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Palestine Economic Policy Research Institute

**Final Report
Round Table Discussion (4)**

**Problems and Obstacles to Land Surveying and Land
Property Registration in the West Bank**

April 2013

Executive Summary

Problems and Obstacles to Land Surveying and Land Property Registration in the West Bank

Introduction

This meeting seeks to examine the achievements made in the settlement of land issues during the past few years; review and analyze the problems that emerged during the implementation process; identify the reasons behind the relatively insignificant performance in the settlement of land ownership; and make policy recommendations to overcome blemishes and speed up the process of settlement and registration.

Presenters:

Dr. Numan Kanafani: Director of Research, MAS

Mr. Samer Odeh: Representative of the Head of the Palestine Land Authority (apologized for his illness)

Mr. Sabah Sabah: Land lawyer

Mr. Shehda Omari: Land dealer and appraiser

Summary of discussion

Dr. Numan Kanafani

At the outset of the meeting, Dr. Kanafani talked about land, the backbone of the Israeli-Palestinian conflict. He remarked that land is one of the key factors of production and that any development project cannot be materialized without the integrated planning of land use. He pointed out that the absence of land surveying has multiple direct negative consequences, namely:

- ✧ The absence of land registration precludes the use of land as collateral to borrow from banks, which is the driver for investment in any country.
- ✧ The proper registration of land spurs investment in the land itself, and it increases the value of the land. According to World Bank estimates, the price of land nearly doubles when it is registered.
- ✧ Land surveying provides significant financial sources for the PNA, especially for municipalities for which property registration fees are the most important financial resources.
- ✧ The absence of land registration has many negative social consequences. Data available suggest that about 25 percent of the cases filed before the Palestinian courts are a result of disputes over land.
- ✧ The main purpose of land settlement, though, is to protect land from Israeli theft processes.

Dr. Kanafani then reviewed the legal and institutional framework that regulates land registration processes. He said that there are currently 26 land laws in the Palestinian territory. These laws are inherited from the Ottomans, the British Mandate, the Jordanians and the Israeli occupation. Though numerous, these laws couldn't speed up the process of land registration in the West Bank, perhaps due to sociopolitical factors that the background paper will review.

One of the first decisions taken by the Israeli occupation authorities was the suspension of the registration of land, said Dr. Kanafani. Israel also confiscated large areas of the West Bank, turning them into state-owned land. Between 1967 and 1994, the irrevocable power of attorney replaced land contracts because of the ban placed on the registration of land. However, the power of attorney is not a substitute for the registration of the land, since it is only a temporary contract that must be reinforced by the Land Authority within a specific time. If it is not reinforced in due time, it is considered void. The Jordanian law allowed only five year for reinforcing the power of attorney, while the Israeli occupation extended it to fifteen years.

The Palestinian Authority inherited the brunt of land registration as, under the Oslo Accords, it was entitled to register land and assume civil administration in areas "A" and "B". Yet, the total area registered is still very meager: 50% of Area "A" and 24% of Area "B". Dr. Kanafani then reviewed the key land settlement projects conducted by the Land Authority: Ramallah Area

Project in three villages (Qarawat Bani Zaid, Bitunia, Bir Nabala), Bethlehem Project, Salfit Project and Hebron Project (Dura).

Presentation of Mr. Samer Odeh: Land Authority

Mr. Odeh began his speech by highlighting the significance of land registration in the Palestinian context and its role in protecting land from being confiscated by Israel. He denounced the obstacles Israel places on land registration and limiting registration to areas A and B, while denying surveying of land issues in area C. Mr. Odeh believes that land registration encourages investment. Since 1968, the Israeli occupation, under decision N. 291, ceased all land settlement processes, and until 1994, no registration was reported, he said.

Mr. Odeh then debriefed the problems of land settlement in the Palestinian territory since 1994. When the PNA began to revive the process of settling lands, it had to consider the financial burden of such a process. Land surveying processes are very costly; and they need a large number of employees and considerable technical support. Another major obstacle that the Land Authority had to deal with (when carrying out the settlement projects) was that a large percentage of the owners of the land are expatriates. For example, nearly 50% of land owners in Salfit town are expatriates. One term for the registration of lands requires the owner to be present when concluding the registration process. Further, issues of legacy are a major obstacle to registering land. Finally, competence, number and experience of the Land Authority staff are also major obstacles to registering land. The number of staff in the Land Authority in 2008 was 120 in all departments and offices (land registration departments, surveying departments, departments of state-owned property) in the West Bank.

Mr. Odeh then reviewed the improvements and achievements the PNA made regarding land settlement:

1. The Land Authority increased the number of its employees from 120 in 2008 to 458 in 2013. It has developed the capacity of its staff through holding surveying courses and other programs. It also established a department for the development of administrative planning. In addition, the Land Authority formed a committee for outside missions (to transfer expertise) and a committee for rewards and incentives. However, Odeh believes that the number of staff is still below the required target.
2. The Land Authority made some technical and logistical improvements, such as the provision of GPS devices, rehabilitation of the Land Authority offices, and setting up a support unit for land registration (IT Unit).
3. The Land Authority started applying the geographic information systems program (GIS).
4. Electronically archiving all land entries in the West Bank.
5. Building a land registration program which allows citizens to track their transactions (which saves time and effort).
6. Resolving the issue of state-owned land in Jericho, whereby land was registered for citizens who were able to prove their ownership.
7. Planning outreach public campaigns on the importance and advantages of surveying land.

During his talk, Odeh defined land surveying as "solving all problems and disputes relating to any right of disposition or use of land or water; resolving these disputes and attributing the property to their respective owners." He said that we must be able to differentiate between settlement and registration: the latter is conducted for a land with its settlement process already completed.

Presentation of Mr. Sabah Sabah

Mr. Sabah first noted that the issue of land registration and settlement is very daunting; arguably due to the absence of laws regulating land registration. He commented on the land settlement law saying that the Jordanian law is the only one taking effect in the Palestinian territory. Before this law, he added, there were only certificates of registration. Unlike certificates used by the British Mandate and the Ottomans, the land settlement document is a conclusive deed that may not be challenged in court which, in turn, may not consider the dispute resulting from the settlement deeds.

Mr. Sabah remarked that the process of settling land issues has pros and cons. It is true that this process eliminates disputes over land ownership (especially after the end of the appeal period).

However, it involves several problems, notably the fact that 80% of land owners are expatriates. Carrying out a settlement on expatriate-owned land in the absence of the owners encourages counterfeiters to claim ownership of this land. The Jordanian law defined a deadline for appealing (three years for expatriates and one year for those living in neighboring countries), but this period is not sufficient since most expatriates do not know that the government has already started disposing their property. Mr. Sabah pointed out that the government should inform its overseas citizens (through embassies in different countries) about the settlement projects: the concept and the role these projects play in keeping their rights.

Mr. Sabah said that settlement issues are problematic, expensive and time-consuming. He, thus, proposed an alternative: owners start a new registration of their lands which were not previously registered and which are located in unsettled areas. The new-registration deed has the full force of the land settlement document. He added that throughout the Ramallah area, there is no registration; rather there is an 'entry recording', which is only analogous to a title deed.

Summary of the Discussion

Bashar Jum'a, Policy Advisor - Negotiations Affairs Department:

Mr. Jum'a enumerated the laws and regulations of land back in the early 20th century (the Ottomans and British Mandate) to the mid 20th century (Egyptians), and the second half of the 20th century (the Israeli military orders). He noted that the Palestinian Authority tried to develop a new land law, but this attempt came to a standstill in 2004. During the land management project, there was another attempt to develop a new draft of the land law, but it also stopped after the first drafts had been completed. The old land law dates back to the time when Jordan was annexing the West Bank. This law placed restrictions on the registration of land. Thus, drafting a new land law in the OPT should be a priority. It would solve more than 50% of the land registration problems. Mr. Jum'a believes that the PNA has done little to fix this problem, which is conceivably not a problem of efficiency or the number of staff members, but rather a problem of roles. He said that the PNA also needs to define the legal and administrative form of the Land Authority.

Mr. Jum'a also maintained that the process of buying and selling land in Palestine is not transparent, which negatively impacts the land registration process as well as the market and the economy as a whole.

He believes that the private sector should be involved in the settlement processes. Further, he went on to say that the concerned authorities should conduct pilot projects so that lawmakers could develop robust laws and efficient tools. The previous pilot projects were not adequate and did not lead to a significant change in the problems associated with the processes of land surveying, he concluded.

Arafat Nakhla, Head of the Legal Department - Federation of Trade Unions:

Mr. Nakhla first talked about the government-owned land whose ownership was transferred to the state in some governorates. Apart from the fraud processes perpetrated by some governmental officials in land registration transactions, the judicial decision in such cases might be stalled for years.

He popped the question whether the Land Authority has calculated the cost of the settlement of one dunum in the pilot projects that took place in different governorates. This could have enabled the Land Authority to estimate the fees that the state must charge on the process of settling land and the issuance of title deeds. He advised the PNA to facilitate the procedures for the settlement of land. He concluded his contribution with a question: What is the difference, in the settlement process, between Miri Land and Amiri Land.

Shawkat Barghouti, Director of Land Registration - Land Authority:

Mr. Shawkat Barghouti started his talk with a review of land registering laws during different periods of Palestine's contemporary history (the Ottoman Empire and the British Mandate) and the stated and implicit goals of these laws. The stated goal was to prove ownership of the land and encourage people to register their land. France and Britain had an implicit goal though: they conducted some surveys in 1850 and later in order to assay all lands that were not privately owned (the so-called ruined land) in order to make them public lands whose ownership could then be

transferred to the Jews. Britain began this settlement project in 1928- and that is why the land now located in Israel (unlike the land in the West Bank) is registered in the Land Registration Department. In early 1967, the Jordanian law No. 4052 started registering the land of the West Bank. However, the project could register only about 30% of the land. Later, Israel halted the project until 1994, the date the PNA was established.

Mr. Barghouti then remarked that between 1994 and 2002, the process of land settlement was conducted by two ministries: departments of land registration at the Ministry of Justice, and the departments of surveying and state-owned property at the Ministry of Housing. Decree No. 10 of 2002 (issued by the late President Yasser Arafat) established the Land Authority, and the work has since then been only assumed by this Authority.

Mr. Barghouti pointed out that the term "state-owned land" has undergone some change over a long period: from the Ottoman era until today. Israel, he noted, has confiscated large areas of land at the pretext that they are state-owned. The owners, thus, would have to prove that these lands are not state-owned. For example, the land where Ofra Settlement was built is a registered private land with title deeds. In this regard, Dr. Numan refers to a study which found that a large number of state-owned land are privately owned.

Ibrahim Hantash, Researcher - MAS:

If fraudulence is likely in both general powers of attorney and enduring powers of attorney, why has then the PNA banned the general powers of attorney and allowed the enduring powers of attorney? Mr. Hantash wondered. He also wanted to know the financial and non-financial requirements the Land Authority needs for the implementation of the surveying processes in all of the West Bank governorates, and the reason behind the failure to meet these requirements.

Ali Muhanna, Director - Federation of Chambers of Commerce:

The land registered as state-owned (in areas seeing surveying processes) is often exploited for setting up Israeli settlements. This evokes questions about the role of the PNA in this regard, Mr. Muhanna noted. He wanted to know the requirements and the costs of new registration and the renewed registration, as well as the reasons why the new registration takes two or three years.

Hazem Shinnar, Assistant Undersecretary - Ministry of National Economy:

Mr. Shinnar wanted to know if the Land Authority provides incentives for the registration of land for investment purposes, as well as the efficacy of these incentives, if any, in attracting investment. He also drew the attention of attendees to the value of land settlement in Area C, and the Israeli plans to Judaize and control over Area C. In the face of these challenges, what is the role of the Land Authority in registering the lands in this Area, especially those inhabited by Palestinians? Is there a definite time frame for the time it takes to register land? Mr. Shinnar wondered.

Samir Othman, Palestinian Engineers Syndicate:

According to Mr. Othman, the Land Authority should issue directives facilitating the individual processes of new land registration. In some villages, the Jordanian settlement and surveying were unfinished. The settlement in these areas will be faster and easier. The Land Authority should, therefore, start in these areas because the cost will be low and they require minimal efforts. He believes that the private sector must take part in the settlement process.

Recommendations

1. The Palestinian public should be educated about the new registration law and landowners should be encouraged to register their land in collaboration with the Department of Land.
2. The Department of Land should prioritize this kind of registration as much as it does for the surveying issues.
3. Observing transparency, speeding up the processing of new registration transactions, and maintaining a system of incentives (such as reducing fees or providing the service for free). This must be done in cooperation with the judicial system, since the move needs a larger number of specialized judges to decide on issues of land registration and verify rights.
4. Revoking the decree on the cancellation of the general powers of attorney, since this decree hinders the transfer of ownership.

Background Paper

Problems and Obstacles to Land Surveying and Land Property Registration in the West Bank

1. Background and Rationale

Land is the main element underpinning the Israeli-Palestinian conflict. Land is also a key factor in production; and, thus, it is the backbone of development project. That is why land planning is the key to the effective development of natural resources.

To achieve the optimum utilization of land resources, we first need to survey and provide accurate settlements as well as a comprehensive record of properties. According to preliminary statistics, the unregistered land comprises approximately 66 percent of the total territory of the West Bank. Interestingly, this percentage is very close to the ratio of unregistered land in areas "A" and "B" (see Table 1). According to the World Bank, the percentage of land informal contracts and arrangements in the West Bank is 85%¹.

The lack of settlement and registration of land thwarts the use of land as collateral for bank loans, which erodes the chances of achieving productive investments. By contrast, the availability of secured property rights encourages investment in the land itself, which raises land prices (According to the World Bank, the price of land doubles from 15 to 30 dollars per square meter on average after it is registered). In addition, surveying and registration of land can provide important financial resources that can mitigate the PA's chronic financial crisis and further the budgets of local authorities that derive most of their resources from property taxes.

On the other hand, the failure to settle land issues and define ownerships triggers disputes and social tension. In some accounts, more than 25% of cases brought before the courts in the Palestinian territory are issues related to land disputes².

Finally, the settlement of land and defining ownership can play an important role in curbing the Zionist persisting efforts to confiscate land, whether directly or through fraudulent sales.

However, it is still legitimate to ask why couldn't the PA, over nearly two decades, avail the rights the Oslo Accords granted it to settle and register land in areas A and B?³

This is the main theme of the roundtable dialogue. The present paper aims to provide background information on this topic, in order to enrich and institutionalize the discussion.

2. The legal and institutional framework

Twenty-six land laws are effective in the Palestinian territory. These laws are legacy inherited from the Ottomans, the Britons and the Jordanians who ruled Palestine in the past few centuries. There are also property records, as well as sale/purchase transactions from the three periods. Below, we provide a summary of the applicable legal frameworks in the Palestinian territory during different historical periods, with a special focus on land registration.

The Ottomans

In 1856, the Ottoman Empire issued a group of laws mainly designed to increase taxes on land and farmers. However, ignorance and endeavors to evade high taxes led smallholders and farmers to register their properties and lands in the names of rich proprietors and traders. Some did not register the real area of their land to evade taxes. One study found that only 48% of land figures reflected the true area of the land at the time. This ultimately made a few families and proprietors acquire large areas of Palestine⁴.

¹ World Bank: The Economic Effects of Restricted Access to Land in the West Bank. <http://siteresources.worldbank.org/INTWESTBANKGAZA/Resources/EconomicEffectsofRestrictedAccessToLandintheWestBankOct.21.08.pdf>

² The World Bank study says that these percentages are speculative due to the lack of documented data. Ibid

³ See Article 22 of Annex 3 on the transfer of powers of Civil Affairs in Oslo II, 1995: <http://www.mideastweb.org/intanx3.htm#app-22>

⁴ Hussini, H (2008): Legal Report - Land Administration Report. Palestinian National Authority:

The British Mandate

The British authorities issued the settlement of property rights and land law No. 9 of 1928 in order to demarcate the borders of the former Ottoman Empire. The British authorities also wanted to define land ownership and terminate communality in order to facilitate the land trading operations and transferring ownership among individuals. However, the public doubts about the malicious political goals of the Mandate authorities rendered the project insignificant.

The Jordanian rule of the West Bank

The Jordanian authorities urged individuals to register their land in official departments in order to maintain its private ownership. To this end, the Jordanian authorities issued a number of laws, notably the Settlement of Land and Water Law No. 40 of 1952, which regulates the registration of land within the areas of settlement; and the Law of Registration of Fixed Property (which had not previously been registered) No. 6 of 1964 to regulate the registration of land located outside the settlement areas (i.e. renewed registration). However, the pace of implementation of these laws was slow and did not lead to significant results. The project could register only about 30% of the land, particularly in the north governorates of the West Bank and in main towns⁵. This figure, however, does not include the land which only underwent the initial settlement procedures (such as the preparation of settlement tables), while the other procedures were not completed due to the outbreak of the 1967 war. This part of the land represents about 11.5% of the total area of the West Bank⁶.

The Israeli Occupation

One of the first decisions taken by the Israeli occupation in 1968 was the freeze of all land registration processes. The occupation took advantage of this decision, as well as the security allegations and the claims of protecting of natural resources, to confiscate large areas from the West Bank (approximately 2,910 km², or about 51% of the area of the West Bank) and classified them as state-owned⁷.

The irrevocable power of attorney replaced land contracts because of the ban placed on the registration of land. However, the power of attorney is not a substitute for the registration of the land, since it is only a temporary contract that must be reinforced by the Land Authority within a specific time. If it is not reinforced in due time, it is considered void. The Jordanian law allowed only five year for reinforcing the power of attorney, while the Israeli occupation issued a military order No. 847 of 1980, which extended the period to 15 years.

The PNA

The Palestinian Authority inherited the brunt of a chaotic group of laws and Multiple land registration documents that do not reflect the real status of the property. The Palestinian civil jurisdiction was restricted to area "A" (18% of the area of the West Bank) and "B" (22% of the area of the West Bank). The administration of land (authorities arbitrating in land issues, land surveying and registration, as well as management of public lands) were divided between various governmental bodies.

The National Authority re-worked the Jordanian procedures that were effective prior to 1967. This helped to attenuate the land registration problems the citizens would suffer during the direct Israeli occupation.

Things remained hazy until 2002, when the then-Palestinian president issued Decree No. 10, under which the Land Authority was established. The Decree integrated the departments of land registration at the ministry of justice, with the departments of surveying and state-owned property at the Ministry of Housing, both now working under one agency: The Land Authority.

<http://www.husseini1.com/resources/file/publications/1273744294012/Legal%20Report,%20Palestinian%20National%20Authority.%20Palestinian%20Land%20Administration.%20Ministry%20of%20Planning.%202008.pdf>

⁵ ibid (p. 14).

⁶ Center for Development of the Private Sector (2005): "The registration of land and apartments _ the current status and the requirements of development." A series of research reports (23).

⁷ ARIJ : The Dilemma of Land Registration in the West Bank:

[http://www.arij.org/publications\(2\)/papers/2009The%20dilemma%20of%20land%20registration%20in%20the%20West%20Bank.pdf](http://www.arij.org/publications(2)/papers/2009The%20dilemma%20of%20land%20registration%20in%20the%20West%20Bank.pdf)

In 2004, the Council of Ministers developed a strategy involving specific targets for the Land Authority, such as improving collaterals of land ownership, developing effective markets for the sale and purchase of land, and managing land in a fair and transparent manner.

Textbox 1: Registration of land in area "C"

The land in Area (C) constitutes about 60% of the area of the West Bank. The total area of land which has not been surveyed in this area totaled 2,345 square kilometers, or about 68% of that area. Among the measures Israel takes to dampen the registration of land is the high land registration fees compared with those in the area under the Palestinian control (5% of the value of the land). In addition, the assessment of the value of the lands (which is done by Israeli assessors) is very high. Another obstacle Israel places is setting 10 dunums as the minimum area that can be plotted, which is an incapacitating condition since small farmers and landowners usually do not have such large areas of land⁸.

The PA has sought to encourage the process of land registration. Thus, it reduced the registration fees for land in the West Bank and the Gaza Strip from 5% to 1%⁹. A later presidential decree reduced the registration fee of legacy land from 1% -2% to 1 per thousand.

Although there are no official statistics on the progress in the land market, the Land Authority says there is some promising development in the registration of land and the transfer of ownership and inheritance, as well as the tendency of some citizens to follow legal registration methods in official departments as an alternative to the power of attorney in land-related transactions. However, the progress is still insignificant in the face of the current challenges¹⁰.

Table 1: Approximate figures for the areas and distribution of registered and unregistered land in the West Bank

	West Bank		Area A		Area B		Area C	
	Km 2	%	Km 2	%	Km 2	%	Km 2	%
Total area	5,700	100	1,000	100	1,250	100	3,450	100
Registered land	1,900	%33	500	%50	300	%24	1,100	%31
Unregistered land	3,800	%67	500	%50	950	%76	2,350	%69

Table 1 shows that the area of land which has not been surveyed and settled, in areas "A" and "B" is around 1,450 square kilometers, representing 64% of the total area of the two areas together. The percentage of land located outside the settlement areas in area "A" is about 50% of the total land in that area, while the corresponding percentage in area "B" is about 76%¹¹.

Textbox 2: State-owned land in the West Bank

Based on statistics the Israeli Civil Administration presented before the Supreme Court of Justice, Haaretz Newspaper published on March 28th a report which found that the area of the state land in the West Bank totaled 1.3 million dunums¹². Most of this area has been registered as state-owned in the wake of the Israeli occupation of the West Bank, especially after 1979 following the Supreme Court decision which constricted the exploitation of land for military purposes. A senior civil administration official has recently admitted, in the Ofer Military Court, that the decisions of registering lands as state-owned were political in the first place.

Official figures in the report indicate that 30% of the total area of the state land in the West Bank was awarded to the World Zionist Organization to establish colonial settlements, and that about half of the state-

⁸ Center for Development of the Private Sector (2005): "The registration of land and apartments _ the current status and the requirements of development." A series of research reports (25).

⁹ Recently, the PA has raised the registration fee to 3% (the seller pays 2% and the buyer pays 1%).

¹⁰ A World Bank report says that up until recently, only 10% of the sale and purchase transactions were done in the Land Authority, while the rest of transactions were performed via powers of attorney in order to avoid registration costs and intricate processing.

¹¹ Center for Development of the Private Sector (2005).

¹² <http://www.haaretz.com/news/diplomacy-defense/just-0-7-of-state-land-in-the-west-bank-has-been-allocated-to-palestinians-israel-admits.premium-1.512126>

owned land in the West Bank was actually disposed of. On the other hand, the Palestinians have access to a scant 1% of this land (see Table 1).

Table 1: Distribution of the total area of state-owned land in the West Bank

	Dunum	%
Total area of state-owned land in the West Bank	1,346,600	100
- Land granted to the World Zionist Organization	400,000	30
- Land granted to Israeli mobile operators and local authorities	103,000	8
- Land granted to Israeli utility companies	160,000	12
- Land still held by the Israeli Civil Administration	671,000	50
- Land granted to the Palestinians	8,600	0.7
In Jenin	6,910	
In Bethlehem	630	
In Jericho	1,000	
In Tulkarm	10	

Haaretz report refutes two main Israeli allegations: the Zionist settlements are built solely on state land; and the state-owned land does not include land that is privately owned by Palestinians.

3. Pilot projects and underway land settlement programs¹³

In early 2008, the Land Authority carried out a pilot project to survey and settle land in Betunia, Bir Nabala and Qarawat Bani Zeid. The total targeted area was about 15,000 dunums: 8,000 in Beitunia, 2,000 in Bir Nabala and 5,000 in Qarawat Bani Zeid. The Land Authority completed this project (which was funded by the Finnish government via the World Bank) in early 2011.

There are three land settlement projects in three areas of the West Bank. The work on these projects is still underway, since none of them has been completed, though the registration of land is one of the top priorities of the National Development Plan (2011-1013):

- ✧ Bethlehem: The project started in late 2008 to settle all the lands of Bethlehem Governorate. The first phase focused on the settlement of lands in the towns of Bethlehem, Beit Sahour, Beit Jala and Doha. So far, about 20,000 dunums in these towns have been settled. The work was funded by the PA and implemented by the staff and equipment of the Land Authority.
- ✧ Salfit: This project (which is funded by the Palestinian government) started in mid 2010 to survey all the lands of Salfit Governorate. The first phase focused on the town of Salfit. So far, around 9,000 dunums in this town have been settled.
- ✧ Dura (Hebron): The project started in March 2013 to survey around 180 thousand dunums in Dura over the next three years at a total cost of \$8.7 million. Unlike the previous projects, the Dura project is funded by the Finnish government via the World Bank¹⁴.

4. Some suggestions and procedures necessary for the development of the land market:

- ✧ Speeding up the in-depth study of the Land Law so that it can be shortly approved after being negotiated extensively with the concerned parties¹⁵.
- ✧ Terminating powers of attorney, or at least setting their validity to a maximum of only one year.
- ✧ Available information indicates that the Ministry of Finance collects property taxes for 26 municipalities in the West Bank, while 36 municipalities are not subject to property taxes collection. The PA should reassess the value of properties (since taxes are levied according

¹³ Data obtained from an interview with Mr. Muqbil Hamdan, Director General of the Settlement Department in the Land Authority (March 26th, 2013).

¹⁴ <http://web.worldbank.org/WBSITE/EXTERNAL/EXTARABICHOME/NEWSARABIC/0..contentMDK:23183412~pagePK:64257043~piPK:437376~theSitePK:1052299,00.html>

¹⁵ American Foundation 'Land Equity International' conducted 9 studies on the Land Law for the benefit of the Palestinian Ministry of Planning in 2007. See: <http://www.landequity.com.au/projects/land-administration-project/>

to this value) and it should levy property taxes in all governorates of the Palestinian territory. Research shows that the property taxes help in the optimal exploitation of lands and stimulate the processes of buying and selling. They also induce sellers to register land. The PA should also consider tasking municipalities (instead of the Ministry of Finance) with collecting property taxes.

- ✧ There are particular problems with the heirs of the land: problems of dividing the land into smaller lots and problems of expatriate heirs. The PA should develop methods and innovative ways to solve these problems (e.g. setting a different minimum limit of land that can be registered).
- ✧ The PA places restrictions on the right of access to land registration files (only heirs are entitled to this right). If a third party needs to know about these files, s/he needs a decision from the court. Allowing all parties (including third parties) to access these files, as suggested by the World Bank, may increase transparency and reduce the problems associated with land disputes.
- ✧ Speeding up the establishment of the Land Court (as proposed by the land law) for the purposes of dispute resolution in order to ensure professionalism, speed of rulings and arbitration.
- ✧ The PA should supply the Land Authority with professional personnel and give it greater financial facilities so that it can perform its role and provide significant financial surpluses for the general budget. The current number of staff working in the Land Authority and Land Registry Departments in the Palestinian governorates totals about 480 employees. Although this number is double the figure 5 years ago, it is still less than the number actually required in light of the large amount of tasks assigned to this agency.

5. Discussion Themes

This meeting seeks to examine the achievements made in the settlement of land issues during the past few years; review and analyze the problems that emerged during the implementation process; identify the reasons behind the relatively insignificant performance in the settlement of land ownership; and make policy recommendations to overcome blemishes and speed up the process of settlement and registration.

Attendance Record- Round-table 4

Name	Institution
Mohammed Ahmed Masri	PCBS
Adnan Abu Hummus	PADECO
Mohammed Qirresh	Palestinian Economists Association
Abdullah Odeh	Palestinian Engineers Syndicate
Sameer Othman	Palestinian Engineers Syndicate
Raed Bishtawi	Palestinian Engineers Syndicate
Ahmed Jum'a	Ministry of National Economy
Bassam Walweel	Golden Wheat Mills Co.
Ali Muhanna	Federation of Chambers of Commerce
Sabah Sabah	A Lawyer
Hiba Yousef Ekkeh	A Lawyer
Bashar Jum'a	Negotiations Affairs Department
Guevara Samara	Wafa News Agency
Dr. Hazim Shinnar	Ministry of National Economy
Arafat Nakhla	Federation of Trade Unions
Suleiman Sharakeh	Federation of Trade Unions
Samer Odeh	Palestine Land Authority
Shawkat Barghouti	Palestine Land Authority
Muneef Treish	Amar Group