

CASE STUDY

Rwanda



Supporting women to achieve land rights in post-war Rwanda

Following the civil war, the status of many women in Rwanda was hindered as a result of poverty and the loss of men in households. Women's ability to secure land was one of the ways in which women suffered drastic economic and social losses following the war. The Rwanda Women's Network (RWN) is a national non-governmental organisation working to improve the condition of women throughout the country. It works to combat women's lack of access to land, and the economic and political exclusion it causes, a residue of traditional practices in Rwanda, as well as an effect of the 1994 genocide. Through the creation of safe spaces for women, documentation of their issues, the provision of legal aid for women, and sensitisation of communities on women's rights to own land, RWN ventured to change perceptions on such social issues as women's land rights, HIV/AIDS infection, the status of single women, and women's ability to work and be breadwinners for the family.

PRINCIPAL ORGANISATIONS INVOLVED

Rwanda Women Community Development Network (Rwanda Women's Network - RWN)

LOCATION

Rwanda nation-wide

TIMELINE

1997 - present

TARGET AUDIENCE

Communities, traditional authorities, traditional community mediators, civil society, government

KEYWORDS

Economic exclusion, gender justice, legal reforms, gender based violence

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GOOD PRACTICES

towards making land governance more people-centred

This case study is part of the ILC's Database of Good Practices, an initiative that documents and systematises ILC members and partners' experience in promoting people-centred land governance, as defined in the Antigua Declaration of the ILC Assembly of Members.

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This case study supports people-centred land governance as it contributes to:

- Commitment 1** Respect, protect and strengthen the land rights of women and men living in poverty
- Commitment 4** Ensure gender justice in relation to land
- Commitment 7** Ensure that processes of decision-making over land are inclusive

Case description

Background issues

Women in Rwanda face systemic discrimination on a social and economic sphere, reflected especially in land ownership. Due to traditional practices in land ownership and inheritance, which prohibit women from having the same rights as men, many women are economically marginalised and unable to sustain their livelihoods. Land laws that discriminate against women coupled with a high demand on land, create an environment where women's land rights are greatly held back.

The Rwandan government passed laws such as the Land Law of 2013, Succession Law of 1999, and the Gender Based Violence Law of 2008, granting equal rights to women in land and property inheritance, in an attempt to counter the traditional practices that have historically favoured men. However, even if the laws are now in place, it is difficult for people to change their practices. Low literacy rates for women, together with high poverty levels contribute to impeding women's capacity to assert their rights in inheriting, accessing and controlling their land. High population growth, high density, and dependency on subsistence agriculture exacerbate this situation.

Rwanda has a population of 11 million, 80% of whom depend on agriculture for their subsistence. The country has a population density of more than 416 inhabitants per square km (Republic of Rwanda 2013). The country's total surface area of 28,338 square km is to be shared by 11 million people. Women constitute more than 53% of the total adult population, and 50% of these women are widows as a result of the war. One of the many legacies of the 1994 genocide against Tutsis and the Rwandan civil war is that currently women constitute 34% of household heads. In addition, they also make up over 50% of the total population infected with HIV (Republic of Rwanda 2013). It is clear to see why land is such an important asset in this context, and why protecting the land rights of women can ensure the survival of women and families, and contribute to the development of the country as a whole.

In the district of Bugesera, 69% of households have been exposed to the Land Tenure Regularisation Programme. This is an area with a high level of cultivated land and a high number of households (71%) cultivating under 0.9% ha of land. 78.4% of households in Bugesera raise some type of livestock (Rwanda National Institute for Statistics 2011). In the district there are two memorial sites for the genocide, the Ntarama Genocide Memorial Site and the Nyamata Genocide Memorial Site, which are visited by many people. There were plans of building an international airport in this area, and as a result of all these factors, many land buyers were attracted to it. With such a level of pressure on land, women and other vulnerable groups found their land rights highly threatened.

Solution

The Rwanda Women's Network (RWN) is a non-governmental organisation operating nationwide in Rwanda to improve the condition of women's rights through the reinforcement of their land rights. Set up in 1997, RWN has since been working to combat discrimination against women in land ownership, prevalent due to traditional land inheritance mechanisms, and to change the social and economic status of women resulting from their lack of land ownership.

With its main offices in Kigali, RWN set 17 centres for women/women spaces (Polyclinics of Hope) in the districts of Gatsibo, Kayanza, Rwamagana, Gasabo, Burera, Musanze, Rubavu, Nyabihu, Nyarugenge and Bugesera, with one of the aims being promoting women's rights to land, housing and inheritance. This was a programme that started targeting specifically the victims of rape and other forms of violence perpetuated during the genocide, as well as the vulnerable women who became homeless following the war. It continued to engage victims of gender based violence (GBV), vulnerable women in general and their families. Its intention was to support them in reclaiming their land rights as a means for them to strengthen their livelihoods. RWN recognised that there is a direct link between violence suffered during the war, and the ensuing vulnerability of women resulting from their lack of access to land and resources. For this reason, they devised programmes aimed at targeting these issues specifically.

RWN addressed the issue of women's social and economic exclusion resulting from land dispossession through the following:

Creation of Women's Centres/Safe Spaces

These are spaces where women can come together and discuss issues including those related to land. RWN targets women who are survivors of the genocide, widows, as well as women living in poverty and with HIV/AIDS. Seventeen of these centres are now running across Rwanda providing advice, healthcare services, shelter, and the opportunity for women to organise around issues important to them.

Mapping and Documentation

In an attempt to secure women's land and inheritance rights, RWN conducts research and documents the findings to be shared with women, communities, civil society, and local authorities. Research also informs RWN programs and advocacy work.

Mapping activities include community focus group discussions to enable women to share issues related to land, inheritance, housing, HIV/AIDS, gender equality and the mapping out of strategies.

Local to Local Dialogue

Women engage in dialogue with local leaders. They have the chance to voice their concerns and influence policy in relation to issues regarding land, inheritance, housing and gender equality.

Community Paralegal Programme

Paralegals are trained to provide legal aid to women requiring assistance with issues related to land access and ownership, as well as to other human rights violations. They accompany individuals to the respective authorities and assist them in claiming their rights.

Public Awareness Raising

RWN raises awareness on the issues facing women with regards to their access and ownership of land, and conducts capacity building for women and communities with the intent of acquiring knowledge and skills in protecting women's rights to land, property and inheritance.

Linking Women's Land Rights with GBV and HIV/AIDS

This innovative approach results from an understanding that women, who lose access to their land rights, are more susceptible to poverty and as a consequence HIV/AIDS infection. Supporting women to secure their land rights reduces their vulnerability to poverty and HIV/AIDS.

Learning Exchange

Women are facilitated to share experiences, knowledge and best practices. Peer exchanges can be at local, national or international levels. This is aimed at reinforcing women's knowledge, capacities and means used in solving issues that emerge as a result of lack of respect for women's land rights, ignorance and lack of confidence.

Will Writing

RWN raises awareness among communities about the importance of writing wills, so that after the passing of the owners, land can be inherited by the rightful successor and not be taken over by relatives. RWN also assists the community in writing wills.

Activities

Centres/Safe Spaces for Women

In 1997, RWN established the first centre for women aiming to be a space in which women could organise, share and mobilise around their common issues. This was the Polyclinic of Hope in Kigali, Nyarungene district. The centre provided an array of services for women, supporting women who were raped during the 1994 Tutsi genocide and insurgencies, and targeting issues related to poverty and GBV. Within this framework, the centre also tackled women's access to and ownership of land, as a basic determinant of vulnerability and poverty for women.

In the year 2000, RWN's activities expanded as it opened a second centre in Gasabo district, known as the Village of Hope. Shelters for over 120 women and their families were set up. Today, the Village of Hope programme reaches approximately 11,000 people who are provided with healthcare, psychosocial support after a trauma, HIV/AIDS

"My in-laws thought that a woman cannot do anything, but my story shows otherwise. Now I know women can fight for their empowerment and see their rights recognised. And when I will no longer be able to do so, my children will carry on the fight"

Vivine, victim of the Rwandan genocide, actively engaged in (and supported by) RWN

counselling, sensitisation to GBV, reproductive health support, property and inheritance rights, and women and children's rights more generally.

The Polyclinic of Hope in Bugesera was set up in 2006 and currently provides services to 1,200 people across Nyamata, Butama, Misenyi, Ruhuha, Gashora, Mayange, Rilima, Juru, Kamabuye and Rweru. While the centre was originally set up to rehabilitate women who had survived sexual and gender based violence during the civil war, its scope expanded to include women afflicted by poverty and lack of access to land. The Polyclinic of Bugesera was essentially created for two reasons:

- Bugesera is one of the districts most impacted by the civil war and therefore with the highest number of widows and orphans left landless after the loss of husbands and fathers
- Due to the government's plans to build an international airport in the area, the demand for land in the area rose and some people, mainly women, were threatened with being displaced off the land.

Other 14 spaces have since started in the Districts of Kayanza, Rwamagana, Burera, Musanze, Rubavu and Nyabihu and these focus on GBV prevention and organizing women for a collective voice on GBV issues including land rights. The key objective of these spaces is to provide an area where women can:

- Analyse, unpack and understand power, gender and violence in their own lives
- Build solidarity, network, organize and engage with each other to find sustainable solutions to issues of GBV in their communities
- Receive and give advice and relevant information on GBV
- Safely access information and referral to GBV response services including psychosocial, legal and health services
- Take advocacy actions to address power and gender inequalities as well as GBV issues on behalf of women and their communities in general.

Lobbying and Advocacy

Through concerted lobbying and advocacy efforts in collaboration with other key stakeholders, RWN was able to bring women's land issues to national attention. They targeted the enactment of the Law for Matrimonial Regime Liberalities and Successions (more commonly known as the Succession Law). This law governs the inheritance of land from deceased spouses, parents and relatives - in other words determining the economic welfare of many women. In addition, through lobbying and advocacy, RWN contributed majorly to the enactment of the Land Laws of 2005 and 2013 and the reformed Family Law n°32/2016. RWN also conducted training and capacity building for women and wider communities to enable them to understand new laws and policies being passed.

Community Paralegal Programme

A community paralegal service was set up by RWN to assist women in dealing with different issues, especially their rights to land and inheritance. Paralegals are selected by the community and work closely with the Abunzi (community mediators). Paralegals give legal advice to women, referring them to the Abunzi in some cases, and leading them to

appeal their cases in higher courts where necessary. As a result of this initiative, women in targeted communities are now informed about their land rights and better equipped to claim them. Many women are able to mortgage their land and receive loans to reinvest in small activities. In addition, children who lost their parents in the genocide are able to claim their land and to use it for the improvement of their livelihoods.

The Community Paralegal Programme is strengthened by different initiatives. For example, the paralegals established a tontine system, whereby a small sum of money is given to individuals when they meet to encourage their collective activities. In Bugesera paralegals formed a cooperative called Twubakane, which makes blocks. In 2007 the group achieved the status of cooperative. RWN supported the cooperative in its block production by getting a machine to produce cement blocks to members, when they decided to switch from clay blocks to cement. Producing clay blocks entailed drying and therefore an investment in firewood. With the capital raised through the cooperative, today women can borrow money to buy land or set up small businesses. RWN has connected these women with other women's groups, which sustain them through collaboration and in their expansion.

Importance of the case for people-centred land governance

This case is important for people centred land governance as it demonstrates that women's land rights can be achieved by formulating focused programmes dedicated specifically towards their realisation. Concerted efforts aimed at bringing women together, such as the creation of a platform for them to share their problems and voice them to a group of women facing similar challenges, can create a sense of solidarity and community among women, which is invaluable in supporting them to break free of the stigmas and social obstacles they face. Secondly, the case demonstrates that the provision of services such as shelter and health care for women with HIV/AIDS goes a long way in supporting them to rebuild their lives, and gain capacity to claim their land rights. Finally, the Paralegal Programme initiated by RWN allows women to understand their land rights and gain the skills necessary to assert them.

Changes

Baseline

During the 1994 Tutsi genocide in Rwanda, many women were victims of rape and other forms of violence. There were also high numbers of women who were vulnerable to homelessness after the war. RWN devised programmes to specifically target these issues and involve women as full participants in changing in their own lives.

In Bugesera, the Twubakane cooperative set up by paralegals for block-making employs women from the community. Originally set up as an association with 30 women living with HIV/AIDS, today it has 59 members.

"If the world truly believes in the empowerment of women, the only way to achieve this is to invest in women's spaces, because these spaces are venues of safety, healing, and promoting gender equality" **Mary Balikungeri, founder of RWN**

The Village of Hope set up in Gasabo in 2000, provided shelter and support to 120 women when it was created. Today, it reaches 16,000 people who are provided with healthcare support, counselling and sensitisation on GBV, reproductive health and land and inheritance rights. The Polyclinic of Hope in Bugesera, which was started out in 2006, currently reaches 1,200 people coming from the surrounding areas. It provides services and support on a number of issues including land dispossession resulting from the increased pressures on land in the area.

The Polyclinic of Hope concept of women's safe space has also been replicated in 7 Districts as mentioned above and each space targets 300 women with 21,000 community members reached in total.

Achievements

RWN has been successful in achieving enhanced women's land rights through its various programmes geared at supporting different aspects of women's rights. Its holistic approach has enabled women to access health services, socio-economic services and shelters. The health support service provided by RWN to women with HIV/AIDS was a step forward in the enhancement of women's land rights, as it provided advice on methods for securing land specifically to women with HIV/AIDS. This is especially useful in a context where women would be denied their land, when regarded as 'ill'. Making the link between HIV/AIDS and reduced capacity to secure land was an important step, which raised awareness on this public attitude, and also enabled RWN to more adequately support women with HIV/AIDS in claiming their land rights. As a result of this programme, many women are now able to secure their land rights as a result of improved health.

Through the participatory approach introduced through Local to Local Dialogue, women were able to have an open dialogue with local leaders. This was a major step in enabling them to share their concerns about land and other issues with local leaders in a way that they had not been able to do before.

Thanks to the Paralegal Programme a sense of solidarity emerged among women and it was possible to reach segments of the community that were previously marginalised, namely vulnerable women and orphans. The awareness raising campaign that was conducted reached a large number of people within the community and informed them on the existing legal framework.

Participatory research enabled RWN to garner evidence that it could use for its campaigning and advocacy. RWN was able to document the issues linked with women's land rights and formulate appropriate strategies to address these issues.

The overall sustainability of RWN's activities was strengthened through their use of existing structures. They engaged the Abunzi and the local leaders in the implementation of activities that gained legitimacy within the community.

Finally, the most important achievement was the creation of spaces for women. Having a physical space where they could come together and share their concerns, participate in workshops and learn was extremely important not only for the women themselves but also for RWN to gain a better understanding of women's issues.

Evidence

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Lessons learned

Lessons for civil society

While the Land and Succession Laws guarantee gender equality in relation to land and property ownership, land tenure in Rwanda still remains a gender sensitive issue in practice. Documenting the issues women face in this regard, creating a space for them to share experiences, providing legal aid, and raising awareness among communities about women's land rights, are useful methods to further the efforts of civil society in achieving enhanced women's land rights.

More work needs to be done to achieve transparency on laws such as the Gender Based Violence Law, where there are areas that lack clarity regarding the protection of women in consensual marriages. More awareness should be raised on this issue, and women encouraged to register their marriages in order to be protected by the law.

Customary practices regarding land and property that give more rights to men are still prevalent even in the presence of laws guaranteeing equality for men and women, because there continues to be little awareness about these laws. Civil society should mobilise communities to abide by these laws as well as change attitudes towards women's land rights.

There is a direct link between violence suffered by women, their condition of vulnerability and their lack of access to land and resources. Acknowledging that such a connection exists is crucial to design and implement effective strategies on these issues.

Lessons for policy makers

Authorities at all levels - local authorities all the way through to national government - should be involved in programmes promoting the acquisition of social and economic

rights for women and the realisation of their land rights as this ensures that these programmes can be implemented in a long-lasting and sustainable way.

The realisation of secure land rights for women is a way for them to have more leverage in their family life. When women have secure access and ownership of their land, they can generate profits through their labour and recapitalise them in diversified activities such as setting up small businesses. This process, over time, garners them further income and improves their overall livelihood. On a large scale it benefits the economy as a whole.

Challenges

Despite the presence of laws aiming to ensure gender equality in Rwanda, substantial challenges remain for women in acquiring, asserting and claiming their land rights. Low levels of education among women pose a great threat to their ability to effectively claim their land rights and follow up on their cases.

Financial constraints are a great challenge for vulnerable women with economic difficulties in the access to services as basic as transportation. Initially RWN provided assistance on this. However, financial issues make RWN unable to pay for sufficient staff and lawyers for all its activities.

Strongly held social norms and practices remain a big hindrance to women asserting their land rights. Men retain the final word on land issues as they are seen as the heads of the household though this has also changed in the recent reform of the family law . This means that unless a woman has the support of her husband, she might not be able to attain or benefit from the joint titling to land or property. Concerns of community disapproval also play a big role in women's decisions to pursue their land rights, as they fear social marginalisation.

Follow-up

RWN intends to continue working to overcome the challenges it has faced so far. Mobilising funds for the land programme and recruiting more staff to provide legal aid for women are the main priorities. Lobbying and advocacy will also be areas of focus for RWN with the aim of influencing national policy on women's land rights and increasing women's participation politically.

Supporting material

References and further reading

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