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## EQUAL LAND RIGHTS FOR WOMEN TOOLKIT

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# EQUAL LAND RIGHTS FOR WOMEN



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# WELCOME TO THE EQUAL LAND RIGHTS FOR WOMEN TOOLKIT!

This toolkit gathers together information on ten tools successfully used by twelve members of the International Land Coalition (ILC) to ensure gender justice in relation to land by taking all necessary measures to pursue both de jure and de facto equality, enhancing the ability of women to defend their land rights and take an equal part in decision-making. The toolkit is intended to facilitate mutual learning based on the good practices of specific ILC members. The opportunity to share knowledge is one of the main benefits of being part of a network like ILC. Use these tools, adapt them to your specific context, share them with your partner organisations and share your achievements and successes with us!

## WHAT IS THIS TOOLKIT FOR?

This toolkit aims to provide information on a range of tools intended to be effective at the global, national and community levels, depending on their features. One of the main characteristics of the tools is their adaptability to different contexts and areas of work. We have aimed for these tools to be clear, replicable and, above all, useful in ensuring inclusive gender justice.

## WHAT'S THE STORY BEHIND THIS TOOLKIT?

The tools presented in this toolkit have been either developed or implemented by ILC members. The [Database of Good Practices](#) gathers the good practices shared by ILC members and partners around the 10 ILC commitments for people-centred land governance. This toolkit analyses these good practices to extract information about ten tools selected for inclusion using replicability as the key criterion. The selected tools represent four regions: Asia, Africa, Europe and the Middle East and Latin America and the Caribbean.

## HOW TO USE THE TOOLKIT?

Each section describes the characteristics of each tool: its goal, actors involved, the ILC members that have used it, the expected outcomes of using the tool and a step-by-step practical guide to implementation. At the end of each section, the case studies summarise aspects of good practice connected with use of the tool by one or more ILC members. The tools can be adapted to different contexts or needs. By using the links that are included, it is possible to access more information about each tool and to get in touch with the ILC members that have used it.

# ALTERNATIVE REPORTING

## FOR WOMEN'S LAND RIGHTS

An **alternative report** produced by non-governmental organisations (NGOs) and civil society organisations (CSOs) to complement or challenge an official report by a state. Alternative reporting allows civil society to monitor the compliance of states with treaty obligations and to hold them accountable.

### ITS GOALS

- Assess states' compliance with international human rights treaties
- Collect consistent data on the implementation of laws and policies supporting the enforcement of customary land laws
- Collect comprehensive data on the government's efforts to harmonise national laws and policies with relevant international human rights treaties
- Identify gaps, challenges and strengths in the implementation of human rights treaties
- Assess and identify local needs and goals to enable the effective implementation of treaties
- Propose evidence-based solutions for effective and inclusive policies.

### ACTORS INVOLVED

Civil society organisations (CSOs), local non-governmental organisations (NGOs), local rural communities, international treaty bodies, public officials.

### FURTHER INFORMATION

Shadow reporting by rural and peasant women in Colombia

<https://learn.landcoalition.org/en/good-practices/shadow-reporting-rural-and-peasant-women-colombia/>

### ALREADY TESTED BY

**Commitment-Based Initiative on Women's Land Rights in Colombia - CBI4** (CDS, Cinep, FIAN, ATI, COLEMAD, Oxfam, Plataforma de Incidencia Política de Mujeres Rurales Colombianas, Corporación Jurídica Yira Castro)  
<https://www.landcoalition.org/en/explore/our-work/womens-land-rights/>

Association pour la Paix et les Droits de l'Homme - APDH (Burundi)  
<https://www.landcoalition.org/en/explore/our-network/association-pour-la-paix-et-les-droits-de-lhomme/>

### EXPECTED OUTCOMES

- Relevant international committees are informed about the true situation regarding women's rights
- The state is held accountable on its international human rights and women's rights obligations
- The shadow report and the concluding observations of the committee inform lobbying and advocacy efforts for changes in practice and in law at the country level
- The capacity of CSOs and NGOs to engage with human rights treaty bodies is stronger
- Collaboration is strengthened at the local and global levels.

## HOW IT WORKS

**Alternative** or **shadow reports** written by NGOs and CSOs are presented to treaty monitoring bodies or committees to hold states accountable on their obligations to respect, protect and fulfil human rights laid out in specific treaties. The reports describe the progress made by the state, and its failures, to implement the relevant international treaties. Certain treaties, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), require regular progress reporting on their implementation. Shadow or alternative reports serve as civil society's appraisal of a government's reports, using local experience to highlight concerns that may have been neglected or misrepresented in official documents. Shadow or alternative reports are a crucial source of information on matters related to implementing the relevant treaty.

### ALTERNATIVE REPORTING FOR THE IMPLEMENTATION OF WOMEN'S LAND RIGHTS STEP-BY-STEP

#### 1. FORMATION OF A WOMEN'S PLATFORM AND A STEERING COMMITTEE

While individual organisations can produce alternative reports, coordination between several organisations ensures consistency, avoids duplication of effort and saves financial and human resources. Therefore, the first step includes finding out what other organisations, networks or local initiatives are doing at the national and international levels. Networks or coalitions of organisations interested in alternative reporting on the implementation of the treaty are formed, including organisations with experience in alternative reporting.

Within the coalition, a steering committee is formed to identify important themes for monitoring. The coalition will promote and guide the report-writing process, deciding whether to produce a report on women's land rights specifically or contribute to a broader report on women's rights, with land rights as one component.

- ▶ *Constant and transparent communication between all members of the steering committee is essential as the reporting process can take up to two years. Communication channels such as WhatsApp can assist the committee in maintaining regular contact.*

- ▶ *It is essential to recognise the contributions of different women's organisations in forming the coalition and creating work ties. This solidarity strengthens ownership of the process and morale among the women involved.*

#### 2. INCLUSIVE AND PARTICIPATORY DATA COLLECTION AND ANALYSIS

The committee engages with all relevant stakeholders and community members, primarily rural and peasant women, to collect information on their experiences based on the thematic areas identified. The experiences and perspectives of rural women are vital for monitoring and analysing implementation of the treaty.

The committee creates an analysis matrix which is used to evaluate inputs and build the report. Data can be collected via a desk review or by using secondary sources of information. When compiling the shadow report, it is imperative to analyse the government's official report against the shadow report to highlight contradictions and the realities under which rural and peasant women live. Further, bearing in mind that alternative or shadow reporting is an organisational strengthening exercise, women participating in the workshops should efficiently communicate their experiences and perspectives.

CONT. 

- ▶ *Reports submitted by governments usually focus on mechanisms, policies, legislation and institutions. Shadow reports, on the other hand, are most effective in illustrating the lived realities of women with concrete cases. The stories of rural and peasant women can be annexed to the final report to more robustly communicate their realities.*
- ▶ *Shadow or alternative reports are posted on official websites of treaty bodies, together with information on the authoring organisations. If there are security concerns, the relevant treaty body or the Office of the UN High Commissioner for Human Rights (OHCHR) should be advised not to make the report public.*

### 3. DEFINE RESPONSIBILITIES AND AGREEMENTS FOR WRITING THE DOCUMENT

It is essential to assign tasks according to the competencies of different organisations and to specify the technical support required and the type of information or content needed to write the report. All assertions must be supported by evidence if the report is to be reliable. Other important aspects to consider include editing and planning the launch of the report around international and national advocacy. Further, it is essential to schedule a follow-up meeting to get feedback on the document from grassroots organisations.

- ▶ *Set aside resources for writing, editing, translating, printing and disseminating the report. It is important to factor in any constraints that may affect timely submission of the report to the relevant treaty body.*

### 4. STRATEGY FOR PRESENTING THE REPORT TO INTERNATIONAL BODIES

Alternative reports are more successful if they reach the authorities intended to hold the government to account on its obligations. For this reason, it is essential to develop a strategy that identifies local, national and international organisations that can finance the production and distribution of a comprehensive alternative report and funding for the participation of rural women to present it before international committees in Switzerland or the USA where the committees sit.

- ▶ *When rural women have the opportunity to present their experiences in Geneva or New York, the treaty body is able to understand their lived experiences.*

### 5. DESIGN A COMMUNICATION AND ADVOCACY PLAN

Once the report is finalised, the next step is to plan how it will be presented to the relevant international body. The following are crucial steps in the reporting process:

- The national government's presentation to the UN committee
- Presentation of the alternative report by CSOs
- Publication of the findings and recommendations of the UN committee
- Defining a strategy for dissemination of the report to rural and peasant women in the relevant territories for local advocacy.

## FROM THEORY TO PRACTICE: THE EXPERIENCE OF APDH



In 2015, ILC member Association pour la Paix et les Droits de l'Homme (APDH), a community-based organisation (CBO) working to promote peace and human rights in Burundi, was supported to produce a parallel report on the International Covenant on Economic, Social and Cultural Rights. The report, entitled "*Droits fonciers des femmes – le temps de l'action*", assessed Burundi's enforcement of the convention in relation to women's access to land rights.

In addition to thoroughly reviewing the available literature, APDH collected primary data from 10 residential courts, 40 communal land offices and five provincial state offices for family well-being. It also held workshops to discuss the findings and to give stakeholders in land and land conflict management an opportunity to share best practices. In total 101 people, including 39 women, attended these workshops.

The report that emerged from these findings confirmed that the patriarchal nature of Burundian society engenders many practices that exclude women from land inheritance. Such practices persist despite the country's ratification of international legal instruments establishing the principle of equality and their incorporation into the constitution.

Despite this gloomy picture, the process of producing an alternative report allowed APDH to identify some grounds for hope on the progressive improvement of women's livelihoods, confirmed by changes in certain social practices.

For example, community and administrative leaders interviewed for the report supported full land ownership rights for women in certain situations, such as for unmarried women and those who have no brothers. Furthermore, equal shares in inheritance between sons and daughters were accepted for family land acquired through purchase in some regions. Several women informants reported that they had inherited land with full title and with the consent of their brothers, and that some local tribunals supported these practices. In addition, the survey and analysis highlighted that women were committed to improving their access to land, and that more women were purchasing land.

The alternative report has also influenced processes for the resolution of land conflict, particularly the debate that was initiated during the workshops. Judges have learned from the best practices of their colleagues and have improved their awareness of gender-friendly judgements as far as land rights are concerned, while partner organisations involved in land certification initiatives have promised to adapt their approaches to take account of the needs of women.

Finally, APDH's report was presented to the Committee on ESCR in Geneva, supported by the Programme on Women's Economic, Social and Cultural Rights (PWESCR). The committee took due note of the report, as demonstrated by several recommendations in its final observations.

## FROM THEORY TO PRACTICE: THE EXPERIENCE OF CINEP AND CDS



The Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) convened in February and March 2019 for its 72nd session to assess women's rights in Angola, Antigua and Barbuda, Botswana, Colombia, Ethiopia, Serbia and the United Kingdom. The Colombian government, in its own report, focused on different measures and mechanisms it had adopted, such as the inclusion of women in the National Development Plan of 2014–2018. It also highlighted the fact that it had created a Directorate for Rural Women within the Ministry of Agriculture and had formulated a comprehensive public policy for rural women.

However, the state failed to acknowledge the lived realities of rural and peasant women in Colombia. In this case, the alternative report produced by civil society actors provided reliable evidence to the CEDAW Committee on the implementation of the CEDAW Convention.

A coalition of CSO partners in Colombia, including Centro de Investigación y Educación Popular (CINEP) and Corporación Desarrollo Solidario (CDS), FIAN, Colectivo Mujeres Al Derecho, Plataforma De Ciencia Política de Mujeres Colombianas, la Asociación de Trabajo Interdisciplinario, Oxfam and 70 others, organised themselves under the banner of ILC's Commitment-Based Initiative (CBI) on women's rights to develop a shadow report in 2018. The report highlighted the lived experiences and perspectives of rural and peasant women in Colombia.

As part of the alternative report writing process, the CBI platform convened two sub-regional workshops, the Colombian Caribbean workshop and the Central-Eastern region workshop, in which 100 women representing 70 different organisations participated. The meetings sought to identify violations of women's rights and to create platforms for sharing knowledge on international mechanisms that guarantee women's rights, such as the CEDAW Convention and its Recommendation 34 on the rights of rural women.

Based on the outcomes of the workshops, the women's platform produced an evidence-based alternative report on the status of rural and peasant women in Colombia, evaluating and monitoring the state's progress on protecting and guaranteeing women's rights, including their land and territorial rights and freedom from violence. The platform analysed the state's report against the lived experiences of rural women, highlighting disparities between enacted legislation and institutions and the implementation of these. The platform used a simple, replicable and participatory methodology to gather information and to write the shadow report. The meetings themselves were part of the methodology, moving the discussion from NGOs in the capital to rural areas where clearer evidence on the situation of rural women could be gathered.

The final report was discussed and validated at a meeting in Bogotá, giving Central-Eastern women an opportunity to include their experiences and to valorise the first draft of the report. Once there was general consensus on the narrative, the report was then finalised according to the structure of CEDAW.

The CBI platform presented the First Alternative Report on Rural and Peasant Women in Colombia (*Primer Informe Sombra Especifico de Rurales y Campesinas in Colombia*) at the CEDAW Committee's 72nd meeting in Geneva in March 2019. The alternative report revealed the lived realities of rural and peasant women in Colombia that were excluded from the state's report to the CEDAW Committee and successfully brought these experiences to the forefront. It highlighted the insecure land tenure faced by rural and peasant women, including their lack of access to land and to water and sanitation and their vulnerability to displacement and to violent crime. The CBI platform used the women's knowledge of the local situation to analyse the strengths and weaknesses of the government's implementation of women's rights under the CEDAW Convention and proposed practical recommendations that focused on improving the living conditions of rural and peasant women.

The CSOs also used key messages from the alternative report and specific recommendations made by the CEDAW Committee for advocacy and dialogue with the government on implementing the Convention.

# USING THE GENDER EVALUATION CRITERIA (GEC)

## TO ASSESS LAWS AND RAISE AWARENESS ABOUT WOMEN'S LAND RIGHTS PRACTICES

### THE TOOL

The **Gender Evaluation Criteria (GEC)** are a matrix used to assess whether laws and policies are responsive to the needs of both women and men and to promote gender-responsive land governance. The tool uses sensitive indicators for evaluating the effectiveness of land laws by looking beyond technical indicators and considering the socio-cultural dimensions of gender.

### ITS GOALS

- **Collect consistent data** on the gender-differentiated impacts of land laws and policies on women and men
- **Ensure gender-responsiveness** of land governance laws, institutions and policies
- **Increase awareness** about the gendered challenges that women endure in securing their land rights
- **Inform advocacy efforts**

### ACTORS INVOLVED

CSOs, NGOs, local communities, grassroots movements, traditional and religious leaders, government ministry officials and public officers, research institutions.

### ALREADY TESTED BY

Association pour la Paix et les Droits de l'Homme - APDH (Burundi) <https://www.landcoalition.org/en/explore/our-network/association-pour-la-paix-et-les-droits-de-lhomme/>

### FURTHER INFORMATION

Using the Gender Evaluation Criteria (GEC) to assess laws and raise awareness amongst the population and ministries  
<https://learn.landcoalition.org/en/good-practices/human-rights-approach-rural-land-governance-scotland/>

### EXPECTED OUTCOMES

- Assessment of laws and policies for gender-responsiveness
- Identification of gendered challenges faced by women in the socio-cultural space
- Use of data emerging from the assessment in advocacy and lobbying activities
- De facto recognition of women's land rights at the community level
- Changed local perspectives and understanding of gender discrimination
- Local solutions for the protection of women's land rights and their inclusion in decision-making processes.

### HOW IT WORKS

The **GEC matrix** comprises six criteria and 22 adaptable questions covering a range of relevant factors such as equal participation of women in decision-making; the gender-responsiveness of land governance; legal, institutional, economic, social and cultural considerations relating to women's and men's access to land; legal empowerment; and capacity-building. The questions grouped under the six criteria can be used to assess laws and policies. The GEC is a versatile tool that assesses gender-responsiveness across sectors.

### A HUMAN RIGHTS-BASED APPROACH TO LAND REFORM STEP-BY-STEP

#### 1. RESEARCH AND PARTNERSHIP

The conceptual stage involves developing an idea into a practical and appropriate tool for addressing the community's needs. Although it may be time-consuming, it is ideal to involve local NGOs, grassroots movements and research institutions that work on women's land rights. Conceptual meetings should include an extensive analysis of the situation on the ground, possible interventions and learning from the experiences of other organisations that have already used the GEC.

Although organisations can use the GEC individually, collaboration with other organisations or institutions creates a better chance of success. It is crucial to choose partners with various competencies who will complement one another to establish strong partnerships.

#### 2. IDENTIFICATION OF RELEVANT LAWS AND POLICIES TO BE ASSESSED

Based on available resources, the local context and themes relevant to the community, the participating organisations identify the laws or policies to be evaluated using the GEC. The choice can also depend on time constraints or the level of existing dialogue with the government. In some cases, the selection could be based on ongoing land governance processes that women need to influence.

The GEC can also be used as a checklist in the policy development process and as a tool for identifying gender inequalities in existing processes. The criteria can also highlight opportunities and entry points for change.

#### 3. IDENTIFICATION OF CRITERIA AND ADAPTATION OF THE GEC MATRIX

The selection criteria must be participatory, inclusive and relevant to specific aspects of law, policy, practice or institutions related to women's land rights. The GEC can also be used to evaluate specific land tools and how they are used. When more criteria are used, it becomes clearer where change is needed to ensure that both women and men benefit from the process. The criteria can be used to:

- Evaluate specific laws or policies, or a collection of laws and policies at various levels of government such as the municipal, provincial or national level;
- Evaluate the functions of institutions such as land departments, land reform commissions, customary land secretariats, land management mechanisms or land dispute resolution structures;
- Guide in drafting or advocating for a new land law or policy;
- Identify important themes and interests to consider in land programmes, such as land reform, land regularisation, etc.;
- Identify important themes and indicators for monitoring and evaluating the gender-responsiveness of land policies, laws, programmes and projects.

CONT. 



## FROM THEORY TO PRACTICE: THE EXPERIENCE OF ADHD

#### 4. DATA COLLECTION, ANALYSIS AND PRESENTATION OF RESULTS

Evidence-based assessments create an objective basis for analysing the gender-responsiveness of laws, policies, strategies and institutions. As such, evidence-based assessments require continued gathering and organisation of information and data to formulate compelling arguments and advocacy messages. The assessment also includes a desk review and legal analysis to comprehensively evaluate laws, policies, strategies or institutions. This process can be led by any participating organisation, including grassroots organisations, NGOs, land officers, research institutions, etc.

After data collection and analysis, the selected criteria are used to assess the relevant laws, policies, strategies and institutions and to make recommendations. Depending on the organisations involved, the presentation of the outcomes may involve a public event, a publication or a hearing with the government, or a combination of these.

#### 5. ADVOCACY AND TRAINING

Although the GEC are mainly an evaluation tool, the assessment results can be used to design advocacy activities to change a law or to modify a draft law. The results can also be used to influence future law-making processes.

The GEC can also build capacities of people working in the land sector to mainstream women's land rights into their work, including programmes. Their newly attained skills are used to advocate for the protection of women's land rights. Where possible, government departments and other administrative officers are trained to meet the needs of women through protection of their land rights.

#### 6. ESTABLISHING A FRAMEWORK FOR CONCILIATION, DIALOGUE AND DISPUTE RESOLUTION

Based on the information collected and analysed, a framework for conciliation, dialogue and dispute resolution is established to promote women's land rights. The primary functions of the framework are the following:

- Convincing local communities and especially customary leaders to abolish discriminatory practices;
- Reporting any person or family violating women's rights, especially widows' rights;
- Resolving disputes regarding violations of women's land rights within families, through conciliation;
- Supporting women whose land rights have been violated.

Togo's land tenure system is characterised by an overlap between formal and customary land tenure systems. Women are disproportionately affected by discrimination under both systems. Specifically, under the legal system, the Code des Personnes et de la Famille (Family Code, or CPF) of 1980 contained provisions that designated the husband as head of the family. Togo now enshrines and guarantees gender equality through its 1992 constitution and has ratified international instruments to protect women's rights, such as the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the African Charter on Human and Peoples' Rights (ACHPR). However, Togolese women still face significant challenges in protecting their land rights.

To remedy the situation, in 2013–2014 ILC member Autopromotion rurale pour un Développement Humain Durable (ADHD) used the GEC to conduct assessments of laws, traditions and policies governing women's land rights in the country. First, ADHD participated in a training session led by ILC and the Global Land Tool Network (GLTN) on using the GEC. It then proceeded to use its knowledge to provide training and capacity-building exercises on women's land rights to other CSOs and government officials.

ADHD aimed to assess the gender-responsiveness of the CPF. Although the Code had already been revised in 2012 based on recommendations under the CEDAW Convention, which Togo ratified in 1992, women still faced significant challenges to their land rights.

ADHD organised three training sessions for partner organisations in Togo's National Engagement Strategy (NES), including CSOs, ministries, the private sector and traditional leaders. The sessions included practical training on implementation of the GEC in the field, ranging from data collection to data validation. After the collection and validation of data, the NES organisations presented reports and recommendations based on their assessments. Officials from the ministries of social action, promotion of women's rights and literacy (Ministère de l'action sociale, Ministère de la promotion de la femme, Ministère de l'alphabétisation) were invited to the presentation. The organisations involved then used the skills they had acquired to assess a preliminary draft of the government's proposed new Land Code.

Based on this experience, ADHD has put in place multiple mechanisms for consultation, dialogue and conflict resolution to promote women's land rights – 51 such frameworks to date, and the Togo NES partners plan to introduce at least 100 more. Implementing these frameworks for consultation and dialogue requires the sensitisation of local actors on women's land rights, taking into account international human rights treaties and conventions.

In June 2015, ADHD established a collaboration with the women's ministry (Ministère de la promotion de la femme). Ministry officials have promoted gender clusters within each government ministry, each comprising three staff members. ADHD oversees the training of focal points (70 individuals in total) on using the GEC tool to assess policies, programmes and projects. At least two of the three members of each cluster have participated in training sessions, which involve learning about the GEC and also practical exercises.

# PARTICIPATORY VIDEO-MAKING

## TO INTERROGATE TRADITIONAL LAND PRACTICES

### THE TOOL

**Participatory video-making** is a tool for positive social change that empowers marginalised people to raise awareness and advocate for action by duty-bearers. It allows women to produce their own documentaries, thus shaping the issues according to their narrative. Participatory video-making is concerned less with aesthetic production values and focuses more on narrative and communicating people's experiences to the target audience.

As a community development approach, it brings local people together to explore critical issues affecting their communities, uncover the causes of problems and share various perspectives with new audiences through the medium of video.

### ITS GOALS

- Raise awareness about **gender discrimination** in access to land
- Raise awareness about **women's land rights**
- Change local perceptions about **women's ownership of land**
- Foster community-led learning, **knowledge sharing and exchange**
- **Strengthen communication** with other communities and decision-makers
- Promote and recognise **women's land rights under traditional land tenure systems**.

### ACTORS INVOLVED

CSOs, international NGOs (INGOs), local communities, land administration authorities.

### ALREADY TESTED BY

Transparency International - TI (Global, Ghana)  
<https://www.landcoalition.org/en/explore/our-network/transparency-international/>

### FURTHER INFORMATION

**Participatory video making empowers women to interrogate traditional land practices in Ghana**  
<https://learn.landcoalition.org/en/good-practices/participatory-video-making-empowers-women-ghana/>

### EXPECTED OUTCOMES

- Recognition of women's land rights
- Women are enabled to describe their challenges in securing their land rights
- Better awareness of women's land rights issues.

## HOW IT WORKS

**Participatory video-making** involves video production and screening activities through which women, including widows, explain the challenges they face in securing their land rights. The videos provide a basis for dialogue on land issues, particularly land corruption and traditional land practices that disadvantage women, as well as possible solutions. The tool empowers women to defend their land rights as a group, communicate their concerns and deepen their understanding of their land rights.

Filming and screening activities mediate group discussions in an inclusive fashion, establish collaborative relationships and encourage group action. Video production allows women to explore their circumstances, reflect as a collective and identify potential solutions.

### PARTICIPATORY VIDEO-MAKING TO INTERROGATE TRADITIONAL LAND PRACTICES STEP-BY-STEP

#### 1. PRELIMINARY RESEARCH AND TECHNICAL PREPARATION

Careful preparation is crucial to successful participatory video-making, particularly when it is exploring sensitive issues such as corruption. A team of experts on land corruption and participatory community engagement is convened, either through a call for proposals or via a democratic selection process.

It is essential to explore and understand the local situation, the state of women's land rights and the corruption and traditional land practices that disadvantage women. Collaborative action research processes are identified as a possible method for collecting data on the topic and interrogating discriminatory land practices.

- ▶ *Depending on the budget, video equipment may be hired or borrowed from local NGOs, universities or film companies within the area.*

#### 2. LEARNING EXERCISES AND VIDEO-MAKING WORKSHOPS

The team of experts and women in the target community must have a working relationship such that the participants have confidence to express themselves and feel a shared sense of purpose. An internally focused learning stage involving the women can explore their realities and identify essential themes and group concerns. Learning exercises allow the group to reflect on the issues in confidence before engaging with the broader community and its leaders.

Further, participants are trained on basic video production skills to make their participatory video. The duration of workshops varies, ranging from a couple of days to several weeks, depending on the time and resources available, the needs of participants and the scope of the project. Group members may practise video production and use the practice material they create to stimulate horizontal dialogue with peers or vertical dialogue with policy-makers, locally or nationally.

- ▶ *Games and other tools that encourage the women to interact with each other and with the facilitators are used to strengthen team spirit and to identify all other resources needed for the participatory video. These resources may include local guides, translators and technical assistance.*

CONT. 



## FROM THEORY TO PRACTICE: THE EXPERIENCE OF TRANSPARENCY INTERNATIONAL

### 3. FIELD TRIPS AND DATA COLLECTION

Video production takes place in the field, once participants have developed sufficient skills and confidence in their messages. The participants work together to document stories, often travelling to one another's communities and homes to capture their different circumstances in detail.

Participatory video-making opens up safe spaces for women to discuss their experiences around land corruption and discriminatory land governance practices. The video-making process gives women opportunities to explore and reflect on issues that affect them. The groups of women produce video material to stimulate dialogue with the broader community.

- ▶ *In some communities, for any project to succeed, it may require the buy-in of community representatives. Therefore, where necessary, community leaders must be consulted before engaging with the community. The consultation may be conducted through a trusted intermediary such as a local NGO or representative.*
- ▶ *Fieldwork may take up to several weeks, depending on the resources and time available. Participants work collaboratively in small groups to create their videos, rotating production roles to ensure equal opportunities, and accompanied by facilitators and other project staff who provide support and guidance where necessary.*

### 4. POST-PRODUCTION

The participants and project facilitators reconvene to examine the work undertaken during the video-making process and to finalise,

review, edit and translate the final video into a documentary film. Ideally, the participants edit the video themselves to ensure that they maintain maximum control over their messages and representation. Alternatively, facilitators can undertake post-production on behalf of and in close collaboration with the participants to finalise the video.

### 5. LAND CONFLICT RESOLUTION MECHANISM

Finally, the women screen their video to the community at a dialogue event. This event is attended by local government officials and customary leaders, including chiefs and traditional land custodians, community members and civil society representatives. The video can also be screened at numerous events locally, nationally and internationally to raise awareness of land corruption and its impact on widows and women in general.

In some cases, the women are able to present their experiences at international forums such as UN-Habitat and the World Bank to raise awareness about challenges to their land rights, to promote legal protection for women and widows under both customary and statutory laws and to gain grassroots support for women's land rights.

- ▶ *The women begin advocating for the protection of their land rights. Where possible, participants should be supported to present their video themselves and to share their experiences, the process behind it and the development of their ideas. Discussions and break-out sessions provide an opportunity for interactions during the screening process and to include their views in discussions.*

In Ghana, widows in the Upper East Region are particularly affected by discriminatory traditional land practices which disinherit women if their husband dies. Family land typically belongs to the husband and, upon his demise, women often lose their access to it, as custom dictates that it is either sold or inherited by the husband's family members. In some cases, women are accused of witchcraft and of killing their husbands with the intention of disinheriting them. Widowhood often leads to stigmatisation and ostracisation from broader community life and directly causes land corruption, to the disadvantage of widows and their children.

Since land is seldom registered, women typically rely on their husbands for access to land and lose their security of tenure if the husband dies. Women must bribe traditional leaders or marry one of their husband's relatives to continue living on the family land. Women who do retain access to their land face other challenges: generally, their plots are smaller than those of men, and women are less likely to obtain credit.

To highlight the challenges faced by women, Transparency International's Ghana Integrity Initiative (GII) worked with women from Kulbia village in Upper East Region to relate their land rights experiences through a participatory video. The video-making process empowered the women to interrogate discriminatory traditional land practices in Ghana.

The participatory project enabled widows in Kulbia to use video as a conduit for facilitating and enhancing communication between themselves, traditional leaders and other groups who might otherwise never talk to one another.

The tool enabled them to produce videos through experiential games and exercises that demystified the technology and opened up access for all the women involved, regardless of their literacy or experience. They managed to interrogate their landlessness by authoring a short documentary film about their experiences of discrimination and landlessness due to widespread corruption by traditional land custodians.

The women interviewed local chiefs and customary land administrators from their communities, using video as a mechanism to interrogate those in power and ask uncomfortable questions. They screened their video to local and national audiences, encouraging public discussion of issues that had been hidden.

The video was also screened at numerous international events, helping to raise awareness of land corruption and its impact on widows in Ghana. "Pakorpa Susangho" ("Widow's Cry") was screened at UN-Habitat III in Ecuador and at the International Anti-Corruption Conference in Panama, and also featured at the World Bank's Land and Poverty Conference in the USA. Screenings have been staged across Ghana, engaging senior chiefs and "queen mothers" in an advocacy programme to promote legal protection for widows, under both customary and statutory law, and grassroots support for their land rights.

# LEGAL AID TO STRENGTHEN WOMEN'S LAND RIGHTS

## THE TOOL

Legal aid uses **legal clinics, legal training and awareness-raising campaigns** to strengthen access to justice for women's land rights. Specifically, legal competitions are used as a tool to raise awareness about women's land rights and paths for women to access justice.

## ITS GOALS

- **Strengthen women's land rights**
- **Strengthen access to justice** for women through traditional justice systems
- **Raise awareness about traditional practices that disadvantage women** and limit their land rights
- Raise awareness about **paths for women to access justice**
- **Rebuild trust** in the justice system
- **Strengthen women's economic empowerment** through rights enforcement.

## ACTORS INVOLVED

CSOs, intergovernmental organisations (IGOs), rural women, national government, community members.

## ALREADY TESTED BY

IFAD (Burundi)  
<https://www.landcoalition.org/en/explore/our-network/international-fund-for-agricultural-development/>



## FURTHER INFORMATION

Legal competitions as a tool for awareness-raising  
<https://learn.landcoalition.org/en/good-practices/legal-competitions-tool-awareness-raising/>

## EXPECTED OUTCOMES

- Access to justice for all women at a local level
- Local communities have specific legal knowledge on their rights and responsibilities concerning women's land rights
- The community's familiarity with legal concepts is strengthened
- Communities trust the justice system.

## HOW IT WORKS

The tool uses **legal competitions** to raise awareness and provide legal support in rural areas. The competitions are held in public places such as markets by a facilitator who asks legal questions. Anyone, including women, men and children, can answer, potentially with a chance to win prizes. The competitions allow participants to internalise legal concepts on the land rights of women.

## AWARENESS-RAISING ABOUT LEGAL AID TO STRENGTHEN WOMEN'S LAND RIGHTS STEP-BY-STEP

### 1. PLANNING AND ANALYSIS OF THE PROBLEM

Since awareness-raising campaigns aim to create general awareness about a particular topic and inspire change in public behaviour, it is essential to plan a campaign that can accommodate the interests of different people. This step emphasises the importance of formulating a clearly defined strategy to engage with the public on women's land rights. This includes developing materials that will be used to engage with the public and identify a public engagement strategy.

- ▶ *If necessary, an exploratory study can assist in identifying the needs of the target group and in orienting the campaign to meet the needs of the beneficiary group.*

### 2. IDENTIFYING TOOLS TO USE

When identifying tools to use in the campaign, it is essential to ensure that all campaign activities are accessible to the public and are adapted for adult learning. This is a critical component, primarily because the campaign aims to encourage peer-to-peer and intergenerational learning. In this case, legal competitions are the tool of choice. The legal competitions raise awareness about women's land rights at the local level because they are an inclusive exercise that any community member can attend in order to learn more.

### 3. TRAINING PARALEGALS

Paralegals, who will hold the legal competitions, must be trained on the applicable and existing legal frameworks in the country. They learn about the challenges that women face in securing their land rights, the laws and their effects on women's land rights, and potential solutions to the challenges faced by women.

The legal aid team first develops questionnaires on the legal status of women's land rights and chooses competition topics from existing land law frameworks. They can also draw from contemporary events occurring within the community that are in line with people's interests and requests.

The themes may include land law, family law, criminal and civil law, inheritance law, religious law and the competence of the courts in interpreting traditional law concerning women's land rights. It is also essential to consider different scenarios, such as polygamous marriages, divorce or the demise of a spouse.

### 4. FGDs WITH GRASSROOTS ORGANISATIONS

Legal competitions are held in open areas and public spaces where people from the community gather, such as marketplaces. They are held while community members visit the market in the afternoon, after completing their agricultural work, and involve little disruption to their daily livelihood activities. The competitions can last between two and three hours, depending on the crowd size and general interest in the topic.

The legal aid team, including paralegals, facilitates the competitions, which include questions put to the public about women's land rights. They incentivise responses by giving prizes to people who answer questions correctly. Where possible, the team links the competitions with community legal literacy workshops at which community members learn about their land rights and the role of judicial processes in enforcing these rights.

## FROM THEORY TO PRACTICE: THE EXPERIENCE OF IFAD

Burundi has a high population density, ranging between 230 and 360 people per square kilometre. This has resulted in socio-economic challenges such as internal migration, displacement, competition for land and reduced livelihood activities for communities who depend on the land for their sustenance. The social pressures caused by competition for land have further marginalised women, particularly in matters of inheritance, which are often settled using the traditional patriarchal system.

Although Burundi introduced a new land law in 2011, women still face significant discrimination as succession matters remain largely unregulated under statutory law. Sons are the heirs to their fathers' estates, while daughters and wives are usufructuaries, with rights to use the land only. Consequently, women are deprived of land ownership, and their tenure remains mainly at the mercy of men within their families. With a background of conflict, land disputes between returnees, internally displaced people and current occupants of land further exacerbate the precarious position in which women find themselves.

As a solution, the International Fund for Agricultural Development (IFAD), through its Transitional Programme of Post-Conflict Reconstruction (PTRPC) project, created awareness about women's land rights in villages where women are marginalised. IFAD used legal competitions as a tool to engage the public on women's land rights. The competitions sought to encourage and assist the public in internalising concepts surrounding women's land rights, understand legal remedies available to protect these rights and be aware of the institutions charged with protecting them.

With the assistance of paralegals, the project first examined the areas of law that protect women's land rights, and the paralegals were trained on the findings. After that, project staff and the trained paralegals set out into the community to hold the legal competitions. The facilitators asked questions of community members, who stepped up to answer, with anyone allowed to participate in the contest. Responders who gave correct answers received prizes, depending on the nature of the question.

The competitions addressed issues that affected that community. For instance, in the eastern province of Ruyigi, polygamy, widowhood and access to land for orphaned children were important issues. Further, the competitions allowed women and the broader community to engage with traditional leaders on women's land rights. The competitions started off with more straightforward questions and slowly moved on to more complex ones.

However, the conversations were well received in the community because they were held in a cheerful and relaxed environment.

Depending on the complexity of the questions, the winners received prizes ranging from hoes, water cans and detergents to goats and radios. These prizes motivated more people to join in and, as a result, many members of the community participated or at least listened to the competitions, achieving the goal of raising awareness about women's land rights. After five years, the project had held 371 legal competitions in three provinces.

Besides raising awareness about land rights, the project also invested in rights enablement, offering listening, orientation and mediation legal counsel to help rural right-holders claim their rights. The project also assisted in the enforcement of land rights by developing the capacities of formal state and administrative officers, supporting the judicial process by bringing cases to court and conducting regular visits to judges in rural areas.

# PARALEGAL PROGRAMMES

## ASSISTING WOMEN TO SECURE THEIR LAND RIGHTS

### THE TOOL

**Paralegals** are part of legal aid for poor communities and contribute to fair and humane justice for women whose land rights are not secure. Paralegals have specialised legal training on women's land rights issues and provide legal advice to women, at a lower cost than lawyers.

### ITS GOALS

- Ensure **quality legal services** for rural women at a low cost
- **Legal empowerment** of rural women
- Build the **capacity of paralegals** who provide legal aid
- Build the **capacity of local women to understand their land rights** and legal status
- **Support rural women** to actively enforce and protect their land rights.

### ACTORS INVOLVED

CSOs, civil society, NGOs, agro-industries, government, paralegals, legal officers.

### ALREADY TESTED BY

Women on Law and Development in Africa - WILDAF

<https://www.landcoalition.org/en/explore/our-network/women-in-law-and-development-in-africa/>

Rwanda Women's Network

<https://rwandawomennetwork.org/>



### FURTHER INFORMATION

Paralegals help widows enforce their right to inherit land  
<https://learn.landcoalition.org/en/good-practices/paralegals-help-widows-enforce-their-right-inherit-land/>

Supporting women to achieve land rights in post-war Rwanda  
<https://learn.landcoalition.org/en/good-practices/supporting-women-achieve-land-rights-post-war-rwanda/>

### EXPECTED OUTCOMES

- Women's land rights are protected
- Improved land tenure security for women
- Improved access to land for women
- Increased general interest and knowledge on women's land rights and the legal options available to protect them
- Strengthened legal knowledge at grassroots levels.

## HOW IT WORKS

The tool builds the capacity of community-based paralegals on formal and informal justice systems to enable them to assist with mediation and dispute resolution relating to women's land rights at the local level and raise community awareness about women's land rights.

### PARALEGAL PROGRAMMES ASSISTING WOMEN TO SECURE THEIR LAND RIGHTS STEP-BY-STEP

#### 1. ASSESSMENT OF WOMEN'S LAND RIGHTS AND IDENTIFICATION OF POTENTIAL SOLUTIONS

First, it is essential to assess the situation on the ground, including the challenges that rural women face in securing their land rights. Prior research about the general situation of women in the country is a crucial step in collecting data about their land rights. Information gaps are identified through background research, including information gathered from previous reports on women's land rights.

The research is complemented by engagement with community members. It is essential to build good relationships with local women to obtain accurate information from the community. This includes demonstrating honesty, respect, tolerance and generosity toward community members in order to establish a relationship of trust.

#### 2. ANALYSIS OF STATUTORY LAW

In examining legislation that affects women's land tenure rights, it is crucial to identify how family law affects inheritance, marriage, divorce and marital property and how the law of persons affects women's land rights. It is also essential to determine the types of rights protected by law and how they are held, including whether women can own property in their own names. It should be established whether and how women are disadvantaged as wives, widows and daughters in matters of inheritance or as tenants, and how these disadvantages can be tackled using statutory law.

Finally, there should be an assessment of whether principles such as gender equity

and women's rights are binding or at least promoted at the institutional level, including by institutions such as land registries, courts, conflict resolution institutions and local land administration agencies.

#### 3. ANALYSIS OF CUSTOMARY AND RELIGIOUS LAWS

Customary and religious laws influence the gender-differentiated allocation of land rights, with women often receiving lesser rights because of patriarchal customary and traditional values governing social and marital status. Customary laws may also be used to dispossess women of their rights; this includes customs that leave room for uncertainty in their interpretation. All applicable customary and religious laws are identified within broader social settings, including customs that defend women's land claims.

The following indicators can assist in identifying social, customary and religious norms:

- Women's inclusion in land-related decision-making at the local and national levels;
- Women's eligibility to inherit upon the death of their fathers or husbands;
- Women's eligibility to receive land in the case of divorce;
- Specific traditions and customary norms applicable to individual regions or religious groups;
- Rules, institutions and actors involved in traditional, religious and informal frameworks;
- Land allocation patterns in the family and in society in general.



## FROM THEORY TO PRACTICE: THE EXPERIENCE OF WILDAF

#### 4. TRAINING PARALEGALS

Paralegals are trained on women's land rights, national and international law that protects women, the challenges that women face in securing their land rights and potential solutions for securing these rights through formal and traditional justice systems. The training programme is conducted with the participation of lawyers, legal experts, experts on women's rights, representatives of government ministries, traditional leaders and staff of NGOs. The technical experts assist paralegals to understand the legal and social aspects of working with vulnerable groups of women.

Paralegals acquire the following specialised legal skills and knowledge as part of their training:

- Understanding substantive law, including the constitutional and statutory rights of women, family law, succession law and constitutional law;
- Structures and functions of the judicial system, including lower courts and alternative dispute resolution mechanisms;
- Community governance structures such as religious and traditional governance structures;
- Paralegal skills such as mediation, interviewing, advocacy, training, community education, basic legal research skills, knowledge of legal and administrative procedures and community education skills;
- Ethics and dealing with sensitive matters and personal information of vulnerable people;
- Record-keeping and monitoring and evaluation (M&E);
- Advocacy skills;
- Training on local and international laws.

#### 5. PARALEGAL SUPPORT FOR WOMEN

When working with local communities, paralegals first identify the specific legal problems faced by women and the community. Paralegals use different mechanisms to devise a community engagement strategy to raise awareness about women's land rights and, where necessary, to enforce them.

Depending on the circumstances, paralegals might:

- Conduct preliminary research on women's land rights;
- Take statements from women whose land rights are under threat and identify the specific legal problem;
- Provide initial advice on how to engage with the situation, including legal, social and religious alternative dispute resolution methods;
- Work with communities to sensitise them about women's land rights. This might include engaging with traditional and religious leaders;
- Mediate in cases relating to marriage, inheritance and children;
- Provide pre-litigation assistance;
- Mediate in cases between state legal services, community members and women who may not have legal representation for a variety of reasons, including poverty, gender, illiteracy and being located in remote and rural areas.

Togo's Law on Persons and Family (Code de Personnes et de la Famille) protects women's rights, including their right to inherit from a deceased spouse. However, firmly rooted traditional practices made it difficult for widows to access land if their husbands died. Further, the legal system only provided women with statutory protection to equal land and property inheritance if they renounced customary law.

In the Tsagba region of the country, customs of the Adja, Yotocopé and Ouatchi peopledo not allow women to inherit land within their families or from their husbands unless they submit to forced or levirate marriages in which a man marries his brother's widow. Very few women own agricultural land and, as a result, they are more prone to land insecurity and extreme poverty if widowed. Discriminatory traditional practices coupled with high demand for land make it difficult for women to own land either through inheritance or open markets. Generally, women face systemic social and economic discrimination and are unable to secure their livelihoods.

In 2012, the Togolese government passed the Organic Law (Loi organique N°2012-014 du 6 Juillet 2012), recognising women's rights to inherit. However, most rural women did not know about their rights or how to enforce them. To assist rural women to claim their rights WILDAF, a Togolese NGO, began training paralegals on national and international laws that protect women's rights.

In partnership with the Centre for Research, Information and Training for Women (Centre de Recherche, d'Information et de Formation pour la Femme, or CRIFF), WILDAF developed a paralegal service to promote social and personal equality between men and women.

The NGOs focused primarily on building the capacity of paralegals and the public, mainly women, in terms of access to justice, gender equality, employment opportunities for women, and business and vocational training.

After receiving the training, the paralegals worked to raise awareness at the local level about women's land rights. In addition, they provided legal assistance, mediated in cases relating to marriage, inheritance and children, referred cases to the formal justice system and negotiated with state legal services on behalf of disadvantaged women, who were unable to access these services for a variety of reasons, including affordability, gender, age, illiteracy and living in remote rural areas.

By 2013 about 700 paralegals, both men and women, had joined 33 networks working across Togo to provide legal advice to women. WILDAF set up legal assistance centres in peripheral areas to enable the paralegals to engage with the remotest communities and support them to resolve various legal conflicts with third parties. The paralegals first attempt to resolve problems amicably, to maintain and preserve unity and harmony within the family or community. Where necessary, however, they are able to refer the matter to lawyers.

As a result of the paralegals' work, Togo has seen progressive social recognition of women's inheritance rights in the event of their spouse dying. Legislation has become more accessible as paralegals are trained to share legal knowledge in local languages, inform people about their land rights and help them to claim these rights.

## FROM THEORY TO PRACTICE: THE EXPERIENCE OF RWANDA WOMEN'S NETWORK

Women in Rwanda face systemic discrimination on socio-economic issues such as access to land and inheritance practices, which puts them in a precarious position compared with men. Although the Rwandan government passed a land law in 2013, a succession law in 1999 and a law on gender-based violence (GBV) in 2008, all of which granted equal rights to women, traditional practices still tend to favour men. Low rates of literacy further exacerbate the precarious position in society of rural women, which means that they are forced to depend on men and to pursue land-based subsistence livelihoods.

The impacts of the 1994 genocide, including the internal displacement of people and the spread of HIV/AIDS among the rural population, further exacerbated the situation for women in Rwanda. Additionally, as post-conflict reconstruction began, women continued to lose their land due to expropriation for the development of infrastructure including an airport. To assist women in securing their land rights, Rwanda Women's Network (RWN), a national NGO, has been working with local communities.

Specifically, RWN works to eliminate discrimination against women in land ownership, which is prevalent due to traditional land inheritance mechanisms. As part of its efforts to improve women's livelihoods and socio-economic status, RWN has set up 17 community spaces where women can address different issues that affect them, including insecure land tenure.

Using these platforms, RWN has also created a paralegal programme to help women settle land-related disputes through the community-led Abunzi mediation system. The paralegals advise women on the legal options available to them, including preparing to appeal unfair cases to the High Court.

RWN also assists women to obtain the documents needed to register their land rights. As a result of the paralegal programme, women are now more aware of their land rights and the various justice systems for protecting them, and are more inclined to challenge unfair practices and to seek justice.

# JOINT LAND TITLING

## USING THE FIT-FOR-PURPOSE LAND ADMINISTRATION TOOL

### THE TOOL

The **fit-for-purpose (FFP) land administration tool** consists of guiding principles for building structured spatial, legal and institutional frameworks to support the design of gender-sensitive land administration systems. The FFP tool is flexible and focuses on citizens' needs in land administration systems by using participatory mapping and documentation of land ownership, access, use and control rights.

### ITS GOALS

- Promote **gender-sensitive land mapping methods**
- Ensure **equal land rights for women living under diverse land tenure systems**
- Conduct participatory **land mapping and documentation of women's land rights** in respect to the continuum of land rights
- Conduct participatory **resolution of land conflicts**
- Protect women's land rights under **diverse land tenure systems**
- Strengthen multi-stakeholder **policy engagement and discussions**
- Ensure inclusive and **equitable management of land rights and use of land and natural resources**
- Establish affordable and **accessible land services**.

### ACTORS INVOLVED

Citizens, NGOs, religious and customary leaders, state agencies at the village, sub-county and national levels.

### ALREADY TESTED BY

Uganda Community Based Association for Women and Children's Welfare

- UCOBAC (Uganda)

<https://www.landcoalition.org/en/explore/our-network/uganda-community-based-association-for-women-and-childrens-welfare/>



### FURTHER INFORMATION

Securing women's land rights in customary areas in Uganda

<https://learn.landcoalition.org/en/good-practices/securing-womens-land-rights-customary-areas-uganda/>

### EXPECTED OUTCOMES

- Increased community uptake of gender-responsive land approaches
- Strengthened capacity of land actors and duty-bearers to implement pro-poor and FFP land administration to benefit poor rural women and other vulnerable groups
- Improved awareness among citizens and traditional and community leadership about equal land rights for women living under customary land tenure systems
- Securing and promotion of women's land rights in communities living under customary tenure systems.

## HOW IT WORKS

**Fit-for-purpose land approaches** are participatory and community-driven. Pro-poor FFP land tools, including the Social Tenure Domain Model, the Gender Evaluation Criteria and the Land Mediation Tool (LMT), are utilised to map and record the land rights of community members, with priority given to small-scale farmers including women, youth and other vulnerable groups. Capacity-building through trainings is conducted for established community structures and existing land actors to equip them with the skills to implement FFP approaches. Awareness-raising activities such as dialogues and the dissemination of information, education and communication (IEC) materials are undertaken to increase knowledge among communities and their leaders.

## JOINT LAND TITLING USING THE FIT-FOR-PURPOSE LAND ADMINISTRATION TOOL STEP-BY-STEP

### 1. BACKGROUND RESEARCH AND PLANNING

An essential preliminary step is to conduct some background research on the community. This includes identifying:

- The experiences of women living under customary land tenure;
- The circumstances under which women lose their land rights, such as disinheritance by in-laws, land grabbing, patriarchal customs and internal displacement in post-conflict communities;
- Local traditions and cultures concerning land rights;
- The existing legal framework i.e. national laws and policies on the land rights of women.

### 2. IDENTIFYING GENDER-RESPONSIVE TOOLS

It is crucial to identify innovative and gender-responsive land tools and approaches to analyse whether land-related interventions incorporate gender considerations and to show where change is required. The Social Tenure Domain Model (STDM) and the Gender Evaluation Criteria (GEC) are examples of flexible and innovative tools that can be adapted to a wide range of contexts.

The STDM is a participatory and pro-poor land information tool based on open-source geospatial software. It represents people-to-land relationships under different land tenure systems, and is based on a participatory methodology for demonstrating land rights information without the formality, legality and technical accuracy often associated with land administrative systems.

The STDM tool enables functions such as:

- The compilation of new land data or extension of existing data;
- The design of customisable maps and land rights reports;
- The generation of map-based documents;
- The import and export of textual and spatial data in different formats.

The GEC are a fit-for-purpose and gender-responsive land tool for designing new or evaluating existing land tools from a gender perspective. The GEC can be used to analyse whether laws, policies, traditions, processes and initiatives are sufficiently gender-responsive. It also identifies possible entry points for strengthening women's land rights.

### 3. MULTI-STAKEHOLDER MOBILISATION AND THE FORMATION OF COALITIONS

One challenge facing land reform efforts is the lack of inclusive planning involving local communities and grassroots organisations. Coalitions and networks assist local communities, grassroots organisations and other stakeholders to consolidate their contributions and bring them to the forefront. Multi-stakeholder platforms bring together diverse actors with diverse perspectives, experiences and competencies to engage in dialogue on land policy.

Coalition platforms are tasked to assist grassroots organisations to efficiently engage with governments in land policy dialogue by:

- Organising joint workshops and meetings;
- Providing training and coaching to coalition members and coordinators to build and strengthen their capacities to lead partnerships, engage in advocacy and link with media and other actors;
- Convening coalition events, learning sessions and experiential exchange visits;
- Providing technical support on issue-based projects.

Key recommendations and solutions emerging from the multi-stakeholder engagements are documented in position papers or policy briefs which are disseminated to policy-makers and other stakeholders to facilitate policy reform and gender-responsive land legislation.

### 4. COMMUNITY DIALOGUES ON LAND LAWS, WOMEN'S LAND RIGHTS, LAND REGISTRATION AND GENDER EQUALITY

The dialogues are organised at community level in collaboration with local government and traditional leaders. Mobilisation is inclusive and ensures the involvement of women, girls, youth, the community and local leaders, who all learn and exchange views on land-related issues. Rural women share their stories and present evidence of their land rights experiences and the impact of customary practices and norms and statutory laws on their lives, while leaders are tasked with gauging the gender-responsiveness, inclusiveness and transparency of land administration systems.

Women share information about their interactions with land administration officials and traditional leaders, including the outcomes of their complaints. During the public forums, participants are guided to identify local practices that could potentially help secure women's land rights. Additionally, participants and trainers discuss tools such as the LMT, the GEC and the STDM, land mapping protocols, land registration and the various land laws that protect women's land rights. The forums are often held as physical meetings, radio talk shows or panel discussions. They start before the mapping and demarcation exercises and continue during and after them, to support the uptake of FFP land tools and approaches.

### 5. TRAINING ON GENDER-RESPONSIVE LAND ADMINISTRATION

Land actors, such as government institutions including area land committees and district land boards, CSOs, community and traditional leaders, land conflict mediators and youth volunteers, undergo informal and formal training on gender-responsive land administration. In particular, they learn about women's constitutional rights, relevant land laws, legal pluralism, gender-sensitive land dispute resolution and how to use GPS technology and tools such as the GEC, STDM and the LMT.

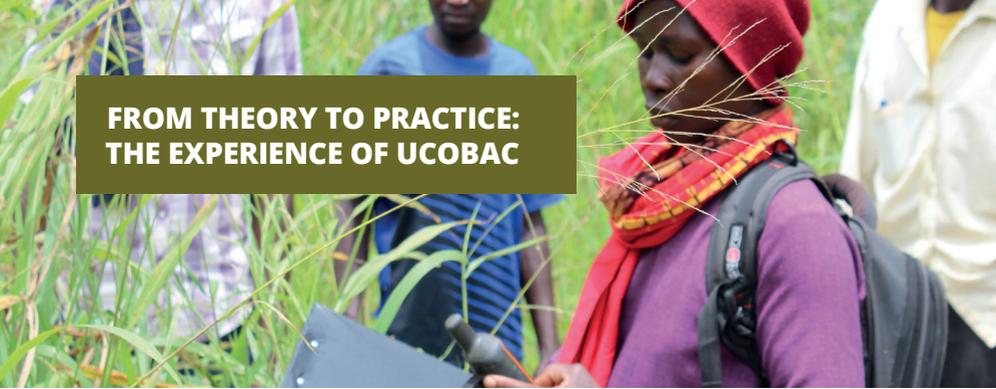
### 6. PARTICIPATORY LAND MAPPING AND DOCUMENTATION OF LAND RIGHTS

To document their rights, individuals, couples or families need to acquire a Certificate of Customary Ownership (CCO) and must apply for this to the Area Land Committee (ALC) of their sub-county. After reviewing the application and ascertaining that it meets the required criteria, the ALC posts notices informing the public of the applicants' intentions. If no objections are received, from 14 days after the date of the notice members of the ALC, accompanied by the CCO applicants, those with rights to neighbouring land and other witnesses or observers (who may include family members, elders or traditional leaders), visit the land in question to carry out land mapping i.e. mark the boundaries and easements on it. The process is led by the ALC, supported by youth volunteers.

Mapping is done using GPS to collect geospatial data and tablets to document socio-economic data about the land owners or users, recognising the rights of all. The ALC generates an inspection report, which is signed by those present. If interested parties are going to be absent, they are encouraged to send representatives or witnesses who will sign the field inspection report attached to the application. The ALC later sits to review the inspection report and application and any accompanying documentation to ensure the legitimacy of the application. Based on the assessment of the review meeting, the committee then recommends the documents with its decision to the District Land Board. The Board also reviews the documents and makes its assessment, then records its decision. It is at this point that a decision is made on whether to issue a CCO. If the Board approves the application and all the supporting documentation, these are passed on to the Recorder at the sub-county level who then issues the certificate.

Any minor disputes about land boundaries can be resolved by the trained community mediators and witnesses. Major disputes are referred to community leaders trained in mediation and conciliation, using tools such as the LMT. The ALC documents the hearings and attaches signed notes detailing the resolution.

## FROM THEORY TO PRACTICE: THE EXPERIENCE OF UCOBAC



In Uganda, 80 per cent of land is governed by customary tenure systems and is often unregistered, even though the Land Act of 1998 allows for customary land registration. Customary tenure systems in patriarchal communities often restrict women's access to and control and ownership of land, yet rural women rely heavily on land and other natural resources for their livelihoods. As a result of these restrictive practices, many women have limited or no control over land and cannot own it either through inheritance or marriage. Further, the restrictions violate women's equality rights, which are guaranteed by the country's constitution.

Following the conflict in Northern Uganda, returnee women often lost their land due to being disinherited by in-laws and to land grabbing through boundary encroachments by neighbours and other post-conflict returnees. Engagement with traditional leaders did not often yield the desired results, as some leaders also hold patriarchal beliefs. Although local-level government is obliged to protect property and possessions left behind by internally displaced persons (IDPs) against pillage, destruction and arbitrary and illegal appropriation, occupation or use, some returnees still lost their land to land grabbers or in-laws.

These deep-seated patriarchal practices and discrimination against female returnees go against Uganda's policy on land tenure and property rights for IDPs. To remedy the situation, the Uganda Community Based Association for Women and Children Welfare (UCOBAC), in partnership with UN-Habitat, the Global Land Tool Network (GLTN) and the Stand for Her Land Campaign, used gender-responsive land tools and approaches such as the STD, the LMT and the GEC to secure land rights for rural women. Collectively, these fit-for-purpose tools allowed women to register as co-owners of land in the family through Certificates of Customary Ownership (CCOs).

UCOBAC, working with the Ministry of Lands, Housing and Urban Development, raised community awareness on the challenges faced by women in protecting their land rights, using platforms such as radio, community meetings and multi-stakeholder engagement. It also explored local-level solutions such as participatory mapping and alternative dispute resolution using the STD, the GEC and the LMT. It trained local land actors and traditional authorities to use the tools, including GPS technology, to map the land and to document customary land rights.

As a result, In Pader district:

- 10 CCOs were registered jointly by couples (husband and wife);
- 205 CCOs were issued to nuclear families;
- 212 CCOs were issued to extended families;
- 1,601 youth and 89 widows benefited;
- 442 parcels of land were demarcated;
- 2,544 households benefited from CCO land rights documentation;
- 2,621 people (1,154 men and 1,467 women) were reached through awareness-raising activities on women's land rights, FFP land administration, provisions in the land laws, etc.;
- 51 land conflicts involving boundary and ownership disagreements were resolved through mediation.

In Butaleja district:

- 1,276 parcels of land were mapped and demarcated, benefiting 2,817 males and 1,971 females;
- 1,000 CCOs were issued;
- 966 people (384 men and 582 women) were reached through awareness-raising activities;
- 17 land conflicts were resolved through mediation.

# TRAINING AND ADVOCACY

## FOR GENDER-SENSITIVE LAND LAWS AND POLICIES

### THE TOOL

**Training and advocacy for gender-sensitive land laws and policies** seeks to include and empower grassroots women's groups and organisations in terms of advocacy to influence the formulation, review and implementation of policy in order to promote women's land rights and advance economic rights and justice.

### ITS GOALS

- **Advocate for laws and policies** for women's ownership, access and control of land
- **Promote gender equity** and gender-responsive land governance
- **Include women in decision-making** at all stages of policy formulation, review and implementation
- **Improve the socio-economic conditions** of rural women
- Build the capacity of women to collect **land-related data for evidence-based advocacy**
- **Address power imbalances** between men and women in patriarchal societies and the resulting discrimination against women
- **Build partnerships** and coalitions to collectively engage on women's land rights.

### ACTORS INVOLVED

CSOs, governments, private sector corporations, grassroots organisations, local communities and grassroots men and women.

### ALREADY TESTED BY

Uganda Community Based Association for Women and Children Welfare - UCOWAC (Uganda)

<https://www.landcoalition.org/en/explore/our-network/uganda-community-based-association-for-women-and-childrens-welfare/>

### FURTHER INFORMATION

Women's land rights as a pathway to economic justice

<https://learn.landcoalition.org/en/good-practices/womens-land-rights-as-a-pathway-to-economic-justice/>

### EXPECTED OUTCOMES

- Increased awareness among women about their labour and economic rights and organising in formal and informal economies
- Duty-bearers improve and put in place policies and laws to protect women's land and economic rights
- Recognition of women's economic and political contributions and rights
- Strengthened knowledge among grassroots women of frameworks related to land rights at national, regional and international levels.

## HOW IT WORKS

The tool seeks to **promote women's economic rights and justice by strengthening women's land rights**. This is achieved by undertaking evidence-based research on the status of women's access to, ownership of and control over land and natural resources; by building the capacities of women at the grassroots level to advocate for equal land rights and also to safeguard their land rights; by building partnerships with different stakeholders to engage on women's land rights; and by undertaking targeted advocacy to influence policy and practices to advance these rights. Women further learn about their constitutional rights and about national, regional and international instruments such as the African Union Declaration on Land Issues and Challenges, the Kilimanjaro Initiative Charter of Demands and land-related targets and indicators contained in the Sustainable Development Goals (SDGs). They also receive training on land data collection, evidence gathering, land monitoring, policy analysis, lobbying and advocacy. These skills enable them to meaningfully engage in policy dialogue concerning their rights to access, own, acquire, control, administer and use land.

### ADVOCACY FOR GENDER-SENSITIVE LAND LAWS AND POLICIES STEP-BY-STEP

#### 1. MOBILISING RURAL WOMEN FOR ADVOCACY

Rural women are vulnerable to violation of their land rights; thus, it is crucial to ensure their participation in land rights-related discussions by mobilising them around advocacy for their rights. The following activities are essential to enhance the gender-responsiveness of activities to mobilise rural women:

- Developing a community outreach programme that raises awareness of women's rights and their right to register their lands individually, jointly with their spouses or as a community;
- Ensuring that the community outreach programme explains the importance and benefits of registering women's land rights;
- Ensuring that rural women meaningfully participate in community meetings;
- Conducting regular surveys to collect gender-disaggregated data.

#### 2. CAPACITY-BUILDING FOR RURAL WOMEN

Grassroots women participate in training workshops on land rights protected by national statutes and policies and on regional and international land-related frameworks, such as the African Union Declaration on Land Issues and Challenges, the Kilimanjaro Initiative Charter of Demands and land-related SDG targets and indicators. They also receive training on policy engagement skills such as policy analysis, lobbying, advocacy, evidence gathering, community mapping and land monitoring.

The women produce and disseminate easy-to-understand materials with key messages on land-related laws, frameworks and guidelines at the global, regional and local levels, including the SDG land indicators and targets, the AU guidelines on women and land and the Kilimanjaro Initiative Charter of Demands.

The following training exercise can be used:

- Examine legislation that affects women's land tenure rights.
- Review the types of land rights that exist, how these rights are held, and whether women can own property in their own names or jointly with their spouses.

CONT. 

- Examine how rural land is allocated and transferred, either by the government, via the open land market, by inheritance or through marriage.
- Discuss the disadvantages that women experience in property ownership, access, use and control.
- Determine the impact of succession, family and customary laws on women's land rights, including inheritance, marriage, divorce, marital property and the law of persons.
- Examine the extent to which the laws adhere to principles of gender equity and equality and whether rural communities embrace, accept and promote them at the local level. Also, it is essential to examine whether administrative bodies such as land registries and local land administration agencies adhere to these principles.
- Examine customary and religious rules that affect women's land rights, especially in relation to marriage, inheritance and divorce.
- Identify relevant organisations to conduct consultations and dialogues to assess the local situation and to identify key gender challenges.

### 3. EVIDENCE-BASED AND WOMEN-LED MAPPING OF THE STATUS OF WOMEN'S LAND RIGHTS

After training on their land rights, women identify gaps concerning these rights in laws, policies and practices. They use tools such as the Gender Evaluation Criteria (GEC) to monitor and evaluate implementation and compliance with national, regional and international guidelines to advance their land rights. The following can be considered for the land rights mapping exercise:

- Engaging a women's land rights practitioner to provide advice to participants;
- Identifying women leaders within the group;
- Creating a safe space for women to speak about their land rights experiences and challenges. This may involve making private rooms available where women can consult land rights practitioners about their particular situations;
- Documenting emerging issues from the various exercises undertaken.

### 4. PARTICIPATORY DEVELOPMENT OF AN ADVOCACY STRATEGY

A concise advocacy strategy enables grassroots women's groups to lobby and advocate for policy review and the formulation and implementation of laws to promote women's land rights and accelerate economic rights and justice. Building an effective advocacy strategy requires the inclusion of grassroots and women-led stakeholders.

Based on the collected evidence, the participating women develop an advocacy strategy by identifying these key indicators:

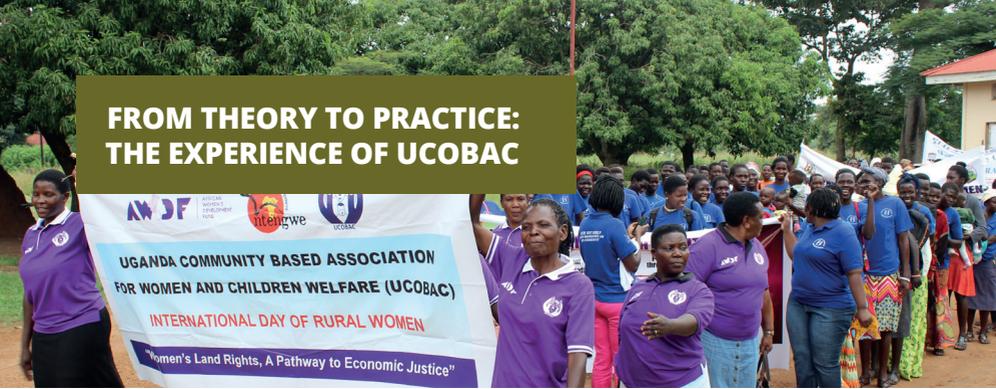
- Main challenge to women's land rights in the relevant context;
- Reasons and objectives for using advocacy as a tool to resolve problems;
- Target audiences at the local, national and international levels who may have the power to resolve the issue;
- Identification of allies;
- Identification of the campaign's key advocacy messages and the most effective tools and strategies for delivering the women's message.

### 5. ADVOCACY WORK TO INFLUENCE POLICY PROCESSES ON WOMEN'S LAND RIGHTS

Once the advocacy strategy has been developed, advocacy efforts are directed towards policy review and implementation. Policy position papers and policy statements with key recommendations based on grassroots experiences are presented to legislators and decision-makers/influencers for action. Examples of advocacy work include:

- Signing of memoranda of understanding (MoUs) with local governments to formalise relationships and support for the women's land rights advocacy agenda;
- Negotiating with policy-makers in formal and informal meetings;
- Working through coalitions and with like-minded organisations and allies;
- Actively engaging in government spaces/ forums e.g. annual joint land sector review meetings at district and national levels;
- Organising national-level meetings to share evidence gathered through research and to engage with top-level leadership;
- Organising public briefing events or forums e.g. press conferences;
- Appointing spokespersons who are knowledgeable on the issues and are credible with the target audience.

## FROM THEORY TO PRACTICE: THE EXPERIENCE OF UCOBAC



Gender is arguably the most fundamental feature underpinning the way that societies are organised, and gender-based discrimination is the most prevalent form of disadvantage. Although there is growing recognition that gender inequality blocks sustainable development, this has still not translated into meaningful improvements for women. Women's land rights are particularly crucial, as secure access to land and other natural resources is a basis for sustainable livelihoods and a key factor in ensuring food security.

Security of tenure is crucial for women facing the challenges and systemic barriers to overcoming poverty. Women's inability to access and control land reflects unjust and harmful development policies, land policies and land administration. It is thus very important to protect and fight for women's land rights through more investment in grassroots women's organising and advocacy platforms. The Uganda Community Based Association for Women and Children Welfare (UCOBAC) worked with four other partners through a coalition across four African countries. The partners were Ntengwe for Community Development (Zimbabwe), International Women Communication Centre (Nigeria), Shibuye Community Health Workers (Kenya) and Survivors in Action (Zimbabwe).

The partners led advocacy campaigns in their respective countries and contexts to promote women's land rights and shared experiences. In Uganda, UCOBAC partnered and worked with the Mityana local government to promote buy-in to grassroots-led initiatives to strengthen women's land rights and to realise their economic rights and promote justice. Through the campaign, UCOBAC built the capacity of grassroots women in action research and data collection, training them on national land laws, provisions and policies and on international frameworks such as the Kilimanjaro Initiative and land-related targets and indicators in the SDGs (Goals 1, 2, 5, 11 and 15), and built their capacity in advocacy and lobbying skills.

Further, the women undertook evidence-based research on women's economic and land rights, used the GEC to assess the government's agricultural programme, Operation Wealth Creation, to assess its gender-responsiveness. After stakeholder mapping, partnerships were built with various stakeholders from like-minded organisations, ministries, academia and elsewhere. Relationships were strengthened through dialogues, peer exchange and Community Practitioners' Platforms.

These strategies resulted in increased awareness in communities about land and economic rights, especially among women who had limited access to information on land and hence could not actively engage or exercise their land rights. The newly gained knowledge and skills boosted the confidence of some of women to aspire to and take up leadership positions in their communities, such as local councillors and women's representatives. They are thus now in a better position to influence the flow of resources and women are also participating in other land initiatives, such as the Stand for Her Land Campaign.

In Uganda, working with like-minded organisations through the Land Awareness Week, UCOBAC and the participating women petitioned the government to sensitise communities on land rights in order to reduce conflicts, allocate funds to support customary land registration, enforce land eviction guidelines to safeguard communities affected by land conflicts, and enforce provisions for legal and policy frameworks on women's and girls' land rights. They also petitioned the Parliament of Uganda to review and amend the Succession (Amendment) Bill 2018. The bill was passed in March 2021 by members of Parliament and is now awaiting assent from the President. The reviewed bill ensures the protection of women's inheritance rights and the removal or amendment of clauses in the law that discriminate against women.

# COMMUNITY BY-LAWS

## TO STRENGTHEN WOMEN'S PARTICIPATION IN DECISION-MAKING AND LEADERSHIP

### THE TOOL

**Community by-laws** contain rules and regulations adopted by communities, laying out the rules for managing the community, including the elevation of women to leadership positions and participation in land-related decision-making.

### ITS GOALS

- Strengthen **women's land rights**
- Strengthen women's **participation in decision-making**
- Strengthen women's **leadership capacity and access to leadership** positions
- Promote and **strengthen rural and indigenous women's knowledge** of their legal rights.

### ACTORS INVOLVED

CSOs, NGOs, rural women, community members.

### ALREADY TESTED BY

Asociación Servicios Educativos Rurales - SER (Peru)

<https://www.landcoalition.org/en/explore/our-network/asociaci%C3%B3n-servicios-educativos-rurales/>



### FURTHER INFORMATION

Peruvian indigenous women become **community leaders**  
<https://learn.landcoalition.org/en/good-practices/peruvian-indigenous-women-become-community-leaders/>

### EXPECTED OUTCOMES

- Adoption of gender-friendly by-laws
- Inclusion of indigenous women in community leadership positions
- Strengthening of indigenous women's leadership capacity
- Inclusion of women's perspectives in land governance.

## HOW IT WORKS

The tool seeks to empower and strengthen women's leadership by **changing community by-laws to formalise women's access to leadership positions**. It also empowers rural and indigenous women by offering capacity-building programmes to strengthen their skills to defend their land and territories and to champion women's land rights in community development.

### COMMUNITY BY-LAWS TO STRENGTHEN WOMEN'S PARTICIPATION IN DECISION-MAKING AND LEADERSHIP STEP-BY-STEP

#### 1. DEFINING GOALS AND PLANNING

It is essential to identify the challenges faced by women in community leadership and goals that enhance gender equity in land governance when planning the project. The essence of gender-responsive land policies is to ensure that all stakeholders, including women, are included in land governance. It is essential to identify indicators and pointers of gender-responsiveness and inclusivity in land governance. Gender-inclusive pointers may include:

- Respect, promotion, equal treatment and equal opportunity for women in land governance and community leadership;
- Efforts to eliminate gender-based discrimination;
- The promotion of broad participation by citizens in decision-making processes with a bearing on their lives;
- The promotion of diversity to eliminate discrimination.

Power differences may dictate who participates in land governance: as such, it is crucial to work with influential community members to identify strategies for initiating change. Less confrontational engagement with community leaders, men and gatekeepers presents an opportunity to convince them of the need for change and for the inclusion of women (including indigenous women), who are often excluded from land governance.

#### 2. CONSULTATION AND PARTICIPATION IN LAND GOVERNANCE PROCESSES

It is essential to engage with stakeholders, including people with legitimate tenure rights and women who may be affected by land-related decisions, to ensure legitimacy and community buy-in. Inclusive engagement is essential because land-related decisions can have far-reaching implications for women land users. As such, actions for achieving gender-equitable governance of land tenure through consultation and participation include:

- Recognising women's customary rights to land;
- Recognising that women can be community leaders;
- Ensuring equitable participation of women in land tenure governance.

### 3. CAPACITY-BUILDING AND COMMUNITY AWARENESS-RAISING SESSIONS FOR WOMEN

Capacity-building enhances the skills, knowledge and networks of participants around a particular matter. In this instance, capacity-building programmes target local and indigenous men and women from the most vulnerable communities in order to reflect on women's social and leadership roles.

Further, capacity-building events provide a platform to engage with influential women leaders who can guide and mentor other women in leadership. Women leaders also have a role in identifying the history of women's exclusion from community leadership, their role in protecting women's land rights and their potential role in land governance.

The facilitators of capacity-building events may use participatory methodologies, audiovisual tools, socio-drama techniques, drawings, community management tools and information leaflets on land governance to share knowledge on women's leadership.

### 4. COMMUNITY ASSEMBLIES TO CHANGE COMMUNITY LAND GOVERNANCE RULES

Community assemblies and meetings present an opportunity to deliberate on the role of women in land governance. All groups in the community should be represented equally in the assemblies to ensure inclusivity. It is also possible to use formal and informal processes to ensure that women's voices are heard.

- ▶ *Where the community has written by-laws, a committee is formed to change the rules, subject to the approval of a community assembly. The changes to the rules are then recorded as a public document.*

Identifying the common goal of including women in community leadership will assist in keeping women's leadership on the community's development agenda. The assembly provides an opportunity to deliberate on changing women's roles in land governance and on changing the rules to include women in community leadership.

### 5. ELECTION AND APPOINTMENT TO MANAGEMENT POSITIONS

Once the rules are changed to include women in leadership positions, elections or appointments ensue, with women assuming community leadership positions. The new women leaders need support in executing their duties, especially considering their previous exclusion from leadership roles.

Newly appointed women leaders must ensure institutional support for promoting inclusion, equity and justice in land governance. They ensure that women, like everyone else, have equal access to land and to economic, social and other opportunities to strengthen their livelihoods, and that women are treated fairly in land-related matters.

- ▶ *Once women are in leadership positions, it is vital to nurture relations with the community and with leaders to ensure that women's land rights stay on the community development agenda.*

## FROM THEORY TO PRACTICE: THE EXPERIENCE OF SER



The Peruvian government prioritises the extractives industries over the collective rights of indigenous peoples. Exclusion from land and resource governance threatens the collective land rights of indigenous peoples, such as the Ayacucho and Puno peoples, and increases socio-environmental conflict. Rural and indigenous women have been at the forefront of defending community land rights, despite their exclusion from community leadership positions and participation in decision-making processes relating to community land. Indigenous women also face challenges such as insecure land tenure and low levels of education and, as a result, have been excluded from participation in land governance.

To overcome these challenges, Asociación Servicios Educativos Rurales (SER) worked with Ayacucho and Puno rural and indigenous women and the broader community to change community by-laws to include women in community leadership roles. SER engaged in a community awareness campaign and a capacity-building initiative for rural men and women, promoting women's leadership roles. Specifically, it sought to promote women as qualified community leaders with voting rights in assemblies, allowing them to participate in the management bodies that draft community development plans.

SER initiated capacity-building programmes targeting women from 30 peasant communities, using various tools such as participatory methodologies, audiovisual tools, socio-drama techniques, drawings and information leaflets on land governance. Awareness-raising sessions targeted both men and women from the Ayacucho and Puno communities, providing an opportunity to reflect on the roles of men and women and to consider the role of women in community land governance.

Once the community had accepted the idea of women's leadership, SER formed and worked with statutory committees consisting of men and women from the 30 communities to modify local statutes to promote this. The community approved the changes to the by-laws at community assemblies. The statutes were registered as public records, formalising women's leadership in the Ayacucho and Puno communities.

To ensure the participation of all stakeholders, the communities then conducted elections in which women were elected to community management boards. The elected leaders also received technical support to draft community development proposals that were approved by community assemblies. Seven women from local communities played a prominent role by promoting women's land rights within the community leadership. The women leaders also facilitated experiential exchanges to strengthen the leadership capacities of other women.

As a result of the capacity-building by SER, 929 women from 30 Ayacucho and Puno communities are now seen as qualified community leaders who can participate and vote in community assemblies. Further, 20 women have been elected to local community management boards, participating in decision-making processes relating to land issues. Four women's organisations have submitted proposals to care for the environment at the district level, and these proposals are being implemented in the Ayacucho and Puno district municipalities. Seven women have also managed to get the issue of solid waste management onto community agendas.

# ADVOCACY FOR JOINT LAND CERTIFICATES

## THE TOOL

### Advocacy for Joint Land Certificates (JLCs)

empowers grassroots women's organisations to advocate for and influence the formulation and review of land-related laws to enable women to register as joint owners of land. With title to their lands, women have more secure livelihoods, increased bargaining power in land-related decision-making and improved incomes.

## ITS GOALS

- **Advocate for changes in laws and policies** to enable joint land ownership titling, access and control of land
- Promote gender **equality in land governance**
- Promote **women's inclusion in land-related decision-making**
- Improve the **socio-economic conditions of rural women**
- **Protect the land rights of rural women**, including daughters, unmarried women, divorcees and widows
- Include rural **women in advocacy activities**
- **Build partnerships and coalitions** to engage in advocacy for women's land rights collectively.

## ACTORS INVOLVED

CSOs, government, private sector corporations, grassroots organisations, local communities and grassroots men and women.

## ALREADY TESTED BY

Community Self-Reliance Centre - CSRC, Abhiyan Nepal - AN, Consortium for Land Research and Policy Dialogue - COLARP, and National Land Rights Forum - NLR (Nepal)

<https://www.landcoalition.org/en/explore/our-network/community-self-reliance-centre/>



## FURTHER INFORMATION

Greater empowerment and security of women through the Joint Land Ownership Certificate  
<https://learn.landcoalition.org/en/good-practices/greater-empowerment-and-security-women-through-joint-land-ownership-certificate/>

## EXPECTED OUTCOMES

- Joint land titling
- Changes to laws and policies to support joint land titling
- Reduction in gender-based inequalities
- Protection of women's land rights, including widows, divorcees and unmarried women.

## HOW IT WORKS

The tool seeks to promote women's land rights by **advocating for laws that enable women to co-register their land rights with their husbands in a Joint Land Certificate (JLC)**. Community members and CSOs organise themselves to lead advocacy for joint land titling, based on evidence that joint land ownership increases women's socio-economic and legal empowerment.

## ADVOCACY FOR JOINT LAND CERTIFICATES STEP-BY-STEP

### 1. ORGANISING AND MOBILISING LAND RIGHTS ACTORS

Organising and mobilising land rights actors includes bringing people together to develop strategies and enhance the collective capacity necessary to advocate for land rights. Land rights activists build and use the strength of organised numbers to make demands and influence policies and practices in a way that recognises, protects and promotes women's equal rights to land resources. Rural communities, CSOs and farmers often lead the way in changing national thinking about women's land rights, inspiring grassroots-led transformation. Relevant stakeholders, including civil society, organisations specialising in women's land rights, academia and legal practitioners, organise themselves to identify potential avenues to secure women's land rights.

### 2. COMMUNITY ENGAGEMENT AND AWARENESS CAMPAIGN

Sustained community engagement assists in gauging whether the community understands the challenges that women face in claiming and protecting their land rights and reveals other perspectives on women's tenure insecurity. Community engagement allows dialogue and cultivates the interest of ordinary citizens in women's land rights. As such, consistent awareness-raising engagement with the community helps to ensure sustained citizen involvement.

The partnering organisations undertake various activities to raise awareness of why joint ownership and increased ownership for women are good for national progress and development. Activities may include workshops, demonstrations, artwork, meetings, street drama, door-to-door campaigns, land encampments and marches, which aim to explain what is at stake for women and their families and the importance of citizens participating in protecting women's land rights. Other awareness-raising tools include pamphlets, local newspapers and community radio and television in local languages.

### 3. COOPERATIVES ON WOMEN'S LAND RIGHTS

Community engagement and the awareness-raising campaign are bases for assessing the priorities, needs and interests of community members. After engaging with different groups of community members to develop a holistic view of the land rights challenges in the community, women organise themselves into cooperatives, where they meet on a monthly basis to discuss the different land-related challenges and solutions.

The women's cooperatives may also assist women through loans for collective and individual activities to generate money. These activities help add to the evidence that secure land rights contribute to better socio-economic and legal empowerment for women.

## FROM THEORY TO PRACTICE: THE EXPERIENCE OF CSRC, AN AND NLRF



### 4. ADVOCACY FOR POLICY CHANGE TO LEGALISE JOINT LAND TITLING

All interested stakeholders come together to advocate and lobby for legal and policy changes to enable women to register their names as joint land owners with their spouses. The stakeholders work together to plan a joint movement, as collective efforts often result in strong advocacy efforts. Various tools magnify the message of the women, for example sit-ins at government offices or at the country's parliament and dialogue with parliamentarians.

### 5. SUPPORT FOR JOINT LAND TITLING

Once the law is amended to allow women to register their land rights under joint titles, the campaign, CSOs and interested stakeholders work with the broader community to register their land rights. Other sub-campaigns can be launched at the community level to convince people in the wider community to register women's land rights. The women are assisted in preparing documents for the registration process and, where necessary, they are accompanied to the land administration offices to register their land rights.

Agriculture is the mainstay of the Nepalese economy, employing about 66% of the labour force and accounting for 30.7% of gross domestic product (GDP). Around 80% of the female population work in agriculture and women are responsible for over 70% of livestock production. Yet rural women continue to be burdened by tenure insecurity and limited land rights.

Land is an essential aspect of identity, culture, economic well-being and political power. The Lands Act of 1964 and its 1997 amendment sought to reduce inequalities in the distribution of agricultural land by focusing on land ceilings to reduce the size of land holdings and by providing land to the landless by giving them tenancy rights. Although these land reforms helped put an end to unlimited concentration of land and to land owners having control over the occupancy rights and earnings of their tenants, women's land rights remained largely unaddressed.

The 1997 amendment of the Lands Act allowed mothers, unmarried daughters aged 35 or older, daughters-in-law and granddaughters also to inherit tenancy rights like their male relatives, but gender-based inequalities persisted. As a result, the Community Self-Reliance Centre (CSRC) established the National Land Rights Forum (NLRF), a platform of landless people, tenants, agricultural labourers and informal settlers to advocate for integrating gender considerations into laws and policies.

CSRC, the NLRF and other stakeholders undertook various activities to provide convincing evidence on the importance of joint ownership and increased ownership for women's socio-economic progress, in a highly patriarchal context. CSRC and the NLRF planned workshops, demonstrations, artwork, meetings and street drama to share the importance of protecting women's land rights through Joint Land Certificates (JLCs). More importantly, they sought to influence the government to adopt land policies that would enable joint land titling to benefit rural women. After some initial reservations, the Government of Nepal introduced the Budget Policy of 2011/12, which allowed joint land titling in the name of both husband and wife.

After the policy changes, CSRC, the NLRF and other partners, such as Abhiyan Nepal (AN), launched sub-campaigns to keep JLCs high on the agenda of CSOs and community institutions and to ensure their uptake at the local level, particularly in rural areas. Since then, they have made significant contributions to the legal and economic empowerment of Nepali women across various districts. Since the JLC registration campaigns began at the community level, women have secured legal ownership of their land with their husbands: in total, CSRC, AN and the NLRF have secured joint titling for 10,255 couples in 47 districts.

# ADVOCACY FOR WOMEN'S INCLUSION

## IN NATURAL RESOURCE MANAGEMENT

### THE TOOL

**Advocacy for women's inclusion in natural resource management** seeks to promote women's participation in formal and informal decision-making structures and governance processes related to natural resource management. The tool uses formal and informal means to empower women to participate in land-related decision-making processes by creating enabling conditions and removing barriers to their participation and by building their capacity in productive and sustainable use of natural resources. Further, working with natural resource management authorities empowers women to participate in decision-making at the sub-national and national levels.

### ITS GOALS

- Empower women to **participate in land-related decision-making processes**
- Identify **gender-specific replicable practices**
- Promote **gender equality** in areas governed by customary law
- Promote **women's inclusion in land-related decision-making**
- Improve the **socio-economic conditions of forest-dwelling women**.

### ACTORS INVOLVED

CSOs, government, grassroots organisations, local communities and grassroots men and women.

### ALREADY TESTED BY

Indonesian Institute for Forest and Environment - RMI (Indonesia)  
<https://www.landcoalition.org/en/explore/our-network/indonesian-institute-for-forest-environment/>

### FURTHER INFORMATION

**Improving indigenous women's access to land and participation in natural resource management**  
<https://learn.landcoalition.org/en/good-practices/improving-indigenous-womens-access-to-land-and-participation-in-natural-resource-management/>

### EXPECTED OUTCOMES

- Women's participation in land-related decision-making processes
- Gender equalities in natural resource management
- Protection of women's land rights under customary tenure
- Sustainable natural resource management.

## HOW IT WORKS

The tool seeks to **promote women's inclusion in forest and natural resource management** by strengthening their capacities and knowledge on land rights. A multi-level engagement strategy advocates for women's inclusion in natural resource governance – capacity-building at the community level, strategic collaborations at the NGO level and policy advocacy at the national level.

### ADVOCACY FOR JOINT LAND CERTIFICATES STEP-BY-STEP

#### 1. IDENTIFYING TRADITIONAL ROLES OF WOMEN

Despite women's positive contributions to communities, they are often excluded from land and natural resource-related decision-making processes. Instead, their roles are seen as minimal, insignificant or passive. First, it is essential to identify the advantages and constraints of including women in natural resource governance to remedy these perceptions. These factors may include:

- Identifying the disparities between the roles assigned to men and women. For example, men's roles may be associated with timber and overall management in forest-dwelling communities, excluding women
- Identifying how to include women at all levels of forest governance
- Identifying the socio-cultural norms that result in the exclusion of women from natural resource governance
- Identifying whether women have institutional support from land and forest administrative authorities.

#### 2. PLANNING AND DESIGNING THE PROJECT

Focus is given to gaps between law and practice and the knowledge needs of various stakeholders, working at different levels to design interventions that address the interests of multiple stakeholders in forest and natural resource management. Thus, to engage with all stakeholders effectively, it is vital to group various stakeholders according to their interests – for instance, community-level platforms, NGO platforms and advocacy platforms.

#### 3. COMMUNITY-LEVEL PLATFORMS AND WORKSHOPS

In planning community-level engagements, it is essential to design a gender-sensitive programme, ensuring that women have an opportunity to express their roles and expectations of forest and natural resource governance in their communities. These meetings include representatives of indigenous women, the local government forestry department, women's groups and other interested parties. Within the platforms women, in groups of 20–40, share their land rights stories and learn about:

- Women's land rights and participation in decision-making processes
- Strategies for addressing gender disparities and encouraging open discussions on the effects of traditional gender roles on women's land rights
- Sustainable farming practices and natural resource management techniques
- The importance of multi-stakeholder platforms and networks for advocacy for women's land rights
- Strategies to establish community gardens to strengthen food and nutrition security
- Strategies to enhance traditional foraging techniques for traditional medicines, water resource management and environmental conservation.



## FROM THEORY TO PRACTICE: THE EXPERIENCE OF RMI

#### 4. NGO AND CSO ENGAGEMENT

Multi-stakeholder platforms and partnerships are essential to facilitate collaboration between actors and stakeholders with a common agenda of protecting women's land rights. Tools such as the Gender Evaluation Criteria (GEC) can be used to assess existing laws on their gender-friendliness and to facilitate knowledge exchanges among NGOs and CSOs. Gender mainstreaming workshops and training programmes, collaborative training with universities and think tanks, and government representatives working on women's land rights assist in gathering information and feedback from grassroots and civil society groups. Local NGOs work together to develop joint project proposals, ensuring that gender considerations are taken into account in the planning stages.

#### 5. ADVOCACY FOR WOMEN'S FORESTLAND RIGHTS

All interested stakeholders come together to advocate and lobby for women's forestland rights and the inclusion of gender as a cross-cutting theme in all national land policies. All stakeholders work together to engage with government departments and with representatives of indigenous and local women.

The Halimun Salak area in West Java, Indonesia has the largest remaining tropical rainforest ecosystem on the island of Java. The Indonesian government designated Mount Halimun Salak National Park (MHNSNP) as a conservation area to protect the richness of this ecosystem. The Kasepuhan are a community of indigenous people who use their traditional knowledge to steward the Mount Halimun and Mount Salak ecosystems in the southern part of the park. They expect their ancestral lands in the mountain range and forests to pass down to subsequent generations for their sustenance. As such, the Kasepuhan community protect and maintain the integrity of the area for their livelihoods and traditions.

However, Kasepuhan customs exclude women from land ownership, land-related decision-making processes and natural resource management. Strict and patriarchal customary laws (adat) and practices govern the community and gender roles confine women to the house, preventing them from participating in community meetings.

RMI worked with the Kasepuhan community to raise awareness about gender disparities and their effects on women's livelihood options, women's inclusion in decision-making processes and women's access to land and natural resources. RMI used a multi-level and multi-stakeholder method to engage the relevant stakeholders to represent women better in natural resource governance.

First, it worked with women and men at the community level to ensure that women were involved in project design. More importantly, the women's workshops became a platform for women to share knowledge about natural resource management and negotiation skills.

At the NGO level, RMI worked to strengthen the gender inclusivity and mainstreaming capacities of CSOs to ensure that they always include women's concerns in their programmes. It used different tools to teach NGO staff and community organisers, including workshops, training, joint project proposals and project design activities. Finally, at the national advocacy level, it used the power of its network to engage in forest policy advocacy, promoting the inclusion of a gender dimension in the national forest policy. RMI wrote policy briefs and made official speeches in support of this.

Because of the work of RMI, women have gained recognition that historically has been denied to them at the community level: they can now leave their homes, travel to neighbouring communities and take part in community decision-making processes. They also now know their land rights, owing to the various workshops they have attended.



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