

# Underpinning Sustainable Land Administration Systems for Managing the Urban and Rural Environment

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2nd FIG REGIONAL CONFERENCE  
MARRAKECH, MOROCCO, 2 - 5 DECEMBER 2003

## Denmark in Europe



## Wonderful Copenhagen



## The Surveyors House - the FIG home base



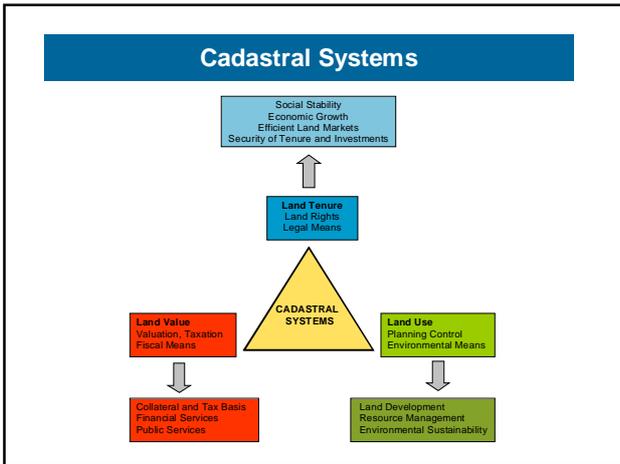
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  - Land Administration Systems
  - Land Management
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- Educational - Professional - Institutional

## Development and Sustainability

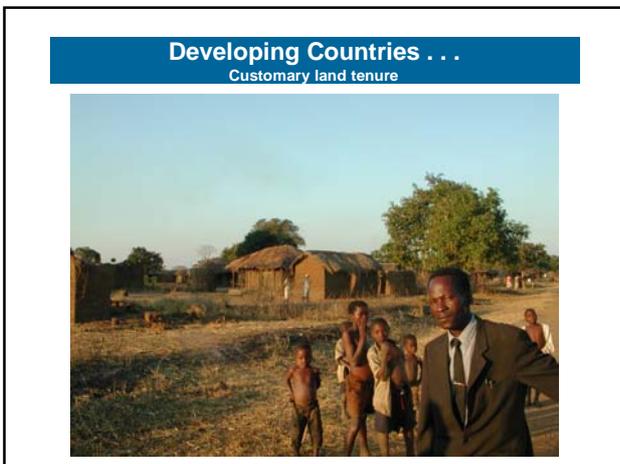
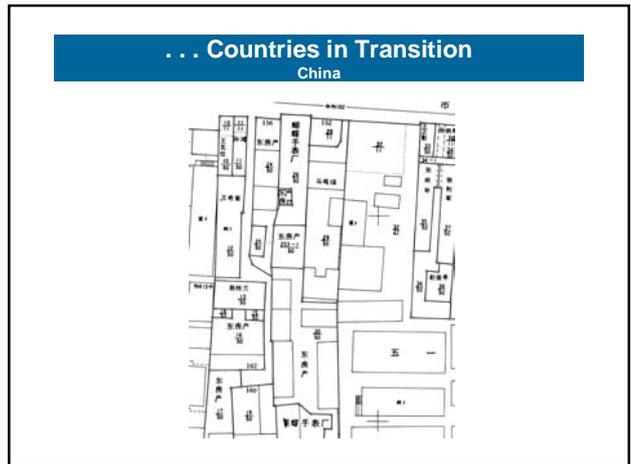
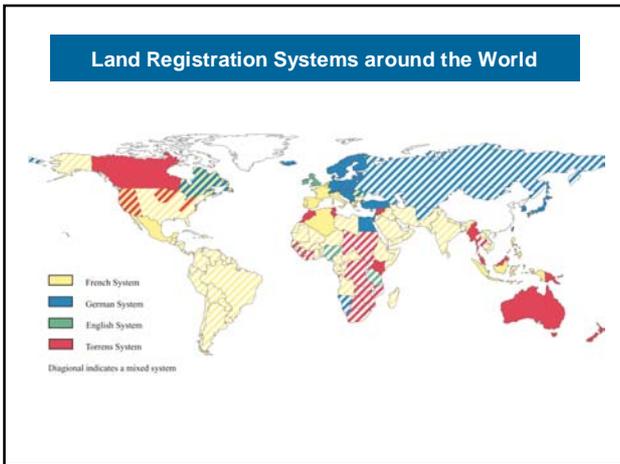
**”Civilised living in market economies  
is not simply due to greater prosperity  
but to the order that formalised  
property rights bring”**

*Hernando de Soto - 1993*



### Deeds/Title Registration . . .

System	Deeds System	Title system
Content	Who owns what	What is owned by whom
Register	A register of owners	A register of properties
Legal effect	Registration of the transaction The title is not guaranteed	Registration of the title Guaranteed by the state
Actors	Notaries/Registrars	Lawyers/Surveyors
Role of the Cadastre	Taxation purposes	Identification purposes
Boundaries	Sketch for the deed	German and Torrens: Fixed English: General

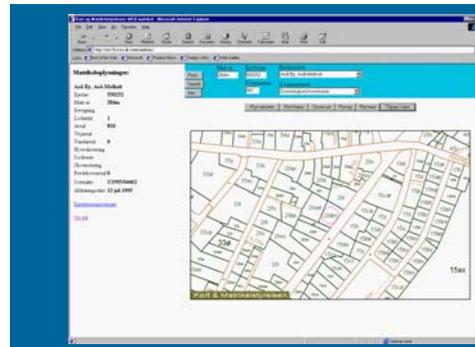


- ### Comparing Land Registration Systems
- Parameters for comparison:
- **Property Definition**
    - Where and how is it defined
    - Legal/economic/physical concept
  - **Property Determination**
    - General/fixed boundaries
    - determination process
  - **Property Formation**
    - Process, institutions and actors - who does what
    - Role of the surveyors
  - **Property Transfer**
    - Process, institutions and actors - who does what
    - legal consequences

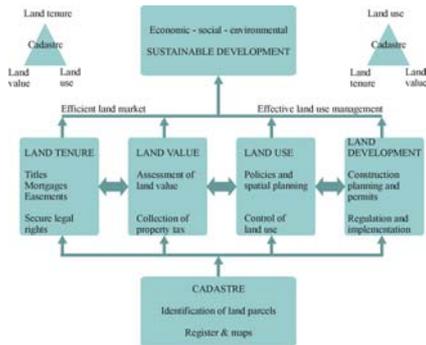
## Evolution of Western Land Administration Systems

	Feudalism - 1800	Industrial revolution 1800-1950	Post-war reconstruction 1950-1980	Information revolution 1980 -
<b>Human kind to land evolution</b>	Land as wealth	Land as a commodity	Land as a scarce resource	Land as a community scarce resource
<b>Evolution of cadastral applications</b>	Fiscal Cadastre. Land valuation and taxation paradigm	Legal Cadastre. Land market paradigm	Managerial Cadastre. Land management paradigm.	Multi-purpose Cadastre. Sustainable development paradigm.

## The Web-Cadastre



## Land Administration Systems



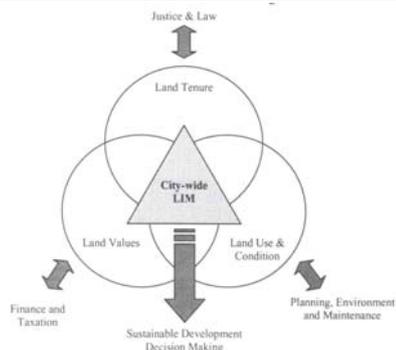
## Land Administration Systems

- A Framework of must include:

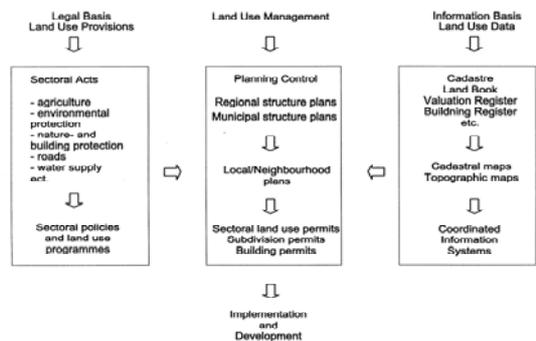
- Define and distinguish between different legal forms of land tenure
- Define how to establish and secure legal rights in land
- Establish administrative systems and clear responsibilities for
  - land transfer
  - property formation
  - mortgage and forced sales
- Coordinate legislation for
  - planning, land use, land value, land registration

- Specify the administrative role of the agencies and actors involved

## Land Information Management



## The Land Management Concept



## Spatial Data Infrastructures

- provides mechanisms for sharing geo-referenced information

- Conceptual mechanisms
  - design of organizational concepts for data sharing and custodianship
- Political mechanisms
  - provision of an effective institutional framework and the distribution of power between the governmental levels.
  - policies for access to data
- Economic mechanisms
  - cost recovery policies
  - strategies for distribution and maintenance

- considerable benefits flow from a well developed Spatial Data Infrastructure

## Spatial Data Infrastructure



## A Conceptual Approach

### Overall Land Policy

- Determining values and objectives in relation to land as a legal, economic, and physical object

### 1. Cadastral Systems

- Registers for identifying and securing land rights
- Basis for sound Land Administration

### 2. Land Administration Systems

- Systems for administration of land tenure, land value and land use
- Basis for sound Land Management

### 3. Land Management

- Process, institutions and actors - who does what
- Basis for economic, social, environmental sustainability

## THE DANISH WAY

AN INTERNATIONAL PUBLICATION SERIES ON SURVEYING, CADASTRE AND LAND MANAGEMENT IN DENMARK

- |   |  |    |   |
|---|--|----|---|
| 1 | <b>Land Administration in Denmark</b><br>Stig Enemark - 11 pages | 6  | <b>The Surveying Profession in Denmark</b><br>Stig Enemark - 12 pages             |
| 2 | <b>Spatial Planning in Denmark</b><br>Stig Enemark - 9 pages     | 7  | <b>Land and Environmental Management in Denmark</b><br>Stig Enemark - 12 pages    |
| 3 | <b>The Land Market in Denmark</b><br>Jens Nielsen - 11 pages     | 8  | <b>Property Valuation and Taxation in Denmark</b><br>Jens Nielsen - 10 pages      |
| 4 | <b>The Surveyors' Tribunal</b><br>Jens Nielsen - 12 pages        | 9  | <b>Spatial Information Management in Denmark</b><br>Hanne Brande Lærke - 15 pages |
| 5 | <b>Code of Surveying Practice</b><br>DLS - 5 pages               | 10 | <b>Topographic Mapping in Denmark</b><br>Søren Rasmussen Nielsen - 13 pages       |

The publications are available at:  
[www.dls.org/danishway](http://www.dls.org/danishway)  
Publications in print can be obtained from:  
The Danish Association of Chartered Surveyors  
Lindbjerg Allé 4, DK-1202 Frederiksberg, Denmark  
Phone: +45 3890 1070 Fax: +45 3894 1272  
E-mail: dls@dlsof.org

## The FIG Agenda



The FIG Statement on the Cadastre (1995) established a standard. The concepts were explained, settled, and made operational according to the specific conditions in different parts of the world.

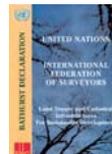


The FIG statement points at the importance of the cadastral systems as a basic land information systems in support of sustainable development.

## The FIG Agenda

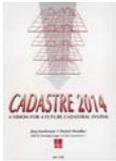


The Bogor Declaration (1996) was a result of a joint UN/FIG initiative. The objective was to develop a document setting out the desirable requirements and options for cadastral systems of developing countries in the Asian and Pacific region and to some extent globally. The declaration includes a clear vision: "...to develop modern cadastral infrastructures that facilitate efficient land and property markets, protect the land rights of all, and support long term sustainable development and land management".



The Bathurst Declaration (1999) was a follow-up joint UN/FIG initiative. The key conclusion reads: *The Bathurst Declaration on Land Registration for Sustainable Development calls for a commitment to provide effective security of tenure and access to property for all men and women, including indigenous peoples and those living in poverty or other disadvantaged groups. Sustainable development is not attainable without sound land administration.*

## The FIG Agenda



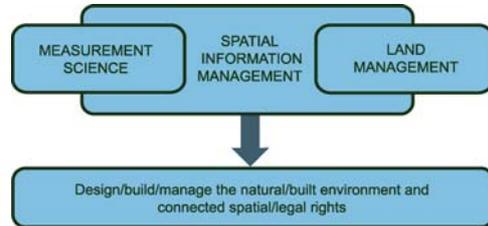
Cadastre 2014 presents a vision for the future cadastral systems aiming to fulfil the multipurpose role based on modern information technology. The vision is presented in six statements for development of the cadastral systems over the next ten years. Each statement is explained in details.

The FIG publication Series also includes a number of publications addressing educational, professional, and institutional issues of global relevance, such as Continuing Professional Development, Ethical Principles, Business Matters for Professionals, Standardisation, and Mutual Recognition of Professional Qualifications.

[www.FIG.net](http://www.FIG.net)



## The Educational Challenge



*THE EDUCATIONAL PROFILE OF THE FUTURE*

## The Professional Challenge

- Professional structures must reflect the new land management paradigm
- National associations will have to develop structures that accommodate a modern interdisciplinary profile.
- This includes adoption of ethical principles and model codes of professional conduct suitable for performing this modern role.

## The Capacity Building Challenge

Where a donor project is established to create land administration infrastructures in developing or transition countries, it is critical that capacity building is a main steam component that is addressed up front, not as an add-on.

In fact, such projects should be dealt with as capacity building projects in themselves for building institutional capacity to meet the medium and long term needs.

## The Institutional Challenge ...

- Institutions are "the rules of the game"
- Property right is such an institution in society - the cadastre is a facilitator to make it work
- Another institutional challenge is to establish a suitable balance between national policy making and local decision making

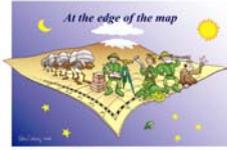
## ...The Institutional Challenge

UNRCCA, New York, January 2001 :

"Understanding the value of integrating land administration and topographic mapping programs within the context of a wider national strategy for spatial data infrastructure."

UN/FIG Workshop, Aguascalientes, Mexico  
October 2004

## Final Remarks



- In developing countries the debate should move from "whether this is desirable" to "what is the most appropriate land administration system to serve the needs of an individual country or jurisdiction".
- Organisations such as FIG, UN, WB should recognize the increasing demand for sustainable land administration infrastructures.
- This includes some educational, professional, capacity building, and institutional challenges to be met at the threshold of the third millennium.
- This calls for increased international co-operation. FIG is prepared to invest in such cooperative efforts.