



# **Women land rights in post-conflict: building evidences**

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# Overview of the presentation

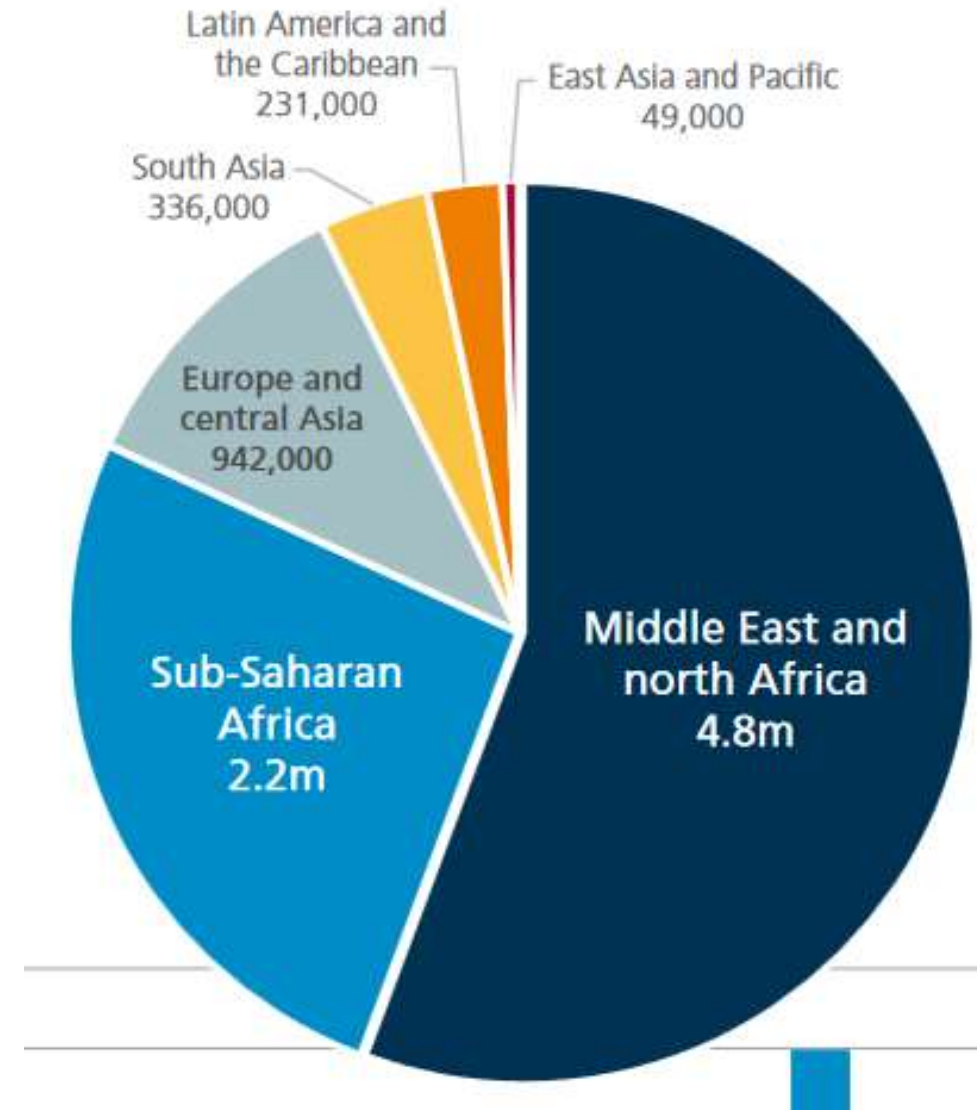
- Fact and figures
- The land and conflict nexus
- International and Regional Frameworks
- GLTN approach in addressing WLR in post-conflict
- Country examples
- Emerging opportunities



# Facts and figures: displacement because of conflict

- **65.5 million displaced worldwide**
- **40.8 million IDPs worldwide as a result of conflict and violence** at the end of 2015 – an increase of 2.8 million on 2014, and the highest figure ever recorded
- **8.6 million people were newly internally displaced in 2016** by conflict and violence.
- **4.8 million** people were newly displaced in 2016 in the **Middle East** alone.
- **Yemen, Syria and Iraq** accounted for over half of the global total.
- The number of people displaced by conflict in **sub-Saharan Africa** has flat-lined over the last decade at 12 million, underlining the chronic nature of displacement in the region

Figure 1.3: New displacements associated with conflict and violence by World Bank-defined region in 2015





# People internally displaced as a result of conflict and violence

as of 31 December 2015 (Total: 40.8 million)



# The context: the land and conflict nexus

- Land issues can be **drivers of conflict and obstacle to peace, stabilisation and recovery** in counties affected by war.
- Land issues are increasingly acknowledged as crucial in **peace-making and peace-building**
- If not addressed, land-related issues can contribute to **protract crises** and hamper social reconciliation.
- In the coming decades, global challenges such as population growth, urbanization, rural-urban migration, increasing food insecurity and climate change will generate more **competition over land**, which will increase the number of land-related conflicts at global, regional, national, and community level.
- Because of these trends, increasingly large numbers of **people will be forcefully displaced**, as recent trends already indicate.





# The context: the land and conflict nexus

- Rural-urban migration upsurge by people in search of food security, livelihoods, access to services and work, will, in the absence of planned urbanization, increase **proliferation of slums and informal settlements in urban and peri-urban areas**, leading to conflicts with communities and individuals already living in the area and among the deprived newcomers.
- **Displacement is also becoming an increasingly urban phenomenon**, with most people being displaced into urban centres, requiring new approaches and solutions to access to land and housing (protection of HLP rights) in cities.
- **Women, youth, children** and other vulnerable groups, such as indigenous people, will be affected the most.
- These challenges are acknowledged in the **SDGs** which propose a transformative development agenda that has reference to land in Goals 1,2,5,10,11, 15 and 16.



# LAND RELATED CHALLENGES FACING WOMEN

- Traditional barriers: customs and practices (inheritance rights, lack of ownership to land).
- Displacement leading to lost of land rights (secondary rights, usage rights).
- Denial to land claims: ineffective restitution mechanisms; lack of access to remedy; court.
- Sexual violence associating with land rights denial
- Lack of documentations: civil documentation; land title (proof, evidence).
- Lost of land, making impossible return of area of origin ( when the husband died during the conflict): protracted displacement.
- Weak institutions to implement rule of law and policies: land administration, judicial system
- Lack of accurate data related to affected women

# International and Regional Frameworks to address women land rights in post conflict

- **Convention on the Elimination of Discrimination Against Women (CEDAW):** This protection includes a broad spectrum of tenure forms, including ownership, rental, informal settlements, and customary usage.
- **Pinheiro Principles on Housing and Property Restitution for refugees and displacement:** the rights of refugee and displaced women and girls, and recognizing the need to undertake positive measures to ensure that their rights to housing, land and property restitution are guaranteed.
- **Great Lakes Protocol on the Property Rights of Returning Populations (Africa):** Member States shall give effect to the legal capacity of returning women and all women, including single women, to own land and other property in their own right, without discrimination of any kind.
- **The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (“the Kampala Convention”):** confirms the state’s obligations to prevent arbitrary displacement, and ensure the protection of the human rights of IDPs, including humane treatment, non-discrimination, equality and equal protection of law.



# Applying land conflict sensitive tools to address WLR

## IRAQ

**Overall Objective:** Facilitating the sustainable return of the Yezidi community in their area of origin and the recognition of their property rights:

**Target groups:** female households, widows, houses with Pregnant women.



## The problem

- Area inhabited by Iraqi minorities including Yazidis
- Yazidis were long discriminated in land policies, were forcibly relocated without compensation in the 70s, denied access to their ancestral land and denied proof of ownership in the new areas of settlement.
- The lack of tenure security and official property documentation affects their prospects of return.
- The absence of a cadastre delimiting property claims is a major concern, as is the limited capacity of the local authorities to deal with land claims.
- The Yazidis residing in this region have suffered tremendous atrocities since 2014, when the so-called Islamic State conquered the area. 250-500K were displaced and their home destroyed.

## Scope of work

- Adaptation of STDM tool
- Survey on alternative property documentation.
- Community mobilization, vulnerability assessment, and preliminary evaluation of damaged houses.
- Verification of claims
- Mapping of claims
- Issuing certificates of occupancy
- Rehabilitation of selected households





- Joint title women and men: 1000 households were provided with the first tenure document in their history ;
- Returns started to take place;
- Capacities of local governments and communities in the concepts and practices of land governance / administration and STDM were developed;
- Central government informed of the project, but not involved.

*[Central government takes over the region from Kurdistan]*

- Central government interested in the project; initially non committed to provide full ownership titles (tapu), but later confirmed their interest to scale up the STDM approach to the whole governorate [state-building dimension]
- Scale up being prepared

# Republic Democratic of Congo



## DR Congo Land Program



# Republic Democratic of Congo

- Addressing Women's claim through Alternative Disputes Resolutions mechanism:  
Land Mediation

## Disaggregation between male and female on land disputes resolutions

	Local population			Repatriate			Displaced			Returned			Others			T /
	Total	M	F	Total	M	F	Total	M	F	Total	M	F	Total	M	F	
<b>North Kivu</b>	19475	13905	5570	425	290	135	6700	4025	2675	5685	3565	2120	220	185	35	3
<b>South Kivu</b>	46705	23430	23275	80	65	65	3635	1700	1935	880	475	405	235	130	105	5
<b>Ituri</b>	17536	11686	5850	3	0	3	2352	1364	988	4795	3287	1508	166	149	17	2
<b>TOTAL</b>	83716	49021	34695	508	355	203	12687	7089	5598	11360	7327	4033	621	464	157	1



# Republic Democratic of Congo

- Building capacity for women as peace agent: raising awareness; involvement in land conflict mediation and land dialogue.
- Develop the concept of Women Group Champion
- Connecting women and traditional authorities and access to land information
- Support to land policy development and comprehensive reform (land reform Commission)





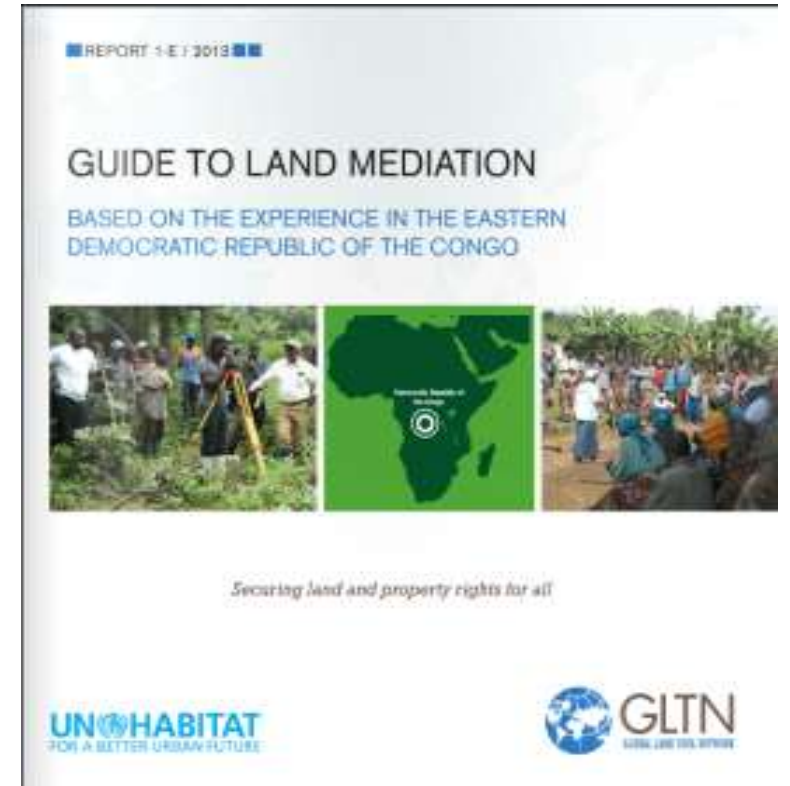
# BUILDING KNOWLEDGE ON RELATION LAND, WOMEN AND CONFLICT



## IMPROVING WOMEN'S ACCESS TO LAND IN EASTERN DRC: CHALLENGES AND EMERGING OPPORTUNITIES

LEARNING FROM EMERGING PRACTICES

SECURING LAND AND PROPERTY RIGHTS FOR ALL



## GUIDE TO LAND MEDIATION

BASED ON THE EXPERIENCE IN THE EASTERN DEMOCRATIC REPUBLIC OF THE CONGO

Securing land and property rights for all



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# Women and Land in the Muslim World

Pathways to increase access to land for the realization of development, peace and human rights



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HOW TO DO A ROOT CAUSE ANALYSIS OF  
LAND AND CONFLICT FOR PEACE BUILDING

SECURING LAND AND PROSPECT RIGHTS FOR ALL

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REPORT 5 / 2016

Scoping and Status Study on Land and Conflict:  
Towards UN System-Wide Engagement at Scale

Working Paper  
May 2016

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GLTN  
GLOBAL LAND TOOL NETWORK



# EMERGING OPPORTUNITIES

- Sustainable Development Goals (SDGs): Goal 5 (indicator 5.a.1 and 5.a.2)
- UN Reform on peace sustaining peace: empower women for peacebuilding
- Progressive land reform to include women's land rights: Tunisia; Arab Regions
- Development of gender sensitive peace agreements: equality between and women (Afghanistan, Guatemala, Mexico, Nepal, Papua New Guinea, South Africa and Sudan)

**STILL, LONG WAY TO GO.....**

FACILITATED BY:



Thank You!

For more information:

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