

Land Registry



Mission to the occupied Palestinian territories

Options to support land registration

British Consul

Our Mission in the Occupied Palestinian Territories

To advance the United Kingdom's security and prosperity through a just peace between a stable, democratic Palestinian State and Israel, based on 1967 borders, ending the Occupation by agreement.

To strengthen ties of friendship between the
Palestinian and British peoples.

Deployment

- Department for International Development
- Experts from HMLR to assess land registration in the OPT
 - Develop baseline – challenges, opportunities
 - Develop and appraise options for interventions and support
 - To promote the investment climate
 - Open up the housing market
 - To drive the development of affordable housing

Deployment



- Based in East Jerusalem
- Visited Ramallah most days
- Also visited Rawabi and Bethlehem
- Field trip to Hebron cancelled due to kidnap of Israeli students

Brief history

- 1516 – 1917 Ottoman Empire
- 1917 – 1947 British Mandate
 - 1917 Balfour declaration
- 1948 United Nations proposed partition
 - Arabs rejected partition
 - Jews declared the State of Israel
 - Egypt, Syria, Lebanon, Iraq and Jordan invaded but were beaten back

Brief history

- 1948 – After the war, Israel kept land beyond partition line
- Jordan annexed the West Bank and East Jerusalem
- Egypt kept Gaza
- 1967 Six Day War – Israel seized Gaza, West Bank and East Jerusalem - OPT

Palestinian loss of land 1946 to 2000

Palestinian and Jewish land 1946



UN Partition plan 1947



1949 - 1967



2000



Brief history

1993-5 Oslo Accords – roadmap to Palestinian State

- Divided West Bank into 3 zones

- Area A (18%) – full Palestinian control of main towns
- Area B (22%) – joint Israeli-Palestinian control of villages
- Area C (60%) – remains under Israeli control

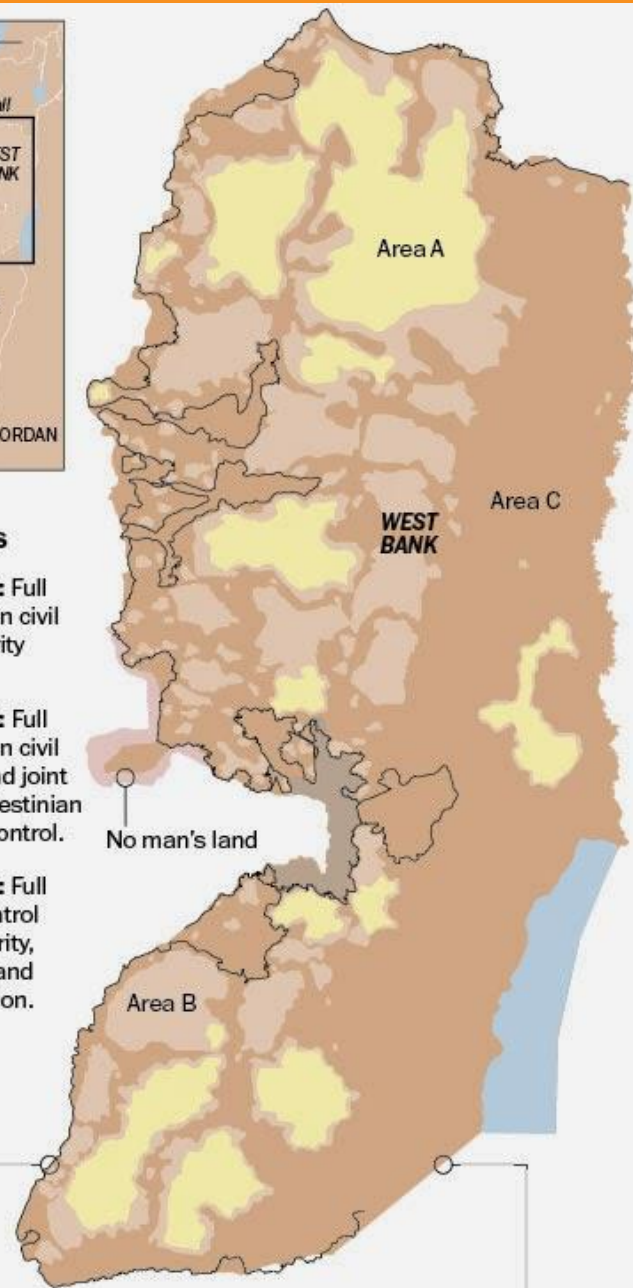


Oslo II Accords

Area A: Full Palestinian civil and security control.

Area B: Full Palestinian civil control and joint Israeli-Palestinian security control.

Area C: Full Israeli control over security, planning and construction.



Israeli barrier construction

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1949 Armistice Line



Mission background

- Our mission focussed on the West Bank:
- Only 28-30% registered
 - (3.5 million dunums remain to be registered)
- In Gaza 98% of land already registered
- Government of Finland funding registration programme for remaining 2%
 - (approximately 7,000 dunums)

Mission background

- Palestinian cities, towns and villages are densely populated
- Unable to expand to accommodate growing populations and modern infrastructure
- Majority of undeveloped and agricultural land in Area C







Mission background

Palestinian Authority priority:- accelerate land registration in the West Bank to –

- Open up the housing market
- Provide collateral for loans
- Unlock potential business investment
- Lower the cost of doing business
- Increase taxation revenues
- Protect against further Israeli settlements

Mission activities

We met stakeholders from these bodies

- Palestinian Authority
- Palestinian Land Authority
- World Bank
- Office of the Quartet Representative
- Government of Finland
- DFID
- Lawyers and real estate developers

What we found



- Much frustration
- World Bank and Finland working since 2005
- Projects for systematic land registration
- Technical assistance to build capacity in the PLA
- Progress is painfully slow

What we found

- Registration procedures are complex and opaque
- Decision making is in the control of too few people
- Shortage of settlement judges
- Staff not sufficiently trained or developed
- Customer service ethos undeveloped
- Fees excessive

What we found

- Digital services and equipment minimal
- Surveying and mapping need investment
 - Digitisation of existing maps
 - Building a national GPS
 - Training surveyors and valuers
- Land and registration law needs simplification and modernisation

Systematic registration

- Methodology being refined in pilot
- Delays due to slow decision making
- Publicity by Social Outreach team
- Demarcation by local students
- Survey and claim form distribution
 - Steep rugged landscapes
 - Boundary disputes
 - Multiple claims
 - Inheritance laws
 - Absentees
 - Name changes

Systematic registration

Bottlenecks –

- One land committee deals with all investigation of title
- One settlement judge to make the final decision
- Absentees – no provisional registration, land remains unregistered
- Rights of women

Sporadic registration

Voluntary first registration

- Lenders and builders need it
- Procedures burdensome, and very expensive for the applicant
- Duplication of process which the applicant must fund
- Excessively bureaucratic, and can take years to complete
- No guidance or manuals

Legislation

- Ottoman, British, Jordanian, Israeli and Palestinian laws all overlay each other
- Modernisation and simplification needed
- Attempt to modernise the laws on hold since suspension of Parliament in 2007

Outcome

55 page report to DFID

- Findings and recommendations
- Potential projects for DFID alone or with other donors
- Identified areas where HMLR could help

After our visit the situation deteriorated

- War in Gaza - other priorities took over





صالح محمد
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