

TOPIC 2: SUSTAINABLE DEVELOPMENT: THE ROLE OF REAL ESTATE REGISTRATION IN THE CHALLENGES OF THE 21ST CENTURY: ECONOMIC AND SOCIAL CONSEQUENCES.

1. The global objectives adopted by the United Nations in 2015 constitute a fundamental design of human development that summons us all, demanding robust Registration Systems and effective institutions, capable of guaranteeing their attainment. The fight against poverty, economic growth, environmental protection, in short, security as a concept in its different dimensions, cannot be achieved without the Land Registry, the Movable Property Registry, the Commercial Registry and the Civil Registry.

The papers presented at the XXII Congress clearly show the varied challenges facing the institution of the Registry, to which an attempt at responding has been made.

2. The Land Registry as an instrument of realization and guarantee of the right to housing.

The registry implications of urban planning and the design of new cities, including the administrative obligations of building owners, of compulsory leasing and of the rights of access to housing of diverse configuration, show an increasingly close relationship between the Land Registry and Urbanism, as shown for example in the role that the registry institution plays in the realization of the right to housing enshrined in goal 11 of the Agenda of the United Nations (sustainable cities and communities).

3. The Registry as an essential instrument of transparency for the real estate market.

In addition to preventing the existence of hidden charges and assisting in the prevention and fight against tax fraud and money laundering, the registry is today an essential asset in the fight against organized crime, especially through the management and protection of the Beneficial Ownership Register, which aims precisely to prevent the degradation of "virtuous anonymity" of business entities and corporate vehicles, into instruments for concealing the identity of participants in illicit activities.

The information of the Registry, in addition to ensuring a fair valuation and taxation on properties, is presented as qualified information, ensuring the quality of the data it publishes and giving confidence to those who consult it and use it to guide and order

their legal relations.

Data Quality represents, in this respect, one of the greatest challenges faced by registration systems, given the speed at which information moves in the electronic environment thanks to the possibilities prompted by New Technology and Big Data. The recognition of this challenge does not imply, however, turning registry information into a mere database, insofar as Registration Systems, especially those characterized as Registries of Titles or Rights, more than a "set of data" are and should remain, recognized and qualified information from a technical-legal point of view.

4. The strengthening of the scope and effects of the Registry as a factor of stability in judicial proceedings, with registry implications, of national and cross-border scope.

The priority conferred by the Registry in matters of seizure and foreclosure sale, the strengthening of the substantive effects of the Registry and the extension of its enforceability against third parties are crucial elements for the continuity and stability of the enforcement process.

In the criminal context, only the cooperation of Registry institutions in the field of criminal asset recovery policy and the value of registry publicity, make it possible to provide speed, stability and effectiveness to the decisions and measures adopted in the National, European and international judicial space in the field of criminal confiscation, and precautionary measures aimed at depriving the criminal agent of economic advantages derived from an illicit activity, linked to the ownership of real estate located within or outside the borders of the deciding State.

5. The information contained in the Land Registry as an environmental passport of the property and as a tool for a correct Land Administration.

In the face of Climate Change and Environmental Emergency, it was concluded that there is the need to develop an ontology that encompasses multidisciplinary perspectives that address Real Estate as a legal reality, subject to private rights, but also in its physical, material and geographical dimension, incorporating into the Register various layers of information relating to its classification and affectation in the light of land management instruments, its integration into the landscape and its

potential limitations from the environmental point of view.

To this end, it will be important to ensure electronic registry information, which is systematized and verified from the standpoint of its accuracy, in interconnection with other registry systems and in a relationship of complementarity and collaboration with other public entities, so that the Land Registry becomes in this manner a privileged center of information in the field of Land Administration and Urban Analysis in the process of formation of the so-called "Smart Cities" and in pursuit of the objectives of sustainable territorial and environmental development outlined at National, European and international levels.

6. The Land Registry, an Institution at the service of people in times of pandemic.

The solutions found by the Registry to mitigate the social and economic crisis caused by the Covid19 pandemic, particularly through the registration of mortgage moratoriums, aimed at lengthening the maturity conditions of loans secured by mortgages, showed the multifunctionality of the Registry as an Institution and its ability to respond to the demands of society, even in its most critical moments, placing itself, as always, at the service of citizens.

7. The Land Registry as an instrument for repairing the damage caused by natural disasters and as an instrument for protecting Land as a natural resource in need of preservation.

Unprecedented natural catastrophes of the magnitude of the “Cumbre Vieja” volcano on the island of La Palma (Spain) and hurricane “María” in Puerto Rico, have put the Land Registry to the test, summoned to play a legal but also a social role of solidarity and mitigation of damage, by providing registry information on the areas affected by the devastation, with a view to activating, as quickly as possible, insurance Indemnity, as well as compensation and financial reparations on the part of the State.

In this objective of recovering the vulnerable balance in which we place our Planet, the knowledge of the territory in its physical or material dimension also becomes essential, affirming, once again, the indispensable coordination that must exist between the Land Registry and Cadastre, and the benefits to be obtained from Georeferencing Real Estate and the knowledge of the physical limits of the properties.

The Land Registry's action and information on the legal situation of the properties, but also on their physical, environmental and landscape features, thus constitute a fundamental contribution to the implementation of planning and management measures aimed at mitigating the effects of climatic changes, achieving the restoration of the soil as an essential natural resource, preserving biodiversity and avoiding desertification.

Also, the Land Registry is called upon to participate very actively in this ongoing task, along the path of sustainable economic, social and environmental development, which will require the best of our intelligence, our energy, our creativity and our commitment.