



## **Conference on Strengthening Land Tenure and Land Ownership Rights for Women in Malawi, Zimbabwe and Namibia**

### **What are our Key Lessons?**

#### **Experiences and project ideas emerging from country presentations and expert panel**

##### **1. What is needed in Malawi, Namibia and Zimbabwe and what can be done by donor organisations and local partners? Are we on the right track?**

- Yes, we are on the right track but the project needs to go even one step further and needs to tackle deep-rooted issues and include all layers of society and politics in order to achieve a sustainable impact
- **Policy and political decision makers need to be addressed even more progressively**
- The question arose: Are we making a change for the women of today or of tomorrow? There have not been deliberate efforts to address the youth to make a change for the women of tomorrow. Therefore, **youth** needs to be included in order to bring about a change of the mindset of the next generation. Youth are problematic actors in the community and are involved in land grabbing. Hence, they should be addressed as additional target group to reach out to with awareness campaigns, community outreaches or sensitization trainings. This could also be achieved by including the youth in the activities implemented for other target groups, hence making the activities more inclusive for all genders and generations.
- Also from the Namibian point of view, the project there is on the right track, but at the moment, some options for future improvements are identified, e.g. **new methods to be used for sensitization and awareness raising like films** instead of power point presentations and producing TV shows
- **Better coordination and communication between the KAS partners** in the three project countries might be helpful e.g. by updating each other and sharing news as well as training material/manuals via **WhatsApp** groups, distributing a quarterly **newsletter** on the project countries
- Capacity building and **sensitization training of media and journalists** on land rights for women could be beneficial in order to guarantee their support as multipliers
- **Better coordination among all actors involved in land rights respectively in each of the project countries and regions**, e.g. by putting in place **cluster meetings** with the various donors, NGOs and local actors active in land rights and gender equality

**2. Who should be our main target groups? How does the relation between the various groups affect the implementation of the land law?**

- **Traditional authorities** play a crucial role and are the gatekeepers within the communities. Those are the ones who we need to foremost address in order to induce a sustainable change and ensure the sustainable implementation of women's land rights

**3. How can a dialogue on the political levels be stimulated, encouraged and maintained? Which specific political levels, individual politicians or committees should be addressed by our project in Malawi and Zimbabwe?**

- Especially in Zimbabwe, the various and **different layers of politicians** need to be addressed, **influential personalities and multipliers within the communities** (e.g. councilors, local politicians etc.) need to be targeted as well as politicians and institutions on a national level (e.g. **Ministries, Land Commission, MPs,...**). It could be a strategy to co-opt members of Parliament: **lobbying MPs at provincial level to forward this to national level.**
- In Zimbabwe, there is even a **Council of Chiefs**, headed by President of Chiefs, this institution could be included as well. In Zimbabwe, there are **village development committees**, which are attended by the chiefs → structures are in place where all the relevant local politicians are.
- Although in Malawi there is no council of chiefs, the various **cultural groups and their leadership** could be addressed. Another important political element could be the **Women Parliamentary Caucus** that can be specifically targeted by lobbying and advocacy activities in Malawi.
- The issue of land deflects itself in many other discussions: It is one aspect that is pushing trade and FDIs. Those various discussions can be used, included and taken up by our project in order to raise awareness.
- **Continuity** is important: An ongoing dialogue and communication with the political system and structures on national and local level is relevant (implementing an activity every month or every other two weeks would be very beneficial).
- Since some **religious groupings** are highly influential, it could be considered to include them/their leaders as target groups in Malawi and Zimbabwe on the higher level.
- For Zimbabwe and Malawi, conducting a detailed stakeholder and risk analysis that takes into account the overall land management infrastructure which is in place in both countries might be beneficial. Which actors can best support the project? Which target groups should be addressed in which manner and by which kind of activity? Who can assist how?
- Strengthening the relationship with politicians: Beyond going to ministries and doing advocacy and lobbying and briefing them? Statement of the ministry: You cannot force people to cooperate; this project is not surprising and not unique. There is still a long

way to go and change needs time. Government officials are moved, no hand-over notes. Therefore, a **continuous advocacy and lobbying is necessary.**

**4. How relevant are awareness campaigns for women in the regions at this stage? Is a 1-day sensitization workshop for traditional leaders in Malawi and Zimbabwe intensive enough?**

- In the beginning, a one-day training is a good start to transmit basic knowledge on land rights to women, but **as soon as the knowledge on the women's sight is profounder, a longer training might be necessary** to address the issues in more detail
- Taking women away from home for four days is not necessary/feasible
- **Training of trainers of community based trainers;** community mobilisers should be able to plan to do outreach activities , in order to avoid disengagement
- It is a marathon not to sprint; awareness is an activity which will take a lot of time and needs long breath
- **A long training of 4-5 days of T/As might be necessary**, since the project needs their support in order to forward the messages to the communities and the subordinate T/As and chiefs. Only by doing so, the project can have a **sustainable impact. Multipliers as the role model T/As and the community facilitators** (mobilizers/paralegals/parasurveyers) within the community are essential as agents of change since the community meetings are held only twice a month or once a month only and we cannot go to every T/A every week but we need to use existing structures.
- Regular **monitoring and follow-up-meetings** should be conducted.

**5. Would it be useful to have a written version of the customary law similar to Namibia?**

- This might increase the work for ministry of justice and also for traditional leaders
- in Zimbabwe: Ministry of justice tried to do something like that; In Malawi, nothing comparable has been undertaken, although there was a project of African Law Project (comprising the countries Malawi, Zimbabwe, Zambia, Nigeria) on land, succession and farming
- When talking about writing down the customary law for Zimbabwe and Malawi, caution is needed, since the different situations in the countries need to be taken into account (ethnic diversity in each district, numerous differing customary laws, in Malawi: 280T/As with 20 village headmen under each one of them); Malawi and Zimbabwe can learn from Namibia but also needs to do this with **caution.**
- Chingaipe: by-laws are made by Parliament; laws have been developed in our area; in Malawi T/A says district assembly makes by-laws = nominal laws
- **In principal, coming up with written customary law is doable**

- In all three countries, the constitutions are all the same, esp. about the rights of women and this should be supreme; but on the ground it is not implemented; on the ground, the custom is above the constitution
  - Important question for the process is: Who is it, that tells you something is customary law and why? **Who is conceptualizing customary law?**
- 6. Which instruments (manuals, media cooperations/radio programmes, brochures, comics, certificates, short films, theatre play, etc.) are successful and can be used as good practices? Which instruments would be best applied for which specific target groups?**
- Malawi and Zimbabwe might want to adopt/adapt some of the material that is used in Namibia and was proven to be very efficient in increasing an impact, e.g. distributing **certificates** for participants of workshops and outreaches, **comics, brochures/flyers** and **calenders** can be developed from the translated manuals
  - **Identification of champions** might be a useful strategy for all three project countries: role models = ambassador of the project and agents of change
- 7. Is there a role that the project has towards ensuring that the critical land laws in Malawi are in force?**
- Package of 10 laws and only 7 are enacted; outstanding laws; 10 laws were enacted then sent to president; all of them were published in the gazette; what has not happened is the enforcement; Customary Land Act to have enforced is about to happen, 2 are outstanding
- 8. Would the distribution of the constitution and the Land Act support the implementation/awareness raising?**
- T/As should share their opinion on this and assess, whether this might assist them and whether this might increase the awareness:
- In some parts in Namibia, there was resistance towards receiving those documents - certain chiefs were skeptical but most stated to assess it as beneficial for them and the communities.
  - In Zimbabwe, distributing the constitution and land laws helped the T/As a lot to implement the statutory law and include it in their decisions based on customary law
  - T/As get the constitution in Malawi and have the Land Act; several options to where they can access it; copies were given to T/As by LandNet, but a proper copy of the constitution would help. Nevertheless, it is essential that both **constitution and Land Act would be required in vernacular language** (Chichewa and Tumbuka)
  - **First step would be to liaise with the ministries in Malawi and Zimbabwe to get the land act and constitution to use those copies for distribution in vernacular languages to the T/As**