

of the country's territory or the body responsible for international representation of such an institution.

Membership of the Cadastre Permanent Committee must necessarily include those EU General Directorates whose functions are related with cadastral activity: agriculture, the environment, development of the Information Society, regional politics and taxation, and last but not least, the Common Research Centre which provides support for multiple initiatives in all these sectors.

It would be also be appropriate to include the WPLA on the Permanent Committee. The work carried out by this group in recent years and their capacity to spread information on the cadastre throughout the whole of Europe rather than just to EU members make their presence highly recommendable.

Lastly, there is no reason why the Permanent Committee should not include representatives of countries whose accession is imminent, although this is a decision that should be debated by the Committee itself.

Based on the foregoing, the organisers of the «*First Congress on Cadastre in the European Union*» proposed membership in the Cadastre Permanent Committee of the following countries: Arbeitsgemeinschaft der Vermessungsverwaltungen der Länder (Adv) (Germany); Bundesamt für Eich- und Vermessungswesen (Austria); Administration du cadastre, de l'enregistrement et des domaines (Belgium); Kort & Matrikelstyrelsen (Denmark); Dirección General del Catastro (Spain); Maanmittauslaitos (Finland); Direction Générale des Impôts (France); Ktimatologio, S.A. (Greece); Netherlands' Kadaster (Holland); Ordnance Survey Ireland (Ireland); Agenzia del Territorio (Italy); l'Administration du Cadastre et de la Topographie (Luxembourg); Instituto Português de Cartografia e Cadastro (Portugal); Ordnance Survey (United Kingdom); Landmateriet (Sweden); Representative of the DG for the Information Society EU; Representative of the DG for the Environment. EU; Representative of the DG for Taxation and Single Customs. EU; Representative of the Common Research Centre; WPLA.

Obviously, membership in the Permanent Committee is voluntary and no institution is obligated to belong. In these cases, another institution would have to be selected in the relative country to exercise this function.

During the second half of 2002 the Committee will be constituted and its first meeting will take place. The initial sessions should be dedicated to define minimum operating procedures and other questions of interest, such as the presence in future editions of representatives of candidate countries. ■

Land information in the EU: situation and perspectives

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It is a well-known fact that a system of registration of private land rights facilitates a crucial feature of a successful

economy. In, for example, UN/ECE (Social and Economic Benefits of Good Land Administration, 1998) is pointed out. «Land registration makes possible quick and sure procedures for creating and securing mortgages. The evolution of a flourishing financial sector, providing loans for development and investment, comes about where land rights are guaranteed. This is because banks and lending institutions can secure their total loan and investment business; by individual mortgage registration, across the many separate properties of a large population of private owners and businesses. Access to mortgage finance makes possible the development and diversification of large and small businesses, so promoting commercial responsiveness to internal and overseas demand. It increases the scope for inward investment. Importantly, it generates employment opportunities that might otherwise be constrained or non-existent. For the homeowner, access to finance makes it possible to improve and develop existing property, so increasing the value of the national housing stock.»

Land information is produced as a result of land registration carried out in courts or government offices in each particular jurisdiction. The information is in a number of countries found in national land information systems, for which a government agency is responsible.

The member states of the European Union have reached very different stages of development when it comes to land registration and processing of land information. In the candidate countries considerable efforts are being put into the establishment of a property market, not least through restitution or privatisation programmes. Many countries have also come quite far when it comes to using IT in land registration and other land related matters. This matrix gives an overview of the type of information available for land in some of the European countries (the countries taking part in the project EULIS, European Land Information Service).

Contribution to economic development and social objectives

Today, mortgage credit is an important part of the EU Internal market for financial services. And so it will remain. Outstanding mortgage loans, totalling 3.4 trillion Euro, account for 40 per cent of bank's assets according to statistics from the European Mortgage Federation. This means that the development of the mortgage market has a determining role in shaping the future internal market for financial services.

There are, however, a number of barriers to an integrated market for financial services. These are being reduced by different measures, such as:

- The introduction of the single currency, which e.g. reduces transaction costs and makes price-comparisons easier, thereby lifting barriers that have prevented customers from shopping cross-border.

- The Internet removes physical distance barriers, and makes it easy for customers to access offers from across the EU, but also for banks and different companies to offer their services without «changing the geographical positions» of their business.

- Further Internal market harmonisation, such as the Code of conduct for home loans signed by the European organisation for lenders and consumers which has also been approved by the Commission, that enhances transparency, reduces legal barriers and stimulates competition.

An integrated internal market for mortgage credit is still a distant prospect. There are divergences between the

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national markets, with vastly different levels of mortgage credit, differences between basic mortgage products, different financing techniques and different property market structures. In addition to this we have the complex legal rules (e.g. concerning executive measures) keep markets distinct, the different tax regimes and the very different cultural behaviours that underpin each market. According to Mr John Mogg, Director General of the Internal Market Directorate, much has to be achieved before we are likely to see any market for cross-border mortgage credit truly emerge. The ambition is however to realise a fully integrated financial services market by 2005, with the consumer emerging as real winner benefiting from a fuller range of services in a more competitive and safer Internal market. Also companies providing services will benefit from a harmonised infrastructure for land information as it will be easier to offer services in other countries.

Active measures are also being taken, such as the Code of conduct for home loans. New innovative technology developments are being used for establishing services that have not existed before, bringing new actors into the markets for both mortgage credit and other real property transactions. Providing land information across borders is another step towards realising the integrated financial services market.

The national solutions for land administration must form the basis for handling of land information with a European approach. However, in some respects harmonised and integrated services must be developed in order to achieve a more efficient financial services market and other benefits. The project EULIS —European Land Information Services— which will be presented more in detail later on during this Congress is dealing with these issues.

One of the goals with the EULIS project is to support cross boarder services for land information, which will widen the real property market. It will be easier to sell and buy properties between members of different countries. It will be easier to discuss a loan based on a mortgage credit with a bank in another country. The competition between banks and credit institutions will be sharpened, which will have positive impacts on the consumers.

Land information and its role in supporting emerging EC policy issues

Land information has an important role in supporting emerging EC policy issues. Reliable and easy accessible land information is one of the basis for the development of the single market, i.e. the free movement in the EU of goods, persons, services and capital. An efficient handling of land information also supports other emerging EC policy issues, such as development and use of European digital content on the global networks and promotion of the linguistic diversity in the Information Society. The cadastral information is also an important part of the national spatial infrastructures and will also be of vital interest in the establishment of a more firm European spatial infrastructure, which just now is being prepared within the INSPIRE initiative.

Improvement of the single market for financial services

In November 1999 the Commission presented a new strategy for development of the single market. The aim of this strategy is to achieve a number of long-term objectives for the single market within a five-year period. One of the

focal points in the strategy is to create a better single market for financial services —services such as lending, savings, insurance and mortgage credit.

Today there are major divergences between the national markets for mortgage credit, which result in difficulties in establishing more open and competitive markets. One of the reasons for this is lack of —or difficulties in finding— adequate land information as a basis for selling and buying real properties or handling mortgage loans in other countries. The EULIS project aims at proposing how an electronic European Land Information Service can be designed in order to promote a more open and competitive European market for real properties and mortgage credit. A more developed single market in this area would function as a driving force for growth and new jobs, while maintaining a high level of consumer protection, e.g. lower costs for mortgage credit.

Improvement of access to and expanding use of public sector information

Land information is of vital interest for the social and economic development of society. The land registration system is the basis that guarantee ownership and security of tenure, provide security for credit, reduce land disputes and guarantee the result of judicial procedures relating to land rights including rights of repossession of land. The land information is also the basis for land and property taxation, urban planning and infrastructure development, environmental management and statistical production.

The EULIS project aims at improving access to and expanding use of public sector information, enhancing content production in a multilingual and multicultural environment, and increasing dynamism of the digital content market. By developing a co-ordinated approach for this public sector information cross-boarder use of land information will be facilitated. Benchmarking and exchange of experiences between the European countries will also contribute to the development of efficient services on the national level.

Efficient use of IT

The computerised land information is generally made available through the efforts of the responsible agency, directly or through distributors/resellers. The use of the information is regulated through, among other things, legislation on public access to government records and privacy. In the most developed countries when it comes to land information systems there is now a very fast process going on concerning services and applications. This development is however restricted to the national level. The possibilities, first and foremost concerning the area of greatest interest for individual citizens, i.e. transfer and mortgaging of a family home, to transact across national borders are however small —mainly because of the high transaction costs. This also contributes to the fact that the number of e.g. financial actors in the national markets, and thereby also the competition, is in fact kept down.

Land law is, and will for a foreseeable future remain so, a national issue, but there is good reason for improving the availability of and access to information in order to, among other things, taking away obstacles that might exist for financial institutions. The European Mortgage Association has also pointed this out. The execution of what the proposed project finally proposes can therefore be seen as a measure to eradicate trade barriers, at the same time as the

possibilities for private sector companies to exploit public information is increased.

Up until now real property transactions have been national in the sense that few actors have worked across national borders. This has meant closed markets, often little competition and the consumers have difficulties when comparing costs etc. Those who have chosen to own real property in different countries have experienced trouble and high costs when attempting to mortgage property situated in another country, as well as when actually buying the property.

The development of Internet banks and telephone banking does however mean that a radical change of the market has started. New opportunities for the single individual to compare conditions, etc. are provided. Many Europeans can now get a loan and borrow money without setting a foot in a bank office. The possibility to get a mortgage for a family home on the Internet already exists. But the problems associated with accessing information about land—such as who is the registered owner or title holder of the property, what encumbrances exist or where the property is registered—still exist. The establishment of a European Land Information Service seeks to address this problem.

The Director of Microsoft Steve Bollmer recently expressed that the IT revolution can be characterised by four steps: 1) The development of the computer, 2) The development of a user-friendly computer (PC, Windows, etc), 3) The introduction of Internet, and 4) The introduction of XML.

Within land information we now face how Internet gradually increases the use of the information. It is of special interest to see is that also new user groups and new applications are growing up.

XML—and its geographical «dialekt» GML—facilitate data transfer and combination of data from different sources. This means, for example, that cadastral information much easier can be combined with environmental information or information of interest for insurance companies.

There is also a strong tendency to move towards object orientation of databases. The existing and coming ISO standards on geographic information (the 19 100 series) are build upon a model driven architecture, which implies an object-oriented approach. The use of object orientation means that information can be used in a more flexible way. We who earlier said that a picture (or map) says more than thousands of words, might now say that thousand words say more than a map.

Enlargement of the EU

An important question for the accession process is to support sound land administration systems. In June last year Sweden hosted a UN-ECE Workshop under the auspices of the Working Party on Land Administration (WPLA). The Workshop was also linked to the Swedish presidency in EU.

One of the outcomes from the Workshop was that the representatives from the candidate countries expressed a strong need in support of the EU providing clear, practical guidance and advice on best practice to help candidate countries meet EU regulations.

The Workshop also noticed interest in the EULIS project, which will support the accession process with regard to the handling of issues related to land administration. Experiences from the project will be of

specific interest for candidate countries in the process of reform and adjustment of their legal system, standards, and technical solutions concerning the handling of land information. By that, it will also be of great importance for the preparations within the accession countries.

Environmental protection

The objectives of the EU's environmental policy are to preserve, protect and improve the environment, protect human health, use natural resources prudently and rationally and promote international efforts to improve the environment. The EU's environmental policy has gradually been strengthened, and the Amsterdam treaty stipulates that sustainable development is a general objective of all Community policies.

The information hold in land registers is already today of great importance for environmental protection and control. The Aarhus Convention and the proposal from the Commission on a new directive on public access to environmental information, which was presented on 29 June 2000, implies that more of the environmental related information should be presented in the land information systems. Examples of this are information about areas created within the Nature 2000 initiative and impact from radon in different areas (with information on real property level). The EULIS project will compare how the existing national land information systems handle environmental related information, and determinate the needs, costs and benefits for improved such information on the European level.

Infrastructure for Spatial Information in Europe (INSPIRE)

The European Sustainable Development Strategy advocates a new approach to policy-making through more coherence in the Community policies. An information base that provides detailed relevant harmonised spatial information for different policy areas and that is commonly accessible is now being regarded to be of significant importance for achieving this objective.

Currently, exploitation of the potential of geographical information is hampered by lack of standards, of data and of a coherent data policy. The INSPIRE initiative address these difficulties. The initiative intends to make available harmonised sources of geographical information in support of the formulation, implementation and evaluation of Community policies. It relates to the base information collected in the member States in order to respond to a wide range of policy initiatives and obligations at local, regional, national, and international level. This information often already exists today, but it cannot be exploited in a broader context because of the fragmentation of the current existing monitoring system definition and implementation.

The initiative intends during the first phase to define a legal framework providing for the co-ordination of the collection and exploitation of geographical information. The framework will be implemented and expanded in further phases, starting with information in support of environmental policies and gradually adding information specific to other sectors, such as transport, agriculture, etc. The cadastral information forms the basis for handling of geographic information in many areas.

The INSPIRE initiative is strongly supported by important actors. For example, a Memorandum of understanding has recently been set up between Commissioners Wallstrom (DG

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Environment), Solbes (Eurostat), and Busquin (Joint Research Centre).

Eurogeographics and WPLA

I have mainly been talking about issues handled within the European Union. But, of course, a lot of important work concerning land information is also carried out in other forms, not at least within Eurogeographics and WPLA.

Eurogeographics plays an important role today

— To promote and facilitate collaboration and best practice between the national mapping agencies.

— To provide harmonised metadata and reference data for Europe that meets customers' needs for quality, timeliness, ease of access and value for money.

— To work in partnership with others to build an efficient European Spatial Data Infrastructure.

The Working Party on Land Administration (WPLA) is also, as you are well aware of, an active organisation promoting efficient land administration. Guidelines, workshops, seminars and missions are of great interest for all concerned bodies, not at least for the accession countries.

Eurogeographics and WPLA are now working more close together in order to avoid duplication of work and instead strengthen the efforts to bring important issues forward.

Summing up

Land information issues has for centuries being of great importance on the national levels in order to guarantee ownership and security of tenure, provide security for credit and development of land markets, to support property taxation, etc.

Today land information issues are being more and more important also on the European agenda. There are, as I have tried to describe, several driving forces for this. We, who are involved in this process, must therefore find efficient forms for handling the collaboration and development needed. I therefore warmly welcome this initiative from Spain to arrange the first formal EU Congress on land information and I am convinced that the outcome from this meeting will be of great importance for the future developments. ■

Candidate countries expectations from an European cadastral model

BENGT KJELLSON

Chairman UN/ECE Working Party on Land Administration

Throughout the world governments seek social stability and sustainable economic performance for their countries and their people. Countries with different histories, cultures and environments share common aspirations for certainty and for growth. A framework of land and property laws that

recognise the rights and duties of the individual, but also the shared concerns of the wider community, is essential if these aspirations are to be realised.

No country can sustain stability within its boundaries, or economic development within the wider world, unless it has a land rights policy that promotes internal confidence between its people, its commercial enterprises, and its government. Recognising that land is the source of all wealth lies at the heart of good government and effective public administration. States that prosper promote widespread and secured private ownership of land as a foundation of social and economic policy.

For nations to unlock that wealth requires effective systems of cadastre and land registration. Good systems of registration promote an active land market and productive land use. It makes possible the security of tenure and the development of a mortgage market on which a functioning economy depends. Thereby investments, for example into the housing sector, are encouraged.

The United Nations' Economic Commission for Europe (ECE) was the first international organisation which defined and addressed the issue of land administration in Europe in a comprehensive manner. The Meeting of Officials on Land Administration (MOLA) was set up as an ad hoc group of experts under the auspices of the ECE Committee on Human Settlements in February 1996. In 1999, the ECE granted a standing status for MOLA and transferred it into the Working Party on Land Administration.

The Working Party, and before that MOLA, aims at promoting land (real property) administration through security of tenure, establishment of real estate markets in countries in transition and modernisation of land registration systems in the market economies of western European countries. It has gained an extensive experience in promotion of privatisation and effective real estate markets through the support of modern cadastral and land registration systems in the ECE region.

The organisation soon after its inception developed into an effective network of land administration officials in Europe. A number of workshops, meetings with donors and lending organisations have been organised, guidelines and policy papers prepared. The Working Party also operates by sending expert missions to the ECE countries to render policy advice and recommendations on national programmes on land market development, cadastre and real property registration. These activities have been implemented in response to a high demand from the ECE member states.

One of the topics dealt with by the Working Party during the last year has been the enlargement of the European Union from a land administration perspective. From this, and other activities by the Working Party, a few conclusions concerning a European Cadastral model and expectations from candidate countries can be drawn.

The Working Party on Land Administration

The foundation

The main aim of the Working Party is the improvement and promotion of land administration in the ECE region. This is achieved through the promotion of privatisation and effective real property markets by means of modern cadastral and land registration systems. A special focus is put on security of tenure and the establishment of real property markets in the transition countries of eastern and central Europe. But the work of the Working Party promotes co-operation and exchange of experiences