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**COMMITTEE ON HOUSING AND LAND MANAGEMENT**

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**REVIEW OF IMPLEMENTATION OF THE PROGRAMME OF WORK FOR 2008–2009  
AND DRAFT PROGRAMME OF WORK FOR 2010–2011**

**LAND REGISTRATION AND LAND MARKETS**

**REPORT ON THE WORKSHOP ON EXPERIENCES WITH DATA MANAGEMENT  
TO IMPROVE LAND ADMINISTRATION IN THE UNITED NATIONS ECONOMIC  
COMMISSION FOR EUROPE REGION**

Note by the secretariat

*Summary*

This workshop was part of the Working Party on Land Administration's programme of work for 2008–2009 (ECE/HBP/149, annex I, item 10.1.3). This report summarizes the main outcomes of the workshop and provides an overview of how the Working Party's work is contributing to the improvement of data management in cadastre and registration systems in the United Nations Economic Commission for Europe (UNECE) region, particularly with respect to land reform, land consolidation, the upgrading of spatial data infrastructure and real estate valuation methods.

## **I. BACKGROUND AND ORGANIZATION OF WORK**

1. The workshop on experiences with data management in United Nations Economic Commission for Europe (UNECE) countries was held on 23 and 24 April 2009 in Sofia. It was organized and hosted by the Geodesy, Cartography and Cadastre Agency of Bulgaria, under the aegis of UNECE.

### **A. Objectives**

2. The workshop was organized in the context of recent reforms of the real estate cadastre and registration systems in Bulgaria. It discussed the recommendations included in a recent land administration review, which was launched during the event. The reforms imply a comprehensive change towards a multi-function cadastre system that will be accessible with digital technologies. Participants from other countries in the UNECE region explained current policy innovations in their respective national contexts.

3. The workshop also discussed relevant land administration matters linked to the current world financial crisis, which has had an impact on the financial stability of countries in the region. Some speakers made references to the significance of adequate regulatory frameworks for the real estate sector (e.g. the need for international valuation standards) and their impact on the general stability of the economy.<sup>1</sup>

4. The workshop's principal aims were:

- (a) To identify the challenges faced by Bulgaria in the context of current reforms of its cadastre and land registration system;
- (b) To discuss recent experiences with improved spatial data infrastructure, with a focus on the role of new technologies;
- (c) To assess the need for institutional reforms and improved public-private partnerships to promote enhanced transparency in land markets.

### **B. Attendance**

5. The workshop was attended by representatives of and participants from the following UNECE member States: Armenia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Cyprus, Denmark, Georgia, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Netherlands, Norway, Romania, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America.

6. Representatives of the World Bank and the UNECE Real Estate Market Advisory Group were also present.

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<sup>1</sup> The programme can be found on the workshop website: <http://www.cadastre.bg/programme.html>

### **C. Opening of the workshop**

7. The workshop was opened by the Minister of Regional Development and Public Works of Bulgaria, who welcomed participants on behalf of the Government of Bulgaria and delivered an opening statement. These were followed by remarks from the UNECE secretariat, the Chairman of the Working Party's Bureau and the Director-General of the Agency for Geoinformation, Land Development and Real Estate, Germany. A keynote speech was delivered by the Director of the State Geodetic Administration on the "Bulgarian experience in the establishment and maintenance of data and the role of politicians responsible for planning and land administration". The presentation focused on the land administration review of Bulgaria and the country's current situation.

## **II. RECOMMENDATIONS**

8. Workshop participants recognized that institutional reforms addressing transparency in land markets were essential to supporting efficient cadastre and registration services. They also assessed the extent to which the Working Party's recommendations were being taken into account in efforts to ensure security of tenure. Examples were provided from country case studies in the region.

9. Regarding the land administration review of Bulgaria, three speakers emphasized the complexity of the reforms for transition countries, especially given the long history and different local practices of land administration, which often hinders the harmonization of databases. In the case of Bulgaria, land reform had taken over 10 years to be accomplished and land policy choices had been difficult. The process had required legal and institutional reforms and complex coordination and cooperation between public officials, posing staffing challenges for many agencies.

10. Overall, participants suggested that a rural development strategy needed to be developed in Bulgaria to address processes of land consolidation. A well-prepared strategy of land management would also call for legislative and organizational reforms to increase efficiency, especially regarding the allocation of responsibilities among public officials.

11. Regarding the problems related to land market development and land fragmentation, participants noted that many tools were already available to the Government (including strengthening agricultural cooperatives and improving taxation). However, there was still a need for well-maintained cadastral and registration data obtained through improved governance and continuous capacity-building, including the training of public officials.

12. Land consolidation processes presented a political challenge that needed to be addressed by democratic and good governance tools, especially decisions on voluntary and compulsory mechanisms to promote the merging of parcels, which could be allocated through market-driven forces or through government regulation. In any scenario, however, the involvement of rural population in participatory and democratic decision-making process was a key to success.

13. Another session of the workshop focused on how the private sector could help establish and maintain land administration data. Participants stressed that private companies could take far

more risks than the public sector and could play an important role in activities related to surveying, the provision of expertise and investment capital. This had been the case in Bulgaria and Slovenia.

14. Participants also stressed the vital role of the World Bank. The institution had disbursed over a billion dollars in loans to the UNECE region since 1995 and continued to play an important role in the reform of cadastre and registration systems, although the focus of its activities had shifted from financing systematic cadastre and registration upgrading to a new generation of issues. The World Bank's new agenda promoted an integrated approach to land management and included such aspects as land policies that reflected environmental and sustainable development objectives, geoinformation, enhanced national spatial data infrastructure and spatially enabled services, property valuation and taxation systems, and improvements of service and the transparency of transactions. Future loans would also focus on developing infrastructure and supporting mechanisms for land policy, land regulation and sustainable development.

15. The impact of the INSPIRE initiative (a European Union Directive<sup>2</sup>) was assessed due to its relevance to land administration practices in Bulgaria. It was emphasized that future needs would require an increase in geographic information systems (GIS) capacity as well as training and sharing of best practice experiences. Reliable land administration data also required efforts to correct errors and discrepancies with appropriate legislation, technology and procedures. A presentation from the Netherlands focused on the Dutch Kadaster example of land consolidation, examining legal considerations, valuation, consultation and planning. The presentation also covered how the aspirations of owners could be incorporated into projects, to identify land parcels and come up with rational solutions through planning.

16. The workshop also addressed the importance of public access to information in the context of the transition to a digital era of data management. A presentation by a representative of Lithuania emphasized the advantages in providing e-services based on the "one-stop-shop" principle, which included: the simplification of administrative procedures and reduction of bureaucracy; more efficient implementation of legal acts; closer cooperation between public institutions, agencies and authorities; lower labour costs; transparency in the provision of public services; time and energy-saving solutions for citizens; and quicker communication among businesses.

17. In parallel to these developments, the workshop also highlighted certain obstacles from the point of view of fraud in land registration systems. Electronic technology had created new opportunities for breaking the law. A presentation on the experiences with fraud in the United Kingdom emphasized that further study by member States should consider whether and how access to data should be restricted, as this issue was relevant for discussions of national data protection and laws pertaining to freedom of information.

18. A presentation on recent reforms in land administration in Italy addressed the questions of "equality in the accessibility to information through the Internet". Special focus was given the need to create appropriate hardware and software applications, the decentralization of data

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<sup>2</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007, establishing an Infrastructure for Spatial Information in the European Community (INSPIRE).

access, data security maintenance, database updating via the Internet, avoiding obstacles to accessibility, adoption of user-friendly solutions, and improved access for disabled persons. These principles would improve efficiency, effectiveness and user-friendliness. On this issue, also a presentation on recent innovations in Bulgaria emphasized the need for a client and service orientation and support via modern information technology systems as well for as a service desk; secure input, storage and update of data; and automated business processes (optimized) for processing of electronic documents (maps, legal acts, etc.).

19. Regarding real estate markets, a presentation on securitization in Spain highlighted the measures undertaken there to protect securitized bonds from bankruptcy. Although a secondary market exists in that country for securitized mortgage bonds, they remain in the hands of financial institutions and legislation regulates the percentage of mortgage bonds that could be issued. In addition, appraisal firms play a key role in ensuring that the loans and credits are adjusted to property value.

20. Another presentation on real estate markets emphasized a series of issues dealing with transparency in access to information on land markets. It was referred that although there was an opportunity for growth in the context of the current crisis in the UNECE region, accurate information was needed on real estate ownership offered for collateral purposes, tax liabilities, etc. For the sake of transparency, all land – including agricultural and non-agricultural – should state the purpose of use in the registries (as often different prices were used regarding property transfer taxation). Title information should be available electronically and be complete and reliable. Paper-based records should still be available, but they should be inexpensive. Finally, all cadastre information should be presented according to international formats.

21. In conclusion, participants agreed on the need to improve spatial data infrastructure to provide equal access to all citizens. The need to adopt international standards to evaluate land administration systems was also considered in order to make possible inter-country comparisons of costs and benefits.

22. To improve data management in the future, country authorities should focus on the dynamic interaction of the following aspects of land administration: (a) clear rules for government and the private sector, and increased flexibility and trust on both sides; (b) the need to utilize foreign aid for investments that go beyond the creation of universal cadastre and registration systems, also including transparency and valuation standards; (c) facilitating cooperation among the stakeholders involved in land consolidation, for which public-private partnerships are necessary; (d) the need to focus on institutional aspects (e.g. transparency in electronic conveyancing), to guarantee the stability of land markets.

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