

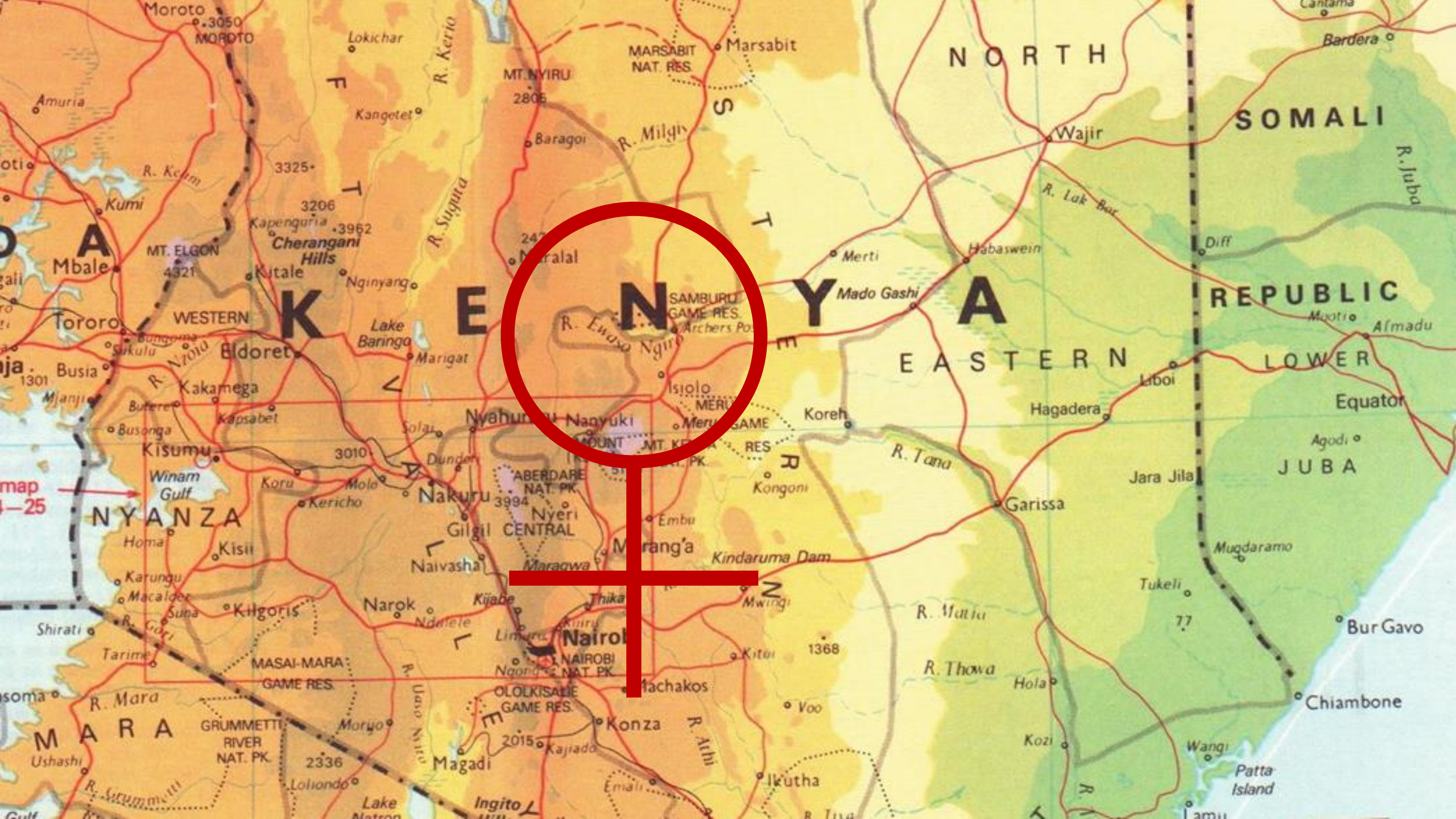
Training workshop on  
**WOMEN, LAND and HOMES:**  
Assessment of impacts of dispossession

organised by  
**Habitat International Coalition, Housing and Land Rights Network (HIC—HLRN)**

in collaboration with  
**Mazingira Institute and Pamoja Trust**

**23rd—25th July 2018, Nairobi**







**CEDaW General  
recommendation  
No. 34 (2016) on  
the rights of  
rural women**

# State obligations:

- ▶ **Implement substantive equality in relation to land and temporary special measures**, comprehensive strategy to achieve equal access to natural resources, and address discriminatory stereotypes, attitudes and practices that impede their rights to land and natural resources (57);
- ▶ Ensure that **customary systems** do not discriminate (58);
- ▶ **Raise awareness** about rural women's rights to land, water and other natural resources among all relevant actors (58);
- ▶ Ensure that **legislation guarantees rural women's equal rights to land and other natural resources, irrespective of civil and marital status or guardian or guarantor arrangements**, and that they have full legal capacity (59);
- ▶ Promote rural women's access to and **meaningful participation in agricultural cooperatives** (59a);
- ▶ Enhance rural women's knowledge and role in **fisheries and aquaculture**, and promote their access to **forests and sustainable forest resources**, including safe access to fuelwood and non-wood forest resources (59b);

# Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

## Article 15

### **Right to Food Security**

Women shall have the right to fully enjoy their right to sustainable development. In this connection, the States Parties shall take all appropriate measures to:...

- c) **promote women's access to and control over productive resources such as land and guarantee their right to property;**

# Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

## Article 16

### **Right to Adequate Housing**

Women shall have the right to equal access to housing and to acceptable living conditions in a healthy environment. To ensure this right, States Parties shall grant to women, whatever their marital status, access to adequate housing.

# Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa

## Article 19

### Right to Sustainable Development

States Parties shall ensure that women have the **right to nutritious and adequate food**. In this regard, they shall take appropriate measures to:

a) provide women with access to clean drinking water, sources of domestic fuel, **land**, and the means of producing nutritious food;

# Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa



## Ratification status:



States having signed & ratified 36

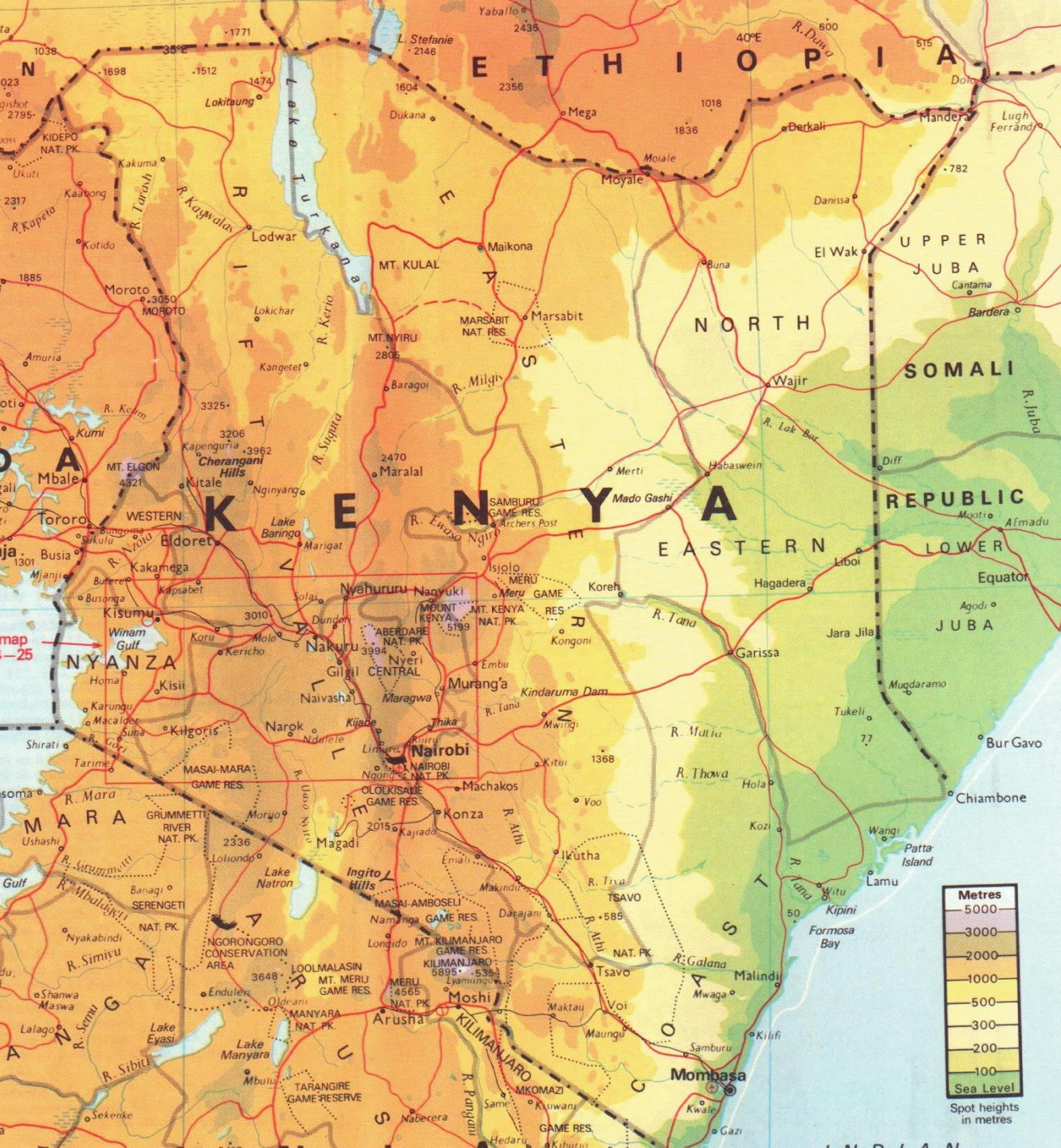


States having signed, but not ratified 15



States that have neither signed nor ratified 3





- National Spatial Plan 2015-2045 launched in March 2017
- Laws to protect women inheritance of their father's and or spouse's properties including land and the laws over ride customary laws and considerations
- **SDG 5.a: Constitution 2010 Article 45 (3) "Parties to a marriage are entitled to equal rights at the time of the marriage, during the marriage and at the dissolution of the marriage."**