelter. Slum upgrading approaches need to be more holistic and integrated into broader slum prevention shelter policies, and appropriate shelter policies. The aim would be to develop off the shelf solutions that are replicable and scalable across major urban areas. The issue needs to be tackled systemically across the city; to include all the cities' systems from finance, to land, to shelter, to planning, and so on, at a city wide scale, within an over-arching shelter policy rather than in a piecemeal approach. Moving from reactive to preventative approaches is a much needed paradigm shift that must harness the potential of all actors, including the grassroots, the private sector (formal and informal) and a strong decentralised local government.

## 5. CONCLUSION

Effective and democratised land governance is at the heart of delivering the global vision of our future laid out in the MDG's. However, the route to this vision is rapidly changing as a series of new environmental, economic and social challenges pervade and impact every aspect of our lives. Land professionals have a vital role to play and we must understand and respond quickly to this on-going change. Our approaches and solutions across all facets of land governance and associated Land Administration Systems must be continually reviewed and adapted so that we can better manage and mitigate the negative consequences of change. Central to this is our response to climate change and food security.



## REFERENCES

FIG Publications: <http://www.fig.net/pub/figpub/index.htm>

FIG (2010): Land Governance in support of the Millennium Development Goals. FIG Publication No 45. FIG office, Copenhagen. <http://www.fig.net/pub/figpub/index.htm>

## BIOGRAPHICAL NOTES

**Stig Enemark** is President of the International Federation of Surveyors, FIG 2007-2010. He is Professor in Land Management and Problem Based Learning at Aalborg University, Denmark.

**Robin McLaren** is a director of Know Edge Ltd a UK based, independent management consulting company formed in 1986 specialising in optimising the business benefits of land & property related information.

**Paul van der Molen** is currently director of Kadaster International and a Professor at the International Institute for Geo-information Science and Earth Observation ITC in Enschede (NL)

## CONTACTS

**Stig Enemark:** [enemark@land.aau.dk](mailto:enemark@land.aau.dk)

**Robin McLaren:** [robin.mclaren@knowedge.com](mailto:robin.mclaren@knowedge.com)

**Paul van der Molen:** [paul.vandermolen@kadaster.nl](mailto:paul.vandermolen@kadaster.nl)