

OMAN LAND SECTOR ASSESSMENT

BACKGROUND PAPER



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ABOUT THIS PAPER

This background paper was developed by independent consultants in collaboration with the Urban Training and Studies Institute of Egypt in preparation of the regional report *Governing Land in the Middle East* that covers eleven countries in the Middle East, namely Bahrain, Iraq, Jordan, Lebanon, Oman, Palestine, Qatar, Saudi Arabia, Syria, United Arab Emirates and Yemen. Each paper explores and gives an indication of the country's capacities in delivering good land governance by measuring its performance on the core land administration functions: land tenure, land value, land use, land development and land disputes resolution. It also maps the existing learning offer on land governance, identifying the key institutions and the courses available.

The background papers are part of the research work carried out by the Arab Land Initiative under the Arab Region Programme on Good Land Governance in Support to Inclusive Development, Peace and Stability funded by the Federal Ministry of Economic Cooperation and Development of Germany (BMZ). Its preparation was managed and coordinated by the Urban Training and Studies Institute (UTI) of the Housing and Building National Research Center (HBRC), Egypt, with the support of UN-Habitat and the Global Land Tool Network (GLTN). The opinions presented in this paper are of the author(s) and do not reflect the views of GLTN, UN-Habitat, its governing bodies or Member States.

THE GLOBAL LAND TOOL NETWORK AND THE ARAB LAND INITIATIVE – 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, led by UN-Habitat and the World Bank, 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 promote innovation, learning and sharing of best practices. It also supports the implementation of land gender-responsive and fit-for-purpose land tools and approaches at national and local level. For more information visit arablandinitiative.gltm.net or www.gltm.net.

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Acronyms and Abbreviations

CSOs	Civil Society Organization
ESCWA	United Nations Economic and Social Commission for Western Asia
GDP	Gross Domestic Product
GLTN	Global Land Tool Network
HBRC	Housing and Building National Research Center
ICT	Information and Communications Technology
IDPs	Internally Displaced Persons
ITC	Integrated Tourism Complexes
MoE	Ministry of Economy
MoF	Ministry of Finance
ONSS	Oman National Spatial Strategy
SCP	The Supreme Council of Planning
SDGs	Sustainable Development Goals
UTI	Urban Training and Studies Institute

1. INTRODUCTION

During the last few years, most Arab countries faced major challenges including sluggish growth rates, high unemployment and inflation, poverty, and high fiscal deficit and debts to GDP. The COVID-19 pandemic exposed the underlying fragilities and Arab states recovery varied according to the stimulus packages they adopted and the success of the vaccination campaigns they implemented. According to the ESCWA report “Survey of Economic and Social Developments in the Arab Region 2020-2021”, launched in January 2022, the economic prospects for the Arab region are positive. It is expected that the real GDP growth rate of the region will reach 3.6 percent in 2023. In conflict-affected countries, the GDP is expected to grow by 6.9 percent in 2023. The Arab Least Developed Countries are expected to grow by about 2.6 percent in 2023. This variation in the real GDP growth rates is explained by the pace of recovery that will depend on the speed of vaccination campaigns, revenues from oil and tourism, the volume of remittances, and development aid flows. According to the ESCWA report, poverty rates in the Arab region will decrease from 27 percent of the total population in 2021 to about 26 percent in 2023, but with the persistence of disparities between groups of countries. On the other hand, unemployment rates in the region will remain among the highest in the world, especially among women and youth, although it is expected to decrease to 10.7 percent in 2023 compared to 11.8 percent in 2021 (ESCWA, 2022).

The Fifth Arab Development Report (2021), entitled “Debts of Arab States: Facts, Risks, and Ways to Confront” indicates that achieving sustainable development requires structural transformations, and not only introducing improvements in existing structures, as this will be necessary to enable rapid and sustainable growth, improved productivity and activities with higher value added (Arab Planning Institute and Institute of National Planning, 2021). Improved land governance and overcoming the challenges posed by land management and land administration would be required for such structural transformations. Land systems in the Arab states are affected by weak and unsuitable legislations, inefficient organizational and institutional arrangements, and insufficient human capacities. Rules and regulations to access land are unclear, not transparent, and unbalanced, especially for women and youth. People living in countries witnessing wars and conflicts lack land tenure security. Migrants and internally displaced persons (IDPs) are particularly affected.

In January 2019, Oman launched its long-term strategy: Oman Vision 2040. It includes 12 priorities under 4 main pillars, with 75 objectives. Under the economic pillar, the “Development of Governorates and Sustainable Cities” priority is related to land management and administration. The (unpublished) background study for the economic pillar of the 2040 vision indicates that in the past two decades Oman faced growing desertification and deterioration of land productivity. This was attributed to several reasons, including the excessive depletion of groundwater sources, the misuse of surface water, the salinization of fertile agricultural lands, the movement of sand dunes, overgrazing and logging. As a result of the lack of radical solutions to protect large land and marine areas, or to provide value-added services to land and marine areas to make them protected and economically productive, several serious challenges have emerged in the field of biodiversity.

The change of land uses due to urban development - in addition to the cutting of trees, overgrazing and various climatic factors such as the escalating frequency of droughts - led to the deterioration of the total area of natural pastures. The increase of population and economic activities in the coastal areas exposed to degradation areas of natural and environmental interest, leading to the reduction of vegetation cover the exacerbation of erosion. Further, low density, dispersed urbanization and inefficient land use contributed to the scarcity of suitable lands.

Agriculture land use in Oman is characterized by high levels of fertilizer consumption. This, combined with the limited amount of agricultural land per capita, led to a decline in land fertility and a further increase in the use of fertilisers. There is the need of significant reforms of the land management and administration system to support the structural transformation required to stimulate the economic diversification that Oman is pursuing to overcome its difficult economic situation.

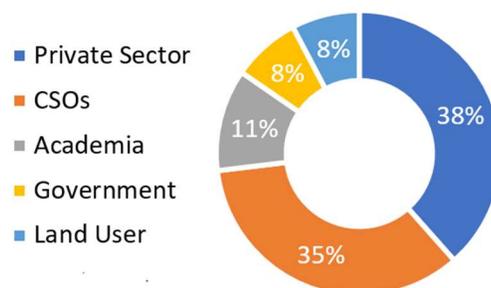
This report is timely, innovative, and the results of the assessment of land management and administration in Oman are important for evidence-based policies and actions. The results of the land management and administration assessment can support Oman efforts to comply with its international commitments under SDG11 and the New Urban Agenda (NUA), launched in 2015 and 2016, respectively.

2. METHODOLOGY

The methodology developed by the Urban Training Institute (UTI) and the Global Land Tool Network (GLTN) included two survey questionnaires to be used to inform one-to-one interviews by consultants with knowledge about land governance with different national stakeholders. Consultants’ experience covered several disciplines, and their age and gender diversity were taken into consideration. Several on-line and physical meetings and workshops were organized to explain the methodology and to discuss the limitations and the challenges that the consultants would face. Continuous technical support was provided by the project team. Due to the challenges created by the COVID-19 pandemic, the face-to-face interviews were not possible, and were replaced by online discussions. Both English and Arabic online surveys were conducted, to make the process faster and simpler.

Four main categories of actors were targeted: government officials, private sector, civil society, and academia, both at the central and local levels. 26 surveys were undertaken (Figure 1). Different stakeholders were interviewed, most from the private sector (10) and civil society (9). Several government officials and officers from the National Center for Statistics and Information (NCSI) were approached, although only two respondents availed themselves to provide information. Additional 3 respondents from academia and 2 land users participated in the survey. Gender balance was considered; 58 percent of the respondents were female and 42 were male. Several documents were consulted, including “Oman Vision 2040” as the main strategic long term planning framework, the tenth five years development plan as the first executive plan for the long-term vision, the Oman National Spatial Strategy (ONSS), and the three main land laws. The surveys were conducted between April and August 2021.

Figure 1. Respondents



Source: UTI and UN-Habitat (2021). Capacity assessment of the land administration system – Oman survey results

The study was affected by some limitations, including the resistance to reveal information about land governance by many actors, particularly government officials. This reduced the number of surveys conducted and the balance between the different categories of respondents. The constraints posed by Covid-19 to travel and in-person meetings affected the number of in-person interviews carried out. Some of the data was collected through online written responses, which affected the richness of the information. Lastly, the availability of published data on land governance and land administration is extremely limited, which confirms the relevance of this assessment, and the need for further empirical

studies, and multi-dimensional research. The recommendations of this report elaborate more on how to improve the results of future surveys.

3. LAND-RELATED LEGAL FRAMEWORK

Real estate in the Sultanate of Oman is regulated by the Land Law 5/80. The law broadly recognizes individual and corporate real estate ownership. This law categorizes corporate land ownership into Omani, non-Omani from Gulf Cooperation Council countries (GCC), and foreign ownership.

Corporate ownership of real estate is restricted under Omani law. Only limited liability companies which are Omani or GCC-owned, and joint stock companies with at least 30 percent Omani shareholding may own real estate. Furthermore, corporate ownership of property is limited to holding real estate for use as a warehouse, staff accommodation, administrative offices or as a similar special purpose premise for achieving the company's objectives. An exception to this rule applies to real estate development companies that use land to construct and resell residential and commercial units.

While Omani-owned companies may hold freehold rights, there are varying degrees of restrictions on other GCC and foreign entities with respect to property ownership. For instance, a GCC entity purchasing a vacant plot of land is legally obliged to develop it within four years of date of purchase. In addition, GCC-owned companies may only own real estate for investment purposes.

It is important to note the impact of certain amendments to Omani land law and its usage. Royal Decree 76/2010 enables both public and closed joint stock companies with a minimum of 30 percent Omani shareholding to develop and own land in the Sultanate. In addition, the amendments to this decree allow these companies to engage in real estate development as a business.

Companies that are not entitled to own land can enjoy usufruct right, the closest thing to a freehold ownership right in the country. A usufruct right enables its holder to exploit and use the land for the purposes of the applicable project, in the capacity of an owner. Nevertheless, this right is subject to restrictions as per the usufruct contract and it entails the obligation to return the land to its owner upon the termination or expiry of the usufruct agreement. A usufruct right on government land can be held for a maximum period of 50 years, which can be extended for similar additional terms. One of the most important features of the usufruct right is the possibility to mortgage usufruct land. The mortgagee's right with respect to the land is protected even where the usufruct right is terminated. However, entities that are not entitled to own land in Oman can be granted usufruct rights only for the purpose of carrying out a particular project which contributes to Oman's economy or social development.

The law of Integrated Tourism Complexes (Royal Decree 12/2006, as amended) was issued to promote tourism in Oman. This law allows foreign companies to own land or build units for residential and investment purposes in areas designated by the government as "integrated tourism complexes" ("ITCs"). ITCs are typically required to comprise commercial, residential and tourism components. Foreign companies may purchase residential and non-residential units from a developer and register ownership title with the Ministry of Housing. Ministerial Decision 191/2007 set forth broad rules relating to the obligations and rights of developers and third-party purchasers, such as succession, transfer of freehold title and creation of security interest for financing ITC projects.

Other key laws are the Land Law or Usufruct Law (5/1981); the Royal Decree (82/88) for the Executive Regulation of the Law 5/81; and the Government Land Entitlement System Law (81/1984). The Law sets out the general conditions for the transfer of ownership of government lands to the Omani citizens

according to their personal request. It also identifies land ownership rules and land use rights. The Law includes the conditions for granting residential lands, commercial and industrial lands, or agricultural lands to Omani citizens. The authorities of reference are the Ministry of Land Affairs and the municipalities. This law was cancelled by the new Public Land Entitlement Law (42/2021), as mentioned below.

The Land Entitlement Law (42/2021)

The new Land Entitlement Law (42/2021) was issued in accordance with the institutional and organizational reform that Oman is undertaking in line with Oman Vision 2040. It replaces the Government Land Entitlement System Law (81/1984), and it states that the land allocated for commercial, industrial, and agricultural purposes will follow the rules and regulations, determined by the Law (5/1981), while land allocated for housing purposes will be governed by new rules and regulations.

The Land Entitlement Law (42/2021) states that the Ministry of Housing and Urban Planning may grant a government residential plot of land according to the terms and conditions for granting residential governmental land, in the areas with approved detailed planning. To grant residential land, the following conditions must be met:

A - If the applicant is a man, he must be twenty-three years, with a family consisting of a wife and children, or one of them, or one of the parents, or for himself. Provided that his age is not less than forty years, and the title deed of the land is issued in the name of the spouses if the man has a family.

B - If the applicant is a woman, she must be twenty-three years, and be the sole supporter for her family or married to a non-Omani and residing in the Sultanate permanently, or she must be divorced, widowed, deserted, and have no children, or for herself, provided that her age is not less than forty years.

Priority shall be given to the granting of residential governmental land to the family who does not own a house or residential land suitable for construction, and the granted land may not be sold until after the completion of construction. In accordance with the regulations issued by a decision of the Minister of Housing and Urban Planning.

It is required to grant residential governmental land to the family that one of the family members must not have previously been granted a residential land before the provisions of this decree came into effect. Residential governmental land is granted in the applicant's village or in the village of his permanent work.

Some requests for granting residential governmental lands may be exempted from these terms and conditions, in accordance with the rules to be determined by a decision of the Minister of Housing, and Urban Planning after the approval of the Council of Ministers.

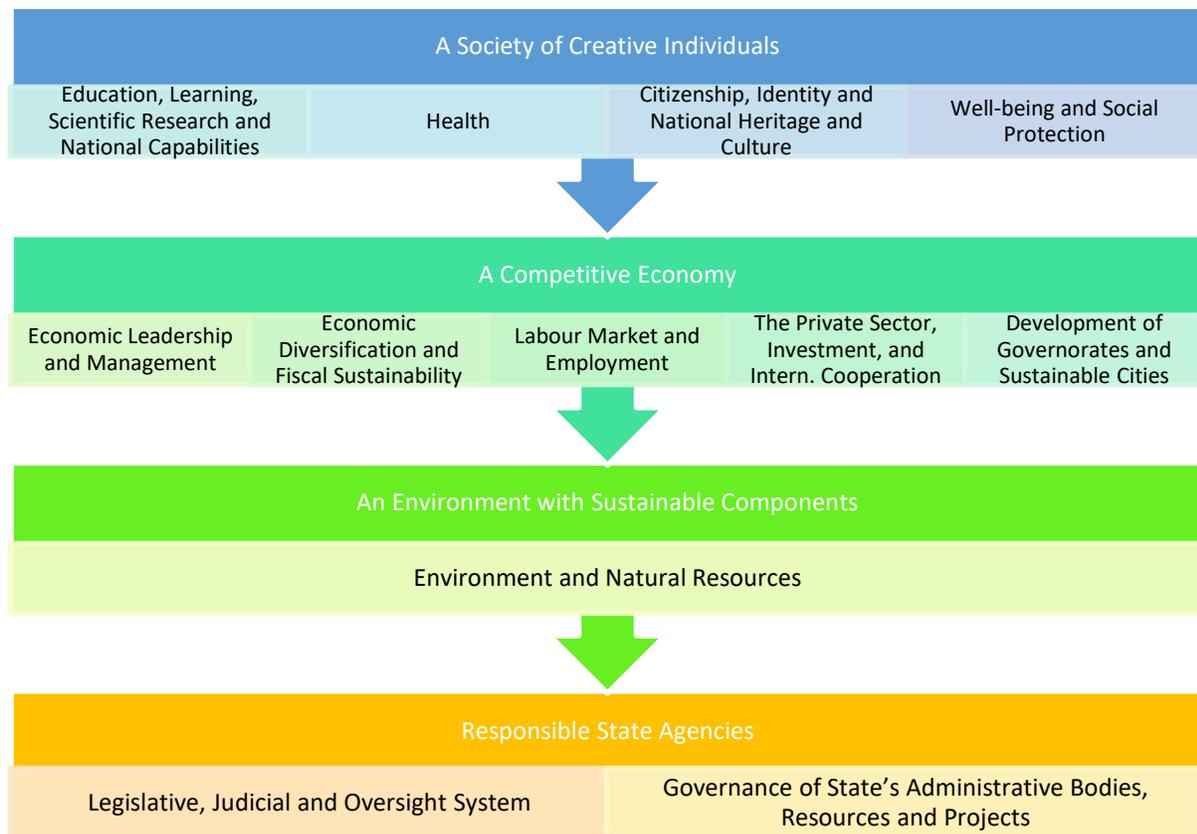
It should be noted that social media impressions revealed a discontent regarding the new terms and conditions set by the new law, while on the other hand the demand for increasingly scarce land plots remain high.

4. INSTITUTIONAL FRAMEWORK AND STAKEHOLDERS

The institutional framework for the land governance in Oman includes mainly "Oman Vision 2040", the tenth five-years development plan (2021-2025), and Oman National Spatial Strategy.

4.1 Oman 2040 Vision¹

In 2019, Oman 2040 Vision was launched as the long-term development framework for the period (2021-2040). The vision was developed in a participatory way and includes 12 priorities under 4 main pillars (Figure 2). The 12 pillars of the vision include 75 objectives with the goal of raising Oman to the level of developed countries. Sixty-eight Performance Indicators were identified to monitor and evaluate the implementation of the 2040 vision.



Source: The Ministry of Economy (MoE) (Formerly the Supreme Council of Planning (SCP)). 2019. "Oman Vision 2040".

Figure 2. Oman Vision 2040: Pillars and Priorities

Oman Vision 2040 does not tackle the issue of land governance directly, however, the tenth priority "Development of Governorates and Sustainable Cities", under the "Competitive Economy" pillar is relevant to the land governance issues. The strategic objective of this priority is to achieve a comprehensive, inclusive, equitable, and balanced spatial, and geographic development through promoting decentralization and the development of limited urban hubs and the optimizing sustainable land use.

¹ The main source of information for this section is "Oman Vision 2040" document, published by MoE, formerly SCP, in 2019.

In Oman's vision for the future, a favourable environment is developed to attract talents in the labour market. Partnerships grow in a competitive business climate and comprehensive regional development is achieved through decentralization, guided by the principle of optimal and balanced use of land and natural resources and the protection of the environment to bring about food, water and energy security. Smart and sustainable cities are built with advanced information and communications technology infrastructure; and socio-economic prosperity and social justice are nurtured in urban and rural communities. Oman vision considers the land as an input for the production process, and not only as an asset that is to be exploited to generate income, but rather as an input that is used to generate value-added, and to create decent jobs.

Oman vision 2040 aims at sourcing local management and leadership capable of applying the principles of decentralization to contribute to the comprehensive socio-economic development of governorates. Such local leadership should be able to plan and make decisions in line with the future national directions. They will contribute to developing their local communities by creating suitable jobs, promote innovation and development in building the local system in each governorate, and encourage the use of state-of-the-art technology. They will ensure sustainable use and effective exploitation of land and natural resources.

4.2 The Tenth Five-Year Development Plan (2021-2025)

Oman developed the tenth five-year development Plan for the period (2021-2025), as the first executive plan in line with its long-term vision. It was prepared in a participatory way, involving several stakeholders, including representatives from the different Ministries, public sector entities, private sector, civil society, academia, thematic experts, international organizations, and the media. In addition, youth development and information and communications technology (ICT) were added as priorities. More than four-hundred strategic programmes were included in the plan as the main tool for achieving the 75 objectives of the long-term vision. For each programme, the main objective was developed, and the main implementation tools and steps were identified. In addition, a main entity was selected as the focal point responsible and accountable for the implementation of each program, in addition of identifying the other partners from the government, the public and the private sectors, the civil society, who would have a role in the programmes' implementation.

4.3 Oman National Spatial Strategy²

The Supreme Council for Planning (SCP) launched the preparation process of Oman National Spatial Strategy (ONSS) through a participatory approach. The ONSS contains a national strategy on the desired key spatial developments till 2040 with elaborated regional strategies for all eleven governorates. It also includes implementation programmes and proposals for a legal planning framework, a new planning information system, and capacity building interventions.

The ONSS was developed to complement the fast social-economic progress that Oman witnessed over the last decade, and to serve as a more guided comprehensive spatial development tool for the Sultanate. The ONSS will support overcoming several challenges that Oman is facing, and to provide the right answers to questions such as: where is the best suitable space for the expected growing population and further diversified economic activities? How can all kinds of infrastructure, such as roads, public transport, electricity, water, and sewage, more effectively be integrated into new urban developments? What kind

² The main source of information for this section can be found on the portal of MoE, formerly SCP.

of vulnerable areas need better protection? How to anticipate on climate change and what is needed to deal successfully with the coming post-oil era? And how can Oman combine all its ambitions and challenges in a sustainable way?

The ONSS will also provide a comprehensive spatial framework for directing, organizing, and implementing sustainable high quality urban and rural development in the Sultanate of Oman for the next 20 years. It is intended to provide incentives for enhancing socio-economic prosperity in combination with improving the environment for future generations. In short, it is set to be a new solid framework for a national and regional land use strategy that will ensure a more balanced sustainable socio-economic and spatial development in the Sultanate. It shall also provide guidance and directions for local structural and detailed plans to be developed later, as well as for the consecutive five-year national development plans.

As part of the ONSS, regional spatial strategies for each governorate in the Sultanate will be elaborated. Each regional spatial strategy shall comprise a single development plan with related regulatory instruments at the local level. The regional spatial strategies will be important building blocks of the ONSS, which aims to integrate them into one national strategy with one vision, regulatory instruments, and tools for implementation.

The ONSS is aligned with Oman Vision 2040, which was also developed by the SCP. It is mainly about long-term spatial strategies, thematic policies and building guidelines. The ONSS is not dealing with the provision of basic infrastructure like domestic roads, tap water, electricity, and sewage for new residential areas, which are the main public services.

The ONSS is also dealing with the issue of the overconcentration of jobs and other facilities in the Muscat Capital area, causing undesired social-economic inequalities in the Sultanate and frequent traffic jams.

Figure 3 The main outcomes of the ONSS



Source: The Ministry of Economy (2020). Oman National Spatial Strategy.

The ONSS suggested a set of incentives for spatial-economic growth in other parts of the country in a well-balanced way, preferably based on local and regional assets and the specific skills of the population.

The ONSS is also about the future quality of the urban and rural environment. Many cities and villages do not have clear urban centers and are lacking good public space, like parks, squares, parking, and walking space. After developing and implementing local spatial plans, based on the regional and national strategies, the urban environment will be more attractive for the residents. Oman has many attractive unique rural landscapes. Many of them are vulnerable and need better protection and smart planned spatial developments of the villages and economic activities. If done in the right way, this will improve the lives of local people and attract more tourists.

For investors it is extremely important to know what the spatial policies are for the long term, both in the whole country and in the governorates. The ONSS represents a well guided spatial strategy offering sufficient space for the growth ambitions of the private sector and to attract new foreign business. This

will contribute to a more competitive and attractive country. To make the right decisions about future roads, possible railroads, metro systems or other improved forms of public transport closely related to future urban developments, a National Transport Model was determined as part of the ONSS.

4.4 Land sector stakeholders

Ministry of Housing and Urban Planning: Responsible for determining housing policies in Oman. Recently the urban planning function was transferred from the Supreme Council of Planning (cancelled and replaced by the Ministry of Economy in August 2020) to the Ministry of Housing. The Ministry of Housing and Urban Planning is responsible for the implementation of the ONSS.

Ministry of Economy (MoE) (Formerly the Supreme Council for Planning): In addition to its role in designing policies to stimulate and diversify the economy, the MoE continues to be responsible for the preparation of long, medium, and short-term plans. It is also responsible for monitoring the implementation of the plans, in collaboration with other entities. More importantly, MoE is managing the annual investment budget, and is allocating investments to different Ministries, to finance the development projects, including those implemented by the Ministry of Housing and Urban Planning.

Ministry of Finance (MoF): MoF is responsible for supporting and stimulating economic development, through effective fiscal policies, and the efficient management of fiscal resources. Due to the economic crisis that Oman has been facing over the past years, since the decline of oil prices in 2014, MoF developed and is implementing the fiscal contraction program (*tawazon*) aiming at reducing the share of fiscal deficit to GDP, and debt to GDP, while supporting economic activities.

Ministry of Interior: Responsible for the local administration units, and for empowering the local units, and moving towards administrative decentralization. Land governance is usually the responsibility of both at the national and local levels.

Municipalities: Responsible for the implementation of land governance policies and programmes.

Parliament: Both the Shura and the State Councils are responsible for developing a more efficient and effective legislative framework for land governance, and for monitoring and controlling the implementation of the land governance system by the different central and local administrative units.

Private sector: Could play a major role in creating demand for the reform of the land management and administration system in Oman, and for implementing the reform measures.

5. ANALYSIS OF LAND MANAGEMENT AND ADMINISTRATION

5.1 Overview

The process of developing this study revealed a general lack of information and understanding of land governance, land management and land administration. Land management and land administration are largely centralized, with a limited role for local administrations. The shift towards decentralization is very recent in Oman and it has not reached yet the land sector. The expertise at the central level is limited and this can be indicative of an even weaker capacity at the local level.

The legal framework and institutional setup are not empowering the local administration through fiscal, and human resources, or through smart systems of information that would allow the local administration to play a major role in managing and optimizing the use of land at the local level. The tight fiscal reform programme adopted by Oman to reduce both the domestic and foreign debts was unfortunately accompanied by very tough fiscal measures, but limited interventions to diversify its economic base.

The coordination between different stakeholders involved in land management and administration is limited. For instance, the Supreme Council of Planning (SCP) was responsible for both socioeconomic and spatial planning, which was supposed to create a more comprehensive development framework. The SCP was responsible for developing Oman Vision 2040, and the ONSS, as well as developing the executive medium-term plans that will coordinates all efforts to achieve the objectives of the vision, economically, social, and spatially. However, and after the institutional reform that the country undertook in August 2020, the SCP was cancelled and replaced by the MoE, responsible only for socioeconomic planning, while the spatial planning function was transferred to the Ministry of Housing and Urban Planning, to be part of its mandate. The weak coordination between the two Ministries weakens the coordination mechanism, a key prerequisite for the success of implementation of Oman Vision 2040, the ONSS, the tenth five-year development plan, and to a certain extent the strategic development plans of the different Governorates.

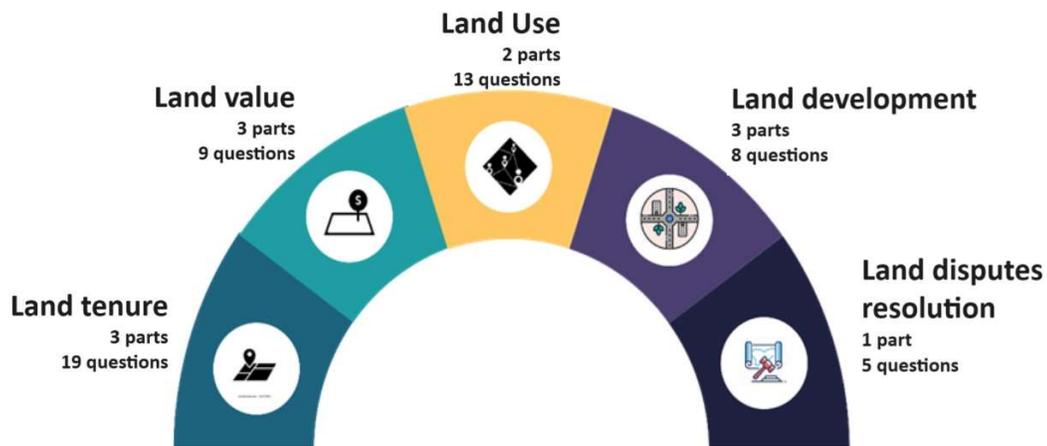
One major observation relates to the unbalanced regional development, where Muscat represents a major development center, while the different governorates are less developed and do not enjoy the same level of public services, and more importantly these lack the means to stimulate the local economy and to provide decent and productive jobs. For this reason, and for the first time, in 2021, the Government allocated OMR 10 million for each governorate to be used for local development activities over 5 years. In January 2022, the central transfers to the governorates were doubled. However, there is lack of capacity

Main land management and administration challenges in Oman

- A centralized system for land management and administration.
- Lack of fiscal resources, and poor economic conditions, but at the same time use of land is not optimized economically.
- Lack of human and institutional capacities, both at the national and local levels, for land management and administration.
- Unbalanced regional development, and inefficient local development policies.
- Lack of coordination between different stakeholders related to land management and administration.
- Poor communication and limited awareness about land management and administration.
- Room for improvements under Oman Vision 2040, the ONSS, and the tenth five-year development plan.

at the local level to prepare comprehensive local development plans, that meets people expectations, close development-gaps, create jobs, stimulate the economy, and optimize the land use.

Underpinning issues related to land management and administration are not communicated efficiently, not to laymen, but even amongst researchers, experts, and different stakeholders. Awareness campaigns must be launched in different governorates. Despite all these challenges, there is significant room for improvements under Oman Vision 2040, the ONSS and the tenth five-year development plan.



Source: UTI and UNHABITAT (2021). Capacity assessment of the land administration system - questionnaire

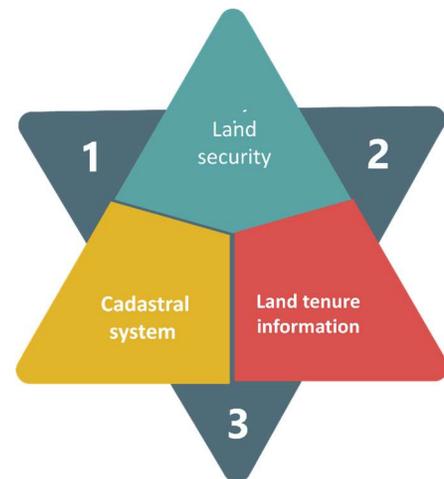
Figure 4 The structure of the questionnaire developed to assess the land administration system

5.2 Land tenure

Land tenure security

Most respondents do not have accurate information on tenure rights or on percentage of the population with secure land tenure. Further, most respondents noted that such information is not available or publicly available.

Most of respondents do not think that there is any difference between men and women regarding tenure security, as both can apply and be granted land. Men can apply for land if they are married but the land is documented in the name of both the husband and wife, whereas women can apply for a land and solely own the rights to the land if they are married to a foreigner.



Respondents indicated that government cannot evict nationals from their legally owned property. Evictions might take place due to the following reasons: (1) Public benefit, including when the land is needed for economic development, building bridges, roads or freezones or any national projects, entailing that citizen must agree and should be compensated, although a sufficiently robust, participatory, or transparent process is at times missing; (2) Natural risks or disasters, such as floods, and people

compensated with land elsewhere; (3) Due to inability of paying rent, such as it happens during COVID-19 when many people were evicted for this reason; (4) Due to mismanagement of the property; (5) In case of family disputes over land ownership, fraudulent documents of land lease, and disputes in inheritance rights/claims; (6) If the buildings are not following the building code. Most of respondents confirmed that it is easy to use land as collateral, and it is equally easy for women and men.

Cadastral system

The questionnaire included 5 questions related to the cadastral system, its functioning and efficiency in terms of cost and time needed to register a parcel or change the status of a property. The questionnaire also addresses the institutional setup of the cadastral system in terms of number of offices that are providing this service in different governorates.

Most respondents confirmed that an effective cadastral system exists, but the percentage of coverage could not be identified accurately. Respondents were not clear on whether a digital cadastral system is in place. However, digitalization in Oman is modest in general, despite the national programme “Digital Transformation” that is adopted as part of the “Oman Vision 2040”, and the tenth five-year development plan (2021-2025). According to the respondents, the procedures to create new properties, alter existing properties and transfer a property from one party to another do not constitute a significant barrier, but consolidated information could not be found.

The number of cadastral offices is not confirmed, probably it is one office per governorate, or by *welaya*, but the system could be further decentralised according to new policies and regulations. It should be noted that in January 2022, Oman announced that a new law for decentralization is being developed and will be soon ratified and issued. The new law aims at empowering the local administration and at increasing its role in providing public services, according to the subsidiarity rule. In addition, the state budget allocated to the local unities doubled for the medium-term budget (2021-2025). Local units are responsible for identifying the local priorities and selecting the projects that will be financed through the local budget.

Land tenure information and spatial data infrastructure

The questionnaire included three questions about the information provided by the cadastral system and its link to any spatial data, and about any other type of land tenure information system. Respondents indicated that there are some connections between different spatial data sets, such as the cadastre, utility services (electricity, water, internet) and land use, but the level of interoperability of such data and their use for decision making could not be determined. Respondents identified the following areas of decision-making that make use of the cadastral information system: municipalities, utilities, telecommunication companies, water, electricity, building permits and approvals, land development, urban planning, land use changes. However, land information generally not available to private citizens.

5.3 Land value

The land value section of the study aimed at assessing the capacity of estimating the value of land and buildings, through a clear and institutionalized methodology. It intended to evaluate the land taxation system, in terms of the tax rate, tax base, tax administration and the integration of the land tax system in the decision-making system. Finally, it investigated the use of a digital system to improve the administration of the land taxation system.

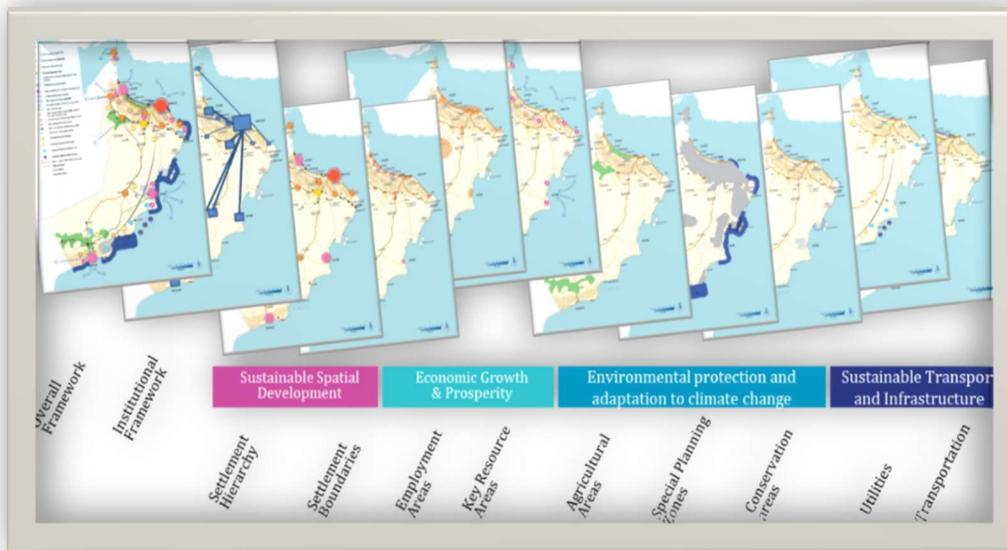
Institutionalized methodologies to assess the value of land and buildings exist. Professional valuers exist and are officially recognized and registered, but most respondents indicated that they are not adequately

trained and their services are not accessible to all. Most respondents confirmed that land and properties, both in rural and urban area, are not subject to taxation. However, municipal taxes apply to various services including property rents (3 percent) and a stamp duty of 3 percent is applicable to the transfer of land and property.

Municipal expenditures are not financed through income from land and property taxes. Such taxes do not exist, and municipalities do not enjoy any fiscal decentralization. However, more recently, Oman is moving towards empowering local administration, and providing local units with fiscal resources to finance infrastructure projects in different governorates. These fiscal resources are government transfers from the central level and are not financed through land and property taxes. A complete and accessible/digital land information system recording land value does not exist and most respondents confirmed that the impact of the taxation on the use of land and land markets is not considered by decision makers.

5.3 Land use

Respondent noted that land use guidance at national, regional, and local level is provided by the ONSS and governorates development plans, recently prepared, and ratified. The ONSS is a national framework to guide development policies, programmes, and investments and provides guidance on residential, commercial, and recreational areas. Although such information cannot be considered land use plans, the different elements of the ONSS include the overall framework, the institutional framework, settlement boundaries, employment areas, key resources areas, agricultural areas, special planning zones, conservation areas, utilities, and transportation (Figure 5). Opinions on adequacy and enforcement of the land use plans at the national, regional, and local levels, and for fast growing urban centers differed among respondents.



Source: Ministry of Housing and Urban Planning (2021). Oman National Spatial Strategy

Figure 5 The main elements of Oman National Spatial Strategy

Some respondents indicated the presence of regulations or schemes addressing informal, temporary, or displaced populations' settlements, although most were not aware of them. Oman is considered one of the safest countries in the Gulf, where foreigners and migrants live and work peacefully. Oman applied strict lock down rules during the COVID-19 pandemic. People living in the most highly populated areas, like Matrah in Muscat, were hit badly by the pandemic, and were subject to evacuation. Some migrants returned to their home countries and were allowed to go back to Oman only after months, and according to the rules and regulations developed by the Ministry of Health.

Most of the respondents confirmed that building permits' regulations exist, are enforced and adequate. Most of the respondents indicated that regulations governing rural and agricultural land use exist, although there was no clear convergence of opinions on their adequacy and enforcement, mostly due to the lack of familiarity on the topic by several respondents.

Most respondents confirmed the existence of nature and environmental protection land use regulations, although no clear information emerged on their adequacy and enforcement. Responses failed to evaluate whether the rules for the governmental management of state lands, and for acquiring private land by the government for public development purposes, are clear and adequate.

Desk research revealed that Oman E-Government Services Portal includes all information related to the process of buying a property such as sale contracts, transfer of deed, deed of inheritance, loans, mortgages, sketches for real estate, security approvals, long-term lease for farming, etc. The Portal indicates that lands in Oman are classified as residential, commercial, industrial, and farming lands formally through documentation. Damaged or lost title of deed documents can be replaced with new ones. GCC residents are required to provide special security approvals for obtaining land ownership in Oman. Detailed information about the following issues is available:

- Adoption of land division project
- Amend the planning requirements (height, the setbacks, or rate of construction)
- Apply for construction maps approval (general site)
- Cancel/ reverse / compensate the impact on affected land
- Change the use of agricultural land
- Divide the land plot, extent a land, integrate several plots
- Register agreements for mortgage, exchange, and assignment.
- Register for release of a seized property, title deed, a sale contract, a residential help
- Request commercial, industrial land, government plot, residential land, a document of the file of the property, a house loan, alternative to damaged title, alternative to lost title
- Separate or cut off a part of the land plot and transfer the mortgage from one property to another

Information about the targeted groups, the requested documents, the steps that should be followed, the way to apply for the services, the estimated cost, and the expected time to finalize the service. Similar information is also available through the electronic website of the Ministry of Housing and Urban Planning.

In addition, in April 2020, the Ministry of Agriculture and Fisheries issued the Ministerial Decree No. 84 / 2020, to regulate the use of agricultural land, and modifying the Ministerial Decree No. 10 / 2017.

The Government of Oman adopted an ambitious program for digital transformation, and it is included as one of the main transformation programs towards the implementation of the long-term development strategy, “Oman Vision 2040”, and its first implementation plan, the “tenth five-year development plan (2021-2025)”. Nevertheless, the digital transformation program is still at a very early stage and did not target yet the establishment of a comprehensive digital land information system.

5.4 Land development

The acquisition of private land for public development purposes is possible, but the government generally only uses it as a last resort. The Ministry of Housing and Urban Planning is quite reluctant to take over private lands for public use due to high cost of compensation and the need to avoid conflicts.

Regulations to control land subdivisions and to manage consolidation in urban or rural areas exist and their further development is planned under the ONSS project. Mechanisms to change land use by granting planning permissions and building permits also exist.

The mechanisms and regulations that ensure that construction is aligned with land use regulations exist and are often enforced. The property development process is considered easy for landowners and the public authorities. One respondent noted that it is less easy for large projects, as they require thorough coordination.

Most respondents noted a lack of information about the mechanisms to ensure that development costs are fairly distributed between the public and the private actors, while two respondents claimed that the private sector pays all the development costs and pay a percentage of the cost of development in terms of development fees to public authorities.

Some stakeholders highlighted the challenges posed by low density urban sprawl and the high rate of unutilised or under-utilised plots of land, which increase land consumption and push up the costs of providing adequate services, public transport, and infrastructure. According to the Ministry of Housing and Urban Planning, 40 percent of land in the capital city of Muscat is not developed and only 19% of landowners in the city have developed their plots. In areas outside of Muscat, this rate is even lower (7 percent).

5.5 Land disputes resolution

A well-structured formal system to resolve conflicts and disputes related to land rights and parcel boundaries, exist, but it is not very fast, and might not be affordable. In addition, people are not very familiar with the procedures to access the formal dispute resolution system. Respondents could not judge if people trust the formal dispute resolution system, or not.

The proportion of land-related cases in the formal courts, or non-formal disputes resolution mechanisms is not known. Two respondents claimed that local communities, and the governors can play an active role to solve land rights disputes. Further, according to respondents, women do not face different or additional challenges in accessing the formal dispute resolution system compared to men.

6 LAND-RELATED LEARNING OFFER

This section presents the results of the stocktaking of the existing learning offer and curricula related to land governance in Sultanate of Oman. Overall, the discipline attracts limited attention and there is room for improvement when it comes to build sufficient capacities. The analysis below summarizes the findings from the quick assessment of the four main entities providing courses and capacity development opportunities in the field of land governance and land administration and related disciplines, namely two private universities, the Sultan Qaboos University, and one civil society organization.

The two private universities are financed through the fees paid by students, while public one is supported through a mix of government funds, students' fees, and international funding. The three universities offer undergraduate courses, over a period of four years. The curriculum is adequate and covers almost all issues related to spatial planning and local development, but land governance is not addressed in its own merit and complementary modules or short courses could be developed.

Public university	
Name	Sultan Qaboos University
Type of organisation	Public University
Country	Sultanate of Oman
Type of content	Urban planning and management, land use planning, statistical analysis for urban planning
Name of the course	Urban Regional Planning
Duration	4 years
Type of course	Academic
Grade/Level	Undergraduate
Certification	Yes
Funding	Government, Fees from students, international organization / institutions
Payment	Yes (the users / students pay)
Information on the curriculum	https://www.squ.edu.om/Portals/12/departments/geography/studyPlan/GeogrphyDegree&StudyPlanGeoUrbanRegionalPlan2018.pdf

Private university	
Name	German University of Technology in Oman
Type of Org.	Private University
Country	Sultanate of Oman
Type of Content	Spatial Planning / land use planning, Agrarian / Rural studies
Name of the course	Urban Planning and Architectural Design
Duration	4 years
Type of Course	Professional Learning (compulsory, optional, etc.)
Grade/Level	Undergraduate
Certification	Yes
Funding	Fees paid by students
Payment	Yes (the users / students pay)

Information on the curriculum	Project Design, Architecture, Urban Development, Technical drawing, Computer design, Language, Building Construction, Urban Preservation and Renewal, Economics, Planning Law, Urban Infrastructure and Technologies.
Website and contacts	https://www.gutech.edu.om/academic/science/bsc-in-urban-planning-and-architectural-design/

Private university	
Name	Global College of Engineering and Technology
Type of organisation	Private University
Country	Sultanate of Oman
Type of content	Geospatial studies / Survey / Mapping, Spatial Planning / land use planning, social sciences (land-related)
Name of the course	BSc (Hons) Urban and Regional Planning
Duration	4 years
Type of Course	Academic
Grade/Level	Undergraduate
Certification	Yes
Funding	Fees from students
Payment	Yes (the users / students pay)
Information on the curriculum	Environment and Sustainability, Data and Solutions, Project Management, Healthy Sustainable Communities, Strategic Planning and Infrastructure, Shaping Cities, Sustainable Technologies, Environmental Change, Development, Practice and Law, Research, Design, Spatial Planning, Environmental Planning and Design, Entrepreneurial Skills, Omani Culture.
Website and contacts	https://gcet.edu.om/en/programmes/bsc-hons-urban-and-regional-planning/

7 CONCLUSIONS AND RECOMMENDATIONS

Land governance affects economic growth, social inclusion, wealth distribution, environmental conservation, and the competitiveness of cities and towns. Addressing land governance issues in Oman is timely, as it underpins the implementation of its long-term vision and medium-term development plans with their different priorities. The assessment of the land management and administration capacity using a structured survey and complemented with desk research confirmed the importance of this topic. The assessment indicates the importance of filling the land governance knowledge gap to improve the efficiency and effective of the land sector. Land-related financing, updating legislation, improved land management and planning, decentralization, and diversifying and increasing the land-related learning offer are the areas that requires special attention. This paper could constitute one of the first building blocks in a longer land reform process that might be launched in Oman, in the context of the overall land sector reform agenda of the Gulf region. Based on the results of the survey and the desk research undertaken, a set of recommendations are proposed.

Legal reforms

Land laws and regulations are outdated and struggle to answer to the contemporary social, economic, and political needs of Oman. Few recent reforms related to land allocation for agriculture or housing are

a good start but would not be sufficient to support the major reforms that Oman has set itself to undertake since 2020. Land laws and regulations should be updated to support economic diversification, sustainable and inclusive long-term economic growth, promote the participation of the private sector in economic activities, improve public services, and increase the resilience Omani cities and regions to the challenges posed by climate change.

Institutional reforms

The Ministry of Housing and Urban Planning is the main government institution responsible for land allocation and spatial planning in Oman. Other stakeholders involved in land governance are the Ministries responsible for the economic sectors, mainly industry, energy, agriculture, culture, tourism, trade, logistics, ICT, and small and medium enterprises (SMEs), as well as the Ministries and the state-owned enterprises (SOE) responsible for public services such as education, and health, and for infrastructure such as water, sanitation, roads, and transportation, etc. The private sector is an important land governance stakeholder. Although the local administrations do not currently have an important recognized role in land administration and lack the necessary financial and human capacities, their role would be crucial.

To undertake a much-needed participatory institutional reform plan that can maximise the benefits of land use and land allocation to different sectors and projects, a comprehensive institutional assessment should be undertaken to identify the roles and responsibilities of the different stakeholders in the process of land allocation, planning, finance, management, etc. An effective coordination mechanism of the different land sector stakeholders should be put in place to increase the efficiency of the land governance system in Oman.

Developing capacities

Land governance requires a wide set of interconnected capacities. The assessment done highlights that national universities and training institutes do not develop the holistic set of competencies needed to address land governance challenges. As 'Oman 2040 Vision' and the tenth five-year development plan (2021-2025) include education as a priority, there is the opportunity to enhance the national curricula in relation to land governance through additional modules and special courses in private and public universities. Twinning programmes between national universities and well-known and recognized international schools specialized in land governance should be developed at undergraduate and graduate levels.

Financial resources

The ongoing fiscal consolidation program is re-arranging public spending to reflect the state's priorities. Land governance should be included among such priorities, considering its role as enabler of regional and local development, economic diversification, provision of infrastructure and public services, and for the achievement of sustainable and inclusive growth.

Coordination between land sector stakeholders and state-owned enterprises would be important, since these enterprises enjoy fiscal decentralization and can finance development projects based on the State priorities, to achieve the objectives of Oman 2040 Vision and the tenth five-year development plan.

National banks and finance institutions must be encouraged to finance land-based projects. Land and property valuation system must be launched, and relevant expertise must be developed to improve the knowledge and use of land-based taxation and financing tools, which at the moment are not well known and used in Oman.

Technical reforms

Data and information related to all land issues must be developed, to support evidence-based policies. It is recommended to include and invite the National Center for Statistics and Information (NCSI) to play a bigger role in monitoring of land governance, developing relevant data sets, analyse results, and develop technical reports.

Awareness and evidence-based recommendations

Raising the awareness of different stakeholders on land governance issues is very important. The active CSOs can play a major role in developing capacities and undertaking communication campaigns to draw the attention to specific land governance issues, particularly among the youth.

Local pilot projects on land governance should be encouraged to increase the practical knowledge about land issues and produce evidence-based recommendations that can inform the scaling up of the piloted interventions.

Education and training

Public and private universities and training institutes should expand their learning offer on land governance by providing 'add on' modules to current curricula, offering short courses, and collaborating with education and training institutions in neighbouring countries and in the region to complement the national learning offer. The beneficiaries of such expanded education and training offer would be undergraduate and postgraduate students, civil servants, private sector employees and civil society organisations' employees.

Priority land-related topics for education, training, and research

The land sector stakeholders consulted identified the following priority topics: legislation and regulations on land tenure, land use and spatial planning, environmental management, and building codes; land-based financing policies and fiscal decentralisation land; production and analysis of spatial data; land management for sustainable development; cities' resilience to natural disasters and climate change; land governance for agricultural and rural development, and food security; land governance for industrial and supply-chain development; land governance and smart cities; land governance for efficient public services and infrastructure; monitoring of land use, land policies and land regulations.

Key land sector stakeholders and partners

Key institutions, organisation and partners that could strengthen their collaboration for improving Oman's land sectors: Sultan Qaboos University and private universities; Sultanate Academy for Public Administration; public and private research institutions; the regional Arab Planning Institute in Kuwait and other regional institutions; governors' offices; civil society organisations; private sector; UN-Habitat and the Global Land Tool Network (GLTN).

Next steps

Possible next steps to pave the way for further collaboration and action in the land sector include disseminating and discussing the content, conclusions and recommendations included in this paper in collaboration with the Government of Oman (GoO) and the National Center for Statistics and Information (NCSI); raise awareness regarding land governance in collaboration with the GoO, the localities, the private sector, the CSOs, the UN-Habitat, and the GLTN; initiate a nationally-led process to identify and prioritise key land-governance related interventions.

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