

Global Trends in Land Governance and Land Administration³

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Over the past decades, there have been a series of international developments that resulted to internationally agreed goals and themes related to land. The Millennium Development Goals in 2000, the Johannesburg Plan of Implementation (World Summit on Sustainable Development) in 2002, the World Food Summit Plan of Action in 1996, the UN Convention to Combat Desertification in 1994 and Ramsar Convention on Wetlands in 1971 to name a few.

In May 2012, the Committee on World Food Security endorsed the historic and first global tenure guidelines, the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Forests and Fisheries in the context of National Food Security (VGGT) during its 38th special session (FAO, 2012). These voluntary guidelines outline the principles and practices that governments can refer to when enacting laws and administering land, fisheries and forest rights.

During the seventh plenary meeting of the 23rd session of the Governing Council of the UN Habitat Settlements Programme (UN-Habitat) on 15 April 2011, a landmark resolution was passed on “Sustainable urban development through expanding equitable access to land, housing, basic services and infrastructure.” In promoting security of tenure, the resolution encouraged governments and Habitat Agenda partners to recognize and respect the wide variety of tenure systems, identify and adopt appropriate tenure arrangements, adopt other alternative forms of land administration and improve efforts in securing tenure in post-conflict and post-disaster situations. The resolution also acknowledged the contributions of the GLTN in building partnerships and developing and implementing land tools. One key aspect of GLTN’s work is the **continuum of land rights**, an inclusive, pro-poor and gender responsive approach incorporating tenure rights that are documented as well as undocumented from individuals and groups.⁴ This range of rights generally cannot be described relative to a parcel. It is about a plurality of tenure types. In ‘Handling Land’ (UN-Habitat, 2012) the Continuum is described as follows:

“We can view rights to land as lying on a continuum. At one end are formal land rights, where the owner is an individual, who holds a set of registered rights to a parcel of land that are enshrined in law: the parcel is delineated on a map held in a record office; the owner has the right to occupy the land, build on it (subject to approvals), sell it, rent it out, transfer it to his or her heirs, and prevent other people from coming on to it. At the informal end of the continuum are

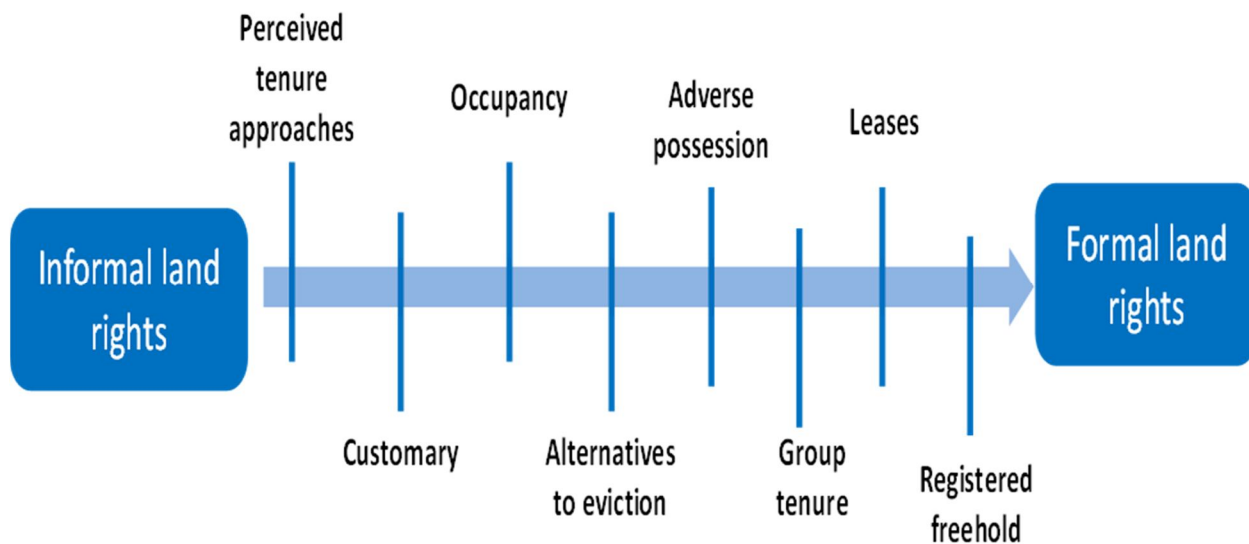
³Extracted from the paper presented by Chee Hai Teo. For more details, contact <chteo.surveyor@gmail.com>

⁴For more information, visit www.gltn.net



informal rights: a group of individuals (such as a clan) may have traditional rights to use a piece of land. The boundaries of the land may not be clearly marked on the ground or on a map, and there may be no official paperwork certifying who owns or has what rights to the land. In between these two extremes are a wide range of rights.” (p.12)

This wide range of rights is illustrated in Figure 1. The security of tenure of people in many areas within the developing world relies on forms of tenure different and varied and not necessarily that of individual freehold. The Continuum suggests that tenure can take various forms, but one must not consider a particular form of tenure as the ultimate or preferred form of land rights.



Source: United Nations Human Settlements Programme (UN-Habitat). (2012). *Handling Land: Innovative tools for land governance and secure tenure*. Nairobi: Author.

Figure 1. Continuum of Land Rights



In September 2015, leaders of the world at the United Nations agreed to the 2030 Agenda for Sustainable Development.⁵ The 17 Sustainable Development Goals and 169 targets as agreed demonstrated the scale, reach and ambition of this Agenda. These goals and targets, where land remains an essential element, should inspire and galvanize actions over the coming decade in areas crucial and important to humankind.

Other global processes include the World Bank's Land Governance Assessment Framework, the World Bank/FIG Declaration on Fit-for-Purpose Land Administration, the Land Administration Domain Model (LADM) as published by the International Organization for Standardization, the recognition of the United Nations Global Geospatial Information Management (GGIM) to engage the land agenda, and the Global Land Indicators Initiative – aimed towards the quest for secure land and property rights for all and sustainable development.

Land is complex and its governance, management and administration continues to evolve. Adapting a range of tools and approaches to gradually navigate through the ever-changing nature of data collection, land information, land systems and priorities are of paramount importance. Land rights and responsibilities are embedded into, and largely influenced by context, culture and circumstances. Embracing the complexity, the typology of prevailing relations between a person and land, and then the various means to record, secure and protect those rights can go a long way to protect land and property rights for all. Indeed, land and property rights for all cannot be achieved without acknowledging the continuum of land rights. ■

References:

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⁵For more information, visit www.un.org