

## **Wrap-up and Conclusions**

### **Regional Workshop on Land Tenure and Land Consolidation Land Banking and Public Land Management 21 - 24 June 2010 Prague, Czech Republic**

The workshop was divided in two *technical sessions*, which covered two topics:

- i) land banking, and
- ii) public land management.

The workshop introduced the technical topics and improved knowledge and fostered sharing of experience and provided information on own requirements, experience and lessons learned when implementing land banking and public land management in the participants' countries. Furthermore, the workshop provided an excellent opportunity to strengthen the peer network of land administration professionals in Central and Eastern Europe.

Finally, the workshop participants discussed in two working group sessions on each of the topics the lessons learnt during the workshop, the possible topics for the next Prague workshop, and the technical/normative work which FAO should embark on (e.g. policy papers/studies, manuals and guidelines) and other activities it should pursue (e.g. regional projects, closer regional cooperation – FARLAND).

Following a summary of the discussions of the working groups and the final wrap-up session.

## **Notes on discussions**

### **Working session for participants to assess requirements for land banking and needs assessment for elaborating FAO guidelines**

The *working group* emphasized among other issues the importance of guidelines on Land Bank/Fund. All the participants had the same opinion, that increasing knowledge at senior technical level as well as build awareness of policy makers is highly needed. According to this there is a need to create guidelines on Land Bank/Fund for two targeted group of people:

- Technical paper/guideline for senior technical people
- Policy paper for policy makers (based on the technical guideline)

The working groups discussed the possible structure of this guideline, which would include a general introduction and definition of land bank/fund, objectives, approaches, financing structure and governance, legal framework, preconditions and basic steps to establish a land bank, strategic relationships with overall development strategies and sub-sector strategies, specific detailed case studies and an overview of other countries' experience in land banking, e.g. an inventory of land consolidation/banking projects, experts, common problems and suggested or proven solutions.

It was agreed that FAO would prepare a detailed concept and annotated outline, which would be shared with the workshop participants. After receiving and incorporating the comments from the Prague workshop group, a consultant would be hired to write the technical paper. It was also agreed that the participants would provide the material for the country case studies, etc. based on a defined structure or questionnaire.

## **Notes on discussions**

### **Working session for participants to assess requirements for public land management and needs assessment for elaborating FAO guidelines**

Participants identified the following questions in their working groups:

#### **Definitions and classifications**

- What are the definitions of state land / public land / municipal land? (plus socially owned land in ex Yugoslavia countries)?
- What is the difference between “management” and “administration” of state and public land?
- What is the difference between state land management and other public land management?
- What categories of land should be considered as state and public land (agricultural, forest, wetlands, grazing lands, etc)?

#### **Overall framework**

- What is the overall structure for management of state and public land (e.g. legal, organizational, financing, etc)?
- What external factors (history, etc) influence state and public land management systems?

#### **Role of state and public land management**

- Why do we need state and public land?
- What kinds of problems can be solved with use of state and public lands?
- What are the objectives for using state and public land?
- What is the main function of state and public land?
- How to create a balance between economic, social and environmental needs for use of state and public lands?
- What is the role of state and public land in land consolidation?
- What is the role of state and public land in land banks / land funds?
- What is the role of state and public land in restitution claims and distribution?
- What is the role of state and public land for the development of rural areas?
- What is the role of state and public land for the creation of protected areas, parks, etc?
- How does the state take nature and environmental protection into account when managing state and public land?
- How to balance the private ownership rights with the needs of state land management?

## **Requirements for state and public land**

- How does the state assess its future needs for land?
- How much land does the state need?
- How to deal with external pressures to privatizing state and public land? (Examples of the state privatizing land parcels, and then a few years buying the parcels back at higher prices.)

## **Institutions**

- Which institutions should deal with state and public land?
- Should state land be managed by municipalities (do they have the competence)?

## **Engaging with policy makers**

- How to convince policy makers to increase priority for state and public land management (e.g. to adjust or change relevant policies)?
- How to convince the government to improve state and public land management (e.g. greater transparency, participation, etc)?

## **Strategy**

- How to create a strategy for state and public land management?

## **Plans**

- How to make appropriate, adequate plans for state and public land management (e.g. how detailed do the plans have to be?)

## **Good management practices**

- What are good practices in state and public land management?
- How to manage state and public land in an efficient, effective and competent way?
- How to develop a good information system for state and public land management?
- What kinds of tools are needed for managing state and public land (e.g. GIS, remote sensing, etc)?
- How to pilot new programmes with regarding the use of state and public lands (e.g. when using state and public lands in the creation of land banks, or introduction of land consolidation)?
- Do we need restrictions on the use of state and public land (e.g. who can lease agricultural state land, on the size (area) that can be leased to one user, on the purpose (use) of the land, etc)?
- How to disseminate the necessary knowledge and know-how for state and public land management (e.g. the internet, etc).

- What kind of accountancy systems should be introduced (e.g. financial accounting, economic accounting, social accounting, and ecological accounting)?

### **Monitoring and enforcement**

- How to organize the checks and balances needed for good management of state and public land?
- How to monitor and enforce that state land is actually used by others in accordance with lease and concession conditions (e.g. what monitoring system is needed)?

### **Governance and corruption**

- How to assure transparency and avoid corruption in practice?
- How to make the administration of state and public land open and transparent?

### **Conflict management**

- How to resolve disputes related to state and public land?
- How to satisfy the interests of different groups (how to avoid conflict situations)?

### **Human resources and capacity building**

- What professional profile is needed for state and public land managers?
- How to create a training programme for state and public land management?

### **Legislation**

- What kind of legislation is needed for the inclusion of state and public land in land consolidation? (Is separate legislation needed, or can the requirements be integrated into other legislation such as land code, etc?)
- Should the same laws be applied for municipal and state land?

### **Sustainability**

- How to achieve sustainability when projects are finished?

## **Notes on discussions**

### **Final Wrap-up Session**

#### **1. Review of recent priorities**

The participants first reflected on the main priorities which they have had to deal with recently.

##### ***Within government:***

- To become more efficient with all aspects of land tenure, land administration, land management, etc.
- To improve farm structures.
- To start / continue / finish land reform.
- To continue privatization and land auctions.
- To start restitution.
- To start / scale-up / continue land consolidation.
- To create a legal framework for land consolidation.
- To develop an integrated approach for land consolidation as part of rural development.
- To get EU funding for land consolidation.
- To create land reserves / land banks / land funds.
- To deal with abandoned land.
- To manage remaining land owned by the state, including for infrastructure projects.
- To continue leasing state land for agricultural use.
- To improve land information systems, including for land reform.
- To improve coordination between state policies and land use planning.
- To improve land use planning, including protecting agricultural land against urban construction.
- To create a Land Parcel Identification System for access to EU.

##### ***Within academia:***

- To develop a systematic approach to land issues (e.g. land policies, land consolidation, land banking).
- To carry out research on integrated land use planning (urban and rural).
- To carry out research on comparative analysis of land governance.
- To develop a graduate course in land management.
- To update land management study programmes to include new topics of land consolidation, land funds, etc.

## 2. Topics for discussions at future workshops

Following the review of current priorities, the participants identified the following as useful topics for future workshops:

- Abandoned land (predominately private land but could also be state land).  
*All participants indicated that abandoned land is a problem in their countries.*
- Integrated land use planning – rural and urban.
- Land information systems.
- Governance of land.
- Long term education and capacity building.
- Practical steps of establishing land banks / funds.
- Pre-emption rights and other ways for the public sector to acquire land.
- Land valuation for land consolidation.
- How to communicate with policy-makers, government – how to get the message to them.