



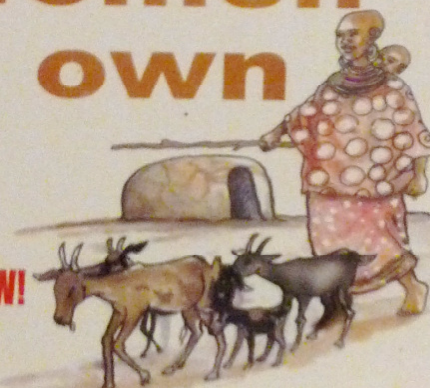
Sustainable food systems and women empowerment through women's access to and control over land

Dr. Babette Wehrmann



Women
are not
property

but LAND is
property
that
Women
can own



CHALLENGE THE NATIONAL LAND POLICY NOW!

KENYA LAND ALLIANCE

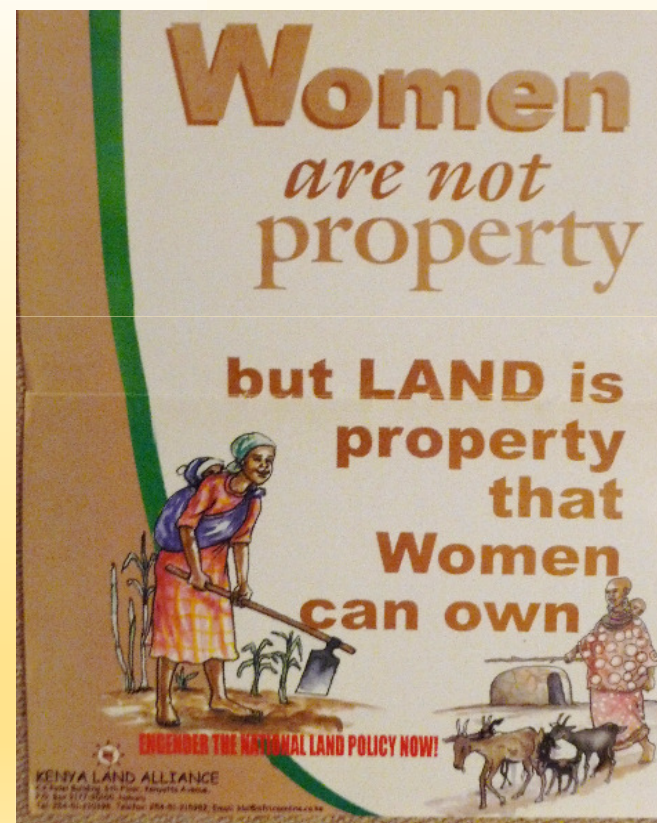
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Women can own land!

Why does it matter?



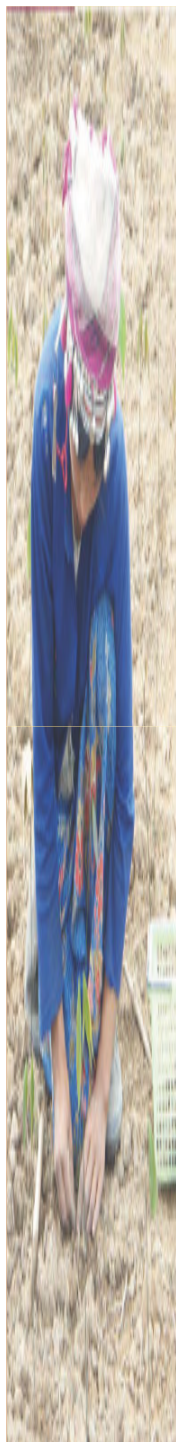
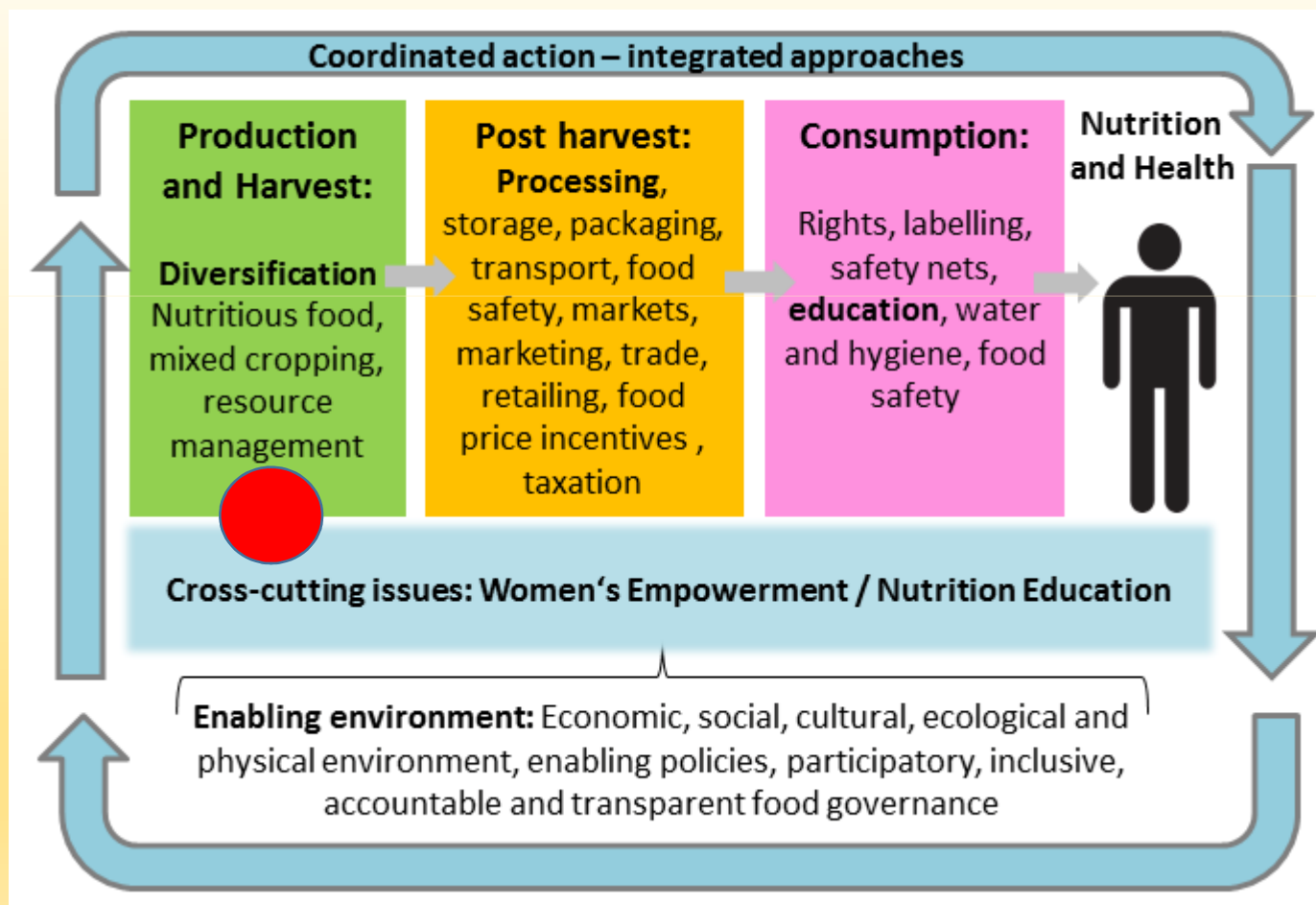


The role of women's land rights in nutrition systems





The role of women's land rights in nutrition systems





The role of women's land rights in nutrition systems

Women cultivate the land. In many countries they are the primary food producers.

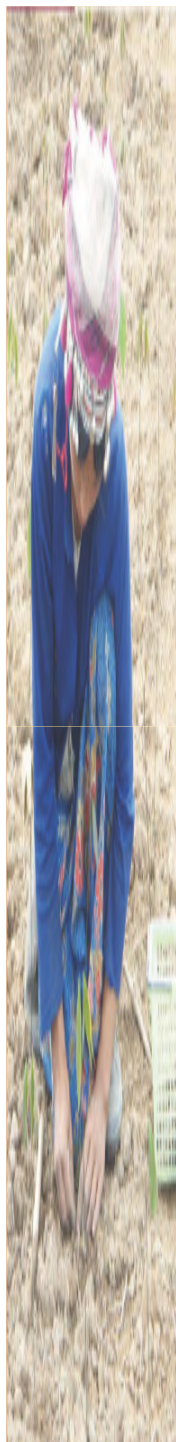
But:

Do they own the land?

Do they decide what they grow on the land?

Can they bequeath the land?

Do they get compensated, if the land is given to someone else?





The role of women's land rights in nutrition systems

Women have a right to use the land.

But:

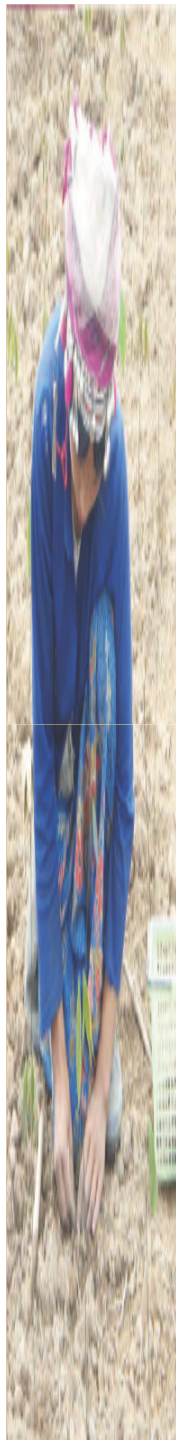
They often don't have the right to manage the land.

They often don't have the right to generate income from the land.

They often don't have the right to transfer the land.

They often don't have the right to exclude others from the use of the land.

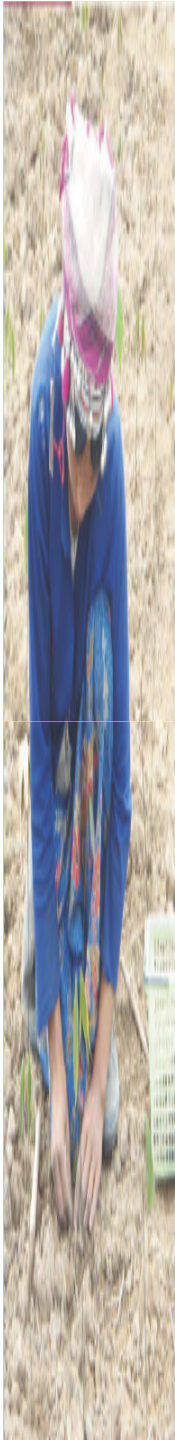
They often don't have the right to compensation.





5 Reasons why women's land rights matter

- Poverty reduction argument
- Efficiency argument
- Equity argument
- Empowerment argument
- Peace-conflict argument





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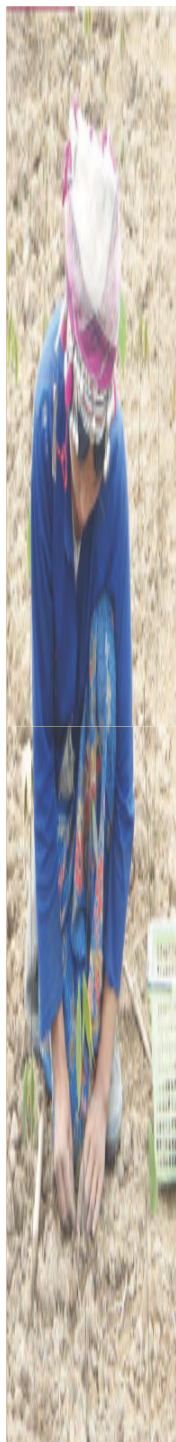
Gender Equity: a core development issue





Gender equity in terms of women's tenure rights

Gender equality	Gender equality in terms of tenure
Equality in rights (de jure)	Equal tenure rights under the law
Equality in resources / Equality of opportunities	Equal de facto access to land in terms of amount and quality
Equality of voice (ability to influence)	Equal access to information and decision-making
Equal responsibilities	Equal responsibility to adhere to land use plans, pay land tax etc.





Status quo: Prevailing gender inequality in land tenure

- Security of tenure for women
- Secured access to land for women
- Equality in land tenure

Case A

International law/principles vs. national law/principles

Case B

De jure

versus

De facto

Law

versus

custom/religion

Law

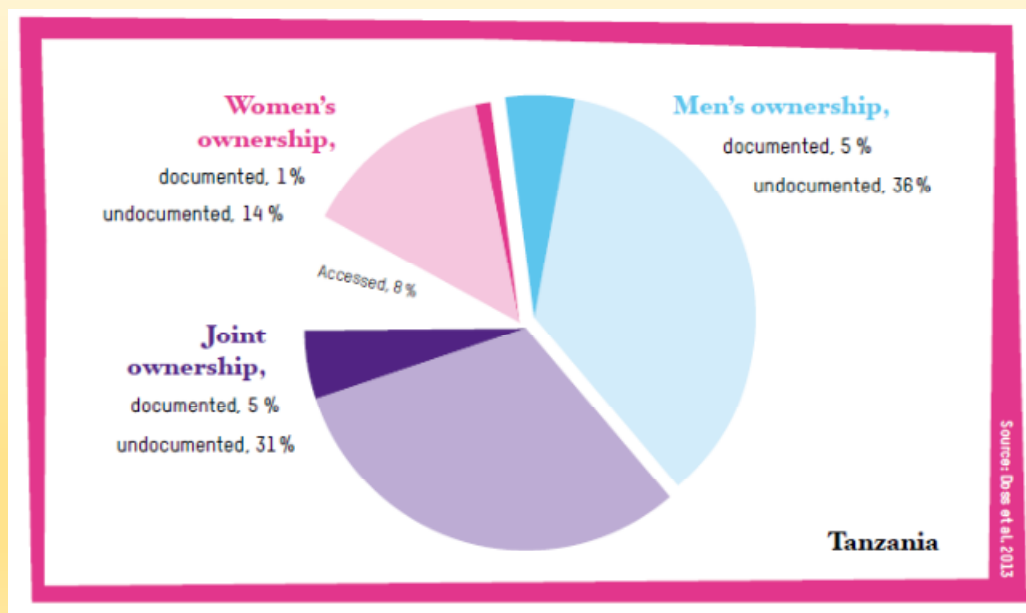
versus

implementation



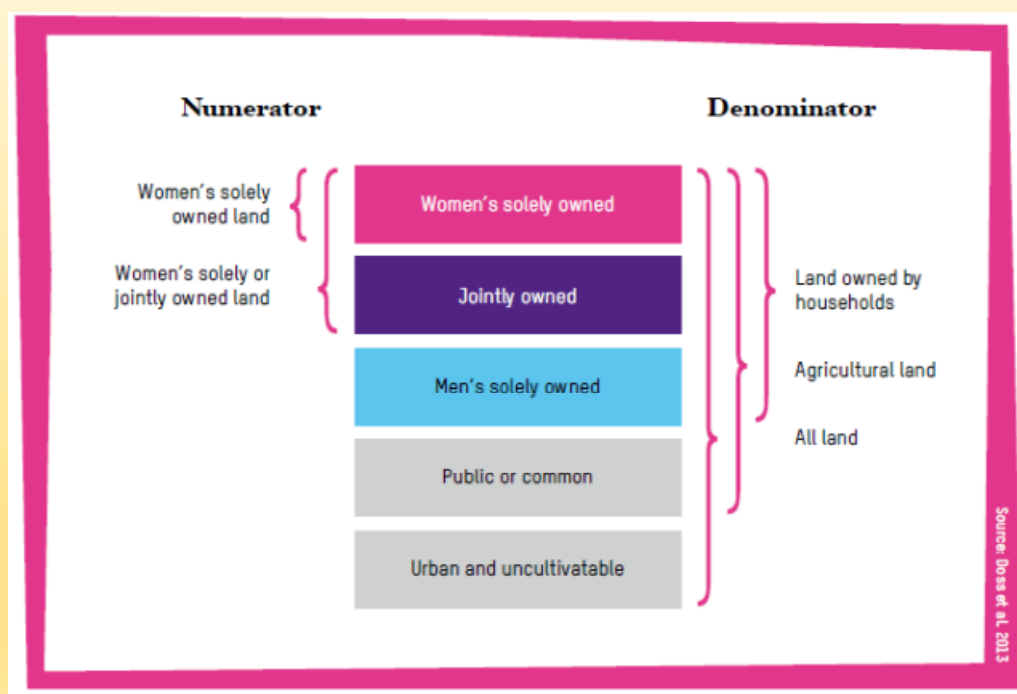
Status quo: Prevailing gender inequality in land tenure

Share of documented and undocumented women's, men's and joint ownership in Tanzania

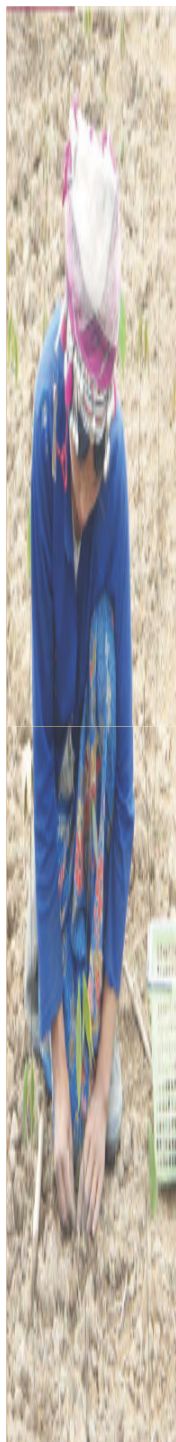




Status quo: Prevailing gender inequality in land tenure



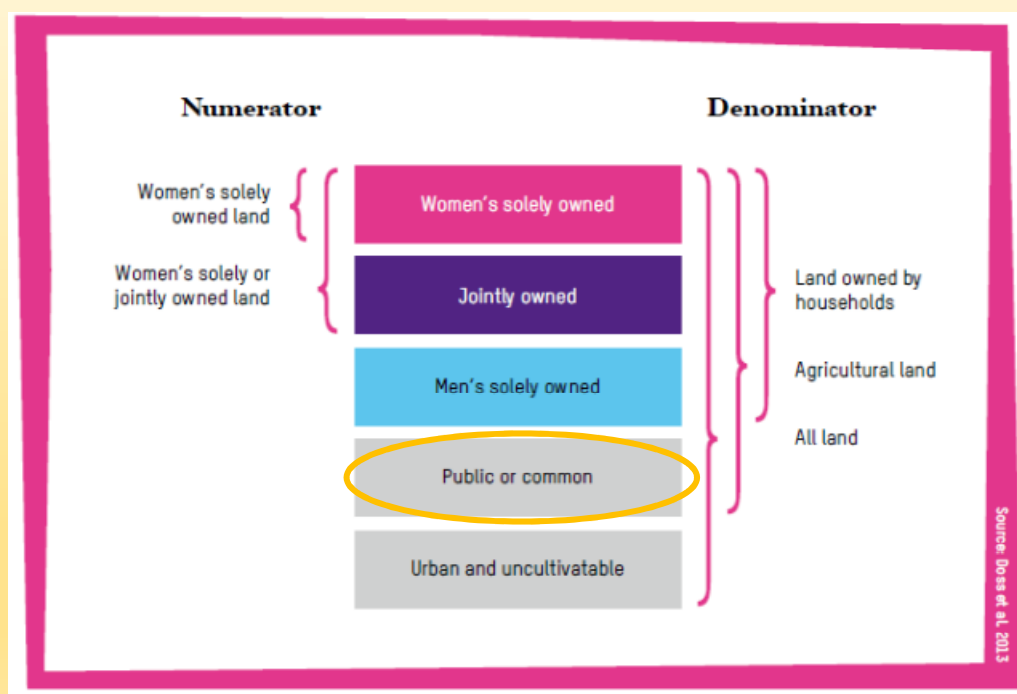
Lands under different ownerships to which rural women may have access.





Status quo: Prevailing gender inequality in land tenure

Ownership is not all that matters. Land use rights and the right to control outputs are of equal importance. Many women depend on access to public land for the collection of fire wood, medical herbs, forests fruits, water...



Lands under different ownerships to which rural women may have access.

But: Public land is most likely be given away for investment.



International instruments

Instrument	Contents
Universal Declaration of HR (1948)	Non-discrimination
International Covenant on Economic, Social + Cultural Rights (1966)	Women have a right to own, use or otherwise control housing, land and property on an equal basis with men, and to access necessary resources to do so.
Convention on the Elimination of Discrimination Against Women (1979)	States shall ensure the same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property. Equal treatment in land and agrarian reforms as well as in resettlement schemes.



International instruments

Instrument	Contents
Human Rights Committee et al. call on states to...	...ensure women's human rights related to access, use and control over land and other productive resources.
UN High Commission on Human Rights (2002)	Discrimination in law against women with respect to having access to, acquiring and securing land, property and housing, as well as financing for land, property and housing, constitutes a violation of women's human right to protection against discrimination.





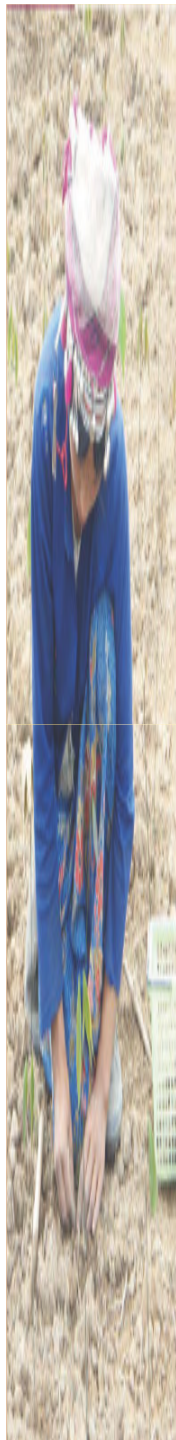
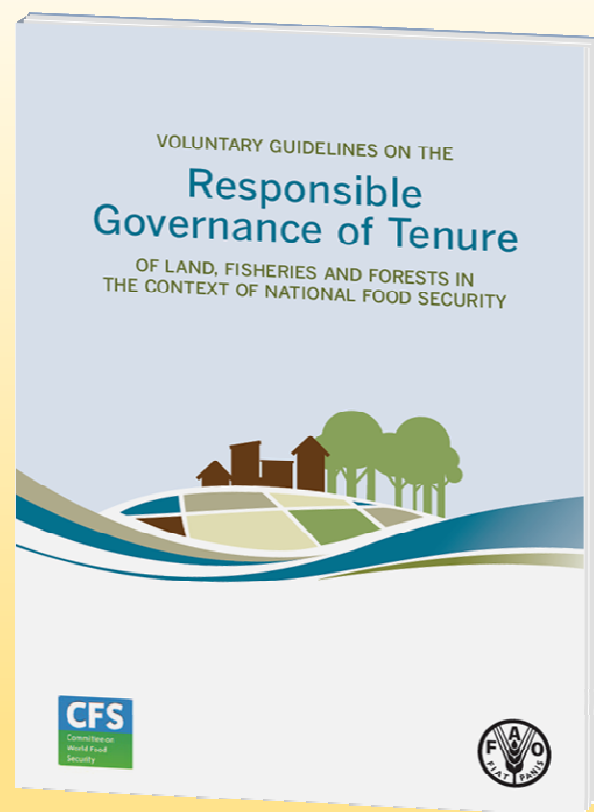
International instruments

Instrument	Contents
International Conference on Population and Development (1994)	Improve women's ability to own land and their rights to inherit property
Habitat Agenda committed governments to... (1996)	... provide legal security of tenure and equal access to land to all people, including women and those living in poverty, and undertaking legislative and administrative reforms to give women full and equal access to economic resources, including the right to inheritance and to ownership of land and other property.
Rio+20 (2012)	undertake legislative and administrative reforms to give women equal rights with men to economic resources, including access to ownership and control over land and other forms of property





VGGT – key guidelines on women's land rights



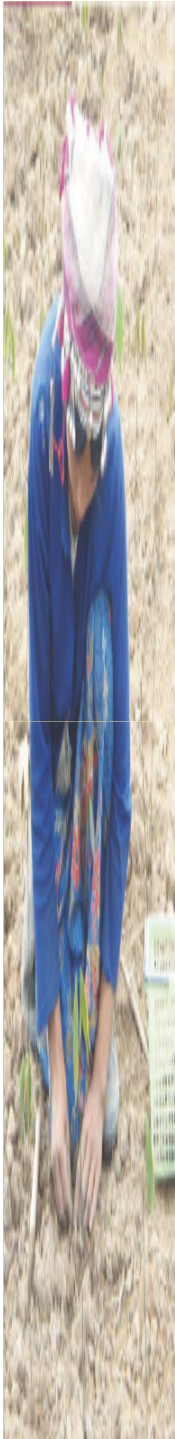


Women's land rights in the SDGs

- **Goal 1: End poverty in all its forms everywhere**

By 2030, ensure that all men and women, in particular the poor and the vulnerable, have **equal rights to economic resources, as well as access to basic services, ownership and control over land** and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.

(poverty reduction argument)



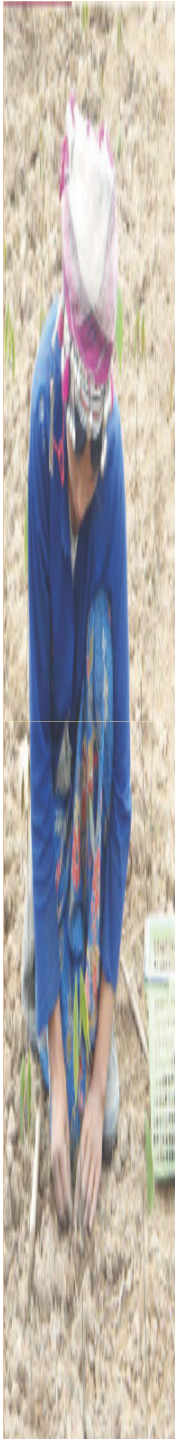


Women's land rights in the SDGs

- **Goal 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture**

By 2030, **double the agricultural productivity** and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including **through secure and equal access to land**, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment

(efficiency argument)





Women's land rights in the SDGs

- **Goal 5: Achieve gender equality and empower all women and girls**

Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws

(equity argument)



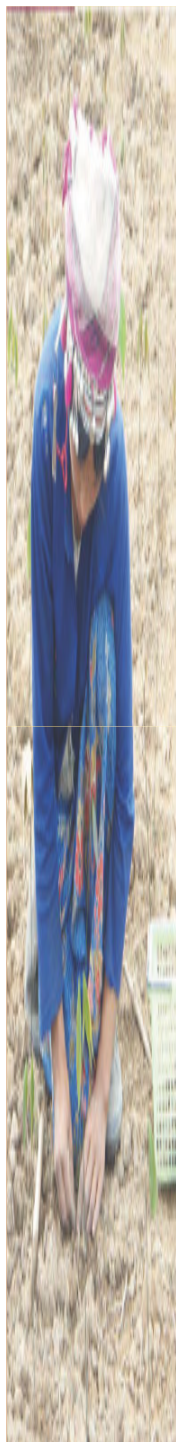


Measures to improve women's tenure security

- Ensuring equal tenure rights
- Gender-responsive policies and laws
- Gender equitable implementing agencies
- Gender-responsive technical procedures
- Legal and technical assistance for women
- Gender targeted information/communication
- Gender-sensitive monitoring
- Gender-responsive grievance mechanisms
- Gender equitable dispute resolution



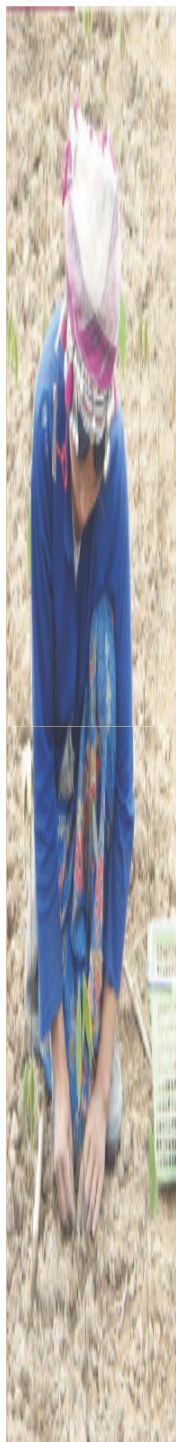
Photo credit: Dorobo Fund for Tanzania / UCRT





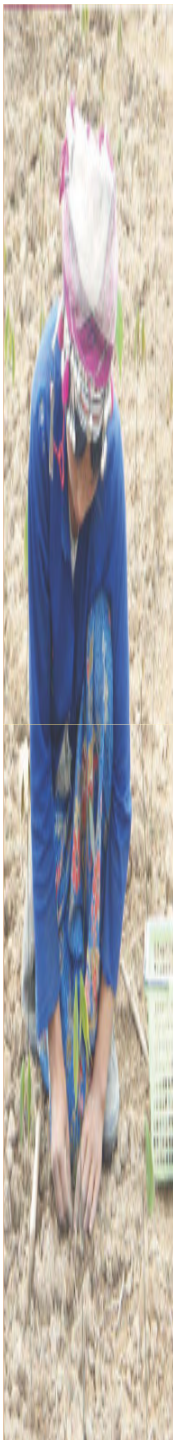
Measures for advocacy and empowerment

- Pressure governments to repeal laws that discriminate against women and to adopt new laws that protect women's land and property rights
- Make the link that land rights for women result in improved well-being, ... etc.
- Conduct assessment of the power relations between women and men in society, at family and household level...
- Ensure that female right holders understand their rights and know how to claim them
- Encourage and help women to assert their rights to land and property
- Participate in community mapping and documentation
- Undertake a review of available gender-responsive formal and informal grievance and dispute resolution mechanisms
- Promote women's equal tenure rights in international law





Guides





Guides



**Thank you very much
for your attention!**

