

Understanding the Concept of Fit-For-Purpose Land Administration in Support of the Post 2015 Global Agenda

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SUMMARY

This paper argues that the fit-for-purpose approach to building land administration systems in less developed countries will enable provision of the basic administrative frameworks for managing the people to land relationship that is fundamental for meeting the upcoming post 2015 global agenda. The term “Fit-For-Purpose Land Administration” indicates that the approach used for building land administration systems in less developed countries should be flexible and focused on serving the purpose of the systems (such as providing security of tenure and control of land use) rather than focusing on top-end technical solutions and high accuracy surveys. Of course, such flexibility allows for land administration systems to be incrementally improved over time. This paper unfolds the Fit-For-Purpose concept by analyzing the three core components: 1. The spatial framework. This is the basic large scale mapping showing the way land is divided into parcels and plots for specific use and occupancy. The countrywide mapping should be provided using affordable modern technologies such as aerial imageries rather than field surveys. The scale and accuracy of the mapping may vary according to building density, topography and other requirements. Based on the spatial framework a participatory approach can be used in the field for identifying and recording the various legal and social tenure rights associated with occupancy and use of the land. 2. The legal framework. In most less developed countries the existing legal framework reflects colonial times and serves only the elite. The processes for land registration are complex, costly, time consuming and high demands for survey accuracy. Therefore, the fit-for-purpose approach must be enshrined in law. To accommodate this approach the legal framework must support both legal and social tenure, and the standards and regulations must be flexible and designed along administrative rather than judicial lines. 3. The institutional framework. This is about the institutional and organization structure within the functions of land tenure, land value, land use and land development. It is recognized that establishing the institutional framework in terms of efficient, accountable government workflows for making the systems operational is often a major obstacle. The fit-for-purpose approach includes by default issues like good governance, participatory approaches and building from local strengths and norms. The key point for fit-for-purpose land administration systems is to enable security of land rights for all and to cover all land as a basis for land valuation and land use control. At the outset, the systems may vary from being very simplistic in some (rural) areas of the country while other (densely populated) areas are covered by more accurate and legally complete applications, especially where land is of high value and in short supply. Through updating and upgrading procedures the systems can then, in turn, develop into modern and fully integrated systems for land information and administration, where appropriate.

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