



**Arab American University**  
**Faculty of Graduate Studies**

**Land Development Strategies for Real Estate Investment  
in the West bank and Gaza Strip**

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requirements for the Master's degree in Strategic Planning  
and Fundraising

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# **Land Development Strategies for Real Estate Investment in the West Bank and Gaza Strip**

By

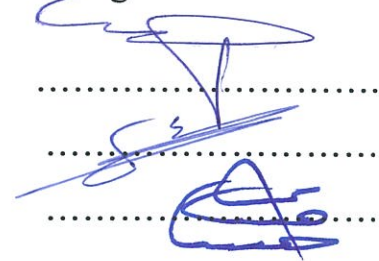
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**DECLARATION**

This document submitted to the faculty of graduate studies, Arab American university, this is to certify that this thesis has not been submitted for any other university or institution.

Rasha Tarawa



**Dedication**

*To my parents, my great husband; Mohammed and to my lovely daughters Malak, Noor, Lour and my lovely son Omar for the power you gave me.*

## **Acknowledgments**

I would like to pass my great thank to those who supported me to complete this thesis, my great thanks to my supervisor Dr. Ahmad saleh Sadaq for his support, proper directions and instructions.

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Rasha Tarawa

## Abstract

This research examines the effective land development strategies with a relation to real-estate investment in Palestine. This research is focusing on the “**Right to Development**” for the Palestinians: as all people have the right to “economic, social, physical, environmental, institution and cultural development”, which is considered one of the major obstacles in Palestine. The study investigates the feasible strategies for land development, searching for effective and efficient techniques that help in achieving this purpose. Further analysis for the relationship between land development as a sector and optimizing a fairish sustained point in real-estate investments will be targeted, including means of international and local cooperation for the aimed development. The study includes a comparison to the similar experiences for different countries and the applied strategies there. The analysis draws on data from the Palestinian Ministry of Local Government Annual Report of Palestine, the Palestinian Central Bureau’s of Statistics Annual Survey, and data from the Ministry of Finance and Planning (MoF). For the examination, qualitative methodology is applied. This includes conducting interviews, based on open-ended questions with all the stakeholders- Delphi model. The points of view expressed relate mainly to the real-estate sector in Palestine. For more theoretical analysis, different theories, articles, and studies are used. The findings improve the understanding of land development and its importance to real-estate growth and investment. They also contribute to the literature by providing a test of the effectiveness of land development strategies in the best and worst economic periods, considering the foreseeable future of economic development and keeping an adequate standard of living. They also highlight potential problems in existing studies on the same topic.

The most important suggested strategies to develop the land sector in west bank and Gaza strip are; Complete settlement and land registration process for all Palestinian lands, maximize use of technology to develop land information system in Palestine to deliver high quality land

services, Enhance and create opportunities that encourage investment in land development projects.

**Keywords:**

right to development, real-estate, investments, land development, natural wealth, development strategies.

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### Abbreviations and Acronyms

Abbreviation	Description
PLO	Palestine Liberation Organization
GPS	Global Positioning System
GIS	Geographic Information System
FIG	International Federation of Surveyors.
SDI	Spatial Data Infrastructure
LAS	Land Administration System
GDP	Gross Domestic Product
IHL	International Humanitarian Law
PLA	Palestinian Land Authority.
MOLG	Ministry of Local Government
UCI	Union Construction and Investment company.
ZSIN	Zintegrowany System informacji o Niemchomosciach – integral real estate information system.

## **Chapter One**

### **Introduction**

Planning is considered a core stone in any development programme. It must be integrated into all developmental sectors for any state starting from, urban development to economic development, physical, environmental, institutional and social development. Effective strategic planning for development programme ensures better application for the Sustainable Development Goals (SDG's) and thus more sustained development. Palestine suffers from lack and insufficient development for the land sector. A tremendous ignorance can be noticed for Palestinian lands mainly the infrastructure of the lands. Several local analysts refer this ignorance to the limitations imposed on the Palestinian, focusing mainly on the political situation. One of these limitations is land categorization for areas A, B, and C, which was one of the articles of Oslo Accords (1993). As a result of signing the agreement between the Palestinian Authority and Israel, most of the lands were under the control of Israel for a period of time mainly 18 months. This agreement came after a long and continues conflict between Palestinians and Israelis on lands. As land in Palestine was considered and still the main conflict issue between Palestine and Israel, seeing it a resource for a great wealth with great value. Developing and protecting land according to the Palestinians ensure their right in the Palestinian land

Palestinians increasing demand for a holistic package of development urge new effective strategies, in order to meet this continues demand. Developmental projects in Palestine have a challenge of providing Palestinians with organized cities by mainly focusing on urban planning, modern expanded roads, public squares, parks, markets, and hospitals. However, availability of lands due to political reasons, the concentration of investment in urban areas, the persist increasing of lands prices and apartment, and finally the absence of land management shade the light on the importance of creating devising land development strategies which take into consideration all areas without being exclusive to cities.

With increase in the population, increase in housing, increase in tourism, and increase in the economic activities, equipping lands with the needed infrastructure is a must. High technical design specifications needed such as those related to water systems and other utilities like electricity, cable, fiber optics, GPS and

GIS technologies. This research will utilize qualitative methods including data collection, previous studies, and review of relevant literature, field visits, individual meetings, and interviews will be carried out. The collected data by the interviews will be analyzed with a reference to different researches analysis also. Also, an analysis of the current situation in Palestine using SWOT and TOWS Tools to highlight the main findings related to land development strategies in Palestine. The main purpose of this research is to develop strategies for land development in Palestine.



### **1.1 Problem statement**

The land is considered the main conflict between Palestine and Israel. Land development is a vital aspect needed in achieving the Palestinian right of building the own dependent state on the lands. Therefore, land development must be included and declared in the Palestinian sustainable plan

Land sector in Palestine was exposed to various changes, contributing at the end to have it as it is now. It was affected by several changes and factors which contribute to its uniqueness. One important factor is summarized by having different mandates and occupation powers on the land. Thus, this contributes to different having laws and legislation, land categorization, land registration, and urban planning style and techniques. Also, the delay of starting up land registration processes in Palestine which were accompanied by the socio-political situation had a negative effect on land development, leading to land mismanagement and to increase randomization inside and outside urban cities.

Weak infrastructure is the main obstacle facing land development in Palestine. Palestinian population is growing rapidly with having limited lands which are due to occupation and political agreements. Furthermore, the increased land prices as a result of concentrating the economic activities in the main cities and taking it governmental spots in expanding the land problem in Palestine

Thus, land investment was in lined with land development. Factors mentioned before were affecting investment of land as well as land development, showing the unstable political situation as an important factor with an immense negative effect. The unstable political situation led to various fluctuations in the Palestinian economy in general. Also, the Palestinian economy was affected by the fragile legal framework, deprived Palestine of evolving national and foreign investment in the county. The goal of this research is to devise land development strategies for real estate investment in Palestine.

### **1.2 Research objectives:**

The main objective of the research is Devise strategies for land development in the Palestinian real estate investment market.

To achieve this objective, the researcher:

1. Study the land sector in Palestine including, categorization, geographical, political, and physical challenges.

2. Study the current process of land registration, land administration, and land development.

### **1.3 Source of data and data allocation methods:**

- Secondary Data: a mix of data related to land development and land management from different resources including previous studies, reports, and articles
- Primary data: Interviews with targeted stakeholders including experts and analysts in land management field. The interviews are based on open-ended questions, collecting by that data needed which help in answering the research question.

### **1.4 Thesis structure:**

The thesis is organized into five chapters. Below is a brief description for the content of each chapter.

#### **1. Chapter one: Introduction:**

Provides the research context and background, describes briefly the problem statement, explanation the research objectives, data sources, the research framework within which the study was executed.

#### **2. Chapter two: A Literature review**

It shades the light on literature available on land development and land management, providing by that a conceptual and theoretical framework for the ongoing arguments around this topic.

#### **3. Chapter Three: Land Development in Palestine**

This chapter studies the situation of land management and land development with all core element, historical view and current situation analysis.

#### **4. Chapter Four: Methodology and Data analysis**

This chapter includes Methodologies followed in this research is described in this section, explaining data collection and analysis mythologies, analysis of the collected data which is based on structured interviews, SWOT, and TWOS analysis, proposing by this analysis effective strategies for land development in Palestine.

#### **5. Chapter Five: part one: Proposed strategies for land development in the west bank and Gaza strip.**

**Part two: Recommendation and future studies.**

## **Chapter Two**

### **Literature Review**

#### **2.1 Introduction**

Land development strategies held a controversial position in different studies. There is an extensive body of literature pointing out the need for effective land development strategies and its relation to land administration, land regulations, land tenure, and land governance. Several studies depict the importance of good land management on the economy, especially real-estate investments.

The paper follows the subsequent structure: first, it presents the conceptual framework and the available literature about it. This part focuses on the main terms, concepts, and reviews related to land development. The paper, then, discusses the theoretical framework done in this field, depicting the main theories in land development, urban planning and land administration systems. Finally, it ends with discussing the current literature on land development, land administration, and urban planning in general.

#### **2.2 Conceptual framework**

An extensive body of literature shows the importance of countries effective use of land management and the related policies and strategies for land development. Dealing with four main functions including land tenure, land value, land use, and land development is what Academics and experts were pointing out for more sustained development.

Countries implementation for land development policies and strategies ensures aspired economic development, creating a more attractive environment for investment. This can be done through several ways which can be summarized by:

- Study and understand the current real estate and a land environment in the country.
- Define the challenges/ threats
- Evaluate opportunities
- Develop and implement the strategies

##### **2.2.1 Land development:**

##### **Land definition:**

Land has several meanings and definitions. One of the definitions agrees that land is, “the sold part of the surface of the earth, the ground or soil of a specified situation, nature, or quality dry land”. According to Merriam Webster, land is defined as a

“portion of the earth’s solid surface distinguishable by boundaries or ownership bought land in the country” (webster, 2018). On the other hand, Williamson and et.al sees that land includes all the resources that exist on the surface and under it. (Williamson, Enemark, Wallace, & Rajabifard, 2010)

### **Land development definition:**

Defining land development is not merely a semantic issue, but the main challenge is the included components in land development. Thomas agrees that land development occupies a sensitive position in the national development process which urges isolating it from specific social and economic activities (Thomas, 2001). However, another part of the literature points out that political situation must be taken into consideration besides the socio-economic situation and activities .

Academics and experts vary in their definitions for land development. depicts that land development is about, improving land characteristics for the better through several activities such as re-development, construction, commercial parks, and several others . Land development is considered a crucial challenge in having a more sustained future which depends mainly on planning processes. From the researcher perspective, land development and land management are interconnected, depending on the effective and efficient use of land resources, covering by that all the activities on and under the surface of the land. Though, land development is affected greatly by the laws and regulations, environment, land tenure, and planning style in any country. It is worth mentioning that infrastructure is a milestone in the land development process.

#### **2.2.1.1 Land development goals:**

Land development is based on several goals which work on:

- Lead, complete, adjusted and harmonious the development and the future needs of the country.
- Protect and improve the public health, safety, and increase comfortable for the people in the country.
- Protect and save land value, buildings, resources, and protecting landowners from adverse impacts of neighboring developments.
- Control and regulate the cities growth in a country.

- Respect owner's right while taking into consideration the interests of all people in a country.
- Support land market and improve land planning.

#### **2.2.1.2 Land development regulations:**

Land development regulations are organized and declared by governmental and formal organizations to control land use and thus contribute to land development. These regulations have immense importance in protecting the environment in general and human beings in particular, creating a balance between socio-economic activities (land use) and land development. In Addition, land regulations provide guideline and standards for land development, assuring having consistency with specific and clear goals and objectives. (Sitkowski & Ohm, 2006)

Land development regulations promote potential the efficiency of land use, assuring the best use of land natural resources and best practices in socio-economic activities. It is worth mentioning that the availability of land development regulations encourages commercial and industrial investments supported by that the expansion of economic land development regulations should contain:

1. Land use categories; (Agriculture, residential, industrial ... etc).
2. Land details regarding size height of buildings and constructions rule details.
3. Economic activities inland, like construction percentage inland, and the percentage of the land around buildings.
4. Description of infrastructure utilities and specifications. This includes density and intensity of development allowed, description and specification of the open spaces, and specifics regulations for all economic activities in the land.

Land development regulations should include the following:

- Land development regulations map, which includes zoning map showing the sites for various buildings, street types, build-to lines, and in some cases design features.
- Land urban regulations that are generally providing information regarding building type—rather than land-use type—categories.
- Street regulations. These regulations should include all information regarding the street such as standard of graphical form, width, and dimensions of streets,

sidewalks, paths, curb heights, street-side parking requirements, allowable turning radii, and other standards applicable to streets.

- Landscape Regulations: which include specifications and standard of the open and closed spaces; these provisions govern permitted species, sizes, and locations of trees and other plantings and all landscape features.
- Architectural Regulations.

Wet and dry utility standard and specifications (infrastructure utilities: water, electricity, telecoms, internet.... etc.). (Sitkowski & Ohm, 2006)

### **2.2.2 Land management:**

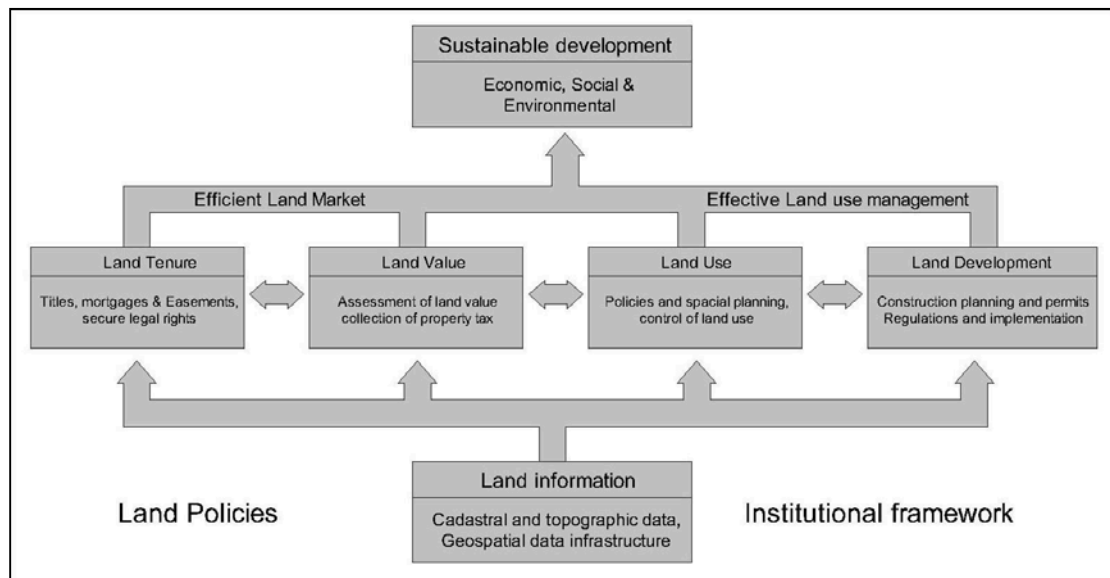
Land management is the “process by which the resources of land are put into good effect  
Land management include all activities associated with the management of land and natural resources that are required to achieve sustainable development”. (Enemark, 2005)

#### **2.2.2.1 The operational component of land management:**

1. Land tenure: This step requires preparing legal survives, defining parcel boundaries, land ownership transactions, and conflicts on land boundaries. Enemark (2006) assures that this step would protect one’s rights in land. In other wording, land tenure determines one’s right in using land in a specified period under certain conditions (Enemark, 2006).
2. Value of Land: Academics and experts define the value of the land as the actual capital market or as the total amount of money afforded for the land sale. This price takes into consideration the cost of any activity that can be implemented in this specific land.
3. Land use: According to the World Bank, land use is a selection process for specifying socio-economic activities implementation places. This includes agriculture, residential, industry, in addition, to regulate historical and cultural areas through establishing provisions that control and respect the nature of the developmental activities. (World Bank, Land Use Planning)

There are several factors that affect the land which is specified for economic activities and use. These factors can be summarized by,

1. Land demographic.
2. The economy in the country.
3. Social and cultural perspectives Legal and political situation in the country.
4. Land development: This relates to designing and building new infrastructure, and developing a plan for using land.
5. Land governance: Land governance is mainly related to the policies, processes, and institutions, by which land, property, and natural resources are managed. One of the main core components in land governance is land administration (LAS), which provides a country with the needed infrastructure for developing and implementing land policies and land management strategies to be able to reach a more sustained development. (Enemark, Bell, Lemmen, & McLaren, 2014)



**Figure (2.1):** A global land management perspective,  
Source of figure (Enemark, Bell, Lemmen, & McLaren, 2014)

### **2.2.2.2 Land administration systems:**

#### **Historical background of land administration:**

Land played a major role in wealth and power from the early stages of human settlement. Having land maps provide a clear vision of land management by communities at that time. Several carvings were found from old ages which describe the human relationship with the land and how they practiced land management. One of the earliest records of land ownership in history goes back to Ancient Egypt, as having 300 BCE as estimation date of creation. Records also show that there was a taxation system existed in China, 700 CE. This system was to provide taxes on crops and lands. The Romans also shows their initiatives in land management through land registration and land property and ownership. Thus, they use data registered for developing taxation system on crops. However, it is worth mentioning that that feudal system was spread at that time, having all lands owned by the king who granted the use of these lands to his subject.

*(Enemark , Williamson , Wallace, & Rajabifard, 2010)*

#### **2.2.2.2.1 Definition of land administration system:**

Land administration system is the basics and the infrastructure for implementing the land policies and strategies in the countries, which include clear understanding regarding the land market, effective land management with the aim of ensuring social equity, economic.

As it is mentioned before, the land administration system is specialized in implementing land policies and strategies regarding land management effective application, land market, aiming to have economic growth and ensuring protection for the environment. The concept of land administration related to rights, and responsibilities are given to people, and restriction imposed on them. Land property right concerns about land ownership, in contrast with land tenure which concerns land use and activities done on it. However, a regulation for this use of land to save property right and environment urge the need of having an ethical and social attitude toward land and environment, leading achieve more sustainability and effective land management. Land administration is not limited to the practices of people, institutions, and organizations. However, it goes beyond that to reach people attitude towards effective use of land. As having a land administration system which include registration and ownership data is not sufficient to have a holistic sustainable land



development, as people are major actor and agent in land development. Besides ensuring sustainable land development, land administration system gives a guarantee for economic growth through encouraging and increase national and international investment.

(Enemark , Williamson , Wallace, & Rajabifard, 2010)

#### **2.2.2.2.2 Theoretical concept of land administration:**

Theoretical frameworks are developed in land administration. The classical discipline of land administration is based on cadastre. This tool was used to help in land registration and land property right and tenure. This theoretical concept uses land management paradigm as a land management tool to achieve more sustained land development.

There are important definitions related to land administration system. One important definition is land registration which is related to official processes of recording land property right. This process works on collecting data about land ownership and defined land units. Another definition is land cadastre. It is used to define properties within the country, taking boundaries, nature, size, and value into consideration. All these information would be represented by a large scale map. It is an essential pre-step in land registration, supporting has effective taxation system as the following step. Thus, have more land development at the end

The International Federation of Surveyors (FIG 1995) defined a cadastre as “a parcel-based, and up-to-date land information system containing a record of interests in land (e.g. rights, restrictions, and responsibilities). It usually includes a geometric description of land parcels linked to other records describing the nature of the interests, the ownership or control of those interests, and often the value of the parcel and its improvements. It may be established for fiscal purposes (e.g. valuation and equitable taxation), legal purposes (conveyancing), to assist in the management of land and land use (e.g. for planning and other administrative purposes), and enables sustainable development and environmental protection”

To clear ambiguity up, the cadastre as information system contains two parts: first, maps with a representation of all information about boundaries, location, size, added to it a text description. Second, defining the landowner. This step must be obligatory as not giving the choice for the citizen to do it, as it comes under a legal framework. Information about land is very important assets for government in a different sector.

Some governments consider the land maps and plans as quasi-military information and impose substantial restrictions on their availability.

(Enemark , Williamson , Wallace, & Rajabifard, 2010)

There are five dimensions of sustainable land development:

1. Economic.
2. Environmental.
3. Social.
4. Good governance.
5. Physical- (infrastructure and planning).

According to the World Bank, land administration infrastructure is expected to serve specific needs: (Ting, 2002) These needs can be summarized by having high security of tenure. This would give right of ownership, use, and occupation one specific land. It would be a means that guarantee conflict resolution. Also, land administration would facilitate the land transaction and transfer property interest. Regulating the process of the land transaction would defiantly monitor land use and manage public land., giving an opportunity to developing an effective system of taxation on property. Finally, land administration infrastructure ensures fair access to land management data and related information.

#### **2.2.2.2.3 Land administration key principles: : (Williamson, Enemark, Wallace, & Rajabifard, 2010)**

1. Legal framework to support sustainable development.
2. Land administration system.
3. Land management paradigm, the land management paradigm provides a conceptual framework for understanding and innovation in land administration systems. The paradigm is the set of principles and practices that define land management as a discipline. The principles and practices relate to the four functions of land administration system: land tenure, land valuation, land use, and land development and their interactions.
4. People and institution in the country.
5. Rights, restriction, and responsibilities.
6. Cadastre: The cadastre is at the core of land administration system that provide spatial integrity and unique identification of every land parcel. Cadasters are large-scale representations of how the community breaks up its land into usable

pieces, usually called parcels. Most cadastres provide security of tenure by recording land rights in a land registry. The spatial integrity within the cadastre is usually provided by a cadastral map that is updated by cadastral surveys. Unique parcel identification provides the link between the cadastral map and the land registry and serves as the basis of land administration system and the land information it generates, especially when it is digital and geo coded. The cadastre should ideally include all land in a jurisdiction: public, private, communal, and open space.

7. Land development system and dynamic.
8. Technology use in the land administration management.
9. Spatial data infrastructure.

#### **2.2.2.2.4 The benefits of a good land administration system: (*United Nations Publication, 1996*)**

##### **1. Save of ownership and security of tenure**

Compilation of land records and the judicial processes that must be gone through specific steps in order to collect the needed information and data onto the registers should provide formal identification and legal proof of ownership. The public registers should contain all essential juridical information that allows anyone viewing the system to identify third party rights as well as the name of the landowner.

##### **2. Support for land and property taxation**

Good land administration system will be improved and developed and eventually lead to having efficient data collection for taxes purposes. the landowners, in addition, to providing clear information on the performance of the land market by identifying the current price of the land.

##### **3. Provide security for credit**

Good land administration system will provide banks with financially related parties with certain information regarding the landowners. In addition, it would increase the knowledge of rights and responsibilities of the banks and landowner which will facilitate the relationship between them, especially when the owners of the lands have a credit or debit to implement investment project.

#### **4. Improve and control land markets**

Land administration system will improve the land market through developing an outline and policies for economic activities related to land use.

#### **5. Reduce and manage land conflict**

Lack of land administration system in many countries will increase conflicts over land regarding boundaries and ownerships.

#### **6. Facilitate and rural land reform**

Land distribution, land redistribution, and consolidation require detailed records with specific information about land ownership and use. In some cases, there will be a compensation need to be paid for losers of lands, as well as, taking money from those win in such cases.

#### **7. Improve urban planning and infrastructure development**

#### **8. Support environmental management**

Multi-purpose cadastral records and data can be used to record areas and give details about archaeological sites and other areas of scientific or cultural interest that may need to be protected. The cadastre can be used in the preparation of environmental impact assessments and in monitoring consequences of development and construction projects. In the Netherlands, for example, there is a register of presently Polluted sites and of formerly polluted sites that have been decontaminated.

#### **9. Produce statistical data**

Monitoring land ownership, data will be available for monitoring performance and implementation of a project in the short run, and measuring the impact of land development in the long run. Thus, it gives extra credit for developing short -term and long- term strategic plans and supporting decision-making process in this field.

### **2.2.3 Real estate investment: Definitions**

**Investment in finance:** According to Baum, investment in finance is to “put the money into the asset with expectation of getting earning interest or increase the capital of the investors” (Baum, 2015)

**Investment in economic:** it is defined as expenditure on capital goods, include the acquisition of any asset that requires some sacrifice to be made in order to obtain a benefit including investment in people or training as well as the purchase of hardware or software.

**Investment appraisal:** is a series of techniques that involves the analysis of all prospective tangible costs and benefits as a means of helping those responsible for deciding whether to make an investment.

**Cost-benefit analysis:** is a technique that attempts to assess the economic and social costs of any project and to compare these with the financial and social benefits of the investment. It extends the processes of investment appraisal into wider considerations such as the creation of a ‘better’ environment.

Real estate realty or immovable property made to it (usually building) an estate is common law term for someone's **property**.

**commercial real estate:** is large part of the universe of potential investment available to global investing institutions.

We can define the Real estate: the property, land, buildings, air above the land and underground rights below the land.

“Real” comes from the Latin root *res*, or things. Others say it’s from the Latin word *rex*, meaning “royal,” since the kings used to own all land in their kingdoms. the economy is the basic driver of occupier demand and in long term investment returns are produced by occupiers who pay rent.

Several academics and professionals connect real estate with land, assuring that having a distinguished developed real estate market depends mainly on an effective land administration system and secure land right. Though, national and international investments would be prospered (UNITED NATIONS PUBLICATION, 1996).

### **2.2.3.1 Type of real estate market:**

Real estate market is divided into two main types:

#### **1. Real estate space market.**

This market covers all transactions and deals for the right of land use and buildings. This market includes people and firms who are willing to pay to use space of land or building for producing or consuming good which is defined as the demand side of the real estate. On the other hand, there is a supply side which involves property owners who are willing to sell space of land or building for the money.

The price of using the space market often called rent. The users of the space market have specific requirements for the type and location of the space, which depend on the economic activities the users want to create in the space.

2. **Real estate asset market:** it is the second type of real estate market. this market is specialized for cash flow rights to real estate ownership. (Miller, 2012)

### **Characteristics of the space market:**

**Space market has several characteristics which can be summarized by:**

1. **Demand market:** includes individuals, households, or firms who want to use space for economic activities.
2. **Supply market:** includes real estate owners who “rent” space to the leaseholder.
3. **Rent:** refers to the price of the right to use space for identified period of time.
4. **Equilibrium.** When the quantity of space demanded equals the quantity supplied.
5. **Segmentation** (Miller, 2012)

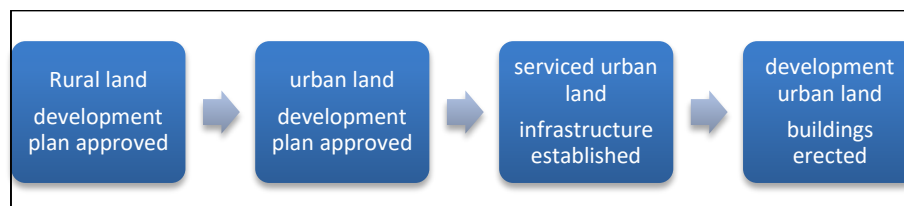
On the other hand, there are specific characteristics for real estate assets market which can be summarized by:

### **Characteristics of the real estate assets market:**

1. **Asset market:** refers to the market for the ownership of real estate assets (land and the buildings on it) rather than the use of space in real estate assets.
2. Buyers in this market purchase real estate in expectation of receiving future cash flows.
3. The buyers may buy other kinds of assets (stocks, bonds, etc.) (Miller, 2012)

#### **2.2.3.2 Financial issues related to the land:**

1. **Land value:** land is the basic element for the country wealth, Land development process and incremental increase in land value, the below figure (2.1):



**Figure (2.2):** Land development process and incremental increase in land value,

Source: (Batbileg, 2010)

Land development plan plays a major role in determining land prices. It can be increased from phase number 1 to phase number 4 as a result only of a land development plan. Though, land price is also affected by market demand besides economic activities planned and implemented on land in the country. Furthermore, land price is affected by its location and readiness for specified uses like streets, railways, buildings, etc. Also, building type and size besides land has a great contribution in land price. It gives land its added value which has various weight at a final land price. Finally, having planned and implemented economic activities contribute to a change in land price. For example, having a plan from the municipality to have electricity, water, and other services for one area contributes to raising the land price. Another example can describe the effect of economic activities on prices is building markets, malls, and universities which will eventually lead to increase land prices rapidly.

## **2. Taxes on the land and other property:**

One of the most important issues related to land is taxes. Taxes system in the country should be clear and responsive to the social objectives. Also, it should be managed and controlled by the governorate; reserving the equality and rights for all people in the country. The basic fundamental to have a clear effective and fair taxes system is have good land administration system.

## **3. Central valuation organization:**

States should have a department specialized in land valuation which usually comes under the ministry of finance control and be a part of it. Thus, the Government has all the responsibility of land valuation processes.

## **4. Land and property market:**

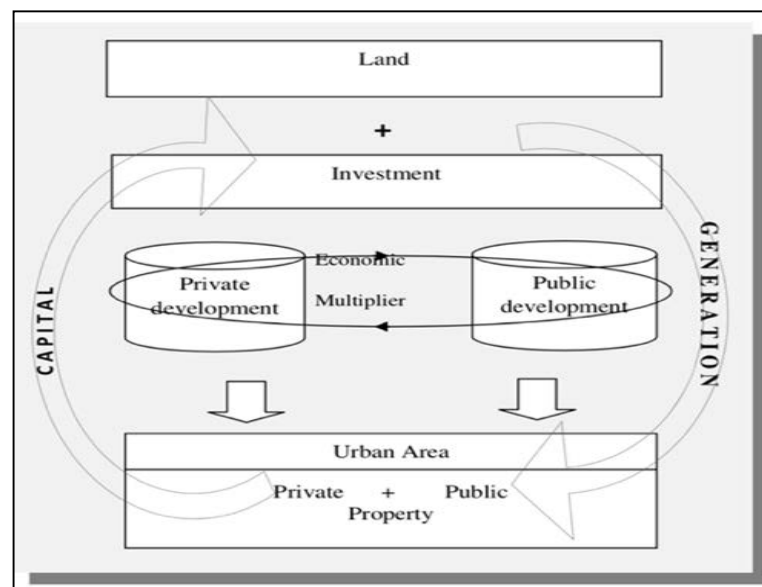
The land is the fundamental of the real estate market and country economy. Thus, the country should have a clear land information system and clear law regarding all economic activities that will be implemented in the lands. This includes construction of buildings, building planning, construction permits, and land registration.

## 2.3 Theoretical framework:

### 2.3.1 Land and property development model:

#### Urban land development model:

One general model of urban land development was designed, taking socio-economic activities and political context as a basis for analysis. This model focuses on two main assumptions. First, land tenure is secure and protected. The second is right in land property is totally complete and registered. The model agrees on having actual urban areas are an inevitable result of land development, which eventually leads to land investment.



*Figure (2.3): Urban land development model,*

*Source: (Batbileg, 2010)*

Academics and professionals vary in developing different models with different perspectives and assumptions regarding land development. Gore and Nicholson (1991) propose a land development model following certain assumptions.

Both assure in this model that land development is a chronological process, believing that development is an inevitable result for time and generations moving. Moreover, Gore and Nicholson's model sheds light on the importance of the decision making process. A great belief in decision makers and actors is given as they support and facilitate the land development process. This model also connects land development with economic activities. It shows the effect of economic activities such as the



production of land development. A holistic look for development is obviously seen in this model. However, it shows there are different types of development which are recognized by different institutional, financial, and legislative frameworks .

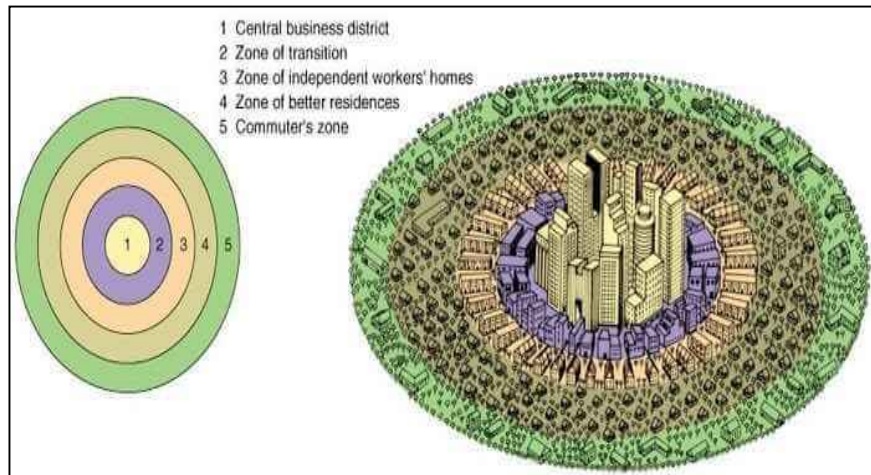
On the other hand, Healy (1991) proposed a different land development model. In this model, the focus is given for management stage, considering it the engine of development. Similar to Gore and Nicholson, development actors and agents have an important role in the development process. This importance is derived from their role in making decisions. Though, this model, one major activity in the economy is taking all the attention which is market demand, which is based on a neo-classical analysis. It is seen that has an enormous effect on development. Also, it focuses on different forces of socio-economic activities and political situations which help in deriving development dynamics. (Batbileg, 2010).

### **2.3.2 Urban land use models**

Urban land use models, in general, are developed trying to propose several classifications and different types of cities. Despite the fact that these models were trying to describe zones in urban areas and their functions, they failed in developing a new proposal of urban reality. There is a number of different famous models in this field such as burgess model, multiple nodes model, and Hoyt's Sector one. It focuses on studying the behaviour of cities growth.

#### **2.3.2.1 Burgess model or concentric zone model (1925) by Ernest Burges**

This model is developed by the urban sociologist Ernest Burgess in the 1920's it is designed to explain the land use structures. Thus, Burgees concludes that the city starts its expansion from the city center in defined concentric zones, taking ring approach as a basis for city expansion analysis. (Planning Tank , 2017)



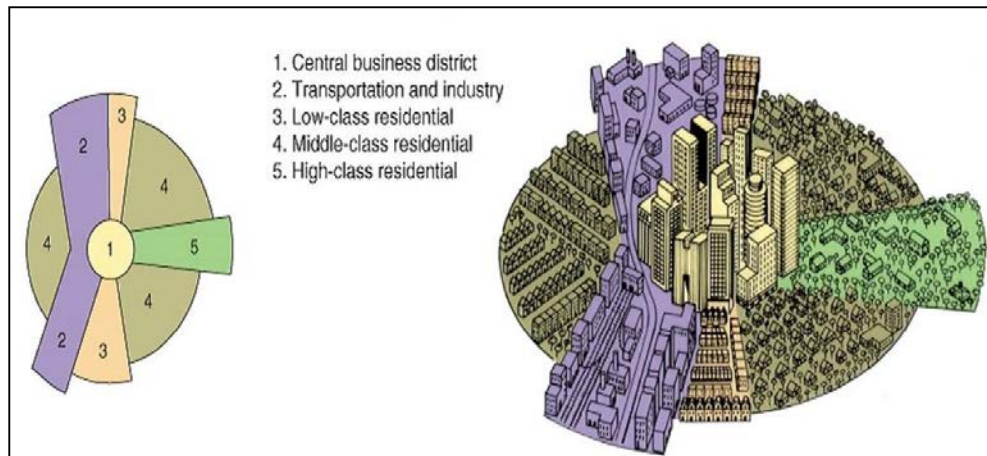
**Figure (2.4):** *Different zone in burgess model*

**Source :** (Planning Tank , 2017)

As figure (2.4) shows, there are different zones in the model. The first zone represents the central business district. As the city expands and develops, it moves to zone, the second zone which is related to housing use, factories, and buildings. This zone is called a transitional zone, as activities held in this zone are different from those done in the first one. Eventually, the third zone is different in purpose from previous ones as it is represented by the working class zone. The fourth zone is used for residential purposes such as small family homes. The final zone which is the fifth one, is considered the farthest from the city center and called the commuter zone.

#### **2.3.2.2 Hoyt's Sector model**

Back to the 1930s, Homer Hoyt developed his own model. Representative samples of 200,000 neighborhood block around 70 American cities were put under the study, trying to give answers for city growth phenomena. Hoyt's also confirms that topographical factors in high price building would move towards high land. However, there is a disbanding of these rentals from high rental areas towards different directions. Thus, low-income building tends to be away from the high-income area. (Planning Tank , 2017)



**Figure (2.5):** *Hoyt's model,*

**Source :** (Planning Tank , 2017)

#### **2.3.2.3 Harris & Ullman's Multiple Nuclei model**

This theory was developed by Harris and Ullman in 1945. It took Hoyt's as a base for their new analysis. Both show that cities and metropolitan areas evolve and develop business district. Having commercial activities and businesses limited into the city center is not accepted in this theory. There is endemic spread for business beyond the specified land for this use. (McDonagh, 1997).

#### **2.3.2.4 Smart growth theory:**

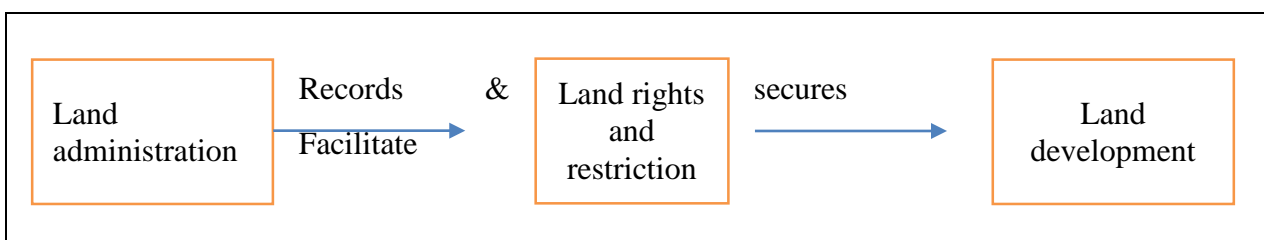
The increased population with the increase of livelihood requirements of that population results in the expansion of urban cities. Thus, it can be noticed that this expansion is attached to development in transportation and having a more efficient transportation system. This would intend to reduce travel cost and time between cities and communities. As transportation improved, the movement to suburbs increased, causing in creating urban sprawl pattern. Out of clarity, it can be said that after 1990, land development planners moved toward traditional use patterns .

Smart growth is a modern strategy. It is based on the idea of the compression of land uses like buildings in main groups. This will lead to severe pressure on the environment, increasing by that cooperation between buildings and the environment. All required services and need would be provided in the neighborhood, as one person can find his needs in short distance. Thus, urban sprawl would decrease .

There are certain characteristics for smart growth theory. These are noticed with having limited development of surroundings. Due to high population density, there is high-density land use. However, the mixed high use of land urges a mixed development. Using eco-friendly transportation like bicycles may decrease the pressure on the environment. Smart growth also encourages restructuring and rehabilitating old centers. Finally, It works on saving spaces as it based on land uses compression (Nabiollah , Mohammadi, & Namvar, 2015).

### 2.3.3 Land development and land administration

Right of property is a core issue in land administration system and a main challenge in land development process. Several academics and critics study and propose different model of land development. Academics like Gore, Nicholson (1991), and Healey (1992) have specific concern in studying land development in separation from land administration. Looking deeply into land development models, there will be finding a mix between property rights and ownership issues. Most of models has the assumption that process of property transactions run normally and has a clear steps without having any problem. (Batbileg, 2010)



**Figure (2.6):** *The relation between land administration and land development,*

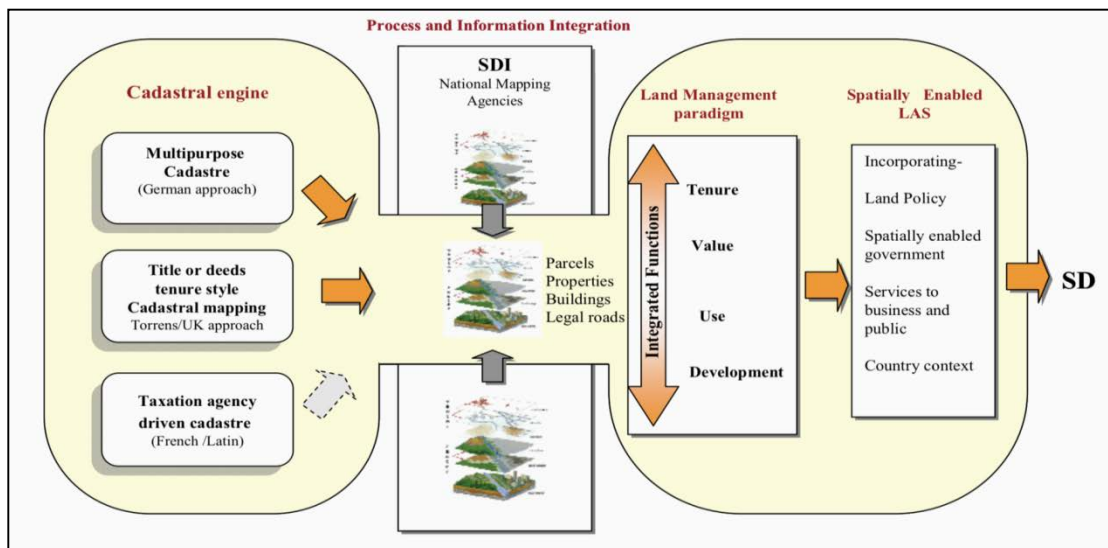
**Source:** (Batbileg, 2010)

### 2.3.4 Modern land administration theory:

Based on diagram Figure (2.7): Butterfly diagram for SDI, each country provides the land policy and the land management tool by using many techniques, it's important to mention the cadastre and land registration system remain the main discipline in the land management techniques.

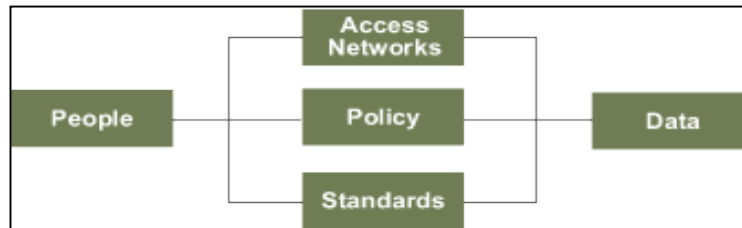
In the modern land administration theory, management diagram is a core concept of analysis. It proves that land tenure, land value, land use, and land development is the four functional elements determine land development in society. Based on this diagram, each country develops land policy and uses land management tool and technique that will serve the objectives of land development at the end. Two important tools that are used in this diagram is cadasters and land registration.

Butting management diagram under the spot, there are different types of it. Butterfly diagram Figure (2.7) is considered one of the diagrams that make a link between land administration and spatial data infrastructure (SDI) to deliver land functions. The main core of this diagram is the cadastre as the engine of the land administration system. This diagram consists of land data engines on one hand, and spatial data infrastructure (SDI) at the other. SDI is a new function in the cadastral information system. It works supporting the deliver to four functions of the land administration system. In 2005, a new spatial technology developed to support the multifunctional information systems with regard to land rights and land use regulations in, a combination with comprehensive information about environmental conditions. This technology provides the government with better planning and good insight to making a decision, regarding all issues related to the land and its management which will lead to sustainable development for countries. However, it worth mentioning that the core components of the SDI are: people, data, access network, policy, and standards. (Rajabifard, 2011)

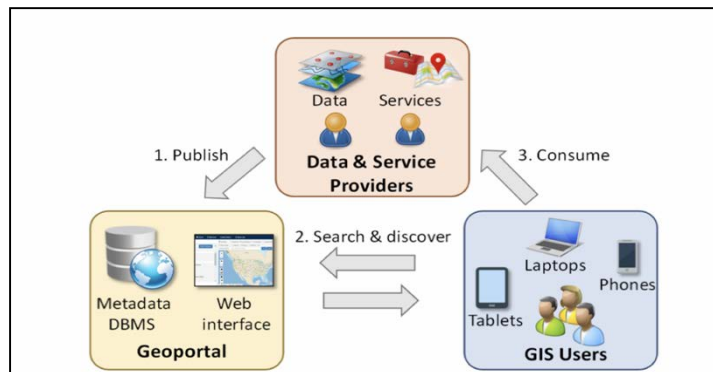


**Figure (2.7):** Butterfly diagram for SDI

**Source** (Williamson, 2009)



**Figure (2.8):** SDI component,  
**Source:** (NGO & MITCHELL, 2013)



**Figure (2.9):** key components of a SDI and the publish-find-bind pattern,  
**Source:** (Hu & Li, 2017)

## 2.4 Previous studies:

Several academics and professionals criticize the importance of land development and related topics to it. study in their research, **“Land Valuation Sustainable Model of Urban Planning Development: A Case Study in Badajoz, Spain Article in Sustainability”**, the different land development strategies. They show that land economic value encompassed in municipal planning. It is associated with a certain urbanization use and it increases as the planning processes evolve over these lands. The main objective of the study focuses on analyzing the relationship between the increases in land value as municipal planning develops and suggest a sustainable valuation model for land with urban use. The study draws several conclusions.

“The main goal of sustainable land valuation should be able to eliminate most speculative elements, strengthening the initial stage of the planning development process with adequate criteria, in a way that can be used to provide more accurate result in those initial states, which don’t cause artificial growth in the final urbanized land value. The establishment of classification and urban qualification of land in planning processes implies the allocation of uses and building intensities, determining their urban development and therefore its real value. However, this real value is not attributed to the land at the time of its expression in the planning documents. However, it increases as it develops and is managed until it reaches its maximum value when it is already completely urbanized land”. (Codosero Rodas, Naranjo Gómez , Castanho , & Cabezas , 2018)

Another study directed by “Huang, Jinliang; Li, Qingsheng; Wang,Cui; Lin , Heshan ; Zhang , Jiwei ; Jiang, Jinlong ; Wang , Bingkunand” (2017) titled **“Land Development Suitability Evaluation of Pingtan Island Based on Scenario Analysis and Landscape Ecological Quality Evaluation”**. As the study depicts, there are acceleration of urbanization and industrialization, regional development is becoming increasingly disordered. Several challenges are facing land developments which are connected mainly to urbanization, industrialization, and population growth Study question is concern about identifying the gaps and niches in the relationship between economic development and ecological and environmental protection. The study takes pingtan island in China as a case study to evaluate land development suitability. It examines index system for construction land and farm land, measuring suitability and the effect of socio-economic activities. Final results show the landscape ecological quality in the coordinated development scenario was the highest. Also, it finds out that

the results indicate that coordinated development which takes the ecological protection and urban development into consideration in their perspective would have a better choice for land planning. However, one of the main conclusions in the case study of China indicates that,

“pure urban development or ecological protection may be inappropriate, while coordinated development may be a better choice. SA could guide managers or planners to reach the most satisfactory solution taking into account trade-off measures involved in the decision-making process”. (Huang, et al., 2017).

Enemark in his study (2016), “**Sustainable Land Governance in Support of the Global Agenda, , took another side from the other academics**”, shading the light on the importance of land governance as the main component of the land management. Enemark argues that good land governance is very important and essential aspect to counter climate change, assuming that rapid urbanization should be seen as a part of global agenda in a country. (Enemark, 2016).

However, Dawidowicz, Agnieszka ; Voß, Winrich ; Leonard, Bernd in their study (2013) for “**Land Administration Systems – Development Trends**”, highlight the importance of land administration system, presenting the functional architecture and the assumptions of land administration systems which were built in Poland and Germany. Focusing on land administration system in Germany and Poland is due to socio-economic conditions and activities.

The study concludes several important finding. First, German and Polish LAS concepts are developing in the same direction as having cadastral reference systems in these two countries are at the same level of detail in terms of the recoding objects. Despite the fact that in Poland the process of developing and completing the cartographic part of the cadastre is still taking place and the descriptive database of buildings and premises is currently being realized. Also, German and Polish LAS similarities can be noticed as the common application schema provided for the recording and management of metadata and quality data is in line with the ISO specifications. Furthermore, he modeling is based on the results of ISO/TC 211 in the form of the 19100 series of standards at their current stage of processing in Poland, the database is in the conversion process. At the same line and at the communication level, users are provided with object-structured or image-structured data, specially prepared information or analog extracts that are able to hold the entire data content or extracts according to their content and area as well as management data for any number of time



periods. Users' access to LAS data will take place over the Internet. Both Germany and Poland decided to use the Unified Modeling Language (UML) for describing the application schema and the feature catalog. Another finding of the study is concerned about the differences that occur at the present stage result from the approach to the construction of the LAS. Despite the fact that Germany is a country that economically surpasses Poland sevenfold, it has begun to integrate data from the three spatial information systems and the German LAS continues to be open to expansion. Poland has designed a LAS based directly on multiple other public records, including the Land Register. This comprehensive approach will delay the process of starting ZSIN due to, for example, the need to harmonize data. Third, assumptions of LAS building in Poland are at a high level but of the economic situation, the development of the system should be carried out in stages. Finally, the study shows the huge similarities and common issues regarding LAD between Germany and Poland, advising for further cooperation. (Dawidowicz, Voß, & Leonard, 2013)

Another study for Enemark titled, **“Sustainable Land Administration Infrastructures to support Natural Disaster Prevention and Management”** This paper provides an overall understanding of land management, land administration, and land management paradigm. It depicts that effective land administration system ensures the sustainability of land development and protect the environment from disasters. The paper final findings conclude that there is No nation can develop land management institutions inseparable from activities, policies, and approaches. Thus, technology provides additional motivation and challenges at the same time. Though, still activities on the ground are crucial for the delivery of sustainability regarding land management and land development. On the same hand, a land administration system reflects the social relationship between people and land and it is being recognized by jurisdiction party or state. A system like that is not just a GIS. On the other hand, Land Administration Systems is connected to different activities. For example, it is related to the implementation of the land policies on a national and international level. Also, the study shows that land administration activities are not just about technical or administrative processes. They go beyond that, reaching political activities and reflect the accepted social concepts concerning people, rights, and land object, regarding land tenure, land markets, land taxation, land-use control, land development, and environmental management. Sustainable land administration systems also play a main key role in prevention and management of natural disasters. Land management

perspective and the operational component of land administration systems, therefore, need high-level political support and recognition. (Enemark, 2009)

One of the studies detected in the Palestinian urban areas. Abdelhamid (2006) in his study, **“Urban Development and Planning in the Occupied Palestinian Territories: Impacts on Urban Form”** discusses urban development in Palestine. The paper focuses on analyzing development, changes, and reforms done in urban Palestinian cities and towns. Also, it gives great attention to presenting the major challenges and impacts that affected urban planning strategies in Palestine.

The study at the end summarizes important findings related to land development situation in Palestine. First, it shows that Palestine faces a rapid increase in the Palestinian population in one hand, and a decrease in land availability for different uses on the other. This creates a delay in land development process in Palestine. Another finding Abdelhamid is related to decisions of policy makers. He explains that all urban planning issues are mainly connected with the unstable political situation in the country. This affects land development process negatively. For example, the political situation in Palestine plays a major role in deteriorating the landscapes, cultural and historical sites, natural resources and environment. Also, it contributes in the spread of uncontrolled urban developments in the cities, the diffusion of urban sprawls within the landscapes and around the cities, impacting the urban form. The study provides different proposals to limit and solve this deterioration and fragmented or uncontrolled urban development (urban form), the following recommendations could be mentioned:

- Improving and upgrading the capacities (staff and equipment) of the Palestinian ministries and governmental institutions involved in planning issues;
- Reviewing and amending the existing planning laws and regulations, and having one comprehensive legislation.
- Enhancing public awareness and participation in physical planning towards respecting the building and planning laws and regulations. (Abdelhamid, 2006)

Another academic takes another perspective in the analysis. Zevenbergen in his research **“A Systems Approach to Land Registration and Cadastre”** focuses on the land registration and its tools. He illustrates technical (cadaster) and organizational aspect of land registration. It is worth to mention that the study is built based on the previous dissertation titled ‘Systems of Land Registration – Aspects and their Effects’ (Zevenbergen 2002), which applies the systems approach to the field of land

registration and cadaster. It includes case studies for four countries which are Indonesia, Austria, Netherland, and Ghana. one significant remark in this study is effective land registration system would remarkably support, facilitate, and secure land property right as it has a legal side. As a result, property transaction would be easier, increasing land purchasing in the real estate market. (Zevenbergen, 2004).

WILLIAMSON in **“BEST PRACTICES FOR LAND ADMINISTRATION SYSTEMS IN DEVELOPING COUNTRIES”**, moves in the argument of land development into introducing the best practice in land administration system The paper is developed based on a number of key documents such as the Land Administration Guidelines produced for the United Nations (UN) Economic Commission for Europe (1996), the International Federation of Surveyors (FIG) Statement on the Cadastre (1995), the UN-FIG Bogor Declaration on Cadastral Reform (1996), the FIG Cadastre 2014 publication (1998) and the UN-FIG Bathurst Declaration on Land Administration for Sustainable Development (1999). It discusses the principles of land administration under the following headings:

1. Land policy principles
2. Land tenure principles
3. Land administration and cadastral principles
4. Institutional principles
5. Spatial data infrastructure principles
6. Technical principles
7. Human resource development principles

The study shows that several factors obstruct the best practices of land administration. In the end, it concludes that documentation and reform acceptance is a core element in developing land development strategy. Furthermore, developmental vision is needed for a future land administration system for the country. Land administration reform is a long term process. So, there is continues need for a clear map and plan to ensure that all development activities and changes contribute to the overall vision for the land administration system for the country. (WILLIAMSON, 2000)

Another body of literature focuses on the study of theories of urbanization. McDonagh's "Theories of Urban Land Use and their Application to the Christchurch Property Market", analyzes main theories of urban land use. It tries to study patterns and shapes of cities. Also, it criticizes current theories related to the Christchurch situation. McDonagh concludes that land patterns vary with land use and several factors obstruct the creation of these patterns. Also, he found that the land use pattern has a holistic characteristic, providing answers for existed and current patterns and anticipate changes that would affect land use pattern in the future. This eventually would help in urban planning and more land development sustainability McDonagh draws a final conclusion related to concentric ring theory mentioned previously. He shows the Christchurch is clear evidence of the concentric classical ring theory. It is anticipated country is reaching the size that coincides with expansion according to the multiple nuclei theory. (McDonagh, 1997)

## **2.5 Conclusion:**

Through the literature review of the land management, land registration and land planning, one can find the important keys to develop the land sector are clearly stated in the land management diagram ***Figure (2.1): A global land management perspective***, this diagram shows all critical issues that should be analyzed in order to develop the land sector in any country and the relation between these issues together, these key elements are:

1. Institutional framework.
2. Land policies.
3. Land information (land tenure, land value, land use and land development)
4. Economic, social and environmental situation.

## **Chapter Three**

### **Land development in Palestine**

#### **3.1 Introduction:**

In order to answer the research question; the researcher studied the land in Palestinian situation, to focus on the land development on Palestine and based on the land management diagram which discussed on chapter two, the main issue should have discussed in the Palestinian context:

1. Land administration and land registration.
2. Legal framework which related to the lands.
3. Current situation statues of the Palestinian land
4. Main challenges in the Palestinian land sector.
5. Topography, population in Palestine.

Land in Palestine is limited; contain natural resources and different topography, land development sector in Palestine affected by many challenges and factors such as:

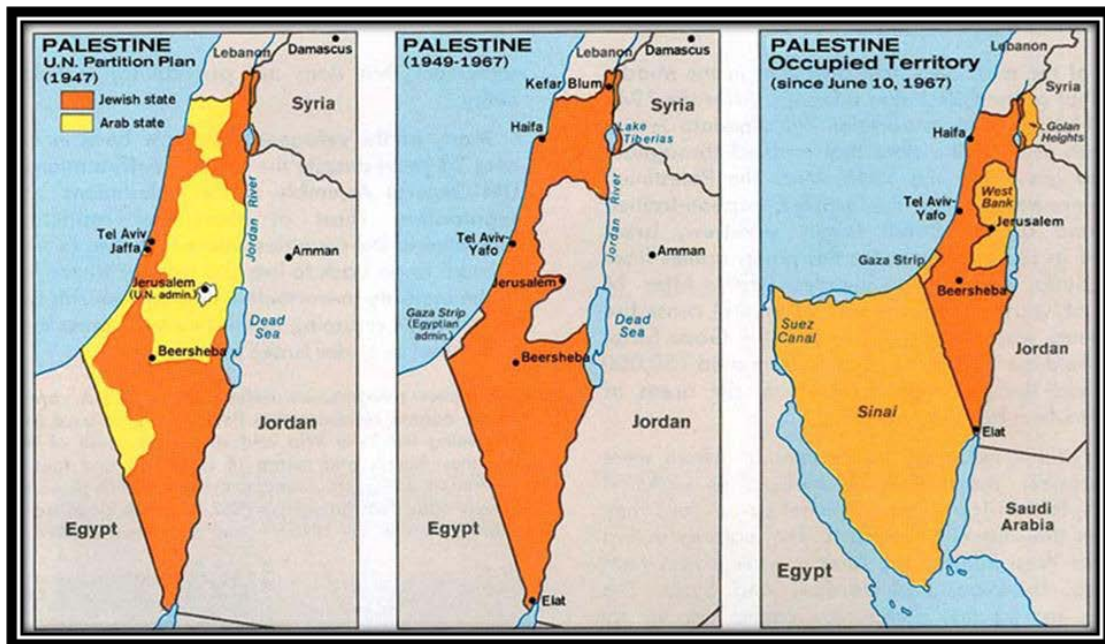
1. Land categorization, A, B and C.
2. Israeli Wall segregation.
3. Israeli Settlement and polices.
4. High uncertainty in economic activities.
5. land registration.
6. Law and legislations.

All these topics were studied and discussed in this chapter in order to deep understand the Palestinian context.

#### **3.2 Historical Palestine:**

Historical Palestine is situated between the Mediterranean Sea and the Jordan River. It has been controlled by different empires and mandates throughout history. In the period between 1517-1917, Palestine was under the Ottoman rule. In 1922, following the gradual decline of the Ottoman Empire, the League of the Nations mandated Palestine to Great Britain. Recognizing the religious and historical importance of Palestine to the Jewish people, Great Britain facilitated the establishment of a national home for Jewish people on the land of Palestine. In 1947, the UN General Assembly adopted a resolution to partition Palestine into Israel, the Gaza Strip, and the West

Bank. In 1948, the British Mandate over Palestine ended and the State of Israel was established. After the Arabs' defeat "Naksa" in the 1967 War, Israel occupied the whole of Palestine.

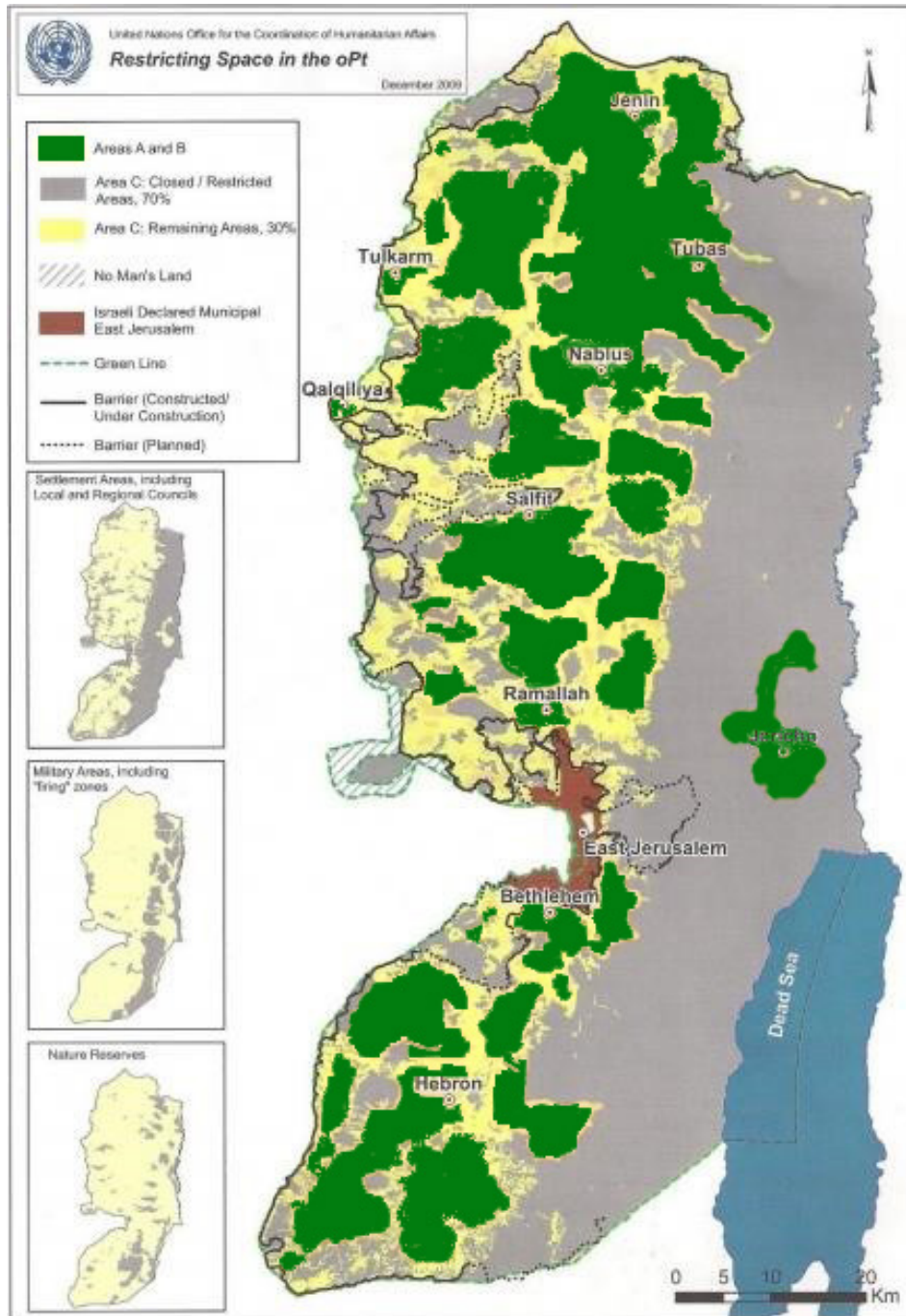


*Map (3.1): Palestine map in the Period between 1947-1967,*

*Source: (Msvuhistory, 2008)*

### 3.3 Palestine under the Palestinian authority

The Palestinian Authority, formally the Palestinian National Authority, was created in 1993 upon the OSLO Accords peace agreement between Israel and the Palestine Liberation Organization (PLO). In 1995, the two sides signed OSLO II which divided the occupied West Bank into three administrative areas: A, B, and C. Area A is under the full civil and military control of the Palestinian Authority. In Area B, the Palestinian Authority is in charge of civil affairs such as health, education, and the economy but Israel has complete military control which means that Israel has the right to enter this area at any time for security reasons such as detaining Palestinians. Area C is under Israel's complete civil and military control. The majority of the West Bank is Area C with 60 percent while Area B and Area A comprise around 21 percent and 18 percent respectively (Ministry of Foreign Affairs of Denmark, 2016). Area C is of critical importance to the development of the Palestinian state as it holds many valuable resources such as land reserves, agricultural land, water resources, and natural minerals (UNDP, 2016)



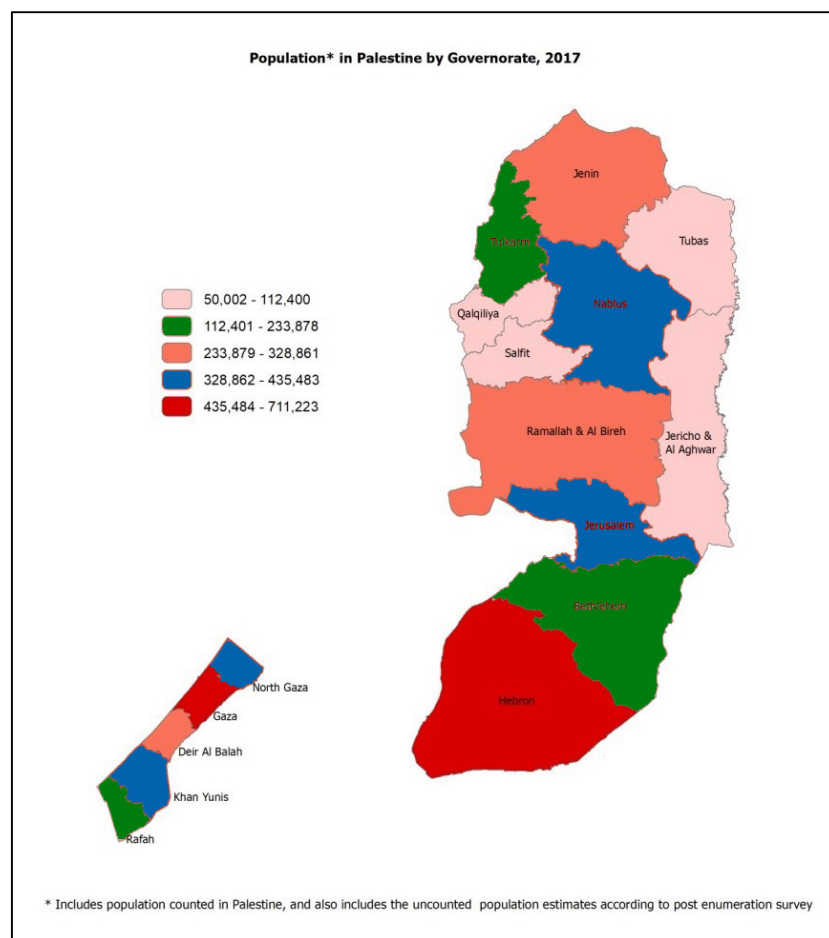
**Map (3.2):** Map of the west bank, areas categorization A, B, and C,

**Source:** The United Nations Office for the Coordination of Humanitarian Affairs, 2009

### 3.4 Current situation in the West Bank and Gaza strip:

#### 3.4.1 Population and area of West bank and Gaza Strip land:

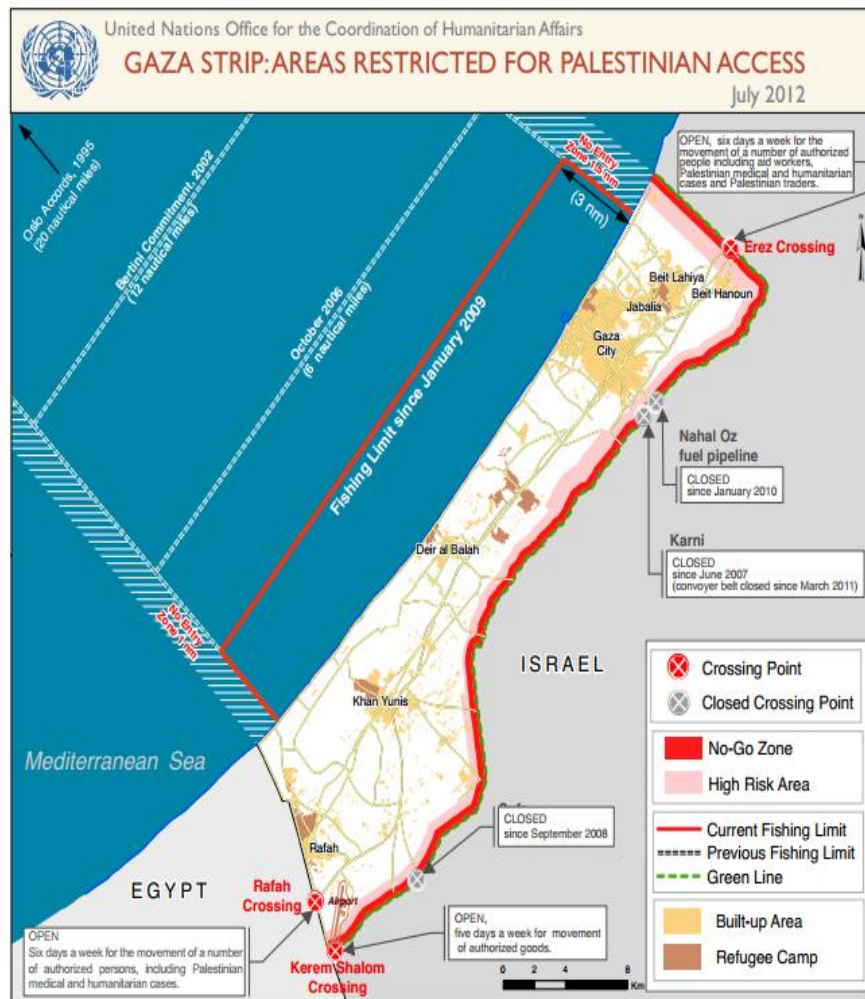
According to the Palestinian Central Bureau of Statistics (PCBS), the total area of Palestine is 6,020 square kilometer (km<sup>2</sup>) of which the West Bank total area is 5,655 square kilometer and Gaza Strip total area is 365 square kilometers. The total population of Palestine (in raw numbers) is 4,781,248 with a West Bank population of 2,881,957 and a Gaza Strip population of 1,899,291 (PalestinianCentralBureauofStatistics, 2018)



**Map (3.3):** Population of West bank and Gaza Strip by Governorate as of 2017

**Source:** (PalestinianCentralBureauofStatistics, 2018)





**Map (3.4): Gaza Strip Palestinian-Only Access Areas,**

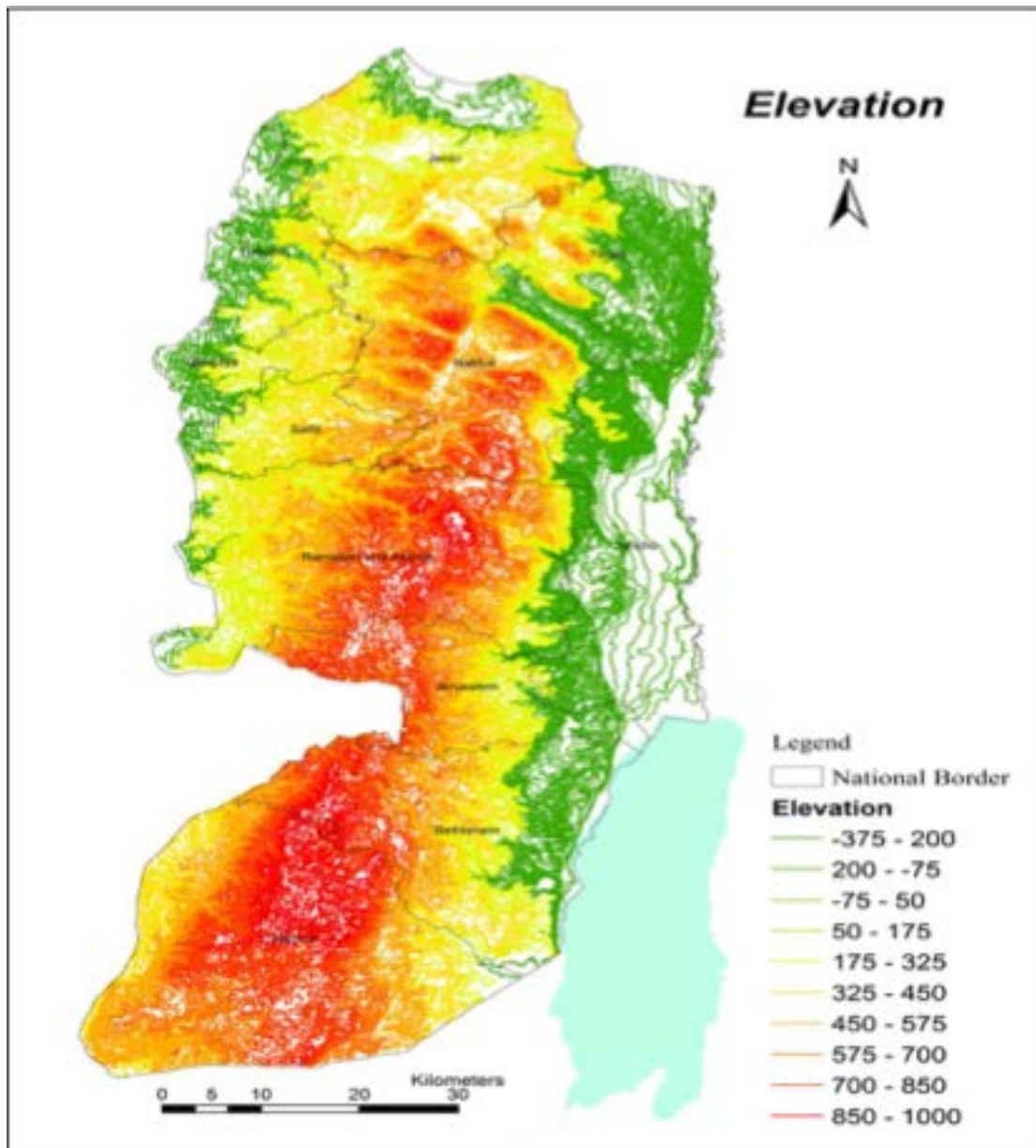
**Source:** (Wehaidy, 2013)

### 3.4.2 Palestine topography and natural reserves:

Although Palestine is small in geographical area, its topography and altitude vary greatly. This diversity is evident in the West Bank where altitudes range between 1,020 meters above sea level to 420 meters below sea level. The West Bank is categorized into four main geomorphologic areas as follows:

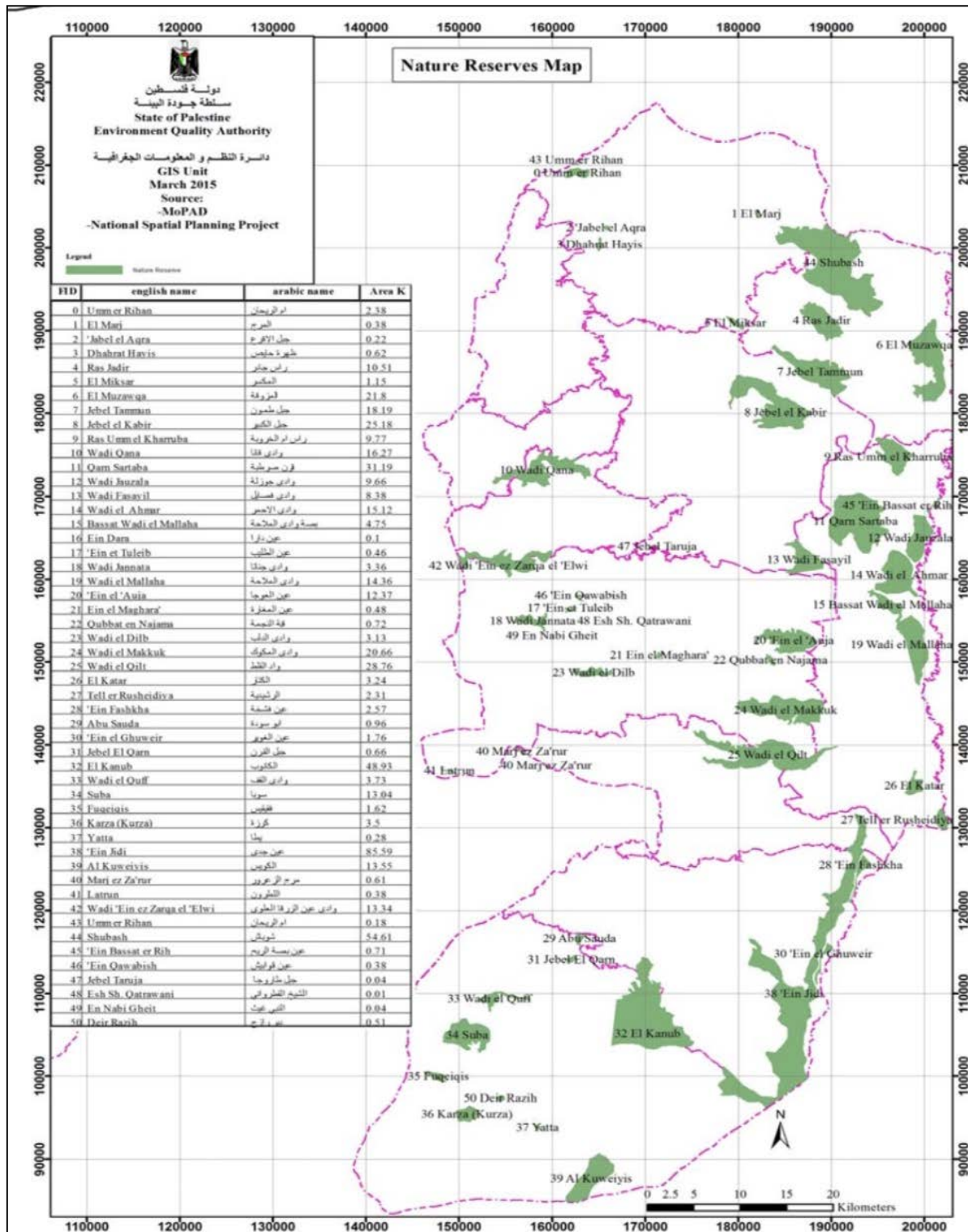
1. Central Highlands,
2. Semi-coastal region,
3. Eastern Slopes region,
4. The Jordan Valley.

In contrast, the topography of the Gaza Strip is largely flat and sandy with dunes thrusting from the coastal area especially in the south (Shoman, et al., 2017).



**Map (3.5): West Bank Topography, Source:** (Shoman, et al., 2017)

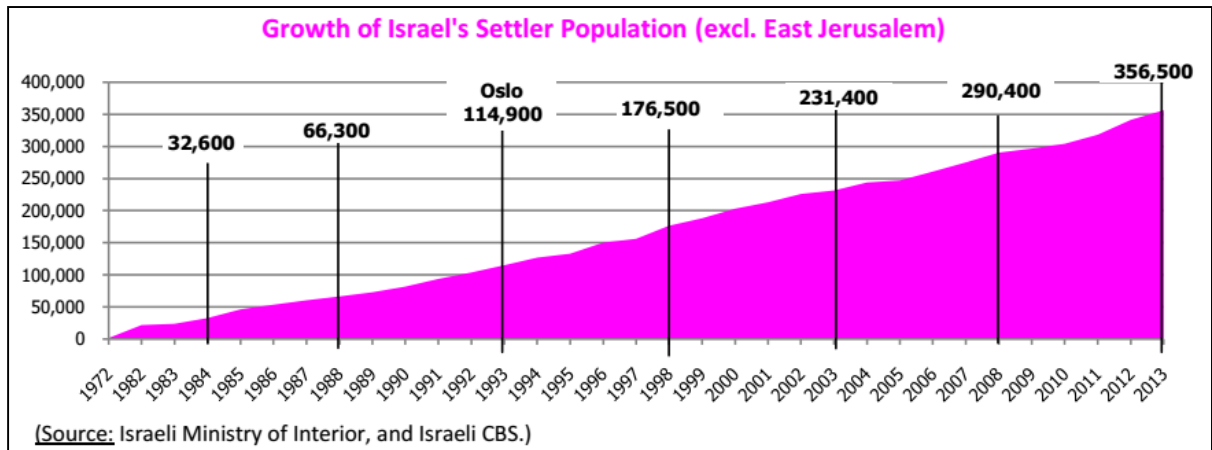
The forested area comprises around 4.0 percent of the West Bank of whereas in the Gaza Strip forests cover approximately 2 square kilometers (km<sup>2</sup>) which is around 0.6 percent of the total area. Natural reserves in both the West Bank and Gaza Strip encompass a total area of 772 square kilometer (Shoman, et al., 2017).



**Map (3.6): Natural Reserves in the West Bank, Source :** (Journal of Entomology and Zoology Studies, 2017)

### 3.4.3 Israeli settlements and separation wall:

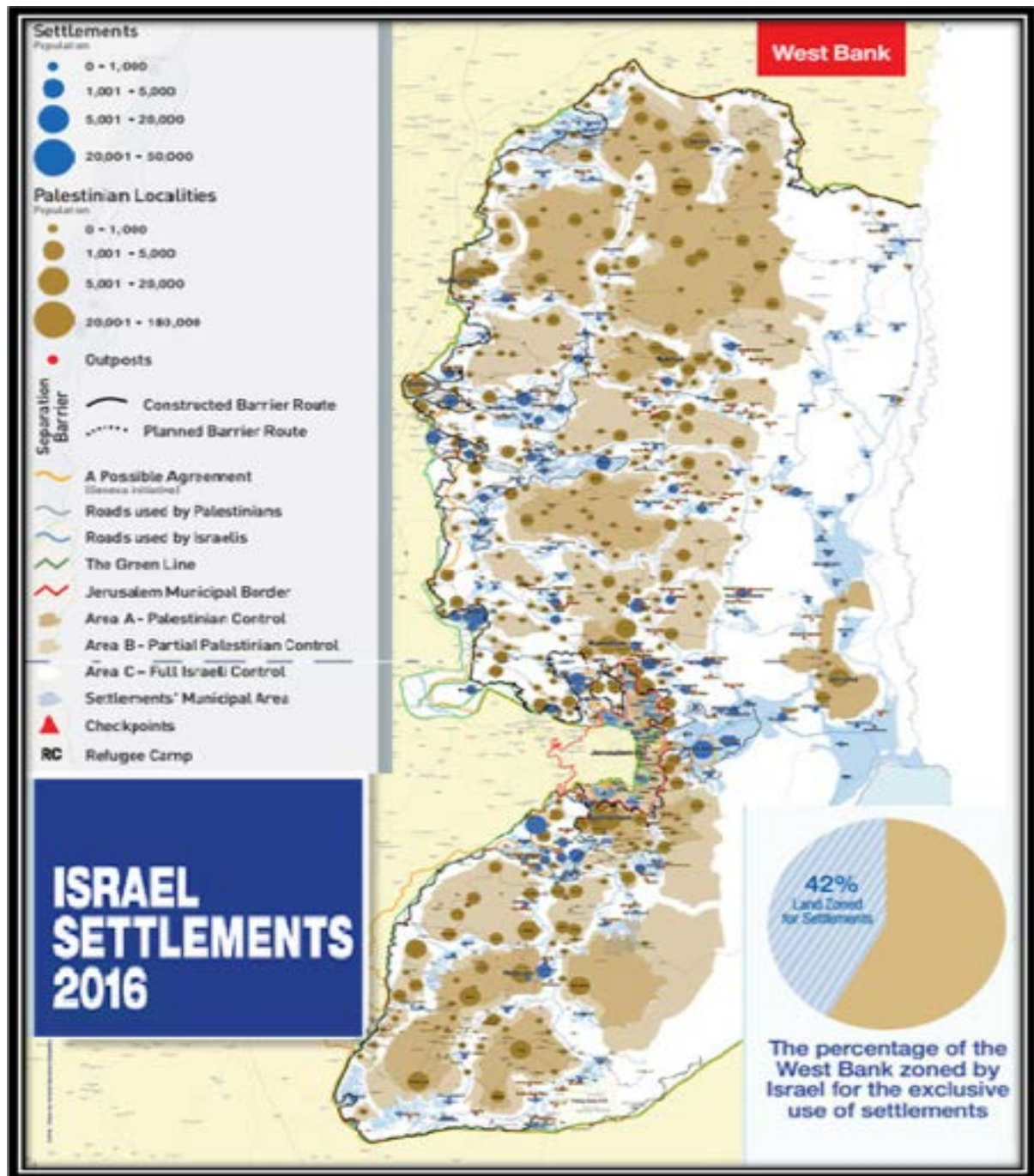
The Separation Wall, also known as the Segregation or Apartheid wall, and the increasing number of Israeli settlements present significant risks to land development in the West Bank as they fragment and damage Palestinian land. The numbers of Israeli settlers in the West Bank have been steadily growing as the example shown in the figure (4.1) below.



**Figure (3.1):** The Growth in the number of Israeli settlers in the West Bank,

**Source:** (Shoman, et al., 2017)





*Map (3.7): Israeli settlements population in the West Bank in 2016,*

*Source:* (Shoman, et al., 2017)

The Separation Wall was constructed by Israel in 2002 as part of a segregation strategy between Israelis and Palestinians that allowed for the expropriation and annexation of more Palestinian land. Since its construction, the Wall has had detrimental consequences on the West Bank as it has created geographical fragmentation and presented a physical obstacle to any chances of achieving sustainable development in Palestine.

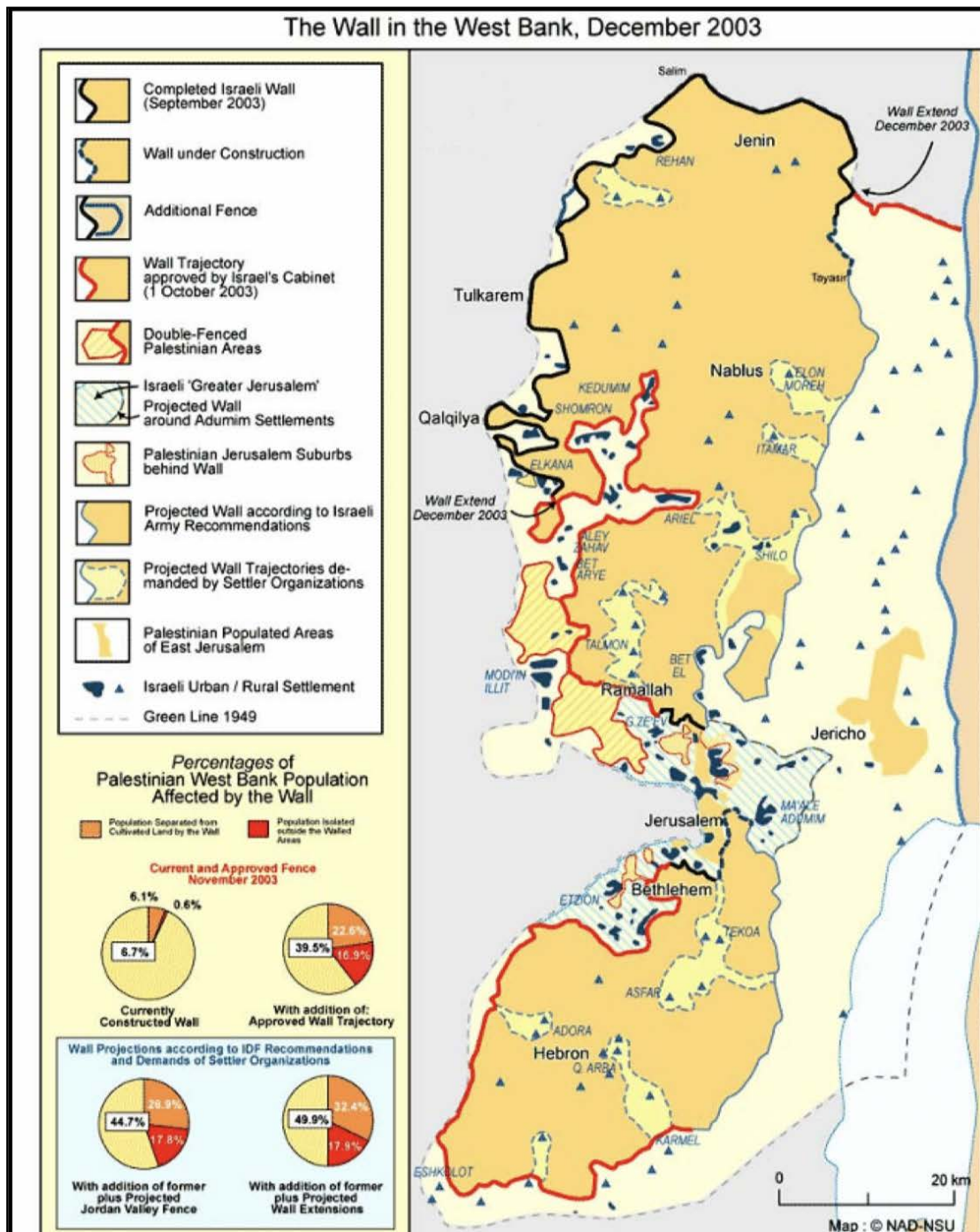
The Wall cuts through 9 out of 11 of the West Bank's governorates isolating 12.7% of the land in the West Bank including East Jerusalem. (TheAppliedResearchInstitute-Jerusalem, 2015)

The construction of the Wall has not been completed. Once it is done, it will approximately affect 710,881 Dunums causing a loss of 15 percent in agricultural land as shown in the table below.

**Table (3.1): Percentage of Land Use and Land Cover Type behind the Wall**

**Source:** (TheAppliedResearchInstitute-Jerusalem, 2015)

<b>Land use Land cover Type</b>	<b>% Isolated from the Total Area</b>
<b>Arable land</b>	8%
<b>Forests</b>	6%
<b>Heterogeneous agricultural areas</b>	3%
<b>Open spaces with little or no vegetation</b>	22%
<b>Pastures</b>	21%
<b>Permanent crops</b>	13%
<b>Shrub and/or herbaceous vegetation associations</b>	7%
<b>Israeli Settlements and Military Base</b>	16%
<b>Palestinian Built-up Area</b>	3%



**Map (3.8):** *The separation wall in the West Bank, Source:* (Abdelhamid, 2006)

According to a World Bank report, Palestinians in the West Bank are restricted from using a total of 38.3 percent of the land area. 28.1 percent of this land is completely restricted from any Palestinian use or access whereas 10.2 percent is taken by West of the Separation Wall and is heavily restricted to Palestinians. In addition to these restrictions, Area C which constitutes around 59 percent of the West Bank is under

full control of the Israeli military. (The World Bank, 2008)

**Table (3.2): Decrease in Land Area Available for Palestinian use, *Source:* (The World Bank, 2008)**

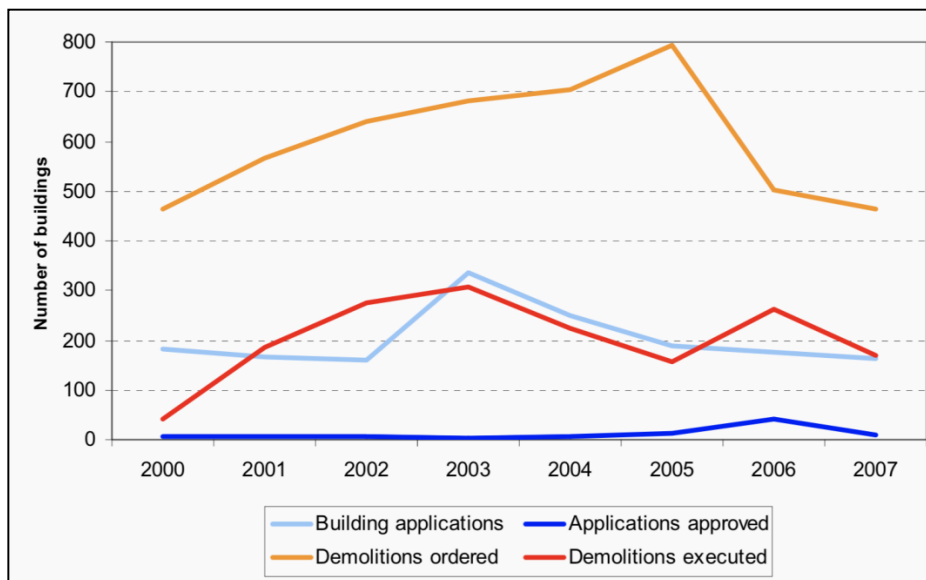
<b>Restricted area</b>	<b>Area Hectares (net of overlaps)</b>	<b>% of west bank (including East Jerusalem)</b>
Settlements and settlement industrial areas outer limits	17,531	3.1
Outposts outer limits	1,131	0.2
Land cultivated outside settlement outer limits	10,179	1.8
Subtotal of land reserved for settlements	28,841	5.1
Land reserved for military areas and Israeli declared nature reserves (net of overlaps) 1	127,803	22.6
Restricted Road Network	2,262	0.4
Land West of Separation Barrier	57,681	10.2
Total Land Area Restricted from Palestinian Access	216,587	38.3
Accessible Area C Land	117,058	20.7
Total Area C	333,645	59.0



Total Land Area of West Bank (including East Jerusalem)	<b>565,500</b>	<b>100</b>
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Given this full Israeli control, working or investing in Area C requires a special permit which in turn stifles the economic activities, resource investment, and expansion of cities in the West Bank.

Figure (3.2) shows the “construction decisions of the Israeli civil administration in Area C” from the period 2000-2007.



**Figure (3.2):** Israeli civil administration construction decisions – building permits and demolitions in area C, **Source (USAID, 2017).**

### **3.5 Investment and real estate in West bank and Gaza Strip:**

The economy in Palestine is vulnerable to internal and external risks that impede its development. The complete Israeli control of Area C, which comprises around 60 percent of the land in the West Bank, presents one of the major challenges to the economic activity and development in Palestine. Other challenges that stifle the Palestinian economy include Israel's control over the natural resources and boundaries, and the expansion of Israeli settlements on Palestinian land.

Challenges facing Palestine's economic development can be divided into two categories, internal and external.

The internal challenges include but are not limited to:

Absence of a Palestinian local currency and the use of multiple currencies in the Palestinian market such as Israeli shekel, US dollar, and Jordanian dinar

Weakness of the private sector as a driving force of economic growth. (Palestine Monetary Authority, 2017)

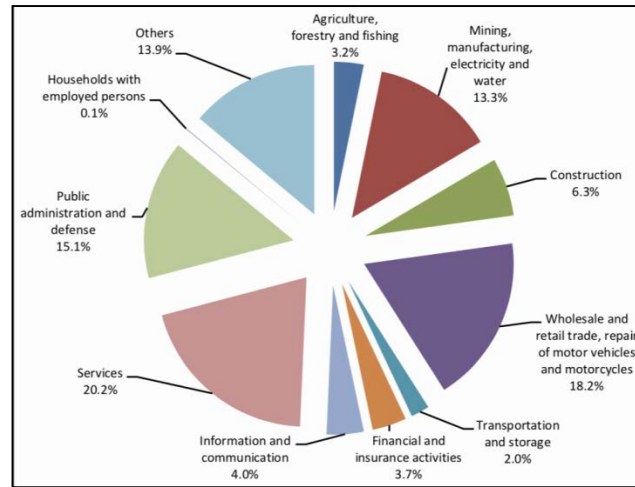
The Palestinian economy also faces external difficulties related to the restrictions imposed by Israel. These challenges entail:

1. Restriction of movement in the form of road blocks and checkpoints.
2. Israeli permit system.
3. Construction of the Separation Wall that creates geographical discontinuity in the West Bank.
4. Restrictions on imports and exports.

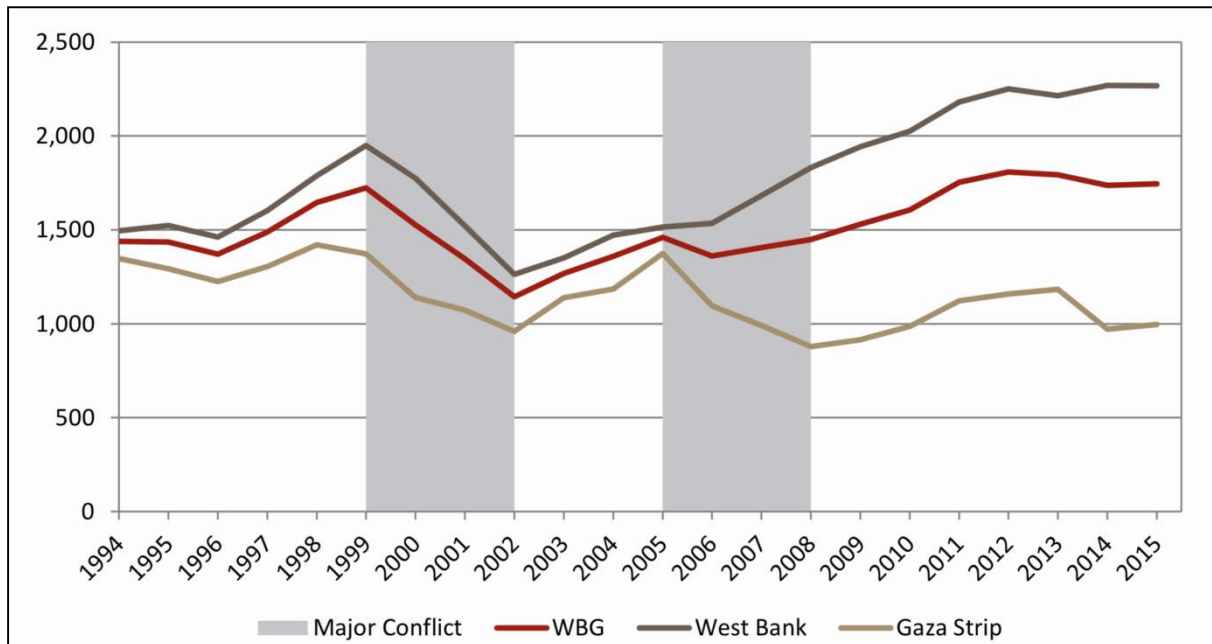
The Israeli practices and restrictions previously discussed such as the permit requirements, road blocks and checkpoints, the construction of the Separation Wall, and the restrictions on exports and imports, all hamper investment opportunities in Palestine.

The construction sector in Palestine has a significant impact on economic growth and development. Since 2006, this sector has been contributing to the increase in the

overall GDP of Palestine with an annual growth rate 20.5 percent (ThePortlandTrust, 2013). 18 percent of the Palestinian GDP is investment production and the majority of this investment is in the construction sector (Abbadi, 2016)



**Figure (3.3):** Percentage contribution to GDP by economic activity in Palestine at 2016 Current prices, **Source:** (PalestinianCentralBureauofStatistics, 2018)



**Figure (3.4):** WBG Real GDP Per Capita, 1994-2015 (in 2004 prices, U.S. dollars), **Source** (USAID, 2017)

The table (3.3) presented below shows the average real GDP growth rates in both the West Bank and the Gaza Strip

**Table (3.3):** Average real GDP Growth rates in west bank and Gaza strip,  
*Source: (USAID, 2017)*

Average Real GDP Growth Rates					
	<b>1995-99</b>	<b>2000-02</b>	<b>2003-05</b>	<b>2006-08</b>	<b>2009-15</b>
<b>West Bank &amp; Gaza</b>	3.80%	-12.80%	8.50%	-0.10%	2.80%
West Bank	5.60%	-13.40%	6.30%	6.60%	3.10%
Gaza	0.50%	-11.10%	12.90%	-13.70%	2.30%

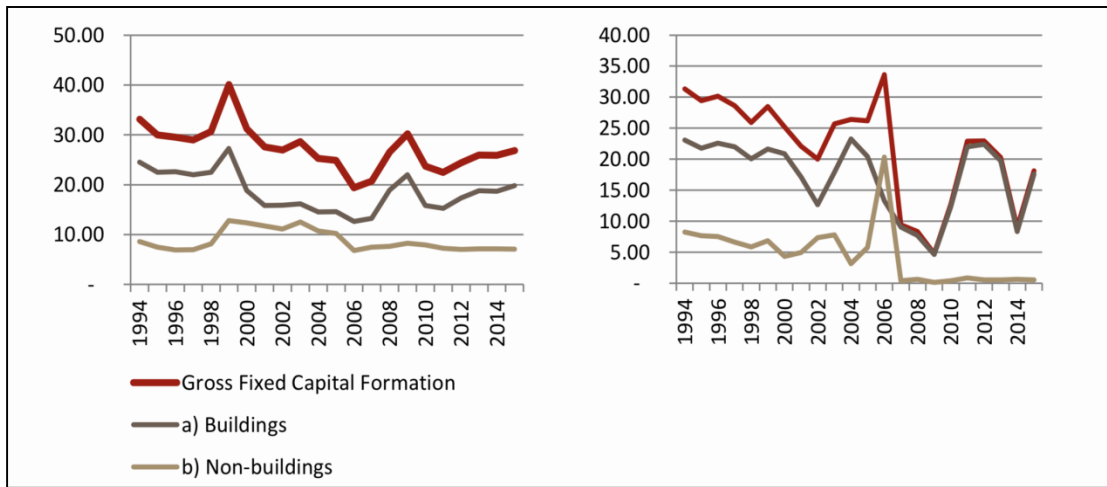
The following table (3.4.) shows the percentage of contribution to GDP in Palestine by economic activity from the year 2010 to 2016.

**Table (3.4):** Percentage of contribution to GDP by economic activities in Palestine  
from 2010 to 2016, **Source: (International Labour Organization 2018, 2018)**

<b>Economic Activity</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
Agriculture, forestry and fishing	5.5	5.9	4.9	4.1	4.4	3.3	2.9
Mining, manufacturing, electricity and water	12.9	12	11.9	15.5	14.1	13.4	13.9
Construction	9.7	14	14.1	10.1	7.3	8.3	7.5
Wholesale and retail trade, repair of motor vehicles	9.4	14.1	14	17.3	17	17.7	17.2
Transportation and storage	2.1	1.9	1.8	1.7	1.9	1.9	2.2
Information and communication	6.7	6.9	6.9	6.1	5.9	5.9	5.5
Services, including financial and insurance activities, public administration and defence, and government revenue	53.7	44.7	46.4	45.2	49.4	49.5	50.8
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>	<b>100</b>

Real estate investment in the West Bank has witnessed a growth since 2006 whereas other investment categories have remained constant with a contribution to the GDP of less than 8 percent. As for Gaza, investment in real estate takes up the largest share of gross capital formation and provides the only significant investment category since 2007 (USAID, 2017)

The figure (3.5) below compares the components of gross fixed capital formation between the West Bank (left) and Gaza (right) as percent of GDP.



**Figure (3.5):** Components of gross fixed capital formation in West Bank (left) and Gaza (right) as percent of GDP,

**Source:** (USAID, 2017)

According to the Palestinian Central Bureau of Statistics, construction in Palestine contributed 833.8 million dollars to the GDP in the year 2016. The number of real estate operating establishments in the private sector, non-governmental organization sector and government companies in 2017 reached 411 (PalestinianCentralBureauofStatistics, 2018)

Investment in Area C is quite challenging and can be even described as impossible given the complete Israeli control and the hard-to-meet permit requirements. Furthermore, investment in Area A or Area B has its own difficulties represented in the quick population growth, lack of decent infrastructure and connecting roads. These factors make investment outside cities costly and leads to the increase of land prices inside cities making them more crowded and in need for proper planning and green space.

Restrictions on investment in Area C greatly impacts Area A and Area B. The lack of urbanization in Area C contributes to over crowdedness in both Area A and B which in turn affects the availability of land in the market. It also limits the ability of local authorities to provide proper planning strategies that meet the growing demands of the resident population in those areas.

### 3.5.1 Private investment:

Private investment in Palestine takes place in many sectors such as the industrial, agricultural, real estate, information technology (IT), and others. Private investment firms in the West Bank and Gaza Strip face risks, uncertainty, and challenges related to:

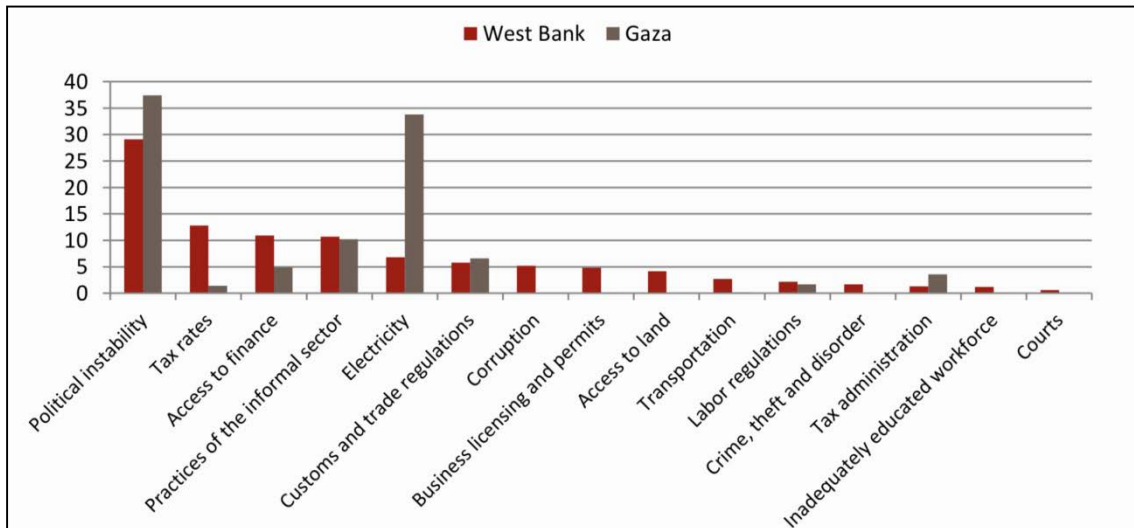
- Political instability
- Access to electricity
- Tax rates
- Access to finance
- Access to land
- Business licenses and permits

The following table presents the percentage of these challenges for the year 2013. It can be noticed that political instability is the biggest obstacle for private investment firms with 29.1 percent in the West Bank and 37.4 percent in the Gaza Strip.

**Table (3.5): Percentage of Obstacle Faced by Private Investment Firms for the Year 2013, Source: (USAID, 2017)**

Obstacle	Firms in West Bank	Firms in Gaza
Political instability	29.1%	37.4%
Access to electricity	6.8%	33.8%
Tax rates	12.8%	1.4%
Access to finance	10.9%	4.9%

The figure below provides a side-by-side comparison between the West Bank and Gaza Strip and offers additional categories for the obstacles facing the firms in the year 2013.



**Figure (3.6): Obstacles Faced Firms in the West Bank and Gaza in 2013,**

**Source:** (USAID, 2017)

Other factors that affect investments in Palestine include:

1. Water shortage and the lack of reliable sources of electricity
2. Restrictions on the economic use of land especially in Area C which negatively impact the delivery of key services
3. For Gaza, the restricted access to the sea.
4. Movement restriction of people and goods. (International Labour Organization 2018, 2018).

### **3.6 Examples of land development projects in Palestine:**

This section highlights some of the projects in Palestine which encourages Palestinian ownership of land parcels and supports land use and development.

#### **3.6.1 TABO Palestine project**

Tabo Palestine is a project initiated and implemented by the Union Construction and Investment(UCI), a public shareholder company established in 2005 and listed in Palestine Stock Exchange in 2007. UCI is one of the biggest construction and real estate development companies in Palestine with a market value of \$19,200,000. (UCI Company , 2018)

The company currently works on a number of projects including: (UCI Company , 2018)

### ✓ **TABO development project**

As the name indicates, TABO development is a land development project which aims at providing affordable land options of an average net area of one Dunum (1,000 m<sup>2</sup>). It offers parceled title deed for a large number of plots of land surrounding the city of Ramallah. Providing title deed is considered one of the main problems of land ownership in Palestine as most lands are either not registered or owned by multiple individuals. This project has overcome this problem for the land parcels it offers.

The TABO project was motivated by the need to solve some of the problems facing land development in Palestine. As discussed in the previous chapter, these problems include lack of land registration, unaffordability of land in the cities, and the overall scarcity of land in the West Bank.

### **Land price:**

The price of one square meter of land varies between \$18 to \$133 (about 13-94 JD) depending on the location and whether the land is part of a developed master plan or not. The price also depends on the category of land and the regulations it is subject to.

### **Land development requirements:**

Asphalt road with a minimum width of 4 meter and a base course layer with a width of 5 meter.

Note: the width of these roads will have an additional increase of 10-14 meter in the future.

Other land development requirements include additional payment of around \$4000 by owners to have the below services:

1. Street lighting
2. Electricity
3. Water, water tank with capacity of 2.5 cube meter (M<sup>3</sup>).

### ✓ **TABO project locations:**

**TABO project has locations in Area A and Area B of Ramallah and Salfit governorates of the West Bank including:**

1. Broqin village- Salfit



2. KufEin village- Salfit
3. Al-khanoq- Salfit
4. Kubar village– Ramallah
5. Qarawabanizaid village – Ramallah
6. Frkha village- Salfit



*Picture (3.1): TABO project in Kubar village in Ramallah,*

*Source: (UCI Company , 2018)*

#### ✓ UCI financial reporting:

The UCI reported high profits in the second quarter of 2018, the highest among similar listed companies. Achieving high profit margin, among other financial indicators, made it one the most profitable real estate companies in the Palestine Stock Exchange market. Based on the company's financial statements in the first half of 2018, UCI achieved a net profit of \$1,411,444 for the period ending 30/09/2018 which is an increase of 88 percent compared to the net profit of \$751,061 for the same period in 2017.

(UCI Company , 2018)

#### 3.6.2 Amaar group projects:

Established in 2009 with a declared capital of \$140,000,000, Amaar Group is the arm of Palestine's Investment Fund in real estate development sector. It implements different projects in Palestine including:

1. Residential: Amaar Group has implemented many residential projects, such as Al Reehan neighborhood in Ramallah and Al-Jinan Neighborhood in Jenin.
2. Commercial: The Group has built a number of commercial towers such as Al Ersal tower and Amaar tower.

3. Land development: Amaar group has adopted a horizontal real estate development strategy and carried out many land development projects such as:

#### **A- Birzeit heights:**

Birzeit heights project started in 2016 in a location that is two kilometers far from the center of Birzeit, close to the road connecting Burham village to the north of Ramallah. The project aims to improve the affordability of land parcels and provide proper infrastructure to build residential neighborhoods outside city centers and other populated localities. The project offers title deeds to land parcels with an average area of 600-800 square meter ( $m^2$ ).

#### **Land development requirements:**

1. Road networks.
2. Water network.
3. Electricity.

#### **B- Surda hills project:**

Surda hills are located in Surda town near Ramallah in close proximity to many other real estate projects. The desirable location near the main roads increases the value of the land parcels and helps improve their infrastructure. The project offers title deeds to 50 lots of land with an average area of 500-900 square meters ( $m^2$ ). The figure below shows the master plan for the project.



**Picture (3.2): Surda hills master plan, Source:** (Amaar Group, 2018)

Land development requirements:

- 1- Roads network
- 2- Water source
- 3- Electricity source

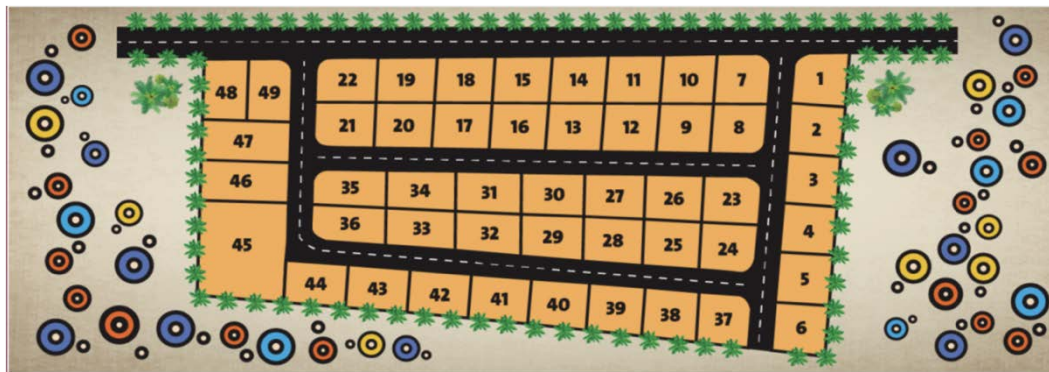
### C- Al Bustan project:

Al Bustan project is implemented in Jericho in a location that is 3.7 km away from city center on the road of Hisham palace. Amaar Group has followed a horizontal real estate development strategy in carrying out this project.

Land development requirements:

- 1- Road network.
- 2- Water source.
- 3- Electricity source.

The following figure shows the master plan is for Al Bustan Project.



**Picture(3.3):** Master plan for Al Bustan Project, **Source:** (Amaar Group, 2018)

### **3.7 Land registration in Palestine:**

Although the process commenced in the 1920s and continued under Jordanian administration, formal land registration in Palestine remains low with only approximately 31% recorded. This outcome is at least partially explained with the termination of the process by the Israeli administration in 1968. (The World Bank, 2008) .

The need and lack of authorizing legislation and a supporting legal system, which is the primary component of effective land registration, has led to an assortment of problems as will be discussed herein. Ultimately, the situation can be seen as the result of a series of changing regulatory systems under a wide range of legal regimes in different periods of mandates and occupation.

#### **3.7.1 Ottoman period (1517 – 1917):**

As a part of the Ottoman Empire from 1517-1917, Palestinians were subjected to the legal framework of a system distinct from more modern practices. The final form of this system, known as Tabu, was introduced in 1858 with a goal to establish clear property rights in Palestine. ((ARIJ), 2009)

The Ottoman laws classified land into six categories: (Tamim, 1995)

1. Mulk lands (private land): The land belongs to an individual in a form of absolute ownership. This category is the only one in which land rights are exclusive to a person.
2. Miri lands (state land): The land belongs to the state.
3. WAQF lands: The land is considered a religious endowment and cannot be inherited. This land was generally meant for education or other charitable purposes.
4. Public lands (Matrowk lands): The land belongs to the community with no individual ownership rights or ability to transfer through sale.
5. Mewat land (dead land): Land which is not owned or used by anyone. Governmental permission is required for use including cultivation.
6. Masha land: The land is collectively owned by a group of individuals wherein each owner has a fractional share in the land. ( Qanzu'a, 2013)

### **3.7.2 British mandate (1917-1948):**

Following the collapse and defeat of the Ottoman Empire at the end of the First World War, Palestine and its land registry moved to the control of the British mandate. One of the decisions of the new British Military Administration was to close all the land registration offices (TABU) during its tenure from 1917 to 1920. These offices and the Ottoman laws they supported were then replaced by subsequent legislation in a British civil administration with some of the most important laws listed as: (Palestinian news and info agency, 2018)

1. The TABU Correction Law of 1920.
2. The Land Transfer Law. - This law required approval of the mandatory government for any transfer of land ownership. Additionally, no one was permitted to own more than 300 dunums of agriculture land or 30 dunums inside urban areas.
3. The Dead Land and Land Court Laws of 1921.
4. The Forest Law.
5. The Ownership Right Removal Law.

### **3.7.3 Egyptian administration of the Gaza strip (1948 – 1967):**

British legal administration ended at the close of the mandate in 1948. De facto control of various Palestinian lands moved to multiple governments in the war which immediately followed. At this time, the Gaza Strip fell under the Egyptian control with the Egyptian authorities overseeing all public affairs. Land registration received a significant boost when, in 1954, the Egyptian Governor issued a declaration that all unregistered land must be registered in the Property Tax Directorate. Land was to be registered in the name of the individual who could show physical possession provided that the individual paid a land tax of one tenth of the value of the land. (Arafat, AbedAlAziz, AlSharif, & AlManama, 2015)

### **3.7.4 Israeli occupation**

After the 1948 war, the Israeli government came to control more than 78% of Palestinian land. This control was later expanded to incorporate both the Gaza Strip and the West Bank on the conclusion of the 1967 war. Prior to that point, Jordan had claimed the West Bank as annexed territory with a contribution to land registry through

Law No. 40 of 1952 which remains valid to this day. Similarly, much of the law issued under the earlier various administrations, whether Jordanian, Egyptian or Ottoman, remains not only valid, but applied to both the West Bank and Gaza Strip.

This legal reality is material for the way it has been employed by the Israelis. Once the West Bank entered Israeli control in 1967, a survey was conducted to ascertain which lands remained unregistered. Israeli officials could then take the advantage of earlier Ottoman law which holds that, if the land is not registered and not in use, then the state may declare it to be state property and seize it. Aided through the use of a military administration, orders were issued by Israel to confiscate and reallocate land inside the West Bank and Gaza Strip for the establishment of settlements in contravention of international humanitarian law (IHL).

### **3.7.5 Palestinian Authority:**

Despite the securing of a degree of legal power by the Palestinian Authority, land administration and registration in Palestine continues to face many challenges from the above-mentioned Israeli restrictions and land categorizations. To exercise that legal power to the extent possible, the Palestinian Authority established the Palestinian Land Authority (PLA) in 2002. The PLA operates with a mandate to oversee all aspects of land administration within Palestinian controlled areas.

In 2016, the Palestinian Authority recognized the need for a new body to settle disputes with the creation of the Palestinian Water and Land Settlement Commission. This body works to resolve all disputes related to land and water including any arguments concerning rights of disposal or ownership of land and water with the inherent implication to what rights are registrable. More specifically, the commission shall address all persons, bodies and associations having the right to dispose of land, whether this right is recognized or disputed, in accordance with the Land and Water Settlement Law No. 40 of 1952 (palestinian land and water settlement commission, 2018).

Now, there are 123 offices for the Palestinian land and water settlement commission along the west bank, until now the Palestinian land and water settlement commission completed the registration work for 700,000 dunms in the west bank, they finished survey works for 1,300,000 dunms from the total of 3,6 million dunms in the west bank area.

The Palestinian land and water settlement commission plans to finish all registration works for the west bank land including all area categories (A, B, and C) in 2022. (Shakarneh M. , 2019)

Nonetheless, more work from the Palestinian Authority is needed on these matters. A stronger capacity in planning and land administration in addition to land governance is required given the fundamental importance of land to all economic activities and value in achieving sustainable development. It should be noted that land is often the most common means of storing wealth making it a powerful economic asset to people generally.

### **3.8 Urban planning system in Palestine:**

The current planning system in Palestine has special and unique characteristics related to the circumstance that all planning issues are controlled and managed by external actors and forces. In this way the effects of the long mandate and occupation are still keenly felt in the lives of Palestinians through the resulting planning system.

The mixture of different laws and systems which gave birth to the modern Palestinian planning system can be identified as:

#### **3.8.1 Physical planning system during Ottoman period 1850- 1918**

The Ottoman period marks the origin of legislation for the urban planning in Palestine. It was through the Municipalities Law of 1877 held that 22 municipal councils were created.

#### **3.8.2 Physical planning system during the British mandate period 1921-1948:**

In the first two years of the British mandate, structural plans were established for Jaffa and Jerusalem and new legislation prepared for town planning. This legislation was based in the British experience of 'town planning' which first appeared in English law in 1906. By 1909, town planning was entrenched as a system in Britain. Building plans and space planning for Palestinian towns were established consequently along similar lines. Planning for construction such as building permits and roads was organized at both the local and central organizational levels.

At the end of the mandate period in 1948, the structural plans instituted under the British remained in force in both the Jordanian controlled West Bank and Egyptian Gaza Strip. The Jordanians would further develop the planning regime in for the West Bank in Law No. 31 of 1955. This law provided for adaptations to town and village planning and construction. (Abdelhamid, 2006)

### **3.8.3 The planning in Jordanian period (1948-1967):**

Despite the progress in adapting the planning laws to towns and villages, the Jordanian authorities did little else to update an ageing planning system from the turn of the 20<sup>th</sup> century. The Jordanian structural plans or lack thereof, neglected significant demographic changes and needs as well as future economic and social requirements of the population in the Palestinian Territories. ( Qanzu'a, 2013)

### **3.8.4 Planning in Palestine during the Israeli occupation period (1967-1994):**

During the Israeli occupation of the Gaza strip and West Bank, between 1967 and 1994, the absence of approved master plans for most of the cities and villages is readily evident. The most noteworthy developments are found in several changes to the Jordanian law to the benefit of Israeli interests. During this period, the towns were a clear weak point in population control and thus were controlled directly by military order in a wide range of settings beyond apparent security matters. Land use was no exception to this regime. Israelis limited the construction of new buildings by refusing to grant or outright denying required permissions under the law. The effect has been to not only limit urban growth, but damage cultural heritage and by refusing to provide a clear conservation plans for historical buildings or archeological sites. The consequent increase ignorance of cultural heritage demonstrates a tendency by Israel to destroy objects of significant historic value to Palestinians in insidious ways beyond the more open and noticeable demolitions.

The period of Palestinian control started with the formation of the Palestinian Authority in 1994. Since then, various Palestinian ministries and institutions have taken responsibility for the planning and other areas of civil management. It is notable that, during this period, there have been no significant developments or evident care for the natural heritage, the historical city centers, or buildings within these centers. Even when planning processes have occurred, they continue to ignore these issues with the



development of several plans without reference to either historical centers or natural resources. On the contrary, there was no distinction included between any of these historical sites and any other building use. The outcome has been further or even total ignorance of these historic centers with damage to the character of many historical sites and, in some cases, loss through partial demolition of these buildings. ( Qanzu'a, 2013)

### **3.9 Land Ownership and tenure in Palestine:**

There are several factors to consider in the development of Palestine. Land ownership and restrictions on land use must be recognized for their significant impact on the traditional city centers and historical sites. The current laws and regulations are a jumbled mass of rules and traditions for which it is useful to understand the mixture of legal systems. During the Ottoman period, the Palestinian land was classified under the already discussed six categories: Mulk (privately owned land), Miri land, Waqf land, Abandoned (Matruk) land, Uncultivated "Mawat" land, and Masha or jointly owned land.

A large percentage of the land was publicly owned at this time. Agricultural use by farmers was done through long or short-term leases. This system prevailed until 1871 when the registration of land in Palestine started. A later cadastral survey performed in 1920 -1929 which used the village as a base unit for the registration spurred ever more development of land use systems. The village units consisted of blocks which were divided into parcels with specific numbers. These blocks did not include the traditional core of each village. This system of numbering the coding which has its roots in the Ottoman period continues until this day.

Further substantive changes occurred during the Israeli occupation. The order forbidding the transaction of land without written permit was issued in 1967. A law was also created to specify methods of ownership transfers with a stated goal to protect against illegal extortion. This law had an impact on the national development and caused additional problems related to land ownership, some of these problems are:

Land seizure by the Israelis now accounts for more than two thirds of the occupied territory. This action prevents Palestinians from using or even accessing their land. The law created uncertainty in land ownership which permitted the registration of half the available land to Israelis while it was such registration was closed to Palestinians. The use of antiquated Ottoman land administration and registration laws creates confusion

with complex and separated ownership structures that and allows for rights to be held by multiple people.

The underdeveloped land market institutions, low registration rates, and the complex-old land administration laws explain the low rate of urban development and its shape.

The rising land price reflects monopolistic land ownership market.

( Qanzu'a, 2013)

### 3.10 Land use in Palestine:

The official body that oversees all issues related to land planning, land use and regulation in Palestine is the Ministry of Local Government. It supervises the bodies, municipalities, and village councils that are responsible for land planning and use on the local level. Some Palestinian cities, villages, and towns have followed a master strategic plan to improve land use and development.

**Table (3.6):** *Selected Indicators for Land Cover Area in the West Bank by Governorate, 2017, source of table (Palestinian Central Bureau of statistics, 2017)*

Governorate	Cultivate d and arable land	Pasture and open land with no vegetation	Naked Rock area	Palestini an Built up area	Other	Total
West Bank	1,861.6	2,767.8	17.9	459.2	553.5	5,660
Jenin	332.7	95.4	-	52.2	103.4	583.7
Tubas & northern valleys	53.7	279.2	0.4	8.5	66.9	408.7
Tulkarm	164.6	50.5	-	27	4.4	246.5
Nablus	265.1	229.8	1	45.4	57.2	598.5
Qalqiliya	97.5	42.7	-	12.1	13	165.3
Salfit	100.4	77.7	-	13	13.3	204.4
Ramallah & Al- Bireh	295.8	431.8	1.2	66.6	59.8	855.2
Jericho & Al- Aghwar	102.6	398.5	13	12.2	66.6	592.9

Jerusalem	63.3	185.2	0.2	51.4	49.3	349.4
Bethlehem	77.6	499	2.1	41	35.7	655.4
Hebron	308.3	478	-	129.8	83.9	1000

In the below **table (3.7):** *Area of the West Bank by Agricultural Value and Governorate, 2017, source of table (Palestinian Central Bureau of statistics, 2017)*

Governorate	Agriculture value				Total Square Km.
	High agricultural land value <sup>1</sup>	Moderate agricultural land value <sup>2</sup>	Low agricultural land value <sup>3</sup>	Other	
West bank	532.1	1540.3	3523.9	63.7	5660
Jenin	134.6	291.8	144	13.3	583.7
Tubas & northern valley	86.2	77.2	242.8	2.5	408.7
Tulkarm	13	123.9	107.6	2	246.5
Nablus	42.9	247	305.1	3.5	598.5
Qalqiliya	13	104	47.1	1.2	165.3
Salfit	0.7	114.2	89	0.5	204.4
Ramallah & Al-Bireh	38.5	251.9	555.1	9.7	855.2
Jericho & Al-Aghwar	101.1	39.8	451	1	592.9
Jerusalem	4.6	44.1	291.8	8.9	349.4
Bethlehem	9.8	65.5	575	5.1	655.4
Hebron	87.7	180.9	715.4	16	1000

<sup>1</sup> High Value agricultural land: Land that the soil tendencies level of less than 5%, and used as agricultural land.

<sup>2</sup> Medium value agricultural land: semi-flat land or hills which is suitable for all the crops cultivation, in particular tree horticulture.

<sup>3</sup> Low value agricultural land: land that is unsuitable for agriculture due to soil determinates, rock cover and topographic and climatic.

## Chapter Four

### Methodology and data analysis

This chapter describes the methodology, source of data, and study tools that are used in this research to answer the research question.

#### 4.1 Research question

What are the proper strategies of land development for real estate investment in Palestine?

#### 4.2 Study tool and method:

In this research the researcher used **Delphi technique** to express opinion through interviews.

Structured interviews with open end questions were organized. Open end questions are used to take the required answers from interviewees and to keep them concentrated so as to guarantee a high percentage of precision in the answers to collect required data.

Same questions are asked for all interviewees and below are questions used for the interviews.

1. What are the effects of the absence of land settlement process in Palestine?
2. Does the presence of land management system help in attracting the capital for real estate investment in Palestine?
3. Can the land management and development be considered a governmental responsibility or is it a share between private and public sector?
4. Are the laws and legislations related to land can form an obstacle that face land development and management in Palestine?
5. Is there a specific strategy adopted by the government for land management and development? Did the absence of such strategy lead to chaos in this sector? Did this cause increment in land prices? Did this cause development inside the Palestinian cities?
6. Did the presence of clear strategies for land management and development help in protecting land from Israeli acquisition?
7. What challenges are facing land management and development in Palestine?
8. What are the main elements that have to be available in land development projects?

9. Are land development projects profitable?

10. What are the proposed strategies for land development and management in Palestine?

Eight interviewees were selected from different associations (academic, governmental, business owners) who are specialized and have experience in land management, development and urban planning. Table (4.1) shows interviewees names and their positions and the time and date of the interview.

**Table (4.1) Interviews and interviewees details**

No.	Name	Position /Association	Interview Date	Interview time
1	Dr. Samih El-Abed	Former Deputy Minister of Planning Former minister of public work	January 23 <sup>rd</sup> 2019	10:00 AM
2	Dr. NaserAbdAlkareem	Economic expert Professor at Arab American university	December 31 <sup>st</sup> 2018	12:00 PM
3	Eng. Osama Amro	Business man	December 30 <sup>th</sup> 2018	10:00 AM
4	Eng. Mohammad shunar	Engineer and land developer	January 22 <sup>nd</sup> 2019	11:00 AM
5	Judge MousaShakarneh	Head of Palestinian land and water settlement commission	January 10 <sup>th</sup> 2019	11:00 AM
6	Eng. LaialiMiqdadi	Ministry of local government	January 21 <sup>st</sup> 2019	10:00 AM
7	Dr. Salem Thawab	Head of architectural engineering department\ Birzeit university	January 23 <sup>rd</sup> 2019	12:00 PM
8	Mr. Amir Dajani	CEO Amaar group	January 10 <sup>th</sup> 2019	10:00 AM

The methodology used in this study was interviews with experts in economics, investment, and land development. Eight interviews were conducted and analyzed to find out the main factors contributing to land development in Palestine. The analysis utilized the interviewees' answers, discussion, and researcher's observation during the interviews.

#### **4.1 Coding of interviewees' answers:**

Questions, answers, and corresponding analysis are presented in the section below:

##### **1. What are the impacts of the absence of land registration process in Palestine?**

- Land registration assigns ownership of lands. The absence of this process makes economic activities such as the use of lands as capital for investment and as mortgage to obtain loans impossible. For this reason, two-thirds of the land in Palestine is lacking in economic activities.
- The private sector continuously looks for investment opportunities which require reliable registration information to guide the decision-making process. The Palestinian government has initiated the creation of land data base. The major challenges of this initiative include sorting the information and making it easily accessible to investors who are interested in making investments. The lack of information about land use, percentages, final areas, to name a few, is risky for investments, impedes acquiring loans from banks, and discourages investors.
- It is impossible to invest in land without legal registration. Land registration is the foundation of business transaction since investments cannot be made unless the ownership is clear and ownership is not guaranteed without the registration title. The World Bank estimates an annually economic loss of about \$3.7 billion owing to the absence of land registration. In other words, if the land were registered, it could be traded freely. Land owners may use their land to obtain loans. Right now; however, people cannot engage in any economic activities due to the lack of a proper registration system.
- Unfortunately, the delay in land registration hampers the development process. Land development was limited to areas where lands are registered which in turn facilitated the affordability of bank financing. Starting land registration in Area C is promising especially given the scarcity of available land in Area A and Area B.

- The absence of land registration has negative impacts on the Palestinian economy including: inability to acquire mortgages, problems related to the division of land into small parcels, and negligence of lands that are far from city centers, and the soaring prices of land parcels in cities as compared to those in villages. The last problem has specifically pushed people to work in Israel as they cannot utilize their own land. If the land is not registered then it cannot be used for economic purposes. Land registration should be the first step to any economic activity.
- There is a positive relationship between land registration and urban development. If the land is registered and has clear ownership then it is considered a commodity rather than waqf, the case of most land in Palestine which suffers from a lack of the economic activities and a division of ownership. This is where the work of land registration authority comes in to allow the land owner sell the land or take up a loan using it.
- Land registration will solve many land-related problems especially that the percentage of unregistered lands is very high. People may suffer from injustice because of absence of land registration and clear ownership.

There are people who cannot afford land surveying, thus, the process of land registration will facilitate the planning process.

## **2. Does the presence of land management system help attract capital for real estate investment in Palestine?**

- Yes, of course. If there is a proper land management system with clearly assigned ownership and boundaries, investment risks will be minimized. In other words, the provision of comprehensive land management will encourage investments, as well as provide better vision for future planning.
- That is true. It is a comprehensive process. A proper land registration and management system, which is now absent in Palestine, must ensure a proper policy for land management especially for the government-owned lands and strategies for their utilization and investment. There is a committee arranged by law for the purpose of formulating governmental land management and investment policies. It will provide the best practices and guiding principles to invest in the land.

- There is no doubt that without specifying the land use policies, there will be little development in both the governmental and private sectors. A comprehensively-crafted strategic plan will help attract the capital and investment.
- Sure, land administration and registration will attract local and international capital. Investors will always ask about land registration and ownership status.
- Of course, a system of land information and management is very important in this age of technological advancement. In Palestine, there are resident expatriates who should be able to view the land information on the web, such as the GeoMOLG. If information is linked to maps, then we can extract several information about any parcel which can be helpful for the investors. If the spatial data and attributes are linked together, this will formulate a base to develop the sector.
- If an investor is serious about investment, he will invest regardless of land registration but land registration will facilitate the process since it will save time and money.

### **3. Should land management and development be a governmental responsibility or shared between the private and public sector?**

- Since the government is responsible for land management, registration should be its responsibility as well. The role of the private sector is to develop the land such as in the cases of Rawabi, al-rehaan, and Reef, aj-Jinan. However, the government can invest in providing the basic infrastructure such as roads, electricity, sewer, telecom especially for the industrial areas. Providing a proper infrastructure increases the value of the land and encourages investment.
- The responsibility could be shared between the public and private sector but only for public land. The government gives authority for the private sector to invest in specific land (rental) for a specific period of time or to start an investment partnership with it. The government will provide the land and the private sector will provide the investment. There are many examples for such partnership especially in industrial and agricultural zones.
- The government should be responsible for land management and registration. The private sector can be a partner in this process.
- The government itself cannot make the investment plan without the private sector. It should create a meaningful partnership with the private sector. The land authority



which is the top authority has 11 members, 6 are from the public sector and 5 from the private sector. Therefore, they are partners in making the policies.

- Basically, land registration should be the responsibility of the government but the private sector could play a role in registering some land parcels related to its projects. Registration encourages investment and land development. The government has to facilitate conditions of investment to attract capital.
- The role of the government is to complete land registration, provide the proper infrastructure to attract investments and allow for economic development, and prepare planning and zoning and other land use strategies especially in area C that is out of Palestinian control. The private sector should focus on the investment after the completion of planning and land use specification and the future steps related to investment the necessary infrastructure.
- The land authority collects taxes from land owners. The government has to lead the process while the private sector can participate. Land registration means the integration of land within the tax system which will increase the governmental tax revenue.
- Land management should be the responsibility of government. All ministries should participate and coordinate between each other to facilitate this process.
- The Ministry of Local Government is responsible for land planning in coordination with other related ministries.

#### **4. Do old laws and legislations present an obstacle to land management and development in Palestine?**

- There is no doubt that updating the law helps in speeding up the process of land management. This is being avoided now when completing the land registration process.
- Of course, old laws present an obstacle. They should be updated to allow for attracting investments. There should be comprehensive revision of all laws including land registration laws and the time spent in this process.
- There are several obstacles facing land management and development among them is the outdated laws and legislations. The development of any sector is based on proper laws that encourage investment. There have been 149 laws for land development since the Ottoman period and 2000 orders related to land use and, in

some cases, these laws contradict with each other. Today we aim to enact a unified law for land. We have issued a law to protect public land and we are working to modify the law of land settlement but the end goal is having unified law.

- The foundation of development is land registration which has fallen behind in Palestine despite the international support. The country has land divisions and legislative councils since 2007 and it could have created laws that help land registration.
- The absence of legislative council has a negative impact. The law has been in place since 1964 any progress. Laws have to keep up with modern time and changing situations.
- The laws have to be revised to keep up with current developments.
- The current construction law is Jordanian. Some parts of the law can be applied nowadays but other need to be revised and updated.

**5. Is there a specific strategy for land management and development adopted by the government? Has the absence of such a strategy created chaos in this sector? Has it caused an increase in land prices? Has it led to the development of Palestinian cities?**

- Currently, there is no strategic vision. The absence of a strategy has led to the creation of slum areas and helped the development of city centers which in turn contributed to the increase of land prices.
- The government wants to develop strategies but there are several challenges that exist such the lack of resources. The role of government is to develop a smart system that provides the private sector with suitable and attractive investment opportunities. The government should develop strategies for industrial zones, residential zones, and long -term sustainable plans that serve people's needs and encourage investment. Some locations are suitable for investment but the infrastructure is very weak (no water or electricity)which is a big obstacle. There should be a strategic plan for land use since arbitrary planning will create a risky environment. Good planning takes time.

- The presence of a land registration commission helps. The government should be willing to plan the sector and get rid of the arbitrary policies. The sector needs a well-developed plan.
- There is an absence of strategic planning by the government. The Ministry of Planning has prepared a regional plan in 1998 but until now there is no regional plan for the West Bank. The private sector has created a regional plan for land use in Gaza. We should utilize land in Area B and plan for its development to attract investment. The Ministry of Local Governance is preparing an urban plan for area C but it is challenging because it needs the approval of Israel. We can extend area B and connect it with area A but this requires a strategy from the government.
- It is currently under way by the government.
- There is a need for a strategic plan for all the governorates and a management system for sector. The government has committees that are working towards this purpose but this process needs time.

**6. Has the presence of clear strategies for land management and development help protect the land from Israeli acquisition?**

- Land settlement and registration helps in protecting the land from Israelis. It will provide clear ownership and clarify and confusion.
- Investment in several projects helps in protect the land which is what Amaar Group does. It's main goal is to protect the land and investment in area C.
- Land settlement will take place within the 1967 borders including Area C. It is our priority. 56 percent of the settlement work is in Area C while the rest is in areas A and B. The selection the area of work depends on the coordination between the local councils and municipalities. They sign agreements with us and implement part of the work.
- Land settlement protects the land.
- Land registration and classification provide information about the land. The World Bank has mentioned its willingness to provide \$ 3millions per year if Palestinians invest in the natural resources around the Dead Sea. Strategic planning is very important to protect the natural resources. The weakness of our investors is their focus on the residential sector only.
- This is a complicated issue. The basis of land planning is registration. If any legal papers are missing, investment opportunities will be low. Israelis tend to demolish

building that has no permit. Investment in area C will protect it, but who is willing to take this risk. If we plant the land may be we protect it. The Ottoman law states that a land that is deserted for 3-5 years can be acquired.

## **7. What are the challenges facing land management and development in Palestine?**

- Land classification into, B, C areas. In area C, the Palestinian authority does not have full control and thus cannot invest. Therefore, the majority of projects are implemented in area A.
- The return on investment should be high so as to attract investors. Ramallah, for example, is a city that attracts investors. It has capital and good purchasing power. It has also a large population density and it is the operating base for the Palestinian Authority. All these factors encourage investment. Land development is the first step in investment. The problem is the absence of information about land ownership (Taboo). If there is clear land ownership; landowners will be free to do whatever they want with their land. Most lands has are registered only in the Ministry of Finance.
- Investment in area C is a national duty as it will protect the land. There are several obstacles to investment in Area C which is under the full Israeli control including: land registration, the expansion of Israeli settlements, and the natural resources and the green areas. The Israeli authorities have intentionally weakened the infrastructure of area C. The cities should be geographical connected to each other which is not the case now.
- The major obstacle is the Israeli occupation, the barriers, the apartheid wall, and the settlements. Many Palestinians are refugees and the role of land settlement is to save their land. The norm is that Palestinians do not give females land ownership. Land ownership and the passing of land along several generations has complicated the process of land registration. A piece of land can be claimed by multiple owners. After the completion of land settlement process, there will be a national bank of information that allows residents to obtain information related to any land parcel and it will be available on smart phones. The government has a vision for this as well as for the waqf ownership.

- The geopolitical situation is the biggest challenge to land development. Land classification into areas A, B, C is an obstacle to investors that know that any project in area C needs Israeli approval. No investor is willing to take this risk. Investors need guaranteed profit. This has caused a concentration of investment in city centers. Investment now is based on the agendas of investors and not the government. Each government needs a strategic plan with multiple layers; biodiversity, agricultural, state land, and urban and rural communities. This will help develop the rural areas and reduce the centralization. There should be clusters; for example; the eastern area can have sub-centers which can reduce the pressure on the main cities. Most of the villages are empty during day since all the residents are at the city for work or other activities.
- The rise in land prices and the classification of land into areas A,B,C,. Investment in area C is risky. There is a need for a strategic plan for small areas. There are 103 strategic plans under preparation for small communities but only 3 of them were approved by the Israelis. Other challenges include the inability to compensate for the confiscated land.

#### **8. What are the main elements that have to be available in land development projects?**

- Complete infrastructure such as roads, water, and electricity.
- The presence of periodic strategic plan – 20 years, well-developed infrastructure, incentives to attract investors- low prices- laws that encourage investment, and loan facilitation.
- The provision of clear ownership. Investment should be based on proper land use and the location and distribution of these projects should be well-studies.
- They should be environmentally friendly and aligned with the national vision.
- The location – space and time, the land use with sectoral planning, spatial planning in relation with development and the proper land investment.
- There should be diversity in land use. Land should be used for different purposes not only for. The Smart Growth Theory fits the Palestinian context: green areas in addition to shopping areas and schools. There should be diversity in housing and it should be affordable to all people and include the basic daily services. This will alleviate the pressure on the main cities.

- The planning process should include all levels of government; national, regional, and local. Unfortunately, the first two levels are not involved in the process. We develop local plans but we are also in need for a national plan. The Ministry of Planning initiated such a plan 2000 but it was not approved. There is a regional approved plan for Gaza. Planning takes place on the level of governorates only. We are working towards combining these plans together to create a regional plan.

#### **9. Are land development projects profitable?**

- They are good to the economy. Some governments apply taxes to improve the land infrastructure which will increase its value.
- Yes, they are.
- Land is one of the most secure investments and it is always in high demand.
- Yes, they are very profitable. The role of the government is to develop the infrastructure in area B and attract the investment to this area.
- Yes, they are profitable for the investor. There is no risk in it. We deal with several currencies and their fluctuations. The investment in land is less risky and has high profit especially in area A. You can buy the land with low price, develop it, and then and sell it with high price.
- Yes of course, all investment related to land is good from an economic perspective.

#### **10. What are the proposed strategies for land development and management in Palestine?**

- The first step is to prepare comprehensive plan to complete land registration and settlement in the West Bank. It is also important to create an economic development plan that includes land development especially because it is related to many sectors. These plans should entail land uses and specification based on the government vision. They should also provide zoning strategies for areas under the control of the Palestinian Authority such as industrial zones, agricultural zones, commercial zones...etc.
- Appropriate planning for this sector through preparation of future plans.
- Land settlement.
- Revision for all the related laws and regulations.
- Reservation of natural resources.
- Taking into consideration the vertical and horizontal relations (projects related to land and its relation with the other sectors).

- Focusing on land registration and having a system for land management that will help attract capital.
- Focusing on the investments that will create jobs, not only residential projects. Encouraging urban development especially in rural areas.
- Spreading uses fairly on geographical zones.
- Developing the infrastructure to attract the investment.
- Using urban planning and development theories and applying them in city centers with satellite towns on the edges.
- Applying taxes for vacant apartments which will force investors to think about developing job-creating projects.
- Developing a national plan that will help achieve a strategic vision for future development in addition to an urban development plan for new cities, airport location...etc.

## **4.2 Analysis of questions' answers:**

### **1. Land settlement and registration in Palestine:**

Based on review in the Palestinian context, the delay in completing land registration has had a negative impact on the Palestinian economy with most of the land out of the economic cycle. The World Bank estimates a loss of about \$3.7 billion per year due to the absence of land registration (Shakarneh M. , 2019)

Land registration and settlement in Palestine are the main elements which support the land development process which promotes economic development. Robust land registration will positively impact society and save land owner rights as Zevenbergen, Jaap mentioned in his study; “The right system of land registration for a society will be a great help and facilitator in achieving legal security of right holders and purchasers, especially when there is an active land and real estate market”. (Zevenbergen, 2004)

### **2. Land administration in Palestine:**

Land administration is very essential for both the government and private sectors. It is the basic background that will attract capital. Proper land administration minimizes risk and encourages investment in addition to providing better vision for future planning.

An investor will first to look to see that their capital is secured with a clear land registration for the investment property. Confidence in the process of land dispute settlement to save their land and resolve the conflict further encourages investment. When the property rights are clear all investors are more encouraged to implement long term projects.

The land information system (LIS) is another important element in land administration. Since we are in an advance technological period, all land information should be accessible on the web. This resource will help the investors to create a profile with solid analytics in regards to their land investments. Fortunately, the Palestinian government has already started to develop a land information system called GeoMOLG, which can be found at the following address:

<http://geomolg.ps/L5/Index.html?configBase=http://geomolg.ps/Geocortex/Essentials/REST/sites/A3/viewers/V1/virtualdirectory/Resources/Config/Default>



If the information is linked to maps, then investors will be able to extract several categories of information about any parcel. So, while progress is encouraging, this system needs further development and review in parallel with the larger land settlement reform which will ultimately create a base to develop this sector.

### **3. The relationship between the government and private investors in land development:**

Land administration is the role of the government. It is the government's duty to complete all land registration work; oversee the required planning, zoning and land use; and provide regulations for the land sector through the law. These duties are in addition to preparing the infrastructure to attract the investment and allow for development. The private sector should focus on the investment after the completion of planning, land use and future development vision that is adopted by the government.

In some cases, joint investment or partnerships between the public and private sector may be preferred. This should only occur with the public land (land owned by the government). For example, the government gives authority for the private sector to invest in specific land (rental) for defined period of time or make a partnership investment with the government. The government will provide the land and the private sector will provide the investment. Many instances of such partnerships are found in the industrial and agricultural zones globally.

### **4. Legal framework of the land sector in Palestine:**

As mentioned in Palestinian context of this research, the Palestinian situation is unique following often dramatic changes in government and legal regimes of many mandates and occupation of Palestinian land. The major obstacle facing land development is the law made from a confusing tangle of very different legal systems. We know have 149 laws for land development since the Ottoman period, 2000 orders issued by the Israeli military related to land, in some cases, these laws contradict with each other. (Shakarneh M. , 2019)

Many of the laws and regulations need to be revised and updated in order to make an attractive environment for investment. There should be a comprehensive look at the whole process with attention to how to promote investment.

## **5. Develop the land sector in Palestine:**

In studying the current situation, it seems that there is a trend in the government to update the strategic planning for the land sector in Palestine but it has several threats especially the lack of resources.

Establishing the land registration commission in 2016 was the right step to have the solid ground to develop the land sector. In addition to that, a review of the National Policy Agenda 2017-2022 for the Palestinian government found that the land development and land administration is a priority for the government's national policy. The government mentioned in the National Policy 8: "Improving Services to Citizens, establish a comprehensive approach to land administration that optimizes land use, completes land registration and efficiently manages state lands". (palestine cabinet, 2016)

## **6. Challenges facing the land development sector in Palestine:**

As mentioned in the Palestinian context section of this research, the main challenge that faces the land sector in Palestine is the geopolitical situation; land categorization A, B and C, settlements and the separation wall.

Most of the land development projects are in area A as result of the lower risk which is too high in the other areas. An investor needs confidence that they will create revenue. This economic incentive caused a concentration of investment in area A which is under the Palestinian Authority control. The lower risk and higher concentration of development projects affects the amount of land available for affordable investment. The restriction on available land is reflected in the prices of the land. There is significant difference between the prices of land in areas A, B and C.

The absence of national and regional planning (spatial planning) also adds challenges for land development in Palestine related to issues of land use, natural resources, and tourism. There is no clear planning or regulation regarding the growth of the cities and towns or locations for new cities, suburbs and neighborhoods. The planning is limited to structural planning inside city or town boundaries. The effect is to have a negative impact on regulation in this sector. In addition, if the investors decide to implement a new project, then they must study and assess the location and all other elements privately and without the help of government. The lack of infrastructure, roads, water

source and electricity source are also significant challenges in the land development sector.

## **7. Main elements of a land development projects:**

Planning processes should be on all levels; national, regional and local. A multilevel approach will support the land development sector. The main elements that should be included in the land development project are:

- Infrastructure: Roads, water resources, electricity source.
  - Clear land ownership, land registration.
  - National, regional and local planning for land.
  - Apply the smart growth theory and mixed uses.
  - Green areas and playgrounds.
  - Services that people need daily (health, education, markets.).
8. Land development projects are economically good. The profit margin is high and the investment in land remains less risky with higher profit especially in area A.

## **9. Proposed strategies for land development and management in Palestine:**

**The proper strategies for land sector development- based on the review of the interviews- are:**

1. Complete the land settlement and registration for all Palestinian land.
2. Develop a sustainable plan for the land sector in Palestine.
3. Specify the priorities and land uses based on the government vision. There should be a plan for the zones that are governed by the Palestinian Authority which includes zoning based on development vision for industrial zones, agricultural zones, etc., with developing areas specified and work focused in these areas.
4. Review all the related laws and regulations that are related to the land and building regulations.
5. Develop the infrastructure for Palestinian land.
6. Evaluate the theory of city centers with satellite towns on the edges.
7. Develop a land administration system and land information system in Palestine.
8. Promote capacity in integrated land resource management.

### **4.3 SWOT analysis for the land development sector in Palestine:**

In this section, the land development sector in Palestine will be analyzed. The analysis will be done by SWOT, after that, TWOS will be used to develop strategies for land development sector in Palestine.

A SWOT analysis is a strategic tool commonly used to identify strategic directions. This analysis tool can balance all internal and external aspects of an enterprise.

#### **4.3.1 Strengths:**

1. Protect land and property right.
2. Develop infrastructure in Palestinian land.
3. Create solid base and good environment for investment.
4. Encourage the Palestinian people to invest outside the crowded cities.
5. Encourage horizontal urban expansion.
6. Most of the people invest\ buy land to hedge inflation risk, this is a good store of wealth.
7. Most of the Palestinian population are young which increases the demand on land for residential or investment use.
8. Decrease the pressure on the infrastructure and reduce crowding in the main cities.
9. Give the Palestinian people opportunities to own a developed parcel of land.
10. Involve the land in the economic cycle and investment.
11. Most of the Palestinian companies that are working in land development sector own innovative websites and applications.
12. The land development project has a high margin of return and significant profit.
13. Enable the individual land owner to take a loan by using land mortgages.

#### **4.3.2 Weaknesses:**

1. Delay in land registration process in Palestine which forced the land out of the economic cycle (all economic transactions need registered titles).
2. Most of the laws need review and modification.
3. The absence of regional and national spatial plans.
4. Delay of strategic steps from the government to develop and regulate the land sector in Palestine.
5. Lack of funds.

6. Most of the projects are located in areas A and B in the West Bank.
7. The land development elements are limited to opening roads and creating access to sources of water and electricity.
8. Absence of an investment plan (location) from the government which can lead to investments for new projects.
9. Absence of national currency, which has an effect on the price of the land.
10. Land categorization in Palestinian context, Mashaa', waqf, private and fragmented ownership.
11. Area of land in Palestine is limited.
12. Lack of experience in large scale land development projects.
13. Concentration on the land development projects for residential purposes.

#### **4.3.3 Threats**

1. Land categorization A, B and C.
2. Segregation wall.
3. Political situation and high uncertainty.
4. No control over resources or borders.
5. Increases in the price of land.
6. Expansion of Israeli settlement in the West Bank.
7. Israeli control of the main roads in Palestine.

#### **4.3.4 Opportunities:**

1. Encourage investors to implement long term investment project.
2. Build new neighborhoods and planned cities.
3. Create job opportunities for Palestinian workers and decrease unemployment rate.
4. Increase the government income (Tax) gained from registered land and investment projects.
5. Increase Palestinian GDP from the land investment project.
6. Give expatriates opportunities to invest in Palestine.

#### 4.4 TOWS Matrix:

The researcher uses a TOWS matrix to derive strategies to develop the land development sector in Palestine:

1. MAXI-MAX Strategies: the researcher used the strengths of the land development project to identify opportunities for the land development sector.
2. Mini/Maxi Strategies: the researcher used the opportunities for the land development sector to minimize weaknesses.
3. Mini/Mini Strategies: the researcher tried to avoid threats and minimizing the impact of our weaknesses.
4. Maxi/Mini Strategies: the researcher's aim is to use the strengths to minimize threats.

	Strengths (S)	Weakness (W)
OPPURTUNITES (O)	<p><u>SO Strategies: MAXI-MAX</u></p> <ol style="list-style-type: none"> <li>1. Protect and Register the Palestinian land \ encourage the investors to implement long term investment project.</li> </ol> <p><u>Complete land registration process for all Palestinian land in order to verify and protect Palestinian rights in their land to make attractive investment environment for Palestinian capital.</u></p> <ol style="list-style-type: none"> <li>2. Develop infrastructure in Palestinian land, create solid ground and a good environment for investors\ encourage the investors to implement long term investment project.</li> </ol>	<p><u>WO Strategies: Mini/Maxi Strategies:</u></p> <ol style="list-style-type: none"> <li>1. Give the Palestinian Expatriates opportunities to invest in Palestine\ Area of land in Palestine is limited.</li> </ol> <p><u>Palestinian land is limited and needs all the Palestinian capital to implement sustainable project.</u></p> <p>Build new neighborhoods and planned cities\ Land categorization in Palestinian context, Masha, waqf, privet and fragmented ownership.</p> <p>Most laws need review and modification\ Encourage the investors to implement long term investment project, Build new neighborhoods and</p>

	<p>3. Develop infrastructure in Palestinian land, create solid ground and good environment for investors\ Create job opportunities for Palestinian laborers and decrease the unemployment rate.</p> <p><u>The government needs to Urgently address the required infrastructure since it is a prerequisite condition for the new investment projects in the Palestinian land.</u></p> <p>4. Encourage the horizontal urban expansion\ Build new neighborhoods and planned cities.</p> <p><u>The government needs to use spatial planning within urban development to Create plans for livable places with high quality and identified urban characters.</u></p> <p>5. Involve the land in the economic cycle and investment\ Increase Palestinian GDP from the land investment project.</p> <p>6. Most of Palestinian companies working in land development sector have innovative websites and applications which enable the clients to have options on</p>	<p>planned cities.</p> <p><u>Review and modify the current laws that are related to the land registration and land regulations.</u></p>
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	<p>lots of land for investment\ Give the Palestinian Expatriates opportunities to invest in Palestine.</p> <p><u>Develop land information system, create data bank for land sector and facilitate the access to these data for the Palestinian investors.</u></p>	
THREATS (T)	<p><u>ST Strategies: Maxi/Mini</u></p> <p>Most people invest in land to hedge inflation risk and as a good store of wealth\ Expansion of Israeli settlement in west bank.</p> <p>Give the Palestinian people opportunities and options to own developed parcel of land\ Expansion of Israeli settlement in west bank.</p> <p><u>Develop the land which is located outside the main cities and issue facilitative rules and regulations that will tend to help the investors to invest in such areas, these developed areas will help in standing against the expansion of the Israeli settlements.</u></p>	<p><u>WT Strategies Mini/Mini Strategies:</u></p> <p>Most of the projects are in area A and B in West Bank: Prepare a sustainable development plan and increase investment in area C.</p> <p><u>The absence of a regional and national spatial plan\ concentrate on developing the regional and national spatial and urban plan.</u></p>



## **Chapter Five:**

### **Land development strategies in the West Bank and Gaza Strip 2019-2024**

This research focuses on the land sector in Palestine, studying the potential development in this sector specifically in Palestine. It also sheds the light on the importance of land involvement to the economic cycle and eventually to development. Intensive holistic efforts from both the public and private institutions and stakeholders must be targeted to improve land management in Palestine, besides all the factors discussed previously in this research.

#### **5.1 Goals and objectives:**

A Goal is suggested to develop land sector in Palestine. This goal can be summarized by:

**End goal: a developed land sector in Palestine that contributes in the development of the economic cycle.**

In order to achieve this end goal, numbers of goals, objectives, and strategies are suggested below:

**Goal one: Develop the land administration system in Palestine.**

Land development administration is considered the main pillar of land management diagram, leading to have good land development.

**Objective 1.1: Complete settlement and land registration process for all Palestinian lands.**

**Strategy 1.1.1:** A comprehensive capacity building programs for the working teams and employees, increasing by that work efficiency within short time.

**Strategy 1.1.2:** Increase the number of team members working in the land and water settlement commission to complete the registration process within short time.

**Objective 1.2: Maximize use of technology to develop land information system in Palestine to deliver high quality land services.**

**Strategy 1.2.1:** Develop application for land management.

**Strategy 1.2.2:** To integrate the Geographic information system (GIS). This would contribute to achieving more efficient land management by using different stages and

layers. The use of developed databases for land rights which can be accessed easily by landowners and institutions would be an effective tool to have more land development

**Strategy 1.2.3:** To Integrate and link special data provided by the Palestinian Central Bureau of Statistics with the land management process and using it as a planning tool.

**Objective 1.3: Develop a transparent easy accede land rights systems for landowners and other institutions.**

**Strategy 1.3.1:** develop online data base system.

**Goal Two: Developing the Economic<sup>4</sup> and Social<sup>5</sup> infrastructure for the Palestinian land.**

**Objective 2.1: Create a cooperative development plan between the ministry of transportation, ministry of local government and ministry of public works and housing in order to prioritize the urgent needs in infrastructure.**

**Strategy 2.1.1:** Study and understand the current infrastructure situation.

**Strategy 2.1.2:** Coordinate and held yearly workshops in the presence of the related ministries, municipalities, village council, and all the related parties to develop a yearly work plan for the infrastructure.

**Strategy 2.1.1:** To ensure that the transportation network can adapt the changes and the regional conditions.

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<sup>4</sup> Economic infrastructure: “projects that generate economic growth and enable society to function. Examples include transport facilities (air, sea and land), utilities (water, gas and electricity), flood defenses, waste management and telecommunications networks. For the purposes of this Report, power plants are also included in the definition of economic infrastructure” (World Economic Forum, 2012)

<sup>5</sup> Social infrastructure: “assets to support the provision of public services. Examples include social housing, health facilities, educational establishments and green infrastructure (multifunctional green space within and between urban areas, such as parks, gardens and green corridors, that enhances social livelihoods and encourages biodiversity)” (World Economic Forum, 2012)

**Objective 2.2: Strengthen the relationship between the government and the main stakeholders to support infrastructure in Palestine.**

The below 5.1 figure, suggests a communication model for strengthening the relationship between the government and the stakeholder in order to develop the infrastructure for the Palestinian land.

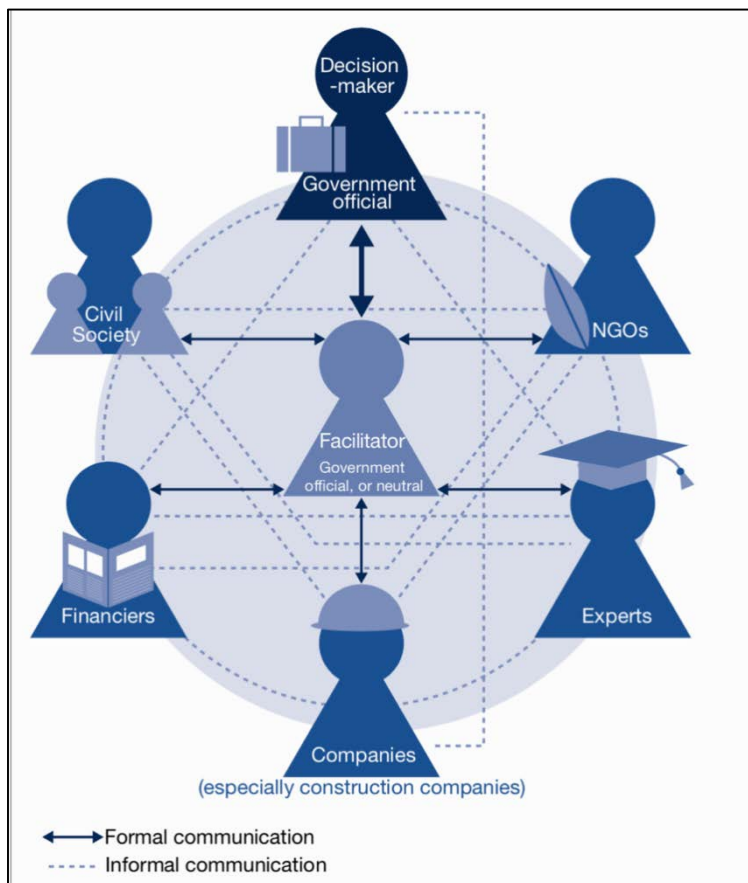


Figure (5.1): a communication model for strengthening the relationship between the government and the stakeholder, Source:([World Economic Forum, 2012](#)).

**Strategy 2.2.1:** Sign an agreement with the land development investors to regulate work in the land development projects.

**Strategy 2.2.2:** Sign an agreement with electricity providers and water providers in order to regulate and set an action plan to develop the land which is located outside of the main cities.

**Strategy 2.2.3** Encourage and facilitate the participation of private sector in the land development plan.

**Goal Three: Develop a spatial plan that transforms land use management's decisions to the national level.**

The spatial and master plans are considered a blueprint for the cities, and the basic pillar that works on regulating and coordinating land development projects.

**Objective 3.1: Prepare and Develop national, regional spatial and master plans for Palestine.**

**Strategy 3.1.1:** Prepare and develop scenarios for the future growth of the governorate and cities (urban and rural) with a view to spatially link to urban and rural areas.

**Strategy 3.1.2:** Prepare a master plan for the land which is located outside the main cites.

**Strategy 3.1.3:** Define and distribute the land uses, locations of new cities

**Objective 3.2: Protect and enhance the land that contains natural forests and historical sites in order to create opportunities for investment projects.**

**Strategy 3.2.1:** Review and develop the current rules and regulations that are related to historical sites and other natural resources.

**Strategy 3.2.2:** Develop feasibility studies regarding investment in natural and historical sites.

**Strategy 3.2.3:** Maximize access to green and open spaces.

**Goal Four: Effective legal framework for land administration and management in Palestine.**

**Objective 4.1: Reviewing and reforming police and legislation.**

**Strategy 4.1.1:** Raise awareness and held workshops for all the stakeholders to focus on the impact of the old laws and legislation on the land sector.

**Strategy 4.1.2:** Activating the Legislative Council regarding land development regulations.

**Objective 4.2: Build coordination between the governmental institutions and the private sector institutions to formulate and declare policies and laws which affect the performance of the land sector in Palestine.**

**Strategy 4.2.1:** Conducting workshops with the private sector and institutions to review and formulate the policies for the land development sector in Palestine.

**Strategy 4.2.2:** Conducting periodic assessment and review of the current policies and laws.

**Goal five: Enhance and create opportunities that encourage investments in land development projects.**

**Objective 5.1: Promote land development projects.**

**Strategy 5.1.1:** Providing a plan for new cities and residential areas, develop strategy roadmap for investment. This would include preparing feasibility studies, and plans for future investment in the land sector in Palestine.

**Strategy 5.1.2:** Involve landowners and have a discussion with them regarding development opportunities and their inputs and ideas that may create new investment in the land sector.

**Strategy 5.1.3:** Use social media to reach the Palestinian Expatriates and promote the investment in the Palestinian land.

**Objective 5.2: Issue new laws and regulations to facilitate and encourage investment in the land sector.**

**Strategy 5.2.1:** Providing facilitation measures to attract and encourage investors to invest in the land sector.

**5.2 Recommendations and Future Studies:**

1. The land sector in Palestine is natural wealth which needs more cooperation between the government and private sector in order to be developed.
2. The land development plan should be a core element in a governmental sustainable development plan.
3. The government and private sector should prepare clear strategies for investment in Palestine.

**Future studies:**

The researcher suggests the following titles for future studies:

1. The effect of land development on land prices.
2. The relation between land registration and sustainable urban land development.
3. Palestinian investment strategies in area C.
4. Develop Financial system that help accession of land for development investor (like loan system).

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## **List of appendices**

### **Appendix 1: Interview Questions:**

1. What are the effects of the absence of land settlement process in Palestine?
2. Does the presence of land management system help in attracting the capital for real estate investment in Palestine?
3. Can the land management and development be considered a governmental responsibility or is it a share between private and public sector?
4. Are the laws and legislations related to land can form an obstacle that face land development and management in Palestine?
5. Is there a specific strategy adopted by the government for land management and development? Did the absence of such strategy lead to chaos in this sector? Did this cause increment in land prices? Did this cause development inside the Palestinian cities?
6. Did the presence of clear strategies for land management and development help in protecting land from Israeli acquisition?
7. What challenges are facing land management and development in Palestine?
8. What are the main elements that have to be available in land development projects?
9. Are land development projects profitable?
10. What are the proposed strategies for land development and management in Palestine?

## Appendix 1: Interview Questions in Arabic:

- 1 . ما هي الآثار المترتبة على غياب عملية تسوية الأراضي في فلسطين؟
- 2 . هل وجود نظام لإدارة الأراضي في فلسطين يساعد في جذب راس المال للاستثمار العقاري في فلسطين؟
- 3 . هل إدارة الأراضي وتطويرها مسؤولية الحكومة أم هي شراكة بين القطاع العام والخاص في فلسطين؟
- 4 . القوانين الخاصة بالأراضي هي (قوانين قديمة) وتشكل عائق لعملية تطوير وإدارة الأراضي في فلسطين؟
- 5 . هل يوجد استراتيجية واضحة من قبل الحكومة لتطوير وإدارة الأراضي؟ هل غياب هذه الاستراتيجية ساهم في غياب التنظيم لهذا القطاع وساهم في ارتفاع أسعار الأراضي وتمركز التطور العمراني داخل المدن الفلسطينية؟
- 6 . هل وجود استراتيجيات واضحة ومدرسة لتطوير وإدارة الأراضي يساهم في المحافظة عليها من المصادرة من قبل الاحتلال؟
- 7 . ما هي التحديات التي تواجه تطوير وإدارة الأراضي في فلسطين؟
- 8 . ما هي العناصر الأساسية التي يجب توافرها في مشاريع تطوير الأراضي؟
- 9 . هل مشاريع تطوير الأراضي مجدية اقتصادياً؟
- 10 . ما هي الاستراتيجيات المقترحة لتطوير وإدارة الأراضي في فلسطين؟

## ملخص

يدرس هذا البحث استراتيجيات تطوير الأراضي الفعالة لغرض الاستثمار العقاري في فلسطين. يأتي هذا البحث لتسليط الضوء على "الحق في التنمية" للفلسطينيين: حيث أن جميع الناس لديهم الحق في "التنمية الاقتصادية والاجتماعية والثقافية"، والتي تعتبر واحدة من العقبات الرئيسية في فلسطين.

تبحث الدراسة في الاستراتيجيات المجدية لتطوير الأراضي، والبحث عن تقنيات فعالة وكفؤة تساعد في تحقيق التنمية لقطاع الأراضي.

تشتمل الدراسة على عرض بعض التجارب لدول مختلفة ودراسة نظام إدارة وتطوير الأراضي والاستراتيجيات المطبقة هناك.

يستند هذا البحث إلى بيانات من التقارير لوزارة الحكم المحلي الفلسطينية، والمسح السنوي والتقارير الصادرة عن مركز الإحصاءات الفلسطيني، بالإضافة إلى بيانات من وزارة المالية والتخطيط.

تم تطبيق المنهجية النوعية، واشتمل ذلك على إجراء المقابلات، استناداً إلى أسئلة مفتوحة مع عينة من الأكاديميين، ورجال الأعمال الفلسطينيين.

لمزيد من التحليل النظري، تم استخدام نظريات ومقالات ودراسات مختلفة. لتحسن فهم تطوير الأراضي وأهميتها للنمو العقاري والاستثمار، مع الأخذ بعين الاعتبار مستقبل التنمية الاقتصادية.

تم التوصل إلى مجموعة من الاستراتيجيات التي يقترحها الباحث لتنمية قطاع الأراضي في فلسطين، أهمها إنهاء أعمال تسوية وتسجيل الأراضي في فلسطين، زيادة استخدام التطبيقات التكنولوجية لتطوير قطاع الأراضي ونظام المعلومات المتعلقة بها، بالإضافة إلى اتخاذ إجراءات فعلية من قبل الحكومة لتشجيع وجذب الاستثمار لقطاع الأراضي في فلسطين.