

**CONTRIBUTION OF UNCHS (HABITAT){PRIVATE }
TO THE UN-FIG INTERNATIONAL CONFERENCE ON LAND
TENURE AND CADASTRAL INFRASTRUCTURES FOR
SUSTAINABLE DEVELOPMENT**

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Land tenure systems and cadastral infrastructures are essential components of sustainable development. These two components in an age of computerisation and globalisation are usually seen as universal technical instruments regulating the allocation, possession and use of land. Our purpose would be to argue that there are not such simple, technical and universal instruments but a complex product of social and economic development which should respond to the universal goal of sustainable development.

Today UNCHS(Habitat) mandate to promote sustainable urban development is initiating two global campaigns on Security of Tenure and Urban Governance. The idea is to improve the living and working conditions of urban residents by identifying and promoting recognized norms for security of tenure (land tenure, rights to affordable housing, peace and social justice, and financial security) and for urban governance (transparency, accountability, democratic decision making, redistribution and equity). In addition, UNCHS(Habitat) is mandated to provide activists, practitioners and policy makers with operational strategies, tools and indicators that they can use to uphold these norms.

How did we come to that focussed mandate, and how do we plan to operate?

An important benchmark in the development of the concept of sustainable development has been the issuance of Agenda 21 - the Global Plan of Action on Sustainable development, adopted at the Rio Conference in 1992. In relation to the interface between people and land, Agenda 21 focuses on the importance of land-use planning and management to achieve sustainable human settlements in an urbanizing World. Furthermore, Agenda 21 addresses the environmental impacts of urban growth on land. Land is frequently the key constraint on such development with an increasing competition for land use. Therefore, the adopted policy recommendations and programmes on land-use planning and management.

Three years later, when assessing the implementation of Agenda 21 in the area of sustainable human settlements, it was noted that much of the focus in this programme area appeared to continue to be on the technical aspects of land registration (land and geographic information systems, and so on). With urban land requirements being roughly at par with urban population expansion, it was acknowledged that there was a

need to manage the process of land planning, acquisition and development to avoid ecological damage, to reduce the cost of urban development and to guide the conversion of agricultural land for urban use. Controlling this situation at the urban frontier should be a priority of human settlements action. It was clearly identified that what has hindered it so far was the political sensitivity of the land issue.

Control over land tenure is, after all, still the basis of power in many societies. However, this situation did not prevent UN initiative from attempting to assist countries in this regard. UN technical assistance focusing on the regulatory reform, legislation, enforcement, management mechanisms. Coordinated by the UN Commission on Sustainable Development and involving concerned agencies such as UNEP, FAO, UNCHS an integrated approach to the planning and management of land resources had become the new priority.

In June 1996, the Habitat Agenda - the Global Plan of Action on Human Settlements, adopted by the second United Nations Conference on Human settlements - Habitat II - addressed the need for land and shelter for all and land policies for sustainable human settlements in an urbanizing world. Through a world-wide process of consultations associating partners, stakeholders both from the public and private sector, a Global Platform on Access to Land and Security of Tenure as conditions for Sustainable Shelter and Urban Development was prepared in support of the implementation of the Habitat Agenda. The Habitat II Global Platform on land issues identified five areas of policy implementation:

- 1) Strengthening the role of local governments for a decentralized land management and administration system;
- 2) Regularizing the informal land development process;
- 3) Involving communities in the process of tenure regularization and land development;
- 4) Promoting the private sector participation including public-private partnership for better land management and greater access to land and security of tenure; Developing a regulatory framework through norms, standards and controls for facilitating implementation and financing. Land administration guidelines were issued in that respect calling for an open land market, for facilitating credit for land acquisition and servicing under different forms of tenure.

Keeping in mind the aim of increasing the supply of urban land, particularly for the low-income groups of the society, measures were issued to improve the cadastral infrastructure system. Cadastral reforms were even proposed to tackle the problems. Here are some of these measures:

- a) Reduce legal restrictions;
- b) Reduce bureaucratic procedures including pricing, required by land-regulation systems;
- c) Improve the ability of cadastral, land-registration and land-information systems to clear titles and formally define parcels.

It is important to add that following on the recommendations of the Beijing Conference on Women and Development held in 1995, the gender perspective in land delivery, land management, land administration had to be critically re-visited. The accorded guiding principle in that area has been and remains that: "Men and women shall have full and equal access to economic resources, including the right to inheritance and

ownership of land and property?" Beijing Platform for Action, paragraph 63 b).

Involved in the consultative process for the preparation of the Habitat II Conference and later active participants during the Conference itself, today a major partner of UNCHS(Habitat) committed to the implementation of the Habitat Agenda, the profession of surveying - represented by their International Federation of Surveyors(FIG), who is the main convenor together with various United Nations Organisations of this International Conference, has for long contributed to the reflection on how to improve land tenure and cadastral systems to achieve the broad goals of sustainable development.

Let's go back to a presentation titled: "Helping Cities Work" made by Professor Ian Williamson, Chair of the FIG Commission on the Cadastre and Land management at the Habitat II Regional Policy Consultation on Access to Land and Security of Tenure for Sustainable Development held in Jakarta, 28-30 August 1995. The presentation highlighted three main issues:

Inefficient land markets;

Who owns what, where and at which cost?;

Managing urban infrastructure.

In conclusion, a very useful set of actions related to cadastral and land information systems for the operation of land markets and the efficient management of cities markets was produced . What progress would have been made in that direction, where do we stand today? Preparations for Habitat II +5 review of progress made since Istanbul are on the way.

According to the report of the Executive Director of Habitat to the last session of the Commission on Human Settlements held in May this year, under the area of sustainable land-use, the Centre launched a Land Management Programme to implement the Habitat Agenda related recommendations and the New Delhi Declaration, the Global Platform on Access to Land and Security of Tenure as a condition for Sustainable Shelter and Urban development. As a result of extensive consultations with partners, a memorandum of understanding was signed between FIG and UNCHS(Habitat). Consultations with United Nations organisations, namely the United Nations Environment Programme (UNEP) and the Food and Agriculture Organisation of the United Nations (FAO) have been held on the issue of land-use management in order to provide a coordinated response for the implementation of Chapter 10 of Agenda 21. The present Melbourne International Conference on land tenure and cadastral infrastructures for sustainable development, called by various UN Agencies and FIG, has to be situated in that global context. Similarly, UNCHS is contributing to the preparation of an international conference on multi-functional agriculture and land management to be convened by FAO and the Netherlands later in the year. Both Conferences will report to the Commission on Sustainable Development at its "CSD 2000" meeting.

A booklet titled "Basic facts on Urbanization" issued in May 1999 by UNCHS(Habitat)provide an overview of the global situation on the challenge of sustainable urban development. The global picture remains alarming. Conventional urban development practices have tended to channel public resources towards "formal" areas: manufacturing and commercial zones, and regularized residential areas.

Municipal investments in informal settlements and peripheral zones are far fewer, as is the provision of shelter and basic services by Local Authorities. Privatized municipal service delivery, coupled with the elimination of public subsidies, has largely excluded the residents of informal settlements. Low-income groups and the homeless do not represent an effective economic demand as they cannot afford installments and service charges. Most households, basic services, productive enterprises, and social organisation is therefore undertaken by low-income families and their organisations. People's development processes, rather than public interventions or private investment, are the primary engines of growth of the "informal city". Moreover, the absence of inclusive urban management strategies that adequately address the needs of low-income and informal settlements is particularly alarming given current demographic trends. This demonstrates that the systematic support by governments to people's development processes is an effective strategy for urban development. Similarly, Municipal Authorities and their administration, which draw upon neighbourhood plans and systematically consult with local initiatives in informal settlements, are able to formulate city-wide plans better and to ensure their implementation. They are also in a more informed position to allocate scarce public resources towards investments in infrastructure, services and facilities that can address the diverse needs of urban residents.

As a local planning and management tools, land information and cadastral systems should adapt to these changes in local policies and strategies. The need to develop efficient municipal cadastres/land information systems in support to these new local strategies has become urgent. Successful experiences have been developed in Latin America. Some African countries are initiating the same process. Let's keep in mind that an efficient municipal cadastre depends on an efficient, comprehensive, flexible and - most important - people-oriented land tenure and land registration system. Most of the existing systems need to be revisited to respond to universal human rights.

This brings us back to the present focus of the two Global Campaigns which are about to be launched to facilitate the implementation of the Habitat Agenda. The two Global Campaigns on Security of Tenure and Urban Governance will aim at fostering the two main goals of Adequate Shelter for All and Sustainable Human Settlements in an Urbanizing world. The two campaigns call for the promotion of types of residential tenure as well as cadastral and land administration systems which provide security of housing rights for all.

We adhere to the definition of a cadastre which is a public register of the quantity, value and ownership of the land and property in a country compiled for the purpose of legal registration of rights and taxation. As such, it is an essential instrument to govern any country or society. Cadastral systems are an expression of political power, battles of history, and social preferences, and may derive from centuries of conflict, conquest and war, progress and social change. Revisiting cadastral systems would include essential elements such as: policy, legal, institutional framework, administrative capacity etc. Short term, technical solutions can offer little except the promise of problems in the future. The task ahead is appealing. Let's face it and join efforts in developing the Global Campaigns on Security of Tenure and Urban Governance.

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