

Lessons learned

Youth and land tenure

Land tenure toolkit



The **Lessons Learned series** is prepared by the IFAD's Policy and Technical Advisory Division and provide a compilation of past experiences on a particular topic and a reflection on evidence-based best practices and failures. Best practices refer to processes or methodologies that have been proven to work well and produce good results, and are therefore recommended as a an example to be replicated.

These notes are "living" documents and will be updated periodically based on new experiences and on feedback. If you have any comments and suggestions please contact the originator.

Originator

Jean-Maurice Durand

Land Tenure Technical Adviser
Policy and Technical Advisory Division
email: j.durand@ifad.org

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The toolkit has been prepared by Ms Francesca Carpano, Land Tenure Consultant under the supervision of Jean-Maurice Durand.

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Introduction

This Note aims to inform the design of the RB-COSOPs and projects as well as their implementation on how the youth are affected by insecurity of tenure and how some of these issues have been dealt with. The Note aims also at providing some elements on how to address the youth land related issues in COSOPs and project design. It should be used at strategy, design and implementation stage.

The Note explains what are the issues related to youth and land tenure and how they have been dealt with in IFAD projects and other projects and programmes.

Young people

In 2007 the global population of young people aged 12-24¹ was of 1.3 billion. The projections indicate a peak of 1.5 billion in 2035: the increase will be most rapid in Sub-Saharan Africa (by 26 per cent between 2005 and 2035) and in South East Asia (by 20 per cent in the same period). FAO statistics indicate that 55 per cent of youth reside in rural areas, with percentages as high as 70 per cent in Sub-Saharan Africa and South East Asia². However, considering only age as a definition of this group could be restrictive: in fact, sex (boy or girl), marital status (single, married, or widow), level of education (from illiterate to university graduate), legal status (minor or with full rights), and different stages in the life cycle (an adolescent girl or 20-year old single mother, a 12-year old pre-pubescent boy or a 24-year old young man with a young wife and children) need to be considered as these characteristics may affect a young person in different ways. The heterogeneity of the group therefore adds more complexity to the issues that young people face and different solutions need to be found for different components of this group.



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Bangladesh - Microfinance and Technical Support Project
December 2008

The figures and the heterogeneity give the sense of the magnitude, demographic force and the complexity of this group: it needs therefore to receive specific attention in the legislations and policies of the countries (and in regional and international judicial documents), as well as in projects and programmes interventions – and this is also the case for issues related to land tenure security and land rights. Ideally, the youth should be involved in their elaboration and it would be commendable for IFAD to support possible initiatives in that sense.

¹ The definition of age of the youth vary quite considerably. The UN defines youth as people aged between 15 and 24. Unless other national definition exists and should be aligned with, and taking into account realities of the agricultural sector, IFAD could consider youth as people between the age range 15 – 35 years old. This is in line with the definition of youth provided in the African Youth Charter, adopted by the African Union. In some cases, the age limit can be extended to 40 years as many young farmers or scientists are between 35 and 40. In addition, to ease administrative constraints (for travel etc.), some activities can be focused on youth being at least 18 years old.

² Promoting Livelihoods Opportunities for Rural Youth, Paul Bennel, February 2007

How youth are affected by land tenure issues

As young people often lack information, they find the land related aspects complex and not responsive to their needs: for them the legal, policy and institutional frameworks remain distant and does not reflect their reality.

For young people accessing land is at least as important as it is for adults, however, it may be more difficult for them to access such resource. In fact, access to and control over land is one of the key bottlenecks that they face in many rural areas of the world.

Inheritance (of land or of rights) in many cases remains the main possible means for young people to access land: however, the subdivision of land among a high number of siblings leads to fragmented and unviable land parcels and increasingly the youth has resulted landless or secondary rights users³ (example of Haiti). At the same time, life expectancy is increasing in many countries and the youth have to wait longer to inherit their share of land. They have to work on the family land until this time comes, observing the rules of the elder that often do not consider their needs as a priority.



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Mali - Village Development Fund Programme - Phase II
August 1991

Adult small-holder farmers are often opposed to hand down land property while they are still alive, as they often rely themselves on small parcels of land for their family survival. As a consequence, young farmers have a late access to land and to means of production and they do not have real management responsibilities, with few opportunities for investment and economic growth. This leads to lack of financial autonomy and that is why landlessness among rural youth is a primary cause for migration to urban areas to find alternative source of income. The lack of land may also impede young men to start their own family through marriage because they do not have the assets yet to leave their homestead.

In areas where land is owned by the community, decisions on how to use it are generally taken by the elderly, often youth interests not being their primary preoccupation: the fear of fragmentation and unviability of land results in the youth being treated as farm hands or unpaid family workers without tenure security, instead of young farmers in their own right. This also limits young farmers to fully participate in farmers organizations as they are not independent farmers.

Other ways to access land are through the market, which is not always well developed, and young people may not have the resources to buy land as they may lack access to credit because they cannot provide collateral such as land and savings. Leasing land may be an option in this case, but this is still not always possible for lack of resources (and prohibitive fees) or not socially acceptable for young women.

State distributions of land may also happen, but experiences in the past have shown how adult men as head of the household tended to be the main beneficiaries of such distributions.

³ In some other cases, the law impedes the further fragmentation of land, as in the case of Rwanda where the land law states that parcels being less than 1ha cannot be further divided to avoid this situation. The result is that the land is inherited by all children together. However, in practice important decisions regarding the land are taken by the oldest male child, leaving the others with no decision-making power over this resource.

Other key aspects have an impact on land tenure such as the issue of HIV/AIDS and education. As for HIV and AIDS, this disease has an impact on young people as it is increasing the number of them whose parents have died from AIDS-related illnesses. This exposes the youth to the risk of land grabbing by neighbours or male relatives of the deceased.

Finally, the low level of literacy in general and the lack of knowledge of their rights, including those on land, have a negative impact on the security of tenure for the youth as they do not know about the existing legislation and policies which can provide them with opportunities to access and secure their land.

Land should not be seen as either an adult or a youth-driven issue, but as an intergenerational issue, involving different age groups, where space to youth should be provided. This to avoid that all the constraints faced by young people brought to an increase of inter-generational conflicts over land.

The specificity of girls and young women's access to land

Youth cannot be considered as an homogeneous group: a clear distinction needs to be made between young men and young women. Generally, as youth grow older, the autonomy of males increases while for females it is the opposite as young women remain trapped within the domestic sphere. One example of the difference in the level of autonomy is reflected in the access of and control over land.

Cultural barriers, social norm and customary rights are very often obstacles for women who wish to access and own land. Girls and young women's rights to land are channelled through their male relatives (namely their fathers, brothers or husbands) and depend on their marital status or their relationship to a male. In patrilineal systems, sons are those who inherit land, daughters are assumed to be married to men who inherit this resource and the couple settles in the husband's village (virilocal residence). In matrilineal systems happens the opposite. Yet patrilineal systems are much more frequent than matrilineal ones.



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Viet Nam - Programme for Improving Market Participation of the Poor (IMPP)
November 2012

Inheritance systems leave women highly vulnerable to being dispossessed of their land by neighbours and male relatives, as they are considered "outsiders" to the blood line. At the same time, they may not be in a position to come back to their original families as they are no longer considered their responsibility. The drive of women away from their marital home is even more pronounced when the husband has died from AIDS-related illnesses and the wife is blamed for causing the death of her husband.

Women's ability to rent or buy land is constrained by a lack of other resources, including access to credit

and a lack of collateral. Indeed, their lack of ownership of land – as a secure asset – is a major constraint on women's ability to borrow money.

Finally, the level of education for young women is generally lower than that of young men, and this is also reflected in the knowledge of their land rights.

This information confirms that young men and young women face very different problems linked to land tenure. Therefore, the different challenges need to be identified and taken into consideration to ensure that land tenure interventions are tailored to the different realities of young men and young women.

Lessons learned

Youth access to land is not only (and not always) influenced by its shortage, but also by biased attitudes. Cultural barriers due to the perception of young people as not having reached 'maturity' or seen as a group in transition (between childhood and adulthood), may translate into policy bias, which – in addition to lack of awareness and land tools – are the main hurdles to the realisation of land rights for youth. This means that the challenge lies in engaging young people in the political and cultural arena – in addition to provide technical land toolkits. An important aspect is in fact the possibility for young representatives to be part of the policy dialogues aiming at elaborating land policies and legal frameworks.

Different interventions should therefore be considered – at different levels involving different actors (the State, the communities, adults, etc.).

Responses should cover socio-cultural, economic, legal and political aspects.

Some long-term solutions to land tenure insecurity of the youth could include:

- (i) strengthening of legislation, local institutions and legal services to youth in order to recognize and defend their rights to land;
- (ii) youth awareness and empowerment (development of youth-oriented advocacy);
- (iii) development of land markets as mechanisms for accessing land;
- (iv) targeted economic incentives;
- (v) identification and promotion of off-farm economic activities or small land intensive farming activities that target the youth; and,
- (vi) strengthening of rural youth organizations and youth participation within mixed organizations so that youth can have a voice in the policy-making process.

These solutions, which can be IFAD project activities, can be also combined in a more holistic approach so to increase their sustainability.

Interventions to facilitate youth access to and control over land have already been put in place, through the support of families, communities and/or the State, as shown in the examples below.

Approach: Access to land through group organizations

Tool: Cooperatives

The experience of cooperative farming in India⁴ supported youth in accessing land for agricultural production. The young inhabitants of the Tarode-di village decided to form a cooperative that would take up farming, as the poor transport facilities to the nearest town did not allow them to take up any job in the urban area nearby. The cooperative leased land from a member of the community and started making some profit producing sunflower. The initiative was supported by DFID through the Poorest Areas Civil Society Programme, which helped them to register the cooperative and to work out a business plan.

⁴ Summary of the findings of the project implemented by MIJARC in collaboration with FAO and IFAD: 'Facilitating access of rural youth to agricultural activities', February 2012.

Approach: Family transfer intra-vivos

Tool: Sale agreements

Family land transfer intra-vivos⁵ can be considered as a good option to accelerate access to land for youth, as the system allows transferring a part of land among family members, from the older to the younger while they are still alive. In Mexico, the Government allowed sales among generations of parcels of commonly owned land if this land was kept in the community, modifying the norms that strictly limited such sales. This allowed the new generation to get access to land instead of migrating massively to the US. In addition, the Mexican Government supported the youth through the Young Rural Entrepreneur and Land Fund Program in collaboration with the World Bank, providing credit to rural landless youth to acquire the underutilised land. At the same time, the project assisted older landholders who transfer their lands to young farmers to access social welfare schemes for their retirement. In Peru, parents transferred land to their children so to allow them to join the National Coffee Association of Peru (CNF) where land was a criterion for membership.

The examples of Mexico and Peru have proven to be successful as all the parties involved benefitted from this agreement. In fact, the young generation, with its access to new technologies has been able to manage land in a more efficient way than the older one.

Approach: Distribution by the State

Tool: Community agreements

Zones of planned agricultural development (ZAAP) have been created by the Togolese State between 2008 and 2009 to facilitate access to land for young farmers⁶. The State establishes an agreement with a community or a land owner to delimit the zone and preparation is undertaken (clearing, first tillage) so that the ready to start farming parcels can be allocated to the young farmers. The beneficiaries of such distribution receive a certificate which provides them with the right to use the land.

Other supporting interventions are provided by the State to these young farmers, such as access to credit and to technical advisory provided by the Institute of Technical Advice and Support.

The main advantage of this system is that it facilitates access to land for the young farmers, even if they are not members of the community or of the village where the ZAAP is located. Some tensions between the new farmers and the original landowners might subsist but the intervention of the administration and the establishment of a certificate generally offer enough guarantees to mitigate this risk.

⁵ Summary of the findings of the project implemented by MIJARC in collaboration with FAO and IFAD: 'Facilitating access of rural youth to agricultural activities', February 2012.

⁶ Bck to office report: International youth workshop-fair: Youth entrepreneurs – agents, Jean-Maurice Durand, October 2011.

Approach:

Building capacities of young people

Tool:

Community resource persons

The Orissa Tribal Empowerment and Livelihoods Programme in India has promoted the development of young people as community resource persons (CRPs): educated local village youth are trained to identify landless households in project villages and vacant land in the villages so to assist them to secure land and land titles over this land. The CRPs activities are in close collaboration with village leadership, landless households and the Government Revenue Department. This IFAD project, with the technical collaboration of Landesa, has trained 550 CRPs, through which more than 5 000 households in 139 villages have been facilitated to obtain land titles (house site and farm land), with almost 13 000 land titles distributed in the project's villages.

The impact of the model went well beyond its expected outcomes: the CPR provided other services creating linkages with government departments, including the forestry one where the model was replicated to settle forest land in the project villages.

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International Fund for Agricultural Development

Via Paolo di Dono, 44 - 00142 Rome, Italy

Tel: +39 06 54591 - Fax: +39 06 5043463

E-mail: ifad@ifad.org


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