Land rights for marginalised groups



Marginalised groups must be included when granting land and land use rights. Land is the basis of life for everyone.

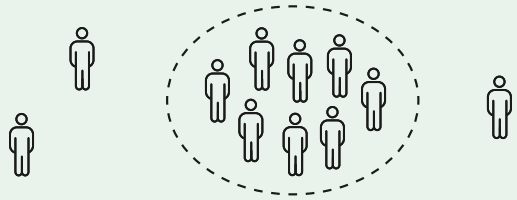
Background

Marginalised groups such as pastoralists, indigenous communities, young people and internally displaced persons often lack access to land and face discrimination when they claim land or land use rights. For indigenous peoples and pastoralists in particular, land is much more than an economic resource. It creates identity and is an important part of their culture.

Access to land plays an important role in terms of core human rights, including the rights to food, shelter, work, health and self-determination. With secure land rights, people can feed themselves and their families better, increase their resilience to external shocks, are more likely to invest in sustainable land use and have more opportunities for political participation. For society as a whole, this means more social cohesion, less potential for conflict and poverty, and better prospects of sustainable development. For all these reasons, marginalised groups must be granted improved access to land.

Pastoralists and indigenous people are often legally discriminated against, and their traditional forms of land use are often not officially recognised. This is particularly the case with pastoralists who use different pastures and transit routes at different times of the year. The situation is worsening in many places because violent conflicts with sedentary farmers over scarce land are increasing. The land rights of young people and internally displaced persons are often at risk because they are either not documented or not registered due to inheritance arrangements.

In many countries, power asymmetries prevent marginalised groups from being politically represented and asserting their rights to an adequate extent. When people are affected by multiple forms of discrimination, this makes it even more difficult for them to be included in land use systems and impedes the achievement of Sustainable Development Goal 'Reduced Inequalities' (SDG 10).



Who is marginalised?

Marginalised groups include women and girls, ethnic minorities, indigenous people, people with disabilities, refugees and internally displaced persons, as well as children and young people. For more information on women's land rights, see ->Factsheet: Women's land rights.

Those who are considered socially marginalised differ from country to country and depending on the definition chosen. Data on marginalisation is not available in all countries. Some of this data is sensitive, for example when it comes to a person's ethnicity. In addition, many people belong to several marginalised groups at the same time, such as women from disadvantaged minorities.

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Solutions from development cooperation

Change frameworks: In order to legally enshrine collective and individual land rights of groups such as pastoralists, indigenous people, young people and internally displaced persons, the legal and social framework must be improved. A central lever lies in the reform of national laws. It is crucial to recognise traditional and customary forms of land use, for example by taking into account communal land or shifting use of grazing land.

Participatory land management: If marginalised groups are involved in decision-making processes, i.e. if they have consultation and consent rights, this increases the legitimacy and sustainability of land law reforms. Likewise, these groups must have transparent and equal access to information, particularly for the registration and recognition of land rights.

Empowerment: As part of their self-empowerment, people experiencing discrimination collectively defend themselves against structural oppression and thus attempt to gain power. In this context, grievance mechanisms, social security systems and educational opportunities strengthen the self-confidence and abilities of marginalised groups. In addition, it promotes their equal opportunities and sense of belonging if they are integrated into existing state benefit systems and structures, rather than receiving exclusive, land-based special measures.

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social cohesion.





Benin: Zonal model integrates agropastoral communities into land use

In northern Benin, population growth, climate change, increasing livestock numbers and the expansion of arable land are causing land use conflicts between the Peulh community, a semi-sedentary cattle-breeding ethnic group, and local arable farmers. The Government of Benin aims to mitigate these conflicts by gradually reducing the size of large-scale migratory grazing areas and promoting alternative, sustainable and locally embedded land use models, thus promoting rapid sedentarisation.

The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH is supporting this plan as part of its Global Programme Responsible Land Policy. To this end, it has developed a management model for pastoralism and implemented it as a pilot project in the Borgou department. The idea: A collaborative, participatory land and resource management approach regulates and improves access to water, fodder and agricultural land for 16 Peulh camps with over 5,000 people and around 11,500 cattle. The land was divided into three zones: a central, community-managed agricultural zone for sustainable agriculture and vegetable cultivation, a fodder production zone surrounding this zone, which replaces shifting grazing areas, and an aggregated zone with improved water infrastructure for people and livestock.

An agropastoral association has been set up to manage these areas with the support of GIZ's Global Programme and in conjunction with local authorities, government institutions, civil society organisations and research centres.

The model shows impacts: seasonal migration has decreased, food security has improved, and social cohesion has been strengthened. Since women and young people are involved in the management of the agricultural zone, they can participate more actively in economic life and receive social recognition for this. The model is replicated in other regions of the country as well as in other West African countries. Eight other areas have already been identified, and in three programmes run by the Swiss Agency for Development and Cooperation (SDC) and the World Bank, pastoralists' land rights are protected based on this zonal management model.



Uganda: Barriers to young people's land ownership will be removed

In rural regions of Uganda, young people have traditionally been excluded from access to land – often due to inheritance arrangements, a lack of information or a lack of political influence. As a result, they face considerable disadvantages, since land ownership and secure land rights are the basis for economic independence and social participation.

GIZ's Global Programme Responsible Land Policy supported a local initiative in northern Uganda that removed legal and administrative barriers to young people's land ownership. This included adapting inheritance laws, promoting community land titles and raising public awareness of the importance of land rights for young people. They were involved in land committees and participated in training courses on their rights and opportunities in land management. Digital tools were also developed to simplify the registration of land and thus create transparency.

In two pilot regions, young women and men signed 26 long-term leases, and 54 young committee members registered land with their parents. In addition, the introduction of leases with a term of at least five years contributed to more sustainable land management and the protection of the environment, as it facilitated long-term planning. More than 140 young people acquired skills in the sustainable cultivation of sunflowers, maize, sesame, soybeans and rice during training courses. The development of value chains stimulated economic growth and created job opportunities for young people.

The results of the pilot projects: Young people were able to acquire and use land more easily and had more say in local decision-making processes. This promoted their economic self-reliance, reduced land conflicts between the generations, offered young people in rural areas prospects for the future and enabled them to participate in the sustainable development of their communities.

Results of GIZ's Global Programme
Responsible Land Policy (GPRLP) (2016–2026)

Inclusive processes on land rights and land use improve **living conditions** in rural areas, promote **peaceful social relations** and contribute to **sustainable development**.

Land rights have been documented for over **650,000 households** in 11 countries, **64 per cent** of which are held by women and at least **10 per cent** by other marginalised individuals.

In Côte d'Ivoire, an estimated **40 per cent** of the **13,000** households reached by the programme were headed by marginalised people.

Key messages

1 The participation of marginalised groups is essential in all phases of securing land rights – from legislation to the practical acquisition of rights.

2 Representatives of various marginalised groups should be involved in processes to secure land rights. This inclusive approach promotes peer learning and dialogue between groups.

3 Transparent procedures and open access to information are just as necessary as long-term political support from national and local government institutions.

4 Education, awareness-raising and self-organisation are key prerequisites for marginalised groups to be able to exercise their land rights.

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Recommendations for development cooperation

1. Strengthen civil society: Civil society organisations and alliances often take on the task of raising awareness, building capacity and supporting marginalised groups, so that they can confidently claim their land rights. They often act as a bridge between local communities and political as well as legal authorities. Therefore, they should always be involved in land rights measures.

2. Protect activists: Since defenders of land rights are often threatened, development projects should include measures to protect them. Risk management for this group also includes legal support, security networks and threat awareness.

3. Promote lobbying and policy dialogue: Advocacy and lobbying initiatives improve the legal framework for inclusive land policy, support the implementation of laws and monitor individual land rights cases. Development cooperation should therefore facilitate and promote these initiatives and policy dialogue.

4. Improving baseline data and monitoring: Local authorities and organisations should regularly collect data on land use and land rights of marginalised groups in order to ensure that progress and gaps are visible. This is particularly true with regard to the land rights of women, young people and internally displaced persons, for which there is often little reliable data. Development cooperation should design its monitoring mechanisms in a participatory manner, so that marginalised groups are involved in monitoring and evaluating the projects.

5. Focus on intersectional discrimination: Development cooperation should systematically take into account the overlaps between different forms of discrimination such as gender, age, origin and disability. In this way, it ensures that no one is overlooked and that it specifically addresses particularly disadvantaged groups.

6. Involvement of traditional and local authorities: Cooperation with traditional and local authorities is crucial for the recognition of land rights for marginalised groups. Their involvement can help break down cultural barriers and improve the acceptance of marginalised groups locally.





Learn more

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