

4H - Women's rights to land & food in the face of large-scale investments

Theme: Access to land and land rights
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Report

Securing access to land and food often becomes difficult for women when they are faced with large-scale mining investments. This workshop aimed to show especially how women are affected and to discuss with the audience what possibilities there are to improve women's land tenure and food security.

In the Mui Basin of Kitui (Kenya), at least 100,000 people will be forced to leave their ancestral land after investments of a mining company. In 2010, the Kenyan government awarded a mining concession to the Chinese company Jung'u and its subsidiary Fenxi Mining Industry Ltd to mine coal in the Mui Basin. Initially, the community welcomed the prospect of investment in their county, hoping it would bring employment and infrastructure. However, it soon became clear what the impacts of the coal mining would be on the land use and livelihoods of local inhabitants. Subsistence farming (maize, beans, sorghum, cassava) and livestock keeping are people's main economic activities. Due to the arid environment, large tracts of land are essential to support these livelihood systems. The large-scale investment leads to land use changes which compromise local people's right to land and food.

Especially women are more likely to be affected because traditionally they have less control over land than men. Women enjoy user rights to the land in terms of cultivation, grazing, fetching firewood and water, but they are barred from effective participation in decision-making over developments regarding the land that belongs to their households and community. In the framework of the Human Rights project of Both ENDS and Action Aid, civil society organizations support women in the Mui Basin to secure their land user rights to avoid forced evictions. Community representatives have for instance sued the government and in particular the Ministry of Energy, the Attorney General and the mining company based on human rights standards and legislation related to the right to land and food.

Why are women more vulnerable to impacts of mining investments on their right to land and food? Much of this has to do with the vicious cycle of gender discrimination (Olivier de Schutter, 2013). Women's difficulties to access economic activity contributes to their weak bargaining position in the household, which has to do with their disproportionate burden from the care economy through which women have less time available to seek opportunities for education and outside employment, leading to lower levels of education which brings us again to their difficulties to access economic activities. It is therefore harder for women to break through this vicious cycle and to obtain a secure access to land and food. Principles such as Free, Prior and Informed Consent (FPIC), the human right to food and the Voluntary Guidelines on the Responsible Governance of Tenure provide a framework for women to claim their access to land and food.

During the discussion it was argued that women's access to land and food is very much related to the creation of a dialogue between men and women. Difficulties of women's access to land and food is interrelated with their access to water and livelihood. Although women can experience many difficulties when securing access to land and food, we should not forget to see women as strong individuals who can also reach a lot during negotiations. NGOs can support these processes by facilitating women in obtaining information about their rights and procedures to claim their rights. NGOs can also facilitate participatory processes of land use planning ensuring the involvement of women. Local experiences and processes can

be translated to policy-makers through local educated women. Next to that, governments have the duty to inform individual local women. Also, implementation of policies directed at women's land tenure security is crucial. National governments are responsible for a sound land administration, including gender-sensitive land titling. Additionally, the private sector can play a large role in providing access to credit for women. Lastly the role of certification in private sector activities was discussed and it was concluded there was a need to develop and adhere to a 'gender-sensitive label'.

Outcomes

1. Invest more in women's movements and empowerment of local women. Also give more attention to gender roles and behavioral change of men.
2. Implement a 'gender-sensitive' certificate made by women.
3. Women claim their right to food and land.

More information

- Report, "'Act on It": 4 Key Steps to Prevent Land Grabs', http://www.actionaid.org/sites/files/actionaid/act_on_it_-_four_key_steps_to_stop_land_grabs.pdf
- Report, 'Coal mining disrupts people's livelihoods in Mui Basin, Kenya', <http://www.bothends.org/nl/Publicaties/BE-project-sheets/document/155/Coal-mining-disrupts-people-s-livelihoods-in-Mui-Basin,-Kenya>
- Report, 'Gender Equality and Food Security: Women's Empowerment as a Tool against Hunger', http://www.srfood.org/images/stories/pdf/otherdocuments/20130724_genderfoodsec_en.pdf
- Report, 'Voluntary Guidelines to support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security', <http://www.fao.org/3/a-y7937e.pdf>
- Report, 'The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security', <http://www.fao.org/docrep/016/i2801e/i2801e.pdf>
- Report, 'Global coalition: The Rights and Resources Initiative – Gender Justice', <http://www.rightsandresources.org/en/how-we-create-change/by-issue/gender-justice/>
- Report, 'Participatory Land Use Planning', <http://www.bothends.org/nl/Publicaties/document/59/Participatory-Land-Use-Planning>
- Report, 'Upholding Human Rights, bridging the gender-environment divide', <http://www.bothends.org/nl/Themas/Projecten/project/51/Milieu,-mensenrechten-en-gender>