

COVID 19 AND ITS IMPACT ON WOMEN'S LAND RIGHTS IN UGANDA.

Stella Rose Akutui.¹

Background;

The current Covid-19 pandemic has seen the whole world almost come to a standstill with governments taking drastic measures to try to contain its wide spread including the lock down of economies, formal and informal businesses where women derive their livelihoods from.

Women contribute 85% of the country's food basket and yet they still struggle for governance of the land, the result of this pandemic mitigation has only accelerated the lacuna in the relationship between women and land since in Uganda women own only 7% of the land, leaving 93% with access to land only through a male relation, usually a father, husband or son. (MGLSD, 1999)

Land administration;

The closing of land administration services due to the lockdown has halted the implementation of land laws and regulations because the Land

administration systems for example the Ministry of Lands, Housing and Urban Development, MZOs cannot operate as they usually had before the lockdown. The effect of this has paused the processes that were providing tenure security for women farmers, indigenous groups, pastoralists who cannot be accessed with the services hence a risk of human rights violations on land and property, delayed justice for the vulnerable groups, to say the least, the pandemic is deepening pre-existing vulnerabilities in social, political and economic systems which are in-turn amplifying the impacts of the pandemic.

The pandemic has manifested not only as a health risk but also as an economic risk which affects all people, but what should be noted is that it has deeply impacted on women and girls especially their land rights, though a study conducted revealed that men make up the majority of those who have died from the virus², this poses a big threat to the women and girls who run the risk of being dispossessed of land and property (ICRW 2020) since their access to the land is dependent on their relation to a male figure i.e a father,

¹ The writer is the Capacity building & Networking Officer and also coordinating the Women Land Rights Movement at LANDnet Uganda. She holds a BA degree of Laws and currently pursuing a Master's degree in Women and Gender studies.

² Public Health, 29 April 2020.
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husband or a brother so by the fact that many men have died in the pandemic means the land and property rights of these category of people is shaky.

In Uganda where women and girls are already living with so many challenges and uncertainties of their land rights due to legal barriers, gender norms and cultural practices that have limited their ability to secure their land rights, the impact of COVID-19 now comes as a shock to their economic stability overall and as an impediment on their ability to afford critical necessities, such as food, access to markets to sale their produce, medicine and sanitary kits, this ends up affecting the livelihoods of the women and girls.

Loss of livelihoods; Women work in the informal sector, (street vendors, domestic workers, petty goods and services traders, seasonal workers, industrial outworkers and subsistence farmers etc.) the ILO (2018) report indicates that informal employment is the main source of employment in Africa accounting for 85.8% of all employment and specifically in Uganda 62.2% of those employed are women who produce food for subsistence use mainly and partially for sale, they are also unable to access inputs, markets to

be able to sale or trade their products because of the challenges of social distancing in markets. According to a woman farmer from Adjumani during a TV talk show³ she was worried that *“they have also ended up eating the seeds that they had kept for the next season to feed their families because they have nothing else to feed their families with”* this therefore threatens the future of farming and food security at household level.

In addition also most women deal in petty businesses like cooking food and mostly work in markets in order to get a daily income to sustain their families, this too has been halted because the customers are restricted due to social distance and also restricted movement this therefore incapacitates the women because they cannot earn any money hence deepening the levels of poverty and food insecurity in most households, this further creates tension between partners to provide for the basic needs leading to domestic violence which was reported to be on a high rise in most families and of which women are the primary victims.

³ Talk show on NTV Organised by food rights Alliance on the 24th/may/2020. Themed; Impact of covid19on the future of Uganda’s food systems.

Disinheritance of widows and orphans;

In most pandemics, post conflicts or disasters, women's land and property rights are likely to be further disenfranchised if not protected because for example during the AIDS epidemic in the past years, widows and orphans lost property to other family members and were left landless and homeless even as they dealt with their own health emergencies⁴. Similarly with the COVID-19 pandemic, women are likely to face the same challenges if their husbands die because the women's land and property rights, for example those whose fathers and husbands have died in the pandemic are assumed to only have legal or socially recognised rights to land through a husband or a male relative, these family members take advantage of the crisis to disinherit the widows and orphans an example was the case in Kenya where widows were thrown out of their homes during the social distancing. because they were seen as an extra burden and not part of the family.

Access to land justice; the restrictive measures of lockdown and social distancing in the country have made it very difficult for women to access land

justice because the support structures/systems and service providers like NGOs, legal aid service providers are all locked down and cannot access such people to offer these services. Well aware that in Uganda, the lawyers were not prioritised as essential staff not until after about 2 months of lockdown where the presidential directive allowed just 30 lawyers, but one can wonder how the 30 Lawyers can comb the whole country to help the vulnerable people.

In addition to the above, the courts of law are not functioning fully since its only criminal matters that are being heard, and at community level, Local Council courts are not able to convene their sessions because of social distancing requirements, all these make access to land justice for the women very impossible and delayed and yet they are being faced with this human rights violations to their lands or property, all these gaps created by the impact of COVID19 is a gate pass for many illegal land dealings, acquisitions, evictions, loss of access to land by the vulnerable especially women.

Women in cohabitation arrangements; Women in such arrangements are also at a high risk of being denied the rights to

⁴ World bank blog

property especially land and housing because their access rights are dependent on the fact that they are legally married and by bad luck a husband dies during the pandemic, their legal rights to claim for the property is very weak more so if there is no clear documentation of joint ownership of property, they will be interfaced with their land being grabbed by the male relatives of the late husband and even chased from the matrimonial property.

RECOM MENDATIONS.

1. Integrate women's land rights awareness sessions in response efforts as an essential service.
2. Make legal aid service providers to be recognised as essential workers during this lockdown by the introduction of Call centers, hot lines/ help lines where lawyers will be able to respond and answer issues.
3. Support recovery from shock and build economic resilience, since COVID-19 is both a health and an economic burden, if business owners are able to restart economic activities, women will be able to return to work, thereby improving the financial standing of households. As women and women-headed households are at a greater risk of food insecurity, essential food items should be made readily available.

4. The operationalization of the cooperatives where women's Agricultural produce can be collected
5. The police land desk department should be deployed in areas where land issues and evictions are rampant during the lockdown to protect the land rights of the vulnerable.

CONCLUSION.

Security of women's land rights before, during and after the pandemic are a very important aspect of the economy that needs a concerted effort from every stakeholder and should be put at the center of every intervention because they have a close linkage to productivity and poverty alleviation which in the end brings about empowerment.

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