

# DECISION MAKERS' BRIEF



## LAND PROFESSIONALS IN THE ARAB REGION

Roles, capacities and contribution to land governance and land tenure security

*SECURING LAND AND PROPERTY RIGHTS FOR ALL*



**LAND PROFESSIONALS IN THE ARAB REGION: ROLES, CAPACITIES, AND CONTRIBUTION TO LAND GOVERNANCE AND LAND TENURE SECURITY. DECISION MAKERS' BRIEF.**

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HS Number: HS/052/22E.

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**ACKNOWLEDGEMENTS**

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**Cover photo:** UN-Habitat

**Strategic partners:** Federal Ministry for Economic Cooperation and Development (BMZ) of the Federal Republic of Germany, Swedish International Development Cooperation Agency (Sida) and Swiss Agency for Cooperation and Development (SDC).

**THE GLOBAL LAND TOOL NETWORK AND THE ARAB LAND INITIATIVE**

The Global Land Tool Network (GLTN) is a multi-sectoral alliance of international partners committed to increasing access to land and tenure security for all, with a focus on the poor, women and youth. The Network's partners include international rural and urban civil society organizations, research and training institutions, bilateral and multilateral organizations, and international professional bodies. In 2016, GLTN Partners launched the Arab Land Initiative to promote equal access to land, peace, stability and economic growth in the Arab region through good land governance and transparent, efficient and affordable land administration systems. The Initiative aims at empowering land champions from the region by developing capacities, increasing collaboration and promoting innovation, learning and sharing of best practices. It also supports the implementation of gender-responsive and fit-for-purpose land tools and approaches at national and local level. This brief is part of the knowledge development streams of work of the Arab Land Initiative.

**ISTIDAMA**

The ISTIDAMA Center for Land and Environmental Governance is an independent policymaking centre for land and environmental governance based in Sudan. It delivers specific assignments, according to needs, on topics related to land and environmental governance in Sudan and in the Arab and Africa region.

**ARAB UNION OF SURVEYORS**

The Arab Union of Surveyors is the umbrella organization that represents the interests of the profession of surveying in the following countries: Egypt, Morocco, Syria, Saudi Arabia, Jordan, Tunisia, Sultanate of Oman and Lebanon. Founded in 2002, it seeks to improve and harmonize the profession of surveying in the Arab world and develop the cadastral systems for improving land management and real estate investment as an important part of the socioeconomic development in the region.

## ABOUT THIS PUBLICATION

An effective land sector is crucial for achieving peace, sustainable development, economic growth, food security, environmental conservation, and poverty reduction. The key to establishing such a sector lies in effective and fit-for-purpose land administration systems, which are essential for inclusive societies and thriving national economies. The competence, experience, and qualifications of land professionals are integral to the functioning of the land sector.

This decision makers' brief captures the findings and recommendations of the study "Land Professionals in the Arab region: roles, capacities and contribution to land governance and land tenure security" developed by the Arab Land Initiative of the Global Land Tool Network and UN-Habitat, in partnership with the ISTIDAMA Centre for Land and Environmental Governance of Sudan and the Arab Union of Surveyors.

Drawing information from literature review, consultations and field assessments involving land professionals across 14 Arab countries, the study identifies formal and non-formal land professionals' categories, their current functions and the additional roles that they would need to take up to improve land governance and establish functioning and fit-for-purpose land administration systems in the region. It also takes stock of the current capacities of land professionals, what additional capacities they would need, and which additional interventions would enable them to adequately play their role.

## HOW TO DEFINE LAND PROFESSIONALS?

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Land professionals are the operators of the land administration processes and the interface between the people and the land institutions. They participate in the development and reform of land policies, strategies and land-related administrative frameworks. They are the technical arm that implements the mandates of the land-related institutions and organisations, in the public and private sector, and are accountable to the citizens for their delivery.

There is no universal definition of land professionals, which cover a broad range of land-related activities. Generally, land professionals are described as trained and, or

experienced persons performing specific tasks in one or more land administration system core functions, including land value, land tenure, land use, land development and land dispute resolution. They are also key actors in land markets as they facilitate and influence land transaction processes. There are definitions of different categories of land professionals, such as land surveyors (e.g., as defined by the International Federation of Surveyors) and urban planners (e.g., as defined by the Sudanese Urban Planning Society). These definitions however exclude the non-formal professionals that operate across the Arab region administering informal land rights (see Table 1).

## THE CRUCIAL ROLE OF NON-FORMAL LAND PROFESSIONALS

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Non-formal land professionals deal with land rights that are not considered under the formal or statutory system, making an indispensable contribution by providing services to the over 70 per cent of people who live and work on unregistered land globally (UN-HABITAT/GLTN and IIRR, 2012). They consider options for land ownership and land use rights that the statutory systems still cannot accommodate, including giving people and investors rights over lands that have not been officially registered, and temporary use rights. They perform roles such as surveying, planning,

development, mediation, and disputes resolution. In summary, they have the same functions than formal land professionals, but perform them informally or customarily in a manner that is governed by local norms and customs.

The formal and non-formal land-related activities intertwine through the interaction of formal and non-formal land professionals. Other non-formal institutions such as community organizations and Non-Governmental Organizations play a collective

role in the land profession. Although they are often not called “land professionals”, their role in land management cannot be ignored. Assessing the capacities of both formal and

non-formal land professionals to fulfil the core land administration functions, as well as their coordination and performance is therefore important.

Table 1: Types and functions of land professionals

Types of land professionals	Land functions performed				
	Tenure	Value	Use	Development	Dispute resolution
<b>Formal Land Professionals</b>					
1. Land lawyers	Primary	Secondary			Primary
2. Notaries	Primary	Secondary			Primary
3. Employees of land departments (public sector)	Primary		Secondary		Secondary
4. Land Surveyors	Primary		Secondary		Secondary
5. Urban planners	Secondary		Primary	Secondary	
6. Land assessors/valuers	Secondary		Primary	Secondary	
7. Land brokers and mediators	Primary		Primary	Primary	Primary
8. Land developers/ investors	Primary		Primary	Primary	Primary
9. Land registration officers			Primary	Primary	Secondary
<b>Non-formal Land Professionals</b>					
1. Tribal village leaders (Sultan, Sheikh, Mukhtar)	Primary	Primary	Primary	Primary	Primary
2. Religious leaders	Primary	Secondary	Primary	Primary	Primary
3. Indigenous people organizations	Primary	Primary	Primary	Primary	Primary
4. Community forest users' associations	Secondary	Primary	Primary	Primary	Primary
5. Artisanal miners	Secondary	Secondary	Primary	Primary	Primary
6. Women associations		Secondary	Primary	Primary	Secondary
7. Youth associations			Secondary	Secondary	
8. Civil society				Secondary	Secondary
9. International organizations				Primary	
10. Business and private sectors associations				Secondary	Secondary
11. Pastoralists associations	Primary	Secondary	Primary	Primary	Primary
12. Farmers' federation	Secondary	Primary	Primary	Primary	Secondary

# THE CAPACITIES OF LAND PROFESSIONALS IN THE ARAB REGION

To ensure the functioning of the land sector, land professionals need a broad skills-set, knowledge, and a conducive professional environment. The findings of the assessment on land professionals and their capacities demonstrate that land professionals have the skills to perform their work, but most of them lack legal recognition, support, protection, and also avenues to acquire new skills. This is particularly problematic for non-formal land professionals, who play an indispensable but largely unrecognized role in the region. To better fulfil their duties, land professionals need an enabling environment, access to government information, training opportunities and a better regulation of their professions.

Land professionals have varied levels of understanding of the broader land governance frameworks. Their levels of knowledge of the land management and administration core functions, including land tenure, land value, land use, land development and land disputes resolution, vary according to the category of land professionals.

- **Land tenure** - Land professionals have sufficient knowledge on transfer of ownership and registration in both the statutory and customary systems, but they lack an adequate holistic understanding of the various land tenure and land use types as per the prevailing practices in their countries (temporary and permanent rights, individual and collective rights, and public and private rights).
- **Land value** - Land professionals in general, and land valuers in particular, cannot accurately determine the value of land, and big discrepancies are found between estimates of different service providers. Most land professionals do not have access to digital information and means of sharing information about land and real estate with banking and financial institutions.
- **Land use planning** - Land professionals have sufficient knowledge of land use planning procedures in both the statutory and customary systems. They understand the importance of dealing with land and natural resources to ensure their sustainability.
- **Land development** - Lack of effective interdisciplinary coordination among land professionals leads to fragmented approaches to land development. Land professionals have limited expertise in areas such as environmental impact assessment and the integration of social considerations in land development. Further there are disparities across countries in the access to modern technology and tools, such as geographic information systems, crucial for efficient and informed land development.
- **Land disputes resolution** – In many Arab countries, there is a great need of land professionals who can play an effective role in the settlement of land-related disputes, particularly in countries affected by local conflicts and hosting large refugees and IDP populations, often through peaceful mediation or arbitration (out of court).

# COMMON CHALLENGES OF LAND PROFESSIONALS IN THE ARAB REGION

Land professionals across all categories and formal and non-formal institutions face a number of challenges which limit their ability to effectively fulfill their roles. Some of these challenges are specific to the environment where formal or non-formal categories of land professional operates, others are common across all categories.

**Formal lands professionals** must deal with **technical barriers** such as ambiguous standards and undocumented procedures. They progressively need to adapt to technological advancement but **struggle to**

**access specialised education** and professional development courses, which are often available only outside their countries and costly. Further, they have **limited access to land-related information**, due to lack of digitalization of available data and to prevailing data sharing protocols. They regularly **face political interference** or are caught in the middle of competing interests over land, natural resources, and different land uses. Finally, **brain drain** in the region is very common, particularly in poorer contexts, and where remuneration rates are very low.

Table 2: Challenges faced by formal land professionals

Profession	Key challenges
<b>Land lawyers</b>	Challenges in performing their work: unclear work standards and undocumented procedures; lack of understanding of the rights of women and youth; slow adaptation to technological changes; conflicts with other government entities; weak social and political legitimacy; political interference; foreign interference. Most common land-related challenges encountered: competing interests over resources; overexploitation of resources; land degradation; illegal capture of land.
<b>Notaries</b>	Challenges in performing their work: unclear work standards and undocumented procedures; slow adaptation to technological changes. Most common land-related challenges encountered: Illegal capture of land.
<b>Employees of land departments (public sector)</b>	Challenges in performing their work: unclear work standards and undocumented procedures; lack of understanding for women's and youth's rights; slow adaptation to technological changes; political interference.
<b>Land surveyors</b>	Challenges in performing their work: unclear work standards and undocumented procedures; slow to adapt to technological changes; high-risk work environment.

Profession	Key challenges
<b>Urban planners</b>	Challenges in performing their work: high level of political interference; unclear work standards and undocumented procedures; lack of understanding of the rights of women and youth; slow to adapt to technological changes. Most common land-related challenges encountered: overexploitation of resources; and land degradation.
<b>Land assessors and valuers</b>	Challenges in performing their work: unclear work standards and undocumented procedures; lack of understanding for the rights of women and youth; slow to adapt to technological changes.
<b>Land brokers and mediators</b>	Challenges in performing their work: unclear work standards and undocumented procedures.
<b>Land developers and investors</b>	Challenges in performing their work: unclear work standards and undocumented procedures; overexploitation of resources; foreign interference. Most common land-related challenges encountered: Illegal capture of land.
<b>Land registration officers</b>	Challenges in performing their work: unclear work standards and undocumented procedures; lack of understanding for the rights of women and youth; slow to adapt to technological changes.
<b>International organizations</b>	Limited space to engage in land issues in Arab countries.

**Non-formal land professionals** also face several barriers, such as **weak social and political legitimacy** as local customs in land management are rarely considered and accommodated in laws and legislation and the interface between the formal and non-formal land professions is not structured or

institutionalized; conflicts with government and political bias; and **pressure from unchecked private sector actors**. They also share some challenges with the formal sector, for example, **the underrepresentation of women and youth**.



Table 3: Challenges faced by non-formal land professionals

Non formal professional	Key challenges
<b>Tribal village leaders (sultan, sheikh, mukhtar)</b>	Unchecked leadership; discrimination of women and youth; undocumented customary procedures; slow to adapt to changing contexts.
<b>Religious leaders</b>	Political bias
<b>Indigenous people's organizations</b>	Overexploitation of resources; conflicts with government; corporate abuse.
<b>Community forest users' associations</b>	Forest resource overexploitation.
<b>Artisanal miners</b>	Environmental destruction; land degradation; environmental risk.
<b>Women's associations</b>	Weak social and political legitimacy; limited representation.
<b>Youth associations</b>	Weak social and political legitimacy; limited representation.
<b>Civil society</b>	Reduced civic space.
<b>Business and private sector associations</b>	Inadequately regulated capitalism; foreign interference; black land capture.
<b>Pastoralist associations</b>	Competing resource interests; Illiteracy; conflicts with farmers and wildlife.
<b>Farmer federations</b>	Increase of value when land use changes to non-agrarian.

## RECOMMENDATIONS

The legislation and regulations that guide the roles, the capacities and qualifications needed, and the type of contributions expected by land professionals vary across the Arab countries. Cross-cutting recommendations can however be drawn from the underlying study of this policy brief.

### Recognition and professional association

- **Establish national and regional professionals' associations** to improve the quality of land services and the credibility of land professionals in the region. A key role for these associations will be to guide career progression and set standards for the delivery of services.
- **Strengthen the relations among existing professional bodies and with government institutions** with land-related mandates. The enhanced understanding and recognition of land professionals will enable them to access government-managed information and adhere to government policies.
- **Map and organize non-formal and customary land administrators** at national and sub-national level, and recognize and develop their capacities to deliver quality land services.
- **Establish a codified remuneration** that provides fair costing and promotes high-quality land services in the public and the private sector.

### Capacity development

- **Continue documenting the hands-on experiences of land professionals** to develop a context-relevant curricula for land administration, building on best practices from the region. The curricula should include relevant courses for other disciplines related to land administration.
- **Promote open access to land governance training** courses in Arabic.
- **Develop twinning programmes** between capacity-building institutions from the region and their counterparts in developed countries.
- **Hold events and workshops on specific aspects of the land sector** in the Arab region and subregions thereby complementing the Arab Land Conference and the initiatives of the Arab Land Initiative's partners.
- **Establish continuous professional development courses** in each country and within the Arab region, to ensure that land professionals have up-to-date knowledge and skills, including digital skills – such as mapping, using digital instruments and database development, and the use of digital media for communication – and soft skills in communication, mediation and problem-solving.

### Public-private partnerships

- **Encourage public–private partnerships** for the delivery of land services to enable governments to sustain their commitment to the provision of quality services to their citizens.

### Access to information

- **Ensure better access of land professionals to cartographic and other land-related information** produced by different land actors (public and private, individual professionals, civil society organizations and academia).
- **Provide improved online content, open data,** and smoother digital communication. This will entail a cultural shift and the revision of data sharing protocols of land institutions.

### Professional codes and policy process

- **Enact codes and guidelines** for different land professional practices, including for monitoring and evaluating the quality of land professionals' work. This will increase the accountability of land professionals and related institutions.
- **Integrate the expertise and knowledge of land professionals in policymaking and policy reforms** of land administration systems, to ensure that the strategies, policies and laws passed are technically sound and implementable in practice.

## FURTHER READINGS

- UN-Habitat/GLTN, ISTIDAMA and The Arab Union of Surveyors (2023). [Land professionals in the Arab region. Roles, capacities and contribution to land governance and land tenure security.](#)
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HS Number: HS/052/22E.

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