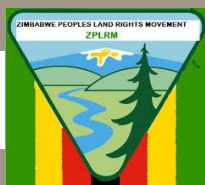


Facing Dispossession at Innezdale Farm

Assessing the Impacts of Women's Dispossession from Land and Home



Zimbabwe People's
Land Rights
Movement



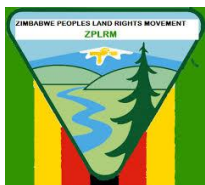
Housing and Land Rights Network
Habitat International Coalition

Facing Dispossession at Innezdale Farm

Assessing the Impacts of Women's Dispossession from Land and Home

Harare and Cairo, 2021

Zimbabwe People's
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Introduction

The following is a glimpse of what is at stake for many Zimbabweans post-land reform with a view to the consequences of insecure tenure and ambiguous land titles in a policy vacuum. It constitutes a baseline survey as an example of what is entailed in counting the costs of post-resettlement displacements and tenure insecurity in Zimbabwe's land reform program.

This report presents the findings of a field survey that seeks to quantify the potential losses, costs and damage to women-headed families in cases of forced evictions, as has been the case for some of the families in the Sokis resettlement community at Innezdale Farm in Mhondoro Ngezi, Kadoma District, Zimbabwe. These pending forced evictions, due to disputed tenure by competing beneficiaries of the Fast Track Land Reform Program (FTLRP) in the absence of a national land policy, have a direct bearing on productivity and violate these families' human rights related to habitat, including their human rights to adequate housing, land, water, livelihood with the continuous improvement of living conditions and meaningful participation. These human rights are guaranteed under the International Covenant on Economic, Social and Cultural Rights (Article 11), which Zimbabwe ratified on 13 August 1991.

The findings and recommendations that follow will be useful as input into the land-policy consultations and formulation currently underway (June 2021) and a contribution to the indispensable quantification of losses, costs and damage due to gross violations of human rights, including the forced evictions in Zimbabwe's land reform settlement areas. These research findings will also ground recommendations to be mainstreamed in the country's National Development Strategy 1 (NDS1), pursuit of the 2030 Agenda of Sustainable Development Goals (SDGs) toward meeting their respective Targets and Indicators.

This effort has been carried out through the partnership of Housing and Land Rights Network - Habitat International Coalition (HIC-HLRN) with the Zimbabwe People's Land Rights Movement (ZPLRM) through the project Valuing Women's Human Rights Habitat. HLRN began with a context assessment, with many thanks to Heather Elaydi and Joseph Schechla at HLRN for the resulting literature review.¹

In consultation with affected communities and partner organizations, two HLRN-organized normative and technical training workshops resulted in a typology of prominent cases of eviction and dispossession, which are also entered into the HLRN Violation Database. ZPLRM then embarked on an in-depth case study on the effects of dispossession, including the all-important quantification of losses in such incidents as forced evictions.

The study selected for its representativity, relevance to policy and potential for remedy focused on the Sokis community who are beneficiaries of the FTLRP at Innezdale Farm, located about 200 km southwest of Harare, the capital of Zimbabwe. In particular, it looks into the values at stake of the A1 resettlement community of 222 families on the 1,110-hectare Innezdale farm. These families occupied this farm in 2005 during the FTLRP, and are living under threat of forced eviction as their tenure is disputed. Already in March 2018, about 50 of these families had their property and houses destroyed as a consequence.

The ZPLRM, with the help of partners and friends, managed to obtain a High Court order stopping the further evictions, granting the community temporary relief as the tenure security issue is yet to be

¹ The literature review can be found at: .

resolved. This is the plight of hundreds, if not thousands of resettlement communities across the country who are beneficiaries of the land reform programme, with its complex tenure security system.

The primary focus was on female-headed households (single, widowed, divorced, female child-headed). A total of 57 families participated in the in-depth study, while 11 families expressed reservations about participating in the survey, mostly due to fear of being victimised by political, local and national authorities.

Project implementation

Implementation was in basically three principal phases: (1) the normative/learning workshop, (2) the technical workshop and (3) field survey. With the project taking place during the COVID-19 pandemic, progress was a bit slow due to travel and lockdown restrictions. This also coincided with harvesting time (March to June), when most respondents were busy in their fields.



Figure 1: Map of Zimbabwe, with Kadoma District appearing across 30° latitude and between 18° and 19° longitude.

Normative Workshop

Groups from communities affected by pre-, post- and ongoing forced evictions, women's land rights organizations, civil society organizations working on land, habitat rights attended the normative workshop

in late August 2020. The workshop put into context women’s land rights struggles in Zimbabwe in the legal and historical aspects to date, including the international and regional (African Union and SADC) norms and treaty obligations as developed.²



Figure 2: Excerpts of presentations at the normative workshop (Harare, August 2020).

Technical Workshop

The technical workshop followed a consultative process of prioritizing cases identified in the typology developed in the first workshop, resulting in the identification of the main case to be subject to the in-depth study. A follow-up workshop by civil society partners selected the final case for the in-depth study using the HLRN Violation Impact-assessment Tool (VIAT). This workshop selected two cases for quantitative research. The first was the case of Mrs Chipato, a widow forcibly evicted from her late husband’s farm, which will be pursued through the courts. The second was the Innezdale Farm case. The strategic logic of pursuing both cases was to support the victim in the first post-eviction case with factual as it worked its way through the courts, while supporting the community in the second during-and-pre-eviction case with the prospect of remedy by using precise evidence to deter or prevent further violations.

² The report of the normative workshop is found at: XXXX

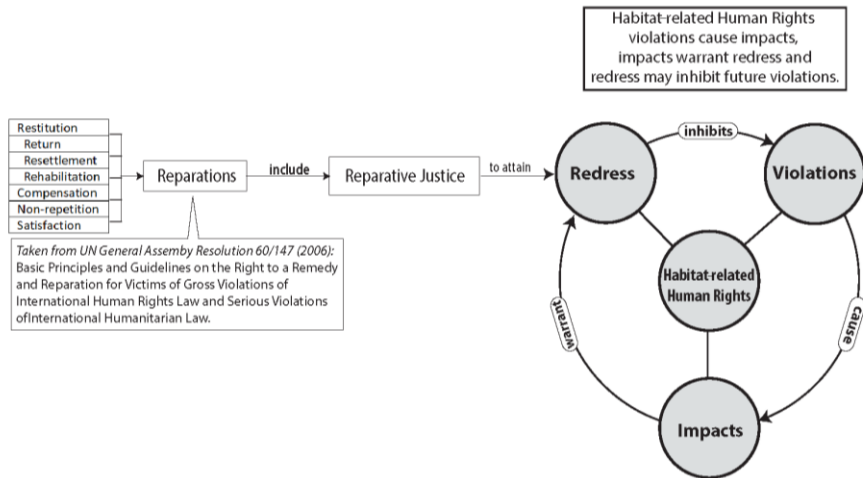


Figure 3: Graphic illustrating the violation-to-reparation approach of the VIAT. Source: Davinder Lamba, Mazingira Institute, Nairobi.



Figure 4: Participants at the technical workshop in focus group discussions to adapt the VIAT (PPT screen inset above left).

Focus was on the adaptation of the HLRN Violation Impact-assessment Tool (VIAT) as a survey instrument (questionnaire) guided by the international criteria of reparations.³ The VIAT questionnaire was being

³ A/60/RES/147

applied already and at various stages in Zambia, Uganda, Kenya and India. The aim of the technical workshop was to facilitate a critical analysis of the selected cases and finalise the tool (questionnaire) for full application. This led to the commissioning of the field survey in 2021, extending over three months due to COVID-19 and harvesting-time restrictions.

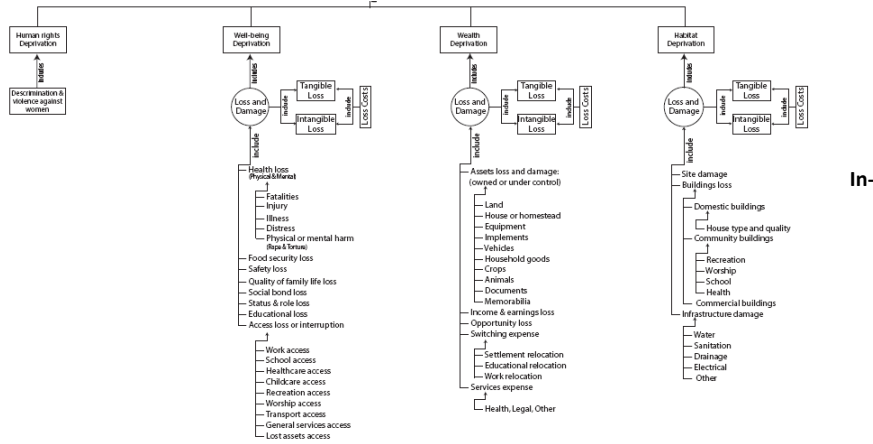


Figure 5: Diagrammatic representation of the concept shown in figure 2 above, with an illustrative of the corresponding values to be captured in the in-depth quantitative study.

In-depth analysis

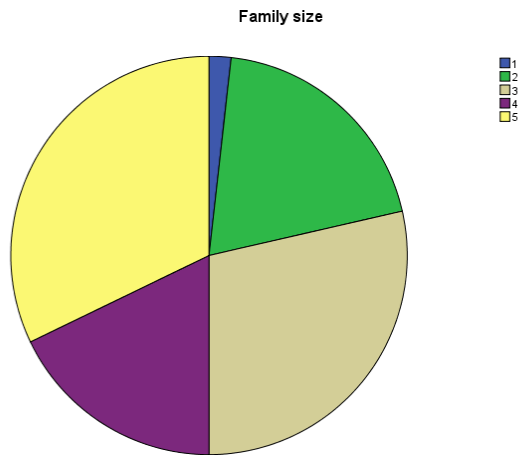
Methodology

The sample for this survey was purposively selected to represent women who stood to lose their land and homes in the event of a successful legal challenge to their land and housing tenure. The sample was made up of 70 women-headed families in the community identified during the preliminary visits and engagements with the inhabitants. A team of eight field enumerators were involved in applying the tool. They were chosen from among those who were trained during technical workshop.

Study Findings

Family size

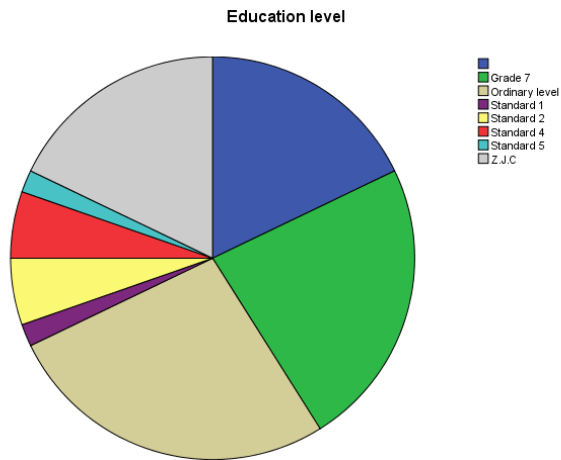
Three quarters of the women had a family size of between 3 and 5 family members.



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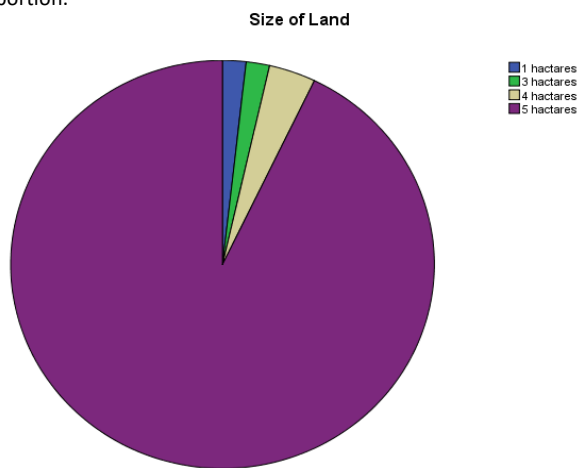
Educational level

The majority of the women (75%) have at least primary-level education.



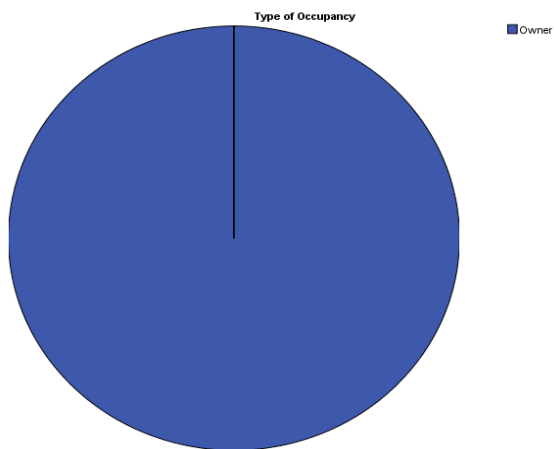
Size of land

The resettlement community is an A1 model villagised scheme, where beneficiaries got five-hectare plots. Some of the respondent's are leasing; have inherited a portion; being sublet by relative and in some cases have been "sold" a portion.



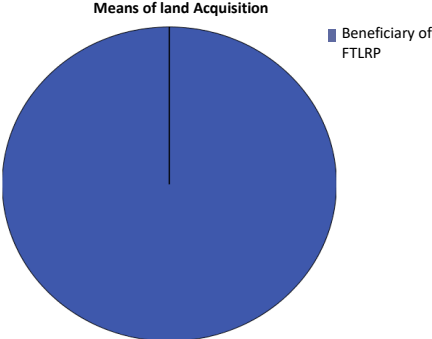
Type of occupancy

99% of the women view themselves as owners of the land, despite the lack of tenure or any documentation.



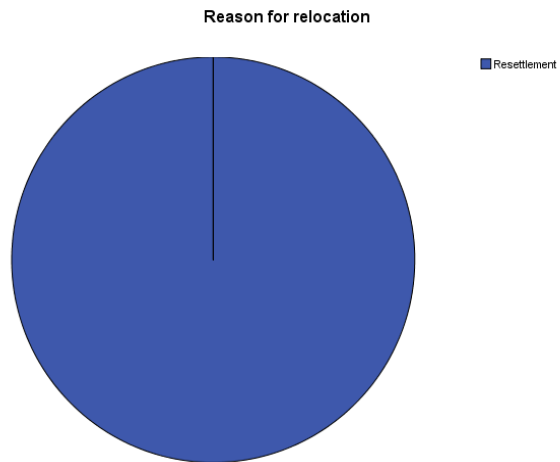
Acquisition

99% of the women acquired the land through the land reform program in 2005.



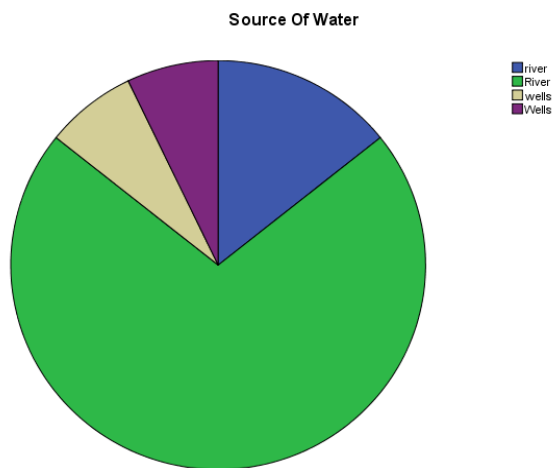
Reason for relocation

99% of respondents relocated because of the need for agricultural land and resettlement.



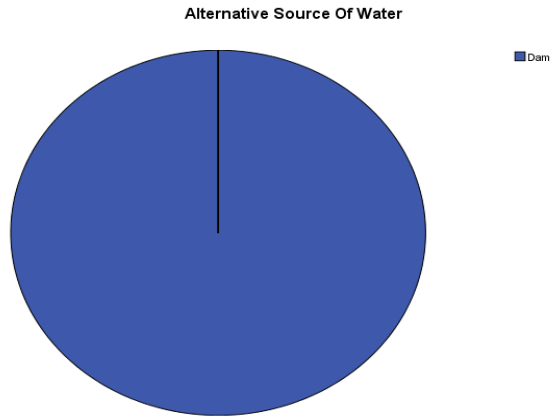
Source of water

Majority used river water as their primary source of water, while some had seasonal wells in their compounds.



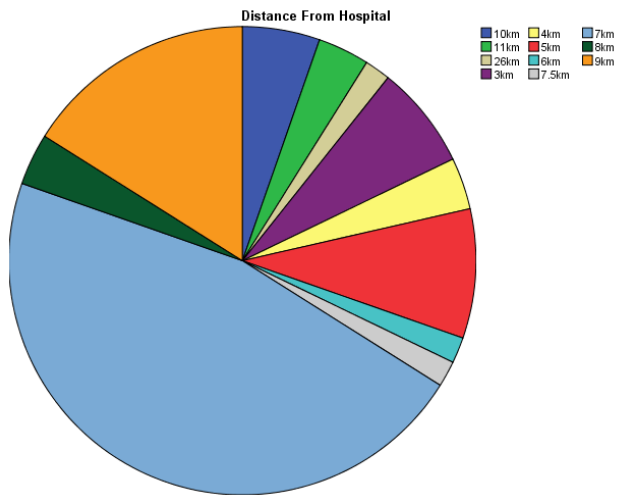
Alternative source of water

A nearby dam is the alternative source of water particularly during the dry seasons when most rivers and wells have dried out.



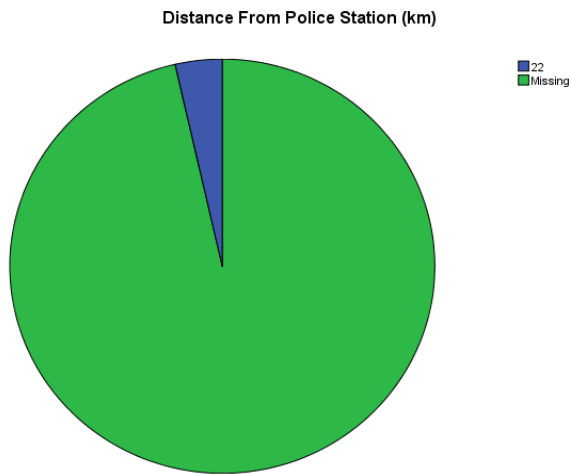
Distance from hospital/health care

Most of the respondents live within a 10km distance from the nearest health centre.



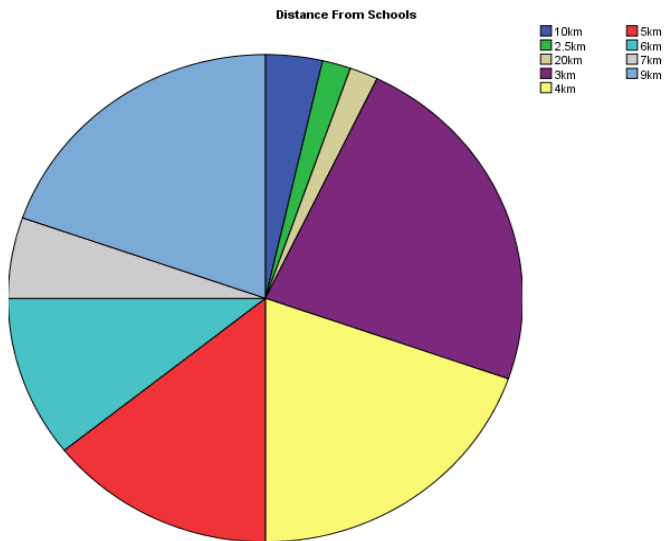
Distance from police station

Over 95% of the community respondents live more than 20km from the nearest police station, giving a sense of insecurity among the residents.



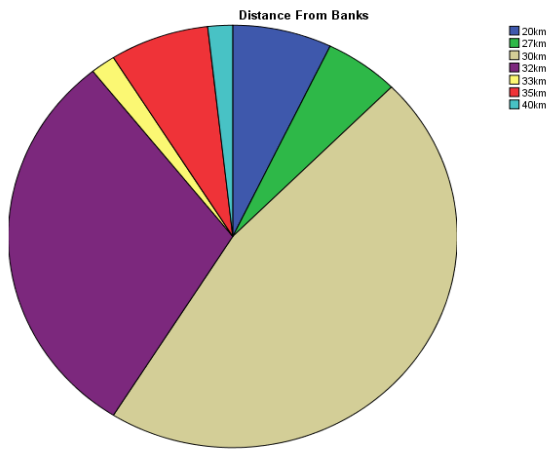
Distance from school

Most of the respondents are settled within a 3-to-5-km range of a school, while some are as far as 10 kms from a school.



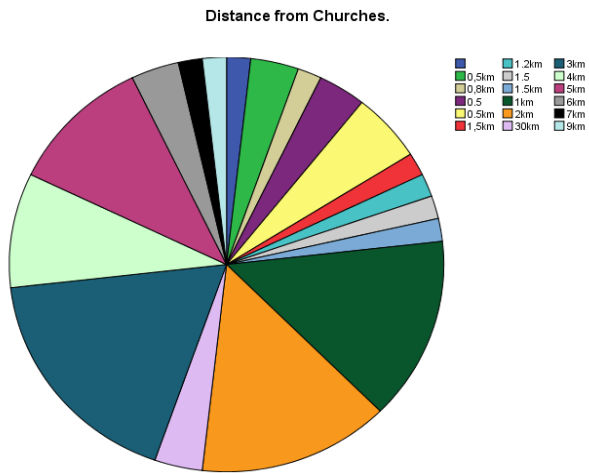
Distance from banks

The respondents and community are located on average about 30 km from the nearest bank and commerce centres.



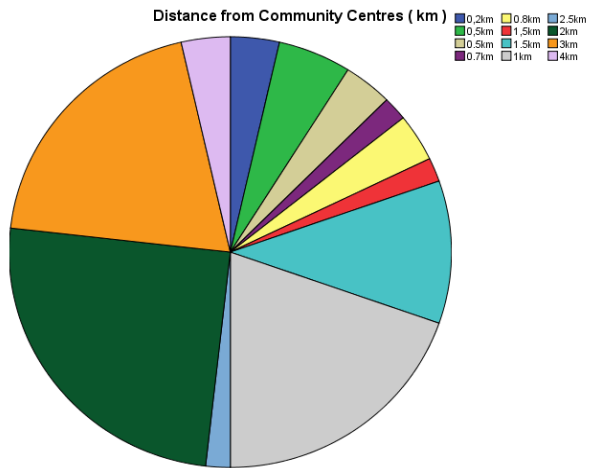
Distance from churches

Most have access to their respective churches within their communities.



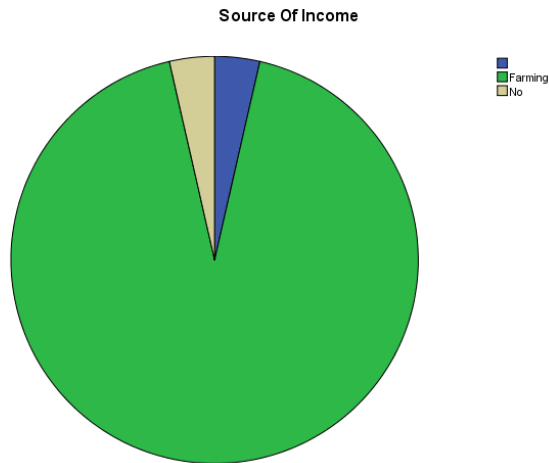
Distance from community centre

Community centres are near and accessible to the majority of people in the community.



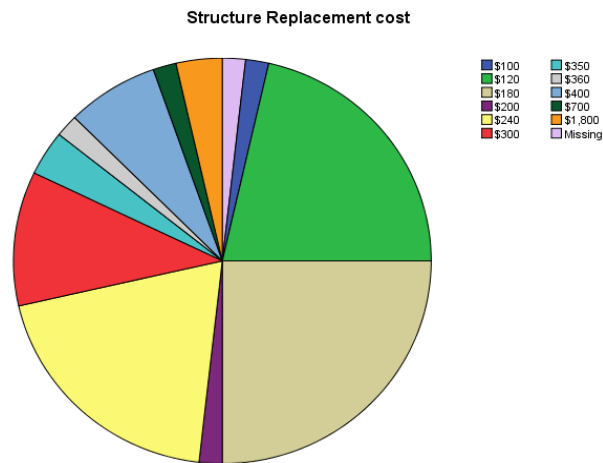
Sources of income

96% of women are solely earning their livelihoods through farming their 5-hectare plots, and it is their only source of income.



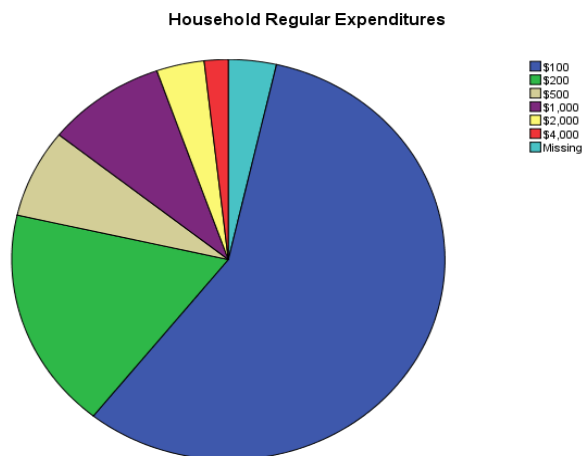
Structure replacement cost

74% of women in the survey valued their structure replacement costs under US\$300 due to the tenure insecurity. Most women consider their houses and structures as temporary. And most are not keen on investing much in the structures.



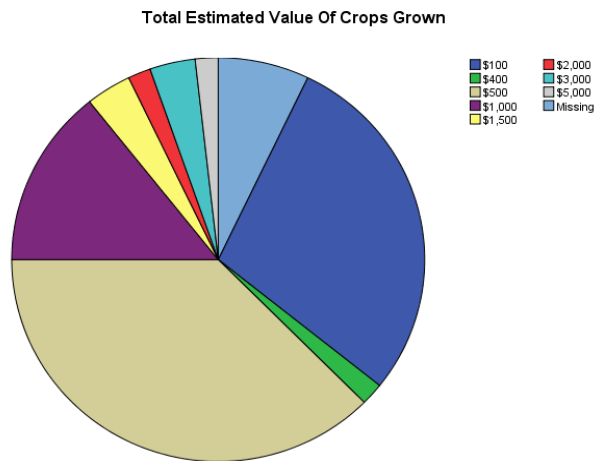
Household regular expenditure

Over half of the women-headed families spend an average of US\$100 a month.



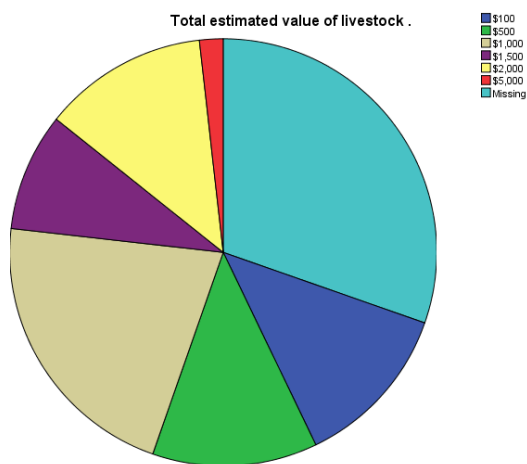
Total estimated value of crops grown

About 30% of women due to lack of capital, resources and manpower were getting less than US\$100 from crops grown. While the rest were getting between US\$400 and US\$5,000 per year from their harvests despite the fact that they are living in constant threats of forced evictions and demolitions.



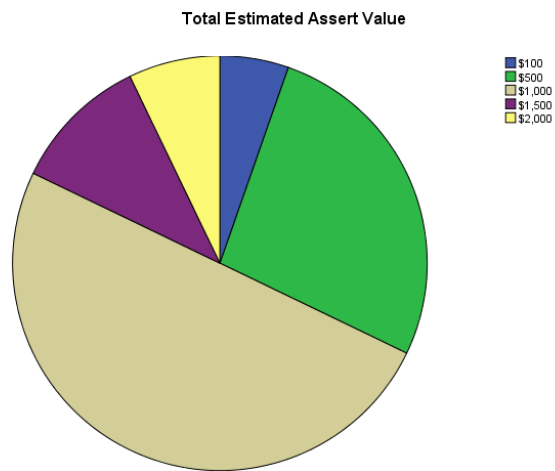
Total estimated value of livestock

The majority of participants in the study estimated their live stocks values at US\$500 and below.



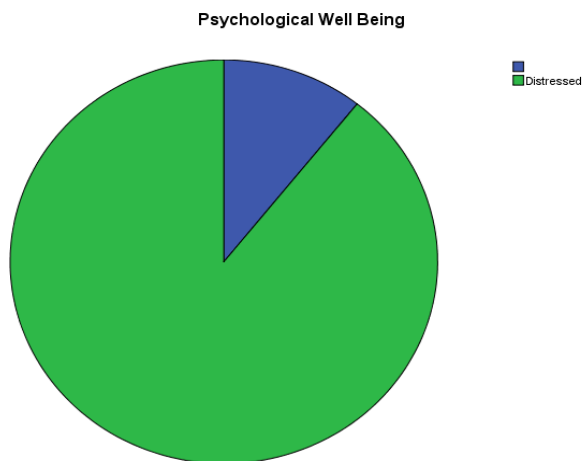
Total estimated asset value

Majority of respondents have assets valued between US\$500–\$1,000 showing the great impact of insecure tenure as most of the respondents have chose to invest in moveable assets as shown by the low estimates of replacement costs of structures (houses, etc.)



Psychological wellbeing

95% of the women are living under distress due to the ever-existing threat of forced evictions and lack of tenure security.



Summary of key findings

- Majority of the respondents have a basic primary education.
- The resettlement is a A1 model scheme where beneficiaries got 5 hectares each, while others benefitted down stream through inheritance, lease, etc.
- Beneficiaries of the land reform program were drawn from all over the country and are randomly and evenly drawn from every province in the country.
- All members of this community do not have any tenure documents despite being on the settlement for 16 years.
- There is very low investment in permanent structures for dwellings due to the lack of secure tenure.
- Respondents have a strong sense of ownership of the land and feel strongly attached.
- Farming is the major and only source of income for the majority of the community.
- 99% of respondents use pit latrines for human waste disposal.
- Majority of respondents have at least a birth certificate and or national ID.
- The settlement does not have any service roads or amenities.
- Members of this community are not receiving any government subsidies or loans due to their perceived illegality.
- The community uses open sources of water for home use and consumption.
- The majority of the respondents are living under constant stress.
- Most of the women had graves of loved ones from their 16-year stay in this resettlement community.
- Apart from being a source of livelihoods and income the plots of land are used as their habitat by 99% of the residents of this community.
- The majority cited lack of tenure security as the reason for them not fully investing in their farm production and structures.
- Overall results show that 75% of the women valued their total assets at US\$1,000 or less and were in stress due to the multiple challenges the community is facing. The burden is doubled for the female-headed families as they have to address all challenges, unlike in their married counterparts who may divide duties and responsibilities concerning family issues.
- The low asset value shows how female-headed families are being grossly affected.



Figure 6: A typical socially produced bridge in the Innezdale community.

Recommendations

- Government should urgently address the land policy vacuum and tenure insecurity.
- Government should ensure access to safe and clean water by drilling boreholes in resettlement areas.
- Development of service roads and infrastructure to ensure accessibility to markets, hospitals and other essential services.
- Build schools and clinics to ensure the right to health and education in resettlement areas.
- Regularise tenancy so that the community can contribute to roads and infrastructure development through payment of levies and other taxes.
- Zimbabwe Land Commission should be capacitated to deal with land disputes backlog.
- Non state actors to assist in provision of potable water drilling of boreholes, provision of counselling services to female-headed families and relief aid.
- Provision of both technical and financial support for effective production and marketing on their farms about 25% of the women were utilising between 0–2 hectares of the 5 hectares held.

References

National Development Strategy 1(NDS1) National Development Strategy(2021–2025): Towards A Prosperous and Upper Middle Income Society by 2030, http://www.zimtreasury.gov.zw/Index.php?option=com_phocadownload&view=category&id=64&Itemid=789

Sustainable Development Goals (SDG)
2030 Agenda for Sustainable Development
Zimbabwe Land Commission