Strengthening Women’s land rights in Africa

11-14 November 2014
Addis Ababa, Ethiopia
Why study on WLR?

• Regional consultations:
  – WLR identified as priority common issue
• F&G
  – Paradox of women role in agriculture/ WLR
• AU Declaration on land:
  – Resolve to “strengthen security of land tenure for women which require special attention”
• LPI 5 years strategic plan (Obj. 5: knowledge)
  – Study on WLR in support of advocacy, capacity building and evidence-based policymaking
Women, land & development

• Land central to Africa’s development
  – Land for Agricultural development (farming, livestock, fisheries…)
  – Land for other economic sectors (urban development, manufacturing, mining; tourism…)

• Women key actors of African development
  – Women in agriculture
  – Women and NRM
  – Women in trade (national/ regional/ international)
  – Women, peace and security (Nobel peace price 2011: E. Johnson Sirleaf; L. Gbowee; T. Karman)

• However many constraints to effective engagement of women’s in development
Contextualizing WLR

- **African traditional systems of patriarchy**
  - Women perceived as dependants
  - Treated as workforce (in context of polygamy)

- **Exclusion from decision making on land**
  - Cultural perception (land/ ancestor worship)
  - Social division of roles (man/ women)
  - Exclusively male land administration institutions

- **Exclusion from control of the land**
  - Inheritance systems (males only; use rights/ husband)
  - Access to marginal lands
  - Tenure insecurity (income-generation projects)
  - Few exceptions...
Contextualizing WLR

• Modern laws/ regulations
  – Principle of non discrimination
    • International/ regional instruments
    • Laws/ constitutions
  – In practice: WLR remain precarious
    • Most laws cementing dominant system of patriarchy (ex. Title to chief of household; persisting customary practices)
  – Issue of governance/ rule of law
    • Non effectiveness of existing positive laws
Contextualizing WLR

- **African Societies in transition**
  - Increasing number of de facto women household chiefs
    - Migration; HIV pandemic; Genocides/ Post conflict situations
  - Women/ children main victims of political instability/ conflicts
    - Forced evictions; Rape as arm of war; Genocide; religious fundamentalisms
  - Rapid urban development
    - opportunities for women’s advancement (education; employment…)
    - Relatively more effectiveness of land laws (land allocation)
    - Access to land through market for certain women
Strengthening Women’s land rights: theory of change

• Exclusion of women from control of land is **anti-economic**
  – Africa cannot afford excluding half of its rural producers from access to production factor
  – More productive/sustainable use of land requires that LR of women are secured

• Exclusion of women from control of land is **undemocratic**
  – Moving women’s land rights from private sphere of marriage to place it on public domain of **human rights**

• Acknowledging **complexity**:
  – How to strengthen women land rights while respecting social/family relations?
  – How to empower women themselves?
Promising avenues

• **Awareness raising**
  – Governments
  – Traditional leaders
  – Men/ women

• **Political will/leadership**
  – Ex: Tunisia; Burkina; Ethiopia; Rwanda…

• **Advocacy**
  – Campaigns on WLR (CSOs; parliaments…)
  – Champions (women and men)

• **Promoting affirmative action policies/laws**
  – West Africa: % of rural state lands reserved for women
  – Urban: Prior consent of spouse for selling family residence

• **Adjusting laws in other relevant areas**
  – Civil registration
  – Marriage (household chief); Matrimonial property regimes
• **Documenting/ disseminating best practices**
  – Positive customary systems
  – Local practices
  – Pilot projects
• **LPI 30% targets (by 2025)**
  – % of land allocated by State
  – % of women with documented land rights
  – % of women in land professions
• **Capacity development**
  – Training
  – Legal assistance
• **Access to credit**
• **Data gathering/ M&E on WLR**
• Study on women’s land rights in Africa: best practices (2013)
• Training on Gender equality through governance and grass roots participation (2013)
• Guiding principles on LSLBIs (2014)
• Gender and land strategy (ongoing)
• Synergy with AU chairperson’s special initiative on women’s empowerment and political participation
The next decade of land policy in Africa: ensuring agricultural development and inclusive growth

Thank you

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