



Unlocking Equality

Empowering Women and Girls with Housing, Land, and Property (HLP) Rights in Plateau State, Nigeria

Access to housing, land and property remains a major obstacle for most of women and girls in Nigeria, and Plateau State in particular. This advocacy note aims to highlight the plight of women in accessing their HLP rights and offers practical recommendations for key stakeholders. The note is based on evidence generated through NRC's August 2023 Women's housing, land and property assessment conducted in Plateau State, Nigeria.

Background

The Land Use Act of 1978 aims to enhance land accessibility, streamline ownership management, and improve tenure security. HLP rights encompass a wide range of entitlements, including the right to own, control, inherit, and utilize property. For women and girls, these rights are fundamental to their economic independence, social status, and overall well-being.

Plateau State, situated in the diverse Middle Belt region of Nigeria, has witnessed recurring conflicts between farming communities and nomadic herders in recent decades. These confrontations have resulted in the devastation of property and livelihoods, claiming the lives of numerous individuals, including women and children. Much of the violence has been rooted in disputes between those considered the original landowners and those seen as newcomers. While these conflicts primarily revolve around land access, cattle grazing,

water, and other essential natural resources, the Middle Belt's diversity often entangles land-based disputes with issues related to ethnicity, religion, and political power.

In Plateau State, housing, land, and property (HLP) issues are regulated by a plural tenure system that encompasses both customary and statutory land tenure systems. Addressing HLP disputes in a post-conflict setting becomes challenging when land is held under customary tenure, as is the case in Plateau State. Customary norms are vital in land administration, especially in rural areas, offering practical benefits and ease of enforcement compared to statutory systems.

Women's Housing, Land and Property Assessment

Given the complexity of HLP issues in Plateau, NRC conducted a comprehensive Knowledge, Attitude and Practices (KAP) assessment on HLP in Bokkos, Shendam, and Riyom LGAs in the state. The assessment was conducted between August and September 2023, with the objective to understand the dynamics and challenges faced by women and girls in securing their HLP rights.

This assessment utilized Focus Group Discussions (FGDs) and Key Informant Interviews (KIIs) to gather essential insights and data. The findings from this assessment have informed and shaped recommendations vital for effectively addressing HLP issues within these specific locations.

Methodology

Focus Group Discussions (FGD) and Key Informant Interviews (KIIs) were conducted in 6 wards across three Local Government Areas (LGAs) of Shendam, Bokkos, and Riyom. These wards are Shimankar and Moekat wards in Shendam LGA, Daffo and Mangor in Bokkos LGA as well as Jol and Attakar in Riyom LGA. Each FGD consisted of

12 respondents comprising both men and women, resulting in a total of 6 groups across the three LGAs. In total, 72 respondents participated (16 herders; 56 farmers), with a gender distribution of 40 men and 32 women. Participants included traditional leaders and major community stakeholders, encompassing both host communities and internally displaced persons (IDPs). The Informants for the KII consisted of 12 men and 6 women. These were traditional leaders, and major community stakeholders including farmers, herders, and policy makers (ward councillors).

Key Findings

The assessment provided a comprehensive overview of the obstacles faced by women in Plateau State.

Preference between customary vs statutory systems: In contrast to the rights enshrined in statutory laws such as the 1978 Land Act, the findings revealed that customary laws take precedence as the primary legal framework governing land transactions within these areas.

Access to land for women: Around 71% of respondents interviewed believe that there were no customary practices in place for women to assert ownership or inheritance rights. Moreover, an equally significant 67% asserted that there is a pervasive lack of awareness regarding women's property rights due to the traditions that deny women the right to own or inherit property.

Decision making on HLP matters: Contrary to the statutory law practices, in these communities, the majority of the respondents indicated that decisions pertaining to housing, land, and property matters predominantly rest in the hands of men.

These decisions encompass various aspects such as when to undertake renovations or repairs, when to relocate, when to sell property, or where to stay. These dynamics are underscored by the disheartening reality that when a woman enters marriage, her right to the property is restricted to mere usage without control.

Gender Disparities in Property Inheritance: It was noted that having male children plays a pivotal role in enhancing a woman's land rights, especially in the event of her husband's passing. In situations where there are no male children or in the case of divorce, women's land rights are significantly undermined, leaving them in precarious positions. A substantial 82% of those surveyed in the Key Informant Interviews narrated that in most of the communities a daughter would not inherit her father's house but would merely have the privilege to use it, with access being granted primarily to male offspring, rather than the mother. Traditional leaders often do not promote awareness of women's property rights due to prevailing norms, with 67% reporting a lack of awareness in this regard.

Regarding the influence of Nigerian/Plateau state authorities on women's property rights, 33% were unaware of laws granting such rights, while 67% recognized the existence of laws aimed at preventing discrimination against women's property rights. In the unfortunate event of widowhood or divorce, a considerable 65% of respondents confirmed that a woman's rights are confined to property usage. The findings from the interviews highlighted a stark divide, with 65% of respondents perceiving distinct differences in women's access to land and property rights compared to men, while 29% believed that women are entirely excluded from these rights.

Only a mere 6% of those interviewed felt that women's access to these rights aligns with men's.

These results underscore a pressing issue of gender inequality and discrimination in property and land rights within these communities.

Summary of main HLP challenges faced by women and girls in Plateau

Customary Legal Barriers: while statutory laws provide equal right to access land, customary laws and traditional practices often exclude women from land ownership and control. Customary leaders who are predominantly men oppose any changes to the existing tenure regulations, and practices.

Limited Decision-Making: Women's roles in decision-making regarding HLP are restricted, particularly in male-headed households.

Inheritance Disparities: Daughters and married women are granted limited rights, while widowed women often lose access after divorce or remarriage or are forced to marry a sibling of the deceased.

Violence and Abuse: Attempting to claim HLP rights may expose women to violence and abuse, with reluctance from male relatives to change cultural practices.

Access to Justice: Traditional leaders, exclusively composed of men, mainly act as mediators in disputes related to housing, land, and property (HLP), with some showing bias in favour of men. This leaves women and girls marginalized within the community.

NRC Call to Action

For INGOs and Civil Society Organizations:

Capacity Building for Traditional Leaders:

These organizations should enhance traditional leaders' capabilities through comprehensive training, emphasizing gender equity, human rights, and customs supporting women's housing, land, and property (HLP) rights. Broaden the focus to highlight how current practices negatively impact communities, hindering social cohesion and economic development.

Cultural Sensitization Programmes: These organizations should design programs engaging communities, policymakers, and traditional leaders to discuss the detrimental effects of specific traditional practices on women's HLP rights. These initiatives should raise awareness, foster dialogue, and promote more equitable alternatives. Emphasize the broader societal benefits and positive contributions to economic development resulting from cultural shifts.

Community-Based Awareness Campaigns: INGOs and CSOs should conduct community-based awareness campaigns to educate people about the importance of gender equity in Housing Land and Property rights, dispelling harmful traditional practices and norms.

Capacity Building: These organizations should focus on building the capacity of women, especially in rural areas, to understand their HLP rights and navigate legal processes, empowering them to claim these rights effectively.

Advocacy for Legal Reforms: INGOs should engage in advocacy efforts to push for legal reforms and policy changes that promote

gender equality and protect women's HLP rights at local, state, and national levels.

For Policy and Law makers:

Policy/Legal Reforms: Policy makers should proactively initiate and support legal reforms that remove discriminatory practices and promote gender equality in HLP rights.

Implementation of Existing Laws: Policy makers should ensure the effective implementation of gender and equal opportunities law, 1979 land use act and other existing laws and policies that protect women's HLP rights, holding relevant authorities accountable.

Law makers should initiate bills culminating into law to specifically address discriminatory practices with the view to promoting gender equality in HLP rights and practices.

For Traditional Leaders:

Community Engagement:

Traditional leaders should actively engage with their communities, advocating for an end to harmful traditional practices that hinder women's access to HLP rights.

Enforcement of Gender-Equitable Practices: Traditional leaders should enforce and promote traditional customs and practices that uphold women's HLP rights and gender equality.

For Mass Media:

Advocacy and Awareness: Media organizations should use their platforms to advocate for gender equity in HLP rights and raise awareness about the challenges women face in this regard.

Promote Success Stories: The media should highlight success stories of women who have successfully secured their HLP rights, inspiring others to pursue their rights as well.

For FIDA (International Federation of Women Lawyers) and Nigeria Bar Association:

Legal Support and Pro Bono Services: These organizations should provide legal support, pro bono services, and advocacy for women and girls facing HLP disputes. By encouraging and facilitating pro bono legal services, they can bridge the justice gap, ensuring that women and girls have access to legal recourse regarding their HLP rights.

Training and Sensitization: Provide training and sensitization programs for their members on HLP rights to enhance their capacity to support women in need of legal assistance.

For Legal Aid Partners:

Establish/Strengthen Legal Aid Working Groups: Legal aid organizations should create or strengthen legal aid working groups dedicated to HLP rights to offer accessible legal support for women and girls.

Collaboration: Collaborate with other stakeholders, including government bodies and INGOs, to create a network of legal assistance providers for women facing HLP disputes.

For Religious Leaders/Institutions:

Advocacy for Gender-Equity Interpretation of Religious Texts:

Religious leaders and institutions can advocate for a more inclusive and gender-equity interpretation of religious texts and teachings, emphasizing the dignity and rights of women. This includes their right to inherit and own property. Valuing women's economic and social contributions is essential for nurturing a fair and progressive religious discourse in the community.

Community Education and Awareness:

Religious institutions often have a strong influence on their congregations. They can use their platforms to educate their members about the importance of women's HLP rights and challenge harmful traditional or cultural practices that discriminate against women.

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