A GOOD PRACTICES BRIEF

This Brief No. 4 highlights the importance of knowledge exchanges and workshops to improve land governance and land administration practices.

International South-South Knowledge Exchange on Cadastres, Property Registries, and Land
The Voluntary Guidelines for the Responsible Governance of Tenure of Land, Forests and Fisheries in the Context of National Food Security (VGGT) were endorsed by the Committee on World Food Security (CFS) in 2012. The VGGTs seek to improve governance of tenure of land by providing guidance and information on internationally accepted practices, contributing to the improvement and development of policy, and strengthening the capacities and operations of main stakeholders. The VGGTs principle 26.3 explicitly references the importance of South-South cooperation for a range of issues, including technical cooperation, institutional capacity development, knowledge sharing, exchange of experiences, and assistance in developing national tenure policies and transfer of technology.

The III International Knowledge Exchange on Cadastres was held in Granada, Nicaragua from September 29 to October 2, 2015. The event included participants from sixteen countries (from Latin America, North America, and Europe) and delegations from the World Bank, the Food and Agricultural Organization (FAO), and participants from the Inter-American Development Bank and Land Alliance. The Government of the Republic of Nicaragua (GoN) with support from the World Bank and the Government of Japan through the Policy and Human Resources Development Technical Assistance Program (PHRD) hosted the Knowledge Exchange through its Ministry of Finance and Public Credit, the Office of the Attorney General (PGR), and the World Bank-financed Second Land Administration Project (PRODEP II). This series of International South-South Exchanges began in San Pedro Sula, Honduras in 2013 (focusing on issues of integration between cadastre and property registries) and continued in Antigua, Guatemala in 2014 (focusing on cadastral management). Essentially, what has been created is a wide Community of Practice with a very strong presence from Latin American Land Administration institutions that meets (at least) once a year and discusses key issues of land governance.
III International Knowledge Exchange on Cadastres

The III International Knowledge Exchange on Cadastres focused on the following themes:
(a) Approaches to regularization,
(b) Titling of Indigenous Peoples’ Territories,
(c) Monitoring and Evaluation of Land Management Programs

The International Exchange employed different working methods, which included non-structured learning activities and the use of “Open Spaces”, interactive forum-like areas where the participants exchanged experiences related to the Knowledge Exchange’s themes.

Theme A: Approaches to Regularization

For Theme A, Approaches to Regularization, there was a keynote presentation on “Experiences of Land Regularization Globally”, with a five-county panel exchange on regularization and the presentation of a video on Local Land Governance. As part of the keynote presentation, global cases were presented, including Thailand’s sustained land tenure strengthening vision over the past twenty years, the political commitment to institutional reform in Kyrgyz Republic, and Peru’s research on the integration of the informal sector. The keynote presentation explained the concept of Fit-for-Purpose (FFP) for land information systems, adapting to particular development purposes and highlighting the following elements:

In line with the VGGTs, particularly No. 10 on Informal Tenure, the participants stressed that States should step the promotion of laws, policies, and implementation that provide recognition to informal tenure. When using FFP methodologies, governments need to ensure the compliance of the methods used with existing obligations under national and international law. It was pointed out that such processes need to be participatory and gender-sensitive, a VGGT recommendation itself (10.3).
**Legal and Institutional Catalyzers for Regularization**

Participants reached a set of conclusions with regard to the legal and institutional catalyzers for regularization, the process of formalizing users’ rights to property (in Latin America commonly referred to as regularization rather than formalization). Some of the central takeaways included that there should be legislative unification to the extent possible to ensure inter-institutional coordination for purposes of regularization, as well as process harmonization between entities.

<table>
<thead>
<tr>
<th>Catalyzers</th>
<th>Challenges</th>
<th>Challenges</th>
</tr>
</thead>
</table>
| **Legal Aspects** | 1. Harmonization of regularization legislation vs. Environmentally Protected Areas | ■ A legal and institutional framework that responds to communities’ needs.  
■ Inventory of Protected Areas |
■ Inventory of collective lands.  
■ Inventory of rights and obligations from an environmental perspective.  
■ Inventory of possessions |
| | 3. Many institutions with unclear definition of competencies | Political decisions and strong leadership; clarification of competencies |
| **Inter-Institutional Coordination and Capacities** | 1. Updated inventory of land tenure | ■ Fit-For-Purpose approach |
| | 2. Unification of registry and property rights information | ■ Single agency model  
■ Pilot integrated data information modalities |
| | 3. Differences in cadastral and property registry values | ■ Regular update of cadastral values; participation of real estate market sector |
Theme B: Titling of Indigenous Peoples’ Territories

For the titling of Indigenous Peoples’ territories (as opposed to titling of individuals), participants stated that processes should recognize the traditional forms of self-governance and use of natural resources. It was also stressed that indigenous communities need be able to deal better with the government and private sector when it comes to issues of sustainable development and benefit sharing. The Nicaraguan authorities, through the World Bank-financed Land Administration Project (PRODEP), applied participatory methods to land demarcation and collective titling of indigenous territories. This methodology built on the local knowledge about ancestral territories, the traditional organizational and decision making processes, and focused on local capacity building for indigenous communities, territorial authorities and regional and central government agencies. The participants mentioned that Governments should aim to apply traditional conflict resolution methods in instances of inter-territorial land overlaps. To ensure equity of project outcomes, PRODEP implemented a gender strategy that ensured women’s participation throughout the whole process of land demarcation.

Table 2: The Special Challenge of Indigenous Peoples’ Land Titling—The Case of Nicaragua

<table>
<thead>
<tr>
<th>Remaining Challenges</th>
<th>Alternatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approval of a Law for the Indigenous Peoples of the Pacific Coast</td>
<td>Titling is necessary in order to be able to exercise good land governance.</td>
</tr>
<tr>
<td>Law for the demarcation of indigenous territories</td>
<td>There are many aspects to conflicts that arise in the process of land titling; one should start from basic boundary definition.</td>
</tr>
<tr>
<td>Existence of irregular transactions and processes</td>
<td>Strengthen local governance (organizational issues of Indigenous Peoples, rules that are culturally-sensitive, conflict-resolution capacities)</td>
</tr>
<tr>
<td>Territorial Demarcation</td>
<td>Focus on the youth and future Indigenous Peoples leaders.</td>
</tr>
<tr>
<td>Development of general rules</td>
<td></td>
</tr>
<tr>
<td>Moving further than the sheer title</td>
<td></td>
</tr>
<tr>
<td>Resolving different kinds of conflicts</td>
<td></td>
</tr>
</tbody>
</table>

The participants recognized that land, for many indigenous peoples and other communities has social, cultural, spiritual, economic, and political value. Similar to the recommendations of VGGT No. 9 on Indigenous Peoples with customary tenure systems, the International Exchange participants agreed that good faith consultations with indigenous peoples are fundamental before initiating any project or before adopting and implementing policies that affect their resources. Although a collective land or territory title is not a panacea for the challenges facing indigenous peoples, the participants noted that it may be a prerequisite for more comprehensive and appropriate development approached to indigenous issues.
Theme C:  
**Monitoring and Evaluation of Land Administration Projects**

During the Knowledge Exchange, FAO and the World Bank presented a Tool for Monitoring and Evaluation of Land Administration Projects (M&E–PAT, from its acronym in Spanish). The M&E-PAT Tool is a website that provides framework methodologies and tools to support the design, planning, monitoring and evaluation of Land Administration Projects. It provides concrete solutions to the needs of measuring the progress and impact of these programs at the level of Land Administration institutions, sub-national/territorial entities, households and in the economic sphere (both financial and fiscal sides).

The presenters noted that the development of the M&E tool responded to two main necessities. The presenters noted that the development of the M&E-PAT tool responded to two main necessities: 1) to share experiences and work methodologies on M&E systems, considering different size and complexity of land projects; and 2) in order to develop a common conceptual and methodological framework to compare the results of these initiatives around Latin America. The tool consists of the following five modules:

- **Module 1** presents the methodology and is drawn from operational and policy experience of Land Administration Projects in Latin America, and particularly in Central America.
- **Module 2** looks at the Land Administration Institutions through which Governments seek to promote accessible, efficient, transparent and decentralized land administration services.
- **Module 3** refers to the sub-national level, such as Municipalities and Communities of Indigenous Territories, and their aim to develop multi-purpose land administration systems.
- **Module 4** corresponds to household-level impacts, at which level Land Administration Projects seek to strengthen land tenure security.
- **Module 5** corresponds to the Economic/Fiscal and Economic Analysis of Land Administration Projects, and uses elements from the aforementioned three modules.

Each of the modules includes a theoretical introduction based on a literature review of Land Administration Projects in Latin America, and offers a range of results and impacts used to build the results framework. The results framework presents the results and impacts chain with its indicators, means of verification and assumptions. These indicators and assumptions are linked to the methodological guidelines and are downloadable online. Each module provides practical information on the methods of measurement, key indicators according to the stages of the project cycle, and introduces the methodology sheets.

This initiative responds directly to VGGT 26 on monitoring and evaluation, which has encouraged the creation of multi-stakeholder frameworks to monitor and evaluate the impacts of programs on improved governance of land. The Tool for M&E presented, following VGGT 26, notes that M&E efforts on land need be participatory and gender-sensitive.

The link to the tool is the following: [www.fao.org/in-action/herramienta administracion tierras/es](http://www.fao.org/in-action/herramienta-administracion-tierras/es).
Conclusion

In brief, this International Exchange allowed participating individuals and their institutions to share experiences and learn from their peers on major land governance issues, both from a policy and implementation perspective. When approaching the pending issue of regularization of informal property, the International Exchange considered the usefulness of the Fit-For-Purpose methodology. For Indigenous Peoples’ land/territory titling, the Exchange highlighted issues related to consultations, as well as the participation of local population to these processes. Finally, the Exchange presented a comprehensive tool for M&E for land administration and governance initiatives and programs.
The brochure was prepared by a World Bank team with support from the Government of Japan through the Policy and Human Resources Development Technical Assistance Program (PHRD), as part of a broader initiative to disseminate the Voluntary Guidelines in collaboration with the FAO.