

ECONOMIC COMMISSION FOR EUROPE

Geneva

LAND ADMINISTRATION IN THE UNECE REGION

Development trends and main principles

**UNITED NATIONS
New York and Geneva, 2005**

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ECE/HBP/140

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FOREWORD

Over the past 15 years or so, a number of factors have profoundly changed the outlook for political, economic, environmental and social development in the member States of the United Nations Economic Commission for Europe (UNECE): the increasingly widespread acceptance of democratic institutions and market-based economic systems; the liberalization of trade; and rapid technological innovation, in particular in information and communication technologies. In this context, the issue of spatial information infrastructure is recognized as an increasingly important component for achieving sustainable development in all UNECE member States. Economic and social reforms in many UNECE countries have had a dramatic impact on the spatial information environment. These reforms include land privatization, decentralization, cost recovery of the services provided, quality assurance, public/private partnership, etc. The backlog in registration of property rights is a major constraint in the development of land, real estate and housing markets in countries in transition, particular in the urban areas. In view of these developments all countries of the UNECE region are developing and modernizing their cadastre and land registration systems.

Present land administration systems need re-engineering, they must continually evolve to cope with the ongoing developments. To ensure that land administration and management decisions are consistent with sustainable development principles, land information systems must integrate a wider range of data, information and knowledge. The spatial information systems should become increasingly open and public from the highest level of government to the community level, as the societal knowledge bank upon which public and private sectors decisions are made becomes more complex.

In creating an efficient land administration system the *policy issues* should be addressed first. Policies must ensure equal access to real property to all people of both urban and rural society. The process for formalizing and subsequently transferring property rights should be as simple and efficient as possible.

Policy goals can not be achieved unless there is an effective *land administration infrastructure* with modern information technology providing effective citizen access to information. This infrastructure also includes organizations, standards and technological processes, as well as laws and regulations for property rights, valuation and taxation. These regulations should be transparent and meet local requirements and needs.

The present publication is a further contribution of UNECE in the ongoing process of improving land administration systems in the region. It takes into account the developments that have taken place since the publication in 1996 of the *Guidelines on Land Administration*. I hope that this study will lead to a better understanding of the interrelationship between good governance, civil society and land administration for sustainable development.

Brigita Schmögnerova
Executive Secretary

PREFACE

In 1993 the United Nations Economic Commission for Europe (UNECE) launched an initiative to strengthen land administration capabilities, mainly for countries in Eastern and Central Europe. The main purpose was to identify the current needs and problems related to land administration, to share experiences and to assess the opportunities for applying methods, policies and procedures of land administration similar to those that had evolved over a long period of time in the most advanced economies of the UNECE region. In 1996, UNECE published the Guidelines on Land Administration with special reference to countries in transition (ECE/HBP/96) as part of the UNECE contribution to the Habitat II Conference held that year in Istanbul (Turkey).

The present publication takes into account developments that have taken place since 1996. It reflects the lessons learned, many of which are documented in the land administration reviews undertaken in Armenia, Georgia, Lithuania and the Russian Federation by the Working Party on Land Administration of the UNECE Committee on Human Settlements. Many UNECE countries that were once described as being “in transition” have built new land administration systems and, like other UNECE countries, are facing new challenges especially in relation to the sustainability of these systems. Technology has developed, providing opportunities for online access to land-related data and many land administration agencies now operate within a business environment in which the focus is on systems maintenance rather than systems creation.

This has led many UNECE countries towards a unified land cadastre and registration system that either is administered by a single State agency whose activities are regulated by the law, or else is created in virtual reality. A further trend is for the operation of the land cadastre and register system to be partly or fully based on the principle of cost recovery, thus enabling it to generate income for the improvement of its products and services, advance its activities and ensure a better response to customer needs. The use of the Internet to disseminate land and property-related information to the public has also been growing, thus encouraging the development of real property and credit markets.

Despite all the progress made, it is important to look further for ways and methods to improve land (real property) administration systems, taking into account the national and international needs of the public and private sectors, and the citizens they serve. One way forward is through international cooperation between the various European land administration organizations. This has already provided an opportunity for drawing comparisons between various countries and defining the system most suitable to local circumstances.

The present publication is a further contribution in this direction. As with the earlier Guidelines, it defines land administration as the processes of recording and disseminating information about the ownership, value and use of land and its associated resources. It is mainly written for senior governmental staff and politicians engaged in land administration issues. Its aim is to outline the benefit of having a relevant and reliable land administration system in place.

The publication builds on six basic assumptions, namely:

- (i) Access to food and shelter are fundamental human needs;
- (ii) Security of tenure is essential for effective urban development and the implementation of housing policy;
- (iii) Certainty in the legal status of rural land is essential for efficient agricultural production;
- (iv) Investors require a formal structure of land and property rights;

- (v) Sustainable development is dependent on the State having overall responsibility for managing information about the ownership, value and use of land, even though the private sector may be extensively involved;
- (vi) Both land and information about land are resources that must be husbanded in order to achieve economic growth.

This publication identifies the factors that should be taken into account in developing the legislation, organization, databases and maps, as well as the funding mechanisms, required to implement and maintain an effective and sustainable land administration system. Each country needs to build and operate its own system within its own social, economic and cultural environment. The publication suggests alternative ways to meet modern requirements and makes general recommendations on best practice. It does not advocate any unique solution because each country has a different history and experience.

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The work undertaken for this publication has been made possible with generous contributions from the Ministry for Economic Cooperation and Development of Germany through the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ); the Swedish International Development Cooperation Agency (SIDA); the Land Registry of the United Kingdom; the Cadastre, Land Registry and Mapping Agency of the Netherlands; and the Technical Chamber of Greece.

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