

Optimising momentum: taking women's land rights forward in Kenya?

Policy pointers

- Invest in strengthening initiatives of rural grassroots women and their movements. Build their capacity and support them to engage with policymakers to advocate for change.
- Support community-generated data collection, analysis and use to track progress and inform national and local decision-making processes to enable women to realise their rights.
- Support and sustain functional multistakeholder platforms that engage women, development partners, local and national government, and others. These platforms are essential to transformative change.
- Target policies and actions which give women stewardship of natural resources.

Whose land rights matter?

Kenya is a leading country supporting the African movement for women's rights to land. Its Community Land Act of 2016 is progressive in granting equal membership and decision-making power for women and men over community land. But implementation is slow – falling short of asserting and protecting women's rights to land.

['In our culture, when a man speaks, a woman cannot stand up and talk.']

Participant and group ranch farmer WLRA focus group discussion, Laikipia county, November 2017

A recent action research programme Securing Women's Land Rights in Africa (WLRA) has shown how women can have a stronger voice in demanding change. The programme has combined grassroots initiatives with the implementation of a national multistakeholder approach to inform policy and scale up and accelerate women's land rights. The challenge now is to optimise the momentum already achieved – and drive the women's land rights agenda in Kenya to the next level.



Towards social change

In Kenya, structural social change is required. Decision-making for collectively held land is dominated by men and only 1 per cent of private land is in the name of women (Kenya Land Alliance 2014). There is clearly a huge gap between its progressive land laws and the reality on the ground.

But change is happening. As part of WLRA in Kenya, LANDac, ActionAid Kenya and GROOTS Kenya have been putting women at the centre of understanding the complexities related to women's access and control over land and natural resources. WLRA has demonstrated the power of building linkages between grassroots initiatives and national as well as international multistakeholder initiatives and women's

Box 1. What is the Rural Women's Land Rights Charter in Kenya?

The charter builds on the Kilimanjaro Initiative's pan-African Charter on Women's Land Rights, which was conceived in 2012 to claim African women's rights to access and control over land and natural resources. Rural women from 24 counties in Kenya developed a national charter to express their concerns/issues about land matters and their aspirations for change. The Rural Women's Land Rights Charter in Kenya includes 10 key demands, ranging from promoting women's effective participation on land governance units at the local level to accountability in the delivery of the demands.

Sources: Ringa (2016); ActionAid (2016)

Box 2. Implementing the Rural Women's Land Rights Charter in Kenya

To achieve the broad goals of the charter, the WLRA programme has developed a comprehensive, holistic and inclusive implementation framework with multiple stakeholders, ranging from rural women's initiatives to civil society organisations (CSOs) and Kenyan government ministries (including ActionAid Kenya and GROOTS Kenya). It outlines a plan of action for realising five broad goals:

- Accessible administrative and justice systems for women
- Women's concerns, voices and interests are reflected in decisions
- Enhanced access to information on the status of women's land rights
- Eradication of discrimination and inequalities for women in access and control over land
- Well-coordinated multistakeholder platforms advancing women's land rights.

Source: ActionAid (2018)



movements such as Women2Kilimanjaro (W2K), which resulted in the Rural Women's Land Rights Charter in Kenya (see Box 1). Through initiatives like these, WLRA has shown that grassroots women can effectively lead in realising their land rights.

Practical steps for scaling up women's land rights

That rural grassroots women are taking the lead on realising their land rights for themselves is unique. But to scale up best practice – community-led mapping, collective action (at both the national and local level) and the mobilisation of local champions as role models and supporters of grassroots movement building – women must be further supported to lead. For tangible results, global indicators and targets on women's land rights must be matched by local actions led by rural grassroots women as done in the implementation framework of the Rural Women's Land Rights Charter in Kenya (see Box 2).

The challenge now is to continue to build on the momentum created by WLRA. Initial steps should include optimising opportunities for mobilising women to benefit from ongoing adjudication and titling efforts, helping communities with community land registration, and promoting campaign actions that will lead to the enactment of the regulations of the Community Land Act.

Educate to build capacity

- Invest in providing rural grassroots women with the skills to pursue their land rights: research, analysis, communication, advocacy, presentation, leadership, networking and assertiveness with diplomacy. Women must be facilitated to build on their own experiences, narratives and perceptions.
- Enhance rural grassroots women's awareness of the role of natural resources in improving their livelihoods. Target policy and institutional actions so that women are given stewardship of these resources.



Invest in grassroots women's initiatives and movements

- Development partners must invest in building and strengthening grassroots women's movements so that women's voices are enhanced: advocating for their own priorities, engaging in policy dialogue and demanding accountability, especially on policy implementation.
- Support local grassroots champions as role models and to contribute to movement building and engage with local authorities and other influential social figures in joint action for social transformation and to increase the social legitimacy of women's land rights.
- Give women a stronger voice. An effective strategy is supporting women's groups and local initiatives of collective action, such as women's groups, to pursue joint land titles. These local initiatives of collective actions should be backed up and combined with collective action at the national level.

Prioritise community-generated data

- Invest in community-led data generation to document all land and natural resource rights and to generate statistics for tracking progress and for advocacy. This is also useful for closing the gender land-data gap and to highlight data discrepancies between official registries and local realities in terms of land control and ownership (see Box 3).
- Support grassroots rural women to take the lead in monitoring the progress of securing women's land rights and in generating authoritative and verifiable reports.
- Promote collaboration with the Kenya National Bureau of Statistics to capture baseline status data on the current situation relating to women's right to land in the country. This could be done as part of a national population census.

- Collaborate with the Ministry of Land and Physical Planning in Kenya and other natural resource management agencies to provide education on land laws so that women can understand their rights and responsibilities in governance and management of land and natural resources.
- Realising women's land rights needs a change in patriarchal culture. Land allocations, succession, transfers and community land registration processes must strive to respect and uphold women's rights.



Box 3. Distorted measurements: who has the right baseline data?

The Ministry of Lands and Physical Planning in Kenya lacks official statistics on the number of women who hold land title deeds in the country. As such, there is no official baseline data to track possible progress on the realisation of women's land rights. Currently, the government is creating a National Land Information Management System (NLIMS) which among other things should disaggregate land data by gender. The NLIMS will disaggregated land data available from land registries. However, a community-led research conducted by GROOTS Kenya in Butso North, Kakamega County showed that only 19 per cent of all private land in this area is titled. Therefore, the government cannot solely rely on titled land to develop a baseline for tracking progress on women's land rights in Kenya. A more comprehensive monitoring framework that looks at titled as well as untitled land is needed to track real progress on women's land rights in Kenya.



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Create multistakeholder platforms

- Multistakeholder platforms – working with government, local authorities, development partners, grassroots women and others – are where the most transformative action will take place. Key to success is providing rural grassroots women with sufficient space to participate.
- The framework for implementing the Rural Women's Land Rights Charter has been put in place by the WLRA programme (see Box 2). To be successful, the framework requires backing and investment from those involved in land issues, including CSOs, state agencies, county governments, the judiciary and development partners. Fast-tracking implementation of some key actions is a priority investment for making women's land rights a reality.

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About the Securing women's land rights in Africa programme

LANDac – in cooperation GROOTS Kenya and ActionAid International Kenya – has implemented a year-long action research programme Securing Women's Land Rights in Africa: Scaling Impact in Senegal, Kenya, Malawi and Mozambique (WLRA programme). Funded by the Dutch Ministry of Foreign Affairs, the programme aims to identify, build upon and scale successful practices and experiences of grassroots organisations and movements that work to strengthen women's access and control over land and natural resources in Africa. For more information on this working paper or the programme, please contact Griet Steel (g.steel@uu.nl) or the LANDac secretariat (landac.geo@uu.nl).

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