Fit-For-Purpose Land Administration Guiding Principles

Providing Secure Tenure for All

Christiaan Lemmen – Kadaster International
Stig Eenemark, Robin McLaren, Danilo Antonio, John Gitau, Paula Dijkstra, Kees De Zeeuw

Fit-for-Purpose Land Administration
The World Bank Trilogy

Stig Enemark

Part 1 - Overview

Christiaan Lemmen

Part 2

Providing Secure Tenure For All

Robin McLaren

Part 3

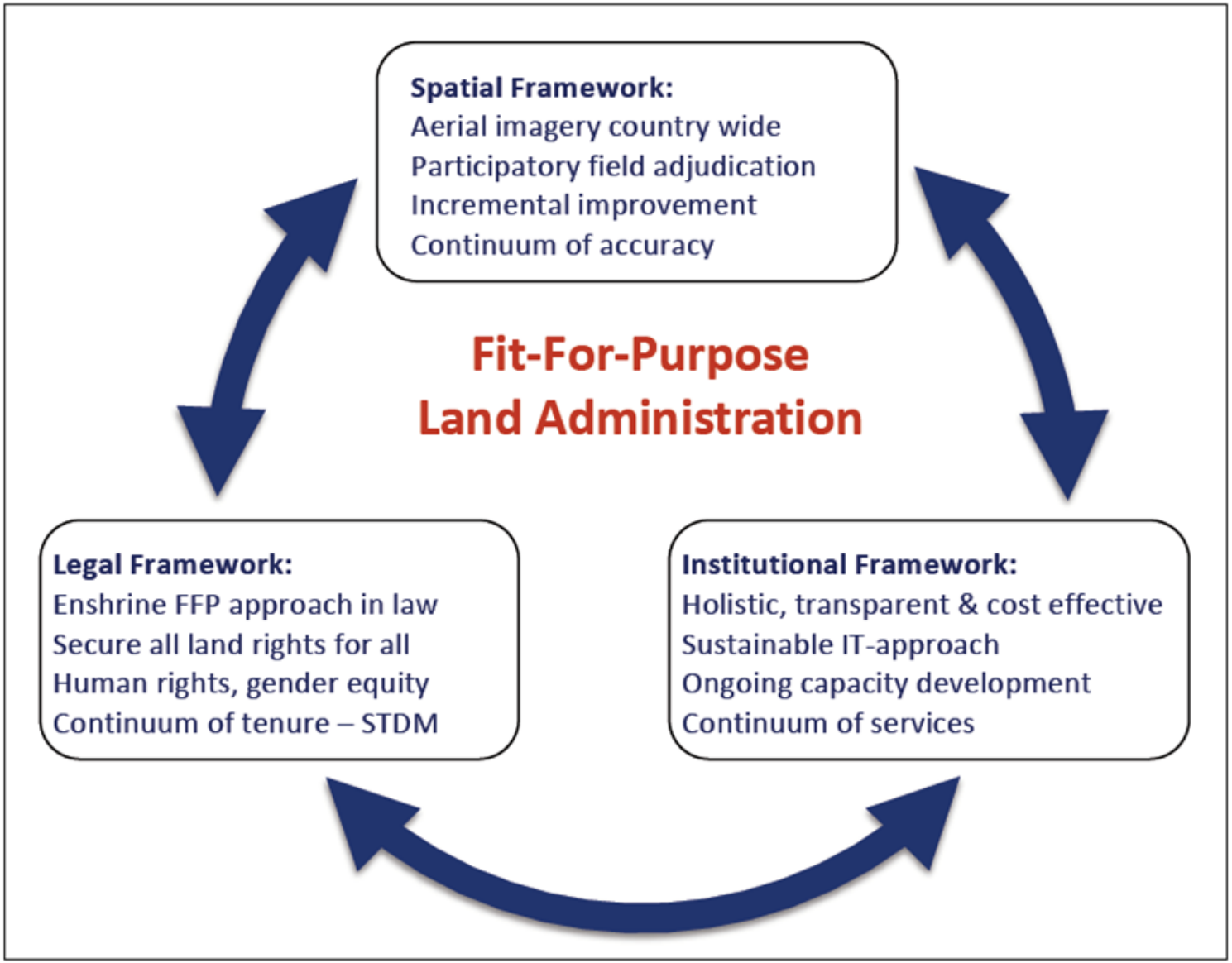
Making it Work

GLTN

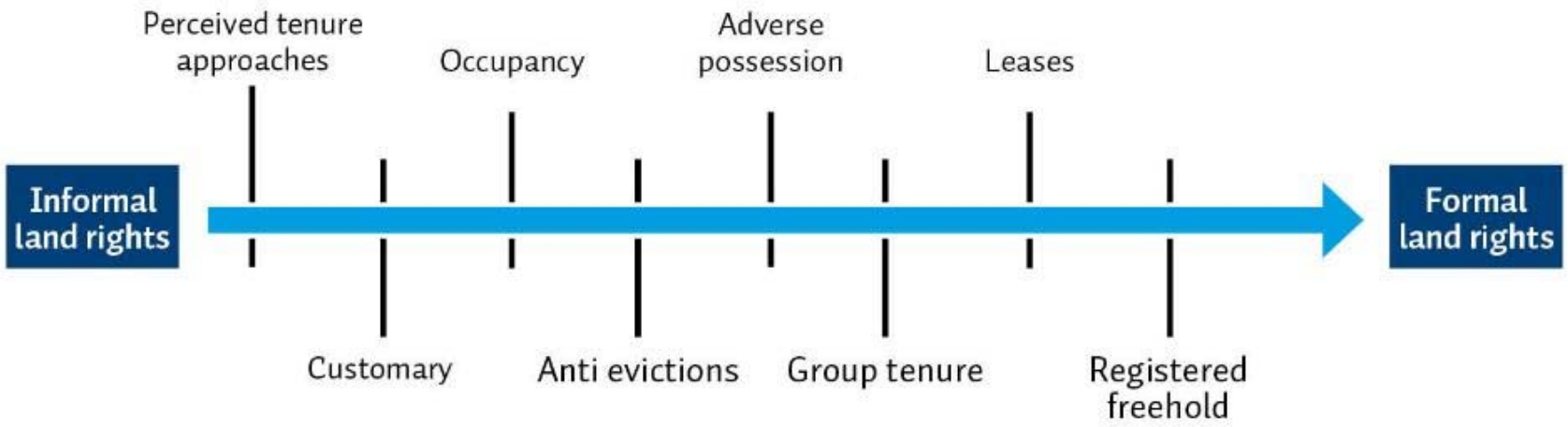
UN-HABITAT

kadaster

Fit-for-Purpose Land Administration – the Concept



Continuum of land rights



Slums

Customary Lands

Fit-for-Purpose Land Administration

KEY PRINCIPLES		
Spatial Framework	**Legal Framework**	**Institutional Framework**
• Visible (physical) boundaries rather than fixed boundaries • Aerial / satellite imagery rather than field surveys • Accuracy relates to the purpose rather than technical standards • Demands for updating and opportunities for upgrading and on-going improvement	▪ A flexible framework designed along administrative rather than judicial lines. ▪ A continuum of tenure rather than just individual ownership ▪ Flexible recordation rather than only one register ▪ Ensuring gender equity for land and property rights.	▪ Good land governance rather than bureaucratic barriers ▪ Holistic institutional framework rather than sectorial siloes ▪ Flexible IT approach rather than high-end technology solutions ▪ Transparent land information with easy and affordable access for all

Land Rights – Aspects to be Supported

- Recognise
- Record
- Review

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'Recognise'

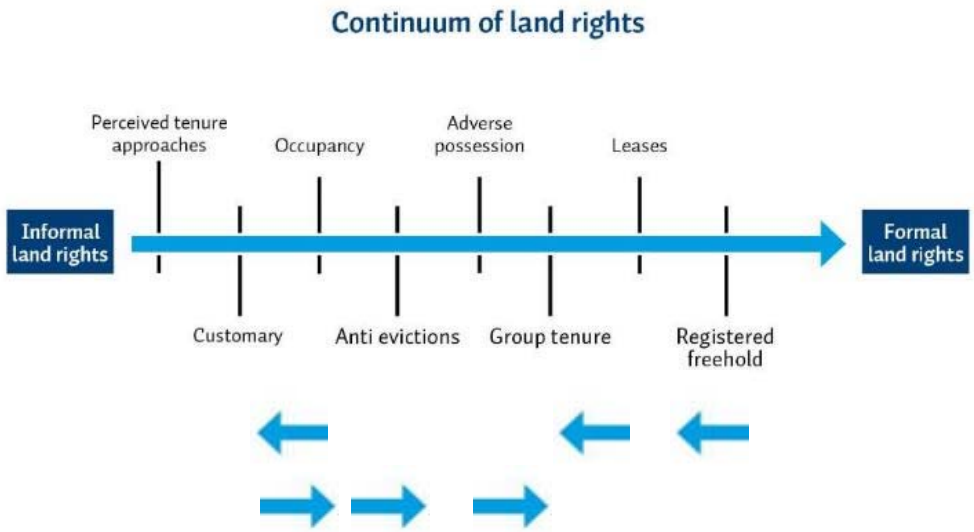
- Recognition, classification and development of a typology in land rights on the basis of an assessment of existing *legitimate rights* at the country level
- Publication in a National Tenure Atlas

'Record'

- Collecting data on evidence of land rights based on FFP approaches in land administration

'*Review* (Conversion)'

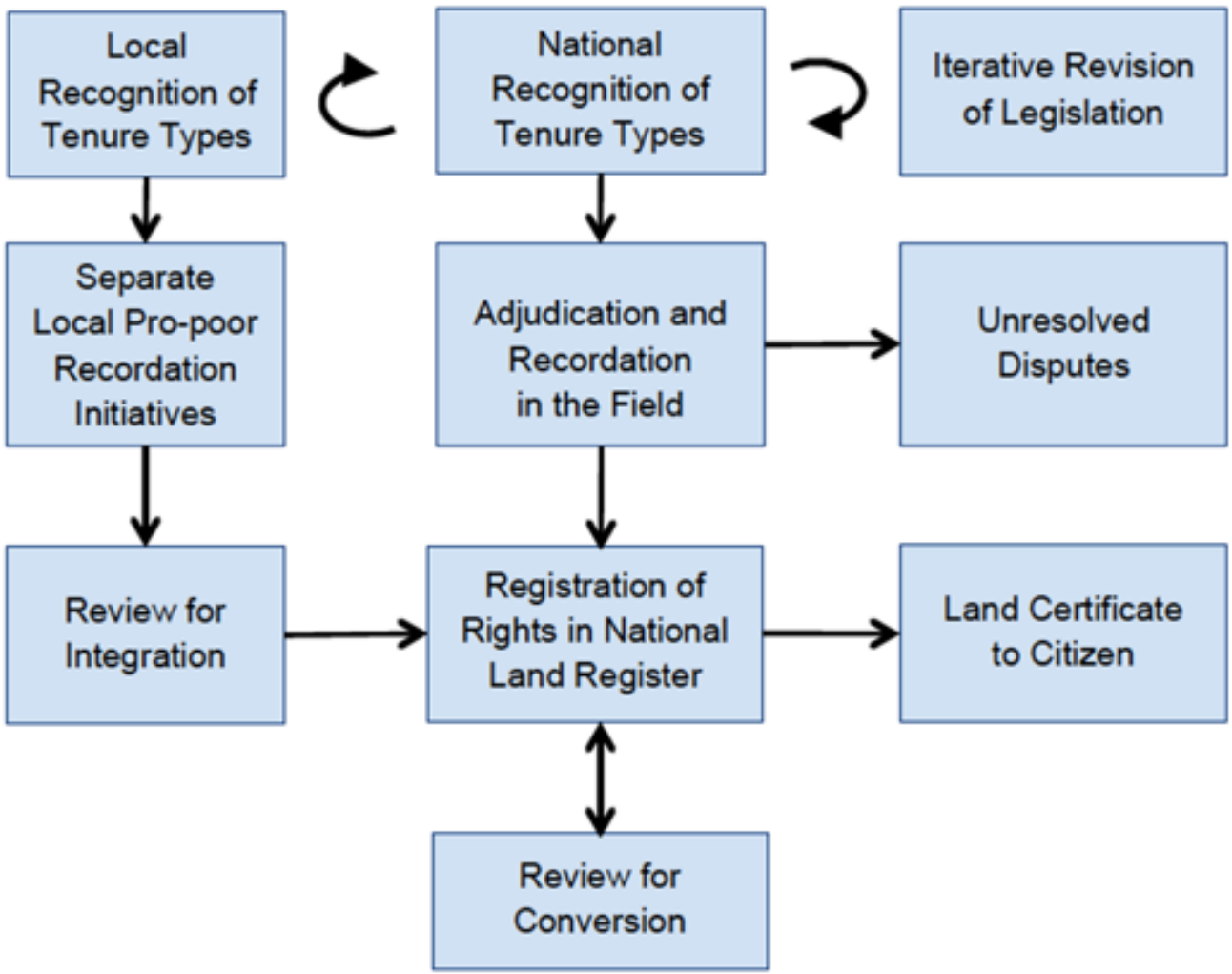
- Assessing the evidence of rights and any possible outstanding claims and when conditions are met, the security of the rights will be increased



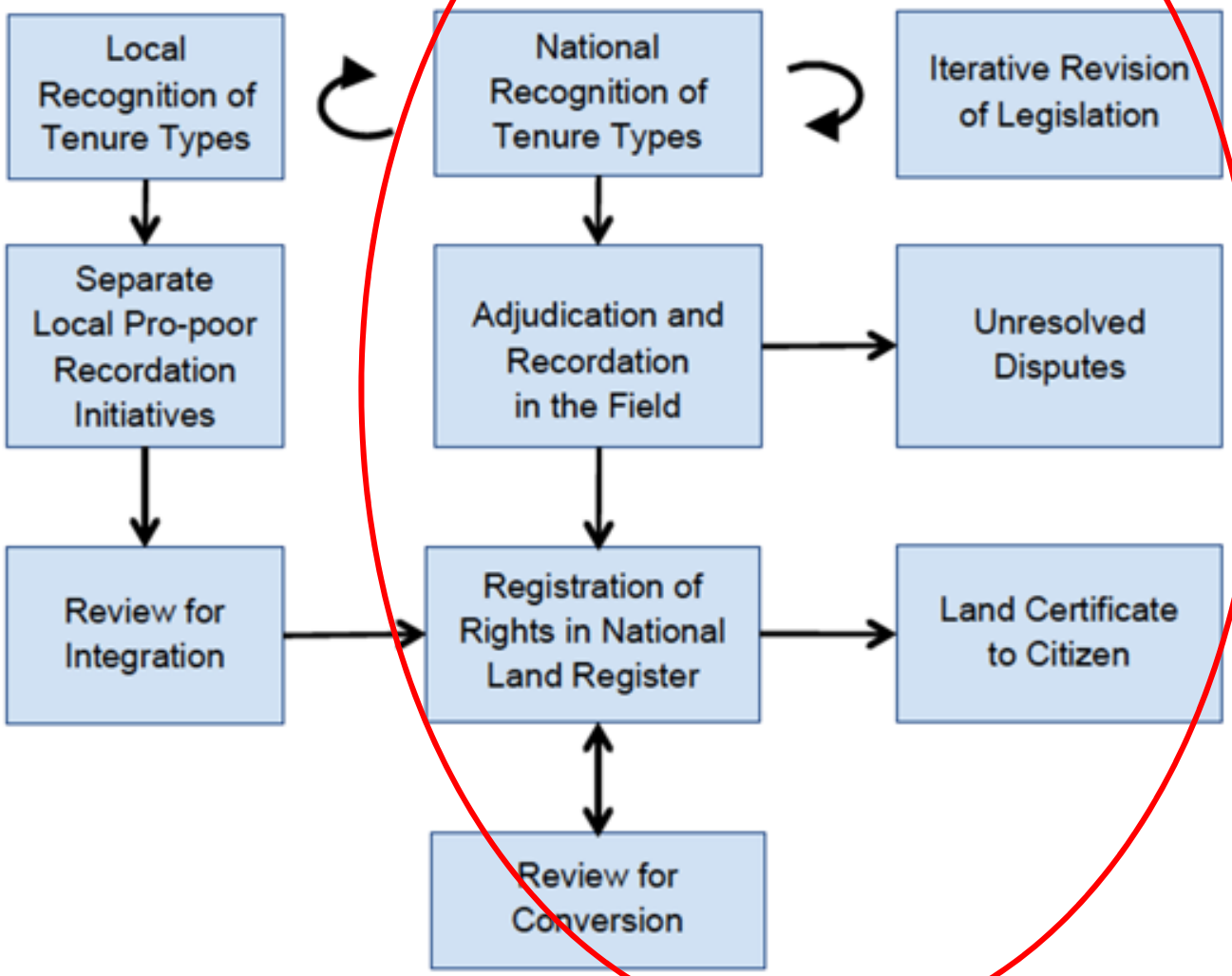
Building the Legal Framework

- The legal framework needs to be flexible and managed through administration rather than court decisions
- The **STDM** concept should be applied to ensure that legal as well as social tenure be secured independent of formality and technical accuracy
- The FFP approach will require a flexible recordation system
- Applying the continuum of land rights will require innovative pro-poor recordation systems
- Women make two thirds of the worlds poor
- Women's access to land must be seen as a universal human right

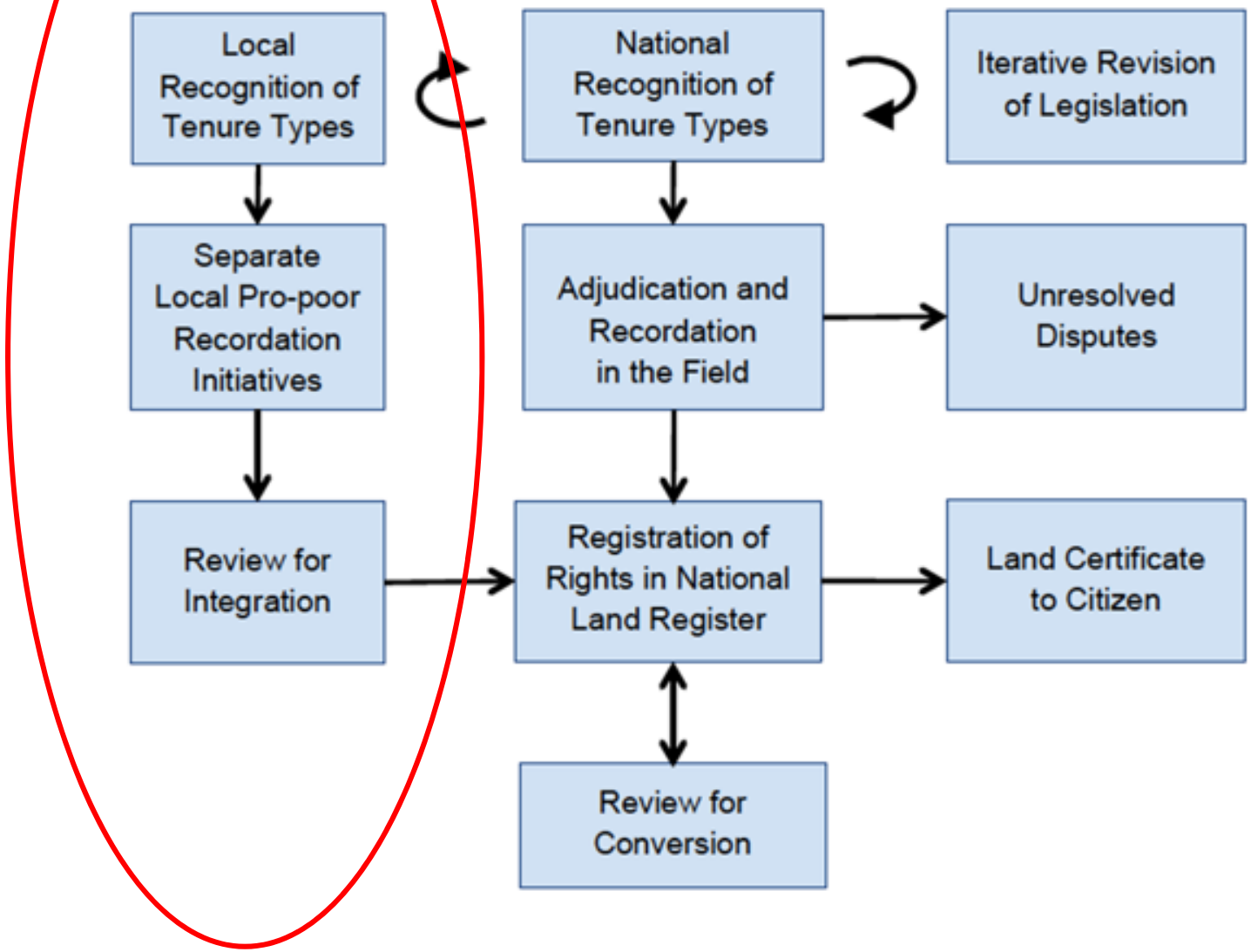
FFP Process


Local Recognition of Tenure Types
National Recognition of Tenure Types
Iterative Revision of Legislation
Separate Local Pro-poor Recordation Initiatives
Adjudication and Recordation in the Field
Unresolved Disputes
Review for Integration
Registration of Rights in National Land Register
Land Certificate to Citizen
Review for Conversion

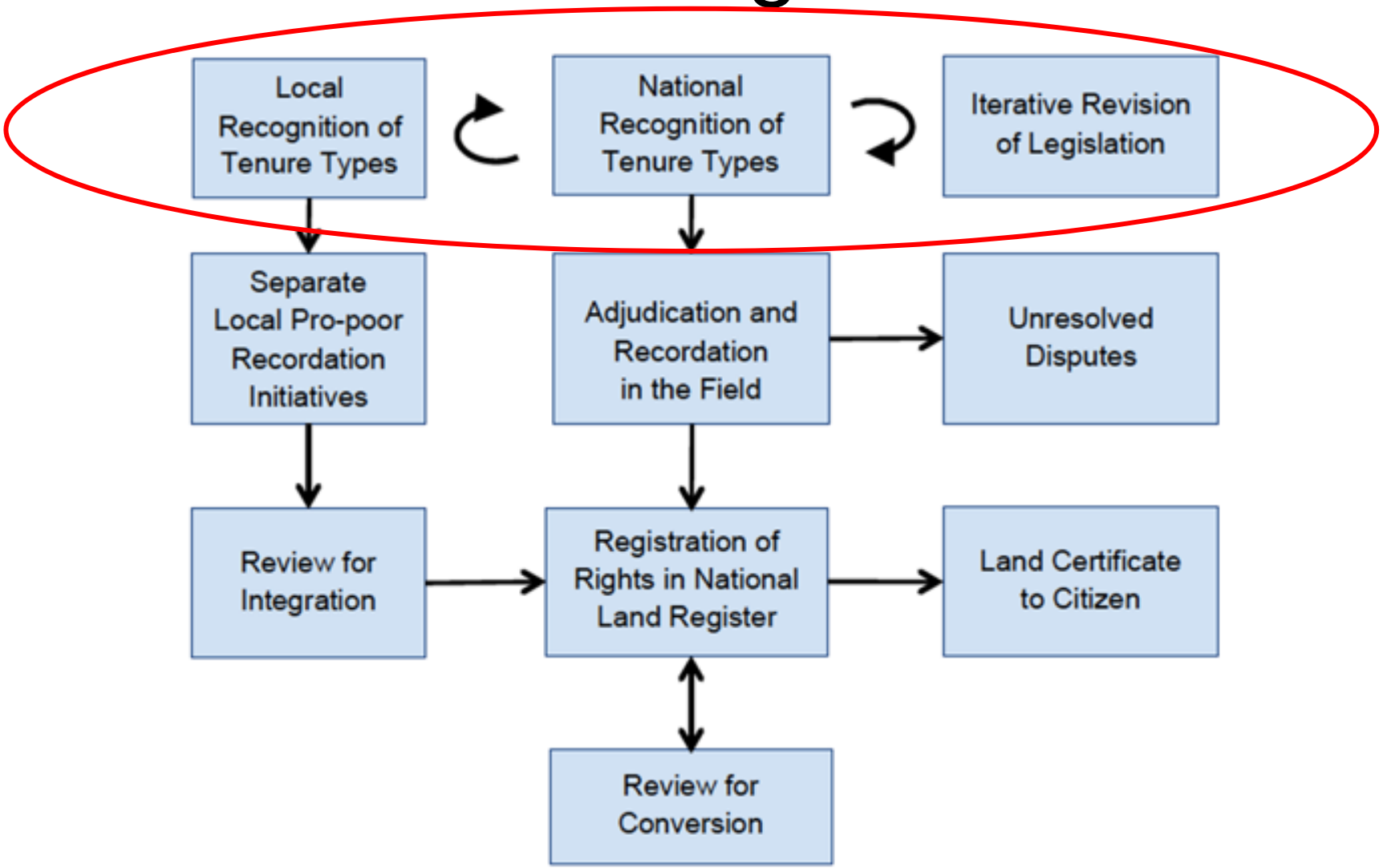
FFP Process - Building a National Land Recordation System



FFP Process - Pro-Poor Land Recordation Initiatives



Recognising, Recording, Reviewing Land Rights



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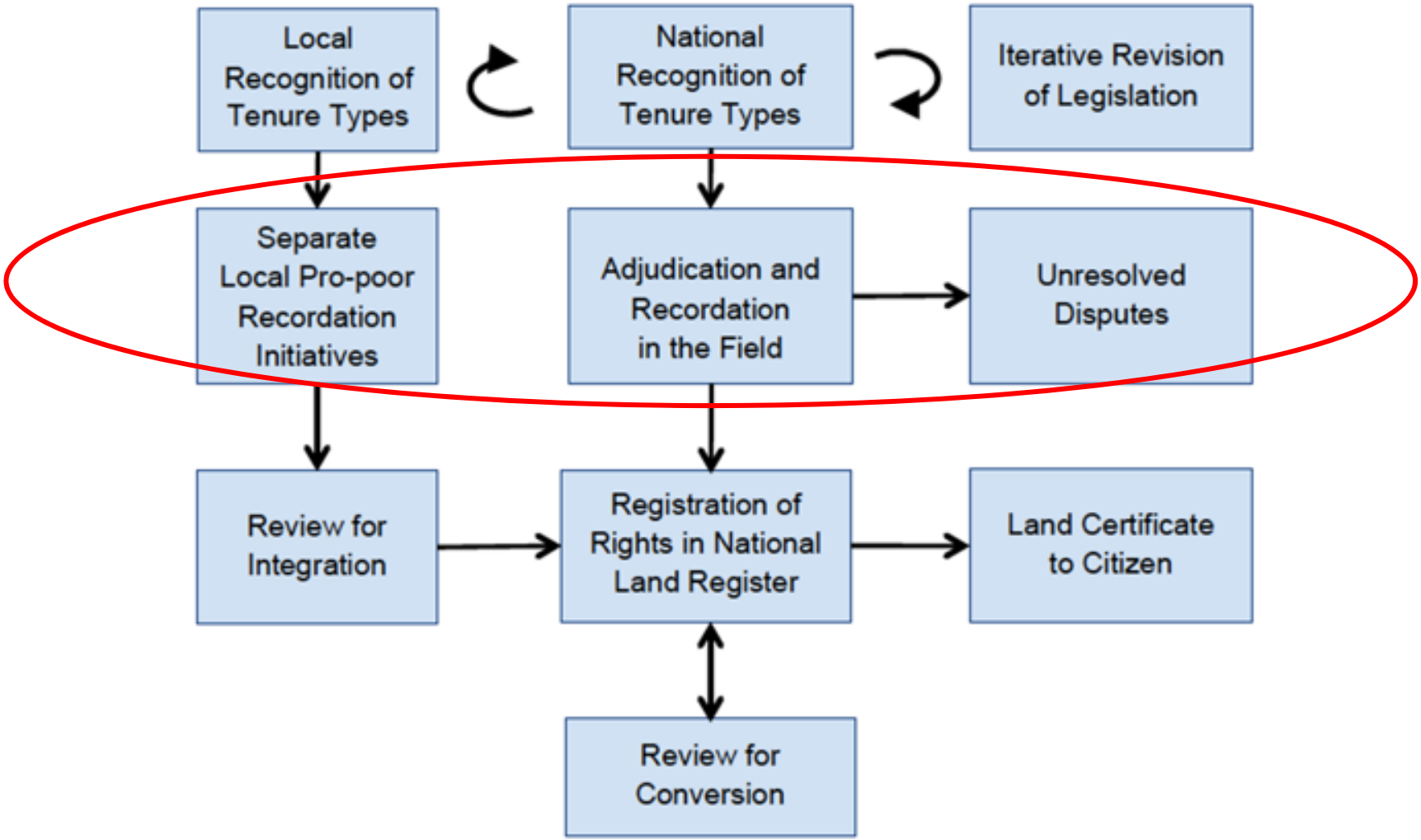

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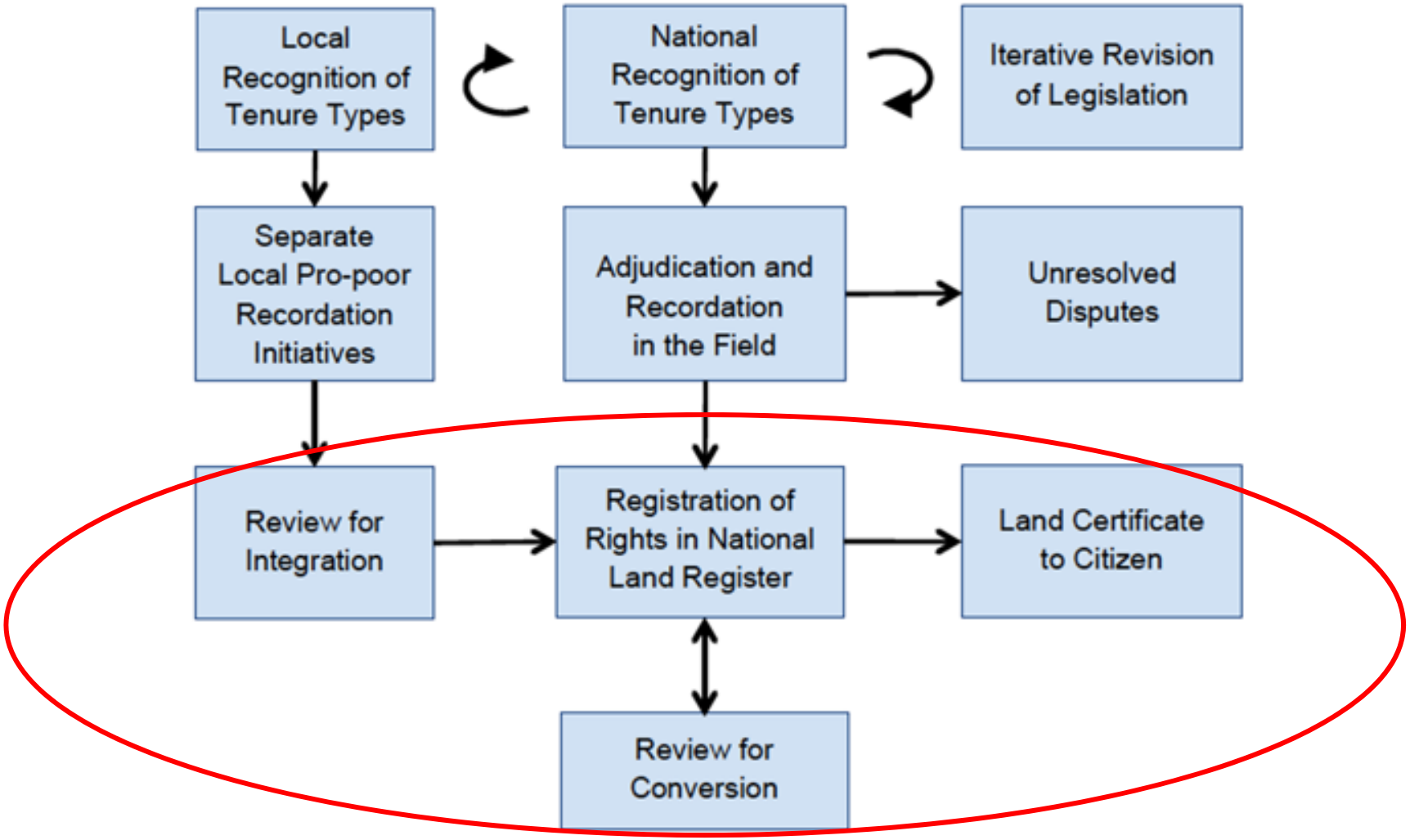
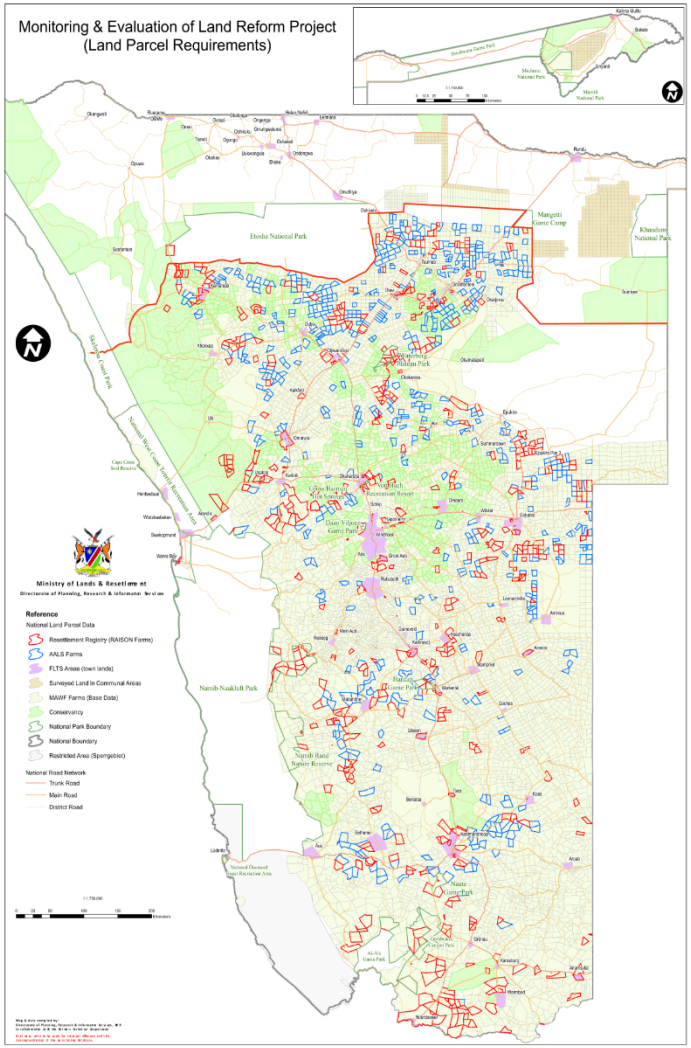
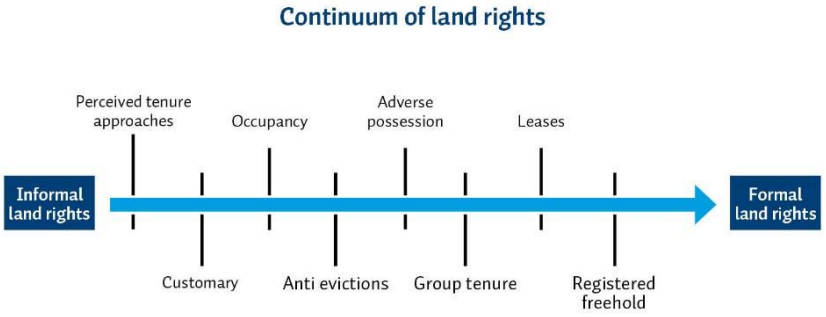


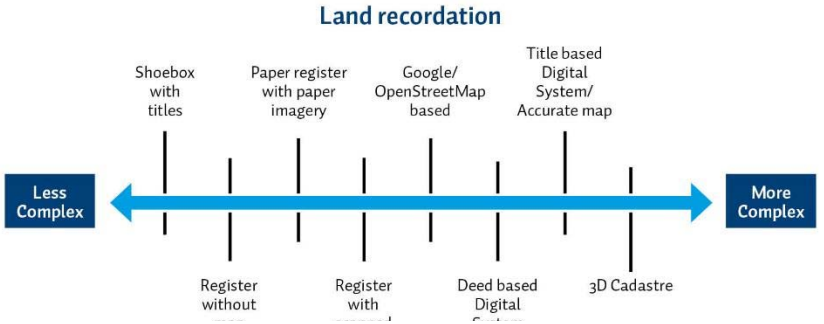
National Tenure Atlas

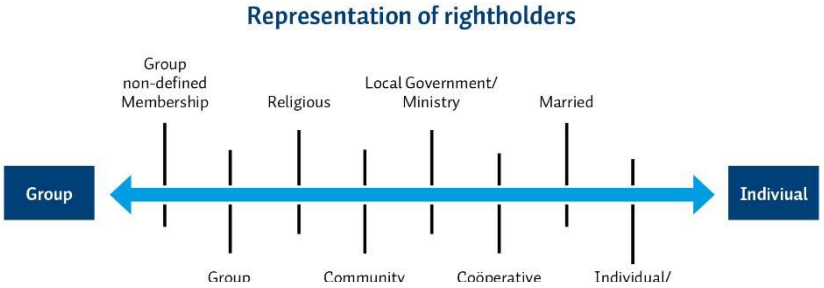


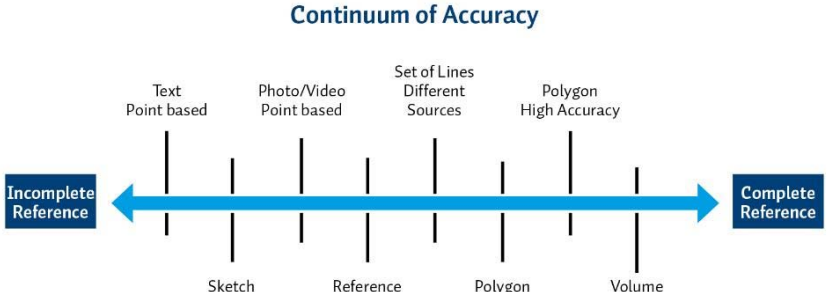
Source: Ministry of Lands and Resettlement, Namibia

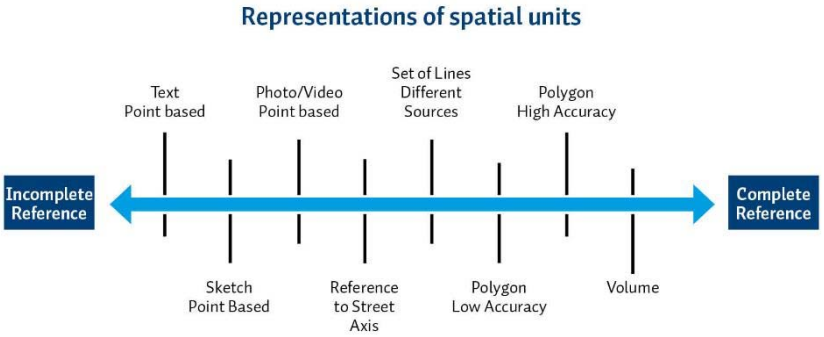
A Variety of Continuums

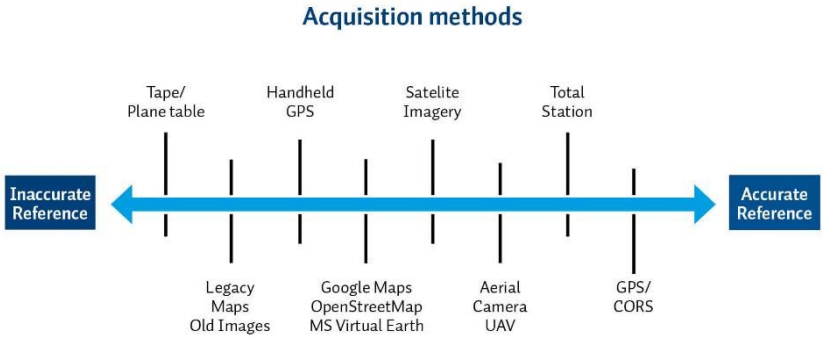




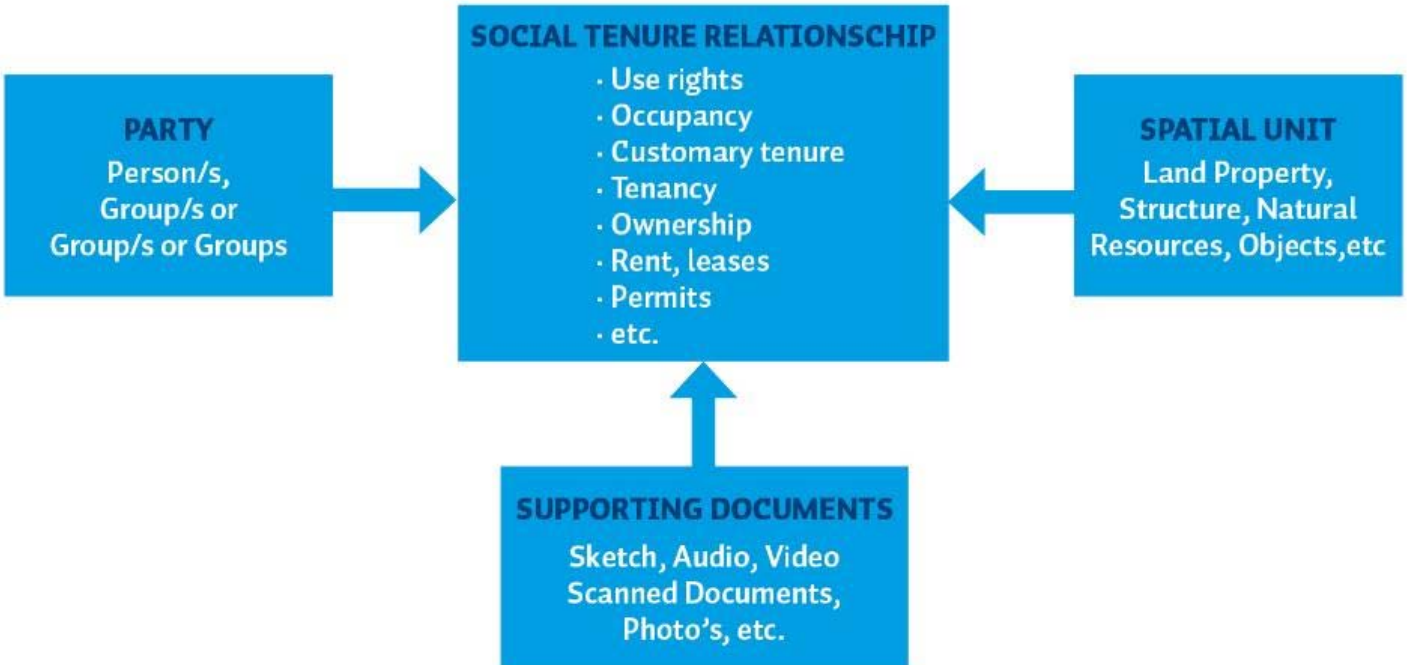






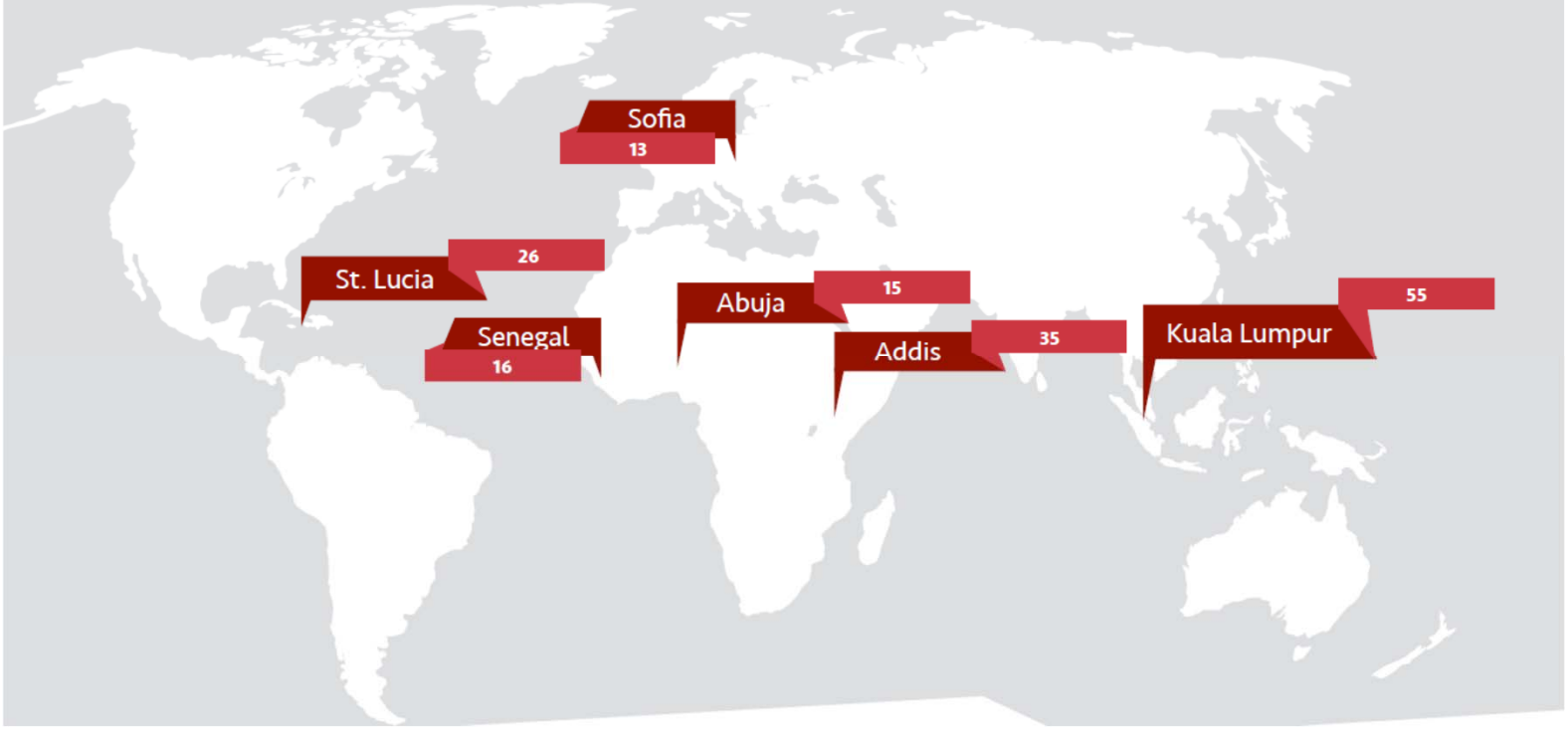


STDM Conceptual Model



STDM

UN-Habitat/GLTN Social Tenure Domain Model - FIG YSN



Information and Communication Technology

ICT is not just about technology –

– it's about the ways in which information and technology are used to deliver better services and enhance trust and confidence in land administration and government

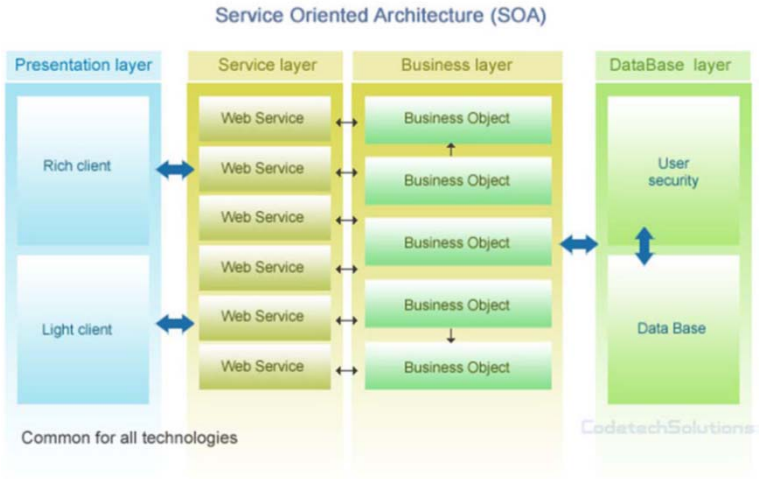
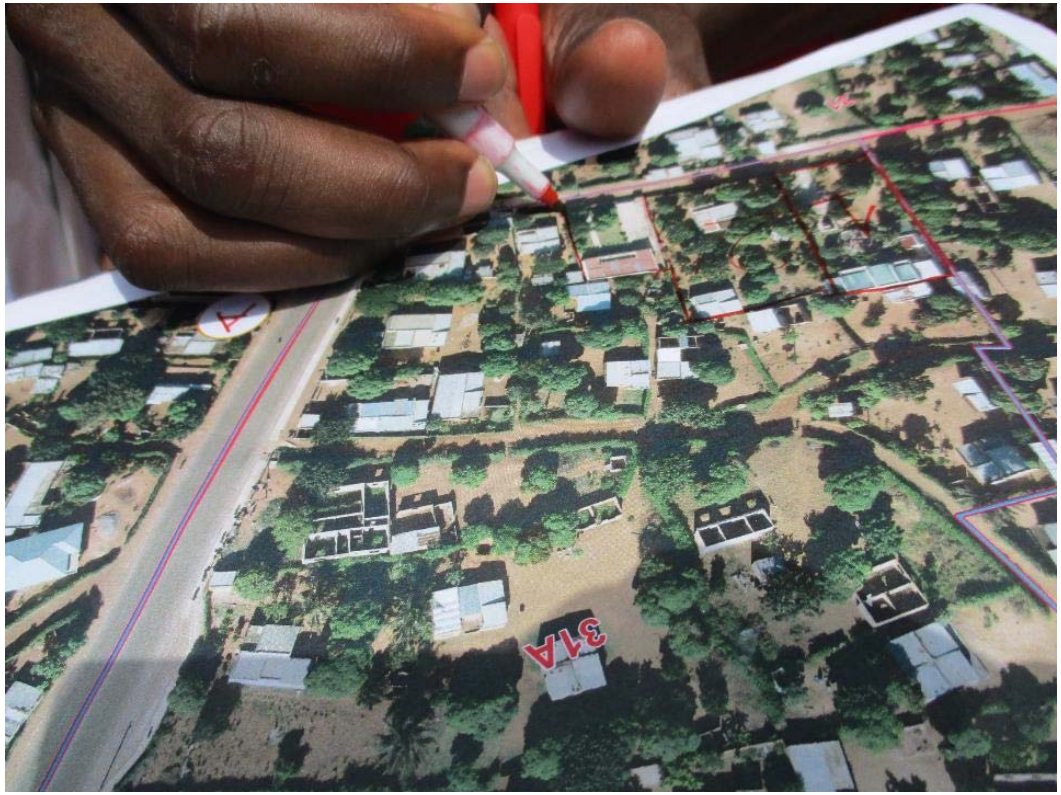
LAND ADMINISTRATION
ISO 19152:2012

Information and Communication Technology

Adopting an effective, scalable supporting ICT infrastructure is considered to be crucial for the implementation of the FFP approach

ICT Principles for FFP

- ICT Principles for FFP
- Governance & Management of ICT
- Technical Platforms and Standards
- Key Strategic Decisions



Thanks!