### TRAINING PACKAGE: TOOLKIT









# TOOLS TO SUPPORT TRANSPARENCY IN LAND ADMINISTRATION

SECURING LAND AND PROPERTY RIGHTS FOR ALL











#### TOOLS TO SUPPORT TRANSPARENCY IN LAND ADMINISTRATION

Copyright © United Nations Human Settlements Programme

(UN-Habitat), 2013

HS Number: HS/010/13E

ISBN Number: (Volume) 978-92-1-132549-2

#### **DISCLAIMER**

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area, or of its authorities, or concerning delimitation of its frontiers or boundaries, or regarding its economic system or degree of development. The analysis, conclusions and recommendations of the report do not necessarily refl ect the views of the United Nations Human Settlements Programme, the Governing Council of the United Nations Human Settlements Programme or its member States.

United Nations Human Settlements Programme (UN-Habitat)

PO Box 30030, Nairobi 00100, Kenya

Tel: +254 2 623 120 Fax: +254 2 624 266 www.unhabitat.org Photos by: UN-Habitat

#### **ACKNOWLEDGEMENTS**

Principal authors: Seth Asiama, Solomon Haile, Melissa Permezel, Chris Paresi,

Wilbard Kombe, Jane Gold, Arbind Tuladhar

Co-authors: Nfally Badiane, Roch Mongbo, Alain Bagré, Fidelis

Kanyongolo, Augustine Mulolwa, Raynold Moyo, Lajana

Manandhar, Reshma Shrestha, Buddhi N Shrestha,

Muhammad Ayaz Raja Khan, Muzaffarabad, Salma A. Shafi,

Shyamalie Perera, Trias Aditya, Floradema C. Eleazar

Coordinator: Solomon Haile

Contributors: Åsa Jonson, Remy Sietchiping, Danilo Antonio,

Clarissa Augustinus, Jaap Zevenbergen

Editing: Melissa Permezel, Petra Weber

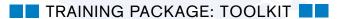
Graphic Design: Stefanie Freccia

Sponsors: The Norwegian Government and Swedish International

Development Cooperation Agency

Printer: UNON, Publishing Services Section, Nairobi, ISO 14001:

2004 certified



## TOOLS TO SUPPORT TRANSPARENCY IN LAND ADMINISTRATION









#### **FOREWORD**



'Tools to Support Transparency in Land Administration' is an important training manual with relevance and application for many in the land sector and beyond. Global trends reflect an increased desire by ordinary citizens for greater democracy and accountability in the governance structures, policies and resources that

affect their everyday lives. Land is a globally recognized primary resource and has vital economic, cultural, environmental and social dimensions. Land administration represents an important public service and is a key public administrative institution in most countries. The land sector must therefore be part of global trends towards fairness and openness and strive, often against many odds, to develop sound and transparent administrative systems.

This training package 'Tools to Support Transparency in Land Administration' will strengthen the capacity of those working in the land sector to deliver robust and efficient land administration services. Importantly, the package provides practical information and practice-based tools to support and strengthen transparency in land administration in three ways: First, the training kit provides users with vital background information to enhance their knowledge on the impacts of corruption, the benefits of transparency and its relationship to the land sector. Second a range

of flexible tools to facilitate and strengthen transparency and accountability are outlined. Third, a series of globally sourced, 'real life' case studies are included to help inform participants about corruption challenges in the land sector and encourage ideas for change. There are also a number of 'good practice' case studies that demonstrate how innovative approaches and tools can substantially improve transparency in land administration and promote good service delivery to citizens.

This Training Package, intended for government officials and state actors at large, thus provides many useful concepts, principles and tools for improving and strengthening local, regional and country level land administration systems. It is hoped that the practical nature of this training package will contribute to strong and equitable land administration systems in many countries and contexts and ultimately result in 'win-win' outcomes for all land sector stakeholders.

Dr. Joan Clos,

Under-Secretary-General of the United Nations,

Executive Director UN-Habitat.

## TABLE OF CONTENTS

Foreword		II	1.3	Land Governance and Transparency in Land Administration	1:
Table of Contents		III-V	1.3.1	What is Land Governance?	1
Figures		VI	1.3.2	Understanding power relations and the social/political context	
Boxes, Tables, Forms		VI-VII		of land systems	2!
Acronyms and Abbreviations		VIII-IX	1.3.3	Land Administration and Transparency	28
Acknowledgements		Χ	1.3.3.1	What is Land Administration?	28
			1.3.3.2	The Effects of Weak governance in Land Administration	29
ABOUT THE TOOLKIT		1-5	1.3.3.3	Examples of poor land administration practice	33
			1.3.4	Benefits of Good Land Governance	38
1. The	e Toolkit	1	1.3.5	Land Administration and Transparency	39
2. Tra	nsparency in Land Administration and the Tools	1	1.3.6	What should be made transparent in land administration systems?	40
3. Wh	no should use the Toolkit?	3	1.4	Summary	42
4. Ho	w to use the Toolkit?	3	1.5	References	43
5. Ove	erview of the training sessions	4			
6. Expected outcomes of the Training		5	CHAPTER TWO: ASSESSING TRANSPARENCY IN LAND ADMINISTRATION		45-72
7. References		5			
			2.1	Overview	40
CHAPTER ONE: LAND GOVERNANCE CONCEPTS AND PRINCIPLES		6-44	2.2	Purpose of an Assessment	40
			2.2.1	Assessment Scope: Core Functions of Land Administration	4
1.1	Overview	6	2.2.2	Assessment Scope: Actors and Interests	49
1.2	Governance	10	2.2.3	Assessment Scope: Levels of Inquiry and Analysis	50
1.2.1	What is Governance?	10	2.3	Role of Indicators	50
1.2.2	What is 'Good' Governance?	10	2.4	Benchmarking and Institutional Assessment Tools	52
1.2.2.1	Corruption and Governance	11	2.5	Formal Surveys	53

## TABLE OF CONTENTS

2.5.1	How do formal survey's work?	53	3.2.7	Targeted Public Information Campaigns	89
2.6	Citizen Report Card (CRC)	57	3.2.8	Public meetings/Town hall meetings/hearings	91
2.6.1	How do Citizen Report Card's work?	57	3.2.8.1	Emerging tools (Social Media)	93
2.7	Vulnerability Assessment	61	3.3	Public Participation	93
2.7.1	How does a vulnerability assessment work?	63	3.3.1	Overview	93
2.8	Rapid Anti-Corruption Assessment	64	3.4	Tools to Improve Transparency throught Public Participation	97
2.8.1	How does an anti-corruption assessment work?	65	3.4.1	Direct Citizen Engagement	97
2.9	Assessment Challenges	68	3.4.2	Grass Roots /Community-based Organizations, Citizen Action Group	s 98
2.10	Summary	69	3.4.3	Professional Associations And The Private Sector	102
2.11	References	71	3.4.4	Emerging Public Participation Mediums	105
			3.4.5	Public Education	106
CHAPTER THREE: TOOLS TO IMPROVE ACCESS TO INFORMATION			3.4.5.1	Media	108
AND PUBLIC PARTICIPATION		73-117	3.4.5.2	Printed Visual Communication Materials	110
			3.4.5.3	Civil Servant Education Programs	111
3.1	Overview	74	3.5	Summary	113
3.2	Tools to improve access to information	75	3.6	References	115
3.2.1	Unpacking 'land information'	75			
3.2.2	Why do people need land information and how do they get it?	76	CHAPTE	R FOUR: PROFESSIONAL ETHICS AND INTEGRITY 11	8-140
3.2.3	Legislation: the Right to Information Act	76			
3.2.4	Information and Communication Technology	79	4.1	Overview	119
3.2.4.1	Land Information Systems	81	4.2	What Are Ethics And Integrity?	119
3.2.4.2	The Social Tenure Domain Model (STDM)	82	4.3	Tools for promoting ethics and integrity	121
3.2.5	Computer Based 'One Stop Shop'	84	4.3.1	Conflict of Interest Laws	121
3.2.6	Electronic And Print Media	87	4.3.2	Codes of Conduct and Professional Ethics	123

## TABLE OF CONTENTS

4.3.3	Ethics Training	129	CONCLUSION – ENHANCING TRANSPARENCY IN LAND ADMINISTRATION		165
4.3.4	Disclosure, Reporting and the role of Whistleblowers	130			
4.4	Summary	139	SESSIONS		167-219
4.5	References	140			
			01	Governance, Land Administration, Good and Weak	
CHAPTER FIVE: OrganizationAL AND INSTITUTIONAL REFORMS		141-164		Governance, Transparency and Corruption	167-173
			02	Case Studies I – 'Ice Breaker' Case Studies	188
5.1	Overview	142	03	Understanding and Assessing Transparency in	
5.2	Clear Vision and Mission Statements Anchored in Robust Le	gislation		Land Administration	177
		144	04	Access to Information and Public Participation	184
5.3	Customer Service (or Citizens') Charters	145	05	Professional Ethics and Integrity	189
5.4	Internal and External Co-ordination	147	06	Institutional and Organizational Reforms	194
5.5	Improving Organizational Structures, Processes And		07	Reflection on Tools Presented via a Practitioner	
	Flows Of Information	149		(such as an Anti-Corruption Agency)	198
5.6	Computerization	150	80	Case Studies II – Problem based Learning Studies	
5.7	One Stop Shop	150		focussing on the Tools to promote Transparency	200
5.8	The Help Desk	153	09	Case Studies III - Reform Case Studies (global) analysing Tools	
5.9	Performance Review Mechanism	154		used to undertake Reforms	202
5.10	Anti-Corruption Legal Frameworks And Agencies	156	10	Action Planning	204
5.11	Decentralized Land Administration	158			
5.12	Capacity Development	159	ABOL	JT GLTN	
5.13	Summary	163			
5.14	References	163			

## FIGURES, BOXES

FIGURES			BOXES		
Figure 1	Corruption perception index (Transparency international, 2010)	13	Box 1	Transparency and Governance	9
Figure 2	Continuum of Land Rights: Towards Improved		Box 2	Level of bribery in East African Countries and Institutions	15, 16
	Land Governance (GLTN 2009).	23	Box 3	Global Corruption Barometer 2010	17, 18
Figure 3	Ghana's Land Administration Project (LAP)	36	Box 4	Good Governance in Land Administration	20
Figure 4	Actors in land sector (compiled by section Author)	49	Box 5	Land governance in Eastern Europe	22
Figure 5	Levels of assessment (compiled by section Author)	50	Box 6	Key considerations in relation to land governance	24
Figure 6	The Art and Science of Citizen Report Cards	58	Box 7	Land Governance and Power Relations	26
Figure 7	The various Elements of Land Information	75	Box 8	How Gender Informs Land Rights	27, 28
Figure 8	Bhoomi Online Mutation System Architecture	86	Box 9	Corruption in Land Governance in Bangladesh	31
Figure 9	Farmers engaged in mutation of land records at Kiosk	86	Box 10	The Impact of Corruption in Bhutan	32
Figure 10	Campaign power on the importance of writing a will	111	Box 11	Land Registration; 'the good and the bad'	33
Figure 11	Campaign power on the importance of writing a will	129	Box 12	Unclear or Overlapping Mandates	35
Figure 12	Flow Chart for the Processing of Leasehold Documents;		Box 13	The Impact of Poor Land Administration Systems in Kenya	36
	Lands Commission, Ghana	149	Box 14	Land Professional's Training Facilities in Africa	37
Figure 13	Ghana's Land Administration Project (LAP)	153	Box 15	Measures to curb corruption in Land governance (Kosovo)	41
			Box 16	Core Functions of Land Administration	49
			D 17	C	гэ

预览已结束, 完整报告链接和二维码如下:

https://www.yunbaogao.cn/report/index/report?reportId=5\_18734

