

Land Governance

Focus on

State and Public Sector Land Management

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Outline of Presentation

Underpinning Land Governance

- What is it ? – facing the big challenges
- Understanding the land management paradigm

State and Public Sector Land Management

- Why is it important ?
- Good management of state-owned land
 - building the capacity

Partnership with FAO, Land tenure and Management Group

A broad area of common interests related to

- land tenure, land value and taxation, land consolidation,
- land reform and land use management.
- Capacity building and good governance

Upcoming:

- Voluntary guidelines on governance of land and natural resource tenure

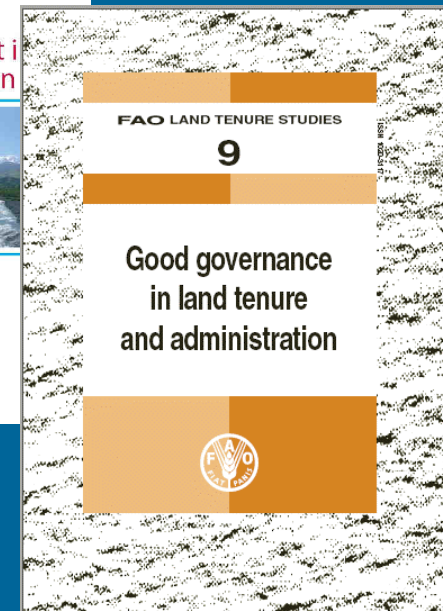
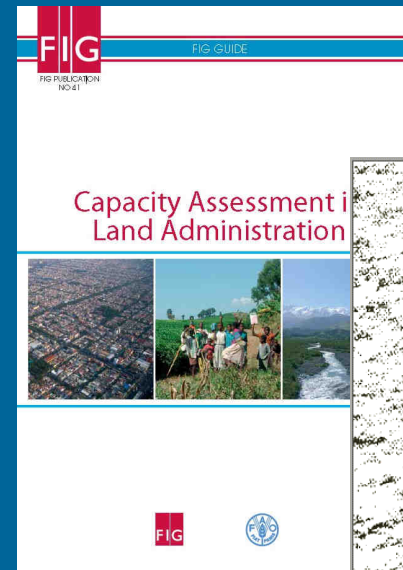


FIG: <http://www.fig.net/pub/figpub/pubindex.htm>

FAO: http://www.fao.org/NR/lten/lten_pub_en.htm



**Land Tenure and
Management Unit (NRLA)**

**Land Tenure Home
Publications**

BROWSE
for Land Tenure documents in
the
SD-Dimensions archive (1996-
2006)

LAND TENURE - PUBLICATIONS



"Improving tenure security for the poor in Africa - Mali"

May 2008- *Legal Empowerment of the Poor Working Paper #4*. The present study aims to clarify the various issues regarding land security of poor and other marginalized groups in Malian rural areas. It looks into questions relating to how poor and vulnerable groups obtain access to land and natural resources, and what factors cause their exclusion.



"Improving tenure security for the poor in Africa - Kenya, Tanzania and Uganda"

May 2008- *Legal Empowerment of the Poor Working Paper #3*. This paper identifies the key issues of land tenure security for the rural poor, vulnerable and marginalized in the East African countries of Kenya, Tanzania and Uganda. The report finds that most of these issues are common across the three countries, both in terms of the challenges that the communities face and imperatives that inform policy interventions and responses.



"Improving tenure security for the poor in Africa. Ghana - country case study. Towards the improvement of tenure security for the poor in Ghana"

April 2008- *Legal Empowerment of the Poor Working Paper #2*. This paper provides an overview of the land tenure situation in Ghana. It focuses on the rural poor in terms of their access to natural resources, their vulnerability to major threats and the causes of their tenure insecurity. It also suggests approaches to securing property rights as a means for improving their livelihoods.

Land Governance - The Big Challenges

The land aspect of good governance

Contributing to achieving the MDGs - towards development, security and human rights for all.

This also include the big challenges of the new millennium:

- Climate Change
- Food Shortage
- Energy Scarcity
- Urban Growth
- Environmental degradation
- Natural Disasters

All these issues relate to governance and management of land

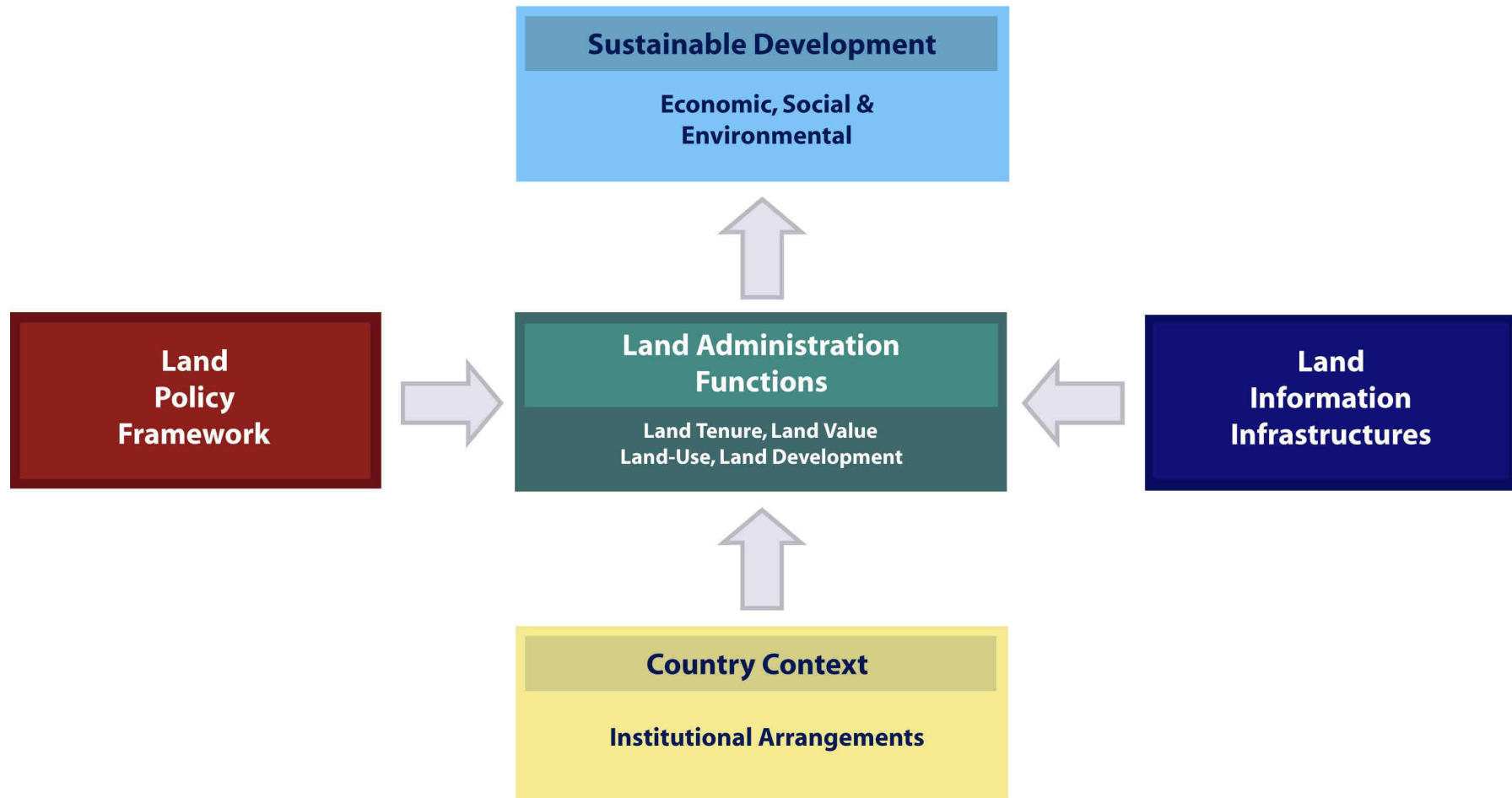
The role of the surveying profession

Land governance and management is a core area for surveyors – the Land Professionals. It will require:

- High level geodesy models to predict future change
- Modern surveying and mapping tools to support management and implementation
- Spatial data infrastructures to support decision making on the natural and built environment
- Secure tenure systems
- Sustainable systems for land valuation, land use management and land development
- Systems for transparency and good governance

Land governance is a cross cutting issue confronting all traditional silo-organised land administration systems.

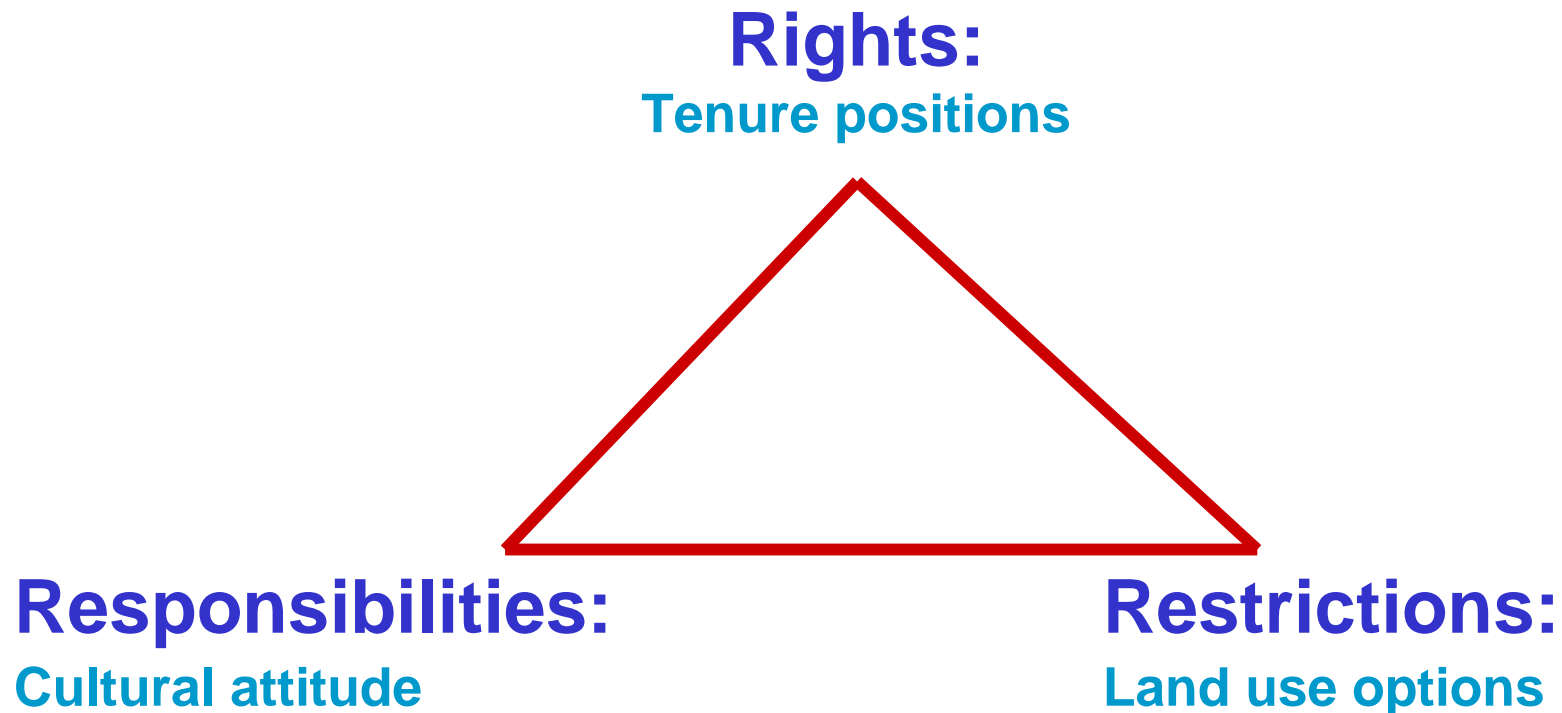
Understanding the Land Management Paradigm



Land Management includes all activities associated with the management of land and natural resources that are required to fulfill political objectives and achieve sustainable development.

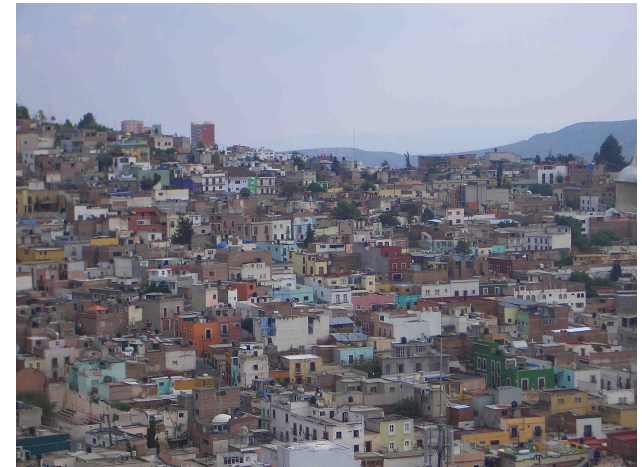
Interests in land

Land administration systems are the basis for conceptualising rights, restrictions and responsibilities related to people, policies and places.



It is all about:

People, human rights, engagement and dignity
Politics, land policies and good governance
Places, shelter, land rights, and natural resources
and Power, decentralisation and empowerment



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Private land – Public land

Private land, is managed and controlled through laws, records and regulations.

Public land, is managed and controlled by the state or local government themselves.

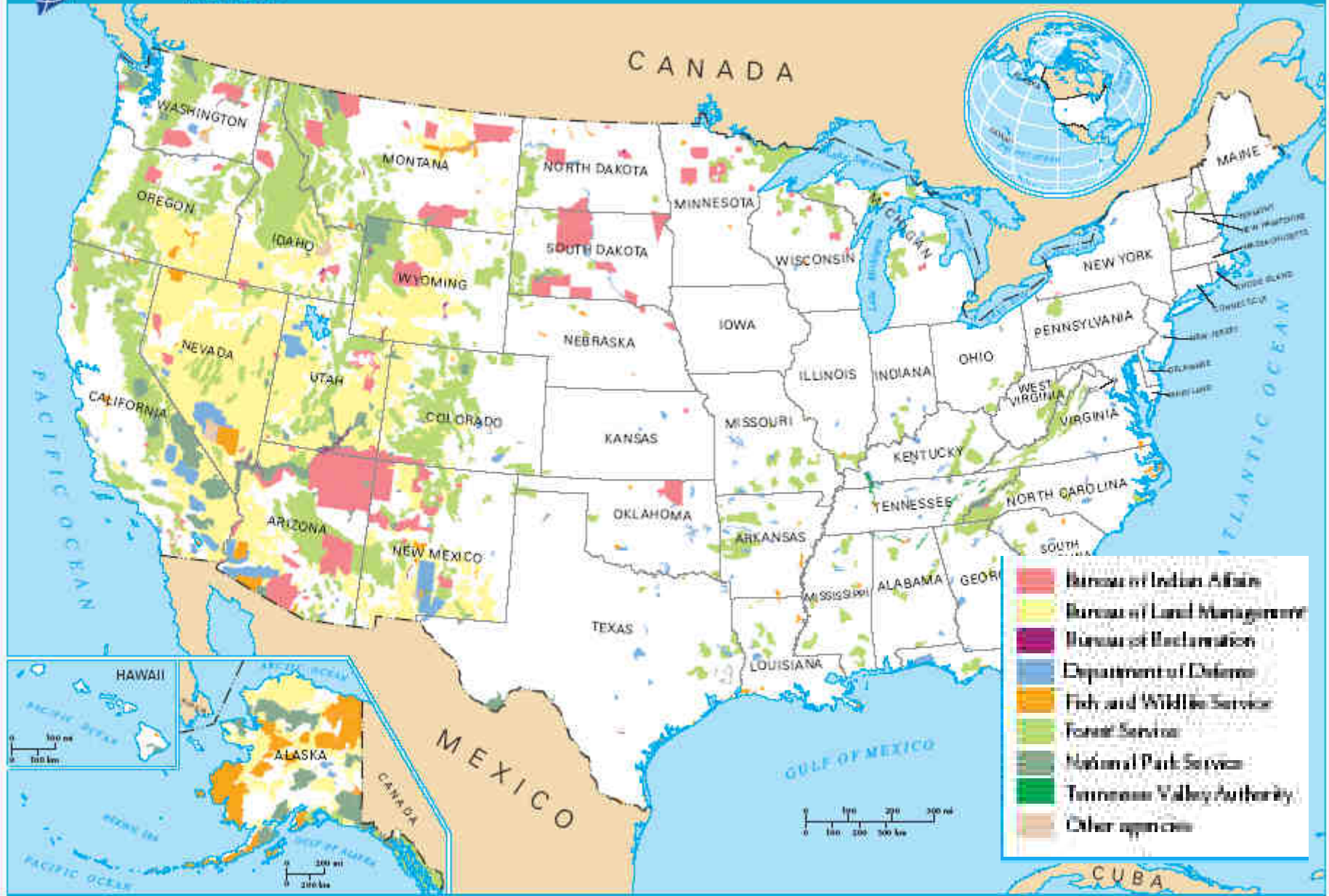
Good Governance, is a prerequisite



Good Governance is:

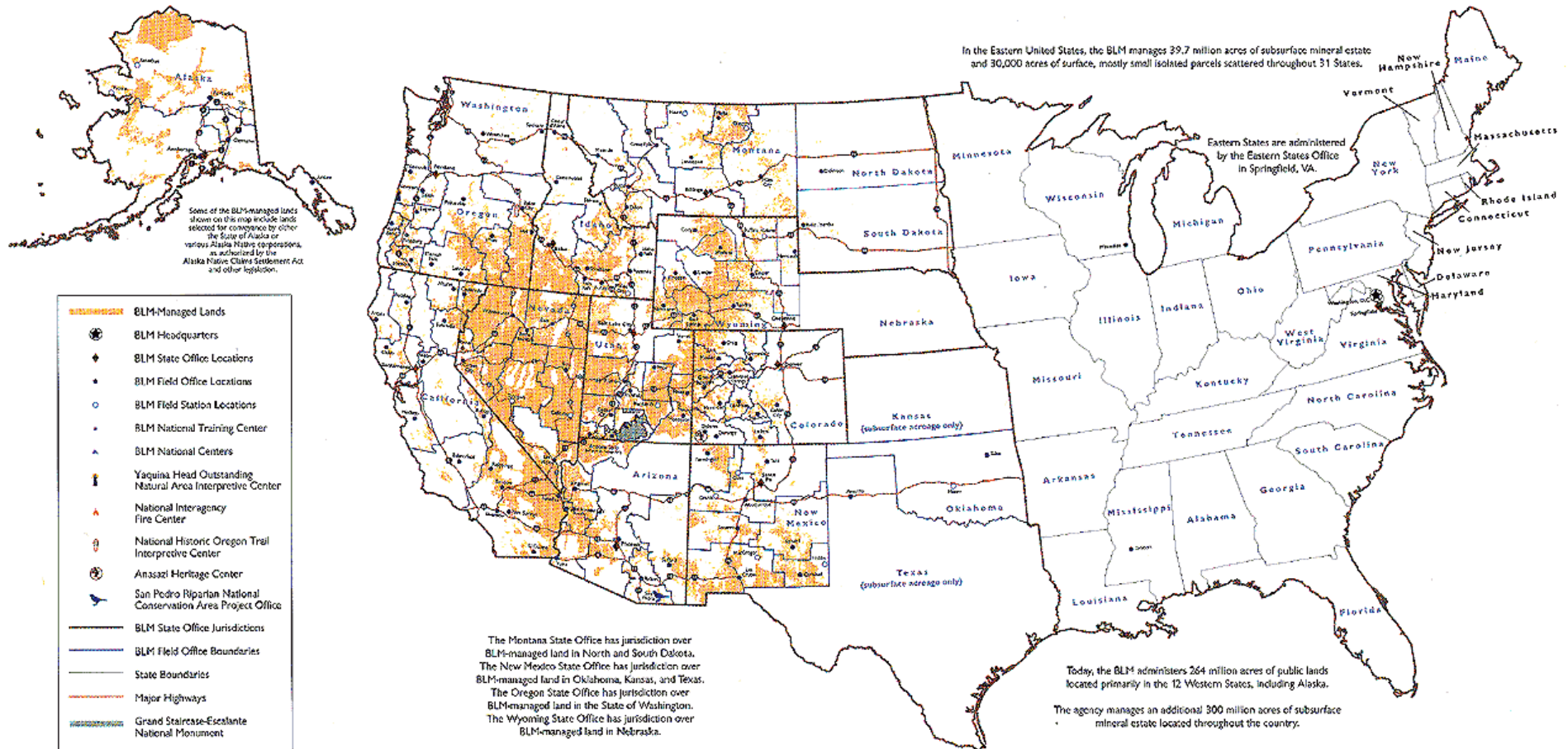
- **Sustainable and locally responsive:** It balances the economic, social, and environmental needs of present and future generations, and locates its service provision at the closest level to citizens.
- **Legitimate and equitable:** It has been endorsed by society through democratic processes and deals fairly and impartially with individuals and groups providing non-discriminatory access to services.
- **Efficient, effective and competent:** It formulates policy and implements it efficiently by delivering services of high quality
- **Transparent, accountable and predictable:** It is open and demonstrates stewardship by responding to questioning and providing decisions in accordance with rules and regulations.
- **Participatory and providing security and stability:** It enables citizens to participate in government and provides security of livelihoods, freedom from crime and intolerance.
- **Dedicated to integrity:** Officials perform their duties without bribe and give independent advice and judgements, and respects confidentiality. There is a clear separation between private interests of officials and politicians and the affairs of government.

Adapted from FAO, 2007



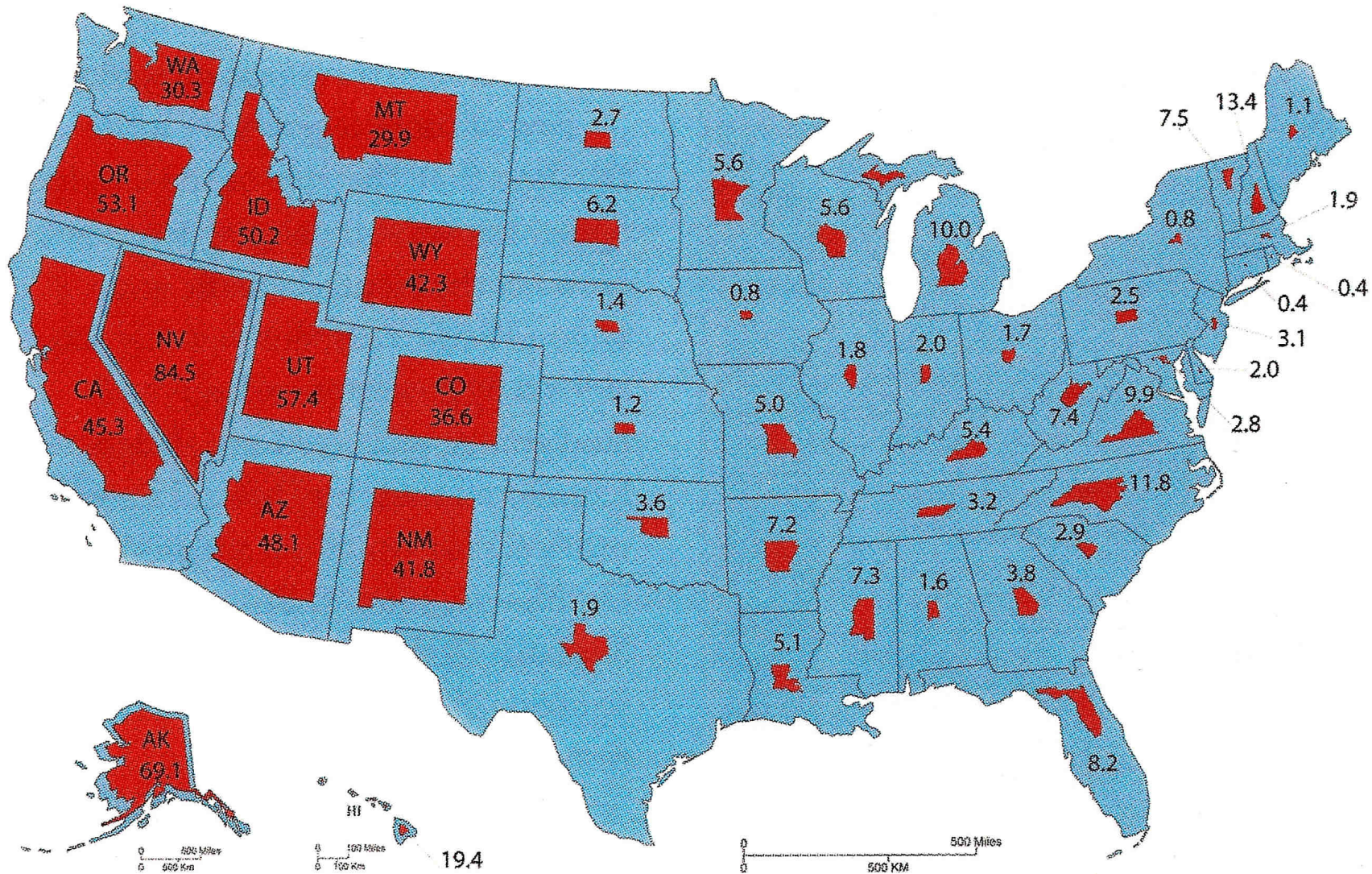
Public Land Management

Public Lands Managed by the Bureau of Land Management (BLM)



WHO OWNS THE WEST?

Federal Land as a Percentage of Total State Land Area

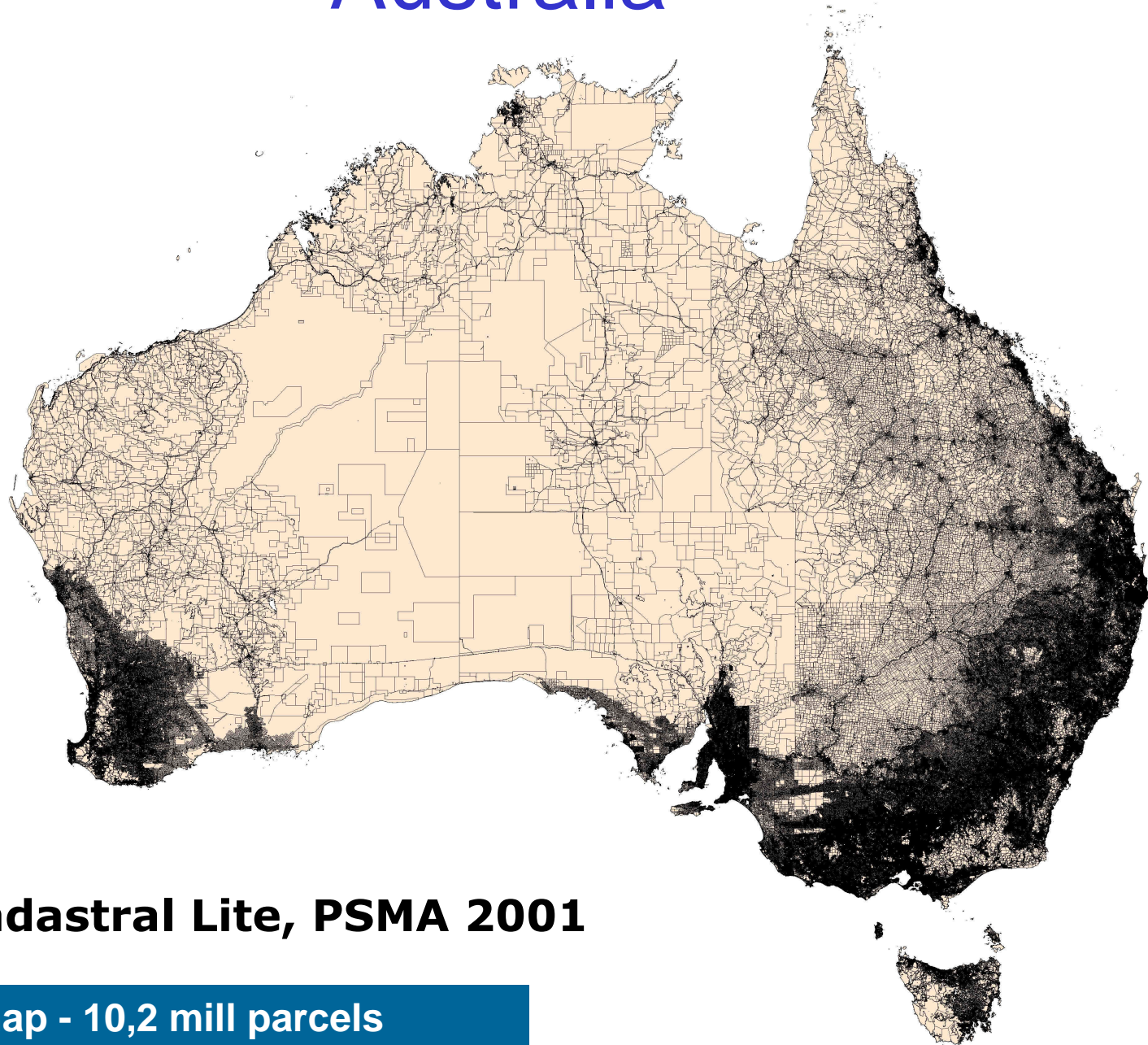


Data source: U.S. General Services Administration, *Federal Real Property Profile 2004*, excludes trust properties.

USA: FEDERAL LAND MANAGEMENT AGENCIES

<u>Surface Managing Agency (SMA)</u>	<u>Acres (millions)</u>	
BLM	261	
Other Federal SMA		
Forest Service		191
Fish & Wildlife Service*		93
National Park Service*		84
Dept. of Defense/Corps of Eng.		12
Subtotal (Other Federal SMA)		380
Non Federal (State/Private) SMA	58	
TOTAL	699 mill acres 2,828,750 sq km	

Australia



Cadastral Lite, PSMA 2001

One map - 10,2 mill parcels

Australia


Tenure Type	km ²	%
Private land	4,819,600	62.7
Aboriginal and Torres Strait Islander land	1,094,800	14.3
Public land		
- Nature reserve	524,100	29.6
- Aboriginal freehold	1,800	0.6
- National Park	960,700	54.3
- Vacant crown land	80,600	4.6
- Other crown land	148,200	8.4
- Forestry reserve(b)	11,000	0.6
- Water reserve	18,600	1.1
- Defence Land	5,000	0.3
- Mining reserve	8,900	0.5
- Mixed category lands		
Total public land	1,767,900	23.0
Total	7,682,300	100

Australia – Land Tenure

✘ land_tenure_australia.jpg

PUBLIC LAND

Only areas of 50 square kilometres or more are shown

	Nature conservation reserve (includes national parks)		Forestry reserve
	Marine reserve		Water reserve
	Aboriginal freehold national park		Defence land
	Other crown land ⁽¹⁾		Mining reserve
	Vacant crown land		Mixed lands ⁽²⁾

NOTE :

- (1) Stock route information which is part of 'Other crown land' is not necessarily complete.
- (2) Mixed lands comprise adjoining small areas (less than 50km²) with different public land categories.

PRIVATE LAND

Only areas of 50 square kilometres or more are shown

	Mainly freehold		Crown leasehold (mainly pastoral)
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Canada – Land Tenure

89% (8,886,536 sq km) is Crown land either federal (41%) or provincial (48%)

The remaining 11% is privately owned



Bad Management of State-Owned Land

- **Lack of information** about what state land exists and what rights the state possesses.
- **Lack of defined policies** in relation to the use of state land or standard for its management
- **Lack of transparency and accountability** in decision making
- **Unclear responsibilities** that may be fragmented across different ministries and agencies,
- **Corruption** may occur since state land tends to be treated as “free”.
- **Land grabbing** may occur where the state may be stripped of its assets i.e. by transfer of land into private hands through questionable or illegal means.
- **Poor records** helps to conceal the truth.
- **Political interference** may occur in management decisions and compulsory purchase may be used inappropriately to further private interests.

Adapted from FAO, 2007

The message



- State-owned land and other assets are generally badly managed throughout the world
- Building the capacity in this area is a big challenge - but also a necessity to achieve sustainability.
- All land (public or private) should be included in the land register (cadastre)
- Adoption of a comprehensive State land policy
- Institutional reform of state land management



Thank you
for your attention