

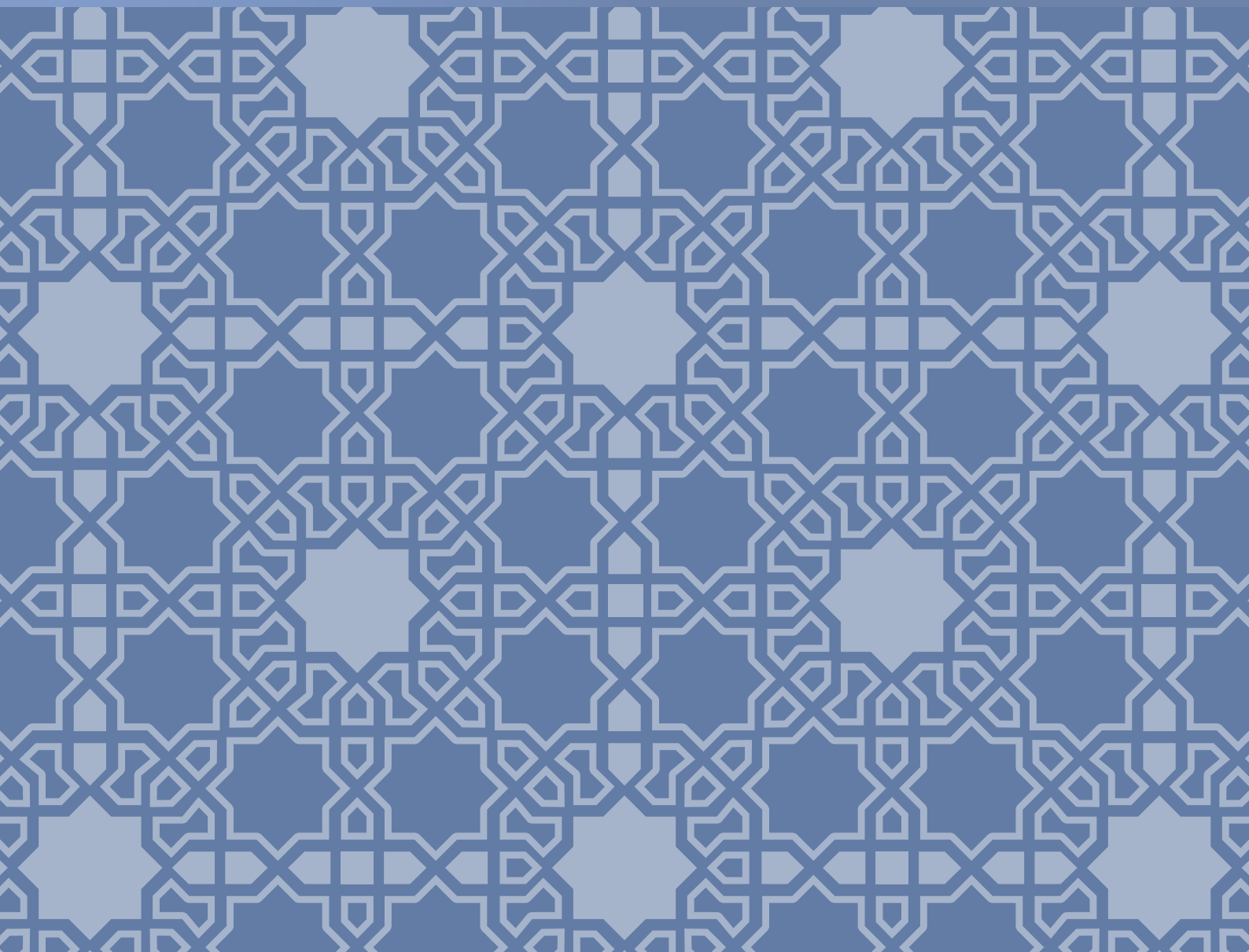
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LAND GOVERNANCE IN THE 21ST CENTURY: FRAMING THE DEBATE SERIES

LAND AND LAND GOVERNANCE IN THE ARAB REGION

A preliminary analysis of trends and challenges

by Rafic Khouri



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FRAMING THE DEBATE SERIES

The aim of the Framing the Debate series is to facilitate a deeper understanding of land governance debates. Land governance is understood as the formal and informal rules, mechanisms, processes and institutions through which land is accessed, used, controlled, transferred, and land-related conflicts are managed. It encompasses, therefore, land tenure systems, land and agrarian reforms, and land administration.

The terms of the debate on land, agrarian reform, land tenure and administration have become increasingly diverse and complex, as a result of a rapidly and radically changing global context. The greater demand for land, for productive use, human settlements, as well as for environmental conservation and climate mitigation purposes, creates new land governance challenges.

Framing the Debate comprises regionally or nationally focused thematic papers relating to on-going and emerging land-related debates. A single publication may treat a wide range of land governance issues or focus on a specific theme. This publication commissions renowned land experts to share their perspectives on key issues, while acknowledging and fairly discussing other views. The papers published in the Framing the Debate series are intended to be accessible to a wide audience of land specialists as well as non-land experts.

This publication serves to better understand the current state of the land governance debate, to trigger further debate and pave the way for future study.

THIS PAPER

An initial draft of this paper was presented at the *Global Land Forum (GLF) in Jordan in May 2022* (see: www.globallandforum.org). The paper then benefited from a number of contributions that have helped to strengthen it in certain areas. During the GLF, Fatma Khafagy (Arab Feminist CSOs Network) reviewed sections on women's land rights, while Jamal Talab (Land Research Centre, occupied Palestinian territories) commented on the cultural specificity of land governance in the Mashreq and Maghreb regions and contributed to the historical analysis. Ombretta Tempra (UN-Habitat/GLTN) contributed on land governance in Arab countries, while the civil society perspective was strengthened by Rabie Wahba, ILC coordinator for the EMENA region. Thanks are also due to Ward Anseeuw of CIRAD/ILC for his help in editing and coordinating the process with the main author.



The opinions expressed herein are those of the authors and the individuals interviewed for this report. They do not constitute official positions of ILC, its wider membership or donors.

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CONTENTS

1. INTRODUCTION	7	6. WOMEN AND LAND IN ARAB COUNTRIES	21
2. HISTORICAL MILESTONES	9	<i>BOX 3: The constraints imposed by gender roles</i>	21
<i>BOX 1: An illustration – the example of land policies in Morocco, as explained by a senior official in 1998</i>	10	6.1 How do women access land?	22
3. THE CONTEXT OF LAND IN THE ARAB STATES	11	<i>BOX 4: The struggle of soulalyate women in Morocco</i>	23
3.1. Geographic and socioeconomic features	11	<i>BOX 5: Some progress – the evolution of religious beliefs and customs in Morocco</i>	26
<i>The rural context</i>	13	7. CIVIL SOCIETY AND PROSPECTS FOR THE DEVELOPMENT OF LAND RIGHTS	27
3.2. Densely urbanized countries	15	8. RECOMMENDATIONS	31
4. LAND ADMINISTRATION IN THE ARAB REGION: ACHIEVEMENTS AND SHORTCOMINGS	17		
5. TRIBAL LANDS	19		
<i>BOX 2: The village of Jemna – a success story</i>	20		



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INTRODUCTION

The Arab region encompasses 22 countries¹ in Western Asia and North Africa: from east to west, Oman, United Arab Emirates, Bahrain, Qatar, Kuwait, Iraq, Saudi Arabia, Syria, Jordan, Yemen, Somalia, Comoros, Djibouti, the occupied Palestinian territories, Lebanon, Egypt, Sudan, Libya, Tunisia, Algeria, Morocco and Mauritania. These countries cover an area of some 14,000,000 sq km in total, including about 30,000 km of coastline, and have widely contrasting topographies and distinctive land forms.²

Most of these countries share some common history, having been part of the Ottoman Empire or at least having had privileged links with it. They share the Arabic language, the official language of the League of Arab States (though this does not imply that their populations are homogeneous culturally, ethnically or religiously). These historic influences can still be seen

in the different categories of land tenure that exist across the region, inherited from the Ottoman Land Code enacted in 1858.

In recent years the region has witnessed many major events, including revolutions, political turmoil, wars and persistent conflicts that have led to complex and often fragile situations, particularly when it comes to land tenure and the related rights of different peoples and communities.

This paper seeks to explore some of the major factors influencing land governance in the Arab region, and also calls on its target audience – of researchers, people's organizations and social movements – to build on work already done by national, regional and international civil society to improve people's enjoyment of land rights.

- 1 Some international organisations do not view the Arab states as a single regional group but prefer to divide them into two groups: countries in the Middle East and North Africa (MENA) and other countries categorised as part of sub-Saharan Africa. This paper refers to "the Arab region" and uses other regional delineations (such as MENA) only if needed for a specific reason, such as clarity or the availability of data; such cases are highlighted and explained where necessary.
- 2 United Nations Economic and Social Commission for Western Asia (ESCWA) et al. (2017). Arab Climate Change Assessment Report – Main Report. Beirut: ESCWA, p.49. https://www.unescwa.org/sites/default/files/pubs/pdf/riccar-main-report-2017-english_0.pdf

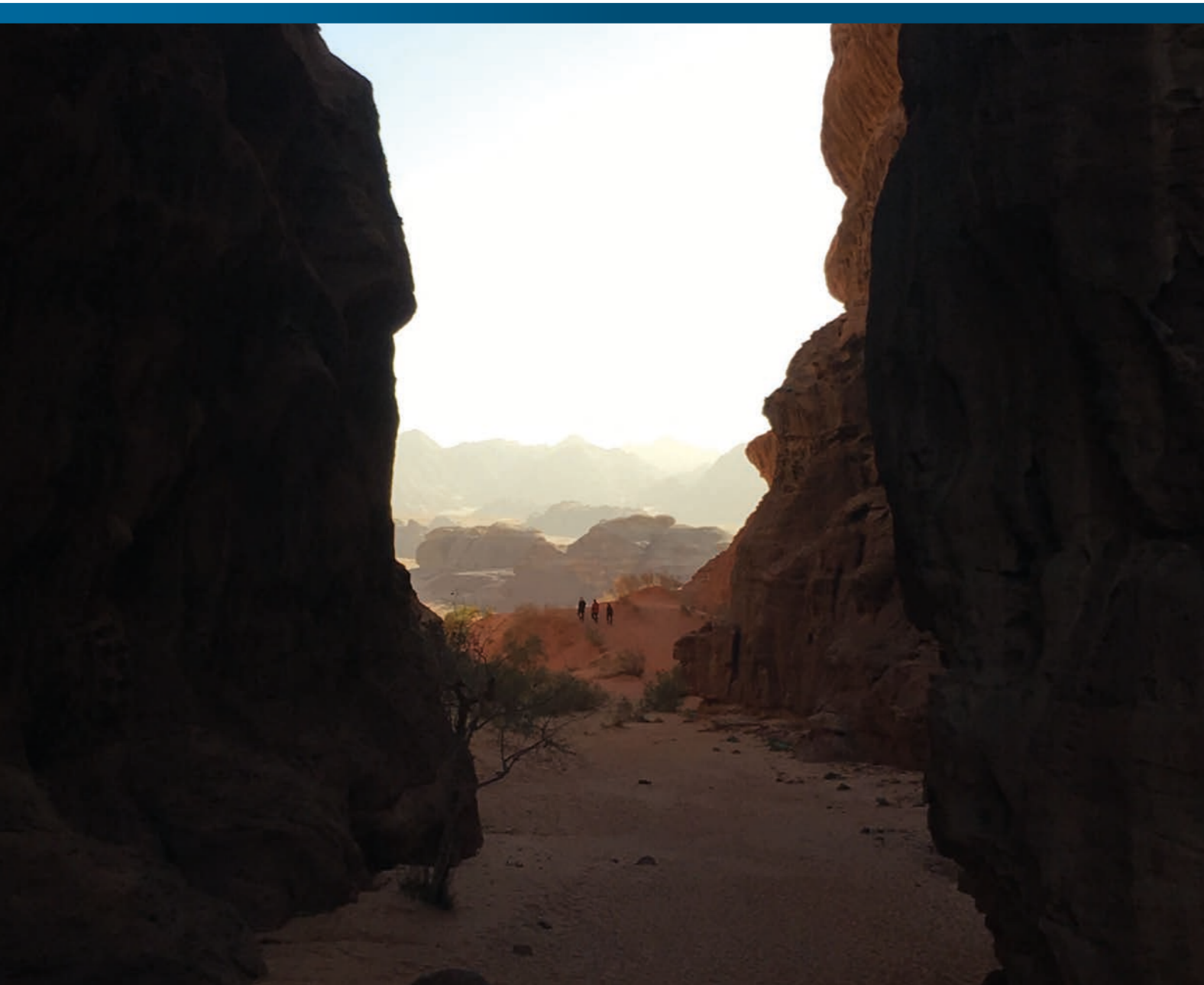


Photo: ©ILC/David Rubio

HISTORICAL MILESTONES

Historically, the region was where some of the most ancient civilizations emerged, and also some of the earliest systems of land governance. As far back as c. 1700 BC,³ laws laid down by the Babylonian king Hammurabi established a system for how land was to be administered:

- » Land could not be sold.
- » Land was to be used for housing, agriculture and other activities, i.e. it opened the way for cultural and architecture development.
- » A period of three years was set for the reclamation/rehabilitation of undeveloped land, as a basis for its acquisition.
- » Anyone who abandoned land for a period of three years would be dispossessed of its ownership.⁴

During the Islamic era, which had its roots in the Arabian Peninsula and spread to encompass all the Arab countries (620–1900 CE), previously unwritten laws were defined and became part of religious law, such as:

- » the edict of the Prophet Muhammad, 'he who turns dead land into life becomes its owner' (Bukhari 1982: 555);⁵
- » the edict of `Umar Ibn Al-Khattab,⁶ to prevent soldiers from seizing fields, lands and properties in conquered Arab areas, such as Iraq and Bilad al-Sham (present-day Syria);
- » the edict of `Umar Ibn Al-Khattab to enact a law permitting the reclamation of unused lands based on the Hammurabi law code of "three years for reclamation";
- » the introduction of endowment land laws.⁷

3 The Code of Hammurabi, at: <https://avalon.law.yale.edu/ancient/hamframe.asp>

4 Ibid.

5 Sait, S. and H. Lim (2006). Land, Law and Islam: Property and Human Rights in the Muslim World. UN-Habitat, Zed Books. https://www.hlrn.org/img/documents/Sait_Lim_Land_Law&Islam.pdf

6 Also spelled Omar (c. 582/583-644), as the second Rashidun caliph, ruling from August 634 until his assassination in 644.

7 A charitable endowment involves the 'permanent' dedication of the property for charitable purposes *waqf* mushtarak a quasi-public endowment (*waqf*), which primarily provides for particular individuals or a class of individuals including the founder's family, but also serves certain outside public interests, such as a mosque which is convenient for, but not exclusive to, family members. Endowment is also called Hubus or *Waqf*, in some Arab countries, See: Sait, S. and H. Lim (2006). Land, Law and Islam: Property and Human Rights in the Muslim World. UN-Habitat, Zed Books. https://www.hlrn.org/img/documents/Sait_Lim_Land_Law&Islam.pdf. Pp. 14-16, 233.

In official law in the Ottoman Empire and, as a consequence, in the wider Arab region, property rights coupled Islamic principles and customs with the demands of the state in order to serve three main aims: secure land rights, collect taxes⁸ and assert the state's authority. These aims are reflected in the Ottoman Land Code of 1858,⁹ and later in land policies adopted by independent Arab states.

The Ottoman Land Code divided land into five main categories: *mülk* (private), *miri* (state property open to leasing), *waqf* (endowment; also called *habous* in Maghreb countries – tax-exempt land devoted to supporting charitable establishments or family projects), *metruka* (land designated for the public activities of villages, such as threshing floors, or any other specific group, such as members of a tribe) and *mevat* (dead and unclaimed remote land).

During the independence process (1922-1955)¹⁰ across the region, colonial and independent states took over the ownership of all land, except for *mülk* and *waqf* land. In general, land policies at this time had three main aims:

- » to protect and further develop private property (often at the expense of collective tribal lands, or *metruka*);
- » to significantly reduce the extent of *waqf* land, which had largely been used to circumvent the authority of the state (independent Tunisia completely dissolved *waqf* land), and impose state control under a *waqf* ministry;
- » to strengthen the state's role in land administration through titling procedures.

BOX 1: AN ILLUSTRATION – THE EXAMPLE OF LAND POLICIES IN MOROCCO, AS EXPLAINED BY A SENIOR OFFICIAL IN 1998

“A clear trend has emerged in Morocco towards the privatization of state, collective and religious orders’ landholdings. This trend is encouraged through state policy and programmes. Government incentives to privatization include efforts to streamline the process of land registration and to make it more widely accessible; the adoption of policies to limit land fragmentation as well as to minimize joint holdings (multiple title holders) of private parcels in order to maintain efficiency of private holdings; the standardization and regulation of tenant contracts; and the conversion of state and endowment-owned (*waqf*) lands to private holdings. Observation of the behaviour of rural producers reveals a hesitation on the part of collective rights holders to initiate land improvements, construction projects or plantations compared with private right holders.”

– *Bensouda Korachi Taleb, agriculture minister, Rabat, in FAO (1998). “Land Reform”.*¹¹

THE CONTEXT OF LAND IN THE ARAB STATES

3.1. GEOGRAPHIC AND SOCIOECONOMIC FEATURES AND CONSTRAINTS, AND OTHER LAND ISSUES

Most Arab countries have a number of geographic and demographic features in common, being characterised by large pasture and desert areas, a scarcity of arable land and severe water stress, in addition to high rates of population growth and sustained urbanisation (the Arab world has an estimated 456.5 million inhabitants, with an annual population growth rate of 1.6% in 2020¹²).

The United Nations Development Programme (UNDP) has highlighted **water stress** as a very serious issue in the Arab states, with 84% of the population affected by or at risk of water scarcity.¹³

Another issue is the **scarcity of arable land**. The average area of arable land available per person in most Arab countries is far below the global average of 0.19 hectares per person (e.g. Iraq has 0.14 ha, Egypt 0.03 ha), with only two exceptions – Sudan (0.38 ha) and Tunisia (0.26 ha).¹⁴

Moreover, according to the United Nations Economic and Social Commission for Western Asia (ESCWA), arable landscapes are threatened by **changes in land use, desertification and the intensification of cropping systems**.

8 In the 19th century, taxes on farming were the primary source of income for the Ottoman Empire.

9 See E. Attaila Aytekin, *Agrarian Relations, Property and Law: An Analysis of the Land Code of 1858 in the Ottoman Empire*, JSTOR, Nov. 2009, at: <https://www.jstor.org/stable/40647178>.

10 Independence and Decolonization, Middle East, at: <https://www.encyclopedia.com/history/encyclopedias-almanacs-transcripts-and-maps/independence-and-decolonization-middle-east>.

11 For more information on the historical background, see: Rafic Khouri, *Evolution of land tenure categories since the 1858 Ottoman Law*, 2nd Arab Land Conference, at: https://arabstates.glt.net/wp-content/uploads/2021/03/TechnicalSession7_Ottoman_Khouri_presentation.pdf

12 World Bank (2022). Data: Arab World. <https://data.worldbank.org/country/1A>

13 UNDP Regional Bureau for Arab States (2019). *Leaving No One Behind, Towards Inclusive Citizenship in Arab Countries*. Arab Human Development Report Research Paper. New York: United Nations Development Programme, p.14. https://www.undp.org/sites/g/files/zskgke326/files/migration/arabstates/52279-UNDP-Citizenship-and-SDGs-report_web.pdf

14 Ibid., p.24.

Land degradation and desertification stem from drought, erosion, salinisation, nutrient loss, pollution and agricultural intensification.¹⁵

As a consequence of this, Arab countries have some of the **highest levels of food imports** in the world (food imports as a proportion of total merchandise imports are 9% globally and 13% for Arab countries¹⁶), and many have significant food trade deficits. Arab countries import more than 25% of the wheat traded on world markets.¹⁷ Such a fragile situation can lead to serious food shortages, in particular when global wheat production is disrupted due to international tensions, such as the ongoing Russian-Ukrainian war.¹⁸ “Food insecurity in the MENA is a growing challenge. Even before COVID-19, UN agencies estimated that over 55 million of its population of 456.7 million was undernourished. The pandemic, protracted conflict and other factors make hunger more common. In 2020, MENA’s share of the world’s acutely food insecure people was 20%, disproportionately high compared to its 6% share of the population. The situation is worse where there is conflict, such as in Yemen and Syria.”¹⁹

Another issue specific to Arab countries is the **gender gap** they face,²⁰ which as a region is the highest globally, according to the World Economic Forum (WEF).

With specific reference to MENA, in its 2021 Global Gender Gap Report, the organisation stated that, “with an average population-weighted score of 60.9%, the MENA region has the largest gender gap (about 40%) yet to be closed. The progress is slow, and it will take 142.4 years to close the gender gap.”²¹ The WEF also noted that many women in the region continue to face limitations on their basic rights, including in terms of divorce, inheritance, ownership of assets, access to justice and freedom of movement.²² The Organisation for Economic Co-operation and Development (OECD) highlights the fact that, according to World Bank research, achieving gender equality in earnings over the lifetime of the current generation of working-age women in MENA countries could add as much as USD 3.1 trillion to regional wealth.²³

Lastly, the Arab region is also riven by **conflicts** – in the occupied Palestinian territories, Iraq, Syria, Yemen, Libya, Sudan and Somalia. In mid-2020, 54.8% of the world’s refugees (including Palestinian refugees) originated from the Arab region, and 35.5% of the world’s refugees resided there. The amplification of the armed conflict in Syria, in particular, has created a humanitarian crisis, with 6.6 million internally displaced persons (IDPs) as of June 2020.²⁴

This situation has aggravated the food security and land-related problems that Arab countries are facing. In addition to emergency assistance, including the provision of shelter, whenever possible displaced populations need guidance and counselling to help them recover housing, land or property rights lost due to conflict. This is particularly true for refugees and IDPs who lack housing, land and property documents, and for women who suddenly find themselves head of their family, either temporarily or permanently.

THE RURAL CONTEXT

Despite national differences, rural areas in the Arab region have many characteristics in common. In MENA specifically, according to the UN Food and Agriculture Organization (FAO):

- » Small-scale family farmers are responsible for 80% of agricultural production.
- » 40% of the population live and work in rural areas and nearly 85% of agricultural land holdings are farmed by families, while on average agriculture employs 21% of the active population across the region.
- » However, despite being large in number, family farms control only 25% of all arable land, with 75% in the hands of corporate-style agriculture.
- » The average size of a family farm in the region is less than two hectares and this is steadily decreasing, as a result of population growth and the division of farms on inheritance.

- » 22.5% of youth in MENA are unemployed, according to estimates by the International Labour Organization (ILO), nearly double the youth unemployment rate globally.²⁵
- » The majority of the female labour force is concentrated in the agricultural sector, but most women do not own the land they work on.
- » Only 5% of women in the Arab region own land or property,²⁶ one of the lowest proportions in the world.²⁷

In addition, women in the MENA region are more concentrated in the agricultural sector than men. Around 27% of women and 18% of men work in agriculture, and in countries that have large rural economies – such as Morocco – up to two-thirds of women work in the sector. In Tunisia, 70% of the agricultural workforce is female.²⁸ In Jordan, the precarious conditions of rural work have particular impacts on women, who are often employed as daily wage workers on large farms.²⁹

In every country of the Arab region, around 18% of the population live below the national poverty line, though there are significant variations between the oil-producing Gulf Cooperation Council (GCC) countries, which on average have a per capita income of USD 29,000, and the Southern Tier countries (not including Somalia), where average per capita income is USD 1,300.³⁰ Poverty is particularly acute in rural areas. As shown in Figure 1, 80% of the rural population in MENA countries are poor, and the rural population represents more than 40% of the total population.

15 UNESCWA (2021). Environmental sustainability and human development: perspectives from the Arab region, pp.11–12. Beirut: United Nations Economic and Social Commission for Western Asia (ESCWA). https://www.unescwa.org/sites/default/files/pubs/pdf/environmental-sustainability-human-development-perspectives-arab-region-english_0.pdf

16 UNDP, op. cit., p.24.

17 UNESCWA, op. cit., p.26.

18 Abay, K., L. Abdelfattah, C. Breisinger, J. Glauber and D. Laborde (2022). The Russia-Ukraine crisis poses a serious food security threat for Egypt. Washington, DC: IFPRI. <https://egyptssp.ifpri.info/2022/03/15/the-russia-ukraine-crisis-poses-a-serious-food-security-threat-for-egypt/>

19 Belhaj, F. and A. Soliman (2021). MENA Has a Food Security Problem, But There Are Ways to Address It. Washington, DC: World Bank. <https://www.worldbank.org/en/news/opinion/2021/09/24/mena-has-a-food-security-problem-but-there-are-ways-to-address-it>

20 The gender gap is the difference between women and men as reflected in social, political, intellectual, cultural or economic attainments or attitudes. The Global Gender Gap Index aims to measure this gap in four key areas: health, education, economics and politics. See: <https://www.weforum.org/reports/global-gender-gap-report-2022/>

21 World Economic Forum (2021). Global Gender Gap Report 2021, p.26. Geneva: WEF. https://www3.weforum.org/docs/WEF_GGGR_2021.pdf

22 Ibid., p. 26.

23 OECD (2020). COVID-19 crisis in the MENA region: impact on gender equality and policy responses, p.2. Paris: OECD. https://read.oecd-ilibrary.org/view/?ref=134_134470-w95kmv8khl&title=COVID-19-crisis-in-the-MENA-region-impact-on-gender-equality-and-policy-responses

24 Arab Development Portal (2022). Mind the Gap: SDGs Data Availability and Gaps in the Arab Region. <https://arabdevelopmentportal.com>

25 FAO Regional Office for Near East and North Africa. Regional Initiative on Small Scale Family Farming in NENA region. <https://www.fao.org/neareast/perspectives/sustainable-agriculture/en/>

26 FAO, Gender and Land Rights Database, at: <https://www.fao.org/gender-landrights-database/data-map/statistics/en/>

27 Feyertag, J. (2018). Three things women in the Arab region told us about their land rights. Prindex. <https://www.prindex.net/news-and-stories/three-things-women-arab-region-told-us-about-their-land-rights/>

28 OECD (2020). COVID-19 crisis in the MENA region: impact on gender equality and policy responses, op. cit., p.9.

29 Ibid.

30 UN Habitat and IsDB (2020). Informal Settlements in the Arab Region, p.9. Cairo: Islamic Development Bank Group. <https://www.isdb.org/sites/default/files/media/documents/2020-06/36%20IsDB%20UN%20Habitat%20Report%20on%20Informal%20Settlements%20in%20the%20Arab%20Region-%20Feb%202020.pdf>

Moreover, research shows that poverty remains more concentrated in rural areas than in urban areas, where employment opportunities and services are more accessible.³¹

There is no doubt that economic systems linked to neoliberal and market-oriented policies have led to a reduction in the wealth of the middle classes, who have lost land to a new type of feudalism led by multinational companies, and also to governments.³²

This has led to increased pressure on the labour sector and on sources of livelihoods in major cities, and has also seen an emptying of the countryside, with declines in agriculture and local food production, which in turn has led to a doubling of imports from abroad. Such policies, associated with former colonial countries, are part of the reason for the situation faced by peoples in the region, and it is necessary to return to the idea of land as a basic food source.³³

Figure 1: Share of rural poor and rural population, by world region



Source: World Bank (2020). Poverty and Shared Prosperity 2020: Reversals of Fortune, p.9. Washington DC: World Bank.³⁴

3.2. DENSELY URBANIZED COUNTRIES

The oil-producing GCC countries have the most rapidly urbanising populations in the region. The rate of urbanisation grew at an average of 1% annually between 2015 and 2020, and currently more than 59% of the Arab population live in urban areas, with extremes of up to 83.8% in Saudi Arabia and 100% in Kuwait in 2018.³⁵

Poverty and an absence of policies in support of rural development have led to intense waves of rural migration, leading (among other issues) to a proliferation of slums and informal settlements in and around urban areas. UN-Habitat estimates that about 33% of urban populations currently reside in informal settlements and 25.6% live in slums.³⁶ This phenomenon has been a continued challenge in the region and is perpetuated by high land prices, population movements and displacement, limited access to credit, the bureaucratic nature of land transactions, the complexity of procedures for registering tenure and financial constraints on the public management of land development.³⁷ Across the region, the scale of urban population growth has exceeded the capacities of most governments to plan for urban development, provide infrastructure or ensure the delivery of adequate public services and housing for all.³⁸

In Egypt, for example, informal settlements tend to be either expansions of settlements on privately owned agricultural land, which are found principally on urban fringes and account for 80% of informal urbanisation in the country, or squatter settlements on state-owned land (15%). Here sprawling development and low-density housing in suburbs and new cities – coupled with highly centralised decision-making on investment – increase the per capita costs of infrastructure.³⁹

Some countries have acted in an authoritarian manner to destroy substantial urbanised areas – such as has recently been the case in the Saudi city of Jeddah, affecting, according to estimates, up to 500,000 inhabitants.⁴⁰

31 Ibid.

32 OECD (2019), Under Pressure: The Squeezed Middle Class, OECD Publishing, Paris, <https://doi.org/10.1787/689afed1-en>.

33 See Trends in Trade and Investment Policies in the MENA Region, OECD, at: <https://www.oecd.org/mena/competitiveness/WGTI2018-Trends-Trade-Investment-Policies-MENA-Nasser-Saidi.pdf>.

34 See also Poverty and Shared Prosperity 2022, the World Bank, at: <https://www.worldbank.org/en/publication/poverty-and-shared-prosperity>

35 Arab Development Portal (2022). Mind the Gap: SDGs Data Availability and Gaps in the Arab Region, op. cit.

36 UNDP, Bahrain Center for Strategic, International and Energy Studies, UN-Habitat (2020). The State of Arab Cities 2020: Financing Sustainable Urbanization in the Arab Region. Executive Summary, p.13. New York: United Nations Publications. https://www.arabstates.undp.org/content/rbas/en/home/library/Sustainable_development/the-state-of-arab-cities-2020.html#:~:text=In%20its%20second%20edition%2C%20The,the%20middle%20of%20this%20century

37 UN-Habitat and IsDB (2020). Informal Settlements in the Arab Region, op. cit., p.20.

38 UN-Habitat and Arab Land Initiative (2022). Land governance, natural resources, and climate change in the Arab region. <https://arabstates.gitn.net/2022/11/16/land-governance-natural-resources-and-climate-change-in-the-arab-region-report-brief/>

39 Ibid., p.18

40 Financial Times. Jeddah demolitions prove divisive as Saudi Arabia steps up reforms. <https://www.ft.com/content/e244c5d5-a02e-4083-8608-4cf39fef0f02>; <https://www.bbc.com/news/world-middle-east-60691503>

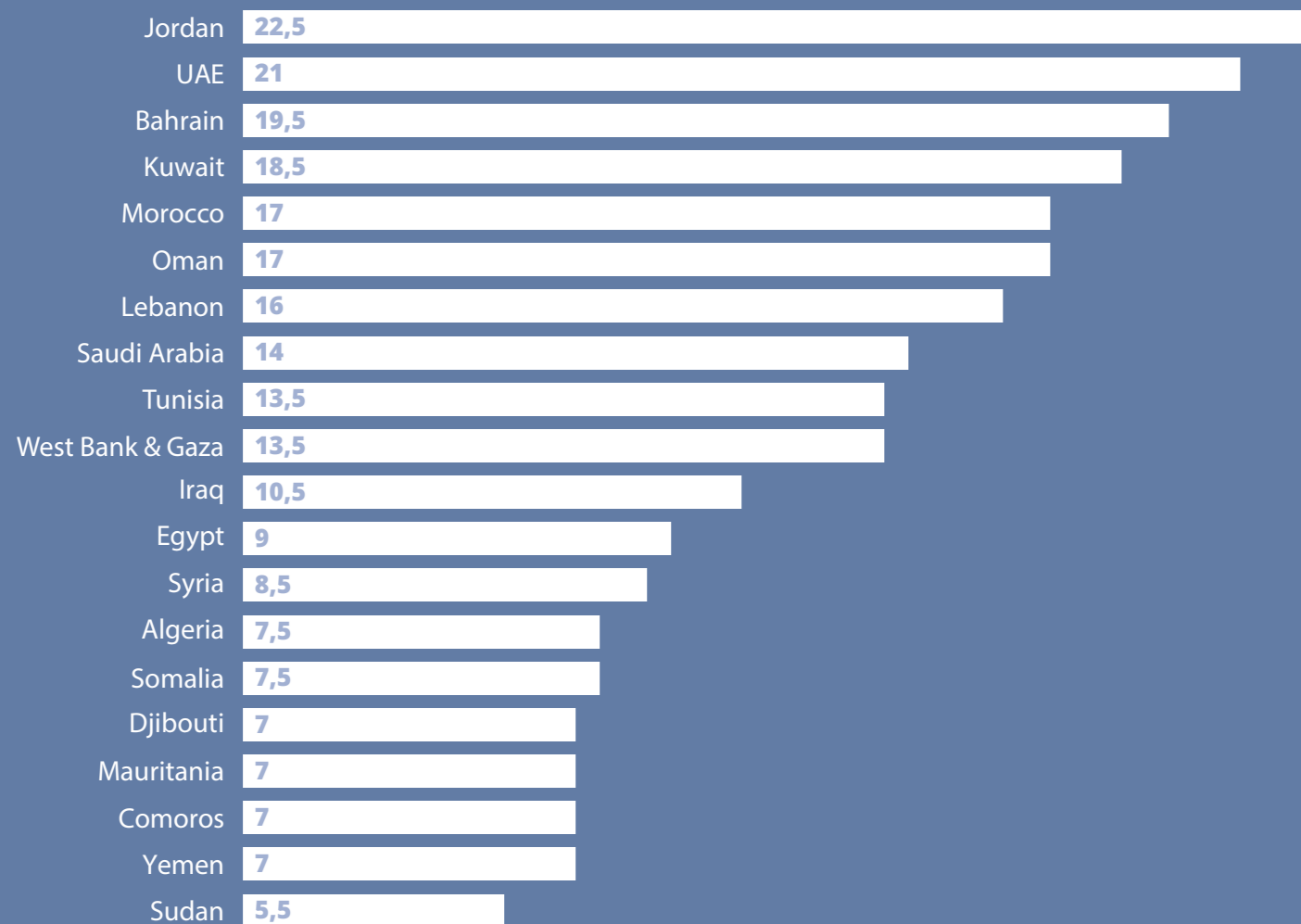


Figure 2: The World Bank's quality of land administration index - Source: World Bank (2020).

LAND ADMINISTRATION IN THE ARAB REGION: ACHIEVEMENTS AND SHORTCOMINGS

In its 2020 Doing Business report, the World Bank calculated that the average score by MENA countries on its quality of land administration index⁴¹ was 14.6 (out of a possible 30). Figure 2 shows scores for each country in the region. In comparison with other world regions, MENA is positioned about halfway in the rankings, with sub-Saharan Africa scoring 9.0, South Asia 9.1, Latin America and the Caribbean 12.0 and high income/OECD countries on average above 23.⁴²

As can be seen in **Figure 2**, countries in the region can be split roughly into three groups:

- » the best performers – the oil-producing GCC countries (with the notable exception of Saudi Arabia) and Jordan;
- » poor performers – Iraq, Egypt, Algeria, Syria, Yemen, Somalia, Sudan, Djibouti, Comoros, Mauritania;
- » those in the middle, including Saudi Arabia, Tunisia and the occupied Palestinian territories.

41 The 2020 Doing Business report assesses the "quality of land administration", with scores ranging from 0 to 30, where higher values indicate better quality of the land administration system. For more information, see World Bank Doing Business Archive. Registering property. <https://archive.doingbusiness.org/en/data/exploretopics/registering-property>

42 Ibid.

In other words, rich countries with small populations tend to have better-performing land administration systems than bigger countries with large populations, with the significant exception of Jordan, the second-best performer in the region despite its limited economic resources.

The World Bank's research also highlight the fact that, in all cases, land administration remains very centralised (the most centralised of any region in the world), with regional and local authorities highly dependent on central government, both politically and financially. UNDP and UN-Habitat, in a recent report on Arab cities, highlight the need to ensure that stakeholders at the regional, sub-regional, country and city levels are empowered and are included in partnership and coordination structures, with processes being made more decentralised and inclusive.⁴³ Fit-for-purpose land administration plays a key role in documenting land rights, protecting land tenure security, supporting sustainable land use and preventing or resolving land disputes,⁴⁴ especially considering the consequences of climate change such as land degradation, which significantly increases levels of intercommunal aggression and conflict.⁴⁵

Finally, in its Democracy Index *The Economist* puts all Arab countries in the authoritarian category, with the exceptions of Tunisia and Morocco⁴⁶ (which it classes as hybrid regimes⁴⁷).

43 UNDP, Bahrain Center for Strategic, International and Energy Studies, UN-Habitat (2020). The State of Arab Cities 2020, op. cit., p.19.

44 UN-Habitat (2016). Fit-for-Purpose Land Administration: Guiding Principles for Country Implementation. <https://unhabitat.org/sites/default/files/download-manager-files/Fit-For-Purpose%20Land%20Administration.pdf>

45 UN-Habitat and Arab Land Initiative (2022). Land degradation and conflict: Case studies from Sudan, Jordan and Niger. <https://arabstates.gitn.net/2022/10/13/land-degradation-and-conflict/>

46 The Economist Intelligence Unit (2022). Democracy Index 2021: The China challenge, p.52 London: EIU. https://www.stockwatch.com.cy/sites/default/files/news-downloads/feb11_2022_eiu-democracy-index-2021.pdf

47 For the definition of a hybrid regime, *ibid.*, p.68

TRIBAL LANDS

Land remains state property in the Arab region, but tribal *shaykhs* and other local notables are traditionally leaders in their communities – including when it comes to land. In general, they manage land use and resolve conflicts on behalf of the community. Tribal lands are generally semi-arid zones, and are traditionally used as pastures.

Independent states in the region, having increasingly to consider socioeconomic priorities and balance between urban life and agriculture, throughout the last 50 years, have favoured the development of private land ownership and the exploitation of arid areas for mining activities, often at the expense of tribal customary rights.⁴⁸ This has led to reductions in the area of land under tribal control and the assertion of state authority over tribal traditions.

For example, in Algeria in 2021, the government began granting large concessions on traditional tribal lands (called *arch*), involving a total area of about 2 million ha. The process is ultimately expected to see privatisation of these concessions.

The historical links between a tribe and its land may remain strong despite changes in land and property administration over time, as shown by the experience of the village of Jemna in Tunisia (**Box 2**). However, modern attitudes can also modify deeply rooted tribal customs, as illustrated by the story of the *soulalyate* women in Morocco (**Box 4**).

48 See, Furr, Ann and Al-Serhan, Muwafaq (2008) "Tribal Customary Law in Jordan," South Carolina Journal of International Law and Business: Vol. 4 : Iss. 2 , Article 3. at: <https://scholarcommons.sc.edu/scjilb/vol4/iss2/3>



Photo ©Habib Ayeb, <https://autogestion.asso.fr/>

BOX 2: THE VILLAGE OF JEMNA – A SUCCESS STORY

Jemna is a tribal village in central Tunisia that produces dates; its land was expropriated by French settlers during colonial rule in 1912. After independence, these lands became state property. After independence, Tunisia leased these lands to private investors, in the process forcing peasants to become poorly paid wage earners.

During the Arab Spring, the inhabitants of Jemna took action to regain control of their traditional lands. To retake economic control of their village, they set up an association which created 162 new jobs, funded new classrooms in the village school and supported young people who wanted to enrol in university.⁴⁹

49 Foroudi, L. (2020). 'We had to get our land back': Tunisian date farm proves revolutionary bright spot. Thomson Reuters Foundation. <https://news.trust.org/item/20201217040402-mfzj/>

6

WOMEN AND LAND IN ARAB COUNTRIES

It has been observed that housing, land and property rights are essential enabling tools for both genders but particularly for women, as they have always played a critical role in preventing and resolving conflicts

and in building and sustaining peace within societies, although this goes consistently unnoticed and is consistently under-reported.⁵⁰

BOX 3: THE CONSTRAINTS IMPOSED BY GENDER ROLES

Women's entry into the public sphere has not been accompanied by a redistribution of gender roles within the family sphere, which increases women's burden of unpaid work. It also limits their ability to take part in public life and influence decisions related to policy-making. Thus, the social system works to limit women's capacity to participate in decision-making processes at all levels. Gender roles at the family level, mainly reproductive roles, are still the most important factor in limiting women's abilities to join and remain in the workplace and in the political world.

Fatma Khafagy, Arab States CSOs and Feminist Network, in her contribution at the GLF 2022.

50 UN-Habitat (2021). Women, Land and Peace: Sustaining peace through women's empowerment and increased access to land and property rights in fragile and conflict-affected contexts. https://unhabitat.org/sites/default/files/2021/12/key_messages_on_women_land_and_peace_english.pdf

Table 1: Agricultural land holders by sex and land area in six Arab countries

	NUMBER OF MALE HOLDERS	TOTAL AREA HELD BY MALE HOLDERS (HA)	NUMBER OF FEMALE HOLDERS	TOTAL AREA HELD BY FEMALE HOLDERS (HA)
Egypt (2009/2010)	5 188 653 - 96%	3 650 535 - 97%	212 719 - 4%	114 694 - 3%
Lebanon (2010)	154 457 - 91,4%	N.A.	14 565 - 8,6%	N.A.
Oman (2012/2013)	177 068 - 92,3%	N.A.	14 753 - 7,7%	N.A.
Such Arabia (2015)	280 552 - 98,6%	3 094 798 - 99%	4 060 - 1,4%	30 412 - 1%
Palestine (2011)	97 592 - 88%	N.A.	7 561 - 7%	N.A.
Jordan (2017)	100 017 - 94%	245 803 - 97,6%	6 329 - 6%	5 932 - 2,4%

Source: FAO (2016).⁵¹

Statistics are generally scarce on women and land in the Arab countries, though the agricultural censuses that are organized approximately every 10 years, with support from FAO, do provide some interesting data about women landholders.⁵²

Table 1 shows the number of agricultural land holders⁵³ by sex in six Arab countries (data for other countries were not available), according to the most recent agricultural censuses in these countries between 2010 (Egypt and Lebanon) and 2017 (Jordan).

These figures show two things clearly:

- » Women represent a very small minority of land holders, with the highest percentage in Lebanon (8.6%) and the lowest in Saudi Arabia (1.4%).
- » The total land areas held by women are significantly smaller than those held by men, with women only holding 1–3% in different countries.

6.1 HOW DO WOMEN ACCESS LAND?

Men have historically dominated societies in the Arab region, based on traditions of family foundation and structure, which hold men fully responsible for providing for the family and which exclude women from this responsibility. This is reflected in the way that land ownership is divided between men and women, with women owning only a small percentage of agricultural holdings – no more than 7% on average in MENA countries.⁵⁴

In principle, women are allowed to hold, own and access land. Article 31 of the Arab Charter on Human Rights states that “everyone has a guaranteed right to own private property, and shall not under any circumstances be arbitrarily or unlawfully divested of all or any part of his property”. According to article 3, each state “undertakes to ensure to all individuals subject to its jurisdiction the right to enjoy the rights and freedoms set forth herein, without distinction on grounds of race, colour, sex, language, religious belief,

opinion, thought, national or social origin, wealth, birth or physical or mental disability” and “pledges to take all the requisite measures to guarantee equal opportunities and effective equality between men and women ...”.⁵⁵

BOX 4: THE STRUGGLE OF SOULALYATE WOMEN IN MOROCCO

Recent experience from Morocco related to the privatisation of tribal lands sheds an interesting light on both the evolution of how these lands are governed and on discrimination against women and their rights to access land. These lands are called *soulalyate*, from *soulala*, which means *bloodline, family or tribe*. Traditionally, the right to use such land for agriculture and to benefit from its proceeds was transferred from father to son according to the *orf*, or custom, which denied women the right to inherit. These lands fall under the state’s guardianship, though around 42% of Morocco’s land is held collectively by tribes.⁵⁶ Due to changes in the land market, in particular the expansion of cities, the state set about privatising parts of these lands, using the same custom to deny women any right to them. Women launched a movement to claim their rights and, after 10 years of fighting, in 2017 won the right to be included in the formal privatisation process. In 2018, for the first time, 1,460 *soulalyate* women obtained their rights to land.⁵⁷

However, in reality very different patterns govern women’s rights to land and their ownership of it, for a variety of reasons.

Firstly, the socioeconomic situation of women and the dominance of patriarchal customs make it very difficult in most cases for women to own land.

UNDP’s Human Development Report (2020) points to large discrepancies between gross national income per capita for men and women in the Arab states: while in 2017 men earned on average USD 23,923, women earned only USD 5,092,⁵⁸ i.e. only 21% of men’s earnings. Moreover, in terms of employment, according to the ILO, the “widest gender gap in labour force participation – at 55.2 percentage points – continues to persist in the Arab States.

The participation rate for women is still the lowest globally, although it has been rising steadily – reaching 21.2 per cent in 2017.⁵⁹ Progress has been too slow to bridge the gap and catch up with the male counterpart rate of 76.4 per cent.⁶⁰

Therefore, it is usually very difficult for Arab women to purchase land. Their economic status keeps them in a state of dependency upon men in the family, and this dependency seriously hinders their capacity to challenge men, even when they have the right to do so.

Secondly, in principle the main route through which women in the Arab world can access land ownership is inheritance.

51 See also FAO (2016). Women hold the key to building a world free from hunger and poverty. <https://www.fao.org/news/story/en/item/460267/icode/>

52 See World Programme for the Census of Agriculture 2020, at: <https://www.fao.org/world-census-agriculture/wcarounds/wca2020/en/>

53 A land holder is defined by FAO as the person who makes major decisions regarding resource use and who exercises management control over the operation of an agricultural holding (which includes all plots and livestock). The holding often overlaps with the family farm and therefore the holder is often the household head. However, this information, typically collected through agricultural censuses, is a measure of management and not of land ownership.

54 FAO and CGIAR (2018). The gender gap in land rights. <https://www.fao.org/3/I8796EN/i8796en.pdf>. For historical background, see also FAO (2002), Gender and access to land. <https://www.fao.org/3/y4308e/y4308e.pdf>

55 UNHCR and League of Arab States (2004). Arab Charter on Human Rights. <https://digitallibrary.un.org/record/551368?ln=en>

56 USAID (2016). Country Profile. Property Rights and Resource Governance: Morocco, p.6. https://www.land-links.org/wp-content/uploads/2016/09/USAID_Land_Tenure_Morocco_Profile.pdf

57 IdDraiss, A. (2018). Sulaliyyate Women Land Ownership in Morocco. See also UN Women (2018). Land rights at last for Sulaliyyate women in Morocco. <https://www.unwomen.org/en/news/stories/2018/8/feature-land-rights-at-last-for-sulaliyyate-women-in-morocco>

58 UNDP (2020). Human Development Report 2020. The Next Frontier: Human Development and the Anthropocene, p.359. New York: UNDP, at: <http://report2020.archive.s3-website-us-east-1.amazonaws.com/>

59 In 2021 this rate was 19%, according to World Bank (2022). Labor force participation rate (female, % of female population 15+) (ILO modeled estimate – Middle East and North Africa. <https://data.worldbank.org/indicator/SL.TLF.CACT.FE.ZS?locations=ZQ>

60 ILO (2017). World Employment and Social Outlook: Trends for Women 2017, p.7. Geneva: ILO. https://www.ilo.org/wcmsp5/groups/public/—dgreports/—inst/documents/publication/wcms_557245.pdf

Some observers believe that Islamic inheritance laws, if applied fairly, would give women in the region about 40% of all land holdings, which would compare well with any region in the world.⁶¹ It is therefore crucial to protect and uphold their inheritance rights. Legal and administrative reforms should be promoted to align national frameworks with international laws. Facilitating women's access to justice to assert their rights is also a key measure.⁶²

However, testimonies from across the Arab world show that families use all kinds of means, including intimidation, to exclude women from these procedures when it comes to land, to the benefit of male heirs. In Jordan, for example, women have legally certain inheritance rights; however, in reality, it is commonly thought that it should be men who inherit land and property, not women. The social pressure brought to bear on women often results in them giving up their inheritance rights in favour of male relatives.⁶³ The Jordanian National Commission for Women has interviewed numerous women who have lived this experience. According to its report, their testimonies show that “women in many cases are deprived of their rights to inheritance and forced to renounce their rights to inheritance through a number of practices, most importantly: when a decedent surrenders his entire property or part of it to his sons or the sons of one of his wives through fake sale, endowment, or will for the purpose of depriving the females or a wife and her children of the inheritance; heirs would use wooing, deception, and

appeasement so that women would surrender their rights in return for money or a piece of land, which do not represent the actual value of their inheritance; practices of pressure and threat to harm women to force them to surrender their shares in an estate.”⁶⁴

In an attempt to overcome these difficulties, Jordan has amended the law so that the inheritance process is resolved over a period of three months, under the supervision of *Shari'a* courts, including evaluation of the inheritance and definition of the share of each heir or possible compensation.

Thirdly, property registration processes in Arab countries tend to be complicated and costly, and this compounds the challenges that women, in particular poor and illiterate women, face when attempting to secure land titles. Under these conditions, discriminatory societal practices can easily result in women being dispossessed of their land and, with it, their agency and prospects for modest financial security. Therefore, prudent public policy interventions are needed. One solution would be to develop a widely accessible land registry that can store information about land rights and transactions. This could have a positive impact on the lives of millions of deprived women and men.⁶⁵

Arab women are increasingly attaining high-level qualifications, thus contributing to progressive (though slow) empowerment in their societies, particularly in urban areas.

Once more, the example of Jordan serves to illustrate this evolution: according to official figures, socioeconomic conditions for many women in urban areas mean that they can afford to purchase apartments, as stated by the country's Sixth National Periodic Report to the CEDAW Committee: “The data for 2012 indicate that there has been an increase in women's ownership of real estate assets. Women constitute 9.2% of all landowners, 19.5% of apartment owners and 43% of owners of securities.”⁶⁶

Inheritance laws need to be applied in a scrupulously fair manner between the two sexes, and change that is currently happening on the ground – economically, socially and in terms of gender – is helping to bring this about. Women today work in most sectors, just as men do, and this means that they are better able to claim their rights in holdings and use them freely. Elsewhere in the region, the example of the occupied Palestinian territories is considered promising (albeit small in size) in terms of the settlement of land and governance of land tenure.⁶⁷ Thus, “women report higher levels of access to (e.g., use of land and its outputs) than levels of control over (decision-making) land and productive resources than land ownership. This is especially true of unmarried women, women who work, generate income, and contribute to family income.”

The situation is even different in the West Bank from Gaza. In the latter, women suffering more of disadvantage regarding their ownership of land and productive sources than women in the former. “This is due to some larger issues that not only affect women but also others; which include a lack of land, overpopulation, and the Israeli blockade of Gaza.”⁶⁸

Changes in family structure or social status can leave women fearing eviction. Almost 40% of married women feel insecure about their land and property rights in the event of divorce in the Mashreq region (Northeast Africa and Western Asia), compared with just 7% of married men. Governments and development partners in the region should tackle gender inequality in family law, as well as practices that put pressure on daughters and sisters to voluntarily renounce their inheritance rights.⁶⁹

Finally, the status of Arab women is deeply rooted in traditional interpretations of Islamic texts, and some prominent Muslim clerics are beginning to challenge long-held conservative attitudes in their communities, as shown by the example from Morocco in **Box 6**. In certain countries, these traditions also affect non-Muslim minorities.

61 UN-Habitat and GLTN (2018). Women and Land in the Muslim World: Pathways to increase access to land for the realization of development, peace and human rights. <https://gltn.net/2018/02/22/women-and-land-in-the-muslim-world-2/>

62 Interview with Fatma Khafagy, Arab States CSOs and Feminist Network, Global Land Forum, May 2022, at: <https://emena.landcoalition.org/es/explore-emena/our-work/global-land-forum-2021-jordan/>

63 Japan International Cooperation Agency (JICA) and Kokusai Kogyo Co., Ltd. (2016). Country Gender Profile: Hachemite Kingdom of Jordan. Final Report, p.19. https://www.jica.go.jp/english/our_work/thematic_issues/gender/background/c8h0vm0000anj6-att/Jordan_2016.pdf

64 Jordanian National Commission for Women (2012). Women's Rights to Inheritance: Realities and Proposed Policies, p.23. Amman: JNCW. <http://haqqi.info/en/haqqi/research/womens-rights-inheritance-realities-and-proposed-policies>

65 UN Women and OHCHR (2013). Realizing Women's Rights to Land and Other Productive Resources. <https://www.ohchr.org/sites/default/files/Documents/Publications/RealizingWomensRightstoLand.pdf>. See also Constant, L., I. Edochie, P. Glick, J. Martini and C. Garber (2020). Barriers to Employment That Women Face in Egypt: Policy Challenges and Considerations. Santa Monica, CA: RAND Corporation. https://www.rand.org/pubs/research_reports/RR2868.html

66 Jordanian National Commission for Women (2015). Jordan's Sixth National Periodic Report to the CEDAW Committee, p.46. UN Women, UNFPA, UNICEF. <https://jordan.unwomen.org/sites/default/files/Field%20Office%20Jordan/Attachments/publications/final%20english%20book2.pdf>

67 See Bishin, B.G. and F.M. Cherif (2017). Women, Property Rights, and Islam. JSTOR. <https://www.jstor.org/stable/26330985>

68 See In-depth Assessment of Women's Access to and Ownership of Land and Productive Resources in the occupied Palestinian territory, Palestinian Working Women Society for Development, 2020, at: <https://www.awrad.org/en/article/10709/In-depth-Assessment-of-Women%E2%80%99s-Access-to-and-Ownership-of-Land-and-Productive-Resources-in-the-occupied-Palestinian-territory>.

69 Feyertag, J. (2021). Three things women in the Arab region told us about their land rights. Land Portal. <https://landportal.org/blog-post/2021/02/three-things-women-arab-region-told-us-about-their-land-rights>



Photo: ©ILC/David Rubio

BOX 5: SOME PROGRESS – THE EVOLUTION OF RELIGIOUS BELIEFS AND CUSTOMS IN MOROCCO

In Morocco, the Rabita Mohammadia des Oulémas (the Mohammadia League of Scholars) published a groundbreaking document in 2018 that discussed the religious roots of discrimination against women. Among other things, it stated:⁷⁰

“The traditional vision is often legitimized by an interpretation of the patriarchal concept of *Qiwamah* (Verse 34, Sura 4), considered by the majority of Muslim scholars as a verse establishing the intrinsic superiority of men over women, defining the model of the family in the land of Islam and legitimizing certain legal norms establishing superiority of men over women. Its influence on attitudes in Muslim societies has resulted in the establishment of a culture of discrimination against women. Therefore, the *Qiwamah* according to this traditional interpretation is a major obstacle to any desire to improve women’s legal and economic and social status in an egalitarian sense.”

Morocco’s personal status and family code (Mudawana), adopted in 2005, also includes an article which opens the way to couples holding joint marital property, if agreed upon at marriage, in contrast to the traditional separation of property between spouses. Land and real estate have traditionally been registered solely in the name of the husband, even if their acquisition is funded jointly by both spouses, and the wife loses any right to the property in the event of divorce or the death of the husband.

Joint marital property opens the way to recognition for the wife’s contribution to the welfare of the family, in conformity with article 16 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). However, the Democratic Association of Moroccan Women has expressed reservations mean that the provision is being poorly implemented, and criticising Morocco’s implementation of CEDAW in general; it argues that the terms of property held jointly between spouses should be set out in a contract annexed to the marriage contract. This is not yet compulsory, and newly married couples are often unaware that such a provision exists. In the event of divorce, it is usually impossible for women to produce proof of their contribution to the family’s finances.⁷¹

70 Rabita Mohammadia des Oulémas and UN Women (2018.) Le concept de la *Qiwamah* du point de vue du référentiel religieux et des mutations sociétales au Maroc. Résumé du rapport d’analyse des résultats de l’enquête nationale. <https://morocco.unwomen.org/sites/default/files/Field%20Office%20Morocco/Documents/Publications/2018/05/Resume%20du%20rapport%20analyse%20enquete%20qiwamah.pdf>

71 Association Démocratique des Femmes du Maroc (AFDM) (2020). Mise en œuvre de la convention CEDEF. Rapport parallèle de la coalition d’ONG aux 5èmes et 6ème rapports périodiques du gouvernement marocain, p.8. CEDAW. https://learningpartnership.org/sites/default/files/resources/pdfs/CEDAW_%20Shadow%20report-%20Moroccan%20NGOs%20coalition.pdf

CIVIL SOCIETY AND PROSPECTS FOR THE DEVELOPMENT OF LAND RIGHTS

For land policy in the Arab states to be reformed, a robust civil society is needed that is able to take part in processes of land governance and management, within an enabling environment and based on a rights-based approach to development. In terms of democratic support, this is an essential step towards people-centred development; according to one commentator, it entails “moving from technical assistance to more targeted, localized, and better communicated country priorities, focusing on civic freedoms, human rights, and social justice beyond the legislative changes, helping to change the mindset of people”.⁷²

For almost a decade since the Arab Spring, in most Arab countries civil society has experienced crackdowns by governments, making its role more complicated than ever. Governments have taken harsh measures to control activism, targeting not only frontline human rights defenders and social movements but also civil society organisations (CSOs) with broad constituencies working for development. As another observer points out: “Arab governments have employed a massive arsenal of specially-designed local laws against NGOs, particularly against those that advocate for human rights and democracy.”⁷³

72 Grigolo, C. (2022). How does civil society in the Middle East and North Africa view the EU’s external democracy policy in the region?. International IDEA. <https://www.idea.int/news-media/news/how-does-civil-society-middle-east-and-north-africa-view-eu-external-democracy>

73 Abdelaziz, M. (2017). The Hard Reality of Civil Society in the Arab World. FIKRA FORUM. <https://www.washingtoninstitute.org/policy-analysis/hard-reality-civil-society-arab-world>

When it comes to economic, social and cultural (ESC) rights, the situation is more complicated. If these rights are to be implemented, governments need to provide more resources. However, after the last decade of political turmoil across the region, governments now tend to withhold support to NGOs working for these rights, seeing their activities as a kind of social mobilisation against their authority. An absence of democracy is more than ever a common feature in most Arab countries – perhaps with the exception of Tunisia, as it has a robust civil society and sharing of power after the revolution in 2010. This situation is exacerbated by conflict, wars and occupations, as has been seen in the occupied Palestinian territories, Syria, Yemen and Libya, to name just the most obvious examples. This means that working for rights to land, water and other natural resources is complicated, as people cannot engage in collective action to claim their rights.

Meanwhile, marginalisation and suppression of activities by CSOs deprive people of the platforms they need to advance democratic participation and land rights. In this regard, in a number of countries civil society at the regional level is making efforts to support national and local initiatives. For instance, Rasheed for Integrity and Transparency (Transparency International Jordan), in partnership with UN-Habitat, the Global Land Tools Network (GLTN), the International Land Coalition (ILC) and FAO, among others, held training sessions on “Monitoring Land Governance and Tenure Security”, focusing on the MENA region, in Jordan, 2021. These included discussions about how to support national stakeholders to develop their capacities to collect, analyse and report on land-related data and to report on indicators for the Sustainable Development Goals (SDGs).

Discussions also covered different issues facing the land sector in the region, as well as the technical capacities required to tackle these challenges and monitor progress on land governance and tenure security. The training courses also provided in-depth sessions on tools and methodologies available for land monitoring, such as LANDex, Prindex, the Global Land Indicators Initiative (GLII), the Land Matrix and MENA.⁷⁴

Sharing experiences and learning can often involve close coordination with government partners, and this can sometimes be a double-edged sword: it brings decision-makers into the process of land governance but they can often hijack the process to push policies that are against the principles of people-centred land governance (PCLG) and have ulterior political motives or favour the profits of multinational corporations.

With the harsh economic conditions facing the region, some governments have turned to the international community, in particular international financial institutions (IFIs), to support their economic reform programmes. The IFIs have imposed conditions that CSOs should be involved in the process of development, but their role cannot be fully restored until there is real democracy and devolution of power.

CSOs promoting more active partnership between decision-making authorities and civil society in the MENA region include the Arab NGO Network for Development (ANND) and the Arab Reform Initiative (ARI); the latter is attempting to increase space for youth participation in civil activities. It is also active in the debate on climate change, promoting discussion on a “just environmental transition”.⁷⁵

There is still a long way to go before civil society can resume and observe the objectives of supporting the land rights constituency, particularly when it comes to ESC rights. This paper recommends some specific steps to help build productive partnerships and to enable CSOs to take a more active role in fighting for these rights and consequently also for people-centred land governance.

74 Rasheed (Transparency International Jordan) (2021). Land Governance: Building Capacities and Joining the Efforts. <https://rasheedti.org/land-governance-building-capacities-and-joining-the-efforts/?lang=en>

75 Arab Reform Initiative (2022). Second Annual Conference on Environmental Politics: Towards a Just Environmental Transition in the Middle East and North Africa. <https://www.arab-reform.net/event/second-annual-conference-on-environmental-politics-towards-a-just-environmental-transition-in-the-middle-east-and-north-africa/>



Photo: ©ILC/Jason Taylor

RECOMMENDATIONS

Based on ongoing interactions between international civil society and UN institutions with decision-makers in the MENA region and also entities representing people on the ground, the following actions are crucial for all the stakeholders to the process of land governance, in order to improve the situation regarding land rights in the region and also to improve the prospects of achieving collective PCLG.

- » **Increase civil society participation** in the land sector, which at present is disproportionately dominated by state actors.⁷⁶
- » **Encourage CSOs to get more involved** in land governance and provide financial support to build the capacity of the most vulnerable social groups.
- » **Enhance the access of rural women to agricultural assets and their control over them** (in particular, land) and encourage them to adopt nutrition-sensitive,⁷⁷ agricultural practices and

technologies through targeted and accessible capacity-building programmes.⁷⁸

- » **Support the establishment of land cooperatives** as a means of supporting marginalised and vulnerable groups to manage natural resources, in particular land and water.
- » **Pay special attention to threats faced by women within the family or the community**, in order to achieve the gender justice in a complicated culture dominated by patriarchal influential authoritative circles.

Disclaimer

This paper is based on the knowledge, considerations and desk-based research of an independent consultant hired by the International Land Coalition. It was intended to serve as a basis for discussion during the 2022 Global Land Forum and it does not claim to offer a comprehensive analysis. The views and opinions expressed in this paper are those of the author and do not necessarily reflect the official position of ILC or its members.

⁷⁶ Based on Arab Land Initiative. Reference Group Meeting, Reviewing the Progress made and paving the way forward, July 2022, at: <https://arabstates.glt.net/2022/07/13/arab-land-initiative-reference-group-meeting-reviewing-the-progress-made-and-paving-the-way-forward/>.

⁷⁷ What is nutrition-sensitive agriculture? USAID, at: <https://www.spring-nutrition.org/stories/spring-promotes-nutrition-sensitive-agriculture>.

⁷⁸ IFAD and ILO. Promoting women's empowerment in the Middle East and North Africa: A rapid evidence assessment of labour market interventions. Impact Brief Series, Issue 9. https://www.ilo.org/wcmsp5/groups/public/—ed_emp/documents/publication/wcms_563865.pdf

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