

Policy paper about

“ THE RIGHTS OF WOMEN FARMERS IN THE GAZA STRIP”

Gaza Urban & Peri-urban Agriculture Platform (GUPAP)
in cooperation with Women's Affairs Centre (WAC)

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1.INTRODUCTION

THE IMPORTANCE OF THE AGRICULTURAL SECTOR

Agriculture is not only a key economic activity and source of income for the Gaza Strip, but also a major contributor to the protection of land from urbanization and confiscation. It supports the enhancement of food security, provides employment for 11.5% of the labor force, contributes 5.6% to the GDP, and accounts for 21% of total exports. Moreover, , it plays an important role as a supplier of raw products to various industries as well as a consumer of inputs and services from other sectors. The agricultural sector includes a wide range of sub-sectors and activities. Plant production encompasses various types of vegetables, fruits and field crops. Livestock production includes sheep, goats, cattle, poultry, bees and fish. Forests, pastures and flowers are other production systems. The agriculture sector depends on many other sectors for the provision of inputs and production conditions such as agricultural education, nurseries, , roads, fodder, pesticides, fertilizers, seeds, irrigation water, agricultural machinery, financial institutions and others. In return, other sectors and activities rely on agriculture, such as transport at, marketing, manufacturing, exports, environment, tourism, employment and others.

LAND USE AND TENURE IN THE GAZA STRIP

The area of Gaza Strip is 365 km², although the Israeli occupation still controls the border area 'buffer zone', which is estimated to cover about 17% of the land area of the Gaza Strip and 35 % of the total agricultural land area. The area of government-owned land in the Gaza Strip is 31% of the total area at 112,000 dunums, while the area of the privately-owned land called Tabu (title deed) is 184,573 dunums. The Waqf land is estimated at 772 dunums in addition to 23 slums on governmental lands and some land with special status that are scattered along the area especially in Zaitoon, Rafah and the North. Lands in the Gaza Strip are also classified at the land authority as registered and unregistered land. The registered land is 70% of the total area in Gaza Strip at 293,000 dunums while the unregistered land is 30% of the total area in Gaza Strip at 72,000 dunums, often called ' Finance land' located to the East of Salah El-Din.



THE STATUS OF AGRICULTURE IN GAZA STRIP

The total area of agricultural land in Gaza Strip is estimated at 88.2 km² (24.1% of the total area of the Gaza strip) compared to the actual need for 163 km² of agricultural land needed to maintain food security for its growing population according to the regional plan (2005-2020) prepared by the Ministry of Planning.

The total number of animal and mixed holdings is 6501 in the Gaza Strip (3,598 animals and 2903 mixed). 16.8% of the households have a home garden and 83.7% of these households utilize it for agricultural activity during agricultural year, and 12.3% of the households rear domestic livestock.

THE INSTITUTIONAL FRAMEWORK FOR THE AGRICULTURAL SECTOR


The agricultural sector is characterized by a wide range of multidisciplinary institutions engaged in agriculture, which includes the Ministry of Agriculture, other ministries and public institutions (Water Authority, Environment Quality Authority, Ministry of National Economy, Ministry of Local Government, Ministry of Finance and Planning, Ministry of Health, Ministry of Labor, Ministry of Social Affairs, Ministry of Interior, the Ministry of Women's Affairs, governorates, the Palestinian Central Bureau of Statistics, PECDAR, the Land Authority, Palestinian Standards Institute, Investment Promotion Agency, agricultural commodity boards as semi-government bodies, Palestinian non-governmental organizations (NGOs), private sector, men and women producers and processors, international organizations, and donors.





THE LEGAL FRAMEWORK FOR THE AGRICULTURAL SECTOR

The Agricultural Law No. (2) of 2003 and its amendments for the year 2005, in addition to (14) bylaws constitute the legal framework that regulated the agriculture sector until 2011, after which four new regulations and one law were issued being the Agricultural Pesticides System, stopping plant products trafficking system, Feed System, and animal numbering and registration system, and risk prevention and agricultural insurance law. The legal framework for agricultural land has been affected by the Palestinian political division so that the Presidential Decree No. 12 of 2013 on the prevention of risks and agricultural insurance issued by the President of the Palestinian National Authority and the regulations issued by the Ramallah government do not apply in the Gaza Strip. Likewise, the land related laws issued by Palestinian Legislative Council (PLC) members in Gaza such as the Civil Law No. (4) for the year 2012 and the Palestinian Property Lease/Rent Law No. (5) for the year 2013 is not applicable in the West Bank. There is also a multiplicity and diversity in the legislation governing the land sector in both West Bank and Gaza Strip. There is currently no comprehensive and uniform land legislation. An attempt was made to enact a unified land law and a draft was law included on the agenda of the PLC in March 2004, and endorsed by the general reading in April 2004, but was kept in the committees of PLC without follow up by the relevant stakeholders. The current Labor law also lacks incorporating the perspective of the human rights of working women in agriculture, whereas it protects only paid women workers, while it does not protect unpaid women who work in family projects managed by a relative or who are self-employed.



It should also be noted that all these laws do neither address the human rights of women and men farmers regarding the right to work, to decent and safe working conditions and income, to ownership, non-confiscation of land, land access and cultivation, export and import, and loss compensation.

FUTURE PERSPECTIVES FOR THE AGRICULTURAL SECTOR

The agricultural sector in the Gaza Strip faces many problems including growing population growth and urban encroachment on agricultural land, scarcity of water associated with deteriorated water quality, soil degradation (salinization, erosion and pollution), fragmentation of agricultural land, expanding buffer zone, tight closure of borders, difficult economic conditions, and presence of outdated laws or non-regulation failing to adequately protect the rights of women and men farmers and help them to further innovate and invest in their agricultural work. This is all worsened by the severe damage done to the agricultural sector, resulting in the destruction of more than 30% of the agricultural land and its contamination by the remnants of explosives; the uprooting of fruit trees; the destruction of water wells and irrigation systems, greenhouses and agricultural roads, and killing of about 40% of livestock (poultry, sheep and cows) in three consecutive wars in 2008, 2012 and 2014. Frequent invasions and continued siege for the ninth year in a row caused the lack of resources for the development of agriculture sector in terms of agricultural inputs and export.

The agricultural sector crisis and the deterioration of agricultural infrastructure do not only reflect severe threats to food security in the Gaza Strip due to the lack of production, but also reflects negatively on the farmers livelihoods' and the wide spread poverty among more than forty thousand workers in the agricultural sector and their families. There is an urgent need to respond to this crisis and help unemployed women and men farmers to return to the agriculture sector, to help present agricultural workers to innovate and invest in improvement and sustainability of their farming system, compensate them for their losses caused by the siege and wars on Gaza Strip, and advance their legal empowerment through legal awareness, enablement and enhancement of unified laws protecting the rights of women and men farmers.

2. WOMEN'S PARTICIPATION IN AGRICULTURE

Women's participation in economic activities is 16%, reaching 19% in the West Bank and 9% in the Gaza Strip, which is the lowest percentage in the world, including in the Middle East and North Africa. The Palestinian agricultural sector employs 13.1% of the total number of employed women in the Gaza Strip, 10.4% of them are skilled workers in various agricultural professions. Women constitute 30% of the total employed labor force in the agricultural sector, and women farmers undertake about 87% of the animal agricultural work and 54% of the agricultural plant work. This reflects the important role of women in this sector that constitutes the source of income for hundreds of thousands of Palestinian families, in addition to their role in providing the family with fruits and vegetables. Women nonetheless have only 8.5% of mixed and animal's holdings, which demonstrates the wide gender gap in farm holdings in favor for males.

There is an increase in the participation of women in urban agriculture, particularly the cultivation of vegetables and fruit trees, and raising of poultry, sheep and cows in the vicinity of the house (home gardens) to produce safe food to meet the needs of the family, especially in times of wars and crises and sell the excess food to increase income. Women combine these important roles with raising children and taking care of the family.

3. THE PROBLEMS AND DIFFICULTIES FACED BY WOMEN FARMERS

Women suffer from lack of recognition for their entrepreneurial and productive capacities and lack specific support, targeted extension and legal recognition. Agricultural development needs to enhance women to take full part in agricultural activities, make full use of their experience and knowledge, ensure that their interests are taken into account, strengthen them in their role as producers and marketers and enable them to participate in leading roles in producer Palestinian woman farmers in the Gaza Strip face the following problems and difficulties that affect the entire agricultural sector :

Agricultural Development Association (2016). Research on the status of agricultural land and the rights of farmers in the Gaza Strip, Obstacles and solutions.
Palestinian Economic Policy Research Institute (2016). Promoting the Status and Role of Women in the Palestinian Agricultural Sector.
Palestinian Central Bureau of Statistics (2016). Women and Men in Palestine: Trends and Statistics.
Focus group with women farmers in May 2017.

In addition, specific problems faced by women farmers include:

- Difficulties in accessing agricultural lands in border areas. This affects the flow of agricultural inputs to the farm, as well as the flow of fresh agricultural products and their access to the local markets or to the border crossings where they are exported.
 - The small areas of agricultural holdings, which reduce economic viability.
 - The difficulty of obtaining production inputs such as machinery, tools, chemical fertilizers and pesticides due to lack of agricultural funding.
 - High salinity of water used for agricultural irrigation and animal production.
 - Poor agricultural extension, especially in terms of number of agricultural extension workers and their expertise.
 - Poor marketing and high formal marketing costs (in the central markets).
 - Low prices of agricultural products in production seasons and inability to maintain a reasonable level of prices.
 - The lack of means of storage of agricultural products, scarcity of storage companies, and unfair purchasing prices of agricultural products from farmers..
- The rights of women farmers are not addressed in the present agriculture, labor and land laws.
 - Women workers in the agricultural sector are paid low wages.
 - The unpaid work of women farmers in agricultural family projects owned by first-degree relatives.
 - The burdens born by women farmers, which include work in agricultural family projects in addition to their roles within the home.
 - Lack of recognition of the activities of women farmers in the agriculture and household, and of their contribution to the family income as well as the national income (which are currently excluded from labor force and national income statistics).
 - Lack of organization of women farmers in a trade union or social movement to defend their rights.
 - The inability of most women farmers to undertake activities that require considerable physical effort, which requires recruitment of male workers to carry out these activities, and hence increases the cost of production and reduces profits.



- The cultural limits posed to women farmers to deal with men from outside the family or town, especially during purchasing production inputs or marketing products.
- The vulnerability of women's ownership of agricultural land due to their denied land inheritance rights, whether it be inheritance from the father or the husband. Also, the law does not deal with the inventory of inheritance as an executive order.
- Lack of land ownership and the lack of registration of land in their name leads to women's inability to access funding.
- The low engagement of many women farmers in specialized agricultural cooperatives, where they can benefit from buying bulk production inputs at reasonable prices, or by support to market their products.
- Women farmers are exposed to various types of gender-based violence.

1. RECOMMENDED ACTIONS TO BE TAKEN

- Organize lobbying and advocacy campaigns to reform the relevant Palestinian legislation (the Agriculture and Labor Law) and mainstream a gender perspective in line with the International Covenant on Economic, Social and Cultural Rights (ICESCR), CEDAW and ILO Conventions.

- Organize creative (social) media campaigns to raise public and male awareness about the rights of women (farmers).
- Educate women farmers about their rights and how to claim them, especially inheritance rights to agricultural land and the right to decent employment.
- Encourage legal aid institutions to provide legal counseling services and representation in courts to restore the rights of women farmers in property, inheritance and personal rights.
- Encourage women to join specialized agricultural cooperatives, as this will improve their social and economic status.
- The Ministry of Agriculture and agricultural institutions should:
 - Provide plant production and livestock production inputs to women farmers.
 - Organize awareness-raising workshops on safe agriculture and good practices for animal production.
 - Target formal agricultural extension both in terms of quantity (number of experts) or type (specialties of experts), specifically to women farmers.
 - Conduct specialized courses for women farmers about small income-generating agricultural projects and the development of existing agricultural projects.
 - Help women farmers to market their products.



- Training and assisting women to process agricultural products in order to reduce the problem of market price variability and benefit from the added value of food processing that increases profit and income.
- Improving the conditions of agricultural roads and expanding them, in order to facilitate the access of women farmers to the markets of input production resources and final product markets.
- Providing suitable water for agriculture from various sources.
- Encourage institutions to provide special support to women farmers who are victims of gender-based violence.

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