Upscaling Strategies for Strengthening Women's Land Rights

By Karin Haldrup
Aalborg University, Denmark
www.aau.dk

Perspective of paper

Point of departure:

- UN-Habitat Gender Mechanism document 2006
- Global Land Tool Network (GLTN) definition of priority land tools
- GLTN: Collation of cases /tools re. Gender & Land
- Challenge: Transform diverse, rich but scattered experience into strategies

Point of view:

From gendering land tools to gender sensitive processes (in a good governance context)

Structure of paper

1. What are the main gender criteria for large scale tenure upgrading?
2. Roles of gendered land tools in programmes of land tenure upgrading
3. The stages of land tenure upgrading and the importance of sequencing for women
4. The importance of area-by-area approach for women's land rights
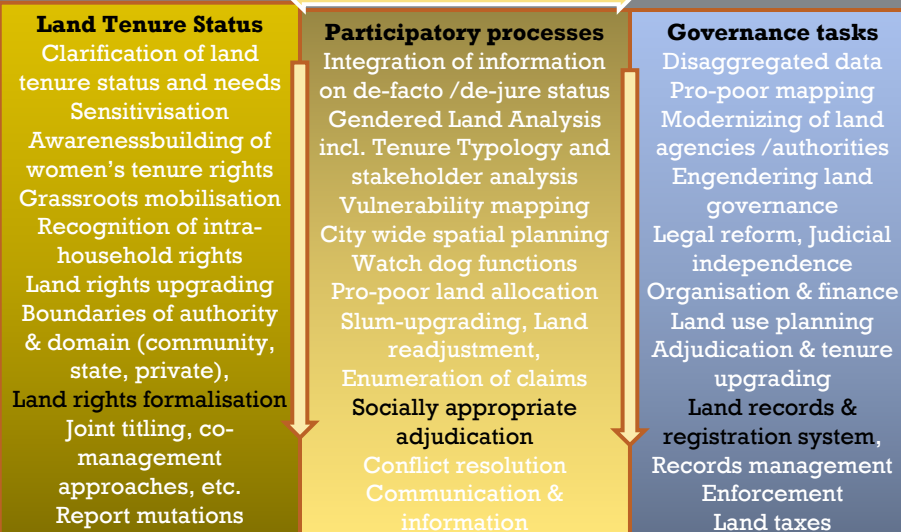5. Gendered land analysis and potential importance of ICT for women

The challenge of scale

Still the vast majority of land and property is kept in insecure tenure

Extracted Key Criteria for Scaling-up Gendered Land Tools

1. Establish local *context* prior to up-scaling
2. Strengthen *capacity* prior to full scale tenure reform
3. *Mobilize local resources* and include participatory/ representative mechanisms
4. Develop grassroots' and land authorities *partnership*
5. Create room for *diverse forms of tenure* arrangements
6. *Safeguard common space,* and community land rights
7. Prepare *early land use planning* with allocation of land for low-cost housing
8. Prepare early *cost studies* & plan for financial sustainability
9. Apply appropriate *standards for documents* (wills, deeds, etc.) and public land records
10. Implement information system standards and *use ICT*

(Sources: UN-Habitat regional studies 2005 and others)

Land Tools
Mapped into Systematic Processes

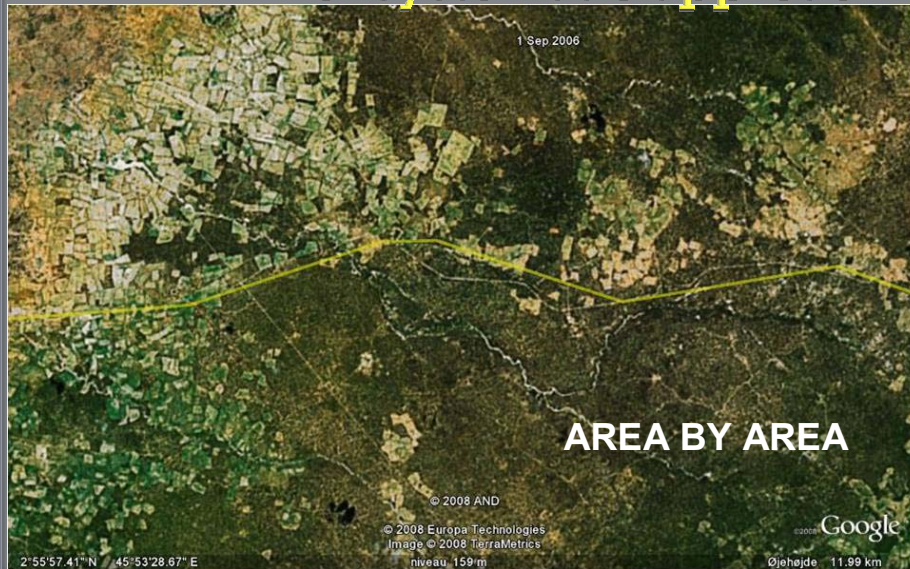| Land Tenure Status	Participatory processes	Governance tasks
Clarification of land tenure status and needs Sensitivisation Awarenessbuilding of women's tenure rights Grassroots mobilisation Recognition of intra-household rights Land rights upgrading Boundaries of authority & domain (community, state, private), **Land rights formalisation** Joint titling, co-management approaches, etc. Report mutations	Integration of information on de-facto /de-jure status Gendered Land Analysis incl. Tenure Typology and stakeholder analysis Vulnerability mapping City wide spatial planning Watch dog functions Pro-poor land allocation Slum-upgrading, Land readjustment, Enumeration of claims **Socially appropriate adjudication** Conflict resolution Communication & information	Disaggregated data Pro-poor mapping Modernizing of land agencies /authorities Engendering land governance Legal reform, Judicial independence Organisation & finance Land use planning Adjudication & tenure upgrading Land records & registration system, Records management Enforcement Land taxes

Stages of systematic Land Tenure clarification

- **Stage 1:** Establishing context and taking stock of the tenure situation
- **Stage 2:** Modernisation of land authorities and gendered land analysis
- **Stage 3:** Systematic upgrading of the general land tenure situation through indirect measures
- **Stage 4:** Systematic adjudication of rights and building of sustainable land authorities
- **Stage 5:** Formalisation of rights and land records /information systems

Time lines and priorities in a gender sensitive approach

- Sequencing to avoid landlessness and destitution (Palmer, 2007)
- Safeguard vulnerable resources and rights at first
- Balance between events in the field and capacity of the land administration system
- Gender sensitive up-scaling process underlines the importance of the preparatory stages of tenure upgrading
- Participatory strategies & negotiated reform

Importance of of systematic approach

AREA BY AREA

Importance of area by area approach for women

Systematic gender-senstitive up-scaling means working Area by Area, because:

- In cases of social tenure and lack of documents, legitimacy of public hearing compensates for lack of documents;
- Women traditionally depend on forms of usufruct rights, which can be neglected in the microperspective of land plots
- Supply of land for low-cost housing is to be ensured through a land delivery process depending on spatial planning
- Affordability depends on economy of scale; amplified in case of land (1 plot – about 4 neighbours)
- Conversion of land records area by area => simplification

Indirect and direct strengthening

- Gradual strengthening of tenure situation is related to the tenure framework prior to specificity of rights, such as e.g.:
  - Recognition of a slum area
  - Clarification of land authority (adm. boundaries)
  - Delimitation of communal or public domain
  - Hereby strengthening the rights of claims within the area concerned
- A conceptual leap between de-facto and de-jure rights: Sharp transition to formal tenure
  - Specificity of rights in whatever form;
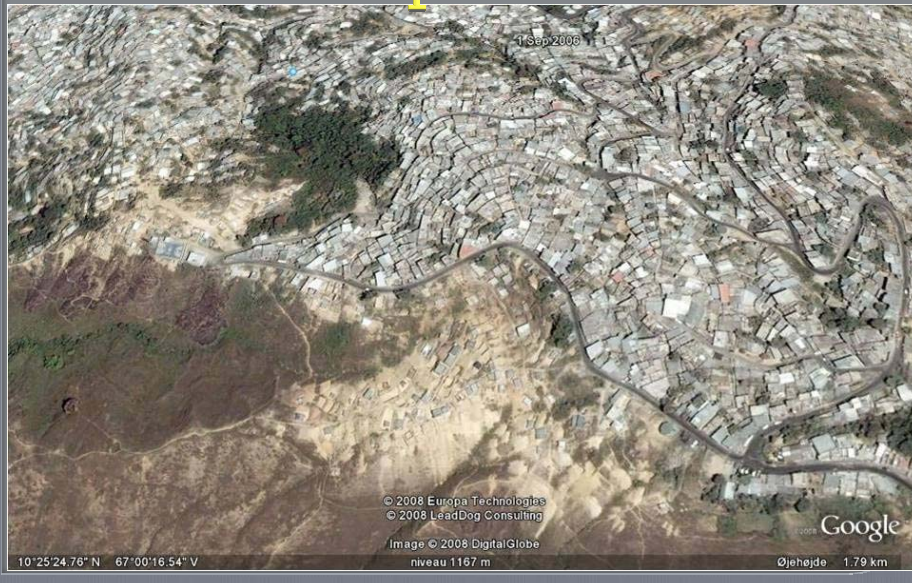 - Formal records in land authority

Gendered land analysis

A term launched by GLTN.
Suggested principles e.g.,:

- GLA is a gendered analysis of **a specific territory** (by participatory mapping);
- GLA maps out **vulnerable areas and resources** of importance for women
- GLA seeks to **explore frontiers of development** and areas for land allocation
- GLA **clarifies tenure typology**, stakeholders and typical cases
- GLA helps building awareness of women's land rights

Photo maps – Low cost GPS

ICT for women's rights

Land information

- ⊙ Disaggregated data (sex and spatial)
  - Barriers of access and use of existing information
  - Underused disaggregate statistics
  - Archives converted open up for wider access /use
- ⊙ Image maps: most important source
  - Low-cost and powerfull information sources in land tenure reform: true picture, easy understanding, cost-saving
  - New image maps under production for next census

ICT tools:

- ⊙ GPS and low-cost IT devices =>

Closing remarks

How can the challenge of scale be met?

1. Upgrading by area, later formalisation by property:

- Upgrading of tenure status by area!
- Formalisation by specific property!
- Specificity of land rights ≠ individualized property

2. Intermediate steps are affordable & effective:

- Status of vulnerable areas to be clarified at first;
- Gendered land analysis;
- Democratisation of information tools;
- Mobilisation and participation of local groups;

Formalisation is harvesting a crop, which has been growing for some time