

“The Land Issue is Still Very Positive Developments as well as Disappointments

Paul van der Molen has been chair of FIG Commission 7 (Cadastre and Land Management) for four years now. What is his view on this application field? What influences do we need to take into account, now and in the future? And what about technology and its influence?

By Sonja de Bruijn



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Education: degree in geodesy of the University of Delft (the Netherlands)

Current Positions: corporate director of the Netherlands Public Registers and Cadastre Agency, and visiting professor in ‘Cadastre and Land Administration’ at the International Institute for Geoinformation Science and Earth Observation (ITC) in Enschede, the Netherlands. Chair of FIG Commission 7 (2002-2006) and director of the FIG International Bureau of Land Records and Cadastre OICRF.

Land Policy

“There is much more awareness today that high political objectives like poverty reduction, fair distribution of landownership, transparent land markets, sustainable economic growth, might not be achieved when governments neglect the land issue. A growing amount of countries develop a land policy, with policy measures on security of land tenure, land reform, regulations for the land market, real estate taxation and management of natural resources.

When it comes to the question of implemen-

tation, it becomes quickly clear that without a sound land law, land use planning mechanisms and a land administration system, the execution of land policy is hardly possible. I would say that this is a positive development, which actually is promoted and encouraged by the international community of the Food and Agriculture Organisation of the United Nations, Habitat and World Bank. Developing land policies and related measures in post-disaster or post-conflict areas like the Balkans, Cambodia, Guatemala, and Rwanda, is even more challenging: almost all

peace treaties urge for land administration to cope with land ownership that meets social justice. Even UNCHR talks about land administration, as a prerequisite for fugitives proving their ownership rights when returning home.”

False Hypothesis

“Another positive development is the growing recognition of -what is called- customary forms of land tenure, while earlier experts advocated that only individual titles to land were the solution for prosperity. This has proven to be a false hypothesis, as many projects reveal that the forced transition from collective to individual tenure appears not to be sustainable because of not coping with the existing social environment. As a result of this, the requirements to land administration systems today include the ability to cope with all these different forms of tenure, while at the same time the relation between men and land is not static, but dynamic and changing over time.

Naturally developments did not only take place in the developing world. In the developed world we are part of a tremendous effort of land administration systems to meet the evolving multi-use of land with 3D and 4D aspects, restructuring governments information infrastructures (key registers, standards) to create SDI’s that facilitate better data-sharing and data-integration to achieve a efficient and effective government.”

Dedication

“Of course there are also disappointments to be observed. Politicians and professionals - in our field: land administrators, land adjudicators, land surveyors, and land lawyers - are not always dedicated to development and innovations. There is so much knowledge about how to deal with the land issue. But why do they stick to their bureaucracy,

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Sensitive in Many Countries”

their complex regulations, complicated public administration, slow land reform, full fledged titles to land, high accuracy cadastral surveying, and so on? Apart from this, corruption regarding management and registration of land is still a paramount problem. And as a result of that the land issue is still very sensitive in many countries.”

Serve Customer Demands

I consider a land administration system as a tool to facilitate this broader complex of land issues. That implies the intention to serve customer demands as much as possible, whether we regard users and professionals in land tenure, land reform, land market, land use planning, or land taxation.

Institutional economics teaches us that transaction costs of economic transactions should be as low as possible. So, the design, development and maintenance of land information

systems should be as cheap as possible, while at the same time meeting demands of a highly transactional environment, simple and transparent processes of data acquisition, quick processing, and easy dissemination of land information.

My opinion and experience is that low-cost systems that should meet all these demands require high technology. But not a high technology that nobody can operate. At the contrary: it should be possible for people in developing countries to operate such technology after - say- two weeks training. My conclusion is that the world of land administration is very dynamic. I believe the requirements and challenges never have been so demanding.

Societal Development

FIG has proven to be an excellent platform for enhancing land administration knowledge.

Apart from many other fields in which FIG is active, my personal enthusiasm goes to land administration and its context of societal development. Commission 7 is the only world wide forum for land administration issues. For the last twelve years Commission 7 has attempted to address all the topics mentioned above. Referring to the last four years we had about 19 international meetings, and 7 books with proceedings, 2 CD ROMS, and hundreds of scientific papers regarding different aspects of the subject matter. The next period, 2006-2010, the Commission will be chaired by András Osskó (Hungary), and his work plan continues this approach.

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