

PROGRAMME

The Third Land for Development Programme Forum

“PROPERTY RIGHTS FOR THE POOR: A GLOBAL PERSPECTIVE”

Tempio di Adriano, Piazza di Pietra, Rome, Italy

13-14 December 2004

DECEMBER 13, 2004 - “PROPERTY RIGHTS FOR THE POOR”

DECEMBER 14, 2004 - “PROPERTY RIGHTS: CURRENT DEVELOPMENTS”

The following document presents the programme for the above-mentioned event. The Forum is organised under the auspices of the Real Estate Advisory Group (REAG), which is a subgroup of Experts under the UNECE Working Party on International Legal and Commercial Practice (WP.5) of the Committee for Trade, Industry and Enterprise Development (CTIED). The Land for Development Programme and Forum is promoted in cooperation with Tecnoborsa.

BACKGROUND

1. New approaches will be needed in order to reach the Millennium Development Goal on poverty reduction in many countries across the world. One possible new approach, which can make a contribution to poverty reduction by improving domestic resource mobilisation among the poor is the widespread provision of property rights for the poor. This approach emphasises the 'empowerment' of the poor by extending to them the rights and protection of the law, which for various reasons, is often denied to them. The few assets held by the poor – land, dwellings, different types of small-scale economic activities – are often not securely in their possession. They have houses but not titles, crops but not deeds, businesses but not statutes of incorporation. By extending property rights to the poor and giving them legal protection over their houses, land and economic activities, they can turn these assets into a legal form which can leverage capital and credit.

2. Providing property rights and access to justice for the poor is a global concept and it faces a global challenge to implement effectively. Kofi Annan in an address to the General Assembly of the UN in 2004 described the challenge thus: "Yes, the rule of law starts at home. But in too many places it remains elusive. The vulnerable lack effective recourse and the powerful manipulate laws to retain power and accumulate wealth".

3. Moreover, while property rights are a critical missing link in the chain of development, there are other links, which need to be integrated with property rights to have the desired effect. These other links include access to financing as well as to programmes, which support the poor to make use of their property rights. All this has to take account of the different forms of property that exist such as agricultural and urban land, the differences in poverty between the poor in urban communities, rural workers and indigenous peoples, as well as the differences between the physical (land and housing) and the non-physical (economic activities, ideas etc.) forms of property.

4. To address the challenge of designing and implementing an action-oriented programme to give meaningful property rights to the poor, the UNECE, with the support of governments, NGOs and the private sector, has proposed setting up a High Level Commission to prepare a toolkit for policy makers. This toolkit will help practitioners to implement a strategy of legal empowerment of the poor that would contribute directly and indirectly to poverty alleviation. Mindful of the great differences that exist in addressing the issue around the world, the UNECE has proposed that the "Third UNECE/ REAG Land for Development Programme Forum" (13-14 December, 2004, Rome, Italy) will focus on the global experience of making property rights accessible to the poor.

PURPOSE

The objectives of the Third UNECE/REAG Land for Development Forum are:

- To exchange views and experiences amongst representatives of governments, UN agencies and other international organizations in extending property rights to the poor (UN Regional Commissions, UN FAO, UN Habitat, UNDP, representative of the private sector, World Bank, EBRD, Inter-American, African and Asian development banks);
- To highlight the key issues and action plans that will be analyzed by the proposed High-level Commission on Property Rights for the Poor;
- To enable the UNECE to improve its programs and activities on Land for Development.

UNECE REAG AND THE LAND FOR DEVELOPMENT PROCESS

5. The Third Land for Development Forum is held under the auspices of UNECE Real Estate Advisory Group and follows two previous Forums on the subject of land and property markets and development. The goals of the UNECE Land for Development process are the following:

- Advise governments on the requirements for the development of viable, real estate markets;
- Build awareness amongst governments on the importance of properly functioning property markets for long term economic prosperity;
- Help governments to create partnerships between the public and private sector to achieve development objectives in cooperation with key partners and UN agencies.

6. The recommendation of the Second UNECE/REAG Land for Development Forum (October 30-31, 2003) were the following:

- To establish a High Level Commission under the chairmanship of Hernando de Soto to prepare a 'Toolkit on Property Rights for the Poor';
- To build the network of contacts amongst public and private sectors of REAG within and across countries to implement the land for development goals and to provide country-based evidence to the High-level Commission. This network would also assist in encouraging governments in reform and in the implementation of secure property rights for all.

PROGRAMME

DAY 1. DECEMBER 13, 2004

“PROPERTY RIGHTS FOR THE POOR”

9:00 – 10:00

Registration

10:00 – 11:30

OPENING SESSION. INTRODUCTION TO THE FORUM PROGRAMME.

WELCOMES

Mr. Aldo De Marco, President Tecnoborsa
Mr. Andrea Mondello, President Chamber of Commerce of Rome
On. Francesco Saponaro, Productive Activities, Region Lazio

OPENING ADDRESSES

Ms. Brigita Schmögnerová, Executive Secretary, UNECE
Representative of Ministry of Foreign Affairs, Norway *tbc*
Representative of Italian Government *tbc*
Mr. Robert Hall, Chairman, UNECE/ REAG
Mr. Tolobek Omuraliev, Minister of Local Self-Governance and Regional Development, Kyrgyzstan

11:30 – 11:50

Coffee break

11:50 – 13:30

SESSION 1. A REVIEW OF THE CHALLENGES AND APPROACHES IN EXTENDING LAND AND PROPERTY RIGHTS FOR POVERTY REDUCTION.

Chairpersons:

Mr. George Kowalski (UNECE, IREED, Director)
Mr. Ugo Leone (IDLO, Ambassador, Diplomatic Counsellor)

Moderator: Mr. Geoffrey Hamilton (UNECE)

VIEW OF THE UN AGENCIES

Mr. Paul Munro-Faure (Chief, Land Tenure Service, UN FAO), *“FAO and land access: key to alleviating rural poverty and hunger”*
Ms. Clarissa Augustinus (Chief, Land and Tenure Section, UN-HABITAT), *“Innovations in Africa: Pro poor land administration tools”*
Mr. Bengt Kjellson (Chairman, WPLA UNECE), *“A European Perspective”*
Representative of UNDP *“Building on the Work of the Commission on the Private Sector and Development” tbc*

VIEW OF THE UN REGIONAL COMMISSIONS

Key issues

- *Using the knowledge and the expertise of the Regional Commissions to strengthen the High Level Commission*
- *Bringing into the global context best practice and experience from the regions*
- *Integration of land and property rights into national poverty reduction strategies*
- *The role of the Regional Commissions in the global initiative (e.g. establishment of the regional networks, regional “land for development programs”, evidence based policy formulation)*
- *The role and importance of the NGOs*

Mr. Ali Kadri (ESCWA), *“The role of land for road map for peace ”*
Mr. Geoffrey Hamilton (UNECE), *“Need for the Toolkit in turning assets into usable capital”*

View of the international community and land and property rights institutionsKey issues

- *Impact of legalising land and property rights*
- *Evaluation of current reforms in the area*
- *Future perspectives*

Mr. Enrico Campagnoli (International Real Estate Federation – FIABCI), *"Property rights and private sector"*

Mr. Thomas F. McInerney (General Counsel and Program Legal Counsel, IDLO, Italy), *"Experience in Legal and Judicial Reform and Capacity Building: Implications for Strengthening Asset Security"*

Mr. Killian Kleinschmidt (Stability Pact, Head of Service Displacement & Solutions), *"A review of the challenges and approaches in extending land and property rights for poverty alleviation"*

Ms. Regina Kallmayer (GTZ, Project Manager, South-Eastern Europe), *"Land management at GTZ"*

13:30 – 14:30**Lunch****14:30 – 16:00****SESSION 2.****FINANCING FOR DEVELOPMENT. KEY ISSUES.**

Providing access for poor people working in the informal sector to finance and services is a major challenge. This session looks at the relationship between legalising property rights for the poor, and attracting finance from various institutions.

Key issues

- *Generating finance from property: role of the private sector*
- *Do the poor wish to borrow from banks; do banks want to lend to the poor?*
- *Importance of titling: does it help to access financing?*
- *The role of formal banking system*
- *Micro-finance institutions, formal credit institutions, credit unions*

Chairpersons:

Mr. Giampiero Bambagioni (Vice President, Tecnoborsa)

Mr. Barry Gilbertson (PriceWaterhouseCoopers, President of the RICS)

Introduction

Mr. Barry Gilbertson (PriceWaterhouseCoopers, President of the RICS)

Speakers:

Mr. Giampiero Bambagioni (Vice President, Tecnoborsa) *"Ethics, economic policies and micro-finance for the Property rights"*

Mr. Hamid Sharif (Assistant General Counsel, Asian Development Bank, Phillippines)

Mr. Fernando Carillo-Florez (Principal Counsellor, Inter-American Development Bank, Special Office in Europe)

Prof. Alan Gilbert (University College London, UK) *"What difference does legal title make to the urban poor?"*

Mr. Chris Williams (Acting Director, Human Settlements Financing Division, UN-HABITAT), *"Collateral in Context: Mobilizing Domestic Capital for Affordable Housing and Urban Infrastructure in Sub-Saharan Africa"*

Mr. Fabrizio Bonelli (Banca Intesa), *"The Italian experience in the real estate financing"*

Discussant: Mr. Robert Nowak (UNECE)

16:00 – 16:20**Coffee break**

16:20 - 18:00 **SESSION 3.**
IMPLEMENTING POLICIES FOR PROPERTY RIGHTS FOR THE POOR.

The goal of the High Level Commission (HLC) is to prepare a toolkit for policy markets on extending property rights and the rule of law to those who do not benefit from these rights. This session will discuss a number of aspects of the work of the HLC going forward.

Key issues:

- Role of the HLC and its key deliverables
- Role of technical Working groups established under the HLC
- Role of the International organisations, and the development banks
- Role of the Poor and NGOs
- Role of the Private sector

What are the timing and goals of the HLC?

How should the recommendations of the HLC be implemented?

How can countries and national policy makers best share the benefits from this initiative?

Chairpersons:

Mr. Paolo Garonna (Confindustria)

Mr. Geoffrey Hamilton (UNECE)

VIDEO CONFERENCE ROME-LIMA

Mr. Hernando de Soto

Special address

Mr. Mario Baccini, Minister of Public Administration, Italy *tbc*

Reactions:

Mr. Helge Onsrud (Director, Cadastre and Land Registry, Norwegian Mapping and Cadastre Authority)

Mr. Giorgio Spaziani Testa (Secretary General, Confedilizia)

Mr. Alex Talmon-l'Armee (Stability Pact)

Discussants:

Mr. Peter Watson (Levy&McRAE, United Kingdom)

Ms. Elena Panarities (Panel Group LLC, USA)

18:10 - 18:40 **REAG BRIEFING FOR TRANSITION ECONOMIES.**

Chairpersons:

Mr. Robert Hall, Chairman (UNECE/ REAG)

Mr. Geoffrey Hamilton (UNECE)

Moderator: Brian Emmot (UNECE/ REAG)

This Briefing is for the Representatives of the Transition Economies and is designed to inform them of the various areas where REAG can cooperate with them, and to identify at least one main contact within each country.

20:00

Social event

Palazzo Ferrajoli, Piazza Colonna 355, 1st floor

DAY 2. DECEMBER 14, 2004

“PROPERTY RIGHTS: CURRENT DEVELOPMENTS”**9:30 – 9:45 OPENING ADDRESS.**Mr. Carlo Sangalli, President of Unioncamere *tbc***9:45 – 10:30 THE INTERNATIONAL PUBLIC REAL ESTATE OBSERVATORY (IPREO) BY
TECNOBORSA: THE FIRST EUROPEAN REPORT.****Chairperson:**

Mr. Aldo De Marco (President, Tecnoborsa)

Speakers:

Mr. Giampiero Bambagioni (IPREO)

Ms. Alice Ciani (IPREO)

Discussant: Mr. Giorgio Gobbi (Bank of Italy)**10:30 – 10:50****Coffee break****10:50 – 12:20 SESSION 4. EXPERIENCE OF RUSSIA IN LAND AND PROPERTY RIGHTS
DEVELOPMENT. KEY ISSUES.**

The Russian Federation's President Vladimir Putin has made the issue of land and property and specifically the provision of affordable housing and the creation of a mortgage market as prime targets of his second Presidency. Their main challenges are a pressing need for using property for regional development, improving procedures for the sale of property, creating a solution to the impending housing crisis, developing methods of providing affordable housing and more accessible mortgages and adapting systems to emerging EU norms and standards. This Roundtable will look at the key drivers for the development of the residential property market such as transparency in land and real estate markets, land and property rights systems and the development of the rule of law.

Key issues**1. Policy challenge: land and housing reform**

- *Impact & Benefits*
- *Recent developments & the lessons learned*
- *Establishment of a viable land system*
- *The provision of social housing & the development of affordable housing*
- *The importance of the residential mortgage market*
- *Property valuation*

2. Development of the Cooperation Agreement between UNECE/REAG and MEDT with the assistance of EU TACIS project**3. Development of the EU TACIS supported Housing Project for Ministry of Industry and Energy under UNECE/REAG project management****Chairpersons:**

Mr. Robert Hall (Chairman, UNECE/ REAG)

Moderator: Mr. Douglas Prentice (UNECE/ REAG)

Mr. George Kowalski (UNECE)

Speakers and Panelists:

Prof. Vasily Uzun (Senior Advisor, RosAgroFond, The Agrarian Institute, Russia)

Ms. Renata Yanbykh (Director, RosAgroFond, Russia)

Ms. Elena Kaniovskaya (Deputy Head, Division of Real Estate Markets, MEDT, Russia)

Mr. Alexander Vorotnikov (Head, Section of Municipal Economy, MEDT, Russia)

Mr. Kirill Pak (Senior Specialist, Section of Northern Areas Development, MEDT, Russia)

Mr. Ivan Grachev (Director, Fund for Development of Real Estate, Russia)

Mr. Andrey Starovoytov (Director, Consulting and Development Agency CONUS, Russia)

12:20 – 13:20 SESSION 5.1. SHARING AN EXPERIENCE OF DIFFERENT COUNTRIES ON LAND AND PROPERTY RIGHTS. COUNTRY CASES.

There is much to learn from the experiences of countries at different stages in development on the precise role which extending a secure system of property rights and the rule of law have had on the development process.

Chairpersons:

Dr. Angelika Brustinow (Rural Livelihoods Adviser, ECA Department, DfID, UK)
Mr. Paul Munro-Faure (UN FAO)

THE CASE OF TAJIKISTAN – A LOW INCOME COUNTRY IN TRANSITION

In view of participation of the Tajikistan government representatives in last year Forum, this session will describe the progress in land reform and the protection of ownership rights in Tajikistan made over last year.

Key issues

- *Update on the on-going Land reform process*
- *Gender aspects*
- *Out of court dispute resolution: Third Party Arbitration Courts*
- *Providing access for the poor to information on their land and property rights*
- *Appropriate support by Government institutions*

Speakers: Mr. Zarif Aliev (Chairman, constitutional Court, Tajikistan)
Mr. Davlatsho Gulmahmadov (Chairman, State Land Management Committee, Tajikistan)

Discussant: Prof. Juan Luis Moreno-Villalaz (Senior Economic Advisor, Ministry of Economy and Finance, Panama)

THE CASE OF MEXICO – A DEVELOPING COUNTRY

There are some basic conditions for housing finance that are typical of mature economies but may seem difficult to achieve in an underdeveloped country. Yet, there are cities in developing countries that are showing progress. Mexicali, in the state of Baja California, Mexico, is one such city that achieved remarkable progress over a short period of time. At the beginning of the 1970's much of the city consisted of informal settlements, some in environmentally dangerous conditions. An ambitious state urban development strategy and formalisation program resulted in the regularization of 40,284 lots and the creation of 31,384 of lots in new subdivisions, benefiting more than 400,000 persons within a six year time period. Employment opportunities were a created, state revenues increased, the number of households with electricity, water and sanitation facilities was doubled and the very poor who were living in unsanitary conditions on a river bed were relocated to serviced lots. Over time, these settlements have given way to formalised dwellings, new industries, improved education, and a more prosperous community. Some of the themes to be discussed will cover how irregular settlements can be turned into modern sustainable urban environments:

- *Importance of a legal foundation for formalisation initiatives, including government authority, property rights and urban development plans.*
- *The good governance factors and the role of political support in achieving results.*
- *The importance of economic planning along with housing.*
- *The importance of simultaneous attention to economic and social sectors.*
- *The importance of responsive community planning.*

Speaker:

Ms. Sylvia Martinez (Senior Adviser, Policy Development and Analysis, Federal Housing Finance Board)

Discussant: Mr. Ali Kadri (ESCWA)

13:20 – 14:20

Lunch

14:20 – 15:20	SESSION 5.2. SHARING AN EXPERIENCE OF DIFFERENT COUNTRIES ON LAND AND PROPERTY RIGHTS. BRIEF REPORTS.
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Chairperson:

Mr. Gianluca Sambucini (UNECE)

Mr. Jonathan Harris (Vice-Chairman, UNECE/REAG)

POLANDProf. Marek Bryx (Warsaw School of economics, Head of Investment and Real Estate Department) *"A need of new institutions to develop housing investment in Poland"***CROATIA**Mr. Sani Ljubuncic (Ministry of Economy, Labour and Entrepreneurship), *"EU perspective as a boost for Real Estate Investment development"***MOLDOVA**Mr. Valeriu Lazar (Deputy Minister, Ministry of Economy), *"Land reform in Moldova"***UKRAINE**Mr. Olexiy Yanov & Mr. Maxym Fedorchenko (Centre for Land reform Policy in Ukraine) *"Recent Developments of the Real Estate Law of Ukraine"***Discussant:** Mr. Alex Talmon-l'Arme (Stability Pact)

15:20 – 16:40	SESSION 6. FINANCING THE DEVELOPMENT OF REAL ESTATE MARKET.
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This session will address some of the fundamental issues that affect the ability of Developing and Transition Economies to attract funding for their real estate markets. It will also have presentations from experts on some successful projects and suggest ways in which real estate markets can be planned to attract investment.

Chairpersons:

Mr. Brian Emmot (UNECE/REAG Project Manager)

Mr. Dickson Brown (UNECE/REAG)

Speakers:Mr. Dickson Brown (REAG), *"The Institutional requirements for a fully functioning real estate markets"*Mr. Brian Emmott (REAG Project Manager), *"The necessity for cooperation and trained and qualified participants"*Prof. Juan Luis Moreno-Villalaz (Senior Economic Advisor, Ministry of Economy and Finance, Panama), *"Panama's successful market solution to house mortgage financing"*Mr. Brian O'Dell (World Debt Trade Limited), *"Establishing manufacturing plants in South Africa and other markets using outstanding financial contract obligation"*Mr. David Broadbent (KwikBuild Limited), *"Using outstanding government external debt to re house the homeless"*Mr. Antonio Benvenuti (CNG) & Mr. Benito Virgilio (Geo.Val), *"Property and Market rating by TEGoVA"***Discussants:**

Prof. Marek Bryx (Warsaw School of economics, Head of Investment and Real Estate Department)

Ms. Sylvia Martinez (Associate Director, Policy Development and Analysis, Federal Housing Finance Board)

16:40– 17:00**Coffee break**

17:00 – 18:00	NEXT STEPS.
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Representative of MFA, Norway *tbc*

Mr. Robert Hall (UNECE/ REAG)

Group of the LFDP Forum reporters

Mr. Geoffrey Hamilton (UNECE)

Mr. Rocco Buttiglione (Minister UE Policies, Italy)

18:00 – 18:20	CLOSING.
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Mr. Fabrizio Autieri (Secretary General, Chamber of Commerce of Rome)

Mr. Aldo De Marco (Tecnoborsa)

18:20 – 18:40**Closing cocktail**

GROUP OF THE THIRD UNECE/ REAG LAND FOR DEVELOPMENT PROGRAMME FORUM REPORTERS

1. Mr. Sani Ljubuncic (Ministry of Economy, Labour and Entrepreneurship)
 2. Ms. Elena Kaniovskaya (Deputy Head, Division of Real Estate Markets, MEDT, Russia)
 3. Mr. Olexiy Yanov (Director, Centre for Land reform Policy in Ukraine)
 4. Mr. Alexander Peytchev (Real Estate Association, Ministry of Foreign Affairs, Government Advisor on UN Affairs)
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ABBREVIATIONS

- CNG: National (Italian) Committee of Surveyors
Confedilizia: General Confederation for the Building Trade Property
Confindustria: General Confederation of Italian Industry
DfID: Department for International Development (UK Government)
ESCWA: Economic and Social Commission for Western Asia
EU: European Union
FIABCI: International Real Estate Federation
FRICS: Fellow Royal Institution of Chartered Surveyors
GEO.VAL: Italian Association of Surveyors
GTZ: German Agency for Technical Cooperation
IDLO: International Development Law Organization
MEDT: Ministry of Development and trade, Russia
MFA: Ministry of Foreign Affairs, Norway
LFDP: Land for Development Programme
REAG: Real Estate Advisory Group
RICS: Royal Institute of Chartered Surveyors
Tecnoborsa: a Joint-Stock Consortium For The Development Of The Real Estate Market
TEGoVA: The European Group of Valuers' Associations
TPAC: Third Party Arbitration Court
UIPI: International Union of Real Estate Property
UNECE: United Nations Economic Commission for Europe
UN/FAO: United Nations Food Agriculture Organization
UNHABITAT: United Nations Human Settlements Programme
UNDP: United Nations Development Programme
UNIONCAMERE: Italian Union of Chambers of Commerce, Industry, Craft and Agriculture
WPLA: Working Party on Land Administration
WP5: Working Party on International Legal and Commercial Practice

CONTACT INFORMATION

For further information on the past and future activities of the Real Estate Advisory Group (REAG) and the UNECE Land for Development Programme, please contact the following persons:

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