



GOVERNANCE IN 3D, LADM COMPLIANT MARINE CADASTRES

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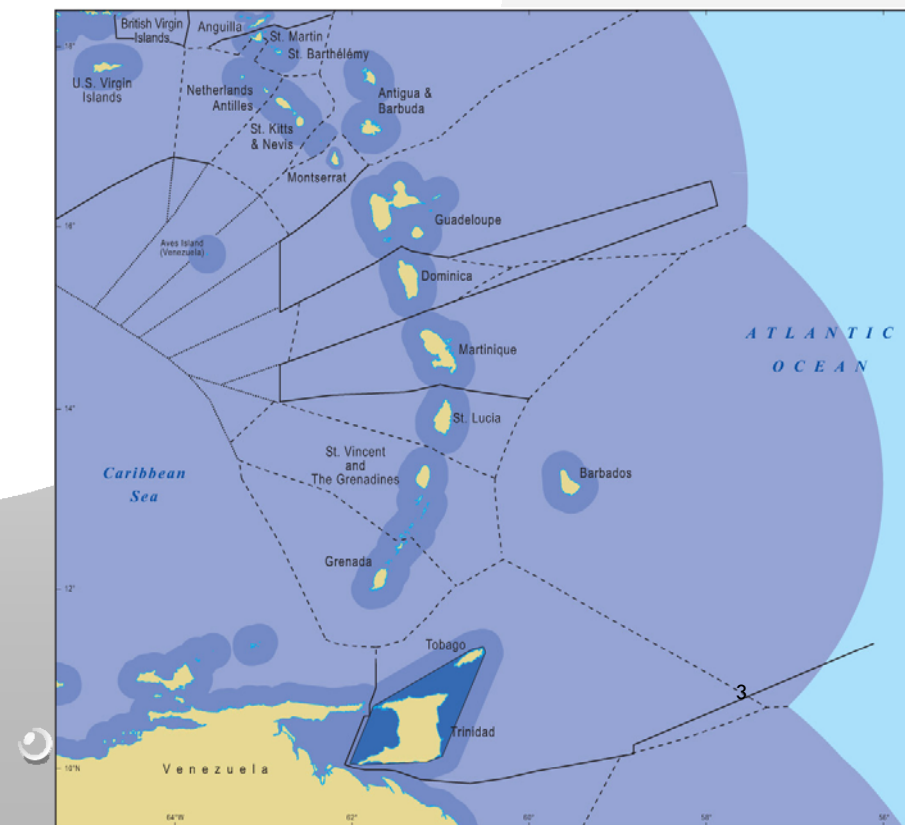
TRINIDAD AND TOBAGO

OUTLINE

- BACKGROUND
- GOVERNANCE AND GOVERNANCE OF TENURE
- APPLYING THE LADM TO GOVERNANCE OF TENURE
- ISSUES TO ADDRESS
 - SOCIAL
 - LEGAL
 - TECHNICAL
- RECOMMENDATIONS

BACKGROUND: JUSTIFICATION FOR GOOD GOVERNANCE IN MARINE AREAS IN THE CARIBBEAN

- SMALL COUNTRIES, LARGE MARINE SPACES
- RESOURCE POTENTIAL
- SECURITY ISSUE
- INSTITUTIONAL AND HUMAN RESOURCE CHALLENGES
- STATE GOVERNANCE RESPONSIBILITY
- PRIVATE SECTOR GOVERNANCE POTENTIAL



GOVERNANCE

Good Governance Principles	Principles Details
1. Legitimacy and Voice	<p>Participation – all men and women should have a voice in decision-making, either directly or through legitimate intermediate institutions that represent their intention. Such broad participation is built on freedom of association and speech, as well as capacities to participate constructively.</p> <p>Consensus orientation – good governance mediates differing interests to reach a broad consensus on what is in the best interest of the group and, where possible, on policies and procedures.</p>

GOVERNANCE

Good Governance Principles	Principles Details
2. Direction	Strategic vision – leaders and the public have a broad and long-term perspective on good governance and human development, along with a sense of what is needed for such development. There is also an understanding of the historical, cultural and social complexities in which that perspective is grounded.
3. Performance	Responsiveness – institutions and processes try to serve all stakeholders. Effectiveness and efficiency – processes and institutions produce results that meet needs while making the best use of resources.

GOVERNANCE

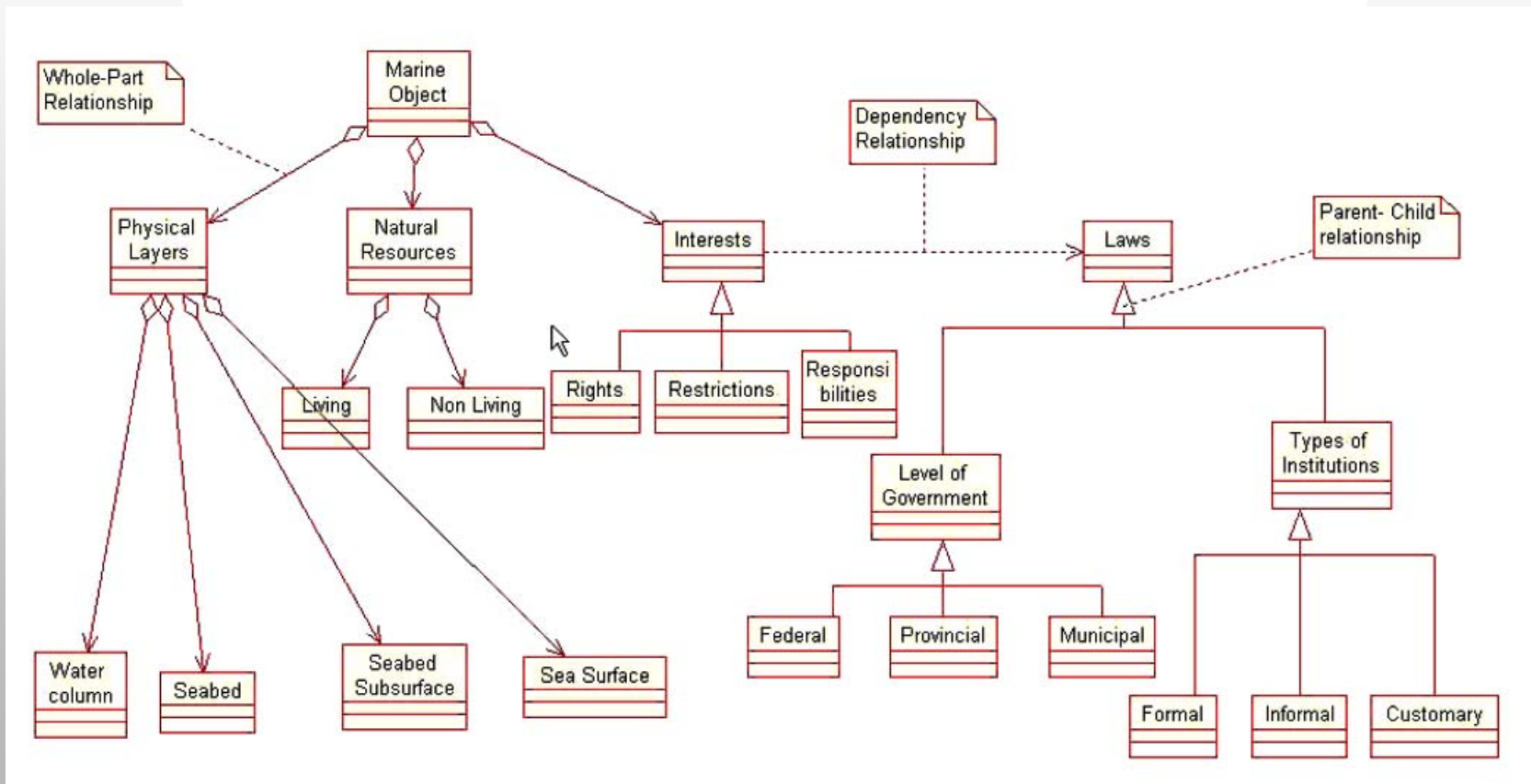
Good Governance Principles	Principles Details
4. Accountability	<p>Accountability – decision-makers in government, the private sector and civil society organizations are accountable to the public, as well as to institutional stakeholders. This accountability differs depending on the organizations and whether the decision is internal or external.</p> <p>Transparency – transparency is built on the free flow of information. Processes, institutions and information are directly accessible to those concerned with them, and enough information is provided to understand and monitor them.</p>
5. Fairness	<p>Equity – all men and women have opportunities to improve or maintain their well-being.</p> <p>Rule of Law – legal frameworks should be fair and enforced impartially, particularly the laws on human rights.</p>

GOVERNANCE OF TENURE

FAO VOLUNTARY GUIDELINES ON RESPONSIBLE GOVERNANCE OF TENURE-

- HUMAN DIGNITY – THAT ALL FUNDAMENTAL HUMAN RIGHTS SHOULD BE RECOGNISED
- - NON-DISCRIMINATION – THAT LEGISLATION, POLICIES, NOR PRACTICE CONTAIN DISCRIMINATION
- - EQUITY AND JUSTICE – THAT THERE IS EQUALITY FOR WOMEN, MEN, YOUTH, AND OTHER VULNERABLE, AND MARGINALISED COMMUNITIES
- - GENDER EQUALITY – THAT THERE ARE EQUAL RIGHTS FOR WOMEN IN ACCESS
- - HOLISTIC AND SUSTAINABLE APPROACH – THAT A GLOBAL VIEW IS TAKEN OF ALL COMPONENT ACTIVITIES
- - CONSULTATION AND PARTICIPATION – THAT ALL STAKEHOLDERS ARE INCLUDED
- - RULE OF LAW – THAT ALL LAWS ARE PUBLICISED AND ARE CONSISTENT WITH ACCEPTED INTERNATIONAL LAWS
- - TRANSPARENCY – THAT ALL ACTIONS AND DECISIONS ARE MADE PUBLIC
- - ACCOUNTABILITY – THAT ALL PARTIES TO ACTIONS ARE HELD RESPONSIBLE
- - CONTINUOUS IMPROVEMENT – THAT APPROPRIATE INDICATORS ARE USED TO IMPROVE SERVICES

MODELLING TENURE IN THE SEA



From Ng'ang'a et al. (2004)

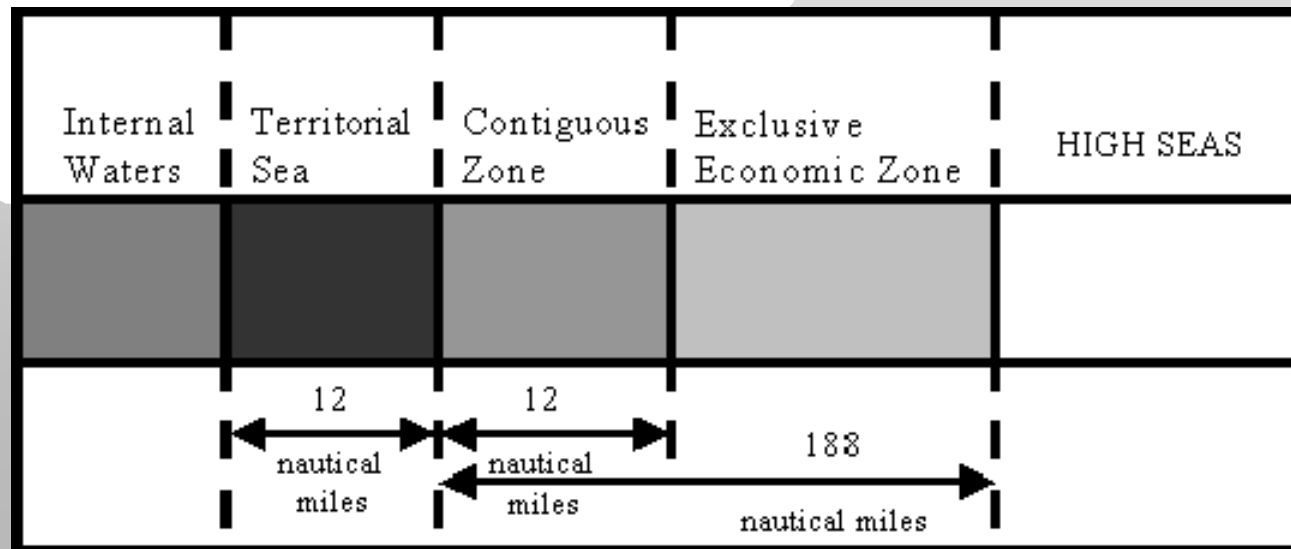
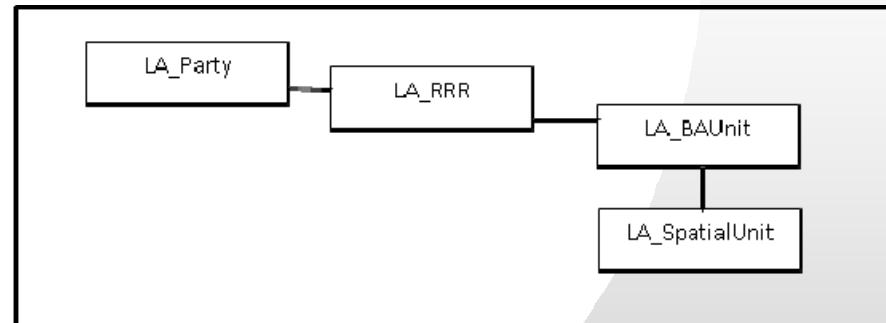
MODELLING MARINE RIGHTS WITH LADM

- BASIC ADMINISTRATIVE UNITS:

- INTERNAL WATERS,
- TERRITORIAL SEA
- CONTIGUOUS ZONE
- EXCLUSIVE ECONOMIC ZONE

- ALSO

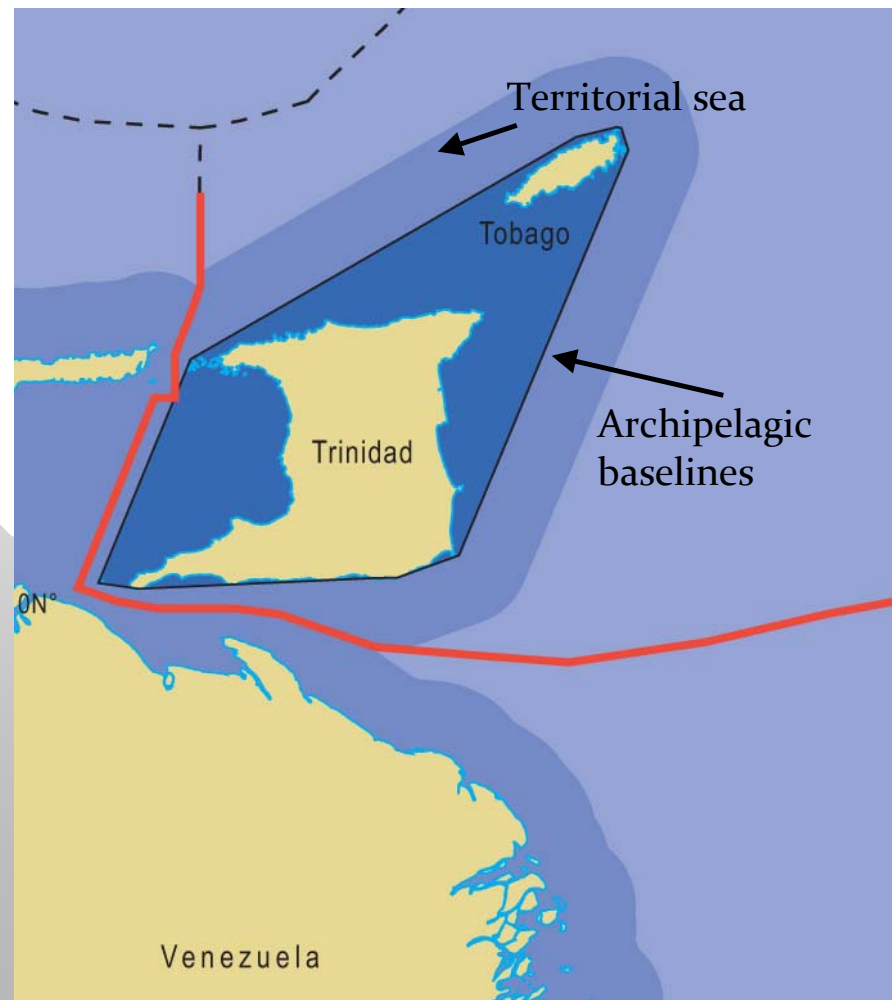
- FISHING AREAS
- RECREATION AREAS
- REEFS



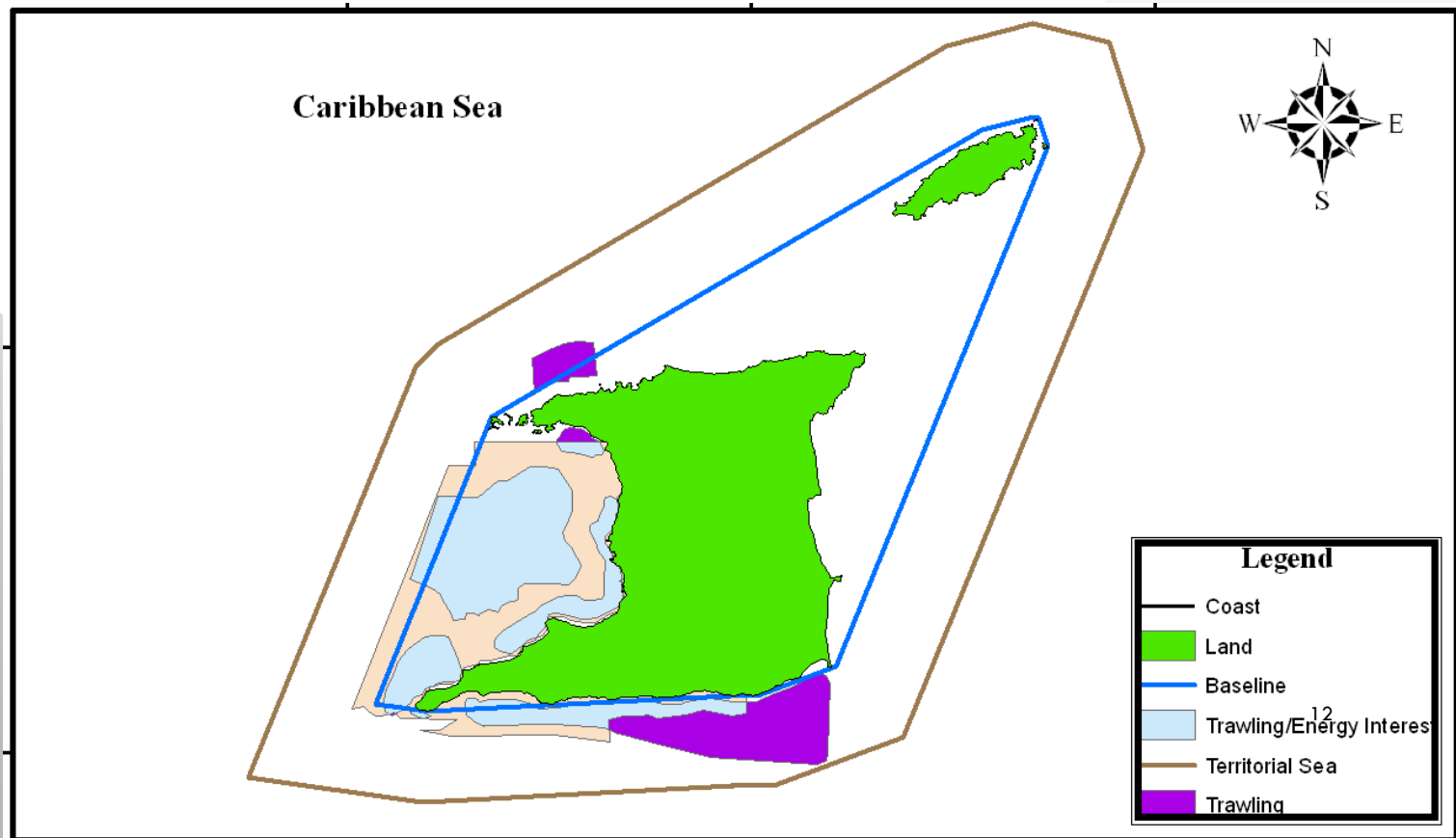
- 2D LEGAL DEFINITION TO BE ENFORCED IN 3D



- WELL DEFINED 2D

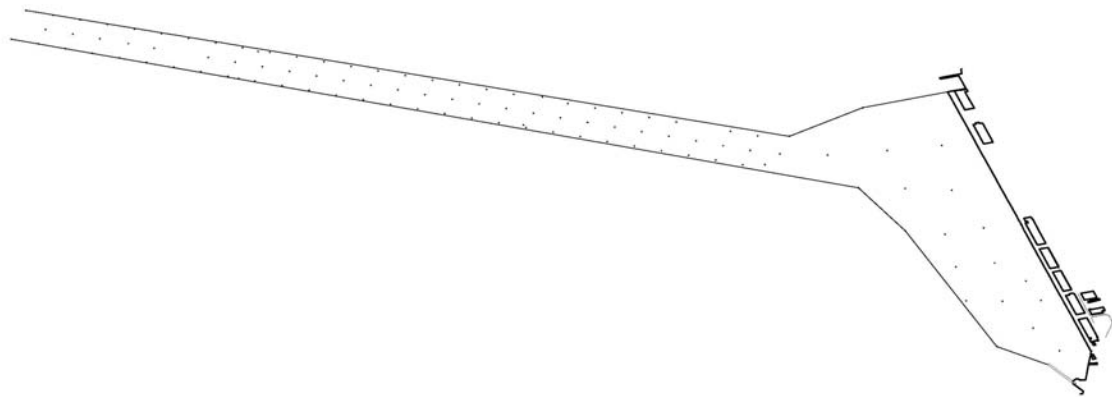


- VISUALISATION
IN 2D
ERRONEOUS FOR
ENFORCEMENT



3D ISSUES IN THE SEA

- Due to shallow depths near shore difficult to see detail
- Monumentation not usually placed or marker buoys only at surface
- Items such as mortgage (LA_Mortgage) in administrative package not present



RECOMMENDATIONS - ISSUES TO ADDRESS

- SOCIAL – REPRESENTING ALL SO INCLUSIVE MEETINGS TO DECIDE ON PARAMETERS
- TECHNICAL - TRANSFORMATION AT TRANSITION BETWEEN SHORE AND SEA.
REQUIRED RELATIONSHIP CAN BE USED TO DEAL WITH THIS AND VERSIONED OBJECT
- LEGAL – ENFORCING IN 3D IF LEGISLATION NOT REFLECTIVE OF 3D



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