Why Copying LIS from a Developed Country does not work for a Developing Country?

Tran Nhu Trung, Vietnam
Don Grant, Australia

Problem Introduction
- The need for LA and LIS in a developing country.
- The failure when copying from developed country.
- Researchers offer answers as to WHY, & blame
  - the unclear land policy,
  - the need for a sound institutional arrangement
  - well educated staff and those other assets claimed to exist in a developed country.

The Approach to answer WHY & the Presentation Structure
- Describe the system in developed & developing countries (Australia/Vietnam)
- Analyze & answer question WHY because of 3 main reasons:
  - Differences in political situation, legal, framework and institutional arrangements,
  - Differences in business scope & priority,
  - Differences in technical aspects.
- Conclusion & Further Research

LIS & LA In developed country – an Australian case
- Torrens System in 1859 introduced to be more appropriate and relevant to an emerging society,
- Lack of any direct control by the National Gov. over LA,
- The LA situation in Australia has been fragmented & cooperation usually achieved by voluntary agreements between the stakeholders,
- The LA institutional arrangements have been specific to each State,
- Little early coordination of LIS direction or systems between States and National Government,
- Most States, until recently, centralized operations for land registration whilst the mapping and surveying were usually decentralized.

LIS & LA in developing country – a Vietnam case
Land Policy & Legal Framework:

Significant results from these changes:
- a) Poverty from 58% (1993) down to 29% (2002),
- b) From a food importer to 2nd country for rice exportation.
LIS in Vietnam

- LIS have been developed by both national & international consultants,
  - By Vietnamese: Famis – CaDB (1997), ViLIS (2002),
  - By International: PLIS (2002), ELIS (2005, on going),
- Objectives: include for national scope, for provincial scope, for land registration, and as a GIS.

Failure 1
Different Legal Framework & Institutional Arrangements
- One working in a mature legal environment, one is “Work-in-Progress” with the need to adapt to the rapidly changing needs of society.
- Institutional arrangement is in change. In some current arrangements even existing manual systems do not work.
- LIS needs to work in a dynamic/floating legal environment instead of a relatively static regime.

Failure 2
Different Scope & Business area of LIS
- The needs for many other urgent socio-economic development strategies, such as poverty alleviation, minority & ethnic people & Env. issues.
- The diversity of geographical, natural and social conditions lead to the scope of LIS being very different from area to area.
- Land market, urban land is only some of LIS needs.
- LIS are considered as land infor. sources for all land relevant decision making activities, e.g., Land use planning, land allocation, forestry management, etc.
- Unclear objectives of LIS in a developing country

Failure 3
Different technical characteristics – Many kinds of spatial unit in developing country LIS
- Land use plan unit,
- Man. land use unit (used for admin. needs),
- Geographical name land use unit (more used in public),
- Land use unit for community (unclear boundary in between users),
- Sub-Parcel unit.

Sub-parcels:
- Boundary is not surveyed
- Area is defined
- Land user is defined
- To be registered

Multi-resolution required for spatial units in developing LIS

Different spatial resolution required by different land management level

Different spatial resolution required by different land application
Conclusions

♦ LA & LIS depend on many societal aspects of a:
   - 1) Political status,
   - 2) Institutional arrangements,
   - 2) Legal conditions, and
   - 3) User demands.

♦ For Vietnam:
   - LIS is a multi-faceted SDI instead of a parcel base system (single-resolution),
   - LIS is not only used for land registration and land market but as a land policy monitoring system

Unresolved Issues & Further Research

♦ Developing country may be less developed in economic terms and yet may require a more complex LIS than developed country.

♦ Where is the solution for Vietnam? & How to copy successfully to ensure that the result is:

  ♦ Appropriate and Relevant

Thank for your attention

♦ Questions?

♦ P.S. Don Grant, my co-author, sends best regards to his many international Colleagues!!