

# Promoting land rights to land for women and vulnerable groups through education in Eastern Africa

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The Eastern Africa Land Administration Network (EALAN) plays an important role in development and support of Land Administration education in Eastern Africa. The Network was formed in 2009, out of interest and informal agreement by four universities in Eastern African Universities to support each other in offering Land Administration related programs. The interest to network was motivated by lack of qualified land administration lecturers across the eastern African countries. The EALAN network started with 4 members institutions across four countries in 2009, and currently has 12 member institutions across 8 countries in the Eastern Africa Region i.e. *Makerere University* (Uganda), *Technical University of Kenya*, *Ardhi University* (Tanzania), *Bahir Dar University* (Ethiopia), University of Burundi (Burundi), Universite Evangelique du Afric (DRC), University of Juba (South Sudan), RCMRD (Kenya), INES-Ruhengeri (Rwanda), University of Rwanda, University of Nairobi (Kenya) and Woldia University Ethiopia. Universities indicated in italics were the pioneers of the EALAN network.

In December 2015 the Netherlands Initiative for Capacity development in Higher Education (NICHE) funded the project “Strengthening the Regional EALAN Network to Build Capacity in Land Administration and Land Governance in the Great Lakes Region” – in short, SEALAN. SEALAN has three focus themes i.e. focus themes: i) Land administration ii) Land governance and policies, and iii) Access to land for women and vulnerable groups, and of course to support the network to be more professional. The SEALAN project is was awarded to the ITC Faculty of the University of Twente. ITC collaborates with the Dutch Kadaster, MDF, and a Kenya-based Land Development and Governance Institute (LDGI) to implement this project.

It is important to define who ‘vulnerable groups’ are or constitute of in the Eastern Africa region. An inception workshop for the SEALAN project held in Nairobi in January 2016. Participants from EALAN member universities listed the category of people that are considered vulnerable in their respective countries. Consequently the following list was compiled – not in any particular order of vulnerability:

- ❖ Minority groups and the marginalized groups-this are the nomads and communities with very little population who may not have a say in the decision making process of country or local government
- ❖ Women
- ❖ Poverty stricken individuals or people living in extreme poverty
- ❖ Children (orphaned), elderly and disabled
- ❖ Informal settlements/slum dwellers
- ❖ Farmers in pre-urban settlements
- ❖ Internally displaced persons
- ❖ Pastoralists
- ❖ Hunters and gatherers
- ❖ People living around protected areas e.g. forests, national parks, mining regions and lakes protected for educational purposes

The reasons for these groups being regarded as vulnerable are that:

- Interests of minority groups are often overlooked because they are few in number and don’t participate in decision making process. They may also experience inferiority complex.
- Internally displaced persons may be settled in camps setup by the host countries but may be driven out of those

camps when another war arises or in case of a natural calamity.

- Women – the dominance of patriarchal and discriminatory customary law restrict women’s ability to own, inherit or individually use land. Yet women, and also children form the majority of the population in EALAN countries. This means that majority of the population is discriminated against in the land sector. At the same time, formal laws in most EALAN countries do not clearly stipulate the role of women in the decision making process since the cultural practices normally overtake the rules in the constitution.

EALAN members then ranked the vulnerable groups in the order of being the most vulnerable, according to the member’s self opinions. Note that instead of ‘women and vulnerable groups’, EALAN considers women as part of vulnerable groups. Consequently the following list was realized:

1) Women

- 2) Orphans and children
- 3) Internally displaced persons (IDPs)
- 4) Informal settlements.
- 5) Minority groups
- 6) Pre-urban settlements and farmers.
- 7) Farmers and communities and in investment areas.
- 8) Pastoralist.
- 9) Elderly displaced and non-educated individuals.

Women were ranked as being the most vulnerable. Discussions focused around the idea that land professionals are ignorant about women’s access to land rights and obstacles they face. Often, land professionals do not know how to handle problems of women’s rights to land. Land professionals often leave it to the families to settle the problems. Due to dominant patriarchal and discriminative cultural practices women often end up having little or no access to justice and remain marginalized and lose out.

### An overview of Land Related Education in the 12 EALAN Network universities

University	Country	Project’s Thematic Topics at Universities								
		Land Administration			Land Governance			Land Rights for women and vulnerable groups		
		BSc	MSc	PhD	BSc	MSc	PhD	BSc	MSc	PhD
1. Ardhi University	Tanzania	✓	✓	✓						
2. Bahir Dar University	Ethiopia	✓	✓		☑	☑	✓	☑		
3. University of Woldia	Ethiopia	✓	✓							
4. INES-Ruhengeri	Rwanda	✓	✓							
5. University of Rwanda	Rwanda		↔							
6. Makerere University	Uganda	✓								
7. RCMRD	Kenya	❖	❖							
8. Technical University of Kenya	Kenya	✓								
9. University of Nairobi	Kenya	☑								
10. University of Burundi	Burundi	☑								
11. University of Juba	South Sudan									
12. Université Évangélique de Bukavu -	Democratic Republic of Congo.									

Key

- ✓ Thematic topic offered as full program program
- ☑ Elements of thematic topics (e.g. as a topic in a lecture) included in another program e.g. land economics, land management
- ↗ PGD (Post Graduate Diploma) being upgraded into MSc
- ❖ Hosts projects and researches related to land administration

It is evident from the table above that the gap in land rights for women and vulnerable groups, and in land governance is wide in the university curricula – compared to the more technical subject of Land Administration. This gap may explain why gender inequality in access to land for men and women is a big societal problem in those countries, yet the subject has been neglected in the education system.

EALAN universities blame the ignorance by land professionals partly to the educational system. Land Administration Education mainly focuses on the technical aspects of land tenure such as surveying of parcel boundaries – in relation to the formal land tenure and land governance systems. None or little attention has been given to understanding and accommodating customary land tenure and land governance systems when administering land. As such, upon graduating in the land administration related programs, land professionals are uninformed about customary tenure systems. Ironically customary tenure and governance systems covers the widest areas in the EALAN counties. At the same time, the formal land tenure systems rarely discuss the role of women in land. Women are thus bound to be vulnerable both in the customary and the formal land administration systems



SEALAN implementing partners at the Inception Workshop in Nairobi 24-28 January 2016. Photo RCMRD

EALAN propose that by including elements of land rights for women and vulnerable groups in the curricula – in the perspective of customary tenure and formal land tenure – the students will be well prepared to be confronted by challenges of women’s access to land – and possible solutions – by the time they are professionals.

The NICHE project will build capacity of EALAN university lecturers through Tailor Made Trainings on Land Rights for Women and Vulnerable groups among others. By the end of the project, EALAN university lecturers anticipate to review and incorporate aspects of land rights for women in their educational programs; offer short courses to land administration professionals; as well as conduct research on this subject. The aim is to improve professionalism in land governance and expose gender aspects of land to the land professionals. EALAN staff believe that it is important to share problems of land rights for women with students, land professionals, and policy makers (through evidence based research). This will bring women’s stories to life, and challenge professionals to find workable solutions.

Interventions in the education sector may not solve the problems of gender inequality and in land governance, but sensitization through education can play a major role in changing attitudes and mindsets of societies about the importance of land rights for women and other vulnerable groups. The project may be

slow to realize desired results, but anticipates to produce professionals who will be the agents of change and in a better position to consider of women's issues in relation to land.