

Women's land rights matter

How EU development cooperation can help close the gender gap in land tenure

This Brief provides EU staff with an overview of the main challenges and opportunities surrounding the promotion of women's land rights. It also summarises the EU's engagement in advocating a more gender-responsive approach, both in political and policy dialogue and in the design, implementation and monitoring of specific land governance projects as well as Food and Nutrition Security and Sustainable Agriculture (FNS&SA) projects with a land component. It complements the guidance note *Because women matter: Designing interventions in food, nutrition and agriculture that allow women to change their lives*¹, published by DEVCO Unit C1: Rural Development, Food Security, Nutrition, in September 2017.

Core messages

1. Secure land rights for women contribute to the realisation of fundamental human rights, improve food and nutrition security, and reduce poverty in rural areas.

Women's equal access to land is vital in guaranteeing the human right to adequate food, shelter, non-discrimination and equality, as well as other fundamental human rights.² Moreover, women's right to land is central to their economic empowerment, as the basis for food production and income generation, as collateral for credit, and as a means of holding savings for the future. Women's control over land extends their capabilities, expands their negotiating power, and enhances their ability to address vulnerability.

2. Discriminatory practices hampering women's full enjoyment of land rights remain widespread: socioeconomic, legal, cultural and behavioural constraints limit women's ability to claim and protect their land rights.

Generally speaking, in rural areas in many low- and middle-income countries, both women and men enjoy informal rights over land (untitled and/or unregistered land), which is mainly managed according to local customs. Women are often considered as 'secondary' rights holders, who broadly depend on their male partners or relatives for the use of the land. Even when women are owners and/or holders of land, they may lack effective power to influence and take decisions on the use of the land because of socioeconomic and cultural discrimination against women's rights in the household and in the community. This leads to insecurity of tenure, which can further jeopardise women's lives in a variety of ways, most notably in terms of food security for them and their children, working conditions, and access to credit for family investments.



Photo: Danilo Barbero, EU Delegation to Angola



3. Global commitment to promoting women's land rights has been recently renewed, in particular through the Sustainable Development Goals: SDG 1 – elimination of poverty; SDG 2 – food security and adequate nutrition; and SDG 5 – gender equality.³ Gender-equal land-related goals can be realised only if a gender-transformative approach to promoting women's land rights is embedded in all FNS&SA projects and/or specific land actions.

Donors and governments are committed to fulfilling women's land rights, but gender-blind/neutral approaches have largely dominated the land rights debate. Actions developed to tackle gender inequality often underestimate the need to address the root causes of discriminatory behaviours and biased perceptions about women's rights and roles. There is growing consensus that a gender-transformative approach to promoting women's land rights is needed, in order to understand which factors determine power imbalances in the ability to claim rights, and how to effectively challenge this discrimination. A gender-transformative approach requires both time and multisector and multilevel engagement to deal with not only the legal (i.e. gender-neutral laws), administrative and socioeconomic constraints limiting women's access to land, but also to challenge pervasive perceptions and practices surrounding the recognition and promotion of women's land rights.

4. The EU is increasingly committed to promoting gender-responsive land actions and has embedded the promotion of women's rights, including equal rights to land, in its Gender Action Plan (GAP II) 2016-2020.

The EU collaborates at a global level to advance the discourse on women's land rights in many fora. In particular, it supports the implementation of the *Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) of Land, Fisheries and Forests in the Context of National Food Security*.⁴

At a national level, the EU seeks to integrate gender equality and women's empowerment in land actions through political and policy dialogue, through the implementation of specific projects, and through its programming activities, which aim to be gender responsive in accordance with the GAP II objectives. The EU particularly encourages the development of projects where the dimensions of inequality in land rights are identified before implementation and are adequately reflected in the intervention logic for the action. This includes identifying sex-disaggregated indicators to measure the realisation of women's land rights, in line with the SDG framework and other global commitments.

Why land rights matter for women

Generally speaking, if women can increase their access to, control over, and management and use of, land, this will have a positive impact on their lives and on the wellbeing of their families and communities. It will also provide a long-term benefit to their country at large.

Secure land rights contribute to the realisation of fundamental human rights.

Women's equal access to land helps guarantee the respect of fundamental human rights, including the rights to adequate food, shelter, non-discrimination and equality; the right not to be evicted; and the right to effective remedy, etc. Moreover, secure land rights can help protect women from violence. Evidence suggests that women's ownership of property, and their participation in land management, are associated with an increased ability to leave violent relationships; secure tenure provides economic security, particularly for vulnerable women, such as those who are widowed, elderly, divorced or affected by HIV/AIDS.⁵

Secure land rights could contribute to increased farm investments and improved agricultural productivity.

It is recognised that more empirical evidence is needed⁶ to measure the positive relation between secure land tenure and agricultural productivity. However, there is a high level of agreement⁷ that having secured rights is a critical factor favouring agricultural productivity, together with other elements that are often strictly linked to the availability of secured land, such as (among others) access to credit, input supplies, technology and extension services.

As women face more constraints than men to have secured land, they have more difficulties than men in making choices over its effective and productive use. Women for example are often constrained in their choice of crop, with men tending to use more productive land for the cultivation of higher-value cash crops.⁸ Moreover, women might have more limited access to labour, lack of knowledge and availability of appropriate technologies, and a heavy workload resulting in time constraints that can further hamper their productivity.

If women can effectively enjoy secure access to land and are given more say over what crops to grow, inputs to use, what to sell, and how to spend or invest revenue, their work could contribute to improved farm investments and agricultural productivity and, eventually, to increased gains from land.

Secure land rights are fundamental to improving food security and nutrition.

Secure land rights can improve household food and nutrition security, as well as family investments. There is evidence⁹ that women with more secure land rights will reallocate family expenditure to better food consumption and other basic needs, for example by contributing to an improvement in the health and nutritional status of their children.

Secure land rights can improve women's voices and participation.

Women in rural areas, especially those living under customary regimes, are often dependent on male decisions (see next section). They may lack the right to vote or to participate in community decisions because they are not considered qualified

community members.¹⁰ Even in communities that do include women in common decision-making, women's right to vote can be undermined by procedural rules, such as those allowing only one vote per family (thus automatically going to the household head). Removing barriers to participation and strengthening women's voices is fundamental to helping them defend their rights, both within communities and also when external factors/actors challenge community lands.

Among these external factors, the phenomenon of (large-scale) land acquisition (*land grabbing*) by non-community actors – either domestic or international – claiming land for commercial purposes represents a particularly critical challenge for women, who struggle to have their rights recognised. Although the impact varies from one context to another, it is broadly agreed that women are more likely to be negatively affected than men by this phenomenon because they are generally vulnerable as a group.¹¹ In these circumstances, women are often excluded from consultations and negotiations regarding land deals. Moreover, in cases where community land is redistributed following the concession of a part of it, women are more likely than men to be excluded from this redistribution or to be given the less productive parcels of land.

If women can enjoy a more secure right to land, they can improve their ability to exercise both 'voice' and 'choice' in decisions that affect the use and control of their own land and/or community land. Meaningful participation must, however, go beyond women's simple presence at meetings: meaningful participation includes women having both the space and knowledge to speak safely and the confidence and capacity to defend their rights. The more women are informed of their rights, the more they are able to participate.

Challenges to achieving women's land rights

It is difficult to generalise about gender inequalities in land rights. They vary from one context to another, depending on how laws address the issue of gender equality, on the local customs and norms, and on women's and men's attitudes towards the recognition of women's land rights. Moreover, there is very little sex-disaggregated data on land ownership and on women's land tenure security to help understand different dynamics. Commonly cited global statistics can be misleading. For example, when using the conventional notion of land ownership (i.e. a formal documented title over property) it is often claimed that women own only between 1 and 2 % of the world's land; however, in reality, men also own only a very small fraction.¹²

The challenge, therefore, is to define a relevant notion of land ownership and security of tenure that captures the diverse dimensions of gender inequality depending on the context where women's land rights are claimed.

Different perceptions of land ownership

In many low- and middle-income countries, particularly in sub-Saharan Africa, diverse land tenure arrangements coexist (legal pluralism) and follow statutory, customary and/or communal rules.¹³ Based on these diverse tenure arrangements, the way in which people perceive and exercise ownership might change.

Under statutory frameworks, a *landowner* is an individual who owns land solely or jointly with someone inside or outside the household. This ownership can be documented (as a formal title) but also perceived, i.e. by being claimed and used over time by the same individual and legitimised as ownership by other members at the household and/or community level.¹⁴ Across the world, and especially in sub-Saharan Africa, new and/or reformed land laws now recognise this perceived form of ownership.

Perceived ownership is commonly claimed in rural areas where customary law prevails. Indeed, according to custom, land is generally a community asset that is managed informally and mainly untitled or unregistered. However, even under customary regimes, individual rights to land can be granted. Ownership is often recognised for a male household head and/or a traditional chief, who then grants use rights and/or control rights to other community members.

In many contexts, a key part of the picture may thus be missed if only individual ownership is considered when analysing women's land rights. Land can also be owned jointly by men and women. It is estimated that between 2 % and 48 % of household agricultural land worldwide is jointly owned. However, it should not be assumed that joint ownership provides equal rights: men often have more rights over land than their wives, and they make the most important decisions over the joint asset.

Management rights do matter for women

A person can be a *land manager/land holder*¹⁵ without being a landowner. The opposite is also true: a landowner can delegate management rights to another individual. It is important to consider this distinction because data on land ownership often only measures documented land titles (individual ownership) and fails to assess who has effective control over the land.

This complex scenario suggests that, in order to assess the gender dimensions to land rights, it is essential to go beyond the conventional notion of ownership and to take account of the extent to which women can exercise effective management/control rights (i.e. taking agricultural decisions) over their land and/or their family holding.

Women play an important role in subsistence farming and in maintaining family food security, as well as engaging in production for the market. However, women's management roles are often not recognised by their husbands, who might have the power to decide important agricultural issues, even when women are perceived to be the landowner or have formal titles and/or joint titling with men. In particular, when it comes to agricultural land, current statistics¹⁶ show that women land holders/managers generally have smaller plots, of lower quality, and with less secure rights.

Women face cultural, legal and socioeconomic barriers to exercising their control rights over land, which are rooted in persisting discrimination against their land rights. These barriers are briefly summarised in the following section.

Legal recognition of land rights versus local realities

International legal instruments, such as the *Universal Declaration of Human Rights*, the *International Covenant on Economic, Social and Cultural Rights*, the *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*¹⁷ and the *United Nations Declaration on the Rights of Indigenous Peoples*, among others, form a solid, binding foundation from which to tackle gender inequalities and promote women's land rights.¹⁸ According to these instruments, states are obliged to *respect, protect and fulfil* several human rights, such as rights to food, housing, water and property¹⁹, which are intrinsically linked to the enjoyment of the right to land.



Photo: Danilo Barbero, EU Delegation to Angola

Since the 1980s, several countries have formulated and/or reformed their legal frameworks in order to make them more gender sensitive. Some countries have approved land laws that incorporate *gender-neutral language*, which is language that does not favour either men or women. Other laws are more specific (*gender-equal frameworks*²⁰) and explicitly recognise women's rights to property, as well as prohibiting discrimination based on gender.²¹ For example, Kenya's new Constitution, adopted in 2010, and Tanzania's Village Land Act of 1999 both promote equal rights for women with regard to land ownership, access and use. These legal advancements, however, have not always translated into improvements in women's land rights, due to the three key reasons described below.

The coexistence of different tenure regimes

The recognition of diverse land tenure arrangements in many reformed laws allows for statutory, customary and/or communal rules to be used to allocate land and resolve land disputes. Some countries in Africa (e.g. Uganda and Sierra Leone) recognise diverse tenure types, including individual property rights, customary tenure and public lands. Other countries (e.g. Ethiopia, Nigeria and Tanzania) vest land ownership in the state and grant individuals only user rights.²² On the one hand, such flexibility guarantees context-specific solutions to land claims. On the other hand, it might make things challenging for women, particularly when land laws are gender neutral, as provisions might be interpreted in a way that disadvantages women, especially if applied in patriarchal communities (see Box 1).

Box 1: The challenges of translating land laws into practice²³

In Kyrgyzstan and Tajikistan, national laws recognise women's rights to land, housing and property. Islamic principles, which stipulate women's rights to land and property, when enforced, provide some degree of tenure security for women. However, customary law and traditional patriarchal approaches often prevail. Increasing numbers of rural marriages are not formally registered, and so do not fall under the protection of the formal law, while Muslim law offers no legal protection because there are no tools for enforcing it. Women, therefore, cannot claim any property in cases of divorce or when their husbands die or abandon them.

Discriminatory family laws

Even when land laws are gender equal, a country's other laws, such as those relating to marriage, inheritance or divorce, may still contain discriminatory provisions against women's rights to property that directly contradict the concept of equal land rights. It is essential to take the norms contained in these different frameworks into account when reforming land tenure regimes. For this reason land and family codes in particular should be reformed together. In Rwanda, for example, land law reform followed reforms to inheritance and matrimonial property codes and resulted in some successful gender outcomes, such as more women participating in land committees and registering their land.²⁴

Sociocultural barriers to implementing gender-sensitive legal frameworks

Whether or not land laws are gender neutral or gender equal, implementation of these laws, especially in rural areas, often remains a challenge. Reasons for this include conflicting legislation, institutional weakness and a lack of knowledge and resources to administer land. However, the major constraint lies in the conflict between some statutory norms on the one hand, and customary and/or community practices on the other (see Box 2).

As mentioned above, women face discrimination over access, use and control of land under both statutory and customary legal frameworks. In many rural areas where customary practices prevail, women can face even deeper levels of discrimination and find it harder to exit their status of 'secondary' rights holders. Cultural biases in communities mean that, while customary practices may protect women from displacement, they may also perpetuate gender inequalities that prevent women from enjoying their full rights to land as defined in any statutory framework.

Box 2: Good practices for dealing with inheritance issues

The Kenyan Succession Act (1981) stipulates that women may inherit property from their deceased husbands. Despite this, under customary systems, young widows frequently experience property grabbing when they do not have adult sons to defend them. In recent years, community elders have reacted against this discriminatory practice, arguing that community law can/must protect women from eviction. Consequently, the National Commission for Human Rights programme provided the space for widows to inform elders about their experiences of being chased from their lands. The elders had to develop innovative means of resolving this dilemma. In many cases, they began to defend the widows and ensure, for example, that they received a life interest in their deceased husbands' land.²⁵

So, taking important differences into account²⁶, within customary systems women's access to and control over land is often determined by their relationship to their father, or their husband, or their son. Divorced, young and/or single women, as well as less educated women, are often more disadvantaged than married women, who may enjoy joint access to land through marriage. In patrilineal societies, where land is generally handed down from father to son, when a woman's husband dies, his family or the community may take over the land. Even in some matrilineal societies, such as those in Malaysia or Lao PDR, where land is passed from mother to daughter, husbands tend to take over registration of the land and women enjoy only limited participation in decisions around it.²⁷

Women's limited bargaining power over land may also be caused by their own perceptions of their tenure security. Some women might not claim their rights because they prefer the long-term

social support from brothers or other family members rather than the security of an asset that may not provide long-term economic security.²⁸ Women's low education and literacy levels may also exacerbate the situation because women are often unaware of their rights or lack adequate access to justice systems through which they can claim these rights.

How the EU promotes women's land rights

The EU is globally engaged in realising the Sustainable Development Goals, including the land-related SDGs: SDG 1 (ending poverty), SDG 2 (zero hunger) and SDG 5 (gender equality). Furthermore, the European Consensus on Development underlines the promotion of women's rights and the empowerment of women and girls and their protection as a priority across all areas of action.

Building on this global commitment, the EU has identified the promotion of gender equality in access to, and control of, productive resources, including land, as an objective in its Gender Action Plan (GAP II). The GAP II specifically defines support for transformative legislation on ownership, inheritance and control of land as a critical objective in achieving women's empowerment (Objective 15).

The EU contributes to the achievement of gender equality in women's land rights through project support and at the level of policy dialogue in national and international arenas.

In terms of projects, the EU supports the recognition of women's land rights, mainly by:

- promoting gender-balanced land legislation (e.g. in Malawi);
- enhancing women's participation in land decision-making processes (e.g. in Honduras);
- improving women's access to legal services when their claims are not respected (e.g. Zambia);
- directly supporting the registration of their rights (e.g. Angola²⁹, Namibia and Colombia);
- increasing rural women's voices, reinforcing women's organisations and holding governments accountable for their commitments on women's land rights (e.g. Malawi, Cameroon, Togo, Kenya, Mozambique, South Africa, Ethiopia and Tunisia).

In terms of policy dialogue at a global level, the EU is strongly committed to advancing the discussion of women's land rights in many fora, and particularly through its support for the implementation of the *Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) of Land, Fisheries and Forests in the Context of National Food Security*.³⁰ These guidelines push for gender-equal interventions³¹ in all aspects of land governance, from administrative issues to national dialogue for land reforms.

The EU is also engaged in dialogue and land initiatives related to the promotion of women's land rights through its joint work with the Global Donor Working Group on Land. The Working Group supports activities to monitor progress with the land-related SDGs at country level, especially for SDG 1 and SDG 5.³²

At a national level, the EU can sponsor the promotion of women's land rights through, for example, its engagement in multi-donor coordination work on FNS&SA and/or land governance actions, or

by organising events/conferences on the topic. More specifically, the EU can contribute to the 'land debate', including the issue of improving women's land rights, through its participation in the work of national multi-stakeholder platforms³³, where state institutions and civil society organisations gather to discuss land law reforms and/or their implementation.

The integration of global commitments into programme formulation at a country level is fundamental to ensuring that projects align as much as possible with the overarching global goals and assure the effectiveness of land interventions. Likewise, in-country experiences of policy dialogue can feed the global debate, in which the EU takes part, and contribute to transforming women's rights in terms of use, access, control and management of land.

A gender-transformative approach to improving women's land rights

A transformative approach to the promotion of women's land rights tackles gender power imbalances and aims to change attitudes and beliefs about women's enjoyment of land rights. Such an approach seeks not only to improve women's short-term access to resources, including land, but also to guarantee their equal rights, increasing their voice in decision making at all levels.³⁴ A transformative approach requires time because it implies dealing with the root causes of gender discrimination, addressing the legal, administrative and economic dimensions, and also the perceptions and practices around the recognition and promotion of women's land rights.

The first step in addressing these imbalances is to carry out a **gender analysis**, i.e. to analyse the root causes of the inequalities that limit women's land rights at the household and community level (see Box 3).

The second step is to identify objectives that contribute to tackling these barriers through transformative action, taking account of the guiding principles of the GAP II, international codes of conduct such as the VGGT, and the SDG framework. This includes promoting activities in support of:

- the *recognition* of women's land rights, such as law reform and land registration;
- the *protection* of women's land rights, such as access to justice;
- the *enjoyment of these rights over time* through changes in community practices, beliefs and attitudes, and through improving women's representation, participation and voice in land governance.



Photo: Eulogio Montijano, EU Delegation to Cameroon

Box 3. Areas of investigation for a gender analysis of land-related FNS&SA interventions*

- **Legal aspects:** land laws, family laws, property laws, laws on domestic violence, etc.
- **Cultural practices and norms:** patriarchal/matriarchal societies, the role of traditional authorities, the level of informality and the types of rights granted, decision-making structures (committees, customary land dispute resolution mechanisms, etc.).
- **Personal and socioeconomic conditions:** education (including knowledge of personal rights), health and status, women's and family welfare (food consumption, family living conditions, etc.), access to inputs and financial resources.
- **Political participation and institutional/administrative involvement:** ability of (and spaces for) women to raise a political voice to influence land law reforms/policies, political representation, engagement and/or work in land governance structures and/or initiatives.
- **Behavioural attitudes (perceptions):** women's perceptions of their own roles (including the role of women in the household), men's perceptions of women's roles.

* More details on how to conduct a gender analysis and how to define appropriate indicators can be found in the Guidance Note 'Because women matter: Designing interventions in food, nutrition and agriculture that allow women to change their lives'.³⁴

Some examples of gender and land tools and further reading

FAO

- Gender and Land Rights Database <https://bit.ly/2rAlqsl>
- Tracking progress of land-related SDGs under FAO custodianship (indicators 5.a.2 and 5.a.1) <https://bit.ly/2guNb2x>

Land portal

- Tracking progress of land-related SDGs (indicators 1.4.2 and 5.a.1 and 5.a.2) <https://bit.ly/2rFU3x5>

International Land Coalition (ILC)

- Women's land rights toolkit <https://bit.ly/2KVL3f8>
- Gender Evaluation Criteria <https://bit.ly/2KeTQrn>
- Database of good practices <https://bit.ly/2lwc0aY>

Global Land Tool Network

- Gendering Land Tools <https://bit.ly/2rzVLPC>

LANDESA

- Women land tenure framework <https://bit.ly/2KVjliv>

CEDAW

- Using CEDAW to secure Women's Land and Property Rights: A Practical Guide <https://bit.ly/1gJDR3v>

Endnotes

- ¹ *Because women matter: Designing interventions in food, nutrition and agriculture that allow women to change their lives.* Available at: <https://bit.ly/2KTuTTB>
- ² For more details about the link between human rights and women's land rights, consult UN Women and OHCHR (2013) *Realizing Women's Rights to Land and other Productive Resources*.
- ³ The land-related SDGs 1, 2 and 5 have specific targets and indicators on the security of tenure and the property of land rights. Details of these land-related SDGs and regular updates on progress with their implementation are available on the Land Portal website: <https://bit.ly/2rzroJ2>
- ⁴ *Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) of Land, Fisheries and Forests in the Context of National Food Security* (2012). In October 2017 the European Commission and FAO jointly organised a thematic workshop and a High-level Event to mark the 5th anniversary of the VGGT. The outcome document and material of all thematic sections are available at: <https://bit.ly/2rzovYE>
- ⁵ UN Women and OHCHR (2013), op. cit., pp. 57-58.
- ⁶ Doss, Cheryl R. (2017) Women and agricultural productivity: Reframing the Issues, *Development Policy Review*, 36, 1, (35-50); Meinzen-Dick, R., Quisumbing, A., Doss, C. & Theis, S. (2017) Women's Land Rights as a Pathway to Poverty Reduction. A Framework and Review of Available Evidence. IFPRI Discussion Paper 01663.
- ⁷ Doss, Cheryl; Kovarik, Chiara; Peterman, Amber; Quisumbing, Agnes R. and van den Bold, Mara (2013) Gender inequalities in ownership and control of land in Africa: Myths versus reality. IFPRI Discussion Paper 1308. Washington, D.C.: International Food Policy Research Institute: <https://bit.ly/2rwb8IK>; Meinzen-Dick, R. et al (2017), op. cit.
- ⁸ IDLO's report (2017) *Women, Food, Land: Exploring Rule of Law Linkages* looks at the challenges that affect women's food security and land rights: <https://bit.ly/2GrgWwQ> IDLO, Rome. p.15.
- ⁹ Meinzen-Dick, R. et al (2017), op. cit; IDLO (2017), op. cit.
- ¹⁰ Giovarelli, R. & Scalise, E. (2016) *Global Scaling up of women's land rights*. Resource Equity, p. 20.
- ¹¹ ILC, CIRAD, MOKORO (2011) *Gendered impacts of commercial pressures on land*, p.10.
- ¹² Doss, C., Meinzen-Dick, R., Quisumbing, A. & Theis, S. (2017) *Women in agriculture: Four myths, Global Food Security*.
- ¹³ FAO (2013) *Governance of tenure: Technical Guide on governing land for women and men, 1st technical guide on the application of the VGGT*, p. 13
- ¹⁴ Paula de la O Campos, A., Warring, N., Brunelli, C., Doss, C. & Kieran, C. (2015) *Gender and Land Statistics: Recent developments in FAO's Gender and Land Rights Database*. FAO/PIM Technical Note, FAO & IFPRI, pp. 4, 8. For more details on the concept of landowner and land holder/manager see also the document describing the methodology to measure the indicator 5.a.1 of the SDG 5, 'SDG INDICATOR 5.a.1: recommended questions'.
- ¹⁵ Paula de la O Campos et al (2015), op. cit., p. 4.
- ¹⁶ FAO (2017) *Towards more accurate land statistics: the Gender and Land Rights Database*.
- ¹⁷ More details on CEDAW Optional Protocol and Women's Land Rights are available at <https://bit.ly/1PwNemG>. Further information can be also found on the website of the Commission on the Status of Women 62 (2018), Interactive expert panel on priority theme: *Challenges and opportunities in achieving gender equality and the empowerment of rural women and girls*; CEDAW and the Role of Rural Women's Land Rights.
- ¹⁸ More details on international and regional legal and policy instruments recognising human rights which are strictly linked to the right to land are available on the OHCHR website 'Women and Land, Property and Housing'. See also UN Women and OHCHR (2013), op. cit.
- ¹⁹ OHCHR and UN Women (2013), op. cit. p. 3.
- ²⁰ World Bank, FAO & IFAD (2008) *Gender Issues in Land Policy and Administration*. Gender in Agriculture Sourcebook, p. 126.
- ²¹ The FAO Gender and Land Rights Database (GLRD) provides statistics on land holding and land ownership by women taking into account perceived ownership under customary norms as well as ownership rights recognised by law. Based on the data for 161 countries, only in 37 % of those countries do women and men have equal rights to own, use and control land. In 59 % of those countries, while the law guarantees women and men the same rights, customary and religious practices often discriminate against women and undermine the full implementation of national legal codes. In the remaining 4 % of those countries, women explicitly have no legal right to own, use or control land. More information at <https://bit.ly/2rAlqsl>
- ²² Slavchevska, V. et al (2016) *Beyond Ownership: Tracking Progress on Women's Land Rights in Sub-Saharan Africa*. FAO and CGIAR, Global Strategy Working Paper n. 15, p.3. See also FAO infographic on this analysis.
- ²³ FAO (2013), op. cit., p. 29.
- ²⁴ *ibid.*
- ²⁵ FAO (2013), op. cit., p. 31.
- ²⁶ Giovarelli, R., Richardson, A. & Scalise, E. (2016) *Gender & Collectively Held Land Good Practices & Lessons Learned From Six Global Case Studies*. LANDESA and Resource Equity.
- ²⁷ FAO (2013), op. cit., p. 90.
- ²⁸ World Bank, FAO & IFAD (2008), op. cit., p. 130.
- ²⁹ <https://bit.ly/2jQMjUb>
- ³⁰ *Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) of Land, Fisheries and Forests in the Context of National Food Security* (2012), op. cit.
- ³¹ Gender equality is part of the 10 principles of implementation of the guidelines, which are human dignity, non-discrimination, equity and justice, gender equality, holistic and sustainable approaches, consultation and participation, rule of law, transparency, accountability, and continuous improvement. The founding principles are: the recognition and respect of all legitimate tenure rights and of the people who hold them, the safeguard of legitimate tenure rights against threats, the promotion and facilitation of the enjoyment of legitimate tenure rights, the provision of access to justice when tenure rights are infringed upon, and the prevention of tenure disputes, violent conflicts and opportunities for corruption.
- ³² A methodology currently exists to measure the advancement of land-related SDGs. In particular, indicator 1.4.2 has a specific methodology which is under custodianship of the UN Habitat and the World Bank. Data collection on this indicator has been elaborated in 73 countries and a first report is available. More information at <https://bit.ly/2rFU3x5>
Indicator 5a.1, which is under the custodianship of FAO, has also a specific methodology (see <https://bit.ly/2rBlqbi>) with recommended questions (<https://bit.ly/2wu4RTO>) to measure progress on its achievement. FAO is coordinating with the World Bank and UN Habitat to ensure harmonization of the methodology with SDG indicator 1.4.2. (<https://bit.ly/2z6GTO8>). Indicator 5.a.2 is not directly measurable but proxies (<https://bit.ly/2lzQp1h>) to measure progress on its realisation have been identified and a guide has been produced (<https://bit.ly/2ltH4YT>) using the FAO's Legal Assessment Tool (<https://bit.ly/2jPMgsc>) for gender-equitable land tenure.
- ³³ The EU contributes to supporting the work of national multi-stakeholder platforms, for example, the International Land Coalition National Engagement Strategies (<https://bit.ly/2l7bmrH>).
- ³⁴ *Because women matter*, op. cit., p.3. More details on the Gender Transformative Approach applied to FNS&SA projects and programme is provided particularly in section 2 of the document.

The contents of this publication do not necessarily represent the official position or opinion of the European Commission. Neither the European Commission nor any person acting on behalf of the Commission is responsible for the use that might be made of information in this publication.

Directorate General International Cooperation and Development – EuropeAid, Rue de la Loi 41, B-1049 Brussels; email: europaaid-info@ec.europa.eu

Published by Directorate General International Cooperation and Development – EuropeAid, Directorate Sustainable Growth and Development.
For further information: <http://ec.europa.eu/europaaid/>