An Analysis of the Land Rights Situation in Pakistan

In Pakistan’s rural setup, poor women face many challenges that poverty entails; among those inequitable access to and control over land and assets are major factors that exacerbate poverty and deepen inequality. Pakistan has extremely poor gender equality indicators and highly discriminatory laws and practices against women. Women own less than 3% of the land; and the rare minority that does have little or no actual control over it. This situation is further worsened by customary practices overriding laws pertaining to women’s rights and the lack of supportive state structures and mechanisms for women’s protection when they claim their rights.

Initiation of a wider empowerment process for poor women must include creation of legal opportunities (for attaining and retaining land entitlements) to gain land rights and overcome the process of exclusion. This needs to be accompanied by systematic efforts to create a conducive environment for women to legally redress and reduce cost of legal processes for women attaining and retaining land entitlements. The institutionalised exclusion and marginalisation of women is perpetuated by the lack of adequate policies, plans and resources of the state and public institutions.

To review the above mentioned issues and to find sustainable solutions for these problems Oxfam GB – Pakistan Programme commissioned a study on the “Women property rights and legal issues in Pakistan”. This study explores the hugely prevalent gender disparity in access to and control over land in Pakistan and the critical challenges facing women in attaining legal empowerment. The study provides a foundation to find sustainable solutions in order to bring substantial change in the lives of women by creating an environment where there is recognition of their property rights and property ownership. These steps will enable them to evolve in the social system and enhance their involvement in decision-making at both household and community level. Furthermore, the legal land entitlement will allow women to start enterprises by accessing credit, increasing their linkages to markets, and utilising the productivity of their land. The panel will address and discuss some of the issues as highlighted in the study.

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