

Empowering women to claim ownership over land and water bodies in Rampal and Sundarban areas

Introduction

Badabon Sangho led a Feminist Participatory Action Research (FPAR) on rural women's rights to land and natural resources (Land FPAR) between September 2018 and June 2020 in five villages in Mongla and Rampal upazilas¹ in Bagerhat district. Badabon Sangho is a women's rights and women-led organisation working for securing women's land rights. Through the initiatives taken through this Land FPAR, Badabon Sangho conducted research with 210 women landowners and fisherfolk to document the process and impact of public and private land investments on their lives and developed their capacity to legally claim their land rights.

Background

In five villages, namely Kalekharber, Rajnagar, Moidhara, Burirdanga and Joymoni, approximately 100 companies, including private thermal power plants, cement factories, Liquid Petroleum Gas (LPG) plants and grain silos, are purchasing land and setting up their business. In addition, the government acquired massive land to develop roads, an airport and railways to connect the Mongla sea port with the rest of the country. As a result, about 17,500 villagers (8,575 women and 7,125 men) in the adjacent areas, who are mostly involved in agricultural activities such as shrimp farming and paddy cultivation are facing land disputes by private land brokers, family members and neighbours.

¹ Upazila, formerly called thana, is an administrative region in Bangladesh.



The male members are migrating to nearby towns and industries in search of new jobs, which is causing an increase in the number of single mothers, widows and separated women. In addition, climate change, i.e. saline intrusion, adversely affected local agriculture. The traditional lives and livelihoods of these women and families heavily depend on their access to local resources and land, which is in a difficult situation due to land disputes.



FPAR process

At the inception stage of the Land FPAR, Badabon Sangho team facilitated two pre-research consultations with 24 women landowners to discuss the purpose of the FPAR. The women recognised that they needed to build their capacities in inheritance land accountancy and dispute resolution mechanisms and decided to develop a group of trusted women leaders through the FPAR process who can empower the rest of women in the community in claiming their land rights. Badabon Sangho formed six women's groups consisting of 210 women landowners from five villages, who participated in interviews through the weekly courtyard meetings to document the process and impact of land investments on their lives. Twelve women representatives (two from each of the six women's groups) underwent training on 'Women's leadership in land and water bodies', who quarterly met to assist other women in claiming land rights.



FPAR findings

Women's loss of land due to public and private land investments

An estimate shows a total of 2,600 women are directly and indirectly impacted by the public and private land investments in the targeted areas, who have either been displaced from their lands or are currently under the process of land disputes. Due to the interest of the private companies, the local land brokers are actively provoking women to sell their lands. Especially, women experiencing land conflicts and disputes are pressured to sell their land at lower prices. In case of land acquisition by the government, the payment for the compensation was also low and not adequate to sustain their alternative livelihoods.

Violence against women as a barrier to claiming land ownership

The male family members are depriving women of their right to inherit property by selling lands to the investors and buyers without women's consent or sharing the compensation. Women are facing violence from men if they resist or claim their land and properties, which include beating, physical violence, sexual harassment, psychological pressure for forced marriage, stalking or staring/ogling. The data collected by Badabon Sangho Land FPAR team revealed 75 per cent of women were faced with different types of violence when they claimed their right to land and property. Widows, divorced, single mothers and separated women are more vulnerable to violence as they live as dependents of the male family members.

Discriminatory inheritance law

At present, marriage registration, rights to earned resources and inherited properties, guardianship and adoption are defined under separate family laws based on different religious communities. Under these laws, women are often discriminated against for inheriting properties such as land. For instance, Muslim women are entitled to inheritance, though not equally as their male counterparts, while Hindu women do not have any right to inheritance.



Women's Empowerment

'Land is like a leg for women- we don't want to lose ownership.'

- Khadiza, a woman landowner in Kalekharber village

The regular weekly courtyard sessions with the six women's groups, including the 12 women leaders, provides a space for the women to share information on land literacy, consulting with each other on the cases of land abuse and build ideas for further action on how to claim their rights, which assist them in accessing more services to resolve land conflicts/disputes. One hundred fifty-six women landowners now have increased their land literacy, i.e. documentation, registration, succession, taxation. A total of 17 women who have previously been given wrong certificates were able to get the correct succession certificate from the union parishad issued by the chairperson. Three women landowners have filed charges at the civil court for land record correction. As a result of the Land FPAR, women leaders have developed a 'household visit' tool to assist women that need assistance in claiming their lands. Women landowners are now more confident in speaking up in public and able to visit and meet with locally elected bodies and land officials, i.e. the chairperson, ward members and sub-assistant land officers to discuss their issues. Women are now demanding not only equal share in inheriting property rights but also improved services from the land administration.

Loss of social status and dignity due to loss of land

Sixty per cent of the women respondents expressed that their social status and dignity has been lost due to the loss of lands and water-bodies. Some women reported income reduction, taking loans or changing their jobs due to the loss of land.

Bureaucratic and corrupt land administration process

The land registration and record process is bureaucratic and often provokes corruption. Proving land ownership requires time, money and labour, making it very difficult for grassroots women to access the land administration service.

Recommendations

- Land administration to take necessary measures to ensure that any public and/or private investments shall engage and obtain free, prior, informed and continuous consent of women landowners as well in the local community. Fair compensation (i.e. considering the unaccounted economic costs of women landowners, types of vulnerabilities, types of income options, types of land classification) shall be assessed in a participatory way and given directly to women landowners;
- Land administration shall ensure that the community, particularly women land owners, are informed and consulted on any decisions of land acquisition within an adequate time period in order to prepare land documentation. Special land administration body shall be deployed prior to acquisition for participatory, inclusive, just and women friendly land ownership identification, recovery and compensation payment;
- Bangladesh government shall consider and approve the draft uniform family code of 2006 in order to contest the pitting of the 'rights of equality' against the 'existing rights of daughters' in family property.



About Badabon Sangho. Badabon Sangho is a women's rights and women-led organisation working on issues of land, water, natural resources and climate justice in the Southern region of Bangladesh. Started in 2016, it has been closely working with women and girls, particularly marginalised groups of fisher women, migrants, Dalits, single mothers, separated, widows, divorcees and religious minorities.

Website: <https://badabonsangho.org/>
Email: badabonsangho.bd@gmail.com



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Asia Pacific Forum on Women, Law and Development (APWLD) is the region's leading network of feminist organisations and individual activists. For 35 years, we have been carrying out advocacy, activism and movement-building to advance women's human rights and Development Justice.

Email: apwld@apwld.org
Website: www.apwld.org

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