

Land Management: A Global Perspective

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This article provides an overall understanding of the land management paradigm and the importance of land governance in support of the global agenda. Sustainable land administration systems provide clear identification on the people to land relationship. The land management perspective and the operational component of integrated and spatially enabled land administration systems therefore need high-level political support and recognition.

1. The Global Agenda

“Do surveyors have a role to play in the global agenda?” - from a FIG (International Federation of Surveyors) point of view the answer to this question is clearly a “Yes”! Simply, no development will take place without having a spatial dimension, and no development will happen without the footprint of surveyors – the land professionals.

The eight Millennium Development Goals (MDGs) are placed at the heart of the global agenda. They form a blueprint agreed to by all the world’s countries and the world’s leading development institutions. The first seven goals are mutually reinforcing and are directed at reducing poverty in all its forms. The last goal - global partnership for development - is about the means to achieve the first seven. To track the progress in achieving the MDGs a framework of targets and indicators is developed. This framework includes 18 targets and 48 indicators enabling the ongoing monitoring of the progress that is reported on annually (UN, 2000).

The MDGs represent a wider concept or a vision for the future, where the contribution of the global surveying community is central and vital. This relates to the areas of providing the relevant geographic information in terms of mapping and databases of the built and natural environment, and also providing secure tenure systems, systems for land valuation, land use management and land development. The work of the surveyors forms a kind of “backbone” in society that supports social justice, economic growth, and environmental sustainability. These aspects are all key components within the MDGs.

2. Land Governance

All countries have to deal with the management of land. They have to deal with the four functions of land tenure, land value, land use, and land development in some way or another. A country’s capacity may be advanced and combine all the activities in one conceptual framework supported by sophisticated ICT models. More likely, however, capacity will involve very fragmented and basically analogue approaches.

Arguably sound land governance is the key to achieve sustainable development and to support the global agenda set by adoption of the MDGs. Land governance is about the policies, processes and institutions by which land, property and natural resources are managed. This includes decisions on access to land, land rights, land use, and land development. Land governance is basically about determining and implementing sustainable land policies. Figure 1 provides such a global perspective.

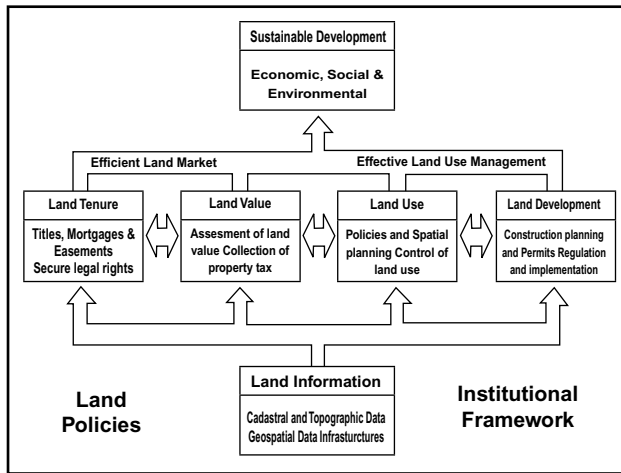


Figure 1. A Global Land Management Perspective (Enemark, 2004).

Land governance covers all activities associated with the management of land and natural resources that are required to fulfil political and social objectives and achieve sustainable development. The operational component of the concept is the range of land administration functions that include the areas of land tenure (securing and transferring rights in land and natural resources); land value (valuation and taxation of land and properties); land use (planning and control of the use of land and natural resources); and land development (implementing utilities, infrastructure, construction planning, and schemes for renewal and change of existing land use).

Land administration systems are the basis for conceptualizing rights, restrictions and responsibilities related to land and property. Property rights are normally concerned with ownership and tenure whereas restrictions usually control use and activities on land. Responsibilities relate more to a social, ethical commitment or attitude to environmental sustainability and good husbandry. In more generic terms, land administration is about managing the relations between people, policies and places in support of sustainability and the global agenda set by the MDGs.

3. Property Rights

In the Western cultures it would be hard to imagine a society without having property rights as a basic driver for development and economic growth. Property is not only an economic asset. Secure property rights provide a sense of identity and belonging that goes far beyond and underpins the values of democracy and human freedom. Historically, however, land rights evolved to give incentives for maintaining soil fertility, making land-related investments, and managing natural resources sustainably. Therefore, property rights are normally managed well in

modern economies. The main rights are ownership and long term leasehold. These rights are typically managed through the cadastral/land registration systems developed over centuries. Other rights such as easements and mortgage are often included in the registration systems.

The formalized western land registration systems are basically concerned with identification of legal rights in support of an efficient land market, while the systems do not adequately address the more informal and indigenous rights to land that is found especially in developing countries where tenures are predominantly social rather than legal. Therefore, traditional cadastral systems cannot adequately supply security of tenure to the vast majority of the low income groups and/or deal quickly enough with the scale of urban problems. A new and innovative approach is found in the continuum of land rights (including perceived tenure, customary, occupancy, adverse possession, group tenure, leases, freehold) where the range of possible forms of tenure is considered as a continuum from informal to towards more formal land rights and where each step in the process of securing the tenure can be formalised (UN-Habitat, 2008).

4. Property Restrictions

Land-use planning and restrictions are becoming increasingly important as a means to ensure effective management of land-use, provide infrastructure and services, protect and improve the urban and rural environment, prevent pollution, and pursue sustainable development. Planning and regulation of land activities cross-cut tenures and the land rights they support. How these intersect is best explained by describing two conflicting points of view – the free market approach and the central planning approach.

The free market approach argues that land owners should be obligated to no one and should have complete domain over their land. In this extreme position, the government opportunity to take land (eminent domain), or restrict its use (by planning systems), or even regulate how it is used (building controls) should be non-existent or highly limited.

The central planning approach argues that the role of a democratic government includes planning and regulating land systematically for public good purposes. Regulated planning is theoretically separated from taking private land with compensation and using it for public purposes. In these jurisdictions the historical assumption that a land owner could do anything that was not expressly forbidden by planning regulations changed into the different principle that land owners could do only what was expressly allowed, everything else being forbidden.

The tension between these two points of view is especially felt by nations seeking economic security. The question however is how to balance owners' rights with the necessity and capacity of the government to regulate land use and development for the best of the society. The answer to this is found in a country's land policy which should set a reasonable balance between the ability of land owners to manage their land and the ability of the government to provide services and regulate growth for sustainable development. This balance is a basis for achieving sustainability and attaining the MDGs.

5. Property Responsibilities

Property responsibilities are culturally based and relate a more social, ethical commitment or attitude to environmental sustainability and good husbandry. Individuals and other actors are supposed to treat land and property in a way that conform to cultural traditions and ways of good ethical behaviour. This relates to what is accepted both legally and socially. Therefore, the systems for managing the use of land vary throughout the world according to historical development and cultural traditions. More generally, the human kind to relationship is to some extent determined by the cultural and administrative development of the country or jurisdiction.

This relates to cultural dimensions as described by the Dutch scientist Gert Hofstede (2001), especially the dimensions of: *Uncertainty avoidance*, that is the preference of structured situations over unstructured or flexible ones; and *Power distance*, that is the degree of inequality among people accepted by the population. These cultural dimensions determine the social and ethical behaviour of people also in relation to the way land can be hold and used within a given culture. Systems of land tenure and land-use control therefore vary throughout the world according to such cultural differences.

Social responsibilities of land owners have a long heritage in Europe. In Germany, for example, the Constitution is insisting on the land owner's social role. In general, Europe is taking a comprehensive and holistic approach to land management by building integrated information and administration systems. Other regions in the world such as Australia creates separate commodities out of land, using the concept of "unbundling land rights", and is then adapting the land administration systems to accommodate this trading of rights without any national approach.

6. Good governance

Governance refers to the manner in which power is exercised by governments in managing a country's social, economic, and spatial recourses. It simply means: the process of decision-making and the process by which decisions are implemented. This indicates that government is just one of the actors in governance. The concept of governance includes formal as well as informal actors involved in decision-making and implementation of decisions made, and the formal and informal structures that have been set in place to arrive at and implement the decision. Good governance is a qualitative term or an ideal which may be difficult to achieve. The term includes a number of characteristics: (adapted from FAO, 2007):

- **Sustainable and locally responsive:** It balances the economic, social, and environmental needs of present and future generations, and locates its service provision at the closest level to citizens.
- **Legitimate and equitable:** It has been endorsed by society through democratic processes and deals fairly and impartially with individuals and groups providing non-discriminatory access to services.
- **Efficient, effective and competent:** It formulates policy and implements it efficiently by delivering services of high quality
- **Transparent, accountable and predictable:** It is open and demonstrates stewardship by responding to questioning and providing decisions in accordance with rules and regulations.
- **Participatory and providing security and stability:** It enables citizens to participate in government and provides security of livelihoods, freedom from crime and intolerance.
- **Dedicated to integrity:** Officials perform their duties without bribe and give independent advice and judgements, and respects confidentiality. There is a clear separation between private interests of officials and politicians and the affairs of government.

Once the adjective "good" is added, a normative debate begins. In short: sustainable development is not attainable without sound land administration or, more broadly, sound land management.

7. The Land Management Paradigm

Land management underpins distribution and management of a key asset of any society namely its land. For western democracies, with their highly geared economies, land management is a key activity of both government and the private sector. Land management, and especially the central land administration component, aim to deliver efficient land markets and effective management of the use of land in support of economic, social, and environmental sustainability.

The land management paradigm as illustrated in figure 2 allows everyone to understand the role of the land administration functions (land tenure, land value, land use, and land development) and how land administration institutions relate to the historical circumstances of a country and its policy decisions. Importantly, the paradigm provides a framework to facilitate the processes of integrating new needs into traditionally organised systems without disturbing the fundamental security these systems provide.

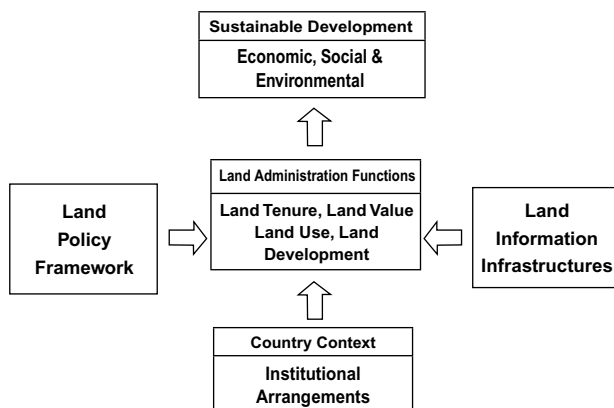


Figure 2. The land management paradigm

(Enemark, 2004)

Sound land management requires operational processes to implement land policies in comprehensive and sustainable ways. Many countries, however, tend to separate land tenure rights from land use opportunities, undermining their capacity to link planning and land use controls with land values and the operation of the land market. These problems are often compounded by poor administrative and management procedures that fail to deliver required services. Investment in new technology will only go a small way towards solving a much deeper problem: the failure to treat land and its resources as a coherent whole.

8. The Role of FIG

FIG is an UN recognised NGO representing the surveying profession in about 100 countries throughout the world. FIG has adopted an overall theme for this period of office (2007-2010) entitled “Building the Capacity”. This applies to the need for capacity building in developing countries to meet the challenges of fighting poverty and developing a basis for a sustainable future, and, at the same time, capacity is needed in developed countries to meet the challenges of the future in terms of institutional and organisational development in the areas of surveying and land administration.

In general, FIG will strive to enhance the global standing of the profession through both education and practice, increase political relations both at national and international level, help eradicating poverty, promote democratisation, and facilitate economic, social and environmental sustainability. FIG can facilitate support of capacity development in three ways:

- **Professional development:** FIG provides a global forum for discussion and exchange of experiences and new developments between member countries and between individual professionals in the broad areas of surveying and mapping, spatial information management, and land management. This relates to the FIG annual conferences, the FIG regional conferences, and the work of the ten technical commissions within their working groups and commission seminars. This global forum offers opportunities to take part in the development of many aspects of surveying practice and the various disciplines including ethics, standards, education and training, and a whole range of professional areas.
- **Institutional development:** FIG supports building the capacity of national mapping and cadastral agencies, national surveying associations and survey companies to meet the challenges of the future. FIG also provides institutional support to individual member countries or regions with regard to developing the basic capacity in terms of educational programs and professional organisations. The professional organisations must include the basic mechanisms for professional development including standards, ethics and professional code of conduct for serving the clients.
- **Global development:** FIG also provides a global forum for institutional development through cooperation with the United Nations Agencies such

as FAO, UN-HABITAT and the World Bank. The cooperation includes a whole range of activities and joint projects such as the joint FIG/WB conference on Land Governance in support of the MDGs held in Washington May 2009 see (<http://www.fig.net/pub/figpub/pub45/figpub45.pdf>). This should lead to joint efforts of addressing topical issues on the international political agenda, such as reduction of poverty and enforcement of sustainable development.

FIG, this way, plays a strong role in improving the capacity to design, build and manage surveying and land administration systems that incorporate sustainable land policies and efficient spatial data infrastructures towards building spatially enabled societies in support of the Millennium Development Goals.

9. Final Remarks

No nation can build land management institutions without thinking about integration of activities, policies, and approaches. Technology opportunities provide additional motivation. Careful management of land related activities on the ground are crucial for delivery of sustainability.

Land administration systems, in principle, reflect the social relationship between people and land recognized by any particular jurisdiction or state. Such a system is not just a GIS. On the other hand, Land Administration Systems are not an end in itself but facilitate the implementation of the land policies within the context of a wider national land management framework.

Sustainable land administration systems provide clear identification of the individual land parcels and land rights attached to these parcels. This information on the people to land relationship is crucial and plays a key role in managing a wide range of activities in society. The land management perspective and the operational component of integrated and spatially enabled land administration systems therefore need high-level political support and recognition.

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