A framework for self-assessment of capacity needs in land administration

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A Framework for Self-Assessment of Capacity Needs in Land Administration

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The Capacity Building Challenge

- In many countries, the national capacity to manage land rights, restrictions, and responsibilities is not well developed in terms of mature institutions and the necessary human resources and skills.

- In this regard, the capacity building concept offers some guidance for analyzing the capacity needs and developing adequate responses at societal, organizational and individual levels.

Capacity Building – what is it? …

It is two-dimensional:

- **Capacity Assessment**
  A structured and analytical process whereby the various dimensions of capacity are assessed within the broader systems context, as well as evaluated for specific entities and individuals within the system.

- **Capacity Development**
  The process by which individuals, groups, organisations, institutions and society increase their ability to:
  - Perform core functions, solve problems, define and achieve objectives;
  - Understand and deal with their development needs in a broader context and in a sustainable manner (OECD Definition).

Levels and Dimensions of Capacity Building

It has three levels:

- **The broader system/societal level**
  Dimensions include: Policies, legal/regulatory framework, management and accountability perspective, and the resources available.

- **The entity/organisational level**
  Dimensions include: Mission and strategies, culture and competencies, processes, resources (human, financial, information) and infrastructures.

- **The group-of-people/individual level**
  Dimensions include: Education and training programs to meet the gaps within the skills base and the number of staff to operate the systems in the short, medium and long term perspective.
The Land Management Paradigm

Land Management includes all activities associated with the management of land and natural resources that are required to fulfill political objectives and achieve sustainable development.

Land Administration Systems (LAS)

LAS provide the infrastructure for implementation of land policies and land management strategies in support of sustainable development. LAS are concerned with the four land administration functions of land tenure, land value, land-use and land development.

Basic Principles for Land Administration Capacity

- **Policies and a legal framework** that define the private and public status of land in terms of tenure, value and use.
- **Organisations** that are empowered to meet the social demands at lowest possible costs in order to optimize the support to land tenure security, land markets, land use control, management of natural resources, land reform, and other land related social structures.
- **Managers and employees** who are empowered to meet individual demands in terms of skills and professional competence for working efficient and effective.
- **Businesses and citizens**, who are empowered to participate effectively in order to comply with the land related social arrangements.

Methodology

Identification of the specific steps considered as the building blocks for self-assessment of capacity needs in land administration.

For each step the capacity of the system can be assessed and possible or needed improvements can be identified.

A Logical Framework

- Each step is addressed in a box posing some key questions to be analysed.
- Some comments are given in each box in order to facilitate the analyses.
- The analyses may lead to the need for organisational changes or improvements.
- The analyses may also indicate the need for developing the necessary human resources and skills for improving the competence of the existing personnel.
- The analysis must be realistic and may lead to adjustment of the political objectives and/or the business objectives of the organisation.

Box example – Land policy

5.1.2 Land Policy

1. Does the land policy address the key issues?
2. Is the access to land, the allocation of land, and the valuation land use in conformity with the political objectives?

Component: Government should develop a policy to how the land access is to be achieved and the balance of the land access to be allocated. With the access to land is to be evaluated and the land use is to be developed in a manner in allocated to land, the owners of the land, and economic aspects of the land.

Access to land and land related operations can be represented in different ways. The example from the point of view of availability of land transactions, or economic variables, such as market prices, ownership and land tenure. Access to land is determined by the availability of land, the owners of the land, and economic aspects of the land. Access to land is also represented in terms of the economic aspects of the land, which should be possible as a sustainable way, to provide for the social aspect of the land.

Decision and analysis

If the way the government wants to allocate land and the benefits of the land is done in a participative basis in local administration activities, which will enhance the people's capacity to fulfill the political objectives.
Box example – Allocation of mandates

5.3.1 Allocation of mandates - General

Are the mandates in place for exerction of land related legal framework?

• Are the mandates overlapping?
• Are the mandates clear and manageable?

Comments:
Clear mandates within the public administration enhance the effectiveness. There are countries where various organisations have a mandate on land related issues (for example the mapping of land tenure). This is not only causing friction in the public administration, but moreover also confuses the citizens. Governments should take into account the operational aspects of the mandates. It makes no sense to impose a mandate that is expected not to be workable and manageable.

Impact on capacity:
The ability of your land administration system relies on clear mandates. Without a clear and manageable mandate, good performance can never be guaranteed.

Conclusions

• The paper is facing the widely stated problem of poor institutional capacity of land administration agencies in many developing and transition countries.

• Capacity building addresses the broader concept of the ability of organisations and individuals to perform functions effectively, efficiently and sustainably.

• The guidelines for self-assessment of capacity needs are developed to serve as a logical framework for addressing the following topics: land policy, policy instruments, and legal frameworks; mandates, business objectives, and work processes; the necessary human resources and training programs.

• The guidelines aim mainly at developing countries, posing the right questions rather than giving all the right answers.