

Maa-20.375 International Land Management

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Overview

1. Course logistics, content, and resources
2. Problem perception and knowledge centres
3. The EU documents on Land Policy

Course information

Course information (schedule, literature references, etc. available at

<http://www.plan.aau.dk/%7Eest/Undervisning/HUT05/Index05.html>

A HUT (mirror?) site is available at

<http://www.hut.fi/Yksikot/Kiinteisto/opinnot/kurssit/maa20375/maa20375.htm>

Assistant: Hanna Puupponen, hanna.puupponen@hut.fi

Handouts (copy of OHs, 4-5 OHs pr. A4-page, in .pdf-format) available before lecture. Printing ?

Course logistics: Terminology

Sources regarding terminology:

- Bruce, J (1993) Review of tenure terminology. Land Tenure Center Report. University of Wisconsin. Quoted in Hendrix, 1995, available as Tenure Brief 1, 1998 from <http://agecon.lib.umn.edu/ltc/lctb01.pdf> [Compulsory reading!! Introductory article. Distinguishes between Common law and Continental European legal tradition]
- GTZ (1998?) Glossary of Technical Terms - Fachglossar - Glossaire de termes techniques. http://www.gtz.de/orboden/tenure/te_frm.htm [English - German - French terms on same line]
- Viitanen, Kauko (toim.): Suomi-englanti kiinteistösanasto - Finnish-English Dictionary of Real Estate, 2003 (B102). [Julkaistu verkkojulkaisuna](http://www.hut.fi/Yksikot/Kiinteisto/julkaisut/verkkojulkaisut/julkaisuB102.pdf) <http://www.hut.fi/Yksikot/Kiinteisto/julkaisut/verkkojulkaisut/julkaisuB102.pdf> (202 kb)
- Viitanen, Kauko (toim.): Englanti-suomi kiinteistösanasto - English-Finnish Dictionary of Real Estate, 2003 (B103). [Julkaistu verkkojulkaisuna](http://www.hut.fi/Yksikot/Kiinteisto/julkaisut/verkkojulkaisut/julkaisuB103.pdf) <http://www.hut.fi/Yksikot/Kiinteisto/julkaisut/verkkojulkaisut/julkaisuB103.pdf> (216 kb)

Maa-20.375 International Land Management

1. 10. Oct - Course overview.
2. 12. Oct - The legal perception of rights in land. - Localizing rights in land.
3. 17. Oct. - Studies of organisations.
4. 19. Oct. - Property rights as an institution. D.C. North on development of property rights. De Soto on lack of formalised property rights.
5. 31. Oct - The development business: The donors, the partner countries, and the knowledge centers.
6. 2. Nov. - Guest lecture: Experiences from working as a consultant.
7. 7. Nov. - Examination
8. 9. Nov. - Assessment of the examination

1. International Land Management

- Course overview, and planning of presentations. Course resources. -
- Conceptions of Land Administration. World Bank, EU, ..
- Components and functions of Land Administration. The Cadastral System. -
- Literature references: Dale, 1999; Stubkjær, 2002: FIG presentation af COST G9; EU Guidelines, 2004.

2. International Land Management

- The legal perception of rights in land. -
- Localizing rights in land. Stevens' scales of measurement. Administration of place names.
- The geospatial infrastructure and land administration.
- Presentations. -
- Lit.refs: Julstad, 2003; Bruce, 1993; Stevens, 1946; Stubkjær: CEUS, 1992; Stubkjær: Gisdata 8, 2001.

3. International Land Management

- Studies of organisations.
- Rational and administrative man (Simon). Bureaucracy (Weber).
- The Leavitt model of change. -
- Public administration, and the organisation of change processes. -
- Hierarchy, markets and networks. The structure - actor interplay. Actor/ stakeholder and policy issue networks. -
- Lit.refs: Any business school intro to org.stud; Leavitt, 1965; Stubkjær: VFF, 2004.

4. International Land Management

- Property rights as an institution.
- D.C. North on development of property rights in the US.
- De Soto on lack of formalised property rights.
- The Washington Consensus on economic development, and a 'Cameralist' alternative.
- Lit.refs: North, 1990; De Soto, 2000; O. Williamson, 2004; Raghavan, 2002: Review of "Kicking away the ladder";

5. International Land Management

- The development business: The donors, the partner countries, and the knowledge centers. -
- Logical framework analysis.
- Adapting development objectives to the country concerned: Focus on decentralisation, infrastructure, or property market.
- Lit.refs: Guidelines, 1998; Jütting, OECD-DAC, 2003; Jütting, 2005; Janvry, UNU-WIDER, 2001.

6. International Land Management

- Guest lecture: Experiences from working as a consultant.
- Preparing oneself for the job. Answering of questions from course participants. -
- Presentations. -
- Professional codes of conduct.
- Professions as institutional agents (W. Richard Scott).
- Institutional transactions (Bromley).
- Lit.refs: FIG publication nr 17; Scott, 1995; Stubkjær, 2004, on Bromley, 1989.

7. + 8. International Land Management

- Examination in writing.
- Assessment of the examination: Comments on answers, etc.

Course logistics: Examination

Bring along, what you reasonably can have on the table, including dictionaries and notes.

Provide answers in your best English, please. What matters is content (knowledge, balance, perspective, ...)

Questions?

Your presentation: LM issues of a selected country

- Compulsory presentations by course participants (1 - 3 together)
- This year not specific days, but 2-4 presentations during most lectures
- Group agrees on a primary and a secondary case country
- The group reports the group members and countries to the lecturer, and suggest a presentation day

Your presentation: LM issues - Presentation and documentation

- Lecturer schedules presentation day and case country.
- Group prepares a presentation: ~10 min/pers ~= 20 - 25 min/group)
- At the presentation, one paper copy of the presentation, provided with names of group members and date of presentation, ~4-6 slides pr page, is handed over to the lecturer. The presentation copy is included in the examination rating.

Your presentation: LM issues - Suggestions for content

- Land related structure of government, incl. local government, cf. EU Land Policy Guidelines, Part 2, 2.6-.8
- Components of cadastral systems, including 2.5 (law), 1.3 (taxation)
- Ongoing LM-related development projects, 3.1, 2.1-.2
- Describ method and sources applied

When seminar presentation is delivered: Prepare questions to visiting consultant, and mail questions to: est@land.aau.dk

Your presentation: Suggestions for sources

- OICRF <http://www.oicrf.org>
- FIG <http://www.fig.net/>
- Cadastral template <http:// ??>
- WPLA
http://www.unece.org/env/hs/wpla/documentation/welcome_docn.html
- CELK <http://www.celk.org>
- USLC <http://countrystudies.us/>
- CIA <http://www.cia.gov/cia/publications/factbook/>
- EU Commission (outside EU)
http://europa.eu.int/comm/external_relations/

Course resources: Participants' background and intentions ?

Background:

- Surveyors
- Architects
- Social sciences
- Other?

Further studies?

Course resources: Lecturer's background

Erik Stubkjær,

Land surveyor 1964, PhD 1969, Min. of Finance,
Professor 1977, Dr. Tech. h.c. 2005 (HUT)

Conferences, etc: 1990s ELIS-series, ScanGIS, ..

Projects:

- Slovenia - Study Programmes of Geodetic Engineers 1995, 96-99
- COST G9 - Modelling Real Property Transactions, 2001-2005

Course planning: Summary

Objective:

Having completed the course, you should

- know the basic concepts of the land management domain, as well as its main national and international actors,
- be able to collect relevant information on land management issues of a foreign country
- be able to understand and comment on scientific articles that are addressing the domain,
- all with a view of contributing to international development projects within the domain.

Provided overview of:

- Course resources
- To-do activities

Problem perception of knowledge centres

Development organisations addressing Cadastre and Land Management:

- World Bank Group
- German 'Gesellschaft für Technische Zusammenarbeit' GTZ
- FAO - Sustainable development - Land tenure
http://www.fao.org/sd/IN1_en.htm
- UN Habitat - Secure tenure
<http://www.unhabitat.org/campaigns/tenure/introduction.asp>
- Swedish SIDA, and other national cooperation agencies

World Banks's Research Department

Klaus Deininger: Land Policies for Growth and Poverty Reduction.
WB & OUP, 2003

Scope (Library of Congress key-words):

- Land tenure
- Land use - Government policy
- Land reform
- Farm ownership
- Right of property

Developing countries, Rural poor, Poverty

Deininger book: Stakeholders

- World Bank Group
- Universities/ academics
- NGOs/ Civil society institutions (e.g. Oxfam)
- Policy makers/ Strategy developers/ Policy analysts
- Donor agencies /Do.ag. officials
- The development community (media, NGOs, associations, e.g. International Land Coalition, ..)

Deininger book: General concerns

- Sustainable growth
- Good governments
- Wellbeing of people (poverty reduction / secure tenure)
- Sustainable management of [natural] resources

cf. e.g. Christian belief system

Deininger book: Economic objectives

- Enhance asset base
- Create incentives for investment
- Facilitate exchange and/ or renting of land
- Develop financial markets
- Diversify economic activity

Deininger book: Specific concerns (1)

Power distribution, officialdom, and [human] rights :

- Enforcement of property rights
- Quality of bureaucracy, corruption
- Ability of local elite to control (land rights)
- Accountability of local officials

Deininer book: Specific concerns (2)

Non-market factors

- Inheritance rules
- Amount and award of public/ state land
- Expropriation of land for public good
- Farm restructuring, consolidation
- Social networks (family / clan dispositions)

Deininer book: Tasks

- Re-interpret traditions (read: change institutions of property rights)
- Implement statutory law / put into practise
- Improve land administration systems

EU documents on Land Policy

Political commitment and technical guidelines

http://europa.eu.int/comm/development/body/theme/land/index_en.htm

- Council conclusions ([en](#))
- Commission Communication to Council and Parliament ([en](#)) + [annexes](#)
- [EU land policy guidelines](#)

EU document on Land Policy: Conclusions

- 7. INVITE the Commission, together with the Member States and in consultation with relevant UN agencies, to reflect further on urban land issues as well as on a better integration of rural and urban land matters;
- 12. INVITE the Commission and the Member States to enhance their collaboration and coordination in support of participatory land policy design and reform processes in developing countries on the basis of the principles laid out ..., to reflect them in their own development policies and apply them in their development cooperation programmes.

EU document on Land Policy: Communication (2004) 686

Land Policy is integrated into

- Economic life
 - distribution of land, nat. res.
 - market relations,
 - productivity
- Social life (women's rights; law enforcement)
- Environmental issues

EU document on Land Policy: Communication (2004) 686

Given Europe's experience and substantial funding in land policy,... support to family farming and regulation of land markets, the EU has a major role to play in international debates and in development policy regarding land tenure and land regulations. Such a role needs to take a balanced approach, recognising that markets are not the only means to achieve social ends. (Page 8)

EU document: Land Policy Guidelines

Mapping, cadastre "may play a role" (:18), if not too expensive (:35)

Land registration should await handling of "conflicting claims" (:10), and be locally accessible (:15)

Procedures should be "simple, inexpensive and perceived to be reliable" (:18)

"Local land taxes may be legitimate..[if]..effective provision of services by the local government. (:12)

Deutsche Gesellschaft für Technische Zusammenarbeit

GTZ: Law reform in transition countries, March 2001, 27 p.
.. establishment of structures and living conditions based on

- democracy
- the rule of law (Rechtsstaat)
- a market economy

GTZ: World view

- Pluralistic societal structures
- Strict separation of powers
- Legal security [ES: and predictability]

GTZ: Services

Donor contributions towards implementation of law:

- Organisational consultancy
- On-site co-ordination of involved institutions
- Training
- Dissemination of legal texts, law commentaries, leaflets

GTZ: Project

Bosnia and Herzegovina: Limited legislative competence (power).

- Land register law
- Property law (incl. addressing public ownership)
- Law on obligations
- Legal regulation of notaries
- Establishment of legal database
- Training of professionals

Swedish International Development Co-operation, SIDA

<http://www.sida.se/>

Objectives

- To discuss goals for mapping and land information organisations, design strategies to achieve these and follow up results
- To exchange experience and establish contact networks.

Contents

- Strategy for land administration and geographical information
- Management and leadership for institutional improvement
- Organisation and project management
- Economy and financing.

Programme organiser: Swedesurvey AB, the Overseas Agency
for the National Land Survey

International organisations related to Cadastre

- International Federation of Surveyors (FIG)- Commission 7
- Documentation Centre: Office International du Cadastre et du Régime Foncier, OICRF <http://www.oicrf.org>
- Real Estate Organisations
- ISO TC 211 (CEN TC 287)
- OpenGIS Consortium

FIG Commission 7 Cadastre and Land Management

<http://www.fig.net/figtree/commission7/index.htm>

Commission 7 is organised with three Working Groups:

- Working Group 7.1 - Creating Land Administration in formal and informal environment
- Working Group 7.2 - Instruments for land distribution
- Working Group 7.3 - Advances in Modern Land Administration

The Working Group 1998-2002 on Reforming the Cadastre is still in charge for the website including Cadastre 2014, Benchmarking the Cadastre, and Commission 7 Country Reports.

Universities and Research related to Cadastre and Land Management

- Land Tenure Center Wisconsin <http://www.wisc.edu/ltc>
- Lincoln Institute of Land Policy, Cambridge MA
<http://www.lincolnst.edu/main.html>
- International Institute for Geoinformation Science and Earth Observation, ITC
- Institute of Geodesy, GIS and Land Management, TU Munich
- Modelling Real Property Transactions, COST G9

- Geomatics at universities
- European Education in Geodetic Engineering, Cartography and Surveying, EGECS

Academic Sites for Geomatic Engineering in Europe

Geodesy, Surveying, Photogrammetry, Cartography, GIS, by Robert Kauper



ITC, Enschede, The Netherlands

MSc Module - Business of land administration
[http://www.itc.nl/education/programme levels/module descriptions/gim00007.asp](http://www.itc.nl/education/programme%20levels/module%20descriptions/gim00007.asp) Compulsory Books:

- Land Administration, Peter Dale and J. McLaughlin, 1999
- Land Tenure in Developing Cooperation, GTZ 1998 Wiesbaden, ISBN 3-88085-521-8
- Land Administration Guidelines, UN ECE MOLA Geneva, 1996, ISBN 92-1-116644-6

ITC Lecture notes:

- Lecture note in Land administration, compiled from various famous papers by P. van der Molen
- Lecture note in Land information systems by A. M. Tuladhar and C. Lemmen

Institute of Geodesy, GIS and Land Management

<http://www.landentwicklung-muenchen.de/>
Chair of Land Readjustment and Land Development, Univ.-Prof.
Dr.-Ing. Holger Magel

TU München is offering a new Master's Program in Land Management and Land Tenure in Urban and Rural Development, beginning October 2001. The 18-month postgraduate course is offered to international students with practical experience in the field of land management. The entire program will be in English. ...

Institute of Geodesy, GIS and Land Management

http://www.landentwicklung-muenchen.de/cd_ceec_conference/index.html

Documentation of the International Symposium by FAO, GTZ, FIG, ARGE Landentwicklung and TU Munich

Land Fragmentation and Land Consolidation in Central and Eastern European Countries - A gate towards sustainable rural development in the new millennium
held at TU Munich, February 25th – 28th 2002

Summary: Knowledge centres and Problem perception

- Mentioned knowledge centres (Development organisations, universities, associations)
- Western and Scandinavian bias
- Given examples of problem perception
- Foci were on economic, legal, and/ or organisational issues (informatics?)

The world view of the course

Societal Values and Resources
condition
Organisational *interactions* on Development
of cadastral systems comprising of

Owners & Property Rights	Government & Rules
<i>Transactions</i>	
Terrain Objects	Databases

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Course issues (1)

- Geographical units; Administrative districts; Place name administration;
- Governmental and judicial structure, centrally and locally; National information systems; Information infrastructures;
- Land related, administrative procedures; Boundary disputes; Foreclosure procedures;
- Land tenure; The 'bundle of rights'; Categories of property rights; Adverse possession;
- Professionals and governmental staff: Competencies, skills and status
- cont...

Course issues (2)

- Markets in land and capital; Distribution of national resources; Non-monetary values of land, cf. Territorialism;
- Project management; Logical framework analysis; Institutional analysis and design; Communication with end users;
- Development co-operation internationally: Actors, resources, and the knowledge base
- Education; Literacy; Availability of professionals; Formal and informal legal systems; History
- The good society; Secure tenure; Good governance; Administrative culture; Corruption perception

Summary

- Provided introduction to course content, based on major stakeholders
- Identified course tasks: 1) Presentation, 2) Questions, 3) Examination
- Listed course resources: Land Tenure terminology, OICRF, etc.

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