

May 2024

Haki Ardhi land rights reporting tool

Climate justice at hand



Local farmer, Linet Ronde, reported a land rights violation through Haki Ardhi, which prevented her from being evicted. © Kenya Land Alliance

The global land rush

Climate change and climate action measures have a profound impact on land use and land rights. The commitment of countries to allocate 1 billion hectares of land for carbon dioxide removal – more than four times the area of India¹ – highlights the magnitude of this venture. Moreover, from 360 to 480 million hectares of land will need to be converted from current uses, such as cropland or pasture, to forest.²

However, a vital piece of this puzzle is routinely overlooked. Land rights are indispensable to tackling the climate crisis and inequality. They create the necessary incentives for communities to invest in adaptation strategies, such as sustainable agriculture or watershed management. Moreover, securing women's land rights advances gender equity, as well as increases household resilience. This spells rewards for entire communities.

While discussions on climate action, land restoration and securing people's land rights seldom materialize and therefore fall short of hard commitments, change is slowly taking shape on the horizon. For example, the Glasgow Climate Pact, resulting from COP26, prioritizes securing Indigenous People's land. Moreover, parties to the UN Convention to Combat Desertification drew out specific links between the principles of the land [tenure guidelines](#) and national programmes to restore land and achieve land degradation neutrality targets.

This, however, does not dictate how programmatic approaches will evolve. Climate action and global land restoration initiatives tend to prioritize technical measures and solutions that neglect the rights of rural communities, especially those with customary or informal land rights. This is clearly exemplified by the impacts of voluntary carbon markets on local communities with insecure tenure rights, who have been excluded from benefit-sharing and decision-making and have even been displaced.³



HAKI ARDHI
THE RIGHTS REPORTING TOOL

¹ Dooley et al., 2022

² Land Gap Report, 2023 Update

³ TMG Research, 2023

It's time to build more momentum to shift the narrative and approach.

The land committed to achieving climate targets is not empty. It's often already stewarded and relied on by Indigenous Peoples and local communities, who more frequently and disproportionately face exploitation, encroachment and displacement. As climate action extends its reach to new forests and lands held or managed by the same at-risk communities, their ability to participate in, actively shape and benefit from climate action should therefore be prominently situated in all future efforts to tackle climate change.

TMG Research works to ensure that **access to justice is a central feature** of land-based climate action, such as carbon markets, reforestation and afforestation, so it does not undermine the rights and livelihoods of current land users, and in turn existing ecosystems. This calls for treating **land rights as a critical centerpiece of climate action** and the foundation for preserving the rights of communities made vulnerable by both the impacts of climate change and land-intensive climate projects.

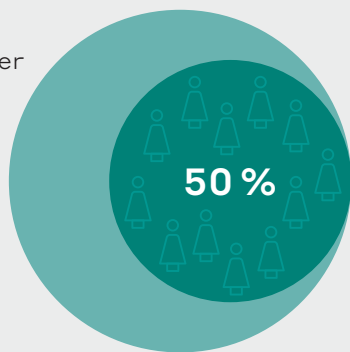
Likewise essential to this shift is recognizing that **women face greater obstacles in claiming land rights**. Land conflicts already

lead to gender-based violence (GBV) and livelihood loss. And women's access to justice is effectively blocked by weak implementation of existing legal mechanisms, discriminatory social norms (such as patriarchal inheritance rights), and a gap in awareness of tenure rights.

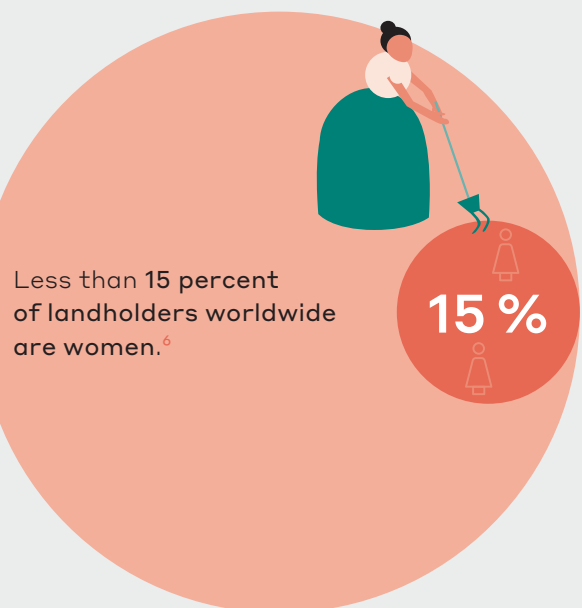
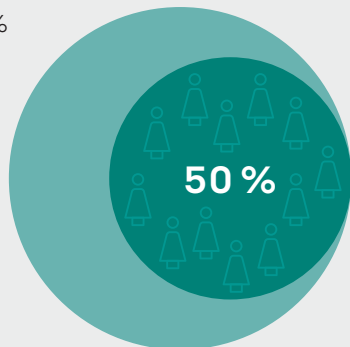
To advance land rights and ensure a climate-just future, [TMG Research](#), [Rainforest Foundation UK](#) and [Kenya Land Alliance](#), as well as community-based organizations Shibuye Community Health Workers, Sauti ya Wanawake, and Taita Taveta Human Rights Watch, developed and piloted Haki Ardhi – a powerful new digital tool that fosters bottom-up monitoring and reporting of land rights violations. Our findings on women's land rights violations speak to the power of **placing justice in the hands of communities and local organizations** to enhance local legal redress mechanisms and strengthen government accountability. Our work so far reinforces the importance of joining forces with well-established community-based organizations, who serve as the cornerstone of our work with women whose rights have been violated.

Women claim their rights through Haki Ardhi

There are about 570 million smallholder farmers worldwide. 50 % are women.⁴



Women produce 50 % of the world's food.⁵



⁴ Oxfam, World Bank, 2023 ⁵ FAO, 2023 ⁶ UNCCD, 2024

The figures on page 2 highlight a bitter double standard. While women are heralded as vital land stewards that feed their communities and families and nourish ecosystems, their right to exercise control and decision-making power over the land they depend on for agriculture, food security and other land-based livelihoods is systematically eroded. Women cannot be tokenized. They are powerful agents of change, and secure land rights act as a key enabler.

Haki Ardhi supports women in exercising their rights. This tool provides women a safe avenue to report on land rights conflicts and related GBV. Through data collection and use, it moreover makes women's rights violations more visible, enabling local organizations to advocate for an effective response.

Community event to raise awareness on Haki Ardhi in Kakamega County, Kenya. © Kenya Land Alliance



Haki Ardhi in action

Haki Ardhi utilizes a toll-free, automated SMS hotline to unite women with paralegals and community workers from well-established and trusted community-based organizations in order to prompt action to resolve tenure violations. This SMS feature reduces women's transportation costs and risk of conflict associated with reporting rights violations.

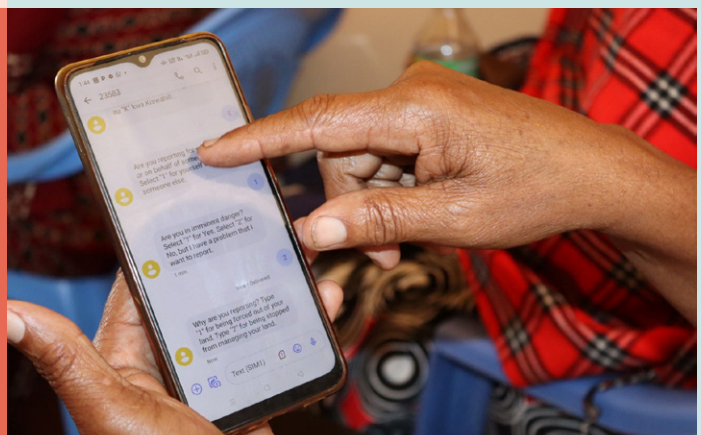


Women are also able to report violations through in-person office consultations. With its diverse reporting options, the tool is accessible for everyone, facilitating broad reach and engagement.



TMG Research and partners piloted this tool in Kakamega and Taita Taveta counties in Kenya.

Through concerted outreach campaigns and radio broadcasts, the tool has successfully reached and engaged more than 1,000 women, enhancing their awareness of their land rights and improving their access to justice. Importantly, Haki Ardhi also enabled women to speak up louder and exercise more power over their right to land and economic stability.



Haki Ardhi SMS feature in use. © Kenya Land Alliance

Data drives accountability

The tool's adoption equipped women-led grassroots organizations with near **real-time data** to improve their responses to rights infringements.



Data enables organizations to provide targeted support to women. Data likewise serves as an evidence base of recurring or urgent issues and enabled these organizations to carry out targeted advocacy work and hold duty bearers accountable. For example, the national civil society organization, Kenya Land Alliance,

as well as three Kenyan community-based organizations – **Shibuye Community Health Workers, Sauti ya Wanawake, and Taita Taveta Human Rights Watch** – harness the tool's crowd-sourced data and analyses on rights infringements to hold accountable traditional authorities, as well as local and national governments.

Moreover, this timely data guides government officials in their decision-making, leading to the development and more effective implementation of gender-transformative policies. Utilizing data towards these ends has so far expanded access to justice for women, many of whom are dependent on land-based livelihoods, and helped bring about dispute settlements in their favour.

»»The conflict started when my husband got a second wife. He evicted me from our land. When I went to the local authorities, they ignored my case. When I sent an SMS to Haki Ardhi, Shibuye Community Health Workers responded straight away. They got me a lawyer to defend my case – this was a strong sign for my husband. He knew that the law would acknowledge my right to land, so he then let me stay.««

Jemimah Oronga



Jemimah Oronga
© Elijah Mwangi, Anchor Bay Productions

Alarming trends call for action

Haki Ardhi's impact report highlights alarming trends and emphasizes the urgent need for comprehensive action to protect women's land rights and eradicate violence against them. Against the backdrop of a growing dependence on land-based interventions to achieve global climate goals, this rings especially true.

From June 2023 to February 2024, 126 cases were reported. Of this total, 73 women (58%) experienced forced eviction. Around 96% of all reported cases of forced eviction were on family/private land. Almost half of all women (49%) that faced forced eviction reported to have experienced some form of violence.

Moreover, more than half of all women reporting forced eviction are widows. The husband's family is most often mentioned as the one who is forcing the women off their land.

Even though many land tenure violations had already been reported to government authorities, women did not receive support to settle the violations. Women then turned to the Haki Ardhi tool, harnessing its accessible monitoring and reporting power to seek support from community-based organizations.⁷

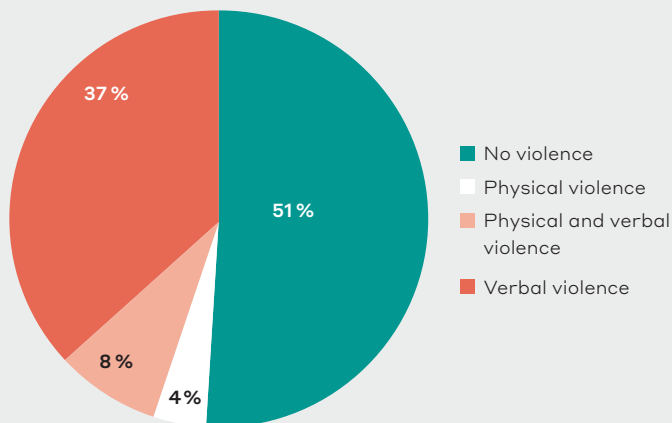
⁷ Figures based on the analysis of in-person alerts of forced evictions only.

Haki Ardhi's transformational power

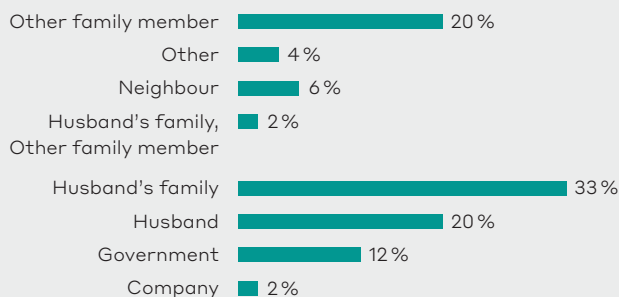
In Kakamega County, Shibuye Community Health Workers are using Haki Ardhi data to underpin evidence-based advocacy around protecting women's access to land. Their efforts are already bearing fruits. The local governor of Kakamega is now promoting land lease guidelines as an effective means to secure women's land access.

In Kakamega and Taita Taveta counties, women experience the constant fear of forced eviction due to tenure-insecurity. To help alleviate this, Kenya Land Alliance presented Haki Ardhi data to the Judiciary in both counties to demonstrate a backlog of unresolved tenure cases that violated women's land rights. This prompted the Judiciary to intervene by using the data to identify cases that have long

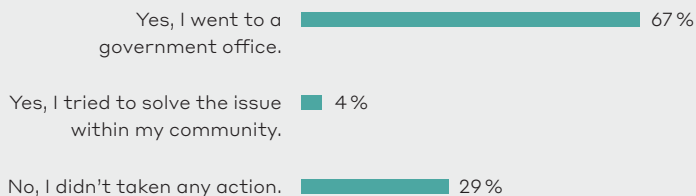
Violence experienced by women who reported forced eviction



Reported perpetrators in cases of forced eviction



Action taken to resolve cases of forced eviction



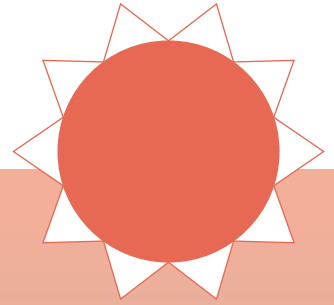
overstayed in court. A week deadline to resolve those cases was then agreed upon to ensure women in both counties can access justice through court processes.



Testing the Haki Ardhi tool during a training with community-based organizations in Taita Taveta County. © Kenya Land Alliance

How are land rights a bedrock for just climate action?

To achieve a carbon-neutral future, it is essential to balance ambitious climate action with the protection of local communities affected by these projects. This requires responsible land governance that also places legitimate land rights, in all their forms, at the heart of climate action.



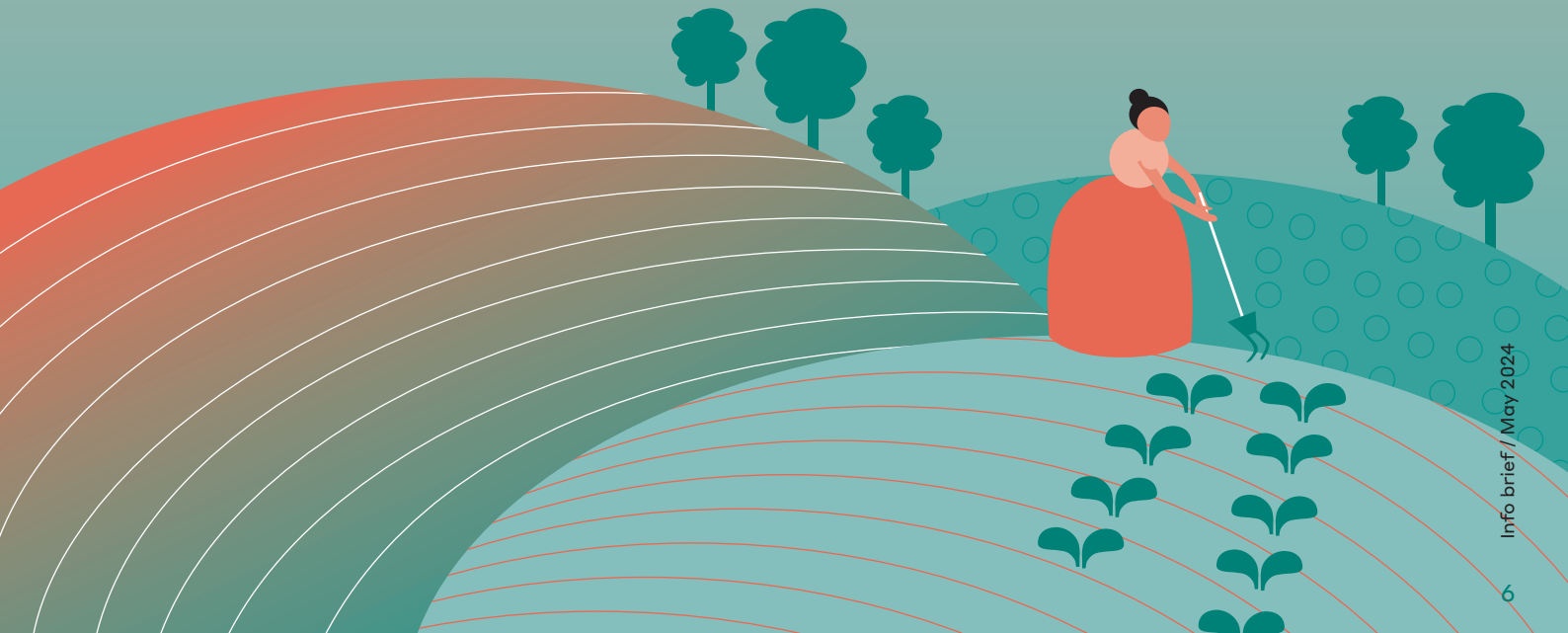
TMG Research is exploring the impact of climate action on people's legitimate land rights, as well as how land rights underpin community's adaptation efforts.

Land grabs under the guise of carbon-focused climate action can displace Indigenous and local communities and lead to conflicts over land rights.

Secure tenure can protect communities from expulsion, and act as a means for local communities to join the negotiating table.

Land rights insecurity can deter people from investing in long-term sustainable practices, multiplying climate vulnerabilities. It also impedes equal participation in adaptation initiatives.

Secure tenure helps ensure people have the stability to invest in sustainable land management practices to adapt to the increasingly volatile impacts of climate change.



Building common ground towards global climate goals

Land rights should be considered the invisible roots of the three Rio Conventions. They unite each convention in the pursuit of a human-rights based approach to achieving global climate, biodiversity, and restoration goals. However, land rights have yet to be mainstreamed in each convention's implementation.

But land rights recognition is gaining ground. Haki Ardhi aligns with a growing focus on rights-based approaches.

This includes UNCCD's progressive role in this pursuit, which marks a significant leap forward. Notably, UNCCD's [COP14 Decision 26/COP.14](#) stands as a groundbreaking move towards mainstreaming land rights. This decision recognizes tenure security as a catalyst for achieving land degradation neutrality and makes specific reference to the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT) as a guiding framework. Specifically, VGGT

refers to state's obligations to respect and protect legitimate tenure rights in mitigation and adaptation policies, as well as the rights communities have to consultation and participation.

In addition, UNCCD has importantly recognized Indigenous Peoples and local communities as custodians of biodiversity. Goal 22 specifically aims to ensure the full, equitable, and inclusive representation and participation of Indigenous Peoples and local communities in decision-making. While this falls short of mainstreaming their land rights, it is a promising start to build on.

Land rights must be the foundation of international agreements. Haki Ardhi has the potential to capture data on land rights violations to return power to communities and advocate for a vital change in who can drive and truly benefit from climate action. In that way, it forges a pathway to ensure global climate agendas reflect local realities.



© Kenya Land Alliance

Widespread adoption potential

Haki Ardhi's bottom-up approach demonstrates promising potential to improve access to justice. By increasing Haki Ardhi's coverage, TMG Research aims to further explore how this tool could serve other communities in revealing a broader spectrum of hidden linkages between land-intensive climate action projects, tenure violations, gender, safety, and accountability across the political gamut.

On the horizon

In 2024, TMG Research will pilot Haki Ardhi to identify rights violations hotspots linked to carbon markets and carbon credits, **allowing for data capture on links between land tenure, carbon markets and GBV.**

This data will serve three distinct purposes:

- 1 It will ensure direct support is provided to women who report through the tool.
- 2 It will be used to sensitize men, leaders, political authorities, carbon credit project implementers, and others on women's land rights violations and GBV; the potential negative impacts of carbon credit projects; and how to mitigate those effects and participate equitably in carbon credit projects.
- 3 It will underpin efforts to influence decision-makers at subnational and national levels, and advocate for policy change and better GBV-related services and funding.

While nature is protected, women are routinely denied access to land, forests, and other natural resources.

This project was borne in response to an expected increase of tenure rights violations caused by carbon markets, especially carbon credits and de-gazettement of forestland in Kenya. In addition, reforestation and conservation efforts require land already allocated to production. This land-use change leads to increased competition over land, and without formal land ownership titles, women are disproportionately disadvantaged.

Complicating this picture, women face the triple threat of violence, eviction and exclusion. The lure of financial gain from carbon credit markets often motivates male family members and neighbors to evict women from their land and claim it for themselves. During eviction, women face a cascade of violence, such as verbal and physical abuse. After eviction, they're systematically excluded from participating in implementing environmental projects and therefore reap no benefit.

In the plight to use data to forge gender-responsive and just pathways, as well as drive momentum towards these commitments, Haki Ardhi serves as a valuable investment. By upscaling Haki Ardhi, TMG Research and its local partners will continue our work with local communities to both hold governments to account and foster more inclusive climate action and land governance for all.

Who we are

TMG Research is a not-for-profit, think-and-do-tank based in Berlin and Nairobi. We are dedicated to fostering inclusive processes to drive a rights-based just transition. Our land governance programme centers on cultivating bottom-up approaches that place communities and local organizations at the fore. Together with our partners, we create social innovations and drive policy reform to secure legitimate land rights through transparency, accountability and access to justice.

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