

Ghana: Gender and the Land Access and Tenure Security Project



LandesaTM
Rural Development Institute

Center for Women's
Land Rights



resource
equity

Advancing women's rights to land and natural resources

**Ghana: Land Access and Tenure
Security Project**

Amanda Richardson, Attorney and
Gender Specialist, Resource Equity

Reem Gaafar, Attorney, Land Tenure
Specialist, Landesa

August 2016



I. Executive Summary	1
II. Background	2
a. Country background	2
b. Land tenure systems	2
III. Methodology	3
a. Desk research	3
b. Field research	3
c. Risks and mitigation strategies	3
IV. Legal and Customary Framework	4
a. Land legislation and policies	4
b. Gender and land rights	4
c. Institutions involved in gender	5
d. Customary law on women's land rights	5
V. Intervention	6
a. Pre-project situation	6
b. Project objective and scope	7
c. Project activities	7
VI. Gender Assessment	9
a. Community sensitization	9
b. Capacity building	12
c. Dispute resolution and the CLS	15
VII. Recommendations	16
a. Sensitization	16
b. Training	17
Annex 1: Meetings held	18

I. Executive Summary

This case study identifies good practices and lessons learned about including gender in a project designed to sensitize communities about the importance of securing land rights, build capacity of customary land secretariats, and provide alternative dispute resolution training to traditional authorities in the Northern Region of Ghana.

The three-year project, the “Land Access and Tenure Security Project,” was launched in 2012 and was implemented by a consortium of organizations. This case study focuses on the activities of one of these organizations, the Community Land and Development Foundation (COLANDEF), a Ghanaian NGO that works to clarify land tenure, improve knowledge and understanding of the customary land sector in Ghana and Africa, and support local farmers to acquire the knowledge to improve the security of their land rights. The project aimed to reduce the gender gap in the use and control of communal land and resources, increase rural women’s involvement in land tenure governance in their communities, and support rural women’s access to productive resources.

The main recommendations of the COLANDEF project assessment include:

1. Ensure messages are distinct and clear. One of the issues COLANDEF faced in their sensitization efforts was the number of interventions and research being conducted in the four target areas. Future projects might consider: targeting areas where there are fewer projects, coordinating with existing projects, and/or distinguish the message in a tangible way by supporting local needs as part of the project.
2. Support women’s groups to strengthen women’s confidence in the public arena. COLANDEF reached a large number of women by holding sensitization meetings with existing women’s groups, which allowed women in those groups to discuss the issue at hand in a comfortable setting. Any project working with women should consider both working through existing women’s groups and creating support groups. For example, where women’s groups do not already exist, an organization might create groups by organizing women to document their land rights and by providing monetary support to plant trees on their land. Often, women say that men are more likely to accept women joining a support group if men are able to also benefit.
3. Hold more frequent meetings that are responsive to ongoing questions. For women especially, follow-up meetings after the sensitization would have been useful in order to address issues and challenges that have come up as more women attempt to document their land rights.
4. Train in local languages. When community sensitizations and women’s group meetings were held in local languages, a significant number of women were able to engage with the project. Trainings conducted exclusively in English excluded many women, as women were less likely to speak English

than men. To combat this problem, trainings should be held in local languages, and women should be encouraged to attend regardless of language ability or literacy.

5. Hold trainings at the local level, instead of bringing people to central, urban areas. Women are often less able than men to travel long distances or to stay away from their families for several days, because of cultural constraints and family responsibilities. Therefore, ideally trainings should be held in multiple locations closer to trainees’ homes, so that more people can be trained and so that women do not have to leave their families for several days.
6. Hold more frequent trainings and meetings, including follow-up trainings. More time should have been spent on trainings to give trainees more exposure to detailed, specific information.
7. Address women’s issues directly in all trainings. While community sensitizations and many training sessions included a clear focus on gender, interviewees noted that some trainings did not address women’s issues at all. For example, the alternative dispute resolution (ADR) trainings did not address gender. In a project seeking to incorporate gender, it is important that each training have a gender component, and ideally have gender incorporated throughout the training.

II. Background

a. Country background

Ghana is a lower-middle-income country that has experienced encouraging economic growth over the past two decades, resulting in a significant drop in the national poverty rate as citizens are able to take advantage of new economic opportunities. These gains, however, have not been distributed evenly throughout the country. The vast majority of the economic benefits have been concentrated in the southern regions of Ghana, while the three northern regions (Northern, Upper East, and Upper West) have seen only marginal improvements in the same time span.¹

Poverty rates and food insecurity are significantly higher in the northern areas of the country, which has been receiving increased attention from both the government and international donors in recent years. As part of its efforts to close the south-north gap, the government of Ghana passed the Savannah Accelerated Development Authority Act in 2010, which established an independent body “to provide a framework for the comprehensive and long-term development of the Northern Savannah Ecological Zone.”² The Authority aims to encourage sustainable agricultural development to improve the livelihoods of local farmers, particularly women, and combat climate change.³

In addition, a multi-donor-funded land administration project (LAP) was launched in 2003 to strengthen land administration and management in Ghana generally, through legal and institutional reforms aimed at improving transparency and efficiency in the land sector. LAP is currently in its second phase (LAP II).

b. Land tenure systems

A complex mix of formal and customary laws, which vary among ethnic groups and communities, governs Ghana’s land tenure system. Customary authorities in Ghana retain a significant amount of power over the management and administration of customary lands, which comprise approximately 80% of land in the country.⁴ The constitution vests title to customary land, referred to as either “stool” or “skin” land depending on the region and ethnic group, in the chiefs to hold in trust on behalf of their subjects (Art. 267). In reality, chiefs, who are largely male, increasingly act as the sole owners of the land, free to allocate (and withdraw) rights as they see fit, at times at odds with broader community interests, despite this being inconsistent with both custom and statute.⁵ Community members who want

access to new land must request it from the chief and present a payment of “kola,” which has historically been a token tribute but is now a more significant fee due to increased demand for land as a result of population growth and increased interest from foreign and domestic investors.

Customary land secretariats (CLSs) are land administration offices which support traditional authorities in the management of customary lands. Secretariats were traditionally established by the local traditional authority, but have become a quasi-government agency as a result of LAP, which aimed, in part, “to support the development of customary land secretariats (CLS) in Ghana, as effective, accountable local structures for administration of land.”⁶

The CLSs still lack a legal or institutional framework to regulate their activities and establish their link to existing government institutions; they remain under the authority of the Office of the Administrator of Stool Lands, where they were temporarily placed by the Land Administration Project. In reality, the CLSs are under the authority of the traditional leaders, who direct their activities and are financially responsible for the maintenance of the offices.

1 Harsch, E. 2008. Closing Ghana’s national poverty gap. *Africa Renewal Magazine*. October 2008. <http://www.un.org/en/africarenewal/vol22no3/223-closing-ghanas-poverty-gap.html>

2 Government of Ghana. The Savannah Accelerated Development Authority Act, 2010 (Act 805).

3 Ministry of Food and Agriculture. “Savannah Accelerated Development Authority.” http://mofa.gov.gh/site/?page_id=282.

4 Bugri, Dr. John Tiah. 2012. Improving Land Tenure Governance in Ghana: Implementation of the Land Governance Assessment Framework (LGAF). Feb. 2012.

5 See, e.g., USAID Land Tenure and Resource Management Office. 2013. “Property Rights and Resource Governance Country Profile: Ghana.” USAID Country Profile. Washington, DC.

6 Government of Ghana. 2003. *Project Appraisal Document*, Land Administration Project (LAP-1), Ministry of Lands and Forestry, Accra.

III. Methodology

The primary purpose of this research is to identify good practices and lessons learned related to gender and community land rights in the Land Access and Tenure Security Project (LATSIP). Given the breadth of project activities, the case study focus was narrowed to the community sensitization and training activities designed and implemented by the Ghana-based NGO Community Land and Development Foundation (COLANDEF).⁷ The research team aimed to evaluate the extent to which gender was included in the project activities and what effect this had on the community and specifically on women's documentation of land in the four areas targeted by the project. The team used both desk and field research.

a. Desk research

In preparation for field research, the case study authors first conducted desk research on the Ghanaian land tenure system and reviewed key project documents prepared by COLANDEF.⁸ A research plan was prepared based on desk research and discussions with COLANDEF staff. Due to the degree of variation between the four customary land secretariat (CLS) areas covered by project activities, it was determined that the researchers would conduct key informant and focus group interviews in each CLS area focusing on key stakeholder groups, including relevant government agencies in the Northern Region, customary authorities (e.g., paramount chiefs, local chiefs, customary land secretariats, queen mothers), and smallholder farmers (women and men), as well as project staff involved in design, implementation, and evaluation of the project. The four traditional areas covered by the research were North Mo (Bamboi), Bole (Bole), Damongo (Damongo), and Gulkpegu (Tamale).

Research questions were developed to support the field research goals of gathering additional information and project materials for review and analysis, and determining good practices and project gaps regarding gender, as identified by interviewees. Sets of research questions were developed for: (1) government officials, (2) customary authorities, (3) project staff, (4) female focus group participants, and (5) male focus group participants. Questions focused on the interviewees' engagement with the project, their evaluation of the project impacts, and their recommendations regarding any gaps in the project's approach to women's land rights.

b. Field research

The field research team consisted of Reem Gaafar (Landesa) and Amanda Richardson (Resource Equity); Ernest Eshun (COLANDEF), project coordinator, arranged and facilitated all meetings and assisted with interpretation as needed. Given the range of languages spoken in the project area, different interpreters were engaged at each location to assist the research team in interviews where interviewees did not speak English. To the extent possible, female interpreters were present for women's focus group interviews.

The approach consisted of key informant and focus group interviews. At each location, the research team conducted separate focus group interviews with married women, widowed women, and men, in order to assess whether different categories of women (in particular, women-headed households versus women in male-headed households) had different experiences. The team also interviewed traditional authorities, CLS coordinators and other staff, and alternative dispute resolution (ADR) committee members in each of the four areas. See Annex 1 for more on meetings held.

c. Risks and mitigation strategies

When conducting the research, the team identified two potential risks to interpretation of findings. First, the risk of overlapping projects in the area and misattribution of impacts. NGOs and the government have been active in the project area, and many of their initiatives have focused, at least in part, on gender equality issues or on housing/land issues. Therefore any improvements for women in the project area cannot be attributed solely to the LATSIP activities. The research team recognized this and focused interview questions on the links between the project and local changes, asking interview subjects to share their perceptions of how much of the impact was a result of COLANDEF's work in the area.

The second risk relates to interpretation. Occasionally, interpreters struggled to understand the questions being asked or to interpret the questions and responses in focus group discussions; this was exacerbated by the need to use new interpreters in each area. Ernest Eshun assisted with interpretation in some areas where this issue arose. Where Eshun did not speak the local language, the research team worked to make sure interpreters understood the purpose of the questions being asked and asked follow-up questions to interviewees to help ensure that their thoughts were being properly interpreted for and understood by the researchers. A related issue is that at times interpreters were people involved with the project. This was both a risk and a benefit: it built trust with the interviewees but may also have affected the data gathered.

7 COLANDEF is a Ghanaian civil society organization which "provides tailor-made capacity building support to organizations and actors in the land sector, complementing interventions with research, advocacy and lobbying at all levels, with the aim of protecting land rights for all, especially the vulnerable and improving security of tenure."

8 Documents reviewed include: Revised inception report (March 2014); Baseline study (July 2013); Draft report on sensitization of women (June-Sept. 2013); Draft report on identification and mobilization of community stakeholders (June-Sept. 2013); ADR strategic guidelines for customary land secretariats in the Northern Region (no date); Training manual: alternative dispute resolution mechanism for traditional land authorities in Northern Region (April 2014); and Draft guidelines on operation of customary land secretariats (May 2014).

IV. Legal and Customary Framework

a. Land legislation and policies

Ghana became independent in 1957. Its law is based on English common law⁹ and on customary law. The Constitution vests all public land with the President, and all customary holdings in stools, skins, or families or clans. Stools and skins refer to traditional chieftancies; in the Northern Region “skin” is the common term, but the laws frequently use the term “stool land”¹⁰ to refer to all forms of customary land. There is also a small percentage of private freehold land located in urban areas. Foreigners are constitutionally prohibited from owning land in Ghana, but they are allowed to lease land for terms of up to 50 years.

i. Tenure Types

The 1992 Constitution places all public lands in possession of the President, held in trust for the Ghanaian people.

The Constitution describes the nature of customary land ownership as a social trust. Article 267 vests stool lands in the appropriate stool, forbids the creation of any freehold interest in stool land, and establishes the Office of the Administrator of Stool Lands, which collects and disburses revenue from stool land to the traditional authority and the District Assembly.¹¹ Approximately 80% of land is vested in stools, skins, families, or clans. Stools, skins, or other traditional lineages hold land in care for their subjects.

The land tenure framework includes several categories of land interest: allodial title, customary freehold title, freehold title, leasehold title, and other lesser interests in the land such as customary agricultural tenancies and licenses. Allodial title is the highest form of tenure in Ghana, granting the holder absolute rights to the land. It vests in stools, skins, clans, families, and sometimes individuals; the allodial title to public land is vested in the president. While allodial title is held in trust by the head of the family or lineage, customary law traditionally requires the consent of elders of the lineage in order for alienation of land by the allodial titleholder to be considered valid.

The Office of the Administrator of Stool Lands Act of 1994 establishes the Office of the Administrator of Stool Lands (OASL) within the Ministry of Lands and Natural Resources and provides the framework for the management of stool and skin lands. Though primarily focused on financial management of customary lands, the act also requires the office to coordinate with other land sector agencies, such as the Lands Commission and Town and Country Planning Departments, and traditional authorities

⁹ The part of English law that is derived from custom and judicial precedent rather than statutes.

¹⁰ Nearly all customary land in Ghana is classified as “stool” or “skin” land, a reference to the traditional seat of the chief. Legislation often uses the terms interchangeably (e.g., article 267 of the Constitution is titled “Stool and Skin Lands Property,” but only uses the term “stool” in the text, although the provisions apply to both stool and skin land).

¹¹ Under the Office of the Administrator of Stool Lands Act, 1994, ten percent of revenues from stool lands are retained by the Administrator’s office to cover expenses, and the remainder is divided as follows: 25% to the stool (represented by the traditional authority) “for the maintenance of the stool in keeping with its status;” 20% to the traditional authorities themselves; and 55% to the local District Authority (sec. 7(1)).

on matters related to the administration and development of stool and skin land. The allodial landowner retains customary land ownership, but certain land management responsibilities, mainly financial, are administered by the state on behalf of the customary owners. In practice, OASL appears to have little, if any, influence over the allocation and general management of stool lands in the north, and are limited to collecting annual ground rents and disbursing the funds as required by law.

The Head of Family (Accountability) Act requires the head of a family, or any other person with control over family property, to take and file an inventory of all such property and makes that person legally accountable for the property.¹²

ii. Title and Registration

The Land Registry Act of 1962 governs deed registration. It provides for the registration of instruments affecting the land, but not the title to the land. It is not compulsory and does not guarantee the validity of the title in the deed.

The Land Title Registration Act of 1986 introduced title registration to replace deed registration. It lays out the responsibilities and powers of land registries in Ghana and the registration process and authorizes the government to require registration of property. It is silent on the question of how to register matrimonial property. Ghana currently operates on both a deed and title registration system. Currently, land title registration is being implemented in the Greater Accra Region, parts of Kumasi (in the Ashanti Region), Savelugu (in the Northern Region), and Ewutu (in the Central Region). In principle, there are plans to phase out deed registration and transition to a pure title registration system although this has not been prioritized.

The 1986 Land Title Registration Law also established the Land Title Registry to provide a means for the registration of title to land and interest in land, and provides for registering customary rights, including allodial title, usufruct/customary law freehold, and customary tenancies, and non-customary rights, including freehold, leasehold, and mineral licenses.

b. Gender and land rights

The Constitution prohibits discrimination based on gender and guarantees a woman’s right to own and inherit property. The land-related laws discussed above, however, do not mention gender. Article 22 of the Constitution, however, protects a “reasonable provision of the estate” for a spouse, and directs Parliament to enact legislation regulating spousal property rights.¹³

Regarding spousal property rights, there are three recognized types of marriages: customary, Islamic, and ordinance marriage. All are governed by their own statutes: the Customary Marriage and Divorce Registration Law of 1985 and 1991, the Marriage

¹² Head of Family (Accountability) Act, sec. 1.

¹³ Article 35(6)(b) mandates that the State “achieve reasonable regional and gender balance in recruitment and appointment to public offices.”

of Mohammedans Ordinance 1907, and the Marriage Ordinance 1951. Muslim marriages are controlled by both the Marriage of Mohammedans Ordinance and by the Marriage Ordinance. Customary and Muslim marriages may be polygamous, while polygamy is banned in marriages contracted under the Marriage Ordinance. Registration of customary marriages is not compulsory. The Matrimonial Causes Act of 1971 governs divorce and gives the court discretion in dividing property and awarding maintenance. A draft Property Rights of Spouses bill would expand the rights of spouses to property acquired during a marriage.

The Intestate Succession Law of 1985, which only applies when a person dies intestate, establishes specific protections for the rights of surviving spouses to marital property,¹⁴ but expressly exempts skin, stool, and family property¹⁵ and therefore does not apply to the majority of land in Ghana. In cases where there is both a spouse and a child or children, they share the house or houses, and the rest of the estate is divided among the spouse, the children, the surviving parents, and in accordance with custom. If there is no child, the spouse is given half the estate, with a quarter to the parents and a quarter devolving in accordance with custom.¹⁶

Ghana has committed to several conventions and international guidelines which seek to eliminate gender-based discrimination, including in accessing productive economic resources such as land. These include ratifying the binding Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Maputo Protocol, as well as the instructive Gender and Development - A Declaration by Heads of State or Government of the Southern African Development Community, 1997; the Women's Declaration and Agenda for a Culture of Peace in Africa Adopted at the Close of a Pan African Conference in Zanzibar, 1999; and the 1995 Beijing Declaration.

c. Institutions involved in gender

In 2001, a dedicated Ministry for Women and Children's Affairs was created and developed a National Gender and Children's Policy (2004). Mainstreaming of gender into all aspects of national development plans and policies is currently a priority. Gender gaps are thus highlighted and addressed in strategic national development policies,¹⁷ particularly in the area of economic empowerment and access to productive resources.

The Ministry of Food and Agriculture has played an important role in streamlining gender over the years. There is a dedicated Women in Agriculture Development Directorate (WIAD) and

Gender and Agricultural Development Strategy (GADS) was launched in 2001 to provide the needed framework to promote sustainable agricultural development by ensuring gender equity and addressing the diverse needs of rural farmers.¹⁸ All these interventions were aimed at identifying and addressing some key gender-related constraints in the agricultural sector, among which were inadequate extension service quality and coverage to farmers, especially woman farmers, and inadequate access to financial services. As a result of the gender awareness which was raised through GADS, subsequent policy interventions such as Food & Agricultural Development Policy (FASDEP I & II) as well as the Ministry's Medium-Term Agriculture Sector Investment Plan (METASIP) all have clear objectives to ensure adequate integration of gender considerations in these interventions. This is consistent with the various policy propositions enshrined in the Comprehensive Africa Agriculture Development Programme (CAADP).

d. Customary law on women's land rights

Women's land rights are more insecure than men's in the Northern Region. Women are generally expected to access land through their fathers or brothers until they get married, at which point they access land through their husbands. Upon marrying, women traditionally live in their husband's house (acquired either from his family or the chief) and access land for farming through their husband or by making a request to the chief.

The head of the household is almost always a man unless a widow's sons are too young to assume the role. Family heads are always the oldest man.¹⁹ While men and women can both acquire land individually, in general men get land and then give some to their wives. In some areas, women may intercrop or farm on their own land, but generally they farm groundnuts, yams, and cassava on smaller lots, primarily to feed the immediate families. Men are more likely to cultivate maize and other cash crops. This is in part because women generally cannot afford more expensive crops.

While widows are sometimes able to retain rights to their marital homes and farms, this varies by ethnic group (for instance, Ewe widows stay in their marital homes and Mo widows return to their natal homes when their husbands die). The widespread practice of polygamy²⁰ can complicate the division of the deceased husband's property. Further, the likelihood of a widow retaining rights to the marital property is often dependent on her age, the number of children, and her relationship with her in-laws. A widow who remarries loses access to the land she shared with the deceased. Inheritance practices vary across the Northern Region; in some areas daughters inherit equally to sons, in others they are entitled to half-shares (as prescribed by

14 Intestate Succession Law of 1985, secs. 3, 4, 5, 6, 12, 16a, and 17.

15 *Ibid.*, sec. 1.

16 Note that the Customary Marriage and Divorce (Registration) Law (PNDC Law 112, 1985), its amendments, the Customary Marriage and Divorce Registration (Amendment) Law 1991 PNDCL 263 and the Administration of Estates Law (PNDC Law 113, 1985) all seek to improve the distribution of assets among spouses.

17 See, e.g., The Growth and Poverty Reduction Strategy (GPRS) (2006-2009), the Coordinated Programme of Economic and Social Development Policies (2010-2016), the Ghana Shared Growth and Development Agenda (2010-2013), the Ghana Water Policy of 2007, and the National Irrigation Policy.

18 Dittoh, S., K. A. Snyder, and N. Lefore. 2015. Gender policies and implementation in agriculture, natural resources and poverty reduction: case study of Ghana's Upper East Region. Colombo, Sri Lanka: International Water Management Institute (IWMI).

19 Families are an extended group, while households are just immediate family members.

20 An estimated 22% of Ghanaian women are in polygamous marriages. See Purdy, E.R. 2013. "Ghana." in Emery, Robert, E., ed. *Cultural Sociology of Divorce: An Encyclopedia*, University of Virginia.

Islamic law), and in some daughters do not inherit land at all due in part to a perception that they are “temporary” family members who will eventually get married and become part of their husband’s family. Even when married daughters do inherit land, they rarely use the land themselves, instead leaving it to their brothers to farm and sometimes collecting a portion of proceeds after the harvest.

There is a distinction between land for farming and land for building (e.g. for construction of homes). Married women generally have to use their own money to document their land. Women who document land usually do not live on it, but instead build houses to rent; men tend to build their own houses on land they document.

According to interview subjects, the queen mother supports the chief and is the women’s leader. When they have problems, they come to her to discuss them and, if needed, be referred to the chief to help resolve them. Women bring their issues related to their marriages, their children, and land rights. When a woman wants to acquire land, she can ask the queen mother to lead her to the chief to make the request, although they usually ask a male relative to lead them if possible. Most queen mothers are illiterate – only six out of the hundred in the Northern Region are literate.²¹

V. Intervention

The Alliance for a Green Revolution in Africa (AGRA) was created through a joint partnership between the Bill and Melinda Gates Foundation and the Rockefeller Foundation in 2006, with the aim of improving agriculture on the continent and catalyzing a “green revolution” in Africa. In support of those goals, AGRA has created a number of policy hubs, or “nodes”, in different countries, each concentrating on a different policy area, such as land, seeds, soil health, or markets.

The Ghana Land Policy Action Node was formed in 2012 to implement the three-year Land Access and Tenure Security Project (LATSIP) in the Northern Region of Ghana, identified as a breadbasket area by the Ministry of Food and Agriculture. LATSIP is being implemented in the Northern Region by a consortium of Ghanaian and international organizations, including COLANDEF.

The specific objectives of LATSIP are to:

1. Increase awareness among smallholder farmers, particularly women, of secure land acquisition procedures and the risks arising from insecure land rights.
2. Improve the capacity of Customary Land Secretariats to oversee land acquisition procedures and improve the role of women in land governance.
3. Promote and strengthen the use of alternative dispute resolution (ADR) mechanisms in the resolution of land disputes.²²

LATSIP is being implemented in the Northern Region by a consortium of Ghanaian and international organizations and is the subject of this case study.

a. Pre-project situation

The first Customary Land Secretariats (CLSs) established under LAP in the Northern Region were in the Tamale, Damongo, Bole, and Bamboi traditional areas.²³ The CLSs are meant to:

- consolidate and develop landholding rules and develop public land allocation and transaction procedures to limit double or multiple allocations;
- adopt simple land use planning of the customary area to minimize inappropriate land use and protect areas of common interest to the community;
- identify and resolve overlapping claims of rights among landholders;
- develop more effective dispute resolution procedures, including the adoption of record keeping to help establish precedent;

21 Compared to 12.9% literacy rates for women overall in the Northern Region, and 32.2% rates for men. <http://www.worldreader.org/wp-content/uploads/2015/07/Ghana-Literacy.pdf>.

22 LATSIP Baseline Report.

23 Additional CLSs have been established in the Northern Region since the inception of the project.

- reach agreement with neighboring communities on the boundaries of the customary land area;
- establish simple registries to record land allocations, transactions, and land use planning decisions;
- develop forms of certificates or entitlement which precisely reflect the nature of rights over the property awarded and the terms and conditions;
- methodically identify, adjudicate, demarcate, and register holdings in the customary area, without formal survey input as appropriate; and
- develop mechanisms which improve the security of those identified as most likely to be vulnerable, women, very poor, and landless families in the community and strangers and tenants.

However, the CLSs currently do not derive their power from any laws.

Pressure on land is extremely high in the peri-urban areas surrounding the Northern Region capital of Tamale, which has experienced rapid population growth in recent years. Farms are increasingly fragmented as land is transferred from community members to the new arrivals, who are able to pay much higher ground rents for land than local farmers.

Women and men in focus group interviews described losing significant amounts of land, and many are now farming on land in neighboring communities, which requires higher expenditures of both time (to travel back and forth between their farms and homes) and money (for transport costs and to acquire the land from the neighboring chiefs as outsiders). Men explained that they are generally given no notice that their land has been reallocated and only find out when the new owner begins putting up a structure. Few of the women and men interviewed still had farms in their own community, and the level of poverty was clearly higher than in the other traditional areas visited.

b. Project objective and scope

To inform the design of activities, assessments were conducted in the four CLS areas during the early stages of the project to identify key stakeholders, provide additional information about the existing land tenure arrangements, assess the capacity and resource-related needs of the CLSs, and identify sources of land tenure insecurity.

COLANDEF's activities in furtherance of the project objectives consisted of:

1. Community sensitization around the importance of securing land rights.
2. Capacity building of the customary land secretariats.
3. Alternative dispute resolution training aimed at traditional authorities.

Given the project's focus on land, implementation focused on the four traditional areas with established CLSs²⁴ in the Northern Region: North Mo (Bamboi), Bole, Damongo, and Gulkpegu (Tamale).

Female staff were involved in the design of the activities, but the project implementation team was all-male. COLANDEF's executive director, and project lead, is a gender expert. Those in the implementation team were trained on gender mainstreaming for the project and gender was a primary focus for them during the project's design and implementation.

c. Project activities

The project used community sensitization meetings, ADR training, and capacity building of CLSs to support its goals.

i. Community sensitization

The community sensitization activities were aimed at empowering local land users to become agents of change and secure their land rights through documentation with the CLSs.²⁵ The sensitization had four specific objectives:

1. To identify local resource persons.
2. To inform key stakeholders about LATSIP.
3. To gather feedback for the implementation of LATSIP.
4. To ensure that the local people, particularly women and other vulnerable groups, understand the fundamental issues relating to land governance in Ghana and customary land governance in particular, as well as the mechanisms available for protecting one's land rights.²⁶

The messaging used in the sensitization efforts focused on: formal and customary property rights systems, the laws and institutions involved in protection of land rights, the benefits of land documentation, the procedures for recording land rights with the CLSs, means of accessing ADR mechanisms, and the benefits of mainstreaming gender in land administration. These messages were aimed at a primary audience of landowners and users, both women and men, in the project area. Specifically, target audiences were selected to represent the following stakeholder groups: local chiefs in the project area, opinion leaders, female leaders, assembly members, youth groups, farmers' associations, indigenes and settlers, CLS coordinators, all categories of land users and land owners, and NGOs/CBOs.²⁷

In each traditional area, the project staff held community sensitization meetings in 4-6 communities. These meetings were led by an all-male team from COLANDEF, although the team employed female interpreters at each location to offset this. All

²⁴ Since the project's inception, additional CLSs have been established in the Northern Region. Project activities have not been expanded to include the new areas.

²⁵ Formal legal registration with the Lands Commission is not available to users of customary land, based on the premise that their rights are not permanent and secondary to the rights of the traditional leader.

²⁶ Revised Community Sensitization Report.

²⁷ Ibid.

sensitizations were presented in the local language, and in some locations women were specifically targeted to attend (see more on this below).

In addition to the sensitizations for the full community, the project team held separate, subsequent sensitization meetings with women's groups in each area in order to ensure women were able to fully engage with the project and benefit from the information being shared. The specific objectives of the women's sensitization meetings were:

1. To highlight land rights issues peculiar to women in the project area.
2. To sensitize women in the project area on women's land rights and the national and international instruments that underpin the protection of these rights and how women can take advantage of them.
3. To create awareness on proper procedures for land acquisition, land documentation, and means of securing land tenure.

These meetings were held with pre-existing women's groups (such as religious, savings, and trade groups), which were an entry point to reach different categories of women within the community. Project staff specifically targeted: married women, single women, women in polygamous unions, women who were married without children, women in consensual unions, widows and divorcees, smallholder farmers, indigenes, migrants, and female leaders. In total, 481 women from 22 groups were reached directly through these meetings.

The goal of community sensitization was to inform and gather feedback from communities about LATSIP and to ensure that members of the community understood the issues related to customary land governance in Ghana and how to protect land rights.

ii. ADR training

The ADR component of LATSIP aimed to support and strengthen local dispute resolution mechanisms by training staff of CLSs, members of land management committees,²⁸ land users, traditional authorities, and other selected participants on international mediation standards and Ghanaian law and policy (primarily the ADR Act, 2010). It aimed to build participants' capacity to resolve disputes by assisting them:

- To learn how to analyze various conflict types, causes, and resolutions strategies.
- To develop familiarity with ADR concepts and objectives.
- To learn negotiation and mediation concepts and techniques.
- To learn how to reconcile interests through objective standards and integrative bargains.

- To learn communications skills relevant to effective mediation processes and negotiating to reach an agreement in the mediation process.
- To appreciate why mediation is useful in resolving land disputes.
- To know the ethical standards of mediation as a profession.
- To assist participants to implement the ADR mechanism within the CLSs in the project area.²⁹

The ADR trainings were held in the Northern Region capital of Tamale and conducted entirely in English. Participants were selected by the CLS and traditional authorities in each area, and, although COLANDEF requested that women be included among the group, few women attended the trainings.

iii. Capacity building

The CLS capacity building component focused on CLS procedures, resources and staff, and gender-inclusivity. Earlier project assessments identified the challenges and constraints facing the CLSs and highlighted specific resource needs. Project staff then assisted the CLSs to create financial sustainability plans to support their operations and developed CLS guidelines to help direct their work.

COLANDEF also conducted trainings to increase the capacity of CLS staff and other leaders to record land rights and resolve land-related disputes. Seven to ten trainees attended from each CLS area, and, with the exception of Tamale, each area's delegation included one to two women.

iv. Community durbar

A closing community meeting, or durbar, was held in each community following the conclusion of project activities. The durbars included presentations and a skit/play demonstrating the risks arising from undocumented land rights in order to encourage community members to record their rights.

²⁸ The land management committees are comprised of members of the land-owning community and other interest groups, such as land surveyors and developers, where available. They ensure that the CLS is accountable to customary land owners, have general oversight over the CLS, and are supposed to set salaries, hire, offer guidelines and policy direction, and resolve land disputes.

²⁹ ADR Training Manual.

VI. Gender Assessment

This research looked at how women were included in the interventions and how successful these efforts were in ensuring that women, as well as men, were sensitized, trained, and assisted by the program.

a. Community sensitization

i. Attendance

Ensuring that women attended sensitization meetings was a focus of the project. In total, over 1,600 people attended the meetings, and COLANDEF estimates an additional 1,200 were reached indirectly by the project through word of mouth and other means. Of the 1,600 who attended sensitizations, approximately 51% were women, but this varied sharply by intervention area. This can be at least partly attributed to disparities in the ways women were mobilized to attend and disparities in messaging regarding the topic of the meeting.

In Bamboi, for example, women noted that they came to these meetings because the CLS coordinator came to their houses and told them a meeting specifically for women was happening, and this is why their husbands allowed them to go. It is surprising that only 35% of the attendees were women; it is possible that the CLS coordinator went door to door after seeing how few women attended the initial community meeting.

In general, COLANDEF held information meetings for women and men and targeted women's groups directly for additional separate training. All meetings were held in local languages to ensure that all attendees would understand. In addition to targeting women generally, COLANDEF met groups of women who were Muslims, Christians, and traders separately to ensure a wide range of women were reached. The coordinator also used the public address system and an information center to inform people about the meetings. Men noted that it was good for men and women to go to meetings together because this could prevent misunderstandings, although women rarely spoke and project staff had to specifically prompt women to ask questions or otherwise participate.

In Tamale, women were not very interested in sensitization about their land rights because they did not see the possibility of gaining land rights due to the high cost of land near the city.³⁰ Rather, women wanted programs focused on the specific needs of the community such as alternative livelihood activities, including trading, sewing, and production of hair products and cosmetics. They were also interested in support to start women's savings and/or trade groups, which would enable women to start and grow businesses that could help support their households.

ii. Gaining knowledge and retaining information

In two of the four areas, COLANDEF was remembered well. Everyone—men and women—in the focus groups in the first area, Bamboi, identified Ernest Eshun as someone who had come and educated them about documenting their land rights. In Bamboi, everyone remembered that women's rights were a topic that had been discussed, and in addition to the trainings, the posters were identified as being good sources of information.

In Damongo, chiefs and elders remembered learning about the recording process directly from the CLS, although they also attended COLANDEF trainings. At the COLANDEF trainings they recall being told to encourage women to document rights to land. Men also recalled the community sensitization meetings and radio programs.

Women in Damongo were more aware than they previously had been of the importance of secure land rights as a result of the sensitizations. They remembered learning about the CLSs and the documentation process through the women's sensitization meetings, the radio programs, and direct outreach from the CLS staff and chiefs and elders. Only one woman interviewed had attended the mixed community meeting; the others were unaware of that meeting. They all recalled the play at the community durbar, which highlighted the importance of documentation by presenting a dispute over undocumented land. They said the durbar was particularly useful because it was presented in the local language and was more engaging than the one-sided presentations at the community sensitization meeting.

In Bole, women generally did not remember the project or COLANDEF, AGRA, or Ernest Eshun, and they did not remember much of the information that had been presented. In fact, one woman in Bole said that she had been given land by her father but had never transferred the (now lost) documents into her own name, and she worried someone else might claim the land. She had just learned from the focus group interview that she should get documents in her name. She knew to go through the assembly member, who was translating, but wasn't sure what would happen after that.³¹

While women and men in Bole remembered a sub-coordinator, they primarily remembered being told about needing to build toilets in new houses. People in Bole did not differentiate between different kinds of meetings held by different groups.

Chiefs in Bole did remember that COLANDEF led meetings about land management but noted that they were not included. Men in Bole did not remember the COLANDEF sensitizations, although they said they had attended many meetings hosted by different groups. A few men had attended the COLANDEF

³⁰ Feedback from participants in a validation workshop indicates that this is an issue throughout the areas and for men as well. It may be exacerbated by corruption.

³¹ Another woman interviewed about land conflicts had had problems in the community because she is living with HIV and because she came from another ethnic group. According to other community members, inter-marriages between ethnic groups are taboo in this area. She was initially driven off of her husband's land by his family and later accused of stealing the plot she purchased. This woman was literate, fluent in English, and very engaged, and so knew to go to the police and the district assembly. She remembered COLANDEF's workshops, and again identified toilets as an important issue.

community sensitization meeting, but they could not recall what was discussed.

A key issue in Bole is the tension between the CLS coordinator and the chief. While in other areas the sitting chief appointed the CLS coordinator, in Bole he was appointed by his father, the previous chief, and there appears to be tension between him and the new chief. Perhaps because of tension at the local government level, people in Bole were less informed about the CLS and less familiar with local land documentation procedures, land documentation and gender equality, and the process for acquiring land through the CLS.

Similarly, in Tamale married women and men had difficulty distinguishing the COLANDEF project from other programs, although some men recognized Ernest Eshun and were able to recall the trainings he had led. The men remembered a meeting focused on the role of the CLS and the process for documenting land rights, although they were not sure who had hosted the training, again highlighting the importance of clearer introductions for participants to enable appropriate follow-up. The men also recalled being told to help women acquire land during that training. None of the married women could recall any COLANDEF meetings; it was unclear whether any of them had attended any of the sensitizations. Focus group interviewees, however, did know that the CLS was responsible for resolving disputes, in consultation with the chiefs.

Note that in Damongo there was a similarly large number of programs that may have had a gender equality component, so it is difficult to attribute women's increased empowerment solely to this project's activities. During focus group interviews, the research team observed another group being interviewed by consultants nearby and was told that this was a common occurrence in the area. Interviewees, particularly the married women, expressed frustration at the number of focus group interviews they had participated in over the years with no apparent purpose or benefit to the community.

iii. Women's participation

Women's groups had woman trainers in order to increase the participants' level of comfort. Ernest Eshun, the COLANDEF lead of the project, noted that in all communities women rarely, if ever, spoke at the full community meetings but were much more comfortable engaging and asking questions at the women-only meetings. The women-only meetings focused on the same messages as the full community meetings, although there was increased emphasis on the risks women faced if they did not hold their own land separately from their husbands. Ernest noted that the project did not focus on joint titling of land because COLANDEF staff believed that men would resist this approach and also that women were unlikely to have an equal say over jointly titled land.

In Bole, women said they were reluctant to talk in group meetings because they were not educated and also because they

were taught by elders that, when married, a woman shows respect for her husband by letting him speak on her behalf. Nevertheless, they were speaking more in community meetings because of *susu* (support) groups, which have helped build women's confidence by providing them with a reason and venue to meet with each other regularly and discuss shared concerns.

In Tamale, interviewees claimed that women were more assertive and more likely to attend and actively participate in community meetings.

In Damongo, women said the sensitizations had encouraged them to participate more generally in community meetings.

iv. Access to the CLS and other governance bodies

Generally, for women, access to the CLS and other government bodies increased due to the project interventions.³² For instance, in Damongo more women were coming to the office directly to document their land rights than they had in the past, which the CLS coordinator attributed to the project sensitization activities. In the past, women sent their husbands or male relatives to document land for them. The coordinator estimates that 30% of their recent clients have been women. He also noted that there were few, if any, instances of joint titling in the area. The CLS was also allowing some women to pay the documentation fee in installments to incentivize documentation, and the chiefs and CLS have discussed lowering the documentation fees for women in order to encourage more women to acquire and document land.

In Tamale, the CLS saw an increase in the number of women coming to the CLS to acquire their own land since the sensitization activities. In the past, women would send their husbands or male relatives, but they were now more comfortable coming to the CLS office on their own, in large part because the sensitizations have helped their husbands realize that the income from women's property will benefit the household and provide security for their children. The Tamale coordinator said that since the sensitizations, 35-40% of the people documenting rights were women.

However, women still had trouble accessing the CLS, both to document land and for dispute resolution. In Bole, women said that because they did not speak English, they did not go to the CLS or local leaders. They also got no help from the queen mother, who had limited authority in Bole. In Bamboi, not as many women as men go to the CLS office because of lack of funds for fees.

v. Documentation of rights

In general, the main lesson reported from the sensitization was that it was important for women to document land in their own

³² As noted above, the overlap of interventions in the area makes attribution of gains to a single project difficult. Where this report finds the project interventions have made a difference, it is based on the testimony of officials and beneficiaries themselves. The possibility that other interventions played a role should not be discounted, but in these cases the reports of beneficiaries were relied upon.

names in order to avoid disputes with others or displacement in the future. The land they were being encouraged to document was not, however, their family land, but new plots of land being distributed and regulated by the CLS, generally just for building houses.

Women learned from the sensitization meetings that documents provided security if they were widowed and also secured rights for their children, separately from the children of other wives in the household.

Women all agreed that for these reasons it was good to document land, but their interest varied by region. In Tamale, for instance, the cost of documenting rights created an obstacle to women seeing the importance of doing it, while in Bamboi, women married to Mo men were worried about being driven from land when their husbands died and so were more interested.

Women in Bamboi noted that they now think about the uncertainty they may face in the future. The training opened their minds about the misunderstandings that can occur about land. Men used to say, “No, you’re a woman, you can’t have land,” and women could be dispossessed at any time. Now they have learned that they cannot be dispossessed. Women were generally documenting land for security in the case of widowhood and for security for their children.

Many women in Bamboi pointed out that the widespread practice of polygamy made it more important for women to record land separately from their husbands to ensure that their children would inherit something. One woman said, “Because a husband has many wives, it is better to have your own land for your own children.” Men’s land was still not considered property of the wives, and there was resistance to joint registration. This left women vulnerable to losing their primary homes, and less likely to be able to afford to farm in the event they were widowed. While the CLS coordinator encouraged women to register and encouraged men to support this, he had initiated no independent activities targeting women because of a lack of funds.

Chiefs in Bamboi said that before the project women were not active in getting land, but after training more women came for land to farm and for building. Most women interviewed were aware of and were starting to exercise their rights. In fact, according to the CLS records, currently about one third of all registered land owners were women. One tangible effect of the sensitizations was more children in school; some interviewees said that women’s increased incomes were used to pay school fees, leading to more children, particularly girls, attending school.

However, women must use their own money, not family money, to document land. At the same time, they were expected to use proceeds from their work for their families first. As women tended to control smaller farm plot sizes and cultivated primarily food crops, they were much poorer than men and less able to document land or afford expensive inputs.

In Damongo, overall, the project appears to have successfully encouraged women to secure rights to their own land and sensitized men to the importance of supporting women’s land rights. Women noted they were more actively seeking to acquire land of their own. However, none of the married women interviewed had documented their rights because the cost was too high. There was, however, very high interest in doing so, and some were saving money to acquire and document their own land. The married women were unsure if their husbands had documented their own land, but none expected to have their names on the documents because their husbands had multiple wives.

Because polygamy is very common in the area, women stated that they generally helped on their husbands’ farms but requested farmland of their own through their brothers; land from the brother was seen as more secure because it could not be claimed by the other wives and their children.

Bole women said they had learned from the sensitizations that it was good to have documents so that other people could not claim the land; they said this was true for both house and farmland. However, in Bole, women tended not to speak English or be literate, and they identified these issues as barriers to obtaining documents or speaking in meetings. This may be why, according to CLS records, only 0.3% of those asking for documents from the CLS were women, and eight percent of those asking for land in the previous month were men asking for it to be in the woman’s name.

No interviewed woman in Bole had land documents, and women said the houses were in their husbands’ names because the women were illiterate. The CLS said that chiefs did not want women to have land, believing land should just be for men; chiefs said that women never asked for land. Women could get land if they bought it through the landowner, but because of poverty this was unlikely. Women obtained land this way through the district commissioners, and it was the only way identified by widows to get documents.

In Tamale, in spite of the claims made by the CLS Coordinator of 35-40% women claiming land, due to the increasingly high cost of land in the area, none of the married women interviewed had been able to acquire their own land, so none had gone to the CLS to document land rights. Married women explained that they were living in their husband’s family homes, and they questioned the usefulness of the sensitizations around documentation of land rights if neither they nor their husbands could afford to acquire and document any land. Asked specifically about the sensitizations focused on the importance of women securing land rights, one woman said the trainings were of no use because if even the men cannot afford land there was no point in discussing women’s land rights. Others in the group agreed. A major fear of the women was that their husbands might sell land without telling them.

vi. Men's perception of women and land

In general, since the intervention men were more receptive to the idea of women having documented rights to land. In part, this was attributed to the project focusing on women's land rights as a way to secure future rights for children, which broke down potential resistance by men.

However, women's deference to men was an important consideration throughout the study area. While men support women's registration of and access to land, all groups spoke of the importance of women showing respect to their husbands. This takes different forms. It can mean that women are expected to allow their husbands to take the lead in registering land or gaining help with land disputes, or it can mean simply that women must inform their husbands before they obtain land. In Bole, chiefs said that women were speaking more but that women must respect their husbands by giving them their money and letting them ask for land.

In Bamboi, chiefs noted that the sensitization helped the women to "wake up" and realize they have rights. While they still helped their husbands, they also worked their own land now, and husbands gave them permission to do so because the proceeds helped the family. There was a perception, especially among the chiefs, that women were not contributing to the family before and that now they were able to do so. In Bamboi, women documenting land was considered good by focus group attendees, because if women could farm or put up houses this helped men and children. Men no longer resisted women's claims to land and said this was because of the sensitization. People agreed that having documents was important, and they were interested in documenting farmland on which they had perennial trees.

Widows in Bamboi said that things in the community had changed since the trainings. Specifically, men now thought women's registration was a good thing, and women could go to the CLS alone to get land. Before, they had to go with their husbands or other male relatives but now husbands did not mind if women went alone, and only accompany their wives as witnesses. Men agreed that it was good for wives to have documented land. Like the women, the men said this was for her and her children in case he died, and agreed that each wife having her own land would reduce conflict in the future.

For house land in Bamboi, the buildings the widows lived in belonged to their husbands' grandfathers and fathers, and they had no documents for them. They were aware that it would be beneficial to have documents in their own names, but they saw it as an issue for their children and grandchildren.

In Damongo, some said that men had changed since the project began; men now encouraged women to go to community meetings and to speak. Chiefs and elders now believed it was good for women to document land rights because of the widespread practice of polygamy; they noted that a woman's land would be her own while the husband's land must be divided among the

other wives. However, they remained concerned that strengthening women's land rights could lead to higher rates of divorce as women would be less likely to follow their husband if he moved to a new area.

Men in focus group interviews in Damongo agreed that it was important for women to secure land in their own names in order to reduce conflict and to ensure that their children would be secure in the future. The men explained that women without secure land rights were made too dependent on their husbands, and it was important that they had their own source of income to help support themselves and the family. As a result of the project, they said that women were more actively participating in community meetings and that more women were focused on acquiring their own land.

Compared to the other traditional areas, women interviewed in Tamale were less independent and less likely to challenge patriarchal customs. Married women stated that their husbands were the head of the household and made decisions for the family without the wife's input. As one woman explained, "Your husband is the head of the household, so he owns you." Men agreed with this sentiment, saying that while the world seemed to be moving towards gender equality, in reality women were beneath men and therefore had to do as their husbands commanded.

Because land plots are small, farming is fragmented in the Tamale area. This has led to women farming separately from their husbands, although the husbands directed their wives' farming activities. Household incomes were pooled and then spent on household expenses and school fees, although men were the final decision-makers within the household. Women reported no changes in these areas following the project activities.

b. Capacity building

i. CLS procedures

COLANDEF helped develop CLS guidelines to help direct their work. The guidelines make no mention of gender-related issues, other than to note that part of the mandate of the CLS is to develop mechanisms to improve the tenure security of women and vulnerable groups. The Tamale-based office head of the Office of the Administrator of Stool Lands, who participated in some of the early assessments of land tenure structures in the traditional areas, observed that the CLS is now disaggregating its records by sex.

ii. Resources and staff training

COLANDEF conducted trainings in Tamale to increase the capacity of CLS staff and other leaders to record land rights and resolve land-related disputes. They learned about their own roles, sustainability, and ADR (see more on ADR below). The training also highlighted the importance of securing land rights

Summary of Findings on Sensitization Efforts

Community	Bole	Bamboi	Damongo	Tamale
Women's participation in meetings	Resistance from male chiefs. Lots of women's groups - so female representation was high.	No resistance from men. Fewer women's groups outside of the city of Bamboi.	Only one woman interviewed had attended mixed community meeting; others were unaware of them. Sensitizations encouraged them to participate more in community meetings generally.	In Tamale, women were not very interested in sensitization because they did not see the possibility of gaining rights to land.
Knowledge of information project imparted on women's land rights	Community members did not remember the project and did not differentiate between different kinds of meetings held by different groups. Community members believe documenting women's land rights is good, and know how to do it. Women knew about their land rights.	Men and women remembered that women's rights were a topic discussed. Women knew about their land rights.	Chiefs and elders learned about the recording process and were encouraged to document women's rights to land. Men recalled community sensitization meetings and radio programs. Women were more aware of the importance of secure land rights and learned about the CLSs and the documentation process through women's meetings, radio programs, and direct outreach from the CLS staff and chiefs and elders. The play at the community durbar, which highlighted the importance of documentation, was particularly useful.	Married women and men had difficulty distinguishing the COLANDEF project from other programs. Men remembered a meeting focused on the role of the CLS and recalled being told to help women acquire land during that training.
Access to CLS	Women said that because they don't speak English, they do not go to the CLS or local leaders. Queen mother has limited authority.	Not as many women as men go to the CLS office because of lack of funds.	More women are coming to the office directly to document their land rights than in the past. The CLS is allowing some women to pay the documentation fee in installments.	The coordinator claimed that since the sensitizations 35-40% of the people documenting rights were women. Rural vs. urban plots - they were looking at rural smallholders, which is not exactly what the project focused on
Dispute resolution access		Women noted that there are fewer disputes since documentation began, and that they know to go to the CLS if they are chased off their land. However, men noted that women should let male family members intervene for them in disputes.	Women were willing to go alone to the CLS offices to resolve a land dispute. Comfortable with male CLS worker but prefer to speak to a woman. Usually women accompanied by a male relative.	Women stated they could not approach the chief directly and must have a man lead them when disputes arise over their land.
Documentation of land rights - cultural, financial, geographical	No interviewed woman in Bole had land documents—home belonged to husband and purchasing land was not possible. Only 0.3% of those asking for documents from CLS were women. 8% of those asking for land in the previous month were men asking for it to be in the woman's name.	Documenting land for security in case of future widowhood. Polygamy was an issue. Men's home and land belong to men only. About one third of all registered land owners are women. Women are poorer than men, and less able to document land.	Women more actively seeking to acquire land of their own. However, cost is too high. Married women did not expect to have their names on the documents for land held by their husbands.	Because of the increasing cost of land, none of interviewed women could afford to acquire land. Sensitization did not help.

for women and focused in part on the special challenges facing women in the acquisition of land.

Seven to ten trainees attended from each CLS area, and, with the exception of Tamale, each area's delegation included 1-2 women. Tamale included no women. CLS trainings were conducted in English and participants were required to be literate and have some education, limiting the number of women who could attend. In addition, CLS staff were predominantly male.

Following the trainings, the CLS in Bamboi said that they now disaggregate data by gender in their quarterly reports to the Office of the Administrator of Stool Lands (OASL). They learned in particular about ensuring that women have access to land. Bole chiefs on their own included the queen mother on the land allocation committee.

Land Management Committee (LMC) trainees in Bamboi explained that before the training they had not been supportive of women's land rights, but as a result of what they learned from COLANDEF, they now feel that women should be empowered to make more decisions at the household and community level. Although all of the interviewees were men, they said that three of the nine members of the committee were women. Female LMC members are now always involved in the resolution of disputes involving women in order to make the female disputants more comfortable approaching the LMC.

In Damongo, as a result of the training, women are now invited to more community meetings and play a more active role in community decision making generally. The CLS also now involves a female LMC member whenever women have disputes, and have noticed that this has made it easier for women to come to them with their concerns. The paramount chief often waives his portion of the fee for poor women and men.

However, in Damongo the CLS is still in need of training and capacity building activities focused on gender. In particular, the 21-member LMC has only three women. The Damongo CLS mentioned that they need more female staff, a permanent gender desk, a gender strategy, and trainings on women's land rights challenges.

In Tamale, the ADR trainees said that women could come to the CLS directly to resolve land-based disputes. However, there are no female members of the LMC; the members interviewed said this was because there were few literate, English-speaking women who were qualified. The idea that LMC members must speak English and be literate seems to stem from the belief that members must be able to interact directly with outsiders (like the research team). This approach to membership limits the number of women qualified to hold these leadership positions, further entrenching gender inequalities.

Three sub-chiefs, all male, in Tamale stated that land is not sold but is allocated to anyone who requests it, including European

companies, for *kola* (customary payment). This insistence that land is not sold may indicate cultural or legal pressure to hide that land is being sold. The chiefs believed that the role of the CLS is to prevent land disputes and that it has reduced them drastically. The chiefs had all heard of the AGRA project and sent representatives to the ADR training and to the community durbar. They said they had learned from the project that helping women more helps the community. One chief gave a group of women land for shea butter processing in order to help them. The chiefs say they have seen tremendous improvements from the project, especially in women. Before, they say, women did not work much, but now they have increased their efforts as the training was "an eye opener." They want more trainings, including trainings in local areas, and better offices for the CLS.

Both the Damongo and Tamale CLSs have integrated the entire land allocation and documentation process so that it all works within the CLS offices. People requesting land come directly to the CLS to make the request and pay the required fee,³³ and the CLS processes the documents with the chief, then provides a copy to the owner and the Lands Commission. A third copy is kept at the CLS office.

Project staff also assisted the CLSs to create financial sustainability plans³⁴ to support their operations. COLANDEF also provided the CLS offices with motorbikes and computers to assist them with their work.

iii. ADR training of traditional authorities

The ADR trainings were held in the Northern Region capital of Tamale and conducted entirely in English. Participants were selected by the CLS and traditional authorities in each area, and, although COLANDEF requested that women be included, few women attended the trainings. Several interviewees, including a queen mother, who attended the training, indicated that the requirement that participants be fluent and literate in English severely limited the number of women qualified to participate in the training. The training curriculum did not include a specific focus on gender or women-specific issues.

The ADR training focused mainly on members of the Land Management Committee (LMC), including the CLS coordinator, local chiefs, elders, and opinion leaders. The LMC usually handles disputes. Throughout the study area, these were primarily around boundaries and double allocations.³⁵

Note that because of the overlap between the general LMC trainings and the ADR trainings, many of those trained attributed changes in their attitudes towards women to the LMC trainings. See section on LMC trainings for more.

³³ In Damongo, the fee is split between the paramount chief (50%), the district assembly (20%), and the CLS.

³⁴ These plans are intended to allow the CLSs to continue functioning without outside funds, generally through charging fees for documentation.

³⁵ Where plots are allocated more than once to different people.

In Bamboi, there was also resource-access-induced conflict involving the grazing rights of cattle belonging to trans-national herdsmen: the Fulani (a pastoral ethnic group) cattle destroyed crops and was identified by all groups as a key challenge. There was very little recourse when this occurred, as the perception is that the chief was paid off by the Fulani to ignore the problem. Therefore, the only recourse was to catch the cattle in the act of destroying crops in order to identify the owner, which could be dangerous.

The CLS coordinator in Tamale noted that while useful, the ADR program should have been longer to dive more deeply and specifically into the issues. He also suggested holding meetings at the chief's palace, which is a central location and likely to attract more participants, though others noted that this may inhibit subjects from speaking freely.

The Tamale LMC noted that the training showed the importance of having women on the LMC, as they can make valuable contributions and are also better at understanding women's land issues and the special challenges facing women and other vulnerable groups. Although there was a request from COLANDEF that LMCs send women to these trainings, women were generally not in attendance. In Tamale, for instance, the three ADR trainees interviewed were all male.

c. Dispute resolution and the CLS

In Damongo, two female ADR beneficiaries were interviewed. Both had acquired plots through the CLS that someone else then claimed. Both went alone to the CLS offices and used their documents to prove it was their land; in both cases the other person's documents were from a different plot. One woman said that because she had gone to a community sensitization, she knew the importance of her documents and had learned that she could go alone to the CLS. However, both said that while they were comfortable with the male CLS coordinator, they would prefer to speak to a woman.

Regarding dispute resolution, in all areas women generally needed a male relative to accompany them. In Damongo, chiefs explained that disputes go to either the elders or the chief depending on the complexity of the dispute, but they noted that women with disputes must ask their husband or a male relative to lead them to the chief or elders; they will not be heard if they approach without a male escort. In Tamale, women said that they could not approach the chief directly and must have a man lead them when disputes arise over their land.

One woman in Damongo had a land dispute resolved by the Land Management Committee, whose members received ADR training, and she said she was satisfied with the process and result. Her dispute was the result of a double allocation which she did not discover until the other party began putting up a house on the land. Her husband assisted her in bringing the dispute before the LMC, which was able to resolve the conflict within two weeks by visiting the disputed plot and reviewing

each party's documents; she was given the original land while the other party was allocated a replacement plot. She also agreed to build a house on the other party's replacement plot, as she was able to benefit from the structure that had already been built. Although she said she was comfortable with the LMC, in spite of the lack of female members, she did not think she would have been able to work through the process without her husband's support and assistance.

Women in Bamboi noted that there were fewer disputes since registration began and that they now knew to go to the CLS if they are chased off their land. However, men noted that women should let their husbands or male family members intervene for them in disputes. In part, this was so those family members might serve as witnesses.

VII. Recommendations

a. Sensitization

i. Ensure messages are distinct and clear

One of the issues COLANDEF faced in their sensitization efforts was the number of interventions and research being conducted in the four target areas. Especially in the peri-urban Tamale area, researchers noted that there were many NGO and government initiatives. In some cases, this led to message confusion, as in Tamale where men and women believed the central message of the COLANDEF project was about sanitation issues.

Potential solutions to this difficulty might be: targeting areas where there are fewer projects, coordinating with existing projects, and/or distinguish the message in a tangible way by supporting local needs as part of the project.

For example, the project might provide direct support to community members or leave materials behind to remind the targeted audience of the key messages. The COLANDEF project produced posters that some interviewees identified as important in reminding them of the steps involved in documenting land. Handouts or posters that are produced specifically to be accessible to illiterate people help people to remember a project and its key messages long after the project has left. This is particularly necessary in getting messages to women, who more often lack formal education. In Damongo, interviewees recommended that the project leave behind more written materials, such as posters and pamphlets, on women's land rights and land documentation to ensure that people are clear on the concepts and are doing things correctly.

ii. Support women's groups to strengthen women's confidence in the public arena

COLANDEF reached a large number of women by holding sensitization meetings with existing women's groups, which allowed women in those groups to discuss the issue at hand in a comfortable setting. The Tamale-based office head of the Office of the Administrator of Stool Lands said that women leaders who participated in the project activities are organizing additional programs for local women and girls that are focused on women's economic empowerment.

Experience in many countries has shown that promoting women's savings and support groups is a key way to empower women.³⁶ Any project working with women should consider both working through existing women's groups and creating support groups. For example, where women's groups do not already exist, an organization might create groups by organizing women to document their land rights and providing monetary support to plant trees on their land. Often, women say that men are more

likely to accept women joining a support group if men are able to also benefit.

iii. Hold meetings at times and in ways that are conducive to women's participation

The Tamale-based office head of the Office of the Administrator of Stool Lands observed that women are speaking up more in community meetings. One way COLANDEF facilitated women's participation in meetings was by ensuring women could attend. They did this by scheduling meetings in the early morning or late evening to accommodate women's schedules; providing drinks and snacks at the meetings; allowing women to bring their children; and using radio to broadcast the community durbars to ensure that the project's reach went beyond those able to attend the meetings in person. They also involved women in the design of activities, used women trainers, and asked trainers to specifically ask women to speak up in meetings. These were all effective tools to encouraging women's participation.

iv. Hold more frequent meetings that are responsive to ongoing questions

For women especially, follow-up meetings after the sensitizations would have been useful in order to address issues and challenges that have come up as more women attempt to document their land rights.

Holding more frequent meetings would allow more people to be targeted, including women. Frequent meetings will also ensure that women-specific issues are presented and explored in depth. Again, this requires more project resources, but will ultimately lead to a deeper understanding and greater retention of the information shared at the sensitization meetings.

In Damongo, it was also noted that community meetings should be held in the more remote areas in order to reach a broader audience. More sensitizations at the community level means a larger number of women, and not just women leaders, can be engaged.

Interviewees suggested trainings and sensitizations take place at the community level. The trainings seem to have focused on a limited part of the traditional area. Instead, they recommended that project staff take the time to go to each community in the area to share the project messages. More participatory and interactive trainings could be developed to allow participants to engage more fully by asking questions and sharing their specific concerns. Additional meetings to help reinforce the project's messages over time were also suggested. Finally, invitations to trainings should specifically require the inclusion of women in each delegation to ensure that women are included in these important capacity-building activities and are empowered to take on leadership positions.

36 Brody C., T. De Hoop, M. Vojtkova, R. Warnock, M. Dunbar, P. Murthy, and S. Dworkin. 2015. "Economic Self-help Group Programs for Improving Women's Empowerment: A Systematic Review." *Campbell Systematic Reviews* 2015:19.

b. Training

Including women in training can be difficult and requires an understanding of their needs and a concerted effort to include them. A number of changes to the ways trainees were selected and the format of the trainings would make it more likely that women would be trained.

i. Train in local languages

Community sensitizations and women's group meetings were held in local languages, enabling a significant number of women to engage with the project and gain knowledge that may help them strengthen their rights to land. However, a much smaller portion of CLS and ADR trainees were women because those trainings were conducted exclusively in English; it was noted in all of the areas that women were less likely to speak English than men, and were thus not often sent to trainings. To combat this problem, trainings should be held in local languages, and women should be encouraged to attend regardless of language ability or literacy.

ii. Hold trainings at the local level, instead of bringing people to central, urban areas.

Due to project resource constraints, trainings were held in the Northern Region capital of Tamale rather than in each location separately. Women are often less able than men to travel long distances or to stay away from their families for several days, because of cultural constraints and family responsibilities. Therefore, ideally trainings should be held in multiple locations closer to trainees' homes, so that more people can be trained and so that women do not have to leave their families for several days.

iii. Hold more frequent trainings and meetings, including follow-up trainings

It was noted by most trainees that more time should have been spent on trainings to give trainees more exposure to detailed, specific information. Trainees also noted that it would have been useful to have follow-up trainings, both to refresh their memories and to address issues as they arise in practice.

In Bamboi, widows wanted additional trainings on supporting widows, on building on acquired land, and on support for farming. Chiefs asked for refresher trainings and trainings on ADR specifically for women. The Queen Mother, who represents women and hears women's disputes, was not invited to the ADR training because she does not speak English, but would have liked to attend workshops to learn how land rights can benefit women.

iv. Address women's issues directly in all trainings

While community sensitizations and many training sessions included a clear focus on gender, interviewees noted that some trainings did not address women's issues at all. For example, the ADR trainings did not address gender. In a project seeking

to incorporate gender, it is important that each training have a gender component, and ideally have gender incorporated throughout the training.

v. Require that women are trained

Far fewer women were trained than men because COLANDEF had a difficult time finding qualified women to train. COLANDEF requested but did not require that at least one woman be trained. If this had been a requirement, local leaders would have had to work harder to find qualified women, or the project would have had to reconsider its requirements for trainees.

Annex 1: Meetings held

People who had had disputes resolved by the local ADR committees were interviewed in Bamboi, Damongo, and Tamale.

Queen mothers were interviewed in both Bamboi and Bole.

In Damongo, the team interviewed the District Gender Desk Officer and an officer from the Ministry of Food and Agriculture, and in Tamale the team interviewed an officer from the Office of the Administrator of Stool Lands; all had engaged with the project to some extent. In Bamboi, focus groups were held with married women, men, widows, and chiefs. The CLS secretary Peter Chiu was interviewed and acted as interpreter. The Queen Mother, ADR trainees, and two male ADR beneficiaries were also interviewed. There are two ethnic groups in Bamboi: Mo and Ewe. In Bole, focus groups were held with widows, married women, and men. Two individuals were interviewed about their land conflicts, the CLS sub-coordinator was interviewed, and two sub-chiefs were interviewed, as well as a local queen mother. All were of the Vigla ethnic group.

In addition, the researchers engaged with Ernest Eshun, project coordinator, and Nana Ama Yirrah, executive director of COLANDEF, throughout field research to gain additional information on project design and implementation.

In Damongo, the research team conducted focus group interviews with married women, widows, men, and local chiefs and elders. In addition, the team interviewed CLS coordinator Mark Lermu, who also acted as interpreter for some groups, Damongo Gender Desk Officer Alijata Haruna, who interpreted for the women's groups, Ministry of Food and Agriculture officer George Gumah, and ADR trainees and beneficiaries.

In Tamale, focus group interviews were conducted with married women, widows, men, chiefs and elders, and ADR trainees/LMC members. In addition, the team interviewed CLS staff, an officer with the Office of the Administrator of Stool Lands, and a woman who had brought a dispute before the Tamale LMC.



The Landesa Center for Women's Land Rights is an initiative of Landesa, an international non-governmental organization committed to the power of land rights as a pathway to eliminate extreme poverty, reduce conflict, and build more gender-equal and just societies. Given the centrality of women's land rights to a host of sustainable development and human rights outcomes, the Center partners with governments and global networks to champion women's land rights in high-level and strategic norms-setting fora, and by leveraging innovative solutions for stronger gender-responsive land rights on national and regional levels.



Resource Equity was founded in December 2014 as a women-run, women-first non-profit which focuses exclusively on gender issues related to land and resource rights. We work in concert with other organizations worldwide to advocate for social and policy change that will enable women to have secure rights to land, and develop the capacity of others to do this work around the world.