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## Economic Commission for Europe

Committee on Housing and Land Management

### Working Party on Land Administration

#### Seventh session

Geneva, 30 June and 1 July 2011

Item 6 of the provisional agenda

**Report on the comprehensive review of the activities of  
the Working Party and the evaluation of the activities of  
the Real Estate Market Advisory Group**

## **Overview of the activities undertaken by the Working Party on Land Administration in the period 2007-2011**

Note by the secretariat

### *Summary*

As outlined in the guidelines for the establishment and functioning of working parties within the United Nations Economic Commission for Europe (ECE/EX/1), the mandate of a Working Party is reviewed every five years by the parent Committee. The work of advisory groups is reviewed every two years by the parent intergovernmental body according to the Commission's rules.

In order to orient the discussion on the renewal of the terms of references of the Working Party and its Real Estate Market Advisory Group, the secretariat has prepared a comprehensive overview of the activities undertaken during the period 2007-2010, including workshops, seminars, publications and other initiatives.

This document complements specific reports on activities undertaken in 2011 (ECE/HBP/WP.7/2011/4). After the Working Party discusses the contents of the overview at its seventh session, feedback obtained will be included in a report to be submitted to the Committee on Housing and Land Management for discussion at its seventy-second session (3-4 October 2011).

## **I. Workshops organized by the Working Party on Land Administration**

1. **Workshop on Spatial Planning to Improve Security of Tenure in the United Nations Economic Commission for Europe Region, Antalya, Turkey (28-29 October 2010).** The United Nations Economic Commission for Europe (UNECE) Working Party on Land Administration (WPLA) in cooperation with the General Directorate of Land Registry and Cadastre of Turkey organized this workshop to improve the understanding of the role of spatial planning and the responsibilities of land administration authorities in reducing the spread of informal settlements in the UNECE region. At present, more than 50 million people in the region live in informal settlements. In some cases, due to the lack of affordable housing, constructions are built on public or private lands with no legal ownership rights. Providing adequate security of tenure is a prerequisite for extending entitlements to housing rights, which are guaranteed under international law and are also part of the Millennium Development Goals. The workshop discussed informal settlements in Turkey, the role of spatial planning and registration policies as tools for prevention of informal development, and international experiences in improving security of tenure.

2. **Workshop on Real Property Cadastre and Registration Services in the UNECE Region: the Impact of "E-government" Reforms, Minsk, Belarus (8-9 June 2010).** The event was organized by UNECE WPLA, the State Committee on Property of Belarus and the National Cadastral Agency of Belarus. The aim of the workshop was to analyse the institutional reforms that had taken place in the UNECE region (with a focus on recent changes in Belarus), as well as to promote the more widespread use of information technologies by land-administration authorities. The workshop concluded that the integration of the National Spatial Data Infrastructure should be considered as an enabler for e-government reforms, which would result in reduced costs for authorities and time savings for consumers. It was suggested that Governments should create the conditions, in each particular national context, for the centralization of responsibilities in one agency that would administer key registers with one common database.

3. **Workshop on Efficient and Transparent Land Management in ECE Countries," Baku, Azerbaijan (4-5 March 2010).** The event was organized by UNECE WPLA in collaboration with the State Committee on Property Issues of Azerbaijan. It took place in the context of the reform of the real-estate-registration system in Azerbaijan, which included the development of an automated system for cadastre and registration services. The objective of the workshop was to improve the knowledge and understanding of successful practices and lessons learned from similar reforms in other countries of the UNECE region. Presentations addressed a variety of land administration issues, including interagency cooperation and policy implications of the digitalization of information on land and real estate. Preliminary findings of a UNECE study on the monitoring and prevention of fraud were also discussed. In the conclusions, it was stressed that Internet-based land-administration services required that authorities raise knowledge and awareness of the potential uses.

4. **Workshop on Experiences with Data Management to Improve Land Administration in UNECE Countries, Sofia, Bulgaria (23-24 April 2009).** The workshop was organized by UNECE WPLA in cooperation with the Geodesy, Cartography and Cadastre Agency of Bulgaria. The principal aims were to discuss recent experiences with improved spatial data infrastructure, to identify the challenges faced by Bulgaria in reforming its cadastre and land registration systems, as well as to assess the need for institutional reforms and improved public-private partnerships for enhanced land markets. The event also introduced the Land Administration Review of Bulgaria (see para. 11). Participants agreed on the need to improve spatial data infrastructure to provide equal

access to all citizens. To achieve these goals, country authorities should focus on the following aspects of land administration:

- (a) Clear rules for government and the private sector;
- (b) Increased flexibility and trust by stakeholders; and
- (c) Utilization of foreign aid for investments in areas besides universal cadastre and registration systems (e.g. improved transparency of e-conveyancing, clearer valuation standards, land consolidation projects) to guarantee the sustainability of land markets.

5. **Workshop on the Influence of Land Administration on People and Business, Cavtat, Croatia (2-3 October 2008).** The workshop was organized by UNECE WPLA in cooperation with the State Geodetic Administration of Croatia. Representatives of the Government discussed recent reforms of the country's real-property-registration system, including the reform of the cadastre and land registries. The workshop addressed such new challenges as the need for harmonization in cadastre and register data in countries with economies in transition, improved information technology solutions, better taxation instruments and effective methods to combat corruption. In the conclusions, the workshop recommended broadening the use of electronic technologies to reduce administrative costs, increase transparency and meet market demand without abandoning the regulatory roles of Government.

6. **Workshop on Legal Empowerment of the Poor in the UNECE Region, Bergen, Norway (10-11 April 2008).** The workshop was organized and hosted by the Mapping and Cadastre Authority of Norway, under the aegis of UNECE. It aimed at presenting the outcome of work undertaken by the United Nations Development Programme (UNDP) Commission on the Legal Empowerment of the Poor and its relevance to, and strategies for, policy implementation in the UNECE region. Participants reviewed a number of land-administration tools as well as their importance for and roles in empowering the poor and promoting good governance. It was recognized that community-based, community-led and community-focused organizational processes did empower slum dwellers. Among the activities, community mapping, building information archives and providing education and training to the urban poor were highlighted. The workshop also addressed factors influencing the development of the real property market in the UNECE region and the need to expand and identify innovative mechanisms to provide credit to households; and to review and make more flexible the regulatory framework for managing urban land and housing markets.

7. **Conference on Registering the World, Dublin, Ireland (26-28 September 2007).** The conference was organized by the Property Registration Authority of Ireland under the auspices of UNECE WPLA. The agenda included such issues as delivering integrated land-information services, developing modern and sustainable organizational structures, security of electronic registration and electronic conveyancing, future challenges linked to the incorporation of new information to land registers (e.g. on climate change and access to public utilities). Speakers agreed that with the ongoing development of modern information systems and the pervasive use of the Internet, there was an increasing demand for access to this information and efforts should be made to streamline procedures and modernize available technologies.

8. **Workshop on "Effective and Sustainable Land Management" Munich, Germany (24-25 May 2007).** The workshop was organized by UNECE WPLA in cooperation with the German Federal Task Force on Land Development (ArgeLandentwicklung) and the Working Committee of the Surveying Authorities of the States of Germany (AdV). Participants discussed the need to foster sound land-administration institutions, including a strong State administration, adequate training of

officials and measures to improve security of tenure. Speakers agreed that the challenges faced in these areas vary among countries due to a diversity of underlying reasons. Each challenge needed to be addressed through tailored approaches. With regard to countries with economies in transition that have engaged in land reform activities, it was emphasized that there was no “one-size-fit all” recipe and successful experiences could be either voluntary- or mandatory-based, and could be carried out through voluntary exchanges of properties, acquisitions of land, expropriation, land readjustment and land rearrangement.

9. **Workshop on Informal Settlements - Real Estate Market Needs for Good Land Administration and Planning, Athens, Greece (28-31 March 2007).** The workshop was jointly organized by the UNECE Committee on Housing and Land Management, WPLA and the International Federation of Surveyors (FIG Com3). It was hosted by the Technical Chamber of Greece and the Hellenic Association of Rural and Surveying Engineers. Discussions addressed the following issues: improvement of maintenance and management performance of residential buildings; the establishment of resident community-based organizations to improve public control over housing maintenance; the effective use of government subsidies; coordination among agencies and participation of affected groups; transparent land registration procedures; access to mortgage and credits; and the availability of digital, interoperable, and updated data sets with common spatial reference concerning ownership, value, and use of land. The outcomes of the discussions provided input to the UNECE publication *Self Made Cities* (See para. 16).

## II. Publications

### 1. Land-administration reviews

10. Land administration reviews constitute a core item of the programme of work of the Working Party. These country studies have the following main objectives:

- To assist the national authorities of the country under review in assessing the current situation and performance of their land administration systems, and in defining and setting national land administration policies and priorities based on an independent analysis by an international expert team.
- To promote improvements in land administration and a continuous policy dialogue among UNECE member countries through the transfer of information on policies, approaches and experiences of reviewed countries.
- To support intergovernmental financial institutions and donor organizations in making decisions concerning current and/or planned land administration projects in the country under review and to prepare recommendations on priorities for donor assistance and its coordination.

11. **Bulgaria (2009).** The review provides general information about the political, social and economic context of the legal framework for land administration in Bulgaria. It examines policies governing cadastre and registration institutions, surveying activities related to the regulation of real-estate markets and international cooperation projects in Bulgaria. It also depicts the context of land reforms started in the 1990s that led to restitution of agricultural land and the current challenges linked to land fragmentation. It analyses initiatives to promote land consolidation, challenges to coordination among different levels of the hierarchy of the planning system as well as technical and administrative aspects of land administration. The cadastre is also examined, with an emphasis on the development of information and communication technologies.

Recommendations are proposed to fasten the integration of information systems and improve land-consolidation exercises.

12. **Azerbaijan (2007).** The review provides information about Azerbaijan, the legal framework for land administration and a description of the land reform that was started in 1996. The study points out challenges related to land management, such as the lack of modern spatial planning systems, and problems of the agricultural sector that emerged after the breakdown of the central planning system. Other challenges relate to the fact that real property cadastre and land registration system were heterogeneous across the country at the time of the study, cadastre maps were not regularly updated and there was a lack of cadastre for the land that had remained as State property. The review also examined the Azerbaijani land market, and topographic and cadastre-mapping activities. It recommended the introduction of a policy on land consolidation to improve farming structures, extending the land reform to urban areas and creating an integrated strategy for sustainable land use.

## 2. Chapters on land administration included in Country Profiles on the Housing Sector (CP)

13. **CP Tajikistan (foreseen 2011).** The chapter examines the land-administration system in Tajikistan, including the country's legal framework, taxation system, legislation on access to land, land reform, land-use rights and ownership. It also provides an overview of the cadastre and land-registration system, including the legal procedures, institutional framework, distribution of responsibilities, topographic and cadastre mapping activities. It explores the challenges linked to the implementation of a legislation that aims to centralize land-administration activities, and provides recommendations to streamline existing procedures.

14. **CP Kyrgyzstan (2010).** The chapter on land administration and land management concentrates on the state of land reforms and sustainable land management, land registration and cadastral systems, and challenges faced by rural and urban land management in Kyrgyzstan. It depicts the legal framework governing land management and the progress made in modernizing land-registration systems. It also deals with topics of zoning regulations, strategic land-management plans and access to land for women. Finally, it examines geographical constraints due to the mountainous area of the country as they can influence the economic variables of land markets. It also provides recommendations for setting up a national strategic spatial development framework for sustainable land management, for registering municipal lands and for creating incentives for the voluntary land consolidation of farms.

15. **CP Belarus (2008).** The chapter on land administration and spatial planning is divided in two parts. The first part examines the legal and institutional framework for land administration, real estate valuation, rent and real estate taxation, mortgages and aspects of the privatization on land ownership. The second part depicts spatial planning policy, including the legislative framework and recent developments in urban planning, with a focus on the urban agglomeration of Minsk. It also addresses rural development and the resulting roles and responsibilities of local governments. Issues related to transparency in the process of urban and spatial planning are also tackled. The chapter provides recommendations for real property formation procedures to be simplified and accelerated, to promote an efficient taxation system, and for the development of mortgage systems.

### 3. Publications containing specific policy guidelines:

16. **Policy Framework for Sustainable Real Estate Markets: Principles and guidance for the development of a country's real estate sector (2010).** The study was prepared by the Real Estate Market Advisory Group in connection with the world economic crisis, which had severely affected the national economies in the UNECE region and had its origins in the real-estate sector. The Policy Framework presents an overview of the institutional prerequisites for a solid real estate sector in the region. It provides policy advice on issues such as institutional and legal frameworks in the real estate sector, the design of financial instruments backed by real estate as collateral, harmonized valuation standards for the valuation of real property and transparency in investment risk assessment. Overall, it advocates a more integrated and holistic approach towards the establishment and management of real-estate organizations, especially in countries with economies in transition.

17. **Guidance and Good Practice for the Application of Fees and Charges for Real Property Cadastre and Registration Services (2009).** The study was based on the outcome of a questionnaire discussed during the fifth session of the Working Party on Land Administration. The questionnaire had surveyed current government practices in the region. The objectives of this document were to provide guidance and promote good practice in the application of fees and charges in UNECE member States. It elaborates on country experiences by identifying existing trends and principles in financing real property cadastres and registers. It also evaluates a series of factors that influence the setting of fees and charges. The document argued that fees and charges are inextricably linked to cost management and recovery, and that these aspects are fundamental to the sustainability of land-administration systems.

18. **Self-made cities: In search of sustainable solutions for informal settlements in the United Nations Economic Commission for Europe region (2009).** The publication is the outcome of the joint work of the UNECE CHLM and WPLA, which is based on the outcomes of a series of meetings, dedicated workshops and research activities. The study provides a general overview of the phenomenon of informal settlements in the region and identifies policy responses to address these challenges. Emphasis is given to practices that can facilitate access to affordable land and housing and improve the livelihoods of residents in informal settlements, and in general to strategies that stand to improve the physical, social, economic and environmental situation of informal settlements. The analysis highlights major achievements in addressing the multiple dimensions of informal settlements in cities across the region. The conclusions draw attention to alternatives for local, national and global action and provide guidance on how to face the challenges that informal settlements pose in each national context.

19. **Spatial Planning - Key Instrument for Development and Effective Governance with Special Reference to Countries in Transition (2008).** This study explores general principles of spatial planning and their relevance for national, regional and local authorities. It is a contribution to raising awareness of the importance of spatial planning among the general public and policy makers. It identifies the role and benefits of spatial planning, its key principles, the division of responsibilities, the main stages in the process of developing spatial plans, and finally, the particular challenges faced by countries with economies in transition.

### III. Forums, Roundtables and Seminars supported by the Working Party on Land Administration Real Estate Market Advisory Group

20. **Roundtable on Sound Rules to Improve the Real Estate Sector, Lisbon, Portugal (27 January 2011).** Government officials, representatives of professional associations, the private sector and academics participated in the roundtable. Speakers discussed how the principles contained in the Policy Framework publication might be applied to Portugal's present challenges as follows:

- (a) The need for appropriate spatial planning regulations on land use to prevent speculation on the value of land;
- (b) Streamlining the registration of real estate transactions and mortgages through e-Government reforms;
- (c) Increasing the size of the rental sector so as to provide more affordable housing for vulnerable populations;
- (d) The need to promote increased foreign investment to spur economic growth.

One of the conclusions of the discussions was that multi-stakeholder involvement would be fundamental to ensuring further policy change. The UNECE Real Estate Market Advisory Group offered to support continued consultations among international experts and national authorities to help implement legislative reforms on the above challenges.

21. **International Forum on Greening Real Estate Markets: A Multi-Stakeholder Perspective (Dessau, Germany, 29-30 November 2010).** The event was jointly organized by the UNECE Real Estate Market Advisory Group and the German Federal Environment Agency (UBA). Speakers and participants discussed existing obstacles as well as the economic and social benefits associated with a green real-estate sector. Challenges that were identified include:

- (a) The impact of a more intensive use of green technologies on the durability of homes and related operations and maintenance costs for families;
- (b) The need to calibrate subsidies and tax-incentives to facilitate green retrofits of existing housing stock;
- (c) The importance of the use of information and communication technologies by cadastre authorities to quantify the potential for in-house energy generation with solar panels;
- (d) The need to update value appraisal practices of buildings to quantify the effect of green investments;
- (e) The impact of a green real-estate sector on the comfort of living spaces and health of populations.

The workshop concluded that uniform global valuation standards should be set for all properties that incorporate green technologies as a form of value.

22. **Roundtable Towards Sustainable Real Estate Markets (Ukraine, Kiev, 18 June 2010).** The event was organized by UNECE REM Advisory Group in cooperation with the Ukrainian Chapter of the International Real Estate Federation (FIABCI-Ukraine). It launched the publication UNECE Policy Framework for Sustainable Real Estate Markets. Government officials, representatives of the private sector, representatives of professional associations and international experts participated. They exchanged views on the current situation of the real-estate sector of Ukraine and discussed how to best adapt the principles

and guidance of Policy Framework to Ukraine's particular institutional context. The conclusions of the roundtable provided guidance to a working group that was established to work with the Government of Ukraine on the development of specific policy reforms for the real estate sector.

23. **UNECE Forum on Rethinking Real Estate Markets (Rome, Italy, 3-4 June 2009).** The forum was organized by UNECE and its Real Estate Market Advisory Group with the support of Tecnoborsa (the organization for the Development and Regulation of the Real Estate Economy of the Italian Chambers of Commerce). Participation was open to representatives of government, the private sector and academia. Interactive sessions and presentations contributed to the development of the "Real Estate Market Advisory Checklist". This is a series of principles and guidelines that provided an input to the work of UNECE on issues related to real estate and financial markets. The goal was to set a framework for a sound restructuring of the real-estate sector, defining principles to be implemented in different national contexts according to the development level of the national real-estate markets and related legal systems in each country. The checklist was later published (See *Policy Framework*, para. 16).

24. **Seminar on the Real Estate and Financial Crisis: Causes, Effects and Impacts on Development (New York, USA, 16 December 2008).** The event was organized by the UNECE REM Advisory Group and the International Real Estate Federation (FIABCI) and held at United Nations Headquarters. A panel of experts discussed the root causes, effects and impacts of the world financial crisis, and alternative policy responses. The panel sought to promote dialogue not only on the financial aspects of the crisis but also on the real estate sector, as the world crisis had shown that there was an obvious need for improved regulation of both the real estate and financial market. Discussions also highlighted the need to improve communication between private-sector advisory professionals and public-sector regulators. Participants agreed that a collaborative system to supervise real estate and financial companies should be promoted at the international level.

#### **IV. International cooperation with organizations dealing with land administration issues**

25. The following is a list of some of the events organized by different institutions dealing with land-administration issues that featured presentations by the Chair of the Working Party or the UNECE secretariat. The presentations highlighted activities undertaken by the Working Party and their influence in the UNECE region and elsewhere:

- (a) 10th annual General Assembly of EuroGeographics held in Brussels, Belgium (10-13 October 2010);
- (b) International Forum on Property Transaction in the Digital Age organized by Zenit GmbH in Mulheim an der Ruhr, Germany (30 September and 1 October 2010);
- (c) International Land Management Symposium, organized by the German Agency for Geo-information, Land Development and Real Estate (GLL) held in Hannover (9 - 11 May 2010);
- (d) International Federation of Surveyors (FIG) Annual Congress held in Sydney, Australia (11-16 April 2010);
- (e) Conference on Citizen Rights to Real Property organized by the Agency for Land Relation and Cadastre of Moldova held in Chisinau, Republic of Moldova (30 November and 1 December 2009);

- (f) International Federation of Surveyors (FIG) Commission 3 workshop on Spatial Information for Management of Sustainable Urban Areas held in Mainz, Germany (2-4 February 2009);
  - (g) Plenary session of the Permanent Committee on Cadastre in the European Union (PCC) held in Rome, Italy (10-12 December 2008);
  - (h) 14th Meeting of the Permanent Committee on GIS Infrastructure in Asia and the Pacific held in Kuala Lumpur, Malaysia (19-22 August 2008);
  - (i) Expo Italia Real Estate (EIRE) held in Milan, Italy (10-13 June 2008);
  - (j) United Nations Commission on Sustainable Development (CSD-16) meeting in New York (5-16 May 2008);
  - (k) Roundtable on the Role of Land Administration in Economic Development organized by the Conference Permanent Committee on GIS Infrastructure in Asia and the Pacific in a workshop held in Ulanbaatar, Mongolia (27 June 2007);
  - (l) 5th General meeting of the European Land Registry Association (ELRA) held in Brussels, Belgium (23-24 April 2007).
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