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DEMOCRATIC REPUBLIC OF CONGO (DRC)

Elise Muhimuzi coordinates and manages CONAFED. She is a social extension worker who has since 1993 been working for the dissemination of information and training to support women. In the DRC, it is important that all women in civil society, throughout the country, are mobilised to fight for a constitutional state. The women of the 11 provinces in the DRC have decided to establish a network to exchange, inform themselves, raise awareness and train other women. CONAFED was created with this goal in November 1997 and Elise has been its Permanent Secretary since then. CONAFED is concerned with women's and men's issues in Congolese society and the gender approach remains its battle horse. CONAFED is one of Dimitra's partner organisations in the DRC.

Women's access to land in the Democratic Republic of Congo



In many African countries, the problem of unequal access to land is one of the causes of poverty among women. With this article, we aim to provide a synopsis of the situation in the Democratic Republic of Congo (DRC).

Firstly, it is important to point out that the DRC has a large amount of land that can be used for agriculture or for other economic activities. However, the population (estimated at around 60 million) is unevenly distributed across the 2.4 million km² of land.

This means the DRC has a low population density in the vast heavily-wooded areas, but a high concentration of people in urban areas, extra-customary centres and some savannah areas such as Ituri and Nord-Kivu in the north-east of the country. Problems related to land access are particularly common in these regions.

State sovereignty over land

In any case, the current constitution provides that the state exercises its sovereignty over all land, whether on the surface or underground, which is a way of saying that all land belongs to the state. The state then allows physical persons and legal entities to use the land on a permanent or temporary basis.

The issue of land access takes on different forms depending on whether those concerned live in an urban or rural area, whether the woman is married or single and, for married women, what type of prenuptial agreement is in place.

In urban areas, people need land for houses or commercial or industrial buildings. Any citizen, whether male or female, can request a rental contract for a plot of land from the relevant state department – although much depends on the weight of the applicant's purse.

In the case of a couple, it often happens that the rental contract or registration certificate used as the title deed to the property is in the man's name, though this does not mean that these documents can never be made out to women. In any case, both partners have the same rights over the property, particularly in the case of happy marriages with prenuptial agreements using the joint property ownership system or the joint ownership of acquisitions system.

Under the joint property ownership system, all property is owned by both parties, including property owned by each

individual previous to their marriage. Under the joint ownership of acquisitions system, only property that has been acquired since the date of the marriage is jointly owned.

In rural areas, the state grants citizens the right to own land in accordance with customs – that is, land is owned depending on occupation, from generation to generation, by the descendants of one particular ancestor or relative.

Of course, in a system where succession is primarily through the male line, women go to live in their husbands' villages and help them to work the piece of land to which they are entitled. In such cases, even in overpopulated regions, it is rare for a husband and wife to come into conflict over land ownership. It is more common for the husband or the couple and their children to come into conflict with neighbours or the husband's brothers.

However, single or divorced women have severe difficulties in accessing land. They have to try to share parcels of land with their brothers, either negotiating from a weak position or starting life all over again after having left the conjugal home.

In the latter case, the law allows for property to be divided between the two divorced parties, but some discriminatory customs are so firmly rooted that many women do not even begin the lengthy legal process to have the property divided.

Outdated land exploitation methods

The biggest problem faced by Congolese women in fighting poverty is connected to land exploitation methods and the length of their working day.

Women remain poor because they are still using outdated working methods – they lack loans, farm machinery, better-quality seeds and fertilisers. As a result, they do not receive much money for their work and they are trapped in a state of endemic poverty.

Moreover, women have far more work to do than their husbands, as they must perform such diverse tasks as ploughing, hoeing, harvesting, selling produce, cooking, taking care of the children, and so on. On average, women work 14 hours a day, which has a negative effect on their health and their ability to teach their children, particularly the girls who are kept home to help their mothers.

