

GIM INTERNATIONAL INTERVIEWS PAUL VAN DER MOLEN



A Career Devoted to Cadastres

Cadastres play a key role in society and lie at the basis of economic growth, poverty reduction and mitigation of climate change effects. As the land sector is among the most corrupt sectors worldwide, land administration also requires professional ethics. Professor Paul van der Molen has been involved in land administration since graduating as a Geodetic Engineer from Delft University of Technology. Among many other public functions, he has served as vice-president of the International Federation of Surveyors (FIG). After an established career with Kadaster (Dutch Cadastre, Land Registry and Mapping Agency) he recently retired as head of Kadaster International. Taking time from his continuing professorial role at the International Institute for Geoinformation Science and Earth Observation (ITC), Netherlands, he agreed to share views acquired over long

experience gained both at home and abroad.

What are the main scope and objectives of Kadaster International?

It is a policy of Kadaster (Dutch Cadastre, Land Registry and Mapping Agency) to share its knowledge and experience with other countries. In our view, property rights, land registration and cadastral mapping are the foundations for tenure security, land and credit markets, land-use planning, and land taxation. In countries with skew distribution of property it may be appropriate to facilitate land reform. Institutional economics teaches that without such basic institutions economic growth and poverty reduction may be problematic. Such statements may seem self-evident, but it is my observation that in countries where property rights are not well regulated fraud does exist in the land market. People cannot improve their purchasing power by loans secured via mortgage, governments are unable to enforce socially desirable land use, and decentralisation fails because local authorities are assigned tasks without a local land taxation mechanism.

In mentioning the term 'fraud' you touch upon the issue of lack of transparency and corruption...

Research carried out by Transparency International confirms what we all know: that the land sector is among the most corrupt sectors worldwide. The payment of bribes for land allocation and registration is commonplace in many countries, while in others 'grand corruption', in the sense of large-scale theft of private and state land, happens daily. Improved transparency in land administration can make corruption visible for the public at large and less easy for offenders. The reality, however, is that many cases of corruption are already visible, such as land grabbing by public officials, but the balance of power in society prevents this from being addressed. When land registrars and land surveyors are involved, professional ethics become a matter of concern. FIG provides guidelines in its code of conduct.

You are much involved in FIG, the International Federation of Surveyors. What is the relevance and use of this NGO's work?

The FIG, especially Commission 7 (Cadastre and Land Management), is the only NGO in our domain that provides a global platform for land administration and land management. It guides the development of our profession as land surveyors, covering matters from the merely technical to the broader scope of the land professional. This requires a well developed feeling for other domains such as law, economics, sociology and politics, and FIG has been able to develop strong relationships with UN institutions such as the World Bank, Habitat (GLTN), FAO, and OOSA. Contributions from member associations and both corporate and academic members make FIG a financially strong organisation, running its own professional office.

Kadaster International is also active worldwide in developing countries. How will ongoing rapid urbanisation here affect the role of cadastres?

This is a field in which land administration is underperforming. We have no good answer for the fast development of slums or upgrading of existing slum areas. I even doubt whether cadastres are of any importance in this domain; in my view, the delivery of basic services takes priority. Experience shows that this challenge is hardly being met. Of course tenure security might become an issue at some stage, but a great deal of research is still needed to discern how to deliver land tenure security in a way that is fast and precise enough.

Land Administration is evolving as a science. What do you see as the main challenges along the way to maturity?

The capacity needed for land administration includes on the one hand sound knowledge of technical subjects like data acquisition, database technology and data distribution, and on the other business subjects such as process design and workflow management, planning and control; all covered with a good sense of politics. Too many land-administration systems worldwide are slow, complicated and expensive due to the too narrow view adopted by land lawyers and land surveyors.

What role should cadastres play in the climate-change debate?

I see two aspects. Firstly, adapting to and mitigating climate change requires reforestation, grazing-land management, cropland management, and re-vegetation. The resultant increase in government intervention in private property rights would be impossible without knowing who owns what and where. Secondly, the Kyoto Protocol provides for a commercial market for carbon credits based on the use of greenhouse sinks: carbon sequestration in soil and vegetation. Such emission rights are unbundled property rights, which constitute a

tradable title. Tenure and market security by registration are also needed here.

During the conference held to mark your retirement you made a clear distinction between 'state' and 'nation'. What are the main differences, and why is it important to distinguish between them?

In sociology a 'nation' is defined as a 'social group sharing common ideology, institutions, language and homogeneity', while a 'state' is a 'legal concept describing a social group that occupies a certain territory and is organised under common political institutions and an effective government'. Many nations have their own property regimes. The significant thing now is that states often include various nations, such as tribes, clans and kingdoms. As people in the first place feel loyalty to their own group, they often perceive their own concept of property rights prevails over statutory tenure as imposed by the state. When states are unable to accommodate different types of land tenure ('legal pluralism') they will also fail to ignite any loyalty to the state alongside loyalty to the own group. In consequence, no 'state-building' will take place. Land lawyers and land surveyors have to figure this out.

What are the achievements you are most proud of?

Regarding Kadaster International, it's wonderful how our consultants, whose normal job is as specialist in the domestic parent organisation, are able to provide their advice with a sharp eye for local circumstances. Regarding FIG Commission 7, we were able to team up with UN bodies in realising a series of expert group meetings which contributed greatly to a better understanding of new and innovative land tools in both developing and post-conflict countries. This represented a major shift in thinking about our profession and the role we have to play.

For over ten years now you have been a member of the Editorial Advisory Board of GIM International. You are both a scientist and a practitioner. How do you see the role of GIM as a worldwide geomatics journal?

I have always been a strong supporter of *GIM*, as it brings new knowledge and experience in a concise way: articles are three to four pages long - compare this with the twenty pages of papers in scientific journals! As land administration and geomatics in general is also a matter for managers and professionals who lack time thoroughly to study scientific papers, *GIM* offers an efficient and effective vehicle for knowledge transfer.

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