

Analysis

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Arcane US land law gets makeover to help poor

Dubbed the worst problem no one has heard of, an obscure land rights law is winning attention as lawmakers overhaul arcane US inheritance rules that are exploited by predators. At the root of the problem is so-called heirs' property - a type of enforced communal ownership - which can arise when land or a home is passed on without a clear will. The issue has disproportionately affected poor and minority Americans, making an inherited property impossible to sell or - by contrast - imposing an unwanted sale on a rightful heir, sometimes to the benefit of a developer.

"I like to say it's the worst problem no one's heard of," John Pollock, one of the first researchers to look into the issue nationally, told the Thomson Reuters Foundation. Pollock said the campaign for change was "still getting started", driven by recent legislative victories. Until recently, laws across the country had been stacked against holders of heirs' property. In the absence of a clear will, all heirs - however distantly connected to an original titleholder - were seen as enjoying equal ownership of a property.

Furthermore, courts tended to favor selling a contested property as a whole, believing it would retain the most value. This meant anyone with a distant claim could force a sale - often resulting in stressful, quagmired legal cases and a huge loss of wealth. Even outside of such predatory practices, the property's value would remain locked up. "This land has lots of different values - historical, ancestral - and it's a significant source of untapped wealth," said Pollock, who runs the Heirs' Property Retention Coalition, a group that coordinates organizations dealing with the problem. "For a lot of communities, there is value here that they can't access because of these problems."

Righting a wrong

The issue has particularly hurt African Americans, whose landholdings dropped 80 percent in the 20th century, according to research published by the US Forest Service. According to another study, also backed by the Forest Service, heirs' property is considered "one of the primary contributors" to that massive drop. Governments at multiple levels are only now recognizing the enormity of the problem - and are finally starting to act. Two years ago, the Federal Reserve Bank of Atlanta held its first event on the issue, noting that heirs' property is especially widespread in the US southeast. "The negative impact of heirs' property on household wealth and community vitality is significant," Ann Carpenter, a senior advisor with the Atlanta Fed, said in a statement. There has also been progress on the legal front, with a network of campaigners pushing states to enact legislation that addresses the worst aspects of the convoluted inheritance laws. In April, Iowa became the 11th state to pass such legislation, and similar laws are pending in three other states and in Washington, where it is expected to pass this year.

In Iowa, the motivation was to protect family farmland. "The family farm is still the backbone of Iowa's social life," said James E Nergiv, the bill's main drafter. "Those over 65 own more than half of that farmland today, so you'll soon have a major passage of land to new owners." Under Iowa law, heirs to a farm could not split a property if someone wanted to sell and others were against; nor could those who wanted to keep the property offer to buy out the others. The new law - modelled on a "uniform" bill that backers say is relevant across the country - offers judges overseeing such cases more flexibility to allow both those options. "It really swept through the legislature without any opposition," Nergiv said of the bill.

Uniform law

The uniform law, used to draft legislation in each of the 11 states that have addressed the issue, has three key goals:

- When someone tries to force a sale, they must first offer their interest for sale to the remaining owners.
- Courts must take into account the full value - personal, historical - of a piece of property, not just its market value.
- And any sale needs a visible process, rather than a quiet auction at which only a developer in the know might show up.

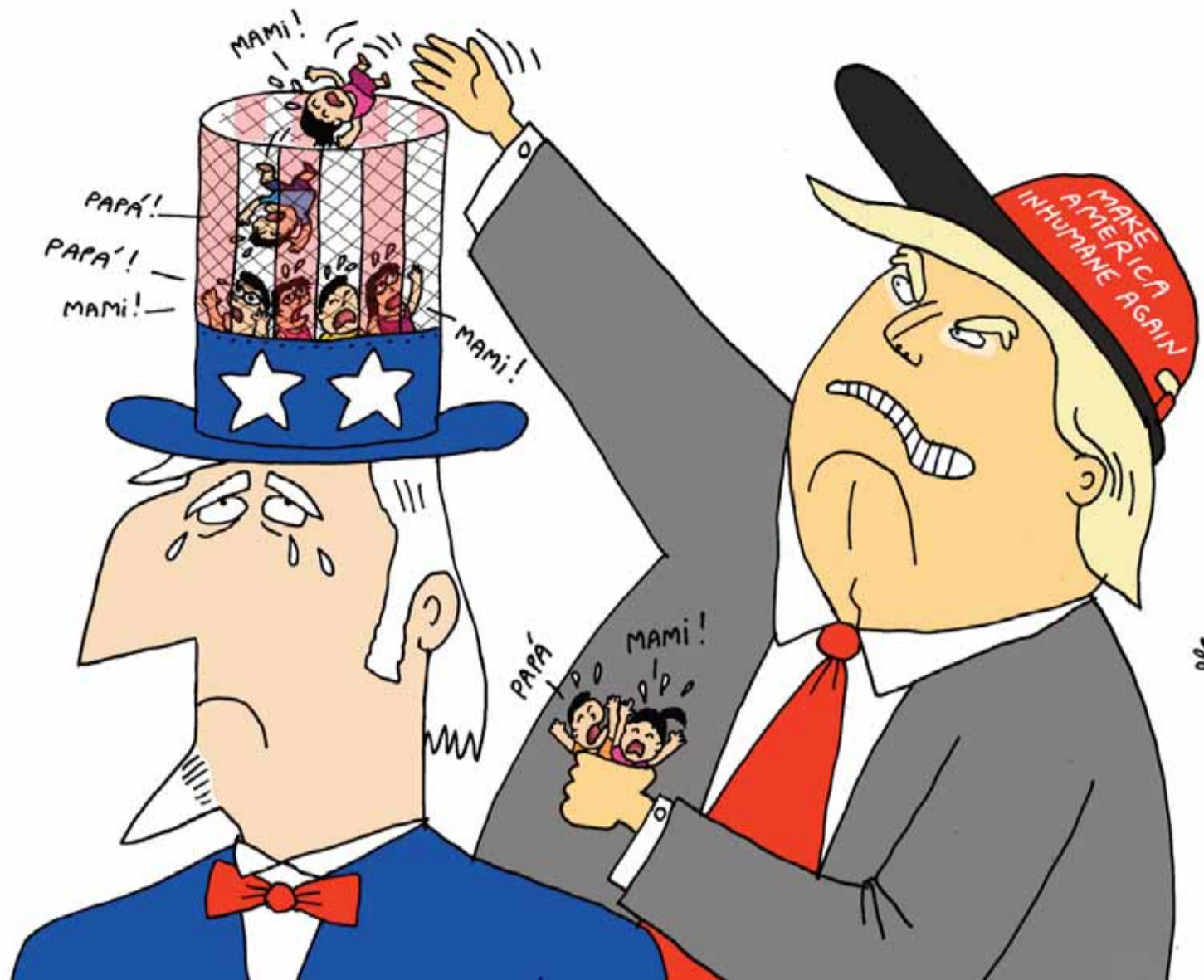
The law does not ease all aspects of owning heirs' property, but it does seem to be having an effect, close observers say. In 2011, Georgia became the second state to pass the act. "Prior to that, it was very easy for folks to buy one family's interest and force the sale of a property," said Skipper G StipeMaas, executive director of the Georgia Heirs Property Law Center. "The uniform act slowed down what was historically used as a mechanism by business owners and wealthier individuals to acquire land." StipeMaas's own family land was heirs' property, taking four decades and two lawsuits to clear - an excruciating process. "Not only does this erode a family's ability to build wealth," she said. "What's also being eroded is that family's cohesiveness."

Vulnerability

Statistics on the full extent of heirs' property are not available but it appears to be widespread. Last year, scholars from the University of Georgia estimated that 10-15 percent of land in the southeast is heirs' property, typically in farming areas or "declining or distressed" cities. In a handful of counties around Atlanta, they estimated, \$2 billion worth of land is tied up as heirs' property. That's where 83-year-old Mildred Shields used to live, about a mile from downtown Atlanta in a house her father bought when she was a child.

After her father died, the house was juggled between Shields and other family members, even though Shields continued to pay the taxes, said her daughter Phyllis Shields. In recent years the house sat vacant - until Mildred began getting legal citations regarding code violations at the home. It was only when she looked to sell that Shields realized it was heirs' property and could not be sold until she proved no one else could claim ownership - an arduous process completed with the help of the Georgia Heirs Property Law Center.

Phyllis Shields said the situation was so complicated, it left her mother vulnerable. "If someone had walked up to my mom and said, 'I'm an attorney, and I'll give you a dollar [for the property] and straighten all of this out,' she would have signed," she said. After a year and a half of work, the title was finally clear. Mildred Shields sold the house in May. — Reuters



'Narco-deforestation' may boost disaster risks

When La Mosquitia, a heavily forested region on Honduras' Caribbean coast, began to experience unusual flooding, David Wrathall, a climate and disaster expert who was living there, headed into the forest to take a look. What he found was a surprise: Huge sections of forest had been cut by drug trafficking gangs and turned into cattle ranches aimed at laundering illegal drug profits. "When I went to see what was happening I found very extensive new paddocks, many buildings with great security and very big ranches tucked into the large forests," Wrathall, now an Oregon State University professor of natural hazards.

With the forests that had long absorbed heavy rainfall felled, the La Mosquitia region began to face worsening flood risks - and now finds itself one of five Central American hotspots for what is increasingly known as narco-deforestation, or the loss of forests to drug-related activity. Such deforestation is a growing problem in the region, particularly in Honduras and Guatemala, Wrathall said recently at the University of Costa Rica.

Without forests that act as a natural "shield" against extreme weather and help regulate rainfall, communities are becoming more vulnerable to natural disasters, he said. And with drug groups operating in the area, communities also find themselves more constrained in where they can travel - making escape to safer locations during disasters more difficult, he said. "Their land is taken by drug traffickers. They have no room to grow. All their activities, their houses, their roads and their use of the land are confined to a small space. If there is a flood event, they have no resilience," Wrathall told the Thomson Reuters Foundation in an interview.

More drugs, less forest

Bernardo Aguilar, the executive director of Fundacion Neotropica, a Costa Rica-based organization that promotes community management of natural resources, said drug trafficking is now one of the biggest problems facing forests in Central America. "Drug trafficking has become a major cause of deforestation in the region because transportation routes have been established throughout the Central American region," said Aguilar, a scientist.

According to a study published last year in the journal Environmental Research Letters, cocaine trafficking could be responsible for about 30 percent of deforestation in Central America. Drug traffickers cut forests to create airstrips for small planes, build clandestine roads and launder money on livestock farms, a 2015 study published in the journal Science

found. "The drug traffickers are washing huge amounts of money through livestock, which is an industry that is not very well regulated in Central America," said Texas State University geographer Jennifer Devine, who has studied the problem.

Hotspots for narco-deforestation in Central America include Guatemala's Maya Biosphere Reserve and La Mosquitia, at the border between Honduras and Nicaragua, the scientists said. To a lesser extent, the Jiquilisco region in El Salvador, the Osa region in Costa Rica and the Darien reserve in Panama are also affected, they said. Central America covers only 2 percent of the world's territory but is home to 12 percent of the planet's biological diversity, much of it in forests, Aguilar said. But deforestation is a major problem, with the Honduran government admitting that the Rio Platano Reserve, for instance, lost 39,000 hectares of forest over five years from 2006 to 2011 - the equivalent of two football pitches an hour.

Where to spend?

Throughout Central America, money invested in fighting drug trafficking is usually spent on rifles rather than policy changes, Devine said. But improving weak government institutions in the countries might be a more effective way of addressing the problem, she said. Drug trafficking takes advantage of weak environmental regulation and government systems, "especially in countries that have weak public institutions like Guatemala and Honduras", she said.

Relying only on the "war on drugs" to stop narco-deforestation could have serious consequences for the region's forests and the communities that rely on them, she said. She pointed to an area east of the Maya Biosphere Reserve, where deforestation rates have been significantly lower than elsewhere because of strong management of the forests by the indigenous Maya community, which depends on them. "This community established 12 forest concessions and, during the last 20 years, the concessionaires have taken care of the forest, managed the resources according to the law and have reported illicit activities in their areas," she said.

This initiative has not only been helped protect forests but has also substantially reduced poverty in the communities, she said. Such efforts receive comparatively little funding compared to financing for Central American armies to combat drug trafficking, however, Devine said. According to the 2016 State of the Region report, issued by a set of Central American universities, the armies of Honduras, Guatemala and El Salvador doubled their number of soldiers between 2008 and 2014 in order to combat drug trafficking. — Reuters

Montagne, chief UK and senior European economist at Barclays, told AFP.

Since the referendum, according to official data, economic growth has slowed to a snail's pace, inflation is high and hitting household incomes, while many businesses are holding back on investment. That amounts to a major dent in the government's tax take, one that is set to endure for years. "There is no Brexit dividend," Paul Johnson, director of the respected Institute for Fiscal Studies (IFS), tweeted. Speaking on the BBC, he added: "There is literally, arithmetically, no money."

Less is not more

The Office for Budget Responsibility (OBR), the government's official economic forecaster, says the Brexit vote will hit public finances to the tune of £15 billion in 2020-21. "This outweighs the UK's net contribution to the EU by a substantial margin, and means less, rather than more money for the NHS and other services," IFS economists said in a report. They noted also that the government has promised to maintain its current contributions to the EU budget as part of a divorce settlement - calculated by the OBR at £37.1 billion - for the coming years.

Britain could remain in hock to the EU budget until at least 2023 under longer transitional arrangements floated by the government to avoid an abrupt departure from the bloc's customs union. Such a "hard Brexit" would require the politically unpalatable re-imposition of a border between the Republic of Ireland and Northern Ireland which is part of the UK. So, if there is little or no Brexit dividend, the extra money will have to come from higher taxes or borrowing, undermining the politics of the case for withdrawal.

In parliament, May declined yesterday to spell out how the additional funding would be raised if the experts are right and Brexit fails to deliver significant savings. But Foreign Secretary Boris Johnson, one of the architects of the successful Brexit campaign, said May's announcement was a "down payment on the cash we will soon get back from our EU payments" as he tweeted the hashtags #BrexitDividend and #TakeBackControl. — AFP

Central America
home to 12% of
earth's biodiversity

Russia seeks to force out foreign rabbis as 'national security threat'

For the past three months, Asher Krichevsky, Siberia's chief rabbi, has been battling to stay in the country after the Russian authorities accused the Israeli citizen of attempting to overthrow the state. Russia has recently stepped up expulsions of believers and missionaries from Christian denominations that originated abroad such as Mormons, Pentecostal Christians and Jehovah's Witnesses. But it is also focusing on foreign rabbis, despite Judaism being legally recognized in the secular state as having historic roots in Russia, along with Christianity, Islam and Buddhism.

Thousands of Israelis are currently visiting Russia for World Cup matches, while some 1.5 million Russian-speakers live in Israel. Krichevsky, 40, is an emissary for the Chabad Hasidic movement, which has an emphasis on outreach activities. He has served as the chief rabbi of the city of Omsk and its region since 2001 and also holds the post of chief rabbi of Siberia. He had his Russian residency permit annulled on the basis that he had "attempted to destroy Russia's constitutional order", an official at the Omsk synagogue where he served told AFP, speaking on condition of anonymity.

Few details of the case are available since the accusations against Krichevsky were classified as secret. A judge reportedly said in court that Krichevsky's residence permit was annulled on the basis of information from the FSB security service that he had called for the violent overthrow of constitutional order or otherwise threatened state security. "Neither the rabbi nor his lawyer were informed of the exact nature of the charge because the case was immediately classified as secret," the synagogue official said.

Krichevsky and his wife, who have seven children, previously had their residency permits annulled in 2014 after being accused of minor offences, but they successfully appealed against the ruling. At the time, Russian media suggested he was spying for Israel. The next step is for Krichevsky to appeal against the annulment of his residency permit at Russia's Supreme Court, according to the official. Krichevsky is still living in Russia. He is one of nine rabbis - citizens of Israel, the United States and Canada - known to have faced similar moves by the authorities since 2003. All except Krichevsky have left Russia.

"It's a humiliating and insulting practice," the president of the Russian Jewish Congress Yury Kamer told AFP. He questioned how Krichevsky could pose a threat to the state. "What kind of (constitutional) order is this if it can be threatened by rabbis?" In January this year in the Ulyanovsk region on the Volga, US rabbi Yosef (Yossi) Marozov, along with his wife and six children, lost their residency permits after Marozov was accused by the FSB of planning or supporting "terrorist activity." The Supreme Court rejected his appeal. In February last year, the same happened to Rabbi Ari Edelkopf, a US citizen in the Black Sea city of Sochi, who was also accused of posing a threat to national security.

Clean-up operations

In 2016, authorities strengthened their control over missionaries through "anti-terrorism" amendments authored by Irina Yarovaya, a prominent pro-Kremlin lawmaker. The forcing out of rabbis is "a consequence of Yarovaya's law," said Olga Sibireva of the SOVA Center think tank, which monitors extremism and hate crimes. Rabbis fell victim to a "cleanup operation targeting foreign missionaries and particularly religious organizations considered as sects," she said. "But it is absurd to suspect rabbis who have worked in Russia for years of extremism," she added.

The Federation of Jewish Communities of Russia, which nominates rabbis to work in Russian regions, said the recent deportations reflected "a new scenario". "Previously, (rabbis) got expelled after being accused of minor violations like traffic offences. Today, expulsions are linked to accusations from the secret services," said the federation's spokesman, Rabbi Boruch Gorin. "Their case papers are classified as secret and even lawyers cannot access them. It's easier to get rid of a foreigner when there are no concrete charges," he said.

Foreign Christian believers and missionaries have also been targeted. The Kremlin denied any generalized crackdown, however. "One can't give an overall opinion on this topic. You need to look at each case individually," President Vladimir Putin's spokesman Dmitry Peskov told AFP. Indian missionary Victor-Immanuel Mami from God's Love Evangelical Church was deported in 2016 by a court in the city of Naberezhniye Chelny on the Volga river. He submitted a complaint to the European Court of Human Rights and was later allowed to return because he had Russian family members. — AFP