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Lucia Palombi works as consultant for the Land Tenure and Management Unit (NRLA) of FAO. Before that, she has worked with women's groups in Chad, Ecuador and Niger. In Chad, she conducted field research in the area of Djouman (Mayo Kebbi) on the role of women in village development organisations. She studied the role of women in socio-economic change processes and the relation the different ethnic groups of the region have with organisational practices, which have led to new solidarity mechanisms. In Niger, she coordinated a project of the Italian development cooperation which involved scores of women's groups in the Tahoua region. The project was particularly revealing when it came to the role of women in the fight against desertification and showed the importance of access of women to natural resources. At present, she participates in an FAO project to support the initiative of the African Consortium for the elaboration of a plan and directives for a land tenure policy in Africa. She also collaborates in the work of NRLA on the legal empowerment of the poor to safeguard their land tenure rights.

Information and communication strategies to fight gender inequality as regards land access in Africa – Experiences and approaches of FAO’s Land Tenure and Management Unit



For women in rural areas of Africa to meet their religious, cultural, social and production needs, it is crucial that they have access to land. However, women’s access to land is an extremely complicated issue that changes according to national contexts, social groups and legal systems. FAO’s Land Tenure and Management Unit (NRLA) recognises how important it is that men and women have equal access to land. In this context, this article gives an overview of some NRLA activities aiming to improve women’s access to land, with a few ideas for implementing approaches linked to new information and communication strategies.

From a production point of view, land access is vital for farming, breeding and collecting wood, fruit, medicinal plants and other essential products. Land access is a source of social security that can contribute to major reductions in poverty among women. Having access to land under good conditions increases women’s motivation to invest and allows them to enhance their productivity and guarantee a better diet for their families.

In most African countries, women’s legal status regarding access to natural resources is governed by a situation of legal pluralism wherein formal legislation, local law and often religious law are all equally applicable. Different legal systems can have very different views of rights to natural resources and the way these systems relate depends on the context in which they arise.

Almost everywhere in Africa, women’s rights are more vulnerable than men’s rights. In some countries, women do not have the legal right to own land. In most African countries, women’s land rights are protected by the law, but tradition sets down that women’s claims to land depend on their relationship with the men in their families. In addition to this, divorced, separated or widowed women can lose their

land and become homeless and destitute. Since women are economically dependent and lack the necessary resources to take their cases to court, they are unable to contest infringements on their land rights by their families or by local institutions.

In many areas, according to tradition women are seen as ‘temporary’ members of the family. All of the property acquired by a married couple, apart from personal property, belongs to the husband, who is entitled to keep everything if the marriage breaks up. Although women often do not have the right to control or transfer land, they are traditionally granted the right to use the land, which is also very important from an economic and social point of view.

However, given the pressure caused by demographic growth, the commercialisation of land and agriculture and mounting competition for land, even the right to use land can often no longer be guaranteed by customary systems and formal legislation. The shortage of fields can make it very difficult for women to participate in farming and this can lead to women lacking control over agricultural production, which in turn causes them to be excluded from accessing land. Growing global demand for biofuels should also be taken into account, as this encourages people to convert their land and can mean that women’s agricultural activities are partially or completely displaced to marginal land.

In these circumstances, women’s rights are evolving quickly, and are deteriorating in many cases. The significant social, economic and demographic changes affecting Africa’s urban and rural communities tend to marginalise women as they are one of the most vulnerable groups in view of these changes. Generally speaking, women have to overcome the following obstacles to gain access to land:





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❁ **Incomplete land rights**

In several countries, land reform and the division of community land has meant that land rights are transferred to men, as heads of the family, disregarding the existence of households headed by women and the right of married women to be joint property owners. In such a framework, even taking into account all the efforts made to obtain land ownership certificates, women risk being stripped of any formal recognition of their claims to land. Individual property can sometimes give women a certain degree of protection in the long-term. Alternatively, they can also benefit from *collective rights* as part of a grassroots organisation and they can exercise collective pressure by forming interest groups. As a result, it is becoming increasingly important to step up efforts to ensure title deeds are awarded to land users rather than just landowners.

❁ **Poor knowledge of the law**

People living in urban areas (mainly men) are most likely to be familiar with the law. Moreover, legal rules and procedures are difficult to use and understand and are not accessible to poor women because access to justice is complex and expensive.

❁ **The lack or weakness of governmental institutions**

Land administration services are often short-staffed and not open to discuss women's problems.

❁ **The AIDS epidemic**

When a man dies, his widow risks losing the land she has always cultivated and the house she lives in with her children to her dead husband's family.



NRLA's activities in the field of women's access to land

Promoting gender equality in access to land is a key theme of FAO's work. In 2003, NRLA began publishing a series of studies on land tenure systems concerning land access and management. The fourth study in the series, 'Gender equity and access to land', is a guide for government stakeholders and civil society and sets out recommendations for incorporating gender issues into land administration projects. FAO has published another guide on the same topic – this one being aimed at NGOs working to promote fairer access to land for men and women in rural communities.¹ It presents strategies for improving gender equity by evaluating the current situation, informing people of their rights and giving responsibility to marginalised groups.

In 2004, at the request of FAO's Land Tenure Service, Françoise Ki-Zerbo conducted a study titled *Les femmes rurales et l'accès à l'information et aux institutions pour la sécurisation des droits fonciers. Etude de cas au Burkina Faso* (Rural women's access to information and to institutions to secure their land rights in Burkina Faso). Her work examined modern and traditional land tenure systems in Burkina Faso, as well as local initiatives to improve women's access to land and legal information. On the one hand, the study highlights the importance of social communication and dialogue at all levels of the population, while on the other hand it confirms that a more efficient administrative structure must be created to ensure that legislation is enforced and citizens' rights are secured.

FAO is currently preparing an Integrated Learning Tool (ILT)² for women and girls in rural areas. It is based on two existing tools that have been developed by FAO – the Socio-Economic Gender Analysis Programme (SEAGA), which concentrates on socio-economic and gender analysis in project cycles at micro, meso and macro level, and Participatory Negotiated Territorial Development (PNTD), which aims to provide tools that will allow a negotiated social agreement to be reached, while reducing power imbalances and inequality as regards capacity for negotiation. The goal of this integrated learning tool is to support development actors and stakeholders in order to gain an overview of the cultural, political, economic, social and environmental consequences affecting men and women's view of a 'territory'. It emphasises the involvement and capacity to negotiate of women and girls, who are most frequently excluded from development policies and programmes.

Based on the experience of the International Conference

on Agrarian Reform and Rural Development (ICARRD), which was held in Porto Alegre in March 2006, three pan-African institutions (AU, ABD and ECA) launched an initiative aiming to draw up a plan and some directives on Land Policy in Africa. FAO, with technical supervision from NRLA, is following up on this initiative through a Technical Cooperation Project. The overall goal of this support project, which began in February 2008 and will be concluded in April 2009, is to help to secure land rights, increase productivity and implement sustainable development in Africa. One of its objectives is to enable farmers' organisations and civil society to ensure participation in preparing a major contribution to the process of defining land policies.

NRLA is also promoting access to information and legal institutions as a key factor in guaranteeing the rights of poor rural populations, including women. The different processes and activities allowing poor people to become more qualified, more empowered and eventually more capable of using land procedures and institutions can be summed up by the general term 'legal empowerment'. Important aims include promoting institutional changes, making legal procedures simpler and less expensive and making the relevant government departments more responsible and more accessible. FAO included this issue in its Programme of Work for 2006-2009 and is currently preparing a publication that will be part of its Land Tenure Studies series. FAO has also worked with various organisations in Africa, Latin America and Asia and has commissioned a number of studies (which will soon be published on CD). The aim of these studies is to identify lessons that could lead to processes for increasing legal responsibility with a view to ensuring more effective and more sustainable land rights for poor people.³

NRLA approaches to improve women's access to land through information and communication strategies

With a view to improving women's access to land and securing their land rights, NRLA would like to support capacity building for poor rural women. In this context, it is important that women have enough support in defending their rights – improving their legal knowledge makes them capable of exercising their rights, whether individually or collectively.

First of all, an action-oriented research project should be launched to identify women's needs as regards legal information and build their capacity for negotiation. The

success of strategies to enhance women's land rights must be based on detailed analysis comprising the study of local governments and religious laws. The first step would be to consult women to establish what their problems are and what training they need.

In this context, it is essential to support local institutions, contact NGOs and farmers' organisations and encourage women's groups and cooperatives to work on gathering information and promoting the development of partnerships between women. Women's groups have a vital role in helping women to be less dependent on men and have a stronger position for negotiation.

Once women's needs have been identified, steps must be taken to improve the legal knowledge of all relevant stakeholders: women, grassroots organisations, NGOs, religious leaders, community leaders and civil servants. Anyone who can make access to information easier should be involved in the capacity building process. Furthermore, training judicial and administrative staff could help to make them aware of the legal obstacles faced by women.

It is of fundamental importance that obstacles to accessing information are removed. Repackaging and dissemination of laws is vital, and it must be done in a diversified, accessible way. The message should be adapted



according to the target group and various different means of communication should be used. Once the legal texts have been simplified and translated into local languages, it would also be useful to develop local-language training programmes that explain the complex nature of legal pluralism and to incorporate training on land rights into functional literacy programmes for adults. In this context, the key role that can be played by legal assistants specialising in land law should be recognised. Since these people can make it easier for poor and illiterate women to access legal information, their skills in terms of legal knowledge and teaching should be enhanced.

When dealing with populations with a high illiteracy rate, it is crucial to communicate legal information in a dynamic and varied way – not only in writing, but also orally and visually. Visual materials could include billboards, comic books or brochures illustrating different situations for defending land rights. Tools such as audio or video cassettes, which are understandable and accessible for the majority of the population, could be used; alternatively, information could also be communicated via local radio stations. Young people can play a key role in their communities, since they are often more open and more capable of communicating dynamically. Drama groups could also organise plays on land disputes. After the play is performed, the actors – or the members of a legal association linked to the drama group – could lead a community dialogue on the subject covered by the play. And if the performance is taped, the play could be transmitted again as a video or over the radio.

Changes to reduce the gap between legislation and reality and secure women's land rights should be made gradually. Furthermore, negotiation between stakeholders and a new information strategy are becoming necessary. FAO would like to continue working with organisations and

NGOs aiming to use sustainable and appropriate information and communication strategies to improve women's access to land in rural Africa.

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1. FAO, *Improving gender equity in access to land*, FAO Land Tenure Notes 2, Rome, 2006.
2. This initiative is being headed up by two technical coordination officers from two FAO divisions: Ilaria Sisto (ESWD) and Paolo Groppo (NRLA).
3. FAO cooperated with the International Institute for Environment and Development (IIED) and the International Land Coalition (ILC), with financial support from Norway. The organisations that contributed to the studies were Grupo ALLPA, AQUADEV, CEPES, CODECA, Fundación Tierra, RCN Justice et Démocratie, Task Force Mapalad and WOCAN.