



## A GOOD PRACTICES BRIEF

This Brief No. I highlights practical approaches used to increase women's access to land from a range of projects.



The Government of Japan

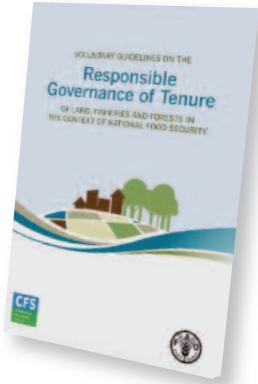


Food and Agriculture  
Organization of the  
United Nations

# The Voluntary Guidelines and the World Bank: Increasing Women's Access to Land, Approaches that Work

In 2012, in an effort to guide governments on land issues, the Committee on World Food Security endorsed the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (the Guidelines). Coordinated by the UN Food and Agriculture Organization (FAO), this country-driven initiative, is based on the principles of sustainable development and the recognition of land's centrality to development. The guidelines contribute to global and national efforts to eradicate hunger and poverty by promoting secure tenure rights and equitable access to land, fisheries and forests. They promote ten core principles for implementation, one of which is gender equity. A practical guide on how to implement gender equitable land policies frames the issue using five themes, which are:

- i) Policy Making, and participation in key processes;
- ii) Legal issues, and translating policy into law;
- iii) Land Tenure Governance, and strategies to ensure women are part of the day-to-day processes of land governance at all levels;
- iv) Technical Issues, and how administration activities include women's needs, interests and concerns as well as the participation of women as target groups and clients; and,
- v) Communication Strategies, including gender sensitization, awareness raising, advocacy, legal literacy, and long term change in values and attitudes.



The Guidelines are therefore a useful entry point to talk about land and gender issues. The technical guidelines on land and gender offer neutral suggestions on how gender can be incorporated into land projects, and present the following **recommendations**:

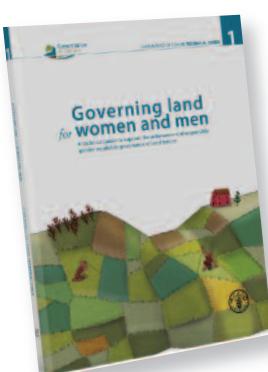
- Understand the local tenure system (customs)
- Check gender equity limitations laws, policies and regulations
- Target women as project beneficiaries
- Install a gender-sensitive monitoring system, including gender indicators, from the outset.
- Hire a gender adviser to work with the implementation team
- Conduct gender awareness training for women and men, project staff and officials in land administration
- Conduct comprehensive public outreach campaigns and education work
- Install gender-sensitive evaluation systems and collect best practices and gender disaggregated data to track long-term impacts on gender equality.

The brochure was prepared by a World Bank team with support from the Government of Japan, as part of a broader initiative to disseminate the Voluntary Guidelines in collaboration with the FAO.

This brief highlights practical approaches that respond to these themes and recommendations to increase women's access to land from a range of projects. This analysis shows that mainstreaming gender into land programs can be achieved—the case studies here predominantly utilize common sense and well-tested solutions. Success also requires the right mixture of client demand, funding and dedicated expertise. Although efforts to secure women's land rights include the passage of gender-equal laws, this is just a first step to realizing equality on the ground. Customary practice, and related procedures and norms associated with access to credit, taxation, inheritance, marriage and divorce also impact women's access to land. This means that a mix of methods must be used, a variety of partnerships forged, and the impact of customary rights—which may also protect women—be fully understood. Finally, rather than the end result, land ownership is merely the beginning. Poverty reduction and economic empowerment require that women can access complimentary assets to ensure that land can be managed sustainably and productively.

## Lessons Learned from Gender in Land Projects

- **Business as usual means men benefit more** than women from projects: women should therefore be given preferential treatment to just get to equal;
- **Gender cannot be an afterthought** but should be built into the project design and key interventions;
- **Adequate funding and staff resources** are essential to make the most of gender interventions;
- **Gender Champions:** The presence of a gender specialist usually determines the translation of good intentions into actions on the ground. As long as someone (be they from government, a local NGO or project staff) owns these activities, they will become a reality;
- **Legal rights are not sufficient** to increase women's access to land. Lack of awareness and socio-cultural biases can be pervasive among beneficiaries and program officials. Gender-sensitive training in the applicable legislation, as well as targets for joint titles is therefore essential;
- **Communication is key:** Extending the reach of clear and accurate information through various channels targeted for various audiences reduces potential conflict and promotes participation among beneficiaries;
- **Gender Sensitization** may need to be integrated into the communication, awareness-raising, and advocacy efforts because deeply held attitudes about gender and land can be difficult to change. Effective gender sensitization must target both women and men, across ages, religions, ethnicities, social status, etc., and should include gender sensitization and training of government officials and land sector administrators and technicians;
- **Intent is just as important as money,** the WDR 2012 on gender equality and development showed that low income countries can even do more than middle income countries to achieve gender equality if they so desire;
- **Innovative approaches applied to land records and geo-spatial information** can increase the availability of gender-relevant data at regional, national, local level in a very short period of time and with a low cost, showing the areas with a persistent gap and providing the possibility to define and measure the results of actions taken;
- **Raising public awareness is critical:** gender issues came to the fore due to political, not economic arguments. Continued dialogue and advocacy is needed to respond to the increased demand from countries to address gender issues.



## Case Study #1

### Aceh Post-Disaster Community Driven Land Titling Guidelines: Gender Themes IV, V

The Reconstruction of Aceh Land Administration System (RALAS) took place in the aftermath of the 2004 tsunami and focused on recovering and protecting land ownership rights in the affected area. It focused on rebuilding the land administration system and promoting women's rights by introducing the option of jointly registering land. Before the project less than 4 percent of joint titles had been issued, reflecting the registration practices of married couples whereby land is registered under the husband's name. Certain obstacles were experienced regarding women's participation in the titling process:

- a. Women were insufficiently represented in field teams
- b. Time and place of meetings were often inconvenient to women caring for family members
- c. Presentations were not made in the local language
- d. There were no women-only meetings.



Under RALAS, in conjunction with the Sharia courts, a manual provided guidance on inheritance and guardianship procedures and introduced safeguards against the dispossession risks usually faced by widows and children. A list of practical solutions was drawn up and promoted, which included:

- Make Shariah courts more accessible to women, through the gender-sensitization of court officials;
- Disseminate information about the courts, and encourage the interpretation of Islamic law by women judges;
- Raise government targets for land registration and titling functions for women;
- Step up efforts to recruit and train women staff, both in the field and in the central office.

With the project's support, women benefited from the land titling process. Overall, almost 30 percent of the titles were distributed to women or joint owners (by 2008 the percentage was 45 percent).

## Case Study #2

### Philippines Land Administration and Management Project Guidelines: Gender Themes I, II, III

This project aimed to help women get their names on land titles, especially for properties acquired during the marriage. The government designed a new law that removed gender bias in the acceptance and processing of land titles. Specifically, the adoption of "and/or" between the names of the spouses was introduced in the title registration forms. In addition, a new land administration and management system was developed (LAMS), and pilot-tested in three provinces. During the pilot, women were encouraged



to participate in land meetings and mobilization activities, all of which were guided by the adoption of a Gender Mainstreaming Guidebook that provided specific strategies to ensure gender-sensitive mechanisms and activities in project implementation, including the collection of gender disaggregated data of land titling applicants and beneficiaries.

According to sex-disaggregated data (2006–11) on the number of beneficiaries who had their lands titled under the LAMP2, 52 percent of land title holders were men and 48 percent women. Women's participation in LAMP-LIL meetings and mobilization activities was reported at 50–80 percent.

### Case Study #3

#### The Western Balkans Initiative The Guidelines: Gender Themes I, IV



This World Bank-FAO initiative addresses the challenges to increasing female land ownership in the Western Balkans<sup>1</sup>. Although sound legal frameworks protecting women's rights to own property are in place throughout the region, longstanding customs and traditions continue to favor male property ownership. The initiative has helped participating countries to establish multi-stakeholder gender teams consisting of land administration specialists, government policy makers, gender officers, local NGOs, private sector (lawyers/notaries) to support the process of improvement of gender equality and social inclusion in property rights. The experience shows that even though the Government institutions are generating inordinate amounts of data, these are not used to inform policy making because the institutions involved lack capacity and manpower to properly process and link them between subsectors over time.

The gender teams identified the reform areas, target groups, stakeholders and their level of influence, and developed action plans. Gender-disaggregated data on land ownership were produced for each country, indicating low levels of female ownership, demonstrating that producing disaggregated data does not have to be costly or time consuming, but can be instrumental in promoting and advocating gender issues with policy makers.

Armed with their new data, country gender teams have been working to reverse the trend in pilot communities, and as a result in: **Albania**, the UN Women office funded the translation of the VGGT and the Technical Guide “Governing Land for Women and Men”; **Bosnia and Herzegovina**, the team increased the number of property records containing gender information in the pilot municipality by 30%; **Macedonia**, the team conducted a survey on women's land and property ownership in collaboration with three pilot municipalities; **Montenegro**, the team conducted training with land administration officers on the need to register real property rights under the name of women and men; **Kosovo**, the team introduced a pilot campaign to exempt the service charge in case properties were jointly registered under couples' names and established legal aid services to women in rural areas including war widows, Roma and others; and **Serbia**, the team incorporated a wide range of activities that facilitate women and other vulnerable groups to register their land.

<sup>1</sup> Albania, Bosnia and Herzegovina (Federation), Bosnia and Herzegovina (Republika Srpska), Kosovo, Macedonia FYR, Montenegro, and Serbia.

## Case Study #4

### Legal Aids in Kosovo

#### Guidelines: Gender Themes IV



In Kosovo, national levels of female property ownership are around 15 percent, despite a law that requires joint property ownership. To address this issue, a pilot project was developed that benefited from the systematic registration work funded by a large World Bank loan. Legal aid providers delivered face-to-face advice on the advantages of compliance with national law and joint property titling for men and women. The quantitative results of this intervention were recorded using a randomized control trial (RCT), which ultimately showed limited impact of the deployment of legal aid providers on the likelihood of households to register female members.

The qualitative data, collected through a series of focus groups with the legal aid providers, showed a more nuanced picture—that gender is a very sensitive issue in Kosovo, and requires an incremental and several-pronged approach. Firstly, the legal aid providers believed that the major obstacle for titling either men or women was the fact that land title certificates could only be purchased for a fee at the local land office, rather than awarded at the moment of field survey. Therefore most households had not obtained a land title certificate at all. Secondly, the legal aid providers believed that other incentives were needed to encourage women and men to register property jointly including economic incentives (such as discount vouchers), a communications campaign led by respected members of the community, and a robust conflict resolution mechanism to help women who feared retaliation should they insist on their property rights.

## Case Study #5

### Making Land Rights Count for Women in Honduras

#### Guidelines: Gender Themes I, II, III, IV, V



The unequal distribution of land ownership in Honduras holds back growth, poverty reduction and competitiveness in the crucial export and rural sectors of the economy. Only 30 percent of the country's estimated 2.6 million land parcels are registered, and, although Honduras introduced joint titling in the early 1990s, only 12.8% of women have their name on the title. Women are either unaware of their rights, or have difficulty claiming them due to a lack of institutional support or traditional household dynamics.

The Honduras Land Administration Program (PATH) is an effort by the Government of Honduras, initiated in 2003, to formalize property rights, foster a dynamic land market, increase land-related investments and reduce social instability resulting from land disputes. The program targets urban and rural areas, and areas critical to agricultural productivity. Now in its

second phase, PATH uses a two-pronged approach to increase women's land ownership: strengthening the legal framework, and developing project-level instruments to facilitate awareness and implementation of these rights. Among the tools used were: 1) a gender audit, to understand the constraints women face, identify barriers to access and develop solutions; 2) training and awareness raising among local authorities, project staff, community leaders and other involved organizations; 3) a social communications strategy that took into account the different needs of men and women in communicating about land rights and titling; and 4) monitoring through indicators developed to capture the gender differentiated impacts of the project and to capture data on joint ownership.

## Case Study #6

### Ethiopia Transforms Land Rights for Women Guidelines: Gender Themes I, II

The World Bank and other international organizations have supported efforts to boost agricultural productivity and livelihoods through fertilizer, other farming inputs and cash-for-work programs in Ethiopia. But the key to reviving agriculture in the region may be a land certification effort that has reassured farmers their land won't be taken from them without compensation, as has happened in the past.

A 2008 study funded by the GAP found that Ethiopia's large-scale land certification effort—covering 6.3 million households—reduced conflicts, encouraged farmers to plant trees and use their land sustainably, and improved women's economic and social status. It did so by means that at times were simple, but highly effective, such as adding an extra line and photo slot to the land certificate itself, allowing for women to add their name and photo to the title.



The first phase of the government's program which issued booklets to land holders, was rapid, cheap, and unbiased, and aided by democratically elected land use committees at the local level. Now, the second phase of land certification will involve mapping land holdings using satellite technology.

## Useful Links

- I. Voluntary Guidelines: <http://www.fao.org/nr/tenure/voluntary-guidelines/it/>
- VG Technical Guide: Governing Land for Women and Men: <http://www.fao.org/docrep/017/i3114e/i3114e.pdf>
- FAO-World Bank documentary video "Understanding customs and peoples' lives Land and gender in the Western Balkans" has been produced and could be accessed here: <http://www.fao.org/nr/tenure/whats-new/september-2014-newsletter/it/>
- FAO-World Bank Leaflet: Land and Gender. Improving Data Availability and Use in the Western Balkans: [http://www.fao.org/fileadmin/user\\_upload/nr/land\\_tenure/E\\_LandAndGender\\_Leaflet\\_Web.pdf](http://www.fao.org/fileadmin/user_upload/nr/land_tenure/E_LandAndGender_Leaflet_Web.pdf)
- Toolkit for Integrating Gender-Related Issues in Land Policy and Administration Projects: [http://siteresources.worldbank.org/EXTGENAGRLIVSOUBOOK/Resources/GiA\\_toolkit\\_v4.pdf](http://siteresources.worldbank.org/EXTGENAGRLIVSOUBOOK/Resources/GiA_toolkit_v4.pdf)
- The Sourcebook, Gender Issues in Land Policy and Administration, Overview: <http://siteresources.worldbank.org/INTGENAGRLIVSOUBOOK/Resources/Module4.pdf>
- Gender Issues in Monitoring and Evaluation Toolkit: <http://www.genderinag.org/sites/genderinag.org/files/Gender%20Issues%20in%20Monitoring%20and%20Evaluation%20in%20Agriculture.pdf>
- The Global Donor Platform on Rural Development: <http://www.donorplatform.org/gender-equity-and-youth>

**Table 1: What Do We Mean by Gender Mainstreaming?**

<b>Activity Type</b>	<b>Examples</b>
<b>Additional Funds</b>	<ul style="list-style-type: none"> <li>■ Assign a set percentage of project funds for gender mainstreaming</li> <li>■ Receive funds from other donors to fund gender-specific activities</li> <li>■ Special allotment of funds to women-run projects/activities</li> </ul>
<b>Context Specific</b>	<ul style="list-style-type: none"> <li>■ Keep training close to the home, provide bicycles</li> <li>■ Provide day care during training</li> <li>■ Recruit women trainers in the required technical field</li> </ul>
<b>Expertise/Partnerships</b>	<ul style="list-style-type: none"> <li>■ Recruit Gender experts to assist the project teams: from government, NGOs, international organizations or legal institutions</li> <li>■ Recruit Gender experts to work in the project unit</li> </ul>
<b>Laws and Policies</b>	<ul style="list-style-type: none"> <li>■ Support the development of gender-sensitive policies or the improvement of gender-biased policies</li> <li>■ Change titling documents to make space for a women's name</li> <li>■ Seek compliance with existing laws that address gender</li> <li>■ Create extra incentives for compliance with gender-specific policies such as vouchers</li> <li>■ Educate women on their legal rights using legal aid</li> </ul>
<b>Capacity Building</b>	<ul style="list-style-type: none"> <li>■ Create gender units in ministries and project teams</li> <li>■ Train government and project staff on gender issues/gender tools</li> <li>■ Develop a gender strategy for a country, ministry, or theme</li> <li>■ Establish a gender working group encompassing key players</li> </ul>
<b>M&amp;E and Knowledge</b>	<ul style="list-style-type: none"> <li>■ Develop specific mixed-method indicators to track gender</li> <li>■ Regularly capture gender-related data along the results chain</li> <li>■ Conduct gender-specific impact evaluations, case studies, focus groups</li> <li>■ Conduct post-implementation satisfaction surveys of women</li> <li>■ Compile women success stories/best practices for dissemination</li> </ul>
<b>Project Implementation</b>	<ul style="list-style-type: none"> <li>■ Develop gender sensitive hiring policies for staff and contractors</li> <li>■ Train staff on gender issues/tools</li> <li>■ Develop gender mainstreaming plan for the project/agency</li> <li>■ Ensure implementation manuals mainstream gender</li> <li>■ Ensure communications strategy includes gender</li> </ul>
<b>Quotas/Targets</b>	<ul style="list-style-type: none"> <li>■ Set quotas for women beneficiaries by project activities and/or component (for example membership on land committees)</li> <li>■ Set a percentage of women required in any type of committee</li> <li>■ Encourage equal participation in project components and activities</li> </ul>
<b>Community Outreach</b>	<ul style="list-style-type: none"> <li>■ Rights training, sensitization on gender issues</li> <li>■ Knowledge exchange workshops</li> <li>■ Campaigns on gender inclusion and issues</li> <li>■ Knowledge exchange visits among women groups</li> </ul>

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