THE 2030 GLOBAL AGENDA

Fit-for-purpose Land Administration for Sustainable Development

Sound land governance is fundamental to achieving the 2030 Global Agenda as set by the Sustainable Development Goals (SDGs) adopted by all the world's leaders at the UN Summit in September 2015. This Global Agenda calls for a "data revolution" for sustainable development to empower people with information on the progress towards meeting the targets. During the assessment of technology and investment choices, especially in developing countries, the focus should be on a fit-for-purpose approach that will meet the current societal needs and can be incrementally improved over time.

(By Prof Stig Enemark, Denmark)

Good land governance and administration should be seen as a means to support the Global Agenda 2030. Land governance is about the policies, processes and institutions by which land, property and natural resources are managed. The organisational structures for land governance and administration differ widely between countries and regions throughout the world and reflect the cultural and judicial setting of the country and jurisdiction. Land administration systems provide a country with an infrastructure for implementing land policies and land management strategies in support of sustainable development. The operational component of the land governance 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 works and urban and rural developments).

The SDGs

The SDGs include six goals with a significant land component mentioned in the targets. For example, Goal 1 calls for ending poverty in all its forms everywhere, and target 4 of that goal states that by 2030 all men and women will have equal rights to ownership and control over land and other forms of property. Similarly, the land component is referred to in target 3 of Goal 2 on ending hunger and, more generally, in Goal 5 on gender equity, Goal 11 on sustainable cities, Goal 15 on life on land, and Goal 16 on peace, justice and strong institutions. These goals and targets will never be achieved without having good land governance and well-functioning countrywide land administration systems in place (see Figure 1).

Monitoring

There is a strong requirement for effective monitoring and assessment of progress towards achieving the SDGs. There is a need for reliable and robust data for devising appropriate policies and interventions for the achievement of the SDGs and for holding governments and the international community accountable. Such a monitoring framework is crucial for encouraging progress and enabling achievements at national, regional and global level. This calls for a 'data revolution' for sustainable development to empower people with information on the progress towards meeting the SDG targets. The World Bank, in conjunction with the United Nations (UN) and other partners, has developed the Land Governance Assessment Framework (LGAF) for benchmarking and monitoring the core areas, such as the legal and institutional frameworks. The wider Global Agenda includes a range of land-related issues as briefly presented below and illustrated (Figure 2).

Land tenure

Responsible governance of tenure is now incorporated as part of the Global Agenda through the Committee on World Food Security's

Voluntary Guidelines on Responsible Governance of Tenure (VGGT). The guidelines are an international 'soft law instrument' that represents a global consensus on internationally accepted principles and standards for responsible practices.

The United Nations Committee of Experts on Global Geospatial Information Management (UN-GGIM) is mandated, among other tasks, to provide a platform for the development of effective strategies on how to build and strengthen national capacity on geospatial information and disseminating best practices. UN-GGIM has included land administration activities in its remit of global information management. UN-GGIM is gaining influence in the geospatial domain, e.g. geodetic framework, and providing guidance to the geospatial user community. UN-Habitat has developed an innovative approach to addressing the land tenure issue through the Social Tenure Domain Model (STDM). This includes a 'scaling-up approach' with a range of steps from informal to more formalised land rights. This continuum of land rights does not mean that societies will necessarily develop into freehold tenure systems, but rather that each step in the process can be formalised, providing stronger protection than at earlier stages. This ensures that legitimate rights, such as customary tenure, are recognised.

Human rights

The Universal Declaration of Human Rights states the universal rights of human beings based on the principle of respect for the individual. In relation to land and governance, the declaration states that "everyone has the right to possess property (security of tenure) and the right to adequate food, clothing and housing". The right to housing should be seen as the right to live somewhere in security, peace and dignity. Women's access to land needs first and foremost to be seen as a universal human right, independently of any other arguments in favour of it. Human rights are fundamental and should be encouraged and promoted through building adequate land administration systems that are relevant and accessible for poor people.

Climate and Disasters

One of the elements in achieving climate-resilient urban development and sustainable rural land use is the degree to which climate change adaptation and risk management are mainstreamed into two major components of land governance, namely 1) securing and safeguarding land rights, and 2) planning and control of land use. In this regard, responsible land governance should be underpinned by fit-for-purpose (FFP) land administration systems that include security of tenure rights as well as effective land-use planning and control.

Urbanisation

Urbanisation is a major change that is taking place globally. By 2030, 60% of the world's population is expected to be urbanised. This incredibly rapid growth of megacities is causing severe ecological, economical and social problems, and it is increasingly difficult to manage this growth in a sustainable way. It is recognised that over 70% of the growth currently happens outside of the formal planning process and that 30% of urban populations in less developed countries are living in slums or informal settlements, i.e. where vacant state-owned or private land is occupied illegally and used for slum dwellings.

Land professionals

Solutions to the overall global land issues relate to alleviation of poverty, social inclusion and stability, investments and economic development, and environmental protection and natural resource management. These land matters are now embedded in the SDGs, and the land professionals are the custodians of the systems dealing with these land issues. The lawyers have a major role to play in land administration by setting the legal and regulatory frameworks and delivering land administration services in countries where the judicial system supports land registration. Land surveyors normally enjoy a monopoly on boundary determination within their countries, but in the majority of developing countries there are simply not enough surveyors to meet demand.

Fit-for-purpose approach

Existing investments in land administration and management solutions have been piecemeal and have not delivered the required changes and improvements at scale. The solutions have not helped the most needy: the poor and disadvantaged with no security of tenure. In fact, the beneficiaries of this unsustainable management of land have been the rich, elite and organisations involved in land grabbing. Current solutions are not effective within developing countries and it is time to rethink the approaches. Solutions are required that can deliver security of tenure for all, can be quickly developed and are scalable. Such a solution is offered by the recent GLTN publication on Fit-For-Purpose Land Administration – Guiding Principles for Country Implementation. This publication outlines a pragmatic and realistic fit-for-purpose (FFP) approach for developing countries that can provide security of tenure for all across a country within a generation based on the requirements from the Global Agenda. This brave new thinking has evolved out of successful, innovative projects in Rwanda, Ethiopia and Kyrgyzstan, for example. Strong political leadership and land professionals willing to adopt serious change have underpinned these successful projects. The publication presents the concept, provides the connected key principles and a generic set of guidelines to be applied in developing a country-specific FFP strategy for land administration.

Opportunities

The hearts and minds of land professionals need to be touched if they are to fully understand and embrace the FFP approach. This will require the benefits of such a move to be clearly articulated so that any perceived threats are dissipated. The FFP approach will create even greater demand for land professionals as security of tenure is provided for all, and the need for services will increase significantly. For example, new services will be required to upgrade the evidence of land rights along the continuum of rights, to provide training and supervision of local land officers and to effectively manage and ensure the quality of land information. This is a great opportunity for land professionals. Organisations such as FIG and their member associations need to actively promote the adoption of the FFP approach to land administration among their membership and to enable experiences and best practices to be shared between land professionals.

Concluding remarks

There is a general consensus that governing the people-to-land relationship is at the heart of the Global Agenda. There is an urgent need

to build simple and basic systems using a flexible and affordable approach to identify the way land is occupied and used by all, whether these land rights are legal or locally legitimate. To meet the actual needs in society today, the systems need to be flexible in terms of the legal regulations as well as the institutional arrangements.

When considering the resources and capacities required for building such systems and the connected basic spatial framework in developing countries, the conventional Western-style concepts may well be seen as the end target but not as the point of entry. During the assessment of technology and investment choices, the focus should be on a fit-for-purpose approach that will meet the current societal needs and can be incrementally improved over time. Building such spatial, legal and institutional frameworks will establish the link between people and land. This will enable the management and monitoring of improvements in meeting the aims and objectives of adopted land policies as well as achieving the goals and targets of the Global Agenda. Land professionals have a key role to play in this regard.

Further reading

Stig Enemark (2016): Facing the Post-2015 Global Agenda: The Role of Land Governance and Land Professionals. FIG Working Week, Christchurch, New Zealand, 2-6 May 2016.

Stig Enemark (2013): Fit-for-purpose Land Administration. *GIM International*, July 2013, 26-29.

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