

LAND ISSUES IN THE WEST BANK

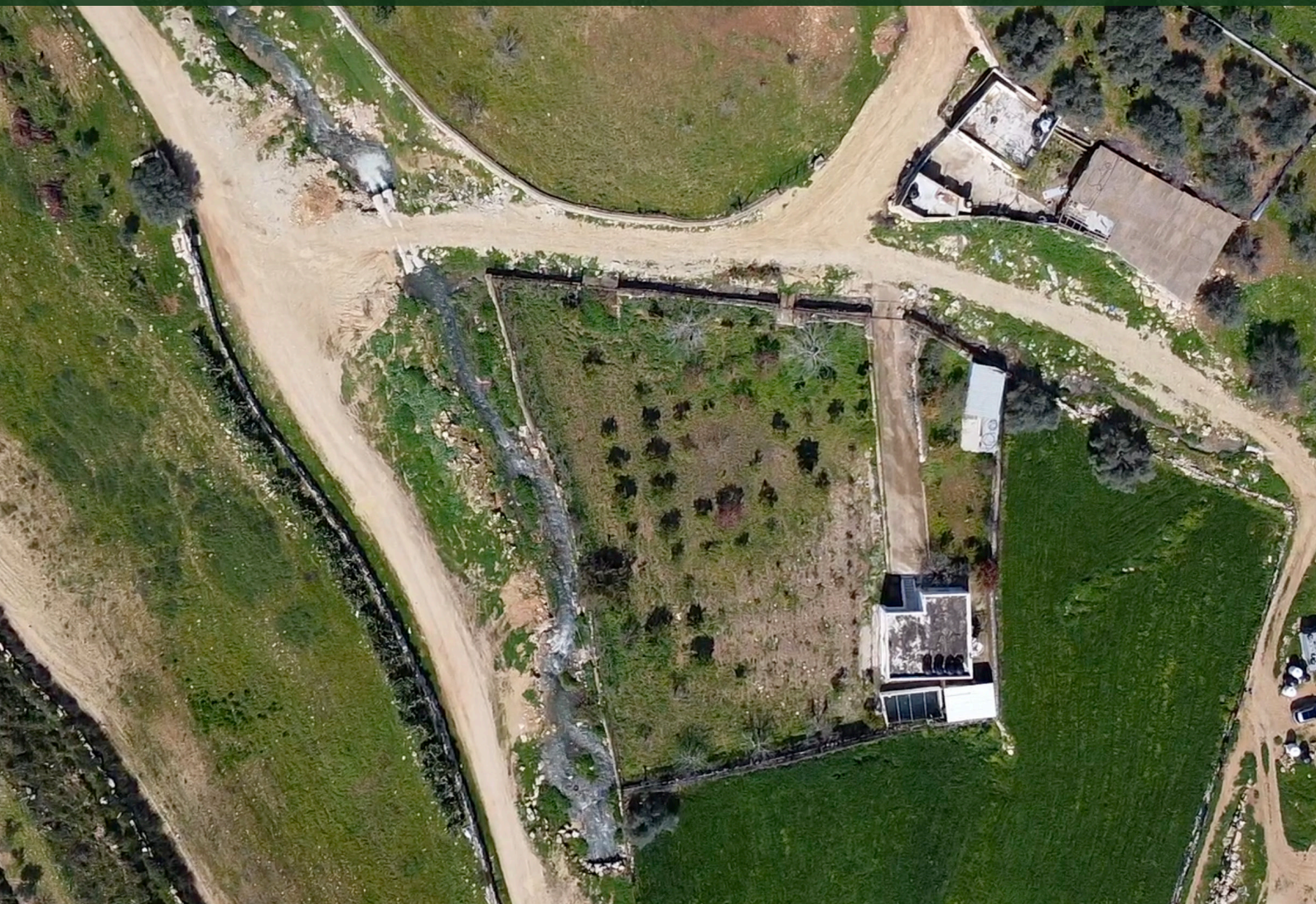


NEWSLETTER

April 2024, Issue #6

“Achieving Planning and Land Rights in Area C, West Bank, Palestine (2019-2024)”

The project is implemented by the United Nations Human Settlements Programme (UN-Habitat), in partnership with the Land and Water Settlement Commission (LWSC) at the bequest of the European Union (EU).



Land Settlement *in* Palestine

State of Play

Land settlement is the process of settling ownership and titling issues related to land and water, following the Law of Settlement of Land and Waters No. (4) for the year 1952, which is still in practice in the West Bank territory. The total area of the West Bank is approximately 5.65 million dunums. Before 1967, approximately 1.91 million dunums (or 34 per cent of the total area) were settled by the Jordanian rule. However, by 1968, the Israeli authorities imposed Military Order No. 291 of 1968, which suspended land registration process in the West Bank. This suspension proceeded until 2006, where the Palestinian Land Authority, with support from the World Bank, resumed land registration and completed the registration of 63,000 dunums (or 1 per cent of the total area), mainly in Areas A and B.

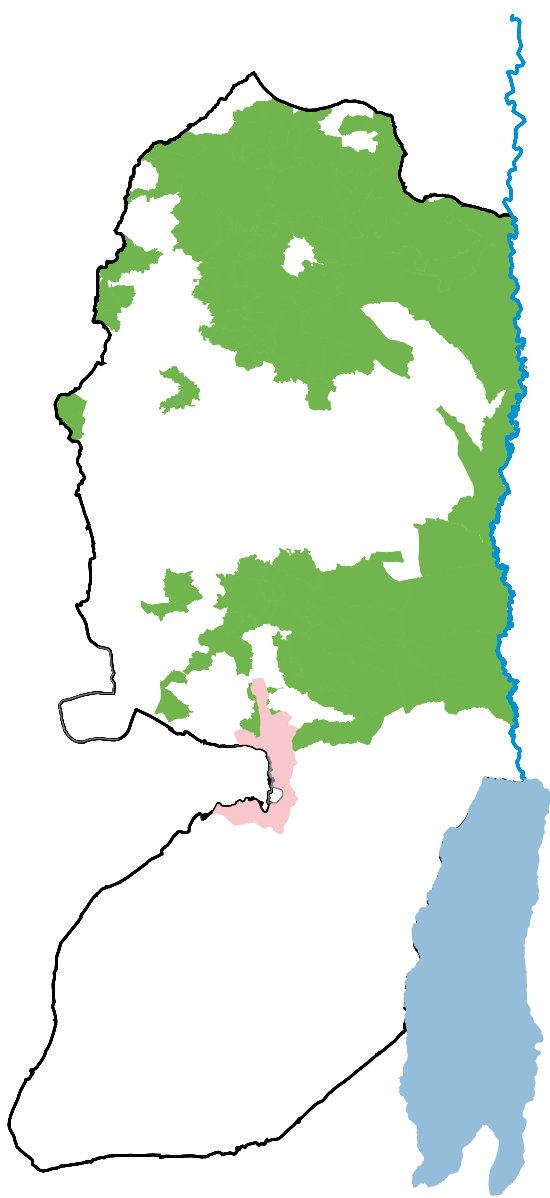
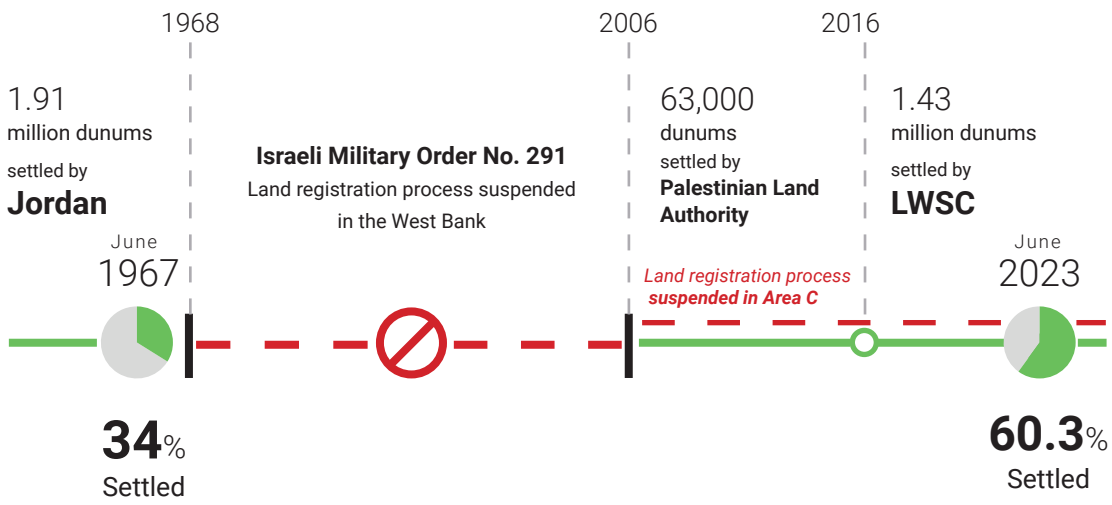
The Land and Water Settlement Commission (LWSC) was established as an independent Palestinian body in March 2016 to accelerate the land settlement process, and the Road Map for Reforming the Palestinian Land Sector was endorsed by the Cabinet in 2017. Since 2016, LWSC has completed land settlement of approximately 1.54 million dunums (or 27.3 per cent of the total area of the West Bank). Of which, approximately 212,937 were settled in Area A (around 14 per cent), 382,060 in Area B (around 25 per cent), both under Palestinian Authority administrative control, 767,127 dunums of which are in Area C (around 50 per cent), under full Israeli control, and 178,821 dunums settled in the Dead Sea (around 11 per cent).

The total remaining area to be settled is estimated at around 2.37 million dunums (42 per cent of the total area in the West Bank), including 11 per cent in Area A, 15 per cent in Area B and 75 per cent in Area C. To support these efforts, there are currently 96 land settlement offices which are still operational across most governorates of the West Bank. With the support of the European Union within the framework of the project "Achieving Planning and Land Rights in Area C, West Bank, Palestine" 120,000 dunums are targeted with land settlement.

Land Settlement in East Jerusalem

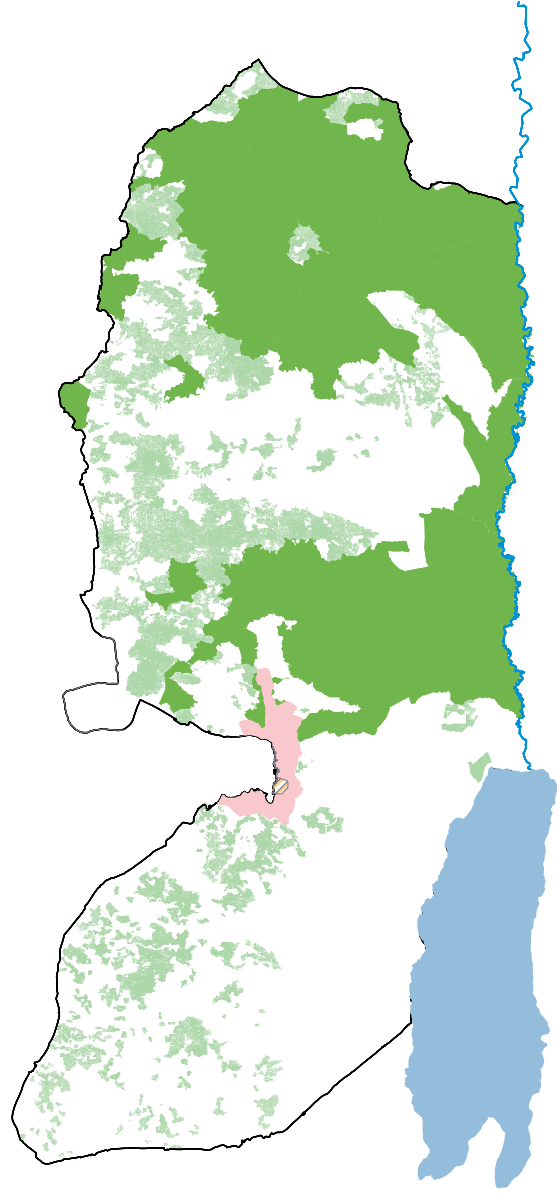
With Israeli occupation in 1967, Israel froze the land settlement process in the West Bank and East Jerusalem and turned into confiscation instead of title settlement - confiscating 38% of the land in East Jerusalem, nearly 24,000 dunums (illegal annexation of East Jerusalem), until 2018.

In 2018, the Israeli government took decision No. 2790 focusing on "narrowing socioeconomic gaps and promoting economic development in East Jerusalem", which includes Settlement of Land Titles (SOT), leading to further Palestinian dispossession and expansion of state control of more land. In April 2021, SOT proceeded for the first time since 1967 in Sheikh Jarrah, Beit Hanina, and other areas, while Jewish settlers' takeover of Palestinian property in that area is taking place in tandem. In light of this, the Palestinian political decision has been to boycott this process.



West Bank

June 1967



West Bank

June 2023

Distribution of land ownership

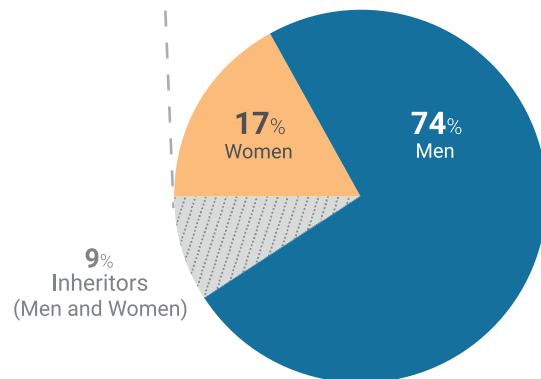
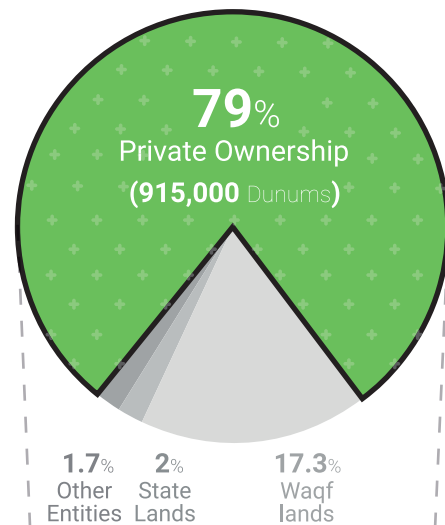
The area that has already been settled by the LWSC, amounting to more than 1.43 million dunums does not give information about the gender distribution of land ownership because the Table of Rights form does not include gender disaggregation. To support in gathering data on the gender distribution of land ownership in Palestine, UN-Habitat supported with the disaggregation of the Table of Rights for over 1.158 million dunums which were settled by LWSC.

From the 1.158 million dunums that were disaggregated, approximately 915,000 dunums (79 per cent) were land registered as private ownership for individuals (men and women) or for inheritors. Furthermore, approximately 201,119 dunums were registered as Waqf land (around 17.3 per cent), and only 22,598 dunums were registered as state land (2 per cent only). The remaining areas (1.7 per cent only) are registered to different entities such municipal or village councils, unions, committees, universities, etc.

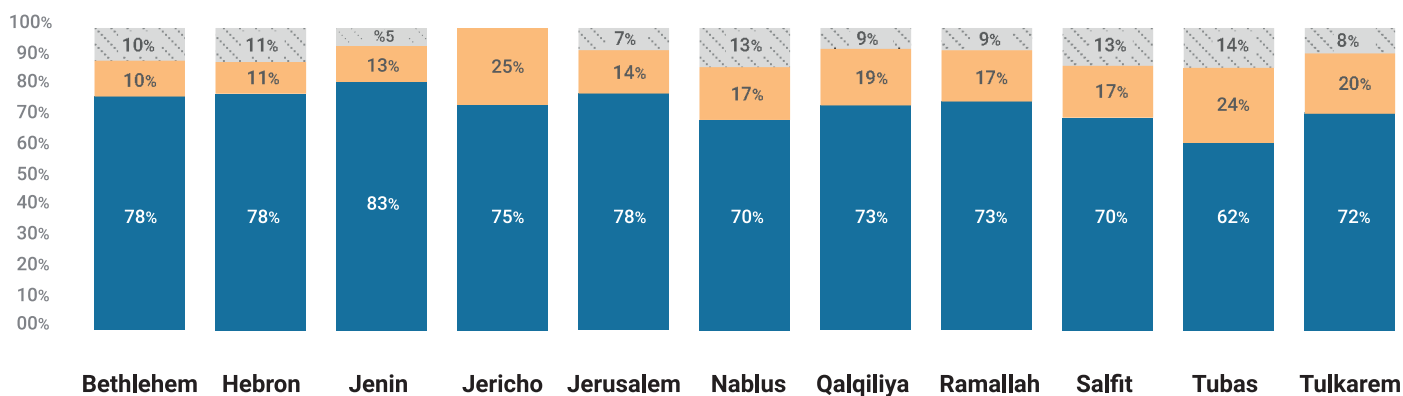


Gender distribution of land ownership

In the Gaza Strip, in 2014, the majority of land were privately owned. This has significant impacts especially during periods of conflict, where the war that erupted in the last quarter of 2023 has led to the displacement of over 1.7 million people in the Gaza Strip, who have now their Housing, Land and Property rights undermined.



Gender distribution of land ownership, by governorate



As for land registered for private ownership for individuals only (without inheritors), the total number of dunums of these land is approximately 746,000 dunums, and the gendered distribution of land ownership is as follows:

Registered Apartments

14% (owned by 7,937 women)

76% (owned by 40,573 men)



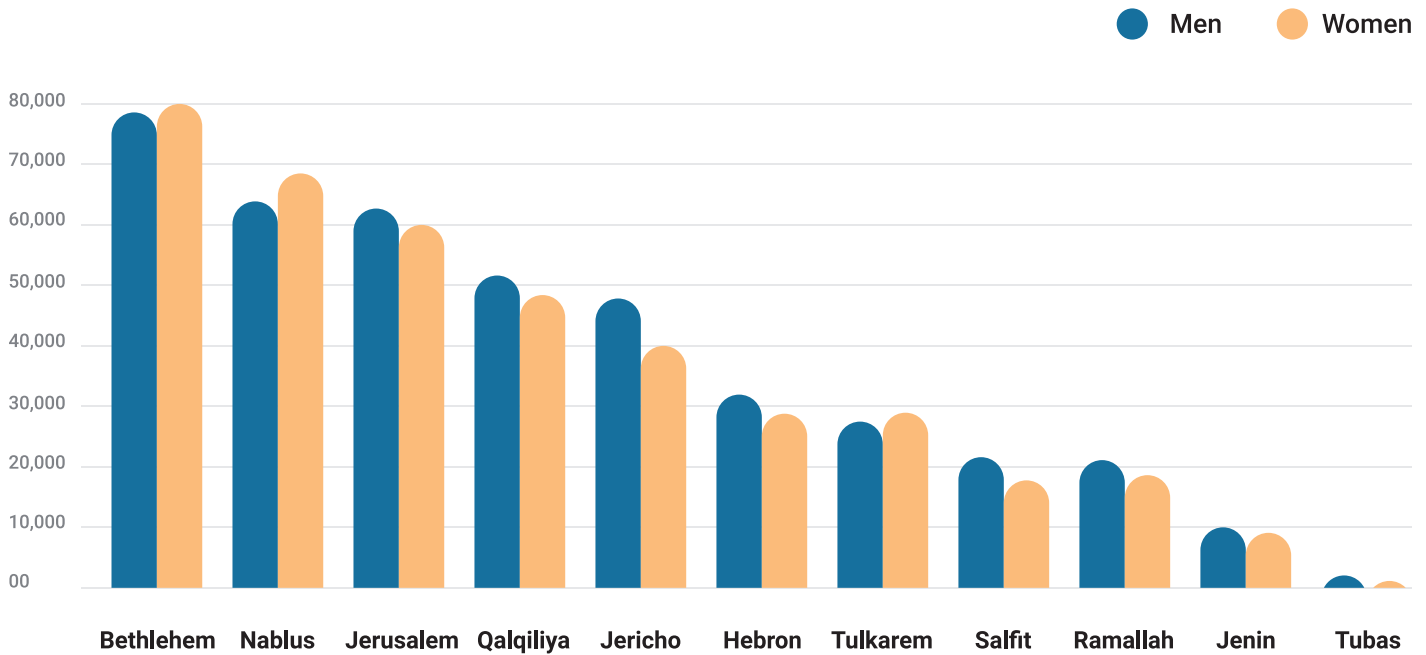
Land Area



Average value of each dunum of land registered, disaggregated by sex

It is also worth noting here that the average value of dunums of land registered to men slightly exceeds the average value of dunums registered to women, standing at approximately JOD 38,161 and JOD 36,076, respectively. However, there

are geographical discrepancies when we look at the governorate level; for instance, the average value of dunums registered to women is higher than those registered to men (but not by a significant amount) in Bethlehem, Nablus and Tulkarm governorates, as three exceptions to the remaining governorates.



Spatial and social analysis of land ownership, by gender

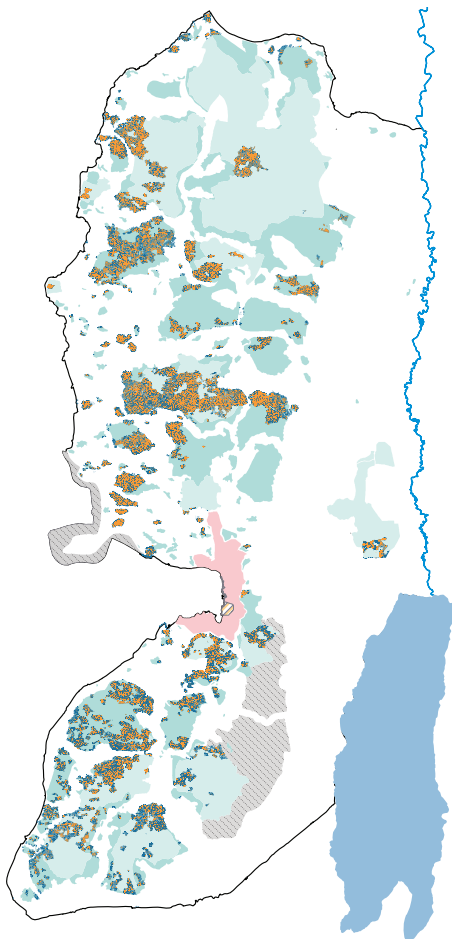
A spatial analysis of the 746,000 dunums that are individually owned demonstrate the following findings:

A B C

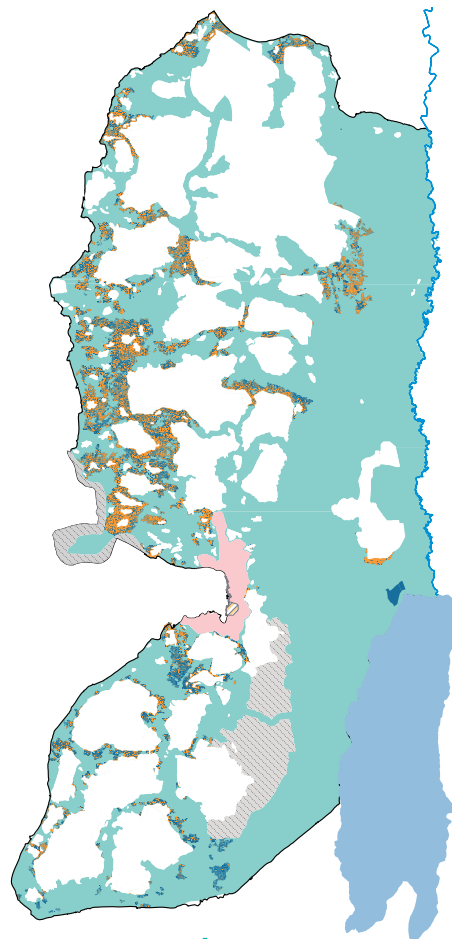
Geopolitical classification

359,000 dunums (or 48 per cent) are land owned in Areas A and B, 39.4 per cent of which are owned by males, and only 9.5 per cent are owned by females. This is compared to 387,000 dunums (or 52 per cent) of all land being in Area C, 40.3 per cent of which are owned males, and 10.9 per cent of which are owned by females.

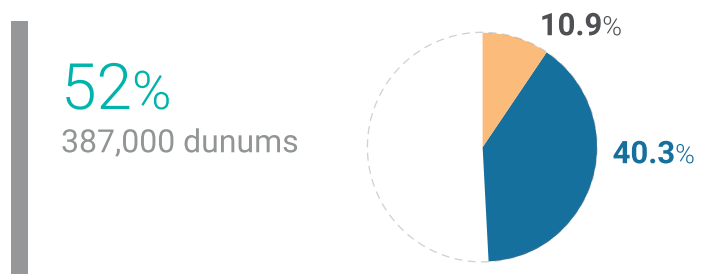
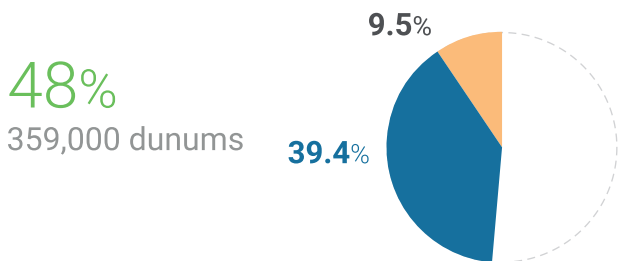
● Men ● Women



Area
A B



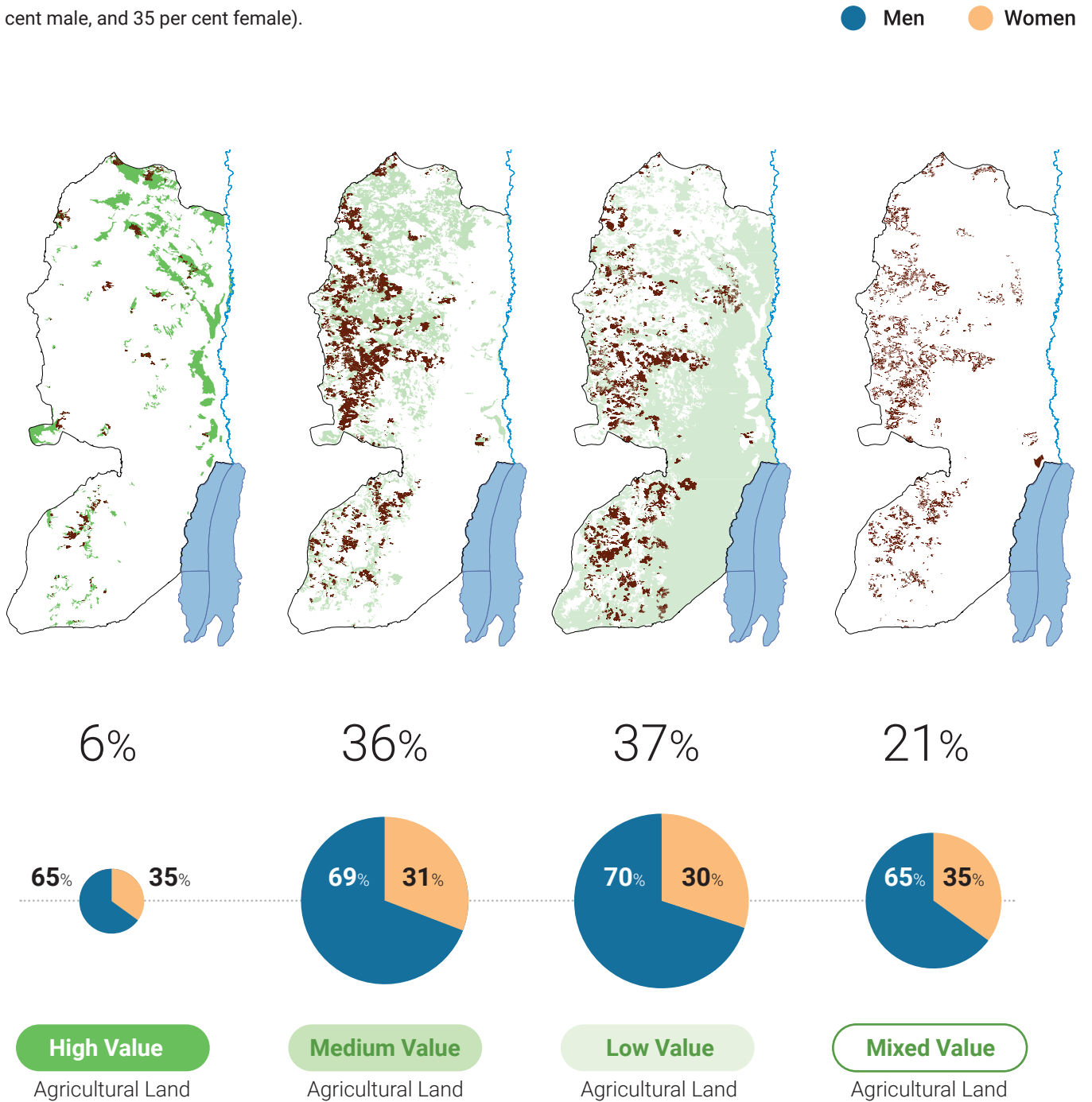
Area
C





Value of agricultural land

Palestinian land are divided into high, medium, low and mixed value agricultural land. The area owned by individuals (746,000 dunums) are distributed as follows with regards to the value of agricultural land: 6 per cent on high value land (65 per cent male, and 35 per cent female ownership), 36 per cent on medium value land (69 per cent male, and 31 per cent female ownership), 37 per cent on low value land (70 per cent male, and 30 per cent female), and 21 per cent on mixed value land (65 per cent male, and 35 per cent female).



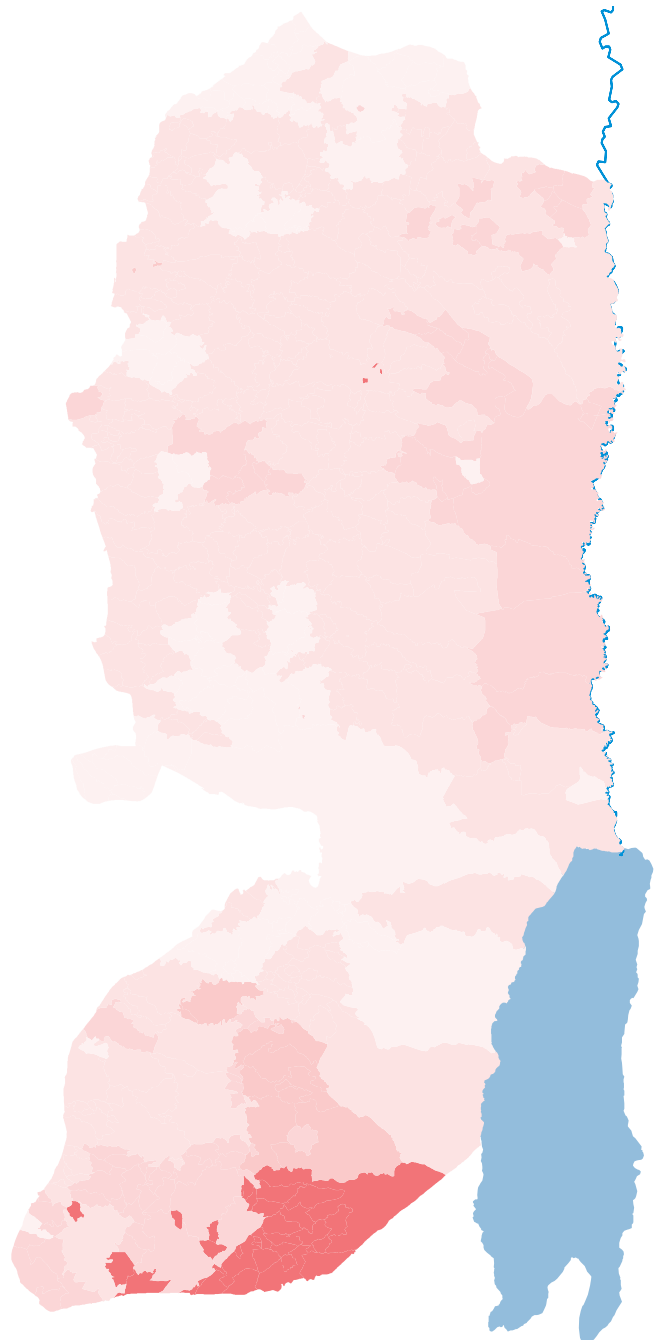
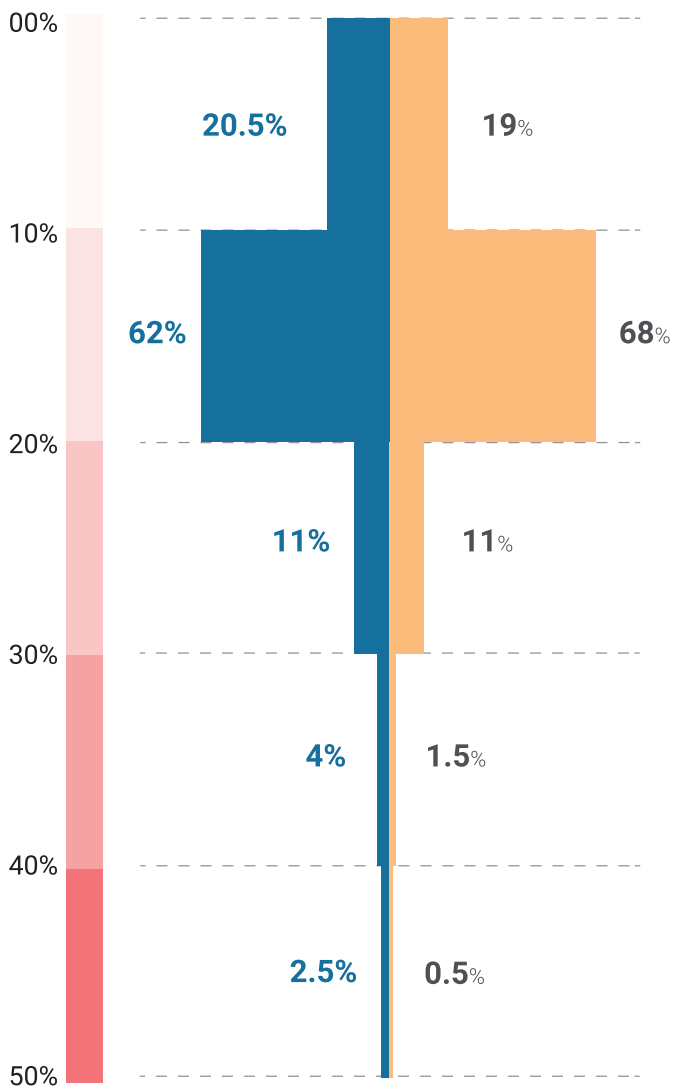


Poverty rates

With regards to male/female ownership of land and how it intersects with poverty rates, it was noticed both male and female ownership of land significantly decreased with higher poverty rates, but the intensity of this was greater for females than for males, as demonstrated in the figure below. However, for both males and females, ownership of land was surprisingly higher in the second percentile of poverty rates (10.1 – 20 per cent), instead of in the lowest percentile (< 10 per cent).

● Men ● Women

Poverty rates



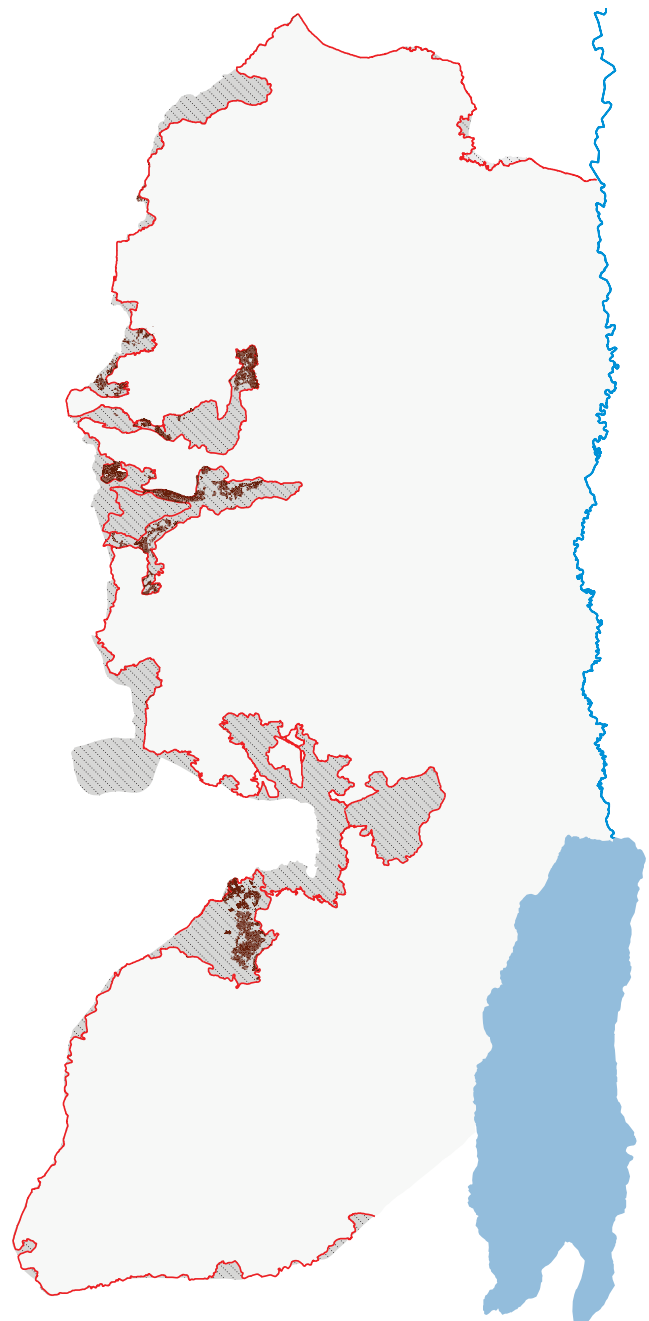
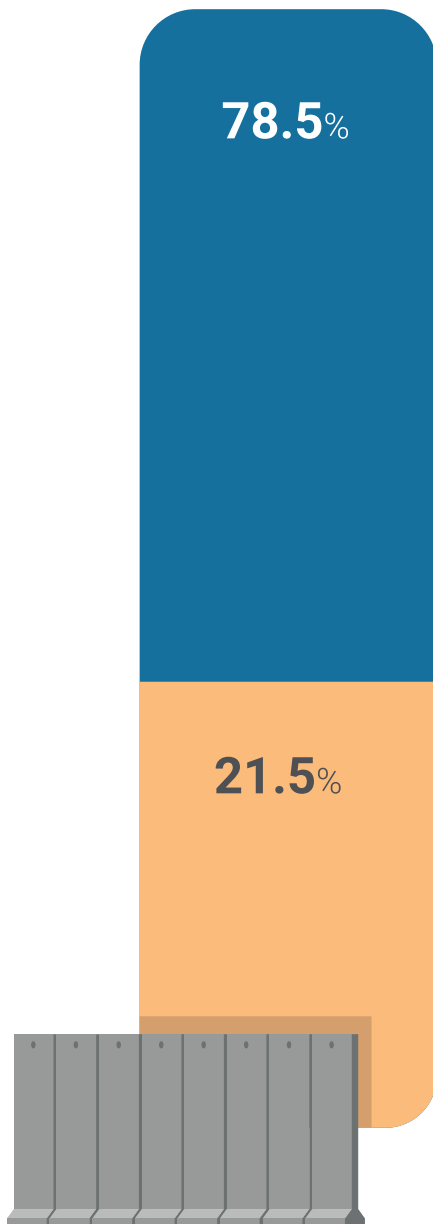


Separation Barrier

47,000 dunums are land owned behind the separation barrier; of which, 36,877 dunums (or 78.5 per cent) are owned by men, and 10,123 dunums (or 21.5 per cent) are owned by women.

● Men ● Women

47,000 dunums
behind the separation barrier





Land tenure security & women's socioeconomic empowerment:

Findings from Palestine and the Arab region

In February 2023, UN-Habitat Regional Office for Arab States, in partnership with the Global Land and Tool Network (GLTN) and the Union of Agricultural Works Committees in Palestine (UAWC), commissioned a study titled "Land, Women Empowerment, and Socioeconomic Development in the Arab Region: Evidence-based Perspectives". The study utilized perception surveys, with a sample of 920 respondents (76 per cent of the sample size and men (24 per cent of the sample size) from Palestine, Tunisia, Iraq and Kuwait. The findings give a clearer indication of women's and men's varying perceptions of tenure security, means of acquiring land, land use and management patterns, and the relationship between land tenure security and various variables of socioeconomic development.

GLTN and UAWC: Perception survey
in Palestine, Tunisia, Iraq and Kuwait

● Men ● Women

Indicators



Iraq



Kuwait



Palestine



Tunisia

Land use for economic activities



Tenure rights enhanced decision-making power within families



Tenure rights increased social participation



Fear of losing land rights



Registered individual ownership



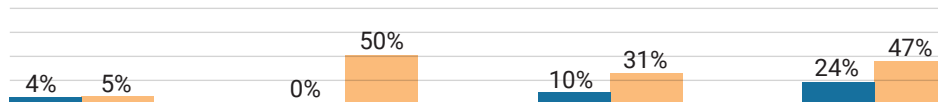
Registered joint ownership



Customary individual ownership



Joint customary ownership



Land obtained through inheritance



Tenure rights helped access education



Tenure rights helped secure better healthcare



For more information, you can contact
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