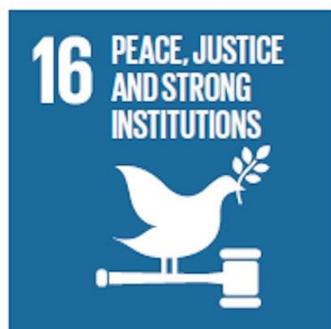


Land Registration and SDGs

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SUSTAINABLE DEVELOPMENT GOALS



Sustainable development in the European Union

Monitoring report on progress
towards the SDGs in an EU context

2020 edition



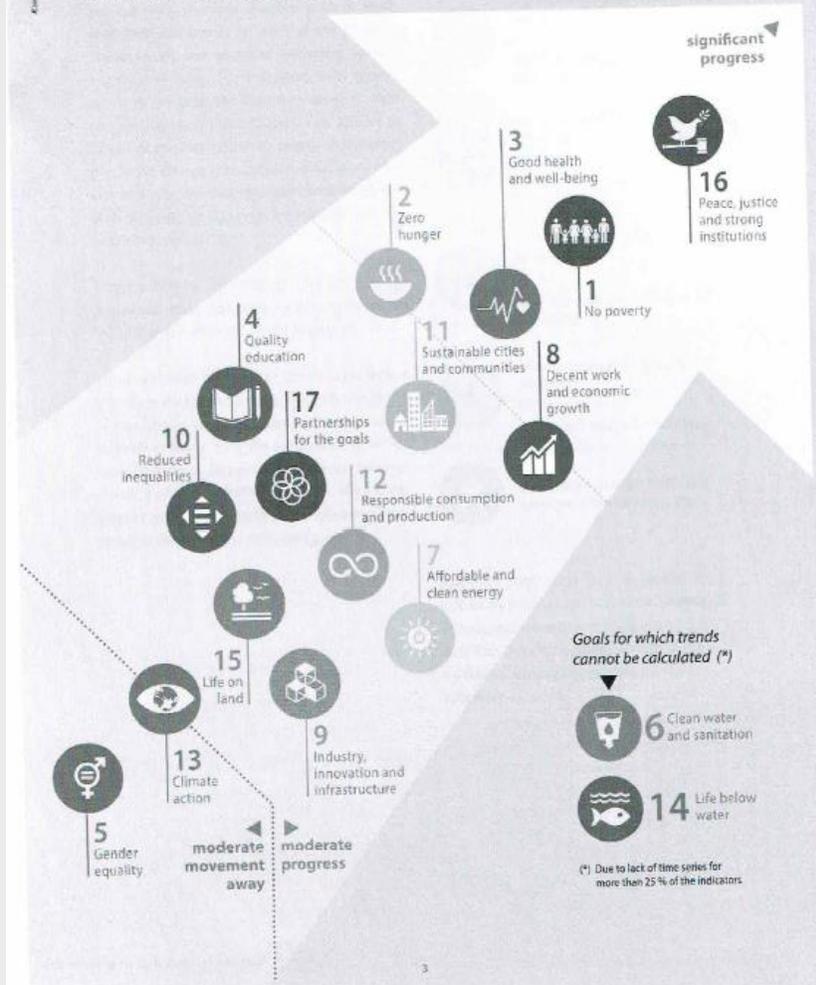
"Dieses Foto" von Unbekannter Autor ist lizenziert gemäß [CC BY-NC](#)

EUROSTAT
SUPPORTS THE SDGs



eurostat 

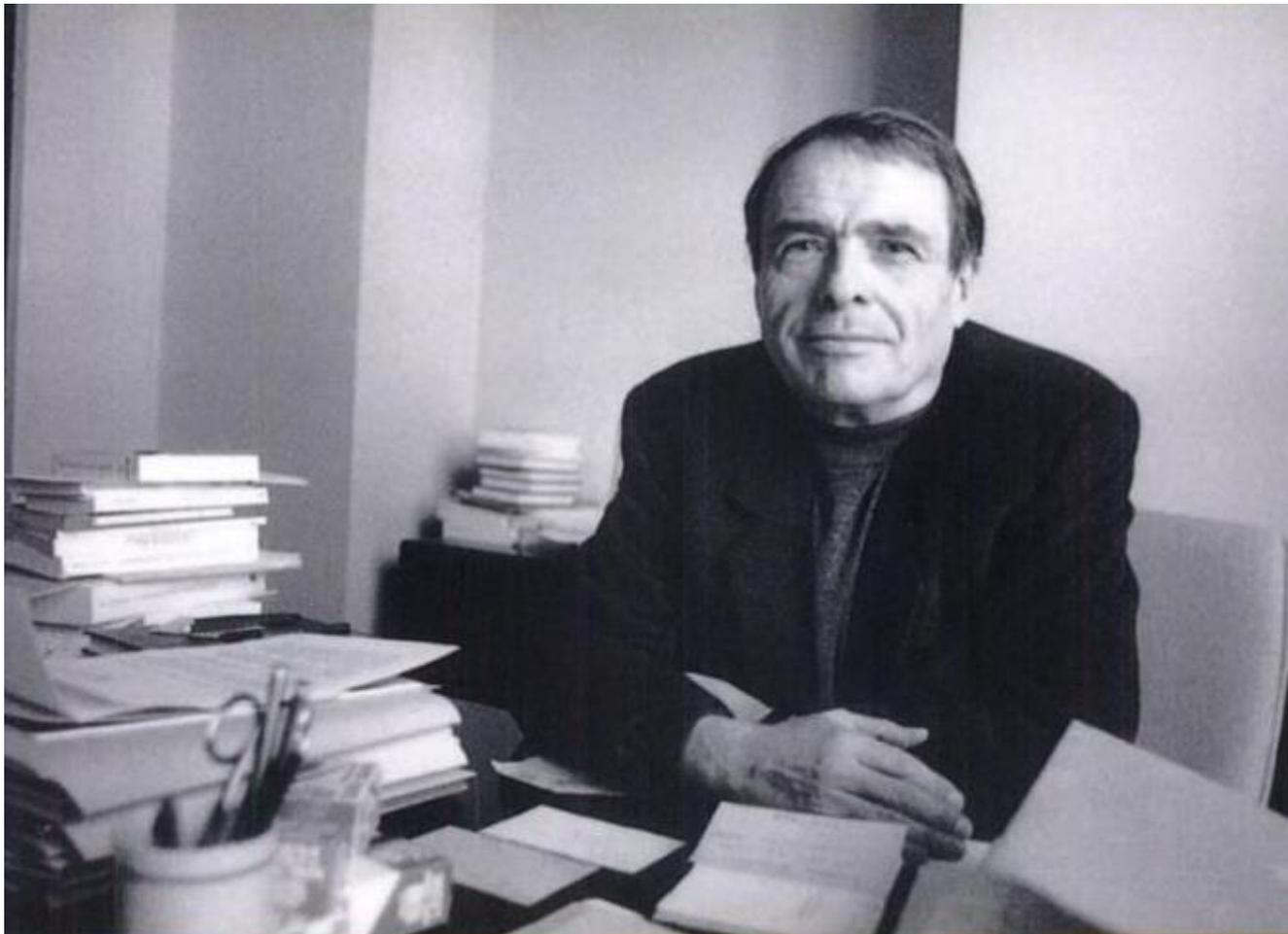
Overview of EU-27 progress towards the SDGs over the past 5 years, 2020
 (Data mainly refer to 2013–2018 or 2014–2019)



Land Registration and SDGs

Brief overview

- ▶ 1. Sustainability as the fundamental task of land registry
- ▶ 2. Land register creating resilient economic structures
- ▶ 3. The ordering principle of real folia
- ▶ 4. The principle of legality; title registration
- ▶ 5. Publicity of the land register
- ▶ 6. Interconnection and cooperation
- ▶ 7. New focus on heritable building rights, building leases



When facing major issues,
we must rely on lists.

Pierre Bourdieu

When facing major issues,
we must rely on the land register and the cadastre.

That was me.

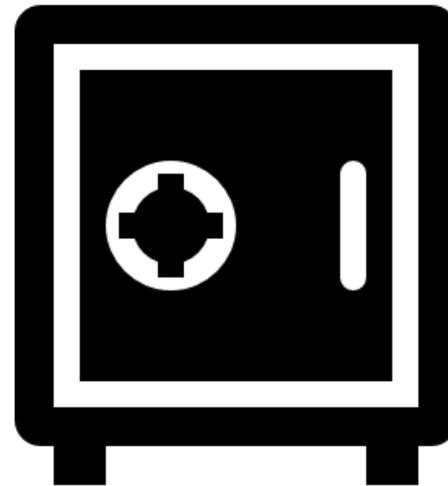
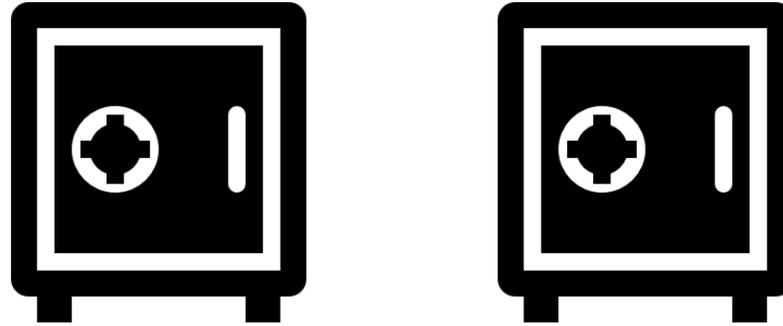
Sustainability as the fundamental task of the land registry



- *maintain the functionality and economic usability in the long term*
- *Land Register management does not come to an end*
- *Register mobilizes real estate*
- *Register provides permanent security*
- *to conserve and to protect*
- *the DNA of land registration*
- *construction of social reality*

**Register- related sustainability:
a strong land register creates resilient economic structures**

- creation of resilient economic structures
- land book and cadastre as special resilience factors
- far-reaching effects, bona fide effects
- register- based resilience and absoluteness of real rights, erga omnes
- leave no one behind (SDG)
- leave no real right behind (that was me)







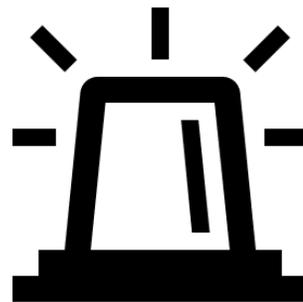
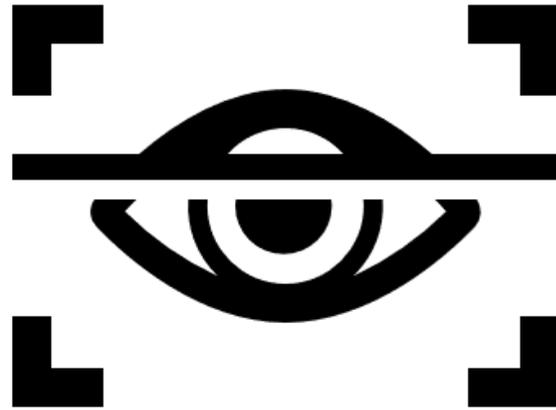
Money Laundering Act

Buying real estate and establishing heritable building rights.

Affects the certifying Notary.

Notaries must conduct a risk analysis.

Clean ownership.





Register- related sustainability: a strong register creates resilient economic structures

- ▶ European Regulation No. 881/2002
of the European Council



- ▶ Judgement of the European Court
of Justice of 9 September 2010



Register- related sustainability: the ordering principle of real folia

- ▶ Each property receives an own land book
- ▶ Property- related register, land-related register
- ▶ Germany, Spain, Poland, Scotland and Austria
- ▶ Interconnection with the cadastre less problematic
- ▶ Higher integrity levels
- ▶ contrast: personal folia
- ▶ contrast: document collections
- ▶ New research, endless reinterpretation
- ▶ Recording under US law

Register- related
sustainability:
the ordering principle of real
folia

- ▶ Javier Gómez Gáligo, Madrid:
- ▶ “A property buyer will pay nearly twice as much for registered real estate as for unregistered real estate”.



Register- related sustainability: principle of legality; verification procedure before registration; title registration

Process of verification

- ▶ Sustainable development: process initiated and supported by people
- ▶ Verification procedure conducted by the registrar
- ▶ Creation of clean ownership and clean real rights
- ▶ Principle of certainty

Guardian of real rights

- ▶ Land register counteracts the uncertainties associated with the pandemic with legal certainty
- ▶ Land registry acts as a Guardian of real rights
- ▶ Eternal flame is to be kept permanently
- ▶ Sustainability = DNA of land registration



Register- related sustainability: publicity of the land register

Publicity and SDGs

- ▶ SDGs number 1, 8, 9, 11 and 16
- ▶ Far- reaching effects
- ▶ Trust in correctness and completeness
- ▶ Two presumption effects: positive and negative presumption

Sustainable acquisitions

- ▶ Bourdieu: social resource
- ▶ Acquisitions in good faith are sustainable acquisitions
- ▶ Legal security
- ▶ Ensuring the contracting process
- ▶ Purchase in good faith is indestructible
- ▶ Publicity saves time and money
- ▶ US: USD 738 million in damage caused by legal defects



Register- related sustainability: new focus on heritable building rights

SDG number 11, 1 and 16

- ▶ Ground rent, hereditary lease
- ▶ Special objectives can be pursued such as allocation to large families or covering the housing needs of population groups with special supply problems
- ▶ Housing action programmes

Situation in Germany

- ▶ Preference for heritable building rights
- ▶ Market volume in Germany: € 50 billion
- ▶ More than a drop in the ocean, but not enough to put out the fire.

