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Bernadette Kapend Mwambu is project manager by training and by profession. She was the initiator of several development projects (in the fields of agriculture, functional literacy training, community development, micro-credit, etc.), with the grassroots support of the Forum pour le Développement de la Femme (FDF – Forum for the Development of Women). She is one of the first extension workers using the gender approach for a sustainable and fair development in Lubumbashi and its surrounding areas and in the rural areas of Katanga province.

Since 2005, Bernadette is President of REFED-Katanga, partner organisation of the Dimitra Project in this province. Bernadette is also a member of the Provincial Committee for the Elaboration of the Strategic Document for Growth and Poverty Reduction (DSCR), in charge specifically of gender issues.

# Gender inequality in access to land and its consequences for rural people in Katanga province

## 1. Introduction

The history of Katanga, a mining province in the Democratic Republic of Congo (DRC), has been shaped by the large companies that were central to the country's production sector. Some of its districts were veritable agricultural granaries which fed industry workers in the major towns of Katanga and the two Kasai provinces.

Today, Katanga no longer has the same image as in the past, as is reflected by the results of recent studies conducted as part of the Poverty Reduction Strategy Paper (PRSP):

- wage-earning heads of households only account for 42% of active workers, compared with 85% in 1973. Of this 42%, 17% work the fields in peri-urban areas;
- 39.8% of the population is chronically undernourished;
- Katanga's people have poor access to basic services.

The issue of land access is one of the main causes of poverty among local populations in Katanga. There are proportionally more poor women than poor men in the province, particularly in rural areas.

## 2. Land access

Land is an important resource for rural communities. Without land, the people cannot carry out agricultural activities, which are the main source of revenue in rural areas. Nevertheless, land access for rural people, who make up 72% of Katanga's population, is subject to various restrictions. Some of these restrictions are related to the contradictory nature of the land law, which, on the one hand, states that land chiefs who inherited from previous occupants are responsible for managing the rural land used by local communities and on the other hand, stipulates that "land belongs to the state and the state manages it". Furthermore, problems accessing land are mainly linked to the mining code taking precedence over the land law; the lack of an agricultural code and an agricultural policy; the failure to apply the laws related to land, forests and mining, and,

finally, the prevalence of customs and traditions in rural land management.

According to the most recent statistics compiled by the provincial government, the national ministry granted 1,312 mining permits for Katanga province. This figure can be broken down as follows:

- 1,179 exploration permits (89.8%)
- 2 exclusive exploration permits (0.15%)
- 79 exploitation permits (6%)
- 4 exploitation permits for small mines (0.3%)
- 35 permits for exploration for quarry products (2.6%)
- 13 permits to run permanent quarries (0.9%)

(Source: Priority Action Plan 2008-2010).

These statistics explain why rural people in Katanga are constantly victims of relocation. It also explains why farmland is so rare and the poverty rate is increasing.

A notable example of this phenomenon is the relocation of Lubwisha secondary school, a prominent girls' school in Lwisha village on the Likasi road, after an exploitation permit for a mine was awarded for the area. The provincial government, the Catholic Church and civil society launched several actions to oppose this relocation. Another example would be the many villages across Katanga that have been relocated or are threatened with relocation.

It is obvious that the presence of so many mining companies, both industrial and small-scale, will not have any positive effects for rural people in Katanga while the relevant legislation is not being applied and has not been revised.

## 3. The consequences of the deterioration of the situation in Katanga for rural people, especially women

The deterioration of the situation in Katanga has many consequences, including:

- the relocation of local communities;

- a lack of respect for land used for agricultural activities, in comparison to the attention given to mining land and activities;
- insecurity for agricultural producers (leading to conflicts over land);
- the increasing rarity of farmland;
- the loss of habitat and agricultural heritage;
- the loss of farmers' knowledge;
- a lack of consideration for agro-pastoralist activities;
- soil impoverishment;
- relatively little land being cultivated;
- non-existent or inadequate structures for supporting farmers and granting micro-credit;
- malnutrition;
- isolation;
- a lack of information and communication;
- illiteracy;
- divorce;
- the abandonment of the agricultural sector in favour of mining by young men from rural areas;
- rural exodus;
- the exploitation of farmers by economic operators;
- high vulnerability to HIV/AIDS, tuberculosis and other diseases;
- poor access to healthcare (lack of resources and distance from services);
- problems with bureaucracy and the police.

#### 4. Consequences of gender inequality

In addition to the aforementioned consequences, rural women have to cope with other difficulties linked to gender inequality.

##### ✿ *Lack of respect for the contribution made by rural women*

75% of the workforce in agricultural production is female, and women constitute the majority of Katanga's rural population. However, the contribution made by women is still held in low esteem, and so they often have their land despoiled by mine operators and large farmers who, thanks to the mining code and the political and administrative authorities, have a decisive role in the province's development and the transformation of Congolese society.

The large areas of farmland in Katanga province belong to owners of mines and farms and heads of clans – and it is obvious that rural women do not belong to any of these

categories. Moreover, women are faced with the following problems:

- difficulties accessing and controlling resources (land, agricultural inputs, credit, etc.);
- a lack of knowledge of laws and rights;
- the predominance of customs and traditions;
- the absence of a gender policy at national and provincial level.

Women depend on their husbands or live under the supervision of their male relatives (e.g. fathers, brothers, uncles, brothers-in-law) and cannot own valuable property, e.g. a plot of land in the village, so they can perform agricultural activities. They are also unable to inherit any valuable property.

There are various different proverbs that illustrate the attitudes of people from this culture, such as “Uli Ha Mafuchi kechi kwanda njamba” (if you are on someone else's shoulders, you cannot pick up the elephant – i.e. women are supported by their husbands and cannot inherit property).

##### ✿ *Non-involvement in managing and controlling production and agricultural inputs*

Surveys conducted on this subject have shown that rural women do not manage agricultural production and have no control over their agricultural inputs or the income from their production activities.

Women are viewed as mere farm labourers who cannot easily access or control the income from their production activities. There is a Chokwe proverb “Kandandji wemba upite wa chilombola”, which literally means that the young apprentice sings and the income from his work (singing and dancing) belongs to his master (his tutor). This proverb teaches that women must accept their role as production agents (active economic agents) but that men will retain control of the resources they produce. Women must therefore accept being exploited by their ‘masters’, who will use and manage the income from their work. This same proverb is taught by the Ndembo and Lwena-Luvalé people of Lualaba in Katanga.

##### ✿ *Subject to discrimination*

Katanga's women are subjected to discrimination and violence right up to the present day. The situation is even worse in rural areas – this was confirmed by basic surveys conducted by REFED-Katanga and local NGOs in August 2000 as part of efforts to repackage and disseminate the



gender approach, in June-July 2005 as part of activities for the Dimitra project and once more in July-August 2008 as part of the preparations for the Dimitra workshop on access to land to be held in Brussels in September 2008.

These surveys showed that the situation of women in rural parts of Katanga has taken on a new dimension following the mass exodus of young men towards key mining areas. These men left behind their young wives (aged between 13 and 25) and young children with no support from the village. The young women are overloaded with work – they have to work in the fields, perform household tasks and look after the children – and live in an extremely unstable situation.

Despite all the efforts made in the DRC, particularly in Katanga, the promotion of women's rights and the gender dimension in development policies and programmes are far from being implemented, especially in rural areas, which are usually isolated and rarely visited by decision-makers.

#### ✿ **High vulnerability to HIV/AIDS**

HIV/AIDS is gradually taking on a rural dimension due to:

- a lack of knowledge among rural populations, especially women;
- small-scale mining operations, which employ all the members of a rural household. The reason for this is that agriculture is no longer a profitable activity and farmers, most of whom are women, no longer have a secure position and regularly lose their land. As a result, they suffer poverty or are forced to go and work in quarries, where all sorts of high-risk sexual propositions are made to women and girls;
- the presence of a large number of lorry drivers and ore transporters from southern Africa, which has a high rate of HIV/AIDS infection;
- gender inequality in managing sexuality – men usually make the decisions as regards sexual relations and women must obey;
- a lack of access to contraception and the impossibility of using preventative measures without the husband or male partner's consent.

#### ✿ **Access to education**

Surveys and campaigns on the subject of girls' education have shown that parents in a difficult financial situation

prefer to send their male children to school, particularly in rural areas. In Katanga, this situation varies from region to region and according to distance from large towns.

### 5. **Suggested strategies/recommendations**

#### ✿ **For civil society:**

- Organise awareness-raising campaigns and consult rural communities, especially women;
- Organise information and awareness-raising campaigns on human rights and gender;
- Set up community radio stations in rural areas;
- Create radio listeners' clubs;
- Repackage and disseminate the land, forestry and mining laws using local languages;
- Celebrate major events honouring rural communities (e.g. World Rural Women's Day);
- Open literacy centres in rural areas;
- Conduct advocacy and lobbying activities for rural communities.

#### ✿ **For mine operators:**

- Respect the country's laws.

#### ✿ **For the public authorities:**

- Revise the land, forestry and mining laws;
- Revise all mining contracts;
- Apply national legislation;
- Draw up a code and policy on agriculture;
- Create a development plan incorporating all agricultural activities;
- Support the agricultural activities of rural communities and grassroots organisations;
- Develop a national policy on information and communication in rural areas;
- Outline development policies and programmes incorporating the issue of promotion of women's rights and the gender dimension.

#### ✿ **For donors:**

- Support communication systems in rural environments and organisations of female farmers;
- Lobby for the interests of local communities to be taken into account when mining contracts are concluded.





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