PROMOTING WOMEN’S ACCESS TO AND CONTROL OVER LAND IN THE CENTRAL HIGHLANDS OF MADAGASCAR

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OVERALL OBJECTIVE

Analyze and support women’s struggles for their rights to access and control land in 2 rural regions of Madagascar
Site description

**Miadanandriana**
- Near the capital
- Northern part of the central highland
- Ethnic group: Merina
- Rice cropping system
- Charcoal production
- Access to resources
- Local land office (2005)

**Sahambavy**
- Near a main city
- Southern part of central highland
- Ethnic group: Betsileo
- Rice cropping system
- Less access to resources
- Land local office (2008)
Statutory laws

- Since 2003, a new institutional approach was developed in Madagascar: the national land program

- All statutory laws after 2005 are based on land policy letter
4 Axes of Land Reform

- Restructuring and Modernization of the Land Services (AXIS 1)
- Improvement & Decentralization of land management (AXIS 2)
- Reform of Land Regulations (AXIS 3)
- Training Professionals in Land Services and Information (AXIS 4)
The Land tenure policy, implemented in 2005 wishes to be a tool that permits the transformation of the customary property right in legal right, and so to confer to the citizens a bigger legal and social security.

Statutory laws in Madagascar: no discrimination between man and woman in the accession to the property.

Rules customary in land acquirement restricts the rights of the women indirectly to the land property. The acquirement of land is submitted to strict customary rules, which imply the deprivation of the property right to the women.
Customary practices

SAHAMBAVY

• **Division of inheritance:**
  – conflict within family, among brothers and sisters
  – Lowland (rice field) for men who are responsible for all social obligations
  – women = symbolic land (upland)
  – Given to the brothers who is living in their native village.
  – Woman is away from the village cannot use her inheritance until she will come back in the village (divorced or husband died).
  – If used by herself, her brothers will not be responsible in case of something will happen to her
Customary practices

Miadanandriana
Parents give the same inheritance to their daughters and sons
Division of inheritance is done when one of the parents died
## FINDINGS

**Landscape position_ Land access.docx**

<table>
<thead>
<tr>
<th>Site</th>
<th>Knowledge of Land local office (Women)</th>
<th>Land title or certificate (Women)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>MIADANANDRIANA</td>
<td>53%</td>
<td>46%</td>
</tr>
<tr>
<td>SAHAMBAVY</td>
<td>86%</td>
<td>14%</td>
</tr>
<tr>
<td>Site</td>
<td>Do not inherit</td>
<td>Inherit</td>
</tr>
<tr>
<td>---------------</td>
<td>----------------</td>
<td>---------</td>
</tr>
<tr>
<td>SAHAMBAVY</td>
<td>14 %</td>
<td>25 %</td>
</tr>
<tr>
<td>MIADANADRIANA</td>
<td>2 %</td>
<td>35 %</td>
</tr>
</tbody>
</table>
LESSONS LEARNED

• The overlap of the customary practices and statutory law results in a legal and institutional pluralism. Many local populations ignore their fundamental rights because of lack of information and knowledge.

• Customary practices is important in allocation of inheritance.

• Customary practices differ from one site to another, from one family to another.
LESSONS LEARNED (Cont’d)

• The existing of land local office has no effect on the number of women having land certificate
• Land reform process seems to reinforce inequities between men and women
• Few women have knowledge of their rights
• Few women know what local land office is (even in the site where LLO is implemented for long time)
• Many institutions working in (gender) and land issues
PRIORITIES

• How to reconcile statutory laws and customary practices to improve women’s situation? (action with govt authorities)
• Women, men and traditional authorities should be sensitized on land reform and statutory laws
• Women capacity in negotiating for their rights should be reinforced
• How to make better use of land local office (for women)
THANK YOU