

# Factors Contributing to Gender Inequality in Land Access and Land Tenure Security in Sub-Saharan Africa: A Literature Review

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## SUMMARY

Equitable access, use and control over land and productive resources is essential for the sustainable management of natural resources and for socio-economic development as land represents one of the pillars for household livelihoods and for supporting poverty reduction (Odeny, 2013; World Bank Group, 2015). Land is also considered as a crucial social asset for cultural identity, political power and participation in decision-making (SIDA, 2011). However, in many parts of the world, land tenure insecurity is increasingly rising, especially for women, due to the population growth (FAO, 2012), war conflicts, climate change, poor land management policies, investments in large-scale projects, and the growing need for food and fuel (Balas et al., 2021; Macuane et al., 2018; Mosca & Selemene, 2012).

This paper presents a literature review of different aspects of gender inequality over land access and land tenure security, focusing on the factors contributing to it, the impact of those factors to sustainable development, and how these prevent or support the full participation of women in the decision-making processes and determine different access to opportunities. Peer-reviewed scientific papers have been retrieved through several online databases using different combinations of search terms and standardised techniques. The search has been enlarged to contemplate non-governmental organisations (NGOs) and inter-governmental organisations (IGOs) published literature on the subject.

Preliminary findings indicate that there are several obstacles that prevent women from effectively enjoying equal land rights and equal access to land (UN, 2013), some based on specific contexts, others being general, including discrimination within the legal framework, inadequacy or weak enforcement of the law, unequal access to land administration institutions and processes, traditional norms and local power relations that culminate in deep-rooted acceptance of discriminatory social practices against women (Forum Mulher, 2018; OECD, 2014, 2019). This last aspect is of crucial

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importance as in many developing countries customary practices become the formal or prevalent system (Ravnborg et al., 2016), placing women in a secondary position with no power to participate in decision-making about land and property (Barbosa & Lerrer, 2016; Deere & León, 2003; Hartlief et al., 2018), aggravating women's poverty and social exclusion (FAO, 2011).

It became apparent that gender inequality over land represents not only human and social rights issues, but also barriers to development and inefficiencies in the economy (Nilsson, 2016), preventing the eradication of hunger and poverty, and impeding women's economic empowerment (ActionAid International, 2008; FAO, 2012, p. iv; Negrão, 2002). The OECD estimates that, at the current pace of progress, it will take 200 years, or 9 generations, to achieve equal rights over land and natural resources and women's full participation in decision-making processes (OECD, 2019). This is a serious constraint to the achievement of sustainable development (Daley & Englert, 2010; Daniel Ayalew et al., 2011; Odeny, 2013; Singirankabo & Ertsen, 2020; Yngstrom, 2002).

The need to drastically change the situation boosted the development of international standards, instruments and agreements, including the 2030 agenda for sustainable development with its SDG number 5 (UN General Assembly, 2015), and the Voluntary Guidelines for the Responsible Governance of Land, Fisheries and Forestry Resources (VGGT), in the context of National Food Security (FAO, 2012, p. iv). These instruments support countries in their reforms towards a people-centered land governance, in which "land rights are an obligation and are at the heart of all SDGs: without land rights, there is no sustainable development!" (ILC, 2018, p. 12). However, it is not sufficient to pursue gender equality in the land regulatory legal and framework; there is a need to ensure provisions for non-discrimination in family law and customary law (Ravnborg et al., 2016) and to ensure that these instruments are implemented at all levels of land administration - with recognition by and attention from surveyors involved in land administration

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