



Securing Land Rights for Women and Girls in Northern Uganda Women's Land Rights Framework

Decades of conflict, community resettlements, co-existing customary and statutory systems, and high demand for land in Northern Uganda have turned access to and control over land into a very contentious issue, affecting which land rights are granted, to whom, and how secure these rights are. Women, and especially women without a male relative to support them, often find themselves in a particularly vulnerable position. Compared to their male relatives, women may have less access to land, may have fewer rights to the land they can access, and their land rights may be less secure.

A woman's access and control over land can improve if: i) she gains access to more land; ii) she gains access to land of higher quality or in a better location; iii) she gains additional rights over a plot of land to which she already had access; or, iv) her land rights become more secure.

A woman's land rights are secure if: i) they are legitimate; ii) they are unaffected by changes in her social status; iii) they are granted for an extended period of time; iv) they are enforceable; and v) her ability to exercise them does not require an additional layer of approval that only applies to women.

First, the degree to which a woman's land rights are **legitimate**, and therefore secure, depends on who recognizes these rights. That is, whether her land rights are recognized by law, by custom, by her family, her clan, and her community. Second, a woman's land rights are secure if they are **not vulnerable to changes** in her family structure such as the death of her father or husband, or her husband taking a second wife; or, to changes in her clan or community, such as changes in the leadership who granted her those rights. Third, for rights that are granted for fixed period of time, the **longer** the period the more secure her rights are. Fourth, for her rights to be secure, a woman must be able to **enforce** them. She will be able to enforce her rights if she is aware of where to present her claim, if she can easily get to that forum, if she has the ability and the means to present her claim, if her case will be heard, if the overall process will not take a very long period of time, and if a decision in her favor will be implemented. Lastly, a woman's land rights are more secure if they **can be exercised without being subject to conditions that men are not asked to fulfill** such as obtaining the approval and permission of her husband, father, or other male relative.



Thus, a woman's land rights become more secure when:

- a) Her land rights become more legitimate; or
- b) Her land rights become less vulnerable; or
- c) Her land rights are more easily enforceable; or
- d) For fixed-term rights, her rights are granted for a longer period; or
- e) She is able to exercise her land rights without engaging in layers of consulting and approval that are not required of men.

Land rights typically include the rights to buy, sell, rent in, rent out, inherit, bequeath, gift, mortgage, and use land. This project will pay special attention to women's rights to sell, rent in, inherit, and use land. In considering a woman's bundle of land rights, we will distinguish between the rights that are recognized, the rights that she is aware of, the rights she believes she can act on, and the ones she has actually exercised. We will also distinguish how much control she has in exercising these rights. That is, whether or not she needs to consult with someone else or obtain their permission before she can exercise them.