

INTRODUCTION

Tenure can be understood as the way in which people gain access to land and other natural resources.

In practice, the important relationships between people as land users and their land-use rights can be existed and influenced through various factors such as economic, socio-cultural and even religious. The topic of this chapter is studying the Crisis of the Land tenure administration in Iraq through ILAs strategies.

THE GOVERNANCE OF TENURE

The governance of tenure is a way of enhancing the peoples' rights in land and property. It is crucially influenced by consequences of state insecurity and inter-communal violence. Literature shows that Weak governance is the crucial way for tenure problems and therefore an effective way of enhancing the tenure policies and how peoples use and benefit from tenure rights can be safeguarded under the quality and security of governance.

IRAQ'S LAND TENURE CRISIS

Providing secure, safe, and affordable tenure is a top Problem for the Iraqi land authorities. Due to the tension and lack of personal security in Iraq, this problem is increased sharply within the national crisis. The most recent sectarian violence and ethnic tension in the Iraqi post-war state have resulted in a large insecurity situation with increased unstable establishments. The succeeding conflict has deepened conditions within the nation and further increased state supervision. It is clear that the rapid rate at which Iraq's Land tenure Crisis is being established exceeds the rate in which Iraq's Land Authorities (ILAs) are forming their policies and monitoring them in the ground.



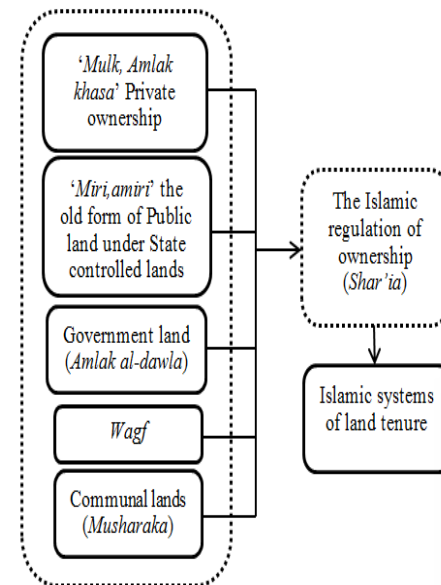
IRAQI LAND TENURE ADMINISTRATIONS

By: Laith H. Al-Ossmi
Supervisor : Professor Vian Ahmed

IRAQI ISLAMIC BACKGROUND OF TENURE ADMINISTRATIONS

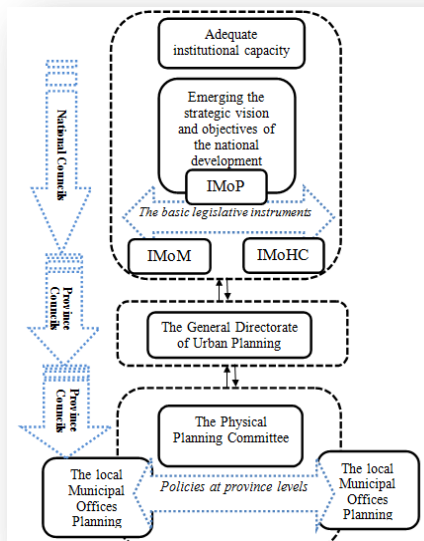
As an Islamic country, Iraqi land ownership is ruled and managed according to a set of permit forms controlled by the specific religious authorities. Roberto (est., 2012) Stated that within religious tenure systems, a number of tenure security categories exist. In a given authority, these include various types of shared ownerships. Figure 2 shows the Essential Characteristics of Islamic Land Systems in Iraq (Author).

Figure 2: The Essential Characteristics of Islamic Land Systems in Iraq (Author).



OVERALL OF THE ILAs

There is an interconnected matrix of legal, social, and political factors linked with the land rights aspects in Iraq. Under the control of the ILAs, the form of land Ownership title deeds and Land users' rights were ordered to be documented by registry institutions. Iraqi land tenure Systems were well-documented and passed within different periods of developments, and these systems can be described as a set of broad ideas and principles, and be therefore secured under different forms and monitoring initiatives and tools that are included in various concepts, practices, rules and influences which can be registered and protected officially. In general, the Social, religious and political factors were the main dominates of the Iraqi Systems of Land rights. In practice, from Ottoman land rights, an Overall of the Iraqi basic land tenure categories and practices influencing the administration of land tenure and end-user's rights Fig. (3).



IRAQ'S LAND AUTHORITIES (ILAs)

The ILA's organisational frameworks are divided to: the Physical Planning Committee (PPC) and Municipal Offices (MOs), and also embeds both land authority's council's views. In practice, the role of ILAs is illustrated in the table 1, and it can be divided into two main levels;

- The National level: where policies are made, since at the local level policy is practical implicated on the ground. Additionally, the ILA is conventionally combined from groups of interconnected organisations which can be justified into two levels; at the National level, there are 3 organisations which are the Iraqi Ministry of Planning (IMO P), The Iraqi Ministry of Municipalities (IMO M), and the Iraqi Ministry of Housing and Construction (IMO HC), (in Baghdad the capital);
- The local level: there are the Physical Planning Committee (PPC), and Municipalities' Offices (MOs), (in Al-Nassiriya city).

