

Land Policy Administration and Management



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Jacqueline daCosta,
Management and Policy Consultant, Jamaica

Outline



- The Need for Land Policies
- The Land Policy Development Process
- Goals and Objectives of a National Land Policy
- Land Issues
- Subject Areas to be Included in Framing a National Land Policy
- Management and Administration of Land
- Capacity Building
- Conclusion
- Recommendation

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The Need for Land Policies



- To plan and efficiently manage finite land resources
- To correct indiscriminate use and poor development practices

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Goals & Objectives



- To ensure sustainable, productive and equitable development, conservation, use and management of natural and man-made resources
- To promote comprehensive and integrated development in urban and rural areas
- To serve as guides for the development of related sector policies, plans and investment opportunities

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Some Land Issues



- degradation of forests and watersheds
- scattered and linear development
- unplanned urban development
- premature industrial development on coastal zones and hinterland areas
- squatting
- illegal and non-conforming development activities
- the occupation of hazard prone and other unsuitable areas
- environmental pollution

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Subject Areas to Include



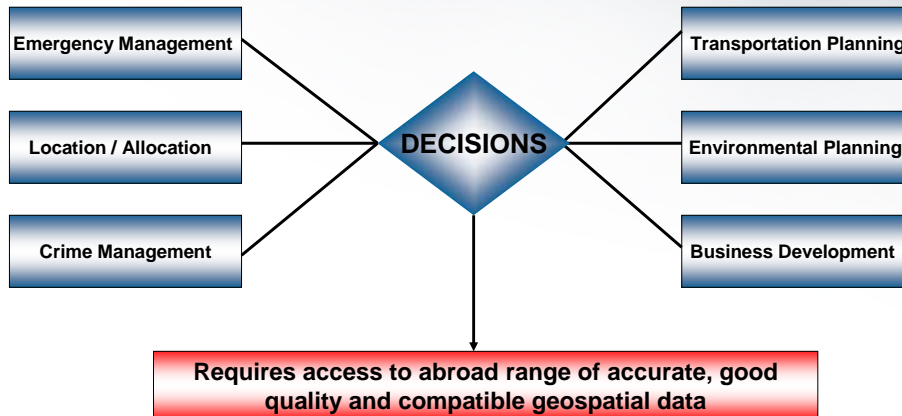
1. Establishment Of National Spatial Data Infrastructure
2. Land Resources and Land Use, Sustainable Development Planning
3. Ownership Access And Tenure
4. Valuation, Taxation, Costing, Pricing, Incentives and Subsidies
5. Acquisition and Divestment
6. Disaster Preparedness and Hazard Mitigation
7. Environmental Issues
8. Institutional Framework, Reform and Legal Aspects.
9. Legislation
10. Land Management and Administration

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The Need for Geospatial Data



Geospatial has become the foundation for decision making at all levels of government and private institutions



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Spatial Data Infrastructure ?



SDI is a inter-sector, inter-institutional strategy to ensure data/information are available to people who need them, when they need them, and in a form that they can use to make decisions.

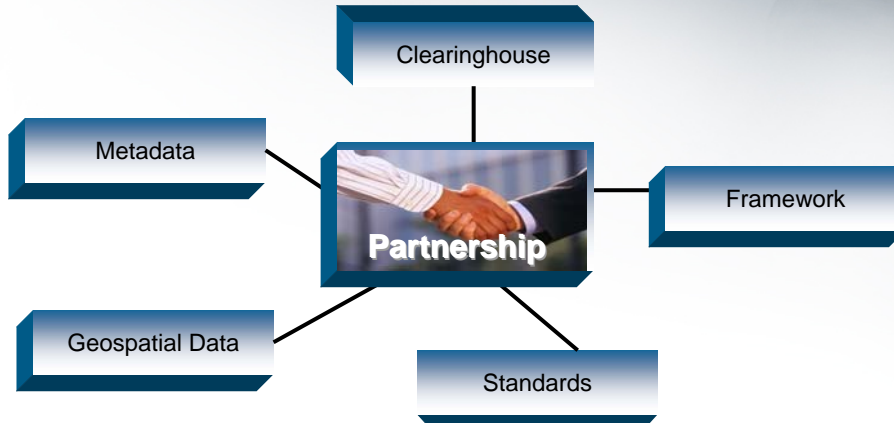
SDI is the technologies, policies and people necessary to promote the sharing of geospatial data throughout all levels of government, the private and non-profit sectors, academia and citizens in general.

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NSDI Structure



The NSDI is composed of:



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Establishment of NSDI



NSDI should include:

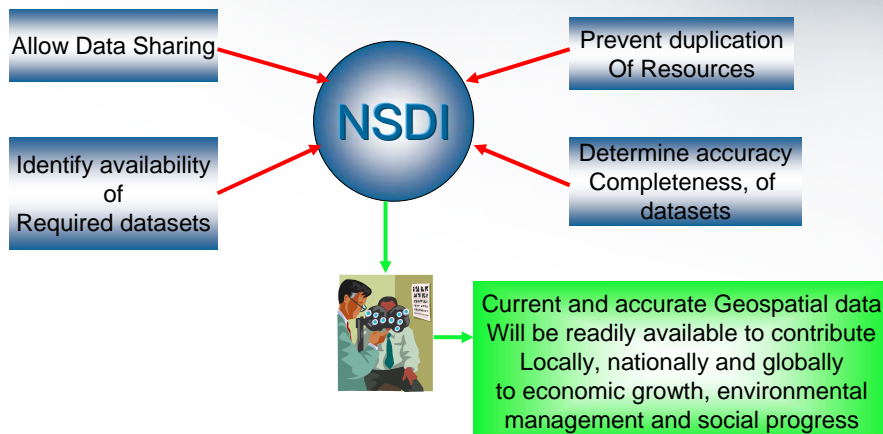
- Technical and managerial geospatial **leaders**
- National **standards** for geographic data collection, storage and dissemination
- A **management institution** or body
- Competent and experienced **human resources**
- Common **geospatial data model**
- Current and comprehensive **fundamental datasets**
- **Web based services** for data discovery and access
- **Legislation** and the regulations

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Benefits of NSDI



The NSDI will:



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Land Resources and Land Use



1. proper land use planning and zoning, are important for the management of land and the development approval process
2. land use planning and zoning requires:
 - resource identification
 - the preparation of integrated sustainable development plans at various levels
 - use of GIS and spatial data
 - establishing a planning process and framework,
 - identifying priorities for plans needed
 - determining who will participate in the plan preparation

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Ownership, Access & Tenure



1. The unavailability of legally accessible and affordable land has contributed to the chronic problems of squatting and other illegal development on both government and private lands
2. Issues to be addressed include:
 - Making land available
 - Granting subsidies and concessions
 - Innovative solutions that involve the stakeholders

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Squatting



1. It is time to recognise that the solutions proposed have not and are not working to make a serious impact
2. Squatting could be improved by:-
 - using the people, their capabilities and their limited resources
 - working with the experts to provide technical advise and assistance to plan and design settlements
 - identifying more suitable land for settlements with security of tenure
 - obtaining the approvals from regulatory institutions
 - preparing sets of building designs that are simple and that can be constructed incrementally
 - allowing the use of temporary buildings with unacceptable standards until proper building are constructed
 - allowing minimum "starter standards" for infrastructure development, with an agreed plan for incremental development

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Valuation, Taxation & Costing



1. Policies dealing with these areas can be revised or developed
2. The following should be considered:
 - examine the methods used for valuations
 - the amount and forms of taxation attached to land including transfer tax and death duties
 - the cost at which government might wish to sell lands to achieve certain changes or to encourage development
 - subsidies and other incentives might be given to encourage investors to develop certain locations and to persons from lower socioeconomic groups to facilitate the purchase of land or a house.

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Acquisition and Divestment



- The following should be addressed:
- guidelines and rules that govern these processes and stipulate how lands to be divested will be priced
 - when they will use market value, and when other factors will affect price
 - actions and decisions must be transparent and structured
 - discounts and subsidies for lands which are intended to benefit the lower socio-economic groups

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Disaster Preparedness & Mitigation



The following should be addressed :-

- greater public education and awareness to understand the hazards faced
- becoming involved in the preparation of disaster management plans and programmes
- understanding the need to deal with the mitigation of potential hazards
- prudent management accomplished with the help of proper land use planning and the development and implementation of mitigation policies and programmes

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Environmental Issues



Land policy has a role in preventing environmental degradation and its social and economic costs.

“The following guiding principles should apply:

- Sustainable management and utilization of land resources.
- Conservation, management and protection of ecologically sensitive areas (forests, coastal and marine areas, wetlands, freshwater, watersheds), biodiversity and the strict control of development activities in these areas
- Scientific knowledge as a basis for decision-making, such as the use of the best spatial data and other tools, including resource inventories, as a basis for land use zoning

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Environmental Issues contd.



The following guiding principles should apply:

- Collaborative and participatory approach to policy formulation and implementation for protected areas and conservation management
- The use of natural resources for the greatest social and economic benefit of the nation while minimizing harmful environmental impact
- The maintenance of a modern environmental management and planning, legislative and regulatory framework and the maintenance of policy coherence among sectors
- The promotion and adoption of conditions on farming leases with the aim of achieving environmental goals, such as:
 - when farmers must adopt certain soil conservation measures on their land, or
 - where financial incentives are put in place to encourage new forms of land management

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Institutional Framework



Governments must:

- demonstrate commitment to ensure the effective management and administration of land and sustainable planning
- examine the institutions at national and local levels to see whether they can fulfill their mandates and to determine what is necessary to make the difference. An integrated approach is a necessity
- Address local governance and mobilize the involvement of the local communities

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Legislation



1. Legislation must be enacted to provide a sound basis for the reforms proposed in any policy
2. This requires that:
 - existing laws be examined for inadequacies and for the possible inclusion of new provisions.
 - decisions be made with respect to which pieces of legislation are redundant, which should be amalgamated and what new legislation might be needed

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Land Management & Administration



- “ A land administration system is the set of structures and institutions which implement the land policy, affect rights, deliver titles and deeds, and manage information systems. These structures can be state or local government institutions. Sometimes, customary institutions perform some land administration functions. Proximity, accessibility and accountability of land administration institutions are key issues which are also relevant for traditional authorities”.^[1]
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^[1] From EU land policy guidelines

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Land Management & Administration



Aspects to the management and administration of land. These can include:

- Legal and regulatory, zoning, standards and guidelines, environmental and other controls
- A proper information base. (NSDI)
- An appreciation /understanding by government, the private sector and small land owner that they have a responsibility to manage land assets.
- Economic and organizational.
- Proper waste and infrastructure management.
- The integrated management of watersheds, areas experiencing degradation and species lost, protection of biodiversity, conservation and protected areas, coastal and marine zones, fishing and bathing beaches.
- Utilization of communities, NGOs, schools and other groups in management.
- Proper utilization of agricultural lands and protection of arable lands.
- Good quarrying and mining practices including reclamation and other uses after mining.
- Practical and innovative approaches for dealing with squatting and capturing of land.
- Governance issues
- Encouraging a sense of responsibility in everyone. It can be done and it must be done

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Land Management & Administration



- The evolution of land management calls for the redefinition of the land administration functions of public agencies to respond to the new needs of private and public managers of land
- The present land administration systems lag behind the rapid development of land markets
- The region needs the creation of new or reconfigured institutions to effectively administer the private and public interests in land in a market economy context. All SIDS need to pay particular attention to capacity building needs

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Capacity Building



- Governments of SIDS cannot compete and lose their skilled staff to the private sector suffer from the brain drain to the developed world
- Need to develop and ensure the availability of education and training in Land Administration and Management and related disciplines
- Areas that can be examined include:
 - training, education and professional development needs
 - constraints faced by learners
 - the use of learning technologies and modes
 - identification of curricula for various learner groups
 - identification of educational institutions best suited to participate in course development and execution

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Conclusion



SIDS should seek to:-

- Make significant improvements in the modernization of the institutions that administer and manage land and greater efficiencies in the delivery of services to the public
- Learn from each other in how to deal with areas of common interest in a coordinated manner
- Ensure that initiatives undertaken yield benefits to as many sectors as possible

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Recommendations



SIDS should seek to:-

- Prepare a Regional Policy and a model framework plan that details the methodologies and guidelines required for successful land administration and management at the national level
- Establish regional GIS network to promote the coordination of GIS development and technology transfer
- Develop modular, cross-institutional training programmes comprising of an agreed set of courses
- Develop model legislation for a variety of areas of interest to the region
- Develop regional minimum starter standards for infrastructure development
- Establish an information network/clearing house of land administration and management and environmental related projects, topics and issues in the SIDS for the exchange, management and updating of information

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Thank You



Jacqueline daCosta
Management and Policy Consultant
Jamaica

jdacosta@cwjamaica.com

(876)819-3594

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