



What Works for Women's Land and Property Rights?

What we know
and what we
need to know

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“Women’s land and property rights are increasingly understood as an important driver of economic growth and social development, as well as being critical to human rights for women. Growing evidence confirms that women’s land and property rights lead to important social and economic outcomes for women and their families.

Yet around the world, women remain significantly disadvantaged with regard to their land rights. Even when they are recognized as the primary users or workers on the land, they often lack ownership or control of the land or its economic outputs.

This review of the available evidence on women’s land and property rights is aimed at identifying opportunities and needs for additional research. It is based on a review of online literature and academic databases and discussions with global and national actors—practitioners, researchers, and activists.

We propose a way forward for research that will inform practice and ultimately close the gender gap and improve economic and social outcomes for men and women around the world”.



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* Based on available data in January 2020.

Women's land tenure is secure when land rights are:

1 Complete

More rights in the bundle of rights.

- Includes rights to use, transfer, manage, control, collect income from, bequeath, and inherit, among others.

3 Durable

Long enough to allow a return on investment, like planting trees and digging wells, and allow for economic stability.

- If not perpetual, then for a secure period of time.

2 Robust

Protected if threatened.

- Recognized when benefit/opportunity attached to right arises (e.g., compensation).

- Exercisable freely and without needing permission.

- Nature and scope of rights are certain, known to the right holder, and broadly understood.

- Socially and legally legitimate.

- Inheritable.

A.

Contextualizing the field

Women's land and property rights is a relatively new area of concentration in international development practice. Development programs are increasingly focusing on women's status in:

- Systematic titling and registration projects (i.e., programs where customary, unrecorded or unwritten rights are formalized);
- Legal reforms related to land, including marital property and inheritance;
- Agrarian reforms, land redistribution, and recognizing and protecting collective, customary, community, and indigenous lands;
- Governance of common resources;
- Urban and peri-urban land management and planning; and
- Human rights frameworks related to women's rights, property, and economic rights.

There is also growing understanding of the role that property rights can play in economic empowerment and justice for women, and women's land rights are now included in the 2030 Agenda for Sustainable Development (SDGs).¹

Land tenure security is essential to women’s empowerment in their households and communities, and it also enables other social and economic benefits.

Land is the central productive asset for farming and a foundational asset upon which economies are built. Evidence confirms the importance of women’s rights and control over assets for a range of development outcomes, both for women and for their families.²

Table 1: Potential Effects of Women’s Secure Land Tenure³



Various studies across contexts have shown that secure land tenure can:

- Increase women's ability to invest in land;⁴
- Increase women's ability to enter into agricultural contracts;⁵
- Increase women and girls' empowerment by participating in household decision-making;
- Increase women and girls' ability to act autonomously; and
- Reduce the likelihood of experiencing domestic violence.⁶

Secure land rights are important for the well-being of families, whether a woman is head of her household or lives in a household headed by a man.

Households where women have rights to land are likely to spend a larger portion of household income on food, education, and their children's healthcare.⁷

The global gender gap in land and property rights persists.

The current distribution of land ownership is highly skewed toward men in total size and quality in much of Sub-Saharan Africa and South Asia. In four African countries, the average area cultivated by women ranges from one-third to two-thirds of the average area cultivated by men.⁸

The most recent waves of the Living Standards Measurement Study – Integrated Surveys on Agriculture for six countries in Sub-Saharan Africa – demonstrate that **the gap extends beyond ownership to the strength of the rights over land that women do own**. This includes land management and the rights to sell or use the land as collateral.⁹

The gap endures, in part, because women have difficulties accessing land.

Inheritance is one of the main methods of land acquisition for both men and women and in many contexts women do not inherit at all or their shares are a fraction of those of men. In most customary systems that practice community allocation, women are not allocated land by their natal community because they typically move to their husband's land when they marry.

Moreover, wives who marry-in to a community are not considered part of the lineage, so they are not allocated land rights.

Other means, such as open purchase on the market or land leasing, are out of reach for most rural women owing to the significant financial resources required and discrimination in lending practices.¹⁰

As inequalities in one market reinforce each other over time, women's power as economic actors diminishes. As women are not owners of land and they do not have access to credit, they are less productive and regarded as poorer investments. Significant intervention is required to break this cycle.

B.

Strengths, limits, and availability of evidence on interventions and factors that affect women's land and property rights

Today, the landscape for evidence on interventions is evolving.

Table 2 shows the availability and strength of evidence on interventions that improve some aspect of land tenure security for women. The strength of evidence connotes the degree of rigor and quantity of studies related to that intervention category. The findings of the evidence connote the degree to which the evidence suggests that a particular intervention is effective, promising, ineffective, or not measured in terms of outcomes for women.

Much of the available evidence does not look at whether an intervention is impacting land tenure security for women, as measured by completeness, durability, and robustness of rights. Also, factors that influence tenure security are not static and results may change over time.

In general, research in this field would benefit from shared definitions and concepts to facilitate aggregation of the lessons from individual studies by outlining key elements that relate to women's land tenure security.¹¹

Table 2. Summary of evidence on interventions and factors that affect women’s land tenure security

<p>▼ Findings in relation to effectiveness of interventions</p>	STRENGTH OF EVIDENCE		
	<p>Fair Evidence The question has been studied in peer-reviewed literature, in three or more studies</p>	<p>Emerging Evidence The question has been studied in less than three studies or is limited in scope or geography</p>	<p>More Evidence needed Evident in practice or in grey literature but not yet rigorously studied</p>
<p>Effective Found to be effective to improve some aspect of women’s land tenure security</p>	<ul style="list-style-type: none"> • Joint documentation (titles, certificates) of marital property rights (plus attendance at information meetings).^{12, 13} • Documenting and demarcating land for female heads of households.¹⁴ • Reducing gender gaps in knowledge about land rights.¹⁵ • Reforming laws on inheritance rights for women.¹⁶ • Leveraging existing women’s associations.¹⁷ • Establishing legal quotas for women’s participation in land and resource governance bodies (especially with training and support).¹⁸ • Mobilizing women to act and advocate collectively for rights to land and resources.¹⁹ 	<ul style="list-style-type: none"> • Engaging women in community decision-making.²¹ • Documenting women’s separate rights to land.²² • Establishing clear membership rights for women within groups that collectively hold land,²³ including through formalizing women’s rights to land in the household as a starting place.²⁴ • Incentives for joint titling, such as conditional payments²⁵ and regulations that allow for reduced fees or use of photographs as proof.²⁶ • Fostering community support for joint titles.²⁷ • Improving legal property rights for women.²⁸ and positive changes in family law.²⁹ • Challenging male biases in boundary demarcation processes.³⁰ 	
<p>Promising Found to show promise to improve some aspect of women’s land tenure security or findings not framed in terms of women’s land tenure security but intervention touches on land and findings are related to economic and social outcomes</p>	<ul style="list-style-type: none"> • Behavior change interventions related to biased social norms and community land rights.²⁰ 	<ul style="list-style-type: none"> • Using Self-Help Groups for agricultural extension delivery.³¹ • Adopting Adaptive Collaborative Management Approach for community governance of collective forest land.³² • Conducting community conversations about behavioral change.³³ • Requiring an explicit record of who will inherit parcel during land tenure regularization process.³⁴ • Focusing agricultural advisory services on women.³⁵ 	<ul style="list-style-type: none"> • Strengthening capacity of female landlords to bargain/contract with lessee.³⁶ • Engaging women in community formalization processes and documenting women’s rights to collectively held lands • Capitalizing on male out-migration.³⁷ • Access to justice on land rights, including judicial/mediators training, paralegals, etc. • Applying global principles and standards on women’s land rights and impact litigation using CEDAW • Training for women in traditionally male fields, such as surveying • Working with police to stop property grabbers • Working with traditional community leaders or local government on securing women’s land rights
<p>Ineffective Shown to be ineffective at improving some aspect of women’s land tenure security</p>	<ul style="list-style-type: none"> • Titling marital property in the name of household head only • Securing collective land rights with only male input 		

Despite limitations in the evidence, among women's land rights experts, practitioners, donors, and researchers, there is a shared understanding that more robust, complete, and durable rights for women can be achieved when interventions are focused on the following:

Women must have **both legal rights and social acceptance of rights to land** (individually or as part of a community).

Women must be able to **generate value from the land** (through use, sale, renting-out, collateral for loans, compensation for takings, etc.) in a way that allows women to use the value gained to support **self-directed decision-making**.

Women must have a working knowledge of how to best use and steward the land so **they can maximize the benefit from land**.

Women's interests must **be given equal weight** with men's in exercising rights to land.

Women must be able to **enforce their rights and interests in land** when they are under threat.

Better outcomes for women from secure land tenure

Table 3. This table shows more detail on what we know from the evidence about common types of interventions on women’s land rights, and linked to the outcomes . Each intervention type addresses at least one of the dimensions of secure land tenure (i.e., rights are more complete, more durable, or more robust.)

► Dimension of tenure security most impacted	COMPLETE					COMPLETE
	DURABLE	DURABLE			DURABLE	DURABLE
	ROBUST	ROBUST	ROBUST	ROBUST	ROBUST	ROBUST
► Type of intervention outcome	Legal rights	Social acceptance of rights to land	Generate value from land and engage in self directed decision-making	Maximise benefit from land	Women and men’s interests given equal weight	Enforce rights when under threat
	<ul style="list-style-type: none"> Changes in family law and stronger property rights for women associated with a substantial shift in women’s economic activities, including moving to better jobs and fulltime, non-agricultural employment outside home.³⁸ Intergenerational inheritance patterns are demonstrating greater gender equality over time in Latin America.⁴⁴ In Zambia, secure inheritance rights for widows are associated with higher land investment by married couples, including fertilizer application, fallowing, and use of labor-intensive tillage practices meant to reduce erosion and run-off.⁵⁰ Viewing native communities only as collective leads to the failure to guarantee women’s equal rights under the law.⁵⁷ 	<ul style="list-style-type: none"> Women must know and understand their rights for documentation to make a meaningful difference.³⁹ Female headed households benefit from titling and registration, from mapping and demarcating, and from certification of rights.⁴⁵ Cash incentives for opting for joint titling of household land increased the choice to jointly title; gender sensitive awareness raising on the value of joint titling also increase the choice to jointly title, but not to the same extent.⁵¹ Female-only land titles improved family welfare more than male-only or joint titles.⁵² Membership in women’s groups associated with more knowledge about land titling.⁵³ Gender quotas in collective lands’ governing bodies can make interventions more effective with regard to conservation outcomes, and lead to more equal sharing of benefits, but also need to address discrimination in attitudes and practices of groups.⁵⁸ 	<ul style="list-style-type: none"> Joint titling benefits women in intra-household decision making and increased agricultural yields.⁴⁰ Women in self-help groups have more input into household decisions on how to use land than women who are not in self-help groups, but not in areas of decision making that are traditionally held by men.⁴⁶ Self-help groups may help raise awareness and improve some control over household income but other barriers to women’s empowerment in agriculture remain and are deeply rooted in social and cultural norms.⁵⁴ 	<ul style="list-style-type: none"> Involving women in extension services requires awareness of cultural norms related to gendered roles, engaging women as agricultural extension workers and trainers, and a participatory approach.⁴¹ For women to benefit from agricultural extension, the project must: <ul style="list-style-type: none"> – make explicit efforts to reach women; – Design water supplies for use by men and women; – involve women in participatory plant breeding; – Disseminate high-value crops to women that do not require large initial investments or asset ownership; and – Assess how the introduction of new technologies targeted to women will affect gender norms.⁴⁷ It is cost-effective in the long run to invest in educating women about their land rights and to improve their technical skills in agriculture, even though it costs more than educating men.⁵⁵ 	<ul style="list-style-type: none"> Clear membership rights for women within groups who have collective rights to land influences how women participate in land-related decision-making processes. Yet women may not be included in the cultural definition of community – inclusion or exclusion can depend on marital status, marriage residence, and customary tenure rules.⁴² Forest management groups with high proportion of women on principal decision-making body show better forest outcomes, but women only groups perform less well than mixed groups for adopting forest-enhancing behavior.⁴⁸ Local resource governance is improved when women participate, in terms of stricter rules, greater compliance with rules, greater transparency and accountability, and better conflict resolution.⁵⁶ Intervention is needed to help ensure that women meaningfully participate in governing group.⁵⁹ 	<ul style="list-style-type: none"> Successful community based legal support requires formal training on law, personalized assistance on handling property rights disputes, involving the local community and leaders, and changing mindsets around women’s rights.⁴³ Paralegals or community based legal assistants should be well-respected and known in the community, and should be both male and female.⁴⁹

C.

Recommendations for intervention research

While the evidence base is growing, more research is needed to deepen and broaden our understanding for what is needed to improve women's land and property rights in practice:

- On interventions that **address all three dimensions of tenure security** for women: completeness, durability, and robustness.
- On the value to women of documenting land and property rights **in different tenure systems** (e.g. on collectively held lands) and whether large scale titling is good for women.
- On interventions that improve women's participation in governance bodies of collectively held lands and an examination of **under what conditions inclusion on governance bodies improves outcomes** for women.
- On the **intra-household dimensions** of land rights reforms, especially for women in male-headed households.
- On the **sustainability** of interventions or outcomes, especially through longitudinal studies.
- On the potential for **scaling** specific interventions and positive and negative outcomes of doing so.
- On land tenure interventions appropriate to the experience of **women in different stages of life or with diverse life experiences**, e.g., never married, widowed, disabled, economically poor, rural, urban.
- From a **variety of contexts and regions** to show the effectiveness of intervention types across geography and cultures.
- On how to effectively foster and **support social norm change** to the benefit of both women and men.

Endnotes

1. Most significantly in the 2030 Agenda for Sustainable Development contains three land-related indicators that track women's land rights: two (1.4.2 and 5.a.1) require collecting data disaggregated by sex, and have a globally agreed methodology and a joint questionnaire for data collection at the country level; and the third (5.a.2) measures progress in the legal framework for women's land and property rights. In May 2012, one hundred and thirty member states adopted the Voluntary Guidelines on the Responsible Governance of Tenure of Lands, Fisheries and Forests in the Context of National Food Security (VGGT), the first internationally negotiated guidance on the governance of land. The VGGT reiterate the principle of gender equality, calling upon States to "ensure that women and girls have equal tenure rights and access to land, fisheries and forests independent of their civil and marital status."
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