

Land Reforms and the Importance of Security of Tenure

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Presentation Contents

- **Challenges we need to address**
- **Land Policies (rapid urbanization versus balanced urban-rural development)**
- **Examples of Land Reforms**
- **Tools used for Land Reforms**
- **The Importance of Security of Tenure**
- **FIG, FAO, UN-HABITAT/GLTN, World Bank Activity**

Global Challenges related to Land

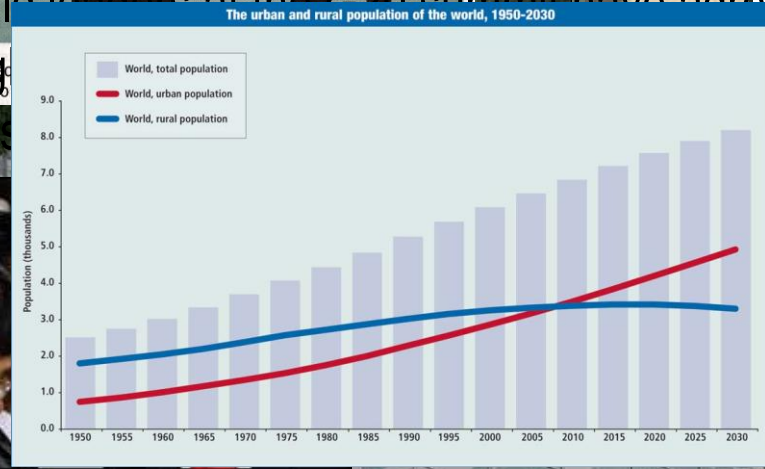
- Free market economies
- Democratization
- Privatization of lands & registration of property rights
- Population growth-rapid urbanization
- Accelerated development
- Environment & Climate change
- Global financial crisis
- New era of peace and harmony



Obama hails 'tough regulations'

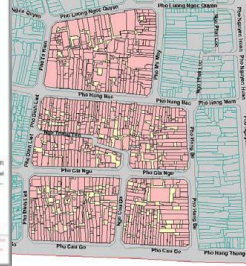
World leaders at the G20 summit have agreed

tough
crisis



Place matters- Need for spatial information

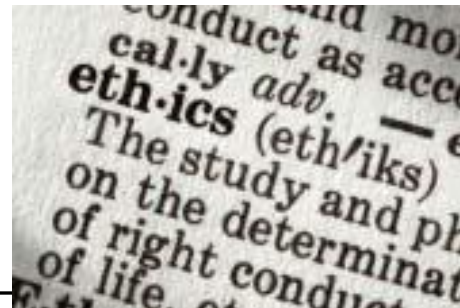
➤ Reliable cadastral information



➤ Education



➤ Professional ethics



Millennium Goals

- Sustainable urban and rural development
- Poverty reduction
- Climate change
- **Social & economic reforms**
 - Land reforms (urgently) -
Readjustment of property rights
- Emphasis on security of tenure: who owns what (land parcel) , for how long (type of right), for what purpose (land use)

Land is extremely political in nature



Urbanization is irreversible & is viewed as an indicator of **Development**

- It is a matter of human rights that people are free to choose where they will live

However....

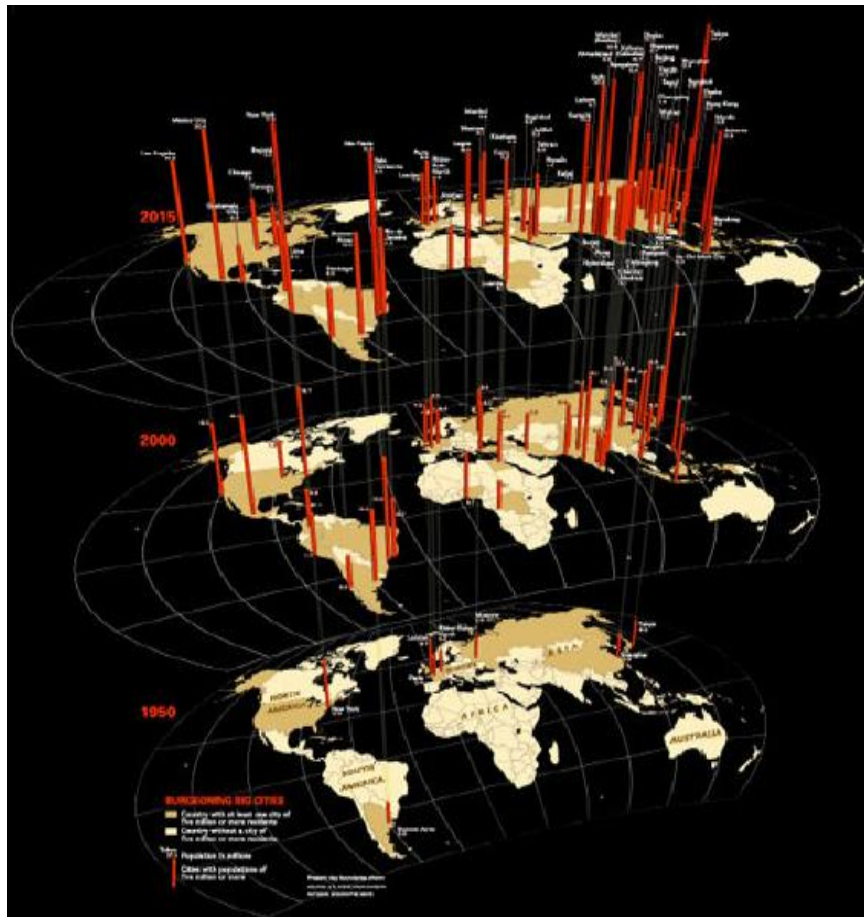
- Nobody wants to live in a city which is congested, suffers constant blackouts and frequent floods, with few parks, awful schools and clinics, devoid of any buildings of charm and character, governed by incompetent public sector
- It is a matter of good governance to achieve sustainable urban growth
- **Need to prepare the necessary infrastructure in the cities**
- **All must assume the costs of the natural resources they consume, knowing that their competitors do the same!**

Urbanization is an irreversible process

Rapid urbanization/
growing inequality
between rural and urban
areas

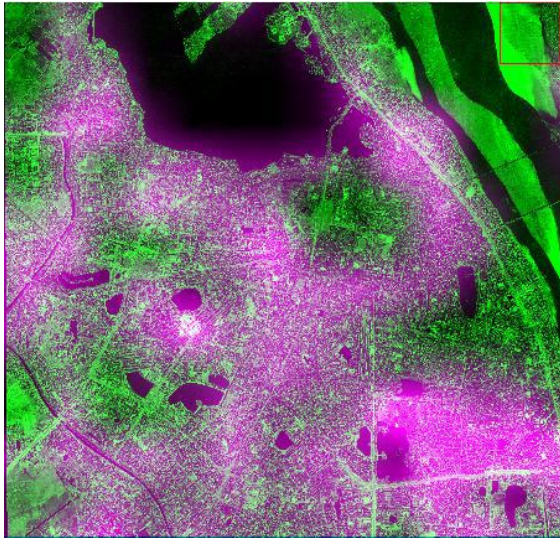
Megacities: home to >10 million

- 1950s New York, Tokyo, Buenos Aires, European Capitals
- 2005 Latin America, India, North America, Asia
- 2015 Latin America, Central Africa, Asia



High urban densities

High urban densities in Hanoi



Satellite image



Master plan



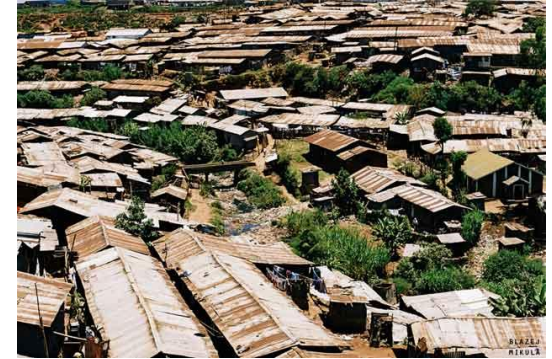
Cadastral map



← Also in Europe

Rapid Urbanization

Lack of Affordable Housing policies
→ Informal Settlements →
Informal Real Estate Markets



Impacts of rapid urbanization

➤ Waste management - garbage treatment



➤ Energy, food, water insecurity



➤ Traffic Management



➤ Pollution



Disasters hit rich and poor alike

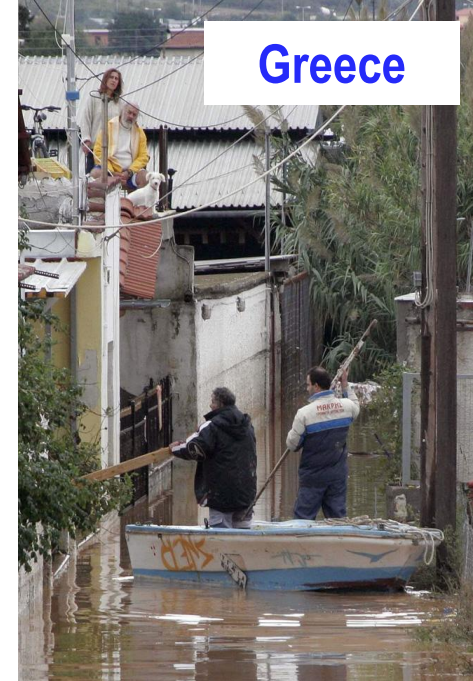
UK



New Orleans



Greece



Sao Paulo



Delhi



Hanoi

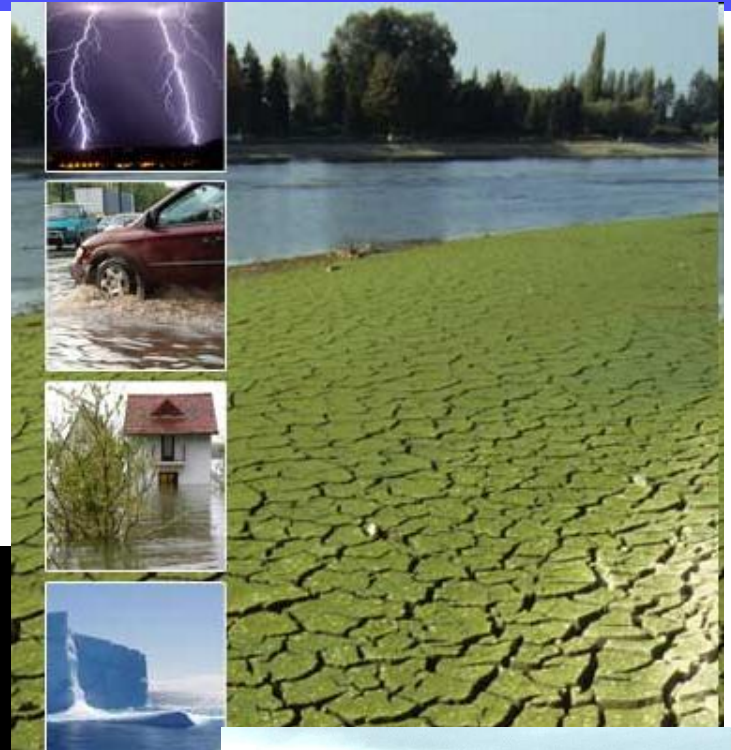
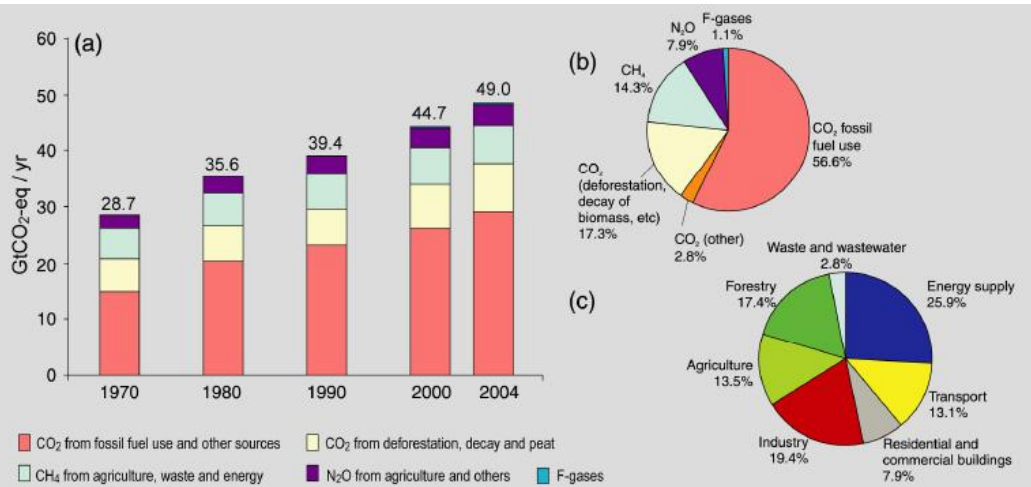


Negative environmental and food security impacts

- Use of large parts of forested land for the production of bio-fuels
- Dedication of large areas of fertile land in a country to the production of food for another country
- The unplanned expansion of urban areas on agricultural land or ecologically fragile areas (UN-HABITAT)



Climate change



Europe: Combined methods against rapid urbanization ?

Compilation and maintenance of good land records



- Motives for the farmers to eliminate urbanization (e.g., clear rights, tax releases, tourism promotion, schools / education), that will make rural life quite attractive
- Land consolidation projects, land-use zoning & urban planning projects
- Administrative (determination of responsibilities), legislative & perhaps constitutional reforms are needed



Examples of Land Reforms (rural and/or urban)

- **Restoration** of land rights, **redistribution** of state land rights or from owners of large estates to landless people,
- **Formalization** of land tenure (informal and/or customary rights)
- Changes in the **technology and the type of agriculture** for economic development and climate change (more competitive & productive, bio-products, organic fertilization, reforestation), in financing of development or the marketing of products
- Major **construction/ infrastructure** development
- Changes in the **planning and building** regulations (e.g., > urban densities, energy efficient buildings, move people from seashore, for the sake of climate change), city center **redevelopment**
- Urban or Village **regeneration**

Privatization, Access to land & regularization of land

- Privatization of rural and urban land – **inefficient land administration systems???**
- Rural land to low or middle class **people?** or to big investors?
- **Regularization** (cultural heritage, forests, public coastal zone, **avoid fragmentation of rural land**)
- **Protection of private ownership rights, and private property?**
- **Pressures on land have grown, problems related to land tenure grow rather than diminish**



Tools used for Land Reforms

Land administration systems,

Land-use zoning, spatial plans, regulations, city plans, urban regeneration projects, land taxation (alters the value according to its use and vice versa and leads to redistribution of land)

Land Takings (for *public benefit* ?):

Land Exchange (Land-for-Land Exchange) (Lands Banks)

Voluntary Market sales (e.g., motives, land taxation, early pension)

Land Consolidation (voluntary, obligatory)

Compulsory purchase of partial rights

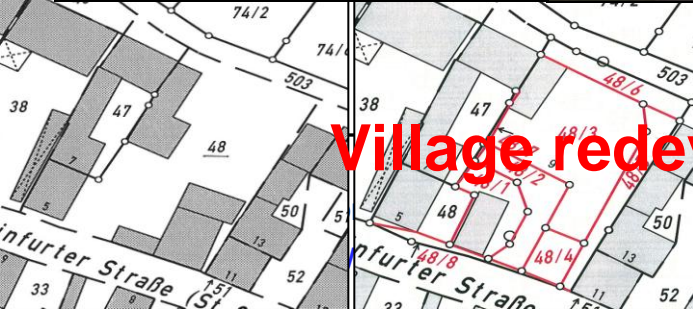
Land Expropriation (legitimate)

Protection of private property within free market economies



Land Consolidation in Europe

- Better quality of rural products, less costs, competitive
- Improve employment, rural livelihoods
- Infrastructure improvement
- Environmental aspects, disaster management (flooding), land-use reforms
- Access to Housing



Village redevelopment!



Land consolidation should not result in making people landless

Value of Private Properties should not be affected – valuation methods

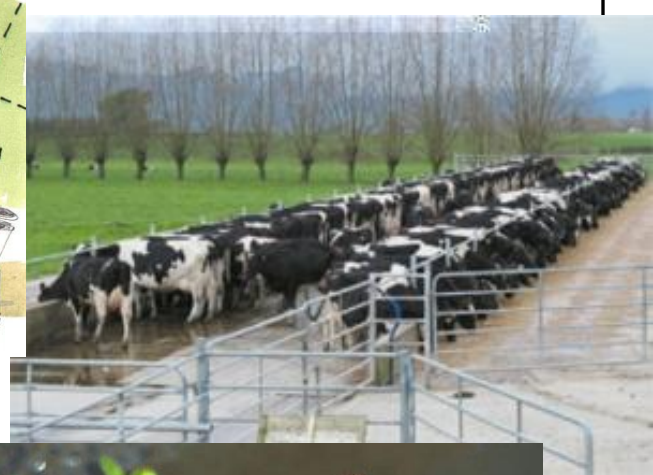
Public trust is essential

Participation process in practice is essential (owners/ farmers and other sectors)



Trends in Europe

- Change of legislation for land consolidation
- Low cost (lack of funds)
- Less time-consuming
- Smaller projects
- Tangible results



Nature restoration in the Netherlands



Statistics

Landinrichting in Nederland 2002



Year	Total	
	Number of studies	Acreage (ha)
1980	4.681	4.242.172
1990	4.015	3.412.724
1995	10.060	3.246.834
2001	7.031	3.100.415
2002	6.791	3.136.018
2007	7.461	2.985.198
2008	6.972	3.009.112

Accelerated Development



1st International Conference of the Albanian Association of Geodesy, Tirana, Albania

22 January 2011

Accelerated Development-Land Takings



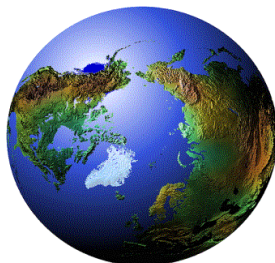
Land Expropriations- best practice

- **Right for compensation (for all losses / depreciation in value)**
- **Land taking should be exercised only for public interest, in accordance with the legislation, in an objective, impartial, independent and ethical manner, preferably by administrative procedures**
- **Right to appeal to an independent court**
- **Payment of compensations shall be made in due time**
- **The obligation for restitution, in case of cancellation of the project, shall be determined by the law.**

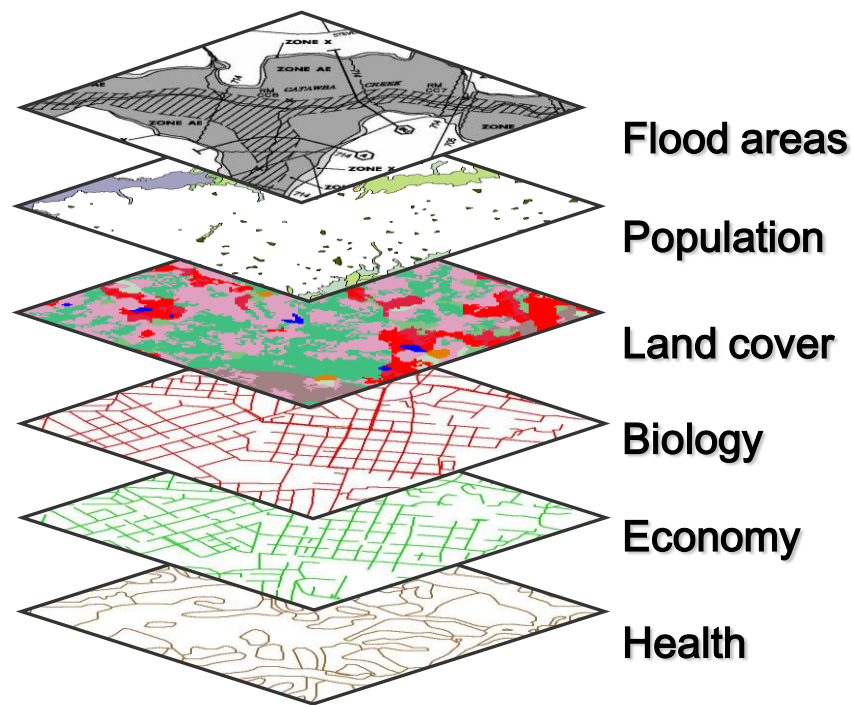
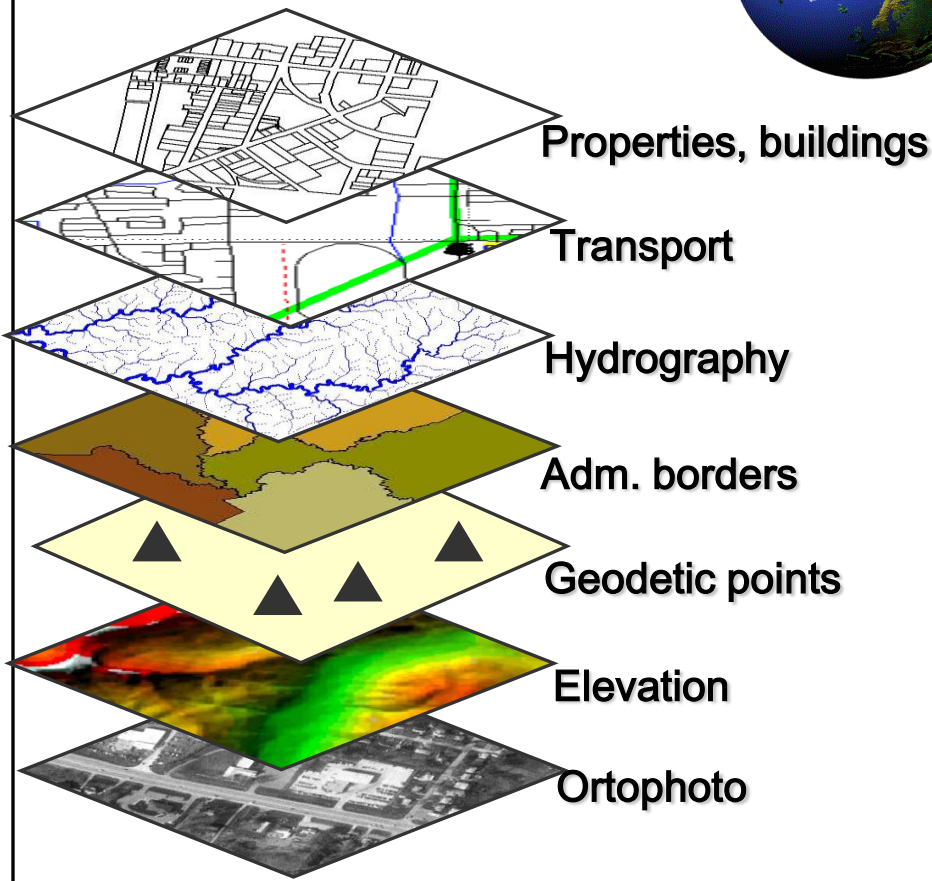
- **FIG publication 54**

The Norwegian NSDI : a step ahead in citizen participation

Reference geodata



Thematic geodata



INSPIRE

- **Infrastructure for SPatial InfoRmation in Europe**
 - <http://www.ec-gis.org/inspire>
 - **Initiated by DG Environment, Statistics and Research**
- **INSPIRE principles; data should be**
 - **Stored, made available and maintained at the most appropriate level**
 - **Possible to combine from different sources**
 - **Possible to share between users and applications**
 - **Easy to discover, evaluate and find conditions for use**
 - **Available on conditions that do not restrict their extensive use**

Service based infrastructure

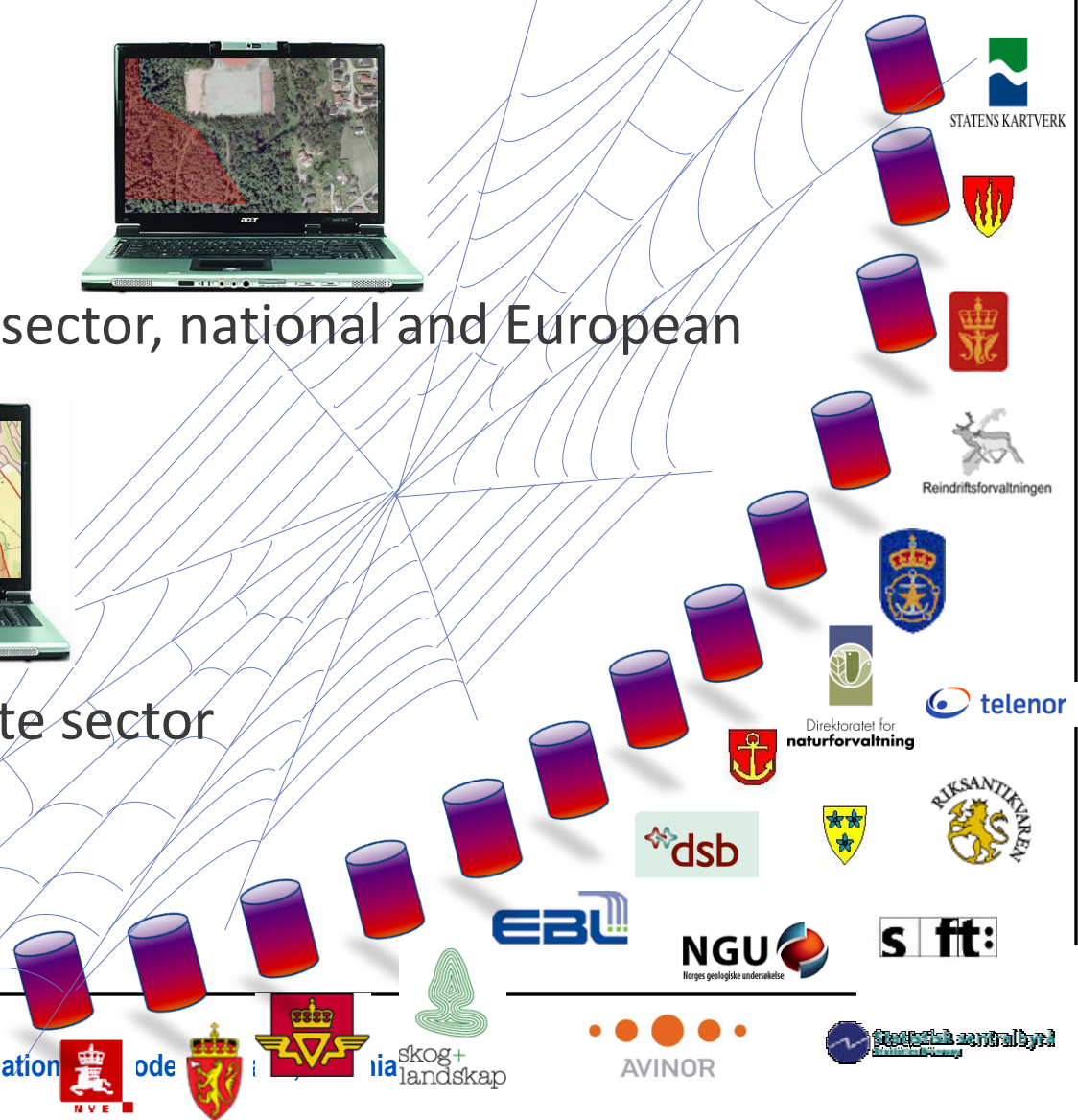
- metadata
- view services
- download services



Public sector, national and European



Citizens and private sector



Services on MyPage

The illustration below presents the different types of services available on MyPage.



4

Digital Planning Dialogue

Tønsberg kommune

Verktøy:
Plandialog
Kommune:
Tønsberg

Planinformasjon
Reguleringsplan
Kaldnes industriområde
Status i saksbehandling:
Offentlig ettersyn
Frist for uttalelser
10.12.2006
[Reg. bestemmelser](#)
[Plankart \(PDF\)](#)
[Illustrasjoner](#)
[Saksframlegg](#)

Andre Saksdokumenter
Innkommne uttalelser
Nabo 1
Statens vevesen
Vestfold fylkeskommune
Tidligere saksdokumenter

Plan med temakart
Kulturminner
Nedtoning av plan
0% 100%
Send uttalelse

Tønsberg kommune - Microsoft Internet Explorer

Navn:
Ola Nordmann
Postadresse:
Olastien 4, 3100 Tønsberg
E-postadresse:
Ola.nordmann@hotmail.com
Emne:
Uttalelse til 1.gangs høringsutkast reguleringsplan Kaldnes industriområde
Innspill:
Vedlegg:
Kopi til:

Send til kommunen

Symfoni InfoPortal - Produced by Ementor Norge AS - Internet

Varsel - planstart 07/06/2006
1.gangs behandling 10/11/2006
2.gangs behandling 10/12/2006
Planvedtak
Ev. klagebehandling

planinitiativ uttalelser til varsel utarbeide planforslag Saksforberedelse uttalelser til off. ettersyn Saksforberedelse

FIG, FAO, UN-HABITAT/GLTN, World Bank Activity

- **Technical approaches alone are not sufficient**; in order for any investment on major technical projects (e.g., cadastre, NSDI, etc) to be efficient and meet our expectations significant policy reforms are necessary. **Effective land governance** is critical to addressing these challenges.
- *Land governance recognises that land is not only **technical** but also extremely **political** in nature; improving governance on land requires bridging the gap and preventing conflicts between the so called **formal, customary** and **informal** systems and institutions.*

*It means establishing new partnerships between governmental **authorities, people, academia** and the **private** and **professional** sectors.*