

Combined Presentations

UAWC Erbil Training 25-26/October 2021

Women, land and development in the MENA region

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SDGs and Gender

- **Gender equality is a major item in the SDGs**
- SDG 5 is especially dedicated to this important challenge; it encompasses a specific target about land:
- Target 5.A: Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.

SDGs and Gender

- **SDG 1 calls for eradication of poverty**

It calls in its target 1.4 for gender equality about access to economic resources, including land

1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.

UN Habitat's New Urban Agenda

(adopted in Quito in 2017)

- 35. We commit ourselves to promoting, at the appropriate level of government, including subnational and local government, increased security of tenure for all, recognizing the plurality of tenure types, and to developing fit-for-purpose and age-, gender- and environment-responsive solutions within the continuum of land and property rights, with particular attention to security of land tenure for women as key to their empowerment, including through effective administrative systems.

Gender Gap in MENA

FIGURE 1.8 | Regional performance 2021, by subindex

	Subindexes				
	Overall Index	Economic Participation and Opportunity	Educational Attainment	Health and Survival	Political Empowerment
Western Europe	77.6%	70.0%	99.8%	96.7%	43.8%
North America	76.4%	75.3%	100.0%	96.9%	33.4%
Latin America and the Caribbean	72.1%	64.2%	99.7%	97.6%	27.1%
Eastern Europe and Central Asia	71.2%	73.5%	99.7%	97.7%	14.2%
East Asia and the Pacific	68.9%	69.6%	97.6%	94.9%	13.5%
Sub-Saharan Africa	67.2%	66.1%	84.5%	97.3%	20.8%
South Asia	62.3%	33.8%	93.3%	94.2%	28.1%
Middle East and North Africa	60.9%	40.9%	94.2%	96.5%	12.1%
Global average	67.7%	58.3%	95.0%	97.5%	21.8%



Source

World Economic Forum, Global Gender Gap Index, 2021.

Note

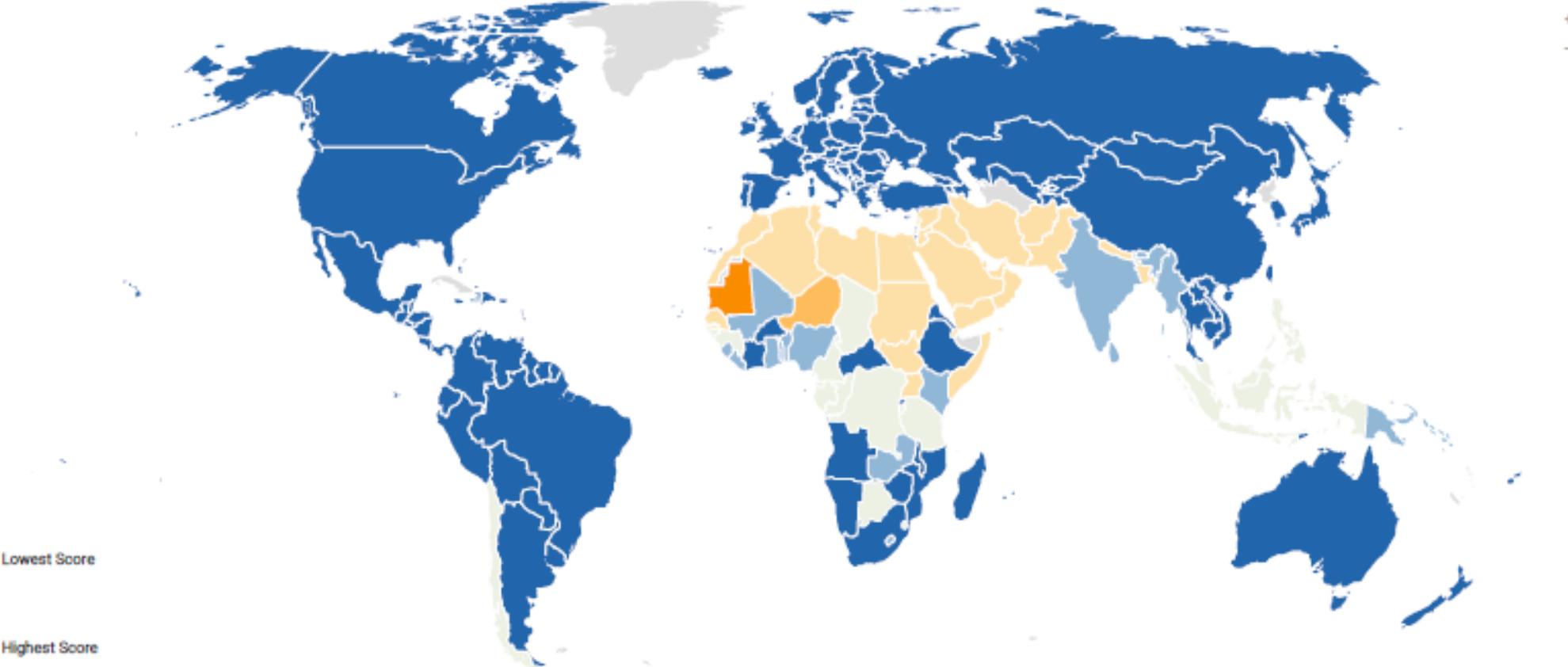
Population-weighted averages for the 156 economies featured in the Global Gender Gap Index 2021.

Erbil 25 October 2021

40% of Economies Limit Women's Property Rights

Source: Women, Business and the Law

40% of Economies Limit Women's Property Rights



This map depicts scores for the Assets indicator for Women, Business and the Law 2020. A score of less than 100 depicts at least one legal constraint on women's property rights. Disclaimer: Country borders or names do not necessarily reflect the World Bank Group's official position. Source: Women, Business and the Law • Get the data

MENA Women and Land

- Since there is a scarcity of statistics about women's ownership of land in the Arab countries, I suggest that we consider the agricultural censuses data which are organized, approximately every 10 years with the support of FAO.
- The following table gives the number of agricultural holders by sex from six Arab countries, according to the censuses organized around the year 2010.
- For your information, another round of agricultural censuses are currently under preparation.

Landholder definition (FAO)

A landholder is defined as the person who makes major decisions regarding resource use, and exercises management control over the operation of an agricultural holding (which includes all plots and livestock). The holding often overlaps with the family farm and therefore the holder is often the household head. This is a measure of management, not landownership, and the data on landholders are typically collected through agricultural censuses.

Globally, less than 15 percent of all landholders are women. The distribution of women landholders ranges from 5 percent in Middle East and North Africa to 18 percent in Latin America and the Caribbean.

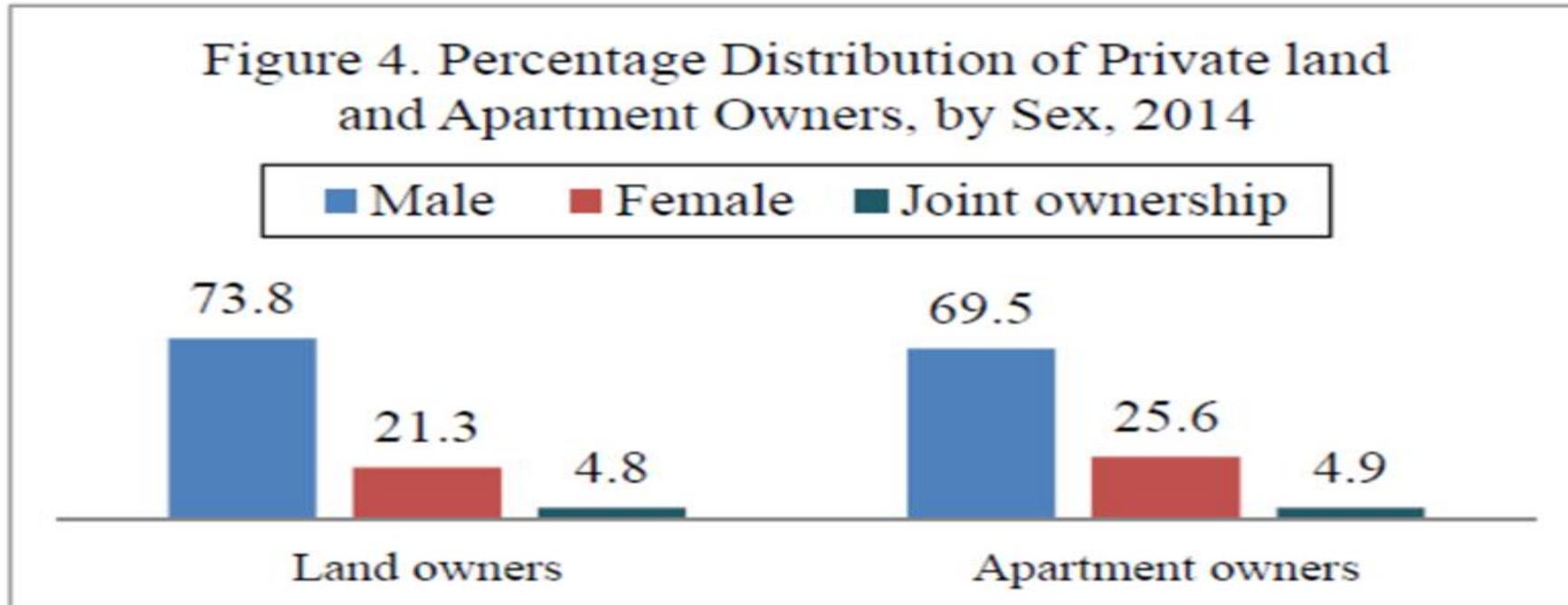
Agricultural Census 2010 in Arab countries

Number of holders by sex

	Number of male holders	Total area held by male holders (ha)	Number of female holders	Area held by female holders (ha)
Egypt (2009/2010)	5 188 653 96%	3 650 535 97%	212 779 4%	114 694 3%
Lebanon (2010)	154 457 91.4%	N.A.	14 565 8.6%	N.A.
Oman (2012/2013)	177 068 92.3%	N.A.	14 753 7.7%	N.A.
Saudi Arabia (2015)	280 552 98.6%	3 094 798 99%	4 060 1.4%	30 412 1%
Palestine (2011)	97 592 88%	N.A.	7 561 7%	N.A.
Jordan (2017)	100 017 94%	245 803 97.6%	6 329 6%	5 932 2.4%

Women in urban areas

- However, the situation prevailing in urban areas seems to be less detrimental to women's access to property, probably due to the attainment of a higher level of education by urban women, as shown by data published by the Head of Gender Statistics Division of Jordan's Department of Statistics for the year 2014:



The reasons of this situation

Arab women are usually excluded from formal economy

- UNDP's Human Development Report 2020 provide the following data for 2019:
- Arab women's labor force participation rate was 20.7%, the lowest rate globally (world average 47.2%)
- The estimated gross national income per capita was 23,923\$ for males, and 5,092\$ for females, i.e. 21% of males' income
- Women (15 years old and more) with account at financial institution or with mobile money-service provider: 26.9%, the lowest rate globally (world average: 64.5%; least developed countries: 28.3%)

Arab Women & Land Inheritance

- The **Jordanian National Commission for Women** has interviewed a number of women who had lived this experience. According to their testimonies, “women in many cases are deprived of their rights to inheritance and forced to renounce their rights to inheritance through a number of practices, most importantly:
 1. There are cases when a decedent surrenders his entire property or part of it to his sons or the sons of one of his wives through fake sale, endowment, or will for the purpose of depriving the females or a wife and her children of the inheritance.
 2. Some heirs would use wooing, deception, and appeasement so that women would surrender their rights in return for money or a piece of land, which do not represent the actual value of their inheritance.
 3. Practice pressure and threat to harm women to force them to surrender their shares in an estate.”
Jordanian National Commission for Women, Women’s Rights to Inheritance Realities and Proposed Policies, Amman, 2012, p.23

Land Inheritance in Palestine

- “According to a survey conducted by the Inheritance Denied Project, 62% of all families violate the inheritance rights of its female relatives. 25% procrastinate responding to this right and 9% pressure women to renounce their inheritance rights. Only 3% honor the inheritance rights of women.
- Prevalent customs and traditions – and expectations that women denounce their right to inherit (*Takharuj*), preference of male to female children, unwillingness to transfer inherited properties to another family, fear that claiming one’s right will lead to conflicts in the family and women’s – and men’s lack of awareness of the relevant legal provisions and laws and the economic value of the property to be inherited, are among the main reasons why women do not claim their inheritance rights”.
- *Malene Soenderskov, Evaluation of the Inheritance Denied II: Promoting Palestinian Women’s Social and Economic Rights through encouraging access to Inheritance, Strategihuset, Bagsvaerd (DK), p.9*

THE SOULALYATE CASE IN MOROCCO

- A recent experience related to land privatization of tribal lands in Morocco sheds an interesting light on the evolution of these lands and on the discrimination against women. These lands are called “soulalyate”, in accordance with “soulala” which means bloodline, family, or tribe. Traditionally, the right to use the land for agriculture and benefit from its proceeds was transferred from father to son according to the “orf,” or custom, which denied women the right to inherit. These lands lie under the State’s guardianship.
- Due to land market evolution, the State engaged in selling part of these lands, denying any right to women according to the same custom. Women launched a movement to claim their rights, and obtained in 2019, after ten years of fighting, the right to be included in the formal privatization process. However, due to social resistance, equality of treatment between men and women still needs to be confirmed.

Appropriation of married women's property

- NRC reports the case of a Gaza woman who had worked in Saudi Arabia, and invested an important part of her savings in a plot of land
- Following the predominant traditions, the plot was registered in the sole name of the husband
- He decided one day to divorce his wife, and unlawfully tried to keep the property for himself
- This bitter experience illustrates the importance of protecting wives' property; joint property registration can be the solution, and guarantee an equal treatment to both spouses

(NRC, Realities from the Ground; Women's Housing, Land and Property Rights in the Gaza Strip)

CEDAW and marital property

Article 16

- 1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:
 - (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

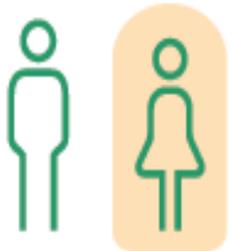
The Religious Dimension

- The Moroccan Rabita of Oulemas has published an innovative document in 2018, which states the following (“*Le Concept de la Qiwâmah du Point de Vue du Référentiel Religieux et des Mutations Sociétales au Maroc* »):
- The traditional vision is often legitimized by an interpretation of the patriarchal concept of **Qiwâmah** (Verse 34, Sura 4) considered by the majority of Muslim scholars as a verse establishing the intrinsic superiority of men over the women, defining the model of the family in the land of Islam and legitimizing certain legal norms establishing superiority of men over women. Its influence on attitudes in Muslim societies has resulted in the establishment of a culture of discrimination against women.
- Therefore, the **Qiwâmah** according to this traditional interpretation is a major obstacle to any desire to improve the status women’s legal and economic and social status in an egalitarian sense.

Musawah: Islam and the Question of Gender Equality

<https://www.musawah.org/wp-content/uploads/2019/02/KnowledgeBuildingBriefs-3-Islam-and-the-Question-of-Gender-Equality-EN.pdf>

There are two main approaches to gender equality in contemporary Muslim thought:



The *'protectionist' approach* aims to 'protect' women from harm or wrongdoing. In doing so, it treats women as perpetual minors, undermining their human dignity and preventing them from fulfilling their potential in both spiritual and social spheres.



The *'egalitarian' approach* challenges classical understandings of gender and argues for equality for women on all fronts, demanding that law and practice reflect the egalitarian principles and values of Islam.

As a conclusion...

Qasim Amin wrote in 1899 in his historic book « The Liberation of Women » published in Cairo:

The development of a country depends on numerous factors, the most important of which is the development of women. Similarly, the underdevelopment of a country is a product of numerous factors, the most important of which is the inferior position of women.

This remains true when it comes to access to land and other economic assets by Arab women....

Thank you for your attention.

CREATING AN ENABLING ENVIRONMENT FOR WOMEN'S SECURE ACCESS TO LAND

25.10.2021

Fathi Egal, Land and Conflict Consultant, LHS

OUTLINE OF TRAINING SESSION

- 1. Objective/ Learning Outcomes**
- 2. Why the need for an enabling environment?**
- 3. Education/awareness raising**
- 4. International Legal Frameworks**
- 5. Increasing women's participation in decision-making**
- 6. Supporting women's organizations**
- 7. Promoting legal and administrative reform**
- 8. Gender responsive land policies**
- 9. Increasing women's access to justice**
- 10. Protecting women's access to land during restitution process**

OBJECTIVE

Objective: This training session's objective is to strengthen the awareness on the importance of women's participation in land matters and land decision-making bodies.

It suggests a way forward to creating an enabling environment for securing women's land and property rights by adapting already existing, or developing new, gender-sensitive land laws and tools.

LEARNING OUTCOMES

Understand the challenges that women face in accessing land dispute-resolution mechanism.

Compare the legitimacy of different dispute-resolution mechanisms.

Identify effective ways for improving women's access to justice.

Identify the most suitable tools to enhance women's land and property rights

Evaluate the gender-responsiveness of existing land laws according to gender-sensitive principles.

WHAT IS AN ENABLING ENVIRONMENT?

Women's land rights and HLP rights are often violated and unprotected and it is pertinent to create enabling environments that recognize and support their rights.

It is important to first understand the social, economic and political barriers that exist and how they contribute to limiting the full realization of HLP rights for women.

Creating an enabling environment can be approached in two ways

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

WHY THE NEED FOR AN ENABLING ENVIRONMENT?

Securing HLP rights for women is linked to their overall socio-economic development.

When women's rights are promoted and protected—society at large benefits with increased peace and economic production.

But despite all this, it is imperative to create enabling environments for women because they deserve equal protection and their HLP rights are part of their human rights.

EDUCATION AND AWARENESS RAISING

Education of all people and awareness raising on the status of women's land and property rights under international and national frameworks is essential to their realization and for the deconstruction of all the patriarchal and male biased structures which prevent women from enjoying their rights.

Awareness raising programs need to sensitize and inform communities, and particularly men, on the value women's work and on the importance of increasing women's access to land for the social and economic development, and food security, of their families and communities.

INTERNATIONAL LEGAL FRAMEWORKS

As established by international standards, women have the right to equality in the enjoyment of all their rights, including the right to access, use, inherit, control, and own land.

International human rights instruments can be divided into two categories: declarations, adopted by international bodies such as the United Nations General Assembly and not legally binding, and conventions, legally binding instruments concluded under international law.

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Recognizes the right to adequate housing as part of the right to adequate standard of living (Article 25). The right to adequate housing contains entitlements which include security of tenure; housing, land and property restitution; equal and non-discriminatory access to adequate housing; and participation in housing-related decision-making at the national and community levels.

The Universal Declaration of Human Rights sets different relevant provisions which constitute the basis of the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD).

affirms that “All appropriate measures, particularly legislative measures, shall be taken to ensure to women, married or unmarried, equal rights with men in the field of civil law, and in particular the right to acquire, administer, enjoy, dispose of and inherit property, including property acquired during marriage”

Voluntary Guidelines on the Responsible Governance of Tenure of Lands, Fisheries and Forest in the Context of National Food Security (2012)

- represent the first international guidance on land governance, and clearly reaffirm the responsibility of states to: “*ensure that women and girls have equal tenure rights and access to land, fisheries and forests independent of their civil and marital status.*”

2030 Agenda for Sustainable Development

- adopted by all United Nations Member States in 2015 reflects - through the Sustainable Development Goals - the urgent need for strengthening tenure security for all, particularly for women and vulnerable groups. Women's secure access to, use of and control over land is featured particularly in four goals:
- SDG 1: to end poverty;
- SDG 2: to achieve food security;
- SDG 5: to reach gender equality and the empowerment of women;
- SDG 11: to make cities and regions inclusive, safe, resilient and sustainable.

International legal frameworks

- the **International Covenant on Civil and Political Rights (ICCPR)** and the **International Covenant on Economic, Social and Cultural Rights (ICESCR)**, both adopted by the United Nations General Assembly in 1966, which, reaffirm the right to equality between women and men and the right to non-discrimination, which have major implications for the protection of women's land and property rights, particularly at the time of marriage

Increasing women's participation into decision-making

- In many formal and informal decision-making bodies, women are vastly under-represented
- Building gender-equitable participation into policymaking is a long-term process that envisage political will, the involvement and training of different groups of stakeholders, including women, and interventions at different levels.
- Women's participation in peace negotiations and land conflicts resolution mechanisms should be increased to ensure women's grievances and needs are addressed during negotiations processes and included into peace agreements.

Increasing women's participation into decision-making

- The importance of women's active participation and leadership in peace negotiations and mediation processes - and its contribution to sustainable peace - has been highlighted in the UN Security Council Resolution 1325.
- After carrying out a context analysis, it is necessary to raise awareness on the benefits of a gender-equitable process and on the provisions protecting women's land and property rights so that women are able to claim them, while increasing their confidence in the participation in the political process.

Supporting women's organisations

- One effective way to support the creation of enabling environments is to work with women's organisations that are dedicated to the same cause
- Women's organisations are essential to women's empowerment and participation in decision-making processes. They provide a safe environment for women to talk, organize, strategize, build self-confidence, and seek the support of other women sharing similar experiences and concerns.

Supporting women's organisations

- Women's group provide information, practical support and guidance to women on how to access to land and housing and other forms of support for claiming their land rights.
- For women's organisations to continue existing and advocating for change, they need to be strengthened through skills training, partnership with outside networks and by providing women with support for their domestic work. In addition, men must be encouraged to undertake more household responsibilities in order to leave women the opportunity to participate in organisations.

Promoting legal and administrative reforms

- With a long-term perspective towards durable conflict prevention and recovery, gender-discriminatory laws and practices should be reviewed to explicitly recognize and protect women's land and property rights
- A gender-sensitive legislation is a crucial component to guaranteeing women's rights to land. For this reason, national constitutions, policies and laws should be developed and reformed, and they should be accompanied by accessible and gender-sensitive enforcement mechanisms

Promoting legal and administrative reforms

- With regards to the land administration systems, they should be reformed to be more gender-responsive (i.e. less bureaucratic, faster, cheaper, etc.), all practical and logistical barriers keeping women from accessing land administration services (e.g. travel, office hours, etc.) should be removed, and decentralized land administration offices, mobile services, services for women, etc. should be established.

CASE STUDY-JORDAN

- This case study illustrates how multi-sectoral approaches and sustained efforts from government and civil society, supported by individual champions and with guidance from international frameworks, can have a positive impact on women access to land and overall improvement of women's conditions.

CASE STUDY-SOMALIA

- This case study is to show that while some progress has been made in enhancing women's access to land, gender discrimination can also take on more nuanced approaches to deny women full rights.

Developing gender-responsive land-policies

- Another effective tool to support the realization of enabling environments for women's HLP rights is to work through the development of land policies
- In elaborating gender-sensitive land policies, women's land rights must be recognized as going beyond simply women's right to "own" land. Access to, control over and use of land is subject to a broad range of legal and customary land tenure arrangements.

Developing gender-responsive land-policies

- States should account for the;
- Quality
- legality
- effective implementation
- participation
- enforceability of land rights for women

Making sure land tools are gender-sensitive

- Once policies and legislations that are gender responsive are in place it is equally important to assess the land tools and make sure they are also gender sensitive
- Land tools are means to convert legislation, policy or principles into implementation. They are the knowledge, skill and ability to practically deliver results.
- To protect women's land and property rights, it is important to gender spatial information, land use, planning, registration, administration, management and dispute resolution.

Gender-sensitive land tools

- GLTN developed a mechanism to serve as a framework of methodologies and strategies for systematically developing gender responsive land tools that promote equal tenure security for women and men.
- The mechanism emphasises on a multi-stakeholder approach and a systemic multi-stage methodology.
- *UN-Habitat/GLTN (2008) [Gendering Land Tools. Achieving Secure Tenure for Women and Men.](#)*

Increasing women's access to justice and land-dispute mechanisms

- A plurality of dispute-resolution mechanisms can be identified under the statutory, customary and religious systems which is prevalent in the Arab region.
- This can pose challenges but also great opportunities for enhancing women's access to land-dispute mechanisms, benefitting from hybrid systems that allow for a combined approach.
- Where state and judicial institutions are weak, costly, lengthy, and hindered by corruption, Shari'a courts and customary dispute resolution mechanisms seem to better respond to the needs of women in the short-medium term providing more accessible, quick, and affordable avenues.

Increasing women's access to justice and land-dispute mechanisms

- Justice mechanisms, both formal and informal, need to be oriented towards and held accountable for the protection of women's housing, land and property rights while financial, legal and technical aid need to be provided to ensure their well-functioning.
- A comprehensive range of interventions are needed to support women's access to formal and informal courts, this include the provision of; accessible and affordable legal aid, legal information and counselling, legal assistance, representation and mediation and the removal of barriers that keep women from pursuing independent legal justice and representation in courts, like the need to travel long distance.

Increasing women's access to justice and land-dispute mechanisms

- Another crucial step towards increasing the gender-responsiveness of formal dispute resolution mechanisms is enhancing their inclusivity and diversity, increasing the representation of women in courts.
- However, increasing the number of women in tribunals alone is not sufficient for enhancing women's access to justice, they need to be adequately trained and sensitized on the socio-economic and political disadvantages faced by women in different contexts.

Protecting women's access to land during the restitution process

- In countries where statutory institutions are weak and customary norms often regulate access to and control over land and property, including transfer and inheritance, women are generally subjected to discriminatory practices with regards their land and property rights.
- This discrimination is often perpetrated even when provisions explicitly protecting the restitution of housing, land and property for women are included peace agreements as local customs may not be aligned with the new legislation.

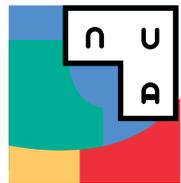
Protecting women's access to land during the restitution process

- Although it is important to include women's right to restitution of housing, land and property in the peace settlements, it is not sufficient to guarantee that these agreements will be implemented effectively and appropriately

DISCUSSION QUESTIONS

- In your society, what are some of the biggest challenges and barriers to women's full realization of their HLP rights?
- What are some enabling factors that can be easily introduced?
(keep in mind available resources)

THANK YOU!



IMPLEMENTING
THE NEW
URBAN AGENDA





Arab Region Program on good land governance in support to inclusive development, peace and stability AoC 3: Women, Land and Socio-Economic development

“Land governance, women empowerment and socio-economic development in the Arab Region”

25–26 October 2021

Erbil, Iraq

Evidence-informed and human rights-based land policy making

Joseph Schechla

Housing and Land Rights Network – Habitat International Coalition



Evidence-informed Policy (Culture)

- Culture: a matrix of social standards comprising social rules, values, cultural codes and symbols;
- EIP - paradigm shift to in our understanding of public governance and the place of the citizens within it;
- Distinct from ‘evidence-based’ policy;
- Validation;
- Interests vs. knowledge, “messiness and chaotic pluralism” vs. science;
- Design and analysis phases;
- Upholds the state;
- Interrogates:
 - The imagination (assumptions) and practice of state-centered order;
 - How public policy creates and sustains stability;
 - How citizens experience their government.



ميثاق الأمم المتحدة

التنمية (المستدامة)

السلام والأمن

حقوق الإنسان

تعهدات أو التزامات



تعهدات والتزامات !



Obligations:

- CESCR and General Comment No. 16:
- Women have a right to own, use or otherwise control housing, land and property on an equal basis with men, and to access necessary resources to do so. Implementation requires States parties... actively to address customary practices (para. 28).
- CEDaW and General recommendation No. 34



**CEDaW General
recommendation
No. 34 (2016) on
the rights of rural
women**



State obligations:

- **Implement** substantive equality in relation to land and **temporary special measures**, comprehensive strategy to achieve equal access to natural resources, and address discriminatory stereotypes, attitudes and practices that impede their rights to land and natural resources (57);
- Ensure that **customary systems** do not discriminate (58);
- **Raise awareness** about rural women's rights to land, water and other natural resources among all relevant actors (58);
- **Ensure that legislation guarantees rural women's equal rights to land** and other natural resources, irrespective of civil and marital status or guardian or guarantor arrangements, and that they have full legal capacity (59);

State obligations:

- **Strengthen customary and statutory institutions and mechanisms for defending or protecting women's rights to land** and other natural resources, including community paralegal services (59c);
- **Implement agricultural policies that support rural women farmers**, recognize and protect the natural commons, promote organic farming and protect rural women from harmful pesticides and fertilizers and their effective access to agricultural resources (62);...
- **Ensure that land acquisitions, including land-lease contracts, do not violate the rights of rural women or result in forced eviction**, and protect rural women from the negative impacts of the acquisition of land by national and transnational companies, development projects, extractive industries and megaprojects; (62c);
- **Obtain rural women's free and informed consent** before any acquisitions or project affecting rural lands or territories and resources, and, when such land acquisitions do occur, they align with international standards, including adequately compensation (62d);



Commitments

SDG 1. End poverty in all its forms everywhere

1.4 By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance

1.4.1 Proportion of population living in households with access to basic services

1.4.2 Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive t

1.4.2 Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure

Commitments

SDG 5. Achieve gender equality and empower all women and girls

5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws

5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws

5.a.1 (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure

5.a.2 Proportion of countries where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control

Commitments

New Urban Agenda

We commit ourselves to promoting... the continuum of land and property rights, with particular attention to security of land tenure for women as key to their empowerment, including through effective administrative systems (§35).

Current Policies

- Algeria
- Egypt
- Jordan
- Morocco
- Oman
- Palestine
- Tunisia

Sources

- Voluntary National Reviews (VNRs) on SDGs
- Nationally determined contributions to the Paris Agreement (NDCs)
- New Urban Agenda (NUA) implementation reports

Algeria

- CEDaW, acceded with reservations in 1996;
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, ratified with interpretative declarations in 2016;
- Intersectoral Commission Gender Focal Points in 2016: 23 members responsible for supervising and ensuring strong gender dimension in the implementation of public policies
- Family Code obliges the father, in the event of divorce, to provide decent housing, or failing that, payment (VNR, 2018)
- NUA report: no mention

Egypt

- National Project for Family Development (2023-2021)
- Egypt's Vision 2030 (updated 2021)
- Evidence-based policy (2.3)
- Female-headed households are less likely to move
- Household Income and Expenditure Survey shows:
 - Female-headed households are less likely to fall into poverty compared to male-headed ones,
 - Households in rural areas are more likely to escape poverty than those in urban regions during the last two years.
- Nothing on 1.4.2
- “women empowerment and gender equality”
- NUA report: no mention
- 20% of reclaimed lands go to women

Iraq

Policy framework:

- Convention on the Elimination of all Forms of Discrimination against Women (CEDaW)
- International Covenant on Economic, Social and Cultural Rights.
- International Convention on the Elimination of All Forms of Racial Discrimination
- International Covenant on Civil and Political Rights
- International Labour Organisation Convention on Equality of Treatment (Social Security), 1962
- Declaration of the Beijing Platform for Action (World Conference on Women).

Iraq

VNR 2021

Policy and institutional framework

- The National Plan for the Return of the Displaced
- National Development Plan 2018–22
- Second National Action Plan for the Implementation and Follow-up of the UN Security Council Resolution 1325
- Supreme Committee for the Protection of Family and Children

“Iraq still faces structural barriers that constitute an obstacle to achieving equality between men and women, and women are still in economic participation, especially young women, and this is due to the system of restrictions. They face great societal and economic challenges that prevent them from obtaining their independence, enjoying their rights” (p. 57)

5.A not mentioned

Jordan:

Policy framework:

- Jordan 2025: A National Vision and Strategy
- Executive Development Programmes (EDPs)
- Economic Growth Plan (2018–2022)
- The Comprehensive National Plan for Human Rights (2016–2025)
- National Strategy for Women (2018–2022)

Institutional framework:

- National Social Protection and Poverty Eradication Strategy (2018–2025)
- Higher Steering Committee (coordination)
- National Higher Committee for Sustainable Development
- Jordanian National Commission for Women (JNCW)

Jordan:

CEDAW/C/JOR/CO/6 (2017)

Rural women

49. (b) The prevalence of discriminatory practices that prevent rural women from inheriting or acquiring ownership of agricultural land and other property.

50. The Committee, in line with its general recommendation No. 34 (2016) on the rights of rural women, recommends that the State party:

- a. Develop and implement measures, including temporary special measures, to accelerate the achievement of substantive equality for rural women in all areas in which they are underrepresented or disadvantaged...;
- b. Address negative traditional practices that affect the full enjoyment of rural women's right to agricultural land and other property, and launch awareness-raising campaigns on their legal right to ownership and inheritance.

Morocco

- National Sustainable Development Strategy
- Government Plan for Equality « ICRAM » (2012–16 & 2017–21)
- Green Morocco Plan, pillar II for modernizing solidarity agriculture and fighting poverty of small farmers
- No mention of 1.4.2
- 2009–2019 GBV economic violence increased in rural areas by 9%
- Law No. 62.17 (2019) on administrative supervision over Soualilyate communities and their property, allowing women to enjoy ‘access’ to collective land.

Morocco

E/C.12/MAR/CO/4 (2015):

- Sahraoui refugees displaced by the conflict in Western Sahara, particularly women and children. It is also concerned that the Sahraouis' right to participate in the use and exploitation of natural resources is still not respected (arts. 1 and 25)" (§5);
- “enable the Sahraouis to access their land and natural resources and rejoin their families (separated by the occupation wall/berm).

Oman

Policy framework:

- Oman Vision 2040
- The strategy to stimulate growth and increase levels of economic diversification
- Sustainable Agriculture and Rural Development Strategy in Oman 2040
- Social Action Strategy (2016-2025)

Actions Taken:

- “Ensuring that women receive a plot of land as a grant from the state”
(p. 72)

Oman

CEDAW/C/OMN/2-3 (2017):

- National Agricultural Development Strategy for 2015–2040

Observations:

- 45. Rural Women
 - (a) The disadvantaged position of women in rural and remote areas who face poverty
 - (b) The prevalence of discriminatory practices that prevent rural women from inheriting or acquiring ownership of agricultural land and other property.
- 46. The Committee recommends to:
 - (a) Develop and implement measures, including temporary special measures... to create income-generating opportunities for rural women in their localities;
 - (b) Address negative traditional practices that affect the full enjoyment of rural women's right to agricultural land and other property, and launch awareness-raising campaigns on their legal right to ownership and inheritance.

Palestine

VNR (2018):

- Policy framework:
- National Policy Agenda 2017–2022

Observations:

- Harmonization of national legislation with CEDAW has not been achieved,
- Land and inheritance links to domestic violence .

Palestine

CEDaW/C/PSE/CO/1 (2018)

Rural women

42. The Committee notes that rural women have access to agricultural services and skills development through rural development and agricultural services programmes. It also notes the disadvantaged status of rural women due to the occupation, which has resulted in the dispossession of agricultural land and has limited access for women to water, sanitation and electricity and exposed them to violent acts by settlers. The Committee notes the following with concern:
- (a) The lack of information regarding land ownership by rural women in the State party;
 - (b) That the programmes and activities implemented by the State party for rural women are more humanitarian than developmental in nature and information lacking on the participation of women in the implementation and development of agricultural policies;
 - (c) The lack of information on the number of women who have benefited from the disaster risk reduction and insurance fund, which is intended to compensate farmers for agricultural damages and losses.
43. In line with general recommendation No. 34 (2016) on the rights of rural women, the Committee recommends that the State party:
- (a) Provide information, in the next periodic report, on land ownership by rural women;
 - (b) Ensure that programmes and activities for rural women are focused on their economic

Tunisia

VNR 2021:

- National Program for Enhancing Entrepreneurship: Women's Business in Rural Areas "RAIDA"
- National Strategy for the Economic and Social Empowerment of Women and Girls in Rural Areas, 2017–2020
- Program to promote equality between women and men in Tunisia Moussawat 2016–2021
- Agro-investment: 11% of ag loans to women
- 10% increase in women-promoted ag projects
- Women with equity 19% vs. 55% men
- (i) APIA grants particularly difficult for women w/o equity; (ii) Ag loans increasingly difficult to obtain because of the low repayment rate; (iii) MoA subsidies and support difficult to obtain due to administrative slowness and difficulty in submitting application

NUA report:

- "Operational Support in Rural Areas"

Tunisia

- State report to CESCR (2015): “no measures in place to ensure access to adequate and affordable housing with legal security of tenure for everyone, irrespective of income or access to economic resources” (p. 35).
- E/C.12/TUN/CO/3 (2016): no observation.

Conclusions

- Evidence-**based** policy: Egypt only
- Obligations inferred (Algeria, Iraq*, Oman, Palestine)
- Agenda 2030 commitments (all)
- Reporting on 5.a (none)
- NUA commitments (Algeria, Egypt, Tunisia), not on women and land
- Reporting guidelines as factors
- Compared with other SD sectors and priorities (e.g., green transition)

Land Governance, Women Empowerment and Socio-Economic Development in the Arab Region

Monitoring Women's Land Tenure Rights in the Sustainable Development Goals (SDGs) Framework

25-26 October 2021, Erbil, Iraq

By Clinton Omusula- Land Data and Knowledge Management Officer
Global Land Tool Network (GLTN)
Land, Housing and Shelter Section

outline

1. Introduction to SDG indicators 1.4.2, 5.a.1 and 5.a.2
2. Global Efforts in Monitoring of SDG Land Tenure Indicators
3. Status of Land Governance Monitoring in the Arab Region.
4. Strengthening Monitoring of Land Governance in the Arab Region.
5. Discussion & Conclusions

Overview of SDG Indicator 1.4.2.

Location: SDG 1- End poverty in all its forms everywhere.

Target 1.4: By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, *ownership and control over land and other forms of property*, inheritance, natural resources, appropriate new technology and financial services, including microfinance.

Indicator 1.4.2: Proportion of total adult population with secure tenure rights to land,
(a) with **legally recognized documentation**, and
(b) who **perceive their rights to land as secure**, by **sex** and **type of tenure**.



Data Sources for SDG Indicator 1.4.2

•Administrative data (Land registries, Cadastres, line ministries etc.)

- Provide data on number and area of registered parcels by tenure type (**sub-indicator a**)
- Core function of public land registries and national cadasters, timely, possible to disaggregate
- Used for triangulation with survey data on documentation/perception of tenure security

NB – coverage may be skewed to urban/ more productive zones, risk of leaving out other areas including informal settlements, may not be in appropriate format ready for analysis, etc.

•Household surveys conducted by National Statistics Offices

- Wider coverage: Provide data for areas/populations often not covered by formal systems, on informality, gender barriers to land access.
- Provides data on perception of land tenure security (**sub-indicator b**), legal documentation notwithstanding

Further Levels of Data Disaggregation

Based on national priorities and additional to **sex and tenure type**, land tenure security data can be disaggregated by:

- **Geographical location** (Urban vs. rural vs Peri-urban)
- **Regions/ administrative units**
- **Age** (youth etc.)
- **Socio-economic status** - Wealth/income category
- **Migration status**
- **Education level of HH head**
- **Ethnicity/religion/language**
- **Disability status**
- **Land value**

Essential survey questions for indicator 1.4.2

Question	
Q1	<p>Do you currently use, own, or hold use rights for any agricultural (including pastoral land)/ non- agricultural land (such as for residential or commercial purposes) either alone or jointly with someone else?</p> <ol style="list-style-type: none"> 1. Yes 2. No
Q2	<p>Is there a document for any agricultural /non-agricultural land you own or hold use rights to that is issued by or registered at the Land Registry/ Cadastral Agency such as title deed, certificate of ownership, certificate of hereditary acquisition, lease or rental contract?</p> <ol style="list-style-type: none"> 1. Yes 2. No
Q3	<p>What type of documents are there for the agricultural/non-agricultural land you own or hold use rights to, and is your name listed on any of the documents as owner or right use holder?</p> <p><i>List up to 3 documents, show photo aid</i></p>
Q4	<p>On a scale from 1 to 5 where 1 is not at all likely and 5 is extremely likely, how likely are you to involuntarily lose ownership or use rights to any agricultural/ non-agricultural land you own or hold use rights to in the next 5 years? {1. not at all likely, 2. Slightly likely, 3 moderately likely, 4. Very likely, 5. Extremely Likely}</p>

OVERVIEW OF SDG INDICATOR 5.A.1

5 GENDER
EQUALITY



Achieve gender equality and empower all women and girls

Target 5.a

“undertake reforms to give women equal **rights to** economic resources, as well as access to **ownership and control over land** and other forms of property, financial services, inheritance and natural resources, in accordance with national laws”

Indicator 5.a.1

“(a) Proportion of total agricultural **population with ownership or secure rights** over agricultural land (out of total agricultural population), by sex; and

(b) Share of **women among owners or rights-bearers** of agricultural land, by type of tenure”

Indicator 5.a.2

“Proportion of countries where the **legal framework** (including customary law) **guarantees women’s equal rights** to land ownership and/or control”.

agricultural households

- A household is **defined as agricultural household** if:

And
/or

1. it has operated land over the past 12 months for agricultural purposes either for own consumption or trade, or both
2. it has raised livestock over the past 12 months either for own consumption or trade, or both

A household **is NOT an agricultural household** if:

or

1. it did not operate land for agricultural purposes nor raise livestock
2. Its members operated land or raised livestock only as wage laborers.
In such a case they are laborers of an enterprise, therefore should NOT be considered as deprived simply because they don't own the assets of the enterprise.

Proxy conditions for indicator 5.a.1

Proxy

The proxy indicates:

Thus, an individual in an agricultural household is considered an owner or rights holder if:

**LEGALLY
RECOGNIZED
DOCUMENT**

The availability of a legally recognized document

His/her name is on a document that testifies tenure rights over agricultural land

**RIGHT TO
SELL**

The ability of an individual to permanently transfer the asset in question in return for cash or in-kind benefits.

S/he has the right to sell agricultural land

**RIGHT TO
BEQUEATH**

The ability of an individual to pass on the asset in question to another person(s) while alive or after death, by written/ oral will or intestate succession

S/he has the right to bequeath agricultural land

Data sources for indicator 5.a.1

DATA SOURCES

Recommended data sources

Indicator 5.a.1 focuses on **adult individuals living in agricultural households** – i.e. that practice agriculture for own use/consumption or for profit/trade.

Given its **reference population**, the **most appropriate data sources** are:

Agricultural Surveys

such as

Agricultural survey programme (AGRIS)
Integrated Agricultural and rural survey programme (50x2030 initiative)

or

National Household Surveys

such as

Living Standards Measurement Surveys (LSMS)
Household Budget Surveys (HBS)
Demographic and Health Surveys (DHS)
Multiple Indicator Cluster Surveys (MICS)
Living Conditions Surveys
Labour Force Surveys (LFS)
Integrated Household Surveys

Essential survey questions for SDG indicator 5.a.1

List of standard questions	
Q1.	Do you currently use, own, or hold use rights for any agricultural land (including pastoral land), either alone or jointly with someone else ? 1- Yes 2- No (End of Module)
Q2.	Is there a document for <u>any</u> of the agricultural land you own or hold use rights to that is issued by or registered at the Land Registry/Cadastral Agency, such as a title deed, certificate of ownership, certificate of hereditary acquisition, lease or rental contract? 1- Yes 2- No >> Q4
Q3a.	What type of documents are there for the agricultural land you own or hold use rights to? LIST UP TO 3, SHOW PHOTO AID
Q3b.	Is your name listed on any of the documents as owner or right use holder? 1- Yes 2- No 98- Don't know 99- Refusal
Q4.	Do you have the right to sell any of the agricultural land you own or hold use rights to, either alone or jointly with someone else? 1- Yes 2- No 98- Don't know 99- Refusal
Q5.	Do you have the right to bequeath any of the agricultural land you own or hold use rights to, either alone or jointly with someone else? 1- Yes 2- No 98- Don't know 99- Refusal



Gender and Land Rights

SDG Indicator on legal women's land rights





SDG 5: Achieve Gender Equality and Empower All Women and Girls

5.1 End all forms of discrimination against all women and girls everywhere

5.2 Eliminate all forms of violence against all women and girls

5.3 Eliminate all harmful practices

5.4 Recognize and value unpaid care and domestic work

5.5 Ensure women's full and effective participation and equal opportunities for leadership

5.6 Ensure universal access to sexual and reproductive health and reproductive rights

5.a Undertake reforms to give women equal rights to economic resources, as well as access to, ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws

5.b Enhance the use of enabling technology, in particular information and communications technology

5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and empowerment

Indicator 5.a.1: Statistical Indicator

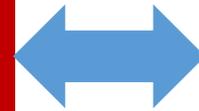
- (a) Proportion of total agricultural population with *ownership* or *secure rights* over *agricultural* land, by sex;
- and (b) share of women among *owners* or *rights bearers* of *agricultural* land, type of tenure.

Indicator 5.a.2: Legal Indicator

- Percentage of countries where the *legal framework* (including *customary law*) guarantees women's equal rights to land *ownership and/or control*.

CUSTODIAN AGENCY

- Produced the methodology
- Provides technical support to countries
- Strengthen national capacities
- Quality check of the data
- Global reporting

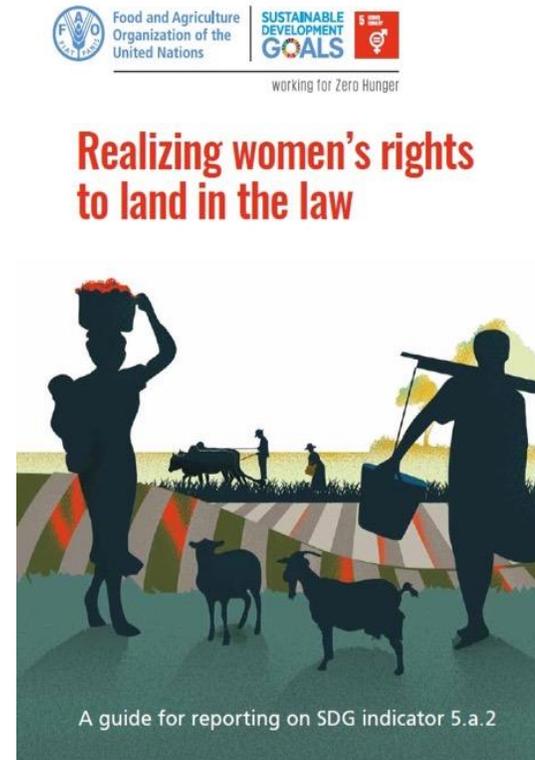


COUNTRIES

- Responsible for reporting
- Identification of a responsible national entity
- Assessment of the policy and legal framework and computation of results
- Communicate results to FAO

Six proxies for computing SDG Indicator 5.a.2

- **Proxy A:** Joint registration of land compulsory or encouraged through economic incentives
- **Proxy B:** spousal consent requirement for land transactions
- **Proxy C:** Women's and girls' equal inheritance rights
- **Proxy D:** allocation of financial resources to increase women's ownership and control over land
- **Proxy E:** In legal systems that recognise customary land tenure, the legal and policy framework explicitly protects the land rights of women
- **Proxy F:** Mandatory quotas for women's participation in land management and administration institutions

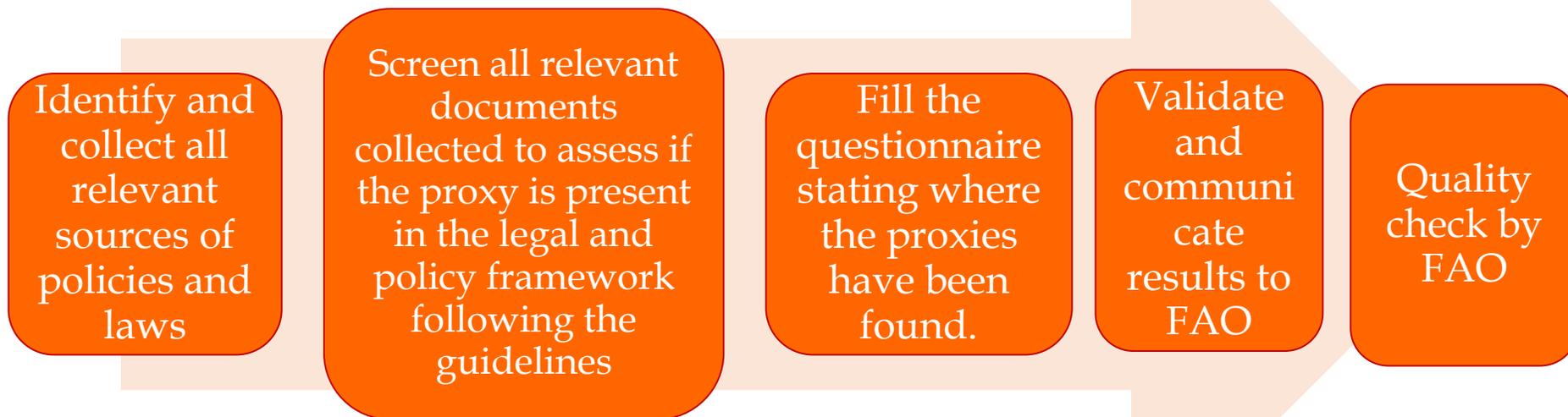


Monitoring and Reporting Process



- Legal assessment requires about 20 working days

National Legal Expert:



SDG indicator 5.a.2 country results (n=34)

■ Band 1 ■ Band 2 ■ Band 3 ■ Band 4 ■ Band 5 ■ Band 6

Band 1: No evidence of guarantees of gender equality in the land ownership and/or control in the legal framework.

- None of the proxies are present in the primary or primary and secondary legislation

Band 2: Very low levels of guarantees of gender equality in land ownership and/or control in the legal framework.

- One of the proxies present in primary or primary and secondary legislation

Band 3: Low levels of guarantees of gender equality in land ownership and/or control in the legal framework

- Two of the proxies present in primary or primary and secondary legislation

Band 4: Medium levels of gender equality guarantees in land ownership and/or control in the legal framework

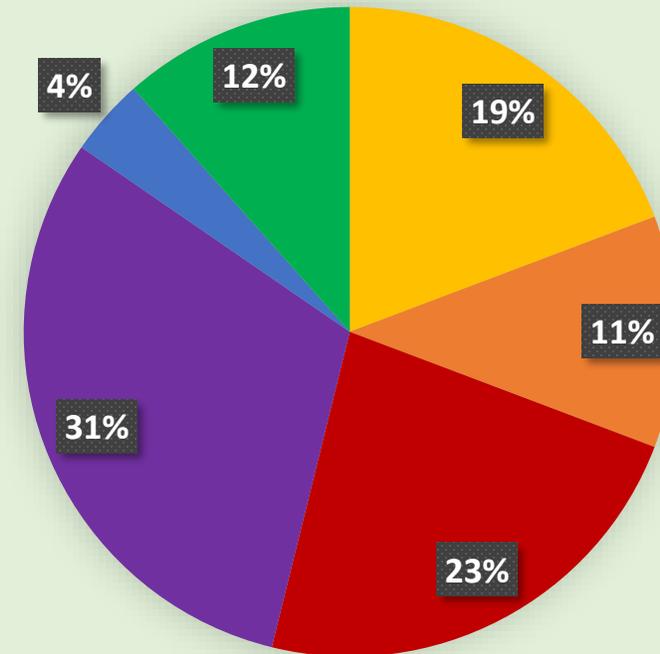
- Three of the proxies are present in primary legislation or primary and secondary legislation

Band 5: High levels of gender equality guarantees in land ownership and/or control in the legal framework

- Four or five of the proxies are present in primary legislation or primary and secondary legislation (Depending if CL applicable)

Band 6: Very high levels of gender equality guarantees in land ownership and/or control in the legal framework

- Five or six proxies are present in primary legislation or primary and secondary legislation



Global Efforts in Monitoring of SDG Indicators 1.4.2 & 5.a.1

Definitions and metadata

Detailed metadata developed, featuring rationale, definitions, and method of computation and techniques to estimate the indicators

- Security of tenure
 - ❖ Documentation
 - ❖ Perception
 - ❖ Alienation rights



https://unhabitat.org/sites/default/files/2020/11/metadata_on_sdg_indicator_1.4.2_05-2020_1.pdf

<https://unstats.un.org/sdgs/metadata/files/Metadata-05-0a-01.pdf>

Global Efforts in Monitoring of SDG Indicators 1.4.2 & 5.a.1

Harmonization of SDGs 1.4.2 and 5.a.1

- Custodian agencies, in collaboration with GLII and GDWGL, sought to **harmonize definitions and data collection tools** to facilitate simultaneous monitoring of SDGs 1.4.2 and 5.a.1
 - Guided by work of the [UN EDGE](#) Project/World Bank collaboration and the [LSMS+](#) program
 - Developed a joint module available <https://gltn.net/2019/08/27/measuring-individuals-rights-to-land/>
 - Available in English, Spanish, Russian, **Arabic**, and French, and in Survey Solutions CAPI.



Global Efforts in Monitoring of SDG Indicators 1.4.2 & 5.a.1

The Joint Module- SDGs 1.4.2 & 5.a.1

Due to various survey designs in which this module could be integrated,
5 versions of the module have been designed

VERSION 1

Parcel level data, **self respondent** approach, **no parcel level roster elsewhere**, assumes **separate household member roster** with sex.

VERSION 2

Parcel level data, **self respondent** approach, assumes **parcel roster elsewhere** which can be fed forward to either (a) the interview of one randomly selected individual or (b) the interviews of all adult household members, assumes **separate household member roster** sex.

VERSION 3

Individual level data, **self respondent** approach, **not reported at parcel level**.

VERSION 4

Parcel level data, **proxy respondent** acceptable, **no parcel level roster elsewhere**, assumes **separate household member roster** with sex.

VERSION 5

Individual level data, **proxy respondent** approach, **not reported at parcel level**.

Optimal module selected based on :

1. **Respondent selection**: self-respondent (recommended)/ proxy respondent
2. **Level of data collection**: parcel level / individual level
3. **Parcel roster presence**: a roster of parcel is already present in the survey / or not

Data collection strategies

Customization

- Is one of the most delicate aspects to take into account when dealing with global level indicators. There are **two key principles** that must be balanced:

Ensure **comparability**
of results across
countries

To achieve global comparability, it is fundamental to strictly comply with the indicator's protocol – i.e., cover all the required data items and collect data through the appropriate means and from the correct respondents.

Adapt to the
characteristics and
needs of the **specific**
context

- In many cases, a literal **translation** is not the best one. Particular care should be put in translating the concepts of tenure rights, right to sell and bequeath.
- The list of legally recognized **titles and certificates** that protect use rights over land is highly country specific. Often certificates have a specific name in each country, therefore it is important to map the proposed list to the documents used in the country. In some cases a document is specific to the country, therefore it has to be added to the list.

NEXT STEPS FOR COUNTRIES

**PLAN DATA
COLLECTION**

**DATA
COLLECTION**

**COMPUTE
INDICATOR**

- Identify the most **appropriate data collection vehicle** for collecting the required data for 1.4.2 and 5.a.1, and plan in advance for the inclusion of the modules/questions
- Request **assistance** from FAO/UN Habitat/World Bank **if needed**
- **Adapt the standard protocol** to national specificities

To be used at the:

National level

and

Global level

Status of Land Governance Monitoring in the Arab Region.

SDG Indicators	UNSD SDG Indicators Database	Arab Region	SDG in national reports- VNR 2020 (Analysis by ILC)
1.4.2 Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure	34	0	Total VNRs- 42 Arab Region- 0
5.a.1 (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure	10	0	Total VNRs- Analyzed 42 Arab Region- 0
<p>5.a.2 Proportion of countries where the legal framework (including customary law) guarantees women’s equal rights to land ownership and/or control.</p> <p><i>Score 1-6: 1=No evidence of guarantees of gender equality in land ownership and/or control in the legal framework; 6=Highest levels of guarantees of gender equality in land ownership and/or control in the legal framework</i></p>	40	2 i.e., Jordan and Qatar. (both of score 1)	Total VNRs- Analyzed 42 Arab Region- 0

Strengthening Monitoring of Land Governance in the Arab Region.

❖ April 2021 Training Event - Enhancing the Production and Dissemination of SDG Indicators from Official National Sources in UNESCWA region.

- **Participants:** 26 representatives from 15 NSOs: Bahrain, Egypt, Iraq, Jordan, Lebanon, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Tunisia, UAE and Yemen.
- **Outcome:** Participants trained on the data needs and reporting process of SDG indicators 1.4.2 & 5.a.1, importance of monitoring land tenure security and opportunities for data collection.

❖ Training Events on Monitoring of Land Governance and Tenure Security- Organized by Rasheed (Transparency International- Jordan).

- **Middle East Sub- Region- December 2020 (65 Pax) & North Africa Sub-Region in March 2021 (52 Pax)**
- **Overall Outcome:** Participants (governments reps, NSOs, land ministries) were trained on data collection mechanisms and initiatives being undertaken by custodian agencies and international actors.
- Participants shared their country experiences, challenges and opportunities for monitoring of land governance.

Strengthening Monitoring of Land Governance in the Arab Region.

❖ **UN-Habitat and FAO Project in Tunisia** (completed) **and Iraq** (ongoing) - **Since March 2020**

Enhancing the Capacity of National Statistics Offices to Collect Land Tenure Data and Report on SDG indicator 1.4.2 (and 5.a.1).

Activities and Outcomes:

- **Tunisia:**

- September 2020 technical training workshop for NSO and land registry officers on SDG 1.4.2 & 5.a.1
- Piloting of questionnaire version 5 of the IAEG-SDGs approved methodology for collecting data and reporting on SDG indicators 1.4.2 and 5.a.1.
- 27th October 2021- Dissemination workshop for the project results.

- **Iraq:**

- June 2021-Technical training workshop for NSOs, line Ministries (Justice, Finance, Planning) conducted in Erbil, Iraq.
- Data mining and assessment currently ongoing.

Follow-up activities: Support all target countries (Kenya, Rwanda, Tunisia & Iraq) with methodological integration for sustained and standardized data collection and reporting

Strengthening Monitoring of Land Governance in the Arab Region.

- ❖ July 2021- **Expert Group Meeting** on Land Monitoring and Reporting on National, Regional and Global Commitments (Organized by Rasheed, TI-Jordan).

Outcomes:

- ❖ **Enhanced understanding of the country-specific challenges** in monitoring land governance in the region.
- ❖ **Brainstormed potential solutions** to the Arab region challenges to monitoring land governance.
- ❖ **Mapping of existing initiatives** e.g., relevant surveys, institutional frameworks that can be leveraged for data collection and compilation to enable reporting.
- ❖ **Framework for delivering data indicators** for monitoring land governance contributing to the SDGs, at country and regional level.

Strengthening Monitoring of Land Governance in the Arab Region.

Pipeline Initiatives and Activities:

- ❖ **13th Tranche DA Account Project (2021-2024):** - Brings on board Morocco among the target countries (Zambia, Senegal, Ethiopia, DRC) being supported to report on SDG indicators 1.4.2 and 5.a.1
- ❖ **Planned follow-up with Jordan, Palestine among others-** To mine existing survey and administrative data and report on SDG indicators 1.4.2 and 5.a.1
- ❖ **Enhanced Partnership-** through such events as this to bring on board more countries in the region as partners in monitoring land governance and tenure security.



Through multilateral partnerships and prioritization of land governance issues, there is renewed hope in efficient monitoring of land governance for evidence-based policy decisions in the Arab region.

**WE ALL HAVE ROLE TO PLAY!
GOVERNMENTS TAKING THE LEAD.**

Resources

- ❖ **Measuring Individuals' Rights to Land (Eng):** https://unhabitat.org/sites/default/files/documents/2019-08/190824_measuring_individuals_rights_to_land_publishing_web_0.pdf
- ❖ **Measuring Individuals' Rights to Land; An Integrated Approach to Data Collection for SDG Indicators 1.4.2 and 5.a.1:** <https://gltm.net/2019/08/27/measuring-individuals-rights-to-land/>
- ❖ **SDG Indicator 5.a.1 – Equal tenure rights for women on agricultural land (E-learning course):** <https://www.unsdglearn.org/courses/sdg-indicator-5-a-1-equal-tenure-rights-for-women-on-agricultural-land-2/>
- ❖ **Metadata for SDG Indicator 1.4.2:** <https://unstats.un.org/sdgs/metadata/files/Metadata-01-04-02.pdf>
- ❖ **Metadata for SDG Indicator 5.a.1:** <https://unstats.un.org/sdgs/metadata/files/Metadata-05-0a-01.pdf>
- ❖ **Getting it Right from Planning to Reporting: A Guidance Tool on Improving the Quality of Women's Land Rights Data And Statistics** <https://gltm.net/2021/06/08/getting-it-right-from-planning-to-reporting-a-guidance-tool-for-womens-land-rights-data-and-statistics/>

UN HABITAT

FOR A BETTER URBAN FUTURE

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مركز العالم العربي للبحوث والتنمية
Arab World for Research & Development



Palestinian Women's Rights to Ownership of and Access to Land and other Productive Resources

26 October 2021

<https://pwwsd.org/uploads/15949011091533037615.pdf>

<https://pwwsd.org/uploads/1594897550512256132.pdf>

Objectives and methodology

Aim:

The study provides evidence-based data and analysis to the local and international research and discussion on land ownership and gender relations.

Survey objective:

- ✓ Provide the contextual (international and local) background
- ✓ Explore and measure the reality while taking into consideration regional variance and other socio-economic variables.
- ✓ Examine the relation between land disputes, community violence, and violence against women as well as the role of formal and informal justice systems in resolution.
- ✓ Examine the political, legal, social, cultural, and economic barriers limiting women's rights to land and other productive resources.
- ✓ Provide insights on key explanatory variables that correlate with women's enjoyment of land rights: personal empowerment, membership in cooperatives, marital status, employment, and awareness.
- ✓ Provide a set of recommendations to enhance gender responsiveness to women's rights to access to and control over land and other productive resources.

Methodology: Qualitative component

- **60 in-depth interviews**

Location	Women	Men	Informants
West Bank	20	10	10
Gaza	8	6	6
Total	28	16	16

- **3 focus group discussions**

- ✓ One with 16 women in the Southern part of the Hebron Governorate (Yatta),
- ✓ One with 16 women in the Eastern region of Khan Yunis in the Gaza Strip (Abasan Al Kabeera).
- ✓ One FGD was conducted with key informants in the Gaza Strip. The FGD comprised – representatives of relevant institutions including women organizations, legal service providers, NGOs, government institutions, academics and legal experts

Methodology: Quantitative Methods

Survey:

- 493 women (391 women in the West Bank and 102 women in Gaza Strip) across 18 communities.
- Three communities were selected in each West Bank governorate to capture the diversity in conditions and demographics.
- One community was selected in each Gaza governorate due to lower level of social and demographic diversity.
- Women were selected through a systematic household random sample. Each community was divided into a number of primary sampling units (PSUs) using existing maps and boundaries marked by PCBS. Then, the team selected a sample of these PSUs and selected households based on a consistent sampling interval.

Sample characteristics

Governorate		
Jenin	15.6 %	77
Qalqiliya	15.6%	77
Jericho	15.6%	77
Bethlehem	16.8%	83
Hebron	15.6%	77
Gaza	6.9%	34
Khan Yunis	6.9%	34
Rafah	6.9%	34

Marital Status	
Single	7.3 %
Married	83.8 %
Divorced	1.8 %
Widowed	7.1 %

Refugee Status	
Refugee	19.5 %
Non- Refugee	80.5 %

Nuclear Family vs Extended	
Nuclear Family	89.0 %
Extended	11.0 %

Age	
18-30	18.5%
31-45	38.3 %
46-65	37.7 %
Over 65	5.5 %

Head of Household	
Female Headed Households	12 %
Male Headed Households	88 %

Women Who Contribute to HH Income	
Yes	30.4 %
No	69.6 %

Work	
Self Employed	3.4%
Employed	9.1%
Unemployed	2.2 %
Student	1.2 %
House Wife	74.2%
Farmer	4.3%
Worker	4.7%
Specialized	0.2%
Other	0.6%

Context

DISAPPEARING PALESTINE



5 million Palestinians are classified as refugees by the UN

Findings

Ownership, access, and barriers

Land ownership

- Out of the full sample of women (all women), 5.9% report sole ownership of curtilage land
- Out of the full sample of women, the rate of sole agricultural land ownership is 6.7%.
- Out of the full sample of women, only 2.1% report sole ownership of investment lands.

Type	Household ownership	Shared/sole ownership by women (of households that own land)
Curtilage land	97.8%	9.1% sole or shared (6% of women report sole ownership)
Agricultural land	44.4%	24.7% (15% of women report sole ownership)

* Please refer to Annex A which includes the detailed mean scores and their meaning

Ownership of Productive Resources

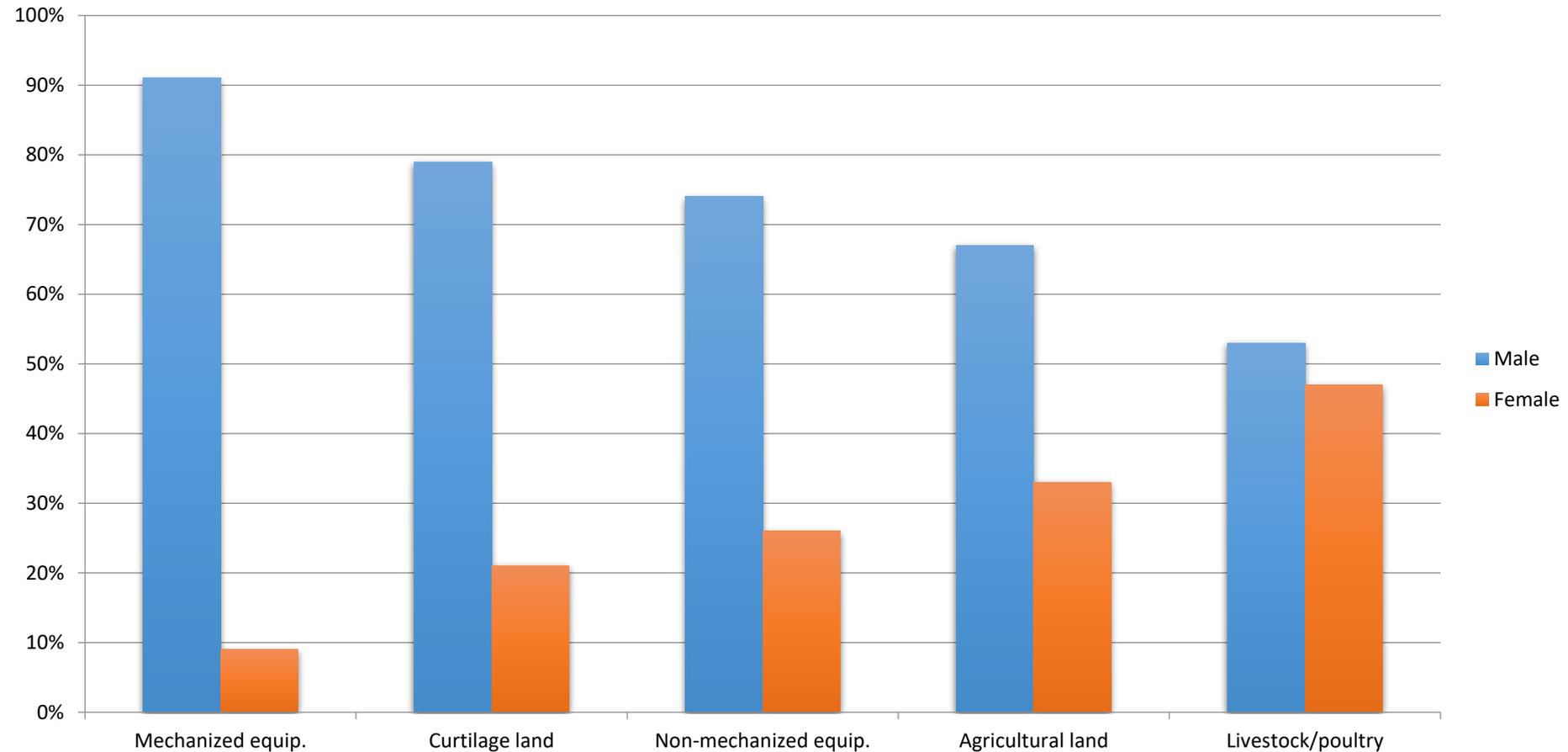
- Out of all interviewed women, only 1.4% report sole ownership of livestock or poultry as a productive source.
- Out of all surveyed women, as little as 0.25% fully own non-mechanized framing equipment.
- Out of all women in the sample, only 0.20% of them have sole ownership of mechanized equipment.

Type	Household ownership	% of women respondents reporting full ownership
Livestock or poultry	13.4%	1.4%
Mechanized equipment	5.9%	0.20%
Non-mechanized equipment	4.3%	0.25%

* Please refer to Annex A which includes the detailed mean scores and their meaning

Control: decision-making power

Relative level of Reported Decision-Making Power Regarding Land and Reproductive Resources

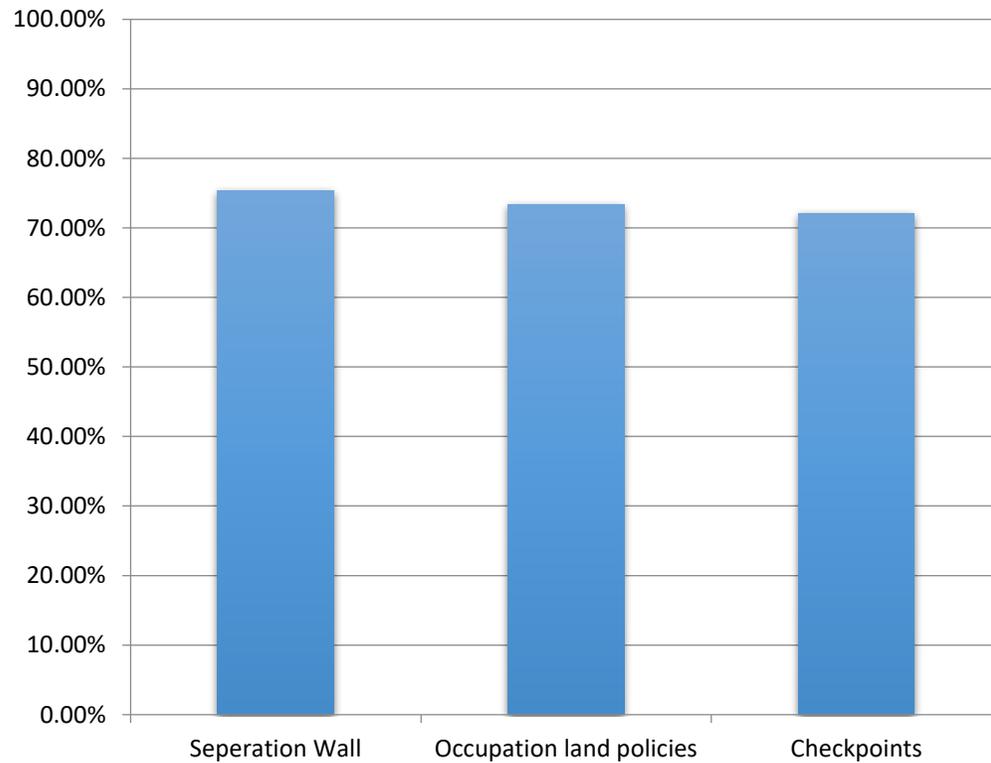


Access

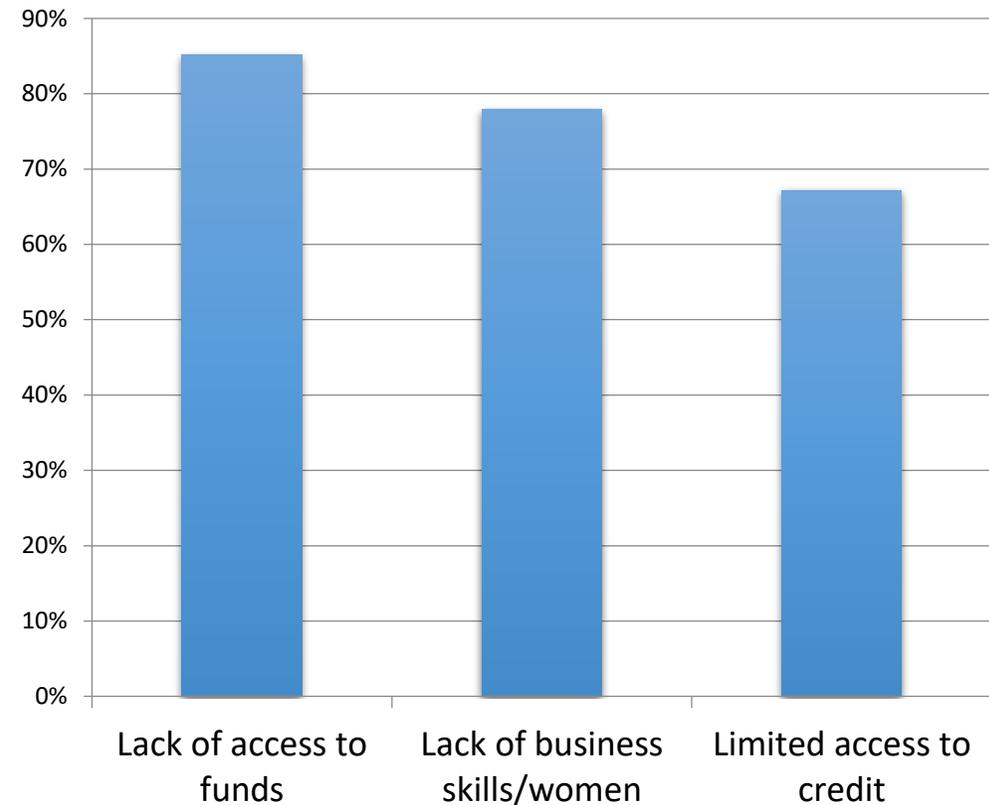
- ✓ 39.7% of the female respondents report that they are able to access agricultural land, while 60.3% say that are unable to do that.
- ✓ 56.1% of the female respondents report that they are able to access livestock and poultry sources owned by the family, while 43.9% say that are unable to do that.
- ✓ 45% of the female respondents report that they are able to access non-mechanized farm equipment, while 55% say that are unable to do that.
- ✓ Only 10.3% of the female respondents report that they are able to access mechanized farm equipment, while 89.7% say that are unable to do so.
- ✓ Women in Gaza report higher levels of access (ability to use and benefit) in relation to curtilage land, agricultural land, and mechanized and non-mechanized farm equipment. Women in the West Bank, however, report higher levels of access to commercial land and other types of land.

Barriers: political and economic

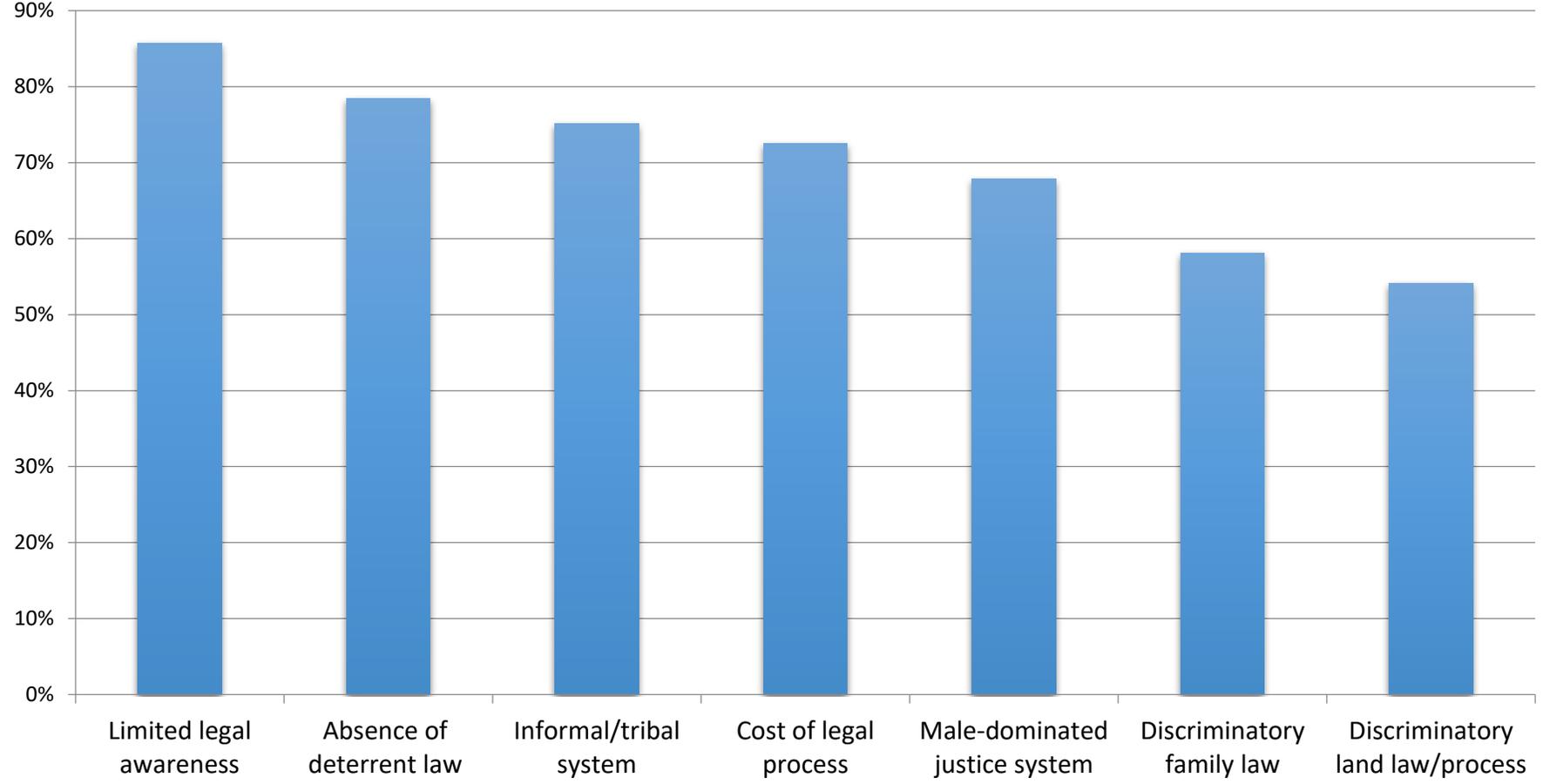
- Political barriers



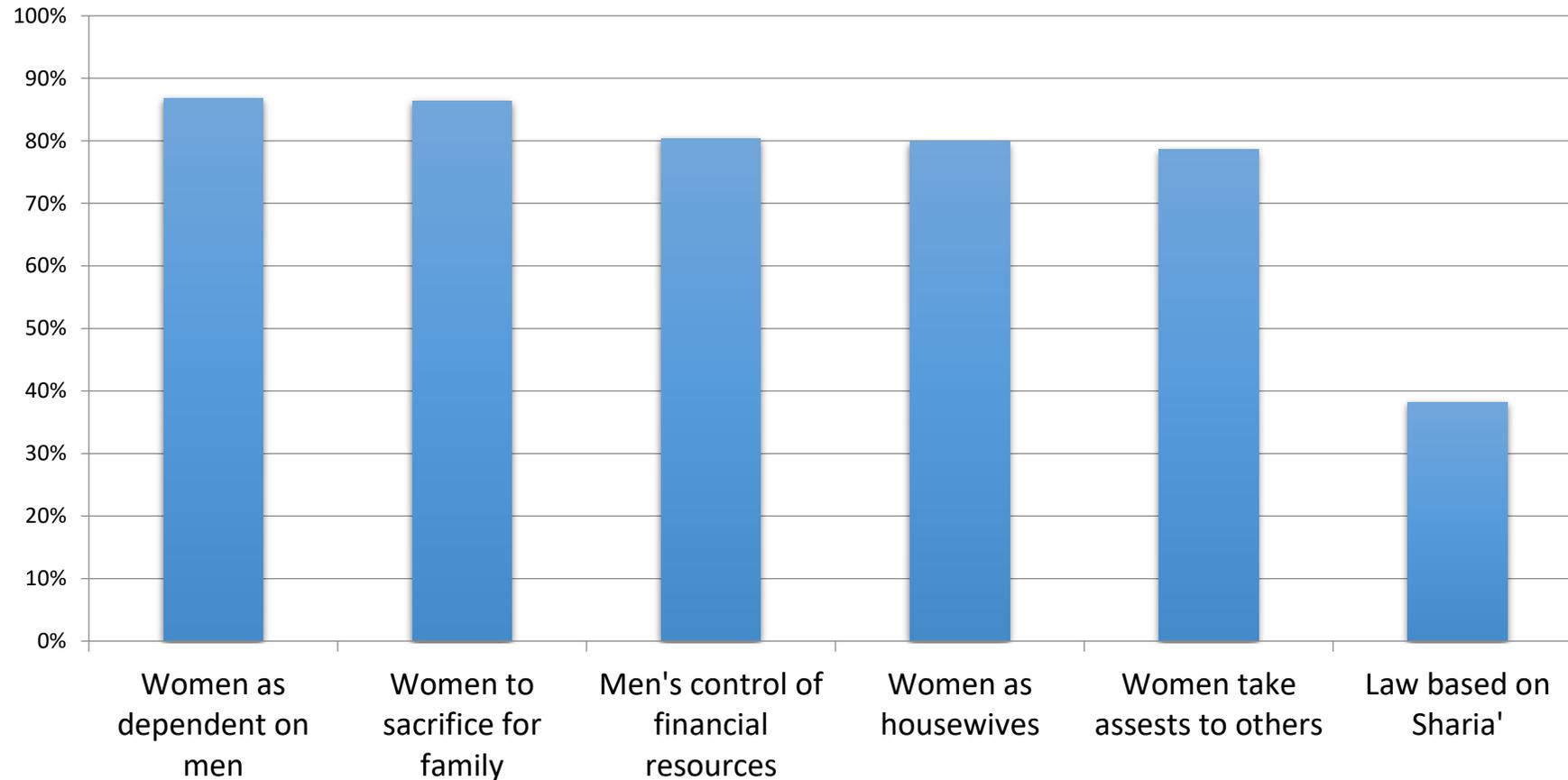
- Economic barriers



Barriers: legal



Cultural, social and religious obstacles



Disputes

Land Disputes, violence and resolution

Linkages between obstacles

While struggling to reach to their rights, a small percentage of women enter into disputes over land. The vast majorities of these disputes are kept within the family and end with women forced to accept the reality of deprivation. Disputes are over land inheritance and partition, as well as registration.

- ✓ **13.2% of the women respondents report being involved in a family dispute over land.**
- ✓ 66.7% disputes are around land inheritance
- ✓ 25.6% are on land partition – boundaries
- ✓ other issues are land sharing, land registration and use of returns from the land.
- ✓ **One third of the reported disputes were never reported** and 34% were reported to the formal justice system, while 27% were reported to the informal (community/otribal) justice system.
- ✓ **As much as 71% of the cases were never resolved**, while 17.7% were reported to have been resolved to the benefit of the woman, and 11.3% to the benefit of the man.

West Bank versus Gaza: reporting on land disputes

- ✓ **86.7% women in Gaza** report land disputes over the **inheritance** itself and 60.4% report the same in the West Bank.
- ✓ **39.6% of women in the West Bank** report disputes over **land partition, registration, sharing and using of returns** while 13.3% report the same in Gaza.
- ✓ **36.7%** of women in the **West Bank** resort to the **formal system** and 26.7% to the informal system.
- ✓ **33.3%** of women in **Gaza** resort to the **informal system** more while 24.5% to the formal system.

Opportunities and Enabling Factors

Opportunities and enabling factors

Agency and Awareness

- The survey shows some insights that are congruent with high levels of awareness and agency among women.
- 97% believe that women must own land (e.g., to be formally registered in her name). The rate is slightly higher in the West Bank (97%) than in Gaza (94%). In contrast, 3.5% do not believe that that is necessary (2.8% in the West Bank and 5.9% in Gaza).
- 88% believe that owning and having access to land and other productive resources improves women's security and decreases her vulnerability to gender-based violence. This is coupled with increasing the level of her self-confidence.
- Less than 1% of women respondents believe that women should not be entitled to inheritance. In contrast, 91% believe that women should be given a share based on Sharai' (94% in Gaza and 90% in the West Bank).
- It is also interesting to find a minority of women (8.3%) supporting full equality between women and men in inheritance (9% in the West Bank and 6% in Gaza).

Analysis:

Key Explanatory Variables-
family patterns, economic
empowerment predictors,
knowledge and values

Family patterns

Marital Status

- The data show that the [marital status is inversely correlated with land ownership](#), where married women report the lowest level of land ownership (14.5%), compared to single women (22.2%), widowed women (28.5%), and divorced women (33.5%).
 - ✓ Yet, while single women report relatively higher levels of ownership than married women (above), they report lower levels of access than married women (26% to 39%). This was explained as a paradoxical reality facing single women who are allowed to own the land as they will not transfer it to (other families) remaining within the household. They do still face discrimination and pressure by family members as not have control over or access to land and productive resources.

Nuclear vs extended

- Women in extended families tend to report higher levels of land ownership (27.8%) than women in nuclear families. The same pattern applies to access to land where women in nuclear families report lower access rate (37%) than women in extended families (62%). This might reflect, in part, the lower rates of land and other resources ownership among nuclear families compared to extended families.

Personal and collective economic empowerment predictors

Work status is directly correlated with land ownership:

- ✓ women who are self-employed and women who are employed for a wage report much higher levels of land ownership (35.3% and 24.4% respectively) than women who work at home (housewives) (13.9%). Employed women report higher levels of land access (65%) than women who are not (37%).
- ✓ Economic contribution of women to the household is directly correlated to land ownership among women, where women who contribute to the income of the family have a much higher rate of land ownership (31.3%) than women who do not contribute (9.8%). Women who contribute to family income have a much higher level of access to land (56%) than women who do not do that (30%).
- ✓ Women who are members in cooperatives have a higher probability to own land (25%) than women who are not (15.8%).
- ✓ Women who have participated in income – generating activities through cooperatives have a higher probability to own land (35.3%) than women who have done that on their own (24.4%) and women who have not been part of an income – generating activity (13.8%).

Knowledge and values

Levels of knowledge and awareness of legal rights and services are correlated to land ownership and access.

- ✓ 20% of women who say they have knowledge of their land legal rights report owning land and 46% report having access to land.
- ✓ Only 13% of women without knowledge report owning land while 33% report having access to lands.
- ✓ **A similar pattern applies to knowledge of legal support services.**

Results on relationships between values held by women on land rights and their land ownership and access are mixed.

- ✓ Women who believe that men deserve the full inheritance because they have responsibilities tend to report lower levels of land ownership and access (9.5% and 34% respectively) than women who believe otherwise (17% and 45% respectively). In contrast, the belief of a woman that it is necessary for women to own land is not correlated. Both women who hold this belief and those who do not own land at the same level.
- ✓ Women who say that this is not necessary report higher levels of access to land. This might be a possible explanation for the cavalier attitudes of these women to ownership as they are convinced that their male family members will provide them with access (use of land and returns), and that might be sufficient for them.
- ✓ The implication is land ownership, control and access are not about the attitudes of women, bringing the cultural argument into question (i.e., it is about the culture). They are, however, dependent on the level of discrimination against women (with positive or negative attitudes) and on all the above-listed structural variables relating to social, legal and economic circumstances.
- ✓ Women who believe that men and women should have equal inheritance rights report higher levels of land ownership and access (19.5% and 50% respectively) than women who believe that women and men should enjoy land inheritance rights based on Sharia' (16% and 38% respectively).

Recommendations

- Policy and legal reform recommendations to ensure equality and effective implementation
- Improved accountability by the duty bearers including police/justice system institutions
- Gender-sensitive and effective enforcement mechanisms
- Involvement of the most vulnerable and marginalized in policy formulation regarding land
- Full and accurate information about decision-making processes and gender-disaggregated statistics relevant to land and agriculture
- Improvement of agricultural inputs and extension services to respond effectively to women's needs
- Support for public awareness campaigns and legal literacy
- Examine the dominant discourse and approach to land ownership analysis (multi-dimensional, intersectionality, structural, ..)

Awareness creation in shaping values and attitudes of gender dimension within land governance

Viktoriia Adamenko

Lamees Al-Sabatin

What is awareness campaign?

Awareness raising is a **two-way street, fostering communication and information exchange** in order to improve mutual understanding as well as mobilizing communities and the society to bring the necessary change in attitudes and behavior.

Purposive attempts to inform, persuade, and motivate a population (or sub-group of a population) using organized communication activities through specific channels, with or without other supportive community activities.

Why awareness campaigns?

- Change values and attitudes;
- Mobilize people for development actions (such as claiming their land rights);
- Help to build consensus on problems and their possible solutions.

How to build social awareness campaign?

Stage I: Preparation

- Formation of the general purpose of the campaign (*= goal – involve changing the behavior of the target audience, drawing attention to the topic, encouraging people to re-evaluate, break stereotypes, provide information, or promote influence*)
- Conduct research, gather facts (*involves analyzing the existing situation by gathering the necessary information*)
- Clearly identify and segment the target audience (*the clearer one differentiates these target audiences, finds narrow channels of communication, and makes the messages interesting to them, and the more successful the communication will be*)
- Resources assessment (tangible resources – money, office equipment, premises, transport, etc.; and intangible – knowledge, skills, abilities of the organization's employees, reputation of the organization, time, etc.)

Stage II: Development of campaign strategy and tactics

- Setting specific goals and objectives (*goals that contribute to the change of knowledge, attitudes, behavior, etc., should be achievable and measurable*)
- Prepare brief
- Analysis of the existing environment and development of tactics for working with it (*analysis and description of partnerships, who are not indifferent to the problem*)
- Determine indicators of success and expected results of the campaign (*increase the level of awareness of women among adults in area X about land registration forms by Y%*)
- Developing campaign ideas and information materials, and formulating message(s) (*accurate, understandable*)
- Choose communication channels (*relevant for a particular campaign – radio, media, online platforms, meetings or events, street art, street installations, flash mobs, exhibitions, etc.*)
- Schedule campaign timing
- Testing of the developed message and information materials
- Production of information materials

Stage III: Implementation of the campaign

- Event planning (*personal meetings with the public, round tables, seminars, press conferences, conduct press statements, use radio or television events, etc.)*)
- Implementation of the campaign (*action plan of what, when, and where is planned to be done*)
- Summarize and measure the results of the campaign

What else to consider?

Campaign Instruments – using different tools, campaigns activate the attention of society or its particular group in order to effect changes in their consciousness and behavior in relation to certain socially significant problems (*work with stakeholders, tools of public participation, media and PR influence, marketing tools, direct/indirect action*)

Psychology of campaign messages – it is important to know and use the psychological characteristics of people, their possible reactions to a particular shared message or concept (*laws of cognitive activity - senses, perceptions, attention, memory, and thinking; emotional component and conative component*)

Campaign strategy and tactics

Language, colors, etc.

Modules for Achieving Land Governance and Tenure that is Gender-Equitable

Each module presented is designed to stand alone separately or in combination with other modules. Choosing the suitable module is relative to the type of stakeholders and target audience.

Module 1: Police-making

To achieve gender equitable land governance, we need to start with gender equitable policy-making process in which all stakeholders are equally included in the formulation and implementation of land policies.

- To achieve gender equitable land governance, we need to start with gender equitable policy-making process in which all stakeholders are equally included in the formulation and implementation of land policies.
- Sex, power, race, age and ethnicity are some of the factors that determine who participate in policy-making, effecting the likelihood of gender-equitable processes and outcomes

- Building gender-equitable participation in policy-making is a long process that requires consistent planning and intervention, in addition to the involvement of different stakeholders. This can be accomplished through practical elements:
 - Context analysis
 - Advocacy
 - Training
 - Multi-stakeholder dialogue

Context analysis

- All involved stakeholders must conduct a context analysis, in order to understand the geographical, social and cultural local context, to achieve an effective participation in the policy making process. Conducting the context analysis will allow to identify similarities which will lead to sharing lessons learned between countries or through initiatives.
- An effective context analysis will ensure the adoption of the most effective approach and strategies for the context.

Advocacy

- This evidence-based element demonstrates the values of a gender-equitable process, which will benefit from the contribution of both women and men, making it, more likely support the policies.
- We focus on:
 - ❖ Gathering as much evidence as possible to back up the argument.
 - ❖ Establish who is most likely to be affected by the research, and how to include them in the process.
 - ❖ Present the evidence in a way that will be understandable by policy-makers.
 - ❖ Identify who is advocating on behalf of whom and who is mandated by whom.

Training

- Training on gender and land will be more productive than training on women's land issues. This will help in avoiding misconception on gender related issue as being only for women. Both will require training to become effective policymaking.

Multi-stakeholder dialogue

- Policy-making is one of the core functions of government; hence, the government must adopt any policies or policymaking process. In addition to facilitating constructive engagement channels with other stakeholder.
- The stakeholders are expected to participate to start from out-set of policymaking process, and continue throughout the development, adoption and implementation phases.

Module 2: Legal Issue

The law provides the foundation for achieving responsible gender equitable land governance. Gender-equitable laws and rules allow women and men to exercise their rights to land equitably.

Legal Pluralism from a gender perspective

- Legal pluralism is common around the world, as it refers to the situation where several different types of legal regimes apply to the same territory. This makes for a complex legal framework of overlapping rights, competing authorities and often-contradictory rules, with potentially negative implications for gender equitable land governance. Hence, understanding the complexity of the legal framework in the targeted country is vital. There is need to consider land laws, family and marriage laws as well as customary and religious laws and rules, and the way they interact and/or overlap.
 - *Tenure reforms that do not take into consideration marriage and inheritance customary law that perpetuate gender inequalities will have limited impact. Responsible gender-equitable governance of land tenure requires both land and family laws to be reformed together.*

Achieving gender- equitable inheritance:

- ✓ Make sure that the legal framework explicitly recognizes the right to inherit for widows and that effective enforcement and monitoring mechanism are in place.
- ✓ Ensure that professionals in the land, family and justice sectors are aware of how land laws and family law intersect.
- ✓ Develop the capacities of organizations that support women's rights, and provide legal support and representation.
- ✓ Encourage will-writing, where local culture supports it.

Module 3: Getting the Message Across

Communication and awareness raising are crucial to changing values and attitudes, including those about gender and land governance. It can mobilize people for development actions, such as claiming rights.

Awareness-raising, gender

- When developing people's awareness regarding issues and right, information must be accessible in local language and tailored to audience at different levels from policy makers to grassroots communities.
- Awareness raising campaigns have a huge role in helping to remove barriers to women's access to land information within land sector projects and reforms.

- It is a rather difficult to change attitudes about gender and land, accordingly specific gender sensitization must be planned and integrated into broader communication strategies. It is worth mentioning that effective gender sensitization should target both women and men, from different ages, religions, ethnicities, social status, etc.

Legal literacy

- Legal literacy for gender equitable land tenure governance requires both men and women to be aware of what is legally possible and that they have information on how to record land rights. They must also understand the complexity of land issues, and the available legal limitations. Supporting legal literacy must address the long-standing customary discrimination that causes some women to give up their land rights even though they know they have those rights.

- Improving gender equity in the land governance is a long-term project that requires changes in the fundamental and often deeply held values and attitudes. To have the greatest impact over the longer term, it is important to identify entry points for communication. *Effective strategies will be working with children, whose values and attitudes will become those of future societies.*

Gender equitable communication methods

- Some communication methods and media are more effective than others in reaching out different audience, depending on the availability of resources, time and control over access and use.
 - *Example radio is a great tool for awareness raising in rural areas and isolated communities. While it is not the best option in the city, and highly developed areas where targeted areas have access to Television.*

- Rural women do not often have access to printed media materials and information, hence oral and visual communication tools should be particularly stressed. *Messages must also be translated into local language and preferably using the local terminology avoiding legal terms and using the appropriate tools.*
- Keep in mind that a successful communication and awareness raising to support gender equitable governance of land must be carefully designed. *Starting from considering timing, defining targeted audience, framing the messages and involving women and men.*

Message development

- ✓ Identify the best media to reach women
- ✓ Know the political environment
- ✓ Carry out audience mapping to get know them.
- ✓ Simple and brief messages
- ✓ Use real-life stories and quotations.
- ✓ Be persuasive not aggressive.

Land governance, women empowerment and socio-economic development in the Arab Region

AoC3

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

TRAINING SESSION – Erbil, Iraq

25-26 October, 2021

Urban vs. Rural Women Land Ownership and Development

MYRNA SEMAAN PhD

**SECRETARY GENERAL
FRIENDS OF NATURE NGO**

TRAINING SESSION – Erbil, Iraq

25-26 October, 2021

LEBANON

A CASE STUDY FOR WOMEN STATUS IN LAND OWNERSHIP AND TENURE

LEBANON MOSAIC

- RELIGIOUS
- SOCIAL
- CULTURAL
- ECONOMIC

STATUS OF LEBANESE WOMEN

LEBANESE WOMEN PRESENT AN ACTIVE FEMINIST MOVEMENT IN THE ARAB REGION

- HIGH AT CULTURAL LEVEL (WRITERS, SINGERS, ARTISTS, CULTURAL CENTERS, EDUCATION ...)
- LESS ON SOCIAL LEVEL (WOMEN IN RED CROSS, MEDICAL SECTOR,..)
- ECONOMIC
- POLITICAL (BEHIND THE SCENES)



DIVA FAIRUZ

STATUS OF LEBANESE WOMEN

- WOMEN ROLE EVOLVED OVER TIME ORIENTED TOWARD SUSTAINABLE EMPOWERMENT
- WOMEN SUFFRAGE WAS GAINED IN 1952
- LEBANON SIGNED THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) IN 1997
- LEBANON ESTABLISHED THE NATIONAL COMMISSION FOR LEBANESE WOMEN (NCLW) IN 1998



DIVA SABAH

RECENT DEVELOPMENTS IN LAST TWO DECADES

- WOMEN EMPOWERMENT INSTITUTIONIZED
 - IN COMPARISON TO ACTIVE SOCIAL ROLE ESPECIALLY LED BY URBAN WOMEN DUE TO MORE LIBERAL ENVIRONMENT AND MORE RECEPTIVE ENVIRONMENT FOR WOMEN IN EDUCATION
- MANY ORGANIZATIONS DEVELOPED TO CARE FOR WOMEN NEEDS
 - SOCIO-CULTURAL
 - PROTECTION FROM VIOLENCE
 - EDUCATION ON RIGHTS

RECENT DEVELOPMENTS IN LAST TWO DECADES

- ECONOMIC
 - EDUCATION AND EMPOWERMENT
 - ENGAGE IN ENTREPRENEURSHIP
 - SME
- POLITICALLY
 - EDUCATION AND EMPOWERMENT ON RIGHTS AND ROLES
 - LOBBYING AND RALLYING FOR SOCIO-POLITICAL ROLE
 - MUNICIPALITIES
 - PARLIAMENT
 - GOVERNMENT



ACTIVE NGO

ADVERSITIES TOWARD WOMEN

- SOCIAL VIOLENCE : DOMESTIC – SUBDUE – OPPRESSION – DEATH
- GENDER DISCRIMINATION AT WORK
- LOWER WAGES

LEBANON



الهيئة الوطنية
لشؤون المرأة اللبنانية
National Commission
for Lebanese Women



Figure 1: Gender Wage Gap of Lebanese Employees at Main Job by Level of Educational Attainment (percentages)¹⁴

Level of Education Attainment	Men (thousands LBP)	Women (thousands LBP)	Wage gap (%)
Total	1,334	1,248	6.5
Elementary	912	666	27.0
Intermediary	1,094	766	30.0
Secondary	1,311	1,045	20.3
University and above	1,785	1,424	20.2

Global Gender Gap Report subindex (2021)

ranked Lebanon

145th out of 156 countries generally

132nd in terms of gender equality

112th on political empowerment,

82nd on health and survival,

139th on economic opportunity, and

113th on educational attainment.

Women in parliament in 2018 reached 4.6 %



JOURNALIST AND ACTIVIST
JOU MANA HADDAD

GENERAL STATUS OF URBAN WOMEN VS. RURAL WOMEN

- WOMEN OF ORIGINAL URBAN FAMILIES OR URBAN DWELLING FOR SEVERAL GENERATIONS OR URBAN DWELLING BY THEIR FINANCIAL WEALTH
 - MORE ACCESS TO EDUCATION
 - MORE LIBERAL ENVIRONMENT
 - MORE RECOGNITION OF THEIR RIGHTS
 - MORE AWARE OF THE WOMEN MOVEMENT
 - MORE DEMANDING ON ENGAGEMENT IN WORK, EXPERIENCE, WEALTH



WRITER
EMILY NASRALLAH

GENERAL STATUS OF URBAN WOMEN VS. RURAL WOMEN

RURAL WOMEN

- MORE SUBJECTED TO TRADITIONS AND SOCIAL HABITS
- MORE SUBDUED BY FAMILY (MALE) DOMINANCE
- LESS EXPOSED OR AWARE OF VALUE OF THEIR RIGHTS

THOSE OR THEIR FAMILIES OF LIBERAL THINKING
WOULD MOVE TO THE CITY TO FIND BETTER
EDUCATION AND LIFE

RESULT: GEO-DEMOGRAPHICAL POLARIZATION



BUSINESS PIONEER
MYRNA BOUSTANY

CIVIL WAR

- CAUSED DISPLACEMENT OF LARGE SEGMENTS OF POPULATION FROM RURAL REGIONS
- NECESSITATED ALL FAMILY MEMBERS TO WORK TO SUPPORT A LIVING
- RURAL WOMEN MIGRATING TO CITIES EXPERIENCED A MORE FREE ENVIRONMENT AND ENGAGED IN THE WORK FORCE

TREND FOR HIGHER EDUCATION

- IN PAST TWO DECADES A MOVEMENT FOR HIGHER EDUCATION
- TO IMPROVE OPPORTUNITIES FOR BETTER FUTURE ALLOWED MORE YOUTH (MALES AND FEMALES) TO REACH CITIES AND
- LIVE MORE EQUALITY IN A FREE EDUCATIONAL ENVIRONMENT



FILMAKER
NADINE LABAKI

FINANCIAL AND ECONOMIC EXPERIENCE

URBAN WOMEN

- GAINED EXPERIENCE AT SECURING POSSESSIONS
- HAVING FINANCIAL MEANS
- EXPERIMENTING WITH ENTREPRENEURIAL ECONOMIC SETTING AS IN THE BUSINESS OF THEIR FAMILIES

RURAL WOMEN

- ARE DEPENDENT ON THE FAMILY AND ALIENATED FROM ANY FINANCIAL OR ENTREPRENEURIAL EXPERIENCE
- EVEN WHEN THEY WORK THEY RARELY GET DIRECTLY PAID

LAST TWO DECADES

PROMOTION FOR ENTREPRENEURSHIP AND SMEs BY ORGANIZATIONS

- PROMOTED MORE OPTIONS FOR URBAN WOMEN
- ALLOWED MORE WOMEN TO ENTER THE ECONOMIC SECTOR AND DEVELOP THEIR OWN BUSINESSES
- TRUST AND LEADERSHIP
- FOR RURAL WOMEN, THE RURAL ENTREPRENEURSHIP FORM IS STILL FAMILY ORIENTED



BUSINESS STARTUP

AMIDST THIS, WHERE DOES LAND PROPERTY STAND ?

LAND OWNERSHIP IS A VERY SENSITIVE AND CRITICAL ISSUE BECAUSE

- IT IS RELATED TO INHERITANCE AND FAMILY LEGACY
- IT BEARS CONNOTATIONS OF SOCIAL STANDING
- IF THE LAND GOES TO THE MEN OF THE FAMILY, IT IS ENVISAGED AS FAMILY LEGACY
- IF THE LAND GOES TO THE WOMEN, IT IS ENVISAGED AS LOST TO ANOTHER FAMILY



FASHION
SARAH BAYDOUN

AMIDST THIS, WHERE DOES LAND PROPERTY STAND ?

SO THE MEN OF THE FAMILY PREFER TO OFFER WOMEN OF THE FAMILY (EVEN WEALTHY, EDUCATED, LIBERAL, ...) MONEY FOR THE VALUE OF THE PROPERTY AND DIVIDE THE LAND AMONGST THEMSELVES

OR OFFER THE WOMEN LESS PROPERTY (MOST OF THE TIME IT IS UNFAIR EVEN WITH THE RELIGIOUS CONNOTATIONS) AND LAND LOTS THAT ARE SEPARATE AND DISTANT FROM THE LARGE LAND PIECES THAT WOULD BE DIVIDED AMONG THE MEN

- FATHERS APPROVE AND MOSTLY MOTHERS APPROVE UNDER THE CONTEXT OF RESOLVING POTENTIAL DISPUTE AND CONFLICTS

AMIDST THIS, WHERE DOES LAND PROPERTY STAND ?

HOWEVER, URBAN WOMEN ARE LIKELY TO

- BE OFFERED THEIR INHERITANCE
- BE CONSULTED ON THEIR INHERITANCE
- DEMAND THEIR RIGHTS
- PROTECT THEIR RIGHTS AND
- EMPLOY LAWFUL MEANS TO REGAIN THEIR RIGHTS



RURAL WOMEN TRAINING

AMIDST THIS, WHERE DOES LAND PROPERTY STAND ?

URBAN WOMEN MAY PURCHASE
LANDS AS PRIVATE PROPERTY

THEY MAINTAIN THE LAND, USE IT IN
ECONOMIC ENGAGEMENTS

SOME ENGAGE IN REAL ESTATE



WOMEN FIELD TRAINING

LAND OWNERSHIP OF RURAL WOMEN

- THE GENERAL SITUATION IS WORSE
- LAND OWNERSHIP IS MAINLY THROUGH INHERITANCE, PURCHASING IS MINOR
- MOSTLY INHERITANCE RIGHTS ARE NOT RECOGNIZED
- MINOR COMPENSATIONS ARE OFFERED
- IF WOMEN END UP OWNING THE LAND, THEN IT WOULD BE MOSTLY A TRANSITORY PHASE BETWEEN THEIR BIRTH FAMILY TO THEIR OWN CHILDREN.
 - IN BETWEEN, THE LAND IS ATTENDED FOR BY THE HUSBAND OR THE BROTHERS

LAND MANAGEMENT

- URBAN WOMEN ARE MORE LIKELY TO CARE FOR THE LAND AND THE INVESTMENTS IN PRODUCTIONS
- RURAL WOMEN CANNOT, THEY ARE NOT TRUSTED ON LEADING THE FATE OF THE FAMILY AND PRODUCTIONS IRRESPECTIVE OF THEIR CAPACITIES
 - THEY ARE SIMPLY LESS TRUSTED ON LEADING = SOCIAL IMAGE
- SOME RURAL WOMEN MAY LEAD USUALLY IN THE ABSENCE OF THE MALE FIGURE (THEIR HUSBANDS, ELDER SON, ETC.) AS DURING THE WAR, OR IN OBLIGING SITUATIONS.
 - YET EVEN THEN, A CLOSE MALE MEMBER OF FAMILY/COUSINS/RELATIVES ARE USUALLY ENTRUSTED TO TAKE CARE OF THE LAND IN THE ABSENCE OF THE MAIN RESPONSIBLE MALE.

TO ANSWER FOR LAND GOVERNANCE & TENURE FOR WOMEN

- YES, IT IS HIGHLY SIGNIFICANT TO BUILD KNOWLEDGE ABOUT THE IMPORTANCE OF LAND TENURE FOR WOMEN AND ABOUT HOW TO ACHIEVE IT (CONCEPT NOTE)
- YET, WOMEN ENGAGEMENT AT PROTECTING, MAINTAINING AND USING THEIR RIGHTS FOR LAND OWNERSHIP AND TENURE IS NOT A SIMPLE TASK



INSTRUCTIVE FIELD VISITS

TO ANSWER FOR LAND GOVERNANCE & TENURE FOR WOMEN

- IT IS IMPORTANT TO REALIZE THAT THIS IS A SOCIO-CULTURAL ISSUE
- IT NEEDS SETTING NEW SOCIAL UNDERSTANDINGS AND PRACTICES EVEN TO PRECEED RESOLVING THE GENDER BASED DISCRIMINATION IN LAND AND PROPERTY LAWS
- IN A PARTIARCHAL SOCIETY, THE ADOPTION AND RESPECT OF THESE RIGHTS IS OFFERED BY THE MEN OF THE FAMILY, AND BY NOT CONSTITUTIONAL GAINS

TO ANSWER FOR LAND GOVERNANCE & TENURE FOR WOMEN

THAT IS WHY WE CALL FOR

- INCREASING BASIC EDUCATION OF WOMEN AND ACCESS TO EDUCATION
- PROVIDING WOMEN WITH BETTER EXPOSURE TO A DIVERSITY OF SOCIAL MODULES IN ORDER TO BUILD CONFIDENCE (AS THE PAST DECADES WITNESSED)
- PROMOTING EDUCATION OF MEN AND SOCIETIES ON THE VALUE OF RIGHTS OF WOMEN
- AND EDUCATION ON LAND GOVERNANCE TO FOLLOW OF COURSE
- BUILDING THE CAPACITIES AND CAPABILITIES OF WOMEN

TO ANSWER FOR LAND GOVERNANCE & TENURE FOR WOMEN

- AND DEFINITELY PRESENTING AND POPULARIZING WOMEN ROLE MODELS TO THE GENERAL PUBLIC AND MORE IMPORTANTLY TO WOMEN, ESPECIALLY RURAL WOMEN
- YET WITHOUT RAISING FEMININE DISCRIMINATION BETWEEN MAIN DIVIDES OF SOCIAL GROUPS



4 LEBANESE WOMEN RANKED AMONG FORBES' POWER BUSINESSWOMEN

Figure 2: Prioritized Ranking of Sector Impact on Gender

SECTOR	IMPACT	STATUS	OPPORTUNITY	HUMAN RESOURCES	SUB-TOTAL	EXTERNAL FINANCIAL SUPPORT	TOTAL
Energy	High	Low	High	Low	8	No	11
Water	High	Low	High	Low	8	No	11
Waste	High	Low	Medium	Low	7	No	10
Transport	High	Low	Low	Low	6	No	9
Tourism	High	Low	Low	Low	6	No	9
Agriculture	High	Medium	High	High	11	Yes	8
Disaster risk reduction	High	Medium	High	High	11	Yes	8
Biodiversity	Low	Low	Unknown	Low	3	No	6
Public health	Medium	Unknown	Low	Unknown	3	No	6
Land change, land-use change, forestry	Low	High	Low	High	8	Yes	5
Land degradation neutrality	Low	Unknown	Low	Low	3	Yes	0

Figure 4: Gender Inclusion by Sector Policies

● None ● Women's participation ● Capacity building ● Sex-disaggregated data ● Gender indicators ● Other



THANK YOU



UN HABITAT
FOR A BETTER URBAN FUTURE



تمليك ارض تدريب و تسليح حوكمة الأرض، تمكين النساء والتنمية الاقتصادية والاجتماعية بالمغرب

خطوة نحو التمكين الاقتصادي للمرأة القروية

إربيل، 26 أكتوبر 2021

م.د. عبد الرحيم ادالرايس
خبير وباحث في حوكمة الأراضي
المغرب

محاوَر العرض

تقديم

الأراضي السلالية بالمغرب: الاشكاليات القانونية والاجتماعية

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خاتمة

تقديم

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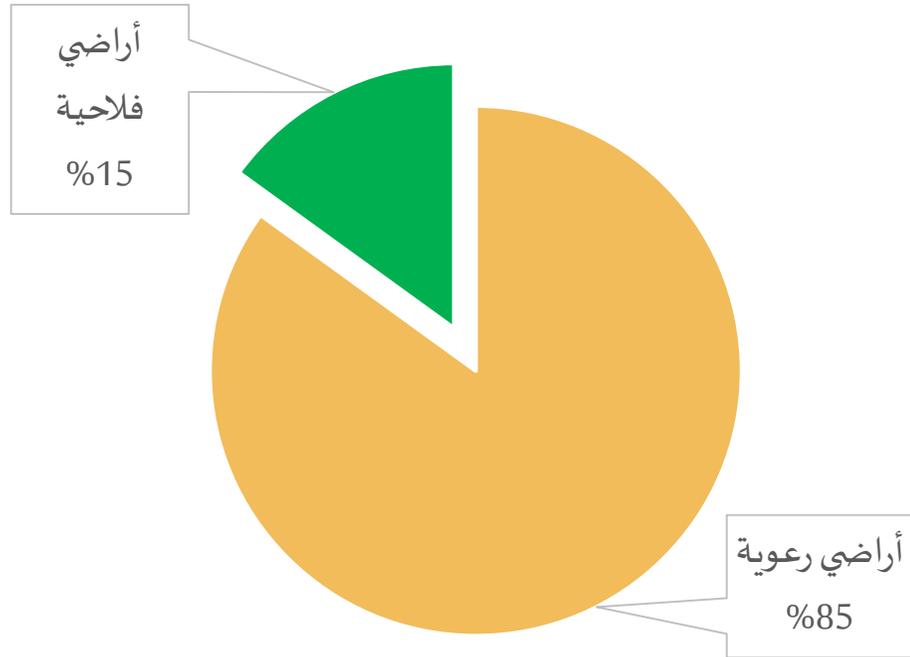
المصدر: وزارة الداخلية، 2020

المساحة الإجمالية للمغرب: 446 550 كلم مربع.

5 أنواع من ملكية الأراضي: أراضي الخواص، أراضي الدولة والجماعات الترابية، أراضي الغابات، أراضي الأوقاف وأراضي الجماعات السلالية.

مساحة أراضي الجماعات السلالية: 150 000 كلم مربع (1/3 المساحة الإجمالية للمغرب).

تقديم



المصدر: وزارة الداخلية، 2016

الجماعات السلالية: قبائل، فصائل قبائل، دواوير، أو جزء من دواوير لها شخصية مستقلة.

4563 جماعة سلالية، 2,5 مليون فرد، موزعة على 55 إقليم.

الأرض ملكية للجماعة وللأفراد فقط حق الاستفادة والاستغلال دون حق الملكية.

تدبير الإستفادة وفقا للأعراف القديمة تحت مراقبة الدولة (وزارة الداخلية).

الأراضي السلالية
بالمغرب الأشكاليات
القانونية
والاجتماعية

الأراضي السلالية بالمغرب: الإشكاليات القانونية والاجتماعية



المصدر: جريدة الصباح، 2019

■ غياب نص قانوني يمنح للنساء الحق في الاستفادة من أراضي الجماعات السلالية ومن عائداتها.

■ حق الاستفادة من أراضي الجماعات السلالية مكفول **فقط للرجال** دون النساء وفقا للأعراف السائدة.

■ انتقال حق الاستفادة في حالة وفاة الأب إلى **الإبن الأكبر فقط** مع تعويض الذكور ماديا دون أي حق للنساء.

■ توزيع عائدات بيع وكراء أراضي الجماعات السلالية على الرجال أعضاء الجماعة **دون النساء**.

الأراضي السلالية بالمغرب: الإشكاليات القانونية والاجتماعية



المصدر: الجمعية الديمقراطية لنساء المغرب، 2020

سنة 2007: إحداهن حركة النساء السلاليات للمطالبة بحقهن في الاستفادة من أراضي الجماعات السلالية.

قيام حركات احتجاجية من أجل تمكين المرأة من حقها في الأراضي السلالية.

سنة 2018: استفادة 1460 امرأة سلالية لأول مرة من استغلال قطع أرضية على قدم المساواة مع الرجال .

إصلاح منظومة الأراضي السلالية المرأة في صلب الإصلاح

إصلاح منظومة الأراضي السلالية: المرأة في صلب الإصلاح

ظهير شريف رقم 1.69.30 بتاريخ 10 جمادى الأولى 1389 (25 يوليوز 1969) يتعلق بالأراضي الجماعية الواقعة في دوائر الري (1)، كما تم تغييره وتتميمه بموجب القانون رقم 64.17 الصادر بتنفيذه الظهير الشريف رقم 1.19.117 صادر في 7 ذي الحجة 1440 (9 أغسطس 2019) (2)

الحمد لله وحده،

الطابع الشريف - بداخله:

(الحسن بن محمد بن يوسف بن الحسن الله وليه)

ه على العرسوم الملكي رقم 136.65 الصادر في 7 صفر 1385 (7 ينيه 1965) بإعلان حالة تناء؛

بقتضى الظهير الشريف الصادر في 26 رجب 1337 (27 أبريل 1919) بتنظيم الوصاية الإدارية الجماعات وتنظيم تسيير وتقويت الأملاك الجماعية حسبما وقع تتميمه أو تغييره؛

باء الظهير الشريف رقم 1.72.277 الصادر في 22 من ذي القعدة 1392 (29 ديسمبر 1972) ق بمنح بعض الفلاحين أرض فلاحية أو قابلة للفلاحة من ملك الدولة الخاص؛

بقتضى الظهير الشريف رقم 1.69.25 الصادر في 10 جمادى الأولى 1389 (25 يوليوز 1969) ميثاق الاستثمارات الفلاحية؛

أصدرنا أمرنا الشريف بما يلي:

المملكة المغربية
الطبعة الرسمية
المنشور المصنوع

ظهير شريف رقم 1.19.115 صادر في 7 ذي الحجة 1440 (9 أغسطس 2019) بتنفيذ القانون رقم 62.17 بشأن الوصاية الإدارية على الجماعات السلالية وتكبير أملاكها.

الحمد لله وحده،

الطابع الشريف - بداخله:

(محمد بن الحسن بن محمد بن يوسف الله وليه)

يعلم من ظهيرنا الشريف هذا، أسماء الله وأعر أمره أننا:

بناء على الدستور ولأسيما الفصلين 42 و50 منه،

أصدرنا أمرنا الشريف بما يلي:

ينفذ وينشر بالجريدة الرسمية، عقب ظهيرنا الشريف هذا، القانون رقم 62.17 بشأن الوصاية الإدارية على الجماعات السلالية وتكبير أملاكها، كما وافق عليه مجلس النواب ومجلس المستشارين.

وحرر بنظون في 7 ذي الحجة 1440 (9 أغسطس 2019).

وقعه بالعطف:

رئيس الحكومة،

الإمضاء: سعد الدين عثمانى.

قانون رقم 62.17

بشأن الوصاية الإدارية على الجماعات السلالية

وتكبير أملاكها

إصدار قوانين جديدة سنة 2019 تمكن النساء من الاستفادة من أراضي الجماعات السلالية على قدم المساواة مع الرجال.

حصول المرأة على حقهها في الاستفادة والانتفاع من الأرض في حالة وفاة الأب أو الزوج.

توزيع عائدات بيع وكراء أراضي الجماعات السلالية على النساء والرجال أعضاء الجماعة على قدم المساواة.

إصلاح منظومة الأراضي السلالية: المرأة في صلب الإصلاح

السيدة ربيعة عسول

أول امرأة تنتخب نائبة للجماعة السلالية في تاريخ المغرب



المصدر: وكالة المغرب العربي للأنباء، 2019

■ تمكين المرأة من الحق في شغل منصب نائب الجماعة السلالية وتمثيلها أمام الدولة.

■ رهن عملية التمليك بالاستغلال الفلاحي المباشر للأرض، ما يعني خلق نشاط اقتصادي للمرأة.

■ عدم قابلية الحق في الملكية والاستفادة للتنازل ما يحمي حق المرأة في الأرض.

حالة تمليك النساء
القرويات بمنطقتي الغرب
والحوز : نموذج التمكين
الاقتصادي للمرأة القروية

حالة تمليك النساء القرويات بمنطقة الغرب: نموذج التمكين الاقتصادي للمرأة



المصدر: وزارة الداخلية، 2019

سنة 2015: توقيع اتفاق بين حكومة المملكة المغربية وحكومة الولايات المتحدة الأمريكية ممثلة في مؤسسة تحدي الألفية بقيمة 450 مليون دولار.

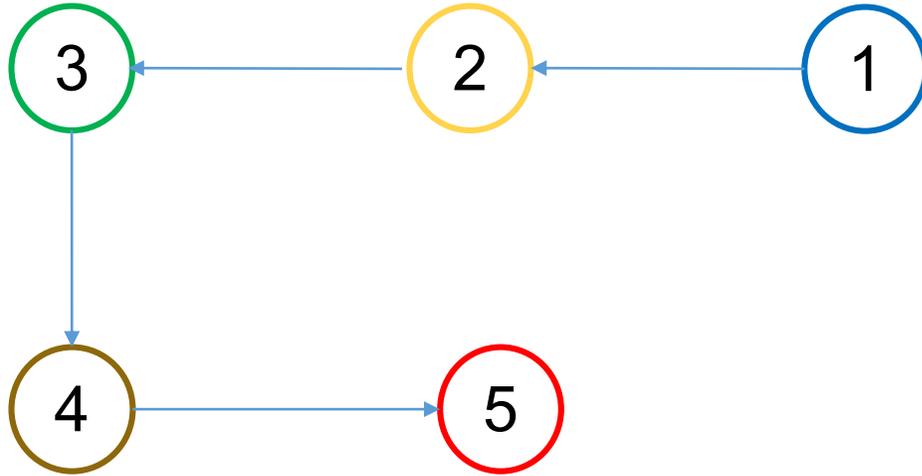
وضع برنامج لتمليك 66.000 هكتار من الأرض ل 30.800 من أعضاء الجماعات السلالية الواقعة في نفوذ دوائر الري (منطقتي الغرب والحوز) بقيمة 33 مليون دولار.

الهدف من المشروع: التمكين الاقتصادي ومحاربة الفقر وتشجيع الاستثمار وخلق فرص الشغل خصوصاً لدى النساء.

حالة تمليك النساء القرويات بمنطقة الغرب: نموذج التمكين الاقتصادي للمرأة

مسطرة تمليك أراضي الجماعات السلالية

إحداث صك للعقار تحديد لائحة ذوي الحقوق البحث الميداني والاجتماعي



وضع مسطرة مبسطة لتمليك ذوي الحقوق خصوصا النساء مع مواكبة قانونية واجتماعية.

تمليك الأرض للمستفيدين بالمجان دون حاجة إلى مصاريف (حقوق الملكية، الضرائب والرسوم...).

الإجراءات المواكبة لفائدة 115 ألف مستفيد: تسهيل الحصول على القروض، تقوية قدرات الفلاحين، تشجيع الاستثمار وخلق التعاونيات الفلاحية.

تجزئة الأراضي الجماعية

توزيع البقع على
المستفيدين مع صكوك
الملكية

المصدر: وكالة تحدي الألفية، 2018

خاتمة

خاتمة



المصدر: وكالة تحدي الألفية، 2020

■ إنهاء قرون من الزمن من حرمان المرأة القروية من حقها في أرض الجماعات السلالية وإنهاء الإحتكام للأعراف المخالفة للشريعة والقانون.

■ تمليك الأرض للمرأة القروية في بداياته ويحتاج المزيد من المواكبة والتحسيس.

■ ضرورة العمل على تأطير النساء في تعاونيات فلاحية من أجل الاستثمار وإحداث فرص الشغل وتسهيل التمكين الاقتصادي للمرأة القروية.

خاتمة

المصدر: وكالة تحدي الألفية، 2020

”ما قادني فرحة اليوم، حيث جيت نتأكد من المعلومات ديال
البقعة اللي غادي نملكها، أنا وولادي، من أراضي الجموع اللي
كان راجلي، الله يرحمو، كيستغل طرف منها.
كنشكر سيدنا، الله ينصرو، اللي عطا الحق للنسا باش يستافدو من
هذا الأراضي.

المسؤولين اللي شرفونا اليوم، الله يجازيهم بخير حيث وقفوا معنا
حتى وصلنا لهاد الشيء.

أنا فرحانة يكون عندي حقي في الأرض:

”الأرض هي كلشي...
...الأرض هي الحياة!“

الضاوية الخلوقي
الجماعة السلالية الشبانات 2
قيادة زبارة، إقليم سيدي قاسم

