

## Conclusions included on official report of the Workshop, prepared by the Comission Secretariat in cooperation with the delegation of Spain

1. All countries need a formal system to register land and property and hence to provide secure **ownership**, investments and other private and public rights in real estate. A system for recording land ownership, land values, land use and other land-related data is an indispensable tool for the development of any economy.

2. Cadastre and Land Registration is high on the political agenda in Latin America and in Central and Eastern Europe. In Latin America the improvement of data for real estate taxation is the most pressing current demands. In Central and Eastern Europe restitution of property rights and privatization are the most important objectives of the ongoing reforms in land.

3. Many countries are more or less on the process of transition to a modern multipurpose cadastre. The starting points and the objectives, however, may differ depending on the nature of the transition:

- centrally planned economies to market economies, or
- obsolete cadastres to revised ones, or
- manual cadastres to computerized ones, or
- mono to multipurpose use.

4. Technology gives the tools for modernization of Cadastral Systems and meeting the demands of society and civil representatives.

The main reasons to establish or revise a cadastre are for:

- security of ownership and the creation of real property markets,
- legal purposes,
- fiscal purposes (e.g. valuation and equitable taxation),
- assistance in the management of land and land use (e.g. for planning and other administrative purposes), and
- promoting of sustainable development and environment protection.

5. In developing a modern cadastre, a step-by-step approach is a preferable solution. It could be wise to supervise, control and operate the cadastre in one body and not split

between two or more ministries and authorities. From the point of efficiency and cost effectiveness a close linkage between Land Registration and Cadastre would be desirable. If that is not possible close cooperation is necessary and it should be regulated how this collaboration is implemented. This does not exclude activities being undertaken in regional or local offices or the involvement of private sector, provided that all participants work to compatible standards within a unified system.

6. The creation or modernization of a cadastre should be regarded as a long-term public investment in infrastructure, with user fees covering only a portion of the total costs of setting up the system. The costs of maintaining the system need to be fully recovered from users including government.

7. Experience indicate that issues related to legislation, administrative aspects, organization and funding are frequently more complex to solve than technical issues.

8. In countries in transition priority should be given to the creation of a real property market. Registration of property rights is therefore essential. The modernization of a cadastre system needs to be combined with the establishment of a real property registration system. The registration of new property relations need to have a priority in order to facilitate the functioning of emerging real property markets. To establish working cadastres and registration systems in countries in transition within reasonable time the following issues need to be addressed:

- legislative basis,
- simple, transparent and appropriate procedures ( e.g. mapping),
- need for cooperation,
- attention for the market place,
- cooperation with the private sector.

9. In market economies the fiscal applications of the cadastre (tax collection) is an important additional component of land management as it adds to the functionality and cost

recovery of the system. This includes the establishment of standardized property valuation procedures and increased precision of data quality.

10. The following operations are essential when introducing a new cadastre and registration system or modernizing them:

- a) determination of user needs;
- b) creation of improved administrative arrangements;
- c) preparation of improved legislation ;
- d) determination of the land and real property rights that already exist on the land;
- e) single demarcation and survey of new parcels of land;
- f) establishment and maintenance of registers and provision of titles;
- g) establishment of procedures for storing and retrieving land data;
- h) putting in place and improving existing financial management procedures;

i) development of public awareness as to how the system work;

j) focus on the needs of all users, not only the interest of the government;

k) setting in place of maintenance procedures;

l) protection of personal rights; and

m) cooperation and coordination of all participants.

11. Managers and staff are the key to successful transition to modern multi-purpose cadastres. They must be well motivated and well trained.

12. The exchange of international experiences is valuable in this process. However, national solutions should be based on a clear identification of national problems, imported solutions from may not meet local needs.

13. ECE activities to promotion of cadastre and land registration experience in this area are beneficial not only for countries of the ECE region but also for countries of Latin America and other regions of the world. ■