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**ECONOMIC COMMISSION FOR EUROPE**

**COMMITTEE ON HOUSING AND LAND MANAGEMENT**

Working Party on Land Administration

Fifth session

Geneva, 19-20 November 2007

**REPORT OF THE WORKING PARTY ON LAND ADMINISTRATION  
ON ITS FIFTH SESSION**

*Summary*

At its fifth session, the Working Party on Land Administration:

- Approved the proposal on the establishment of the Real Estate Market Advisory Group
- Held in-depth discussions on institutional challenges and changes in land management, fees and charges, and informal settlements from a land administration perspective
- Took decisions on its Programme of Work:
  - A joint study on informal settlements together with the Committee on Housing and Land Management and the International Federation of Surveyors will be prepared;
  - A study on fees and charges, based on the questionnaire survey, will be drafted;
  - The next land administration reviews will be carried out in Tajikistan and Latvia;
  - Security of e-conveyancing and risks related to public access to land registration data will be included in the Programme of Work
- Took note of the biennial performance assessment framework for the subprogramme, including the expected accomplishments, indicators of achievements and measurement methodologies by cluster of activities for the period 2008-2009.

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**INTRODUCTION**

1. The Working Party on Land Administration (WPLA) held its fifth session in Geneva on 19 and 20 November 2007. Mr. Peter Creuzer (Germany) chaired the session.
2. The Chairperson of the Committee on Housing and Land Management, Ms. Doris Andoni (Albania), attended the session.
3. Representatives of the following countries participated: Albania, Armenia, Austria, Azerbaijan, Belarus, Bulgaria, Croatia, the Czech Republic, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania, the Netherlands, Norway, Romania, Spain, Sweden, Switzerland, Tajikistan, Turkey and the United Kingdom of Great Britain and Northern Ireland.

4. A representative from the European Land Registry Association (ELRA) participated.
5. The following non-governmental organizations (NGOs) were represented: International Real Estate Advisory Network, Royal Institution of Chartered Surveyors (RICS) and Tecnoborsa – Organization for the Development and Regulation of the Real Estate Economy.

#### **I. ADOPTION OF THE AGENDA**

6. The Chair opened the meeting and gave a brief overview of the activities and achievements of the Working Party since the last session in 2005.
7. The annotated provisional agenda (ECE/HBP/WP.7/2007/1) was adopted.

#### **II. MATTERS ARISING FROM THE SIXTY-SEVENTH AND SIXTY-EIGHTH SESSIONS OF THE COMMITTEE ON HOUSING AND LAND MANAGEMENT AND THE SIXTY-FIRST AND SIXTY-SECOND SESSIONS OF THE UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE**

8. The secretariat informed the Working Party about the decisions taken by the Committee on Housing and Land Management at its sixty-seventh (ECE/HBP/142) and sixty-eighth (ECE/HBP/145) sessions, as well as about decisions taken by the Commission at its sixty-first (E/2006/37 – E/ECE/1444) and sixty-second sessions (E/2007/37 – E/ECE/1448), which have a bearing on the work of the Working Party.
9. Particular attention was given to:
  - (a) The implementation of the Work Plan on UNECE reform (E/ECE/1434/Rev.1), notably the integration of real estate activities into the Programme of Work of the Working Party (see item 6), and the change of the name of the Committee on Housing and Land Management, which now better reflects all its pillars of work, including land management;
  - (b) The request of the Commission to the Sectoral Committees to conduct biennial evaluations related to their subprogrammes' performance (see item 5), which is an important framework for the assessment of the work carried out;
  - (c) The revised Terms of Reference of the Working Party as adopted by the Committee at its sixty-seventh session (see ECE/HBP/WP.7/2007/1, annex);
  - (d) The third Regional Implementation Meeting (RIM) on Sustainable Development to be held on 28 and 29 January 2008 in Geneva on the topics of agriculture, rural development, land, drought, desertification and Africa. Delegations were invited to contact their countries' Heads of delegations about the RIM in order to raise awareness of UNECE's work on land.
10. The Working Party took note of the information provided, in particular its revised Terms of Reference, and expressed that it would take them into account when deciding on its Programme of Work.

### **III. IN-DEPTH DISCUSSION ON INSTITUTIONAL CHALLENGES AND CHANGES IN LAND MANAGEMENT**

11. The Working Party held an in-depth discussion on institutional challenges and changes in land management, as decided by its Bureau. The discussion focused on presenting recent trends and good practices for improving and streamlining the institutional framework and the division of responsibilities between the different actors in land management.

12. Mr. Knut Flaathen (Norway) gave a keynote presentation “From map maker to service provider: Challenges and opportunities”, based on a discussion paper (ECE/HBP/WP.7/2007/3). The presentation particularly addressed the streamlining of institutional structures and administrative procedures in land registration and cadastre, the improvement of customer services, the use of electronic documentation and databases, and reduction of the dependency of land administration authorities on government budgets.

13. The following delegations reported on institutional challenges and changes in land management in their countries:

- (a) Croatia, on the establishment of a joint information system of the real estate cadastre and the land book;
- (b) The Czech Republic, on the application of e-government tools in land administration, the shortening of time requirements for cadastre entries, the digitalization of cadastral maps and the new structure of cadastral fees;
- (c) Germany, on improving data exchange and integration between the Federal States and Federal Ministries;
- (d) Tajikistan, on challenges to the introduction of private land ownership and land markets, the development of a modern and unified land administration system, the use of information technologies and data management, staff training, and the mobilization of financial resources.

14. The Working Party took note of the various efforts that had been made towards streamlining institutional structures and procedures in a dynamic land management environment, and informed the session that it would take into account the institutional challenges in the countries in its activities.

### **IV. PROGRAMME OF WORK FOR 2008-2009**

15. The Working Party reviewed its draft Programme of Work for the period 2008-2009 (ECE/HBP/WP.7/2007/2) and took decisions on each item of the programme as below.

16. The Working Party agreed with the revised titles given to each programme element.

## A. Land administration policies

17. The delegation of the United Kingdom intervened on the issue of fraudulent use of land registration data publicly available on Internet and related incidents of identity theft. A questionnaire was distributed to find out whether other countries had experienced similar cases. It was proposed to include the issue of security of electronic conveyancing and risks related to public access to information in the Programme of Work of the Working Party.

18. The delegation of Azerbaijan presented the procedure and results of the land reform carried out in that country.

19. Fees and charges: The Working Party discussed the outcomes of the questionnaire survey on fees and charges which had been developed and distributed following the Bureau's decision, as well as policies regarding the imposition of fees and charges for land administration services.

20. The project coordinator, Mr. B. Mikuta (Lithuania), presented the results of the questionnaires, based on a summary report (ECE/HBP/WP.7/2007/4). A high number of UNECE member countries (45) had replied to the questionnaire, so that the outcome reflected a major part of the region. The questionnaire was divided into five parts:

- (a) Organizational and administrative issues: Institutional solutions differed between countries, depending on their specific circumstances. One third of the respondents stated that real property register, cadastral information and cadastral surveying were administered by one single institution. However, 90 per cent of replies stated that registration of real property was carried out by a public monopoly, and in 91 per cent of cases, real property cadastral information was administered by the public sector.
- (b) Financial and economic issues: Real property register, cadastral information and cadastral surveying were mostly financed from fees. Even in the case of mixed types of financing, the majority of funds were raised from fees. For instance, funding for real property register came to 48 per cent from fees, 31 per cent from the central budget, and 21 per cent from mixed financing. Cadastral surveying was less dependent on the central budget in comparison with real property register and cadastral information. Cost recovery rates in all three activities were significantly high. With respect to real property register, 65 per cent of the respondents achieved cost-recovery rates of 100 per cent or more.
- (c) Specific issues on fees and charges: Responses showed that all countries had legislation in place regarding fees and charges, mainly secondary legislation. The rate of fees and charges for real property register and cadastral information was mostly determined by government or the responsible minister. The fee for real property register and especially cadastral information was usually fixed. In some countries, cadastral surveying operated under market conditions, and fees in most cases were agreed upon by the parties involved.

- (d) Provision of information: There were still cases where information was provided free of charge, mostly to the public sector. Some countries (12%) did not provide online information services. The fee for providing information through online or paper-based application in most cases differed. Most countries did not provide the real property register or cadastral information free on the Internet.
- (e) Future plans: Seventy-seven per cent of respondents were preparing future plans regarding fees and charges. Some countries were developing their policies on fees and charges further, while a few planned to optimize or revise fees and charges. Some countries planned to increase the fee for registration to improve the balance between fees and costs of registration. For example, England and Wales were going to introduce a new fees and charges structure to allow for the provision of electronic conveyancing services.

21. A case study on fees and charges in England and Wales was presented by the delegation of the United Kingdom.

22. The following delegations reported on the outcomes and conclusions of workshops pertaining to land administration policies that were held in 2006–2007:

- (a) Georgia, on the workshop “Institutional Framework for Securing Real Property Rights” held in Tbilisi on 11 and 12 May 2006 (see ECE/HBP/2006/6); Georgia’s report also touched upon recent institutional, legal and technological developments in land administration in that country;
- (b) Germany, on the workshop “Effective and Sustainable Land Management” in held in Munich, Germany, on 24 and 25 May 2007 (see ECE/HBP/2007/5).

23. The delegation of Croatia invited participants to attend the workshop “Influence of Land Administration on People and Business” to be held in Cavtat, Croatia, on 2 and 3 October 2008. This workshop will highlight land administration policies related to fees and charges, institutional arrangements and cooperation, different land management approaches, and the links between the WPLA workshop series and the WPLA Programme of Work.

24. The Working Party:

- (a) Welcomed the proposal of the delegation of the United Kingdom regarding security of electronic conveyancing and requested that it be informed on the outcome of the questionnaire survey. The Working Party decided to include the topic in the Programme of Work and to discuss and initiate related activities;
- (b) Agreed that the study on fees and charges would be prepared by a consultant, based on the outcome of the questionnaire survey conducted by the delegation of Lithuania. The Bureau and other interested delegations would act as a reference group to revise the draft study. Delegations willing to participate were requested to inform the secretariat by 21 December 2007. The delegation of the Netherlands expressed its interest in being part of the reference group. The

Working Party thanked the delegations of the United Kingdom and Germany for their financial contributions to the preparation of the report, and invited other delegations to financially support the exercise.

### **B. Major trends characterizing land administration**

25. The following delegations reported on major conclusions of workshops reflecting major trends in land administration development that had been held in 2006-2007:

- (a) The Czech Republic, on the workshop “Land Administration in the Era of E-society”, held in Prague from 26 to 27 October 2006 (ECE/HBP/2007/4);
- (b) Ireland, on the workshop “Registering the World”, held in Dublin from 26 to 28 September 2007 (ECE/HBP/WP.7/2007/9).

26. The delegation of Norway provided information on the planned workshop, “Legal Empowerment of the Poor in the UNECE Region”, to be held in Bergen, Norway, on 10 and 11 April 2008, based on the outcome of the Commission on Legal Empowerment of the Poor. This workshop will focus on the implementation of the Commission’s work in the UNECE region as related to the Programme of Work of the Working Party.

27. The delegation of Albania requested the Working Party to provide assistance on the issue of real estate mass valuation.

28. Informal settlements: The Working Party discussed the issue of informal settlements from a land administration perspective, as decided by the Bureaux of the Committee and the Working Party. The debate focused on policy approaches addressing diverse types of informal settlements, based on the conclusions of the workshop on “Informal Settlements - Real Estate Market Needs for Good Land Administration and Planning” (Athens, 28–31 March 2007) organized jointly by the Committee and the International Federation of Surveyors (FIG) (ECE/HBP/2007/7 - ECE/HBP/WP.7/2007/8), as well as on the in-depth discussion at Committee’s sixty-eighth session of the challenges and integrated policy responses related to informal settlements.

29. The following presentations were held:

- (a) The expert of the secretariat, Ms. Sasha Tsenkova, reported on “The Challenge of Informal Settlements in the UNECE Region”. Ms. Tsenkova summarized the in-depth discussion that took place at the Committee session and pointed out that different types of informal settlements had to be distinguished: squatter settlements, refugee and internally displaced persons (IDP) camps, informal subdivisions on agricultural land, illegal developments in protected and rural areas, and inner-city slums. Informal settlements had serious economic, social and environmental impacts. A considerable amount of capital was tied up in unplanned settlements. Residents experienced social exclusion, substandard housing and very limited access to infrastructure and amenities. Emerging policy solutions comprised institutional, legal and financial measures such as

legalization, regularization, community-based upgrading or the public provision of affordable housing, and more efficient planning and land management.

- (b) The expert of the Working Party and FIG, Ms. Chryssy Potsiou (Greece), presented the outcome of the Athens workshop and the situation with respect to informal settlements in Greece. In general, causes for informal settlements were rapid urbanization, lack of sound land administration and spatial planning, the marginalization of population groups, bureaucracy, inconsistent legislation, and the lack of political will to address the situation.
- (c) The Chairperson of the Committee, Ms. Doris Andoni (Albania), touched upon the experiences and challenges with informal settlements in Albania.

30. A joint study of the Committee and the Working Party on informal settlements will be carried out. Ms. Tsenkova and Ms. Potsiou, acting as experts, will prepare the study, and a reference group to supervise the work will be established.

31. The Working Party

- (a) Welcomed the conceptual framework for the outline of the study on informal settlements, and highlighted the importance of the topic, which was relevant in different ways for UNECE member States;
- (b) Agreed with the modalities for the preparation of the study and the nominated experts;
- (c) Invited interested delegations to designate experts for the reference group and to financially support the exercise. The delegations of Austria, Azerbaijan, Croatia, Romania and Sweden expressed their interest in participating in the reference group on the part of the Working Party;
- (d) Agreed to explore ways to assist Albania on the issue of mass evaluation.

### **C. Land administration reviews**

32. The Chair outlined the progress in the land administration reviews. The review for Azerbaijan was finalized (ECE/HBP/2007/3). A research mission to Bulgaria took place from 14 to 19 October 2007. A chapter on land administration was included in the country profile on the housing sector of Belarus in order to strengthen the linkages between housing and land administration as major pillars of work of the Committee. The Working Party had nominated an expert to carry out this task.

33. The following delegations were invited to report on the follow-up of the review and the organization of the mission, as well as on the situation and recent developments in land administration in their countries:



- (a) Azerbaijan reported on the situation and recent developments, and invited delegates to a workshop to be held in Baku in autumn 2009;
  - (b) Bulgaria gave a comprehensive overview of geodesy, cartography and cadastre activities in the country, and invited delegates to a workshop to be held in Bulgaria in spring 2009.
34. The delegation of Tajikistan had requested the secretariat to schedule a land administration review in 2008. The delegation emphasized the importance of the study in the light of various local challenges in land administration and the upcoming implementation phase of new legislation.
35. The delegation of Latvia reaffirmed their interest in having a land administration review in 2008.
36. The Working Party:
- (a) Decided to carry out the next land administration reviews in Tajikistan and Latvia;
  - (b) Welcomed the approach of including chapters on land administration in the country profiles on the housing sector;
  - (c) Decided to include the proposed follow-up workshops to the respective land administration reviews in Bulgaria and Azerbaijan in 2009 in the Programme of Work.

## **V. PLANNING FOR PERFORMANCE EVALUATION OF THE 2008–2009 PROGRAMME OF WORK**

37. The secretariat provided information on the framework for the 2008-2009 biennial evaluation, including the draft of expected accomplishments corresponding to the subprogramme's clusters of activities and the related indicators, based on document ECE/HBP/2007/10.
38. The Working Party was also informed about the draft strategic framework for 2010–2011 for the Housing, Land Management and Population subprogramme.
39. Information was provided on the self-evaluation on “Themes and impact of the Working Party workshop series to improve land management systems” planned for the period 2008–2009.
40. The Working Party:
- (a) Took note of the performance evaluation framework for 2008–2009 and the strategic framework for 2010–2011;
  - (b) Agreed to carry out a self-evaluation on the WPLA workshop series.

## **VI. APPROVAL OF THE PROPOSAL AND TERMS OF REFERENCE OF THE REAL ESTATE MARKET ADVISORY GROUP**

41. The secretariat presented the proposal on the establishment of the Real Estate Market Advisory Group (REM) to the Working Party (ECE/HBP/2007/6 – ECE/HBP/WP.7/2007/7) that had been endorsed by the Committee.

42. The Working Party supported the establishment of REM and approved the proposal and the Terms of Reference. The Working Party acknowledged that final approval would be given by the UNECE Executive Committee. Candidates interested in participating in REM were invited to send written requests, including a CV, to the secretariat as soon as possible. It was agreed to convene a kick-off meeting for REM at the beginning of 2008, and to discuss concrete projects at the Bureau meeting in April 2008.

## **VII. COOPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS**

43. Information was provided on cooperation and networking with other international organizations, such as EuroGeographics, European Land Information Service (EULIS), ELRA, FIG, the Food and Agriculture Organization of the United Nations (FAO), Global Spatial Data Infrastructure Association (GSDI), Permanent Committee on Cadastre (PCC), Permanent Committee on Geographic Information System Infrastructure for Asia and the Pacific (PCGIAP), the United Nations Economic Commission for Africa (ECA) and the World Bank.

## **VIII. ELECTION OF THE BUREAU**

44. The Working Party elected the following Bureau for its sixth session: Mr. Peter Creuzer (Germany), as Chairperson; Mr. Rupert Kugler (Austria); Mr. Sergei Shavrov (Belarus); Mr. Damir Pahic (Croatia); Mr. Vit Suchanek (Czech Republic); Ms. Guranda Goglidze (Georgia); Ms. Chryssy Potsiou (Greece); Ms. Margret Hauksdottir (Iceland); Mr. Bronislovas Mikuta (Lithuania); Mr. Magnar Danielsen (Norway); Ms. Isabel González García (Spain); Mr. Jon Atkey (United Kingdom).

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## Annex

### **PROGRAMME OF WORK 2008-2009**

#### **I. LAND ADMINISTRATION POLICIES**

Description: The Working Party promotes the development and implementation of land administration policies, including the improvement of the institutional framework of land management; planning and development of land; the development of legal rights in real property; security of data; public access to land information; legislation on registration and management of real property; and the resolution of land disputes.

Work accomplished: Following a decision of the Bureau in 2006, a questionnaire on fees and charges was distributed with the purpose of preparing a survey on different approaches on the imposition of fees and charges in land administration in different countries. The outcomes of the questionnaire on fees and charges were discussed at the fifth session of the Working Party. Within this programme element, workshops were held on the Institutional Framework for Securing Real Property Rights (Tbilisi, 11–12 May 2006) and Effective and Sustainable Land Management (Munich, Germany, 24–25 May 2007).

Work to be undertaken: A study on fees and charges will be prepared following the questionnaire survey and elaborating good practices in fees and charges. A workshop pertaining to land administration policies is planned to be held in Cavtat, Croatia, on 2 and 3 October 2008.

#### **II. MAJOR TRENDS CHARACTERIZING LAND ADMINISTRATION DEVELOPMENT**

Description: The Working Party aims at supporting security of tenure, the introduction and improvement of cadastre and land registry, and the development of real estate markets. The Working Party provides a forum for exchange and discussion on current trends in land administration in the UNECE region, and shares its experience, when relevant, with other regions.

Work accomplished: A workshop on Informal Settlements – Real Estate Market Needs for Good Land Administration and Planning (Athens, 28–31 March 2007) was jointly organized with the Committee and the International Federation of Surveyors (FIG). Workshops on Land Administration in the Era of E-society (Prague, 26–27 October 2006) and Registering the World (Dublin, 26–28 September 2007) were also held. The Working Party contributed to the discussions at a number of meetings organized by EuroGeographics, the European Land Registry Association (ELRA), the Permanent Committee on Cadastre (PCC), the International Federation of Surveyors (FIG) and the European Land Information Service (EULIS), and provided expertise to an initiative of Mongolia to establish a network of land administration officials in the Asia Pacific region. A proposal for the establishment of the Real Estate Market Advisory Group (REM) to the Working Party was

developed with the Committee on Housing and Land Management and the secretariat, and approved by the Working Party. The issue of informal settlements from a land administration perspective was discussed at the fifth session of the Working Party, based on the conclusions of the Athens workshop as well as on the in-depth discussion on challenges and integrated policy responses for informal settlements held at the sixty-eighth session of the Committee.

Work to be undertaken: A joint study of the Committee and the Working Party on informal settlements will be prepared. A workshop on Legal Empowerment of the Poor in the UNECE Region is planned to be held in Bergen, Norway, on 10 and 11 April 2008. The Working Party will continue its cooperation with other international organizations active in land administration. Activities in cooperation with REM will be developed and implemented. The Working Party will discuss and initiate activities relating to the security of electronic conveyancing and risks of public access to land registration information.

### **III. LAND ADMINISTRATION REVIEWS**

Description: The Working Party promotes the practical implementation of land administration policies through country-specific land administration reviews and related follow-up activities. These activities are carried out at the request of member countries. A chapter on land administration will be included in future country profiles on the housing sector, as requested by the Committee.

Work accomplished: A land administration review was carried out in Azerbaijan in 2006–2007 (ECE/HBP/2007/3). A research mission to Bulgaria took place from 14 to 19 October 2007. The Working Party nominated a land administration expert for the preparation of a chapter on land administration for the country profile on the housing sector of Belarus. The research mission was carried out in July 2007.

Work to be undertaken: The land administration review of Bulgaria will be finalized following the research mission in October 2007. The Working Party decided to carry out land administration reviews in Tajikistan and Latvia as requested by the countries. Follow-up workshops to land administration reviews will be organized in Bulgaria (spring 2009) and Azerbaijan (autumn 2009).