

**World Bank Land and Poverty Conference 2019**  
**Masterclass on**

**Promoting Women's Land Rights in Land Investment in Tanzania - Using RIPL Engendered Guidebooks**

**Time:** Friday, 29/Mar/2019: 9:00am - 10:30am: **Location:** MC 6-860

**Masterclass:** Panel discussion with specialists from civil society, private sector, and development agencies discussing some of the innovative aspects to promoting women's land rights in responsible investments in land.

**Audience:** Government officials, women land rights activists, policymakers, NGOs, academicians, private sector actors, donors, and journalists.

**Organizer:** Landesa – Dr. Monica Elias Mhoja, Country Program Director, Tanzania

**Panelists:** Mr Godfrey Massey (Landesa Tanzania) and Mr Emmanuel Urey (Landesa Liberia)

**Abstract:** Landesa has organized a 90-minute interactive masterclass that will be focused on discussing and debating challenges and solutions related to ensuring women in Tanzania benefit equitably from responsible investments in land. The masterclass will showcase tools related to addressing gender issues in the context of Free, Prior and Informed Consent (FPIC). These tools, developed by Landesa under the Responsible Investments in Property and Land (RIPL), in coordination with Tanzanian government officials, are a key component of the on-line RIPL Resource Platform.

In Tanzania, there are a growing number of large-scale agricultural investments by the private sector, often involving the acquisition of large tracts of land. While such investments are frequently carried out for the means of improving food security and reducing poverty, they may also contribute to farmland encroachment and displacement of rural people, exacerbating food insecurity and poverty among women as small-scale food producers.

Majority of women especially those in the rural areas in Tanzania are in turn disproportionately impacted by investments. Women bear a disproportionate share of the social, economic, and environmental risks and costs associated with land intensive industries, when they are displaced or the land they farm is polluted by land intensive activities. Loss of livelihoods, food insecurity, increased exposure to environmental pollution, increased time spent fetching water and firewood and increased instances of domestic and other forms of violence against women are common in different contexts of large scale land investment. Literature shows that the arrival of investors and the subsequent loss of access to resource have led small-scale farmers to shift toward the wage-labor economy. Because women's voices are rarely heard, women are often the first to lose their land and the last to be compensated. In addition, this shift has left women with limited means to produce food from their own land to feed their families. Largely, this phenomenon in Tanzania has resulted in violations of women's land rights.

Given these challenges, how can responsible investments be achieved? Well-known instruments, such as the "African Union Guideline Principles on Large Scale Land Based Investments in Africa" and the "Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests" (VGGT), have been developed to provide government officials with guidance on the land-based investment process. But, such instruments are comprised of higher-level principles and lack practical detail for those seeking to implement responsible, gender-equitable investments. Furthermore, the Government of Tanzania is hesitant to adopt and apply best practices that are not specific to Tanzania.

Fortunately, there is consensus among policymakers in Tanzania that agricultural investments should be done responsibly and should equitably benefit both women and men. Policy makers are seeking clarity

and are willing to participate in identifying a solution. Over the last four years, policy makers supported and participated in Landesa's RIPL Project through an advisory group, which translated international guidelines and best practices for responsible investments into step-by-step Guidebooks containing instructions on how to protect the land rights of rural women and men that are applicable to Tanzania. As part of the project advisory group (comprised of policymakers, civil society, academia, and the private sector), government officials reviewed research findings and provided local expertise to guide the development, validation and dissemination of the Guidebooks.

Two key areas that generated healthy debate among policymakers during the development of the Resource Platform and Tanzania Guidebooks were FPIC and addressing gender issues. Figuring out how to apply FPIC was and still is challenging. Although Tanzanian law does not expressly call for informed consent prior to curtailing or transferring land rights or uses, it does contain some consultation and engagement provisions related to FPIC. For example, the law requires all citizens to participate in decision making on matters connected with their occupation or use of land. But only one community meeting is required, which isn't sufficient under principles of FPIC. There is also resistance among district level government officials to go beyond legal requirements in the law.

In regards to gender, the Land Act No.4 of 1999 and Village Land Act No.5 of 1999 provide that, "the right of every adult woman to acquire, hold, use, and deal with land shall to the same extent and subject to the same restrictions be treated as a right of any man." Although Tanzania law is gender inclusive, women in Tanzania are disadvantaged by inequitable customary law and practices. Unequal household relations and patriarchal norms still exert a strong influence and continue to limit whether women can participate in investment decisions. Therefore, companies seeking to invest in their region need to be acutely aware of how their actions may exacerbate or ameliorate these conditions.

The Tanzania RIPL Guidebooks are a great starting point to help stakeholder navigate the investment process. But there are still many questions that remain. Join experts from civil society, private sector, government and development agencies to discuss challenges and solutions related to Free Prior Informed Consent (FPIC) and women's land rights as they relate to responsible investments from agricultural investments. How do you encourage investors to not only meet but exceed Tanzanian legal requirements for social inclusion? How does an investor obtain consent within a community, particularly from women who have informal land rights? How does a company involve and inform women in the development of responsible land-based investments? How will women be empowered citizens with adequate bargaining power and the ability to defend their land rights, supported by the regulatory frameworks enforced by the Government of Tanzania? Participants will emerge from the discussion with a clearer understanding of specific challenges related to each theme and potential innovative ways to help ensure women benefit equitably from agricultural investments in land.

The moderator will be Dr. Monica Elias Mhoja, Landesa's Country Program Director in Tanzania. She has been involved in preparing the Responsible Investment and Property Rights (RIPL) Guidebooks. After a five minute introduction by the moderator, the discussion will be broken up into two parts with 20-25 minutes being devoted to exploring the Resource Platform and Tanzania Guidebooks related to FPIC and gender. Panelist will also spend a few minutes briefly discussing their experiences and the remaining time will be spent responding and debating to questions from the audience.

**Keywords:** Women's Land Rights, gender, FPIC, human rights principles/standards, responsible investment on land, Tanzania, Agricultural Investments.