



In-depth Assessment of Women's Access to and Ownership of Land and Productive Resources in the occupied Palestinian territory





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Abbreviations

ACRI	The Association for Civil Rights in Israel
ARA	Access Restricted Areas
ARIJ	Applied Research Institute - Jerusalem
AWRAD	Arab World for Research and Development
CBOs	Community-Based Organizations
CEDAW	The Convention on the Elimination of all Forms of Discrimination Against Women
CESCR	The Committee on Economic, Social and Cultural Rights
FAO	Food and Agriculture Organization
FGDs	Focus Groups Discussions
GBV	Gender Based Violence
GDP	Gross Domestic Product
H2	Hebron 2
J1	Jerusalem 1
KI	Key Informant
LWSC	Land and Water Settlement Commission
PLA	Palestinian Land Authority
MAS	Palestine Economic Policy Research Institute
MoA	Ministry of Agriculture
MoSD	Ministry of Social Development
MoWA	Ministry of Women Affairs
NGOs	Non-Governmental Organizations
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OECD	Organization for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
PCBS	The Palestinian Central Bureau of Statistics
PSUs	Primary Sampling Units
PWWSD	The Palestinian Working Woman Society for Development
UN	United Nations
UNCT	The United Nations Country Team
UNCTAD	United Nations Conference on Trade and Development
WCLAC	Women's Center for Legal Aid and Counselling
WHO	World Health Organization

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Executive Summary



This study provides evidence-based data and analysis for local and international research and discussion on land ownership and gender relations. It aims to provide detailed guidance for policy makers, civil society organizations, and other key actors to promote the adoption and enforcement of laws, policies, and programs to protect and fulfill women's economic rights, with a specific focus on women's access to land and productive resources.

The study serves as a base for future awareness, advocacy, and lobbying interventions required in promoting women's economic rights and gender equality. For this study, a mixed-method approach was adopted that utilized quantitative and qualitative data collection methods: a survey, in-depth interviews, and focus groups.

The survey was administrated to 493 women in 5 governorates in the West Bank (Jenin, Qalqilya, Jericho and the Jordan Valley, Bethlehem and Hebron) and 3 governorates in Gaza Strip (North Gaza, Khan Yunis, and Rafah). In-depth interviews were conducted with 60 women, men, and key informants and focus groups discussions (FGDs) with 60 women and key informants.

The study focuses on the complex and mutually-reinforcing relations between Israeli occupation and the prevailing patriarchal system that deprives women of their rights in general and their land and productive resources rights in particular. The study also confirms that social conditions are produced by structural factors created by political, economic, legal, and institutional issues. In addition, while there are no land policies or strategies in place, existing policy statements have no social and gender – related references. Nevertheless, there are a number of relevant strategies that might serve as a basis for future developments in this field (e.g., Strategy of the Ministry of Agriculture, Cross Sectoral National Gender Strategy of the Ministry of Women Affairs). In addition, the work of the Land and Water Settlement Commission (LWSC) presents a window of opportunity for the mainstreaming of gender analysis and considerations in its work. A plethora of Palestinian laws, however, provide men and women with varying rights to the benefit of men in almost all cases. Under the prevailing conditions, the vast majority of women do not enjoy their land rights as stipulated by the law for weak enforcement mechanisms. Together, these factors work against women's access to their rights as they pertain to owning, controlling, and accessing land and other productive resources.

The results of the study reveal that while the vast majority of families in the research- predominately rural- areas own the land on which the house is built on, only 44.4% own agricultural land and 6.1% own investment land. In addition, only 37.9% own livestock/poultry, 5.9% own mechanized farm equipment, and 4.3% own non-mechanized farm equipment. Furthermore, the findings confirm that men own and control the vast majority of land and productive resources.

Among those who own agricultural land, 76.3% of the reported pieces of land are fully owned by men; 7.3% are owned jointly by women and their husbands, 15% are owned by the wife alone, and 1.3% of the land is owned by other female family members. With regards to the ownership

of non-mechanized farm equipment, 5% are owned by women, 5% are shared between women and other male or female family members, 20% are shared between wife and husband, and 70% are solely owned by the husband. The gender gap is more pronounced when it comes to more valuable mechanized farm equipment (e.g., tractors, irrigation system), where 93.2% of this kind of equipment is owned solely by men, 3.4% are shared between husband and wife, and 3.4% are owned solely by women.

Another indicator of land ownership by women is derived from the work of the Palestinian LWSC, where 32% of the land owners benefiting from the settlement process since 2016 have been women¹. This is a significant revelation as it presents an updated indication of land ownership of all types of land, while previous work (2010) only investigated agricultural land. It must, however, be noted that the new indications do not reveal the size of ownership by men and women, nor the quality or value of land owned².

Women report higher levels of access to (e.g., use of land and its outputs) than levels of control over (decision-making) land and productive resources than land ownership. This is especially true of unmarried women, women who work, generate income, and contribute to family income. Additionally, women in Gaza are at a greater disadvantage regarding their ownership of land and productive sources than women in the West Bank. This is due to some larger issues that not only affect women but also others; which include a lack of land, overpopulation, and the Israeli blockade of Gaza.

The final section of the study provides a number of recommendations. They include policy and legal reform recommendations to ensure equality and effective implementation, improved accountability by the duty bearers including police/justice system institutions, gender-sensitive and effective enforcement mechanisms, involvement of the most vulnerable and marginalized in policy formulation regarding land, full and accurate information about decision-making processes and gender-disaggregated statistics relevant to land and agriculture, improvement of agricultural inputs and extension services to respond effectively to women's needs, and support for public awareness campaigns and legal literacy. One of the major recommendations suggests the establishment of a national working group on land, productive resources and gender equality. This group might include government ministries and agencies, as well as women and rights organizations. This group might be mandated to improve the enjoyment of rights by women in relation to land and productive resources through advocating with policy makers and legislators, as well as improve the quality of data and sharing of information and experiences, and networking between organizations that are interested in this field.

1 Date of interviews with LWSC staff members was 25 February 2020.

2 Based on interviews with LWSC staff and LWSC, Annual Report, 2018. <https://lwsc.ps/admin/kcfinder/upload/files/reportfor2018.pdf>

Section one:

Introduction & Methodology



Introduction

Palestinian women face a multitude of external and internal obstacles that impinge on their ability to fulfil their human rights to access, own, and control land and other productive resources. According to an OECD (2019) global report, Palestinian women face high level of restricted access to productive and financial resources.³ The prolonged military occupation coupled with a patriarchal system produces and reinforces social, economic, legal, cultural and institutional structures which impede progress towards equitable gender relations, roles, and rights. They also curtail the ability to enjoy the human right to development and other rights as stipulated in international human rights laws and conventions. The prospects for achieving meaningful development are deteriorating with the overarching policies of the occupation including land expropriation, settlement building, control over land and other natural resources, as well as the encroaching closure regime. For women, land access and ownership, and hence livelihood, must be contextualized within this dual reality of occupation and patriarchy. At the same, women's ownership of, access to, and control over land and other productive resources are essential to ensuring fulfillment of their right to equality and adequate standards of living.

Against this backdrop, this study provides evidence-based data and analysis to the local and international research and discussion on land ownership and gender relations. It aims to provide detailed guidance for policy makers, civil society organizations, and other key actors to promote the adoption and enforcement of laws, policies and programs to protect and fulfill women's economic rights, with a specific focus on women's access to land and productive resources. The study also serves as a base for future awareness, advocacy, and lobbying interventions needed to promote women's economic rights as well as gender equality.

To that, the present study explores the following:

1. **Provide the contextual (international and local) background on the reality of women's land ownership as well as access to and control over land and productive resources.**
2. **Explore the facts on the ground regarding women land and productive resources ownership, access, and control by women relative to men while taking into consideration regional variance and other socio-economic variables.**
3. **Examine the relation between land disputes, community violence, and violence against women as well as the role of formal (governmental) and informal (tribal) justice systems in resolution.**
4. **Examine the political, legal, social, cultural, and economic barriers that limit women's rights to land and other productive resources.**

3 Social Institutions and Gender Index (SIGI) – OECD, 2019. Global Report: Transferring challenges into opportunities. The report defines access to productive and financial resources as secure access to the following: land assets, non-land assets, formal financial resources and workplace rights. The level of restriction (65%) cited for the West Bank and Gaza is compared to 34% in Iraq, 38% in Morocco, 41% in Saudi Arabia and Algeria, 43% in Jordan, 45% in Lebanon and 78% in Cameroon. https://read.oecd-ilibrary.org/development/sigi-2019-global-report_bc56d212-en#page1

5. Provide insights on key explanatory variables that correlate with women's enjoyment of land rights, including personal empowerment, and other background variables such as marital status, employment, and awareness.
6. Provide a set of recommendations to enhance gender responsiveness to women's rights to access to and control over land and other productive resources, and as such improve women and girls' wellbeing and livelihoods, and maximize their roles within their communities as equal participants in the development process.

Research Methodology

For this study a mixed-method approach was adopted that utilized quantitative and qualitative data collection methods; which include a survey, in-depth interviews, and focus groups.

Desk Review

The research team reviewed existing research and official data sources at the local and international level. These sources included studies, reports, and data published by UN agencies, government sources (e.g., LWSC, PLA, Palestinian Central Bureau of Statistics – PCBS), independent research centers (e.g., Applied Research Institute Jerusalem - ARIJ) and other civil society and women organizations (e.g., Women's Centre for Legal Aid and Counselling – WCLAC). In addition, the team reviewed international legal and human rights instruments and conventions, as well as other reports regarding land rights.

The survey

The survey included essential demographic information such as age, refugee status, type and place of residence, housing conditions, employment, family size, marital status, governorate, income, and other living conditions.

The survey was administrated in 5 governorates in the West Bank (Jenin, Qalqilya, Jericho and the Jordan Valley, Bethlehem, and Hebron) and 3 governorates in Gaza Strip (North Gaza, Khan Yunis, and Rafah). The geographic scope of the study is mostly related to resource limitations (e.g., limited access due to the occupation, poverty). However, the choices taken of the governorates and communities to include was an attempt to provide as much geographical, political, cultural and economic diversity as possible. The selection process took into consideration proximity to area fragmentation resulting from occupation restrictions and violations, regional variation (north, middle, and south), type of community (rural and urban), population size, reliance on agriculture as a livelihood, and prospects for future government and private sector investment in the region⁴. In total, AWRAD surveyed 493 women (391 women in the West Bank and 102 women in Gaza Strip). In each West Bank governorate, three communities were selected to capture the diversity in conditions and demographics, while in Gaza only one community was selected in each governorate as Gaza has a lower level of social and demographic diversity due to smaller geographic space, political reality and high level of refugee population. In total 18 communities were included.

4 For more details on the sample of communities, please refer to Annex 2.

In each community, the women were selected through a systematic household random sample. Each community was divided into a number of Primary Sampling Units (PSUs) using existing maps and boundaries marked by PCBS. Then, the team selected a sample of these PSUs and selected households based on a consistent sampling interval. When in the house, the researcher interviewed the female head of household or a responsible adult female who is informed about household conditions and dynamics. The survey sample included 78 per governorate (in the West Bank) and 34 per governorate (in the Gaza Strip).

The survey was carried out with adult women through face-to-face interviews within their own homes, while preserving their privacy. Female expert interviewers were provided with a specialized training, with a focus on gender-sensitive interviewing, ethical standards in research, sample selection and data quality assurance. Each team of researchers was accompanied by a supervisor/monitor to guarantee quality and timely implementation. The data collection was followed by data entry, which allowed for a full range of analysis and cross-tabulations.

In-depth interviews

The research team complemented the knowledge gained from the survey of women with in-depth interviews with 28 women and 16 men selected from all of the included communities and from within the households targeted by the survey. The field research team selected them based on their willingness to be interviewed, while trying to cover the varying levels of land ownership and deprivation, and reflecting the various political, economic, social, and cultural community conditions. In addition, the research team interviewed 16 community informants (half female and half male)⁵. They include local council members, representatives of NGOs and CBOs working in the community, members of cooperatives and women organizations, local employees of the LWSC, as well as professionals such as engineers and lawyers.

The survey questionnaires and the community in-depth interviews were completed during the period of September and December 2019.

Table 1: Distribution of in-depth interviews

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

The research team also interviewed representatives of the Palestinian Land Authority (PLA)⁶, the LWSC and the Ministry of Women Affairs (MoWA)⁷.

5 A list of key experts and community informants is in Annex 2.

6 Date of interview: 19 February 2020.

7 Date of interview: 10 February 2020.

Focus Group Discussions (FGDs)

The research team organized two (2) FGDs with women. One with 16 women in the southern part of the Hebron Governorate (Yatta), and another with 16 women in the Eastern region of Khan Yunis in the Gaza Strip (Abasan Al Kabeera). The two targeted regions were within the selected governorates targeted by the survey and represent varying social and cultural patterns. For example, the southern part of the Hebron governorate is one of the most impoverished and traditional regions. Much of the land in that region is under Israeli control and continuous settlement expansion. In Gaza, East of Khan Yunis is an agricultural area with relatively large land holdings, compared to other Gaza regions. This area is also impacted by Israeli attacks and confrontations. In each region, the FGD was conducted with women who have experienced discrimination and with the formal or informal legal system. They were selected in cooperation with women and civil society organizations that receive complaints from women and attempt to work with them in defence of their rights.

One FGD was conducted with key informants in the Gaza Strip and one in the West Bank. The FGDs comprised – representatives of relevant institutions including women organizations, legal service providers, NGOs, government institutions, academics and legal experts⁸. Further, a validation workshop was organized with the members of the Advocacy Task Force Group in the West Bank to further discuss, validate, and provide recommendations.

Research Limitations and challenges

This study has methodological limitations that should be taken into consideration by the readers. While the overall survey sample size is sufficient to provide a level of confidence in the generalizability of results by 95% and a margin of error not exceeding 4.4%, the regional disaggregation of data between the West Bank and Gaza must be treated as indicative and inconclusive, with larger samples to be utilized in the future. As indicated above, the sample was selected from communities in 8 governorates in the West Bank and Gaza. While the study ensured a high level of diversity in context, the results must still be treated with care when discussing the condition of the governorates that are not included in the survey. In addition, while the present study provides quantitative data on land ownership, access and control, it was not designed to provide quantitative data on the relative size of the land owned by each one of the respondents individually, as well as the quality of the land and its market value. The qualitative data, however, provide insights that reveal that even when women own land, they are entitled to inferior lots that have relatively lower quality, and size. Finally, while the non-response rate to the survey was very low (less than 1.5%), the research team observed that some women were apprehensive about providing private data and information especially in relation to disputes with other family members (especially brothers) over land or other productive sources, as that is deemed to be shameful and harmful to them at the same time.

Section Two:

Contextual Background



The following section provides insights from global experiences, international legal documents, as well as a summary of the Palestinian context.

Global Context: Lessons Learned

Research studies provide evidence that there is correlation between women land ownership and control and the achievement of sustainable livelihoods. Land ownership by women is not only good for the women themselves, but it yields improved outcomes for their families. It empowers women to be better positioned to participate, engage and bargain within their families and communities. In addition, studies show that land ownership by women is also correlated with higher nutrition levels for all family members, but mostly children, and lower levels of gender-based violence⁹. In contrast, international experiences show that deprivation of land ownership and control is a leading cause of poverty and exclusion¹⁰. Furthermore, studies show that lack of access to and ownership of, limits the ability of women access credit and economic empowerment. This, in turn, has negative implications on the well-being of the household and higher levels of malnutrition¹¹.

Depriving women of land rights is a deeply-rooted global challenge. FAO (2018) unequivocally asserts that *“Regardless of the type of indicator used, evidence shows that women are significantly disadvantaged relative to men with regard to their land rights. This is true for all dimensions of land rights associated with agricultural land: ownership, management, transfer and economic rights.”*¹² According to the World Bank (2019), women in half of the countries in the world are unable to enjoy equal land and rights despite legal protections¹³. According to UN Women and OHCHR (2013), at least 115 countries specifically recognize women’s property rights on equal terms with men. In the Arab world, only Tunisia adopted equal rights in inheritance.

Research around the world suggests two interlinked sets of causes for disparities in land ownership and control based on gender. One set of causes is related to legal and institutional frameworks, formal and informal, and their level of application. Another set is related to social institutions such as family and marital regimes, as well as cultural norms and beliefs. In both cases, structural (economic, political and institutional sources of power) and cultural causes must be treated as interrelated and mutually-reinforcing. In general, land ownership, access and control are influenced with how societies view gender roles, the value allocated to these roles, hence which rights are enjoyed by each group, and implications on the dominant patriarchal relations that are grounded on an assumption that men have the right be (responsible for women) and hence to control their bodies, their

9 FAO, 2018. <http://www.fao.org/3/I8796EN/i8796en.pdf>

Landesa Rural Development Institute, 2019. <https://www.landesa.org/blog-closing-the-crop-gap-transformative-change-through-womens-land-rights>

10 UN Women and OHCHR, 2013. <https://www.unwomen.org/en/digital-library/publications/2013/11/realizing-womens-right-to-land>

11 Organisation for Economic Co-operation and Development (OECD) Development Centre, “Gender equality and the MDGs: what are the missing dimensions?” 2010, available from: www.oecd.org/dev/poverty/45987065.pdf; and Netherlands, Ministry of Foreign Affairs, Women’s Economic Empowerment to Foster Food Security: Case Studies from Developing Countries (2011). They provide evidence that suggests that countries where women lack landownership rights or access to credit have on average 60% and 85% more malnourished children, respectively.

12 FAO, 2018. <http://www.fao.org/3/I8796EN/i8796en.pdf>

13 The World Bank, 2019. <https://www.worldbank.org/en/news/press-release/2019/03/25/women-in-half-the-world-still-denied-land-property-rights-despite-laws>

decisions and in general their sexuality. Under this arrangement, women are expected to accept the dominant arrangements and internalize them as positive for themselves, their families and the community at large.¹⁴

In view of the stark realities of discrimination and deprivation of rights, international legal instruments and conventions have emphasized the need to protect rights to own and access land and other productive resources. The following are examples of international human rights documents that call for equality in economic development, and rights for land and resources:

The Universal Declaration of Human Rights sets the principle of non-discrimination, including based on sex, in the enjoyment of rights guaranteed in the Declaration. Among many other rights, the Declaration recognizes the rights to property, food, housing and education.¹⁵ **The International Covenant on Civil and Political Rights** recognizes the rights to food, housing, education, health, culture, work and association (trade unions). These rights are intricately related to land ownership and access.¹⁶ The Convention on the Elimination of all forms of Discrimination against Women (**CEDAW**) calls on states to take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, and that they participate in and benefit from rural development. This includes the right to education, access to credit and loans, access to housing and the right to participation. Importantly, it also includes guarantees of equal treatment in land and agrarian reform as well as in land resettlement schemes.¹⁷

The Declaration on the Right to Development (1986) places emphasis on the collective nature of rights. The human right to development also implies the full realization of the right of peoples to self-determination, which includes the right to exercise their inalienable right to full sovereignty over all their natural wealth and resources. In Article 8, the Declaration demands that States should undertake, at the national level, all necessary measures for the realization of the right to development and shall ensure, inter alia, equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income. Effective measures should be undertaken to ensure that women have an active role in the development process. Appropriate economic and social reforms should be carried out with a view to eradicating all social injustices.¹⁸

Closely related is the Platform for Action of the Fourth World Conference on Women (1995) called on Governments to enable women to obtain affordable housing and access to land and to undertake legislative and administrative reforms to give women equal access to economic resources, including the right to inheritance and ownership of land and other resources.¹⁹

The development in legal instruments to protect rights to land and resources were coupled with conceptual developments emphasizing a holistic approach to ownership, access and control of land and other productive resources. First, land discrimination is not isolated from other forms of discrimination. As such, the fulfillment of land rights by women requires equitable gender rights in all fields and at all levels on the basis of human rights. In addition, international and human rights organizations place emphasis on the holistic approach to land ownership as connected to rights in other relevant fields such as rural development, economic empowerment,

14 Nader Said, Arab Women: Duality of Deprivation in Decision-making under Patriarchal Authority, *Journal of Women of the Middle East and the Islamic World* 9 (2011) 234–272. <http://www.awrad.org/files/server/Article%20Arab%20women%20by%20Nader.pdf>

15 <https://www.un.org/en/universal-declaration-human-rights/>

16 <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

17 <https://www.ohchr.org/en/professionalinterest/pages/cedaw.aspx>

18 <https://www.ohchr.org/en/professionalinterest/pages/righttodevelopment.aspx>

19 <https://www.un.org/womenwatch/daw/beijing/>

and ownership of productive resources and access to credit. At the same, while ownership is essential, emphasis increasingly rests on access and use of land returns, as well as on control over land productive resources in view of the gender gaps in the field of decision making. Furthermore, land rights must be viewed in relation to the broader context of formal (legal and institutional) and informal discrimination in the private and public spheres and the interlinkages between them.²⁰

Palestinian Context: A Brief

A gender analysis of land ownership within the Palestinian context must take into consideration the overarching role of the Israeli occupation and its policies. It must also consider economic, social, cultural, policy, and legal factors that influence gender-based roles and rights in general and land rights in particular.

Land seizure is at the core of the Israeli colonial project. As such, land – related issues are closely linked and must be analyzed in view of the encroaching nature of the occupation and the continuous annexation and confiscation of land, as well as land policies (in terms of zoning and land use). Such a colonial-like regime implies “*separate and unequal systems as regards laws, roads, justice regimes, access to water, social services, freedom of mobility, political and civil rights, security and living standards.*”²¹ According to the Palestinian Central Bureau of Statistics (PCBS, 2019):



“The Israeli occupation used the land classification according to the Oslo Agreement (A, B, C) to tighten control of the Palestinian land, especially in areas classified as (C) with an area of 3,375 thousand dunums. About 2,642 thousand dunums, constituting 76.3% of the total area classified (C) is exploited by the Israeli occupation directly. The area classified (A) is about one million dunums, and the area classified (B) is 1,035 thousand dunums, and the area classified “Others” is 250 thousand dunums includes (Natural Reserves, and J1 in East Jerusalem, and H2 in Hebron, and unclassified areas). In 2018, the Israeli occupation confiscated 508 dunums of the Palestinian land, in addition to confiscating hundreds of dunums of the Palestinians through the expansion of Israeli checkpoints and establishments of military checkpoints to protect the settlers.”



In addition to its control of land, Israel violated Palestinian rights to sovereignty over natural resources. It controls all ground and surface water, allocating Palestinians a daily average 84.3 litres of water (in some cases, as low as 20), well below the 100 litre minimum recommended by the World Health Organization (WHO). In Area C, Palestinians are prohibited from building cisterns or other water retaining/collecting infrastructure without permits. Though the vast majority of the Palestinian population (95%) is connected to an energy grid, Palestine is

20 For more on a holistic approach to the conceptualization of land rights, refer to the following:

- 1) CESCR, Gender Equitable and Socially Inclusive Land Rights, Geneva, 14 October 2019 – Palais des Nations, room XVII. See also, UN Women and OHCHR, 2018. <https://www.unwomen.org/en/digital-library/publications/2013/11/realizing-womens-right-to-land>
- 2) UN Women and OHCHR, 2013. <https://www.unwomen.org/en/digital-library/publications/2013/11/realizing-womens-right-to-land>

21 Report of Special Rapporteur on situation of human rights in Palestinian territories, 2016. <https://www.un.org/unispal/document/auto-insert-188965/>

energy-insecure. The provision and control of Israel remains dependent on Israel, due to restrictions on building plants within the West Bank.²²

The impact of the occupation in relation to land is not limited to the West Bank. In the Gaza Strip, Israel has designated all territory 300 meters within the fence separating Gaza from Israel as a “no-go area” and territory within 1,000 meters or more as “high risk.”²³ This territory, which includes privately owned farmland, has become almost totally inaccessible and the portion that is accessible has little economic potential, as a result of pesticide spraying and military operations. Palestinians in Gaza who operated poultry or vegetable farms have experienced a sharp diminution in their livelihoods; by 2019, 55% of landowners stated they could not reach their land and 74% that they faced obstacles in working it.²⁴ The issue of water in Gaza has additional dimensions, where 97% of the existing aquifer water is unfit for human consumption based on World Health Organization (WHO) standards.²⁵

In the Access Restricted Areas (ARA) in the Gaza Strip, land and resources are barely accessible. This has an impact on livelihoods as pertains to land access. Indicators show that Palestinians residing in the ARAs are further disadvantaged. For example, the mean household family size is 8.5 – larger than the average of 5.6 in Gaza and 4.8 in the West Bank in 2017.²⁶ The share of women headed families in the area is 13% - also higher than the average of 9.1 in Gaza.²⁷ The area is characterised by particularly high poverty levels, chronic malnutrition in a context of marked food insecurity (more than 96.5% and 97.8% of ARA households in Rafah and Khan Yunis, respectively), low levels of education of women, poor access to clean water and poor sanitation, and limited access to quality health services.²⁸ Violence against boys and girls is of great concern, as well as early marriage, violence against women, and the prevalence of explosive remnants of war in the area.²⁹ The occupation and its land policies, coupled with government economic policies, have a direct effect on economic growth and employment rates, with a decline in GDP growth from 2.7 in 2017 to 2.5 in 2018; a figure that is expected to further decline to 2.3 in the upcoming years. According to PCBS, the number of unemployed persons in Palestine reached 426,000 in 2018, around 31% of the labour force. In 2018, the unemployment rate was about 18% in the West Bank and 52% in Gaza.³⁰ Furthermore, the agriculture sector in Palestine has been heavily affected by the occupation, which has resulted in the decrease of its share within the Palestinian economy from more than 12% in 1994 to 3% in 2018.³¹ Limitations imposed on its growth and contribution are a direct result of targeting agricultural land and its workers, controlling water resources, restricting access to market and trade, destroying essential equipment, banning of imported items and increasing production cost amongst others. This, in turn, influences employment opportunities and poverty levels.

22 B'tselem (2017). Water Crisis, November 2017. Online from: <https://www.btselem.org/water>

23 UNCT (2016). Leave No One Behind: A Perspective on Vulnerability and Structural Disadvantage in Palestine, UNCT – oPt, p. 63-4. Online from: https://eeas.europa.eu/sites/eeas/files/common_country_analysis.pdf

24 Norwegian Refugee Council (2015). Gaza: The Impact of Conflict on Women, November 2015. Online from: <https://www.nrc.no/globalassets/pdf/reports/gaza---the-impact-of-conflict-on-women.pdf>

25 OCHA, 2019. <https://www.ochaopt.org/content/study-warns-water-sanitation-crisis-gaza-may-cause-disease-outbreak-and-possible-epidemic>

26 PCBS (2018). Population, Housing and Establishment Census 2017: Census Final Results Summary. 2017 Ramallah – Palestine.

27 PCBS (2017). Women and Men in Palestine: Issues and Statistics, 2017. Ramallah – Palestine.

28 El Hawajri, J. and Al Sharif, A. (2017). Health Need Assessment in Access Restricted Area. Field need assessment study. World Health Organization, August 2017.

29 UN OCHA (2017). 2018 Humanitarian Needs Overview. Occupied Palestinian territory, November 2017.

30 PCBS (2019). Press Report on the Labour Force Survey Results (October – December, 2018) Round (Q4/2018), February 13, 2019. Online from: http://www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_13-2-2019-LF-e.pdf

31 UNCTAD, 2019. <https://unctad.org/en/pages/newsdetails.aspx?OriginalVersionID=2180>

Poverty is on the increase among Palestinians. 29% of individuals in Palestine suffer from poverty (14% in the West Bank and 53% in Gaza Strip). Data reveals that 17% of the individuals in Palestine suffer from deep poverty in 2017, according to consumption patterns (6% in the West Bank and 34% in Gaza Strip).³² The burden of poverty falls hardest on several vulnerable groups, including: women-headed households, youth and children, people with disabilities, refugees, Bedouin, displaced persons, Area C, H2, East Jerusalem and the Seam Zone. In East Jerusalem, 75.4% of families live below the Israeli poverty line, while as many as 33% of Palestinian schoolchildren “do not complete 12 years of education.”³³ In the West Bank, Palestinians are exposed to settler and army violence on a regular basis. On average, the Israeli military demolishes 460 Palestinian structures, across the West Bank and East Jerusalem – mostly in rural areas.³⁴



Specific Context: Ownership, Access to, and Control over Land

In Palestine, access to land and natural and productive resources is an ever-urgent issue marred with increasing human rights violations. The context of Palestine possesses a special nature due to the socio-political and economic situation which impacts the larger community in general. Specifically, Palestinian women face two major types of obstacles to their rights: those arising from the Israeli occupation and within their own society/tradition.

32 PCBS, On the occasion of the International Population Day 11/7/2019. <http://www.pcbs.gov.ps/post.aspx?lang=en&ItemID=3503>

33 The Association for Civil Rights in Israel (ACRI) (2017). East Jerusalem: Facts and Figures 2017, May 21 2017, p. 3. Online from: <https://law.acri.org.il/en/wp-content/uploads/2017/05/Facts-and-Figures-2017.pdf>

34 Office for the Coordination of Humanitarian Affairs (OCHA) (2018). Protection of Civilians Report | 18 - 31 December 2018. Online from: <https://www.ochaopt.org/content/protection-civilians-report-18-31-december-2018>

Box 1: Reported rates of land ownership (according to previous studies)¹

Although women technically have legal rights to own land, previous studies show only 5% of women own land and a mere 7.7% own their own home.² For example, according to PCBS in the Jenin governorate, males own 86.3% of the land and women 6.7%, 7.3% are mixed ownership. In the Qalqilya governorate, males own 87.6% of the land and women 7.1%, 5.3% are mixed ownership. In the Jericho governorate, males own 84.3% of the land and women 5.7%, 10% are mixed ownership. In the Bethlehem governorate, males own 89.3% and women 6%, and 4.7% are mixed ownership. In Ramallah governorate, males own 86%, women 7.1% and 6.8% are mixed ownership. The Hebron governorate has the largest male land ownership (90.1%) compared to 5.1% for females and 4.8% mixed.³ Another study confirms these low numbers and stipulates that only 5% of women own (or share ownership of) a piece of land⁴.

Occupation-related barriers

The role of the occupation negatively influences land ownership and access by all Palestinians, as explained in the previous section. For women, land access and ownership have additional dimensions including occupation – related, cultural, social, economic, and legal. In Area C, for example, barring Palestinians from accessing their land negatively influences the work of the residents especially that 6.8% of women in the formal labor force work in agriculture, compared to 6.2% of men³⁵. In addition, land zoning laws prevent from building in lands that are outside of the allowed zones, leading to vertical buildings and the encouragement of higher levels of patriarchal relations, hence more control over women. This also leads to declining levels of economic growth, employment opportunities, entrepreneurship, and labor participation especially for women in rural and marginalized areas.³⁶

35 PCBS, 2018. Labour Force Survey. <http://www.pcbs.gov.ps/Downloads/book2433.pdf>

36 UN Women and AWRAD (2018). Caught up between a Rock & a Hard Place: Occupation, Patriarchy and Gender Relations (A Case Study of Palestinian Women in Area C & H2), March 2018. Online from: <http://www2.unwomen.org/-/media/field%20office%20palestine/attachments/publications/2019/2/english.pdf?la=en&vs=4723>

Policy and Legal barriers

The PA has no land policy or strategy that provides the grounding for its work in this regard. The study is able to cite three related policy statements since the establishment of the PA. In December 2004, the PA Council of Ministers adopted a land policy statement and approved in 2008 the Land Policy Framework. Ever since, a new Land Law is being drafted. The 2004 policy statement focused on improving tenure security; developing efficient land and property markets, managing land in an equitable manner, and promoting the transparent management of public land. The 2008 Land Policy Framework focused on reforming the land sector, and aimed at establishing fair, transparent and easily accessible mechanisms to enforce land rights³⁷. Other statements related to land are available on the website of the Palestinian Land Authority (PLA). The vision, mission statement and objectives are geared to a technical understanding of the role of the PLA, with no social or gender analyses or insinuations³⁸. The PLA has no database for its work in general, nor any data that might be disaggregated by sex.

In contrast, the National Agricultural Sector Strategy (2017-2022) of the Ministry of Agriculture (MoA)³⁹ provides a solid starting point for future interventions that might empower women and seek to achieve equality concerning to land and productive resources. The following are examples of the Strategy elements connecting land and productive resources on the one hand and the achievement of women empowerment on the other:

- » Female and male farmers' resilience and steadfastness on their lands enhanced through a number of interventions that support the engagement of youth, female farmers, and producers in sustainable and feasible agricultural and rural activities.
- » Equality and justice which entail a decent living for all and that development is a right of all men and women, boys and girls, without any discrimination or marginalization based on sex, region or age. Priority should be always provided for the less fortunate.
- » Policies and programs that are in line with development priorities in Area (C) in general, and agricultural development priorities in particular. This is done through a series of interventions that support the capacities of livestock breeders and farmers, as well as Bedouin and rural women, to steadfast and enhance their resilience. These efforts also seek to encourage the engagement of youth and women in agricultural works that help them secure dignified livelihoods and welfare, without leaving their villages, lands and homes.
- » Strengthening and supporting farmers' organization and small-scale farmers-oriented agricultural organizations, particularly those with clear mandates and commitment to enhance the role and position of women and youth in agriculture.
- » Finding mechanisms to ensure access of small farmers, women and youth to funding with the aim of enhancing their current farms and creating entrepreneurial agricultural businesses.
- » Empowering youth, women, farmers and entrepreneurs to access quality services in the field of agricultural business development and intensification of efforts to support entrepreneurship in the agricultural sector.

37 World Bank, 2009. <http://documents.worldbank.org/curated/en/654801468176641469/pdf/473230WP0GZ0Re101PUBLIC10Box334128B.pdf>

38 PLA website. <http://www.pla.pna.ps/aboutUs.aspx?id=4>

39 MoA, National Agricultural Sector Strategy (2017-2022). http://www.lacs.ps/documentsShow.aspx?ATT_ID=31791

The Cross Sectoral Gender Strategy (2017-2022) confirms the vital role of land ownership to gender equality and women empowerment. For example, the Strategy stipulates that one of its priorities is the reformation to allow women equal rights to access to economic resources, including land and productive resources, inheritance, financial services and credit based on national laws⁴⁰.

Within these varying policies and policy directions, women continue to be subjected to restrictive laws including the personal status law, penal law and labor law, which retain discriminatory provisions related to marriage, divorce, child custody, and inheritance. Domestic abuse remains a significant problem.⁴¹ The following paragraph from Wi'am (2013) describes the legal reality of land ownership in relation to Palestinian women:

*"Palestinian ...women are subject to the Jordanian Personal Status Law of 1976, which is derived from the 1917 and 1951 laws of the same name; both codes are based on the Hanafi school of Islamic Jurisprudence. No amendments have been introduced to either code, despite changes based on alternative (religious) interpretations enacted in Egypt and Syria. A legislative gap emerged in cases concerning Palestinian women, as will be shown later. In fact, the personal status law of the West Bank and Gaza was only recently unified. All laws (applied to Muslim and Christian women) share an element, across their differences that endorse discrimination between the sexes. Women are sometimes reluctant to seek support from the legal system, including the overwhelmingly male dominated arena of the courtroom itself but also law enforcement since women are marginally represented among the police. Yet, there has been resurgence in informal justice. Tribal and customary laws are often biased against women and left to the execution of meddling elders or the intervention of local notables."*⁴²

The basis for discrimination in the laws is the claim that the man in accordance to religion and tradition is the breadwinner and has the duty to support the family financially. According to this view, women have no financial obligations towards their families. Before a woman gets married all her financial needs are supposedly covered by her father or brother, and after marriage this duty becomes the responsibility of the husband and the sons after. Subsequently, in order to help males fulfill this responsibility, they receive double the share of the inheritance.⁴³

There are multiple reasons why women do not resort to the legal system. Many women in Palestine do not ask for their inheritance rights for a number of reasons including the high cost of the courts fees and the long time needed to take a decision. Even in the case of having a decision from the court, there are no executive centers in the courts. Moreover, there is no punishment for the people who disallow women from access to their inheritance rights⁴⁴.

40 MoWA, 2017-2022. <https://www.mowa.pna.ps/plans-strategies/strategies>

41 For an updated account of GBV among Palestinians, refer to: PCBS, Preliminary Results of a Survey on Violence in the West Bank and Gaza, 2019. <http://pcbs.gov.ps/Downloads/book2480.pdf>

42 The material on the religious and legal dimensions of land ownership and inheritance is based on: Wi'am, 2013. <http://www.alaslah.org/baseline-study-women-inheritance-rights-in-palestine/>

43 Wi'am, 2013.

44 Ibid.

Box 2: Land and Water Settlement Commission

To create an enabling economic environment, accelerate the registration of land, and to resolve legal and social disputes around land ownership and use, the PA established the Land and Water Settlement Commission (LWSC) by decree 7 (2016). LWSC is a public institution with legal personality, financial and administrative independence, and legal capacity to ensure the fulfillment of its mandated objectives and tasks. Women comprise 44% of the staff of the LWSC.

Since its establishment in 2016 and up until the end of 2018, LWSC was able to publically post 76,399 land settlements, and finalize the approval of 43,650 land parcels. By the end of 2018, the number of land owners reached 195,095, 126,846 (65%) were in the name of males (65%) and 62,694 (32%) were in the name of females. The rest (3%) were either shared or owned by others such as the local council or government⁴⁵. These rates were confirmed by the time of this study, as the available data in February 2020 show that the number of land owners reached 554,514. The percentage of women owners from all owners was 32% of the lands that were settled (182,344 women) and the percentage of men owners was 65%, and the rest was mixed ownership. As confirmed by our present study, this does not indicate size of ownership or quality and value of land owned. In addition, the LWSC data show significant variations among communities that were included in the settlement process. To illustrate, the following LWSC table provides the gender distribution of owners for a sample of lots in a selected number of communities

Land Owners distributed by Sex of Owner in Selected Communities

Governorate	Community	# of parcels in lot	Male-owned (%)	Female-owned (%)	Mixed
Jenin	Arraneh	278	46.8	52.5	0.7
Tulkarem	Tulkarem	1,174	51.9	46.8	1.3
Ramallah	Sinjel	619	55.9	42.6	1.5
Nablus	Quseen	450	61.8	36.6	1.6
Ramallah	Saffa	292	64.7	30.5	4.8
Bethlehem	Al Khader	282	70.2	27.0	2.8
Bethlehem	Bet Jala	464	69.6	25.4	5.0
Bethlehem	Bet Sahour	533	81.0	17.6	1.4
Hebron	Dura	177	79.1	17.5	0.4
Hebron	Yatta	325	85.2	12.3	2.5
Bethlehem	Hindaza	272	87.9	11.8	0.3
Bethlehem	Al Ubaidiya	256	90.6	7.8	1.6

According to staff, LWSC is embarking on the conduct of a social assessment, as well as a gender assessment, of its work. These assessments were requested by the World Bank which supports the work of LWSC. This builds on existing, un-systemic, efforts to support women in the communities to attain their land rights, raise awareness about the LWSC and its work, and collect, compile and analyze data disaggregated by sex. The existing data provide a gender disaggregation of owners of settled lands, and might potentially provide data on the size of land by sex of owner. The available data might be further supported through upgrading the data collection, storing and analysis systems and capacities. Future data collection might require the development of a template that takes into consideration, sex of owner, as well as size of land, quality, value and other indicators. The work of the LWSC must be supported, as well, through the development of standard operating procedures and awareness campaigns to maximize social cohesion and dispute containment, as well as gender sensitization and procedures to guarantee that women receive their land rights.

Social, cultural and economic barriers

Social institutions, such as the family and marriage institutions, as well as traditions, negatively impact land ownership, control, and access by women. They promote discrimination in the fields of women's inheritance, alimony, and employment opportunities, which reduces their economic autonomy and makes them more vulnerable to poverty than men. Furthermore, some segments of society seem to be growing more conservative and returning to traditional values.

By custom, married men (the traditional breadwinners) are encouraged to retain property individually rather than share it with their wives.

The results of a study conducted by the Women's Centre for Legal Aid and Counselling (WCLAC - 2014) summarize the role of social relations and cultural norms in limiting the ability of women to own and access land:

*"Women encounter social challenges resulting from the prevalent patriarchal culture in the Palestinian society. A common view of shame and abashment prevents women from claiming their right of inheritance, forcing them to abandon their inheritance shares in most instances. Women fear that their families will break off relations with or physically assault them. Women also face legal challenges. Explicit legal provisions are lacking so as to incriminate fraudulent practices or intimidation used to disinherit women. Legal deterrence is absent by a lack of severe penalties against men who deprive women of inheritance. Relevant legal provisions do not ensure women's access to their right of inheritance by force of the law. Finally, women are challenged by judicial and procedural challenges, including lengthy court procedures in inheritance cases. Complicated legal procedures take a long time to list the deceased's estate and distribute inherited properties, shares and land between heirs. Also, women cannot afford high court fees, forcing many to abandon their right of inheritance and avoid this unduly complex and thorny process."*⁴⁶

46 For more on legal discrimination, refer to: WCLAC, 2014. <https://www.wclac.org/english/userfiles/Summary%20Inheritance%20Study%20English.pdf>



Customs are closely intertwined with legal discrimination. Both encourage women to forfeit their share of the inheritance to male family members, stemming largely from the absence of deterrent penal laws against such practices. Men could be deterred from submitting faulty inheritance documents if the practice were criminalized, disallowing the intentional omission of women's (and others') names from the documents and, thereby, systemically enforcing the rights of the women.

This discrimination is also compounded by the prevalent deeply-rooted value system and entrenched gender roles. Opinion polls show that both sexes hold patriarchal views of the "rightful" roles and capacities of women. For example, around 80 % of men and 60 % of women agree that a woman's most important role is to take care of the home⁴⁷. Notably, there is no difference in gender-related attitudes between younger and older men. The political reality, however, has some impact on attitudes. For example, in the cases of political prisoners' families, the change in women's roles during the husband's absence was met with more appreciation and a reconsideration of women's abilities to perform different roles. At the same time, this led to a revaluation of men's domestic work, reflected in the willingness of many ex-prisoners to share household work with women.⁴⁸ Still, when asked if "a woman's place is in the home," Palestinians were divided: 54% disagreed and 46% agreed (70% of the women disagreed, compared to only 39% of men).⁴⁹ These attitudes are supported by PCBS empirical data (2019) which show that 17.8% of the daily time is used by women for house and child care, compared to 3% for men. Women in the age group (25-44 years old) spend 27.2% of their time on house and childcare, compared to 3.4% among men.⁵⁰

47 World Values Survey. (2010-2014). Wave 6: Official Aggregate v.20150418. Madrid: World Values Survey Association.

48 See for example, Understanding masculinities: Palestine, 2017. <https://imagesmena.org/wp-content/uploads/sites/5/2018/03/Understanding-Masculinities-in-Palestine-English.pdf>

49 UN Women and AWRAD, Caught Up Between A Rock & A Hard Place: Occupation, Patriarchy And Gender Relations A Case Study Of Palestinian Women In Area C & H2, 2018. <https://www2.unwomen.org/-/media/field%20office%20palestine/attachments/publications/2019/2/english.pdf?la=en&vs=4723>

50 PCBS, 2019. The Reality of Gender in Palestine in view of the Sustainable Development Goals.

Fears from familial threats like losing family support and familial relations are also widespread. In many cases, women have limited awareness regarding their inheritance rights. In addition, there is limited support from the women and human rights organizations.

Cultural barriers are closely related to economic barriers that influence women economic empowerment. According to Asala (2010) women's economic empowerment is influenced by three major areas of intervention: economic opportunity (e.g., expanding employment and entrepreneurship, improving access to finance); legal status and rights (e.g. improving women's property, inheritance and land rights); and voice, inclusion and participation in economic decision-making.⁵¹ They are also influenced by employment opportunities within the limited labor market, but also by the reproductive roles of women. While declining (from 5.9 in 1991 to 4.1 in 2013), the fertility rate among Palestinian women continues to be higher than international standards. Childcare continues to be the main role of Palestinian women, as the average family size is 5.1 (4.8 in the West Bank and 5.6 in the Gaza Strip).⁵²

As a result, the participation of women in the labor force is 20%, compared to 70% among men. Disparity in unemployment rates between men and women continue to grow: The rate for men was 26.4% compared to 53.7% for women in 2018.⁵³ In 2018, the average daily wage of Palestinian women (95 NIS) is only around 70 per cent of that of men (135.3 NIS).⁵⁴

Closely related is women ownership of businesses. Only 3.5% of working age (15-64 years old) women set up their own businesses compared to 16% for working age of men in Palestine.⁵⁵ In Palestine there are almost 7,000 businesses that are owned and operated by women.⁵⁶

51 Asala, 2010. <http://www.asala-pal.org/wp-content/uploads/2016/02/The-Economic-empowerment-of-women-in-Palestine-Oct-2010.pdf>

52 PCBS, Press Release, 2019. <http://www.pcbs.gov.ps/post.aspx?lang=en&ItemID=3642>

53 PCBS, Q2/2019. Labor Force Survey. http://pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_7-8-2019-lf_3-en.pdf

54 PCBS, Q2/2019. Labor Force Survey. http://pcbs.gov.ps/portals/_pcbs/PressRelease/Press_En_7-8-2019-lf_3-en.pdf

55 OECD (2013). Gender inequality and entrepreneurship in the Middle East and North Africa

56 Palestine Economic Policy Research Institute (MAS) (2014). Policies for Up Scaling the Female Entrepreneurship in the State of Palestine.

Section Three:

Presentation and Analysis of Findings



In this section we have simultaneously used quantitative data obtained from the desk review and the survey as well as the qualitative data. While the quantitative data provide insights on the landscape -- the broad reality of indicators and inequalities, the qualitative portion deepened the analytical understanding through further elaboration of data, explanation of quantitative results, provision of real-life dynamics, and citations of specific cases.

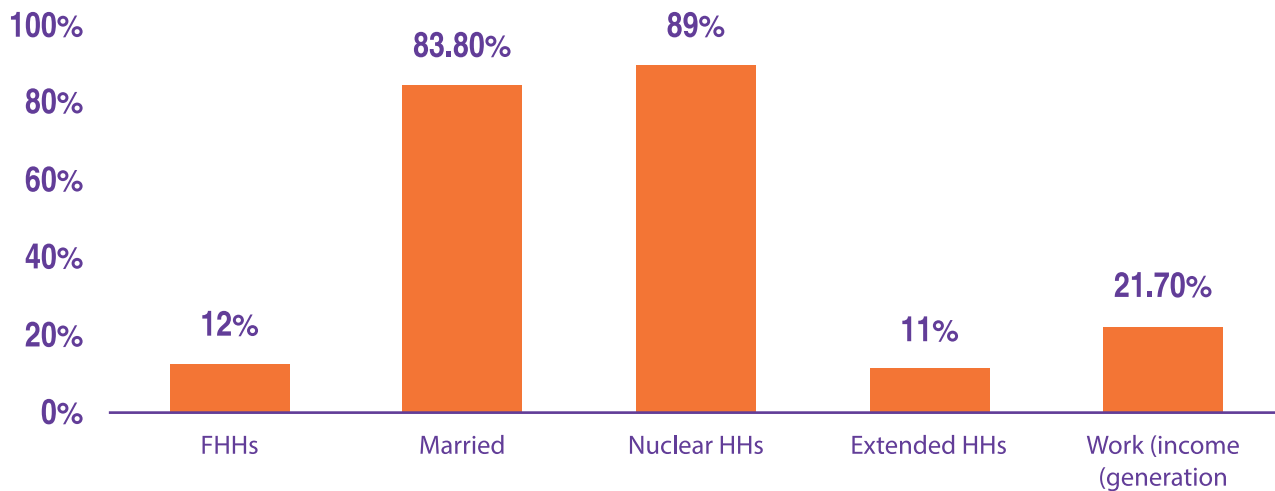
The presentation of the findings started with introducing the women who comprise the backbone for this study and provided valuable information. Their socio-economic and demographic profile provides the grounding for a proper understanding of their lives and realities (presented in the survey section previously). That is followed by a presentation of findings on the reality of land ownership of, control over and access to land, as well the level of disputes and violence related to land. Against this background, the study provides a comprehensive analysis of the political, legal, social and cultural, and economic challenges and barriers that impinge on the ability of women to fulfill their rights to land. In response to the challenges, the final section of this study provides an articulation of opportunities, enabling factors and recommendations to improve policy and programming.

Socio-Economic Conditions of Women and their Communities

To ensure that the results on gender relations, land ownership, and obstacles facing women's fulfillment of their rights, it is essential to provide data on the background of women who participated in responding to the survey. As the data will show, the background and realities of women for the targeted governorates and communities have similarities and differences from women at the national level and in other governorates.

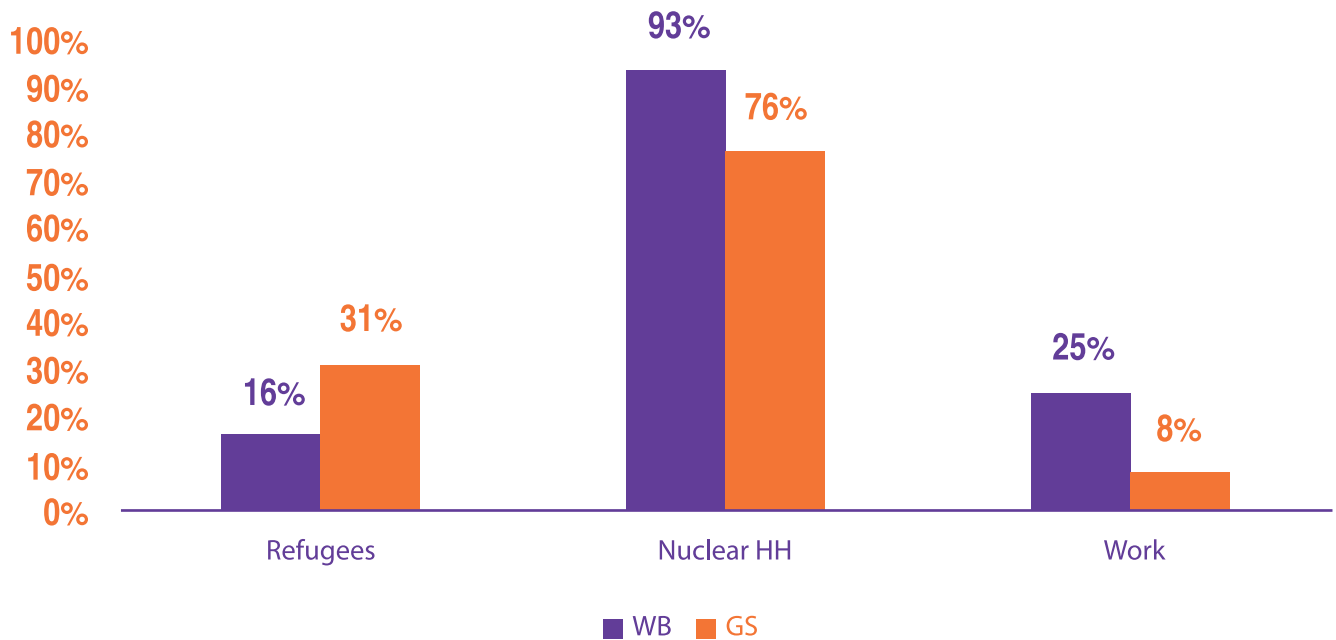
The data reveals that less than 12% of the households approached for this survey are headed by a female (female-headed households), which is consistent with the national average provided by PCBS. The rest (88%) are headed by a male family member. In addition, the data show that women care takers are mostly mothers/wives who are burdened by house and child care (94.2%). The rest (5.8%) were other female members of the household (including daughters and sisters). 83.8% of the interviewed women were married at the time of the survey; 7.3% were single; 7.1% were widowed and 1.8% of them were divorced. The vast majority of families are nuclear families (89%), while the rest (11%) are extended families. In addition, 21.7% of the women respondents engaged in one form of employment or another. Among them, 3.4% are self-employed; 4.3% work in agriculture; 4.7% as workers; and 9.1% were employed in the formal sector. Only 0.2% were independent professionals (e.g., lawyers, doctors). As much as 76.4% were housewives or unemployed. Among those who work, 70% work in the private sector and 28% in the public sector. As much as 30% of the women reported making a contribution to family income as many of them engage in income-generating activities (e.g., sewing, selling food products) while at home. All of the above data illustrate the high level of sample representation as most of the figures are consistent with national averages and are confirmed by the various relevant PCBS data sources. Furthermore, the later analysis of data will show that the characteristics of women, their socio-economic background as stipulated below have direct correlation to their ability to own and access land.

Figure 1: Selected Characteristics of Women Respondents and their Households



The study shows that the varying levels of land ownership and access by women are impacted by the regional conditions in the West Bank and Gaza Strip. For example, the fact that more women in Gaza are refugees decreases their chances for land ownership and access. The percentage of women refugees in the Gaza sample is higher (31.4%) than in the West Bank (16.4%). In general, however, the percentage of refugee households is lower in the sample than the general population as the study was primarily focused on rural areas, where refugees are less represented than urban centers and the nearby refugee camps. Another difference between West Bank and Gaza households is family type, where 92.6% of West Bank households are nuclear compared to 75.5% in Gaza. In contrast, 24.5% of Gaza households are extended compared to 7.4% of West Bank households. This is confirmed in other recent studies that asserted that marginalization, vulnerability, and poverty lead families to coalesce and return to more patriarchal arrangements as that leads to lowering their per capita expenses⁵⁷. Extended (larger) families also enjoy higher opportunities to receive assistance from the Ministry of Social Development (MoSD) and other sources. In addition, overcrowding in Gaza is caused by lower levels of land availability and higher levels of population growth. Furthermore, 8.4% of West Bank respondents were single, compared to 2.9% in Gaza. The data indicates that single women enjoy relatively higher rates of land ownership. Formal employment among women in Gaza is lower than in the West Bank (7.9% in Gaza compared to 25.3% in the West Bank are self-employed, work for others, farmers, or workers). As the data shows, this is correlates to the ability of women to own and access land. Still, equal percentages of women in Gaza and the West Bank contribute to household income.

Figure 2: Regional Variance (Women in the West Bank and Gaza Strip)



The women participants in this study mostly reside in rural areas or in areas (Areas B and C) that are highly affected by occupation policies and/or face economic pressures as a result of marginalization and exclusion. The qualitative data reveal the following insights on Palestinian society in general and the communities included in this study in particular:

The areas included in the study are highly affected by occupation practices which have a negative impact on access to land by all citizens, but has additional negative impact on women as the study analysis indicates. The following testimonies provide examples of the context within which these communities must endure:

"We live in Tura, a community closed by the Separation Wall; no one from the outside can enter without a special permit from the occupation." (KI, Female, Tura, Jenin)

"My brothers take care of our land behind the Israeli-erected Wall; the Israelis give them permits sometimes; they are men and can deal with this; it is difficult for me to be part of that as I have much work at home; I will not fight with my brothers when they are fighting the occupation to reclaim the land from the occupation." (Female, Qalqilya region)

"Most of the land in our community is either confiscated or in Area C; many citizens became poor as result; we quarrel over very limited, but precious, pieces of land." (KI, Male, Beit Jala, Bethlehem)

"It must be noted that less than 20% of the families in our village own land, as the rest of nearby land is considered government land and much of the rest is confiscated." (KI, Male, Local Council, Fasayel, Jordan Valley)

“Our land is within the confrontation areas; we used to work hard and share the produce; now we are under stress and we tend to feel uncertain about our share of the produce.” (Female, Beit Hanoun, North Gaza)

“All of our land is behind the Barrier; it was taken over by the occupation; we are allowed to collect the olives during the season.” (Female, Village, Azzoun, Qalqilya)

The land context in the targeted areas is also influenced by policy drivers in relation to housing and municipal expansion, as well as economic investment prospects as illustrated by the following testimonies:

“Our land became very expensive due to the establishment of the airport; now, it has very little value after the airport was destroyed and most people don’t dare come close to that area.” (Male, Rafah, Gaza)

“The establishment of an industrial area made members of families fight even more than before as they want to gain as much as possible from the higher land prices; women suffered the most as they were pressured to surrender their rights.” (KI, Female, South of Hebron)

“The city is expanding and city folks are buying land in our village raising the prices; this makes family members more at odds with each other as they all now want the land for themselves.” (KI, Male, Near Qalqilya)

In addition, many of the targeted communities are influenced by the ownership of large parcels of land by a few families and by traditions, as illustrated in the following testimonies:

“Large pieces of land were owned by a few well-to-do families that inherited the land from their families. Now, with population increase, the land is further divided and as these families lose their traditional wealth, they tend to sell their smaller lots to the new-rich from outside of their community.” (KI, Female, Khan Yunis region)

“Our community is different; it is highly traditional and most people do not want to change; all efforts to achieve rights for women are faced by traditional forces that use religion against our demands.” (KI, Female, Jordan Valley)

Gender Equality, Land and productive resources ownership, access and control (An Overview)

The following section presents the findings on land and other productive resources ownership, the share of women in ownership and their level of control and access to land and resources. In addition, the section provides insights on land disputes and means of resolution with disaggregation between West Bank and Gaza.

Land Ownership

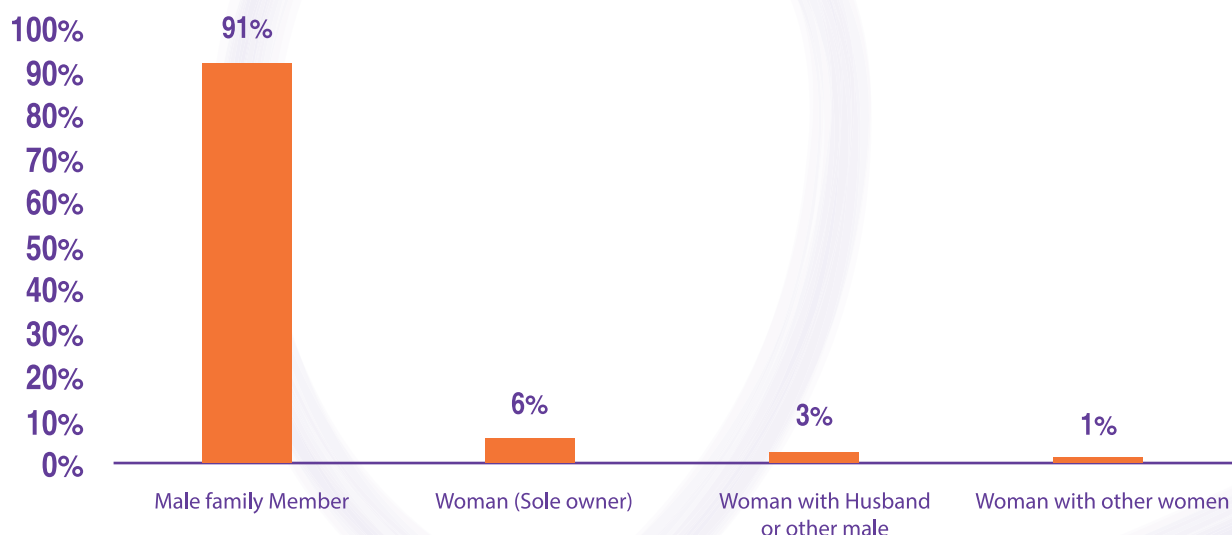
Levels of land ownership are related to the type of land (curtilage, agricultural, investment, or common (shared or Mashaa' in Arabic). The following data shows that the reported land ownership rates are within the international and regional rates, and they also show:

Curtilage land: When were asked about ownership of **the land surrounding the family house**, 97.8% of the households reported ownership of the land, while 2.2% reported that they live in house built on a land that they do not own. The average size of land where the house is built is 463 square meters. Among families that own curtilage land, 9.1% of the women report sole or shared ownership (mostly the wife or mother). 1.6% of them report curtilage land that is owned in part or in full by another woman (mother or sister). In contrast, 74.4% report ownership by husband, 16.8% by the father (in extended families) and 1.7% by a brother⁵⁸.

» As to the sole or mixed ownership, the data analysis reveals that this type of land is male-dominated with minor ownership by women. Only 6% of women respondents say that they own the curtilage land on their own. In addition, 1% of the women respondents own the curtilage land with other women (sisters). With that, 2.1% of the women respondents own the curtilage land with their husband. The rest (90.9%) of the curtilage land is fully owned by a male family member (the vast majority owned by the husband). Finally, only 0.04% owned the land with another male family member (father or brother).

Out of the full sample of women, less than 6% (5.87%) report sole ownership of curtilage land.

Figure 3: Ownership of Curtilage Land where House is Built (from families that own them)



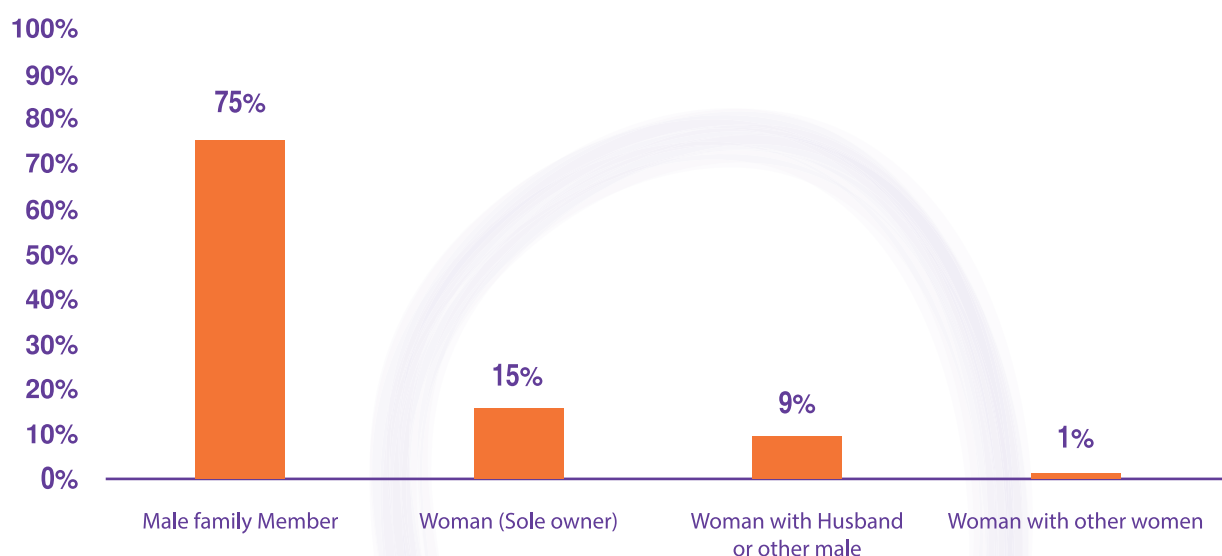
⁵⁸ The findings reflect the sole or mixed ownership of curtilage land (the total percentages will be more than 100% as some of the holdings are of mixed ownership).

Women report higher levels of ownership of agricultural land (which is defined as land actively used for farming, grazing and other agricultural uses). Less than a majority of the households (44.4%) reported owning an agricultural land. The average size of agricultural land is 10,218 square meters. 24.7% of the agricultural lands, among the families that own them, are either owned by women who responded to the survey (wife/mother) or shared between women and other family members. 6.9% is reported to be owned in part or in full by another woman (grandmother or sister). 64.4% report ownership by husband, 19.2% by the father (in extended families) and 4.1% by a brother. In total, men are reported to have full or partial ownership in 87.7% of the households.

As to the sole or mixed ownership, the data analysis reveals that 15% of women respondents (of families that report having a land) say that they own an agricultural land on their own. 1.3% of the women respondents own the agricultural land with other women (sisters). Furthermore, 7.3% of the women respondents own the agricultural land with their husband. Only 1.3% owned the land with another male family member (father or brother). The rest (74.9%) of the agricultural land is fully owned by a male family member (the vast majority owned by the husband).

In conclusion and out of the total sample of women, the rate of sole agricultural land ownership is 6.66%.

Figure 4: Ownership of Agricultural Land (from Families that own them)



Very few families (6.1%) own a land bought for investment purposes. As such, it is difficult to provide disaggregation with sufficient reliability. In general, however, the data show (*albeit* limited) that more than 65% are solely owned by a male member of the family. The rest (35%) are owned by women or in partnership with other family male members. The average size of investment land is 2,150 square meters. It must also be noted, that families that are capable of owning an investment land are mostly well-to-do families. Moreover, key informants reported that some families register investment land in the name of a woman (in full or in part) to avoid the burdens of additional taxes or for other reasons including not to be noticed especially in relation to the source of income that might not be amenable for reporting to tax authorities.

Box 3: Land and property ownership

The overall results of the survey show that as much as 16% of the women respondents report that they have a piece of land of any type or size (curtilage, agricultural, barren or investment land) registered in their name. This implies that 84% of the women have no land registered in their name. 9% report that they are partners in a common land that is registered in the names of a number of family members. Only 5.5% report that the house is registered in their name, while 94.5% report otherwise. In addition, 3% report the house is a common property with the husband or other male family members. Furthermore, 3.4% report sharing the registration of the house with other female and male family members.

Among women who own land, 79% of them obtained through inheritance, and 11% report that they acquired it personally. As much as 7% say their husband bought the land and registered it their name. While the rate of land that is inherited by women is the same between women in both the West Bank and Gaza, the rate of women who reported obtaining the land as dowry is higher in Gaza (14%) than in the West Bank (9.9%). In contrast, more women in the West Bank (4.6%) report that their husband bought the land and registered it their name than in Gaza (almost zero).

In general, the above-listed data present the following paradox: On the one hand, and within the present context, for women to own land, they must heavily rely on inheritance. This issue, as the study shows, is at the core of challenges that women face in relation to land ownership, Existing inheritance laws, their enforcement, and the traditions and social norms surrounding the enjoyment of equal rights to inheritance by women pose one of the key obstacles as explained in the study below. On the other hand, women do not own the resources to acquire land depending on their own resources, which are in turn limited as most women are not part of the labor force and do not inherit their rightful shares of land and other properties.

The reported levels of ownership of land and other resources must be viewed with care as the survey results reflect the percentages of women who report ownership (sole or shared). They do not, however, reflect the size and quality of land, where women report inferior lots compared to their male counterparts. In all cases, women received much smaller lots than their male counterparts. In many cases, inheritance is not divided according to the prevailing law (which provides half share for women in regular cases).⁵⁹ Frequently, the data indicate that when women own a land through inheritance in most cases, they are pushed/force/manipulated to accept lands that are remote, closer to conformation area, closer to areas threatened by settlement activities, with lower agricultural and investment value, and with lower future potential. The following statements by women, participants in the study, illustrate the inferior standing of women in relation to land ownership:

⁵⁹ The legal clauses around inheritance are complex and tailored to reflect all types of cases and combinations of family structures and arrangements. For more on that, please refer to the Palestinian Law of Inheritance. For a specialize stud on women and inheritance, refer to WCLAC, 2014, <https://www.wclac.org/files/library/18/10/uo4uxnsl7gshgmqz868tnm.pdf> and for further interpretation of Islamic religious clauses on inheritance, refer to Wi'am, 2013. <http://www.alaslah.org/baseline-study-women-inheritance-rights-in-palestine/>

Some of the land that women believe that they own is not registered in their name even when they are allotted a share of the land:

“25 years after the passing of our father, my brothers had a meeting and decided to give us land; they never really told us any details of the decisions that they made, and we don’t know where to go to find out. From what we know is that they gave us less land than we deserve according to the law; the land is of inferior quality and remote. The land was never registered in our name” (62, Village, Jenin)

Women are allotted lands that have less value than their brothers without following the law:

“My mother registered all the land with the exception of one Dunum in the name of our only brother; one of his lots is worth more than 155,000 Jordanian Dinars; the other is now worth possibly a quarter of a million Dinars. We inherited 2 Dunums from our father; the land is so far and so arid that we now have no use for it. The three sisters got “out of the camel only its ear.” (54, Village, Jenin)

In some cases, women are given the land that is at risk of confiscation, with limited accessibility, and has low value at the present time:

“After much struggle, my brothers gave us our share n Area C; where we have no access or any way of using the land for building or agriculture.” (49, Village, Bethlehem)

Box 4: Land ownership, marital status and household type

The data show that the marital status is inversely correlated with land ownership, where married women report the lowest level of land ownership (14.5%), compared to single women (22.2%), widowed women (28.5%), and divorced women (33.5%). This confirms the widely-held arguments about the notion that married women do not need land or other resources as the husband is considered as the primary breadwinner. Married women also report less access to land than divorced and widowed women. It is, however, interesting to find that while single women report relatively higher levels of ownership than married women (above), they report lower levels of access than married women (26% to 39%). This was explained by women and key community informants as a paradoxical reality facing single women who are allowed to own the land as they will not transfer it to (other families) and as it will stay within the household, they, however, face discrimination and pressure by family members as not have control over or access to land and productive resources.

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

Ownership of other productive resources

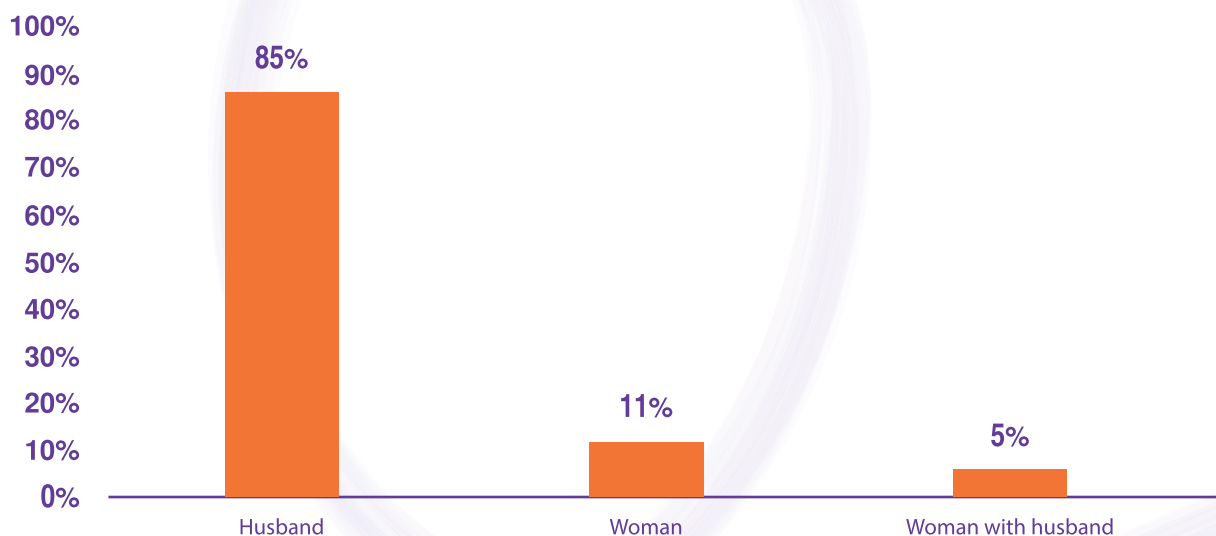
The survey explored the level of ownership of various productive resources that are connected to farming and agricultural production. The following findings show that women own sources that are of lower market value and productivity (non-mechanized equipment) at lower levels than more expensive and mechanized sources. This is due, according to key informants, to a number of factors including the limited economic resources owned by women, the limited access to credit and financial services, the limited ability of women to decide on the purchase of valuable assets, the limited mobility of women in reaching markets and their limited experience and literacy in managing and operating modern farming facilities.

Livestock and poultry farms are well-known in rural areas in the West Bank and Gaza as a source of sustenance and income. Still, as the data shows, most farms continue to be small with an average ownership rate of 49 heads, with only 13.4% of the households reporting ownership of livestock or poultry.⁶⁰ Within 13.4% of the families, 37.9% of the women report that they own livestock or poultry, whether on their own or in partnership with others. 4.5% report that other female family members own, in full or in part, livestock/poultry. In contrast, 69.7% report ownership by husband, 3% by the father (in extended families) and 1.5% by a brother.

As for the sole or mixed ownership, the data analysis reveals that only 10.5% of women respondents say that they own the livestock or poultry on their own. Of the women respondents, 5% own the livestock or poultry with their husband. The rest (84.5%) of the livestock or poultry is fully owned by a male family member (the vast majority owned by the husband).

Out of all interviewed women, only 1.4% report sole ownership of livestock or poultry as a productive source.

Figure 5: Sole Ownership of Livestock/Poultry (from families that own them)



⁶⁰ The study did not obtain details on the classification between livestock and poultry or within each category. It is possible that other studies might want to focus on that.



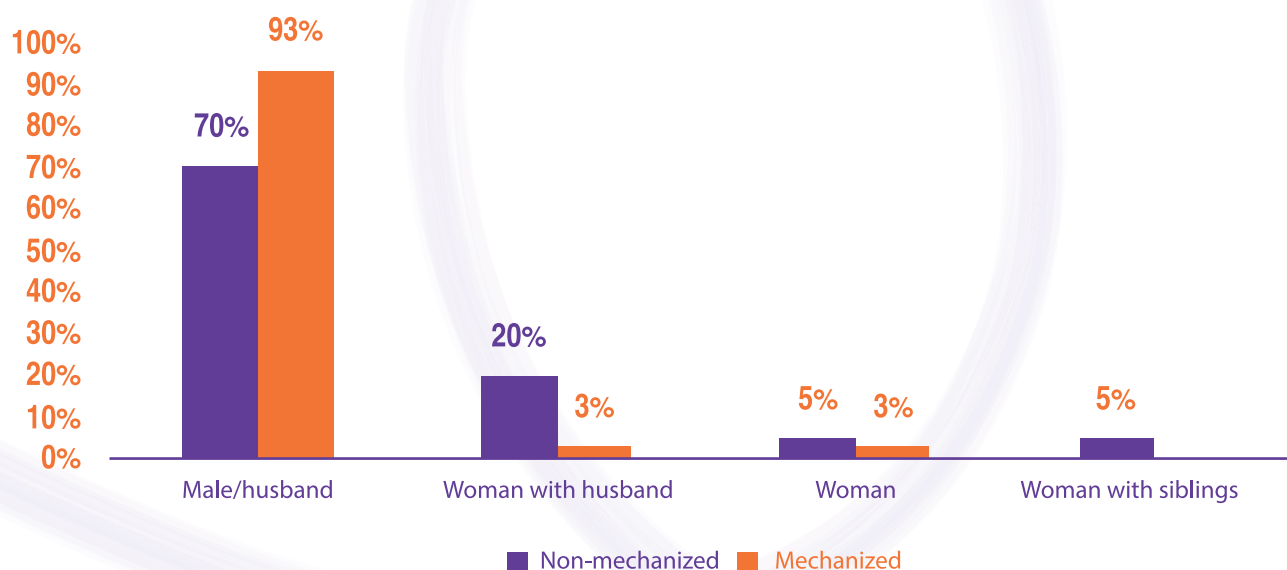
Non-mechanized equipment is another productive resource especially in traditional farming. They include animal drawn ploughs, hay rakes, carts, sickles and tanks. Only 4.3% of the households own non-mechanized equipment with an average value of 2,159NIS. 15.8% report ownership by the female respondent, while 84.2% report ownership by the husband and 15.8% by the father. 5% of the women report sole ownership, while 20% share with the husband and 5% with sisters and brother. In contrast, 70% are fully owned by male family members (mostly the husband).

This implies that out of all surveyed women, as little as 0.25% fully own non-mechanized farming equipment.

Mechanized farm equipment includes tractors, trucks, and irrigation systems. They tend to be costlier, with higher levels of productivity and sustainability as assets. The results show that only 5.9% of the households own mechanized equipment with an average value of 38,757NIS. Ownership of mechanized equipment by women is much lower than non-mechanized. Only 6.9% report ownership by the female respondents, while 82.2% report ownership by the husband, 10.3% by the father and 6.9% by a brother. A small minority of women report sole ownership of mechanized equipment (3.4%). Another 3.4% of the women report ownership in partnership with the husband. The rest (93.2%) are fully owned by male family members (mostly the husband).

Out of all women in the sample, only 0.20% of them have sole ownership of mechanized equipment.

Figure 6: Ownership of Farm Equipment (from Families that own them)



Box 5: Land and other resources ownership (Regional Variance)

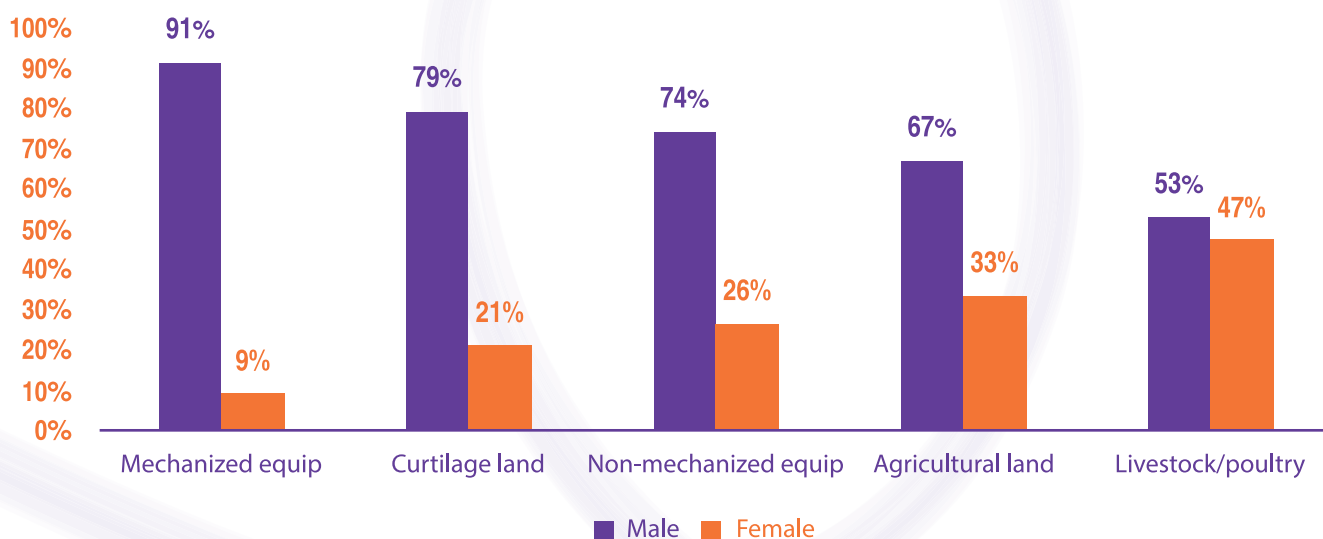
The rate of land ownership (curtilage and agricultural) is almost equal in both regions. The rate of households owning land for investment is higher in West Bank than Gaza (6.9% to 2.9%). It is also interesting to find that reporting on ownership of (other types of land – common land mostly in Area C) is much higher in the West Bank than Gaza (63% to 40%)⁵. In terms of other productive resources, the data reveal that more households in Gaza own livestock and poultry (26.5%) than among West Bank households (10%). The same is true for non-mechanized equipment (5.9% in Gaza to 3.8% in the West Bank). In contrast, reported ownership of mechanized equipment is higher in the West Bank (6.6%) than in Gaza (2.9%). This is an indication of the level of economic development, poverty and opportunities in each region, where the Gaza economy is a more subsistence economy due to the closure and other limiting factors, while the West Bank economy is relatively more advanced. It also reflects the type of humanitarian and development assistance which focuses on sustenance and livelihoods in Gaza, while reflecting relatively more rural development opportunities in the West Bank. The levels of ownership must also be viewed in the context of the size of ownership. In addition to the lower levels in Gaza compared to the West Bank, the average size of holdings is also smaller in Gaza. For example, the average size of curtilage land in Gaza (319sqm) is lower than in the West Bank (503sqm). The average size of agricultural land is almost 10 times in the West Bank compared to Gaza (12,304sqm to 1,379sqm). The average quantity of livestock/poultry per family in Gaza is 25, compared to 65 in the West Bank. Furthermore, the average value of mechanized farm equipment in Gaza is less than one fourth of the West Bank (9,400NIS to 44,192NIS). In terms of gender distribution of ownership, the overall reporting of ownership (any type of land – sole or mixed) is higher among women in the West Bank than in Gaza. While 17.1% of West Bank women report any type of ownership, 13.7% of women in Gaza report the same. More women in the West Bank report owning any type of land with other female family members than in Gaza (10.7% to 2.9%). The same applies to owning a house (5.9% in the West Bank and 3.9% in Gaza). In terms of common - undivided land (Mashaa'), more women in the West Bank report ownership (3.8%) than in Gaza (2%).

Control of Land and other resources (Decision-making)

Women respondents were questioned about the role of family members in decision-making regarding land and other agricultural resources. The following data show the weight of decision-making capability of female and male members (taking into consideration that the decision-making might be reported for more than one member of the family leading to a total of more than 100%).

- » In general, the weight of women contribution to decision-making regarding curtilage land is 24.7% (21.5% for the female respondent mostly the wife, 1.3% for the mother and 1.7% for a sister). For men, the weight is 95.2% (77.2% for the husband, 14% for the father and 4% for a brother). The relative weight for female versus male reported decision – making power is 21 to 79.
- » The weight of women contribution to decision-making regarding agricultural land is 45.5% (34.4% for the female respondent mostly the wife, 4.1% for the mother and 6% for a sister). For men, the weight is 91.3% (68.8% for the husband, 15.6% for the father and 6.9% for a brother). The relative weight for female versus male reported decision – making power is 33 to 67.
- » Women have a higher level of reported decision-making regarding livestock and poultry. The weight of women contribution to decision-making regarding livestock and poultry is 62.1% (59.1% for the female respondent mostly the wife, and 3% for the mother). For men, the weight is almost the same at 69.7% (68.2% for the husband, and 1.5% for the father). The relative weight for female versus male reported decision – making power is 47 to 53.
- » The weight of women contribution to decision-making regarding non-mechanized equipment is 31.6% (only reported for the female respondent mostly the wife). For men, the weight is 89.5% (73.7% for the husband and 15.8% for the father). The relative weight for female versus male reported decision – making power is 26 to 74.
- » The weight of women contribution to decision-making regarding -mechanized equipment is 10.3% (only reported for the female respondent mostly the wife). For men, the weight is 103.4% (79.3% for the husband, 10.3% for the father and 13.8% for the brother). The relative weight for female versus male reported decision – making power is 9 to 91.

Figure 7: Relative level of Decision-Making Power Regarding Land and Productive Resources

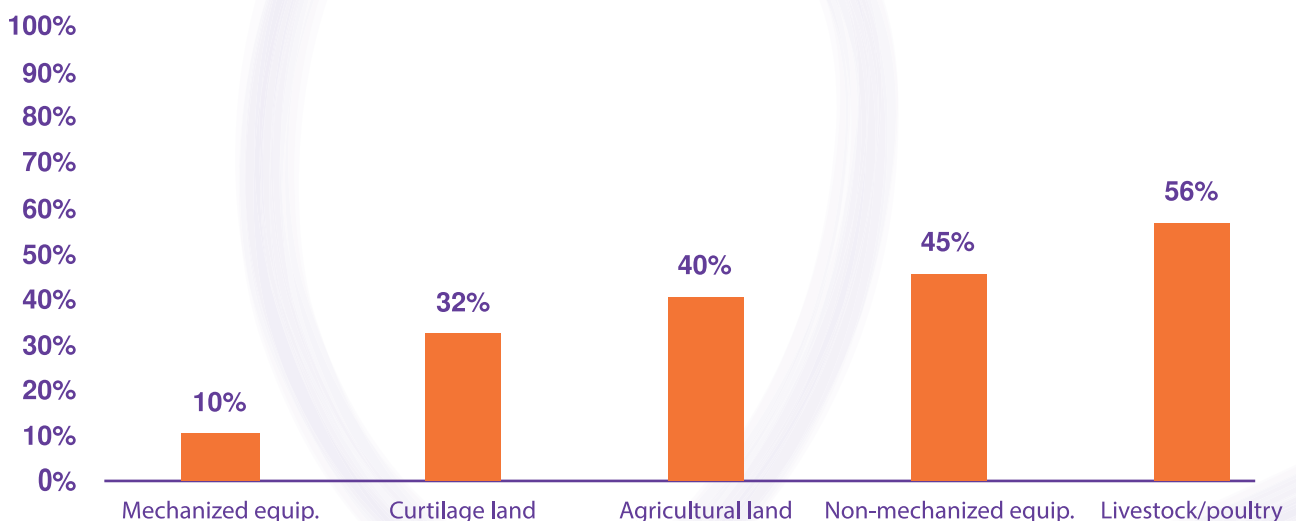


Access to Land and other productive resources

Women respondents were questioned about their ability to access land and other agricultural resources (e.g., benefit from the products and use to generate income and other livelihood means). The following data show the percentage of women reporting any level of access:

- » 31.8% of the female respondents report that they are able to access curtilage land, while 68.2% say that are unable to do that.
- » 39.7% of the female respondents report that they are able to access agricultural land, while 60.3% say that are unable to do that.
- » 56.1% of the female respondents report that they are able to access livestock and poultry sources owned by the family, while 43.9% say that are unable to do that.
- » 45% of the female respondents report that they are able to access non-mechanized farm equipment, while 55% say that are unable to do that.
- » Only 10.3% of the female respondents report that they are able to access mechanized farm equipment, while 89.7% say that are unable to do so.

Figure 8: Reported Level of Access to Land and Productive Resources by Women



Women in Gaza report higher levels of access (ability to use and benefit) in relation to curtilage land, agricultural land, and mechanized and non-mechanized farm equipment. Women in the West Bank, however, report higher levels of access to commercial land and other types of land.

While the vast majority of women do not own land, many of the ones who own face challenges in controlling and accessing (benefiting from) their land. This is especially true in the case of shared lands; land that is still disputed, property (private house or commercial building) on family land, and family home inherited from parents and resided by a male sibling. The following testimonies illustrate the paradox of ownership versus control and access:

“My brothers control all the commercial buildings that were inherited from my father; they work in the building and keep all the cash for themselves.” (48, Beit Jala, Bethlehem)

“For many years, our brothers refused to divide the land inherited from our father; they kept it fully under their control and deprived me and my sisters from entering or using the land. Every season, they give a small amount of olive oil trying to show to the community that they are fulfilling their duties to us.” (60, Village, Jenin)

“My brother controlled my mother; she loved and spoiled him as her only son; she allowed him to control, sell and buy the land. He was conspiring with some officials and bank officers to drain all of the bank accounts; they would lure our mother to sign any checks or documents for him.” (52, Village, Jenin)

“My mother is now unable to make any decisions on the land; she worked very hard with my father to buy and keep them; but my brother and his wife now control the land and enjoy the produce and the income and we are all out.” (54, rural town, Hebron)

“As my brothers decided to sell the family house where my ill sister used to live; we had no say as the new owners came into the house to claim their share; I had to take my sister in to live with me.” (47, Village, Jericho)

Box 6: Interviewed Women’s Expectations regarding Right to Inheritance

When women were asked to estimate the percentage of women in their communities obtaining their right to inheritance, they reported a rate of 40%. 50% reported that the rate is 30% or less, while the other 50% reported that it is more than 30%. 40% reported that the rate of obtaining inheritance is 50% or more, and only 19% reported that the rate is 70% or more.



Section Four:

Obstacles, Challenges and Opportunities

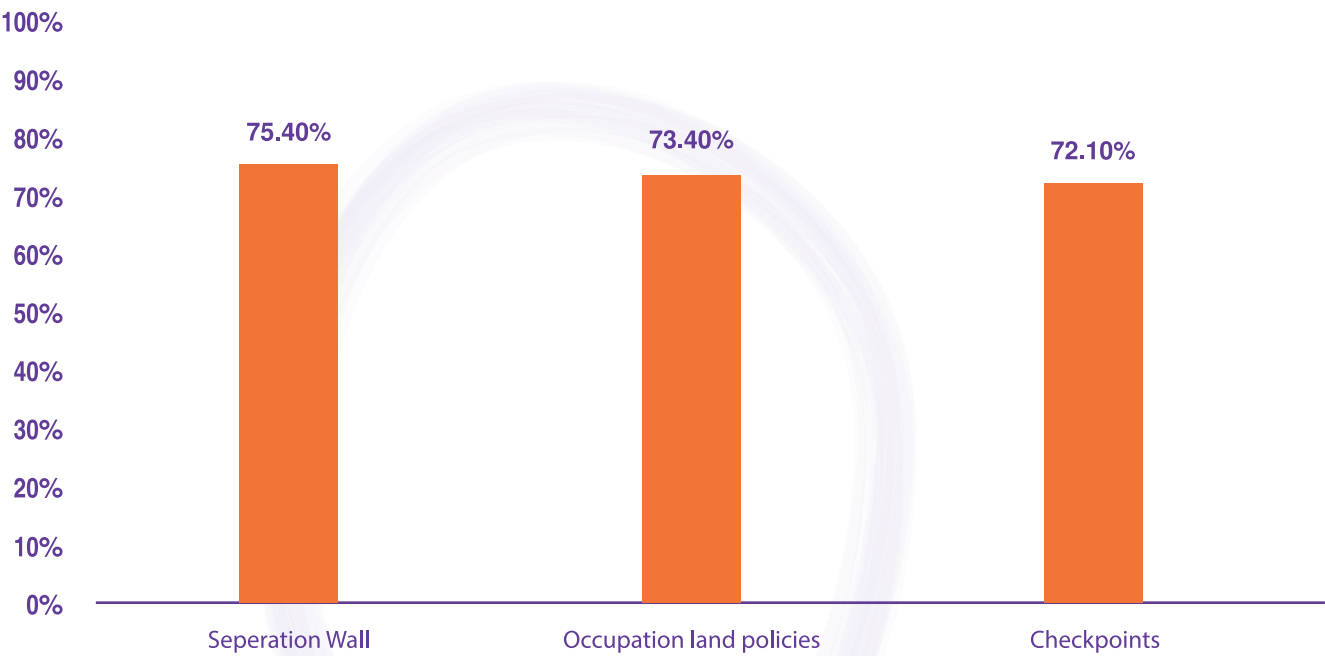


As the previous data indicated, Palestinian women face a wide range of obstacles in face of the ownership, access to and control over land. These factors are closely connected forging an intricate and complex web that entangles women in their pursuit to of their land rights. The following presents the assessment by women of the various political, legal, economic, social, and cultural obstacles. It is followed by an analysis of the interlinkages between them.

Political obstacles

Obstacles imposed by the Israeli occupation are of high relevance to discrimination against women enjoying their land rights. As much as 75.4% of women respondents consider the Separation Wall as an important obstacle. In addition, 73.7% consider Israeli land policies including land grabbing, zoning and land registration in Area C as an important obstacle. Finally, 72.1% of women respondents consider occupation-imposed checkpoints and road blocks as an obstacle.

Figure 9: Perceived Occupation-Related Obstacles



All of the above-listed obstacles are cited by women in the West Bank rather than in Gaza. The qualitative data provides further insight on the dual deprivation of women as related to the occupation, land expropriation, prevention from reaching agricultural and grazing land on the one hand and the familial and social factors where patriarchal relations prevail and are reinforced by the occupation’s actions on the other. A number of citations were made in the various sections of the report to show this mutually – reinforcing relation between colonialism and patriarchy.

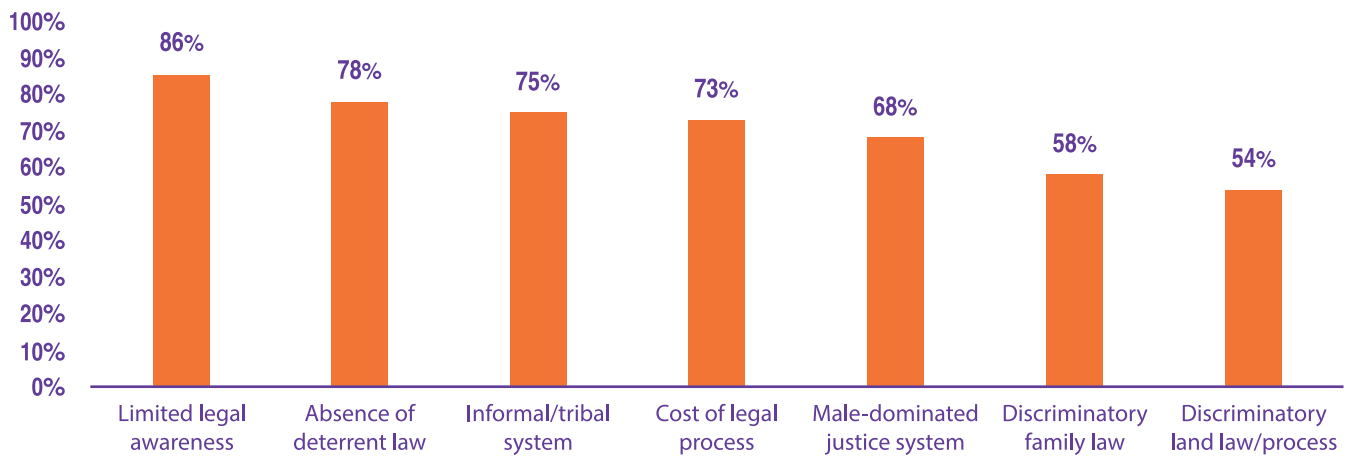
Legal obstacles

As the review of literature and the testimonies of women and experts confirm, the legal system is discriminatory and is not enforced to the benefit of fulfilling women rights. To women, the single most significant obstacle to women's ownership of land is the lack of awareness of legal rights among women (with 85.7% saying it is highly or moderately important). Women in the West Bank report this obstacle a higher level (87%) than women in Gaza (80%). Legal literacy is also a major issue. When reporting on their own level of knowledge, women respondents tend to be more optimistic, where 26% say that they have significant knowledge of inheritance rights as stipulated in the Palestinian law, and 25% say that they have some knowledge. As much as 49% of women respondents say that they have limited or no knowledge. Moreover, 59% have no or limited knowledge of sources of support and legal services related to land rights. Only 23% say that they have significant knowledge and 18% have some knowledge. In general, women in Gaza report higher levels of knowledge of legal rights, inheritance rights and legal services than women in the West Bank. Limited awareness is followed by the absence of deterrent penal law for land violations among women (78.4%). Women in Gaza report this obstacle a higher level (84%) than women in the West Bank (77%).

In Palestine, the informal system of litigation cases is surrounded with controversy and frequently considered as reinforcing injustice. For 75.1% of the women respondents, the informal tribal justice system compromises their rights. This obstacle is equally viewed as important by both women in the West Bank and in Gaza. One of the key issues in relation to the legal realm is the high cost of the legal process to register and adjudicate land cases (72.5%). Women in Gaza report this obstacle a higher level (92%) than women in the West Bank (78%). This obstacle is followed by the perception that the justice system is male – dominated (67.8%), with a higher level in Gaza (83%) than in the West Bank (64%). In sixth place is the role of the Personal Status Law in discriminating against women in marriage, divorce, child custody and other aspects of their lives (58.1%). Women in Gaza report this obstacle at a higher level (72%) than women in the West Bank (55%). The role of the land laws and processes that are discriminatory is also considered as an important obstacle by (54.1%) of the women, with 67% in Gaza and 51% in the West Bank.



Figure 10: Perceived Legal Obstacles



The above findings confirm the results presented in the previous section on land disputes, where more women in Gaza report higher levels of non-resolution or resolution of disputes to the benefit of the male family members, than in the West Bank. Experts and women respondents have listed and confirmed many of the above findings (as mentioned in other parts of the report). The following are additional dimensions of the legal obstacles as viewed by experts and women respondents:

“If a woman wants to buy and register a land in her name; she must think about the expenses of the process of registration and the fees. In some cases, women might register the land in the name of a male sibling to avoid the expenses that they are unable to afford as they have lower levels of resources.” (KI, 47, Female, Jericho and Jordan Valley)

“The law is too complicated and there is really no awareness about it even among the most educated. There are also loopholes and corruption within the litigation process and there is no protection for women, especially the less educated, from fraud.” (KI, Male, North Gaza)

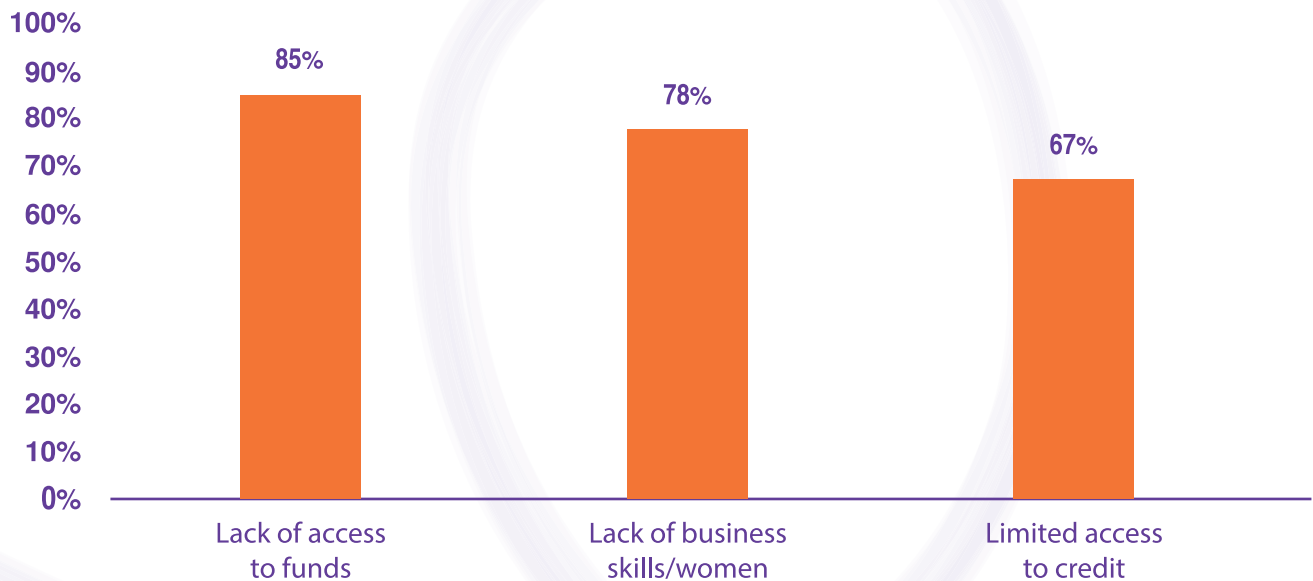
“Women believe that the law does not provide any rights for them; and even when they do, they think that the legal process is too complicated and long. They will do anything to avoid getting involved in a case that will take years.” (KI, Female, Hebron)

“I don’t believe in the law; it is biased and the police and judges will be on the side of the stronger - the man. It is all corrupted and women will not do well. That’s why I didn’t go the system.” (Female respondent, 42, Gaza)

Economic obstacles

As previous research confirms, the ability of women to enjoy their land rights are effected by their own level of economic empowerment, employment, income, financial savings, access to credit and extension services, and participation in decision-making around economic policies and programs. These are confirmed to be obstacles by the women who participated in the survey. 85.2% of them consider that the lack of access to funds is an important obstacle hindering their enjoyment of land rights. In addition, 77.9% consider that women's lack of economic and business skills to manage land and other productive resources is an important obstacle. Furthermore, 67.2% consider that women's limited access to finance and credit services is an important obstacle. In principle, majorities of women disagree with the dominant notions on the role for men and women in the economic sphere. 88% of women respondents disagree with the notion that a woman is compromising the economic well-being of her male family members if she demanded her right to inheritance. Only 12% buy into this cultural notion. In addition, 95% of women respondents disagree with the notion that when a woman obtains her right to inheritance she enriches other families on the expense of her original family. Only 5% agree. Among women, there is also little agreement with the notion that "males as breadwinners deserve inheritance," with 80% of women disagreeing with that, and 20% agreeing. Women vehemently disagree with the notion that they have less economic responsibilities and needs (97%), and as such they do not deserve inheritance. Women in both the West Bank and Gaza view economic obstacles at an equal rate.

Figure 11: Perceived Economic Obstacles



Box 7: Personal and Collective Economic Empowerment Predictors

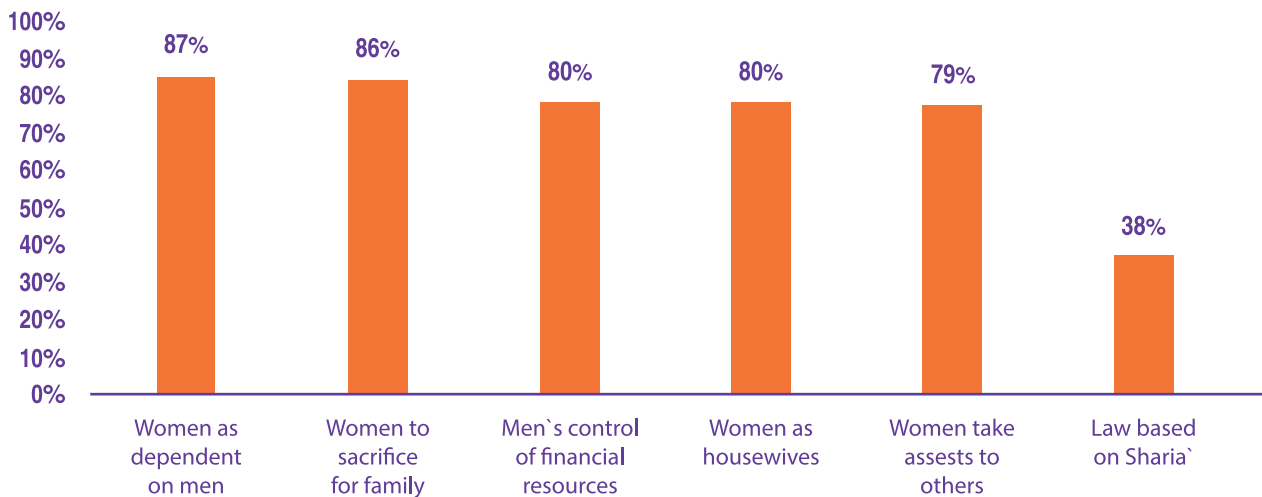
The study shows the following interesting correlations between personal and collective empowerment on the one hand, and land ownership and access to land:

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

Cultural, social and religious obstacles

Cultural values and norms, as well as patriarchal social arrangements and institutions (e.g., the family and marriage institutions -- as well as religious beliefs and teachings), are considered as the forces that grease the political, legal, and economic oppression of women. As the review of literature and the present research show that these obstacles are ingrained in the social and cultural fabric and will be most challenging to alter. Women respondents believe that the two most relevant socio-cultural obstacles are the notion that *“women are dependent on men and that men are obliged to provide for them”* (86.6%) and the notion that *“Women sacrificing their rights in fear of losing family support and allegiance and as a result of family and community pressure”* is an important obstacle (86.4%). As much as 80.4% believe that *“men’s control over financial decisions within the household”* is an important obstacle. In addition, 79.9% of women believe that the notion that *“women are best suited to be housewives and do not need to generate income or own assets”* is an important obstacle. Furthermore, 78.6% of women believe that the notion that *“women take family assets outside of the family when they get married”* is an important obstacle. To women respondents, the law based on Sharia’ is the least important obstacle, with 38.2% considering it as an important obstacle. This is confirmed through the widespread belief that woman should not be entitled to the same rights of inheritance as 65% of the women say they disagree or strongly disagree with equal rights.

Figure 12: Perceived Cultural Obstacles



Box 8: Cultural obstacles (Regional variance)

Generally, women in Gaza report higher levels of cultural and social obstacles than in the West Bank:

- » Women are dependent on men and that men should provide for them (94% to 74%).
- » Women are viewed as best suited to be housewives and don't need to generate income or own assets (91% to 77%).
- » The notion that women take family assets outside of the family when they get married (87% to 76%).
- » Equal percentages of women in both regions report men's control over financial decisions and women sacrificing their rights in fear of losing family support as obstacles.

The following statements by women testify to the role of social dynamics and cultural obstacles in challenging their ability to acquire land:

"Society believes that women are the responsibility of men; they don't need land or resources." (KI, Male, Jenin)

"I am married and my husband is doing very well; I don't need my inheritance, but my sisters do." (Female, 56, Rafah)

"Even a woman who is single and continues to live with her brothers doesn't need inheritance according to society; her brothers will pay for her expenses. This is wrong; they don't actually do that and most of all: why should she continue to be dependent on them all of her life." (KI, Female, Bethlehem)

"They say that my husband is well-to-do; it is shameful that I ask for my inheritance; even my husband feels bad about me asking for it; he thinks that I am doubting his manhood in the eyes of the community." (Female, 55, Qalqilya)

Box 9: Knowledge and Values and Land Ownership

The data reveal that there is a correlation between levels of knowledge and awareness of legal rights and services on the one hand and land ownership and access on the other.

- » 20% of women who say they have knowledge of their land legal rights report owning land, compared to 13% of women without knowledge. The same pattern applies to access to land, where 46% of women who have knowledge say that they have access to land, compared to 33% of women without knowledge.
- » A similar pattern applies to knowledge of legal support services.
- » The results on the relationship between values held by women on land rights and their land ownership and access are mixed. Women who believe that men deserve the full inheritance because they have responsibilities tend to report lower levels of land ownership and access (9.5% and 34% respectively) than women who believe otherwise (17% and 45% respectively). In contrast, the belief of a woman that it is necessary for women to own land is not correlated. Both women who hold this belief and those who do not own land at the same level. In fact, women who say that this is not necessary report higher levels of access to land. This might be a possible explanation for the cavalier attitudes of these women to ownership as they are convinced that their male family members will provide them with access (use of land and returns), and that might be sufficient for them. These findings might imply that land ownership, control and access are not about the attitudes of women, bringing the cultural argument into question (i.e., it is about the culture). They are, however, dependent on the level of discrimination against women (with positive or negative attitudes) and on all the above-listed structural variables relating to social, legal and economic circumstances.
- » Women who believe that men and women should have equal inheritance rights report higher levels of land ownership and access (19.5% and 50% respectively) than women who believe that women and men should enjoy land inheritance rights based on Sharia' (16% and 38% respectively).

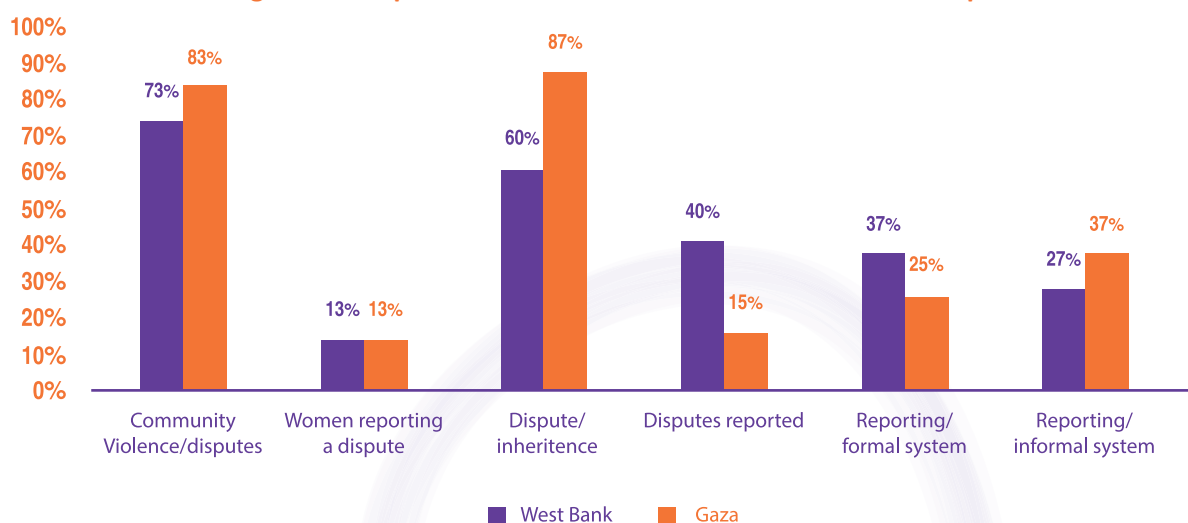
Land disputes, violence and resolution: Linkages between obstacles

While struggling to reach to their rights, a small percentage of women enter into disputes over land. The vast majorities of these disputes are kept within the family and end with women forced to accept the reality of deprivation. The findings show that women find themselves facing real disputes over land inheritance and partition, as well as registration. At each stage, women face immense pressures (direct and indirect) as will be explained below.

In general, estimates show that roughly 25% of cases before the courts are related to land disputes.⁶¹ The research data show that 13.2% of the women respondents report being involved in a family dispute over land. The majority of the disputes are around land inheritance (66.7%) and land partition – boundaries (25.6%). Other issues are land sharing, land registration and use of returns from the land. One third of the reported disputes were never reported and 34% were reported to the formal justice system, while 27% were reported to the informal (tribal) justice system. As much as 71% of the cases were never resolved, while 17.7% were reported to have been resolved to the benefit of the woman, and 11.3% to the benefit of the man.

Reporting on land disputes is equal in the West Bank and Gaza. More women in Gaza, however, report land disputes over the inheritance itself (86.7%) than in the West Bank (60.4%). In contrast, more women in the West Bank report disputes over land partition, registration, sharing and using of returns than Gaza (39.6% to 13.3%). More women in the West Bank report resorting to the formal system than the informal system (36.7% to 26.7%). The opposite is true in Gaza where women report resorting to the informal system more than the formal system (33.3% to 24.5%).

Figure 13: Disputes over Land in the West Bank and Gaza Strip



According to the key informants in both regions, this might be due to a number of factors:

“With the desperate living conditions, the increasing poverty rates and additional burdens on women; they have no energy or space on their agenda to go to the formal justice system and demand their rights.” (KI, Female, Gaza)

“Women do not trust the justice system here; it is male dominated and they are frowned upon when they go to seek support or litigate a case.” (KI, Male, Gaza)

“The justice system is more established and there are more checks and balances; with women organizations and the Ministry of Women Affairs serving as watchdogs, women feel safer seeking justice.” (KI, Female, West Bank)

“Women in Gaza have less financial resources to spend in court cases and as such refrain from resorting to the court system.” (KI, Female, Gaza)

As for the informal (tribal) justice system, a few women interviewed confirm that they resort to it only after they exhaust attempts with male family members and with extended family dignitaries. Women who do that have already accepted that their relation with their male siblings and their families will never be the same. When women resort to external informal and formal institutions, it almost always leads to severing the relation with the siblings involved in the case and in many cases high levels of antagonism:

"I had no choice but to resort to the tribal dignitaries; they have ruled that I am deserving of my share according to the law and Sharai', but my brother would not change his mind. He used other dignitaries to fight me and he incited relatives to shun me and hit my children." (54, rural town, Hebron)

Most women who resorted to the informal system report negative results and repercussions, where the dignitaries would side with the male members or would use the case to extract money from the side that is willing to pay more:

"I knew that my brothers have done everything to strip me from my rights; my son helped me reach out to the leaders of reconciliation. Not only that they have done nothing, but they used the information I gave them against me and sided with my brothers." (58, Female, South of Hebron)

This is partly confirmed by the survey data where 80% of women in Gaza with land disputes say that they have never reached a resolution, compared to 68% in the West Bank. More women in the West Bank report that the dispute was resolved to their benefit (19%) than in Gaza (13%).

The survey findings, as well as the qualitative data, confirm increasing violence resulting from land disputes. Among the surveyed women, three quarters believe that violence resulting from land disputes is high or moderate in their communities. In addition, 19% believe that this type of violence is existent but at a low level. Only 6% believe that there is no such violence. In contrast, only 15% of the surveyed women say that the level of violence within their own households is high or moderate, and 26% say it is low.

Box 10: Gender-Based Violence and Land Ownership

It is alarming to find that land ownership among women is higher within families and communities that are described as having higher levels of violence. This might be due to what the qualitative data revealed previously where women's demands for their land rights are faced by violent reactions at the level of the household and the level of the community at large.

- » Women who describe the level of violence within their households as high tend to have higher levels of land ownership (21.1%) than those who describe it as low (15.9%).
- » More alarming is the direct correlation between perceived level of community violence around land disputes and land ownership. Women who describe the level of community violence as high tend to report higher levels of land ownership (24.3%) than women who describe it as low or non-existent (6.3%).

- » This also confirms that many women must fight for their inheritance legal rights. Women who demand their inheritance rights while facing arduous challenges have a higher probability to obtain their inheritance. For example, women who were involved in a land dispute have a higher chance of owning and accessing land (26.5% and 55% respectively) than women who were not involved in a dispute (15.3% and 39% respectively).

Taken all together, these obstacles form a vicious and layered cycle that women must persistently navigate in their struggle to fulfill their rights. While a small percentage reach their goals, most have to give up their pursuit of their rights. The qualitative data provide deeper understanding of the obstacles and their connection to violence against women. The data also sheds light on the multiple direct and indirect use of violence, threat of violence, emotional, social and community pressure to prevent women from enjoying their land rights. The following are typical stories of women who were exposed to varying and mutually – reinforcing forms of violence and pressure to achieve the ultimate form of violence (i.e., deprivation of the right to land):

“After my husband died; I was left with no children of my own; his sons from his previous wife were old and the oldest of them was controlling everything. He refused to give me any of my inheritance, but accepted that his father titled a room on the building in my name. Nothing else he was willing to give me. I sought to get my share and asked dignitaries and lawyers; most discouraged me and instead encouraged me to accept my faith; live in a room, get a very small allowance and that is my life. Everyone was shocked that an older woman without children would insist on having her inheritance right. My husbands’ family shunned me; the older son threatened, hit and defamed me. My own family asked me to accept otherwise they will sever their relation with me. The neighbors and relatives treated me like dirt that they want to get rid of; no one visits me and I am totally isolated.” (58, North of Gaza)

Deprivation of land rights is accompanied with other forms of discrimination and injustice. In addition, it is not only directed at women. Discrimination and bullying to force women to give up on their share is also directed at other weaker members of the family including younger brothers:

“The discrimination and injustice against me continued throughout my life; I was viewed by my family as a burden. After many years and a number of children, my mother remembered that my husband and I breastfed from her at the same time; hence, he is my brother. We had to get a divorce. I was separated from children and placed in a small room in my younger brother’s house (which is my father’s house). When they decided to start splitting the inherited land and other property; my older brother started pressuring me to give up on my right and sign papers for him that give him the full right to the inheritance. My younger brother was weak and he was also treated badly. It is ironic that the wife of my older brother received her fair share of inheritance from her parents; and now she is also enjoying our share from my own father. When I, with my sister, ask for our share, my older brother would hit, threaten and call us names. He makes sure that no one helps us. When we go the police, he has friends there; when we go the local council, he calls and makes threats. No one wants to be involved and no one is able to protect us.” (62, Village, Jenin)

Familial and social violence is multiplied and greased by additional factors such as the occupation and the legal actors:

“My sister’s house is near the borders; it was destroyed by the bombardment. 18 years after my father died, we had to ask for our share in the land so that she would be built in an area far from danger. I made sure that I support her but without anyone noticing, in fear of retaliation from my brothers. At that time, my brother asked me to sign papers at the lawyer’s office who read a script that says that I am entitled to my share, I signed. Later I found out that they lied and defrauded me from my land. I could not speak loudly as my daughter is married to my brother’s son and they will send her home if I do anything about it. Eventually, they kicked her out of their house and she stays with me now. It has been 5 years since the case started; my sister and I are still waiting; most of those who see me in the court frown at me; I am still waiting for a verdict.” (48, Gaza east)

In most cases, the study found that women avoid bringing their own sons into the dispute out of fear of potential violence inflicted on them by their uncles. Others feel that the husband and sons should stay out of the dispute as it is a (*private matter between brothers and sisters*):

“I tried not to get my sons involved in my case, but my brother has a son who is a lawyer and daughter who is a police officer. They both were using all of their connections to make sure that we are unable to pursue any legal or tribal option. With some of their connections, they framed my son to be smoking weed; as he was coming out of the court building with me, he was smoking cigarettes and everybody could see that, but still the police officer insisted that he is smoking weed. He spent time in jail and then was released on bail. We have been busy with his case for the past two years. My nephew and niece keep sending us messages that there is more of this if we insist on pursuing our case. They use the incident with my son to defame us and people believe them.” (57, rural town, Hebron)

The most paradoxical form of violence is when society and its various institutions coalesce to convince (coerce) women that they should give up their rights out of their own will where they consider that as the righteous and religious thing to do. The feeling that women should not ask for their share from their male siblings is widespread and viewed not only as the socially – correct practice to do, but also as necessary to preserve social and family cohesion.

Among some women, their own religious beliefs play a role in encouraging them to concede their rights:

“I know that God wants them to give the right to the land; I forgive them and pray that God will also forgive them.” (48, rural town, Hebron)

For others, the social stigma and shaming are paramount in explaining their land concession:

“I would never challenge my brothers to the land inherited from my father; it doesn’t matter if they take it all; they should; I will not appear to be disrespectful, ungrateful and discordant in my community.” (56, Khan Yunis)

Many women feel that, not only that they should agree to conceding their right to inheritance, but they should play an active role in protecting them from any legal due process and shielding them from any negative social stigma:

“I would do anything not to lose my brothers; they can take anything and I will never ever complaint, or go to strangers including the courts to expose them. My brothers are the backbone of my existence.” (45, Village, Qalqilya)

Opportunities and enabling factors

The survey shows some insights that are congruent with high levels of awareness and agency among women. For example, 96.6% believe that women must own land (e.g., to be formally registered in her name). The rate is slightly higher in the West Bank (97.2%) than in Gaza (94.1%). In contrast, 3.5% do not believe that that is necessary (2.8% in the West Bank and 5.9% in Gaza). Other signs of awareness and agency are the following:

- » 71% of women respondents believe that they are able to participate in community life. The rates are similar in the West Bank and Gaza.
- » 65% believe that they are able to access legal protection services if they needed to. It was noticeable that women in the West Bank report higher levels of ability to access legal and protection services than in Gaza (69% to 45%).
- » 60% believe that they have the education and skills that enable them to work if they wanted. The rates are similar in the West Bank and Gaza.
- » Significant majorities of women in both the West Bank and Gaza believe that owning and accessing land and other productive resources is important to the improvement of the livelihood of the family and the woman herself. They also believe that owning and accessing land improves women’s ability to participate in decision – making at all levels. Nearly, 88.4% believe that owning and having access to land and other productive resources improves women’s security and decreases her vulnerability to gender-based violence. This is coupled with increasing the level of her self-confidence.
- » Less than 1% of women respondents believe that women should not be entitled to inheritance. In contrast, 91% believe that women should be given a share based on Sharai’ (94% in Gaza and 90% in the West Bank). It is also interesting to find a minority of women (8.3%) supporting full equality between women and men in inheritance (9% in the West Bank and 6% in Gaza).



Section Five:

Recommendations



The following section provides recommendations at the policy, legislation and enforcement levels. It also provides recommendations related to programming and designing of projects, interventions, and capacity building initiatives at the levels of community dynamics, awareness, knowledge and social norms.⁶²

Drivers of Policies and Interventions

1. Work with policy makers and advocates for **a broader conceptualization of land rights** and access to productive resources in order to ensure that women enjoy their rights in practice. Such a conceptualization must entail policies that are pro-poor, gender inclusive, and responsive to human rights. A human rights-based approach is normatively based on international human rights standards and operationally directed to promoting and protecting human rights at all levels. In addition, equal land rights must be engrained in the legislative frameworks in the Palestine (e.g., the Basic Law/ Constitution).
2. At the level of **international and donor funding policy directives**, it must be emphasized that land ownership, control and access by women might not be separated from the collective enjoyment of resources by all Palestinians. Work to provide Palestinians with control and access to lands and resources in Area C, East Jerusalem, and Access Restricted Area in Gaza is necessary for all Palestinians to enjoy their human rights and will have positive impact on the fulfillment of human rights for women and other deprived groups in society.

Policy and Legislations

3. Ensure that women and women's rights groups/collectives **have full and accurate information about decision-making processes** relevant to land and agriculture, and are able to benefit from capacity-building in this regard in order to ensure that their participation in decision-making is informed, active, meaningful and effective.
4. At the strategic level, work for **complete and full equality in land ownership**, control and access. In the short and medium term, however, **work to improve the present laws**, their enforcement, and prohibit discrimination against women in relation to access, use and control over land and other productive resources on the basis of inter alia gender.
5. Ensure that new legislation provides for the **amendment and/or removal of provisions contained in other related areas of law**, such as civil codes, personal status, family and marriage law, property law, housing and/or land law that contradict with the implementation of land rights.
6. **Enact a law to ensure empowerment** of Palestinian women to access their right of inheritance.
7. Continue to implement the Circular on Takharuj (women concession of land rights), **restrict implementation of Takharuj**, and ensure that parties to Takharuj transactions fully understand their rights.
8. **Reduce and/or postpone court fees** in inheritance cases with a view to facilitate women's claim of their right of inheritance.

62 Some of the recommendations are based on, or place emphasis on, previous work in this field including UN Women/OHCHR and WCLAC, 2014. They are also based on recommendations provided by representative of government and non-government institutions consulted during the research process.

9. Ensure that women, especially, those who are subjected to gender-based violence and divorcees enjoy security of tenure and that they have **“a right to reside” in their marital homes**.
10. Create **gender-sensitive and effective enforcement mechanisms**, such as special police units, to ensure that women are able to claim their rights to land when they have been subjected to eviction, disinheritance or property-grabbing.
11. Establish **a special department of inheritance** with a view to distribute estates. Accordingly, heirs do not need to provide special procedures in line with certificates of succession issued by Sharia and ecclesiastical courts, ensuring equitable distribution of estates.
12. Policy makers and legislators must be encouraged to **involve the most vulnerable and marginalized in policy formulation** and hold accountable those who have a duty to act. Women and rights-based organizations must identify rights-holders and their entitlements and corresponding duty-bearers and their obligations. It promotes strengthening the capacities of rights-holders to make their claims and of duty-bearers to meet their obligations.
13. Provide for the **full participation of women**, based on their informed, active, meaningful, and effective engagement in the formulation of laws, policies, and programmes and ensure that women and women’s rights groups/collectives are effectively represented on equal terms with men in all decision-making structures relevant to land and agriculture, including in mechanisms that have a voting function.
14. Ensure **the joint administration of marital property**, particularly as related to immovable property, and ensure that clear consent requirements are in place for the transfer or sale of such property, requiring the informed written consent of spouses.

Institutional Development and Capacity Building

15. Work with the staff of the Land Authority (LA) to promote their understating of the gender dimension of land ownership, control and access. Training and awareness targeting the staff of the LA must be based on an assessment of the real, day-to-day actions that discourage women from approaching the offices of the LA in the different regions. In addition, the staff of the LA, other actors such as land brokers, lawyers and surveyors must be included.
16. With that, ensure that titling and registration practices and processes are accompanied by effective awareness-raising initiatives aimed at educating women and men about women’s rights to access, use and control over land and other productive resources.
17. Closely related is the ongoing land settlement efforts are significant in terms of potentially changing or reinforcing gender discrimination. Immediate efforts must be exerted to prevent any potential pressure on, and discrimination against, women in the targeted communities. Such efforts need to include: the preparation of an immediate position paper on the issue; the organization of meetings and workshops on the issue involving all relevant actors and influencers; and the conduct of a media campaign to counter the various forms of trickery that is used to manipulate women to give up their land rights.
18. Establish a specialized support unit that works with women in providing legal, social, and personal support in case of disputes over land and other productive resources.

19. Establish a national working group on land, productive resources and gender equality. This group might include government ministries and agencies such as Ministry of Women Affairs, Ministry of Justice, Ministry of Economy, Ministry of Agriculture, PLA, LWSC, Palestinian Energy and Natural Resources Authority, Palestinian Water Authority, PCBS, as well non-government organizations including women and legal service providers. This group might be mandated to improve the enjoyment of rights by women in relation to land and productive resources through advocating with policy makers and legislators, as well as improve the quality of data and sharing of information and experiences, and networking between organizations that are interested in this field.

Economic Empowerment

20. Provide women with effective and gender-responsive access to agricultural inputs, including seeds, tools, and equipment/resources for farming.
21. Develop programs that promote women's economic empowerment, employment opportunities, income-generation activities, financial savings, access to credit and extension services, and participation in decision-making around economic policies and programs
22. Work with government and non-government organizations and their field staff who work with women and ensure that agricultural extension services respond effectively to women's needs and reflect women's rights to equality in access to, use and control of land (adopting a do-no-harm principle at minimum, in addition to an empowerment approach).
23. Provide training in women's rights, gender mainstreaming and participatory gender planning for all authorities and institutions responsible for land administration and tenure.

Awareness and Legal Literacy

24. Ensure that all women benefit from **legal literacy campaigns** and are able to access formal avenues of justice that protect their rights.
25. **Provide religious and customary justice authorities with training on women's rights**, as well as other relevant support, in order for them to effectively protect women's rights within the scope of their jurisdiction and encourage fair decision-making about women's land rights. In addition, provide support for women who suffer from discrimination within the customary justice sector.
26. Work with a select group of customary and religious leaders to **raise positive awareness** within their own communities about women's rights to land and other productive resources.
27. Promote a positive conceptualization of **the term (head of household)** as it relates to formal and informal (paid and unpaid roles) and ensure the role of women in reproductive, productive, social and political spheres are highlighted and counted as contributions to the household. This must be connected to and aligned with a regime of rights that are binding through the laws (in the short term) and the social norms (in the long term).
28. Raise awareness and **discourage the practice of inheritance renunciation** and educate women and men about the negative impact of this practice.

29. **Organize public awareness campaigns** (for example, via television, radio, print media, and the Internet) to inform the public about women's rights to access to, use and control of land and other productive resources, distributing such information in local languages.
30. **Support legal literacy** on land rights among women while ensuring its accessibility to women in remote and marginalized areas.
31. **Promote the role of civil society and women organizations** to play their role in guaranteeing the women enjoy their economic rights in general and land rights in particular. This requires the capacity building of these organizations to mainstream gender and land rights into their strategies and outreach programs.

Data and Research

32. Support the continuous collection of **gender-sensitive data and sex-disaggregated data** on access to, use, and control of land and other productive resources and also ensure disaggregation of data on other relevant grounds, such as gender and disability. In addition, ensure that upcoming agricultural census, planned by PCBS, focuses attention on areas in which women are relatively more active, such as small-scale farming. In addition, data on size, type and quality of land must be emphasized.
33. Support the PLA to assess its data needs and establish a mechanism that will allow for analysis based on various variables including gender, age and disability.
34. Support the LWSC to further improve its data collection systems and ensure the availability of data based on gender analysis.
35. Support the intended conduct of a gender analysis of the efforts of the LWSC since 2016.



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Annex 2: Sample Details

The study was conducted in the following governorates and communities in the West Bank based on the justification provided in the Table below:

#	Governorate	Relevant information	#	Target communities	Relevant information
1	Jenin	<p>Pop. Size is 308,088</p> <p>36% of the population lives in communities with less than 4000 residents</p> <p>According to the Minister of Agriculture Jenin has the highest level of contribution to national agricultural production</p> <p>Agricultural land: 208,352 dunums</p> <p>Males own 86.3% of the land and women 6.7%; 7.3% mixed</p>	1	Qabatiya	Has the largest land size
			2	Kuf Dan	Near the planned industrial zone
			3	Barta'a & Anin	Isolated and affected by the Separation Wall (Seam Zone)
2	Qalqilya	<p>Pop. Size is 111,425</p> <p>35% of the population lives in communities with less than 4000 residents</p> <p>Qalqilya was selected by the present Ministerial Cabinet as the agricultural investment cluster</p> <p>Agricultural land: 76,416 dunums</p> <p>Males own 87.6% of the land and women 7.1%; 5.3% mixed</p>	4	Azoun	Largest rural population and has access issues
			5	Kufr Qadoun	Land expropriation and high level of confrontation with the occupation
			6	Nabi Elias	Highly agricultural and rural
3	Jericho – Jordan Valley	<p>20% of the West Bank land</p> <p>Pop. Size is 49,568</p> <p>32% of the population lives in communities with less than 4000 residents and most have Bedouin social backgrounds</p> <p>Jericho is highly targeted by both settlement activities and Palestinian investments</p> <p>Agricultural land: 40,212 dunums</p> <p>Males own 84.3% of the land and women 5.7%; 10% mixed</p>	7	Jiftlik	Rural/agricultural village with a Bedouin nature
			8	Ouja	Near the planned industrial zone and attractive area for investors
			9	Fasayel	Highly affected by land expropriation and settlements
4	Bethlehem	<p>Pop. Size: 215,514</p> <p>Agricultural land: 52,910 dunums</p> <p>Male land ownership (89.3%) compared to 6% for females and 4.7% mixed.</p> <p>Has the largest proportion of non-agricultural land (relative to overall land size)</p>	10	Beit Jala	Close to the Separation Wall and high level of land expropriation
			11	T'qou'	Has the largest proportion of non-cultivated land
			12	Hendazah	Near the industrial zone
5	Hebron	<p>Pop. Size: 705,053</p> <p>Agricultural land: 210,523 dunums</p> <p>Has the largest male land ownership (90.1%) compared to 5.1% for females and 4.8% mixed.</p>	13	Beit Ummar	Highly agricultural
			14	Thaheiya	Has the largest proportion of non-cultivated land
			15	Tarqumia	Near the industrial zone

Moreover, the study was conducted in the following governorates and communities in Gaza Strip based on the

justification provided in the Table below:

#	Governorate	Relevant information	Target communities
1	North – Beit Hanoun	Border area is highly susceptible to Israeli attacks and involve more limitations over access to land - access restricted areas; with relatively considerable agricultural land and production	Beit Hanoun
2	Middle - Khan Yunis	Traditionally agricultural area, with high levels of advanced and large-scale agricultural activities; with traditional family ownership	Abasan Al Kabeera
3	South - Rafah	Rafah is where the export and important to/from Egypt is concentrated; a new port is envisioned, and the existence of the (destroyed) airport; it is also an important fishing region	Rafah city (boarder and rural marginal areas)

Annex 3: List of Key Informants

N.	Name of Key Informant	Institution
1.	Ilham Sami	Ministry of Women
2.	Amro Nasser	Land and Water Settlement Commission
3.	Muna Bei'rat	Land and Water Settlement Commission
4.	Abed AlHadar	Land and Water Settlement Commission - Tarqumia
5.	Nehad Awad	Palestinian Land Authority
6.	Tel'at Abu Rjeleh	Municipal Council Member – Khan Yunis
7.	Sabah Al Qara	Director of Beit Almstaqbal Association – Khan Yunis
8.	Omar Abu Shlouf	General Union of Palestinian Peasants/ Al-Mawaasi Agricultural Association – Rafah
9.	Munir Al Behdari	Lawyer - Gaza
10.	Tahani Al Jamal	Member of Union of Palestinian Women's Committees - Northern Gaza
11.	Abu Fadi Abed Rabbo	Local Council - Northern Gaza
12.	Louai Khalif	Village Council Secretary – Nabi Elias
13.	Muna Matar	President of Al-Aseel Heritage Association for Women Member of Agricultural Committee at Beit Jala Municipality
14.	Suad AlSha'er	Director of Social Rehabilitation Center at Tuqu' Municipality
15.	Mohammad Raba'	Mayor of Thahereyyeh Municipality
16.	Ibrahim Ibedat	Head of Village Council /Community Leader
17.	Lubnah Masa'id	Head of Women's Center at Al-Auja Municipality
18.	Amal Barham	Deputy of Kufur Qaddoum Charity Women's Association
19.	Ameen Mer'i	Kufur Qaddoum Association
20.	Salem Abu Mefreh	Mayor of Tuqu' Municipality

Annex 4: Focus Groups

N.	Region covered	Target Group	Number of Males	Number of Females	Totals
1.	Bani Na'im – Hebron	Females	0	14	14
2.	Khan Yunis - Gaza City	Females	0	16	16
3.	Gaza City	key informants (including members of local councils, community leaders, women activists, journalists and lawyers)	8	2	10
4	Ramallah	Key informants (including representatives of Ministry of Agriculture, Ministry of Women Affairs, Ministry of Justice, Palestinian Water Authority, Palestinian Agricultural Committees, Palestinian Hydrology Group “PHG”)	1	6	7

Footnotes

1 The study will show varying rates of land ownership depending on base year. But mostly indicating that there are varying definitions for land ownership and the type of land referred to. Still, the reported shares are low.

2 Palestinian Central Bureau of Statistics (PCBS). (2010). Agricultural Census. <http://www.pcbs.gov.ps/Downloads/book1818.pdf>

3 The research team did not find any similar data on Gaza.

4 OECD, 2011. Please also refer to: SIGI-OECD, 2014. Gender Index, Palestinian Authority. <https://www.genderindex.org/wp-content/uploads/files/datasheets/PS.pdf>

5 Other type of land referred to land that is arid, inaccessible for various reason including land annexation by Israel or family disputes, land in Area C, access-restricted eras (all of them are more widespread in the West Bank than in Gaza).