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Working Party on Land Administration

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PROGRAMME OF WORK FOR 2010–2011

LAND ADMINISTRATION REVIEWS

**PROPOSED MODULAR APPROACH FOR FUTURE COUNTRY PROFILES ON THE
HOUSING SECTOR AND LAND ADMINISTRATION REVIEWS**

Note by the secretariat

Summary

At its sixty-ninth session, the Committee on Housing and Land Management requested that a proposal for a modular approach for future land administration reviews and country profiles on the housing sector be prepared for discussion (ECE/HBP/149, para. 16 (a)). The objective is to better evaluate the housing needs and land administration reforms of individual countries and to better tailor future studies to the policy needs of the countries concerned. After the Working Party on Land Administration's sixth session, an updated version of this proposal will be prepared including feedback from the discussions for submission to the Committee's seventieth session.

I. CONTENT ANALYSIS

1. Between 1996 and 2008, the Committee on Housing and Land Management published 12 country profiles on the housing sector, including one currently in preparation. In the same period, the Working Party on Land Administration issued six land administration reviews. A content analysis was undertaken to obtain information on the topics covered by each publication.
2. In the case of the country profiles, data indicate an evolution towards a diversification of the topics covered. Whereas some core chapters have remained fundamental, more recent profiles have addressed a broader spectrum of policy areas. This change is consistent with the evolution of the Committee's programme of work (see chapter II). Overall, the recurrent central chapters have covered the socio-economic framework (e.g. population and migration, economic situation, government housing policy), the institutional framework (e.g. the public and private sectors, international cooperation), the financial framework (e.g. public and private investment, mortgages, subsidies) and problems affecting existing housing stock and new construction (e.g. maintenance, urban planning).
3. Among the more recent profiles, chapters on land administration and spatial planning have been prominent (e.g. Belarus). In other cases, chapters addressing such issues as social housing (e.g. Georgia, Serbia and Montenegro, Russian Federation) and the regulation of public utilities (e.g. Georgia, Russian Federation) have also gained in importance. The topic of informal settlements will occupy an important part in the chapter of spatial planning of the forthcoming profile on Kyrgyzstan.
4. Regarding the land administration reviews, a similar structure of core chapters characterizes all the reviews. The basic chapters always include general information, cadastre and land registration, the legal and institutional frameworks, land reform and real estate markets. The chapter addressing the legal and institutional frameworks appears to be the most significant. Next to this chapter, the topics of land and real estate markets are also significant.
5. The trend over time towards a diversification of topics in the land administration reviews is less recognizable. However, some new issues have also emerged (see chapter II). These are consistent with changes in the Working Party's programme of work and include, inter alia, real estate market development, land valuation and taxation and international cooperation (Azerbaijan, Bulgaria and Lithuania) and the use of electronic technologies in cadastre and registration (Lithuania).
6. In short, both country profiles and land administration reviews have maintained a consistent focus on the core issues central to the respective mandates of the Committee and the Working Party. Particularly in the case of the country profiles, the contents have evolved over time and now include a variety of new policy issues.

II. RATIONALE FOR THE ADOPTION OF A MODULAR APPROACH

7. If implemented, a modular approach would facilitate the customizing of the reviews to better reflect the contextual priorities of the countries concerned. To some extent, this trend has already been reflected in the case of the country profiles. The adoption of a modular approach would also facilitate the integration into the country profiles and land administration reviews of new topics recently addressed by the programmes of work of the Committee and the Working Party.

8. According to the Committee's programme of work (ECE/HBP/149, annex I), a country profile is an analytical study of the housing sector prepared by international experts and members of the secretariat. The study analyses the economic, social and environmental aspects of a country's housing policies and compares them with progress made internationally. Thus, chapters often address, in the context of economic transition, the issues of maintenance of housing stock, new construction, finance, and legal and institutional frameworks. Although content devoted to the institutional framework has varied in different country profiles, this is due to the fact that it is sometimes addressed together with the legal framework.

9. According to the Working Party's programme of work (ECE/HBP/WP.7/2007/10, annex), the land administration reviews focus on the recording and disseminating of information on the ownership, value and use of land and associated resources. Land administration reviews have commonly examined such issues as: the modernization of cadastre and land registers; documentation of ownership rights, leases and mortgages; land-use and land use restrictions; transfer of ownership rights; land consolidation; adjudication of land rights; solving of land disputes; cadastral mapping; database maintenance; and real property valuation.

10. Since the topics above continue to be at the core of both programmes of work, the respective chapters addressing them should be maintained. However, recent innovations in the Committee's and the Working Party's activities and programmes of work also indicate that a variety of issues need to be taken into account in future country profiles and land administration reviews.

11. In the case of the country profiles, much emphasis has been placed on the linkages between housing, spatial planning and land administration policies, and recent profiles have expanded their scope to include such questions as housing affordability, social housing, regulation of public utilities, land administration policies, real estate market development and informal settlements. Other relevant issues were recently incorporated in the Committee's terms of reference (ECE/HBP/142, annex II) and/or recommended for inclusion in upcoming programmes of work (ECE/HBP/149, annex II). These include improvement of urban environmental performance, energy efficiency in housing, the problem of urban sprawl, neighbourhood regeneration, integration of disadvantaged minorities, participatory mechanisms in housing policy design, long-term impacts of privatization, and the impact of ageing and other demographic changes on housing policy. The relevance of each of these issues may inspire the international experts to devote them specific attention in upcoming studies, depending on the country concerned.

12. In the case of the land administration reviews, the new topics of land valuation and taxation as they relate to the bolstering of real estate markets have already been included. Other topics recently added to the Working Party's terms of reference (ECE/HBP/142, annex III) and its most recent programme of work (ECE/HBP/WP.7/2007/10, annex) include: the use of electronic technologies to upgrade spatial data infrastructure, the regulation of financing of real estate markets, the question of transparency in conveyancing and the use of personal data, the application of fees and charges in cadastre and registration services, and the problem of informal settlements. Such topics may also attract the attention of international experts to be included in chapters of future land administration reviews.

13. Because a goal of both the country profiles and land administration reviews is to address the policy needs of individual countries, country authorities are encouraged to interact with the secretariat to identify the priority areas to be covered by the studies. There should be a trend towards more tailor-made studies that address issues that are contextually more relevant. While the core chapters referred to above should remain central and a similar structure should be maintained for both publications, the contents of each of the chapters and the amount of attention devoted to each could be more flexibly determined. Depending on the specific case, a modular approach might or might not result in the inclusion of more chapters, but it would certainly include more flexibility in the definition of the topics addressed. The definition of contents should be the result of constructive dialogue between experts, the secretariat and the authorities of the country under review.

14. Furthermore, given the advantages of finding synergies between the country profiles and the land administration reviews, common missions should be encouraged (as happened in the cases of Belarus and Kyrgyzstan). In these cases, land administration experts nominated by Working Party were involved in the preparation of country profiles, which also dealt with land administration policies (ECE/HBP/149, annex I, 10.1.1). It is very important that ministries be involved as well, and cooperate in providing and organizing activities related to data gathering.

III. RECOMMENDATIONS FOR A MODULAR APPROACH TO THE COUNTRY PROFILES AND LAND ADMINISTRATION REVIEWS

15. A scheme for a modular approach could be established by providing a form to be filled in by interested Governments during Committee and the Working Party sessions. This form could contain a grid detailing the different chapters and topics that each of the two reviews could cover, including the basic chapters (see table). The grid would be filled in by country authorities and the agencies concerned. It would also be filled in at the end of the pre-mission by the secretariat, and a final version would be presented to the country authorities of the reviewed country for discussion and final agreement. Special attention should be devoted to the fact that in many countries the land administration agencies and those responsible for spatial planning or housing operate separately. If a modular approach is to succeed, experts from the agencies would need to be in close communication from the early stages of the process, and should continue collaborating throughout the whole process.

16. At its sixty-ninth session, the Committee also suggested that follow-up activities to the country profiles and land administration reviews be promoted by member States. This could involve, for instance, reporting by reviewed countries at regular intervals during the Committee

and Working Party sessions and/or the organization of workshops to assist reviewed countries to implement particular recommendations. Especially important would be to monitor whether unexpected difficulties had obstructed policy implementation, or whether changes in the situation on the ground had diminished the relevance of the recommendations contained in the studies.

17. Delegations to the Committee and the Working Party are expected to discuss the contents of this paper and provide guidance on the application of the modular approach, so as to better analyse the reviewed countries and provide useful recommendations to improve their housing and land administration policies.

Table: Form to be filled by country authorities (cells in gray indicate mandatory chapters)

COUNTRY		Country profile	Land administration review	Comments
CHAPTER	TOPICS			
General information				
	Economic situation			
	Population/demographic change			
	Migration			
	Government housing policy			
Housing and land management				
	Existing housing stock			
	Maintenance/refurbishing			
	Utilities			
	New construction			
Social housing				
	Social housing needs and programmes			

Financial framework				
	Public and private investment in housing			
	Mortgages			
	Subsidies			
Spatial planning				
	Urban development			
	Urban sprawl			
	Informal settlements			
	Neighbourhood regeneration			
	Energy efficiency			
Land administration				
	Cadastre and registration reform			
	Data management			
	Land reform			
	Rural development			
	Real estate markets			
	Valuation and taxation			
	E-registration/e-conveyancing			
Legal aspects				
	Central and local governments/decentralization			
	Privatization/condominiums			
	Credit market legislation			

Institutional aspects				
	Public sector (national and local)			
	Private sector actors			
	International cooperation			
