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PROGRAMME OF WORK FOR 2008-2009

LAND REGISTRATION AND LAND MARKETS

**REPORT ON THE WORKSHOP ON LAND ADMINISTRATION IN THE ERA  
OF E- SOCIETY**

Note by the secretariat in cooperation with the delegation of Czech Republic

**Introduction**

1. The UNECE Workshop on Land Administration in the Era of E-society took place in Prague (Czech Republic) from 26 to 27 October 2006. The Czech Office for Surveying, Mapping and Cadastre (COSMC) organized the workshop with the support of the Ministry for Regional Development of the Czech Republic.
2. Representatives of the following countries participated: Armenia, Austria, Azerbaijan, Belarus, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Latvia, Lithuania, the Netherlands, Norway, Poland, Romania, Slovakia, Spain, The former Yugoslav Republic of Macedonia and the United Kingdom.

3. Representatives of the World Bank, the EU Tacis programme and the UNECE secretariat also took part in the workshop.
4. On behalf of Mr. K. Vecere, President of COSMC, Mr. O. Pasek, Vice-President of COSMC, opened the workshop and welcomed the participants. He provided information on the organization's current activities and priorities and the challenges facing it. Participants were informed about its major activities in support of the real estate market and effective servicing of customers. Close cooperation had been established with national authorities in the field of agriculture (land consolidation), finance (real property taxation) and housing and regional development. International cooperation and institutional coordination are very important factors for development of integrated data registers based on information technology in the interest of society.
5. Mr. G. Vinogradov (UNECE secretariat) noted that information technology offered vast opportunities to modernize public works, and that the workshop was an important step in shaping the focus on the role and responsibilities of land administration in the development of the information society. He thanked the host authorities for the warm hospitality extended to participants and for the first-rate working conditions provided.
6. Mr. P. Creuzer, Chair of the UNECE Working Party on Land Administration, reported on recent activities of the Working Party. He stressed the importance of real property administration in developing an information society. The rapidly changing environment was putting pressure on land administration authorities and all of society to meet the new challenges created by information technology (IT), e-society and globalization.
7. Ms. D. Grabmullerova (Ministry for Regional Development, Czech Republic) set the stage for the discussions by reporting on the housing market and housing policy. She described the main areas of competence of the ministry: regional and housing policy, physical planning and construction codes, tourism, and investment policy. She presented the main characteristics of the Czech housing sector and housing market, including the structure of housing tenure, housing affordability and prices, and rental regulations. General housing policy could not work without a functioning real property market. The most urgent problem was to improve the efficiency of the housing market and anticipate new problems, particularly social ones.
8. The following themes were discussed:

**Theme I: Changes in land administration policies**

Chair: Mr. P. Creuzer (Germany)

Moderator: Mr. D. Pahic (Croatia)

*Presentations:*

“Land Administration in Transition – Yesterday, Today and Tomorrow” by Mr. P. Dale (United Kingdom)

“Development of Electronic Conveyancing in England and Wales” by Mr. J. Atkey (United Kingdom)

“Nemoforum (Forum on Real Estate)” by Mr. J. Havas (Czech Republic)

“E-Processing of Deeds: The Next Step” by Mr. R. Wouters (Netherlands)

**Theme II: Strategies affecting management and institutional arrangements**

Chair: Mr. V. Suchanek (Czech Republic)

Moderator: Mr. M. Danielsen (Norway)

*Presentations:*

“Establishing a Fees and Charging Regime for New Services” by Mr. T. Beardsall (United Kingdom)

“How E-Society Influences the Role of Cadastral and Land Register Authorities” by Mr. J. Valis (Slovakia)

“Private/Public Partnerships – The Teranet Licensing Model” by Mr. B. Clarke (Canada)

“E-Geodata Austria“ by Mr. W. Hoffmann (Austria)

“Czech Cadastre Needs Sufficient Funds” by Mr. O. Pasek (Czech Republic)

“Land Administration in Romania – New Services. New Responsibilities!” by Mr. V. Grigorescu (Romania)

“Real Estate Cadastre and Registration Project” by Ms. M. Telegrafciska and Ms. T. Cenova Mitrevska (The former Yugoslav Republic of Macedonia)

“The Introduction of the New Cadastre System in Russia – View of an EU Expert” by Mr. R. Wessely (Austria)

**Theme III: E-land administration**

Chair: Ms. M. Hauksdottir (Iceland)

Moderator: Mr. H. König (Austria)

*Presentations:*

“Strategies for Building Value-Added Products and Services around Land Registration Data” by B. Clarke (Canada)

“Preparation for Implementation of Verified Digital Signature in the Cadastre of Real Estates of the Slovak Republic” by Ms. M. Stefanikova (Slovakia)

“Cadastre and Land Books on the Internet” by Mr. D. Pahic (Croatia)

“Conditions and Benefits of E-Cadastre: The Spanish Experience” by Mr. J. Miron (Spain)

“New Services of Czech Cadastre” by Mr. V. Suchanek (Czech Republic)

“EULIS plus – Innovating E-Land Administration with a Trans-European Dimension” by Mr. J. Atkey (United Kingdom)

9. On the morning of 27 October, study visits were organized to COSMC.

## I. MAIN ASPECTS OF THE DISCUSSION

10. At present the most important issues are secure transactions and low transaction costs; access to credit; transparency and easy access for all participants; protection of the rights of minorities and the poor; environmental sustainability; and the quality of management. Priority areas of action should include more computerization; e-conveyancing; international markets; multi-purpose data; and more networking among government agencies.
11. Some countries have initiated an e-conveyancing programme in order to introduce new technologies; increase transparency and openness; reduce the anxieties often associated with buying and selling a property; reduce the time needed to complete transactions; and remove the “registration gap”.
12. To support the development of e-government, it is important to have a national platform for discussions, cooperation, coordination and information exchange among all stakeholders, both in the public and professional/private sectors. Such networking could suggest and, if necessary, initiate steps for improvements, coordination and solution of current issues in land and geo-information. It could also support the links to European and global geo-information initiatives.
13. It is recognized that e-government is a way for public administration to become more open and transparent, more productive (delivering maximum value for taxpayers money) and more service-oriented, and to reinforce democratic participation. The main benefits are reduction of the administrative workload and time required to provide services for citizens and businesses; improvement of the quality of information; growth of transparency, effectiveness and customer orientation in administration services; and application of the “one-stop shop” principle.
14. The roles of registrars, notaries, solicitors and real estate agents may change, and the procedures for land transfer may need to be modified to take advantage of new technologies. There are also risks involved in using new technologies that are not yet well established, and hence administration agencies should take a step-by-step approach to prepare for e-services provision. Motivation and training of staff are essential.
15. For organization of e-governance it is important to establish effective public/private partnerships in the form of a medium- to long-term relationship in which the partners have agreed to work closely together to improve services in the interest of the public. The government agency and private partners should have a clear-shared understanding of the knowledge and expertise required and how this could be applied for specific purposes.
16. Development of government capacities for formulation of land and real estate policies and strategies is an important issue for many countries that have only recently started to build their cadastre and land registration systems. This includes the improvement of the institutional capacities and human resources as well as the introduction of automation and IT. The basic development objectives are securing property rights; development of the real estate market; creation of a taxation basis for real property; and transparency and online public access to information. Experience indicates that it is more effective to have cadastre and registration of rights in one system (one database).

17. Strengthening of inter-ministerial collaboration in the area of land policy is a very important issue. Such policies usually include the following components: security of property rights and tenure; legalization of informal settlements; access to land and investments; land-use planning regulation and control; and environmental protection.

18. Introduction of the verified digital signature into the real estate cadastre is a challenging task which requires significant technical and legislative changes in administrative procedures.

19. The participants also discussed innovations in e-land administration with a trans-European dimension (the EULIS plus programme). The programme's aim is to establish easy worldwide access to European electronic real property information in order to promote a single European property market.

## **II. CONCLUSIONS AND RECOMMENDATIONS**

### **A. Changes in land administration policies**

20. It is important to learn from history in order to be able to develop the future. The general trend in land administration is characterized by a move from public-sector dominance to public/private partnerships and from fragmentation to integration. Land use rights are becoming more and more important in land administration.

21. Nowadays networking at the national and international level is essential, as is an interdisciplinary approach to land administration tasks. The real property cadastres and registers are important assets not only in individual countries but also in the international context. Recent years have seen tremendous progress in the use and development of IT. The integration of real property cadastres and registers is a major step towards the creation of e-government and e-society and will lead to improved services for citizens and reduced burdens on state resources and budgets.

22. There is a need to increase politicians' awareness of the contribution of the cadastre and land registry to the effective economic development of any country.

23. All citizens will benefit from the enhanced efficiency brought about by the cross-national linking, integration and harmonization of real property cadastres and registers. Integration of state cadastres and registers will eliminate administrative obstacles, promote regional economic growth and support businesses. It will introduce a modern governance structure based on information networking for supplying data to the customer. Integrated real property cadastres and registers will also improve the information infrastructure of a country.

### **B. Management and institutional arrangements**

24. Effective and efficient management will be a focus in the future, and quality of management is a crucial success factor for any institution or organization dealing with land administration. Any future changes in this area should ensure that the main focus is on the customer.

25. All real property cadastres and registers should respond to the needs of society. Joint efforts should therefore be encouraged to develop an overall policy on a system of state real property cadastres and registers that allows for availability of, access to and sharing of data using a cost-effective information infrastructure with an appropriate pricing policy.

26. Systems of private/public partnership can be implemented through a great variety of models. Private-public partnerships for land administration could speed up development and modernization of cadastre and land registry systems. Regardless of the model chosen, there must be clear benefits for all parties involved, and the provision of core services must be ensured. The concept must be viable and permit changes in the system of cooperation over time. The government should not have a big impact on internal affairs in the private partner company, but both parties must be committed to staying fully engaged in the governance process.

27. Data security issues should automatically be addressed by applying up-to-date identification (authentication) tools for information providers, recipients and market actors, including both traditional (documentary) and modern (smart cards, electronic signatures, biometrics) technologies.

28. The pricing policy for real property cadastres and land register products should follow the cost-recovery principle with regard to cadastres and register systems, enabling administrators to recover all their operational costs. Any amendment of fees and charges should follow a step-by-step approach and should consider the affordability of real property and land registry products for all groups of citizens.

29. Development of an electronic archiving system should be considered a part of the functioning system of real property cadastres and land registers. A system using digital data and e-documents enables government institutions, citizens and legal entities to make decisions quickly, avoiding lengthy certificate (conveyance) preparation and submission procedures.

30. The multi-purpose real property cadastres and land registers should create new opportunities to add value to and exploit cadastre and land register data both nationally and internationally. Real property cadastre and land register administrators should provide public access to their records and data and make information more widely available (in conformity with national legislation).

31. The structure and content of real property cadastres and registers are of crucial importance as they will have lasting effects at the national and international levels. The European Land Information Service EULIS and EULIS plus projects should be considered very important, as they enable the dissemination of cadastre and land registry information at the European scale and thus promote a single European market.

32. Governments should give priority to policies, strategies and standards for developing real property cadastres and land registers. These policies should take into account legal, institutional, historical, regional and geopolitical aspects.

### C. E-land administration

33. The introduction and implementation of e-business and e-conveyancing processes could require re-engineering of related processes, and it would also require changes in legislation. Consultations with all stakeholders and electronic settlement of payments should be part of the implementation process. A step-by-step approach is advisable.

34. E-conveyancing will benefit users in many ways. Fees and charges will generally be lower and will reflect a more varied range of services.

35. When developing systems for e-conveyancing, it is important to consider how customers' needs can be fulfilled and how they can have full confidence in the system. The speed of transactions will influence the way cadastre and land registries are organized and managed. E-conveyances would make society more open and transparent and reinforce democratic participation. They would reduce the cost of services in the long term, give taxpayers maximum delivery, and make it easier to establish interactive public services.

36. Any system of distributing information in e-society should focus on users' needs and should be based on a "one-stop shop" approach. The geodata portal should therefore provide all necessary geo-information, including legally relevant databases, in a standardized way with online functions, and supplied with metadata. Data policies should follow the principles of the INSPIRE Directive.

37. All countries which develop, modernize and integrate real property cadastres and land registers should aim at facilitating the development of e-government and e-society and should incorporate the use of IT into their legal framework. Networking at the national and international levels and an inter-disciplinary approach to land administration are vital for streamlining land administration services.

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