

Annex 3: PRESENTATIONS



الجامعة اللبنانية
Lebanese University



WORLD BANK GROUP
Social, Urban, Rural & Resilience
"Building Sustainable Communities"



كلية الآداب والعلوم الإنسانية – العمادة
Faculty of Letters & Human
Sciences - Deanship

Why It is Difficult to Reform Land Governance in the Arab Region

Dr. Wael Zakout
Sr. Advisor and Global Lead
Land Policy
The World Bank

WAEEL ZAKOUT
SR. TECHNICAL ADVISOR AND
GLOBAL LEAD
LAND & GEOSPATIAL



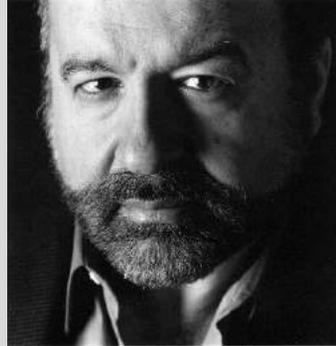




Importance of Land and Property Rights for the Economy



*“ Without an integrated formal property system, a modern market economy is **inconceivable** ”*

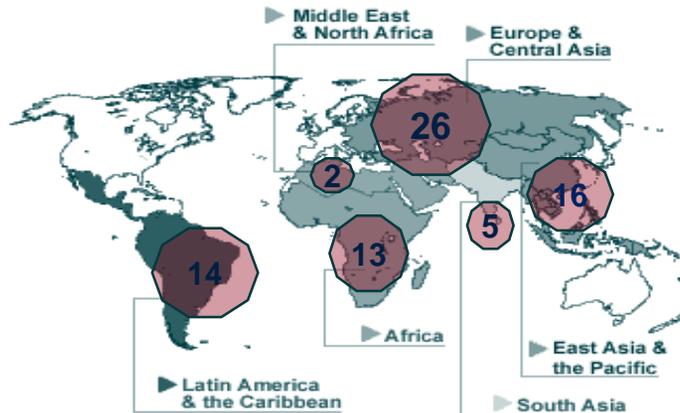


HERNANDO DE SOTO POLAR
The Mystery of Capital

What is Formal Property System?

- Land and Property Rights are registered and secure
- Modern institution provides efficient services to citizens and businesses: registration of land/property transfer/mortgage in short timeframe (usually a few days)
- Use of Land and Property as a collateral

World Bank Engagement on Land Distribution of Projects (1980-2019)



Total Funding: USD 3.5 Billion



Property Markets | 5

Typical Land Projects Includes One or More of the Following Activities

- Development of policy, laws and regulations
- Institutional and Capacity building, sometimes require Institutional restructuring/merger
- Issuance of land titles including development of cadastre maps, ensuring women and vulnerable groups get their rights
- Automation of land registration and introduction of e-service
- Linking e-service with the broader e-government programs
- Development of property valuation regulations, standards and supporting mass appraisal functions to support property taxation
- Forest tenure and indigenous people land rights
- State/municipal property management inventory/development of state property register
- Development of Integrated Geospatial Information Infrastructure



Property Markets | 6

World Bank Land Program in MNA

- Palestine Real Estate Registration Project
- Kuwait: Land Management Advisory Services
- Saudi Arabia:
 - » State land management AS (completed)
 - » Property Registration AS
 - » Estimation of Economic Value for Geospatial Information Management
- Egypt: Modernization of Egypt Property Registration
- Regional Flagship on Land – focusing on the economic cost of land mis-allocation
- Unfortunately, Lebanon Land Project was cancelled because parliament did not ratify on time



Property Markets | 7

MNA Countries Ranking in Registering Property – DB2020

Country	RP rank	Procedures (#)	Time (days)	Cost (% of property value)	Quality of the land administration index (0-30)
Qatar	1	1	1	0.3	26.0
United Arab Emirates	10	2	1.5	0.2	21.0
Bahrain	17	2	2	1.7	19.5
Saudi Arabia	19	2	1.5	0.0	14.0
Kuwait	45	7	17	0.5	18.5
Oman	52	3	18	6.0	17.0
Iran, Islamic Republic of	70	6	31	3.8	16.0
Jordan	78	6	17	9.0	22.5
Morocco	81	6	20	6.4	17.0
Yemen, Republic of	86	6	19	1.8	7.0
West Bank and Gaza	91	7	35	3.0	13.5
Tunisia	94	5	35	6.1	13.5
MNA Region	89	5.4	26.6	5.6	14.6
Lebanon	110	8	37	6.0	16.0
Djibouti	117	6	24	5.6	7.0
Iraq	121	5	51	7.3	10.5
Egypt, Arab Republic of	130	9	76	1.1	9.0
Malta	152	7	17	13.5	12.5
Syrian Arab Republic	162	4	48	28.0	8.5
Algeria	165	10	55	7.1	7.5
Libya	187	No Practice	No Practice	No Practice	No Practice



Property Markets | 8

Land Challenges in MNA

- **Outdated laws and regulations (many laws date back to 1950s/1960s and sometimes even earlier);**
- **Institutional fragmentation with multiple agencies and functions**
- **Large percentage of land are not registered and services to citizens are very slow**
- **Large share of land in the hands of the state; allocation of land is not optimized; and often benefit political and economic elites and military**
- **Lower than any Region in using land as a collateral**
- **Access to land is highlighted as a major constraint to private sector**
- **Property taxation is not optimized for revenue generation; encouraging market speculations and under-utilization of property**



Property Markets | 9

Land Challenges in MENA (cont.)

- **Prolonged Conflicts create displacement that undermines property rights; clear property rights are essential for reconstruction**
- **Women land rights is one of the most challenging:**
 - **Most married women do not have their names on property titles**
 - **Majority of women/girls do not get their rightful land/property inheritance**

Why it is Difficult to Reform Land Governance in the MNA Region

- **Land sector reform is complicated and politically difficult as there are winners and losers**
- **Opposition to reform by several interest groups**
- **Often political/economic elites and military use loopholes in the laws and weak institutions to put their hands on state land**
- **Lack of overall social and economic reform program**
- **Weak education and research in the Region to promote reform**
- **Weak civil society organizations to push for reform**



Property Markets | 10

So, What Could be Done??

- Political economy and stakeholder analysis should be done as part of the reform process
- Sequence reform to navigate powerful stakeholder oppositions
- Partner and support Civil Society Organizations to promote land governance reform
- Create NOISE about the broader land governance reform, through conferences, media, and campaigns
- Develop education programs and research in land governance



Property Markets | 11



Key Resources and References

Real Estate Registration Cadastre – A practical Guide	https://gadlandreg.com/
World Bank Resources on Land	https://www.worldbank.org/en/topic/land
World Bank: Innovations in Land Rights Recognition, Administration, and Governance	https://elibrary.worldbank.org/doi/abs/10.1596/978-0-8213-8580-7
How Innovations in Land Administration Reform Improve on Doing Business	https://www.worldbank.org
Land policies for growth and poverty reduction	https://www.worldbank.org



**Webinar : “Towards a Postgraduate Program in Land Governance
Serving the Needs of Lebanon and Other Middle Eastern Countries”**
Hosted by the Lebanese University, Faculty of Letters and Human Sciences

Date : 15th June time : 02:30 pm / Date : 17th June time : 02:30 pm

The system of Land Registration in Lebanon

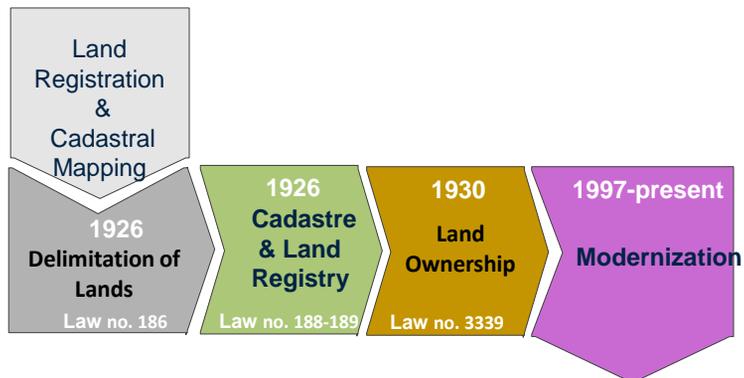
Presented by Georges Maarrawi

General Directorate of
Land Registry and Cadastre



GDLRC IN LEBANON

The administration of estates in Lebanon dates back to almost 200 years



FACTS & FIGURES

Land Registry Offices are mainly in charge of

- Registry books of the 18 Registry Offices
- Maintaining Databases of properties & Title Register records:
 - 25 cazas (sub districts)
 - Around 1600 villages & cities

The Cadastre is mainly in charge of:

- Demarcation, Land measurements & betterments
- Supervising works related to optional demarcation
- Monitoring the work of the sworn surveyors or engineers

65% of Lebanese territories are surveyed

35% of Lebanese territories are not surveyed

7/4/2020

PRIOR WB SUPPORT TO GDLRC

COMAP 1 LAND REGISTRY

- Converting all existing title registers into a digital database
- Automating Registry operations (Integrated Registry System "IRS")

COMAP 2 CADASTRE

- converting all existing map sheets into digital a database (Integrated Cadastre Mapping & Surveying System "ICMSS")



THE WORLD BANK
IBRD • IFC • MIGA • IDA • ICSG

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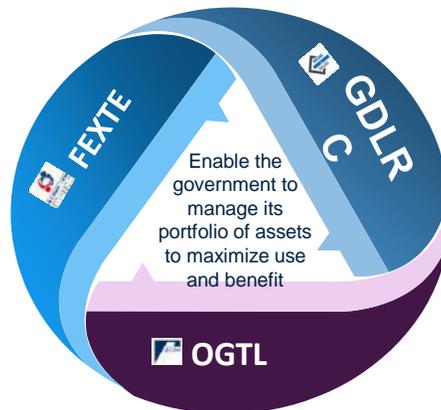
GOING ONLINE WITH E-SERVICES



www.lrc.gov.lb

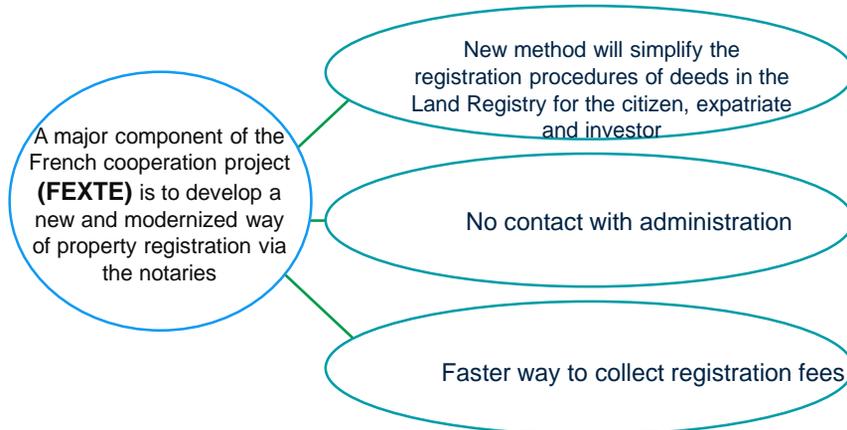
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TAKING STOCK OF STATE LAND PROPERTY



7/4/2020

A NEW WAY OF PROPERTY REGISTRATION WITH THE FRENCH SUPPORT



7/4/2020

VALUATION METHODOLOGIES

The Creation of a Zoning Valuation System will:

- Synchronize the appraisal values between all parties, which should lead to an increase in revenues
- Simplify the adoption of the registration values
- Create a more just and equitable value towards all Taxpayers

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TERRITORIAL GOVERNANCE

A new way of thinking & coordination between actors

- To Reduce the rental bill of the government by better management of space through optimization of resources, for example:
 - Relocating some depts. in rented buildings to other state owned buildings
 - Consolidating departments of the same ministry in the same buildings...
- To assess the best exploitation of state land resources according to the government master plan, for example promote:
 - Housing
 - Industrial parks
 - Tourisms
 - Utilization of wind farms for renewable energy...

Efficient space management reengineering of state land will entice the move to a productive economy

7/4/2020

INITIATING THE FIRST STEP WITH CNAM

CNAM is working on diversifying their academic offerings by creating a diploma for the valuation of real estate

French cooperation project (**FEXTE**) is collaborating by exposing the French methodology in evaluating the State Land properties

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'TAKE-AWAY LESSONS'

A prerequisite for achieving these objectives is having effective access to information about land, e.g. information about land resource capacity, land tenure and land use

LM policies should be designed to improve the efficiency of land resource use, provide incentives for development; including the provision of residential housing and basic infrastructure; protect the natural environment, and support government services through taxation and fees

Focus should remain on creating a modern and innovative administration able to anticipate and respond to external and internal changes

7/4/2020

Thank you for your attention...

www.lrc.gov.lb

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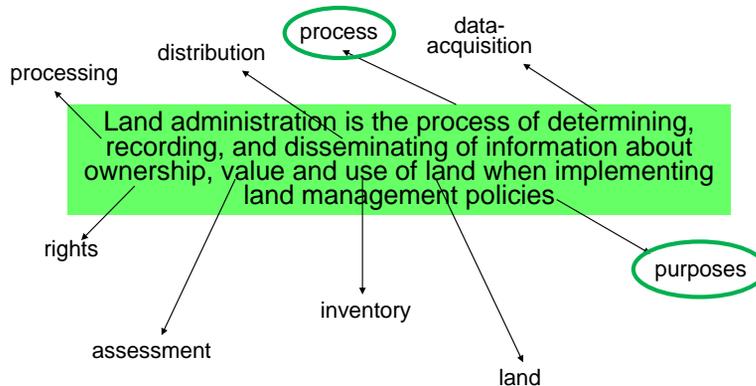
Date : 15th June time : 02:00 pm

*Responsible Land Administration:
 Geoinformation and more*
Prof. Jaap Zevenbergen

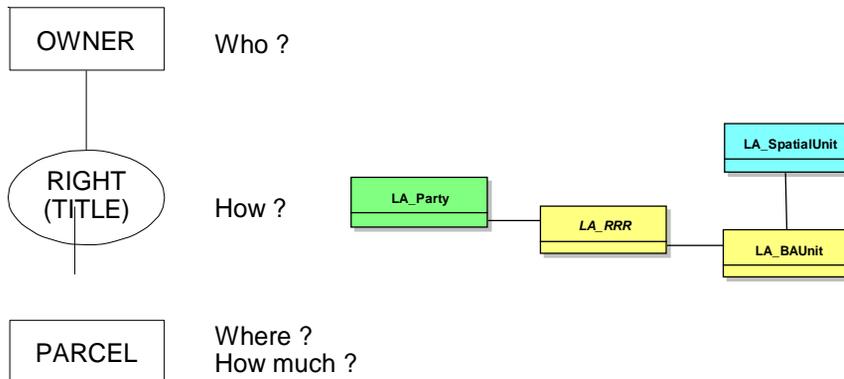
University of Twente,
 Faculty ITC



LAND ADMINISTRATION (UN ECE 1996)



LAND ADMINISTRATION Domain Model - ISO 19152



RESPONSIBLE LAND ADMINISTRATION

- RRR = Rights, restrictions and responsibilities
 - People-to-people-to-land relationships
 - Formal land rights, e.g. ownership, superficio, hypothec
 - Customary/Religious rights/land relations
 - Informal rights/land use
- Spatial Unit
 - Parcels that indicate to what RRR relates
 - Boundaries not key issue, only 'end/begin of affected area'
 - Parcel IDs key, for instance to avoid double sales
 - Can overlap, be 3 dimensional → support the purpose of LA

RESPONSIBLE LAND ADMINISTRATION

- Enormous amounts of data
 - 0.5 – 2 plots per inhabitant (NL 17.4 Million → ~10 M parcels)
 - collecting all people-to-land relations
 - keeping up-to-date when there are changes
- Be clear on main purpose(s) to prioritize
- Use Digital solutions
 - Geospatial tools
 - ICT



GEOSPATIAL TOOLS (DEVELOPING)









Texture
Color
Brightness









RGB Image



Local +
Global Cues



gPb Contour
Detection



Image
Segmentation



Contours +
Segments



Boundary Map
boundaries



Boundary Map
boundaries



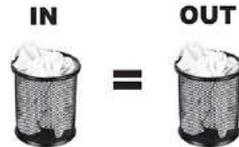
Boundary Map
boundaries



Boundary Map
boundaries

ICT – NO PANACEA

- ICT can bring efficiency gains
 - But is demanding in resources
 - To set it up
 - To keep updating/upgrading the technology
 - To keep having well trained expertise
 - To maintain data security – avoid cyber attacks
 - Needs embedding in good governance
 - Tool is ‘neutral’
 - Can be abused as well
 - If you computerize ‘a mess’
 - you get a ‘computerized mess’



CHANGE AGENTS

Innovative land administration can be done
 technologically enough is already available
 it needs esp. change of mindset
 interdisciplinary and cross agency thinking
purpose and client orientation, not technocratic procedures,
 requirements and ‘mandates’
 appropriate (post) graduate training in new ideas, but especially in
attitudes of land professionals, which include (parts of):
 land surveyors, lawyers, planners, valuers / real-estate economists,
 IT-specialists, ..
 land professionals should “Be Part of the Solution, Not the Problem!”
 (FIG president in 2012)



TAKE AWAY LESSONS

Land Administration is

serving the societal **purpose** and the people (not technology)

crossing **different** disciplines, Ministries, **professionals**, ..

supported by **technology**, but the tools need to be maintained and **embedded** in good governance



RESOURCES

Online resource “Teaching Essentials for Responsible Land Administration” - <https://elearning.glt.n.net/course/index.php?categoryid=5>

Book “Advances in Responsible Land Administration”
<https://www.routledge.com/Advances-in-Responsible-Land-Administration/Zevenbergen-de-Vries-Bennett/p/book/9781498719599>

ITC MSc specialization “Geo-information Management for Land Administration” - <https://www.itc.nl/education/studyfinder/geo-information-science-earth-observation/specialization/geo-information-management-for-land-administration/>

FIG proceedings and more - <https://fig.net/resources/index.asp> / <https://oicrf.org>

Six innovative land tools “its4land” <https://its4land.com/>



WEBINAR

**Towards a Postgraduate Program in Land Governance
Serving the Needs of Lebanon and Other Middle Eastern Countries
Hosted by the Lebanese University, Faculty of Letters and Human Sciences**

15th and 17th June, 2020 – Beirut, Lebanon

Fostering Land governance skills in North Africa

Presented by Professor Moha EL-AYACHI

Institute of Agronomy and Veterinary Medicine, Rabat Morocco



OUTLINES AND OBJECTIVES

1

INTRODUCTION

2

**SKILLS
DEVELOPMENT CORE**

3

**NELGA NA BEST
PRACTICES**

4

CONCLUSION

KEY FUNCTIONS OF NELGA

NELGA: Network of Excellence on Land Governance in Africa



Provide and facilitate **academic education and training**.



Develop a **repository for data, indicators and information**.



Improve **land-related curricula** in graduate and post-graduate training courses.



Promote **knowledge management, dissemination and networking**.



Define and implement **agenda for applied research**.



Build capacity for **monitoring and evaluation tools and systems**.

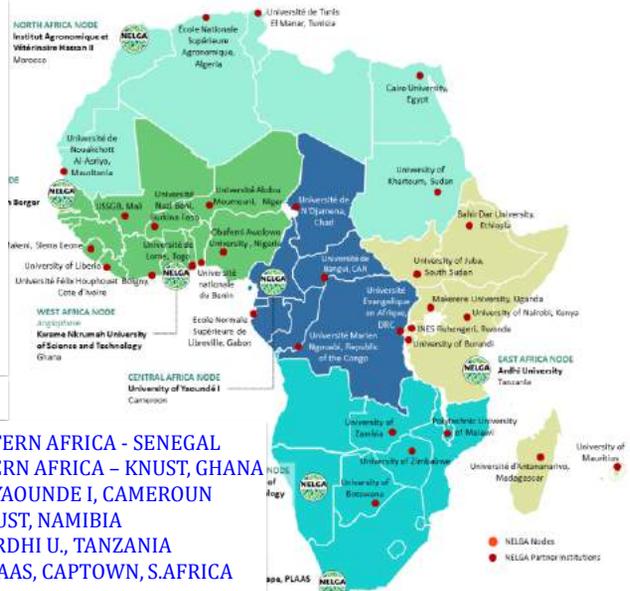


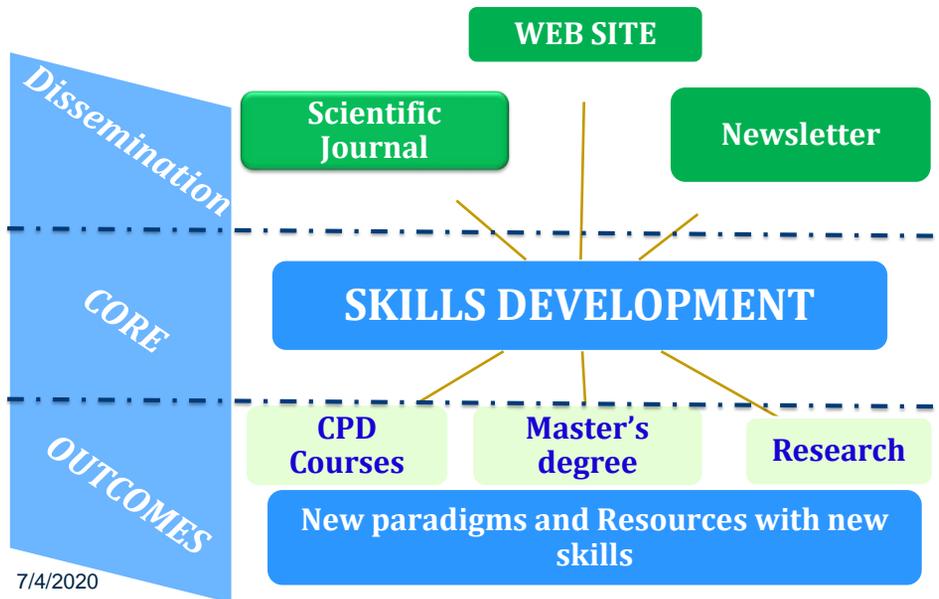
NORTH AFRICA Hub

- IAV Hassan II - Hub
- U. Nouakchott - MU
- ENSA - Algeria
- U. Tunis El Manar - TU
- Cairo U. - Egypt
- U. Khartoum - Sudan

OTHER REGIONAL HUBS

- NELGA FRANCOPHONE WESTERN AFRICA - SENEGAL
- NELGA ANGLOPHONE WESTERN AFRICA – KNUST, GHANA
- NELGA CENTRE AFRICA – U. YAOUNDE I, CAMEROUN
- NELGA AUSTRAL AFRICA – NUST, NAMIBIA
- NELGA EASTERN AFRICA – ARDHI U., TANZANIA
- NELGA TECHNICAL HUB – PLAAS, CAPTOWN, S.AFRICA





NELG NA WEB SITE

<http://www.iav.ac.ma/nelga/>

NELGA North Africa
Network of Excellence on Land Governance in Africa

ABOUT RESEARCH TRAINING PARTNERS NEWS EVENTS PUBLICATIONS

NELGA WORKSHOP
The Institute of Agronomy and Veterinary Sciences Hassan II (IAV Hassan II), in partnership with the National Order of Surveying Engineers (ONGS), and the National Institute of Planning and Urban Development (INAD), organized a regional workshop on January 29-30, 2019. This workshop aims to launch the activities of the Network of Excellence on Land Governance in Africa (NELGA). The...

NELGA NA MAP

LATEST NEWS

2019-06-30
NELGA
Network of Excellence on Land Governance in Africa
Newsletter - NELGA North Africa (June 2019)

2019-06-30
DAAD
ANNONCE DES BOURSES DAAD

2019-06-20
ALPO
AFRICAN LAND POLICY CENTRE
Conference on Land Policy in Africa- 2019: Call for Abstract

LATEST EVENTS

29 Dec
MEETING OF RESULTS RESTITUTION OF THE SCOPING STUDY IN NORTH AFRICA

17 Jun
WASD

07 Nov
Launching Ceremony of the "SDG" Master

MORE >

Quarterly Newsletters: Arabic / English / French



HOME ABOUT RESEARCH TRAINING PARTNERS NEWS

7/4/2020

SCIENTIFIC JOURNAL

AJLP & GS
African Journal of Land Policy and Geospatial Sciences

<https://revues.imist.ma/index.php?journal=AJLP-GS&page=index>

Home - Archives - Vol 3, No 2

Vol 3, No 2
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TABLE OF CONTENTS

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Professor Moha EL AYACHI
nelga@lav.sc.ma

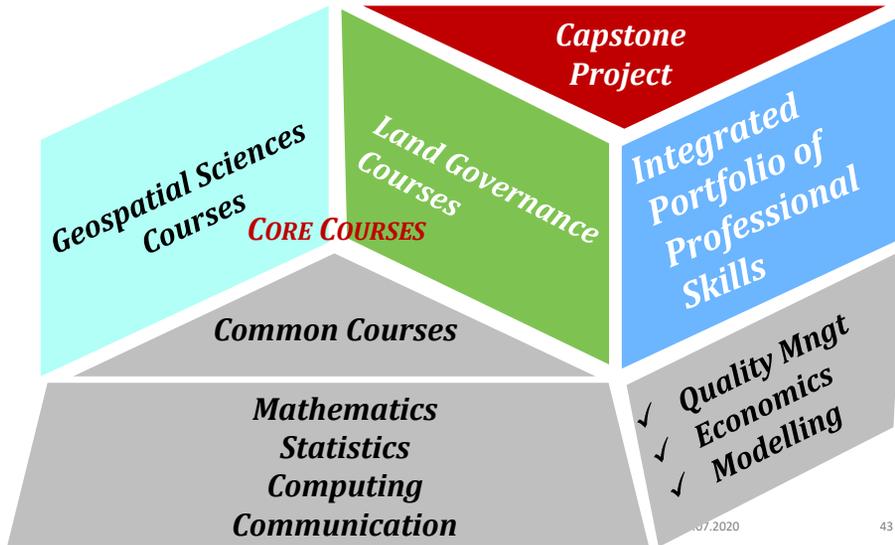
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Design & PAO:
M. Shedi Chekr, IT Specialist
ti.nelga@gmail.com

African Journal on Land Policy and Geospatial Sciences

AJLP & GS is an open-access journal specialized in publishing research activities carried out in the field of land policy and geo-spatial sciences. It aims to encourage innovation, promote the exchange of knowledge and scientific outcomes related to its themes and build a body of knowledge about land in Africa. The Journal's target community is made-up of students, researchers, professors and professionals working in land and

Master Geospatial Sciences and Land Governance



NELGA NA E-LEARNING PLATFORM

University of Sindh
NELGA
NELGA NA E-LEARNING

Username
Password

NELGA E-Learning English (en) Search courses

<http://196.200.149.155/nelga-elearning/>

NELGA E-Learning

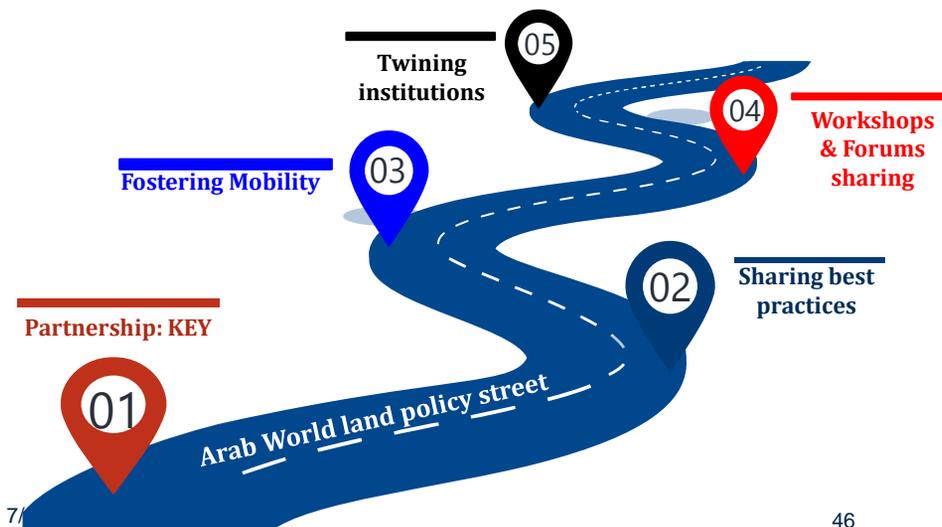
NELGA E-Learning is a highly flexible learning platform, with complete, customizable and secure learning management features to create a private website filled with dynamic courses that extend e-learning education anytime, anywhere.

NELGA NA E-LEARNING PLATFORM



giz Deutsche Gesellschaft
für Internationale
Zusammenarbeit (giz) GmbH

TAKE-AWAY LESSONS



ADDITIONAL RESOURCES

IAV Hassan II education system (2019). http://www.iav.ac.ma/?page_id=972

NELGA North Africa Program (2019). <http://www.iav.ac.ma/nelga/>

NELGA NA e-Learning Platform (2020). <http://196.200.149.155/nelga-elearning/>

African Journal on Land Policy and Geospatial Sciences (2020).

<https://revues.imist.ma/index.php?journal=AJLP-GS&page=issue&op=archive>
/ [DOAJ Link](#)

NELGA North Africa Newsletter (2019). <http://www.iav.ac.ma/nelga/node/150>

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Date : 15th June 2020

Geomatics at LU and application case: Multiple criteria for decision-making methods for parcel evaluation based on UAV datasets

Prof. Jean DOUMIT

Institution : Lebanese University, FLSH



Why Geomatics and Land governance in the department of geography?

- More than 60 % of the academic courses are common between Geography, Geomatics and Land Governance.

Land Policies
Overall Land Policies
Sectoral Land Laws and Policies
<ul style="list-style-type: none"> • <u>Agriculture</u> • <u>Environment</u> • <u>Water Supply</u> • Housing • Heritage • <u>Natural Resources</u>

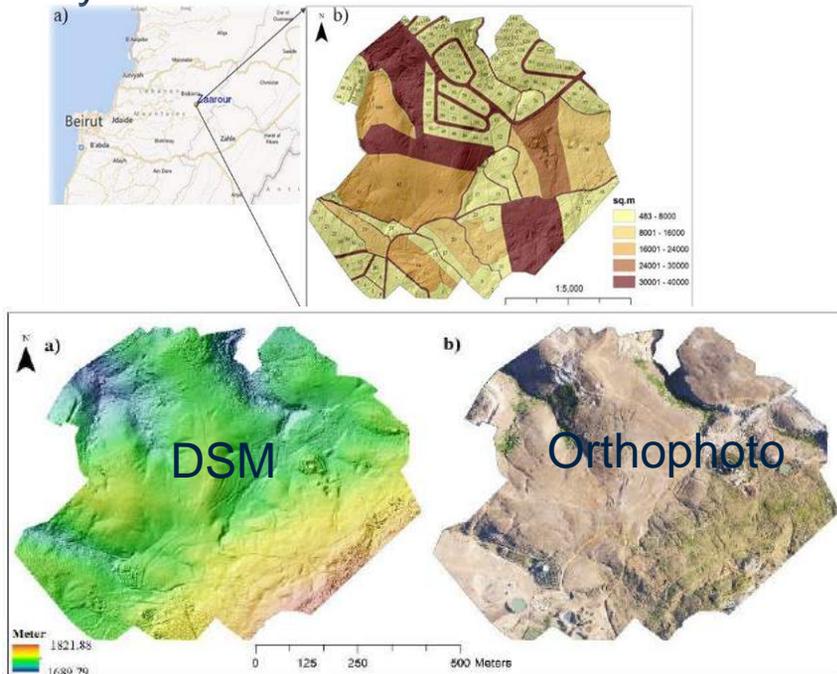
Land Information
Land Data Registers
<ul style="list-style-type: none"> • Land Tenure • Land Value • Land Use
<ul style="list-style-type: none"> • <u>Cadastral mapping</u> • <u>Topographic mapping</u> • <u>Natural resource maps</u> • <u>Utility mapping</u>
Coordinated Land Information Systems

In this presentation we will answer to the above question by an application merging

GIS, Geography and Land evaluation.



Study area





Terrain Criteria = Geomorphometrical parameters

Local relief

Local relief equation:
$$V = \frac{E_{max} - E_{min}}{A} \times 100 \quad (1)$$



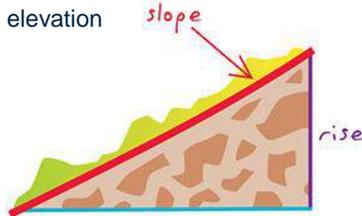
Pricing criteria?

Where:

E_{max} = Maximum elevation

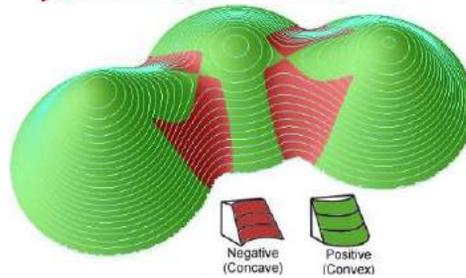
E_{min} = Minimum elevation

A = Parcel area



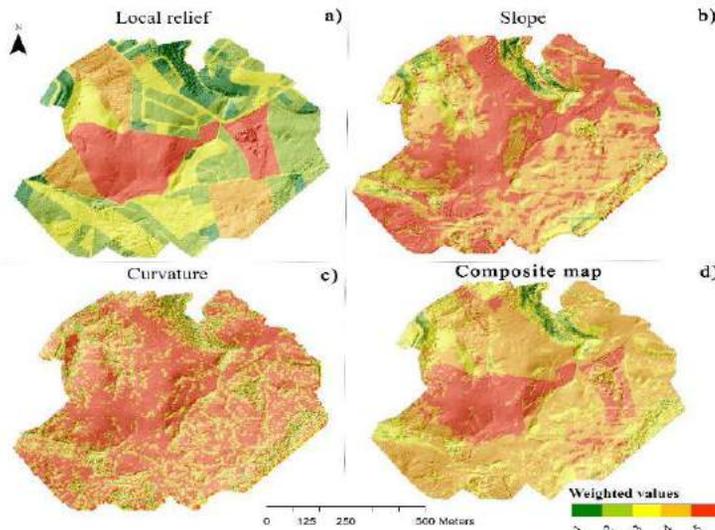
Slope

Curvature

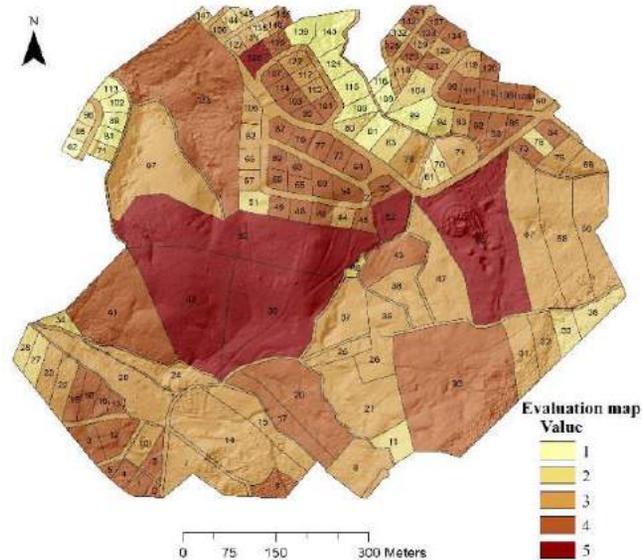


results

Local relief		Slope		Curvature	
Classes	Score	Classes	Score	Classes	Score
0.04 - 0.15	5	0-14	5	-110.37--12.07	1
0.15 - 0.17	4	15-29	4	-12.07--3.52	2
0.17 - 0.27	3	30-44	3	-3.52-2.1	5
0.27 - 0.70	2	45-59	2	2.17-12.14	4
0.70 - 2.52	1	>60	1	12.14-71.26	3



Parcels evaluation real estate map



Outcomes

UAVs DSM and terrain analysis results provide parcels evaluation criteria used for the creation of a parcel evaluation real estate map.

The resulted values could be a coefficient of parcel pricing and real estate market arrangement.

The parcel evaluation real estate map is a basic for decision makers and experts.

References

1. Ian McHarg, Overlay Maps and the Evaluation of Social and Environmental Costs of Land Use Change. *CSISS Classics*. <https://escholarship.org/uc/item/5x78n2gn>
2. Jankowski, Piotr. (1995). Integrating Geographical Information Systems and Multiple Criteria Decision-Making Methods. *International Journal of Geographical Information Systems*. 9. 251-273. 10.1080/02693799508902036.
3. FAO Soils bulletin 32, Soil resources development and conservation service land and water development division, FAO AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS, Rome 1976 First printing 1976.
<http://www.fao.org/3/x5310e/x5310e00.htm#Contents>

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Sciences

15th June

**Arab Land Initiative – Land &
Conflict – Capacity Development
Tools**

Presented by Ombretta Tempra
UN-Habitat and Global Land Tool Network



- Established in **2016**
- 50 partners with a shared **vision**: “All the people in the Arab countries enjoy equal and affordable access to land, peace, stability and economic growth, to be achieved with good land policies and transparent, efficient and affordable land administration systems”.
- **Strategy** for achieving the vision: empowering and developing the capacities of regional organisations and individuals; develop and share knowledge; coordinate, align, collaborate and create synergies across the land sector; support catalytic interventions at country level.

- **Milestones:** establishment, connecting land experts and initiatives, first Arab Land Conference (UAE2018), resources mobilized.
- **Ongoing work:** signed partnerships (9); researches (4) and innovation research (call); capacity development events (8); expert group meetings and knowledge sharing events (8); twinning arrangements (6); training of trainers; support country interventions (6+)
- **Next steps:** support the ongoing work; Second Arab Land Conference (Feb2021, Egypt); continue supporting other initiatives (NELGA, etc.) and partners; support the establishment of the Master Course with the Lebanese University.

7/4/2020

Key themes:

- Land and conflict;
- Land rights of displaced people, migrants and vulnerable groups (HLP rights);
- Women's land rights;
- Land, environment and climate change;
- Fit for purpose land administration;
- Monitoring of data related to land and land tenure security;
- Land-related policies, laws and regulations;
- Management of public land and land-based investments
- Land and affordable housing

7/4/2020

LAND AND CONFLICT

- Land is deeply linked with livelihood, identity and power
- Land issues are key root causes of conflicts
- Conflicts lead to mass violations of housing, land and property rights, which require significant knowledge, capacity and efforts to address after the conflict;
- If land issues are not addressed along the conflict cycle, countries will not be able to emerge from fragility, wars, social unrest and to move to reconciliation and socio-economic development
- There is the need to be better able to analyse the relationship between land and conflict
- It is crucial to develop capacities on this area of work in the region and adapt and innovate on how to address land & conflict & HLP issues in the Arab region

Key resources: <https://gltm.net/crosscutting-issues/#1489292105955-c3af0fd1-6389>

7/4/2020

CAPACITY DEVELOPMENT

Capacity development has 3 layers: individuals, organizations, and societies. It requires long term vision and commitment

The establishment of a Master Degree is an essential piece for ensuring sustainable land management in the Arab region (*incl. land tenure, land value, land use and land development – also of natural resources, water, agriculture, housing, etc.*)

Key tools

- Land administration assessment at country level (legal, institutional, administrative)
- Capacity needs assessment at country level
- Coordination and management of the reform process
- Identification of specific technical learning needs (*see list of GLTN tools at www.gltm.net*)

7/4/2020

GLTN TOOLS	
ACCESS TO LAND AND TENURE SECURITY	
Continuum of Land Rights	
Participatory Enumeration for Tenure Security	
Land Record System for the Poor	
Customary Tenure	
LAND ADMINISTRATION AND INFORMATION	
The Social Tenure Domain Model	
Costing and Financing of Land Administration Services	
Fit for Purpose Land Administration	
Transparency in land administration	
LAND-BASED FINANCING	
Innovative Land and Property Taxation	
Land Based Financing	
Valuation of Unregistered Lands and Properties	
LAND MANAGEMENT AND PLANNING	
Land Readjustment	
Citywide Slum Upgrading	
Land Use Planning	
City wide planning	
LAND POLICY AND LEGISLATION	
Regulatory Framework for Non-State Actors	
Pro-poor land policy development	
Land sector coordination	



CONCLUSIONS

- There is no way out: land management needs to be addressed in the region and this must be done with local capacities (individuals and organisations).
- Capacities to undertake quality level assessments and analyses and to establish coordination and reform processes are crucial
- Land and conflict issues should be given utmost attention
- Women's land rights are a key aspect: it relates to women's empowerment, it is at the heart of ensuring better decision making processes, and ultimately leads to the established of better balanced and inclusive societies



RESOURCES

- How to do a Root Cause Analysis of Land and Conflict for Peace Building <https://gltm.net/download/root-cause-analysis/>
- United Nations Secretary General Guidance Note on « The United Nations and Land and Conflict » <https://gltm.net/download/the-united-nations-and-land-and-conflict-march-2019/>
- Women and Land in the Muslim World <https://gltm.net/2018/02/22/women-and-land-in-the-muslim-world-2/>
- Land administration for Sustainable Development https://esripress.esri.com/storage/esripress/images/165/ladmin_ch01.pdf
- Land and Conflict : Lessons from The Field on Conflict Sensitive Land Governance and Peacebuilding <https://gltm.net/2018/08/23/land-and-conflict-lessons-from-the-field-on-conflict-sensitive-land-governance-and-peacebuilding/>

7/4/2020

**Webinar : “Towards a Postgraduate Program in Land Governance
Serving the Needs of Lebanon and Other Middle Eastern Countries”**
Hosted by the Lebanese University, Faculty of Letters and Human Sciences

Date : 15th June time : 02:30 pm

Land Legislation in the Middle East and the Need for Modernization

Presented by Razi A. DIAB

Independent Consultant
Land Law & Land Policy



WHY LAND LEGISLATIONS MATTER?

Land legislations are important because they are key to land administration, land governance and to realizing the Land Policy.

Land governance is “ the policies, processes and institutions by which land, property and natural resources are managed”.

The EU defines the land Policy as: “An official statement by a government of its intentions and plans regarding the conservation, use, and allocation of land, but does not have the force of law”.

Main challenges to good land governance and administration in the Arab Region are the outdated Legal Framework and the absence of Land Policy orientation, among others.

THE RELATION BETWEEN LAND LEGISLATION, LAND GOVERNANCE, LAND ADMINISTRATION AND LAND POLICY

Land governance and land administration are essential for achieving economic growth and sustainable development in the ME region.

Land administration focuses on the institutions and rules that manage land, while land governance embodies the larger political context in which land is managed.

The land policy needs an enabling normative environment for its formulation and implementation. The legislation provides the regulatory and financial instruments needed to achieve the policy objectives.

As aptly put by John Bruce “While policy determines broad directions, law answers the question. **“what must be done to get us there?”** The law provides commands to officials and citizens alike

The legislation defines the tenets of land governance.

The good administration of property rights requires a legal framework that supports security of tenure.

IS THERE A NEED TO MODERNIZING LAND LEGISLATION IN THE ME REGION?

Yes. In many countries of the region much of the existing legislations have been in place for 80 or more years, and while there have been many amendments to address emerging issues, the legislation has not benefitted from a complete overhaul.

Several amendments to land legislation have led to ambiguities and to confusion of land authorities and also to different interpretations of land legislations by courts in charge of applying these legislations.

There are also emerging issues because of the conflicts in the region like HLP for which national substantive legislation do not provide for a remedy or when they provide for one, it does not wholly or partially comport with international law. (Example: treatment of property restitution and eviction of secondary occupants in Syrian and Iraqi Civil Codes).

EXAMPLES FROM COUNTRIES OF THE REGION:

Syria and Lebanon still use for real estate registration, the French High Commissioner Decisions no.188 and no.189 LR.(Législation Règlementaire) of 15/3/1926, which were amended several times. Moreover, Decision of the French HC. No.275 of 25/5/1926 related to «Management and sale of state private property » is still in force and applicable in both countries.

Although Agriculture is important for Lebanon, the country still applies Ottoman law of «Cultivation and Watering » which dates back to Year 1900 in addition to few articles in the Code of Obligations and Contracts (CoC) of 1932 to regulate the lease of agricultural lands and the relationship between owners of the agricultural land and investors. The country does not have one code « Statue de Fermage ».

Although Iraq after the defeat of ISIS is in the building and re-construction phase, the country does not have an Urban Planning Code like Syria (Urban Planning Law no.5 Year 1982)and Egypt (Unified Building Law no.119/2008) and does not have a Building Code either.

MORE EXAMPLES FROM COUNTRIES OF THE REGION:

Land Legislations in Iraq are conflicting. They are a mixture of Ottomans laws, British Mandate laws, Revolutionary Commands Resolutions (RCR), Coalition Provisional Authorities (CPA) regulations and laws issued by the Iraqi Parliament. The fragmentation of the legal framework is growing with time.

In Egypt, laws governing property registration are complex and inhibit both the ability and the desire of citizens to register property and are causing losses for agricultural land owners who are unable to use their land as collateral for bank loans and more informal dispositions of dwelling units without registration in the property registration system.

PRIORITY AREAS FOR LAND LEGISLATIONS MODERNISATION IN THE ARAB REGION INCLUDE:

- Land and property registration
- State land management and administration
- Urban planning
- HLP legal framework
- Property taxation
- Mortgage and land-based financing
- Land disputes resolution and ADR
- Land inheritance and women's land rights.

CONCLUSION:

¹st Land legislation in the Arab region must be modernized to achieve good land governance, efficient land administration and the objectives of the land policy. For this end there is a need to focusing on building capacity in land matters starting with universities, networking and knowledge sharing among land law experts in the region and to benefiting from available international expertise.

²nd Modernization means overhauling existing legislation to guarantee legal coherence, make sure land legislations are responsive to users' needs, they are up to date and define a comprehensive and a clear framework for land administration. Any modernization of land legislations should be the result of an open consultative process that engage all stakeholders (farmers' unions, civil society organizations, women and other vulnerable groups).

³rd Assessment of existing legislation in the region should be done on the background of key international frameworks such as the Voluntary Guidelines on the Responsible Governance of Tenure VGGT, the Pinheiro principles and women lands' rights.

REFERENCES - ESSENTIAL SOURCES FOR DIGITAL LIBRARY:

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https://books.google.de/books?id=y1ftp9YH4i0C&pg=PA67&hl=de&source=gbs_toc_r&cad=3#v=onepage&q&f=false
- Willi ZIMMERMANN **“Towards Land Governance in the Middle East and North Africa Region”**. Land Tenure Journal, Revue Des Questions Foncières 101-125 <http://empres-i.fao.org/nria/nr/tenure/land-tenure-journal/index.php/LTJ/article/view/20/61>
- Martin CLUTTERBUCK **“Property Restitution in post-conflict Syria”** Forced Migration Review FMR 57 issue of February 2018. <https://www.fmreview.org/syria2018/clutterbuck>
- Dan E.STIGALL **“Refugees and Legal Reform in Iraq: The Iraqi Civil Code, International Standards for the Treatment of Displaced Persons, and the Art of Attainable Solutions”** Rutgers Law Record, Forthcoming July 10, 2008
https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1157449
- FAO. **“The Voluntary Guidelines on the Responsible Governance of Tenure”** Rome, 2012 <http://www.fao.org/tenure/voluntary-guidelines/en/>

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Date : 15th June time : 02:30 pm / Date : 17th June time : 02:30 pm [use applicable ate]

Land Governance in the Arab Region and the role of capacity development

Presented by Willi Zimmermann



Advisor to the Arab Land Initiative



WHAT IS LAND GOVERNANCE?

Land governance concerns the rules, processes and structures through which decisions are made about access to land, how its rights and use are managed, the manner in which those decisions are implemented and enforced, and the way in which competing interests in land are managed.

Land governance therefore encompasses statutory, customary, religious and informal institutions. It includes state structures such as land agencies, courts and ministries and municipalities responsible for land.

In short, it is fundamentally about power and the political economy of land.

RESPONSIBLE LAND GOVERNANCE: KEY TO SUSTAINABLE DEVELOPMENT

THE AGENDA FOR THE ARAB REGION MUST MEET THE GLOBAL AGENDA 2015-30

1. The 2030 Agenda for Sustainable Development (Indicators)
2. FAO Voluntary Guidelines for Responsible Governance of Tenure
3. Climate Change and REDD+ Agenda; The Paris Agreement
4. The new Urban Agenda, HABITAT III declaration
5. New global Women's Land Rights Campaign
6. Peace process, HLP for refugees and returnees, Pinheiro principles
7. The high level Framework on Land Policy Africa (AU et.al.)
8. UNCCD Land Degradation Neutrality LDN Programme
9. Addressing corruption in the land sector, transparency (UNODC, TI)

THE ARAB LAND INITIATIVE (IMPRESSIVE PROGRESS SINCE 2016)

First Arab Land Conference 2018, Second Arab Land Conf. Feb. 2021
Modernisation of land administration / registration e.g. Jordan, UAE Dubai, Lebanon, Tunisia, Morocco, KSA)
National land policy formulation (Morocco), Regularisation State Land
Land Governance Assessment (Egypt)
Generating knowledge and evidence: (1) Research, (2) Surveys (ILC, PRIndex), (3) Land Studies (GLTN, World Bank, NELGA, VGGT).
Arab Knowledge Platform <https://arabstates.gltn.net/>
Capacity Development (GLTN, NELGA NA, University network, ILC)
strengthened HLP partnerships (UN-family, GLTN, NRC, GIZ)
Increased civil society engagement (HLRN, ILC, Dynamic local NGOs)

ARAB LAND GOVERNANCE INITIATIVE: THE VISION:

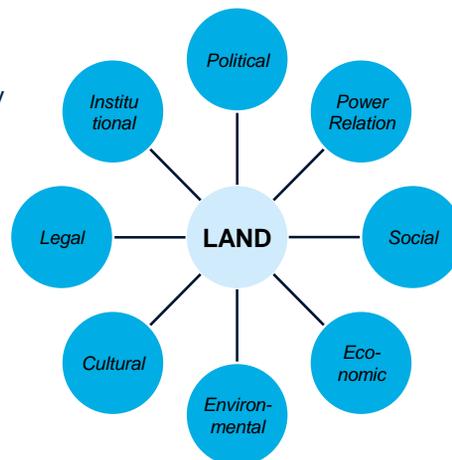
All the people in the Arab countries enjoy equal and affordable access to land, peace, stability and economic growth, to be achieved with good land policies and transparent, efficient and affordable land administration systems.

DEVELOPING THE CAPACITIES FOR RESPONSIBLE LAND GOVERNANCE

Understanding the complexity dealing with land matters in society

A new profile of national and international LAND professionals (lecturers, researchers, practitioners, undergraduates and graduates) is required.

Call for interdisciplinary post-graduate approaches



THE ROLE OF UNIVERSITIES AS COMPETENT CENTRES FOR EDUCATION, INNOVATION, APPLIED RESEARCH AND DEVELOPMENT: IS THERE SCOPE FOR A LAND CENTRE?

The new profile of land professionals, modernization of curricula
Education and applied research in land governance, land management and geo-science

Matching MSc. modules and certified short term training (HLP?)

Service function for policy making (National Land Forum?)

Service function for projects (research grants)

Research and Knowledge networks

Innovation, e-learning and regional / international partnerships

THREE MAIN CONCLUSIONS OR 'TAKE-AWAY LESSONS'

1. Land Governance has a crucial role in achieving the SDGs, in dealing with the consequences of war and migration, climate change, and in providing gender-sensitive security of land tenure in a participatory and inclusive manner.
2. Modern technologies in Geomatics, e-learning and ICT are considered enabling infrastructure for 'Responsible Land Governance' and embedding the big data revolution.
3. A post-graduate program 'Land Governance for Lebanon and Middle East' and integrated research can help in generating evidence-based trust in land matters; in linking applied research and policy dialogue as well as balancing land-related interests of all part of society.



ESSENTIAL SOURCES FOR DIGITAL LIBRARY:

<https://arabstates.gltm.net/2018/10/09/first-arab-land-conference-2018-report/>

VGGT <http://www.fao.org/tenure/resources/en/>

Land Governance: <https://gltm.net/2017/11/03/land-governance-a-review-and-analysis-of-key-international-frameworks/>

LGAF: <https://www.worldbank.org/en/programs/land-governance-assessment-framework>

SDGs Indicators <http://www.fao.org/publications/card/en/c/CA4885EN/>

TI, FAO 2011; Corruption in the land sector; www.transparency.org

LAND ECONOMICS

ESSENTIAL COMPONENT OF MSC ON “RESPONSIBLE LAND GOVERNANCE”

Michael Kirk

Chair of Development and Co-operative Economics
School of Economics and Business



1. LAND RENT AS BASIC CONCEPT

To understand functioning of rural and urban

- land **sale** and **rental** (tenancy) markets and
- Identify requirements and institutional preconditions
for **responsible land governance**,

the **land rent** concept is basic: Definition

- *economic return that accrues to land*
- *for its use in production*
- *within a certain period of time*

Any land rent originates as result of increasing *scarcity of land*,
it is paid for production factors limited in
supply

English economist David Ricardo (1772-1823) summed up as
characteristics of land: being immobile (real estates), cannot be
increased, cannot be destroyed (*still true nowadays???*)

⇒ In simplified neoclassical modelling: *Ricardo's* ideal of
“*indestructable resource*” → no need for additional investment in
land (land as resource for production given by nature without
human effort)

⇒ Far-reaching socio-political implications: revolutions, land reforms



<https://doi.org/10.1016/j.glo.2018.05.001>

THE POLITICAL (HI-)STORY OF LAND RENT

Since Industrial Revolution (18.-19. century): land and land services urgently needed in production processes:

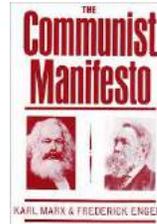
Property rights (manifested as **private ownership**) in land have been given to ruling classes (in Europe in medieval times in feudal systems, partly different in societies shaped by Islam, e.g. role of religious foundations = *waqf*)

If one subtracts payments for labor (wage) and capital input (interest) from revenues of production → land rent remains as *residuum* accruing **exclusively** to land owners under private property

Criticism of land rent as being “unproductive” income of land owning class (Ricardo’s ideas taken up by Marx/Engels, basis for revolutionary movements by Lenin, Mao, partly Nasser in Egypt)

Earning land rent = seen as source of inequality and injustice → legitimization of revolutions

=> Driver for political economy of land governance changes: re-defining private/ individual, state, “peoples” ownership, governing the commons?



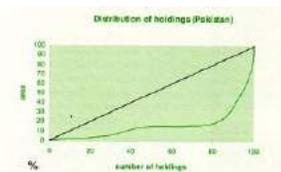
<https://www.britannica.com/place/Egypt/Agriculture-and-fishing>



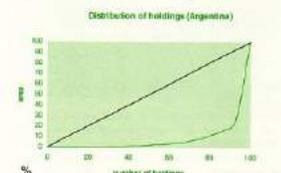
2. Land rent and land value



$$LV = \frac{R}{i}$$



Gini Coefficient (Pakistan 1988): 0.67



Gini Coefficient (Argentina 1988): 0.85

GTZ 1999

Land rent (R) shall **not** be confused with land value (LV)
Land value = Land rents that are *permanently* yielded from land (over indefinite periods, as land cannot be destroyed!)
 Land value (**LV**) = rent (R) divided by market interest rate (**i**)
 Land rent = *continuous* income an owner is deriving from land
 Land value = *net present value* of land, => capitalization of annual land rent by discounting future rental income
 If land markets do function: **land value** ≡ (land sale) **price**
 => Determining conditions of permanent land transactions (actually bank interest rate (i) ~ 0 => land values ↑
 However, often, in anticipation of increasing land rents in future (run for ‘concrete gold’), purchase prices are higher than capitalized (= discounted) current rents → **land speculation**

3. LAND RENTAL CONTRACTS

Increasing land shortage => sales prices get high => **land rental** as alternative institution for governance

Tenancy: key institution to react smoothly on changing supply-demand conditions

options of rental contracts:

Fixed payment in cash (LPB, \$, €)

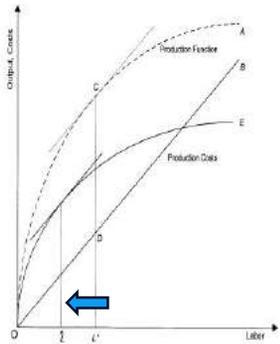
Fixed payment in kind (X kg of harvest) (no price risk)

Fixed labor service for landlord (X days of field work, Y days of bullock use, Z tractor hours)

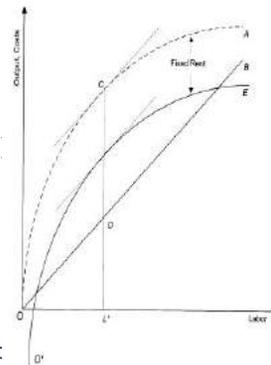
Sharing harvest between land-lord and tenant (=sharecropping)

Sharing harvest plus inputs (fertilizer, irrigation water, etc.)

Raj 1998



Limiting incentives, but reducing risks



Enhancing incentives, high risks for tenant

4. PROPERTY RIGHTS SYSTEMS AND CHALLENGES FOR GOVERNANCE

Manifold real types of property right bundles/ systems. They can, ideally, be reduced to:

- **Private property** (= private good for individual/ firm)
- **State property** (=private good of the state)
- **Common (communal) property** and
- unrestricted access to land or related resources (= **open access**) (often resulting from non-functioning common property)

Economic classification	Excludability	
	Yes	No
Yes	Private goods	Common Pool Resources
Rivalry	Club goods	Public goods

Resulting requirements for responsive land governance:

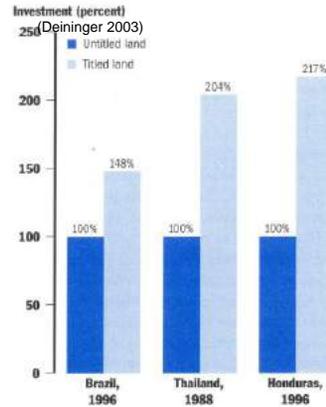
All systems depend on (cost-)efficient institutional settings to unfold specific advantages:

- Legal/regulatory frame: monitoring and enforcement
- Land administration: land registration, valuation, land sale/tenancy market regulation
- Land/property taxation to allow for delivery of public goods (legal security, rule of law, public land admin.)
- Ways to deliver environmental services (ES) from private lands and commons => public goods

If not implemented well, challenges for role of land in society and land governance:

- Misuse of power of political, economic or military elites of dominant state lands
 - High economic costs of misallocation and unwillingness to devolve power
- Weak collateral function:
 - Lack of credit access, low investment via land
- No setting of international standards of land valuation, taxation
 - Low tax generation, encouraging under-utilization of landed property, encouraging market speculation
- Insufficient public control of land lease and selling activities of bureaucracy and other powerful groups

Example:
 Comparing investment levels of titles (registered) land versus unregistered units in three different countries



5. MODERN LAND RELATED ECONOMIC THEORIES & LAND GOVERNANCE

Focusing on contributions of New Institutional Economics:

Property rights

Evolutionary theories of land tenure and land use (Ester Boserup, Jean-Philippe Platteau, etc.)

Commons and externalities (prisoners' dilemma, Garreth Hardin, Ronald Coase)

Environmental econ. and environmental services (ESS)

Collective Action (CA) & Social Capital

CA, social capital and the commons (Elinor Ostrom etc.)

CA in natural resource management, new urban focus

Transaction Costs

Formalizing land rights (cost-effective registration)

Organizing land administration (public, private, hybrids?)

Alternative institutions to "thin" markets (coops, network?)

Agency Theory

Rental contracts and principal-agent problems (work effort)

Interlinkage (rural) land, credit, labor, insurance markets

Contracting in modern agriculture: horizontal, vertical coordination

Prisoner A / Prisoner B	B stays silent (cooperates)	B betrays (defects)
A stays silent (cooperates)	-1, -1	-3, free
A betrays (defects)	free, -3	-2, -2

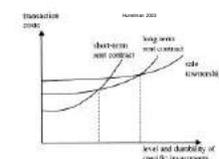
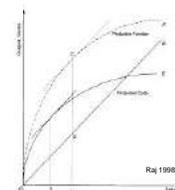


Figure 4-4: Transaction costs of lease and sale of land



Public choice and role of state

(Land) rent seeking, corruption, local level elite capture

Land policy decision making

Multi-level governance (decentralization, top-down, bottom up?)

Behavioral and Experimental Economics

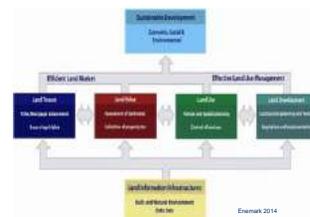
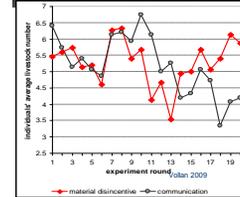
Bounded rationality, rational choice and land governance

Elements of game theory ((non-)cooperative games, evolutionary game theory, adaptive learning models)

Field (and lab) experiments (commons, land conversion, irrigation management)

Land management concepts

Economic foundations for modern principles of land administration, land management, land and (planning) land development



6. DYNAMICS OF RENTAL MARKETS: LAND GOVERNANCE IMPLICATIONS

- Working rental markets: enhance (agricultural) productivity (reduce urban-rural income disparities)
- Allowing (non-) farming activities with low equity (poverty alleviation)
- Delivering better quality, participation in high value added chains for the poor
- Reacting quickly on changes in supply of agricultural labor (out-migration)
- Reacting flexibly on demographic change (motivation for young ones to take over farming)
- => Under strong imbalances in land ownership smooth transfer from the rich to the poor

In the recent past new tenancy-based contractual arrangements:

- Land *concessions* for food, cash, biofuel crops (Africa, Philippines, Indonesia)
- Long-term *leasehold* through FDI in land (rich MENA states as investors)
- *Outgrower* schemes (Africa, Asia) (keeping independence as entrepreneur)
- *Contract farming* (producing food/biofuel under clearly defined terms for enterprise, which delivers inputs (plus land) and buying farmers' products under strictly defined conditions for fixed prices => giving up independence, but no marketing risk)



7. LEARNINGS FROM ECONOMICS FOR RESPONSIVE LAND GOVERNANCE

LG and role of state

Defining/delimiting actual role of state

public lands, FDI and ,race to the bottom', land related services

New balance through land dynamics

Past deregulation/decentralization versus cry for regulating land issues

Improve resilience of customary land rights in a MENA context?

Increasing demand for land-related public goods (environmental conventions)

Implementing VGGT, other internationally binding treaties

Gender equality, advocacy for disadvantaged

Fighting rent-seeking & corruption

Competition and market forces guiding land developers, surveyors etc.

Enforcing rule of law related to land (effective sanctions which "hurt")

LG and markets

Rural land sale and rental markets

Revisiting inverse farm size-productivity relationship in globalizing world

New business models and land administration (outgrowers)

Impact of second green revolution (land and GMO technology, FDI in land, smallholder – large farm investment)

Out-migration, higher rural heterogeneity, new demands in LG

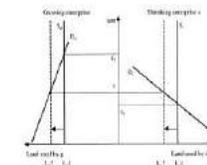


Figure 5-2: Land rent and land use between growing and renting enterprises



LG and markets (contd.)

Urban land markets

Private land development versus public interests (land banking)

Interventions into overheated real estate markets and long term regulation (price ceilings, mortgage backed credits & private banks, property taxation)

Limiting or supporting privatization of land-related services?

Upgrading of informal settlements (private, PPP, state)

Potential & limitations of private versus government agents (surveying, registration, land information, valuation, etc.)

LG and civil society

Reformed legal and regulatory frameworks (transparency, accessibility to all stakeholders)

Securing land restitution and establishing compensation mechanisms

New advocacy roles: NGOs from local to global level (informal settlements, 'land grab', land-related intellectual PR, value added chains and standards)

Transparency in land transactions (e.g. Land Matrix)



<https://www.zukunft-mobilisat.net/16172/urbane-mobilisat-beitrag-verkehr-entwicklung-uepp/>



www.landmatrix.org

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<https://www.macmillanihe.com/page/detail/An-Introduction-to-Behavioral-Economics/?K=9781137524126>

**Webinar : “Towards a Postgraduate Program in Land Governance
 Serving the Needs of Lebanon and Other Middle Eastern Countries”**
 Hosted by the Lebanese University, Faculty of Letters and Human Sciences

Date : 17th June

Land-use planning and tenure security: Tenure responsive land-use planning

Presented by Uchendu Eugene Chigbu

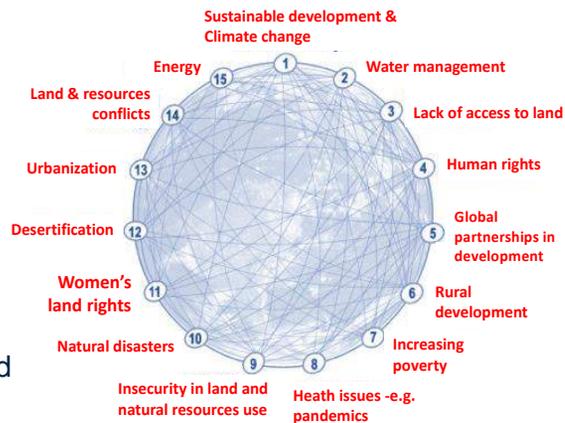
Institution: Chair of Land Management,
Technical University Munich



BACKGROUND

Land access and land tenure security are at the heart of the development of all rural and urban areas in the developing world.

How people use and exercise rights over land has a tremendous influence on the direction of their development.



BACKGROUND

Land registration and cadaster improve tenure security but they are not enough to guarantee secure tenure for all.

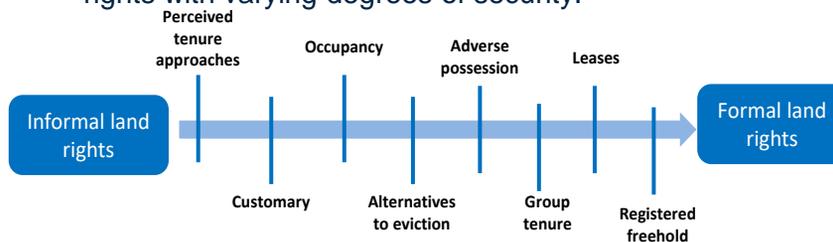
Due to the limitations of land registration and cadaster, the need to embrace complementary initiatives have become necessary.



UNDERSTANDING LAND TENURE AND TENURE SECURITY

Land tenure consists of layers of formal and informal property rights and tenure arrangements.

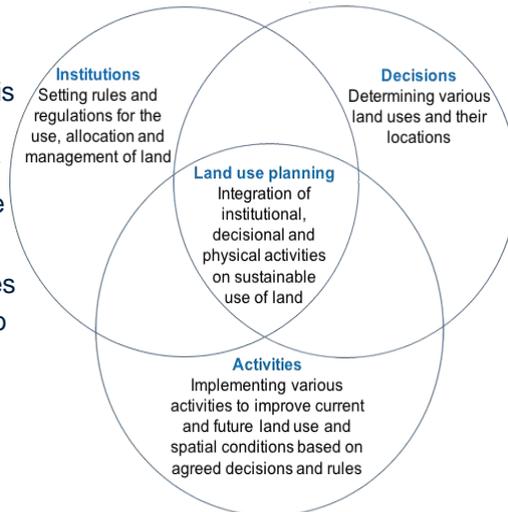
In reality, it is a continuum comprising of different sets of rights with varying degrees of security.



UNDERSTANDING LAND-USE PLANNING

No matter how land use planning is defined, it involves decisions, rules meant to guide the use of and activities that represent the future uses of land.

The attempt to organize these uses in ways that will be beneficial to people who live on or use the land and the environment that hosts the land represents land use planning.

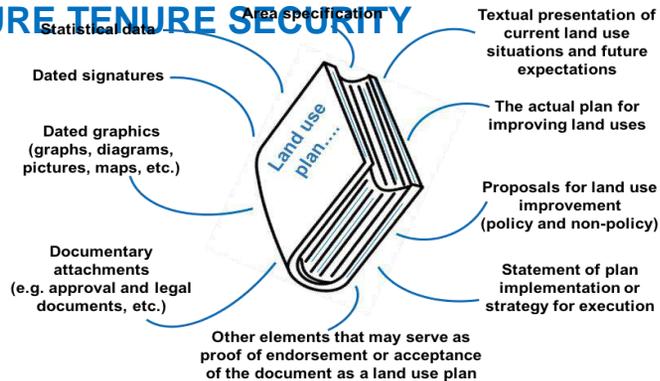


IN THEORY: “TENURE RESPONSIVE LAND-USE PLANNING” TOOL REPRESENTS A SHIFT FROM “LAND-USE PLANNING AND TENURE SECURITY” TO “TENURE RESPONSIVE LAND-USE PLANNING”





“TENURE RESPONSE PLAN” TOOL REPRESENTS THE USE OF ALL OPPORTUNITIES TO PROVE LEGAL AND SOCIAL OWNERSHIP AND RIGHTS ON LAND IN THE PROCESS OF LAND USE PLANNING TO ENSURE TENURE SECURITY



SOME EVIDENTIAL CASE IN SUPPORT OF LAND USE PLANNING AS A METHOD FOR IMPROVING TENURE SECURITY

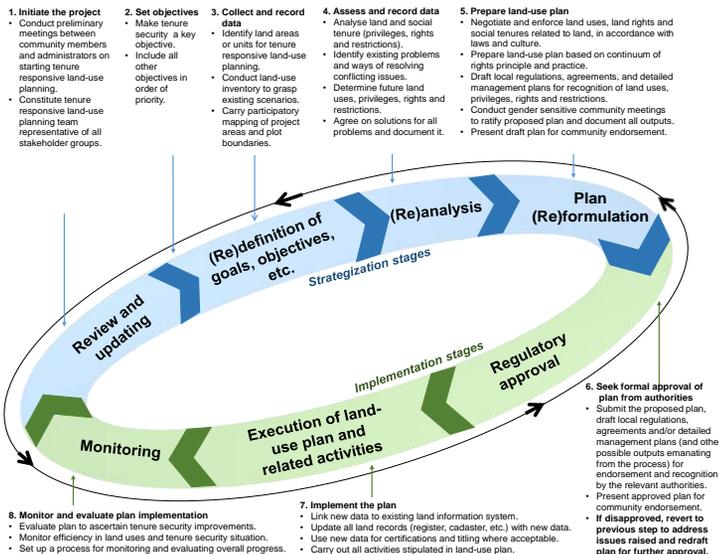
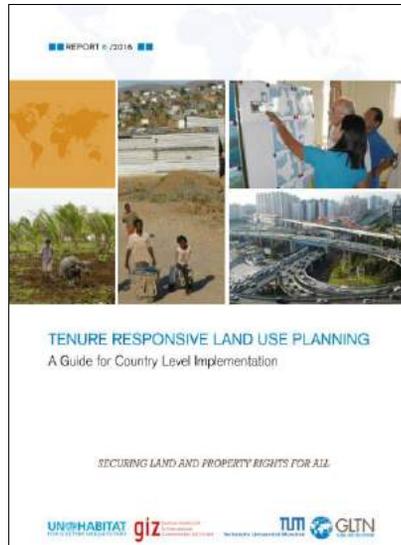
Case study	Challenge	Project	Measure or approach taken	Main outcome	Key lessons learned
The Philippines <i>Coastal areas (Leyte Island)</i>	Insecurity due to unregulated land-uses.	Land-use planning	Clustered multi-sectoral village-based planning focusing on bottom-up ridge-to-reef approach.	New tenure arrangements: forest co-management contracts, marine protected areas, and community-based forest management agreements.	Community-based land-use planning guided by responsible municipal direction can make forest-embedded and coastal communities to articulate their tenure needs.
Brazil <i>Forest area (Rio Claro)</i>	Insecurity due to eviction threats on quilombros (African Brazilians), leading to due to conflicts over land and forest resources.	Land-use project	Property rights inventory, land information, GIS-based mapping and new land-use agreements.	Enhanced LI-database for reforestation and compensation for those affected. New treaties on ways of enforcing sustainable land use.	Even when registration process is not legal, a consensus about the land-use inventory (ownership and property documentation) can lead to improved security of tenure.
Zambia <i>Game reserve area (Lupande)</i>	Insecurity due to land-use conflicts between humans and wildlife.	Land-use planning project	Zoning: development, tourism, limited use, township, and local Forest.	Formulation of a game management plan.	People who are aware of the project developed higher tenure security.
Ethiopia <i>Squatter area (Woreda 11)</i>	Insecurity due to inefficient use of squatter space.	Land-use planning project	Legal/physical analysis: residential density and land-use intensity.	Adherence to land-use plans and subdivision regulations lead to tenure security, vice versa.	Tenure insecurity emanates from informality of access to land, shorter occupancy period, and an inability to access necessary documentation.

Practitioners' guide for tenure responsive land-use planning

There is an operational guide for tenure responsive land-use planning

There is an operational strategy for implementing tenure responsive land-use planning at the country level.

There is an e-learning platform to learning everything about this tool available at <https://elearning.gltm.net>



CONCLUSION AND LESSONS

1. Tenure responsive land-use planning presents opportunities on the best ways to improve land-use and tenure security challenges simultaneously.
2. The case studies presented here show that land-use planning has the potential to have an impact on tenure security.
3. Tenure responsive land-use planning is a practical tool for country level interventions in developing countries because of its potential to enable improvements in physical development, as well as in creating the opportunities for recognizing the rights of disadvantaged groups such as women, indigenous people, pastoralists and the landless in

ADDITIONAL INFORMATION -- ESSENTIAL SOURCES FOR DIGITAL LIBRARY

1. Chigbu UE, Haub O, Mabikke S, Antonio D, & Espinoza J. (2016). Tenure responsive land use planning: a guide for country level implementation. UN-Habitat: Nairobi. <https://gltn.net/2016/11/09/tenure-responsive-land-use-planning-a-guide-for-country-level-implementation/>
2. Chigbu UE, Schopf A, de Vries WT, Masum F, Mabikke S, Antonio D & Espinoza J. (2017). Combining land-use planning and tenure security: A tenure responsive land-use planning approach for developing countries. Journal of environmental planning and management, 60(9), 1622-1639. <https://doi.org/10.1080/09640568.2016.1245655>
3. Chigbu UE, Alemayehu Z. & Dachaga W. (2019). Uncovering land tenure insecurities: tips for tenure responsive land-use planning in Ethiopia. Development in Practice, 29(3), 371-383. <https://doi.org/10.1080/09614524.2019.1567688>
4. Chigbu UE, Nthinyurwa PD, de Vries WT & Ngenzi EI. (2019). Why Tenure Responsive Land-Use Planning Matters: Insights for Land Use Consolidation for Food Security in Rwanda. International journal of environmental research and public health, 16(8), 1354. <https://doi.org/10.3390/ijerph16081354>
5. Gwaleba MJ & Chigbu UE. (2020). Participation in property formation: insights from land-use planning in an informal urban settlement in Tanzania. Land Use Policy, 92, 104482. <https://doi.org/10.1016/j.landusepol.2020.104482>

**Webinar : “Towards a Postgraduate Program in Land Governance
 Serving the Needs of Lebanon and Other Middle Eastern Countries”**
 Hosted by the Lebanese University, Faculty of Letters and Human Sciences

Date : 17th June time : 02:30 pm



Territorial Governance and its implementation in Lebanon

 Presented by **Jawad Abi Akl**

 Institution : Faculty of Arts
 and Architecture





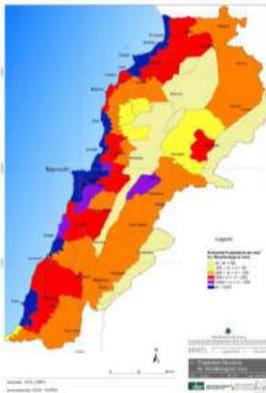
LEVELS OF LAND MANAGEMENT IN LEBANON

1. First level :
Mohafaza.
2. Second level :
qada.
3. Third level :
Itihad baladiyyat.
4. Fourth level:
Baladiyyat.



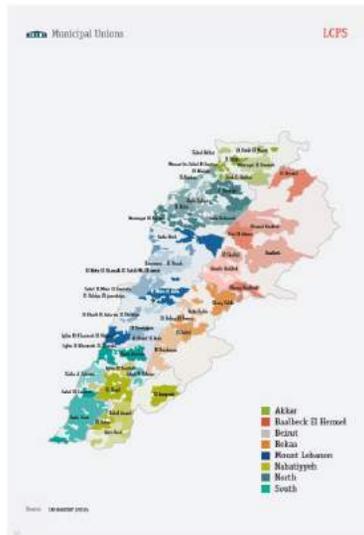
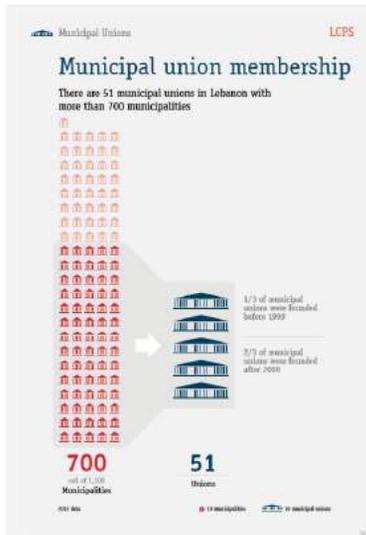
PHYSICAL AND HUMAN FEATURES

Figure 12: Population Density per Morphological Zone

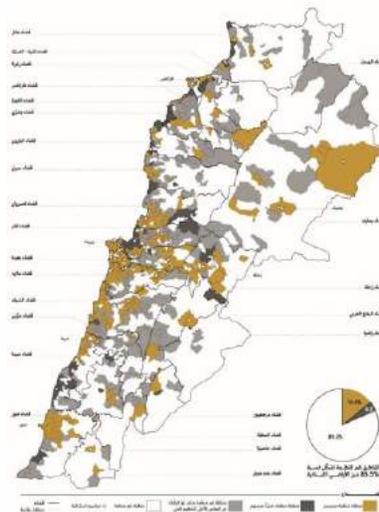
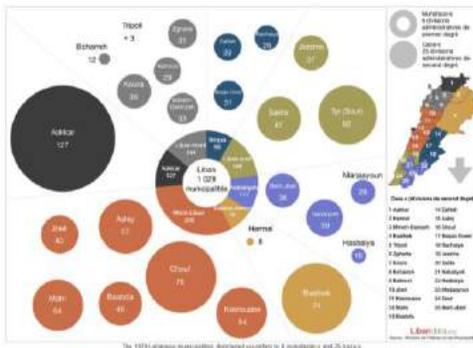


ELECTORAL DISTRICTS/ ADMINISTRATIVE DISTRICTS





THE ROLE OF MUNICIPALITIES IN TERRITORIAL PLANNING



DRAFT OF THE NEW ADMINISTRATIVE DECENTRALIZATION LAW

Establishing in each Sub-district, a Council
directly elected by the people

The Central Government will focus on
policymaking and regulation, while Regional
Administrations take charge of service
delivery

More power and fiscal resources

Every village is represented in the Qada Council

Election of an Executive Team of 12 members



MAIN CONCLUSIONS:

1. University curricula must answer the needs regarding Territorial Governance in Lebanon
2. Understanding territory components, diversity, dynamics, and actors. Defining options and choices related to Land Governance fields, capabilities, principles and levels
3. Creating a culture of Inclusive Land Governance by involving citizens in public decision-making and identifying instruments for increasing social accountability.



ADDITIONAL INFORMATION -- ESSENTIAL SOURCES FOR DIGITAL LIBRARY:

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National Physical Master Plan for the Lebanese Territory – Final Report, (2005), <http://www.cdr.gov.lb/study/sdatl/sdatle.htm>

About Administrative Decentralization in Lebanon, (2015), https://www.lcps-lebanon.org/publications/1447330715-lcps-decentralization_booklet-english-2015-11-12.pdf

**Webinar : “Towards a Postgraduate Program in Land Governance
Serving the Needs of Lebanon and Other Middle Eastern Countries”**
Hosted by the Lebanese University, Faculty of Letters and Human Sciences

Date : 15th June time : 02:30 pm / Date : 17th June time : 02:30 pm

*Temperature and precipitation of land distribution in Lebanon, trends
towards change?*

Dr. Samar Sakr

Institution : [Lebanese
University]



LAND GOVERNANCE AND GEOGRAPHY

The geography and its disciplinary fields :

Climatology

Hydrology

Demography

Remote sensing ...



Land use

PROBLEMATIC

Study the spatial- temporal distribution of temperature and precipitation in Lebanon over a long period:

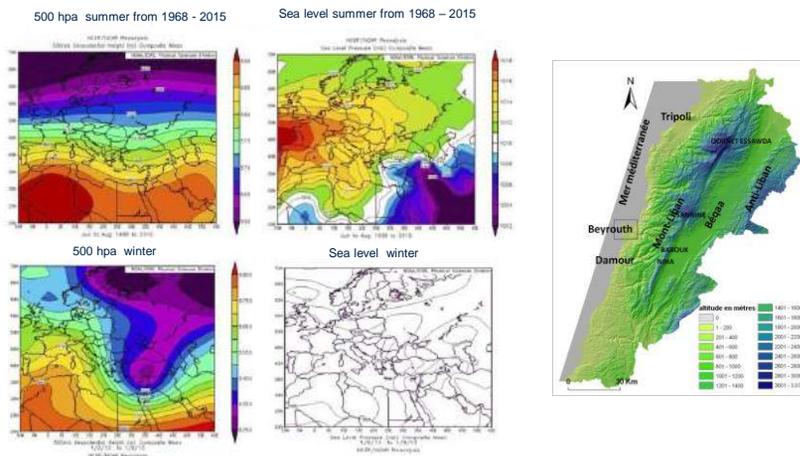
Topographic and climatic presentation of Lebanon

Precipitation data from meteorological stations and satellite data

Temperature data from meteorological station

Synoptic surface and altitude data.

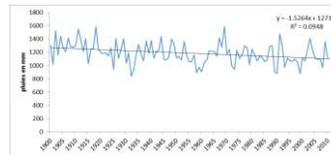
CLIMATE POSITIONING OF LEBANON



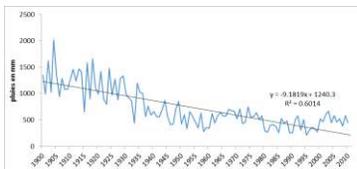
PRECIPITATION



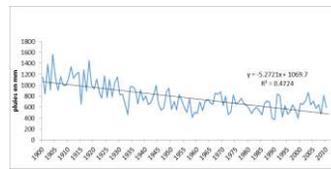
Evolution of annual precipitation in Beirut during the period 1960 - 2010



Evolution of annual precipitation in Mont Lebanon during the period 1900 - 2010

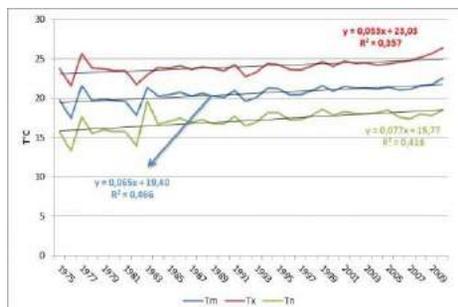


Evolution of annual precipitation in north coastal sea during the period 1900 - 2010

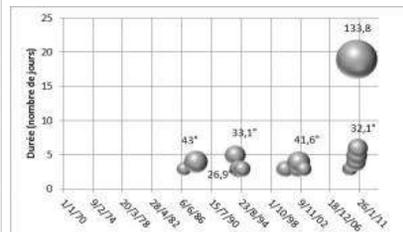


Evolution of annual precipitation in Beirut during the period 1900 - 2010

TEMPERATURE OF BEIRUT FROM 1974-1975 TO 2010 - 2011



Upward trend in average annual temperature (Tm), minimum (Tn) and maximum (Tx) in Beirut

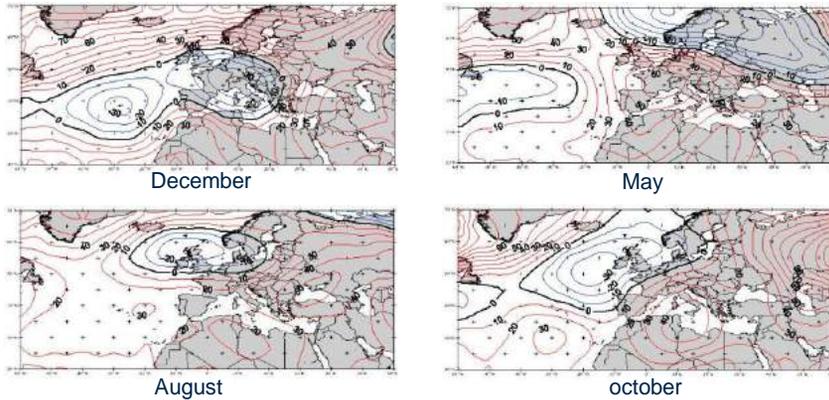


Intensity of episode of high heat (duration >= 3 days) Observed on Levantine coast.

SYNOPTIC SEA LEVEL AND ALTITUDE DATA

The mean of high geopotential 500 hpa from 1965 – 2010 for December, may, august and October

The red line : positive trend the blue line : negative trend.



CONCLUSION

precipitation average decrease 30% during the period 1961-2010 in Beirut.

As for the duration of intense heat episodes and their intensity, they increased in particular at the end of the decade 2010

synoptic maps showed a higher frequency of atmospheric subsidence periods (high pressure situations) accompanied by a decrease in precipitation during the rainy season and a persistence of hot days.



ESSENTIAL SOURCES

Traboulsi M. 2004. *Les précipitations au Proche-Orient, variabilité spatio-temporelle et relations avec la dynamique de l'atmosphère (1960-61/1989-90)*, Lille Atelier National de reproduction des thèses.

Traboulsi M. 2010. Les précipitations dans les marges arides de la Syrie du Nord, in : Gatier P.-L., Geyer B., Rousset M.-O. (éds), *Entre nomades et sédentaires. Prospections en Syrie du Nord et en Jordanie du Sud*, Lyon, Maison de l'Orient (TMO 55, Série « Conquête de la steppe » n° 3), 73-95.

Traboulsi M., Ben Boubaker H. 2012. Fortes chaleurs et circulation atmosphérique associée autour de la Méditerranée orientale : cas du littoral tunisien et syro-libanais, *Territoire en mouvement n°14 et 15. Inégalités et iniquités face aux changements climatiques*, 106-118.



**Webinar : “Towards a Postgraduate Program in Land Governance
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Hosted by the Lebanese University, Faculty of Letters and Human Sciences

Date : 17th June time : 02:30 pm

*Women’s RLP rights enhance economic growth and
guarantee Women’s dignified life*

Presented by Rafic
KHOURI
Arab Union of Surveyors



GENDER GAP IN THE MENA REGION

The Middle East and North Africa (MENA) region has the lowest score (61.1%) of all regions in the Global Gender Gap Index. The gap has narrowed by 0.5 percentage points since last year and by 3.6 points since 2006. Assuming the same rate of progress going forward, it will take approximately 150 years to close the gender gap in the MENA region, 15 years shorter than what was predicted last year. For now, many women in the region continue to face limitations of basic rights, including for divorce, inheritance, asset ownership, access to justice and freedom of movement.

(World Economic Forum, Global Gender Gap Report 2020, p.23)

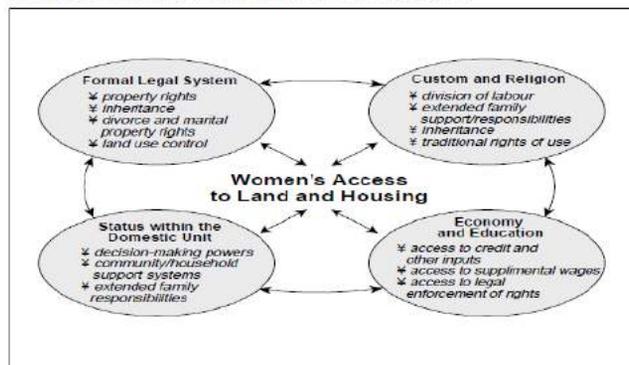
OECD'S SOCIAL INSTITUTIONS AND GENDER INDEX (SIGI)

The OECD's [Social Institutions and Gender Index \(SIGI\)](#) estimates that the impact of discrimination in laws, social norms and practices costs the MENA region a staggering USD 14 billion (USD 2,738 per capita). Changing laws and changing minds to boost women's economic empowerment in the MENA region is not only the right thing to do but also the smart thing to do for sustainable and inclusive growth.

The challenge of closing the gender gap in economic participation is especially acute in MENA. Despite having a growing pool of highly educated women who want to work, MENA still has the lowest female labour force participation rate in the world at an average of 24%, compared to around 60% in OECD economies, and the highest gender gap in entrepreneurship.

FAO LAND TENURE STUDIES, GENDER AND ACCESS TO LAND

FIGURE 1
Institutions that affect women's access to land rights





THE EXPERIENCE OF JORDANIAN WOMEN (MYRIAM ABABSA, RULES ON PAPER, RULES IN PRACTICE, WORLD BANK)

In most cases after the death of a father, the heirs gather to decide how the property should be divided before going to the court. Instead of dividing the plot of land fairly according to the Sharia, they can decide to exchange, sell, or even renounce their rights. Women rarely attend these family negotiations. If the land is used for farming, no division is made, and the musha'a system—in which the earnings from the land are divided between brothers is applied. No legal transaction occurs in such a scenario. This is very common and over the decades has deprived women of their inheritance.



JORDAN (2)

The question of women's inheritance became a public debate in 2010 when the Jordanian National Forum for Women published the results of a major survey in several official newspapers. The survey showed that 74 percent of women who qualified to inherit land in Irbid governorate did not receive their inheritance rights in full. This was the case even as 91 percent of them were aware that these rights are guaranteed to them in accordance with Sharia law.



JORDAN (3)

Jordan is a conservative country when it comes to women's rights. Most of the rights are indeed written and subject to public debate. But the fact is that women are locked in multilayered structures that reinforce each other in society, patriarchal order, religion, and traditions. Male guardianship (*qawama*) is used as a justification not to give their rights to women because of its high costs. Inheritance is one of three pillars of economic independence for women, with dowry and employment. However, in Jordan, these pillars do not stand on solid foundations.



PIVOTAL EVENTS FOR ARAB WOMEN

Two major events are linked to women's access to land in the Arab countries and request their attention:

- inheritance: we have seen its importance and the difficulties facing women to obtain their full inheritance rights; some attention should be devoted to the way Jordanian women have obtained the involvement of the Sharia courts to avoid strictly family decisions, by overseeing the inheritance process in order to guarantee women's rights; Mrs Ababsa's text describes the details. Palestinian women have negotiated a similar agreement with Palestinian Sharia courts (GLTN, Women and Land in the Muslim World)



PIVOTAL EVENT FOR ARAB WOMEN (2)

The other pivotal moment is marriage

The different conflicts in the MENA region have highlighted the danger for wives of having a couple's house exclusively registered in the name of the husband; in case of death of the latter, the widow is deprived of any property document, event if she has contributed to fund the purchase of the house.

This is why joint marital property can be a recommended to avoid such dramatic situations

UNRWA is doing that in the reconstruction of Gaza (UNRWA, Gender Equality Strategy 2016-2021)



THREE MAIN « TAKE AWAY » LESSONS FROM MY PRESENTATION

Women's HLP rights are human rights and an asset for socio economic development

Inheritance is a major pillar of economic independence for women; it should be protected

Joint marital property can protect women's HLP rights, in case of husband's disappearance



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Sciences - Deanship

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OECD, SIGI 2019 Global Report; <https://www.oecd.org/development/sigi-2019-global-report-bc56d212-en.htm>

OECD DEVELOPMENT CENTRE, Does gender discrimination in social institutions matter for long-term growth? Cross-country evidence ; <https://www.oecd-ilibrary.org/docserver/5jm2hz8dgl6-en.pdf?expires=1592668628&id=id&accname=guest&checksum=B56E6C40304F2134910FF714EABEAB52>

World Economic Forum, Global Gender Gap Report 2020; http://www3.weforum.org/docs/WEF_GGGR_2020.pdf

FAO LAND TENURE STUDIES, Gender and access to land; <http://www.fao.org/3/a-y4308e.pdf>

GLTN, Woman and land I the Muslim World; <https://gltn.net/2018/02/22/women-and-land-in-the-muslim-world-2/>

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Safeguarding Housing, Land and Property (HLP) Claims of Syrian Refugees and Internally Displaced Persons (IDPs)

July 17th 2020

Dr. Marguerite Duponchel




 Deutsche Gesellschaft
 für Internationale
 Zusammenarbeit (GIZ) GmbH


GLTN
 GLOBAL LAND TOOL NETWORK


UN HABITAT
 FOR A BETTER URBAN FUTURE

SYRIA: (VERY) BRIEF BACKGROUND

- **On-going conflict since 2011.**
- One of the largest displacement crisis in the world: >13M Syrians have fled their homes. > 5.6M refugees in the neighboring countries. >6M IDPs
- One third are estimated to have rights to property in Syria, very few had legally recognized rights of ownership or use, or corresponding evidence was lost or taken away during the flight.
- 76 % of Syrian refugees hope to return to Syria one day (Intention surveys, 2018). Refugee return remains marginal although on the increase (2019: ~100.000 according to UNHCR). Legal obstacles and challenges in reclaiming property or having access to civil status documentation were highlighted as key issues preventing the decision to return – alongside security concerns, and absence of services.



SYRIA: (VERY) BRIEF BACKGROUND

- Before the war, real estate law in Syria was characterized by overlapping and coexisting legal systems as well as patriarchal social norms.
- The current conflict further aggravates the discrimination of women.
- Since 2011, the Syrian regime has continued its systematic policy of consolidating its power, of confiscating assets of the political opposition, and of threatening property rights in large-scale urban reconstruction and redevelopment projects, namely in informal settlement areas.
- More than 50 legislations touching HLP were passed during the conflict.
- Recent legislation and its implementation systematically restrict the rights and return possibilities of the population displaced from informal residential areas.



PROJECT DESCRIPTION

BMZ commission (08/2018): 9M EUR until July 2021.

Two locations: Gaziantep and Beirut

Target group: refugees and IDPs

Countries of operations (planned): Syria (NW), Lebanon, Jordan.

Project articulated around **3 components**:

awareness raising on how to safeguard land rights

Documenting existing rights

production of **knowledge and networking**

SYRIAN REFUGEES AND IDPS KNOW ABOUT THEIR OPTIONS TO SECURE THEIR HLP CLAIMS AND HOW TO PRODUCE ADEQUATE EVIDENCE

Syrian refugees and internally displaced persons are better informed about the importance of and ways to secure their rights to housing, land and property.

Awareness raising of beneficiaries

- Collaboration with NRC in Lebanon, Jordan and Iraq on awareness raising through the ICLA programs, with AMAL for awareness-raising activities for IDPs from Homs how to secure their HLP rights (with a focus on women), with LDO on a survey on HLP needs of IDPs in NW Syria and refugees in Turkey

Media work and social media/web-based information

- Expanding and improving media coverage on HLP issues on social media and web-pages (Enab Baladi), Information and awareness-raising activities on HLP issues and challenges (with focus on women), storytelling via radio, audio-visual media and social media (Rozana); web-based information on HLP issues and legal questions in Syria (especially via audio-visual media and social media) with Syrbanism

Capacity Development Training

- HLP rights for local partners held in Gaziantep; Capacity Development for selected NGOs and civil-society organizations in Turkey and Lebanon on HLP issues to be done by SAWA

2. DOCUMENTATION OF PROPERTY RECORDS AND LAND RELATED DOCUMENTS

HLP related documents of Syrian refugees and internally displaced persons are safeguarded (official and alternative proofs of ownership or usage).

Cooperation with UN-Habitat in **documenting HLP rights of refugees** in Lebanon and Iraq using the STDM approach (6,000 households in 3 communities)

Compilation and documentation of existing official property/cadastral records

- Identification of organizations / stakeholders in possession of HLP records
- Collaboration with UN on archiving and digitalizing property records for future process of restitution (pilot)

Targeted number of HLP records: 750,000



3. NETWORKING AND CONTRIBUTION TO POLICY DIALOGUE

Contribute to the international debate on HLP rights in Syria

Establishment of an **HLP Expert Network** and launch of an **online virtual platform** to share information among members

Development open access section on HLP issues in all parts of Syria (Syria Report)

Studies and research

- Stakeholder assessment of Turkey and Lebanon; analysis of most relevant HLP legislation: risks & threats, target groups, locations affected, options for mitigation (in Arabic and English)
- UN-HABITAT research on HLP challenges in Syria by refugees in Lebanon on going
- Urban profiling of a neighborhood in Eastern Aleppo

Collaboration with the International Legal Assistance Consortium (ILAC) for **Capacity Development for Syrian HLP experts and lawyers** & providing legal information via an application

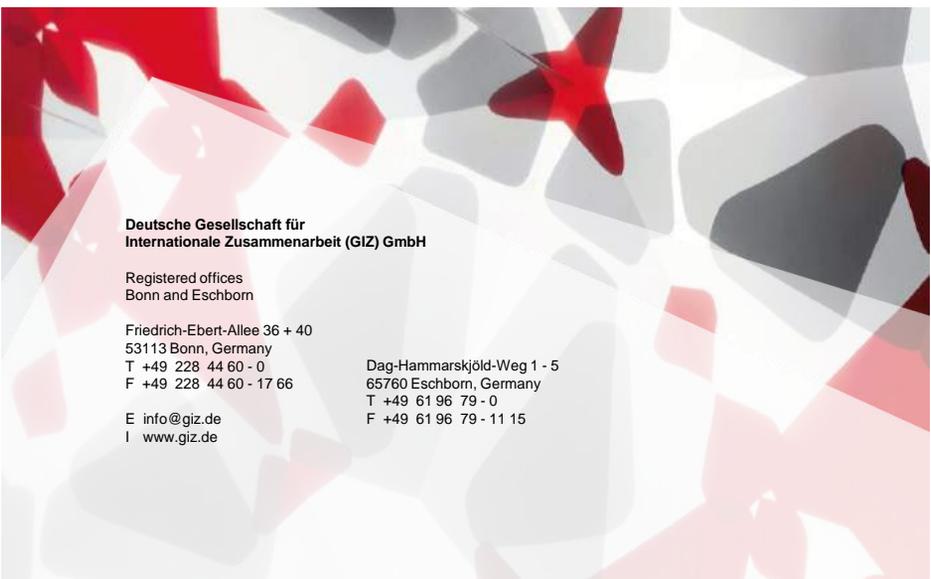
SOME THOUGHTS ON LESSONS LEARNT FROM IMPLEMENTATION SO FAR

• **Challenges**

- Constant changes on legislation inside Syria from the government who is actor in the conflict
- Volatile military situation leading to constant changes on the ground
- Turmoil in the region – e.g. Lebanon –
- HLP as a technical or political file?

..... **And opportunities**

- Property rights affect everyone and is a key element to sustainable peace (and possible return of population)
- New technologies available
- Existence of a HLP strategic response framework to facilitate coordination
- Scope for improving capacity of actors on HLP and knowledge of beneficiaries is very large



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Date : 17th June time : 02:30 pm

**Short overview of HLP issues in conflict and post-conflict situations
and Syria case study**

Presented by Laura CUNIAL

Institution : Norwegian Refugee Council



BACKGROUND ON HLP RIGHTS

**HLP rights are about having a home, free from the fear of forced
eviction, a place that offers shelter, safety and the ability to secure a
livelihood**

HLP as a humanitarian and human rights concept

HLP as a cause of conflict and as a consequence of conflict and displacement

Link with legal and regulatory barriers



IMPORTANCE OF ADDRESSING HLP CHALLENGES IN HUMANITARIAN RESPONSE

Saving lives, preventing further displacement and human rights violations

Complex urban environments and protracted displacement

Supporting the recovery of women and men

Promoting access to justice and contributing towards durable solutions

HLP for conflict prevention and peace building



KEY HLP ISSUES IN SYRIA (1)

Multiple displacement and security of tenure

Destruction of property and infrastructure

Living conditions for IDPs

Complex long term issues



KEY HLP ISSUES IN SYRIA (2)

HLP disputes

Access to land for livelihoods

Land contaminated with landmines and other explosive remnants of war

Lack and loss of HLP documents

HLP and civil documentation



TAKE AWAY LESSONS

HLP issues should be considered from the outset of a response

Breadth and complexity of HLP issues

- Enhanced global attention to HLP

- Preparedness

- Links with development actors



ADDITIONAL INFORMATION -- ESSENTIAL SOURCES FOR DIGITAL LIBRARY:

<https://www.globalprotectioncluster.org/themes/housing-land-and-property/>

Country HLP documents, HLP resources by themes and other useful links

<https://gltn.net/crosscutting-issues/#1489292105955-c3af0fd1-6389>

Land and conflict