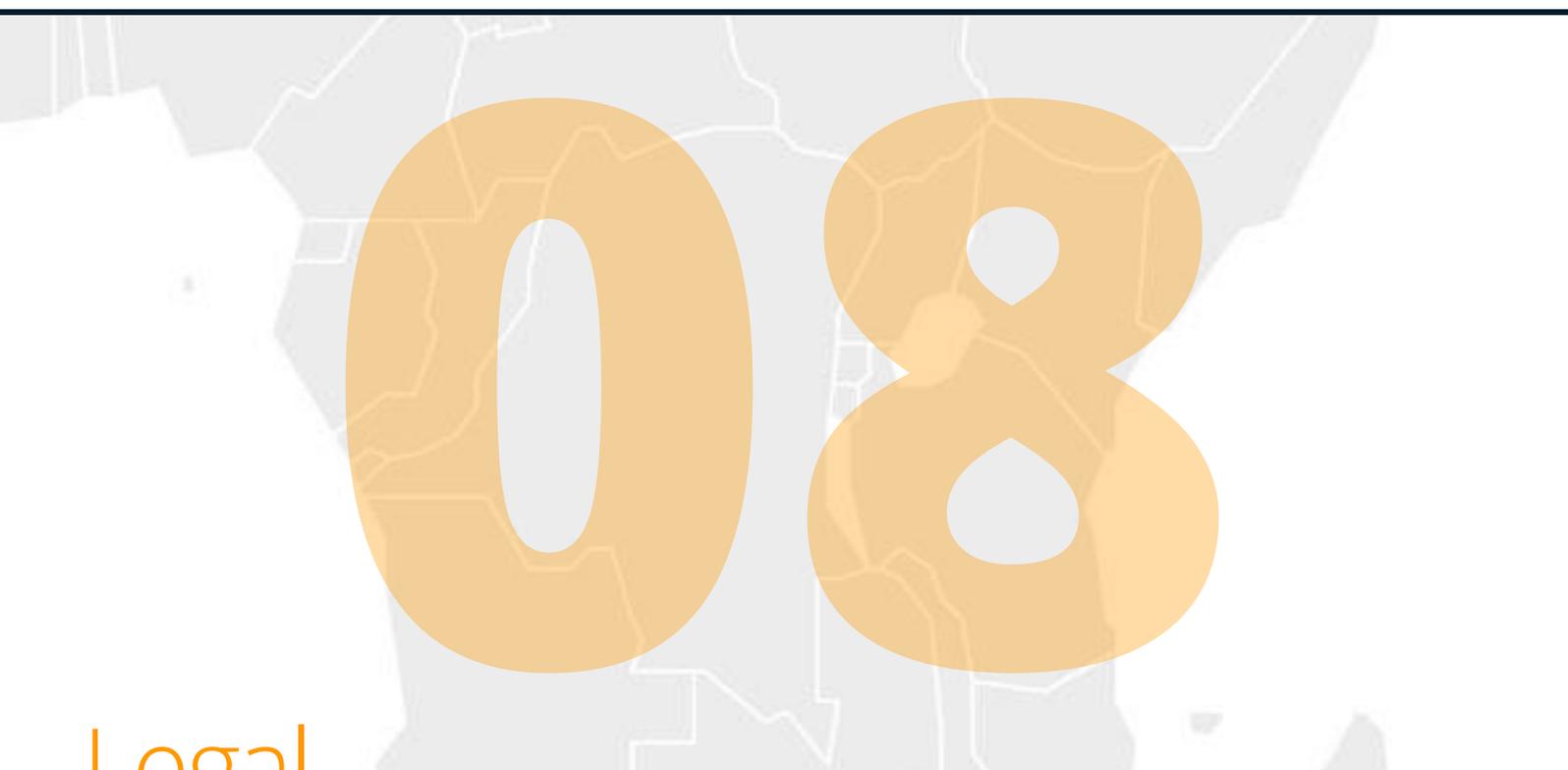


## CASE STUDY

Bujumbura Rural, Bururu and Ruyigi, Burundi



# 08

# Legal competitions as a tool for awareness raising

The Transitional Programme of Post-Conflict Reconstruction (PTRPC), implemented by the Government of Burundi and financed by IFAD, has provided legal support to poor rural communities. Working towards the goals of peace, economic empowerment and access to rights for women, PTRPC implemented a series of tools, such as mobile legal clinics, legal trainings (for both paralegals and communities), workshops and legal competitions. The use of legal competitions was one of the most innovative practices introduced by this programme and significantly contributed to raising awareness on women's land rights.

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#### PRINCIPAL ORGANISATIONS INVOLVED

IFAD

#### LOCATION

Provinces of Bujumbura Rural, Bururi (in the South) and Ruyigi (in the East), Burundi

#### TIMELINE

2007-2013

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#### TARGET AUDIENCE

Rural communities, rural women

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#### KEYWORDS

Conflict resolution, women's land rights, legal awareness

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## GOOD PRACTICES

towards making land governance more people-centred

This case study is part of the ILC's Database of Good Practices, an initiative that documents and systematises ILC members and partners' experience in promoting people-centred land governance, as defined in the Antigua Declaration of the ILC Assembly of Members.

Further information at [www.landcoalition.org/what-we-do](http://www.landcoalition.org/what-we-do)

This case study supports people-centred land governance as it contributes to:

- Commitment 1**      Respect, protect and strengthen the land rights of women and men living in poverty
- Commitment 4**      Ensure gender justice in relation to land
- Commitment 7**      Ensure that processes of decision-making over land are inclusive

# Case description

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## Background issues

In Burundi the pressure on land is extremely high with an average population density per km<sup>2</sup> that ranges between 230 and 360 people. Social and economic issues also affect land tenure as a consequence of internal migration and displacement and in terms of impact of the conflict on local economy.

Despite a new Land Law entered into force in 2011, discrimination is still there. For example, in matters of succession, people recur to traditional justice because of the lack of a succession law in the country. This particularly affects women. According to traditional practices, only sons can inherit from their father, while daughters are given usufruct rights. Land was traditionally managed by the heads of the family (always men) and during colonial times, the right to manage land that they had was reinterpreted as ownership. The consequence of this was the exclusion of women from ownership and inheritance rights. As a result, women's inheritance rights are not recognised by the current Burundian law.

Furthermore, formal and informal tenure security is affected by Burundi's post-conflict situation. In fact, rights holders face claims from both occupiers and returnees, going back to their land after being displaced.

Disputes over land are indeed common and women are among the most affected, in particular unmarried women and widows. Discriminatory laws and practices, coupled with land scarcity, have hampered women's land rights and impacted negatively on their livelihood.

The situation is worsened by the existing distance between the people and the justice system, caused by both lack of knowledge and lack of trust.

## Solution

The need for more legal awareness and better access to justice was recognized as fundamental for rural communities in Burundi. One of the objectives of the PTRPC project was to improve the practice of and the access to justice at the local level. It aimed to both facilitate conflict resolution within communities and provide people with specific legal knowledge, raising awareness on their rights and responsibilities. Legal competitions were part of this second awareness raising objective.

Legal competitions is a very simple but effective tool that was used in the project target areas as a strategy to provide legal support and raise awareness in rural communities about specific legal themes. Such events take place in public places, for example in market areas. They consist of facilitators asking questions on legal issues that anyone attending can answer. People who respond correctly are given prizes, which vary according to the difficulty of the question. Anyone from the community can participate. Women, men, elders and children are all equally involved.

This tool has encouraged people to internalise legal concepts. It has allowed them develop curiosity and interest in legal matters and pushed them to learn and change their attitude towards legal problems emerging in their everyday life. It made the legal system more familiar and accessible to communities, rebuilding their trust in justice.

## Activities

### **Timeline, figures and responsibilities**

As part of PTRPC, legal competitions were organised between 2007 and 2012. During this timeframe, almost 400 competitions took place in the project area (see Table 1). Exact figures are not available as far as participation is concerned, as there people do not need to register to take part in such events. Attendees can either participate actively, or just listen.

Since 2011 legal competitions have begun to be led by paralegals with the support of the legal aid team of PTRPC. Both the organisation and the management of the legal competitions have then passed under the responsibility of legal clinics.

Legal competitions have been linked with awareness raising workshops, organised in the communities. Workshops have targeted paralegals and involved about 40 people from different communities. However, legal competitions are inclusive activities that turned out to be a learning opportunity for all community members.

### **How a legal competition works**

This is how legal competitions are organised. First of all, the legal aid team elaborates questionnaires on the legal subjects that the competition is about.

The topics of the competitions are chosen from the existing land law framework. However, they can also draw from events occurred and issues emerged within the

*collines*<sup>1</sup> in line with people’s interests and requests. For example, competitions so far have been about the Burundian land law, the family code, criminal and civil law, courts’ competences and functioning. However, they have also included information linked with other issues of interest, discussed on the radio and having an impact on people’s lives at the community or country level.

Topics are also chosen according to the specificities of the region where the competition takes place. For example, the issue of polygamy is relevant to the east (province Ruyigi); the management of orphans’ patrimony and marriage registration to the province Bujumbura Rural; and land rights of divorced women and widows to Bururi.

The community is informed of the date and venue of these events through announcements made with megaphones, in the church, or through posters hung on the walls of administrative buildings. Communities perceive them as a “game”. They are therefore encouraged and motivated to learn about legal subjects and to have their knowledge tested in a relaxed and cheerful environment.

Prizes are given to the winners to encourage a broad participation. The competition starts with easy questions and people who respond correctly are given small prizes (hoes, loincloths, water cans or soaps). Then questions become gradually more difficult and prizes bigger (winners are given radios or goats).

### **The reasons behind the success of legal competitions**

Legal competitions are one of the activities introduced by PTRPC that project beneficiaries have appreciated the most. In fact, people can learn and attend these events without any disruption to their everyday activities. Competitions are held on market days. On these days community members normally visit the market in the afternoon, interrupting their agricultural work. Competitions can last between two and three hours, depending on the prizes available. They take place in public spaces where people from the community gather to assist and participate.

**Table 1: Table of legal competitions sessions by year and province**

	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Total by province</b>
<b>Bujumbura</b>	10	20	20	20	24	17	111
<b>Bururi</b>	10	22	32	17	23	44	148
<b>Ruyigi</b>	17	12	11	19	21	32	112
<b>TOTAL</b>	37	54	63	56	68	93	371

Source: PTRPC.

<sup>1</sup> *Collines* are an administrative unit in Burundi. Provinces are divided in communes and communes are divided in *collines*.

## Importance of the case for people-centred land governance

The introduction of a tool like legal competitions is useful in the framework of people-centred land governance because it raises interest in and awareness of legal issues in communities, increasing people's knowledge on their rights and legal frameworks. Furthermore, it enhances people's trust in justice and, as a consequence, improves their relationship with legal institutions. Finally, it motivates people to defend their rights, particularly land rights in the case of Burundi. Land disputes among family members and neighbours were the high majority of the cases handled by both legal clinics and paralegals in the PTRPC project.

# Changes

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## Baseline

Most of the women and men involved in PTRPC activities belonged to vulnerable groups faced with violence after the end of the civil war in Burundi.

In this country the level of education and literacy is low, particularly among women.

The lack of land rights for women is the consequence of both the presence of discriminatory aspects in the law (for example with regards to inheritance) and their own ignorance of their rights. Laws which recognise certain rights to women are often ignored and not applied. This is the case, for example, of the Family Code, which guarantees an equal share of the family property to those women whose marriage is registered according to the law.

Access to justice is difficult for people in rural communities due to both physical and mental obstacles. In rural areas, where traditional justice prevails, there is a widespread lack of trust in legal institutions.

## Achievements

Thanks to the legal competitions organised in the framework of PTRPC, several changes can be observed as part of the overall improvement generated by this legal aid program. The most remarkable one is an increase of knowledge of and trust in the justice system.

Women have become more aware of their rights, particularly with reference to land, and of the ways to access justice.

Since many people are attracted by legal competitions even those who are not directly trained by PTRPC increase their awareness of legal issues and rights. Villages' traditional authorities at the village level, called Bashinganatahe, are also involved, so people's knowledge on the formal justice system increases gradually starting from institutions that communities are already familiar with.

From a broader perspective the program as a whole made social tension decrease, allowing people to get involved in development activities and ultimately influencing positively their wellbeing.

## Evidence

The different phases and components of PTRPC have seen the collaboration between IFAD and Burundi's Government institutions. Key allies were the Family Development Centre (FDC), the Ministry of Justice, which allocated 3 judges and 3 assistants to support the project activities, and the Ministry of Gender and Family, which supported literacy courses that in 2012 benefitted 11,000 adults.

# Lessons learned

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## Lessons for civil society

Legal competitions show how useful innovative tools and approaches can be in raising awareness and triggering long-lasting changes.

The civil society should look at this experience because of:

- The development of a new methodology;
- The success of legal competitions as a strategy that actively involves women and achieves the objective of raising legal awareness in rural communities on land rights and the justice system more broadly.

The high level of participation in legal competitions demonstrates that an interest in legal issues and rights does exist in rural communities, even when the levels of education and literacy are low. It is just a matter of finding the right tools to engage with community members effectively.

## Lessons for policy makers

Legal competitions rely on interaction with local legal institutions. Legal experts actively contribute to the success of the competitions through dedicated support in terms of content and expertise.

The involvement of policy makers is also very important, because they are the recipients of paralegals' actions at the municipal level. Their joint effort aims at revising inadequate laws and practices. It also contributes to enforcing participation in local planning.

## Challenges

Legal competitions were organised in communities that were still experiencing a post-conflict situation of trauma, reconstruction and mistrust towards the legal system and structures.

Furthermore, at the beginning the customary institutions, the Bashingantahe, were not willing to take part to the program.

In Burundi the main existing challenges still concern the lack of a succession law, the lack of implementation of laws, and the reticence of the communities to use the formal justice system.

With particular reference to legal competitions the main challenge can be the end of PRTPC.

## Follow-up

PRTPC finished in 2013. The paralegals formed by this programme got together in registered associations to continue their activities in the *collines*. They also raised some funds to carry on with their work, having also learnt how to create and manage associations in the framework of PRTPC. They will keep on organising legal competitions in Burundi.

# Supporting material

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## References and further reading

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Photos, videos

Legal competition (1)



Photo credit: Elisabetta Cangelosi

Legal competition (1)



Photo credit: Elisabetta Cangelosi

Legal competition (3)



Photo credit: Elisabetta Cangelosi

Legal competition (4)



Photo credit: Elisabetta Cangelosi

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