

THE
POLICY
INITIATIVE

PROJECT

CLIMATE, LAND, AND RIGHTS

THE QUEST FOR SOCIAL AND ENVIRONMENTAL JUSTICE IN THE ARAB REGION

AN INTRODUCTION

Mona Khechen

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PROJECT

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About the author

Mona Khechen, TPI senior fellow, is an independent urban and regional development planner and researcher.

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SUPPORTED BY:



International Development Research Centre
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IN PARTNERSHIP WITH:



Project Leaders & Co-directors

Mona Khechen
TPI senior fellow

Sami Atallah
TPI director

Lead Legal Researcher

Nizar Saghieh
The Legal Agenda Executive Director

Project Advisors

Mona Harb
AUB Professor

Rami Zurayk
AUB Professor

Project Coordinator

Sami Zoughaib
TPI Research Manager

Project Communication Lead

Hind Khaled
TPI Strategic Communication & Advocacy Lead



- 1 LAND GRABBING:
A MAJOR ISSUE IN THE ERA OF CLIMATE CHANGE**
- 2 STRUGGLES FOR LAND, JUSTICE AND HUMAN RIGHTS**
- 3 NAVIGATING GLOBAL CHALLENGES:
LAND GOVERNANCE, SUSTAINABLE DEVELOPMENT,
AND CLIMATE RESILIENCE**
- 4 AN OVERVIEW OF THE “CLIMATE, LAND, AND RIGHTS:
THE QUEST FOR SOCIAL AND ENVIRONMENTAL JUSTICE
IN THE ARAB REGION” PROJECT**
- 5 BIBLIOGRAPHIC REFERENCES**

“Climate, land, and rights: The quest for social and environmental justice in the Arab region” is a new collaborative research project launched by The Policy Initiative (TPI) that explores the intersectionality of the climate emergency, land governance, and the broader challenges of democratic and inclusive governance in the Arab region. The project scrutinizes the legal structures and institutions enabling or hindering “green” and “un-green” grabbing. With a primary focus on Lebanon and Tunisia and a secondary focus on Egypt and Jordan, it provides interdisciplinary analyses, evidence-supported arguments, and policy recommendations derived from the lived experiences of the communities, organizations, and activists who are fighting land dispossession and resource depletion. By pursing this critical path of inquiry, we aim to fill a knowledge gap and foster long-lasting collaborations opposed to land grabbing in a region acutely exposed to the rapidly mounting effects of climate change and ruled by some of the world’s most repressive regimes. This paper serves as a background to the topic and an introduction to the project.

1 LAND GRABBING A MAJOR ISSUE IN THE ERA OF CLIMATE CHANGE

Policy responses to the world’s intersecting crises (economic, financial, climate, environmental, food, energy, and health) are increasingly giving rise to novel processes of land valuation, commodification, and financialization (Franco & Borras, 2019). To improve national fiscal health and/or fund new investments in public infrastructure and urban development, some governments are adopting lax land use regulations and pro-market policy reforms. This often entails selling or leasing their communal and public lands, and facilitating questionable land deals that can be associated with “land grabbing”. A new range of capitalist (trans) national actors and alliances are reaping the benefits of land acquisition and accumulating wealth by dispossessing others (including public and private entities and future generations) of their land.

While not new, land grabbing emerged as a global phenomenon of unprecedented pace and scale following the international financial, food, and fuel crises in 2007 and 2008 (Scoones et al., 2019). It has evolved under diverse frameworks (including food security, nature preservation, and climate change mitigation and adaptation), transcending the North-South divide and affecting both rural and urban areas (Via Campesina, 2012; Transnational Institute, 2013). The term itself evokes historical legacies of colonialism, imperialism, exclusion, and dispossession. Land grabbing is commonly associated with the “unfair appropriation” of land and natural resources “under conditions of highly asymmetrical power relations, access to information, and distribution of benefits and costs” (Margulis et al., 2014). Unlike their historical precedents, however, contemporary land grabs—also known as “large-scale land acquisitions” due to their size—are intricately linked to shifts in power and production within the global political economy, facilitated by increased cross-border flows of capital, goods, and ideas.

“Green grabbing” and “un-green grabbing” are subsets of the broader phenomenon of land grabbing. The former term emerged in recent years as a central theme in the vigorous debate on the climate emergency and “the dark side of the green economy” (Leach, 2012). It refers to the privatization or appropriation of land and natural resources under the guise of climate and/or environmental action (Fairhead et al., 2012). Not linked with environmental ends and less used, the latter term is associated with the deregulation, exploitation, and appropriation of protected nature for private profit (Apostolopoulou & Adams, 2013). These distinct forms of land grabbing threaten to aggravate the adverse impacts of climate change and intensify

existing inequalities and injustices in many countries across the globe; mainly countries in the Global South with weak governance and poorly protected land rights (Neef et al. 2023). Their negative consequences on people, biodiversity, and local economies can be far-reaching; eventually leading to land and natural resources degradation, food insecurity, and displacement and dislocation of disenfranchised communities.

Stripped of their rights in communal and public lands and/or faced with the threat of losing livelihood sources, small landholders, landless farmers, and other socially vulnerable groups (e.g. women, displaced people, refugees) are the ones paying the highest price. Owing to their poverty, many are pushed into informality and left behind. Their exclusion from policy decisions that have direct impacts on their lives reflects deeper processes of social exclusion that prevent them from accessing the rights, opportunities, and resources that should normally be accessible to everyone. Climate change acts as a challenge multiplier, profoundly impacting various human rights, “including the rights to life, self-determination, development, food, health, water, and sanitation and housing” (OHCHR, 2015). Manifestations of climate change (e.g. droughts, floods, and heavy rains) can pose additional burdens on smallholders, herders, women, and other vulnerable social groups. Considering their limited adaptive capacity, these groups can be disproportionately affected by climate hazards, particularly where their land tenure claims are insecure and land policies and laws are biased in favor of affluent and powerful groups.

2 STRUGGLES FOR LAND, JUSTICE AND HUMAN RIGHTS

Struggles for land are as old as the historical processes of land grabbing and resource extraction that were employed by colonial and imperial powers. Today, these struggles are growing and multiplying in their causes and demands. Affected communities, environmental groups, human rights advocates, scholars, and concerned organizations and citizens across the world are voicing concerns related to the social and environmental implications of large-scale land concessions—whether granted for forest plantations, agri-businesses, extractive industries, renewal energy projects, or other “green” or “un-green” ends. Activists and grassroots movements are rallying, resisting, and mobilizing against land concentration and enclosure by foreign companies and the global and local power elite. Many are demanding that their governments respect, protect, and fulfil their human rights obligations, mainly the rights to land, water, food, housing, and an adequate standard of living.

Yet, the fight against land grabbing is perilous. Evidence from various regions shows that, in addition to impacting the land rights of socially disadvantaged groups, land grabbing can also erode civil and political rights, including freedom of expression, association, and assembly (Cotula, 2014). Those who dare to question or expose suspicious land deals risk harassment, imprisonment, or even assassination. The alarming rise in the number of silenced and murdered human rights activists and affected populations worldwide underscores the dangers. Crucially, as the climate emergency intensifies global and local demands for human rights-based policies and laws that ensure a “just transition” to a sustainable low-carbon future, many governments are discrediting and criminalizing climate and environmental justice protestors to silence and subjugate them (Grant & Le Billon, 2021; Global Witness, 2021).

The wide appeal of the term “human rights” to diverse and sometimes ideologically opposing groups reveals a lack of universal understanding and a vague definition of the concept. The historical dominance of individual human rights in Western legal systems— influenced by capitalist ideologies and historical instances of abuse of individual freedoms in the name of “collective rights”—explains the persistent tension between the rights of individuals and

the collective rights of a group of people (McCaughan, 1989). Political responses to land grabbing highlight this ongoing tension, revealing the complexities in contending with dispossession and exploitation of local and indigenous peoples' lands. Injustices often manifest when affected communities and groups lack the political power and organizational capacity to stand up for their rights and demand land justice.

Concurrently, the fact that local communities affected by land grabs are inherently diverse and stratified—by factors such as class, gender, age, religion, ethnicity, education, political affiliation, nationality, or geographical origin—gives rise to myriad complex and varied grassroots responses to land grabbing (Borras & Franco, 2013; Hall et al., 2015). These “from below” responses might, for example, include appeals to involve local communities in proposed large-scale land-based projects as laborers or contract farmers. They may also entail endeavors to secure better compensation for displaced populations and counter-mobilizations against actors who oppose dubious land development plans and projects—noting that land grabbers often promise to provide job opportunities, economic development, and a better future for all.

3 Navigating global challenges: Land governance, sustainable development, and climate resilience

The global landscape outlined above raises fundamental questions regarding land governance, national and local socioeconomic development agendas, and democratic rule. Among these are: what are the existing laws, processes, and structures that govern access to, use of, and control over land? What are the power dynamics involved in land-related matters (Palmer et al., 2009)? Who holds decision-making power, whose opinions count, and how much space is there for opposition (Cotula, 2014)? In what ways does the climate emergency reshape prevailing power relations?

Existing literature identifies three conflicting political views that vie for influence in shaping the global discourse, policy instruments, and practical responses related to land governance and grabbing. Simultaneously, concerned scholars recognize that these three stances can overlap, as many actors often embrace more than one perspective depending on context-specific issues and the alliances they form over time (Borras et al. 2012, Borras et al. 2013):

- 1 Regulate to facilitate land acquisitions: Endorsed by many states, this approach streamlines land acquisitions for investors and facilitates land use re-classifications on the pretext that it is an economic necessity and part of addressing the food, energy, and climate crises.
- 2 Regulate to mitigate negative impacts: Supported by many international organizations, this approach acknowledges the inevitability of large-scale land-based investments and aims to regulate them to minimize negative impacts while maximizing opportunities.
- 3 Regulate to stop and roll back land grabbing: This perspective challenges capitalist development models, associating them with neo-colonialism. It proposes exposing and resisting land grabs while advocating for powerful states that can intervene on behalf of marginalized social groups.

Given their relative weakness compared to advocates of the first two tendencies, who are often allied, existing scholarship suggests that proponents of the third tendency should strategically forge alliances—particularly with proponents of the second tendency—to bolster their influence over global governance instruments (Borras Jr. et al., 2013). The ongoing debate about the term “land grabbing” yet underscores competing development paradigms. Notably, those who contested its use to describe the global land rush triggered by multiple crises in 2007 and 2008—including

states, donor organizations, scholars, and civil society organizations—tried to substitute it with more descriptive and neutral phrases such as “large-scale land acquisitions” and “large-scale land-based investments”. However, these alternative terms have also been criticized by scholars for depoliticizing a multifaceted problem impacting the environment, human rights, societal well-being, and the economy, and reducing it to technical and administrative issues (Baker-Smith & Miklos-Attila, 2016; Margulis et al., 2014).

Moving beyond language and ideological debates, questions related to the interplay of land governance, power relations, and alliance building—its various forms, structures, and the groups (to be) involved—persist. These are key to unraveling and challenging the multi-scalar decision-making processes concerning access, use, and control of land amidst the local and global forces driving land grabbing and, in many cases, instigating conflicts. The climate emergency renders alliance building even more crucial, necessitating concerted global and local efforts, responsible institutions at all scales, and effective legal and regulatory frameworks that prioritize sustainable development. This includes ensuring water, food, and human security, and facilitating a just transition from extractive economies and polluting industries to climate resilient development pathways (Denton et al., 2022).

Increasingly used as an overarching term encompassing climate, environmental, and social justice, the concept of “just transition” is closely associated today with the imperatives of equal opportunities, social equity, inclusivity, and the central promise of the United Nations 2030 Agenda for Sustainable Development of “leave no one behind.” The Paris Agreement, the first treaty in the multilateral climate change process to bring all nations together around a common strategy to cut greenhouse gas emissions—the main contributor to global warming and climate change—underscores the importance of sustainable development and the principles of just transition.

Together, the 2030 Agenda and the Paris Agreement provide the most ambitious international framework to date to end extreme poverty, reduce inequality, and protect the planet. Notwithstanding certain conflicts and gaps in their aims, both are universally accepted policy visions, representing “a paradigm shift: from a ‘top-down’ approach of set, international mandates to a ‘bottom-up’, country-driven implementation process” (Dzebo et al., 2019).

However, there is a clear discrepancy between rhetoric and reality. Despite efforts, the world is still struggling to limit global temperature rise and cope with current and anticipated extreme weather events and climate-induced challenges (Bodansky, 2021). Vulnerable countries and marginalized communities, who contributed the least to global warming, are suffering the most.

While the Paris Agreement was supposed to be achieved in the context of the Sustainable Development Goals (SDGs), insufficient international funding and a lack of strong governance, leadership, and commitment at the national level undermine its effective implementation (Dagnet, 2023). This raises essential queries related to how global and local actors are addressing the disproportionate impacts of climate change on certain regions, sectors, and groups, and what is needed to advance a comprehensive approach that promotes shared prosperity, sustainable land and natural resources management, and collaborative governance at all levels.

4

An overview of the “Climate, Land, and Rights: The Quest for Social and Environmental Justice in the Arab Region” project

An extensive body of work addresses land grabbing as a pressing problem in global governance spanning development, investment, and food security (Yang & He, 2021). Interest in the link between climate change and land grabbing—whether for environmental ends or not—and in better understanding “nodes of resistance to green grabbing” is expanding (Weeber, 2016). A mounting volume of studies in the sustainable development and political ecology fields now employ environmental, climate, and/or agrarian justice as frameworks to guide land governance and policy interventions. However, significant research questions remain regarding the intricate multi-scalar power dynamics involved in land grabbing and the strategic networks needed to develop more effective land governance tools. Among these are: how do legal and institutional frameworks facilitate or block lands grabs in the context of climate change? What role does land governance, within existing power relations and global political economy, play in green grabbing and natural resource-based conflicts? How do different affected communities and groups perceive and interpret the experience of (un) green grabbing? What makes resistance to land and natural resource grabbing successful in one context and unsuccessful in another?

Empirically grounded research that explores the nuanced interaction of land, power, and climate change in the Arab region is particularly scarce. Likewise, research that delves into various modes of resistance to green and un-green grabbing remains limited. The political responses of affected groups, especially the poor and marginalized, to the dual problem of land grabbing and the climate emergency are also underexplored. While some scholars have made valuable contributions to knowledge and generated interest in the topic (e.g. Dixon, 2013; Bogaert, 2016; El Nour, 2020; Fautras & Iocco, 2020; Henderson, 2020; Hamouchene & Sandwell, 2023), the complexities of geographic settings and cases they present warrant further investigations.

Indeed, considerable existing evidence from the Arab region suggests an urgent need for new research that addresses the nexus of the climate emergency, land governance, and the broader challenges of democratic and inclusive governance. Weak land governance in the region—characterized by gaps and complexities in legal frameworks, institutional fragmentation, land control and inadequate land administration by state authorities, and weakness of property taxation—is deepening the land crisis (Corsi & Selod, 2023). Deregulation and privatization of public and communal lands is dramatically affecting existing land use patterns, disrupting agrarian and pastoral systems, intensifying resource-based conflicts, and causing the forced displacement of a large segment of affected populations in many countries (Khechen, 2022; UN-Habitat, 2022). Climate change is exacerbating social and environmental challenges and threatening the livelihoods of millions of people.

Although activism around human rights and social and environmental issues is growing in the region, repressive laws are used in many countries to silence dissenting voices and suppress evidence of corruption and unlawful exploitation of land and resources. According to the CIVICUS Monitor, civic space is closed, repressed, or obstructed in Arab countries. Top violations are harassment, prosecution, and detention of journalists and human rights defenders, along with censorship. This reality evokes pertinent questions related to the influence exerted by political groups and economic elites on land use and development policies and zoning laws. It also prompts vital queries about Arab states' commitment to a just transition and the standards, regulations, and processes they have implemented to prevent resource depletion and pollution, hold industries and businesses accountable for environmental protection, preserve biodiversity and restore degraded land, integrate climate change concerns into land use planning, safeguard existing land rights, and protect land-based livelihoods.

Project objectives

Our new research project endeavors to bridge knowledge gaps by examining the complex interplay of climate change, land rights, and social and environmental justice within the Arab region. Against the backdrop of colonial legacies, authoritarian and hybrid regimes, complex property systems, and dominant neoliberal ideologies, we seek to understand how climate change intensifies existing land challenges and breeds new forms of land and natural resource dispossession and grabbing. Our threefold objective involves: (1) generating new knowledge and data to support concerned scholars, activists, practitioners, social movements, citizens, and decision makers in the Arab region (and beyond) in their pursuit of social and environmental justice; (2) raising public awareness about the strong link between poor land governance, climate change-related challenges, and the risks confronting socially vulnerable and marginalized groups; and (3) fostering new, enduring, multidisciplinary networks of scholars and active local organizations and groups dedicated to advancing inclusive land governance in the face of the climate emergency. Ultimately, we aim to make an original contribution to national, regional, and global discussions on the necessity of a just transition and to positively impact policy agendas and regulatory frameworks related to land and climate.

Country focus and key challenges

The project takes Lebanon and Tunisia as its primary focus and Egypt and Jordan as a secondary focus. All four countries are facing complex environmental challenges stemming from stress on their water resources, inadequate water and energy infrastructure, and poor land and natural resource management. Each of them is grappling with a severe debt crisis and contends with a culture of favoritism, rising inequality and corruption in their land administration and public procurement sectors. Revolutionary fever or political unrest and protests manifested in each of these countries in recent years, thanks to their relatively active civil society (to a lesser extent in Jordan). Moreover, all four countries are increasingly undermining human rights as evidenced in the restrictions they are placing on the freedom of journalists, lawyers, and judges; harassment of environmental groups that publicly criticize the ruling authorities and powerful groups; torturing and detention of activists; and imposition of funding and registration barriers to impede the work of civil society organizations (mainly in the case of Egypt).

The issues and examples highlighted below offer a glimpse of the multifaceted land-related challenges faced by the four targeted countries, encompassing environmental, political, socioeconomic, and human rights concerns. There are certainly many other instances that illustrate existing problems and issues, providing valuable insights into the struggles of local groups and communities striving for sustainable and socially and environmentally just policy interventions and tangible solutions.

- 1 Water and health issues: Located in one of the most water scarce regions in the world, access to water is a serious problem for all four countries. For example, irrigation water is contaminated in the Beqaa valley, Lebanon's most fertile agricultural plain. Local protests and national efforts to address this deadly issue are impeded by challenges related to poor water governance, population growth, and unguided urbanization. In Tunisia's Gabès region, health issues and harm to the marine environment caused by toxic gases emitted by phosphate plants triggered a national campaign against polluting industries. This initiative had little success given the financial revenues generated from phosphate and the absence of alternative plans to create jobs and sustain the local economy. In Egypt's Damietta governorate, health problems and irrigation water pollution stem from charcoal furnaces located near canals and drains. Although officials implemented some regulatory measures to reduce pollution, they failed to address the underlying impact of charcoal production on

agricultural-based livelihoods. Water theft, excessive extraction, and contamination are prompting farmers in Jordan's Southern Ghor to protest unjust water distribution and competition with industries.

- 2 Infrastructure issues: Contentious water and energy infrastructure projects, including green ones, exist in all four countries. In Lebanon, the Akkar windmills project faced opposition due to its proximity to a natural reserve and transgression on customary lands—that is, lands held under traditional land tenure systems rather than statutory laws. Tunisia's Borj Essalhi wind turbines, built on communal lands, sparked protests for affecting agriculture, disregarding safety regulations, and denying continuous electricity access to residents. Egypt's controversial Toshka Project, planned on the site of the former Nubian villages that flooded after the construction of the Aswan high dam, prompted the Nubians to intensify their protests for their right to return to their homeland. The proposed water-energy deal between Jordan and Israel—allowing Jordan to receive desalinated water from Israel and Israel to take clean energy from an envisaged solar power plant in the Jordanian desert—has been criticized for being a political rather than a climate change mitigation project. In their efforts to stop it, Jordanian activists are advocating for improved water management.
- 3 Issues related to biodiversity protection and the commons: Protecting biodiversity and the commons is another serious issue facing all four countries. Illegal logging, wildfires, and real estate development projects endanger Lebanon's forests and cultural landscapes. Thanks to the efforts of environment activists and other actors, the country has 18 natural reserves. Managing and catalyzing them for local economic development remains a challenge. In Tunisia, farmers in the town of Jemna succeeded in reclaiming their ancestors' land after decades of land dispossession and deprivation. In Egypt, the Nile Islands' conversion from natural reserves to upscale tourist destinations, along with attempts to falsify property records and alter the land use classification to evict the island's farmers and fishermen, provoked controversies and resulted in legal actions. The islanders were eventually compensated, albeit insufficiently, which compelled them to leave. Jordan's Dana Nature Reserve, created on the customary territory of the Ata'ata tribe, altered the local community's livelihoods. The establishment of the Dana Cooperative, a community-based organization striving to protect ancestral land rights and social practices, came as a local act of resistance against uprootedness.

Research thematic focus

Research will center on pivotal thematic issues concerning pressing land-related regional challenges encompassing social, environmental and climate change concerns, primarily focusing on:

- 1 Dispossession by pollution and extraction: This theme examines the impact of resource pollution and extraction on people and the environment, questioning their true costs on land prices, productivity, migration patterns, and local livelihoods. It delves into the roles of state actors in regulating extractive and polluting activities, the adherence of industrialists to social and environmental safeguards policies, community responses to harmful practices, and activist campaigns opposing them.
- 2 Investments in critical (green) infrastructure systems: This theme focuses on critical green and non-green infrastructure systems, exploring contested projects like dams and solar farms. It examines the environmental, economic, and political motivations driving these projects along with their socio-economic repercussions, implications for land rights, and social resistance.

- 3 Land enclosure and (un)greening: This theme investigates processes of appropriating and enclosing public and communal lands, examining their impact on landscapes and ecosystems. It addresses the politics of nature protection, questioning the interests of various groups and the opportunities and costs associated with designating areas as natural reserves or protected zones.

In addition, the research addresses three cross-cutting topics:

- 1 The influence of international institutions, policies, and agreements on land governance within states and their role in challenging or maintaining and expanding existing power relations and the dominant world order.
- 2 Bottom-up resistance and the (hindered) role of legal activism and strategic litigation in supporting vulnerable communities at risk of displacement and/or loss of valuable sources of livelihoods (e.g. due to deforestation, renewable energy projects, polluting industries).
- 3 The gendered dimension of land and “her land” in the context of climate change and unequal power relations, considering that women in the Arab region often face unique challenges related to land ownership, access, and control, exacerbating their vulnerability to the effects of climate change.

Research approach and process

The project adopts an action-oriented approach that relies on multiple sources of information and values public engagement, collective learning, experience exchange, and open dialogue between different groups to supporting the development of local and cross-border collaborations focusing on environmental issues and land rights. It comprises three phases, each of which is designed around two interrelated tracks: a research track and an alliance building track. This twin-track approach is meant to facilitate knowledge sharing, capacity development, and alliance building within and across different countries.

- 1 The first phase focuses on identifying critical regional challenges at the intersection of land governance and climate action. This involves investigating various forms of land dispossession and discourses surrounding (un) green grabbing in the region, mapping the landscape of environmental activism in the four targeted countries, and exploring the roles played by state and non-state actors in advocating for social and environmental justice. Additionally, this phase examines the legal and institutional context surrounding land rights in targeted countries, as well as their climate change policies vis-à-vis policies and practices governing land use and management.
- 2 The second phase uses a comprehensive approach that focuses on rights, environment, livelihoods, and the economy to examine selected thematic and/or cross-thematic case studies. It delves into the hidden struggles and collective agency of local communities in confronting land grabbing, prioritizing cases involving social mobilization, environmental and legal activism. This includes litigation cases, which can offer nuanced perspectives on the intricate relationship between economic development, environmental impact, and societal resilience within each country.
- 3 The third phase aims to utilize knowledge from the preceding phases to influence public discourse on land grabbing in the context of climate change. Its focuses on charting collective courses of action against land dispossession, elevating land rights and social/environmental justice on policy agendas at all levels, and creating model defense cases to aid vulnerable groups and their legal representatives in resisting green and un-green grabbing.

Project funding, duration, team, and collaborations

The project has received funding from the International Development Research Centre (IDRC) following an invitation to present concept notes on the theme of “Reclaiming Civic Space to Confront the Climate Emergency”. It will be implemented over a three-year span, starting November 2023, by a team of researchers and collaborators from Lebanon, Tunisia, Egypt, and Jordan. Mona Khechen (TPI senior fellow who conceived and drafted the research proposal) and Sami Atallah (TPI founder and executive director) are project leaders and co-directors. The Legal Agenda, led by Nizar Sagheeh, is a main participating institution in project implementation. Mona Harb and Rami Zurayk (professors at the American University of Beirut) are project advisors. Sami Zoughaib (TPI research manager) is project coordinator, and Hind Khaled (TPI strategic communication and advocacy lead) is the project communication lead.

Throughout the research process, we will connect with diverse groups of local actors in each country (including lawyers, human rights activists, scholars, practitioners, representative of local organizations, and public sector champions) and solicit their insights and input to the different phase in the project. Additionally, we plan to engage with concerned institutions and potential advisors in the targeted countries, form National Reference Groups and Regional Thematic Work Groups, and organize several meetings and events that bring the different groups together. Together, we aim to explore how local and regional activism can be adjusted and strengthened to influence land governance in the context of climate change in more positive ways at the local, national, regional, and global levels.

We invite all those working on relevant issues anywhere in the Arab region to contact us, share their knowledge and expertise, and actively contribute to the success of the project and shaping its outcomes.

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