



**Arab Region Program on good land governance in support to inclusive development,
peace and stability**

AoC 3: Women, Land and Socio-Economic development

**SUMMARY REPORT ON LAND GOVERNANCE, WOMEN EMPOWERMENT, AND
SOCIOECONOMIC DEVELOPMENT IN THE ARAB REGION TRAINING**

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Introduction

A training event on “land governance, women empowerment and socio-economic development in the Arab Region” was held in Erbil, Kurdistan Iraq on 25-26 October 2021. It was co-organized by UN-Habitat, Global Land Tool Network (GLTN), came as part of the agreement of cooperation #3 titled “Land, Women and socioeconomic development”, which comes under the “Arab Region Program on Good Land Governance in Support to Inclusive Development, Peace and Stability”, funded by the German BMZ. The training was a hybrid event that included 40 Arab and non-Arab land practitioners from 14 different nationalities and practical backgrounds (government, NGOs and INGOs, Academics, researchers, CBOs, individuals, activists) and others. This report provides a brief context, main discussion points, analysis and recommendations.

The training focused on the topic of gender-equitable land governance; governance that recognizes equal rights to land, and addresses the different needs and priorities of women and men. The aim was to discuss definitions and to provide an introduction into the topic, before addressing how to integrate the approach into policies and institutional frameworks through tools developed by GLTN such as the Gender Evaluation Criteria tool. The training also addressed legal and technical challenges in reaching gender-equitable land governance in the different contexts of the Arab countries and how to create enabling environments for increased access to land for women, how to monitor and evaluate progress, and how to design and create awareness campaigns and communication methods to promote it within different contexts of the Arab Region.

The objectives of the training

- To highlight the importance of gender-equitable land governance to increase land tenure security for women in the Arab Region;
- To increase the understanding of the importance of women’s land rights and tenure security and their linkage with socio-economic development more broadly, as a key issue to be addressed by national policies and land reform;
- To improve knowledge and skills about specific modalities and tools to increase and secure women’s access to, use of and control over land and natural resources;
- To familiarize women and other land actors with approaches and tools promoted by GLTN, aiming to enhance land tenure security for all, and especially for the most vulnerable, such as women (e.g. the fit-for-purpose land administration approach, the continuum of land rights as well as the Islamic land principles).
- To provide inputs for a related study produced by UAWC on the impact of tenure security and responsible gender-equitable land governance on social and economic development of women in the Arab Region, through case studies presented by the participants.

Contextual Analysis and Discussion

Gender inequality and depriving women of land rights is still to be a rooted global issue. According to the World Bank (2019), women in half of the countries in the world are unable to enjoy equal land rights¹, this is true for all dimensions of land rights: ownership, management, transfer and economic rights². In recent years, there have been some positive indications in some countries regarding women's access to land and ownership; at least 115 countries recognize women's property rights on equal terms with men, while on the regional level, only Tunisia adopted equal rights in inheritance³. This chapter provides an overview on women's land rights in the Arab World, what are the challenges they face and what are the gaps and opportunities.

During the two days training the following themes were covered by experts and land professionals. The following section provides an overview of the discussion, coupled with a contextual background and reflections on land governance and gender.

Introduction into Gender Responsive Land Governance

During the first session, an introduction to women, land, and development in the MENA region was provided by Rafic Khoury. The session highlighted the issue of gender equality in the Arab world, as it is a major item in the SGDs. Rafic Khoury presented a general overview that provided participants with further insights on the current situation within the Arab region in relation to the training's topic. One of the major issues discussed during this session which was also reflected in the recommendations was the lack of statistics in relation to women's ownership of land and land governance in the Arab world. The discussion around the lack of statistics also opened another major issue which is the general lack of studies and research around this topic, and more specifically the lack of Arabic-based / lead research. The introduction in addition to several participants throughout the training provided contextual analysis and background in relation to the following themes:

Women's Rights and Access to Land: Regional Context

Women's access to land and property is the core for achieving sustainable livelihoods; as it is highly correlated with women's economic and social empowerment; food security, poverty reduction, women's participation in leadership positions, and engagement in the community⁴. On the global and regional levels, there is a consensus on Women's rights and access to land, the

¹ The World Bank, 2019. <https://www.worldbank.org/en/news/press-release/2019/03/25/women-in-half-the-world-still-denied-land-property-rights-despite-laws>

² FAO, 2018. <http://www.fao.org/3/i8796EN/i8796en.pdf>

³ UN Women and OHCHR, 2013. <https://www.unwomen.org/en/digital-library/publications/2013/11/realizing-womens-right-to-land>

⁴ Organization for Economic Co-operation and Development (OECD) Development Centre, "Gender equality and the MDGs: what are the missing dimensions?" 2010, available from: www.oecd.org/dev/poverty/45987065.pdf; and Netherlands, Ministry of Foreign Affairs, Women's Economic Empowerment to Foster Food Security: Case Studies from Developing Countries (2011). They provide evidence that suggests that countries where women lack landownership rights or access to credit have on average 60% and 85% more malnourished children, respectively.

Sustainable Development Goal (SDG) number 5 emphasizes the importance of gender equality issue, and lights the shades on giving women equal rights to economic resources, ownership, inheritance, and other natural resources. Furthermore, SDG number 1 necessitates the eradication of poverty, which is directly correlated with women’s economic empowerment and access to basic services and resources⁵. This was reiterated in different sessions by most participants.

On the other hand, the Universal Declaration of Human Rights sets principles of non-discrimination for both sexes. Similar to other declarations, this declaration recognizes the rights to property, food, housing, and education⁶. The International Covenant on Civil and Political Rights recognizes the rights to food, housing, education, health, culture, work and association (trade unions). These rights are intricately related to land ownership and access⁷. The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) calls on states to take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, and that they participate in and benefit from rural development. This includes the right to education, access to credit and loans, access to housing and the right to participation. Importantly, it also includes guarantees of equal treatment in land and agrarian reform as well as in land resettlement schemes⁸.

The following table^{9,10,11} provides the current policies and laws that are followed and ratified in some countries in the Arab Region as presented by Joseph Schechla:

Country	Current Policies
Algeria	<ul style="list-style-type: none"> • CEDAW, acceded with reservations in 1996; • Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, ratified with interpretative declarations in 2016; • Intersectoral Commission Gender Focal Points in 2016: 23 members responsible for supervising and ensuring strong gender dimension in the implementation of public policies • Family Code obliges the father, in the event of divorce, to provide decent housing, or failing that, payment
Egypt	<ul style="list-style-type: none"> • National Project for Family Development (2023-2021) • Egypt’s Vision 2030 (updated 2021)
Iraq	<ul style="list-style-type: none"> • CEDAW • International Covenant on Economic, Social and Cultural Rights. • International Convention on the Elimination of All Forms of Racial Discrimination • International Covenant on Civil and Political Rights

⁵ UNDP, 2020, https://www.undp.org/sustainable-development-goals?utm_source=EN&utm_medium=GSR&utm_content=US_UNDP_PaidSearch_Brand_English&utm_campaign=CENTRAL&c_src=CENTRAL&c_src2=GSR&gclid=CjwKCAjwiY6MBhBqEiwARFSCPpt1TuNRWhmM6-mdq3azjJ9V3XSVZQmB5NjIRQWUkYgt5dkunvDibxoC1CQQAvD_BwE.

⁶ <https://www.un.org/en/universal-declaration-human-rights/>

⁷ <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

⁸ <https://www.ohchr.org/en/professionalinterest/pages/righttodevelopment.aspx>

⁹ National Urban Agenda: A guiding Framework

¹⁰ Voluntary National Reviews (VNRs) on SDGs

¹¹ Nationally determined contributions to the Paris Agreement (NDCs)

	<ul style="list-style-type: none"> • International Labour Organisation Convention on Equality of Treatment (Social Security), 1962 • Declaration of the Beijing Platform for Action (World Conference on Women).
Jordan	<ul style="list-style-type: none"> • Jordan 2025: A National Vision and Strategy • Executive Development Programmes (EDPs) • Economic Growth Plan (2018–2022) • The Comprehensive National Plan for Human Rights (2016–2025) • National Strategy for Women (2018–2022) • CEDAW
Morocco	<ul style="list-style-type: none"> • National Sustainable Development Strategy • Government Plan for Equality « ICRAM » (2012–16 & 2017–21) • Green Morocco Plan, pillar II for modernizing solidarity agriculture and fighting poverty of small farmers • No mention of 1.4.2 • 2009–2019 GBV economic violence increased in rural areas by 9% • Law No. 62.17 (2019) on administrative supervision over Soualalyate communities and their property, allowing women to enjoy ‘access’ to collective land.
Oman	<ul style="list-style-type: none"> • CEDAW • Oman Vision 2040 • The strategy to stimulate growth and increase levels of economic diversification • Sustainable Agriculture and Rural Development Strategy in Oman 2040 • Social Action Strategy (2016-2025)
Palestine	<ul style="list-style-type: none"> • National Policy Agenda 2017–2022 • Harmonization of national legislation with CEDAW has not been achieved, • Land and inheritance links to domestic violence
Tunisia	<ul style="list-style-type: none"> • National Program for Enhancing Entrepreneurship: Women's Business in Rural Areas "RAIDA" • National Strategy for the Economic and Social Empowerment of Women and Girls in Rural Areas, 2017–2020 • Program to promote equality between women and men in Tunisia Moussawat 2016–2021

How to Advance Women’s Land and Property Rights?

Throughout all of the training sessions and discussions between participants, one of the major challenges discussed was the disabling environment for women to access and govern land. The relation between the enabling environment not only directly related to accessibility to land in terms of property rights, inheritance laws and justice system but all other economic, social and political barriers combined that creates further challenges to women’s access to land should be accounted for. This was further stressed by Fathi Egal, *“securing HLP rights for women is linked to their overall socio-economic development. When women’s rights are promoted and protected—society at large benefits with increased peace and economic production.”*

Another related resonating quote was shared by Rafic Khoury:

“The development of a country depends on numerous factors, the most important of which is the development of women. Similarly, the underdevelopment of a country is a product of numerous factors, the most important of which is the inferior position of women.” Qasim Amin, 1899 in his historic book « The Liberation of Women » published in Cairo.

For creating an enabling environment for women’s secure access to land, Fathi Egal presented two approaches:

- 1- Addressing the obstacles that contribute to disabling environments
- 2- Proactively putting in place systems and processes that can support women in the realization of their HLP rights.

Fathi emphasized the importance of understanding the challenges that women face in accessing land dispute-resolution mechanism, and identifying effective ways for improving women’s access to justice. In addition to identifying the most suitable tools to enhance women’s land and property rights, and evaluate the gender-responsiveness of existing land laws according to gender-sensitive principles.

Challenges and Gaps

Despite all the global and regional declarations and movements to advocate for women’s land rights, still women in the MENA region face many challenges and obstacles that limit their access. Unfortunately, socially prescribed gender roles, unequal power dynamics at household and community level, discriminatory family practices, unequal access to justice, institutions and land administration processes, traditional norms and local tenure relationships frequently deny women adequate access to land for farming, housing, or other social and economic purposes. Furthermore, women’s access to land through Islamic Land Law is usually misinterpreted or not well known by those who administer it, most of the time, administrators and leaders enforce gender-discriminatory customary practices under the misunderstanding that they are Islamic practices¹².

One of the major challenges that women usually encounter in the Arab regions, that they are usually excluded from the formal economic sector, according to the UNDP Human Development Report in 2020, women’s participation in the labour force in the Arab Region was 20.7% in 2019 compared to 47.2% in the world.

On the legal level, there are inconsistencies between the different systems of the same country (statutory, religious, and customary) and the pluralistic contexts, which exacerbate the situation to achieve women’s land rights¹³. It is worth mentioning that there is a gap between the laws and policies and the implementation, which may be due to insufficient human resources, competencies, and skilled personnel in these sectors. Additionally, limited and inadequate access of women to legal services and legal illiteracy are also considered significant gaps for achieving women’s rights. Moving on to the political situation in the Arab Countries, most of the countries

¹² UN Habitat, 2018, Women and Land in the Muslim World.

¹³Ibid

witnessed in the last years tremendous political challenges and instability, which indirectly affect and limit the accessibility of women to their rights and land rights in particular.

Gender-Responsive Land Governance in Policy-making (TBA)

Measuring and Monitoring Women's Access to Land (To be further developed)

Within the Sustainable Development Goals (SGDs) framework, global efforts in monitoring women's land tenure rights and strengthening monitoring of land governance was presented during the training. The survey questions and data sources provided by Clinton Omusula will support the work of professional and land experts/organizations in monitoring and evaluating land rights from a gendered perspective. Such mechanisms and tools in addition to the gender evaluation criteria for large scale land interventions should be provided further time for discussion and training on the tools.

Case Studies (TBA)

Conclusion and Recommendations

Conclusion

The two-day training session has brought together 40 Arab and non-Arab land professionals. All participants have expressed that they have benefited from the training and gained new knowledge. The different experiences, knowledge and backgrounds of the participants enabled a richer dialogue and allowed the participants to attain a holistic approach regarding land governance in the region. The recognition of land as a right for women and men was the foundation of the training, while recognizing that further programming, development and advocacy is needed for equitable land governance in the region.

Recommendations: Moving Forward

- Unify the concepts related to land governance and create further platforms for dialogue in relation to gender equitable land ownership and governance.
- Incorporate measurements to monitor women's access to land and gender responsive programming and policies.
- Account for country specific social, economic, and political contexts in relation to land governance, inclusive development and the peace and instability situation in each country/region. For example, further examining and studying the role of the Israeli occupation in deepening the gender gap in land governance.
- Continue providing trainings on a regional level and further expand the "Arab Region Program on Good Land Governance in Support to Inclusive Development, Peace and Stability".
- Adopt a holistic approach to women's rights and not looking at land rights in isolation from other women's rights and gender inequalities.

- Provide gender mainstreaming to land professionals and organizations, and develop their capacities through gender sensitivity workshops and training.
- Reach grassroots through advocacy and campaigning, and ensure that campaigning brings these conversations to the table with youth, women and farmers as well.
- Support and ensure further research and data collection on land governance and women is carried out in the region.
- Ensure effective messaging in advocacy and campaigning through using the local communities' narratives and dialects in the messaging of the awareness campaigns.
- Advocate for policy and legal reform in relation to land governance, ownership, inheritance laws, and access to land.
- Create further opportunities and programmes related to women's economic empowerment.
- Map the current initiatives and programmes set in the region in relation to equitable land governance.
- Share the success stories and initiatives in different countries and regions. Organize a by monthly meeting to share country-specific case studies.
- Advocate for a human right to land as land rights are not considered human rights under international law.
- Advocate enacting legislations that ensure protecting women's inheritance rights and ownership.

Other recommendations provided by participants:

- Education of all people and awareness raising on the status of women's land and property rights under international and national frameworks is essential to their realization and for the deconstruction of all the patriarchal and male-biased structures which prevent women from enjoying their rights.
- Awareness raising programs need to sensitize and inform communities, and particularly men, on the value women's work and on the importance of increasing women's access to land for the social and economic development, and food security, of their families and communities.
- The land administration systems, should be reformed to be more gender-responsive (i.e. less bureaucratic, faster, cheaper, etc.), all practical and logistical barriers keeping women from accessing land administration services (e.g. travel, office hours, etc.) should be removed, and decentralized land administration offices, mobile services, services for women, etc. should be established.
- Developing a better understanding of the provisions of Islamic land law for community members, leaders and justice administrators is an important way to improve women's access to land and property, although not without challenges.
- Governments, women advocates, civil society organizations, and development actors need to focus their attention on how to render inheritance practices better regulated and administered, and overall, more gender-responsive.

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