



Time is now to transform rural women’s lives

Rural women make up the majority of Kenya’s agricultural labour force. They ensure food security for their communities and build climate resilience in this time of the challenges of climate change. But their crucial role they play in ensuring the sustainability of rural households and communities, improving rural livelihoods and overall wellbeing, forces us to ask the basic questions flagged by Professor Henry Bernstein in his book on Class Dynamics of Agrarian change, 2010 of: who owns what?, who does what?, who get what?, and what do they do with? As we commemorate 10 years since the first International Day of Rural Women was established on 15th October 2008. We need to ask these right questions in recognition of the substantial proportion of the women’s agricultural labour force, including informal work, and performance of the bulk of unpaid care and domestic work within families and households in rural areas. Women make significant contributions to agricultural production, food security and nutrition, land and natural resource management, yet structural barriers and discriminatory social norms continue to constrain women’s decision-making power and political participation in rural households and communities.

Women and girls in rural areas lack equal access to productive resources and assets, public services, such as education and health care, and infrastructure, including water and sanitation, while much of their labour remains invisible and unpaid, even as their workloads become increasingly heavy due to the out-migration of men. In Kenya, with few exceptions, every gender and development indicator for which data are available reveals that rural women fare worse than rural men, and that they disproportionately experience poverty, exclusion and the effects of climate change due to their role in agricultural production. Therefore, it is a priority to ensure the implementation of women land rights as enshrined in our Constitution as a systematic way of promoting gender equity and encouraging gender equality as means of attaining the Sustainable Development Goal number Five by 2030.

Progress in addressing women land rights - Retracing the journey

This year marks the second anniversary of the Women to Kilimanjaro Initiative. This initiative culminated in the launch of the Rural Women’s Land Rights charter for Kenya and the Africa wide charter on rural women land rights. It is therefore an appropriate moment to take stock of the progress made so far and what lies ahead.

The commemoration of this anniversary coincides with key mobilization days on ending hunger and poverty in the world. The International Rural Women Day (October 15th), the World Food Day (October 16th) World Poverty Day (October 17th) are global moment days that coincide with this commemoration. The World Food Day is being observed under the theme “*Our Actions are Our Future. A #ZERO HUNGER WORLD BY 2030 IS POSSIBLE*”. The UN End Poverty Day, is on the theme of ‘Coming together with those furthest behind to build an inclusive world of universal respect for human rights and dignity’. It is there important moment to take stock of actions being put in place targeting rural women who are among those further left behind to build an inclusive society and contribute to ending global hunger.

In taking stock of the progress being made in advancement of land rights for women living in rural areas the following milestones are worth noting:

A clear framework and road map for implementation is in place

In June 13, 2018, women living in rural areas celebrated yet another milestone. The inauguration of the implementation framework for women land rights in Kenya, the first of its kind in Africa. The framework is a clear demonstration of unwavering commitment by stakeholders comprising state agencies, UN bodies, civil societies and women movements in advancing women land rights. The framework is a formal response to the initial charter of demand developed by rural women from 24 counties through a highly participatory process. Women in Kenya directly and through this charter informed the Africa wide character on rural women land right.

The framework provides a clear implementation plan, anchors mechanism for synergy and coordinated actions towards women land rights and serves as basis for mutual accountability among all stakeholders. Five broad results are being pursued through in this framework:

- Accessible administrative and justice systems on land for women
- Women voices, and interests reflected in decisions on land
- Enhanced access to information on the status on women’s land rights
- Eradication of discrimination

and inequalities for women in access and control over land, and

- Well-coordinated multi-stakeholder platforms advancing women’s land rights
 - Each of the broad result of each framework has clear intermediate results, specific indicators, key targets and key actions. The framework mainstreams SDGs indicators, particularly:
 - Indicator 5.a.1 (a) proportion of total agricultural population with ownership or secure rights over agricultural land, by sex;
 - Indicator 5.a.1 (b) share of women among owners or rights-bearers of agricultural land, by type of tenure, and
 - Indicator 1.4.2 Proportion of total adult population with secure tenure rights to land, with legally recognized documentation and who perceive their rights to land as secure, by sex and by type of tenure
- Relevant and diverse duty bearer have developed a clear modality as well as shared roles in actualizing the Rural Women’s Land Rights Charter
- The Kilimanjaro Initiative on Women’s Land Rights - Kenya Chapter is a platform of membership that share a common cause and supports strengthened mobilization, accountability and sustained commitment of all relevant civil and Government agencies to advancing women’s right to land. This Initiative now serves 5 broad roles: -
- Guiding the implementation of the Multi-stakeholder framework on Rural Women’s Land Rights Charter through ensuring regular meetings among all actors to monitor and review progress, map strategic actions and develop annual, semi-annual plans as may be necessary
 - Leverage impact by coordinating high level impact actions whose leadership could be by individual members of the Initiative



- Sustaining high level political commitment and accountability to land reform agenda in favour of women
 - Develop and share best practices including common tools for advancing women’s land rights agenda
 - Better coordinate on county level implementation by the Initiative and assign county level leadership based on institutional strengths.
- Strengthening women led accountability processes and mainstreaming SDGs (women sustaining the leadership)
- In remaining accountable while promoting leadership of women land agenda, the actors have developed the first draft of women friendly tools that are issue specific and easy to use. The 6 tools pack is meant to support women living in rural areas generate evidence to support issues based dialogue in advancement of their rights. The tools have further embedded tracking of SDGs on land, and in effect supporting women led tracking of progress in implementation on indicators relevant to women and land. The 6 tools are:
- Tool 1: Women participation in land and natural resources governance processes
 - Tool 2: Responsive Justice Systems for women
 - Tool 3: Audit of quality, accessibility and relevance of services by rural women to secure land tenure systems
 - Tool 4: Free prior Informed Consent (FPIC) in land acquisitions
 - Tool 5: Violence against women pursuing land rights
 - Tool 6: Public financing (land, Natural Resource Management, Agriculture)

Women are leading actions to claim their land rights and with results

We are highlighting a few cases of women efforts in pursuing their right to land and natural resources. Nevertheless, these are not the only case of progress women are making. Women movements in different counties are recording varying levels of success depending on their level of organizing, political goodwill and leadership at county level. A few cases of successes worth mentioning include:

- In Kiambu County women have recorded great success in demonstrating public land can be protected from grabs because of efforts of mapping work led by women.
- In Meru and Tharaka Nithi, women have formed an active agency that champions for Women’s land rights.
- In Taita Taveta and Kajiado women have been in the forefront in assessing their level of inclusion in group ranches as members and in their leadership.
- Women in Mombasa are in the forefront of ensuring there is inclu-

sive allocation of land in settlement schemes.

- In Kajiado women are pushing for redress of injustice in land allocation in group ranches. So far 3 women who were excluded in land allocation by group ranch have had their fair share of land.
 - Women in Siaya and Kilifi have continued to sustain their struggles with speculative allocation of land to investors and encroachments on community land
- Across all the 24 counties women have in solidarity joined cases of vulnerable women facing the risk of land dispossession and other injustices and there are numerous wins worth celebrating
- These are not in any way mean achievements given investment that is required to secure their land rights in a context constrained by patriarchy and limited access to land and related services.

What are some of the inhibitions

- Despite the progressive milestones on this agenda it is useful to register some few constraining challenges to be dealt with, notably:
 - Low investments for sufficient mobilization and strengthening of women movement and other relevant platforms for actualizing land rights
 - Entrenched patriarchal believes - rural areas, land administration and in justice systems; and
 - Slow phase of enacting regulations to operationalize community land Act 2016. It is useful to note community land registration will play a major role in addressing the gender gap in land access and control by women

Way Forward

Our plan builds on strengthening delivery of decentralized land agenda in favour of women. The framework has prioritized setting and strengthening county based platforms and so is strengthening women movements to advance their right to land and natural resources agenda. In partnership with County Governments, this will be a strategic step in advancing land and natural resources rights for women living in rural areas. The need to broaden the conversation beyond land to encompass natural resources is part of the plan too.

Membership of the Kilimanjaro Initiative on Women’s Land Rights - Kenya Chapter:

The Ministry of Lands and Physical Planning | The National Land Commission | Rural women networks on land | GROOTS | Daughters of Mumbi Global Resource Centre | Activista | Kenya Human Rights Commission; ActionAid International Kenya | Reconcile | Kenya Land Alliance | Food and Agriculture Organization of the United Nations

Kenya Land Alliance Transforming lives

It all began when Kenya Land Alliance trained women in Meru and Tharaka Nithi on the need for elimination of gender discrimination to land and other natural resources. This was in respect to advocating for effective implementation of constitutional provisions for secure women land rights. Fridah Murugi was one of the beneficiaries from the training.

It is here that Fridah, now 32 years old and a mother of three children was empowered through civic education: “That is when I woke up to the realization that being married does not make me less of a family member. I too had rights that were being violated such as the right to equal inheritance as my brothers,” says Fridah.

A married woman, Fridah comes from

Ndakani village, Tharaka Nithi County. She could not fathom the idea of inheriting land from her father. After a series of trainings, she was eager to visit her family and request a share of her father’s land.

“Reality is now sinking that the cultural tradition of locking out daughters from inheriting their parents’ property is outlawed.” Said Fridah

The question as to whether a daughter can inherit land or not often elicits mixed reactions from almost every Kenyan family.

There is a widely held belief that stems from customary law and tradition that daughters are not entitled to inherit their parents’ land and property, and only a few of them would have the audacity to question on their right of inheritance. Globally, gender

discrimination often takes on the form of unequal inheritance of land and property rights, leaving women unable to inherit property and without an avenue to access economic opportunities. In the Kenyan case, where the law is very supportive of women land rights the patriarchal mentality remains a big obstacle. It has been unclear if the government has done any good since the implementation has been extremely slow

To Fridah’s surprise, she faced no resistance from her family. The father had all along planned to have his two daughters get a share of his land just as much as his two sons. Fridah is now a proud owner of a piece of land inherited from her father. She displays her title deed with pride and confidence.



Fridah Murugi displaying a title deed in her name

Zero Hunger in Kenya: Land Rights and Public Investments for Rural Women as the right ingredients

Mary represents many other Kenyan women who are struggling against constraining odds to transform their food and livelihood situation. Mary Vigilance Saleka is no stranger to land advocacy as she is a member of the local Lands Control Board and had also been being defending the rights of women in a community that faces myriad human rights violations notably, human wildlife conflict and land grabs by conservancy, private ranch and extractive corporates. She has served as the Chair of Sauti Ya Wanawake Kishushe, a local women’s group that partners with ActionAid Kenya to advocate for rights in the community and she used this platform to further push for land rights in Kishushe.

But Mary knows securing land rights is not the end, it is the means to the end. With support from ActionAid Kenya Mary has initiated ground breaking work that demonstrates against all odds, secure land rights and well financed Climate Resilient Sustainable Agriculture can mainstream those further left behind, in this case women, emancipating them from the yoke of poverty.

Setting an example to the rest of the community in Kishushe, Mary dug water pond to conserve runway water that she uses for micro- irrigation in her farm. She now earns her livelihood from agro-ecology farming and has invested a lot in her farm throw surface runoff water harvesting system that embeds construction of gabions, stabilization pits, filtration system and well-lined 17 feet deep underground ponds. This has not been a mean investment, but using her labor and little resources she has been able to put this system in place despite uncertain land tenure rights in the community.

Mary uses water efficient technologies customized to the local area such as green houses, shed nets and Zai-pits to grows crops through the year. She has also diversified her livelihood by rearing dairy goats and cattle, featuring her goats in a number of Agricultural Shows Exhibitions. Her crop production business is at exploratory phase having already made Ksh.400,000 as profit from one season of sale of tomatoes from her 1/8 plot of farm. Ksh.80,000 is the least amount profit made by other women members who are involved in similar project in the area.

Mary is working with other 45 trained women to initiative and upscale agro-



Mary seleka tending to her crops in Taita Taveta

ecology farming in a semi- arid area of Kishushe in Taita Taveta county, a zone that people never believed that it can produce crops. The demonstrated level of success in transforming food, incomes and livelihoods of communities in this area is an attestation that zero hunger is possible if priority investments in agriculture in rural areas by women is directed toward training, rain water harvesting at household level, appropriate technologies and support in inputs that women so desire. With investment of public resources Kishushe and so is the great Taita Taveta County has potential to feed the coast region. This is the missing ingredient for achieving zero hunger and yes it can be achieved earlier than 2030 with right mix of policy priorities, innovative programming and political good will.

But public financing for agriculture is not the only challenge women face. Mary Seleka is among the many women who continue to experience insecure land tenure in Taita Taveta because of ever expanding wildlife conservancies threatening their access to land in their group ranches and community land. Land in the zone in which Mary resides is categorized as suitable for wildlife conservation rather than food production. A number of wildlife conservation organizations are currently rushing to acquire community land and with resultant displacement

of communities. This is a case on how success in agriculture can be realized in such context challenges this narrative!

As a member of Sauti Ya Wanawake Kishushe, and due to Mary’s Vigilance she was among the women who took part in the Women to Kilimanjaro campaign, where she climbed Mt. Kilimanjaro in Tanzania, a climb that symbolized women’s struggle in achieving their land rights. But this was just her start to pursuing women land right!

Through her leadership in women land rights campaign the County Government of Taita has allocated funds and appointed a committee to review the lease agreements and investigate claims of grabbed lands in order to address the injustices.

She has also advanced for women inclusion in the male dominated 14 ranch committee. In 2017, four (4) women were admitted into the board of group ranches which is a milestone for the women in Kishushe. Through her leadership, Mary has petitioned Kenya wildlife service to fence off the park to reduce conflict with wildlife and there is progressive efforts towards this request, but more is urgently required. Mary has also lobbied for suspension of expansion of conservancies into community land. A chief who colluded with an investor to lease community land was arrested and interdicted as a result of women led land rights campaign.

Rosemary –Testimony

Rosemary aged 58 is a widow and a mother of 3 from Mukima village in Laikipia North Sub County. Having lost her husband 19 years ago, Rosemary, was faced with an unexpected and difficult situation. She was evicted from her matrimonial home and stripped off her assets by her in-laws. With nowhere to go, she sorts refuge in Likii slums, Nanyuki town for 7 years just like many women who resort to life in the slums after being evicted from their matrimonial homes. In the year 2010 while out and about hustling in the slum Rosemary met Agnes, a member of a Community Land & Property Watchdog Group in Likii village. **Community Land and Property Watchdogs** are groups of volunteering local community champions trained as paralegals, who map incidents of land rights violations against widows and orphans in their localities and initiate a community –led process to resolve the disputes. The model & groups were initiated in 2004 by GROOTS Kenya. They work with local authorities to resolve the matter through mediation (for cases where mediation is legally allowed) and through pushing the cases to court (where mediation is not applicable). The watchdog members at times work with chiefs in mediating disputes that relate to land boundaries and disinheritance, especially in cases against women. The watchdog groups demonstrate how a community can organize itself to try to prevent social violations in their local areas and watch over the vulnerable.

Rosemary shared her experience with the watchdog group members who agreed to take on her case and initiated dialogue with the Assistant Chief of Mukima sub-location. At first, the chief was very hostile to the watchdog members but their persistence and thirst for justice paid off as the Assistant Chief eventually agreed to give them an audience. The watchdog group members with support from the chief reached out to the Rosemary in laws for mediation. After the death of husband her



in-laws had processed the land title deed and registered it in the name of her husband’s brother. Furthermore the brother-in-law had committed this land as collateral to a loan. At the beginning of the mediation process, the in-laws were quite hostile and unreceptive but through sustained negotiations that were backed by the legal knowledge hosted by trained paralegals/watchdog members, the family gave in and agreed to give Rosemary back her land. The in-laws gave their debtors alternative land for collateral and agreed to transfer the land to Rosemary’s name. The watchdog members did not stop at this achievement though; they immediately started the succession process to safeguard Rosemary’s land. The watchdog members went even one step further and contributed the title deed registration fees that Rosemary was finally able to secure her land, with the title deed in her name. Now, Rosemary is a resilient farmer and has been elected into numerous leadership positions in her ward.