

STRENGTHENING DRYLAND WOMEN'S LAND RIGHTS: LOCAL CONTEXTS, GLOBAL CHANGE

POLICY BRIEF



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This Policy Brief provides an overview of a study commissioned by the UNDP Global Policy Centre on Resilient Ecosystems and Desertification (GPC-Nairobi) and the UN Convention to Combat Desertification (UNCCD), in order to explore issues of dryland women's land rights. The research produced a series of reports on dryland women which includes Land Rights (Thematic Paper 1), Governance (Thematic Paper 2) and Resilience (Thematic Paper 3).

Context

Women's land rights and their importance for women's empowerment and wider development goals have gained increased attention in recent years. However, gender inequality in land rights in dryland countries and across the developing world more broadly remains pervasive. This is related to discriminatory socio-cultural norms that are found in customary and statutory institutions and practices. In addition, women often lack representation and the authority to make decisions in land management and governance.

The vast geographical coverage of the drylands globally makes any generalizations difficult. In general, there is a mixture of agriculture- and livestock-based systems which arise out of the

environmental conditions of low and variable rainfall and water availability. This means that drylands people have unique relationships to land and adaptive strategies in response to seasonal, climatic and environmental change. Gender roles play an important part in the dynamics, where men and women often undertake different livelihood activities to manage difficult ecological conditions.

Land rights in the drylands are precarious. Dryland communities typically experience restricted access to land, vulnerability to land loss and appropriation, and unclear ownership and property rights. Furthermore, existing rights are increasingly strained due to environmental, demographic and socio-economic trends, along



with climate change. Power relations play an important role in who has access to and control over contested spaces in the drylands, which ultimately control who benefits. As a result, these dynamics constrain land access for drylands people, and for women in particular, who have experienced a history of marginalization and social exclusions. A stronger framework for addressing land rights in the drylands is essential if dryland communities are to be able to negotiate their rights and access.

Women may experience different types of land rights compared with men, and these rights vary according to the type of household and community in which they live, their age, status, position, and religion. Women's land rights in the drylands also vary according to different communal property systems and the extent of group mobility.

The study 'Land Rights and Women's Empowerment in the Drylands', commissioned by the UNDP Global Policy Centre on Resilient Ecosystems and Desertification (GPC-Nairobi) and the UN Convention to Combat Desertification (UNCCD), found that significant opportunities exist for facilitating dryland women's empowerment with respect to land in international research, policy, dialogue and practical action. There is increased international attention on women's land rights amongst global and international development institutions. There is also growing pressure for progressive legislation on women's land rights, with increasing examples of such legislation being implemented across the world, including in dryland countries. Greater recognition of the value of dryland systems, along with more enabling statutory frameworks, presents opportunities to work with customary and local systems to increase gender equality for land rights in the drylands.

Key measures

A wide range of measures is required to achieve dryland women's land rights, and thereby support women's empowerment. These measures fall into three categories: ensuring the recognition of dryland women's rights to land and natural resources, facilitating and increasing equal representation for drylands women in land governance and decision making which leads to improved distribution of women's access to land.

The full recognition of women's independent land rights is required in statutory and customary systems.

- The full recognition of women as equal members of dryland communities and citizens is required for women's independent land rights. This includes recognition from dryland communities and leadership, state and local government, and other stakeholders such as NGOs and the private sector.
- Women's land rights need to exist independently of men and other social relationships. Rights should be understood as existing within different dryland tenure systems, which may differentially emphasize rights to own, control, inherit and dispose of land, in order to address differences in land rights for dryland communities and dryland women.

- Recognition of women's land rights requires challenging socio-cultural norms and practices that devalue the roles and contributions of dryland communities and women.
- An enabling statutory framework is required to support customary and government institutions at the local level for women's land rights – one tenure system cannot bring about greater gender equality in land rights in the drylands.



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Women's representation in land governance systems and decision making needs to be addressed as a priority.

- Women's underrepresentation in community and land-related governance and decision making in the drylands needs to be addressed, which involves the recognition of women's roles and rights as individual community members and citizens.
- Barriers to women's representation need to be tackled on a short-, medium- and long-term basis, including injustices such as poverty, illiteracy, lack of education and poorer health.
- Land rights need to be reframed politically, moving away from conceptions of land that link defined territorial spaces with land as private property for commodification, in order for the perspectives of dryland communities and dryland women to be addressed.
- Greater representation of women is required in community development and investment initiatives in order for women's interests to be better represented in land and natural resource planning, management and design of related services.
- Capacity strengthening of female leaders, working with women's movements and organizations and opening new spaces for political participation are effective pathways for women to achieve land rights in the drylands.



Recognition and representation can facilitate the redistribution of land rights for women, though additional measures are needed.

- The distribution of land rights in dryland areas needs to recognize group rights and mobility over open spaces, and women's rights within this, which recognize the needs of dryland communities and women.
- Improved access to agricultural and social services is required for women to improve rights along with benefits from land and natural resources. An improved distribution of resources will ultimately benefit male members of society, as well as women.

Recommendations

The study details a range of strategic actions to build an enabling environment for land rights and women's empowerment in the drylands.

Policy actions

1. National governments to recognize communal land rights in the drylands, and women's rights, both within groups and independent of them, in policy and practice.
2. National governments to promote democratic, decentralized governance of natural resources with full participation of dryland communities and marginalized groups, particularly women.
3. National governments to institute a quota for women's representation in land governance bodies from local to national level, supported by capacity strengthening.
4. National governments to adopt safeguards for women's land rights protection while supporting legal empowerment approaches to advance women's land rights.
5. National governments to adopt policies to support dryland women in crop and livestock and dryland cropping activities, access to agricultural extension services and inputs, and linking women to new agricultural markets.

6. National governments to institute a land redistribution policy that includes land grants for communities and women who are identified as experiencing substantial land inequalities.



Institutional actions

7. National governments, supported by international donors, to develop inter-ministerial working groups, in parallel with high-level policy dialogues among national stakeholders, to undertake a review of policy and practice on women's land rights in the drylands, and design effective, context-specific programmes to promote gender equality and women's empowerment in land governance systems
8. Local authorities and Civil Society Organizations (CSOs), particularly women's organizations, to forge local-level partnerships in dryland communities. This can include support for new and existing women's groups, combined with investment in women leaders to strengthen their awareness on land and environmental governance.
9. International donors to develop funding support for governments and organizations in dryland areas.





10. Research institutes and CSOs to conduct assessments on land customs and practices, including their gendered nature, to be encouraged in all dryland development projects and investments.
11. CSOs, academic institutions and the media to increase awareness of gender issues and land rights in the drylands and the implementation of policies in practice.
12. National governments and national statistics offices to direct a concerted effort to improve land administration systems to collect gender-disaggregated data on the full bundle of land rights, among different tenure systems, land use and land type in the drylands in a systematic and comparative way.

Capacity-strengthening actions

13. Donors and national governments to fund awareness campaigns on women's land rights in dryland areas with leading women's organizations.
14. National governments, with the support of international donors, to direct investment, as a priority, to strengthening the capacity of local land governance structures, state and customary, in equitable and gender justice land governance, governance more generally, and community consultation.
15. The international community, national governments, research institutions and CSOs to identify and share, locally and internationally, good practice, on pathways for greater gender justice in land rights and land governance systems in dryland areas.
16. CSOs to support gender justice involving whole communities, particularly men and local leaders, to challenge discriminatory social norms and harmful practices.



Conclusion

Urgent action is required to secure land rights for dryland communities, and for women as independent rights holders and members of dryland communities. This is of vital importance for more sustainable land use, poverty reduction, and women's empowerment. Initiatives should recognize the need for locally appropriate measures to strengthen and redistribute land rights through different tenure systems. In particular the value of customary land institutions for managing resources in challenging environments should be recognized. At the same time, women's representation and voice needs to be firmly established within these processes and supported by justice systems. This will require change on a number of levels, including a stronger policy framework, greater capacity at the local level, and challenging discriminatory attitudes and behaviours to enable dryland women and communities to establish their rights to land.



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