



VITAL SPACES

THE NEWSLETTER OF THE UNECE COMMITTEE ON HOUSING AND LAND MANAGEMENT AND THE WORKING PARTY ON LAND ADMINISTRATION

Dear reader,

This newsletter reports on the ongoing and planned meetings and activities of the UNECE Committee on Housing and Land Management. For more information on the areas of work under the Committee, please visit the website: <http://www.unece.org/hlm/welcome.html> or write to housing.landmanagement@unece.org.

Introduction

This issue of *Vital Spaces* focuses on the UNECE Working Party on Land Administration (WPLA). The WPLA is an intergovernmental body of representatives from the national land authorities of the UNECE member states. To improve land administration and land management in the UNECE region, the WPLA works with partners in governments and international organizations to: organize workshops and seminars; conduct in-depth studies of land management systems as part of the UNECE country profiles on housing and land management; publish studies on selected land topics relevant to the region; and provide expert assistance to member States. The WPLA Bureau carries out the work of the WPLA in between its biennial sessions through. The Bureau is organized into task groups which focus on specific tasks such as cooperation with international organizations and institutional research.

Some of the most important governmental organizations the WPLA works with are land registries and cadastre authorities. Typically, land registries document the legal ownership of land and real property, while cadastre authorities document the boundaries of land parcels. However, the roles and responsibilities of these agencies vary throughout the UNECE region; this topic is addressed by Bureau member Rik Wouters in his article in this edition.

Some recent studies produced by the WPLA, available on the UNECE website, are:

- *Study on the Challenges of Fraud to land Administration Institutions* (July 2011)
- *Self-Made Cities* (December 2009)
- *Guidance and Good Practice for the Application of Fees and Charges* (June 2009)
- *Spatial Planning: Key Instrument for Development and Effective Governance* (March 2008)
- *Land Administration in the UNECE Region: Development Trends and main Principles* (December 2005)

A forthcoming publication will build on *Self-Made Cities* to look at actual programmes undertaken to solve the problems associated with informal housing and to recommend best practices. Another will analyze the results of a comprehensive survey of land management systems in the UNECE region.

Announcement

The UNECE will host a ministerial meeting on housing and land management on 8 October 2013, in between the two days of the 74th session of the Committee on Housing and Land Management on 7 and 9 October 2013. To participate, please fill out the registration form available at <http://www.unece.org/hlm/welcome.html> by 30 August 2013.

Europe and Central Asia to Increase Cooperation for Better Land Management

UNECE member States came together at the 8th session of the WPLA on 18 March in Bishkek to decide on the next steps in cooperation between land administration and cadastre agencies in the UNECE region.

The session was followed by a two-day workshop, organized by the WPLA and the World Bank, entitled "Land Administration in Central Asia: Building Systems for 21st Century Challenges". Both the session and the workshop were hosted by the Government of Kyrgyzstan.

The workshop focused on the challenges and opportunities related to land management in the countries of Central Asia. The participants emphasized the importance of organizing regular events where specialists from Europe, the Caucasus and Central Asia can meet.

In closing the workshop, the Head of Department of Cadastre and Registration of Kyrgyzstan, Narynbek Isabekov, said that the workshop had clearly demonstrated that Central Asian countries had made achievements in developing their land administration systems and that "many challenges remain in building national capacities for land administration. To address these challenges, international cooperation needs to be strengthened".

Thematic workshops, which the WPLA holds at least twice a year in cooperation with its partners, offer an effective platform for regularly exchanging experience and best practices in land administration.

Serving user needs for cadastral information – The Austrian approach, by Julius Ernst



Julius Ernst (1959) has a Master's degree in Engineering Sciences from the Technical University of Graz. He is currently deputy director of the division for cadastral offices at the Federal Office of Metrology and Surveying in Austria. He is responsible for cadastral tasks and represents Austria in national and international bodies.

Mr. Ernst is a Bureau member of the WPLA. He is also head of the Coordinating Committee of the Cadastre and Land registry Knowledge Exchange of EuroGeographics. Furthermore, he is a university lecturer for cadastre at the Technical University of Vienna and at the University of Agriculture of Vienna.

The Austrian Real Estate Database (GDB) links the data of the cadastre and the land registry. The GDB includes information on more than ten million parcels and about three million property units with more than six million owners. More than ten million changes per year are done by the cadastral offices, and the land registry needs to take this into account in order to provide up-to-date information.

On 7 May 2012, the Federal Office for Metrology and Surveying (BEV) and the Federal Ministry of Justice jointly launched the completely renewed Real Estate Database (GDB) as the result of a joint project.

The main improvement in the GDB is the creation of a fully digital communication process between cadastral offices and land registry offices, as well as between the licensed surveyors as clients and the cadastral offices. The applications from the surveyors are entered into the system of the cadastre electronically via the BEV web portal. A validation process checks the format of the digital documents and adds an electronic time-stamp. The cadastral processing is based on a fully digital process management system.

When a new surveying document is submitted, it is checked for technical and legal consistency by the cadastral office. Changes to parcels are implemented in a new pre-layer of the Digital Cadastral Map. Afterwards, a message is sent to the land registry system, which automatically sends data to be incorporated into a new legal layer in the cadastre. This digital process guarantees a significant reduction of cadastre updates, from 3 weeks to 1 day. All documents are digitally stored in the central archive register of the BEV and outputs to the user are digitally signed.

To better serve the user and to meet expectations for authentic and up-to-date information in Austria, users have direct access to the information in the GDB, including cadastral and land registry information. The web-portal of the BEV, eGeodata Austria, offers various services and products to update cadastral information and combines the different datasets provided by BEV in a single logical database. The integrated e-commerce system ensures that the rules and rights of the user are respected when cadastral changes are made.

High-quality and standardised data is demanded and expected by users of the cadastre and is a prerequisite for supporting the National Spatial Data Infrastructure (NSDI). Important public services and products, based on cadastral data, have been developed by various public administration agencies. These include municipal zoning and development plans and soil evaluation maps,

which are a basis for the taxation of agricultural property and for agricultural subsidies.

Austria and the BEV support the principles of the European Union's digital agenda for Europe, which include "...simplifying the access to cadastral and land registry data for professionals and citizens...", and the role of the cadastre as an essential part of the NSDI.

The Contribution of Her Majesty's Land Registry of England and Wales to the WPLA, by Julie Barry



Julie Barry currently represents Her Majesty's Land Registry of England and Wales as a WPLA Bureau member. She has 36 years of experience in land registries. As the head of the Land Registry's Head of Stakeholder Engagement and International Unit, she works with government, charities and private sector partners in the United Kingdom and

internationally to develop sustainable land registration systems overseas.

Her Majesty's Land Registry (HMLR), established in 1862, is the statutory authority in England and Wales which maintains a register of title to freehold and leasehold land, and to record dealings with land once it is registered. On behalf of the Crown, it guarantees title to registered estates and interests in land. There are currently 23,500,000 registered titles on the register out of an approximate 29,000,000 titles, which equates to approximately 82% of the land mass in both countries. It serves a population of more than 55,000,000 and facilitates one of the most active property and mortgage markets in the world.

HMLR has been working with the WPLA since its inception. HMLR, which in 2012 celebrated its 150th anniversary as the registration authority of England and Wales, actively supports the goals of the WPLA to promote and improve land administration in the 56 member states of the UNECE region.

In 2009, HMLR led research on the WPLA publication "Study on the Challenges of Fraud to Land Administration Authorities". The results of this study were published in 2011. The study consolidates and presents good practices in the detection and prevention of fraud in land registration systems in UNECE countries and, in particular, the protection of information against misuse by fraudsters.

In October 2012, on the occasion of its 150th anniversary, HMLR hosted a two day conference for UNECE member States in London. The theme of the conference was "How can land administration authorities support recovery in the property market and the wider economy?". This topic is of vital importance to all of us – land is a large and stable component of national wealth and the basis for all human activities. The conference was attended by 125 delegates who heard expert speakers from the United Kingdom, the United States of America, Australia and others from across the UNECE region. It provided a valuable opportunity for land administration professionals to build new relationships, to debate this topic and, for countries that are introducing land registration, to meet experts and build new partnerships. The United Kingdom sponsored attendance at the conference for two delegates from central Asia.

From time to time, HMLR also provides experts in land registration to participate in UNECE country profile studies, which are in-depth studies of target countries' housing and land management policies. In 2013, HMLR experts will carry out research in Moldova.

WPLA starts new research project on cadastral models, by Rik Wouters



Rik Wouters earned his MSc in Agricultural Sciences at Wageningen University, the Netherlands, in 1982. After his studies, he worked for the Food and Agriculture Organization for five years, where he had assignments in watershed management and forestry projects in Africa and Asia. In the Netherlands, he worked in information and communications technology (ICT) for over 10 years. From 1996, he joined the Dutch Cadaster and was responsible for

large and complex ICT projects. His last project dealt with the redesign of the land registration system.

From 2006 until June 2012, he was a regional manager for Kadaster International and was responsible for account and project management. Since June 2012, he has been Domain Leader – Land Registry for the European Commission’s Task Force for Greece. He is currently Managing Director of EULIS EEIG. Since June 2011, Mr. Wouters has been a WPLA Bureau Member.

At a 2011 WPLA workshop in Amsterdam, the chairman of the board of the Netherlands Cadastre announced a WPLA research project on the advantages and disadvantages presented by unified and separate cadastre and land registry organizations. The WPLA recognized the importance of this topic, which puts a focus on efficient land administration functions and an effective organisational structure.

In recent years, the organisation of land registration and cadastres has been regularly discussed by stakeholder organizations in Europe. There is no general consensus on a blueprint for the organization of these functions. Some countries defend their integrated model, while in some countries land registration or cadastre organisations would favour integration but do not think it is politically achievable. Some organisations find they manage well in their non-integrated organisations or strongly oppose integration.

Research into the structure of land management organizations is important to understand the potential development of the (legal) cadastre as the basis for all other land-parcel oriented applications. International comparisons can create new visions and possibilities. This research is especially important because it can help member States to prepare for an anticipated tighter implementation of the European Union’s INSPIRE Directive. This Directive establishes an infrastructure for spatial information in Europe to support community environmental policies. The definition of cadastral parcels in the INSPIRE Directive includes all parcel-based information systems, not only those which are usually referred to as “cadastral”.

Part of this research will examine how to best provide good services to society at reasonable costs. A definition of what is “good” and what is “reasonable” will be attempted to be found, by defining representative key performance indicators. Furthermore, the study will differentiate between organisational, functional and technological integration. It is planned to finish research by the end of 2014 in order to provide member States with recommendations and guidelines for streamlining land administration practices.

The benefits of real-estate information systems, by Roger Ekman



Roger Ekman received his Master’s in cadastral surveying from the Royal Institute of Technology in Stockholm in 1977. He has worked as a cadastral surveyor, as chief county surveyor, as Head of Development and Cadastral Services and Director of the Swedish Lantmäteriet.

He is currently senior advisor to the Business Development Unit at Lantmäteriet. He works to support further cooperation between the

cadastral offices of the Nordic countries on for land consolidation cooperation between Sweden, Finland, Norway, the Faroe Islands and Bavaria.

Roger is a WPLA Bureau member.

If you run a business and want to expand it, a delay in the purchase of additional land may mean that your competitor grabs your opportunity. If your bank can access reliable information about your property and has trust in its value, you will get a lower interest rate on your mortgage.

An effective land-administration system allows you to benefit from a market trend at the right time. Efficient land administration is not just about macroeconomics, it also affects people’s everyday lives.

A well-functioning information system provides an electronic means to gather and disseminate information about property, and provides information on titles and registrations. It also provides a basis for land planning, regulation of land use, taxation of property and many other activities. Far more important, however, is the impact it can have on the property market. Land is the most valuable asset of a country, and facilitating the conveyance process contributes to the most efficient use of this limited resource and helps it to reach its potential value.

The property market is not an isolated market. Every human activity takes place on a property unit. To establish an enterprise or to develop public infrastructure, you need information about real property. This information about property is also the basis for a country’s credit system and for investments in assets other than the land itself.

The WPLA workshop held in Uppsala, Sweden in May 2013 focused on how public authorities can design systems which serve the clients – that is, the citizens and residents of their country. It looked at how data can be made accessible and useful. One theme of the workshop was the Swedish e-government motto: “As simple as possible for as many as possible”.

UNECE Working Party on Land Administration workshop “Collaborating for Secured Ownership”, 29 to 31 May 2013, Uppsala, Sweden

In today’s times of continuing financial challenges and austerity measures in Europe, the efficiency of public administration is debated by politicians and the media. E-government is the implementation of public administration tasks online (such as collecting and providing data and information on land, property and taxes). This has become an important focus of the work of

Governments in Europe and across the globe. E-government allows for quicker, cheaper and more convenient transactions.

The implementation of e-government requires large-scale financing. It is also necessary to ensure the quality of the data collected, the interoperability of different registries, the stability of information systems and personal data protection.

Land administration authorities, including land and property registers and cadasters, provide data and services to other public organizations as well as individuals. They are at the forefront of promoting e-governance. Because of pressure from both politicians and citizens to provide data and services in a more efficient manner, land administration authorities are restructuring their organizations and developing new technologies, services and products.

The workshop “Collaborating for Secured Ownership” was organized by the UNECE Working Party on Land Administration (WPLA) and Lantmäteriet, the Swedish Mapping, Cadastre and Land Register Agency, in Uppsala, Sweden, from 29 to 31 May. There, participants discussed how to provide data and services to both organizations and individual land and property owners in the most convenient and efficient way and how to promote e-governance while ensuring that data are accessible and secure. There were 87 participants from 26 countries representing government agencies, academia, the private sector, local authorities and international organizations.

The workshop made **the following conclusions:**

- Efficient land and property registration plays an important role in economic recovery in the UNECE region. Land administration authorities provide information as well as rules and procedures for the real property market. The improvement of the data and services provided by the land registries has a positive impact on the work of enterprises and on the economy as a whole.
- Making data available for free has benefits for the economy, though this can be expensive. For instance, the Finnish Land Administration Board estimates that data provision costs it 1.5 million EUR in annual revenues. A study should be undertaken to estimate the economic gain from making data available for free online; this information is not widely available.
- Registries should implement user-friendly e-solutions which take into account the needs of the customers, including organizations and individuals. They should open a dialogue with stakeholders through, for instance, advisory committees, workshops, product testing, marketing and education. The expense of hiring qualified professionals to develop these communication channels can pay for itself in the long run.
- Interagency cooperation in promoting e-governance is critically important. Land administration authorities provide data and services to other public agencies and so provide benefits to work in the rest of the Government. Regular cooperation between land authorities and other government agencies creates better and more efficient services and makes public administration more transparent. The Swedish e-government delegation is a working example of interagency cooperation. This interagency organization supports the following four steps for promoting e-governance: first, establishing interagency links to enhance efficiency and quality; second, supporting strategic interagency projects; third, standardising of technologies; and fourth, developing joint guidelines.

Existing models of interagency cooperation should be studied in depth so that their experiences can be applied to countries still developing such cooperation.

- Land administration agencies should diversify their services and offer data provision and commercial products and services. Maintaining diverse services and products is strategically important as it promotes long-run organizational sustainability.
- Though similar trends can be found, there is no one-size-fits-all approach that works for all countries. Information systems reflect the legal, institutional and cultural traditions in each country. The ways land and housing are managed and regulated are rooted in the local culture.
- Joint research projects and workshops should be conducted to examine the differences in national institutional structures. Workshops allow face-to-face discussion, which helps in understanding the history of the establishment of different institutional arrangements in specific countries and extracting best practices in approaches to land and property administration.
- Governments should pay attention to the cultural component of organizational changes by preparing employees, who may work in different cities or offices, to serve better the customer. Changes to the organizational culture should be addressed with the same seriousness as changes to the organizational structure.
- Governments need to be proactive in encouraging customers to change how they use data and e-services. Organizations can use education and marketing to establish trust and dialogue. They can incentivise the use of these tools, for example, by giving quicker tax refunds to those who file online.

The next WPLA workshop will be hosted by the Danish Land Registry in the spring of 2014 and will focus on how property registries and the data they collect can be used to support public administration. Two more WPLA workshops are planned for 2015 in Vienna and Baku.

For more information on the Uppsala workshop, including the agenda and presentations, please visit <http://www.unece.org/index.php?id=32220>.

The impact of earthquakes on Italian people and homes, by Marco Selleri



Marco Selleri received his degree in Civil Engineering from the University of Bologna. Since 1985, he has been working in the Italian cadastral and land registries administration, under the Ministry of Finance.

He is currently in charge of the Land Branch Regional Directorate of the Revenue Agency for Veneto and Trentino–South Tirol. Since the founding of the Agency, he has supported its Director General in international activities. He has participated in cooperative projects as a technical expert and spoken at many workshops focusing on land registration. Since 2009 he has been a WPLA Bureau member.

On the 20 and 29 May 2012, earthquakes struck northern Italy, destroying or severely damaging thousands of buildings. In Emilia-Romagna, Lombardia and Veneto, more than 12,000 displaced people have been assisted in temporary housing camps, covered structures and in hotels that have offered them hospitality.

The most severely damaged structures were newer buildings such as houses, schools, and churches and industrial buildings. Ancient bell towers, centuries-old works of art built by generations of Italians, were also destroyed.

After the earthquake in Emilia, prompt communication and efforts to give immediate hope to the people allowed normal life and the economy to restart almost immediately. The desire to restore and rebuild in the same place stems from the will to prevent an exodus from towns that have been occupied for centuries. Geological risk maps and amendments for provisions concerning how and where to build are in citizens' daily dialogue. Since the earthquake, discussions have begun to focus on preventing the destruction of buildings by investing in innovative building practices.

The international scientific community still cannot predict earthquakes with existing knowledge and technology. Nonetheless, whenever an earthquake occurs, debate follows and people wonder what can be done. Real estate assets are social assets, resulting from ancestors' sacrifices. They have survived wars, invasions and floods for centuries. They are significant not only as structures, but also as urban landscapes which represent generations of memories.

Governments and international organizations must work together to mitigate the consequences of earthquakes. On 10 September to 9 October 2013, the UNECE will exhibit post-disaster emergency housing at the Palais des Nations, Geneva, Switzerland, as part of its celebrations for World Habitat Day 2013 on 7 October.

Informal settlements: The experience of Azerbaijan, by Elshad Khanalibayli



Elshad Khanalibayli is the current Chair of the UNECE Working Party on Land Administration.

He is Deputy Head of the Investment and Cooperation Department as well as Head of the International Cooperation and Tenders Department of the State Committee on Property Issues, the Republic of Azerbaijan. He was educated in Baku, Moscow and London.

Mr. Khanalibayli worked as a Regional Sales Manager (for both the Caucasus and Central Asia) of Gillette International for several years before he began his career at the State Committee on Property Issues in 1999.

Any analysis of the problem of illegal construction in the Republic of Azerbaijan must start with a review of the causes of the problem. As in all countries with informal settlements, the construction of illegal buildings took place in several phases. The problem reflects socio-political, economic, cultural and historical influences

Illegal construction in Baku began in the mid-19th century when industry began to concentrate in Azerbaijan's big cities. The centre of the government was transferred from Shamakhy to Baku in 1859 after an earthquake; at the same time, an oil boom around Baku increased the importance of the city. This boom shifted the basis of Azerbaijan's economy from agriculture to industry and encouraged

rural-to-urban migration. People migrated from other regions of Azerbaijan and neighbouring countries to Baku to work in the oil industry. As a result, informal squatters' settlements formed near the centre of Baku.

Formal urban planning in Baku began around this time with the Master Plan of Baku in 1878. This plan became a prototype used by other regions of the country for the next 100 years. Soviet economic policies put central government authorities in control of urban planning from 1920. Town master plans prioritized regional economic specialization, residential areas for labour, effective public transport and managed work and rest times and attempted to adjust population distribution to economic geography. In some cases, 20-year master plans were only half-implemented, due to a lack of financing.

Rural-to-urban migration accelerated again after the 1980s. Conflict resulted in the migration of millions of people to cities in central Azerbaijan, many of whom settled in illegal constructions.

A 140-page document on the regulation of illegal constructions, called The Final Report, was published in 2010 as part of the Real Estate Registration Project implemented by the World Bank in Azerbaijan. The document describes the problem of informal settlements in Azerbaijan and gave examples of international good practice in Greece, Turkey, Serbia, Lithuania, Latvia, Estonia, Brazil, India, Senegal, Namibia, Zambia and other countries. It also includes recommendations on legislation on the regulation of illegal constructions.

The Government is now actively discussing a draft law on the regulation of informal settlements. This law would attempt to solve problems related to informal settlements while respecting the principles of social justice and the protection of property rights. Most illegal constructions would be documented, and in cases where documentation is impossible, a fair compensation action would be given to the de facto owners. The draft law includes strict penalties for future illegal construction.

The draft law proposes the following steps:

1. The collection of detailed information on illegal constructions in the country:
 - Identify places of illegal construction
 - Identify illegal constructions in areas with appropriate self-governing bodies
 - Classify illegal constructions
2. The development of an electronic database on illegal constructions:
 - Map illegal constructions
 - Map possible infrastructure in the area
 - Create documents on illegal constructions
 - Educate citizens on illegal constructions
3. The resolution of organizational and financial issues:
 - Establish and maintain government, civil society and private sector organizations to identify and manage illegal constructions
 - Coordinate the use of financial resources for managing illegal constructions
 - Establish and maintain a central council to execute the State program on illegal constructions

- Involve the private sector in the inventorying, organization, coordination and supervision of organizational and financial activity

4. The preparation of a State program for the regularization of illegal constructions:

- Create procedures for regularizing different kinds of illegal constructions
- Identify financial and technical support for these procedures
- Develop a programme for the legal construction of private houses
- Develop a strategy to eliminate social injustice and inequality in housing
- Distribute responsibilities between relevant State organizations
- Prevent illegal constructions in the future
- Provide easy access to data and legal advice to citizens

The prevention of future illegal constructions will include:

- Instilling concepts of apartment maintenance in citizens
- The development of the “State Apartment Construction Programme” to provide social housing through construction companies and apartment construction cooperatives
- Revised construction standards and penalties and sanctions for not meeting them
- Guidelines on the division of concessional land, the correct utilization of land, and land restoration
- Simplification of the registration system
- A strategy for the production and use of local and appropriate construction materials
- The development of functional, efficient, aesthetic and environmentally friendly apartments
- The establishment of an authority to prevent illegal constructions

A high level Government commission is working on these issues. Property owners’ rights will begin to be formalized as soon as the law is adopted by the Government.

Upcoming events:

- Opening ceremony for post-disaster housing exhibition, Geneva, 10 September 2013
- 4th International Forum: Energy for Sustainable Development, Tbilisi, 17-19 September 2013
- UNECE Workshop: A Road Map to an Energy Efficient Residential Sector, Tbilisi, 19 September 2013
- 74th session of the UNECE Committee on Housing and Land Management and its Ministerial Meeting, Geneva, 7- 9 October 2013
- UNECE *Country Profile on Housing and Land Management: Ukraine* launch event, Kiev, 18-19 November 2013
- Geospatial World Forum 2014, Geneva, 5-9 May 2014
- WPLA workshop: Land administration and public services, city to be announced, Denmark, 7-9 May 2014

A NOTE ON THE COORDINATORS:

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