



UCOBAC

UGANDA COMMUNITY BASED ASSOCIATION FOR WOMEN AND CHILDREN'S WELFARE

POLICY BRIEF

The Role of Stronger Women's Land Rights in Enhancing Grassroots women small holder farmer's voice, participation and benefit in agribusiness value chain

2023





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Huirou Commission is a women-led social movement of grassroots women's groups from poor urban, rural, and indigenous communities, working in over 45 countries. Huirou Commission envisions a world with balanced power relations and sustainable resilient communities with grassroots women leaders and their groups at the centre of decision-making in which people lead lives free from poverty, inequality, violence, insecurity, and all forms of injustice.

www.huairou.org



Uganda Community Based Association for Women and Children Welfare (UCOBAC) is a non-Government organisation formed in 1990. It's a consortium of grassroots and community-based organisations whose mission is to promote human rights and improve welfare of vulnerable women and children in Uganda using community-based initiatives. UCOBAC is a lead organisation for the Fair for All project in Uganda.

www.ucobac.org



Action for Women and Awakening in Rural Environment (AWARE Uganda) is a grassroots women led organisation formed in 1989 by a group of rural women of Kaabong District in Karamoja sub-region, - A pastoralist community in Uganda. Its goal is to build rural women's skills, educate them on their rights, fight human rights abuses, eliminate poverty, fight gender-based violence, and provide HIV/AIDs care. AWARE Uganda envisions all indigenous community women to live in dignity and respect to enjoy their human rights and build their livelihood. Its mission is to empower Karamojong women to build their confidence and status through their participation in groups in which they can determine programs to secure their social status, livelihood.

www.awareuganda.org



Slum Women's Initiative for Development (SWID) is a community based Non-Governmental Organization that was established in 2003 in Walukuba-Masese Division of Jinja District and operates in 11 Districts in Busoga sub-region. SWID promotes the development of community structures in slum and rural areas to help poor people obtain land, shelter, and basic services in order to improve their overall well-being. SWID's mission is to strengthen and mobilize the voice, visibility and collectively organize power of women in Busoga Region through changing norms, institutions, policies, and practices that perpetuate inequality and violence in both public and private spaces. It envisions a world where there is adequate shelter for every woman.

www.swidugandahelpawoman.org

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1.0 Introduction

International and domestic trade and value chains are recognised as potential crucial engines for developing countries to achieve Sustainable Development Goals (SDGs).¹ As a commercial model, value chains create opportunities for everyone – women and men, girls and boys to fight poverty and fulfil their (economic) potential, increases incomes, employment and overall economic growth.² Unfortunately, the emergence of international trade and global value chains has not created opportunities for many people in the developing world especially the poor, living and working on small agricultural land plots smaller than 2 hectares. Instead, they are faced with limited access to production assets like land, water, technology, and other farm inputs like seeds and fertilisers. They also lack access to markets for their produce, have low bargaining power and low returns. Women are often hardest hit by value-chain abuses because they face added discrimination through harmful social norms and practices and in some instance in law.

For the last two decades, there has been a growing move in developing countries like Uganda to align agriculture with the value-chain model to enhance efficiency in the sector. The idea of value chains in agriculture illustrates all the activities necessary to move an agricultural product from production to final consumption.³ Agricultural value chains have two ends: on one end are the producers – the farmers who grow crops and on the other end are the consumers who “eat, drink, wear and use the final products.”⁴



In between are “many thousands of men and women, and small and large businesses” performing distinct but interconnected roles along the value chain by “growing, buying, selling, processing, transporting, storing, checking, and packaging” the product.⁵ In those stages, there are several actors including women who are very active especially in the pre-production and production stages of the value chain. A key characteristic of activities in these stages is the reliance on land which is a critical factor of production alongside labour and capital.⁶ Strong land rights for women are therefore a critical facilitator in enhancing women’s voice, participation, and benefit in agri-business value chains.

1 World Trade Organization, ‘Mainstreaming Trade to Attain the Sustainable Development Goals’ (2018).

2 International Labour Organization, ‘Gender-Sensitive Approaches to Value Chain Development: A Complementary Guide’ 49.

3 J Lin, ‘The Role of Institutions on Modern Agricultural Value Chains’ (Georg-August-University 2020).

4 V Cuddeford, ‘An Introduction to Agricultural Value Chains’ 1.

5 *ibid.*

6 Mason Gaffney, ‘Land as a Distinctive Factor of Production’ [1994] *Land and Taxation* 39.

2.0 The Problem

In Uganda where agriculture is the backbone of the economy, land is a key production asset on which many livelihoods depend, and women contribute to the highest percentage of the agricultural labour force.⁷ However, despite their role in the sector, many women are not able to fully enjoy their land rights mainly due to some existing restrictive social and gender norms and practices that discriminate against women and girls from inheriting, owning and making decision on land. Land is the most critical asset for agricultural-dependant households, yet women are “consistently less likely to own or operate land and less likely to have access to rented land.”⁸ While Uganda’s land laws are gender progressive, the lived realities of many women contradict the country’s normative aspirations. Many women are unable to enjoy the “bundle of rights” as they largely have access and user rights to land which rights are limited to permitting a person or community to enter and work the land e.g., clearing it for farming, planting, and harvesting the crops. This is distinct from the right to own which gives an individual or group of people proprietorship of the land oftentimes, for life or for a prescribed timeframe. User and access rights also vary from the right to control which is concerned with decision making on the land e.g. what to plant on the land or how to manage the products and proceeds from the land e.g., whether to sell or consume the harvest. Without a ability to fully enjoy the bundle of rights on land, women lack land tenure security which in basic form means the perception of assurance that a person’s rights on the land are held for a known for given period of time including for life; without any outside threats; and that they can reap off the benefits of the land.⁹

2.1 Nexus Between Women’s Land Rights and Agri Business Value Chains

During a Grassroots Women’s Academy for small scale farmers participating in the **Fair for All – Power of Voices Partnership Project** aimed at promoting sustainable and effective trade and value chains through strengthening grassroots women’s voice, participation, and benefit in agri-business value chains, the grassroots women highlighted limited and weak land rights for women as a major hindrance to their effective participation and benefit in agribusiness value chains.

Several women reported that they did not have adequate land rights and their use of the land was determinant on the good will of their male relations like husbands, brothers, and fathers, among others. Most women perceive their rights on the land to be insecure due to a patriarchal system where acquisition of land is mainly through the male lineage. Men/husbands therefore are “primary owners” of the land and women/wives can only access and use the land belonging to their husbands as long as they are married to them. Women therefore reported that they have limited, weak and temporary rights to the land. Their access and use of the land is largely dependent on the nature of relations they have with their husbands. Because of this, women are not enjoying the full benefits that accrue from the full bundle of land rights which in turn affects their participation and benefit in agri-business value chains. The women are at risk of losing these user/access rights when the relationship they have with their male counterpart changes due to death, divorce/separation or if their husbands decide to sell off or rent off the land. This unpredictability cannot enable women to make long-terms decisions on the use of land yet this is critical

7 Derick H Bowen; and others, ‘Leveling the Field for Women Farmers in Uganda’ (*World Banks Blogs*, 2015) <[8 FAO, *Developing Gender-Sensitive Value Chains* \(2018\).](https://blogs.worldbank.org/voices/leveling-field-women-farmers-uganda#:~:text=Women play a vital role,76 percent versus 62 percent.> accessed 27 June 2023.</p></div><div data-bbox=)

9 Frank Place, Michael Roth and Peter Hazell, ‘Land Tenure Security and Agricultural Performance in Africa: Overview of Research Methodology’ in John W Bruce and Shem E Migot-Adholla (eds), *Searching for Land Tenure Security in Africa* (World Bank 1994).

for their effective participation and benefit in agribusiness value chain.

Additionally, it was also noted that the pre-production and production processes including land preparation, planting, weeding, and harvesting are predominantly done by women and these consume a lot of time and energy. The women reported that upon providing labour in the agricultural pre-production and production stages, the subsequent processes in the value chain relegate them to the margins as the men take over all the final stages that reap financial benefits. Decisions at the post-production phases including for example marketing, price negotiations as well as decisions on what to produce, the quantity to be sold and the use of the proceeds from the sale are usually male dominated. This is closely related to the fact that the men hold stronger rights to land as sole owners and decision makers of the land.

In the long run, women get discouraged because they do not reap from their sweat. Investing their time, energy and resources on land without certainty of whether the land can be taken away from them disincentivises women from engaging in agri-business value chains. It further affects their productivity and discourages women from producing longer-term cash crops like coffee, rice and cassava and instead, they dedicate their time to short-term food crops mainly for subsistence purposes and at most for small scale income generation on a short-term basis. This disempowers women and ties them in a vicious cycle of poverty.

Stronger WLRs are therefore critical for high agricultural production which not only drives the economy but also ensures food security. When women invest effort (and other capital) on guaranteed (secured) land, there is an assurance of returns which strengthens their participation and benefit in the whole continuum of the agri-business value chain. Granting land rights to women is therefore likely to enable them to make more



productive decisions on land, and invest more time and resources on the land which will contribute to sustainable and higher production. With secure land rights, women can be able to secure financial resources like credit and loans which enable them to acquire agricultural inputs and resources like seeds and technology to invest on the land. This in turn leads to higher and better-quality production returns, increase their access to markets, strengthens their negotiation power etc thus leading to more sustainable and inclusive agri-business value chains.

3.0 Recommendations

From the discussions with grassroots women during the Assembly, a raft of proposals were made to change this situation so as to facilitate women to gainfully participate in the agricultural value chains through stronger land rights. The recommendations include:

1. Government especially at lower level and NGOs like UCOBAC to engage in continuous awareness raising campaigns on women land rights in the community. Part of the reasons for the weak WLRs is attributed to ignorance of the law on WLRs.

Beyond regurgitating the legal provisions, the messaging for these interventions should demonstrate the added value of protecting WLRs more so in the context of increasing family income through gainful participation in agribusiness value chains. Such campaigns can be through the media, art for development, among others targeting mainly men.

2. Allocation of productive resources like land happens in a social context which is generally patriarchal. While there are aspects of various cultures that promote WLRs, it is also true that negative social and gender norms are largely responsible for the low gender inclusiveness of cultures in the context of WLRs. As such, it is critical for Local Governments especially Gender Officers, Production Officers, Commercial Officers and Community Development Officers as well as development partners and NGOs to invest more in social and gender norms transformation programming at family, community and institutional levels, also targeting women and traditional leaders, in ways that will enable communities to adopt more progressive norms and cultures that advance WLRs.
3. Strengthening grassroots women's voice and advocacy to assert and claim their rights at all levels is critical. Grassroots women's active and direct engagement and participation in decision making processes and conversations related to agribusiness value chains is key to enabling them to inform and influence policies/laws programming, decision making, and financing models to be responsive and supportive to their priorities that would strengthen their value chains. Additionally, women through their civic and economic formations should advocate for themselves at the family and community level. Most change in society is possible through small steps at

the household level. Grassroots women need support to undertake effective and transformative advocacy actions at family, community, and national levels.

4. Capacity building/training of grassroots women in agri-business value chains. Many women lack the required knowledge and capacity to fully participate in agri-business value chains. Many women are tied to the pre-production and production stages of the value chain and not in the postproduction stages due to among other factors, lack of capacity to engage in those stages of the agri-business value chain. This limits their benefit from the agribusiness value chains, which ties them in poverty and disempowers them economically.
5. Provision of incentives to grassroots women in the form low-interest soft loans in government programmes like Parish Development Model (PDM) and Uganda Women Economic Empowerment Programme (UWEP).

4.0 Conclusion

In terms of the bundle of land rights, women largely have access and user rights. This implies that in the agricultural value chain, they are confined largely to production of crops. The other land rights like control and ownership are generally a preserve of the men, through whom most women derive their land rights from. Yet, control and ownership rights are equally very central to women's participation in agricultural value chains. It therefore follows that with limited or weak land rights, women are inherently constrained in participating in agricultural value chains as they lack control and ownership of the most important factor of production. It is therefore imperative to invest in initiatives that strengthen and secure women's land rights for their meaningful and gainful participation in agricultural value chains.

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