

# **Economy, Society and Climate change**

**The Impact of mega trends in the Building Environment, Construction Industry  
and Real estate**

## **The means to identify trends and policy innovations for strengthening Land Governance**

**David Egiashvili, International expert, REM Member**

**Denys Nizalov, Supporting Transparent Land Governance in Ukraine**

**Klaus Deininger, World Bank**

# International Standards - VGGT

## General Principles

- 1. Recognize and respect all legitimate tenure right holders and their rights.** They should take reasonable measures to identify, record and respect legitimate tenure right holders and their rights, whether formally recorded or not; to refrain from infringement of tenure rights of others; and to meet the duties associated with tenure rights.
- 2. Safeguard legitimate tenure rights against threats and infringements.** They should protect tenure right holders against the arbitrary loss of their tenure rights, including forced evictions that are inconsistent with their existing obligations under national and international law.
- 3. Promote and facilitate the enjoyment of legitimate tenure rights.** They should take active measures to promote and facilitate the full realization of tenure rights or the making of transactions with the rights, such as ensuring that services are accessible to all.

# International Standards - VGGT

## General Principles

4. **Provide access to justice** to deal with infringements of legitimate tenure rights. They should provide effective and accessible means to everyone, through judicial authorities or other approaches, to resolve disputes over tenure rights; and to provide affordable and prompt enforcement of outcomes. States should provide prompt, just compensation where tenure rights are taken for public purposes.

5. **Prevent tenure disputes, violent conflicts and corruption.** They should take active measures to prevent tenure disputes from arising and from escalating into violent conflicts. They should endeavour to prevent corruption in all forms, at all levels, and in all settings

# International Standards - UNECE REM The Key Principles for Development of Sustainable Real Estate Market

## Key Principle

- Promoting the real estate sector and the urban economy as one of the main contributors to inclusive and sustainable economic growth
- Creating a supporting regulatory system by integrating regional and international norms and standards into the national legislation
- Enhancing governance to create a healthy, transparent, professional and resilient real estate sector
- Greening the real estate sector to support climate change adaptation and mitigation
- Integrating real estate markets into smart and sustainable urban development activities
- Enhancing efficiency of land registers and cadastres' operations for transparent land and property management



# International Standards - UNECE REM The Key Principles for Development of Sustainable Real Estate Market

- Enhancing people's quality of life leveraging on the regeneration and renewal of public, private and social housing including cultural heritage
- Sustainable financing for lending and investment rules
- Strengthening capacity of financial institutions to ensure access to financial services
- Supporting property valuation based on transparent asset appraisal criteria in line with international standards
- Promoting affordable housing for social cohesion and inclusion
- Supporting training and capacity building activities to promote efficient services in the real estate sector




# LGAF - Land Governance Assessment Framework

## What is Land Governance Assessment Framework

- **LGAF is Diagnostic tool to assess the status of land governance at country level using a participatory process and is comprehensive**
- **Implemented by local experts; draws systematically on existing evidence and local expertise Rankings assigned by panels of local experts (Gov, NGO, academia, private sector) and justified by evidence**
- **Participatory and consultative multi-actor approach**
- **Pre-coded framework based on global experience**
  - ✓ 5 thematic area
  - ✓ 10 panels that cover 27 Indicators
  - ✓ 117 Dimensions
- **Assessment based on detailed analysis of available data**
- **Results validated in national WS, translation into policy recommendation**



The means to identify trends and policy innovations for strengthening Land Governance



# Key directions for land reform activities Ukraine

- ✓ **Public awareness**
- ✓ **Implementation arrangements**
- ✓ **Legal drafting**
- ✓ **Establishing technical preconditions**
- ✓ **Land financing**
- ✓ **Next steps**



# Why administrative data?

- Authenticity & Government ownership – no outside ‘intrusion’
- Availability in real time
- Zero incremental cost once systems set up
- Essential to improve quality/reduce cost of service delivery
- EU support to MoA via WB





# Why administrative data?

- Law proposal on Agricultural Land Turnover – no progress with drafting since April 2017
  - Key decisions were made on political level
  - Consultations with agricultural producers took place in July-August resulted on adoption of “Concept for development of small farms and cooperatives for 2018-2020” (3 September 2017, CMU Order 664-p)
- Law proposal on Amendments to the Budget Code
- Law proposal on Status of Land In Permanent Use
- Law proposal on Support to Small Farmers Access to Land and Preventing Corruption in Use of State Land - registered in the Parliament #7060 on Sept 4<sup>th</sup> with cross-party authorship



# Public awareness

## Information campaign:

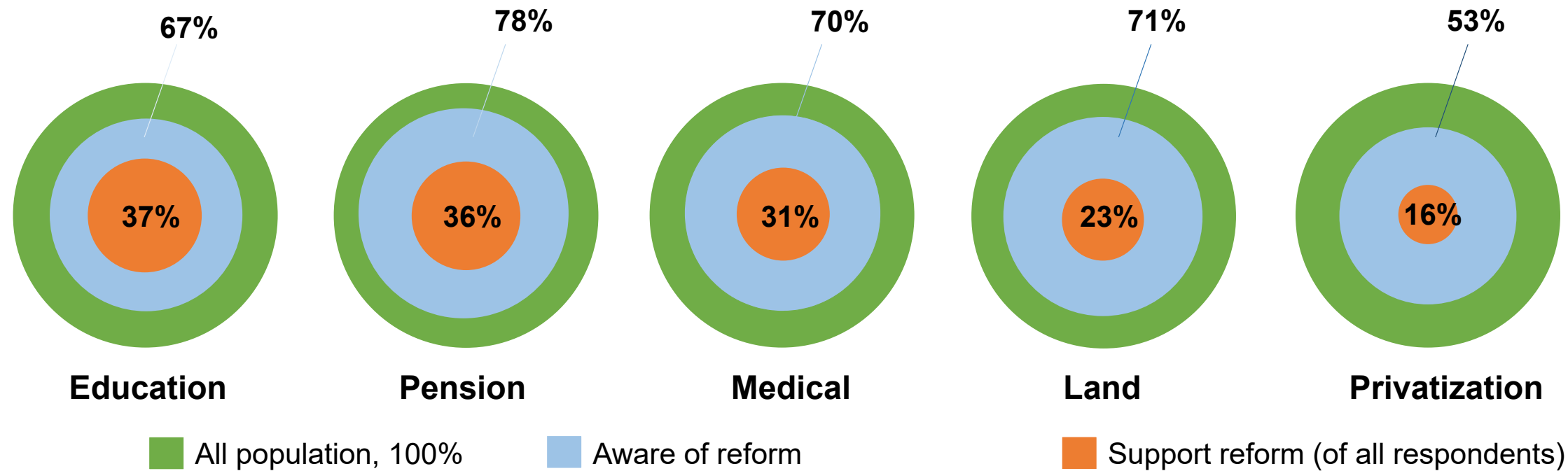
1. May-August – Government coordinated public awareness campaign:
  1. National: TV; Radio; Central and Local newspapers; Social media; YouTube; web site: [zemreform.org](http://zemreform.org)
  2. Regional: Round tables; Seminars; Discussions
2. WBG & WB IDF Land Project: blogs, interviews, public statements, round tables and conferences
3. Other Counterparts: RPR, Project “Land Answer”

## Surveys:

1. July, 2017 – Survey of general public (GFK commissioned by USAID ARDS)
2. August, 2017 – Survey of land owners (GFK commissioned by USAID ARDS)
3. August, 2017 – Survey of general public (GFK commissioned by CES and Embassy of Czech Republic)

# Public awareness

## Land reform vs other Government reforms

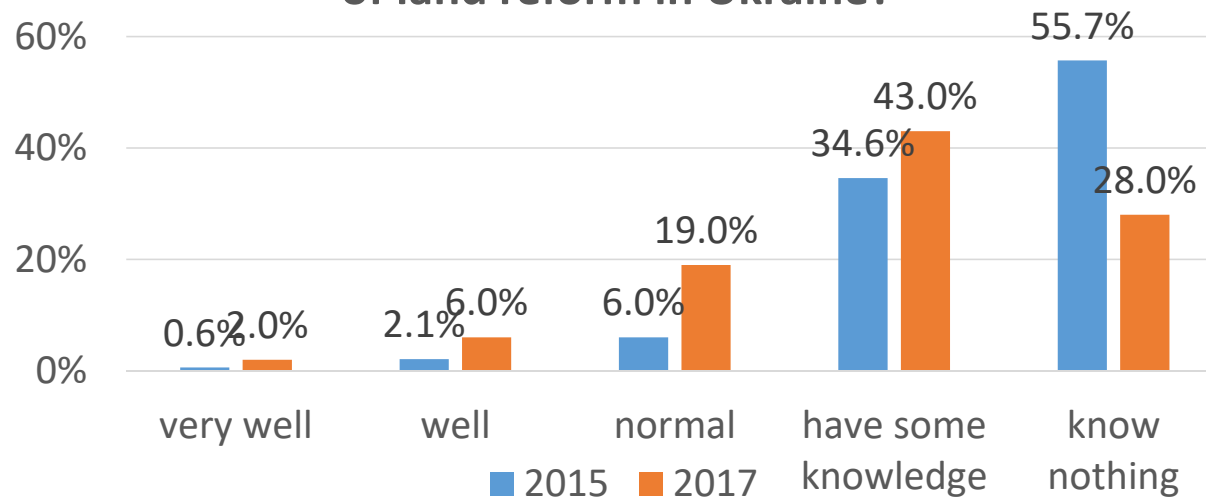


Data: GFK (CES and Embassy of Czech Republic)

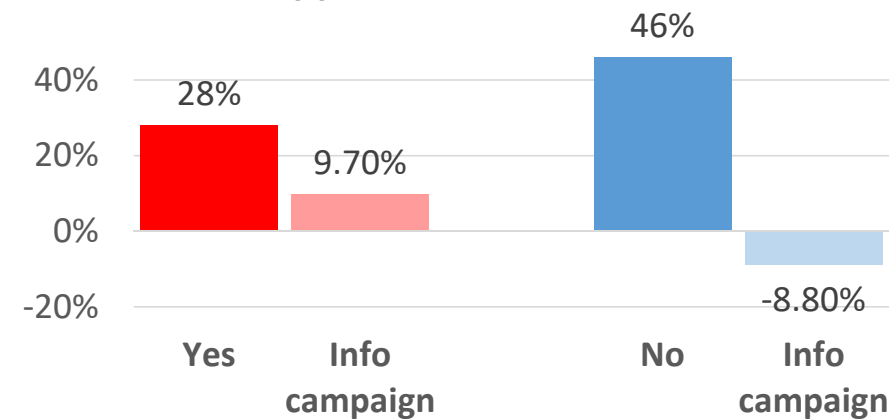
The means to identify trends and policy innovations for strengthening Land Governance

# Public awareness

How well are you informed about the process of land reform in Ukraine?



Support to land reform

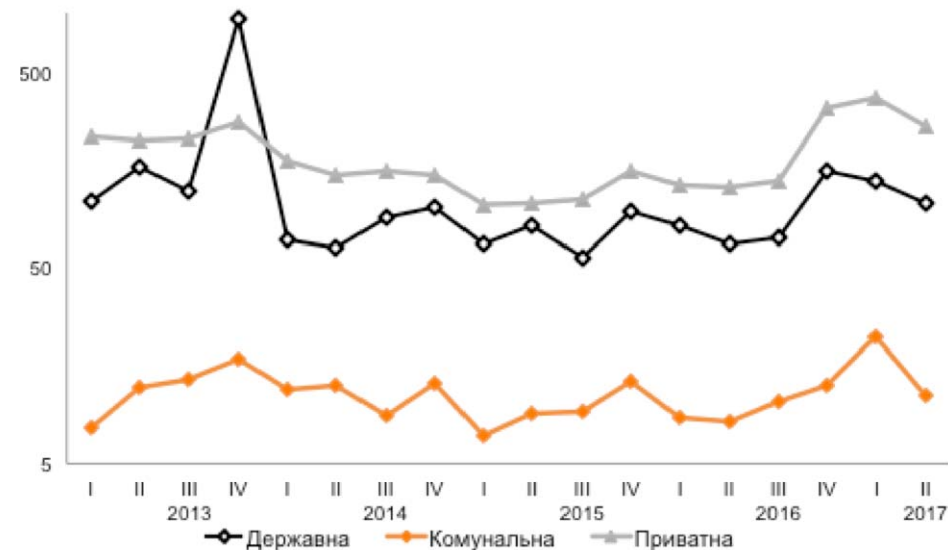


- A **positive correlation** of share of people who have **some knowledge of land reform** with information campaign in oblasts (seminars, round tables, group discussions)
- A **negative correlation** of share of people who **know nothing** with information campaign in oblasts

# Establishing preconditions at central level

- Resolution on Land Governance Monitoring adopted on Aug 23 2017 (#639)
- Progress on linking Cadaster & Registry; accessing records on pre-2013 rights (Resolution #509)
- Options for price registration are being discussed
- Cadastral error correction in progress
- Platform for e-auctions launched
- Move of cadaster to block-chain technology underway

**Land registration in Cadaster, 2013-2017, 000 ha**

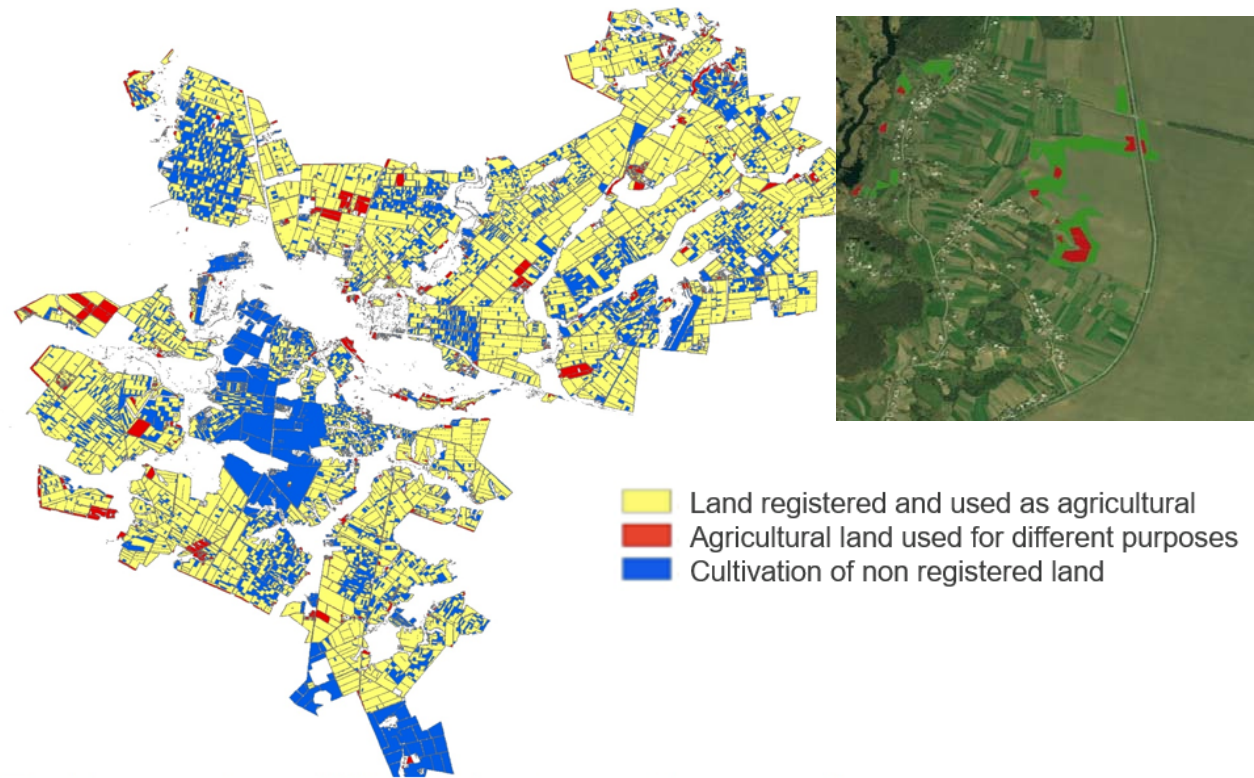




# Creating preconditions at local level

- Technical work done in 2 rayons
- Identify land use violations
  - Digitize all cadastral records
  - Compare to satellite imagery
  - Overlay with zoning & elevation maps
- Result to local & central authorities
  - Develop regulations to resolve issues
  - Update register accordingly
- Large scale-up planned
  - With support by EU
  - Create preconditions for more transparent land governance at local & national level

## Cultivation of unregistered land





# Small & med. farmer credit & land financing

- Legal and regulatory framework
  - Turnover law allows banks to temporarily own/foreclose
  - Price registration; error correction; foreclosure procedures
- Mechanisms to reduce risk
  - Partial credit guarantee to address idiosyncratic risk
  - Link to weather insurance products already developed
- Capacity building and training
  - Banks: Small farmers as clients; land as collateral; land finance
  - Farmers: Financial literacy
- Review & restructuring of public credit subsidy programs



# Your continued support is needed

- Advocacy & publicity campaign
  - Intensification of public outreach once legal provisions clear
  - Legal awareness & access to justice via Ombuds for HR
  - Public pronouncement by donors in support of land reform
- Funding for partial credit guarantees & financial awareness
  - PCF impossible without strong contributions by others
  - Enormous potential to build on ongoing efforts by IFC & others
- Drawing out links of land to economic development



# Thank you