

Public – Private – Partnerships as a Catalyst for Tenure Governance in Developing Countries

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SUMMARY

The UN's Sustainable Development Goals for 2030 (SDG's) place sustainable development at the top of the agenda for governments, companies and populations. Both goal 1: No poverty and goal 2: Zero hunger specifically address the lack of protection of land tenure rights and use rights that subject large portions of the world's population to poverty and hunger.

Land administration systems in developing countries

In order to ensure the fulfilment of the SDG's, the establishment of land administration systems (LAS) is central. In connection with the establishment of LAS in developing countries, both locally and centrally there can be different challenges.

Institutional and legal framework

Establishing and adapting the necessary institutional and legal conditions are crucial parameters for the basic conditions to be in place when establishing a LAS. Initially in the establishment phase, but also for the subsequent operation and updating the LAS.

Capacity development

Training the necessary local labor is a major challenge, which can be a bottleneck for both establishing LAS and the ongoing operation and maintenance of the LAS.

The mentioned possible challenges, which are not exhaustive, but considered crucial for the implementation of LAS are described in the paper, focusing on the institutional structure, legislation on LAS and the need for capacity

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development.

Public-Private-Partnership

The paper describes the opportunity to utilise the potential of collaboration between the public and the private sectors in connection with the establishment of LAS.

The description in the paper is inspired by the Danish system, where there is an extensive degree of "cooperation" between the public and private sectors in the ongoing operation and development of the administrative land and property related systems.

Public-Private-Partnerships in establishing LAS in developing countries

The paper describes the opportunity, through the establishment of Public-Private-Partnerships, to build a governance system that can utilise the opportunities that come with the flexibility of the private companies in relation to the public sector's more bureaucratic structure.

The institutional and legal "obligation" of the public sector to carry out the construction of a national LAS can be seen as an insurmountable task if the physical registration is to be done within the framework of a ministry or board.

In a Public-Private-Partnership constellation, politicians and government officials can determine the policies and frameworks for establishing a LAS. The public authorities can maintain the control and the development of the establishment and operation of a LAS, while at the same time utilising that in the private sector there is a focus on the development of business models that meet the public (and private) demand for services and products.

Utilising private companies' better opportunity for faster changeover, capacity building, innovation in task performance, focus on new business areas, scaling up and down offers the public sector great opportunities for establishing and operating LAS in a Public-Private-Partnership constellation.