IMPLICATIONS OF COVID-19 TO WOMEN’S LIVELIHOOD AND TENURE RIGHTS

The impact of COVID-19 on women’s livelihood, food and tenure security: evidence from Sub-Saharan Africa

Lockdowns are affecting women differently across Africa. This report covers the impact of COVID-19 to land rights actors in Africa particular to the housing land tenure, livelihoods and property of women, girls and youth.
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BACKGROUND
The Covid-19 pandemic now entering its fifth month has sparked an unprecedented global health crisis that has fundamentally disrupted the social and economic fabric of all countries. Governments have imposed severe restrictions on movements and travel that have virtually locked down countries. Most African countries have imposed some degree of restrictions to protect the populations from the spread of the virus. This is clearly an important protective step, but we also need to consider the very real danger that the Covid-19 pandemic will leave. COVID-19 is overshadowing other challenges like locust in East Africa, and likely climate volatility issues such as drought and flooding that normally get attention and now, they may impact communities while everybody is looking somewhere else.

It is against the above backdrop that Oxfam International Pan Africa Program and ILC under the auspices of the CSP, undertook a rapid assessment in form of an exploratory survey to understand the impacts of COVID-19 to land rights actors in Africa particularly to the housing, land tenure, livelihoods and property of women, girls and youths. The survey was also meant to establish how the land rights actors are responding and adjusting to the effects of various government regulations put in place to curb the COVID-19. The survey had 75 respondents across Sub-Saharan Africa drawn from civil society organizations and community-based organizations working on land rights in Africa who frequently engage smallholder farmers, women, youth and land rights defenders.

The report also features insights on women’s land rights during the COVID-19 crisis. It discusses inclusive, progressive, and efficient approaches to address the pandemic that recognizes food and nutrition security and women’s rights.

The overall objective of the survey as noted in the introductory section is to assess the extent to which the COVID-19 has impacted the continued operation of land actors in Africa especially women, girls and youths.

The survey is aimed at measuring the impact of COVID-19 on government restrictions and regulations put in place that impede the day to day activities of land actors and overall management and governance of land matters in Africa. The survey is also aimed at assessing the coping mechanisms of land actors especially women, girls and youths.

The survey was conducted online via Google Forms. A link to the survey was shared by email to all CSP members and their relevant networks. The questionnaire included a total of 18 multiple choice questions and one open-ended question.
Invited participants were required to first read the survey information and then indicate by a click of a button whether they accepted to participate. All questions in the survey were optional and participants were free to skip any that they did not feel comfortable with. A total of 75 people/organizations participated in the survey, with 27% identifying as youths and girls, 39% as small-scale farmers and 36% women land rights defenders. All regions in Sub-Saharan Africa was represented in the survey. Media reports and updates around COVID-19 in sub-Saharan Africa informed this study.

JUSTIFICATION TO THE SURVEY STUDY

The year 2020, had women rights and feminist organizations from all over the world ready in marking the twenty-fifth anniversary of the Beijing Platform for Action with renewed hope and optimism for progress in gender equality. Unfortunately, the outbreak of COVID-19 has meant that the marginal gains met in recent years can be eroded by its impact and evidently one area that faces serious risk is women’s land and property rights. According to various research in Africa, women make a great part of the workforce that produces the bulk of food that feed Africa and are therefore at greater risk of losing their lands, their source of income, and livelihood.

Access to land and food is essential for African countries to mitigate and recover from the COVID-19 pandemic. Secured access to land can boost the confidence of farmers and enable better food production in critical times. Therefore, an understanding of how border closure, restrictions of movement, and measures taken by African governments to curb COVID-19 impacts on women is central and urgent. This study tries to identify gaps in the COVID-19 combat strategy relevant to women’s land rights and develops recommendations for robust policy interventions to governments. The findings are aimed at informing governments and communities to become more equal and inclusive as they marshal strategies to combat COVID-19.
KEY SURVEY FINDINGS AND ANALYSIS
As shown in figure 1 below, the survey revealed that 40% of the respondents risk losing rights to their land, while 56% of land actors are unable to engage with their communities directly and 40% are not in a position to advocate for the passing of land laws and monitor its implementation. The findings are translated to mean that the net effect of the COVID-19, is the severe impact that has made it difficult for the women to connect and mobilize support for securing land, jointly having their voices in tracking and implementation of land-related laws and contributing to land policy debates. In Kenya for instance, social distancing regulations have made it difficult for rural women to meet and come up with a joint position on the ongoing Land Registration (Amendments) Bill 2020 now before the National Assembly. Other factors include the heightened risk of insecurity and the inability for certain farmers to commute to work or farms that are far from their community. The transport ban has also trapped women in their homes while leaving their farms and harvests at the mercy of encroachers and land grabs.

Figure 1. How COVID-19 impacts women’s work in Africa.
Slowed Pace of Land Related Laws and Policy Implementation

African governments have made huge policy promises on women’s land rights. Commitments taken in the last two few years include the Maputo protocol, the AU Agenda 2063 and the Frameworks and Guidelines on Land Policy in Africa, endorsed by the majority of the 55 African States. As figure 1 above shows, the outbreak of COVID-19 has disrupted policy advocacy in countries. 40% of the respondents of the inquiry suggest that COVID-19 is slumbering policy processes. Lockdowns slow activists from pressuring governments to act on commitments taken such as those mentioned above. It also limits advocacy on new land laws that can facilitate women’s access to land. Additionally, the outbreak came at the time when the world was taking stock of the progress made 25 years after the Beijing Platform for Action came into effect as a road map to gender equality and women’s empowerment. It also came at the time when women networks and leaders were pushing for the adoption of the Kilimanjaro Rural Women’s Charter of Demands, a landmark document endorsed by the African Union Commission in 2016. The Rural Women’s Charter was being used to demand better land rights for women in African Countries and within Regional Economic Communities. The principles of the Rural Women’s Charter have a strong potential to facilitate women’s access to land rights; ensure women’s equal participation in land policy processes and enable the enacting of inheritance laws that protect women.

Community engagements are shut off

Community engagement and inclusion of women in decision-making processes are key principles inscribed in both the African Union Agenda 63 and the UN Sustainable Development Goals. These agendas stress on the need to build community capacity to understand and deal with developmental challenges and to strengthen the participation of women in political and decision-making processes. In the era of COVID-19, that promise has been relegated. According to the participants of this study, lockdowns have prevented community engagement and support. 56% of respondents indicate restrictions have limited them from visiting communities. Consequently, this has eroded support communities were getting to build resilient food systems and secure land rights.
Risk of losing land rights

Land is the lifeblood of households in Africa, shouldered in majority by women. With land rights, women develop agriculture, build shelters, and secure food and income for families. However, Africa is far from reaching parity of rights to land and property between men and women. Confinement measures imposed by governments make it impossible for women with claims to land to defend their rights and as this survey shows, this leaves them vulnerable. Three percent (3%) of respondents reported that the transport ban had trapped them in their homes, making it difficult to reach far away farmlands. For most, the inability to reach farmlands leaves their harvests and lands at the mercy of robbers and land grabs. “I am afraid that I may end up losing my land because the courts are not working and am the right holder of my title deed,” said a small-scale farmer from Kenya. When governments issued lockdown notices, land registry offices closed. Courtrooms followed, delaying land justice for women. 10 women who took part in this survey have pending court cases. As a participant of this survey puts it, the sealing of courtrooms has denied women their rights to justice, since there is no mechanism to report abuses. Besides court systems, land management bodies at village levels responsible to solve conflicts such as the land board or land management committee, for countries that recognize community land rights are not functioning. Since these organs, which manage the majority of local conflicts cannot function, it makes it difficult for women to have justice. Another gain the pandemic seems to be delaying is the effective integration of women in land governance processes. In Kenya and Tanzania, where more women have become members of land management organs in the past two years, the current conditions prevent them from pronouncing on important cases that could help more women secure access to land.

LAND DEFENDERS AT RISK AS DEBATES ON WOMEN’S LAND RIGHTS DISAPPEAR IN THE PUBLIC SPHERE

The mapping also provides the following insights into discussions about whether land defenders are being protected at this time of a global pandemic and what is happening when women’s land rights are no longer among the most pressing issues in the government agenda.

Stagnation of women’s rights debates in the public sphere

One-way women land rights activists have succeeded to introduce women’s issues in strategic development agendas like the African Union Agenda 2063 and the Framework and Guidelines on Land Policy in Africa is through encouraging lively debates in public spheres and forums. In important meetings such as the African Union Heads of States meetings, women have made sure their agenda is mentioned by holding side events and leading debates in the media sphere. Thirty-six percent (36%) of participants of this survey reported that women’s land rights discussion no longer happens in lockdowns when asked about how COVID-19 impacted them (see figure 2).
Land rights defenders at risk

The respect for human rights and the protection of human rights defenders are essential to the success and effectiveness of addressing land rights issues and recovery from the pandemic. Human rights defenders are key allies to address the challenges posed by the COVID-19 pandemic, especially the reported increase in violations of rights related to land, displacements and evictions. The findings suggest that land rights defenders are unable to effectively respond to these issues due to the restrictions put in place. This has led to a spike in the number of abuses targeted at women land defenders. In Uganda, for example, the police recently arrested and abused land rights defenders. The study findings conform with the recent media reports from the Democratic Republic of Congo that suggest in the times of lockdown, defenders who defend women’s land rights are targeted.

LIVELIHOODS AND WELLBEING

This inquiry shares insights into how women smallholders farmers who lead African food systems are struggling with COVID-19 to provide for their families. According to the United Nations Economic Commission for Africa (UNECA), 300,000 and 3.3 million people in Africa could lose their lives as a direct result of COVID-19. Women are also often responsible for the care of children, the sick and elderly. This means that they could have increased exposure to Coronavirus with knock-on implications for food production, food preparation and child nutrition.

![How COVID-19 affects livelihoods](image)

*Figure 2 shows impact of COVID-19 on women’s livelihoods*
The pandemic has brought untold hardship and as it continues, more people are at risk of going hungry. Because of lockdown, farm to market routes, markets and local grains, fresh produce and farm input shops have been closed. “Many households depend on subsistence crops like cassava and maize farming. Right now, they feel disadvantaged because of the restriction on movements. Small farmers have nowhere they can go selling their farm produce to get income for their families,” said a Rural woman farmer from Uganda.

This has led to untold suffering for especially underprivileged/marginalized women across Africa. 23% of respondents reported that lockdowns have made it impossible for women to sell their farm produce. It seriously affects daily labourers, small businesses, and informal workers, who are very often women and young people. For example, women working in the fishing industry have seen their supplies cut overnight in many countries, while those producing perishables are unable to connect to buyers, thereby losing their harvest. In Ethiopia, Malawi, and Uganda, where the economy was already struggling before COVID-19, women farmers are desperate. Women have food but cannot sell to anybody. “As a farmer, I am unable to go to our local market to sell my products and my income has been affected as I don’t have any other means to pay for my daughter’s school fees, I can’t even sell my product due to this coronavirus,” laments Tiwonge the Kilimanjaro Rural Women Movement representative from Malawi. The findings are consistent with another respondent from Ethiopia that restrictions are creating food insecurity. “Restrictions affect the majority of the smallholder farmers, resulting in food insecurity now and in the future,” states a woman farmer from Ethiopia.
SURVEY RECOMMENDATIONS
The survey findings point to the conclusion that COVID-19 crisis and the measures taken to curb the pandemic impact the land rights actors especially the vulnerable who are women, girls and youth heavily. From a land rights perspective, the most worrying immediate effects include the following:

- Loss of land, incomes and livelihood options, especially in the rural area, and deepening levels of poverty and food insecurity.
- Suspension of democratic controls and the use of violence against environmental and human rights defenders.
- Access to justice: The closing of land administration services and courts as part of lockdown measures.

As CSP, we fear that these developments will lead to increased risks of irregular land acquisition, resource grabbing and loss of assets and land access for the poor. This is already manifested in some regions in Sub-Saharan Africa. We expect that the full extent and impact of shifts in pressures on land due to the pandemic, in combination with the potential erosion of protective and due diligence measures, will become clear over the next months.

This calls for immediate action by the governments to act now through affirmative actions and targeted interventions to cushion the land rights actors from the severe effects of the pandemic.

The following are the recommended actions from the study;

**CALL TO ACTION**

**Immediate actions**

- There is a call in the communities that African governments should have a strategic plan on how the communities should be engaged on post-COVID-19 agenda and to ensure women’s economic empowerment is inclusive in the discussion especially women’s land rights. The use of social media /online/ modern technology was recommended by the small-scale farmers for the government to engage with the communities to address land disputes especially amongst the marginalized and vulnerable groups in the wake of the coronavirus.

- The governments MUST treat women’s rights defenders as essential workers. They must be issued with permits and facilitated to monitor land development in their localities during this pandemic because of rising cases of land grab and violence related to land rights. Also, there is a need to stop eviction that is affecting mostly women.
The governments MUST ensure that the COVID-19 response is Gender Responsive with specific intervention and support to rural women farmers to access farm supplies and sell their products in a safe environment. Besides, they should support rural women farmers producers who apply for a license from governments and transport their goods to the city markets.

Long term actions
Enhancing rural communities’ awareness on the prevention and safety methods of the pandemic and the long-term impact of the COVID-19 on community health and livelihood of the people living in the rural area particularly women whose rights to access to and control over rural land is jeopardized by the pandemic. Also, there is a need to gather statistics and report on various forms of women’s land rights abuses for the engagement with the local and national governments to inform strategies for mitigating the effects of the COVID-19 pandemic.

Governments should invest in rural agricultural programs putting women small scale farmers at the center of implementation. This will make the community more self-reliant, mitigate the impact of severe events, increase rural prosperity, ensure more sustainable food systems and food security, and create greater resilience in fragile states. Besides, investments in small-scale agriculture can help revive food production and create jobs following a crisis and enable rural communities to recover.

African governments
• National policies are in place to ensure access to agricultural services to small scale farmers including the supply of plant protection, organic fertilizers, other women-friendly agricultural inputs, and most importantly, there is the need for security measures in place to minimize the risk of people being contaminated by coronavirus when at work.
• A Special Livelihood Support Fund should be created for women farmers who are likely to face food security challenges that may aggravate and increase the incidence of poverty, especially in rural communities
• Governments must provide social safety nets to protect those who are the worst affected and most marginalized. Which could be in the form of cash or in-kind transfers (context-specificity is important here), should be accompanied by the intervention of health and nutrition officials, because investing in the health and nutrition of marginalized populations could lower the mortality rate of diseases such as coronavirus as nutritional level and mortality rates are intricately linked. Social safety nets are also crucial in the post-epidemic period to drive “reconstruction” efforts.
The African Union and the regional economic communities

- We call on the African Union to have a multi-sectoral approach to reorient and rebalance policies and support local actions which can bring together key sectors and promote sustainable food production, reduce prevalence, undernourishment and overall accelerate the transition to the more resilient and sustainable food system in the context of coronavirus pandemic that adds pressure in the women small scale farmers’ agriculture and food producers in Africa. In addition, there is need to start the implementation of the ACFT policy to support women small scale farmers to sell their produce.

- Full support of the Comprehensive Africa Agriculture Development Programme (CAADP) agricultural framework to ensure we have enough food reserves during and after emergencies such as COVID-19.

The civil society

- There needs, for the CSOs and Women rights Organizations to be vigilant in monitoring and documenting cases of abuse of WLR and to follow up with relevant authorities post COVID-19. The pandemic has made CSOs not to continue with their advocacy engagement due to restricted movement as a result of the pandemic.

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A CALL TO ACTION: NEGOTIATING LIVELIHOODS, FOOD, AND TENURE SECURITY DURING AND POST COVID-19 ERA

The Covid-19 pandemic now entering its fifth month has sparked an unprecedented global health crisis that has fundamentally disrupted the social and economic fabric of all countries. Governments have imposed severe restrictions on movements and travel that have virtually locked down countries. Most African countries have imposed some degree of restrictions to protect the populations from the spread of the virus. This is an important protective step, but we also need to consider the very real danger that the Covid-19 pandemic will leave which is food security and disruption of livelihoods.

COVID-19 is overshadowing other challenges like locust in East Africa, land governance matters and likely climate volatility issues such as drought and flooding that normally get attention and now, they may impact communities while everybody is looking somewhere else.

It is against the above backdrop, that Oxfam and ILC under the auspices of the overall guidance of the Pan Africa land rights Civil Society Platform (CSP) undertook a rapid assessment in form of an exploratory survey to understand the impacts of COVID-19 to land rights actors in Africa particularly to the housing, land tenure, livelihoods and property of women, girls and youths. The survey was also meant to establish how the land rights actors are responding and adjusting to the effects on various government regulations put in place to curb the COVID-19. The survey had 75 respondents across Sub-Saharan Africa drawn from civil society organizations and community-based organizations working on land rights in Africa who frequently engage smallholder farmers, women, youth and land defenders.

As governments constantly update their planning to confront the immediate challenge, leadership and coordinated action are required at global, national and local levels to find solutions for the continued operation of land actors, land governance and food systems that are responsive to and supportive of public health measures.

We as CSP, are highly concerned about the impacts of the global COVID-19 pandemic on the land rights of poor people and insist on the importance of sustainable and inclusive land governance. While it is still early to assess the full extent of the impacts of the crisis, alarming observations about forced evictions and a shrinking civil space are coming in from different parts of the Continent. We urge for early action on the land right violations that are reported now and strongly advocate for close monitoring of developments in the longer term.
The COVID-19 crisis and the measures taken to curb the pandemic impact the land rights actors especially the vulnerable who are women, girls and youth heavily. From a land rights perspective, the most worrying immediate effects include the following:

- Loss of livelihood options, especially in the informal sectors, and deepening levels of poverty and food insecurity.
- Suspension of democratic controls and the use of violence against environmental and human rights defenders.
- The closing of land administration services and courts as part of lockdown measures.

We fear that these developments lead to increased risks of irregular land acquisition, resource grabbing and loss of assets and land access for the poor. This is already manifested in some regions in the continent. We expect that the full extent and impact of shifts in pressures on land due to the pandemic, in combination with the potential erosion of protective and due diligence measures, will become clear over the next months. We summarise these concerns as follows:

- **Loss of assets and land access, and growing inequality**: Poor people in both rural and urban areas are at risk of losing their land and properties. In informal urban settings, the close density and risk for disease transmission may be used as justification for forced evictions. The loss of employment and informal life support systems in urban settings have caused a move out of the cities. If de-urbanization persists, the question is what it will mean for pressures on land in rural settings. Will this lead to squeezing out the poorest segments of the population, through distress sales? What will be the implications for women’s access to land?

- **Lack of due diligence in land-based investments**: It is yet unclear how the expected global economic crisis will affect investment flows. A financial crisis might limit the investment possibilities of major players. However, we may see an increase in predatory capitalism and governments may be tempted to attract investments to finance the recovery from the crisis without observing the necessary due diligence.

- **Reduced quality of land governance services**: It remains to be seen whether public land administration services will be restored to their pre-COVID levels. Limitations in funding and capacity may limit the role of land governance actors in curtailing irregular land acquisition and enhancing tenure security. Formal land governance systems and programs aimed at ensuring women’s land rights may be disrupted, which might negatively affect women’s right to land registration and ownership.
• Suspended democratic controls on land governance: The worrying scenario here is that democratic controls, suspended under states of emergency and lockdowns, will not be restored to their pre-COVID-19 levels and civic space will remain restricted for a long time. The effect may be widespread and cause irreversible grabbing of land, water and forests.

At CSP, we are committed to continuing working with our partners and governments to support land actors, most of whom are women and youth, to protect their land and secure livelihoods, without endangering their safety and that of others.

We welcome the joint declaration and report in response to COVID-19 of Agriculture Ministers from Africa, committed to supporting access to food and nutrition for Africa’s most vulnerable including women. Providing social protection, minimizing disruptions to the safe movement and transportation of essential people, transport and marketing of goods and services; and keeping borders open on the continent for the food and agriculture trade.

CSP remains ready and willing to support governments and other partners as the continent grapples with the immediate health emergency triggered by Covid-19 ensuring that sufficient, coordinated and sustainable action is taken to secure the vulnerable populations (Women, girls and youth) against a potentially more devastating food emergency and governance in the land sector that the pandemic could leave in its wake. In the meantime, CSP recommends action in the following areas:

a) Ensure Uninterrupted Food Production

In countries in the eastern part of Africa, the Covid-19 pandemic has coincided with the critical planting season. It could be catastrophic if farmers cannot freely access their farms to plant and cultivate their crops. Rwanda, Kenya, Tanzania, Uganda, and South Sudan, are currently in the middle of their planting seasons. CSP urges their governments to designate farmers, suppliers of farm inputs like seed, fertilizers, chemicals, and ploughing services providers as critical and allow them ease of movement while protecting them from the virus.

In other parts of Africa like Mozambique where harvesting is complete, produce is accumulating at farms and this may easily result in food loss. Farmers must be assisted to access markets to reduce the losses and ensure supplies. The Ebola outbreak in 2014 disrupted the agricultural market chains in West Africa because access to markets was restricted. Covid-19 should not trigger a repeat experience. An additional lesson that must be learned is the handling of food in the markets. Markets must become decent workplaces with high standards of hygiene, and storage facilities to minimize loss of food products.
In West Africa, Burkina Faso, Ghana, Mali and Nigeria are preparing their fields in readiness for planting later in the year. Governments and partners can plan early enough to shield farmers from the impact of Covid-19 restrictions that may well be in place then if the pandemic is not brought under control sooner. As governments roll out plans to cushion their economies from the ravages of the pandemic, cash and loan support for poor farmers will be essential, as well as grants to restart production. Banks should consider offering interest moratoriums on farmers’ loans and extending payment deadlines. A capital injection in the agricultural sector can help small and medium agribusinesses, and in turn help their salaried staff and temporary workers stay afloat.

b) **Create an enabling environment for Land Rights Defenders**

The governments should treat women’s rights defenders as essential workers. They must be issued with permits to monitor land development in their localities during this pandemic because of rising cases of land grabbing and violence related to land rights.

c) **Secure Women Land and Tenure Rights**

The governments are called upon to open the environment and land courts and address the land matters related to ownership and access. The continued closure of land registry is hampering dispensation of justice to the vulnerable especially women and girls. In the event courts are unable to assist the vulnerable people to access justice, we urge the governments to issue a moratorium on land-related matters until such a time the courts are able to dispense justice. In the meantime, courts are encouraged to facilitate innovative and creative channels including use of low capital-intensive technology methods.

d) **Long Term actions**

**The African Union and the regional economic communities**

- We call on the African Union to have a multi-sectoral approach to re-orient and re-balance policies and support local actions which can bring together key sectors and promote sustainable food production, reduce prevalence, undernourishment and overall accelerate the transition to the more resilient and sustainable food system in the context of coronavirus pandemic that adds pressure in the women small scale farmers’ agriculture and food producers in Africa.

- Full support of the Comprehensive Africa Agriculture Development Programme (CAADP) agricultural framework to ensure we have enough food reserves during and after emergencies such as COVID-19. A Special Livelihood Support Fund should be created for Women Farmers who are likely to face food security challenges that may aggravate and increase the incidence of poverty, especially in rural communities.

e) **The civil society**

- There needs, for the CSOs and Women Rights Organisations to be vigilant in monitoring and documenting cases of abuse of WLR and to follow up with relevant authorities’ post-COVID-19.