Comment on:

DIGITAL TRANSFORMATION AND LAND ADMINISTRATION

FAO-FIG-UNECE (WPLA)

Human centered

“Lessons that can guide thinking and forecasting on plans for further digital acceleration and the future of land administration”: 
I- KEY TERMS: “Other information on Tenure Rights”

• No possible identification of the Tenure Rights unless legal

• Legal security to avoid litigation and ease tenure rights’ transfers
  -“legally redefining land rights, restrictions, and responsibilities (RRRs)” “as a basis for peace building and bringing stability” (2.1.4)
  -socio-legal skills gain in importance (4.1.9)
  -Land administration system “is legitimized through legal frameworks” (4.2.5)
  -"Digital transformation [...] must be undertaken in collaboration with IT and legal functions [...]” (5.3.3)
  -Disputing of the registrations as an indicator of tenure security failure (6.2.4, p.52)

• Information on tenure rights (legal): endorsed by law/ wish & goal
To highlight (II): La Palma volcano (Case 2.1)

II-DIGITALIZATION to face DISRUPTIONS:

- Property Rights Registry: digital certificates & assessment
  - FOR CITIZENS to prove their right and apply for aids
  - FOR PPAA & Insurance Companies to identify 800 plots and tenure rights

https://geoportal.registradores.org/volcanpalma
To highlight (III):

III-DATA QUALITY TO MANAGE LAND

• “Accuracy, validity, completeness, duplication (or uniqueness), consistency and temporal quality” (2.2.7)

• Key: SOURCES OF DATA on secure tenure rights:
  - official
  - liable
To highlight (IV):

IV—“ever important issues of CYBER SECURITY AND PRIVACY”

Real estate market:

Customary:

Trade-off: speed/security

INSTITUTIONS/ALTERNATIVE SOLUTIONS

Digital era (Technology):

Overcome trade-off (really?)/new issues

INSTITUTIONS/ALTERNATIVE SOLUTIONS??
To highlight (V)

• NEW ISSUES:

1- new trade off: technology / human rights (freedom,…)
2- REM: does tech really overcome the trade off speed/security?

   Tech: always mean more security?
   1- who left behind?
   2- digital identification
   3- capacity & persons with disabilities (UN Convention 13 dec 2006)
   4- legal check: standardized documents / private autonomy & freedom
   5- difficulties for prior & informed consent- Case smart fridge (ELI 2022)
   6- behind technology: human controlled program - error/bias/fraud
To highlight (VI)

• V-VULNERABLE GROUPS MUST NOT BE LEFT BEHIND

• VI-TENSIONS between REGULATORY FRAMEWORK/DIGITAL DEVELOPMENT

• VII-SCENARIOS’ goal: IMPROVE LA&M + ENHANCE TENURE SECURITY

• VIII-TRAINING+CAPACITY BUILDING

• IX-RELATION: LA system & local conditions and beliefs

• X-CASE: testing some of the guidelines...
**CASE of Spain: SECURE TENURE RIGHTS & LA&M ENFORCEMENT**

- Recording vs Registering: **title/tenure right by registration**
- Assuring legal compliance: avoiding litigation & eviction = SECURE TENURE RIGHTS =

**Dynamic REM:**
- 2021:
  - 564,569 transactions/
  - 0,09% registration disputes
- 1st semester 2022: 3
  - 328,208 transactions/
  - 0,15% registration disputes

BIM to agile licenses & urban/environmental checks (CYPEURBAN- REM_UNECE_Seminar)
FINAL REMARKS

• Reforms of LA systems analyzed by its implicit costs (saving to citizens, companies & State)

• New PPP to easy tech and legislation develop closely

• Automation and standardization balanced with private autonomy when sensitive and human rights related matters

• To support vulnerable groups, human intervention is key

• Political guidelines should also take into account citizens’ preferences
THANK YOU FOR YOUR ATTENTION

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