

## Implementing sustainable development goals in Zambia Realizing Women’s Access to State Land

<sup>1</sup>Anthony Mushingi, <sup>2</sup>Fahria Masum

<sup>1</sup>Copperbelt University, Kitwe,  
Zambia,  
anthonymushingi@yahoo.com  
<sup>2</sup>Freelance Consultant, Munich,  
Germany  
masum@landguidance.com

### ABSTRACT

#### Context and Background:

The Government of the Republic of Zambia has among other things strengthened policy framework to ensure gender equality and women's empowerment so as to achieve Sustainable Development Goal (SDG) 5 by 2030. For example, the 2000 National Gender Policy (NGP) was revised in 2014 in order to, among other things, eliminate gender disparities in accessing state land. Through the 2014 NGP, the 30 percent threshold was increased to 50 percent of all land allocation for women. However, statistics still show that women’s access to state land is significantly lower than that of men.

#### Goal and Objectives:

This paper aims at investigating the factors that adversely affect women’s access to state land in Zambia which may in turn prevent achieving SDG 5 by 2030 and to recommend specific strategies to address these factors.

#### Methodology:

Primary data were obtained from five purposively selected institutions: Kalulushi Municipal Council, Chingola Municipal Council, Chililabombwe Municipal Council, Ministry of Lands and Natural Resources, and Zambia Land Alliance (Kitwe office). The data collection method used with the key informants was in-depth face-to-face interviews. Management at each institution chose the key informant based on their expertise and experience on the subject. Primary data were also collected from ninety-six (96) women working in the formal and informal sectors. In particular, thirty-two (32) women from each case study area, were randomly selected, and the questionnaire method was used for data collection. Secondary data were obtained through desk research and documents collected from the government offices.

#### Results:

According to research findings, achieving gender equality and women's empowerment in the land sector remains a challenge in Zambia. There are various factors that adversely affect women’s access to state land which if not addressed may prevent achieving SDG 5 by 2030. These among others include weak implementation of laws and policies, information gap, complex state land acquisition procedures, and high land administration costs and plot fees. In view of the foregoing, the study recommends: ensuring effective implementation of policies and laws through inter alia adequate funding and human resource capacity, improving the sensitization programs of municipal councils on women's land rights; streamlining the procedure for accessing state land; and addressing poverty among women through reducing plot fees and keeping low the land administration costs.

#### Keywords:

*Gender equality, land access, state land, sustainable development goals*

## **1. INTRODUCTION**

Zambia considers the 2030 Agenda for Sustainable Development as a national agenda, given that the development challenges that the country seeks to address resonate with the goals agreed in this global agenda (Government of the Republic of Zambia, 2020b). In this regard, the country is committed to articulating a prioritized agenda for achieving Sustainable Development Goals (SDGs). In 2016, the country amended its Constitution to enshrine sustainable development among the national values and principles (United Nations, 2022). So far, significant progress has been achieved in several areas while highlighting challenges with the pace of progress in many areas. According to the 2021 SDG Index and Dashboards Report, Zambia is on track to achieving SDG 13 (climate action) (United Nations, 2022). Progress has been moderate on SDG 3 (good health and well-being), SDG 7 (affordable and clean energy), and SDG 8 (decent work and economic growth) (United Nations, 2022). However, the country has stagnated on eight SDGs, including SDG 5 (gender equality) (United Nations, 2022).

Nonetheless, the Government of the Republic of Zambia has among other things strengthened policy framework to ensure gender equality and women's empowerment so as to achieve SDG 5 by 2030. For example, the 2000 National Gender Policy (NGP) was revised in 2014 in order to, among other things, eliminate gender disparities in accessing state land. Through the 2014 NGP, the 30 percent threshold was increased to 50 percent of all land allocation for women. This is critical because development in any country cannot be achieved when gender equality and women's empowerment is overlooked.

Seven years after the policy was revised, one would expect to see an improvement in women's access to state land. However, women still face challenges in accessing state land under the current land administration system (Government of the Republic of Zambia, 2020a, 2021b). Statistics still show that women's access to state land is significantly lower than that of men. For example, as of October 2021, Ministry of Lands and Natural Resources records indicated that out of the 6,013 land offers, only 19 percent (1,142) were given to women while 81 percent (4,871) were men (USAID, 2021).

Since the 2014 NGP was revised, women's access to state land has not improved (Watala and Chileshe, 2018). If this situation continues, SDG 5 regarding women access to land may not be achieved by 2030. This paper addresses two questions: What factors adversely affect women's access to state land in Zambia which may in turn prevent achieving SDG 5 by 2030? What can be done to increase women's access to state land to achieve the SDG 5 by 2030 in Zambia?

## **2. SUSTAINABLE DEVELOPMENT GOALS AND WOMEN'S ACCESS TO LAND**

Women's access to land is essential to their social and economic empowerment since land is critical in relation to food production, income generation, shelter, credit security, and savings for the future. Giving women equal access to and control over land also enables society to address global sustainability challenges affecting people. For instance, agricultural production and food security increase when women have access to land. This is because women are responsible for between 60 and 80 percent of food production in developing countries (Action Aid, 2018, p.7).

In Sub-Saharan Africa and South Asia, 60 to 70 percent of employed women work in agriculture (UNHR 2017, p.1). Recent research suggests that if all women working in agriculture remain free

from discrimination for full enjoyment of their land rights, they can contribute to greater global food security. However, globally, women still have less secure land rights than men, accounting for less than 20 percent of the world’s landholders (UNHR 2017, p.1). Against this background, gender equality in access to land is an international and national issue and is receiving increasing attention.

When the world is facing challenges like conflict, extremism, and climate change, Sustainable Development Goals (SDGs), in the face of unprecedented global challenges, focus on sustainability, equality, peace, and progress, the 17 goals promise human rights for everyone and everywhere and prioritize gender equality, which is one of the cross-cutting concerns to ensure justice and inclusion, and economies that work for all, including future generations. SDGs have also particularly recognized women’s land rights. Of over 230 SDGs indicators, three focus on women's ownership and control over land (Table 1). Thus, securing land rights for women not only supports realizing gender equality and empowerment (SDG 5) but also sets off powerful and ripple effects in achieving other SDGs (i.e., SDG 1: No poverty and SDG 2: Zero hunger).

Table 1: Women’s access to land addressed by SDGs (Source: United Nations, 2018)

Goal	Targets	Indicators
1. No poverty  End poverty in all its forms everywhere.	By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.	1.4.2 Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure
Goal 5: Gender equality  Achieve gender equality and empower all women and girls.	Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance, and natural resources, in accordance with national laws.  Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance, and natural resources, in accordance with national laws.	5.a.1 (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and b) share of women among owners or rights-bearers of agricultural land, by type of tenure  5.a.2 Proportion of countries where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control

### 3. RESEARCH METHODOLOGY

The approach to conducting this research was grounded in case studies of Kalulushi, Chingola, and Chililabombwe Districts (map 1 shows the location of these districts) located in the Copperbelt Province. The three districts were selected because there are among the few districts in the country which opened up new land and allocated it to various people between 2014 and 2021.

The research incorporated the use of both primary and secondary data collected between September and November 2022. Primary data were obtained from five purposively selected institutions:

Kalulushi Municipal Council, Chingola Municipal Council, Chililabombwe Municipal Council, Ministry of Lands and Natural Resources, and Zambia Land Alliance (Kitwe office). The data collection method used with the key informants was in-depth face-to-face interviews. Management at each institution chose the key informant based on their expertise and experience on the subject.

Map 1: Location of Case studies (Source: Kitweonline.com)



Primary data were also collected from ninety-six (96) women working in the formal and informal sectors in the three case studies in order to determine the consistency of empirical data from other key respondents, thereby also enhancing data validity and reliability. In particular, thirty-two (32) women from each case study area were randomly selected, and the questionnaire method was used for data collection. This sample size was calculated using the following sample size formula used if the population size is unknown, and the population proportion is unknown (Uakarn et al., 2021):

$$n = \frac{Z^2}{4e^2} = \frac{1.96^2}{4(0.1)^2} = 96$$

were  $n$  = sample size

$Z$  = the standard normal deviate at the required confidence level ( $Z$  score at 1.96 adopted for this study).

$e$  = acceptable sampling error ( $e = 0.1$  or 10 percent). This measures the difference between the researchers' survey results and how accurately they reflect the views of the overall population. For the sample size of 88 to 106, sampling error of 10 percent is acceptable (Piper, 2022).

Secondary data were obtained through desk research and documents collected from the government offices. Documents from government offices included Programme for the Advancement of Gender Equity and Equality in Zambia of 2018, Progress Report on the Implementation of the Beijing Declaration and Platform for Action (1995) and the Outcomes of the Twenty-Third Special Session of the General Assembly (2000) of 2019, National Housing Policy 2020-2024 of 2020; Gender Status Report 2017-19 of 2021, National Lands Policy of 2021, Eighth National Development Plan 2022-2026 of 2022, the Constitution (Amendment) Act No. 2 of 2016, the Gender Equity and Equality Act No. 22 of 2015, and the National Gender Policy of 2014.

Qualitative data collected from the primary source were analyzed using thematic analysis, a useful option for exploring respondents' experiences, views, and opinions. The analysis process involved identifying themes and coding the data accordingly. Though this study was mainly qualitative, some quantitative data was collected to supplement qualitative findings. Numerical data, including state land allocation statistics provided by the municipal councils, were quantitatively analyzed using excel.

#### **4. PROCEDURE TO ACCESS STATE LAND IN ZAMBIA**

In Zambia, access to land includes processes people use to gain land rights through the state, local authorities (or municipal councils) or traditional authorities controlling land, and land owners or land occupiers. Access to land is determined through land governance systems (that is, statutory or customary land governance systems) whose rules define how land rights are shared out in societies, explicitly outlining who can use the land, the period of usage, and the conditions of land use (Grover et al., 2006). The foregoing shows that Zambia has a two-tier land tenure system - statutory and customary tenure. Land held under statutory tenure is state land, while land under customary tenure is customary land. The Lands Act defines state land as land "not situated in a customary area" (Government of the Republic of Zambia, 1995).

At independence, state land and customary were estimated to be 94 percent and 6 percent respectively of the total land extent of the country, which is 752,614sqk (Government of the Republic of Zambia, 2021b). However, the percentage of customary land has been decreasing while that of state land has been increasing due to the conversion of customary to state land provided for in the Lands Act of 1995. It should be mentioned that the exact percentages for the two types of land are not known due to the fact that the land audit which was started 2014 is yet to be concluded. But estimates are that 51-54 percent of Zambia's land remains under customary tenure (Sitko and Chamberlin, 2016). This implies that 46-49 percent of Zambia's land is under statutory tenure.

Statutory (or state) land governance falls on the Ministry of Lands and Natural Resources (MLNR). However, MLNR has no offices at the district level and therefore delegates some responsibilities to municipal councils through land agency agreements. Under these agency agreements, municipal councils are empowered to undertake certain land governance functions on behalf of MLNR, which include identification of land for development, land use planning, and land allocation (that is, the process of assigning land rights to people). The procedure for state land allocation is described in table 2.



Table 2: Procedure for Accessing State Land (Source: Mushingi et al., 2022a, p.982)

Steps	Description
Stage 1	State land allocation often starts with the municipal council in whose jurisdiction the land is situated. The council first identifies land for development, prepares layout plan and requests the Lands Department at Ministry of Lands and Natural Resources (MLNR) to check for land availability.
Stage 2	If land is available, Lands Department requests Survey Department at MLNR to number the layout plan and the numbered layout plan is sent back to Lands Department.
Stage 3	Upon receiving the numbered plans from the Survey Department, the Lands Department sends copies to the municipal council concerned.
Stage 4	Respective municipal council advertises parcels of land, inviting people to apply.
Stage 5	When applying for land, applicants must pay a non-refundable application fee to the council.
Stage 6	Municipal council conducts interviews and process applications to the stage of issuing recommendation letters. A recommendation letter essentially provides details like applicant's name, property number, and council minutes (proof of allocation by full council meeting). The allottee is required to pay council fees and service charges and thereafter all necessary documents are then forwarded to the MLNR.
Stage 7	The starting point at the Ministry is the Commissioner of Lands of Lands Department where an invitation to treat stating the fees (i.e., registration fee, consideration fee, preparation fee, and annual ground rent) to be paid is issued. Upon paying the fees, the Commissioner issues an offer letter indicating the terms of the lease.
Stage 8	At this point the municipal council then proceeds to physically show the parcel of land to the allottee.
Stage 9	Since most land is allocated un-surveyed, the allottee must make arrangements to cadastral survey the parcel of land, often through a hired private land surveyor. The surveyor prepares a survey diagram which is subsequently examined and approved by the Survey Department at MLNR.
Stage 10	The approved survey diagram is given to the allottee who subsequently submits it to the Lands Department at MLNR.
Stage 11	Lands Department prepares a lease agreement which the Commissioner of Lands and the allottee sign. Then the Lands Department sends the lease agreement and survey diagram to the Lands and Deeds Department at MLNR for preparation of 99-year certificate of title.
Stage 12	Lands and Deeds Department verify the lease agreement and survey diagram.
Stage 13	Lands and Deeds Department register the lease agreement and survey diagram.
Stage 14	Lands and Deeds Department prepares the certificate of title.
Stage 15	The allottee collects certificate of title.
Stage 16	Upon obtaining a certificate of title, the land owner is required to apply for a building permit from the municipal council. Plan scrutiny fee must be paid before the building plans are scrutinised. Thereafter, the land owner can start building once a building permit is obtained.

## **5. FINDINGS OF THE RESEARCH**

### **5.1 Factors Adversely Affecting Women's Access to State Land**

Achieving gender equality and women's empowerment in the land sector remains a challenge in Zambia (Government of the Republic of Zambia, 2020b). Land ownership by women in rural areas (land in rural areas is mainly held under customary tenure) is at 32.7 percent while in urban areas (land in urban areas is held under statutory tenure) it is at 6.8 percent (Government of the Republic of Zambia, 2021a). According to research findings, there are various factors that adversely affect women's access to state land in Zambia which if not addressed may prevent achieving SDG 5 by 2030. These factors are explained as follows.

### 5.1.1 Weak Implementation of Legal and Policy Frameworks

In the past few years, the Government of the Republic of Zambia has made tremendous efforts in strengthening the legal and policy frameworks that promote gender equality and women's empowerment. Notable among these is Gender Equity and Equality Act No. 22 of 2015 which forbids discrimination against women and the Constitution (Amendment) Act No. 2 of 2016 which provides for values and national principles like equity, equality and non-discrimination. As explained earlier, the National Gender Policy of 2000 was revised in 2014 to ensure the attainment of gender equality in the development processes by redressing the existing gender imbalances.

Despite the foregoing progressive measures made in strengthening the legal and policy frameworks on gender equality and women's empowerment, their implementation is weak due to financial, institutional and technical challenges, such as inadequate funding and human resource capacity (Government of the Republic of Zambia, 2021a). For example, the Gender Equity and Equality Commission (GEEC) stipulated in the Gender Equity and Equality Act of 2015 has not yet been established because Government has no resources to do so (CSO VNR Zambia, 2020). The functions of the GEEC are provided in box 1.

Box 1: Functions of the GEEC (Source: Government of the Republic of Zambia, 2015)

- (i) Ensuring, in liaison with the Ministry or department responsible for gender, that gender equality and equity is attained and mainstreamed in public and private affairs and structures;
- (ii) Monitoring, investigating, researching, educating, lobbying, advising and reporting on issues concerning gender equity and equality;
- (iii) Recommending, to appropriate authorities, any measures that need to be taken to ensure gender equity and equality; and
- (iv) Taking steps, in liaison with appropriate authorities, to secure redress for complaints relating to gender equity and equality.

Research findings showed that the absence of the Gender Equity and Equality Commission is one of the factors that had adversely affected the promotion of gender equality and women's empowerment in municipal councils. For example, findings from Kalulushi, Chingola, and Chililabombwe Municipal Councils revealed that the provision under the 2014 National Gender Policy of allocating 50 percent of available state land to women was never achieved from 2014 to 2021 (Table 3).

Table 3: State Land Allocation by Municipal Councils (Source: Field Survey, 2022)

Name of Municipal Council	Year	No. of Land Parcels Allocated	No. of Land Parcels Allocated to Women	Percentage (%) of Land Parcels Allocated to Women
Kalulushi	2014-2021	747	230	31
Chingola	2014-2021	2,204	601	27
Chililabombwe	2014-2021	4,699	1,629	35

### 5.1.2 Information Gap

Access to information is critical to access land rights. It is essential to identify the knowledge level of legal instruments regarding women's access to state land, to understand the awareness of women regarding their rights. Thus, women were asked whether they were aware of the three legal instruments regarding their land rights, namely the Constitution (Amendment) Act No. 2 of 2016, the

Gender Equity and Equality Act No. 22 of 2015, and the National Gender Policy of 2014. Research findings show that most women were unaware of the legal instruments (Table 4).

Table 4: Awareness of Legal Instruments (n = 96); (Source: Field Survey, 2022)

Legal Instrument	Aware (%)	Frequency (f)	Not Aware (%)	Frequency (f)
Constitution (Amendment) 2016	20.83	20	79.17	76
Gender Equity and Equality Act 2015	14.58	14	85.42	82
National Gender Policy 2014	10.42	10	89.58	86

Such lack of knowledge is a significant obstacle to women’s access to land because, without the information, they cannot demand or exercise their rights (IOM, 2016). Non-awareness of women’s land rights makes women not enjoy their rights to access, own, and control state land (Watala and Chileshe, 2018). According to a respondent from Kalulushi Municipal Council:

Most women are unaware of their rights to land. They need land, but they are unaware that it is a right provided for in legal instruments such as the 2014 National Gender policy, which provides for 50 percent of all state land allocation for women.

According to research findings, the need for more awareness about women’s land rights was caused by a lack of or limited sensitization programs on women’s land rights by the municipal councils. Of the 96 women respondents, 93.75 percent (representing 90 respondents) agreed that there is a lack of sensitization on women’s land rights, while the remaining 6.25 percent (representing 6 respondents) disagreed. In response to a question about women's land rights, respondents from the Ministry of Lands and Natural Resources and Zambia Land Alliance also agreed that municipal councils need to inform women about their land rights.

### 5.1.3 Complex Procedure for Accessing State Land

Women respondents were asked to rate the procedure for accessing state land following a simple ordinal scale of ‘Complex’, ‘Simple’, and ‘No Response’. According to research findings, 89 women (representing 92.71 percent) think that the procedure for accessing state land is complex, while only 5 respondents (representing 5.21 percent) think that the procedure is simple. The remaining 2 respondents (representing 2.08 percent) did not respond. Table 5 is illustrative.

Table 5: Women’s Perception on Procedure for Accessing State Land (Source: Field Survey, 2022)

Procedure for Accessing State Land	Frequency (f)	Percentage (%)
Complex	89	92.71
Simple	5	5.21
No Response	2	2.08
<b>Total</b>	<b>96</b>	<b>100.0</b>

Key informants also confirmed the issue of complex procedures for accessing state land from the municipal councils, Zambia Land Alliance, and the Ministry of Lands and Natural Resources. Accessing state land involves several steps and different decision-making points (see table 2). As a result, obtaining a certificate of title or proof of land ownership takes longer. The process was lengthy,



as it could extend beyond several months or even years (Mushinge, 2017). This discourages women from accessing state land.

#### **5.1.4 High Plot Fees**

Zambia still ranks among the countries with high incidences of poverty in Africa (Government of the Republic of Zambia, 2022). Statistics show that 58% of the population lives on US\$1.90 or less per day (with the majority being women), the international poverty line (Mushinge et al., 2022b). This implies that most Zambian citizens live on US\$57 or ZMW 991.23 per month or less (US\$1 is equivalent to 17.39 Zambian Kwacha – ZMW - as of 9 December 2022). Furthermore, the Gini coefficient at the national level is 0.69 (Government of the Republic of Zambia, 2022). Moreover, women respondents were asked about their constraints when accessing state land. A majority (92 women representing 95.83 percent) stated that high poverty and low-income levels amongst women are some of the significant constraints they face to access state land. The consequence of the preceding is that most women will not be able to pay for plots if the fees are high.

Research findings from the three municipal councils showed that plot fees are indeed high and beyond the means of most of the women. For example, for a low-cost plot, a person must pay an application fee of about ZMW 250 (US\$14.38) (Interview with municipality employee, September 9, 2022). This is a non-refundable fee even if one has not been offered the land. Further, to own state land after successful interviews, one is required to pay an additional amount of about ZMW 5, 000 (US\$287.52) for council fees and service charges as well as a plan scrutiny fee of about ZMW 600 (US\$ 34.50) for scrutinizing building drawings (Interview with municipality employee, September 9, 2022). These fees are paid to municipal councils.

Since the councils are not the final authority on state land, a recommendation is then made to the Ministry of Lands and Natural Resources so that the land is formally offered to the applicant. At the Ministry, the applicant will have to pay more fees, which include annual ground rent (ZMW 166 or US\$9.55), registration fee (ZMW 333.60 or US\$19.18), consideration fee (ZMW 3,333.30 or US\$191.68), and preparation fee (ZMW 166.20 or US\$9.56) (Interview with MLNR employee, October 11, 2022). Since most land in towns and cities is allocated without being surveyed, the allottee is responsible for ensuring that the land is cadastrally surveyed, which requires hiring a private land surveyor at the cost of ZMW 3,000 or US\$172.51 for a survey fee. The total cost of accessing state land then is beyond the earnings of many women. Thus, land fees and other charges, such as surveying, registration, and others, coupled with high poverty and low-income levels, become prohibitive factors in women accessing state land.

#### **5.1.5 Low Gender Mainstreaming**

Gender mainstreaming assesses the implications for men and women of any deliberate action, such as policies, laws, or programs, in all sectors and levels (United Nations, 2002). It is a strategy for ensuring that the concerns and experiences of both men and women are considered when designing, implementing, monitoring, and evaluating policies, laws, and programs across all political, economic, and societal spheres (United Nations, 2002). This way, both genders can benefit equally, and inequality is not perpetuated (United Nations, 2002). The achievement of gender equality is the

ultimate objective. Research findings show that slow progress has been made in mainstreaming gender in the land sector.

This weakness in the enabling framework is mainly attributed to a limited understanding of gender and gender mainstreaming (Government of the Republic of Zambia, 2019). People working in the public sector generally do not understand the significance of gender issues, which results in resistance to properly implementing gender mainstreaming strategies and taking part in development programs (Government of the Republic of Zambia, 2019). Moreover, the institutional capacity to execute gender equality policies, laws, and regulations is also insufficient (Government of the Republic of Zambia, 2018). Gender-responsive planning, budgeting, and effective monitoring and evaluation of gender mainstreaming have been negatively impacted by the inadequate availability of gender-related data, which results from insufficient research and limited innovation in the real-time generation of information (Government of the Republic of Zambia, 2018).

### **5.1.6 Cultural Norms and Traditions**

The patriarchal setting in the country, whereby males dominate on matters concerning land, makes it difficult for women to access and own land (PMRC, 2020). The values and beliefs held by community members over time, frequently spanning generations, are reflected in traditional cultural practices. Due to gender power relations that are still negatively impacted by various cultural practices that continue to favor men and frequently prevent women from exercising their full potential in the enjoyment of their rights and freedoms, the status and position of women have remained low in all Zambian cultures (Government of the Republic of Zambia, 2018). Women's unfavorable and unequal status in many sectors, including access to state land, directly results from these harmful customary practices that support discrimination against them (Government of the Republic of Zambia, 2018).

### **5.1.7 Limited Women's Participation in Decision-Making over Land Matters**

UNECA (2017) argues that gender-equitable representation in land institutions may increase the likelihood of achieving gender-equitable outcomes. In Zambia, Councillors are elected members of municipal councils and have an important role in many significant decisions that affect people's lives. For example, Councillors acting as a body make decisions on matters such as women's access to land. However, Zambian women are underrepresented in institutions that make decisions regarding state land access, such as municipal councils (Table 6).

Table 6: Number of Councillors at Municipal Councils (Source: Field Survey, 2022)

<b>Name of Municipal Council</b>	<b>Total No. of Councillors</b>	<b>No. of Male Councillors</b>	<b>No. of Female Councillors</b>	<b>Percentage (%) of Female Councillors</b>
Kalulushi	24	22	2	8.33
Chingola	29	28	1	3.45
Chililabombwe	24	22	2	8.33

Findings from the three municipalities showed that women's political representation in Zambia is alarming. The country is failing to meet continental and international benchmarks provided for in the South African Development Community (SADC) Protocol on Gender and Development, the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), and the Convention on the Elimination of all Forms of Discrimination Against

Women (CEDAW). Major barriers to women's participation in politics include poverty, illiteracy, patriarchal values and norms that do not support female candidates, lack of access to resources to fund campaigns, political violence, and cyberbullying.

Women's low representation in Zambian politics has harmed women's policy influence and gender-related development priorities (Milapo, 2021), such as access to land. This adversely affects women's access to state land because women are not adequately represented when deciding land allocation. In order to ensure a gender-equitable land tenure system, there is a need for effective land administration characterized by women's participation in policy formulation and at the level of implementation on an equal footing with men.

#### **5.1.8 High Illiteracy Levels Amongst Zambian Women**

In a 2021 report, UNICEF reported that the country had a low literacy level of women, with only 1 in 3 adult women aged 15-49 being illiterate, meaning they cannot read (UNICEF, 2021). Further, all the 96 women respondents and key informants from Kalulushi Municipal Council, Chingola Municipal Council, Chililabombwe Municipal Council, Ministry of Lands and Natural Resources, and Zambia Land Alliance (Kitwe office) agreed that most women in the country are illiterate. The high illiteracy rate among Zambian women and the lack of or limited awareness raising by municipal councils on women's land rights adversely affects their ability to access information and exercise their rights. This situation affects women's livelihood and vulnerability to poverty (UNECA, 2017).

#### **5.1.9 Insufficient Political Will**

As explained earlier, Zambia has the Constitution (Amendment) Act No. 2 of 2016), the Gender Equity and Equality Act, No. 22 of 2015, and the National Gender Policy of 2014 that uphold the equal rights principle between women and men. However, implementing and enforcing these legal instruments could be more assertive (Interview with ZLA employee, October 3, 2022). Land rights are essentially political issues, and lack of political will often implies that legal instruments guiding land rights are rendered useless or, worse, overridden entirely (Tandon, 2012 cited in UNECA, 2017). Limited progress in implementing and enforcing legal instruments could mean that the Zambian government is partially in agreement with the equal rights principle but has included it under pressure from and to appease the international community (UNECA, 2017).

### **6. CONCLUSIONS AND RECOMMENDATIONS**

Women's land right should not be seen only as a women empowerment entitlement but also as a pathway to achieving sustainable development goals. Even though Zambia has entrenched women's land rights in the legal instruments, there are various factors that adversely affect women's access to state land which if not addressed may prevent achieving SDG 5 by 2030. These include weak implementation of laws and policies, information gap, complex state land acquisition procedures, high land administration costs and plot fees, low gender mainstreaming in the land sector, discriminatory social norms, high illiteracy levels amongst Zambian women, women's limited participation in decision-making over land matters, and inadequate political will. Therefore, more is needed to remove an invisible but near impenetrable wall to women realizing land and property rights. To this end, robust land governance interventions can drive real change on the ground and build sensitization and collaboration to achieve development and policy objectives.

The study recommends the following specific strategies to address the foregoing factors which if not addressed may prevent achieving SDG 5 by 2030: ensuring effective implementation of policies and laws through inter alia adequate funding and human resource capacity; improving the sensitization programs of municipal councils on women's land rights; streamlining the procedure for accessing state land; addressing poverty among women through reducing plot fees and keeping low the land administration costs; ensuring understanding of gender equality and gender mainstreaming in the land sector by policy implementers; building awareness of demerits of cultural norms and traditions; facilitating women's participation in the decision-making process and community mobilization initiatives; taking deliberate steps towards improving literacy rate for women; and ensuring significant political will in achieving gender equality in accessing land.

## **7. ACKNOWLEDGMENT**

The first author acknowledges the contributions made by the co-author in working on this article.

## **8. FUNDING**

There was no funding received for this research and therefore the full cost for the study was covered by the Authors.

## **9. ROLE OF THE AUTHORS**

Secondary and primary data collection as well as preparation of this article was undertaken by the two (2) authors.

## **10. REFERENCES**

- Action Aid (2018). Securing women's rights to land and livelihoods: a key to ending hunger and fighting AIDS. Action Aid briefing paper.
- CSO VNR Zambia (2020). Zambia Civil Society Organisation's Shadow Report on the Voluntary National Review of Progress on the Implementation of the Sustainable Development Goals (1,3,4,5,6,11 and 13). Retrieved from <https://gcap.global/wp-content/uploads/2020/09/CSO-VNR-SDGs-Shadow-Report-2020.pdf> [cited 24 April 2023].
- Government of the Republic of Zambia (1995). Lands Act, Chapter 184. Lusaka: Government Printers.
- Government of the Republic of Zambia (2015). Gender Equity and Equality Act No. 22. Lusaka: Government Printers.
- Government of the Republic of Zambia (2018). Programme for the Advancement of Gender Equity and Equality in Zambia. Lusaka: Ministry of Gender.
- Government of the Republic of Zambia (2019). Progress Report on the Implementation of the Beijing Declaration and Platform for Action (1995) and the Outcomes of the Twenty-Third Special Session of the General Assembly (2000). In the context of the Twenty Fifth Anniversary of the Fourth World Conference on Women and the Adoption of the Beijing Declaration and Platform for Action. Lusaka: Ministry of Gender.
- Government of the Republic of Zambia (2020a). National Housing Policy 2020 - 2024. Lusaka: Ministry of Housing and Infrastructure Development.
- Government of the Republic of Zambia (2020b). Zambia Sustainable Development Goals Voluntary National Review 2020. Lusaka: Ministry of National Development Planning.

- Government of the Republic of Zambia (2021a). Gender Status Report 2017-19. Lusaka: Ministry of Gender.
- Government of the Republic of Zambia (2021b). National Lands Policy. Lusaka: Ministry of Lands and Natural Resources.
- Government of the Republic of Zambia (2022). Eighth National Development Plan 2022-2026. Lusaka: Ministry of Finance and National Development.
- Grover, T, Törhönen, M.P. and Palme, D. (2006). The importance of land tenure data in decision-making. In FAO (eds.), Land reform: land settlement and cooperatives. Rome: FAO: 6-13.
- IOM (2016). Barriers to Women's Land and Property Access and Ownership in Nepal. Kathmandu: International Organisation for Migration.
- Milapo, N. (2021). EU support for women's political participation and leadership under the EU's Gender Action Plan: A case study of Zambia. Brussels: European Democracy Hub.
- Mushinge, A. (2017). Role of Land Governance in Improving Tenure Security in Zambia: Towards a Strategic Framework for Preventing Conflicts. PhD Thesis. Technical University of Munich, Munich, Germany.
- Mushinge, A, Simposya, A.M, and Ngosa, M. (2022a). An inquiry into the causes of illegal occupation of land in Zambia's cities: A case of Kitwe city. *African Journal on Land Policy and Geospatial Sciences*, 5 (5), pp. 978-990.
- Mushinge, A, Munshifwa, E.K, Chileshe, R. A, and Jain, N. (2022b). Urban Societal Needs and Sustainability in Zambia: A Case of Public Land and Housing. In Chatterjee, U., Biswas, A., Mukherjee, j., and Mahata, D. (eds) *Sustainable Urbanism in Developing Countries*. CRC Press.
- Palmer, D, Fricska, S and Wehrmann, B. (2009). Towards Improved Land Governance. Land Tenure Working Paper 11. Rome: FAO.
- Piper, S. (2022). Determining Minimum Survey Sample Sizes based on Survey Margin of Error. Retrieved from <https://cyber-edge.com/determining-minimum-survey-sample-sizes-based-on-survey-margin-of-error/> [cited 23 April 2023].
- PMRC (2020). Land Tenure and Resource Rights for Women and Yourths. Lusaka: Policy Monitoring and Research Centre.
- Sitko, N.J and Chamberlin, J. (2016). The geography of Zambia's customary land: assessing the prospects for smallholder development. *Land Use Policy*, 55, pp.49-60.
- Uakarn, C, Chaokromthong, K and Sintao, N. (2021). Sample size estimation using Yamane and Cochran and Krejcie and Morgan and Green Formulas and Cohen statistical power analysis by G power and comparisons. *Apheit International Journal*, pp. 76-88.
- UNECA (2017). Improving access to land and strengthening land rights of women in Africa. Addis Ababa: United Nations Economic Commission for Africa.
- UNHR (2017). Insecure land rights for women threaten progress on gender equality and sustainable development. Position paper on insecure land rights for women.



UNICEF (2021). 2018 Zambia Demographic and Health Survey: Secondary Data Analysis. Lusaka: United Nations Children's Fund (UNICEF).

United Nations (2002). Gender mainstreaming: An Overview. New York: United Nations.

United Nations (2018). The 2030 Agenda and the Sustainable Development Goals: An Opportunity for Latin America and the Caribbean (LC/G.2681-P/Rev.3), Santiago.

United Nations (2022). United Nations sustainable development cooperation framework for the Republic of Zambia 2023-2027. United Nations Zambia.

USAID (2021). A Review of Main Zambian Newspaper Articles on Tenure and Governance. Lusaka: Zambia Resource Tenure and Governance.

Watala, N and Chileshe, R. (2018). Impediments to statutory land access among women: case of Mumbwa District in Zambia. *Research on Humanities and Social Sciences*, 8 (12), pp.1-9.

## **11. ADDITIONAL READING**

In order to better appreciate the findings of our paper, we recommend additional reading of the following:

Kapihya, L. (2017). A comparative study on women's land rights in Zambia: Access, ownership, control and decision-making. Washington, DC: USAID Tenure and Global Climate Change Program.

Government of the Republic of Zambia (2019). Progress Report on the Implementation of the Beijing Declaration and Platform for Action (1995) and the Outcomes of the Twenty-Third Special Session of the General Assembly (2000). In the context of the Twenty Fifth Anniversary of the Fourth World Conference on Women and the Adoption of the Beijing Declaration and Platform for Action. Lusaka: Ministry of Gender.

## **12. KEY TERMS AND DEFINITIONS**

**Gender Equality:** Women have access to land as men do.

**Gender Mainstreaming:** Process of assessing the implications for men and women of any planned action, such as policies, laws, or programs in the land sector.

**Land Governance:** The rules, processes, and structures through which decisions are made, implemented, and enforced about access to land and its use (Palmer et al., 2009).

**State Land:** State land consists of land rights regulated by state policies, laws, regulations, and institutions such as the Ministry of Lands and Natural Resources, and Municipal Councils.

**Sustainable Development Goals:** First announced in 2015, the United Nations Sustainable Development Goals are 17, with 169 associated targets intended to contribute to a better, more sustainable future for all. It came into effect on 1 January 2016 and will guide the decisions up to 2030.