

# BAHRAIN LAND SECTOR ASSESSMENT

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## BACKGROUND PAPER



## **ACKNOWLEDGEMENTS**

**Author:** Karim I. Abdrabo

**Reviewers and contributors:** Sina Schlimmer and Reham Ali

**Task managers:** Doaa El-Sherif and Ombretta Temptra

**Editing:** Mary Ann Llanza and Heather Elaydi

## **ABOUT THIS PAPER**

This background paper presents the results of an assessment conducted on land management and land administration in Bahrain between 2020 and 2022. Good land governance is essential for realizing sustainable social, economic, and environmental development, peace and stability. The paper indicates the country's capacity to deliver good land governance by measuring its performance on the core land administration functions: land tenure, land value, land use, land development and land disputes resolution. It also maps the existing learning offer on land governance, identifying the key institutions and the courses available in Bahrain. The paper was prepared as part of the work of the Arab Land Initiative, and its preparation was coordinated by the Urban Training and Studies Institute (UTI) of the Housing and Building National Research Center (HBRC), Egypt, under the leadership of UN-Habitat and the Global Land Tool Network.

THE GLOBAL LAND TOOL NETWORK AND THE ARAB LAND INITIATIVE – GLTN is a multi-sectoral alliance of international partners committed to increasing access to land and tenure security for all, with a focus on the poor, women and youth. The Network's partners include international rural and urban civil society organizations, research and training institutions, bilateral and multilateral organizations, and international professional bodies.

In 2016, GLTN Partners, led by UN-Habitat and the World Bank, launched the Arab Land Initiative to promote equal access to land, peace, stability and economic growth in the Arab region through good land governance and transparent, efficient and affordable land administration systems. The Initiative aims at empowering land champions from the region by developing capacities, increasing collaboration and promoting innovation, learning and sharing of best practices. It also supports the implementation of land gender-responsive and fit-for-purpose land tools and approaches at national and local level. The Initiative is supported by the Federal Ministry for Economic Cooperation and Development of the Federal Republic of Germany (BMZ).

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## ABBREVIATIONS

<b>BHD</b>	Bahraini Dinar
<b>LAS</b>	Land Administration System
<b>UNDP</b>	United Nations Development Programme
<b>UN-Habitat</b>	United Nations Human Settlements Programme
<b>UNDP</b>	United Nations Development Programme
<b>UTI</b>	Urban Training and Studies Institute

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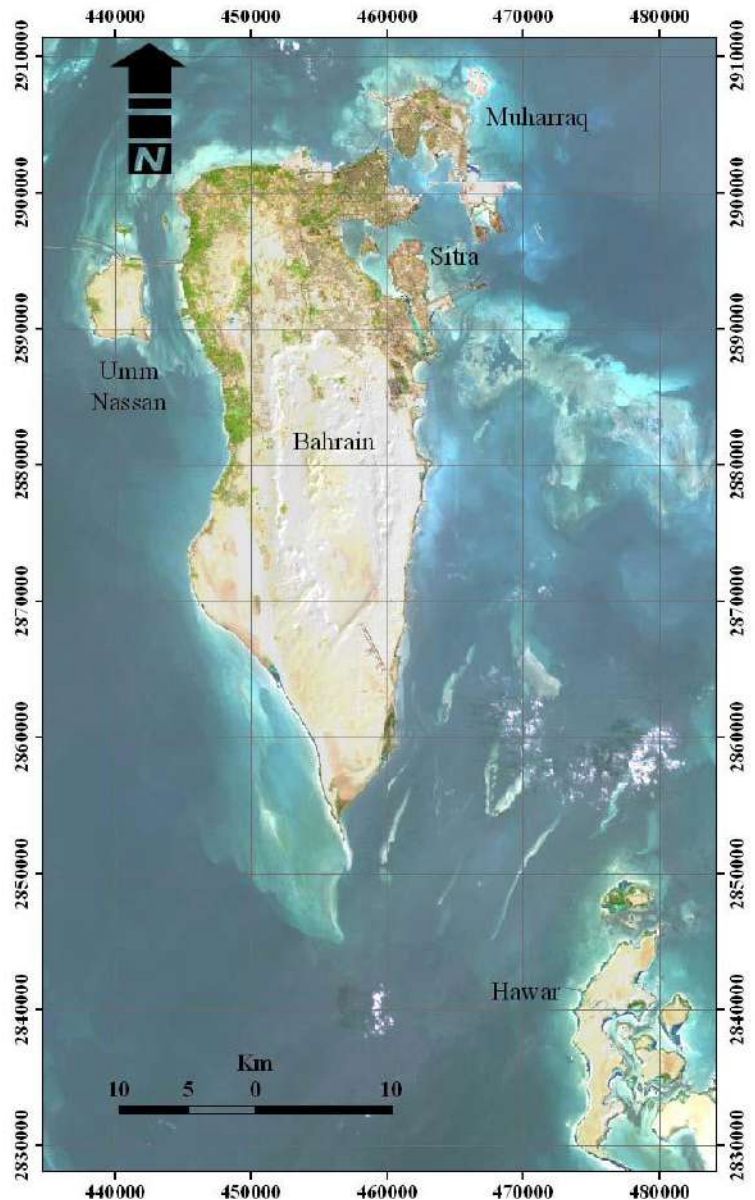
# 1. INTRODUCTION

Bahrain consists of 36 small islands. The country's name is said to reflect the archipelago's position between two seas, though another theory is that the name refers to two water sources rising in numerous springs beneath the islands' surfaces and the offshore seabed (Figure 1). Bahrain's total land area was about 620 km<sup>2</sup> before substantial reclamation projects expanded its land mass along the shorelines (Al-Nabi, 2012).

Bahrain's current population is estimated at 1.74 million (World Bank, 2022a), more than half of whom are expatriates (Ministry of Information Affairs, 2010). Seventy per cent of the population is Muslim (approximately 70 per cent Shia and 30 per cent Sunni).

92 per cent of the population resides in urban areas and close to the sea. Bahrain ranks 41st among countries worldwide and the highest among Arab countries in the Human Development Index, indicating a rise in people's standard of living.

Figure 1: Location of Bahrain.  
Source: Public Commission for Protection of Marine Resources, the Environment and Wildlife (2009).



Bahrain has very limited land, and government policy thus concentrates on expanding the country's land area for development. Consequently, large coastal zones in some of the main islands, mainly the northern part, have been subjected to extensive dredging and infilling activities since the 1970s for developmental purposes. The country's land area is constantly increasing, currently totalling about 785 km<sup>2</sup> (World Bank, 2022). The full coastal length is more than 537 km, with the marine area reaching 8,000 km<sup>2</sup> of the Arabian Gulf. More than 7,210 km<sup>2</sup> of this area is considered an aquatic ecosystem. The main islands are in two groups of unequal sizes. The larger, which includes Bahrain, Muharraq, Sitra, Jiddah and Umm Nassan, is in the centre of the Gulf. The second group of small islands, Hawar and Sawad, is close to the Qatari coast.

# 1.1 Land administration

Land management and administration systems typically perform five functions: land tenure, land value, land use, land development and land disputes resolution (Williamson et al., 2010), as shown in Figure 2. These functions support the goal of sustainable economic growth. The five functions are guided by a land policy framework consisting of laws and policies related to land (Zevenbergen, 2002). These can be consolidated into a single law or, more commonly, divided among various laws. For example, various types of land, such as urban, rural, pastoral and forest, may be subject to other regulations.

These functions are performed by surveyors, engineers, lawyers, valuers, land economists, planners and developers. Functions related to land management may be allocated to organizations in different spheres of government. These tasks include surveying, urban planning, cadastral maintenance, taxation, city planning and judicial oversight. Certain functions, e.g., surveying, might also be undertaken by private sector actors.

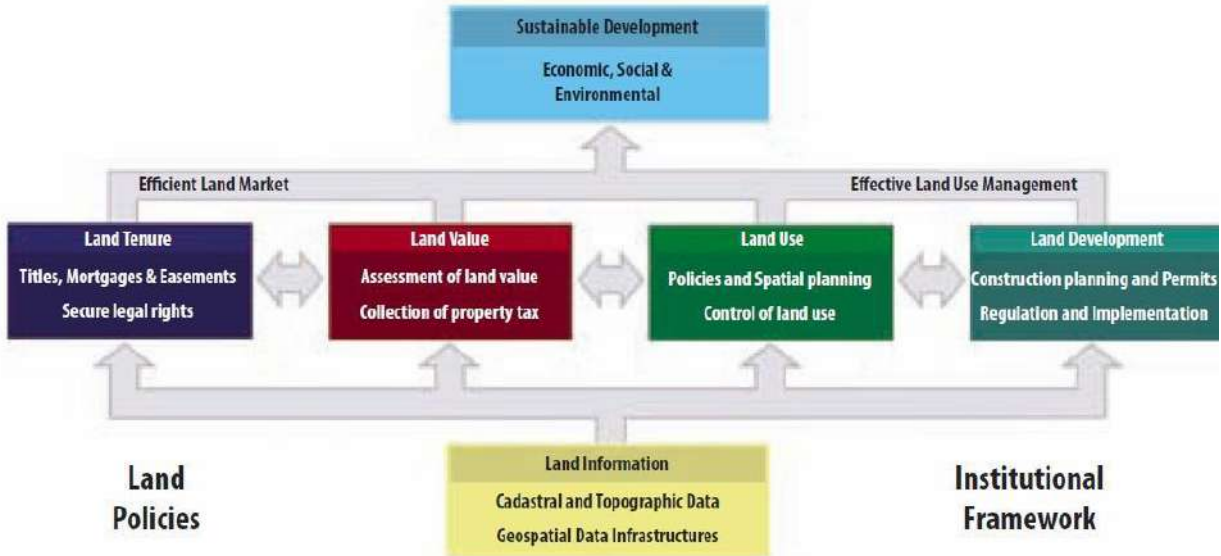


Figure 2: A global land administration perspective. Source: adapted from Showaiter (2018) and Williamson et al. (2010).

Land information infrastructure comprises, among others, land registries and cadastre systems that include spatial information (maps), ownership and use rights, registers of transactions, records of debts and obligations, land values, actual and permitted uses and plans for future use. It links the physical environment of buildings and infrastructure (roads, pipes, cables) with legal and social rights (ownership, rights of way, usage rights) and the natural environment (topography, vegetation, natural resources).

All too often, land management and administration systems are run in a way that benefits the rich, the powerful and men. They fail to record the rights or claims that the poor, the marginalized and women may have over the land. The information these systems contain can be accessed only by those with the money and skills, enabling the powerful to dominate the competition for scarce land resources.

To correct this issue, the capacity of land management and administration systems must be strengthened to ensure land access and security for all members of society, not just the elite. The significance of assessing land administration systems is that land administration functions are closely associated with other socioeconomic factors, directly impacting the country. Ultimately, LAS aims to provide land tenure security for society by establishing reliable land information and land-based transactions. Good governance, sustained political will and institutional support are vital.

Policies, land tools and approaches are needed to promote increased access to land and tenure security for all. Developing land management and administration system capacity means developing three levels: individual, organizational and the enabling environment. Each level affects the others. The numbers, skills and experience of staff help determine the effectiveness of their organizations. The functioning of an organization depends not only on the policies and rules that govern it. Those policies and regulations are also set by the current situation and potential of the organization.

Any individual or organization has existing capacity assets; capacity development seeks to identify these assets and build on them. That means recognizing current skills and finding ways to improve them. For organizations, this requires analysing existing structures and functions and adapting them to current or anticipated needs without unnecessary disruption (Showaiter, 2018).

## 1.2 Objective of the study

This paper summarises the results of an assessment of the capacity of Bahrain's land administration system to perform the core land administration functions to support the achievement of the overarching goal of sustainable social and economic development. The study provides a preliminary assessment of the current learning offers and related curricula for land governance in the country and contributes to a larger research project of the Arab Land Initiative that covers the Middle East region.

## 1.3 Methodology

This assessment was conducted through the following steps:

1. Literature review on various LAS aspects through a comprehensive look at documents, including laws, legislation, international reports and local studies conducted by the relevant ministries and agencies.
2. Semi-structured interviews completed online with the targeted stakeholders to obtain a final assessment of the five functions of the land administration system. The project team has formulated the interview questions based on comprehensive research of adequate indicators for this study.
3. Capacity assessment <sup>1</sup> through interviews assessed the statutory systems focused on land administration, land tenure, land use, land development and land information infrastructure. The interviews focused on the main challenges, problems and concerns, current performance, capacity gaps, who and what can bridge that gap and how fast.

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<sup>1</sup> The model used for the statutory land administration aspects was based on "a global land management perspective" (Williamson et al., 2010), Land Management Paradigm (Enemark, 2005), and Land Administration Toolbox-based Assessment Methodology (De Vries et al., 2016). This approach was piloted at the country level in Uganda through GLTN-supported work (Abukashawa et al., 2020).

### 1.3.1 Stakeholders' Interviews

The primary method used for identifying the targeted stakeholders was stratified sampling, one of the most suitable methods for such a purpose (Ackoff, 1953).<sup>2</sup> Key informants in each category were identified and surveyed through online questionnaires, Zoom meetings and phone calls. For the survey, 59 stakeholders were identified, and 43 of these were contacted. Ten of those contacted completed the questionnaire (see Figure 3), including 3 persons from government or public institution and 7 persons from the private sector. Three people completed the questionnaire on existing learning offers and related curricula for land governance.

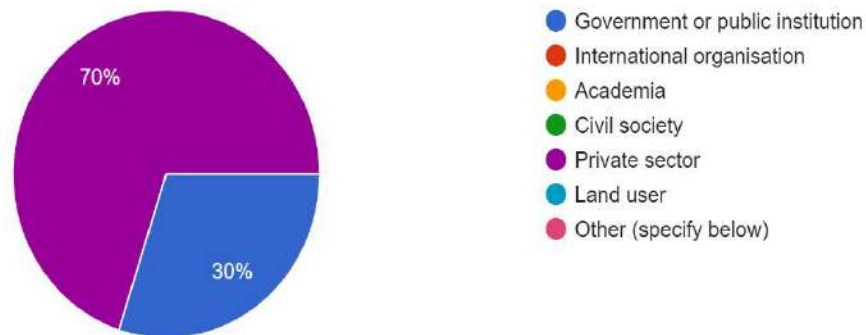


Figure 3: Types of respondents

### 1.3.2 Limitations

The capacity assessment survey includes both quantitative and qualitative questions. In some cases, particularly concerning the quantitative questions, the information necessary to generate a precise finding is not available, either because the data is scattered across different institutions, the data is not accessible or it is treated as confidential information as a matter of government policy or practice, it simply does not exist, or it was not possible to get in touch with relevant experts. Where precise quantitative data was unavailable, researchers made an informed estimate in consultation with experts. The outcomes of the study are therefore indicative and further efforts should be placed in collecting and consolidating more precise land-related information in the future. Researchers had difficulty securing interviews with academics, international organizations, land users and civil society actors. Although several stakeholders were contacted, none participated in the interview. For future studies, seeking better representation from the experts in the identified sectors mentioned above is necessary. Moreover, only 20 per cent of participants were female.

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<sup>2</sup> Identified stakeholders are those with: (1) land-related specialties or experiences, (2) professional relationships with the country consultant or the work team from UTI, GLTN, or UN-Habitat (to facilitate communication between the consultant and the respondents), or (3) recommended by one of the identified stakeholders.



## 2. LAND-RELATED LEGAL FRAMEWORK

Bahrain's legal system is based on civil law, customs and sharia (Islamic jurisprudence). The system primarily derives from the legal system of Egypt, which is based on the legal system of France.

**Monarchy:** The King of Bahrain holds the highest position in the state. His role is to ensure the integrity of the government and to uphold the primacy of the constitution and the law. He is vested with the authority to appoint the prime minister, his council and the advisory body of the legislative branch, and is able to dissolve parliament through royal decree. The King possesses the exclusive power to ratify laws and international treaties, and presides over matters of foreign policy. He is also the Supreme Commander of the Armed Forces and the chair of the Higher Judicial Council.

**Legislative Structures:** Bahrain's legislative system comprises two chambers, each with 40 members: the Advisory Council and the Chamber of Deputies (Parliament). Together, these bodies constitute the National Council, endowed with specific responsibilities. Members of the Advisory Council are appointed directly by the King, while Parliamentary representatives are elected by their respective constituencies in general elections. Women and men have equality in their rights to vote, be appointed in government and run for election.

**Legislative Process:** The government first submits draft laws to Parliament, which is able to amend, endorse or reject them. There are then two rounds of review by each the Advisory Council and Parliament. If disagreements arise between the two bodies during the review, the National Council convenes and the law passes based on majority approval. If the law passes, the Prime Minister then forwards it to the King for ratification, and it comes into force six months after ratification, so long as the king has not reconsidered.

**Parliamentary Oversight:** Parliament can issue written directives to the government on matters of public concern; the government is obligated to respond within six months. Failure to comply necessitates an explanation of non-compliance, and any topic regarding government policy may result in interpellation (a formal request procedure) upon the petition of at least five members of Parliament.

**Judicial Framework:** Bahrain's Constitution guarantees the autonomy of the judiciary, which comprises criminal, civil and Sharia courts. Criminal matters fall under the jurisdiction of criminal courts,<sup>3</sup> while civil courts adjudicate civil, commercial, administrative and non-Muslim personal disputes. Sharia courts preside over family law and Islamic personal matters, including inheritance. Each judicial division is overseen by the Court of Cassation or Supreme Court, the highest appellate court. There is no provision of immunity for ministries or public entities and any concerned party is able to challenge decisions or orders.

**Constitutional Oversight:** The Constitutional Court, established following the enactment of the 2002 Constitution, ensures compliance with constitutional provisions and safeguards the rights enshrined

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<sup>3</sup> An individual cannot file a criminal case directly against another. A complaint must be filed with the public prosecution, and the prosecution decides whether to prosecute a case.

therein. The Constitution provides military courts jurisdiction over the Bahrain Defence Force, National Guard and General Security Forces.

**Judicial Administration:** The Higher Judicial Council administers Bahrain's courts, ensuring their efficient operation. The Council nominates judges whose appointment is then finalized through royal decree. Chaired by the King, the Council comprises the Chief Justice, the Attorney General and a minimum of five judicial appointees serving three-year terms.

**Executive Branch:** The Council of Ministers, appointed by the king and led by the Prime Minister, comprises the executive branch. Ministers oversee their respective government departments, implement relevant policies and pass ministerial orders alongside legislation passed in the judicial branch. The Prime Minister ensures the effective functioning of the Council, overseeing performance and facilitating inter-ministerial coordination. The Council's proceedings are confidential, and the King may participate in and preside over its meetings. Additionally, ministers possess the authority to issue ministerial decrees alongside legislation passed by the legislative branch (Al-Doseri and Jawahery, 2018).

Bahrain's legislative framework for urban planning was initially based on constitutional law, considered the general planning framework. However, constitutional law is supplemented by several other legislations that address a particular aspect of urban planning. The Urban Planning and Development Authority provides a robust legal and regulatory framework for businesses to grow, attract talent and innovate. Developing laws, regulations, decisions and other related legislation provides the legal and legislative information needed for businesses to feel secure.

Such legislation can be summarized as follows (Al-Doseri and Jawahery, 2018; Urban Planning and Development Authority, 2021a):

- Code of Expropriation for the General Interest No. 8/1970 and its amendments in 2005
- Code of Construction No. 13 of 1977
- Code of Real Estate Selling Contracts No. 16 of 1979
- Decree No. 28/1999 Respecting the Establishment and Organization of Industrial Estate
- Legislative Decree No. 3 of 1994 concerning the Division of Lands Intended for Construction and Development, as amended by Law No. 6 of 2005
- Legislative Decree No. 1 and 2 of 1994 concerning the Law of Urban Planning
- Civil Code (2001), primarily concerned with the Law of Obligations. It regulates rights to enter into agreements, the creation and dissolution of contracts, leases, mortgages and pledges
- Municipalities Law, promulgated by Legislative Decree No. 35 of 2001, as amended
- Legislative Decree No. 2 of 2001 on the Ownership by Non-Bahrainis of Built Properties and Land
- The Constitution (2002) establishes the social, economic, civil and political rights of citizens and the powers of the state
- Law No. 53 of 2006 designates Tubli Bay as a nature reserve
- Ministerial Resolution No. 95 of 2011 amending the executive regulations of Decree-Law No. 3 of 1994 regarding the division of lands intended for reconstruction and development issued by Resolution No. 56 of 2009
- Resolution No. 54 of 2012 regarding defining construction lines on main roads

- Property Registration Law promulgated by Law No. 13 of 2013
- Lease Law of 2014 on regulating landlord and tenant relationships and agreements
- Legislative Decree No. 25 of 2015 concerning Recovering the Costs of the Establishment and Development of Infrastructure in Urbanized Areas
- Resolution No. 4 of 2016 amends some provisions of the executive regulations of Decree No. 3 of 1994 regarding the division of lands intended for construction and development issued by Resolution No. 56 of 2009
- Resolution No. 196 of 2016 amended some provisions of the executive regulations of Decree No. 3 of 1994 regarding the division of lands intended for construction and development, issued by Resolution No. 56 of 2009
- Law No. 27 of 2017 promulgating the Real Estate Sector Regulation law
- Resolution No. 11 of 2017 regarding defining categories and a mechanism for collecting the cost of establishing and developing infrastructure in existing construction areas with facilities
- Decision No. 134 of 2018 regarding the controls and requirements for accrediting offices to review drawings, data, documents and maps necessary to issue building licences
- Zoning and Construction Regulations:
  - Decree No. 28 of 2009 on the determination of zoning regulations for construction in various areas of the Kingdom
  - Decree No. 76 of 2018 on regulatory requirements that apply to housing projects
  - Decree No. 55 of 2016 on amending some of the regulatory requirements for construction in various regions in the Kingdom issued by Resolution No. 28 for the year 2009
  - Decree No. 15 of 2016 on the approval of classification maps for the Capital Governorate
  - Decree No. 16 of 2017 on the approval of classification maps for the Northern Governorate
  - Decree No. 17 of 2017 on the approval of classification maps for the Al-Mehraq Governorate
  - Decree No. 18 of 2017 on the approval of classification maps for the Southern Governorate

### 3. INSTITUTIONAL FRAMEWORK AND STAKEHOLDERS

In 2001, under the leadership of His Majesty King Hamad Bin Isa Al-Khalifa, the Kingdom of Bahrain introduced the National Action Charter, which is hailed as the foundational document for democratic transformation within the nation. This political reform initiative included election at the municipal and parliamentary levels, which notably marked the inclusion of women as both voters and candidates (Public Commission for Protection of Marine Resources, the Environment and Wildlife, 2009). In addition to creating an independent judiciary, a bicameral legislature was established with an appointed body (Shura Council) and an elected house (Consultative Council).

Bahrain is actively pursuing economic diversification and sustainable management of its natural resources. As an island nation, it faces significant challenges from climate change, particularly rising sea levels. To address these concerns, the Kingdom has implemented various initiatives under its national framework for sustainable development. These efforts encompass a range of socioeconomic strategies

such as the the National Economic Strategy, the Economic Vision 2030 for Bahrain, Bahrain 2030 National Planning Development Strategies and Bahrain's Future Skills Strategy.

The Kingdom's environmental initiatives include the National Environment Strategy, the National Biodiversity Strategy and Action Plan, the National Desertification Plan and Strategy and Bahrain 2030 National Land Use Strategy. Some of these strategies are still in draft form while others are in their final stages. Progress has been made in implementing the Barbados Programme of Action, however the lack of financial resources and inadequate technical and technological capacities make achievements neither comprehensive nor substantial. In this context, capacity-building is of prime importance to enable national institutes in Bahrain to overcome difficulties and meet challenges.

Typically, land administration entities are created through legislative measures outlining their operational scope and necessary stakeholders. In Bahrain, the Survey and Land Registration Bureau was instituted under Land Registration Law No. 15, enacted in 1979 and subsequently revised by Law No. 13 in 2013. According to this law, the Survey and Land Registration Bureau "shall undertake surveying, registration and land valuation for lands in the Kingdom of Bahrain, following the provisions of this law, by-law and the resolutions issued in implementation thereof. It is the primary reference for all lands in Bahrain, including the maintenance and updating of the land information database" (2013). The law outlines the primary responsibilities of the bureau, which encompass surveying, registration and valuation, and designates departments to oversee these tasks.

Bahrain's land administration system began in 1924 when the state was established. Over time, it has undergone various phases of organizational development, adapting to different historical periods. At present, these are the primary organizations that oversee land administration:

**The Survey and Land Registration Bureau** is responsible for all surveys (including cadastral, topographic and hydrographic) as well as land registration, which covers land titles, land certificates, ownership information, land value, topographic maps and hydrographic charts. These are the main products and services provided by the Bureau. Cadastral and topographic maps full cover Bahrain's land mass. Lands in the country are registered as either state land (government) or private ownership. The Bureau maintains a land registry where each property, description and legal status is entered. Facts and information recorded in the land registry are considered final and conclusive proof of the matters they describe and information recorded in the registry is considered proof of ownership. Details in the register cannot be altered except by court order or upon receipt of a notarized declaration from a party approved by the **Minister of Justice and Islamic Affairs**. The Bureau Director may correct material errors in the land register according to the appropriate legal instruments of ownership or disposal. Registered land cannot be acquired through adverse possession or prescription. The rights of others that encumber the land must be written on the title to that land, and failure to follow such registration renders the rights invalid. The **King of Bahrain** guarantees titles to lands registered in the registry, which cannot be annulled or overturned.

**The Ministry of Works, Municipalities Affairs and Urban Planning** is responsible for all planning, zoning and building activities. The Ministry's primary role is development of zoning plans, master plans and development permits; it also launched the National Planning Development Strategy in 2007, Bahrain's land-use policy. The **Real Estate Regulatory Authority** is designed to deliver a transparent and sustainable

regulatory environment for the real estate sector, promote investment and protect the rights of consumers. **The Bahrain Chamber for Dispute Resolution** was established by Bahrain Legislative Decree No. 30 of 2009.

Decree No. 47 and No. 48 of 2017, amending Decree No. 54 of 2007, established the **Urban Planning and Development Authority**. Decree No. 68 of 2012 reorganized the Ministry of Works, Municipalities Affairs and Urban Planning, which is responsible for land subdivision, merging, rezoning study, hydro-dynamic studies assessment, special nature projects review, traffic studies approval and land adjustment.

Based on existing legislation and institutional framework, there seems to be a lack of integration between higher and lower governmental bodies and overlapping powers and authorities in some instances. There is a need to follow specific local situations to improve the distribution of authority. Some concerns include the inability to sort conflicts of sectoral interests among various ministries and departments; the budgetary allocation struggle between quick-win development projects versus fundamental change with long-term impacts; and delays in implementing governance reforms and setting up new institutes to strengthen the planning system.

## 4. LAND MANAGEMENT AND ADMINISTRATION

Access to land is crucial for people as it provides shelter and a means of livelihood. The distribution and use of land are determined by land policies, defined as the rules governing access to land and the distribution of its benefits. Land policies comprise complex socioeconomic and legal prescriptions governing land and its related benefits. Land administration is a primary driver for achieving such objectives and provides a suite of tools for operationalizing land policy instruments. It has been defined as “the process of determining, recording, and disseminating information about landownership, value and use when implementing land management policies” (Burns et al., 2006).

Three principles underpin the importance of land management and administration: (1) Providing secure tenure to land can improve the welfare of the poor by enhancing the asset base of those, such as women, whose land rights are often neglected; This creates the incentives needed for investment, a key element underlying sustainable economic growth. (2) Facilitating the exchange and distribution of land, whether as an asset or for current services, at low cost is central to expediting land access and enhancing the development of financial markets. And (3) Governments have a clear role in promoting and contributing to socially desirable land allocation and utilization.

Land management and administration have five key functions, separately described in this paper: tenure, value, use, development and dispute resolution. The paper also looks at political objectives and institutional infrastructure, since it is related to and impacts the five main functions of the land administration system. The results reveal key strengths and weaknesses regarding Bahrain’s land administration system.

## 4.1. Political Attention and Institutional Set-Up

While all land policies stem from the highest policymaking body in the country, in practice the responsibility of different parties in implementing or enforcing those policies are often less clear. Since land policies concern social, economic and legal disciplines, multiple ministries are involved in forming and implementing land policies. No country has one ministry with full responsibility for all legal, fiscal and environmental land matters. Ministries of finance, justice, agriculture, urban affairs and the environment all create land policies to meet the objectives associated with their respective mandates through their participation in policy-making processes. If not developed in coordination or consultation with other ministries, policies may conflict with one another and the decision-making processes becomes fragmented.

This section discusses the questionnaire results regarding knowledge and awareness of land management and the roles and responsibilities of the different land-related institutions in Bahrain.

The vast majority of the respondents believe that **government awareness on the importance of land issue for sustainable development** is high, giving a rating of either four or five (see Figure 4). Most respondents also believe that **organizations with land-related mandates are well-financed**.

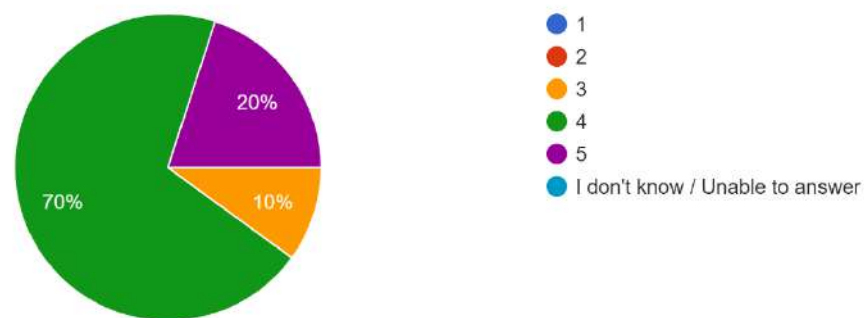
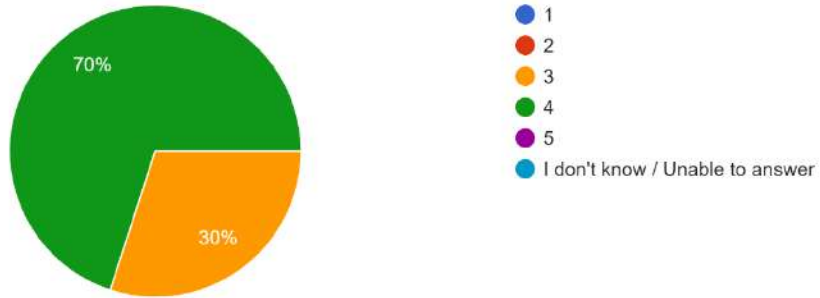


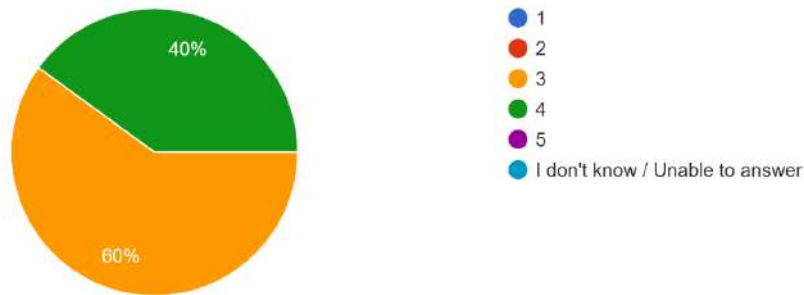
Figure 4: Perception of government awareness of the importance of the land issue for sustainable development (1 is “not aware” at all; 5 is “very well aware”).

This awareness is reflected in the perception of the clarity of responsibilities of different public institutions with land-related functions, but not in the linkages between institutions/organizations with land-related mandates. The majority of respondents evaluated the **clarity of mandates** of government institutions as four or five (as shown in Figure 5.a). However, most respondents evaluated the **linkages between institutions** as average (3 or below in Figure 5.b).

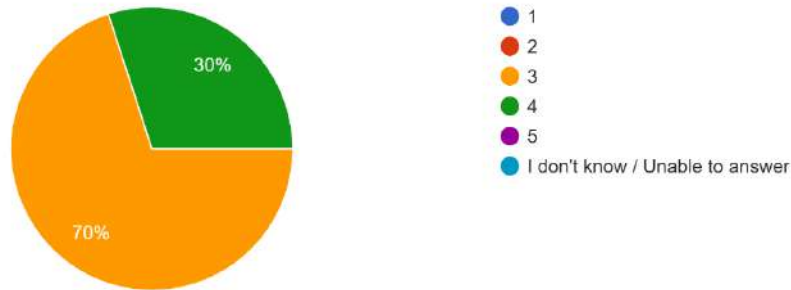
Most respondents also evaluated the **management of institutions/organizations with land-related mandates** as average (3 or below in Figure 5.c), and less than half believe such institutions to be overall **well staffed with enough competent personnel** (Figure 5.d). The results show some weaknesses in links and management within and between land-related public institutions, indicating that these organizations are still not sufficiently well-coordinated and equipped to deal with complex land-management problems.



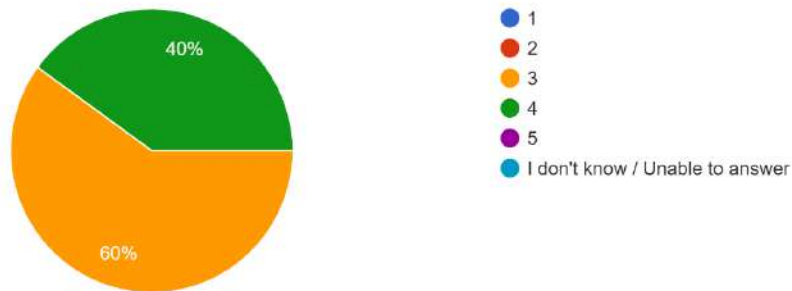
a. Clarity of mandates of different public institutions with land-related functions (1 is “not clear/well defined/manageable” and 5 is “very clear/well defined/manageable”).



b. Linkages between institutions/organizations with land-related mandates (1 is “not at all defined/resulting in insufficient institutional cooperation”, and 5 is “very well defined/resulting in excellent institutional cooperation”).



c. Management of institutions/organizations with land-related mandates (1 is “not well managed at all” and 5 is “very well organized”).



d. Adequate staffing of institutions with land-related mandates (1 is ‘very inadequate, and 5 is ‘very adequate’).

Figure 5: Evaluation of public institutions with land-related functions.

## 4.2. Land Tenure

Whether legally or customarily defined, land tenure is the relationship among people, as individuals or groups, concerning land and associated natural resources. Rules of tenure define how land and property rights are allocated within societies as well as related responsibilities and constraints. In simple terms, land tenure systems determine who can use which resources, for how long and under what conditions. The Bahrain Chamber for Dispute Resolution and the Supreme Judicial Council are the responsible agencies for land tenure. It is worth mentioning that non-citizens can own lands in Bahrain.

### 4.2.1. Securing access to land and land-related resources

Securing access to land and resources is challenging and multiple considerations need to be addressed in order to achieve this.

**Secure tenure rights to land with legally recognized documentation:** The vast majority of respondents believe that land tenure data is available in Bahrain and that most of the adult population has secure tenure (Figure 6). Most respondents do not know the proportion of the female adult population who have tenure security.

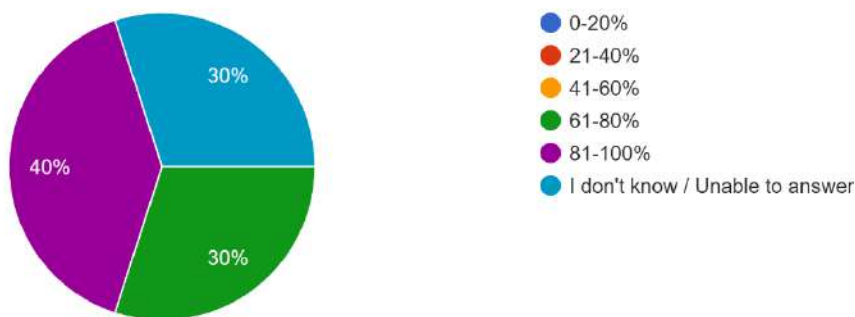


Figure 6: Perception of and tenure security for the adult population.

**Eviction:** An overwhelming majority of respondents believe it is “unlikely, to very unlikely” to be forcibly evicted or displaced (Figure 7), noting that the leading cause for eviction is development of national projects, which only occurs with the consent of landowners.

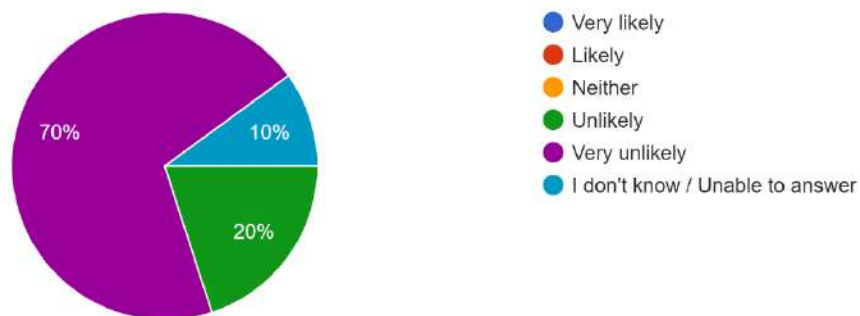
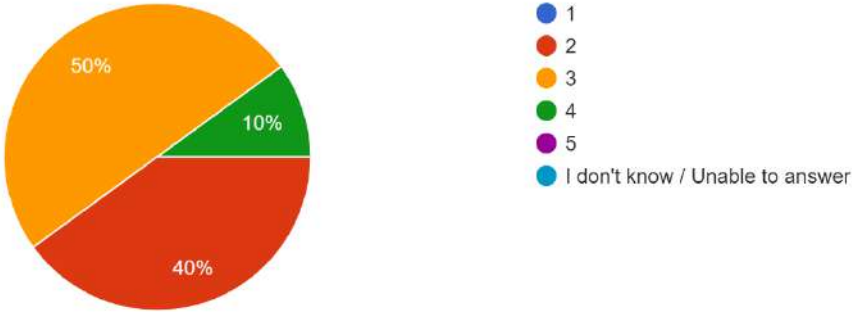


Figure 7: The possibility of eviction and displacement by force in Bahrain.

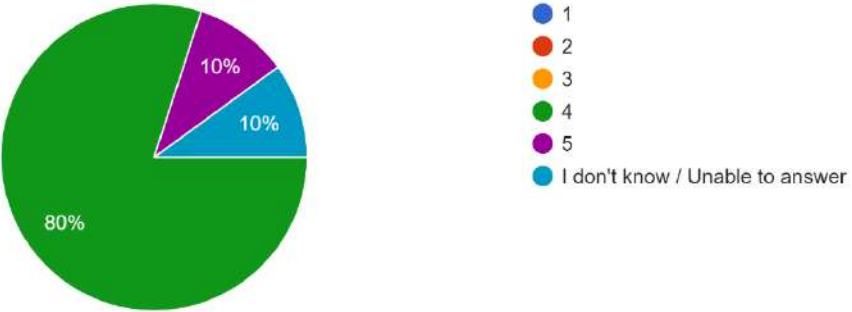


**Financial capability of citizens:** The housing sector is one of Bahrain’s most important economic sectors. The government has strongly supported housing throughout the past decades by financing private housing construction. The vast majority of responses indicate that the cost of purchasing urban land and properties is moderately unaffordable (Figure 8.a). Urban land or private homes on average cost the equivalent of between 50 and 120 months of monthly income. While land in rural areas for agricultural land use is more affordable, most respondents are unsure if the cost of rural/agricultural land is affordable.

Additionally, nearly all respondents believe that it is **easy for citizens to obtain funds to purchase urban land and property** (Figure 8.b), and none believes there is any difference between men and women in the ability to obtain these funds. These perceptions align with current practice in Bahrain, which makes obtaining funds to purchase land or propriety relatively easy for average citizens, contributing to the stability of land tenure in Bahrain.



a. The cost of purchasing urban land and properties (1 is 'very unaffordable', and 5 is 'very affordable')



b. The degree of difficulty in getting funds for lands or properties (1 is 'very difficult', and 5 is 'very easy')

Figure 8: Cost of purchasing land and degree of difficulty in getting funds.

**Understanding of land rights and related processes:** Most respondents believe that citizens understand how to access land rights and the associated processes (Figure 9). All respondents believe that it is easy for ordinary citizens to use their land or property as collateral for loans.

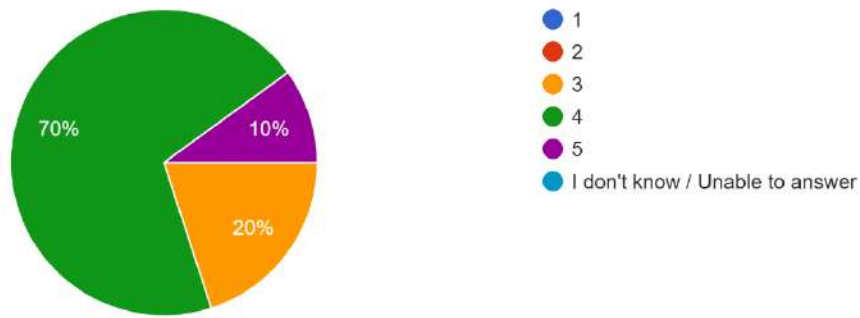
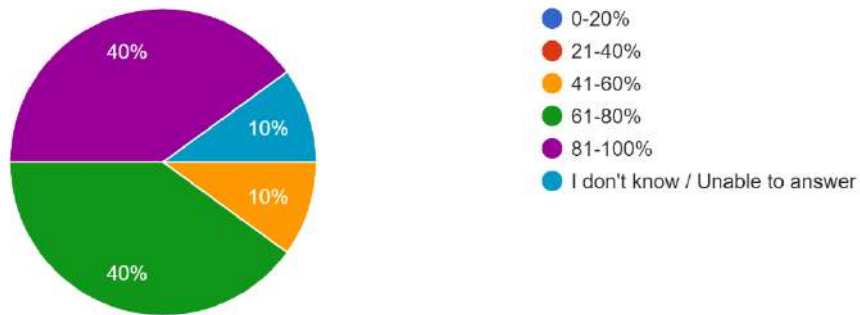


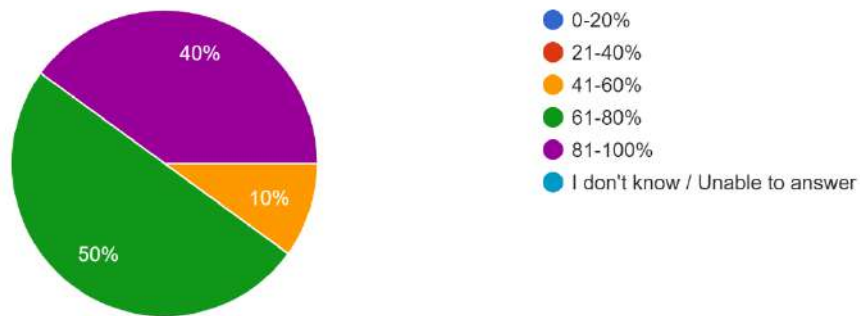
Figure 9: Understanding of land rights and related processes (1 is 'very little understanding', and 5 is 'very good understanding').

#### 4.2.2. Cadastral system

All respondents are aware that Bahrain has a functioning cadastral system, and most are aware that it is centralized. The majority of respondents believe that the cadastral system covers between 60–100 per cent of the country's surface (Figure 10.a) and that a similar proportion is digitalized (Figure 10.b). Most are not aware of the number of cadastral offices and employees across the country.



a. Cadastral system coverage of the whole country.



b. Cadastral system information in digital format.

Figure 10: Knowledge of cadastral system.

### 4.2.3. Creation of new properties and alteration of existing ones

The process of registering a new property is presented in Figure 11. The majority of respondents perceive the procedures for **registering new properties** as easy (Figure 12.a) while only half perceive that **altering existing properties** is easy (Figure 12.b). The cost of registration in Bahrain is the equivalent of between two and five per cent of the property, and the processing time varies according to the parcel's status, from 14 days in typical cases to 360 days for complicated ones, such as if the land is in a non-planned area. Perception of the timeline to change an existing cadastral record varies from 30 to 720 days, and the cost is estimated at less than BHD 100 in most cases.

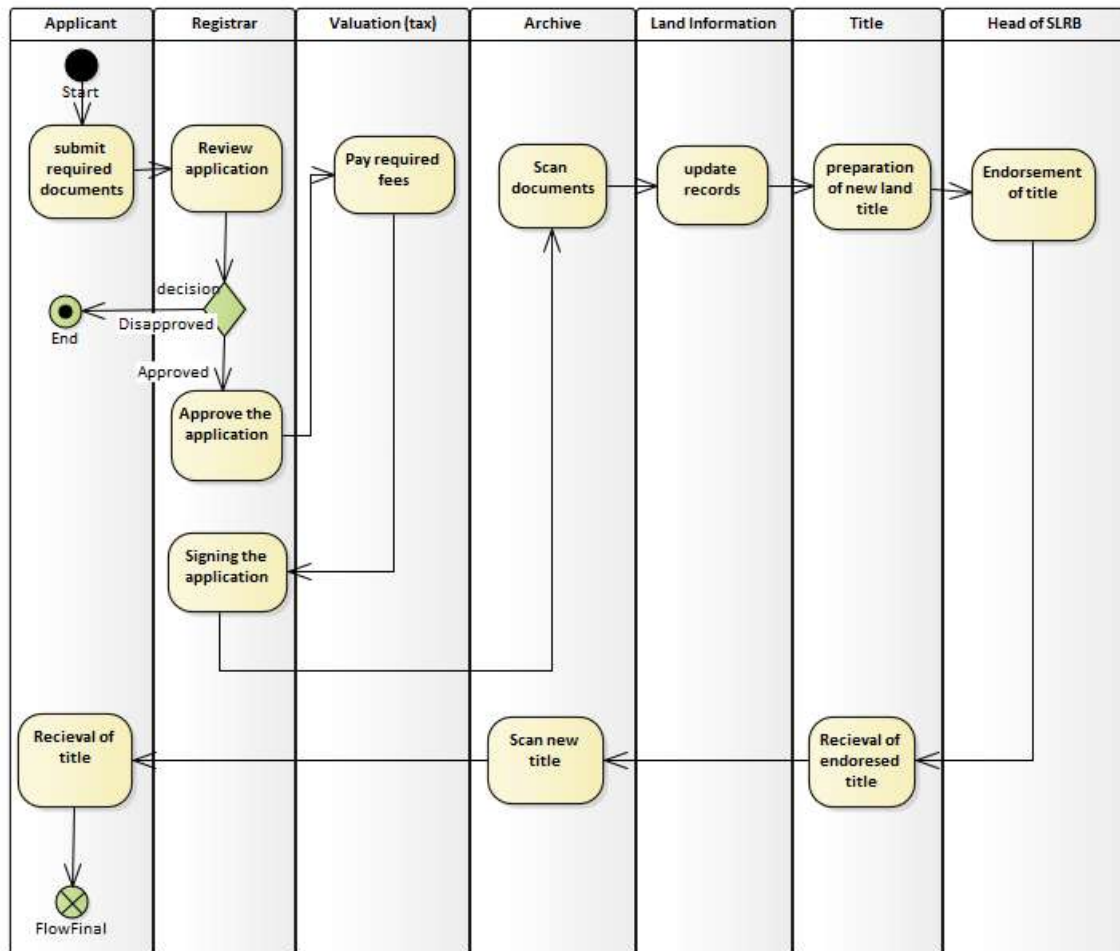
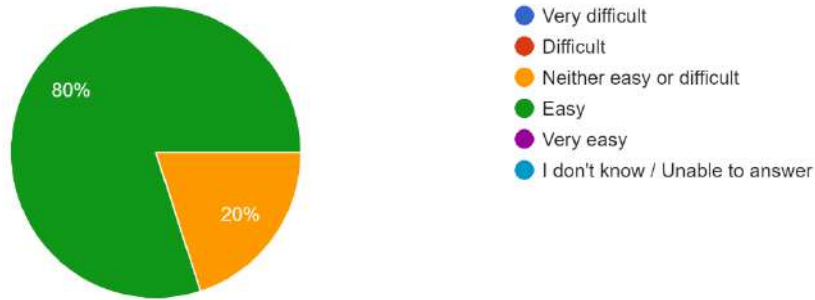
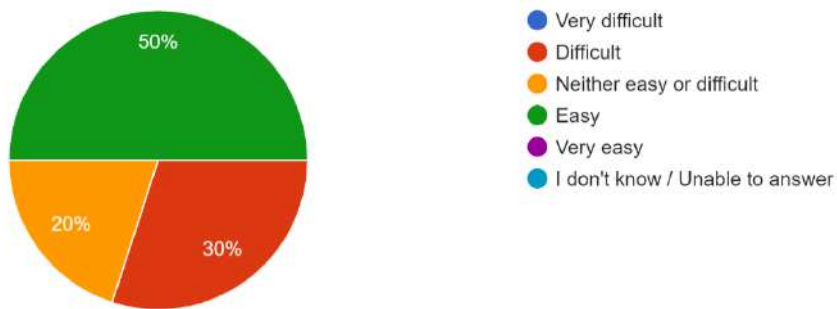


Figure 11: Land registration process.



a. Difficulty of procedures for registering new properties.

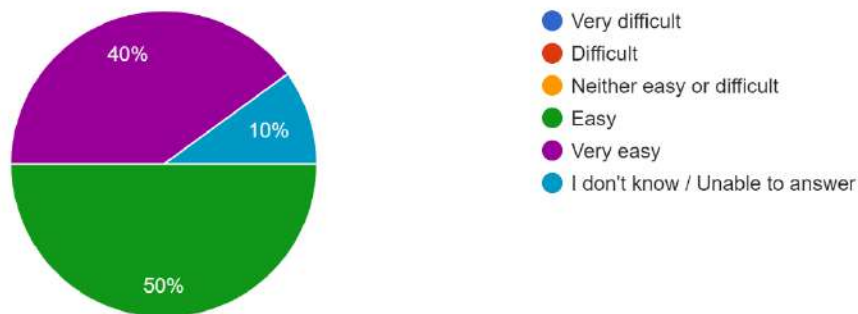


b. Difficulty of procedures for altering existing property registrations.

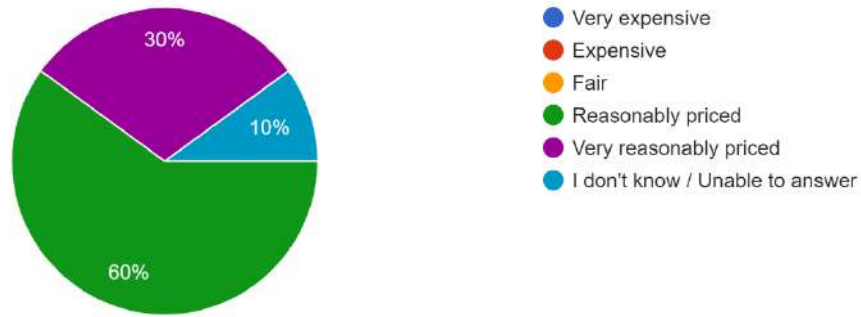
Figure 12: Perception of difficulty of procedures for registering or modifying property.

#### 4.2.4. Transfer of properties

Transferring properties from one party to another is perceived by the vast majority of respondents as easy to very easy (Figure 13.a). The cost of transfer is also perceived as reasonable to very reasonable by almost all respondents (Figure 13.b).



a. Difficulty of procedures for transferring property.

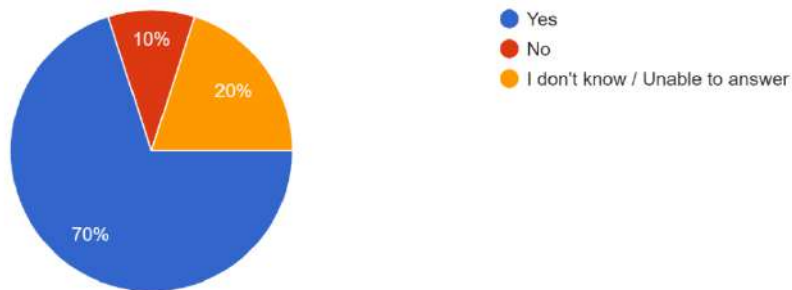


b. Affordability of the service to transfer property.

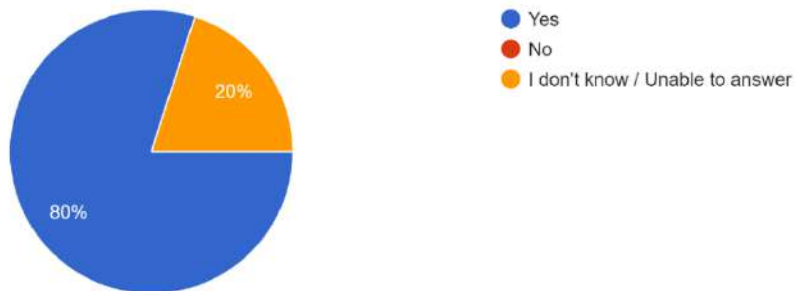
Figure 13: Transferring property and affordability.

#### 4.2.5. Land tenure information and spatial data infrastructure

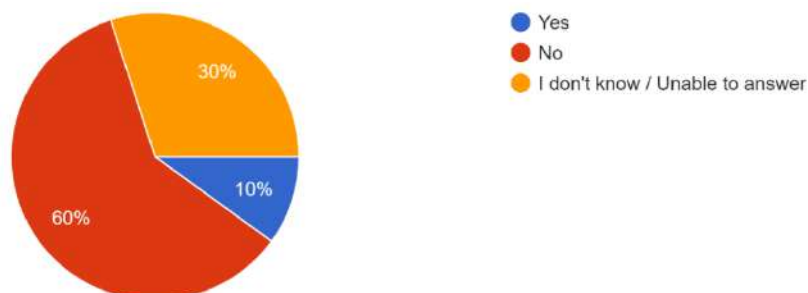
To perform effectively, cadastral information should be linked and interoperable with other spatial data (e.g. natural resources maps, land-use plans, etc.). According to the questionnaire, most respondents believe that the information is already linked (Figure 14.a). Access to cadastral data is also needed for decision-making; the majority of respondents believe this information to be accessible only to relevant authorities or projects but not to the public (Figure 14.b). Most respondents do not believe there are other forms of land tenure allocation or registration (formal, informal, temporary, religious/customary) (Figure 14.c).



a. Linkage between cadastral information and spatial data.



b. Accessibility of cadastral system information.



c. Existence of other forms besides cadastre for land tenure allocation or registration.

Figure 14: Cadastral data and alternative land tenure systems.

## 4.2.6. Land tenure summary

The summarized results of the questionnaire on land tenure are shown in Table 1.

Indicator	Measure (per cent)
Data availability	<80
Secure tenure proportion	<60 (70)
Female with secure tenure	Unknown (62.5)
Evacuation possibility by force	Unlikely (90)
Land properties cost (urban/rural)	Moderate (50/30)
Fund difficulty	Easy (90)
Cadastral function existence	Yes (100)
Coverage	<60 (80)
process difficulty (new/change)	Easy (80/50)
Time (new/change)	2 weeks – two years
Affordability	Affordable (66.6)
Accessibility	Accessible (80)
Linkage with spatial data	Yes (70)

Table 1: Land tenure summarized results.

## 4.3. Land Value

Land value is an essential component of a functioning land administration sector. This section assesses: the determination of land value, crucial for estimating the monetary value of a unit of land and technically evaluating how much a plot of land is worth; land taxation; and availability of land value information. In Bahrain, the Survey and Land Registration Bureau is responsible for land valuation.

### 4.3.1. Assessing the value of land and properties

Most respondents are aware that Bahrain uses an institutionalized methodology to assess urban and rural land value and consider this methodology to be accurate (Figure 15).

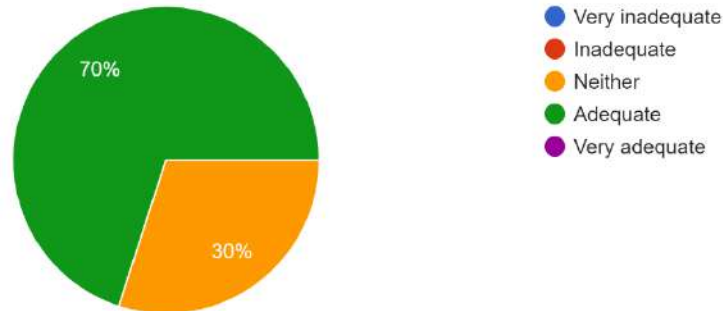


Figure 15: Adequacy of the institutional approach to land valuation.

Most respondents are aware of an institutionalized methodology to assess the value of buildings, and consider it to be adequate (Figure 16). Most are not aware if the methodology covers all types of land tenure. Fewer than half of respondents are aware that professional valuers are officially recognized, registered and trained. The vast majority are also unaware of the cost of professional valuers' services.

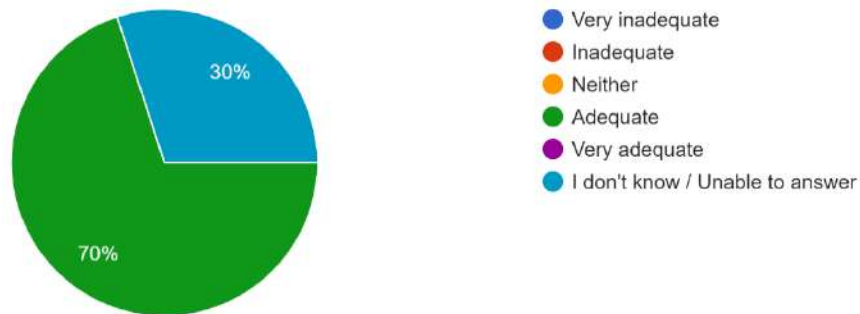


Figure 16: Adequacy of methodology to assess the value of buildings.

### 4.3.2. Calculating and gathering revenues through taxation

70 per cent of the respondents assured that a land taxation system in Bahrain exists and is applied in urban areas. However, 80 per cent do not know or were unable to answer if it is also applied in rural areas. None are aware of the proportion of land and properties that are taxed, nor the amount of revenues collected from land and property taxes. The vast majority of respondents are also not aware of the percentage of municipal expenditures paid through land and property taxes, nor whether decision makers have considered the impact of taxation on land use and land markets. Most respondents, however, believe that taxation rates are fair (**Error! Reference source not found.**).

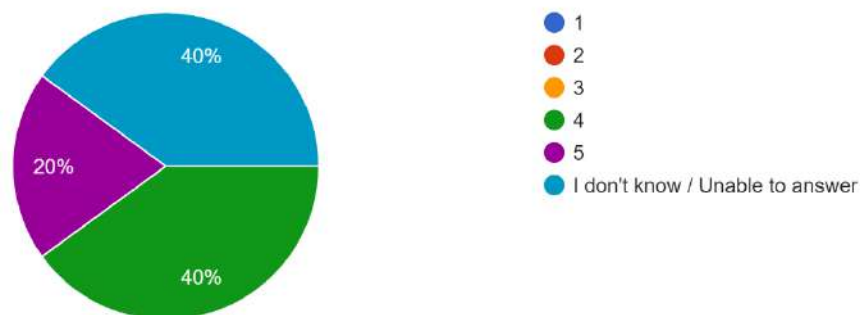


Figure 17: Fairness of the taxation system (5 is “fairest”).

### 4.3.3. Land value information

A major issues in Bahrain is the lack of a complete and accessible digital land information system to record land value; respondents are overall uncertain of its existence and completeness

### 4.3.4. Land value summary

Table 2 presents the summarized results related to land value.

Indicator	Measure (per cent)
Institutionalized approach to assess (lands/buildings value)	Existing (70)
Adequacy of methodology (lands/buildings)	Adequate (70)
Coverage of all types of land tenure (lands/buildings)	Other than yes (60/80)
Official recognition of the professional valuers	Yes (40)
Affordability/cost	Unknown (87.5)
Training situation	Unknown (60)
Taxation function existence	Yes (70)
Taxation application (urban/rural)	Yes + Unknown (70/80)
The percentage of land/properties taxed	Unknown (100)
Fairness rate	Fair (60)
Revenues collected	Unknown (100)
Accessibility	No + Unknown (66.6)
Institutionalized approach to assess lands/buildings value	Existing (70)

Table 2: Land value summarized results.

## 4.4. Land Use

Land use defines how people use and exercise their rights over land. The Ministry of Municipal and Rural Affairs leads the setup of a spatial planning system consisting of the National Spatial Strategy and local plans at the neighbourhood level. The Ministry of Works, Municipalities Affairs and Urban Planning and the Urban Planning and Development Authority are responsible for land use in Bahrain.



#### 4.4.1. Control and enforcement of land-use decisions

The 2007 National Structural Strategic Plan presents a long-term vision for Bahrain over the 2030 horizon. The plan reflects the desire of relevant authorities to balance economic, social and environmental sustainability to achieve sustainable development (Public Commission for Protection of Marine Resources, the Environment and Wildlife, 2009).

Most farmlands in Bahrain experience some form of desertification. Salinity presents in cultivated lands due to groundwater depletion and seawater intrusion. The high demand for housing and recreational facilities has taken a toll on arable and rangelands. Most valuable agricultural lands and wild lands have been converted to residential areas, amid soaring land prices and demand, leading to the existence of virtually no rural areas in Bahrain. Land scarcity, high population density and demand for housing and commercial compounds has forced authorities to review building codes and allow high-rise buildings (Public Commission for Protection of Marine Resources, the Environment and Wildlife, 2009).

The cabinet officially approved the National Environmental Strategy through Edict No. 02-1902, released in 2006. It contains foresight and action points for several environmental issues, including air pollution and climate change, water conservation and pollution control, land resources and marine and coastal environment. Other sections deal with mainstreaming environmental concerns into sustainable development. Special attention is given to tourism, transport and waste management. In 2009, the action plan to implement the strategy was reviewed (Public Commission for Protection of Marine Resources, the Environment and Wildlife, 2009). All respondents agreed that there are updated local and national land-use plans and that these are considered adequate, while the vast majority confirmed that no regional plans exist. Local and national plans also have adequate levels of enforcement according to most respondents.

Respondents are overall unaware of the adequacy and enforcement of urban land-use plans. While the majority of respondents confirm that regulations or schemes addressing informal, temporary and displaced population settlements exist, most are unaware of their adequacy and enforcement.

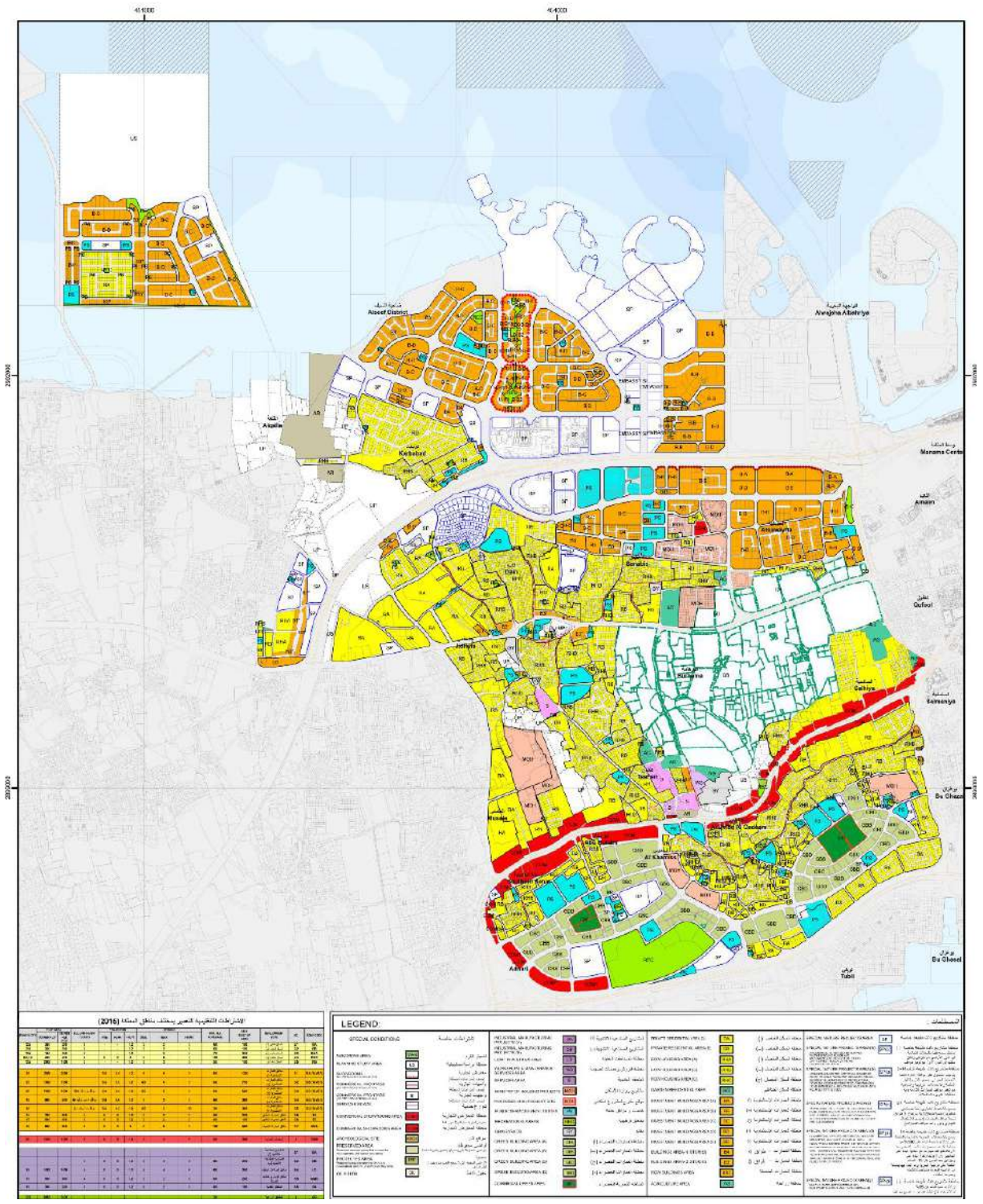
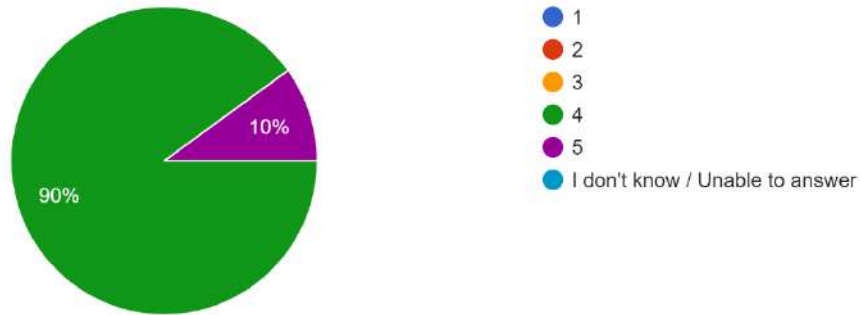
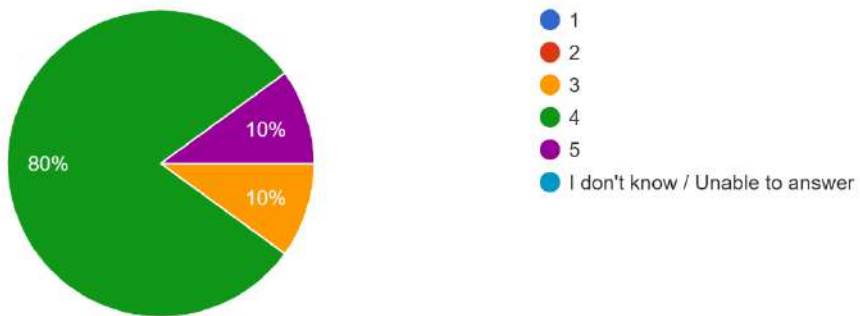


Figure 18: Land regulation in Manamah.



a. Degree of adequacy of regulations.



b. Enforcement of regulations.

Figure 19: Assessment of adequacy and enforcement of building permit regulations.

All respondents are aware of the country's **building permit regulations**, and the vast majority believe these are enforced, as shown in

Figure 19. Regardless, these and other existing standards intended to address suburban developments are not effective enough to control and manage land subdivisions in suburban areas and non-urban localities around the larger cities in Bahrain. Land grants and affordable housing projects are implemented by municipalities in remote areas where 'free' government land is available. Often such areas, especially the land grant areas, are subdivided and allocated without infrastructure. This represents an urban management and investment problem for the future. Moreover, the social tradition of relying on land as investment leads to demands for residential allotment. It hampers progress in land management as it far outstrips the requirement for actual housing allotments (Urban Planning and Development Authority, 2021b).

Regarding rural and agricultural land-use regulations, the vast majority of respondents were not aware of their existence, adequacy or enforcement.

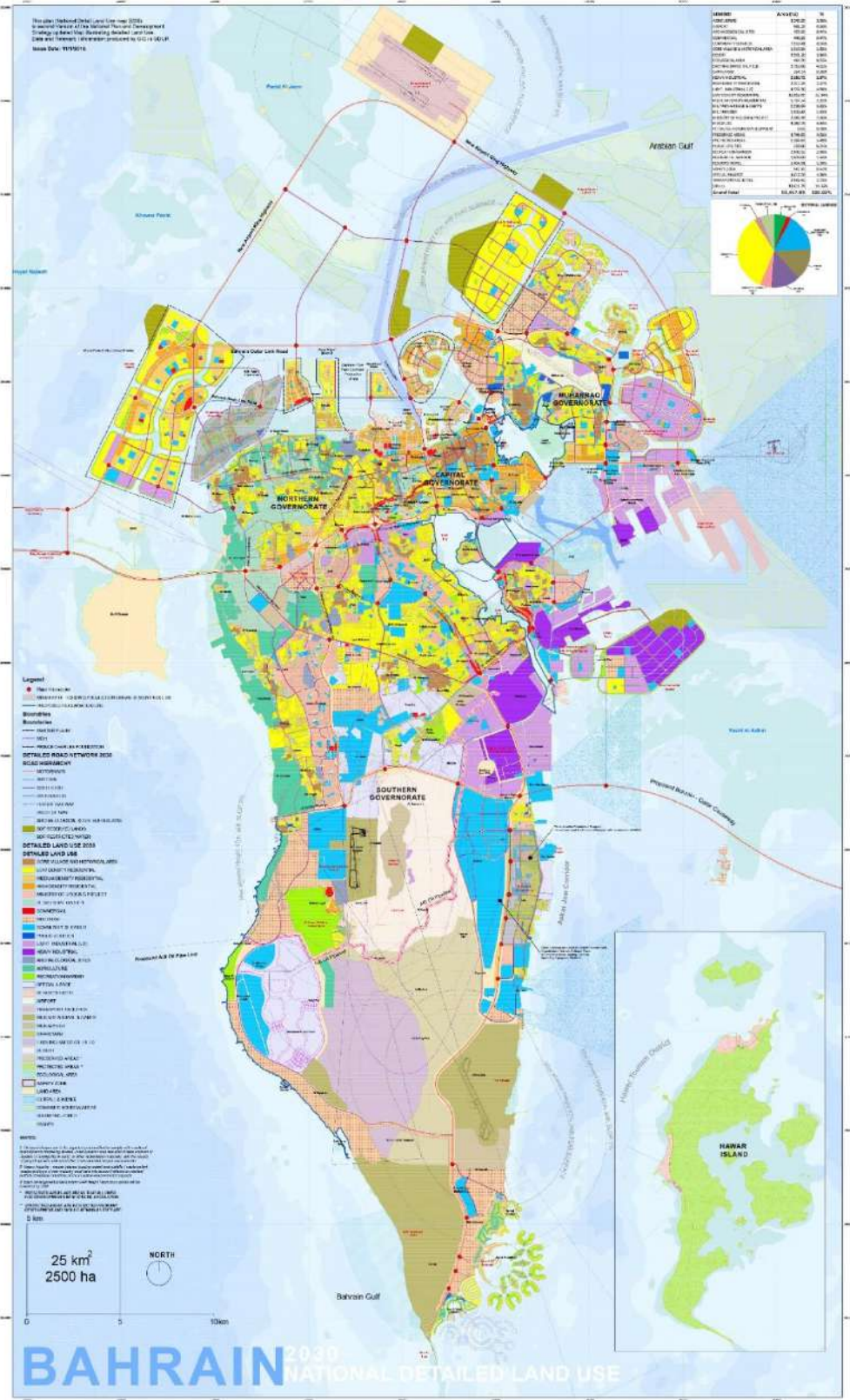
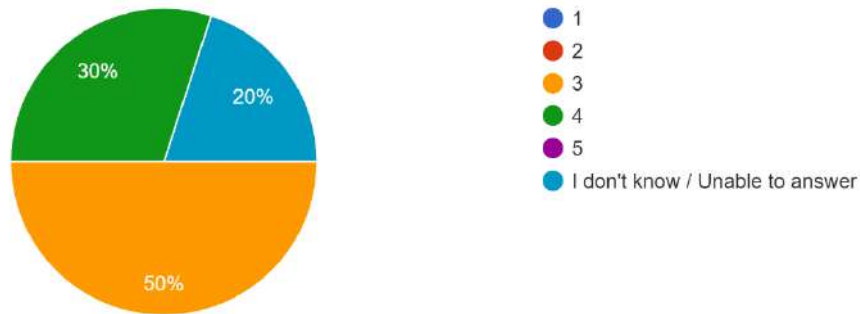


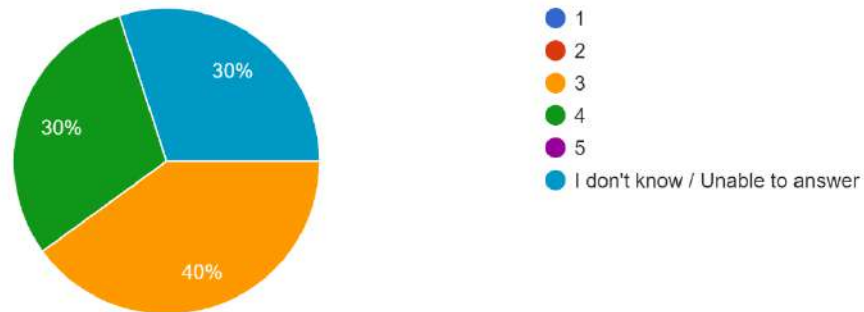
Figure 20: Bahrain National Land Use Plan.  
Source: Urban Planning and Development Authority (2016).

The results show that less than half of respondents are aware of existing **environmental protection land-use regulations**; less than a third perceive them as adequate and enforced.

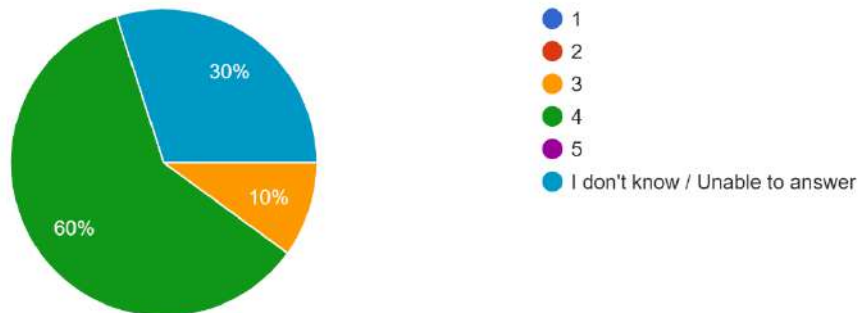
In assessing the clarity of the **government’s role in private land rights**, less than one third of respondents find it clear (Figure 21.a). Similarly, only one third of respondents consider the **management of state lands** to be clear (Figure 21.b). A majority, however, consider the government’s role in **acquiring private land for public development** to be clear (Figure 21.c).



a. Clarity of the government’s role in private land rights (1 is ‘not clear at all’, and 5 is ‘very clear’).



b. Management of state lands (1 is ‘not clear at all’, and 5 is ‘very clear’).

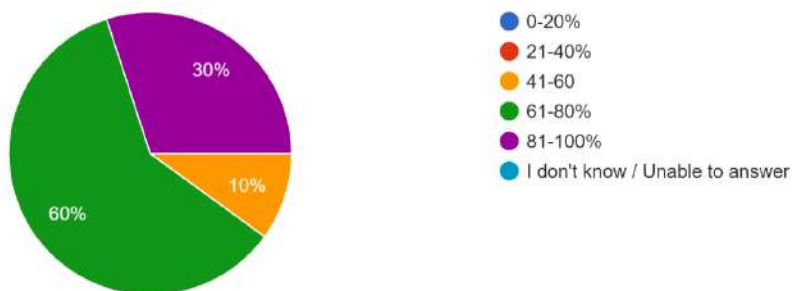


c. Acquisition of private land for public development purposes (1 is ‘not clear at all’, and 5 is ‘very clear’).

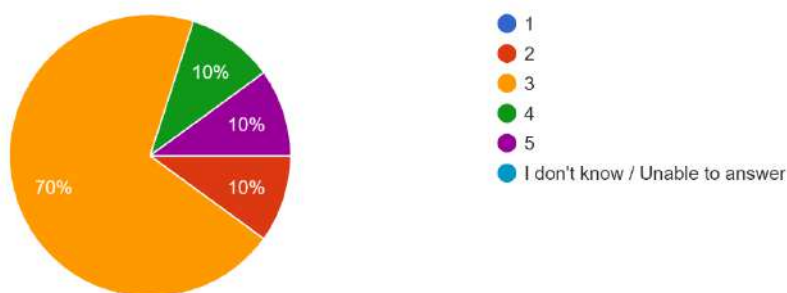
Figure 21: Assessing the clarity of the government’s role in private and state land management.

#### 4.4.2. Land-use information

All respondents are aware of the existence of **land-use information** in Bahrain, with the vast majority believing that at least 60 per cent of the country’s land is covered (Figure 22). Most respondents believe that land-use information in Bahrain is moderately complete and accessible. Most respondents do not believe that information on the county’s **natural resources** exists, nor are most aware of how much of the country is covered by natural resource information or its degree of completeness or accessibility.



b. Expected coverage of land-use information of the total country.



c. Degree of completeness and accessibility of land-use information (1 is ‘very incomplete and inaccessible’, and 5 is ‘very complete and accessible’).

Figure 22: Land-use information system.

#### 4.4.3. Land use summary

The summarized results of the survey on land use are outlined in Table 3.

Indicator	Measure (per cent)
Adequate and updated land-use plans (national and local level)	Existing (100)
Enforcement of plans (national and local level)	Enforced (70)
Building permit regulation existence, adequacy, enforcement	Yes, adequate, enforced (100, 100, 90)
Rural/agricultural land-use regulation existence, adequacy, enforcement	Unknown (80)
Environmental protection land-use regulation existence, adequacy, enforcement	Unknown (60)
Clarity of the government’s role in private land management	Moderate to clear (80)
Coverage and accessibility	From 60 to 80, moderate (90, 70)

Table 3: Land use summarized results.

## 4.5. Land Development

Land development is the application of resources to improve and enable different, better or more efficient land uses. These resources may include capital investments (e.g. constructing buildings, services or infrastructure), labour (e.g. clearing or draining land for agriculture) or administrative processes (e.g. securing or revising planning permissions). The Ministry of Works, Municipalities Affairs and Urban Planning and the Urban Planning and Development Authority are responsible for land development.

Most people live along the coasts of the main islands (Bahrain, Muharraq, Sitra and Nabih Saleh). Accelerated population growth and economic and social development have increased the demand for land to cater to housing and development needs. This has forced local authorities to resort to the reclamation of shallow-water coastal zones and to transform agricultural areas into urban and commercial spaces.

Bahrain's size grew from 670 km<sup>2</sup> in 1936 to 785 km<sup>2</sup> in 2020. However, reclamation in the sea could be impacted by rising sea levels, which by 2100 could submerge 27 to 56 per cent of Bahrain, already the smallest country in the Middle East (Bodetti, 2019). Losing this land would devastate the island's economy, water supply and natural environment.

Bahrain's socioeconomic development has been marked by increased demand for land for urban development and a decline in agricultural areas. Dredging and reclamation operations expand Bahrain's coastal zones to accommodate new residential and commercial areas, artificial leisure islands, seaports and bridges and power generation and water desalination plants. The number of housing units, buildings and installations increased by nearly 30 per cent between 1001 and 2001, from 81,552 to 105,686, and is expected to exceed 231,000 in 2030, equivalent to approximately a 118 per cent increase.

### 4.5.1. Acquiring land for the public

Legislative Decree No. 8 of 1970 authorized the government or a municipality in Bahrain to compulsorily acquire private land when it is in the public interest. However, in case number D/2/2005, the Constitutional Court issued a ruling in March 2007 that this decree is in violation of the Constitution. The judgment, which nullified Legislative Decree No. 8 of 1970, came into force on 12 April 2007, following its publication in the Official Gazette. Accordingly, it is currently no longer possible for the government to confiscate, condemn or compulsorily acquire land in Bahrain. It is now only possible with the landowner's consent (Ambikapathy, 2021).

The study results demonstrate that most respondents are aware of mechanisms for the public to **acquire land for public use**; most believe the mechanism to be fair (Figure 23), but do not know if it is cost-effective. In urban areas, particularly in major cities, land acquisition for government land grants and public housing has become increasingly complicated as landowners are reluctant to release their land for public investment.

Regarding efficient regulations to **control land subdivisions or consolidation** in urban areas, most respondents believe that these exist, but were not aware if they are fair or cost-effective. The vast majority were also not aware of the existence of regulations to control land subdivisions or consolidation in rural areas, nor of their fairness or cost-effectiveness.

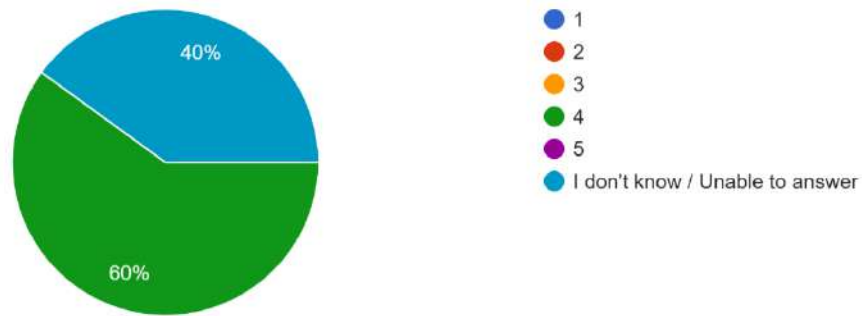


Figure 23: Perception of fairness of mechanisms for the public to acquire land for public use (where 5 is “fairest”).

#### 4.5.2. Planning and construction

All respondents are aware that mechanisms or regulations ensuring that **construction is aligned with land-use regulations** exist, and most believe they are cost-effective, giving a rating of four or five (Figure 24).

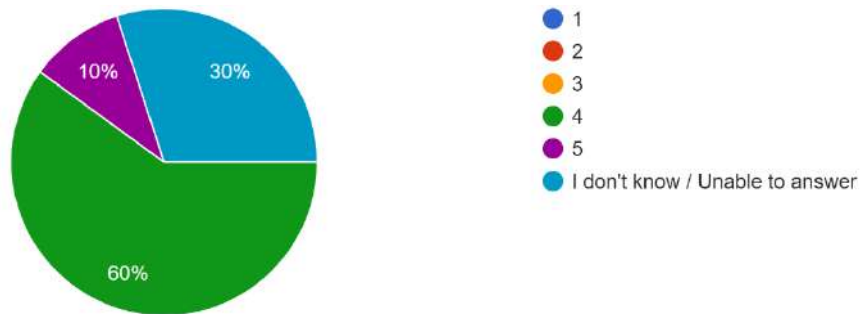
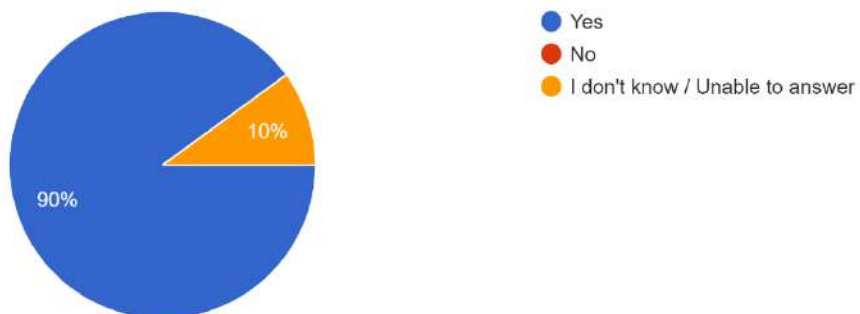


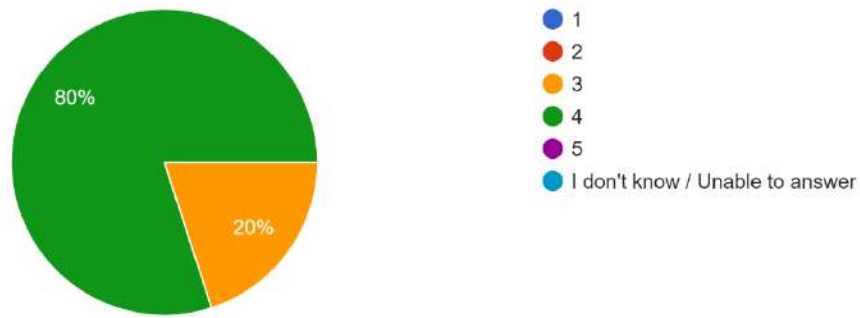
Figure 24: Cost-effectiveness of mechanisms/regulations that ensure construction is aligned with land-use regulations (1 is ‘least cost effective’, 5 is ‘most cost effective’).

Regarding the **property development process**, a vast majority of respondents believe the process is easy for landowners (Figure 25.a), while most said it is easy for professional developers (Figure 25.b) and public authorities (Figure 25.c).

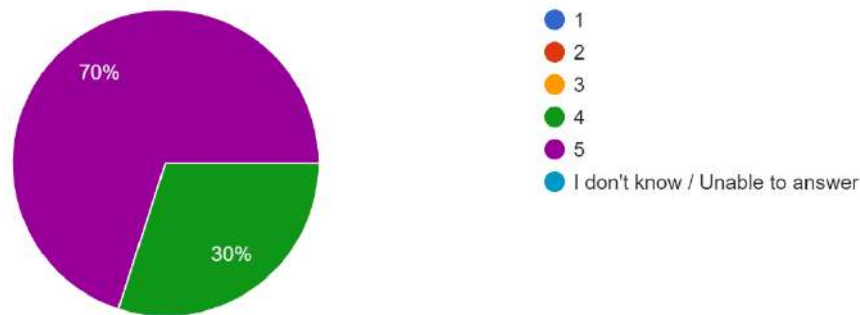


a. For landowners.





b. For professional developers (1 is 'very difficult' and 5 is 'very easy').



c. For public authorities (1 is 'very difficult' and 5 is 'very easy').

Figure 25: Ease of process in property development.

All respondents are aware of the existence of effective mechanisms to **change land use** by granting planning permissions and building permits, however only 40 per cent believe these are cost-effective (rating of either 4 or 5, see Figure 26).

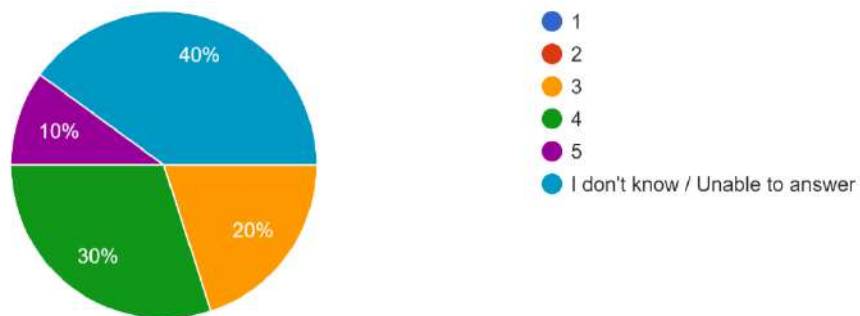


Figure 26: Cost-effectiveness of mechanisms to change land use by granting planning and building permits (5 is most cost-effective).

### 4.5.3. Development cost distribution

In Bahrain, real estate property is either owned by public or private entities and individuals. However, the majority of respondents to the survey are not aware of any mechanism in place that ensures fair distribution of development costs between public and private actors (Figure 27), nor of their cost-effectiveness for public or for private actors.

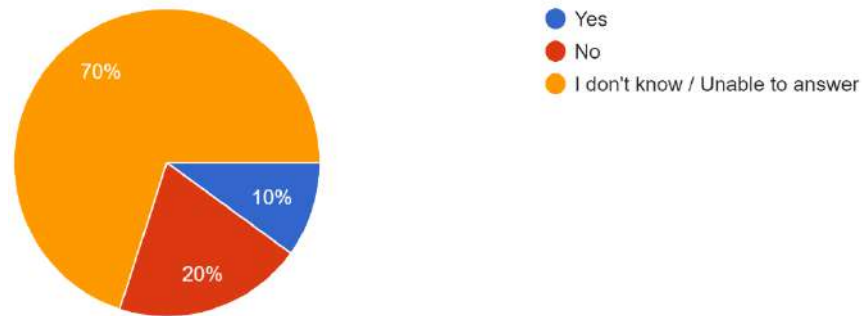


Figure 27: Awareness of mechanisms that ensure fair distribution of development costs between public and private actors

### 4.5.4. Land development summary

The summarized results of the survey on land development are outlined in Table 4: .

Indicator	Measure (per cent)
Existence of mechanisms for the public to acquire land for public use/Fairness	Existing, Fair (80/60)
Existence of land expropriation mechanism/Fairness	Existing, Unknown (60/60)
Existence of efficient regulations to control land subdivisions/Fairness	Existing, Unknown (70/70)
Existence of mechanisms ensuring construction is aligned with land-use regulations	Existing (100)
Difficulty of the property development process for landowners/professional developers/public authorities	Easy (90/80/100)
Existence of effective mechanisms to change land use/cost-effectiveness	Existing, not cost-effective (100/40)
The existence of mechanisms to ensure that development costs are fairly distributed between public/private actors	Unknown (70/80)

Table 4: Land development summarized results.

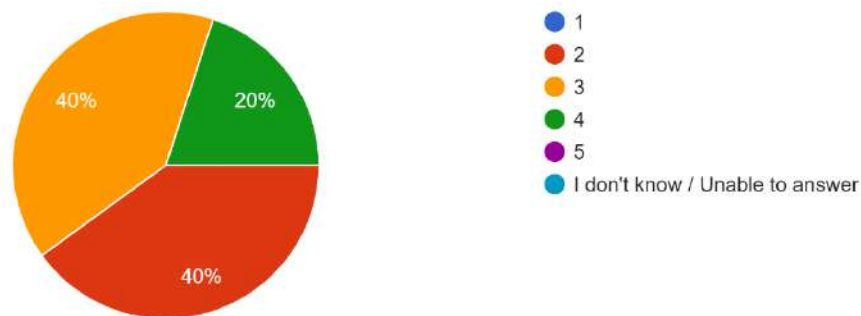
## 4.6. Land Disputes Resolution

The implications of weak governance from policy deficiencies include tenure insecurity, encroachment and exclusion of access to land; informal modes of service delivery; limited land markets; increased administrative corruption and state capture; and more land disputes. Several types of disputes can arise over access to, use of and control over land and land-based resources. Such disputes can occur at different scales: individual, family, community or society. Some land-related conflicts can lead to violent confrontations, tenure insecurity and may constrain the effective use of land resources. The capacity of countries to address and resolve land-related disputes efficiently and successfully is an essential factor in a booming land sector.

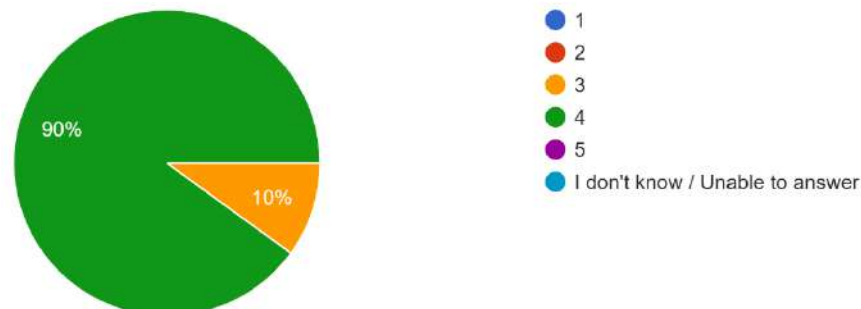
This section assesses whether the country has affordable, clearly defined, transparent and unbiased mechanisms for resolving land disputes and whether these mechanisms function effectively.

### 4.6.1. Management and adjudication of disputes

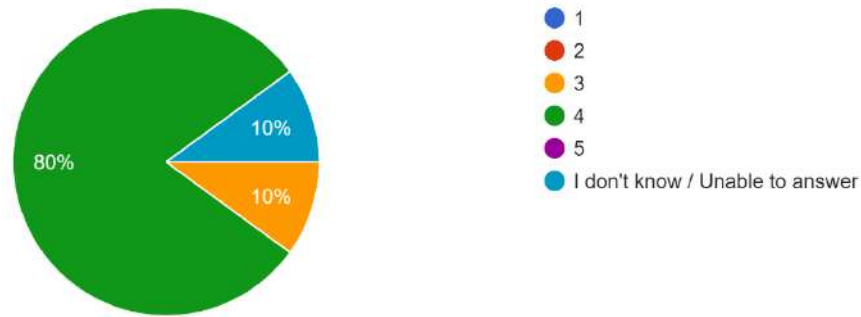
All respondents confirmed that a well-structured **formal system to resolve conflicts and disputes** related to land rights and parcel boundaries exists in Bahrain. However, the majority consider the resolution process to be rather slow, but relatively affordable for the poor and other vulnerable groups. Regarding **familiarity** with the procedures for accessing the formal dispute resolution system, most gave a rating of four or five (where five indicates that most people know how to access it). Level of **trust** in the land disputes system is also very high, according to an overwhelming majority of respondents who rate the system as reliable. Most respondents are not aware of the number of land-related cases in the formal courts or if mechanisms other than legal courts exist to solve land rights disputes.



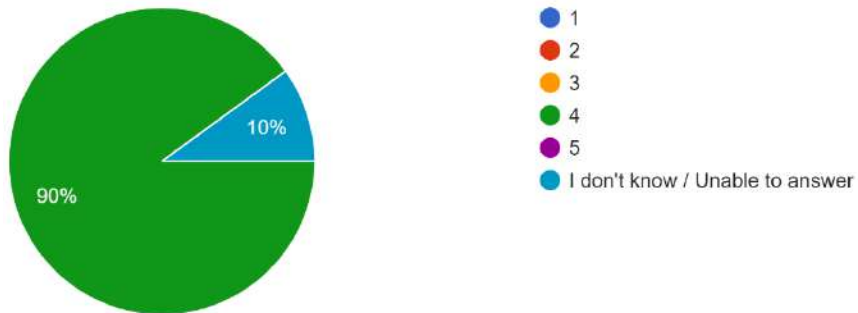
a. System's speed (1 is 'very slow' and 5 is 'very fast').



b. System's affordability (1 is 'very unaffordable' and 5 is 'very affordable').



c. Familiarity with the system (1 is 'very unfamiliar' and 5 is 'very familiar').



d. Degree of reliability of the system (1 is 'very unreliable' and 5 is 'very reliable').

Figure 28: Perception of the land dispute resolution system.

#### 4.6.2. Land disputes resolution summary

Table 5 covers the results of land disputes resolution.

Indicator	Measure (per cent)
Existence of a formal system	Existing (100)
Time	Slow to moderate (80)
Affordability	Affordable (90)
Familiarity	Yes (80)
Reliability	Yes (90)
Other mechanisms	Unknown (100)

Table 5: Land disputes resolution summarized results.

## 4.7. Land Sector Assessment Results

Table 6 shows summarized results for all LAS functions. Overall, the Bahrain land administration system functions well. There are moderate challenges regarding coverage, effectiveness, time, cost and accessibility for vulnerable groups. The significant challenges are in terms of data availability and clarity of mandate.

LAS Functions Criteria	Land Tenure	Land Value	Land Use	Land Development	Land Disputes Resolution
Existence of the system	●	●	●	●	●
Coverage \ effectiveness	●	●	●	●	●
Time (fast-moderate-slow)	●	●	●	●	●
Cost (low-moderate-high)	●	●	●	●	●
Accessibility (vulnerable groups) (high-moderate-low)	●	●	●	●	●
Data Availability (high-moderate-low)	●	●	●	●	●
Mandates clarity (high-moderate-low)	●	●	●	●	●

● Significant challenge     
 ● Moderate Challenge     
 ● No/ Limited Challenge

Table 6: Land administration summarized results.

## 5. EXISTING LEARNING OFFER AND CURRICULA

The current learning offer and related curricula for land governance in Bahrain can help address issues and challenges to support land policy development and implementation. However, the learning offer on land governance in Bahrain is limited, producing land professionals who are not fully able to respond to the realities of the regions and the breadth and dimensions of land governance and administration.

Universities are the only learning providers of land management in Bahrain. Only academic courses are offered as a part of a whole programme for graduate and undergraduate students. These are limited to only three courses provided by public and private universities in Bahrain. The courses partially cover urban planning, land use and land development. The curricula also tend to be too technical and lacking in the social, cultural, political, economic and environmental aspects crucial to land governance.

There is almost no contribution from the private sector to land governance learning efforts (only one university). Civil society and non-public institutions and stakeholders are not directly or indirectly involved in land governance in Bahrain. Further, there is only a limited number of recent publications about Bahrain's land administration system.

## 5.1. Existing Learning Offer

The mapping survey was conducted using the matrix in **Error! Reference source not found.**. The results show that the private land sector offers no land-related training. All learning offers are provided by public (University of Bahrain, Arabian Gulf University, etc.) and private (Kingdom University) universities. The main topics covered are land use, urban land development, planning law and administration, surveying, housing theories and economics, and urban planning. Two courses are offered by public universities and one by a private university.

**Grade/level of the existing learning offer:** One of three programmes is designed for graduate students, while the other two are for undergraduates. All learning offers are academic (graduate and undergraduate level) and offer certification as a part of the whole programme (not stand-alone courses).

**Fees and funding options:** All undergraduate courses are free for students at the public university and have government support. Undergraduate and graduate students at private universities must pay fees.

**Relation of available learning offers to the five functions of land administration:** Land disputes resolution and land tenure are not covered by the learning offers, while land use and land development are the most offered (Figure 29).

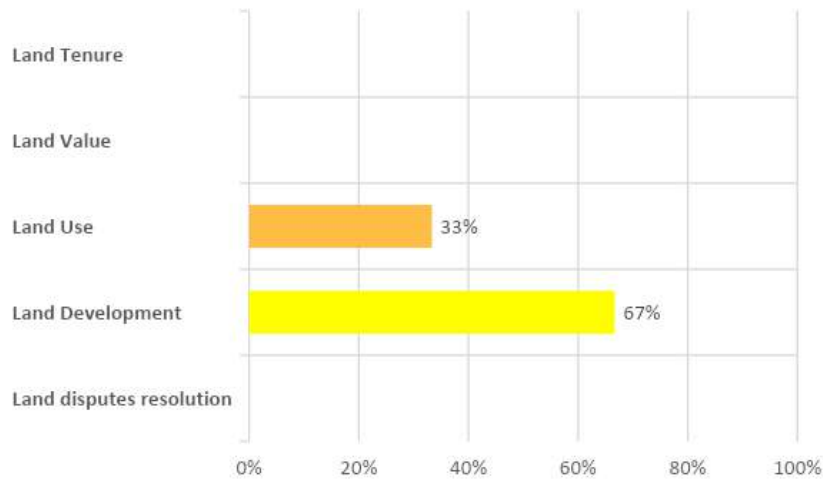


Figure 29: Relation of available learning offers to the five functions of land administration

Institution	Type of org.	Type of content	Name of the course	Duration	Type of course	Grade/Level	Certification	Funding	Payment	Website
Unive rsity	Private	Social sciences (land-related)	The social behaviour and built environment	3 months	Acad emic	Undergr aduate	Yes	Government, fees from students, donors	Fees from students	<a href="http://www.ku.edu.bh/bachelor-of-science-in-architecture-engineering/">www.ku.edu.bh/bachelor-of-science-in-architecture-engineering/</a>
Unive rsity	Public	Spatial Planning/land-use planning	Urban Studies	3 months	Acad emic	Undergr aduate	Yes	Government	Free	<a href="http://www.uob.edu.bh/index.php/colleges/college-of-engineering/architecture/338-landscape-architecture">www.uob.edu.bh/index.php/colleges/college-of-engineering/architecture/338-landscape-architecture</a>
Unive rsity	Public	Spatial Planning/land-use planning	Urban Environment System	3 months	Acad emic	Diploma /Master	Yes	Government, fees from students (graduate students)	Fees from students	<a href="http://www.agu.edu.bh/en/Academics/CGS/programs/Pages/Doctor-of-Philosophy-in-Environmental-Sciences-&amp;-Natural-Resources.aspx">www.agu.edu.bh/en/Academics/CGS/programs/Pages/Doctor-of-Philosophy-in-Environmental-Sciences-&amp;-Natural-Resources.aspx</a>

Table 7: Existing learning offers on land-related topics mapping matrix.

## 6. CONCLUSIONS

Overall, the Bahrain land administration system **functions well**. There are moderate challenges regarding coverage, effectiveness, time, cost and accessibility, particularly for vulnerable groups. Significant challenges exist in terms of data availability and clarity of mandates. Land governance institutions in Bahrain struggle to deal with the increasing cost of land resulting for the skyrocketing demand of land for economic development, urbanization, population growth. Weak implementation of regulations related to the land acquisition law is an issue. Other difficulties include identifying vacant land that could accommodate the resettlement of people from disaster-prone areas (e.g. sea level rise), land speculation hindering effective land-use planning, and limited transparency and community engagement hindering large-scale investment in the land sector.

Linkages to the **judicial system** will be critical to ensure that rules are followed, including adequate notice, fair and prompt compensation, and alternative resettlement. Civil Sufficient oversight is required on land expropriation to ensure that people’s rights are respected. society organizations can help raise awareness about people’s rights under Bahraini law and improve access to justice for affected individuals and groups. Demolitions and evictions should be monitored.

There are sufficient regulations for land-use transactions that involve **changing land use**. However, the process is generally time consuming. Organizational support for social housing suffers from an absence of circulars and regulations dealing with land-use processes.

**Registration, allocation and acquisition processes** should be clearly defined and transparent. Precise mechanisms, processes and procedures for implementing plans, policies and strategies should be binding and enforceable. A framework for monitoring plans, regulations and standards should be developed so that if legislation is not achieving its purpose, a review of the plans or instruments is triggered. Operational problems caused by inconsistent interpretations of the laws could be addressed by developing detailed implementation guidelines that can minimize the risk of different interpretations of the legal framework. Practice and procedure manuals could be improved in a standardized way to ensure a consistent level of quality.

**Higher and lower governmental bodies** are not sufficiently integrated, and their interaction is marked by overlapping powers and authority. There needs to be a review and revision of allocation of authority amongst government tiers in decision-making, with policies that correspond to specific local situations. In this regard, there are potential concerns: inability to mitigate conflicts and sectoral interests between ministries and departments; budgetary allocation struggle – quick-win project development versus long-term impacts; and delays in reform implementation and setting up new institutes to strengthen planning.

More **research** is needed to better understand and document issues in the land sector, including a comparative analysis of land in constitutional and legislative frameworks, the role of traditional authorities in land governance, typologies of land-related conflicts, existing land registration processes and the circumstances in which expropriation occurs. Additional research could probe and refine the study's findings to devise relevant indicators that are effective in monitoring the implementation of laws and policies and can provide baselines for assessing the impact of development interventions. Future studies should be conducted with fuller regional data to develop and substantiate the results of this study.

In terms of human and technical **capacity development**, diversity in training should be expanded across the learning offers, including undergraduate, postgraduate and professional short courses. Current learning offers and research do not sufficiently cover key LAS aspects, such as land disputes resolution and land tenure. Colleges and departments specialized in urban planning need to be set up to support the development of a professional cadre of urban, spatial and town planners. Training programmes and short courses on government procedural guides and manuals and web-based information resources should be provided for ministries and professionals interested in land-related issues.



## REFERENCES

- Abukashawa, S., and others (2020). Darfur Land Administration Assessment - Analysis and Recommendations. Report, UN-Habitat, GLTN. Available at [https://unhabitat.org/sites/default/files/2020/08/darfur\\_land\\_administration\\_report\\_final\\_30.07.2020.pdf](https://unhabitat.org/sites/default/files/2020/08/darfur_land_administration_report_final_30.07.2020.pdf).
- Ackoff, R. L. (1953). The design of social research. University of Chicago Press.
- Al-Doseri, A., and Jawahery, E. (2018). The Legal System of the Kingdom of Bahrain. Web article, Hauser Global Law School Program, New York University School of Law. Available at <https://www.nyulawglobal.org/globalex/Bahrain1.html>.
- Al-Nabi, M. N. (2012). *The history of land use and development in Bahrain*. Information Affairs Authority. Available at <https://bahrainfoodmonitor.org/Publications-file/1.pdf>.
- Ambikapathy, B. (2021). Real Estate Law. Global Corporate Real Estate Guide, Saudi Arabia. Available at <https://resourcehub.bakermckenzie.com/en/resources/global-corporate-real-estate-guide/europe-middle-east-and-africa/saudi-arabia/topics/real-estate-law>.
- Bahrain, Survey and Land Registration Bureau (2013). Law No. 13 of 2013 With respect to promulgating the Property Registration Law. Available at <http://extwprlegs1.fao.org/docs/pdf/bah195946.pdf>.
- Bahrain, Ministry of Information Affairs (2010). Population and demographic growth. Available at <https://www.mia.gov.bh/kingdom-of-bahrain-ar/population-and-demographics-ar/>.
- Bahrain, Public Commission for Protection of Marine Resources, the Environment and Wildlife (2009). Bahrain National Assessment Report on Implementation of The Mauritius Strategy of The Barbados Programme of Action (BPOA). Available at [https://www.un.org/esa/dsd/dsd\\_aofw\\_sids/sids\\_pdfs/msi\\_plus5/donor\\_input/Bahrain/bahrain.pdf](https://www.un.org/esa/dsd/dsd_aofw_sids/sids_pdfs/msi_plus5/donor_input/Bahrain/bahrain.pdf).
- Bahrain, Urban Planning and Development Authority (2016). Bahrain National Detailed Land Use Plan. Available at <https://upda.gov.bh/en/category/bahrain-national-detail-land-use-plan1>.
- \_\_\_\_\_ (2021a). Regulations & Laws. Available at <https://upda.gov.bh/en/category/other-laws-and-decrees#>.
- \_\_\_\_\_ (2021b). Subdivision Regulations Simulator. Available at <https://upda.gov.bh/en/category/subdivision-regulations-simulator>.
- Bodetti, A. (2019). Will Bahrain Disappear Beneath the Waves? Lobe Log. Available at <https://lobelog.com/will-bahrain-disappear-beneath-the-waves/#:~:text=Rising%20sea%20levels%20could%20submerge,supply%2C%20and%20the%20natural%20environment>.
- Burns, T., Grant, C., Nettle, K., Brits, A. M. and Dalrymple, K. (2006). Land Administration Reform: Indicators of Success and Future Challenges. Report, UNECE. Available at [https://unece.org/fileadmin/DAM/hlm/prgm/cph/experts/kyrgyzstan/documents/Land.Admin.Reform.Final\\_Draft.May2007.pdf](https://unece.org/fileadmin/DAM/hlm/prgm/cph/experts/kyrgyzstan/documents/Land.Admin.Reform.Final_Draft.May2007.pdf).
- De Vries, W. T., and others (2016). Developing capacity assessment tool for land policy implementation: Experience from Kenya: Mozambique and Uganda. Paper presented at Annual World Bank conference on land and

poverty “Scaling up responsible land governance.” Washington, DC, USA. Available at [https://www.researchgate.net/publication/299085911\\_Developing\\_capacity\\_assessment\\_tool\\_for\\_land\\_policy\\_implementation\\_Experience\\_from\\_Kenya\\_Mozambique\\_and\\_Uganda](https://www.researchgate.net/publication/299085911_Developing_capacity_assessment_tool_for_land_policy_implementation_Experience_from_Kenya_Mozambique_and_Uganda).

Enemark, S. (2005). The emerging land management paradigm: A major challenge for the global surveying community. Lecture paper. Available at [https://www.researchgate.net/publication/237768122\\_The\\_Emerging\\_Land\\_Management\\_Paradigm\\_-\\_A\\_Major\\_Challenge\\_for\\_to\\_Global\\_Surveying\\_Community](https://www.researchgate.net/publication/237768122_The_Emerging_Land_Management_Paradigm_-_A_Major_Challenge_for_to_Global_Surveying_Community)

Showaiter, A. (2018). Assessment of a land administration system: A case study of the survey and land registration bureau in Bahrain. MSc Thesis, Faculty of Geo-Information Science and Earth Observation of the University of Twente. Available at <http://essay.utwente.nl/83570/1/showaiter.pdf>.

Stuedler, D., Rajabifard, A. and Ian Williamson (2004). Evaluation of land administration systems. *Land Use Policy*, Vol. 21, No. 4, pp. 371–380. Available at <https://www.sciencedirect.com/science/article/abs/pii/S0264837704000079>.

Williamson, I., and others (2010). *Land administration for sustainable development*. Esri Press. USA. Citeseer. Available at <https://cepa.rmportal.net/Library/natural-resources/Land%20Administration%20for%20Sustainable%20Development.pdf>

World Bank (2022). Data, Bahrain. World Bank Group. Available at <https://data.worldbank.org/country/bahrain?view=chart>.

\_\_\_\_\_ (2022a). Urban population (% of total population) – Bahrain. World Bank Group. Available at <https://data.worldbank.org/indicator/SP.URB.TOTL.IN.ZS?locations=BH>.

Zevenbergen, J. (2002). Systems of land registration aspects and effects. *Publications on Geodesy 51*. Available at <https://ncgeo.nl/downloads/51Zevenbergen.pdf>.