

Empowering landless migrant and former refugee women to claim their right to accessing land from the state fund in the Chui region

Introduction

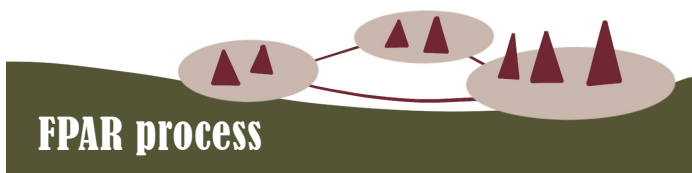
JIPAR led a Feminist Participatory Action Research (FPAR) on rural women's rights to land and natural resources (Land FPAR) between September 2018 and June 2020 with 20 migrant and former refugee women in the Chui region (Vasilievka and Krasnaya Rechka villages, Ysyk-Ata and Alamudun districts). The Public Fund "JIPAR" (from the Kyrgyz word "jipar" meaning snowdrop) is a women's organisation working towards the improvement of migrant and former refugee women's status in the families, communities and societies challenging poverty, patriarchy and fundamentalisms. Through the initiatives of this FPAR, JIPAR focused on empowering migrant and former refugee women to claim their right to accessing land from the State Land Redistribution Reserve Fund (SLRRF), which accounts for 25 per cent of the country's land.

Background

Migrant and former refugee women who settled in the Chui region migrated from the neighbouring countries of Tajikistan and Uzbekistan due to civil war, poverty and violence against women. Among them are also landless poor women who moved from the mountainous and dry land regions of



Kyrgyzstan due to conflicts, unemployment, low wages of families, poor social security and bad climate conditions. These women live in constant poverty and cannot realise their economic and social rights. They do not have their own housing, a permanent source of income and land. They often work in several jobs, spending up to 14 hours a day earning low wages. They usually work on small plots (gardens) to earn income and feed their children, are hired for seasonal work (fields, cleaning, repairing, care for children and elderly) or work in low-paid jobs in the cities (seamstresses, dishwashers, cleaners). But mostly, they stay at home to cook, wash, clean and manage the household. Most of them live in rented houses, and in many cases, they are single mothers. They usually do not participate in community meetings or public events because they are not invited or are not allowed to attend (mostly forbidden by their husbands, fathers, mother-in-law or brothers). In this context, migrant and former refugee women remain categorised as low-income, vulnerable recipients of social benefits from the state budget. The women are not aware that they have the right to claim land from the state fund, which can improve their socio-economic status.



The JIPAR FPAR team was formed comprising three young women researchers, a young activist volunteer, a co-researcher and members of different women's groups. The FPAR team used various participatory research tools such as resource mapping, social mapping, digital storytelling, power mapping, participatory rural appraisal, interviews and Focus Group Discussions (FGDs) to document the lived experience of the community. The FPAR team gathered secondary data and information from local government, village councils, state statistical authorities and official reports on land utilisation to supplement the findings and analysed them to support the FPAR.



Traditional gendered role preventing women from owning land

The migrant and refugee women living in rural communities face patriarchal norms, constraints and stereotypes that dictate that a woman cannot be the head of the household; and that they cannot work the land which is traditionally considered to be of men's domain. Women have been marginalised in matters of ownership, inheritance and land leases because of the prevailing gender stereotype of women being physically weak, less competent in matters of farming and should spend their time doing housework and child-care. Furthermore, women do not own their own funds for ploughing, planting, watering, nourishing and harvesting. Women do not have sufficient connections in the community to provide transportation for the export, storage and sale of grown crops. Patriarchal norms in the rural community also have not allowed women to apply to local authorities on the issue of access to land, because it remains a men's sphere. Women have not been included at meetings and gatherings on land. Local authorities have invited men only because men control economic and political resources at the local level, or the interests of women are supposedly represented by their father, brother or husband.

Women's lack of access to the State Land Redistribution Reserve Fund (SLRRF)

The primary purpose of creating SLRRF was to solve the state's responsibility in developing market relations in the area of land use and rational use of agricultural lands. To distribute land, the SLRRF has the option to provide up to 25 hectares of land for up to 10 years. The transfer of SLRRF land is for agricultural producers, among whom may be women, regardless of their place of residence. For applicants belonging in the category of the poor, the land is provided through competition and auction. Furthermore, the land is to be of good quality, meeting specific standards of value (i.e. it should be irrigated land, and it should have transport infrastructure). According to SLRRF's regulations, up to 25 per cent of the total amount of the Fund's land should be provided to low-income residents, which include the women in the communities. However, in reality and in practice, the recipients of SLRRF land are large farmers, men or legal companies with the status of a farm, headed by men, because this category of land recipients can pay the terms of the auction, and therefore, they are more attractive to local authorities. Women from the migrant and former refugee groups do not apply to the local administration for SLRRF land due to lack of information.



Table: Land and households at the research sites (Vasilievka and Krasnaya Rechka villages in Ysyk-Ata and Alamudun districts)

	Total size of land	SLRRF land	Number of men	Number of women	Number of households	Land owners (families)	Landless families
Vasilievka	4,630.2 ha	62 ha	3,092	2,615	1,731	650	1,081
Krasnaya rechka	4,971 ha	491 ha	3,956	3,600	1,530	595	1,105
Total	9,601.2 ha	553 ha	7,048	6,215	3,261	1245	2,086



Throughout their FPAR journey, the migrant women actively cooperated with local women's initiative groups, women leaders, teachers, youth activists and elders' councils to organise consultations, field days, workshops, data gathering meetings and public hearings on land rights. They joined the other women's group in solidarity to celebrate International Rural Women's Day. Their involvement in these activities built their confidence in becoming more visible in the community. At the beginning of the FPAR, the women gathered in the houses of each other, then later, they held meetings in the building of the local administration which had been traditionally dominated by men. Since women migrants have begun to organise and unite, they are also beginning to be included in community activities by the local women's groups (e.g. farmers, mutual aid groups, health committees, handicraft groups), from which they were previously excluded. Their visibility also led to receiving skills training on making home cosmetics with the support from a funder.

At the beginning of the FPAR, the women were passive and believed that they stood no chance to get land in a competition or auction against their male counterparts. Through participating in training on land rights, they found out that the law stated that they have the right to receive land by a direct provision, without competition and auction, as they belong in the low-income group. Over time, they realised it

is possible for them to access land from SLRRF through collective action by advocating at the local authorities.

“We can't get the land alone, because you won't be able to handle it alone, but if we get the land and will work in a group, we will be able to improve our social and economic status.”

- migrant woman from Vasilievka village

A highlight of the FPAR is when the migrant women were able to get answers from local government officials, providing them with access to information on the regulation of SLRRF -- how the land is distributed, the current situation on the issued lands, etc. This convinced the women to make the decision to apply for land in the winter season when the next round of SLRRF applications open for the spring cycle of land use. The women are now preparing for their advocacy work to lobby with their local member of parliaments who can influence the Secretariat of the Land Commission in making decisions regarding the land allocation. The women also plan to participate in meetings of local councils and monitor decisions on the allocation of resources.



Recommendations

At the national level

- Remove labour migrants from the “blacklist” of the Federal Migration Service of Russia.
- Improve the situation of migrants and ethnic Kyrgyz through assistance in obtaining citizenship, employment, allocation of land for housing, pensions and social benefits.
- Conduct statistical studies to determine accurate data on the number of migrants and ethnic Kyrgyz living in Kyrgyzstan.
- Publish informational materials about the relocation programme Kayrylman on the websites of relevant government agencies.
- Embassies and consulates abroad must carry out activities to provide information and advice to migrants-kayrylmans on resettlement in accordance with the law “On state guarantees to ethnic Kyrgyz returning to their historic homeland” (An act adopted on 18 July 2008 establishes State guarantees for ethnic Kyrgyz returning to their historical homeland).
- Repeal Article 309 of the Administrative Procedure Code of the Kyrgyz Republic, which forces foreign citizens, including Kayrylmans, pay a fine of KGS 1,000 (around USD 11.8) for late registration. For many immigrants, this amount is overwhelming due to the severe social conditions in Kyrgyzstan.
- Ensure the transparency of the distribution of SLRRF’s land at the national level through the website.

At the local level:

- Adopt the position of the local Kenesh on supporting migrant women’s groups and provide them with land from SLRRF on preferential terms and by direct provision.
- Establish the permanent observer status for a number of women migrants in the meetings of the Land and Agrarian Commission.
- Include women from migrant groups in the women’s council at the local level; develop a strategic plan for this institution.
- Conduct a public hearing and reporting on the SLRRF land with the participation of migrant women and low-income women.
- Conduct an information campaign on the access of the SLRRF land for migrants and other marginalised populations.
- Print the Regulations on the SLRRF land and provide it in open access to the public on a banner in the building of the local administration.

About Women’s Public Foundation “JIPAR”

JIPAR (means “snowdrop” in the Kyrgyz language) aims to empower rural women, especially migrants and ex-refugees, and challenges poverty, patriarchy and fundamentalism. Since its inception in 2013, JIPAR has been working for the realisation of the economic, social and political rights of women migrants, former refugees and poor local women living in rural and urban areas.

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About APWLD

Asia Pacific Forum on Women, Law and Development (APWLD) is the region’s leading network of feminist organisations and individual activists. For 35 years, we have been carrying out advocacy,

activism and movement-building to advance women’s human rights and Development Justice.

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