GENDER ISSUES IN LAND REFORM IN TAJIKISTAN

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Tajikistan is still one of the poorest countries in Central Asia and poverty is particularly prevalent in rural areas. At the same time, access to land is a key factor in the promotion of equality between men and women in rural areas of Tajikistan. The Government’s gender policy: “State Programme on Gender Equality” and an amendment to it “Access of Rural Women to Land” guarantee equality of men and women in all spheres including land relations. Through an analysis of the main laws, State programmes and statistical data, this paper describes the development of the country’s gender policy. It then demonstrates how positive results have been achieved through the implementation of two joint initiatives involving the Government and the international community, namely the UNIFEM project “Land Reform and Women’s Rights to Land in Tajikistan”, (2003-2005) and the joint FAO/UNIFEM/CIDA project “Improved Food Security and Enhanced Livelihoods through Institutional and Gender Sensitive Land Reform in Tajikistan”. These results include, amongst others, changes in land legislation from the gender perspective and the introduction of new gender disaggregated statistics.

Key words: Gender issues, land reform, women, agriculture, Tajikistan

JEL classification: Q18

Introduction

The past 18 years have been ones of great change for the people of Tajikistan as they have striven to establish an independent state with a market economy governed under a pluralist democracy. For the majority of the population, these changes have brought sudden poverty, physical insecurity and bewildering social transformations. The civil war of 1992-1997 brought further terrible suffering to thousands. Despite these obstacles, Tajikistan has demonstrated a firm commitment to stability and has made substantial progress in building peace.

Tajikistan is still one of the poorest countries in Central Asia. Among the countries of the Commonwealth of Independent States (CIS), Tajikistan is ranked last as regards GDP per capita, that was USD 337.5 in 2005 (Goskomstat, 2006), down from USD 462.6 in 1991. In spite of measures aiming at improving the socio-economic situation, the country still presents a complexity of problems related to poverty, high level of unemployment and labour migration, decreased access to education, social services and public health services among the population etc. More than half a million people are eating only once a day (Ivaschenko, 2008). Women have been adversely affected by a lack of personal security, economic impoverishment and a decline in their political participation (CEDAW, 2006).

Almost 93% of the territory of Tajikistan is mountainous and only about 10% is suitable for cultivation. Thus agricultural land, especially irrigated land, is a deficient resource. Agriculture is an important component of the development of the economy. According to Goskomstat (2006), 67.5% of the population was employed in agriculture and the forest sector (including private farming) in 2005, the majority of them women. As nearly 74% of Tajikistan’s population lives in rural areas, and especially considering that the level of rural poverty is higher than in urban areas, the effective poverty reduction depends on the Government’s strategy in the agriculture sector.

The United Nations Development Fund for Women (UNIFEM) provides financial and technical assistance to innovative programmes and strategies to foster women’s empowerment and gender equality (see www.unifemcis.org). Placing the advancement of women’s/human rights at the centre of its efforts, UNIFEM focuses its activities on four strategic areas: reducing feminized poverty; ending violence against women; reversing the spread of HIV/AIDS among women and girls; and achieving gender equality in democratic governance in times of peace as well as war. Having started in 1999 in three Central Asian countries (Kazakhstan, Kyrgyzstan and Uzbekistan), in 2001 the UNIFEM Regional Office in Almaty expanded its activities to the whole CIS, and now is implementing programmes and projects in 12 countries (Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Turkmenistan, Ukraine, Uzbekistan and Tajikistan). In Tajikistan UNIFEM present and past interventions included the following: (a) Engendering Poverty Reduction Strategies in the CIS; (b) Gender Approach to Early-Warning and Conflict Prevention in the Ferghana Valley; (c) Ending Violence Against Women...

This paper describes how the Government and the international community have implemented joint initiatives on gender issues and land reform. Firstly, it briefly reviews the past and present situation in the Republic of Tajikistan, including State gender policy on promotion of equal access of men and women to land. It then describes two of the joint initiatives and assesses their impact.

**Methodology**

The current status of rural poverty and state gender policy in promotion of equal access to land are analysed in the context of developments since the country’s independence in 1991, and particularly since the end of the civil war in 1997. Methods include: (a) analysis of the legal and normative basis of agriculture reform and of the implementation of gender policies; (b) analysis of the main laws, State programmes, normative acts in the field of agriculture and promotion of gender equality; (c) analysis of statistical data in the field of agriculture; (d) analysis of existing country socio-economic studies and of reports on the gender situation including the Survey on Labour Force in Tajikistan (July-August 2004) and the Tajikistan Living Standards Survey 2007 (TLSS, 2007). Information about the UNIFEM projects implemented in Tajikistan since 2003 was taken from FAO/UNIFEM/CIDA project document and final reports.

**Results**

**Rural poverty and state gender policy on promotion of equal access to land**

In rural areas the average income per person is lower and the percentage of income represented by self-produced food is higher than in urban areas (TLSS, 2007). In Tajikistan the average income per person in 2007 was KGS 164 (USD 47.8). The main source of total income (49%) is the salary (Fig. 1). The second main source (24%) is represented by the self produced food, then remittances (17%). In 2007, remittances amounted to more than USD 1.2 billion (Asia-plus, 2007). However, the total income per person in rural areas is KGS 156, compared to KGS 186 in urban areas, of which salary constitutes 44% and self produced food 28%.

![Fig. 1. Structure of average monthly joint income in Tajikistan in 2007](image)

Thus poverty is widespread in rural areas; 71.4% of poor and 75.6% of extremely poor people live in rural areas (Table 1). More than half of the rural population (54.4%) and each second household in rural areas are poor. In Sogd oblast, the poorest region, 69.4% of the total population is poor, but in rural areas the rate is higher (74.3%). These areas of Sogd also have the highest rate of extremely poor people (34.3%). The TLS survey identified a number of factors influencing the poverty level.

| Table 1. Poverty rates by population and household in urban and rural areas of Tajikistan in 2007 (%) |

<table>
<thead>
<tr>
<th>Population</th>
<th>Concentration of poor people</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
</tr>
<tr>
<td>% of extremely poor</td>
<td>17.4</td>
</tr>
<tr>
<td>% of poor</td>
<td>53.1</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Households</th>
<th>Concentration of poor people</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total</td>
</tr>
<tr>
<td>% of extremely poor</td>
<td>14.9</td>
</tr>
<tr>
<td>% of poor</td>
<td>47.4</td>
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</tbody>
</table>

Source: TLSS (2007)
The most vulnerable to poverty and extreme poverty are households with the following parameters: large number of children; headed by women; poorly educated and/or unemployed head of household. So, for example, among households headed by men 19% are extremely poor, and among the ones headed by women the percentage is 23% (TLSS, 2007).

The Poverty Reduction Strategy of the Republic of Tajikistan for 2007-2009 identifies the following core problems in agriculture (PRS, 2007):

- the management system in the sector is underdeveloped and the capacity of the authorities responsible for the drafting and implementation of a sectoral policy is quite weak;
- governmental agencies interfere in the operations of agricultural enterprises;
- debt towards investors in the cotton sector is growing, the technology is inefficient, there are long delays and high costs associated with cotton-ginning and the grading of cotton does not comply with international standards;
- land-use rights are limited, dekhan farm shares are still in collective management, access to land is difficult;
- there is not enough feed due to a reduction in the planting of feed crops, the system of moving livestock to remote pastures for grazing has been disrupted, productivity has decreased and veterinary care is inadequate;
- there are high costs associated with the repair and renovation of irrigation, drainage and pumping systems;
- the incidence of food-related illnesses is rising, and the legislative framework and the human and technical resources for ensuring a healthy diet are weak.

Since its inception, and particularly in recent years the State has undertaken a number of positive measures and steps to strengthen women’s role and status in society, promoting equal rights and opportunities for men and women (Table 2). Thanks to national efforts and real partnership between governmental and non-governmental organisations supported by international organisations, the country has developed and started to implement the main directions of State gender policy and created the legal basis of gender equality. Article 12 of the law of the Republic of Tajikistan on “Guarantees of Equal Rights for Men and Women and Equal Opportunities in the Exercise of such Rights” says “State bodies, local government bodies and heads of organisations of all property forms are obliged to ensure equal access for men and women to the economic resources of society, including movable and immovable property, land, financial assets, credits, and also ensuring free enterprise and any other activity that is not prohibited by legislative acts”.

Table 2. The main legal acts and steps in gender equality promotion in Tajikistan.

<table>
<thead>
<tr>
<th>Year</th>
<th>Description of the implemented action</th>
</tr>
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<tbody>
<tr>
<td>1993</td>
<td>Tajikistan joined the Convention on Elimination of All Forms of Discrimination against Women (CEDAW)</td>
</tr>
<tr>
<td>1998</td>
<td>Government of the Republic of Tajikistan approved National Plan of Action on the Promotion of Status and Role of Women for the years 1998-2005</td>
</tr>
<tr>
<td>1999</td>
<td>President’s Decrees “About democratization of the society” and “Promotion of women in society”</td>
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<tr>
<td>2001</td>
<td>Government of the Republic of Tajikistan adopted the State programme “Main directions of the state policy to ensure equal rights and opportunities for men and women in the Republic of Tajikistan for the years 2001-2010”</td>
</tr>
<tr>
<td>2000-2005</td>
<td>Adoption of a number of strategic programmes protecting women’s reproductive rights and health</td>
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<tr>
<td>April 2001</td>
<td>Decree of the Government of the Republic of Tajikistan “About regulation of girls’ access to higher education institutions of the Republic of Tajikistan, in accordance with the President’s quota for 2001-2005”</td>
</tr>
<tr>
<td>Oct 2003</td>
<td>Creation of the Coordination Council under the Government of the Republic of Tajikistan headed by the Deputy Prime-Minister to support implementation of the UNIFEM “Land rights and economic security of women in Tajikistan” project</td>
</tr>
<tr>
<td>April 2004</td>
<td>Approved addition to the State programme “Main directions of the State policy to ensure equal rights and equal opportunities for men and women in the Republic of Tajikistan for the years 2001-2010” “Access of rural women to land”</td>
</tr>
<tr>
<td>March 2005</td>
<td>Adoption of the Law of the Republic of Tajikistan on “Guarantees of equal rights for men and women and equal opportunities in the exercise of such rights”</td>
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<tr>
<td>Nov 2006</td>
<td>Adoption of the State Programme on “Development of female cadre” for 2007-2011</td>
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<tr>
<td>Jan 2007</td>
<td>The first National Report and Shadow Report of NGOs on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women are submitted to the CEDAW Committee</td>
</tr>
</tbody>
</table>

In Tajikistan in 2007 the number of women-headed farms constituted 13.4% compared with 2% in 2000. Strengthening women’s access to land and the status of women-headed dekhan farms contributes to the solution of important family problems and has a definite impact on women’s role in the household and community, but these changes should be stable and voiced by women. The decree of the Government of the Republic of Tajiki-
stan “About changes and additions to the State programme Main Directions of the State Policy to Ensure Equal Rights and Opportunities for Men and Women in the Republic of Tajikistan for the Years 2001-2010” includes the following text:

“The current status of women in Tajikistan contains limitations, in comparison with that of men, in various spheres of socio-economic life, including labour opportunities, property and land rights, etc. To ensure equal economic opportunities and equal access of men and women to property, including land, it is necessary:

- To strengthen women’s awareness as regards their economic rights;
- To facilitate access to credit and develop micro-credit systems for women;
- To develop intermediary networks for the sale of agricultural products and home-made products;
- To conduct studies and regular monitoring of gender inequality in this field”.

Although in recent years the Government has paid special attention to the problem of equal access to resources for men and women, gender stereotypes still negatively affect women’s advancement and efforts to overcome gender inequality. Financial dependency on husbands and limitations on activity within the family are considered as “natural” conditions in the frame of social man-woman relationships, in spite of the existing democratic and economic changes. The necessary cultural and social changes regarding male and female roles is the most complex task to fulfil and requires a long time and purposeful joint actions of the State and the civil society.

Also, land legislation, although not discriminative, lacks mechanisms for implementation. Law implementation does not consider gender factors and there are no effective mechanisms for the implementation of women’s rights in the field of land tenure. An example is given by the Regulations on restructuring of agricultural enterprises, approved by Decree of the President of the Republic of Tajikistan as of 30 June, 2006, № 1775. Article 23 states that women-bread winners and single mothers have the right to own property and to get land shares during the agricultural reorganization. However there is no definition of the terms “single woman” and “women bread-winner” in the Tajik legislation. Therefore the use of this privilege is very problematic. By Decree of the Government of the Republic of Tajikistan in 2004 part IV “Access of Rural Women to Land” was added to the State programme “Main Directions of the State Policy to Ensure Equal Rights and Opportunities for Men and Women in the Republic of Tajikistan for the Years 2001-2010”. This document points out the problems and obstacles to women’s access to land, and introduces ways of widening economic opportunities and promoting equal access of men and women to land. Outcome indicators and the bodies responsible for implementation are specified the Chapter “Action Plan”.

UNIFEM CIS Activities in Tajikistan

The strong interest of UNIFEM in reducing feminized poverty and ensuring women’s/human rights with regard to land and other economic resources is demonstrated by several initiatives undertaken by UNIFEM CIS, including two women’s land rights projects, as follows:

**Land Rights and Economic Security of Rural Women in Tajikistan (2003-2005).** The project was designed to support rural women and expand their economic opportunities in the frame of the State land reform of 2002–2005. As a result, significant progress has been made at policy and legislative levels. The Government of the Republic of Tajikistan has established the Coordination Council (CC) chaired by the Deputy Prime-Minister to support implementation of UNIFEM project “Land Rights and Economic Security of Rural Women in Tajikistan”. The CC served as a basic instrument at national level to mainstream gender in land reform. One of the Council’s main tasks was the coordination of the activities of the key stakeholders promoting economic rights of women to land. The information and research material on the process of land reform produced by the CC was collected and published. The CC promoted the amendment “Access of Rural Women to Land” made to the State Programme on Gender Equality. The statistical form “Format 1” was amended to include gender indicators and since 1 January 2005 new forms are used throughout the country. Based on the Memorandum of Understanding between the National Committee for Women and Family Affairs and UNIFEM, District Task Forces were established in 16 rural areas to provide advice and consultations on Family, Civic and Land codes. Seven out of 11 recommended amendments to the Land Code were accepted by the Parliament and signed into law by the President.

The local mass media was actively involved in the campaign to better advocate for women’s human rights. The project produced the guide “Land Rights: Questions and Answers” and the manual “Women’s Rights in the Course of the Land Reform in the Republic of Tajikistan”. At grassroots level the project focused on increasing knowledge of rural women on the principles and procedures of decollectivisation process so as to better prepare them for the collective farms reorganisation meetings. More than 4,000 rural women and men applied for legal advice. Five hundred more rural women received plots of lands and became heads of dekhan farms. This resulted in extended women’s access to land and other economic resources. Moreover, self-confidence and expertise significantly increased among rural women on practical application of their land rights.

The ongoing land reform process in Tajikistan has shown that solely restructuring the State farms, even if the process could be completed by the end of 2006 as planned by the authorities, will not alone guarantee a sustainable development of the agricultural sector. Government institutions are generally weak in terms of both human and financial resources. Multifaceted social and economic problems have their roots in inequitable distribution of land and neglect of rights. This applies even more to more vulnerable groups such as women and female-headed smallholdings.

To address this and related areas of concern, the UN Food and Agriculture Organization (FAO) and UNIFEM commenced a joint project in 2007 which adopted a multi-level, streamlined approach both for institutional strengthening of the Government and related institutions and for safeguarding rights of the rural poor and which eventually focused on gender-responsive monitoring of the land reform. Specifically, the project aimed to support women in securing their land use rights and consequently their livelihoods.

Information campaigns aimed at increasing awareness of the general public, including rural women, about women’s human rights in general and their economic rights in particular was an essential part of project strategy. A visual example of effective support for women’s informational empowerment in the field of land reform, legal education, and introduction of gender approaches to equal access to land is demonstrated by District Task Forces which are established on the basis of the women’s committees. In the regions where these centres are functioning, the staff of the raikomzem (the District Committee on Land Management) and other structures is more gender sensitive and better understands gender issues. Consequently they pay more attention to the problems of equal access to land, etc. Moreover dekhan farms are expanding their activities and there is evidence of more activity of dekhan farm heads thanks to the support from different organisations. Broadening the activity of such District Task Forces can serve as a good basis for increasing women’s informational level and for strengthening potential dekhan farm heads and dekhan farm activities.

Gender analysis of documents and publications produced by the Agency of Land Tenure, Geodesy and Cartography, FAO and UNIFEM within the land reform process was undertaken by a gender expert hired by UNIFEM. The gender analysis focused on a detailed review of (a) information, education and communication materials; (b) documents on the land reform monitoring system; and (c) the institutional mechanism of the land reform process. It resulted in a set of gender mainstreaming recommendations aimed at increasing gender responsiveness of the reviewed documents and processes, including an action plan for ensuring implementation of these recommendations. The action plan on gender-sensitive Land Agency Policies has been discussed and agreed with the Land Agency and is under implementation.

Gender mainstreaming of Land Strategy was successfully started thanks to the initiative of the Land Agency. The initial inputs to the draft Land Strategy were made based on close consultations with the Land Agency and FAO. A round table composed of the Land Agency, the Committee for Women and Family Affairs, FAO, gender experts, and local and national NGOs resulted in a thorough discussion on key challenges in the land management process from a gender perspective and led to the preparation of the set of gender-sensitive recommendations that are integrated into the Land Strategy. The process of engendering the draft land strategy was facilitated by a Gender Task Force, formed by UNIFEM and consisting of four gender experts.

Gender analysis of the existing legislation and policies on land, with a specific focus on women’s rights to land was undertaken by a gender expert hired by UNIFEM. The results of the gender analysis have been compiled in the form of recommendations and discussed with the Land Agency, the Parliament and the Coordination Council, and the Working Group on Land Reform and was considered in the process of drafting the Land Strategy.

A Network of gender specialists was formed as one of follow up responses to the results of the gender analysis of the land management institutional mechanism. This Network, composed of the Land Agency, the Ministry of Agriculture, the Ministry of Water Resources, the Association of Dekhan Farms, Agroinvestbank and Goskomstat, takes the role of leading/facilitating gender mainstreaming of policies / strategies / actions planned /implemented within their respective agencies/ministries. The Committee for Women and Family Affairs, as a leading agency for gender equality in the country, had officially endorsed the Network and all participating agencies/ministries have formalised it through a Memorandum of Understanding which specifies the roles, responsibilities and functions of the members of the Network. Special gender training and capacity building interventions were planned and conducted jointly by UNIFEM and the FAO.

The feedback obtained through research undertaken in four districts and the subsequent public hearings co-organised with the Land Agency on the results of the project contributed to a better understanding of the process by the Agency staff and will improve services to the rural population.

Very positive results were also achieved through the implementation, jointly with the FAO of the social mobilisation process in one of the pilot districts, Vakhdat. Under the guidance of an international expert and UNIFEM staff the contracted and trained NGO “Rights and Prosperity” managed the mobilisation of 197 women and men in 18 groups. The FAO provided participants with seeds and fertilizers as well as with extensive training. The results
achieved are beyond expectations. The harvest was twice to four times more in comparison with the previous year.

Discussion

The projects “Land Rights and Economic Security of Rural Women in Tajikistan” and “Improved Food Security and Enhanced Livelihoods through Institutional and Gender Sensitive Land Reform in Tajikistan” have, in the context of ongoing land reform, effectively supported women’s right to land and sustainable livelihoods. They have facilitated changes in land legislation and policies from a gender perspective, the establishment of the Government Coordination Council and District Task Forces, the creation of new gender indicators and statistics, the social mobilisation of dekan farmers, research on feedback mechanisms, the establishment of the gender network, etc. In turn this has enhanced livelihood options for poor rural families, and women in particular.

Notwithstanding these successes, taking into consideration the results of many surveys and research results and the actual status of the situation in land reform and gender issues, there is still a need to continue working on gender issues and land reform in Tajikistan. Despite being in place for several years, the land reform processes are not yet fully understood by the authorities and communities at the local level. The UNIFEM projects continually needed to sensitise and motivate local governments and government officials from relevant ministries to observe the principles of transparent land procedures fully by promoting gender equality in implementing land reform.

Outstanding tasks include reviewing and improving gender legislation, increasing the capacity of high officials by means of special training courses integrated into the curriculum of the Civil Servants’ Training Institute (FAO/UNIFEM/CIDA, 2008), designing a gender sensitive model for monitoring and evaluation, upgrading the competitiveness of women through the use of training specialists in the sphere of agriculture, qualification upgrading systems in the sphere of new systems of financing, agriculture, and the development and widespread use of mechanisms for obtaining feedback from the population by the Land Agency and other concerned parties in order to improve the services and make the life of people change for the better. These recommendations are already integrated into the draft Land Strategy developed within the FAO/UNIFEM/CIDA project.

The Poverty Reduction Strategy of the Republic of Tajikistan for 2007-2009 (PRS, 2007) and land legislation lack public monitoring. Campaigns to promote equal access to resources and equal economic rights should continue. It is also necessary to identify other issues that hamper farm development, including women-headed ones, such as (a) lack of financial resources and limited access to credits; (b) lack of knowledge and skills in farming; (c) lack of machinery; (d) deficit of water and other melioration and irrigation problems; (e) farmers’ debts; (f) provision of fertilizers, herbicides and pesticides; and (g) shortages of seeds and their poor quality (Bozrikova, 2008).

The experience of joint implementation of the projects and positive results gained by combining the efforts of two UN organisations with their respective mandates clearly shows the necessity of their continuation in assisting the most vulnerable people. Their activities should be strengthened as the Government of the Republic of Tajikistan still needs support for country-wide implementation as governmental bodies are still weak on gender issues and land reform in terms of human resources and finances, and are therefore not yet able to undertake overall implementation of the task. UNIFEM’s list of future priorities is as follows: (a) to strengthen national mechanisms to promote gender equality and equal rights and opportunities; (b) to protect women’s human rights within a national human rights institution; (c) to improve local governance and accountability processes and capacity of local authorities with a focus on rights-based gender-responsiveness; and (d) to improve a partnership with formal and informal leaders to address domestic violence (UNTJ, 2010).

Conclusions

1. The past 18 years have been ones of great change for the people of Tajikistan as they have striven to establish an independent state with a market economy governed under a pluralist democracy. For the majority of the population, these changes have brought sudden poverty, physical insecurity and bewildering social transformations. Women have been adversely affected by a lack of personal security, economic impoverishment and a decline in their political participation.

2. Agriculture is an important component of the development of the economy. As nearly 74% of Tajikistan’s population lives in rural areas, and especially considering that the level of rural poverty is higher than in urban areas, the effective poverty reduction depends on the Government’s strategy in the agriculture sector.

3. In recent years the State has undertaken a number of positive measures and steps to strengthen women’s role and status in society, promoting equal rights and opportunities for men and women. However, gender stereotypes still negatively affect women’s advancement and efforts to overcome gender inequality. Also, land legislation, although not discriminative, lacks mechanisms for implementation.

4. The projects “Land Rights and Economic Security of Rural Women in Tajikistan” and “Improved Food Security and Enhanced Livelihoods through Institutional and Gender Sensitive Land Reform in Tajikistan” have,
in the context of ongoing land reform, effectively supported women’s right to land and sustainable livelihoods. They have facilitated changes in land legislation and policies from a gender perspective, the establishment of the Government Coordination Council and District Task Forces, the creation of new gender indicators and statistics, the social mobilisation of dekhan farmers, research on feedback mechanisms, the establishment of the gender network, etc. In turn this has enhanced livelihood options for poor rural families, and women in particular.

5. The Government of the Republic of Tajikistan still needs support for country-wide implementation of land reform and gender equality as governmental bodies are still weak on these issues in terms of human resources and finances, and are therefore not yet able to undertake overall implementation of the task.

References