Responsible Land Administration Teaching Essentials: Core Values and Principles of Responsible Land Administration

David MITCHELL, Australia; Siraj SAIT, UK; Jean DU PLESSIS, Kenya; and Agnes MWASUMBI, Tanzania.

SUMMARY

Land is a finite resource and competition for it is intensifying because of rapid urbanization and population growth, economic development, insecurity of food, and the effects of conflicts and disasters. Changes in land use affect the economy, society and ecology. The divide between urban and rural is diminishing. These areas are today interconnected by flows of goods, money, resources and people. Climate change and changes in land-use patterns also affect rural areas, including farmland, drylands, wetlands and forests. Ultimately, the failure to reconcile competing interests in land can contribute to the outbreak of violent conflict. This is the most acute outcome of failed efforts to manage the opportunities that land provides.

Module 1 on Core Values and Principles of Responsible Land Administration is the first Module of the "Responsible Land Administration Teaching Essentials" series, a project funded by GLTN/UN-Habitat. It is a "Structured Knowledge Base" to support a range of different kinds of learning activities within the subject of responsible land administration. This Module outlines the principles and values of responsible land administration as well as the outcomes, functions and processes of responsible land administration as a basis for the Modules that follow.

The paper draws from a GLTN project on building a structured knowledge base in support of responsible land administration. The project included development of six modules addressing various aspects responsible land administration. Module 1 on the Core Values of Responsible Land Administration is presented to explain how the core values and principles are described. The module includes 5 lessons and provides easily accessible knowledge about: (1) Land, power and people and land administration; (2) Principles of responsible land administration; (3) Land Tools to Implement Responsible Land Administration Principles; (4) An introduction to Fit-for-purpose land administration; and (5) Recording of Land Tenure Rights for poor.

The paper describes the rationale and design of these RLA "teaching essentials" and how the knowledge base can be used for a range of teaching and training contexts including university curriculum, blended learning, training, CPD activities and self-studies.

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INTRODUCTION

Land is a finite resource and competition for it is intensifying because of rapid urbanization and population growth, economic development, insecurity of food, and the effects of conflicts and disasters. Changes in land use affect the economy, society and ecology. The divide between urban and rural is diminishing. These areas are today interconnected by flows of goods, money, resources and people. Climate change and changes in land-use patterns also affect rural areas, including farmland, drylands, wetlands and forests. Ultimately, the failure to reconcile competing interests in land can contribute to the outbreak of violent conflict. This is the most acute outcome of failed efforts to manage the opportunities that land provides (UN-Habitat, 2012).

Land tenure includes a wide range of rights, responsibilities and restrictions. Competing claims over land often occur when there is unequal power and resources. In low income countries many people lack the resources to protect their rights to land. In addition, most land administration systems are biased against poor people and often ignore realities on the ground. Without any official rights to the land they live on, these residents have no security of tenure, little incentive to invest in their homes, and no way of getting loans to do so. Getting their paperwork into order means navigating a costly bureaucratic and legal maze (UN-Habitat, 2012).

Millions of people around the world have insecure access to land and livelihoods. Even though they may have lived on the land for many years, having no formal records or relationship to land is a serious obstacle. There are many reasons for insecure land tenure and women and young people in particular face major barriers. In developing countries, conventional ways to manage and administer land have a history of failing to deliver what is expected of them, that is, secure tenure, fairness and broad coverage at a price that is affordable for both landholders and governments. Existing technical land solutions are too expensive, inappropriate for the range of tenures, are financially unsustainable, and unfeasible given the available capacity to manage them. The need for workable systems to manage and administer land is now greater than ever, with new challenges being added to the problems that already exist (UN-Habitat, 2012).

Land markets are a major mechanism regulating the exchange of land and property in cities throughout the world. Markets tend to be more open than traditional land regimes, but are influenced by the political, economic, cultural and institutional context. For example, in several regions women cannot take part in market transactions, and may be affected by customary or statutory laws, social norms, or a lack of resources. Traditional land regimes and informal

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markets alongside the formal land markets also makes things more complicated (UN-Habitat, 2012).

This paper draws from a GLTN project on building a structured knowledge base in support of responsible land administration. The project included six modules addressing various aspects responsible land administration. Module 1 on the Core Values of Responsible Land Administration is presented to explain how the core values and principles are described. The module includes 5 lessons and provides easily accessible knowledge about: (1) Land, power and people and land administration; (2) Principles of responsible land administration; (3) Land Tools to Implement Responsible Land Administration Principles; (4) An introduction to Fit-for-purpose land administration; and (5) Recording of Land Tenure Rights for poor.

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The paper describes the rationale and design of these RLA "teaching essentials" and how the knowledge base can be used for a range of teaching and training contexts including university curriculum, blended learning, training, CPD activities and self-studies.

THE GLTN RESPONSIBLE LAND ADMINISTRATION TEACHING ESSENTIALS

In line with the GLTN Phase II program, the GLTN Secretariat engaged the University of Twente - ITC as lead institution to explore the feasibility of the design and development of an undergraduate introductory module and a set of post-graduate modules in areas relevant to the work of the GLTN. The general objective is to strengthen the capacity of higher education and other relevant networks or institutions globally, including in developing countries, to provide quality undergraduate and post-graduate courses on the theme of pro-poor, gender responsive land tools for tenure security along the continuum of land rights.

The initial, feasibility phase was executed from June to December 2015. The main inputs during this phase were mainly from ITC, the Technical University of Munich (TUM), GLTN secretariat UN-Habitat, EALAN Chair Institute of Land administration (ILA) curriculum from Ethiopia, the East African Land Administration Network (EALAN) and UN-Habitat. Guided by the project's general objective, a framework with overall approach was developed. A key product of this process was the GLTN curriculum document titled "Teaching Essentials for Responsible Land Administration" with a course title "Responsible Land Administration 101", which was finalised in the first quarter of 2016.

The general approach for exploring the feasibility of the design and to develop a curriculum for GLTN was to make an inventory of existing elements, to assess the needs and to define

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objectives and strategies in relation to the four following aspects: students, content of teaching, teaching approaches and teachers / institutions. The methods used for the data collection were a literature review (realized from July 2015 to September 2015), a survey (conducted from the 27th of July 2015 to 18th of September 2015) and an expert consultation (held from the 1st to the 4th of December in Enschede, Netherlands). A final report was prepared by ITC which included a brief outline of a draft curriculum and recommendations for next phase/s of curriculum development process, indicative budgets, and timeframes.

This preliminary work forms the basis for the next stage of development, which is being coordinated by RMIT University and University of East London under project 2 of the GLTN Research and Training Cluster. This project aims to develop detailed outlines for each of the six Modules, and commence development of a structured knowledge base to support a full curricula. Based on the original design by ITC, expanded outlines for each Module have been developed and it is on these that we are seeking expert input with key stakeholders.

At a two-day expert group meeting held on October 31st and November 1st 2016 it was agreed that this project focus on developing a "Knowledge base" to support the development of a responsible land administration across a variety of contexts. We see this knowledge base as supporting a continuum of needs from a self-learner (with instructions on how to use the material) at one end, to an academic who customises the knowledge base to fit into part of an existing undergraduate or postgraduate program (with instructions to designers on how to use the material) at the other end. The ultimate aim is to strengthen the capacity of higher education, and the quality of undergraduate and post-graduate learning on the theme of responsible land administration and the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGTs), and is primarily about awareness raising.

This draft outline expands upon the course framework outlined in the publication "Teaching Essentials For Responsible Land Administration Course Title: Responsible Land Administration 101". The course is arranged under the following topical areas and modules:

1. Core values of responsible land administration

2. Access to land and tenure security

3. Participatory Land-Use Planning and Management

4. Responsible land administration and information in practice

5. Land-based financing

6. Land policy and regulatory frameworks

It represents an attempt to organise the content of the knowledge base into modules and lessons that include guidance on the learning steps, key literature, and links for further study.

Rationale

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The majority of people-to-land relations are not captured in formal land administration system, putting them at risk of losing their access to land, livelihoods and shelter. This applies especially for the more vulnerable, including women, the elderly, youth, poor, displaced peoples, indigenous communities, and ethnic minorities. Therefore, these groups and their relation to land needs special attention and this course focuses on the policy and legal frameworks and the land tools that help protect them.
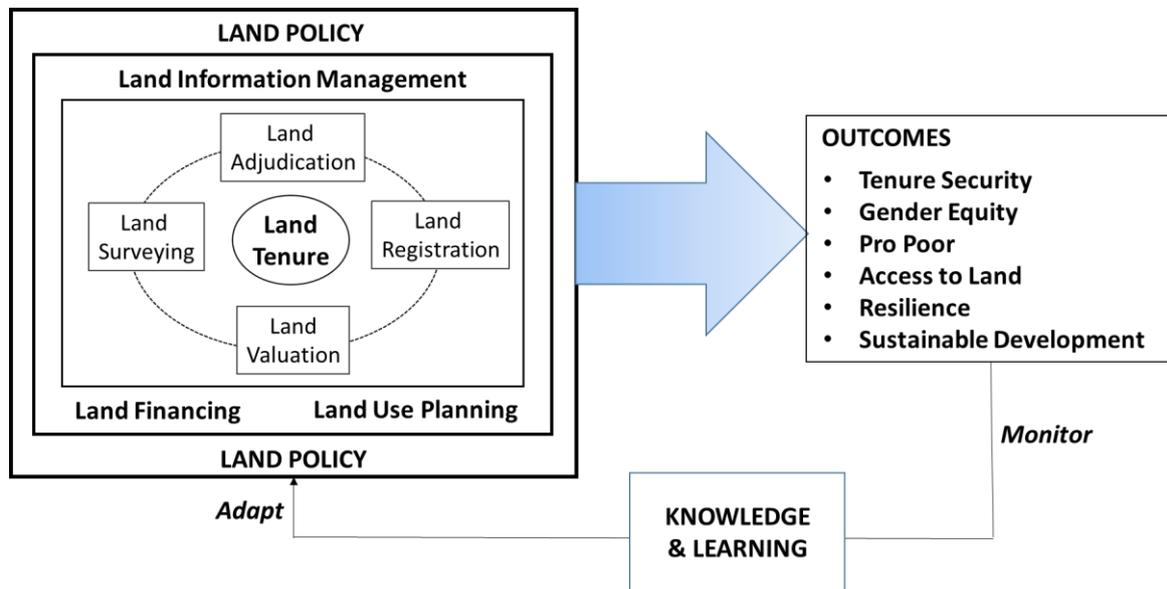

Figure 1 Conceptual Framework for Responsible Land Administration (Figure provided by Grenville Barnes)

Although there is a wealth of knowledge on land related issues and innovative land tools, most of this knowledge is not well known and/or fragmented among university teachers, or it is hidden within broader land or geomatics related curricula. To redress this, there is a need to consolidate this knowledge into a university level course on 'Responsible Land Administration.' This is supported by multi-lateral agencies who wish to establish twinning arrangements between North-South and South-South academic institutions. The structured knowledge base is specifically aimed at fitting within accredited academic learning approaches of undergraduate programs in land related topics.

In this way the knowledge base makes a valuable, contribution to the Strategic Objective 1 of the GLTN capacity development strategy: "Key capacity developers (national and international level universities, training institutes and others) have moved from conventional technical training curricula to include also pro-poor, gendered, multidisciplinary approaches" (GLTN/UN Habitat, 2014). While the effect and impact of land administration depends on many contextual issues, and can also be abused by powerful interests (e.g. elites) to grab land and other scarce resources, this course is based on the premise that responsible land administration can be designed to have a positive effect and impact, thereby promoting good (land) governance (transparent, participatory, accountable, fair, etc.).

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The book "Advances in Responsible Land Administration" aimed to redress the limitations of conventional land administration research and provides a foudnation for this knowledge base. While 'Responsible" land administration is a qualitative term or an ideal that may be difficult to achieve, we seek to build on this work by proposing 11 key principles for implementation of responsible land administration based on in turn, the VGGTs, the GLTN core principles, the International Guidelines on Urban and Territorial Planning, Advances in Responsible Land Administration, and the Fit-For-Purpose Land Administration Guiding Principles.

Overarching goals

Each Module will be comprised of "minimum learning objects" that can (if needed) stand alone as a learning exercise. It will be based on the following goals:

- Expose students and teachers to the core values and tools making up responsible land administration (see definition)
- Involve local case studies in lessons where possible
- Adaptive, flexible and responsive to diverse and changing needs - fit-for-purpose (FFP)
- prepare a range of learners with the knowledge of responsible land administration and the ability to positively contribute in a range of roles within the broad land sector
- Empower people to act as change agents and be champions and implementers of any needed reforms.

A challenge will be to balance the fundamentals of responsible land administration with country-specific aspect of land administration. The knowledge base was developed on the awareness that the challenges facing the land sector are significant and complex, and the assumption that implementation of responsible land administration principles requires great care. There are no quick solutions, and that the effect and impact of land administration depends on many contextual issues in different cases. Effective solutions involve going deeper into the actual tenure forms in existence, with solutions building on what are already there and in response to particular historical, cultural, legal etc. context. at the knowledge base will also stress the danger of blueprint solutions such as mass land titling, and analyse the shortcomings of conventional in-good-faith responses.

Key principles such as found in the VGGTs, and the continuum of land rights, and fit-for-purpose land administration will be central to the knowledge base, as will the principles of pro-poor land recordation and gender-responsive land administration.

Learning materials will include knowledge of international conventions and guidelines, as well as good local and regional case studies that illustrate the success or failure of certain land administration responses.

Curriculum structure and teaching materials

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The entire knowledge base will comprise approximately 300 hours of study load - (12 ECTS[1]), which represents between 15% and 25% of one year of many undergraduate programs.

Each Module is designed to support a curriculum of approximately 50 hours of study load (2 ECTS). A typical study load will be generally divided into 15 hours teacher-directed learning, and 35 hours learner-directed learning (self-study). However this can vary for each lesson. Each lesson is then designed to support approximately 3 hours of teacher-directed tuition within the classroom or training session.

The knowledge base includes a nested design that allows selection by the designer, teacher or learner, of parts or the whole of the knowledge base as needed. The breakup of teaching approach may vary per module but a typical structure may be in the form of pdf document containing the learning text, recommended reading material, suggestions for assessment and instructions for designers as to how they might adapt the material for various uses. A template will also be provided to allow local and regional case studies to be developed to illustrate the lessons covered. The Modules will be framed as a series of issues or questions - the idea of leading with questions/issues in each section.

Modules should start from global, then regional, and move to local and then students bring context. Since the knowledge base comprises overarching guidelines and general principles a second layer of references will be provided to allow the learner explore the topics more deeply.

MODULE 1: CORE PRINCIPLES OF RESPONSIBLE LAND ADMINSTRATION

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Structure of the Module 1

Lesson 1.1	Lesson 1.2	Lesson 1.3	Lesson 1.4	Lesson 1.5
Land, power and people	Introduction to Responsible Land Administration	Introduction to land tools	Introduction to Fit-For-Purpose land administration	The importance of recording land rights for the poor
Introduction to land administration	Principles of Responsible Land Administration	Land tools and responsible land administration	Building the Fit-for-purpose frameworks	Principles and approaches of pro-poor land recordation

[1] The course load system used in Europe, but also for example in Ethiopia, where 1 ECTS = 28 hours of study load (lectures, exercises and self-studies). For more information about the international standard ECTS for the credit transfer and accumulation system: http://ec.europa.eu/education/ects/ects_en.htm
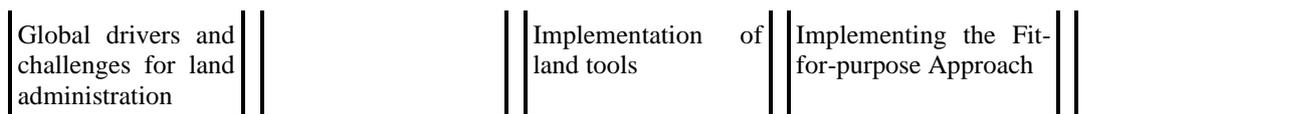
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Global drivers and challenges for land administration			Implementation of land tools	Implementing the Fit-for-purpose Approach		

Figure 2 The structure of Module 1

1.1. How did the term Responsible Land Administration evolve?

Over the last two decades, the land administration discussion has moved from 'best-practices' for land administration (e.g. Williamson 2000), to 'good governance' in land administration (e.g. FAO, 2007), to 'responsible governance' of tenure (CFS and FAO, 2012), and recently to 'responsible land administration' (De Vries et al, 2016). The responsible land administration vision in De Vries et al. (2016) builds on traditional ideas of land administration and includes a multi-stakeholder focus, and sees land administration as multidisciplinary, proactive, international, relevant and usable. It also includes a pro-poor and gender-responsive focus.

Consistent throughout the discussion on best practices, good and responsible approaches to land administration is the recognition of the need to consider the human rights principles of universal, equal and inalienable human rights to property, to adequate housing, and to adequate food. As forced evictions and land grabbing are clear violations of these rights, the role of land administration is to recognise and protect land rights of all people. This is expressed in the Voluntary Guidelines on Responsible Governance of Tenure (VGGTs) as safeguarding legitimate rights to land. This also means that all tenures must be included. Therefore, the major human rights-based objective of land administration is to recognise and protect all legitimate land tenure rights (CFS and FAO, 2012), and incorporating a continuum of land rights (UN-Habitat, 2012).

The global agenda has been another important driver over the last two decades elevating the role of land administration in supporting global development goals, such as the Millennium Development Goals (MDGs), the Sustainable Development Goals (SDGs) and the New Urban Agenda (NUA). If we look at the recent documents, such as the SDGs (especially land indicator 1.4.2), and Item 35 of the NUA, it is clear that effective land administration systems are required to increase and promote security of tenure for all (respecting the continuum of land rights), develop fit-for-purpose and age-, gender- and environment-responsive solutions.

Responsible Land Administration is a response to the limitations of current approaches to land administration. A conceptual understanding of responsible land administration comes from the SDGs (need secure tenure for all), the VGGTs (which provide guidance on how to do this), and the need for consideration of both legal and social legitimacy of tenure (De Vries et al 2016). Further, very important in our understanding of what represents responsible approaches to the land governance is the Land Governance Assessment Framework (LGAF), developed by the World Bank. LGAF is a land tool with 80 indicators designed to help countries assess their policies and practices regarding land governance, allowing the monitoring of progress.

In the previous lesson we discussed global drivers and challenges for land administration, and the limitations in existing Land Administration Systems. The goals of the new development agenda cannot be achieved without responsible land governance and land administration.

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Responsible governance of tenure is now part of the global agenda through the VGGTs (CFS and UN-FAO, 2012). This international "soft law instrument" represents internationally accepted principles and standards for responsible practices. Responsible governance of tenure and the VGGTs are discussed further throughout the Modules that follow, including in Module 6 (Lesson 6.2).

International experience shows that investments in efficient and equitable land governance and land administration, and ensuring land rights for all, leads to development with improved food security and livelihood options. This development tends to be more sustainable where land tenure reform protects long-standing and legitimate rights to land (De Vries et al, 2016). The remainder of this lesson considers the human rights and sustainable development obligations informed by the VGGTs, and then summarises the key principles of responsible land administration outlined in the VGGTS, and other key texts, and how these inform implementation of Responsible Land Administration.

1.2. Principles of Responsible Land Administration

In this section we look at what the global human rights and governance frameworks, VGGTs, the GLTN core values (including pro-poor land administration values) say about responsible land administration. As discussed in Lesson 1.1, the traditional aims of land administration have been to provide certainty in the legal status of land, protect security of tenure, and provide authoritative information about the ownership, value and use of land.

One way that land governance and administration can be understood is presented in the diagram in Figure 5 which shows how the concepts involved in the land management paradigm fit together. The hierarchy illustrates the complex relationship between policies, institutions, processes, and information for dealing with land in society, using an orderly approach represented by the six levels. This conceptual understanding can be used to structure the discussion on responsible land administration through these levels.
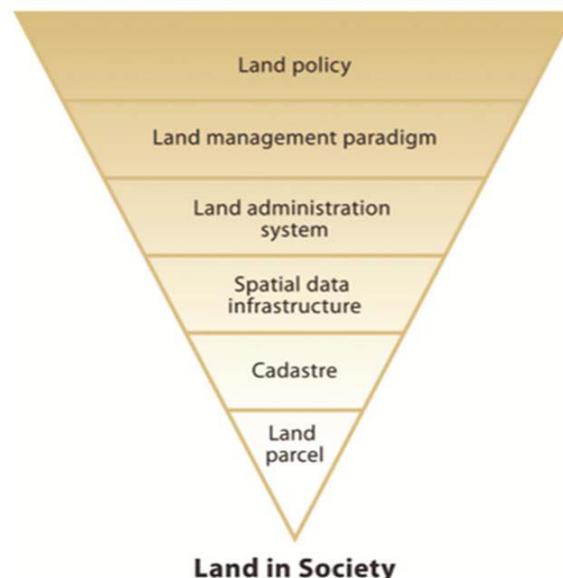

Figure 3 Hierarchy of land issues forms an inverted pyramid with land policies in the top and the land parcel at the bottom (Williamson et al., 2010, p. 132-133).

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As discussed in Lesson 1.1.2, national land policy goals of each country are delivered using land administration to manage its land and resources. National land policies, the country context, the institutional arrangements and policy decisions influence the land administration functions (land tenure, land value, land use, and land development) under the land management paradigm. This is further elaborated in Module 6. Therefore, the land management paradigm provides a framework for principles of responsibility to be integrated into existing land administration systems (Williamson et al, 2010). In this lesson the two higher levels (land policy and the land management paradigm) are related to principles that inform the aims and outcomes of responsible land administration.

Within the country context, the land administration system provides the institutional infrastructure for implementation of land policies and land management strategies. At the core of a land administration system is the cadastre, and the spatial data infrastructure provides access to and interoperability of the cadastral and other land information. In this lesson, we relate these lower levels (land administration, SDI, cadastre) to the functions and processes needed to achieve the aims and outcomes of responsible land administration.

What are the aims and outcomes of Responsible Land Administration?

This section relates to the aims and outcomes of responsible land administration, and considers why responsible land administration is important, and how this is informed by human rights conventions, and the global governance frameworks. These are international *norms* and *values* that find their roots in human rights, and then translate into what is understood to be responsible land governance. This lesson focuses on the two higher levels (land policy and the land management paradigm) in Figure 5 and how they provide a framework for principles of responsible land adminstration to be integrated into existing land administration systems.

According to FAO (2007) principles of good land governance came out of research into human rights and fundamental freedom. International human rights law contains aspects of good governance with respect to property that have implications for good governance in land tenure and administration (FAO, 2007). Under international human rights law, all human beings are entitled to human rights – and these human rights are considered to be universal, equal and inalienable (UNITED NATIONS, 1948, Preamble).

In 1948 the Universal Declaration of Human Rights (UDHR) stated that "(i) everyone has the right to own property alone as well as in association with others, and (ii) no one shall be arbitrarily deprived of his property" (UNITED NATIONS, 1948, art. 17). Since then, other major international human rights treaties and instruments have mentioned the right to property, the right to adequate housing, and the right to adequate food – all of which are relevant to land administration (van der Molen 2016). These international human rights treaties and instruments include:

1. the *International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)* which calls on States to guarantee the right to own property alone as well as in association with others (UNITED NATIONS, 1965, art. 5, v).

2. The right to adequate housing is mentioned in both the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (article 11, para. 1), and article 5 (e) of ICERD (van der Molen, 2016).

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3. Tenure security and forced evictions are given specific attention in two important *General Comments* on the right to adequate housing: UN CESCR, *General Comment No. 4: The Right to Adequate Housing (Art. 11 (1) of the Covenant),* 13 December 1991; and UN CESCR, *General Comment No. 7: The right to adequate housing (Art.11.1): forced evictions*, 20 May 1997.

4. Part II of International Labour Organization Convention 169: Indigenous and Tribal Peoples Convention – The rights of ownership and possession over the lands which they traditionally occupy shall be recognised and safeguarded, and they shall not be removed from the lands which they occupy. Customary procedures established for the transmission of land rights among members shall be respected.

General Comment 4 describes "adequate housing" and "legal security of tenure" as follows:

7. … the right to housing should not be interpreted in a narrow or restrictive sense which equates it with for example the shelter provided by merely having a roof over one's head or views shelter exclusively as a commodity. Rather, it should be seen as the right to live somewhere in security, peace and dignity.

"8 (a) Legal security of tenure. Tenure takes a variety of forms, including rental (public and private) accommodation, cooperative housing, lease, owner-occupation, emergency housing and informal settlements, including occupation of land or property. Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. States parties should consequently take immediate measures aimed at conferring legal security of tenure upon those persons and households currently lacking such protection, in genuine consultation with affected persons and groups;

From this it becomes clear that human rights and land administration are closely linked and that every state needs to ensure that efficient and effective land administration mechanisms are in place to pursue this interaction. More generally, human rights should be seen as an ethical responsibility of government to ensure that people enjoy some basic rights as human beings. This relates to national political arrangements and standards for good governance. It also relates to historical and cultural development throughout the world including colonisation and armed conflicts (Enemark, et.al. 2014, p.5-6).

Both the SDGs and the NUA are grounded in the obligations of the international human rights framework. The NUA is also guided by the sustainable development principles of (a) leaving no one behind, (b) ensuring sustainable and inclusive urban economies (including promoting secure land tenure), and (c) ensuring environmental sustainability (UN, 2016, pp13-14). The NUA (item 13a) envisages cities that incorporate the "full realization of the right to adequate housing" (UN, 2016, p13). Item 35 of the NUA commits to promoting "increased security of tenure for all, recognizing the plurality of tenure types, and to developing fit-for-purpose and age-, gender- and environment-responsive solutions within the continuum of land and property rights, with particular attention to security of land tenure for women as key to their empowerment, including through effective administrative systems" (UN, 2016, p21).

The 2030 Agenda for Sustainable Development reaffirmed the importance of the UDHR, as well as other international human rights and international law instruments (United Nations General Assembly, 2015). While the SDGs are not legally binding, governments are expected to take ownership and establish national frameworks for the achievement of the 17 Goals. The

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SDGs integrate economic, social and environmental aspects and recognize that ending poverty also requires strategies that build economic growth and addresses social needs, while tackling climate change and environmental protection (UN, 2015). A requirement for access to land for all is included in several of the SDGs targets including:

1. Goal 1, Target 4: ensure that all men and women (in particular the poor and the vulnerable) have access to ownership and control over land and other forms of property.
2. Goal 2, Target 3: double the agricultural productivity and incomes of small-scale food producers, including through secure and equal access to land.
3. Goal 5, Target 5a: undertake reforms to give women access to ownership and control over land and other forms of property.
4. Goal 11, Target 1: ensure access for all to adequate, safe and affordable housing (United Nations General Assembly, 2015).
5. Goal 15, Target 9: integrate ecosystem and biodiversity values into national and local planning, development processes, poverty reduction strategies and accounts.
6. Goal 16, Target 3: promote the rule of law at the national and international levels and ensure equal access to justice for all.

Particularly important is the inclusion of SDGs 'land indicator' (1.4.2): "Proportion of total adult population with _secure tenure rights to land_, with _legally recognized documentation_ and who _perceive their rights to land as secure, by sex and by type of tenure_".

Furthermore, the NUA states in article 35:

35. _We commit ourselves to promoting, at the appropriate level of government, including subnational and local government, increased security of tenure for all, recognizing the plurality of tenure types, and to developing fit-for-purpose and age-, gender- and environment-responsive solutions within the continuum of land and property rights, with particular attention to security of land tenure for women as key to their empowerment, including through effective administrative systems._

The fundamental human rights mentioned above also acknowledged in the objectives of the VGGTs which state "All programmes, policies and technical assistance to improve governance of tenure through the implementation of these Guidelines should be consistent with States' existing obligations under international law, including the Universal Declaration of Human Rights and other international human rights instruments" (CFS and FAO, 2012, p1). In order to meet the aims of responsible land administration, the above fundamental human rights, and the goals and indicators of the global frameworks should inform the development or updating of land policies.

- The principles of the human rights and global frameworks are evident in Section 3.1 of 3A (General Principles) of the VGGTs, and the obligations on non-state actors discussed in Section 3.2:

- Section 3B (Principles of Implementation) also lists ten principles "essential to contribute to responsible governance of tenure of land, fisheries and forests" (CFS and FAO, 2012, pp4-5):

- The outcomes of Responsible Land Administration are also informed by the GLTN Core Values. GLTN subscribe to a core set of values and principles aimed at delivering improved security of tenure. These core values are presented in the following box.

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The VGGTs and the GLTN Core values above provide guiding principles for national land policy frameworks and the land management paradigm in achieving responsible land administration. These include:

  i.   Respect for human rights and dignity (VGGTs 3B 1).
  ii.   Non-discrimination (VGGTs 3B 2).
  iii.   Pro-poor (GLTN core value 1).
  iv.   Equity and justice (VGGTs 3B 3, GLTN core value 2).
  v.   Gender responsiveness (VGGTs 3B 4, GLTN core value 3).
  vi.   Holistic and sustainable land administration (VGGTs 3B 5, GLTN core value 5).
  vii.   Effective consultation and participation (VGGTs 3B 6, GLTN core value 1)
  viii.   Adopting the Rule of law (VGGTs 3B 7)
  ix.   Applying principles of transparency (VGGTs 3B 8)
  x.   Applying principles of accountability (VGGTs 3B 9)
  xi.   Continuous improvement (VGGTs 3B 10)
  xii.   Affordability of land administration services (GLTN core value 4).
  xiii.   Adopting systematically large scale and scalable approaches (GLTN core value 6).

Land issues *are common in many countries, and pose difficult policy challenges for* governments. While land policies must reflect the local context, land policies in the global south also tend to reflect the global priorities of poverty reduction, food and water security, sustainable human settlements, economic development, and equity. However, in practice existing policies and laws on land often focus on economic productivity at the expense of social and environmental sustainability.

Responsible Land Policies should ensure that the global and national drivers are addressed in a balanced way. In this regard all the principles of responsible land administration are important for land policies. By transferring "Responsible Land Administration" principles to the policy arena, responsible land policies should address various levels of government, thereby ensuring that access to land and land-related benefits apply to all. This means that land policy is a highly political issue, as allocation of land and resources rights involves choices about the distribution of benefits.

What are the processes of Responsible Land Administration?

When land administration is implemented responsibly, it underpins good land governance and ultimately supports sustainable development. According to FAO (2007), while the control of corruption is an obvious aspect of good governance, good governance also involves accountability, political stability, government effectiveness, regulatory quality and rule of law. Good governance means that government is well managed and inclusive, and good governance is made operational through equity, efficiency, transparency and accountability, sustainability, subsidiarity, civic engagement and security (FAO, 2007).

In this lesson we relate the lower levels illustrated in Figure 5 (land administration, SDI, cadastre) to the processes needed to achieve the aims and outcomes of responsible land administration mentioned above. As well as the VGGTs Principles of Implementation and the GLTN core values, we also consider the GLTN continuum of land rights approach, and fit-for purpose land administration.

GLTN philosophy

"**The Continuum of Land Rights approach** – Most countries rely solely on conventional land administration systems for managing their land and providing tenure security to their people. It is estimated that conventional systems cover only about 30 per cent of the land in developing countries and therefore respond to the needs of a small proportion of the population only. However, besides individual registered ownership rights there is a broad range of land rights – ranging from informal, to customary, to group rights and others – that can be recognized, strengthened and used to increase access to land and tenure security. This concept is defined as the continuum of land rights and it is the foundation of the GLTN's work.

Fit-for-Purpose Land Administration – Conventional land titling approaches have largely failed to deliver their expected results since existing technical solutions are too expensive or are inappropriate for the different types of land tenure in developing countries, are financially unsustainable and require a high level of technical capacity, or are largely unavailable in most developing countries. The fit-for-purpose land administration approach is a response to such challenges. It proposes to re-focus land administration to meet the needs of people and their relationship to land, to support security of tenure for all and to sustainably manage land use and natural resources

Drawing on these guiding principles, the key processes that support Responsible Land Administration outcomes include:

1. Recognizing, recording and respecting all legitimate tenure right holders and their rights (VGGTs 3A 1)
2. Safeguarding legitimate tenure rights against threats and infringements (VGGTs 3A 2)
3. Promoting and facilitating the enjoyment of legitimate tenure rights (VGGTs 3A 3)
4. Providing access to justice to deal with infringements of legitimate tenure rights (VGGTs 3A 4)
5. Preventing tenure disputes, violent conflicts and corruption (VGGTs 3A 5)
6. Adopting the continuum of land rights approach (VGGTs 3A 1, GLTN Philosophy)
7. Applying Fit-for-Purpose Land Administration principles (GLTN Philosophy).

However, these are overarching processes needed to meet the aims of responsible land administration. Beyond this, Part 5 of the VGGTs (Administration of Tenure) provides more specific guidance on the land administration processes that should be implemented under a responsible land governance approach (CFS and FAO, 2012). Part 5 of the VGGTs covers, recording of tenure rights (item 18), valuation (item 19), taxation (item 20), regulated spatial planning (item 21), resolution of disputes over tenure rights, and transboundary matters (item 22).

The land administration system is shaped by land policies that define the regulatory requirements for responsibly dealing with land issues. As discussed earlier, the human rights legal framework establishes the fundamental human rights to own property and the right to adequate housing and food security. These are part of the rationale for the objective of land administration systems to provide security of tenure for all, and this objective should be translated into the national legal framework. This is recognized in the VGGTs which call on States to "*ensure that all actions regarding tenure and its governance are consistent with their existing obligations under national and international law, and with due regard to voluntary commitments under applicable regional and international instruments*" (VGGTs 3A 3.1.4).

A dual legal framework may exist where customary tenure is recognised and recorded by the State. In some countries, formal and customary and informal land administration co-exists with religious tenures resulting in a plurality of systems. This can lead to overlaps and inconsistencies with different land records issued by the State for the same parcel of land, inevitably leading to conflict (FAO, 2002). The overarching responsible land administration principal that applies is that the legal framework accords with the rule of law, and provides legal security and access to justice. An effective legal framework should be in place to protect and safeguard all legitimate rights to land.

The FFP Guiding principles consider that legal Frameworks should comprise "(i) A flexible framework designed along administrative rather than judicial lines, (ii) A continuum of tenure rather than just individual ownership, (iii) Flexible recordation rather than only one register, (iv) Ensuring gender equity for land and property rights" (Enemark et al, 2015).

The benefits of a responsible approach to land administration processes come through the land administration system recording and providing recognition of ownership, security of tenure, reducing tenure disputes, the facilitation of efficient formal land markets, and efficient administrative processes in valuation, land-use planning, and land development (Williamson et al, 2010, p. 17-18). As highlighted by Williamson et al (2010) these benefits include:

1. Support for governance and rule of law.
2. Alleviation of poverty.

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3. Security of tenure.
4. Support for formal land markets.
5. Security for credit.
6. Support for land and property taxation.
7. Protection of state lands.
8. Management of land disputes.
9. Improvement of land planning.
10. Development of physical infrastructure.
11. Management of resources and the environment.

Management of information and statistical data (Williamson et al, 2010, pp17-18).

USING MODULE 1 IN A RANGE OF TEACHING AND TRAINING CONTEXTS

The paper describes the rationale and design of these RLA "teaching essentials" and how the knowledge base can be used for a range of teaching and training contexts including university curriculum, blended learning, training, CPD activities and self-studies. The project included six modules addressing various aspects responsible land administration and is now freely available in Beta version for any organisation to adapt and include in their curriculum, or training or CPD program. This adaptation may include, for example, the development of local case studies to help illustrate the global principles outlined.

This structured knowledge base on responsible land administration will also illustrate local and regional diversity through the inclusion of practical local examples and case studies in each of the Modules. These case studies will be in the form of a text box within the knowledge base.

1.1. Target group

The knowledge base will be designed with the flexibility to support a continuum of learners that range between the following:

A. Knowledge base adapted to be embedded by a course designed or teacher into an existing undergraduate or postgraduate program. Users customise the material in the knowledge base into their own tutor-driven programmes. Responsibility for the adaptation and the eventual programme would be with the body customising the material.

B. Guidance to support and unsupported learner. Those taking it would have access to a self-contained module that could be taken as a whole or in parts without the need for customisation. This could be in the form of a MOOC (massive open on-line course), independent study module in a university, part of dissertation preparation programmes in a university, or continuing professional development for a professional body.
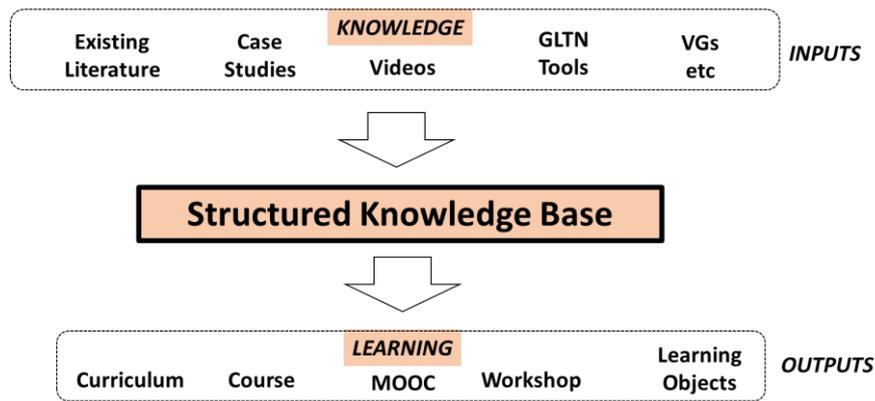
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Figure 4   Structured Knowledge and the Learning Continuum (figure provided by Grenville Barnes)

The knowledge base could also underpin blended learning programs online tutored courses, face-to-face training, and online mentoring.

The learning could be accredited by the body customising the material and lead to an award by that body. The knowledge base will be made available through a portal through which the documentation could be accessed. The material will be open source with minimal copyright restrictions beyond requiring users to acknowledge the source.

1.2. Supporting 'Blended' learning

Modern learners are more likely to seek information online, and for it to be available any time and anywhere. Students tend to respond very well to approaches such as 'problem-based' learning and 'active' learning. Surveying students also tend to respond well to examples and case studies from the real world (ie industry). As a result there is a long history of industry professionals and practitioners being involved in teaching of surveying students through providing guest lectures, supporting field practical projects and providing advice ont he use of new technology.

Teaching and training in many land based professions such as urban planning, land management and surveying has traditionally been based on a 'blend' of theory and practical tasks (lectures, training, tutorials, computer lab sessions, field practical exercises, and computing sessions). So, while there are many different types of learners in these fields, blended learning, therefore offers a way of learning that suits many such students. This is especially true where the blended learning involves input from academics and industry in the content and learning materials. Blended learning can help meet the modern need to provide online and f2f learning opportunities anywhere and anytime, as well as providing many opportunities for problem-based or active learning.

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1.3. Conclusions

Module 1 on Core Values and Principles of Responsible Land Administration is the first Module of the "Responsible Land Administration Teaching Essentials" series, a project funded by GLTN/UN-Habitat. It is a "Structured Knowledge Base" to support a range of different kinds of learning activities within the subject of responsible land administration. This Module lists the principles and values of responsible land administration as well as the outcomes, functions and processes of responsible land administration as a basis for the Modules that follow.

The paper draws from a GLTN project on building a structured knowledge base in support of responsible land administration. The project included six modules addressing various aspects responsible land administration. Module 1 on the Core Values of Responsible Land Administration is presented to explain how the core values and principles are described. The module includes 5 lessons and provides easily accessible knowledge about: (1) Land, power and people and land administration; (2) Principles of responsible land administration; (3) Land Tools to Implement Responsible Land Administration Principles; (4) An introduction to Fit-for-purpose land administration; and (5) Recording of Land Tenure Rights for poor.

The knowledge base can be used for a range of teaching and training contexts including university curriculum, blended learning, training, CPD activities and self-studies.

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David Mitchell is an Associate Professor at RMIT. He has a PhD in land administration. David is chair of FIG Commission 2 (Professional Education) for the term 2019 to 2022. At RMIT University he teaches cadastral surveying and land development and undertakes research focusing on the development of effective land policy and land administration tools to support tenure security, improved access to land and pro-poor rural development. He also has a strong research focus on land tenure, climate change and natural disasters.

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Secretariat, and leads its work on the continuum of land rights, land readjustment, land-based financing and Namibia. Jean has more than 25 years' experience in the land, housing and development sectors. From 1996 to 2000 he was policy director and then chief director of the South African government's land restitution programme. Jean has also worked with various non-governmental organisations, bilateral institutions, universities and other UN agencies. He has published variously on land, housing, human rights and development issues..

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