

Innovation and Land Administration

In many countries land administration is in a very bad way. In large areas of the world land administration systems are conspicuous by their absence. Where they do exist, procedures are often too complex, processing times too long and costs too high. The World Bank 2005 Doing Business Report reveals that of 145 reviewed countries, the three top scored rate, respectively, 21 steps to register right to an immovable property, 956 days to complete the procedures and registration costs up to 34% of the value of the property. Extensive research reveals that this is at the expense of economic growth and poverty reduction. It was recently calculated that distortions in the real estate market in India account for a 1.3% reduction in economic growth annually.

In my opinion, both politicians and professionals bear responsibility for this critical situation. As land administration systems deal with the legally meaningful registration of land tenure they cannot function within a poor institutional context. This occurs, for example, in countries where land laws comprise ill-defined rights, cumbersome procedures, insufficient law-enforcement, slow conflict-resolution mechanisms, and where there is unclear assignment of mandates within public administration. On the other hand, many professionals such as lawyers and land surveyors continue to favour fully-fledged, state-guaranteed property titles and very accurately surveyed cadastral boundaries, whilst they might hereby reasonably expect continuation of backlogs and high transaction costs.

The need for new and clearly defined forms of property rights, simple and cheap registration procedures, quick processing and low-cost cadastral mapping is becoming manifest. World Bank Land Policies for Growth and Poverty Reduction, and UN Habitat Pro-Poor Land Management most insistently await innovative approaches in the field of land administration. In my view this innovation should develop along two lines. First, conceptual aspects of the human-land relationship need fresh evaluation. In my view, this relationship comprises eligibility as rightful claimant, the spatial unit over which rights are exercised and the nature of the property right to the immovable thing. Examples of innovations are the inclusion of common ownership, evolutionary titles to land, basic tenure security and spatial units determined by one-point coordinates. Secondly, the composition of workflows and facilitating ICT support; examples being integrated adjudication and positioning tools, laser scanning and new database technology. Many examples of unconventional approaches to land tenure and security emerged during a group meeting of experts in Nairobi last November, co-organised by FIG Commission 7, UN Habitat and the Institution of Surveyors of Kenya. New and future technologies were shown during a symposium on innovative technologies in Madison, Wisconsin, co-organised by FIG Commission 7 and the Land Tenure Centre.

These advances have made clear to me the mistake of associating 'low cost and simple' with 'low tech'. The fact is that technology cannot be advanced enough to meet the demands of the World Bank and the UN. I am convinced that the application of high tech within an appropriate institutional context might be the solution for the problems we face with land administration in many parts of the world.