



LAND PROFESSIONALS IN THE ARAB REGION

Roles, capacities and contribution to land governance and land tenure security

SECURING LAND AND PROPERTY RIGHTS FOR ALL



LAND PROFESSIONALS IN THE ARAB REGION: ROLES, CAPACITIES, AND CONTRIBUTION TO LAND GOVERNANCE AND LAND TENURE SECURITY

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HS Number: HS/009/23E

United Nations Human Settlements Programme (UN-Habitat)
P.O. Box 30030, Nairobi 00100, Kenya
Tel.: +254 20 762 3120
www.unhabitat.org

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ACKNOWLEDGEMENTS

Authors: Salah Abukashawa, Rafic Khouri, Bidour Gusai and Hisham Siddig Et Tigani

Task manager: Ombretta Temptra

Reviewers: Clarissa Augustinus, Fathi Egal, Sina Schlimmer, Ombretta Temptra and Willi Zimmermann

Contributors to expert group meetings: Salaheldin Abukashawa, Mohamed Osman Husein, Mahamoud Aye, Mohammed Ali Abdulhalim, Shahd Almkhtar, Bidour Ahmed, Rana-Ahmed, Abdullah Algarni, Moha El Ayachi, Sahar Eljallad, Heba Fekry, Asma Ghoul, Jamal Gledan, Abderrahim Id-Rais, Rafic Khouri, Mudathir Suliman, Ombretta Temptra, Dimo Todorovski, Fridah Wanjiku and Jaap Zevenbergen

Management support: El Habib Benmokhtar, Nicolò Bedino, Maryanne Mwangi and Eleonora Francesca Serpi

Editors: Wycliffe Omany and Nikola Stalevski.

Layout: Content Khana for Marketing & PR Services.

Cover photo: UN-Habitat

Strategic partners: Federal Ministry for Economic Cooperation and Development (BMZ) of the Federal Republic of Germany, Swedish International Development Cooperation Agency (Sida) and Swiss Agency for Cooperation and Development (SDC).

THE GLOBAL LAND TOOL NETWORK AND THE ARAB LAND INITIATIVE

The Global Land Tool Network (GLTN) is a multi-sectoral alliance of international partners committed to increasing access to land and tenure security for all, with a focus on the poor, women and youth. The Network's partners include international rural and urban civil society organizations, research and training institutions, bilateral and multilateral organizations, and international professional bodies. In 2016, GLTN Partners launched the Arab Land Initiative to promote equal access to land, peace, stability and economic growth in the Arab region through good land governance and transparent, efficient and affordable land administration systems. The Initiative aims at empowering land champions from the region by developing capacities, increasing collaboration and promoting innovation, learning and sharing of best practices. It also supports the implementation of land gender-responsive and fit-for-purpose land tools and approaches at national and local level. This report is part of the knowledge development streams of work of the Arab Land Initiative.

ISTIDAMA

The ISTIDAMA Center for Land and Environmental Governance is an independent policymaking centre for land and environmental governance based in Sudan. It delivers specific assignments, according to needs, on topics related to land and environmental governance in Sudan and in the Arab and Africa region.

ARAB UNION OF SURVEYORS

The Arab Union of Surveyors is the umbrella organization that represents the interests of the profession of surveying in the following countries: Egypt, Morocco, Syria, Saudi Arabia, Jordan, Tunisia, Sultanate of Oman and Lebanon. Founded in 2002, it seeks to improve and harmonize the profession of surveying in the Arab world and develop the cadastral systems for improving land management and real estate investment as an important part of the socioeconomic development in the region.

LAND PROFESSIONALS IN THE ARAB REGION

Roles, capacities and contribution to land governance and land tenure security



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DEFINITION OF KEY TERMS

Land professional: This trained or experienced person performs one or more land administration functions, which include land tenure, land value, land use, land development and land disputes resolution. **Formal land professionals** should have academic qualifications, practical training and a recognized experience in their professional field. They are compensated for their work and time and must respect a code of conduct and the ethics of the profession. Those working in the informal or in the customary land management sector are seen as **non-formal land professionals**. They receive their recognition from their status in the community and from the willingness of government institutions to interact with them as land management actors.

Land governance: “Land governance concerns the rules, processes and structures through which decisions are made about access to land and its use, the manner in which those decisions are implemented and enforced, and the way in which competing interests in land are managed. Land governance therefore encompasses statutory, customary, religious and informal institutions. It includes state structures such as land agencies, courts and ministries and municipalities responsible for land, as well as informal land developers and traditional bodies. The concept of land governance covers the legal and policy framework for land, as well as traditional practices governing land transactions, inheritance and dispute resolution. In short, it is fundamentally about power and the political economy of land. An integrated system for managing water and land, anchored in the genuine participation of stakeholders, is crucial for achieving the Sustainable Development Goals, including those related to reducing poverty and sharing prosperity” (FAO, n.d.).

Land administration is the process of determining, recording and disseminating information about ownership, value and use of land and its associated resources. These processes include the determination (sometimes called “adjudication”) of land rights and other attributes, surveying and describing these, their detailed documentation, and the provision of relevant information for supporting land markets (UNECE, 2005).

Fit-for-purpose land administration: In most developing countries, conventional land titling approaches have largely failed to deliver their expected results. Existing methodologies and technical solutions are either too expensive, inappropriate for the different types of land tenure in developing countries, financially unsustainable, largely unavailable or require a high level of technical capacity. The Fit-for-purpose approach was developed in response to such challenges. It proposes to refocus land administration to meet the needs of people and their relationship to land, while sustainably managing land use and natural resources. It promotes the use of flexible and pragmatic approaches that are affordable, easy to establish and maintain, and are built on existing available technical, financial and human capacities (rather than seeking to meet rigid,

high-end requirements) and can be incrementally upgraded towards more precise, technically specialized, detailed and sophisticated land administration systems.

The continuum of land rights is an inclusive approach that recognizes the existence of a broad spectrum of land tenure types (e.g. rights of use, occupancy, lease, ownership, etc.), each with its own specific characteristics, level of legal recognition and tenure security. It is a very important concept for improving land administration by adopting fit-for-purpose land administration principles.



Source: UN-Habitat

EXECUTIVE SUMMARY

Introduction

An effective land sector is foundational to achieve peace and stability, sustainable development, economic growth, food security, environmental conservation and poverty reduction. Effective and fit-for-purpose land administration systems are essential for building inclusive societies and developing national economies. The functioning of the land sector largely depends on the capacities, experience, and qualifications of land professionals.

Land professionals have important roles in land governance, land management and land administration. Their work contributes to all the aspects of the land sector, from the planning to the execution, monitoring and evaluation. They are the operators of the land administration processes and the interface between the people and the land institutions. They participate in the development and reform of land policies, strategies and land-related administrative frameworks. They are the technical arm that implements the mandates of the land-related institutions and organisations, in the public and private sector, and are accountable to the citizens for their delivery.

Objectives and methodology

This study identifies formal and non-formal land professionals' categories, their current functions and the additional roles

that they would need to take up to improve land governance and establish functioning and fit-for-purpose land administration systems in the region. It also takes stock of the current capacities of land professionals, what additional capacities they would need, and which additional interventions would enable them to adequately play their role.

A mixed-method data gathering approach

was used: consultations with experts through interviews and a knowledge exchange; a questionnaire distributed to 93 land professionals across 14 Arab countries; desk review of relevant documents, including articles and conferences proceedings; and discussions in professional platforms. After identifying the main roles, capacities and gaps, the study team defined the areas of intervention, to improve the contribution and role of the land professionals in the development of good land governance in the region.

Findings

The study finds that land professionals in the Arab region have the skills to perform their work, but most of them lack legal recognition, support, and protection. This is particularly problematic for non-formal land professionals, who play an indispensable but largely unrecognized role in the region. To better fulfil their duties, land professionals need an enabling environment, access to government information and a better regulation of their professions.

The land professionals have varied levels of understanding of the broader land governance frameworks and of the inter-relationships between the core land administration functions: land tenure, land value, land use, land development and disputes' resolution. The need to better consider local customs in land management and accommodate them in laws and legislations was frequently highlighted, along with the need of complementing technical with soft skills in communication, mediation and problem-solving.

Incorporating the view point of land professionals would improve the outcome of the policy and administrative processes related to the management of land and related resources and strengthening the interface between the formal and the non-formal sector is one important entry point for interventions.

Common challenges

The study highlights common challenges that land professionals face. Formal professionals must deal with technical barriers such as ambiguous standards and undocumented procedures. They progressively adapt to technological advancement, struggling to access specialized education and professional development courses, which are often available only outside their countries and costly. Access to land-related information is complex, due to lack of digitalization of available data and to prevailing data sharing protocols. Low remuneration and brain drain are common, particularly in poorer contexts.

Land professionals regularly face political interference and are caught in the middle of competing interests over land, natural resources, and different land users. Their non-formal counterparts also face several barriers, such as weak social and political legitimacy, conflicts with government and political bias, and pressure from unchecked private sector actors. They also share some challenges with the formal sector, for example, the underrepresentation of women and youth.

Recommendations

Countries greatly vary in terms of legislation and regulations that guide the roles, the capacities and qualifications needed, and the type of contributions expected by land professionals. There are, however, many common elements, from which the below recommendations are drawn.

Recognition and professional associations - Establishing national and regional professionals' associations would improve the quality of land services and the credibility of land professionals in the region. A key role for these associations will be to guide career progression and set standards for the delivery of services. Further, the connection and professional relations among existing professional bodies and with government institutions with land-related mandates should be strengthened. The enhanced understanding and recognition of land professionals will enable them to access government-managed information and adhere to government policies. At national and sub-national level,

non-formal land administrators, including those in customary land management, should be mapped and further organised, and their capacities to deliver quality land services should be recognized and developed. In addition, it would be important to establish a codified remuneration that provides fair costing and promotes high-quality land services in the public and the private sector. The role that land professionals play as intermediaries between communities and institutions in land-related processes should be strengthened through both capacity-building and recognition of their roles.

Capacity development – The hands-on experiences of land professionals should be further documented and should be used to develop a context-relevant curricula for land administration, building on best practices from the region. The curricula should include relevant courses for other disciplines related to land administration. Open access to land governance training courses in Arabic should be introduced and promoted, including by developing twinning programmes between capacity-building institutions from the region and their counterparts in developed countries. Events and workshops on specific aspects of the land sector in the Arab region and subregions should be held regularly, to complement the Arab Land Conference and the initiatives of the Arab Land Initiative's partners. Continuous professional development courses should be established and made available in each country and within the Arab region, to ensure that land professionals have up-to-date knowledge and skills.

Public-private partnerships - Encouraging public-private partnerships for the delivery of land services would enable governments to sustain their commitment to the provision of quality services to their citizens through an enhanced collaboration with the private sector.

Access to information – The delivery of land professionals would improve if they had better access to cartographic and other land-related information produced by different land actors, both public and private, individual professionals, civil society organizations and academia. This requires improved online content, open data, smoother digital communication, entails a cultural shift and the revision of data sharing protocols of land institutions.

Professional codes and guidelines – The enactment of codes and guidelines for different land professional practices and their inclusion in government policies would be important and it could be used to monitor and evaluate the quality of land professionals' work. A professional liability or "malpractice" insurance, also known as "errors and omissions insurance", should be introduced to provide protection to both the general public and land professionals from claims related to their work.

Participation in policy making – The participation of land professionals in policymaking and policy reforms of land administration systems in their countries should be enhanced, to ensure that the strategies, policies and laws passed are technically sound and implementable in practice.



Source: ISTIDAMA

1. INTRODUCTION

LAND MANAGEMENT AND ADMINISTRATION

This report adopts the description of land management and land administration as defined by Enemark et al. (2005) and adopted by the Global Land Tool Network (GLTN). The range of land-related processes is categorized in four core functions:

- **Land tenure security:** Securing and transferring rights over land and land-related resources.
- **Land value:** Valuation and taxation of land and properties.
- **Land use:** Planning and control of the use of land and land-related resources.
- **Land development:** Implementing utilities, infrastructure and services, and construction.

Disputes resolution is a crosscutting element across these functions.

Every land administration system is guided by available land resources, policy and legal frameworks. It is implemented through national and local institutions with land-related functions and supported by the land information infrastructure. Land administration is a critical success factor for peace and stability, economic growth, food security, nature conservation and poverty reduction (see Figure 1).

Achieving sustainable and inclusive social and economic development in Arab countries will largely depend on the effectiveness of the land administration systems. Adopting fit-for-purpose land administration systems will require knowledgeable and skilled land professionals.

BOX 1: THE LAND MANAGEMENT AND ADMINISTRATION FUNCTIONS**Land tenure**

- Securing access to land and resources related to it and their allocation, recording and security
- Cadastral mapping and legal surveys to determine parcel boundaries
- Creation of new properties or alteration of existing properties
- Transfer of property or use from one party to another through sale, lease or credit
- Management and adjudication of disputes regarding land rights and parcel boundaries

Land value

- Assessing the value of land and properties
- Calculating and gathering revenues through taxation
- Managing and adjudicating land-valuation and taxation disputes

Land use

- Control of land use by adopting planning policies and land-use regulations at the national, regional and local levels
- Enforcing land-use regulations
- Managing and adjudicating land-use conflicts

Land development

- Building new physical infrastructure and utilities
- Planning construction
- Expropriating and acquiring land for the public
- Changing land use, granting planning permissions, and building and land-use permits
- Distributing development costs
- Managing and adjudicating disputes and conflicts related to land development

Source: Adapted from Williamson et al. (2010).

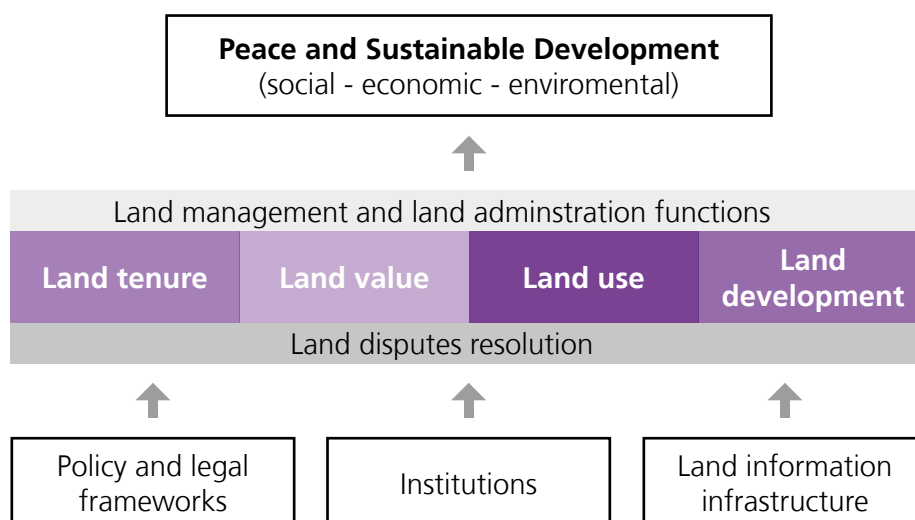


Figure 1: Land administration and sustainable development

ROLES OF LAND PROFESSIONALS

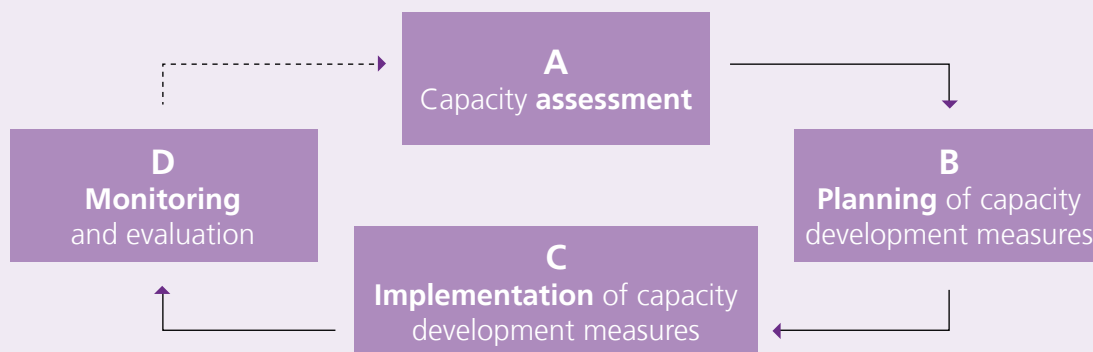
Land professionals have important roles in land governance, land management and land administration. Their work contributes to all the aspects of the land sector, from the planning to the execution, monitoring and evaluation. They are the operators of the land administration processes and the interface between the people and the land institutions. They participate in the development and reform of land policies, strategies and land-

related administrative frameworks. They are the technical arm that implements the mandates of the land-related institutions and organisations, in the public and private sector, and are accountable to the citizens for their delivery. Like in all governance systems, human resources are the most critical component for the functioning of a land administration system. The functioning of the land sector largely depends on the capacities, experience, and qualifications of land professionals.

BOX 2: CAPACITY DEVELOPMENT

Capacity development is defined as “the process through which individuals, organizations and societies obtain, strengthen and maintain the capabilities to set and achieve their own development objectives over time” (OECD, 2006). Capacity-building and development processes consider that “different knowledge and skills are required by different people, of different functions and specialization levels, at different stages of implementation. Capacity development plans should tailor interventions accordingly and ensure that the right individuals are receiving the right input vis-à-vis their roles and where they are in the roll-out of the programme” (UN Women, 2010).

The capacity development cycle, shown below, is constituted of four stages: (A) capacity assessment, which identifies opportunities for improvement; (B) planning capacity development actions, based on the needs identified in the first stage; (C) conducting capacity-building; and (D) monitoring and evaluating the performance of the enhanced human resources. Capacity assessment is the entry point and is periodically deployed to initiate capacity-building processes in organizations or for individual stakeholders.



OBJECTIVES OF THE STUDY

This study reviews the current roles and capacities of land professionals in the Arab states and the needed additional capacities and skills to strengthen their contribution in different aspects of land governance as defined by Global Land Tool Network (GLTN).

It supports the vision of the Arab Land Initiative that “all the people in Arab countries enjoy equal and affordable access to land, peace, stability and economic growth, to be achieved with good land policies and transparent, efficient and affordable land administration systems” (Arab Land initiative, n.d.).

This study has two main objectives:

1. To identify the different formal and non-formal land professionals' categories, their current functions and the additional roles that they would need to take up to improve land governance and establish functioning and fit-for-purpose land administration systems in the region.
2. To take stock of the current capacities of land professionals, what additional capacities they would need, and which additional interventions would enable them to adequately play their role.

The study provides a general overview of the operational situation of land professionals and their roles and capacities in the land administration systems. It does not provide data for specific land sector interventions in individual countries, but rather attempts to indicate the general capacity development needs in the region and the opportunities for

strengthening and promoting good practices in land governance and administration.

METHODOLOGY

This study was conducted by ISTIDAMA Centre for Land Governance, based in Sudan, with the contribution of the Arab Union of Surveyors. The roles and capacities of land professionals in the Arab region were assessed with regard to their existing knowledge, their hands-on experience, and their technical skills (e.g. cutting-edge technologies, digital mapping, databases and digital finances, etc.). Information on land professionals' associations was also gathered. Professional associations at the country or regional level are needed to guide, recognize and approve the work of land professionals. It is therefore important to understand what type of associations exist, how they maintain and ensure compliance with the professional code of conduct, and the role they play in recognizing, certifying and guiding the work of land professionals.

The information contained in this study was gathered through a mix of methods. The findings and recommendations of the expert group meeting, held on 8-9 November 2021, in Cairo, Egypt, formed part of the baseline information for the assessment. Ten roundtable discussions and bilateral brainstorming sessions between the main authors and participants further enriched the information gathered. A desk review of relevant literature, including articles and conference proceedings from the region (First Arab Land Conference 2018, Darfur Land Conference 2018) was conducted. Online discussions in professional platforms, such as LinkedIn, were undertaken.

SURVEY QUESTIONNAIRE

A survey questionnaire was developed and used to collect information from the various land professionals across the region. The questionnaire developed by the study team and reviewed by experts¹ was structured in two sections. Section 1 included demographic

information and general questions: gender, age, academic education, qualification and specializations, field of professional practice, years of experience, and share of women and young practitioners (under 35 years old) in the land sector. Section 2 covered nine fields related to the land administration functions and cross-cutting issues (see Table 1).

- 1 The questionnaire was reviewed by Dr. Sharaf Eldin Banaga, ex-Minister of Housing and Urban Development, Khartoum State, Sudan; Dr. Salah Mahmoud, Associated Professor of Physical Planning at the University of Khartoum; and Eng. Akram Kamal, Urban Planning and Informal Settlement Expert.

Table 1: Distribution of questions along the nine key areas of inquiry

Study area	No. of questions
Knowledge	8
Skills	3
Professional recognition	8
Good governance	7
Security of tenure	4
Land value	3
Land planning, development and use	4
Disputes resolution mechanism	3
Rehabilitation and reconstruction	2
Total number of questions	42

The study team pre-tested the questionnaire with five land professionals, then adapted it based on the feed-back received before rolling it out. The study team initially distributed hard and soft copies of the questionnaire to 12 land professionals in Sudan and later to other countries. A questionnaire was distributed during Arab Land Initiative events, including the 2nd Arab Land Conference in Cairo, the Jordan "Land Monitoring and Reporting on National, Regional and Global Commitments, 2021" Conference, and the "Training on land governance, women empowerment and socioeconomic development in the Arab region" held in 2021 in Iraq. Soft copies of the questionnaire were emailed to land professionals and made available through LinkedIn and other social media platforms. Extensive search for names and organizations, including government entities and the private sector working in the land management in the Arab states was done.

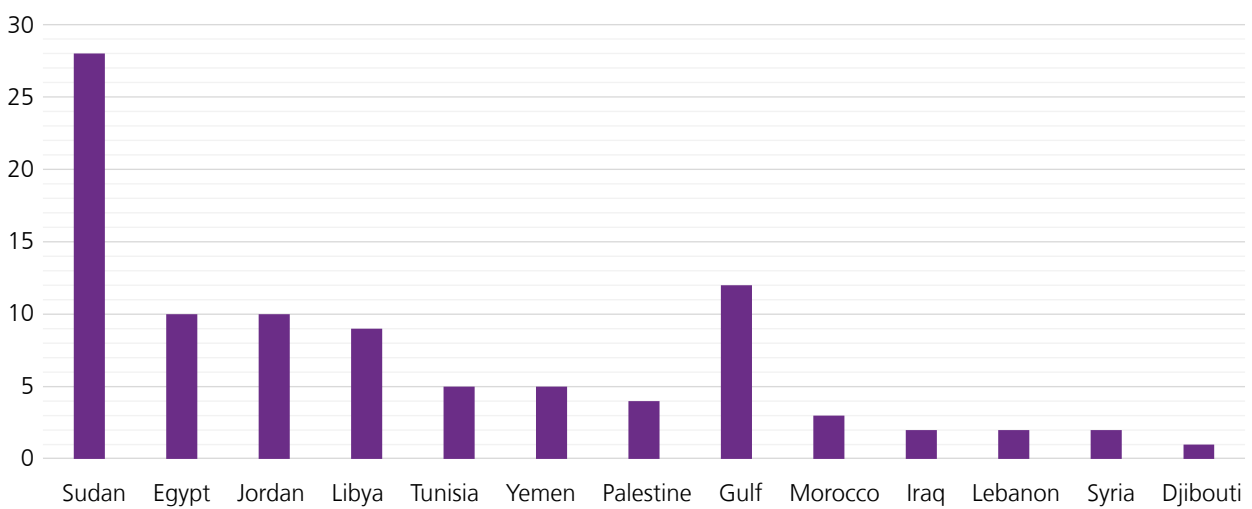


Table 2 shows the total distribution of questionnaires across the region.

The Statistical Package for the Social Sciences (SPSS) software was used to analyse the collected data. The returned hard copy questionnaires were checked for quality and

completeness before being fed into the SPSS platform. The soft copies were converted, cleaned and analysed. Based on the insights from the analysis, the team devised several recommendations how to aid the work of land professionals and advance fit-for-purpose land administration systems in the region.

Table 2: Questionnaire respondents, by country



KEY INFORMANTS' INTERVIEWS

Calls with key informants, based on an interview guide developed by the study team, were conducted with land professionals from countries that did not respond adequately to the other tools. Phone calls were used to communicate with professionals in Bahrain, Qatar, Saudi Arabia, Somalia, Mauritania and UAE.

Table 3: Number of interviewees and country

Country	No. of interviewees
Bahrain	3
Djibouti	1
Egypt	3
Iraq	7
Jordan	1
Libya	2
Mauritania	1
Morocco	2
Oman	2
Saudi Arabia	3
Sudan	5
Tunisia	1
United Arab Emirates	4
Yemen	2
TOTAL	37

Gender and age - Most respondents are men (57 per cent), while women are 43 per cent of the total sample surveyed. The largest group of respondents are those 46 years or older (42 per cent), followed by those between 36 and 40 years old (26 per cent).

Table 4: Age of respondents

Age group (years)	Percentage of respondents
25 – 30	2.5
31 – 35	16.5
36 – 40	26
41 – 45	13
46 and above	42
TOTAL	100

Education - Most respondents hold a bachelor's degree or higher (89 per cent). A high percentage (68.8 per cent) of respondents had a master's degree.

Table 5: Education level of respondents

Academic qualification	Percentage of respondents
High school diploma	4.4
Intermediate diploma	6.6
Bachelor's degree	13.6
Postgraduate diploma	2.2
Master's degree	68.8
PhD	4.4
TOTAL	100

Qualification area - Nearly three quarters of respondents (71 per cent) work in the field of engineering. Other specialisations (e.g., economics, humanitarian) account for 16 per cent, while 9 per cent specialized in urban planning. Some urban planners come from an engineering background such as architecture and tend to define themselves as engineers instead of urban planners. If there had been a clear definition of urban planners and a corresponding professional body, the reported numbers for area of specialization would have been significantly different.

Table 6: Professional specialization of respondents

Specialization area	Percentage of respondents
Engineering	71
Urban planning	9
Law	4
Other specializations	16
Total	100

Field of practice - Roughly one third (38 per cent) work in urban planning, another third is employed as land surveyors (35 per cent), with other professions totalling 18 per cent.

Table 7: Professionals' field of practice related to land functions

Field of practice	Percentage of respondents
Urban planning	38
Surveying	35
Office work	9
Other professions	18
Total	100

Years of experience - The study shows a gap in the mid-career professionals (11 to 15 years' experience), with larger concentrations of approximately one third starting up (6 to 10 years) and those with a lot of experience (above 20 years).

Table 8: Years of professional experience

Years of work experience	Percentage of respondents
6 – 10	33
11 – 15	16
16 – 20	21
Above 20	30
Total	100

CHALLENGES AND LIMITATIONS

The study was limited by the number of professionals interviewed and countries covered. The study aimed at covering all Arab states, but access to professionals in some of the countries was not possible. Key informants in some countries responded to the questionnaire, while others were reached via telephone and email interviews. The study team observed the high sensitivity of discussing land issues, particularly with professionals in Gulf Cooperation Council countries. Most respondents asked to remain anonymous. During the pre-testing of the questionnaire, the professionals recommended to make naming the interviewees optional. WhatsApp messages were also sent to the list of professionals who participated in different events convened by the Arab Land Initiative. Some respondents did not feel comfortable answering questions touching on the capacities of their fellow professionals.



Source: UN-HABITAT

2. THE ROLE OF LAND PROFESSIONALS IN THE ARAB REGION

There is no universal definition of land professionals. However, there are definitions of different categories of land professionals, such as land surveyors (e.g., as defined by the International Federation of Surveyors) and urban planners (e.g., as defined by the Sudanese Urban Planning Society). These

definitions exclude the non-formal professionals that operate across the Arab region administering informal land rights (see Figure 2). The study provided general definitions for both formal and non-formal land professionals and their current roles in land governance.

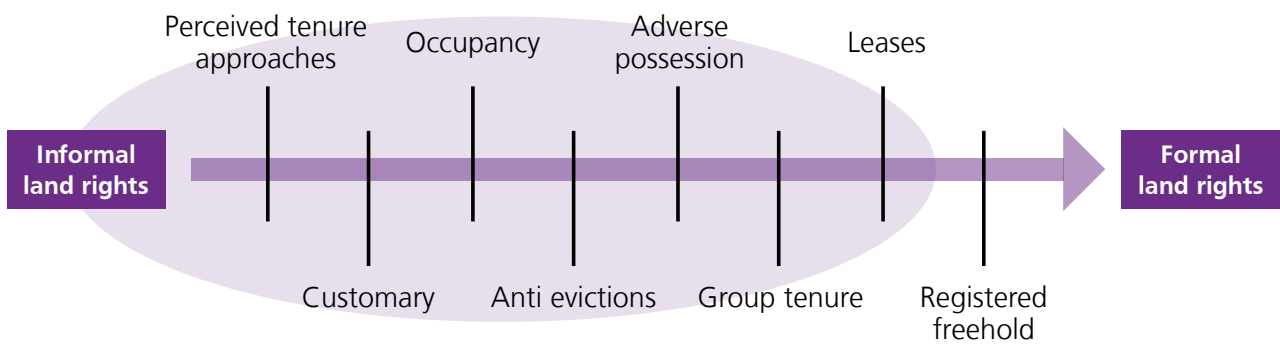


Figure 2: The continuum of land rights

Land professionals interact and interrelate with each other. The formal planning process requires the land to be surveyed; all rights should be documented, and owners must be compensated before the process of planning commences. In such a process of replanning or planning a parcel of land by changing land use many land professionals depend on each other to be able to do their own work. Town planners need the surveyors to complete the planning process, while brokers depend on surveyors to validate an area and the specific location of the land or property during the land sale.

Land professionals from different fields perform different roles and responsibilities as individuals in their organizations and within the broader land sector. The study examined these roles and responsibilities to identify the capacity gaps and how to bridge them. Table 9 presents a summary of the roles of formal land professionals (lawyers, notaries, land surveyors, employees of land departments in the public sector, urban planners, land assessors and valuers, land brokers and mediators, land developers/ investors, and land registration officers), while Table 10 focuses on non-formal professionals.

Table 9: Formal land professionals and their roles

Profession	Definition and current roles in land governance	Land Tenure	Land Value	Land Use	Land Development	Disputes resolution
		Primary contribution	Secondary contribution	Primary contribution	Secondary contribution	Primary contribution
Land lawyers	Solicitors, attorneys, barristers, lawyers and other individuals with legal training dealing with land disputes, land registration and land claims. It includes those who practice in traditional courts. They represent the involved parties, including the government if it is a party to the conflict. They participate in reducing the chances of turning land conflicts into violent conflicts. Their interference is crucial in protecting vulnerable groups. They contribute to the development of land-related laws and legislations and their technical formulation, in response to the changes required by the various stakeholders in these laws and legislations.	Primary contribution	Secondary contribution	Primary contribution	Primary contribution	Primary contribution
Notaries	People legally empowered to witness signatures and certify the validity of documents, including those for land transactions. They register property documents and the accompanying arguments, bonds and mortgages in the property records. They record documents of property ownership in one register and provide information to the parties in the process of buying and selling the property. They affirm the validity of integrity of ownership, whether the property is seized by a third party, or whether the property is mortgaged by a bank.	Primary contribution	Primary contribution	Secondary contribution	Primary contribution	Secondary contribution

Profession	Definition and current roles in land governance	Land Tenure	Land Value	Land Use	Land Development	Disputes Resolution
Employees of land departments (public sector)	<p>These are government officers who, on behalf of their institutions, deal with land use management, land adjudication, disposition, gentrification, etc.</p> <p>These officers execute the administration of land use on behalf of the state in different sectors. They represent the state in land processes, their preservation and disposal, the granting of building and improvement approvals, in the areas of housing, natural resources, forestry, mining, etc. They work in institutions such as the land authority, land use departments, agriculture, forestry, etc. They are different from the land registry employees.</p>					
Land surveyors	<p>Land surveyors are either public or private persons who conduct cadastral surveys (establishment and re-establishment of real property boundaries).</p> <p>They conduct a survey within the framework of statutory system, measuring the boundaries of the land, its area, topography, and report the type of its current use. They also number the land plots. They take the statements of the owner and the documents that support them in the first steps of informal land upgrading. They may work in the government or the private sector, depending on the national context, legislation and practices.</p> <p>Most surveyors in the Arab region – except Gulf Cooperation Council states and Jordan – conduct their work using traditional methods (measuring tape, theodolite and old total stations). Despite the development of digital tools, the basic concepts of their work have adapted to suit the current needs in the Arab region.</p>					
Urban planners	<p>These spatial planners – urban planners, architects, geographers and engineers – plan or replan land in urban or rural communes for different land uses (housing, agriculture, natural resources, etc.). They make conceptual proposals and detailed plans for new urban extensions and the replanning of the old settlements and rural areas.</p> <p>They upgrade proposals for the informal settlement. They make subdivision of properties in cases of inheritance, dissolution of partnerships, and conflict resolution. They replan agricultural land, transforming it to other land uses.</p>					

Profession	Definition and current roles in land governance	Land Tenure	Land Value	Land Use	Land Development	Disputes resolution
Land assessors and valuers	Land valuers include assessors who work in financial institutions. They conduct land appraisals by professionally estimating the market value of the land and real estate. They determine the market value of lands for the purposes of securing mortgage and investment, settling disputes, inheritance issues, feasibility studies for large projects, and arbitration. Their work depends on the availability and accessibility of accurate data.					
Land brokers and mediators	<p>These are brokers, mediators, simsars (traditional brokers), non-state actors who facilitate land transactions between sellers and buyers. Brokers play a mediating role in real estate transaction and leasing. They facilitate the process of dividing assets in inheritance cases and dissolution of partnerships. They play an important role in land and real estate marketing and may be associated with its development processes.</p> <p>Sometimes their field is marred by corruption and misuse of information, with the aim to influence the market and speculate on land prices.</p>					
International organizations	<ul style="list-style-type: none"> - Advocacy - Frameworks, guidelines and treaty development - Coordination of land dialogues between governments and communities - Implementation of programme and projects - Capacity development, knowledge sharing 					

Profession	Definition and current roles in land governance	Land Tenure	Land Value	Land Use	Land Development	Disputes resolution
Land developers/ investors	<p>These are investors – individuals, local and international companies and state organizations as well as governments – who develop land in order to increase its value through subdivision, planning, design, real estate, constructing infrastructures and providing basic services. Land developers add value to the land through planning, supplying the real estate market with diverse solutions and options to meet the needs of different groups.</p> <p>Governments in the Arab region do this through housing and development funds. The private sector currently concentrates in safe investment (high-cost real estate), targeting high-income groups and small investors, while the role of governments has been limited to meeting the needs of low-income groups.</p>					
Land registration officers	<p>The civil servants who work in the general registrar offices. They form an alternative type of notaries according to the land system adopted by a country.</p> <p>They play a role in registering titles and deeds, keeping records and historical transactions, archiving land books, and providing information regarding the collection of the land tax and revenue. They provide copies of the information extracted from the land register. The land registrar officers work in the legal statutory system and do not have any role in the customary system.</p>					

NON-FORMAL LAND PROFESSIONALS

Non-formal land professionals deal with land rights that are not considered under the formal or statutory system, making an indispensable contribution by providing services to the over 70 per cent of people who live and work on unregistered land globally (World Bank, 2017). Non formal land professionals deal with options for land ownership and use rights that the statutory systems still cannot accommodate, including giving people and investors rights over lands that have not been officially registered, and temporary hosting rights. They perform roles such as surveying, planning, development, mediation, and disputes resolution. In summary, they have the same functions than formal land professionals, but perform them informally or customarily in a manner that is governed by local norms and

customs. As an example, the local communities depend on formal surveyors to make surveying and planning proposals for the extension of their villages.

Many formal land professionals work in the non-formal context as well. While this is not always the case, the formal land professionals interact, unofficially, with the non-formal system. There are also other non-formal institutions - like community organizations, Non-Governmental Organizations, and other actors - that play a collective role in the land profession. They are often not called "land professionals" but their role in land management cannot be ignored. Assessing the performance and developing the capacities of informal land professionals to fulfil the core land administration functions is important, as well as assessing the interrelations between capacities, core functions and coordination with other professions.

Table 10: Non-formal land professionals and their roles

Profession	Definition and current roles in land governance					
		Land Tenure	Land Value	Land Use	Land Development	Disputes resolution
Tribal village leaders (sultan, sheikh, mukhtar)	<ul style="list-style-type: none"> - Negotiations and mediations of land disputes - Adjudication, determining and confirming boundaries - Allocation of land to individuals and other users - Engaging with government bodies 	Primary contribution	Primary contribution	Primary contribution	Primary contribution	Primary contribution
Religious leaders	<ul style="list-style-type: none"> - Negotiations and mediations of land disputes - Determining land cases - Role in waqf (endowment) land - Dividing inheritance - Engaging governments 	Primary contribution	Secondary contribution	Primary contribution	Primary contribution	Primary contribution

Profession	Definition and current roles in land governance	Land Tenure	Land Value	Land Use	Land Development	Disputes resolution
Indigenous people organizations	<ul style="list-style-type: none"> - Determine land use and participate in land development specifications - Conduct community land mapping - Advocacy - Sourcing and negotiating for investors - Public litigation - Play a professional role in land governance 					
Community forest users' associations	<ul style="list-style-type: none"> - Participatory forest management - Forest resource mapping 					
Artisanal miners	<ul style="list-style-type: none"> - Sourcing and negotiating for mining investors - Land leasing for individuals and corporations 					
Women's associations	<ul style="list-style-type: none"> - Inclusive land governance advocacy 					
Youth associations	<ul style="list-style-type: none"> - Inclusive land governance advocacy 					
Civil society	<ul style="list-style-type: none"> - Policy advocacy - Frameworks, guidelines and treaty development - Public litigation 					
Business and private sectors associations	<ul style="list-style-type: none"> - Negotiating on behalf of investors - Land acquisition - Policy formulation and objection - Lobbying and funding politicians - Corporate Social Responsibility 					
Pastoralist associations	<ul style="list-style-type: none"> - Land planning, zoning and use - Land reclamation 					
Farmers' federation	<ul style="list-style-type: none"> - Land use and development - Land renewal 					



Source: ILO

3. THE FINDINGS

To enable the functioning of the land sector, land professionals need a broad skills-set, knowledge, and a conducive professional environment. The findings of the assessment on land professionals are articulated below.

EDUCATION AND TRAINING

Formal land professionals are overall satisfied with the quality of education they received prior to starting their professional work. Respondents also identified capacity gaps and training needs, noting that the further specialized education and professional development courses that would be required to advance their skills and competencies are seldom available in their countries – or in the region. This results in costs beyond the financial capacity of many land professionals.

Since there is a large demand for high-tech professionals in the field of land administration, many organisations invest hugely in developing the capacity of their employees, only to lose them shortly after to other organisations (or countries) that offer better remuneration.

DIGITAL CAPACITIES AND TOOLS

Overall, land professionals feel that they are able to use and operate the necessary tools to perform their work (software, advanced equipment, etc.), but there is still space for improvement in their performance. Most land professionals reported having acquired additional qualifications in the field of land development and urbanization after their graduation. The level of competence in digital skills – such as mapping, using digital instruments and database development, and the use of digital media for communication – is not consistent among different professional cadres. For example, engineers and town planners use digital tools in their work more frequently than land registrars, making efficient communication between these two cadres difficult.

COMMUNICATION AND SOFT SKILLS

Land professionals feel that they can communicate effectively, negotiate and

understand the local community's needs regarding land administration, including in the context of disaster and conflict. In addition to face-to-face communication, the most popular digital platforms that land professionals use are email, WhatsApp, Telegram and Facebook.

Surveyors and town planners prefer email communication. The market dealers (brokers and developers) prefer social media platforms such as WhatsApp. Brokers in particular, prefer Facebook. In Saudi Arabia, for example, Facebook has been the most popular platform for information sharing, but with the new real estate reforms launched, things might change towards more interactive and structured official websites and email communication.

Besides technical skills, which are often highlighted as the main skills gap, communication and problem-solving skills are the most important. Land administration is not just dealing with land parcels, but also with the people with stakes over them, and therefore it requires an understanding of aspects such as culture, conflict resolution, mediation, etc. Most professionals in the land sector come from a technical background, with no or very limited knowledge and expertise in these key aspects of the work.

BROADER KNOWLEDGE ABOUT LAND GOVERNANCE

Broader knowledge about land governance would also need to be enhanced, as most land professionals have limited knowledge about the Sustainable Development Goals, for example. Respondents also pointed to the need to better consider local customs in land management, accommodate them in the laws and legislations, and improve the understanding of how to deal with the non-formal land administration system among formal land professionals.

RECOGNITION AND PARTICIPATION IN POLICY MAKING

The qualifications that formal land professionals hold are recognized by the government and by professional bodies in their respective countries. However, most land professionals are neither consulted nor represented in the processes of developing strategies and policies and developing land laws in their countries, and therefore, their recommendations are not considered.

QUALITY CONTROL AND TRANSPARENCY

There are no published and enforced standards to monitor the quality of the professionals' work, identify malpractices, and safeguard customers' rights. The majority of respondents are unaware of the existence of institutions responsible for monitoring and evaluating their work. The users, or customers, of the land administration system do not have easy access, secure and private channels to submit their complaints and there is not a system to assess their satisfaction. Customer complaints in the land sector are not dealt with efficiently and effectively by the relevant institutions. Land professionals believe that land administration is one of the most corrupt fields when it is not governed with utmost transparency and professionalism.

ENABLING ENVIRONMENT AND ACCESS TO LAND INFORMATION

To play their role in the land sector, land professionals need an enabling environment and access to land-related information produced by the government. However, land professionals who do not work in the government are generally not allowed access

to the information and maps needed to perform their work. Land information is not available outside government entities, and where it is available, it is neither updated nor accurate. Governmental institutions responsible for managing land do not have electronic platforms or e-systems to communicate with land professionals. Apart from some Gulf states and Jordan, most land-related work is completed manually – especially in the critical parts of the process such as the recording and registration of land rights. This constrains the work of land professionals, forcing them to seek in person the information needed from institutions with land-related mandates. There is a huge difference in the ranking of the Arab states in terms of property registration, according to the ease of doing business scores for 2019-2020. For example, UAE scored 90.1, while more than half of the other states scored less than 70 on the same indicator. Three Arab states are below 50, five countries are in the 50s, and another five are in the 60s (World Bank, 2021).

SUPPORT AND PROTECTION

Most land professionals believe that labour unions, professional associations and syndicates do not give them enough support to carry out their work. The majority of land professionals concur in flagging that there are risks and threats to their personal safety and security as a result of their work, and do not feel adequately legally protected and professionally supported during the performance of their tasks, particularly considering that most of them do not have personal protection (against violence or harassment) while performing their work in the field.

FINANCIAL COMPENSATION AND BRAIN DRAIN

The majority of land professionals perceive as

inadequate, unfair and insufficient the compensation they receive for their work. In most countries, there seem to be no - or not enforced - approved standards for financial compensation and there is a significant variation in the level of compensation received for the work performed. A few respondents reported to be looking to change their careers, highlighting the insufficient financial income as the main reason.

Professionals in countries facing conflict operate in a very challenging environment, characterized by various levels of insecurity, lack of data, outdated computers and software and other problems. Professionals with high technical skills are always seeking better opportunities in other countries, especially the Gulf states where they could be offered salaries up to 10- or 15-times higher than in their home counties. A bilateral relation to exchange experience between Arab countries could mitigate this brain drain.

PARTICIPATION OF WOMEN AND YOUTH IN THE LAND SECTOR

Half of respondents chose not to answer the question related to women's participation in the land administration workforce.

There is no accurate information about the youth participation in the land sector. Almost half (44 per cent) of respondents indicated that young professionals are between 26 and 50 per cent of the total workforce in the land sector. Another 37 per cent of the respondents think that the youth comprise between 10 and 25 per cent of the total.

The skills identified as most valuable for young land professionals are knowledge of land transfer procedures and land laws, advanced land use computer programs, field experience of informal settlement upgrading, administrative and communication skills and

time management skills. New employees and young graduates generally lack hands-on experience and soft skills, such as communication and problem-solving. To overcome this gap, the professionals tend to enrol in higher education studies (many land professionals hold one or more postgraduate degrees), which does not necessarily provide the required knowledge and skills. In reality and practice, professional certification and training are equally if not more important than a master's degree and additional efforts should be placed on encouraging knowledge transfer across generations and the acquisition of field experience for young graduates.

FINDINGS RELATED TO THE LAND ADMINISTRATION FUNCTIONS

Land tenure - Land professionals have sufficient knowledge on transfer of ownership and registration in both the statutory and customary systems, but they do not have an adequate holistic understanding of the various land tenure and land use types as per the prevailing practices in their countries (temporary and permanent rights, individual and collective rights, and public and private rights).

Land value - Land professionals in general, and land valuers in particular, cannot accurately determine the value of land and big discrepancies can generally be found between estimates of different service providers. Most

land professionals do not have access to digital information and means of sharing information about land and real estate with banking and financial institutions.

Land use planning and development -

Land professionals have sufficient knowledge of land use planning procedures in both the statutory and customary systems. Land professionals make technical contributions in most stages of the planning and of the implementation of infrastructure and utility networks. Land professionals understand well the importance of dealing with land and natural resources to ensure their sustainability and have effective contacts with the authorities concerned with planning and natural resources management.

Disputes' resolution – In many Arab countries, there is a great need of land professionals who can play an effective role in the settlement of land-related disputes settlement, particularly in countries affected by local conflicts and hosting large refugees and IDP populations. Land professionals typically participate in dispute resolution processes that are done through peaceful mediation or arbitration (out of court).

Land professionals also participate in the evaluation of land and real estate for disputes resolution over natural resources (pastures, agriculture, forests, etc.) in customary and statutory systems.

BOX 3: LAND PROFESSIONALS IN DISPUTES RESOLUTION AND RECONSTRUCTION

Land professionals in Sudan and Yemen play a vital role in sustaining community coexistence. They are a key party in customary land disputes resolution. They actively participate in the reconstruction of the areas affected by war and conflict, and assist in the return of the displaced, in securing housing for refugees, and other functions. Additionally, most land professionals in Sudan and Yemen believe these tasks are a core part of their work.

BOX 4: A GOOD PRACTICE: THE SAUDI REAL ESTATE STOCK EXCHANGE

In November 2021, the Ministry of Justice of Saudi Arabia launched the Saudi Real Estate Stock Exchange, on a trial basis. The stock exchange platform includes information about direct deals, real estate offers, new deals, mortgages and titles inquiries. The data in the platform include the number of deals and their value, the traded area of land and building, and the highest and lowest price, as well as the best request and the best offer. This is an essential resource, as it will control market operations and will be governed to prevent any manipulation by speculators (Argaam, 2021).

CHALLENGES FACED BY LAND PROFESSIONALS

Formal and non-formal land professionals operate in different environments and face

different types of challenges. Table 11 below outlines the main challenges faced by those working in the formal sector, while Table 12 looks at the ones of the professionals engaged in the non-formal sector.

Table 11: Challenges faced by formal land professionals

Profession	Key challenges
Land lawyers	Challenges in performing their work: unclear work standards and undocumented procedures; lack of understanding for the rights of women and youth; slow adaptation to technological changes; conflicts with other government entities; weak social and political legitimacy; political interference; foreign interference. Most common land-related challenges encountered: competing interests over resources; overexploitation of resources; land degradation; illegal capture of land.
Notaries	Challenges in performing their work: unclear work standards and undocumented procedures; slow adaptation to technological changes. Most common land-related challenges encountered: Illegal capture of land.
Employees of land departments (public sector)	Challenges in performing their work: unclear work standards and undocumented procedures; lack of understanding for women's and youth's rights; slow adaptation to technological changes; political interference.
Land surveyors	Challenges in performing their work: unclear work standards and undocumented procedures; slow to adapt to technological changes; high-risk work environment.
Land registration officers	Challenges in performing their work: unclear work standards and undocumented procedures; lack of understanding for the rights of women and youth; slow to adapt to technological changes.

Profession	Key challenges
Land assessors and valuers	Challenges in performing their work: unclear work standards and undocumented procedures; lack of understanding for the rights of women and youth; slow to adapt to technological changes.
Land brokers and mediators	Challenges in performing their work: unclear work standards and undocumented procedures.
Land developers and investors	Challenges in performing their work: unclear work standards and undocumented procedures; overexploitation of resources; foreign interference. Most common land-related challenges encountered: Illegal capture of land.
Urban planners	Challenges in performing their work: unclear work standards and undocumented procedures; lack of understanding for the rights of women and youth; slow to adapt to technological changes. Challenges in performing their work: high level of political interference; unclear work standards and undocumented procedures; lack of understanding for the rights of women and youth; slow to adapt to technological changes. Most common land-related challenges encountered: overexploitation of resources; and land degradation.

Table 12: Challenges faced by non-formal land professionals

Non formal professional	Key challenges
Tribal village leaders (sultan, sheikh, mukhtar)	Unchecked leadership; discrimination of women and youth; undocumented customary procedures; slow to adapt to changing contexts.
Religious leaders	Political bias
Indigenous people's organizations	Overexploitation of resources; conflicts with government; corporate abuse.
Community forest users' associations	Forest resource overexploitation.
Artisanal miners	Environmental destruction; land degradation; environmental risk.

Non formal professional	Key challenges
Women's associations	Weak social and political legitimacy; limited representation.
Youth associations	Weak social and political legitimacy; limited representation.
Civil society	Reduced civic space.
International organizations	Limited space to engage in land issues in Arab countries.
Business and private sector associations	Inadequately regulated capitalism; foreign interference; black land capture.
Pastoralist associations	Competing resource interests; Illiteracy; conflicts with farmers and wildlife.
Farmer federations	Increase of value when land use changes to non-agrarian.



Source: UN-Habitat

4. CONCLUSIONS AND RECOMMENDATIONS

The above analysis defines the main roles of formal and non-formal land professionals, the challenges they face, their capacities and needs. Land professionals require enhanced competencies to better contribute to the functioning of the land sector, the implementation of fit-for-purpose land administration, and the achievement of the social, economic, and environmental goals of the societies in the Arab region. Table 11

outlines the key additional competencies required, to guide the design of capacity development interventions targeting land professionals in the region to be undertaken by national and international institutions and competent bodies. Besides necessary technical skills, but also soft skills and competencies related to policy development, legal framework, adaptation to change, and establishment or reform of the land institutions.

Table 13: Land professions and the required additional competencies

Profession	Required additional competencies
Lawyers	Improve their understanding of land-related legislation and regulations and of the land tenure systems. Bridge the gap between their knowledge about land law and the practice. Develop a basic understanding of key concepts and applications related to land management, fit-for-purpose land administration, and human rights in relation to shelter, durable solutions, housing, land and property rights, internally displaced people and refugees. Policy formulation, reconciliation and mediation.

Profession	Required additional competencies
Notaries	Develop skills on electronic archiving and digital financial transactions. Enhance their legal status and recognition. Improve the transparency and accountability of their work.
Employees of land departments (public sector)	Acquire basic knowledge on surveying, mapping, spatial planning and socioeconomic studies. Enhance their knowledge of legislation and regulations about land and tenure security and research methods. Increase their awareness of land governance, including the relevant global and regional frameworks and the Sustainable Development Goals (SDGs).
Land surveyors	Increase their knowledge on the use innovative tools, new technologies and high-tech approaches for digital mapping and archiving, drone mapping, digital cartography, GIS and remote sensing. Develop a better knowledge of concepts and applications fit-for-purpose land administration tools (e.g., the Social Tenure Domain Model) and open data techniques. Get an improved understanding of the laws and the governance aspects around their work, including land legislations and tenure systems regulations, and e-government. Improve their project management skills and work methods and ethics, to be more client oriented and respond better to clients' needs. Ensure they participate in international gatherings, such as the Arab Land Initiatives, FIG congresses and working weeks, etc.
Spatial planners	Develop their technical skills regarding the use of digital information and representation, fit-for-purpose land management techniques and planning standards (e.g., minimum road width in replanning process, minimal plot size), GIS and remote sensing, and e-government. Improve their awareness on environmental and sustainability issues, impact assessments and environmental studies, and gender. Get a better understanding of land administration, land-related legislations and tenure systems regulations. Improve their knowledge and skills in the field of post-conflict reconstruction. Sharpen their soft skills in dealing with local communities.
Land assessors and valuers	Develop more accurate techniques for land valuation and systems to make property transfers and land price information more transparent. Better understand land markets. Further structure their profession and organise themselves into professional bodies that would also improve the recognition of their work and the establishment of guidance and standards.

Profession	Required additional competencies
Land brokers and mediators (formal and informal)	Establish a set of work tools that can help formal and informal land broker making their work more professional, transparent and guided by shared standards. Develop real estate marketing capabilities, so that they are an added value to the real estate market and its stability. Improve their land-related legal knowledge. Gain further technical qualifications and obtain further recognition as a profession, which would also lead to better and more standardized ways of operating.
Land developers and investors	Better understand the land sector. Improve legislation around public-private partnerships. Identify opportunities to attract socially responsible investments. Contribute to the digitalization of land administration and land registration procedures. Increase their collaboration with government institutions through enhanced policies and legislation. Support the development of options for land and housing targeting refugees, low-income groups, the requalification of informal settlements, and low-cost construction technologies.
Land registration officers	Improve their knowledge and use of digital technologies, making more effective land recordation and registration procedures and information sharing. Develop a better understanding of fit-for-purpose land administration, customary land administration processes, and the role and features that land recordation / registration should have in those processes (e.g. the Social Tenure Domain Model).
Customary land workers	Improve their understanding of land governance, land-related legislation and their technical capabilities in the key functions they perform. Strengthen their interest and capacity to participate in policy and legal reform, contributing to bridging the gap between the formal and non-formal / customary system. Increase their capacity to record, safekeep and registration land and properties (e.g. using the Social Tenure Domain Model), resolve disputes and mediate conflicts. Increasing their awareness of issues that affect the most vulnerable groups, women and youth.

RECOMMENDATIONS

A constellation of many formal and non-formal professions constitutes the broad 'land professional' category in the Arab region. Countries greatly vary in terms of legislation and regulations that guide the roles, the capacities and qualifications needed, and the type of contributions expected by land

professionals. There are, however, many common elements, from which the below recommendations are drawn:

- Establish regional professionals' associations, to improve the quality of land services and to strengthen the credibility of land professionals in the region. A key role for these associations will be to guide national professionals'

associations, foster career progression, set standards for the delivery of services and Enhance exchange of experiences and debate opportunities between professionals.

- Improve the connection and professional relations among existing professional bodies and with government institutions with land-related mandates. The enhanced understanding and recognition of land professionals will enable them to access government-managed information and adhere to government policies.
- At national and sub-national level, map out non-formal land administrators, including those in customary land management, and develop their capacities to deliver quality land services.
- Strengthen the role that land professionals play as intermediaries between communities and institutions in land-related processes through both capacity-building and recognition of their roles.
- Enact codes and guidelines for different professional practices of the land sector, include them in government policies, and use them to monitor and evaluate the quality of land professionals' work.
- Introduce the professional liability or "malpractice" insurance, also known as "errors and omissions insurance", to provide protection to both the general public and land professionals from claims related to their work.
- Establish a codified remuneration that provides fair costing and promotes high-quality land services in the public and the private sector.
- Provide reasonable access to land information for different stakeholders and land actors – including the private sector, individual professionals, civil society organizations and academia – through improved online content and digital communication.
- Encourage public–private partnerships for the delivery of land services, which will enable governments to sustain their commitment to the provision of quality services to their citizens through an enhanced collaboration with the private sector. Good practices exist in some countries, which could be shared with and adapted to the needs of other countries.
- Document experiences of land professionals and develop a context-relevant curricula for land administration, building on best practices in the region and abroad. The curricula should include relevant courses for other disciplines related to land administration.
- Introduce and promote online, open access to land governance training courses in Arabic, including by developing twinning programmes between capacity-building institutions from the region and their counterparts in developed countries.
- Design and support events and workshops on specific aspects of the land sector in the Arab region and subregions, to complement the Arab Land Conference and the initiatives of the Arab Land Initiative's partners.
- Promote continuous professional development that ensures land professionals have up-to-date knowledge and skills, in their countries and within the Arab region.
- Improve the participation of land professionals in policymaking and policy reforms in land administration systems in their countries.



Source: UN-Habitat

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ABOUT THIS PUBLICATION

This study identifies formal and nonformal land professionals' categories, their current functions and the additional roles that they would need to take up to improve land governance and establish functioning and fit-for-purpose land administration systems in the Arab region. Drawing information from literature review, consultations and field assessments involving land professionals across 14 Arab countries, the study highlights the common challenges faced by land professionals and takes stock of their current capacities, the additional capacities they would need, and the interventions that would enable them to adequately play their role.

HS Number: HS/009/23E

UNITED NATIONS HUMAN SETTLEMENTS PROGRAMME
UN-Habitat
P.O. 30030, Nairobi 00100, Kenya
Tel: +254 20 762 3120
Fax: +254 20 762 4266
www.unhabitat.org

For more information please contact us:
GLTN Secretariat
Facilitated by UN-Habitat
P.O. 30030, Nairobi 00100, Kenya
Tel: +254 20 76 5199
Fax: +254 20 762 4256
E-mail: unhabitat-gltn@un.org
www.gltn.net

