



THE LINK

Women's Land Link Africa (WLLA) - a New Approach

• Newsletter Vol. 4 • June 2008 •

Welcome to Vol. 4 of **The Link**, the official newsletter of **Women's Land Link Africa (WLLA)**, a new initiative for women's housing and land in Africa. Utilizing both a human rights and development based approach, **WLLA** supports, strengthens and increases the visibility of women's initiatives at all levels, with a particular emphasis on the grassroots to have access to, control over and ownership of housing land and property. The goal of **The Link** is to report on pertinent events and various happenings related to women's housing and land in Africa, to inform and strengthen ongoing work. To find out more, please visit the WLLA website: www.wllaweb.org

→ **Women at Work Internationally...**

International Women's Land Academy in Entebbe, Uganda

The Huairou Commission's through the Women's Land Link Africa (WLLA) project and in collaboration with the Uganda Community-Based Association for Child Welfare (UCOBAC) organized and hosted held the first ever Grassroots Women's Land Academy from February 4th through 8th in Entebbe, Uganda. The Huairou Commission this groundbreaking event. Fifty-five participants from 31 countries including Uganda, Kenya, Tanzania, Senegal, Cameroon, Nigeria, South Africa, Burundi, Rwanda, Zimbabwe, Ghana, Zambia, Italy and the United States attended this exciting event. Participants included a wide spectrum of representatives including grassroots community leaders, NGO staff and directors, Land Alliance representatives,

activists, local authorities and visiting Members of the Ugandan Parliament.

The Land Academy had a strong focus on experience sharing and peer learning and provided a unique space for community-based grassroots leaders to celebrate and share the important knowledge and skills that grassroots women have been employing to fight for women's rights to land, housing, property and other core productive assets. Participating groups developed a deep understanding of shared and successful strategies, which they were able to take back to their own communities.

Grassroots Women's Land Academy Focuses on Peer Learning and Exchange of Grassroots Women's Strategies, Practices and Tools

The first day of the Land Academy highlighted important grassroots strategies such as Community Mapping and Local-to-Local Dialogues. As part of WLLA project, grassroots women have made significant accomplishments in improving women's access to land housing and property in their communities. Many of the initiatives such as anti-eviction community Watchdog groups have been a result of WLLA supported community mapping (grassroots documentation) processes which have empowered women to understand the obstacles to their own access to housing and land.

The Maasai Women Development Organization (MWEDO), Tanzania

As a result of the community mappings that took place in Tanzania 120 women in three communities have now appealed to their

local authorities to grant women letters for land ownership (both collectively and individually) in their names. To date 90 women have received letters from their local authorities granting them ownership of land [locally recognized]. MWEDO will continue to work with these women to help them document and survey the land that they have been granted and to provide continued support for women who seek title deeds to their land [this is a long and expensive process for which women need both monetary and legal support].

Following presentations on community mapping, **GROOTS Kenya and Ntankah Village Women's Initiative** (from Cameroon) presented on the process and results of their Local-to-Local Dialogues (L2Ls). L2Ls increase shared knowledge and deepen local authority and influence holders' understanding of what are the cultural, social, economic and political barriers to women owning and controlling land, housing and other assets within their communities. Presenters and participants agreed that these dialogues are a harmonious way of discussing and negotiating land issues and disputes with local authorities. It was found that it is cheaper and more affordable to converse with local authorities than to go to higher levels of government and that this reduces corruption while also giving women an opportunity to showcase their capacity to change their situations [access to land and housing] and the status quo. It was also found that building stronger partnerships with local leaders and other relevant stakeholders helped to build women's confidence and that these meetings increased women's chances to resolve local land disputes as well as to forge new and enhanced relationships between women and important relevant leaders. Women also voiced that they cannot succeed in or work in isolation and that working with local leaders helps them to share and solve problems.

A few examples of tools and strategies presented at the Land Academy include:

- Women's micro-finance programs
- Radio listening programs
- Community level workshops conducted by trained peer educators
- Production of an educational tools (e.g. books and films) for ongoing peer outreach

- Local to Local Dialogues - Dialogues with chiefs at the local level
- Widows and orphans support groups
- Reporting cases to relevant authorities
- Publications
- Tribunals whereby widows and orphans testify in front of stakeholders
- Community Mapping
- Obtaining marriage certificates, will writing, and applying for land titles
- Sustainable agriculture techniques
- HIV/AIDS stigma reduction and education classes

One example of participating group strategy follows:

Slum Women's Initiative for Development (SWID) of Jinja, Uganda is a new member to WLLA regional network. SWID taught participants about their multi-level approach to women's rights to land and property, most of which stress the importance of women's livelihoods. For example, they have started women's savings club and rotating loans between women to enable them to make housing mortgage payments and establish credit with banks. They also organize workshops on women in leadership roles, often with local council present, which is important for the recognition of women's rights locally. In addition they hold Civil Literacy courses so that women can be educated and aware of their rights. Underlying their work is the persistent challenge to reduce HIV/AIDS-related stigma and work with HIV-positive women in their community.



A group presentation during the land academy

Legal Work with focus on Paralegals at the Community Level

The third day of the Academy was focused on Community Paralegals and trainings. The day began with an opening speech, given by Chigozie Udemezue, a lawyer and consultant

to COHRE and FIDA, who has done extensive research in West Africa on the process and training of paralegals. According to Ms. Udemezue, Community Paralegals are important figures in grassroots communities and they often act as the “middle man or woman” between community members and the justice system. As women’s access to local cultural / traditional legal systems and legal structures are often fraught with obstacles, Udemezue noted that community paralegals become important and essential allies for women. For example, she said “Community paralegals are often able to stand-in for women and operate as first responders during legal disputes over land and property. Paralegals can also offer communities civil literacy and education workshops and classes on women’s rights to land and property. While community paralegal systems have different processes and styles across communities, their ultimate purpose is the same.”

Rwanda Women’s Network Community Paralegal Training 2007

In Rwanda the Land Law is particularly vague about the details on how women and men’s equal rights to land will be realized and inheritance / succession laws do not protect the rights of women in cohabitation and consensual unions. Women living in cohabitation and consensual unions with men still comprise a large number of the population who remain unprotected by the Land Law. In the past year as a result of WLLA project seed funding and funds raised from other partner organizations RWN was able to develop a community paralegal training manual. So far the manual is only in English but the organization is planning to translate it into the local language as well as to develop the manual into a useful popular tool with illustrations for those who are not literate.

Analyzing the Successes & Challenges of the WLLA Project and the Way Forward

The fourth day of the Academy took a new turn with an end to presentations and a deeper focus on analyzing and planning how to strengthen the WLLA joint regional network and to imagine what activities and future partnerships WLLA network members wanted to engage in. The day’s challenges focused on figuring out how grassroots

women want to cooperate in order to strengthen both the development of the regional network as well as the larger movement on women’s equitable access to land and property. While it was clear that all the participants [and their respective organizations] have been contributing extraordinary amounts to their communities, questions arose on what best strategies and practices should be a point of focus during the second phase of the WLLA project. Participants discussed what kind of collaboration groups would like with and between one another during the second phase of the WLLA, what activities they would like to embark upon and what impacts being a part of WLLA will have on their group and the women of their communities.

This day also set the stage for planning for the year ahead, and clarified grassroots women’s collective regional vision and how each participating grassroots groups and NGOs could grow and implement the WLLA project initiative. Even though participants came from different countries, different contexts and different organizational structures (from small community-based groups to large scale NGOs) participants had a common goal of how they envisioned bottom-up growth and the development of a new power base. Throughout the process there was a great deal of eagerness to link through the WLLA network and to combine and increase visibility for the good work that grassroots women’s groups have been doing.

The final day of the workshop was focused on recognizing that when grassroots women need to meet challenges, the larger the numbers are, the stronger their voice. It is a goal of the Huairou Commission and the WLLA partnership project to ensure that women’s groups are better connected to each other through a regional peer learning network. Participants concluded that the WLLA project provided a unique opportunity for change regarding both individual projects focused on increasing women’s access to land and housing, to increased networking between organizations.

UN Commission on the Status of Women 2008

The COHRE Women and Housing Rights Programme coordinated a parallel event during the 2008 Commission on the Status of Women (CSW) to highlight the connections

between women's housing, land and property rights and the HIV/AIDS pandemic. The panel 'Shelter from the Storm: Securing Women's Housing, Land and Property Rights in the Struggle Against HIV and AIDS,' was held on 28 February 2008.

An impressive group of co-sponsoring organisations supported this event, including COHRE, Human Rights Watch, UNIFEM, UNDP, FAO, ActionAid, the Global Coalition on Women and AIDS, the Huairou Commission, and the International Center for Research on Women. Close to one hundred CSW participants attended this panel.

In order to get a diverse set of perspectives on the issues at hand, the panel featured women who were able to discuss their experiences coming from different regions of the world, and who represented various social and political sectors (i.e. UN agencies, civil society, grassroots women, and government). The parallel event included presentations by Elizabeth Mataka, the UN Special Envoy for AIDS in Africa, and Joanne Sandler, acting Executive Director of UNIFEM. Four prominent women's rights activists from around the world will also share the successful strategies they have used in local advocacy efforts, including dynamic presentations from WLLA partners Chigozie Udemezue (Int'l Federation of Women Lawyers - Nigeria) and Esther Mwaura (GROOTS Kenya).

This panel drew clear connections between women's housing, land and property rights and the HIV/AIDS pandemic (both in terms of lowering women's risk of exposure to the virus, and in terms of mitigating the negative effects of the virus on women's lives), and focussed on creative strategies that are being used on the ground to protect and promote women's housing rights within the HIV/AIDS context (community outreach and education, holding State accountable to their obligations under international law, etc.).

Specific ideas for financing of housing and land rights programs for women in the context of HIV/AIDS were also discussed, as were strategies for the way forward. Beyond raising the relevant issues, the event served as an opportunity for allies to further concretise recommendations for action and ideas for follow through advocacy work as a result of the panel discussion. One such advocacy initiatives included joint

coordination of a side event on women's property rights to be held at the next International AIDS Conference (Mexico, 3-8 August 2008).

UN Commission on Sustainable Development 2008

Again the Women and Housing Rights Programme also hosted, together with the Global Land Tools Network, UN-Habitat, FIAN International, Hakijamii Trust, the Huairou Commission and Slum Dwellers International, a panel event during the UN Commission on Sustainable Development entitled 'Grassroots and Legal Empowerment.' The panel was held on 6 May 2008.

The panel participants also included WLLA partners Violet Shivutse of GROOTS Kenya, and Patricia Hajabakiga, former Secretary General of the Ministry of Land, Human Settlements and Environmental Protection in Rwanda.

The panel acknowledges that the involvement of the grassroots is crucial at all stages of land-related processes. It is affected people who understand the myriad of ways in which illegal and unfair land practices take place and many have experience of designing and participating in tools for land delivery. The panel event raised the issue of secure land rights for the poor and the importance of learning from grassroots driven processes. Some empirical findings were presented on land titling in Africa, followed by African cases studies from the viewpoints of pastoralists, small farmers, women and urban dwellers.



Some participants of WLLA land academy

Survey on gender sensitive land policies and reforms

COHRE has been working to collaborate with other organisations in some Kenya, Uganda and Ghana to conduct a survey on the real impact of land reform on women, through a women-led evaluations process. The aim is to generate data to be used as an advocacy tool to improve upon existing and future land reform programmes as well as engender land related policies.

Also women's voices, evaluations and recommendations on the issue will feed decision making on land reform at both national and regional levels. Such efforts will enhance the existing work of land alliances and organisations working on land related issues to ensure sustainability of efforts.

Kenya

Despite the social, economic and political importance attached to land in Kenya, the country lacked a clearly defined and codified National Land Policy since independence. This policy lacuna has resulted in a haphazard land administration and management system.¹ In order to resolve the myriad of land administration and management problems afflicting Kenya, the Government of Kenya committed itself to developing a National Land Policy through a consultative process. The National Land Policy Formulation Process covered six thematic and a draft National Land Policy has since been put together.

Although there is a draft policy in place, it is tailored to work within an envisaged new constitutional dispensation that is not in place yet. Secondly, in spite of the policy and constitution being in draft form, institutional reforms continue to take place on daily basis where directives are given by Ministers for women representation in land institutions especially at the community level. It is in this regard that COHRE will partner with a local organisation to conduct a survey to find out how such directives are affecting women's

land and property rights delivery, and how much of this is envisaged in the draft policy.

Uganda

In Uganda, the 1995 National Constitution made outstanding provisions, vesting land in private citizens who can own land under the leasehold, freehold or customary.

The constitutional provisions however did not adequately solve the historical conflict between landlords and tenants. Neither did they clearly explain to many Ugandans when and how the government could compulsorily acquire an individual's land. The constitution neither clearly showed on what basis the government could lease out or utilise public land (land vested in the government for the benefit of its citizens) nor addresses the claims of land to be returned to especially the Buganda and Bunyoro kingdoms.² These issues, together with how the ease of land acquisition can promote or slow development have been the major land related questions since 1995 and the reasons why many individuals have been calling upon the Government to put in place a comprehensive national land policy to guide land usage and streamline land ownership in Uganda.

Many people viewed the enactment of the 1998 Land Act as a good step in solving the country's land problems, but land related conflicts didn't end. The Government of Uganda amended the Land Act in 2003, but this amendment has not solved the problem between tenants and landlords. The final solution is expected in the National Land Policy, on which the Ugandan government has been consulting for a long time.

The Ministry of Lands, Housing and Urban Development in February 2007 presented a draft National Land Policy for public discussion and adoption, but this has generated mixed reactions. However, this has been approved by Cabinet but needs parliamentary approval before it becomes law.

It is in this regard that COHRE intends to partner with a local organisation to conduct a survey on this to determine how much information is out there as well as the impact this will have on women.

¹ Kenya Ministry of Land and Housing website <http://www.ardhi.go.ke/landpolicy.htm>

² Authored by Gerald Businge is a media practitioner and features Editor at Ultimate Media Consult in Uganda. www.ugpulse.com; <http://www.ugpulse.com/articles/daily/homepage.asp?ID=593>

Ghana

The issue of urban land administration and reform has been a subject of much attention in the Republic of Ghana in recent years. This is due to its vital role in the socio-economic development of the country. As a result the Land Administration Project (LAP) was established under the Ministry of Lands, Forestry and Mines to help address the inadequacies plaguing the land administration system in the context of policy actions contained in the National Land Policy of 1999.

In this regard, LAP has been organising regional land fora to collate public/stakeholder comments and views as input for the proposed Consolidated Land Act. The proposed Act would pool all 166 laws and regulations on land in Ghana together. According to LAP, topics to be discussed at these fora include land ownership, security of tenure and rights associated with customary grants; compulsory acquisitions and compensation; framework for customary land administration; and land use planning and development.³ Although it has been stated that women's access to land, land rights of women and women security of tenure are some of the issues to be considered in these fora, it is very important to access this on the ground in order to determine how many women/women's groups are being made a part of this and how much of their voices are being heard by the LAP. Hence the aim by COHRE under WLLA to gather data on the impacts of land reform on women in order to use key indicators from the data as advocacy tools both at the national and regional levels.

→ Food for thought: Gender and Land Governance

Gender is widely known concept that runs through most of the discussions on development. But what is gender and why is it of critical concern in land governance?

Gender is about the relationships between women and men in the societies, in which they live, and the different roles (and

responsibilities) that they play in those societies.

The principal issues are that gender is about “relationships”, “society”, “roles and responsibilities” determined by no individual but in a collective manner, by the society in which a person lives. As a result, people are born male or female, but they are taught by the society in which they live to be men and women.

In view of this, there tend to be a prescription of roles and responsibilities, with its attendant influence on the interests that men and women in every society develop.

Gender as a social construct is thus the basis for what is seen today in most societies where women are placed more in ‘the behind the scenes’ roles while men are at the forefront, where their role could easily be recognised and acknowledged. It is this same social construct that places men as the “automatic” leaders when it comes to any situation involving a relationship between men and women.

Gender as a social construct is historical and has played an influential role in land governance. Demands for equality between women and men in matters of the right to, access to and control over land and property have been handled with attitudes which suggest that women's land right is a ‘women's affair’ rather than a national development issue. For the large majority of women in Africa, their access to and control over land remains dependent on their relationships to their male kin (fathers, husbands, uncles) men, who can own land in their own right.

We need to be aware of the gender dynamics, pay attention to them and then act on them.

**WLLA- Link with us
for Women's Land Rights in
Africa!**

**FOR MORE INFORMATION,
PLEASE SEE:**

www.wllaweb.org

**The Centre on Housing Rights and Evictions
(COHRE) and the Huairou Commission are
the focal points for the WLLA.**

³ The official website of Ghana Land Administration Project, www.ghanalap.gov.gh/index1.php?linkid=239&archiveid=39&page=1&adate=04%2F07%2F2007

