



**WOMEN'S  
LAND  
RIGHTS  
TOOLKIT**

INTERNATIONAL  
**LAND**  
COALITION

UNITED  
FOR LAND  
RIGHTS



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# **WOMEN'S LAND RIGHTS TOOLKIT**

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Photo © ILC/Sabine Pallas



# WELCOME TO THE WOMEN'S LAND RIGHTS TOOLKIT!

This toolkit gathers together information on five tools that have been successfully used by members of the International Land Coalition (ILC) to promote, protect and strengthen women's land rights. It is intended to facilitate mutual learning based on good practices.

*The opportunity to share knowledge is one of the main benefits of being part of a network like ILC.* Please use these tools, adapt them to your specific context, share them with your partner organisations and share with us your achievements and successes!

## WHAT IS THIS TOOLKIT FOR?

This toolkit aims to provide a range of useful tools, intended to be effective at global, national and community levels, depending on their specific features. One of the main characteristics of the tools is their adaptability to different contexts and different areas of work. *We want these tools to be clear, replicable and, above all, useful in promoting and reinforcing women's land rights.* This toolkit also contributes, broadly, to knowledge exchange within ILC's membership.

## WHAT'S THE STORY BEHIND THIS TOOLKIT?

This toolkit derives from a mapping exercise within ILC's membership, the success stories collected in the *ILC Database of Good Practices* and certain ILC projects, complemented with ad hoc interviews. The tools presented here have been either developed or implemented by ILC members. The mapping exercise aimed to identify ILC members' skills, interests and needs in the field of women's land rights and gender justice, while the Database of Good Practices includes a number of success stories from ILC members, including in the area of women's land rights.

*Based on the different experiences shared by ILC members*, 11 member organisations, representing all the regions, were asked to share further information on the tools. Using *replicability as the key criterion*, a selection of tools has been identified for inclusion in this toolkit. In collaboration with the ILC members involved, the tools have been reshaped and adapted in order to present them in an easy and accessible manner and to make each tool replicable in very diverse contexts.

## HOW TO USE THE TOOLKIT?

Each file describes the characteristics of the tool presented, its goal, the actors involved, which ILC members have used it, the expected outcomes and a step-by-step practical guide to implementing it. A case study included at the end of each tool summarises an aspect of good practice connected with its use by an ILC member.

You can always adapt a tool to your specific context or needs. Using the links available at the end of each file, you can access more information about the tool itself and get in touch with other ILC members that have used it. The goal and the expected outcomes are the best criteria for you to use to identify whether a specific tool may be of interest and may contribute to your activities.

# ALTERNATIVE REPORTING

## THE TOOL

*A report produced by non-governmental organisations (NGOs) and/or civil society organisations (CSOs) to complement or challenge an official report by a State. Alternative reporting allows civil society to monitor States' compliance with treaty obligations and to hold them accountable.*

## IT'S GOALS

- » Assess *compliance by States with international human rights treaties*;<sup>1</sup>
- » *Collect consistent data* about the implementation of laws and policies.

## ACTORS INVOLVED

CSOs, local NGOs, global NGOs, grassroots movements, local communities, research institutions. The following actors may play a role in the process, as sources of information and/or as targets of lobbying activities: traditional and religious leaders, local authorities, government officers.

## ALREADY TESTED BY

*SDF* (India), *CESCR* (Nepal), *CINEP* (Colombia), *STAR Kampuchea* (Cambodia), *FIANTSO* (Madagascar), *LandNet Malawi* (Malawi) and *APDH* (Burundi).

## MORE INFORMATION

**APDH** <http://www.landcoalition.org/en/regions/africa/member/apdh>

**FURTHER INFORMATION** [http://www.nhc.nl/news/New\\_publication\\_\\_The\\_Human\\_Rights\\_Alternative\\_Reporting\\_Cycle.html?id=696](http://www.nhc.nl/news/New_publication__The_Human_Rights_Alternative_Reporting_Cycle.html?id=696)

<sup>1</sup> In particular articles 2, 14, 15 and 16 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and articles 2.2, 3 and 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR)

In March 2016 the rights of rural women were further recognised and their relevance highlighted when the CEDAW Committee issued a General Recommendation on the rights of rural women (*GR no. 34*). This recognises that rural women suffer discrimination and challenges in various areas and provides specific recommends to State parties.

## EXPECTED OUTCOMES

- » Relevant Committees are informed about the real situation regarding women's rights in a particular country.
- » The State is held accountable.
- » The report itself and the concluding observations of the Committee are used to inform lobbying and advocacy efforts for change and reforms in laws and practices at country level.
- » CSOs and NGOs capacity to engage with human rights treaty bodies is strengthened.
- » Collaboration at local and global levels is strengthened.

## FUNCTIONING

Alternative reporting allows NGOs and CSOs to hold States accountable on their obligations under a specific treaty. It implies active participation and a strong monitoring component.

### ALTERNATIVE REPORTING STEP-BY-STEP

# 1

#### PARTNERSHIP

Any organisation can produce an alternative report autonomously; however, working as part of a platform helps to ensure consistency and avoid duplication, as well as saving financial and human resources. Therefore, a very first step would be to get in touch with other organisations in your country (not just ILC members) that are interested in alternative reporting.

# 2

#### INFORMATION

Alternative reporting is all about information, its collection and its elaboration. For this reason it is fundamental to build upon existing reports, both official and alternative ones. Reading previous alternative reports produced in your country is also useful for planning and to help identify possible partner organisations. All the existing reports (official and alternative) are available online:

- » CEDAW: <http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/Forms/AllItems.aspx>
- » ICESCR: <http://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents>

Please note that NGO reports are posted on official websites, together with NGO information. **If there are security concerns, the Office of the UN High Commissioner for Human Rights (OHCHR) should be advised not to make the report publicly available.**



## 3

**PLANNING**

Whether you are aiming to produce a report specifically on women's land rights or you are contributing to a broader report in which land rights are just a component, it is important to focus on specific themes and/or articles when planning. Identifying areas of investigation and tasks is a fundamental step.

## 4

**DATA COLLECTION**

Data can be collected through a desk review or by using previous research. However, if you have the opportunity to actively involve local communities and use first-hand data to inform the report, this is likely to improve its chances of success.

## 5

**DATA ELABORATION AND WRITING**

The data collected in the previous step must be elaborated according to the original plan and taking into account the articles of the treaty that you are reporting against. Consistency and clarity are essential. Reports must be short (no more than 40 pages) and concise and must provide relevant data. They must include a summary in English if they are presented in a different language (e.g. French, Spanish, Arabic).

## 6

**REPORT SUBMISSION**

You must submit the report four weeks before the session for CEDAW and three weeks before the session for CESCR. The report should be submitted by email (in PDF format).

## 7

**ATTENDANCE TO SESSIONS IN GENEVA**

If funds allow, it is a good idea to attend the Committee sessions in Geneva. There is no pre-requirement for any organisation or platform to submit an alternative report, but only organisations accredited by the UN Economic and Social Council (ECOSOC) can read a statement during the session. Therefore it would be good to have at least one ECOSOC-accredited organisation as part of the platform or as an external partner. However, during the session in Geneva some relevant global organisations (such as International Women's Rights Action Watch Asia Pacific (IWRAP-AP), the Programme on Women's Economic, Social and Cultural Rights (PWESCR) and the International Network for Economic, Social and Cultural Rights (ESCR-Net)) organise trainings and side events to facilitate interaction between CSOs and members of the Committees.

The official reporting procedure is established by the treaties, and the opportunity to submit alternative reporting is given by the relevant treaty bodies, the CEDAW Committee and the Committee on ESCR. **CSOs and NGOs play a crucial role in developing alternative reports**, while global NGOs and their networks contribute through external (technical and financial) support.

## **FROM THEORY TO PRACTICE: A CASE STUDY FROM 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 the enforcement of this covenant by the State of Burundi, with regard to women’s access to land rights.

In addition to available literature, which it thoroughly reviewed, APDH collected primary data from 10 residential courts, 40 communal land offices and five provincial state offices for family well-being. Workshops were also held 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 practices that exclude women from land inheritance (except in rare circumstances), and that such practices persist despite the ratification of international legal instruments establishing the principle of equality, and the incorporation of these into Burundi’s Constitution.

Despite this gloomy picture, the process of producing an alternative report allowed APDH to identify some glimmers of hope, based on positive developments in pushing progressively for improvements in women’s status. This was 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 for those who have no brother. Furthermore, in some regions, equal shares of inheritance between sons and daughters are accepted for family land acquired through purchase. A number of female informants reported that they had inherited land with full ownership and with the consent of their brothers, and that some local tribunals had supported these practices. In addition, the survey and analysis highlighted that women are more committed to improving their access to land rights, and therefore more women are purchasing land.

Another element worthy of note is the effect that the reporting process, particularly the debate initiated during the workshops, has had on stakeholders in land and land conflict litigation. Judges have learned from the best practices of their colleagues and have improved their awareness of gender-friendly judgments as far as land rights are concerned, while partners organisations involved in land certification initiatives have promised to adapt their approaches to take account of the needs of women.

Finally, the APDH report was presented to the Committee on ESCR in Geneva, with the support of PWESCR. The Committee took due note of its findings, as demonstrated by the inclusion of several of its recommendations in its final observations.

# EARTH FESTIVALS

## THE TOOL

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*Local art, music, theatre and dance festivals focusing on earth and land issues.*

## IT'S GOALS

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- » Raise awareness about the direct relationship between women, earth and nature;
- » Raise awareness about women's land rights.

## ACTORS INVOLVED

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Rural women and grassroots communities, members of rural women's committees at village level, local NGOs and in particular their staff in the field, government offices and their staff, lawyers, social activists, donors, media.

The festivals also involve a huge range of partners and supporters, as well as many participants.

### ALREADY TESTED BY

*Swadhina* (India).

## MORE INFORMATION

### SWADHINA

<http://www.landcoalition.org/en/regions/asia/member/swadhina>

### FURTHER INFORMATION

<http://www.landcoalition.org/en/resources/womens-legal-empowerment-lessons-learned-community-based-activities>

**This tool was created by Swadhina,** an Indian CSO focused on women's empowerment, which has implemented it in collaboration with local women's committees.

## EXPECTED OUTCOMES

- » Women become aware of their rights over land, in a creative manner.
- » Women become responsible towards nature, by reinforcing their role as guardians of natural resources.
- » Women's land rights are effectively promoted. .
- » Empowerment of women.

**Ultimate outcome:** Enhancement of women's economic situation through income generation deriving from a better use of natural resources, based on women's increased awareness of their rights.

## FUNCTIONING

### STEP BY STEP PROCESS

# 1

#### PLANNING

The first step is the creation of an organising committee, which involves the promoting organisation(s). The organising committee identifies the content of the Earth Festival, year by year, in consultation with local women. The most relevant role at this stage is the selection of exhibitions, artistic performances, debates and talks, and more broadly development of the festival's cultural programme.

# 2

#### DEVELOPMENT OF THE STRUCTURE

The festival includes a variety of themes related to women's land rights, expressed through different components. Among other components, the structure of an Earth Festival can include:

- » Exhibitions of large posters on the themes of women's contribution to agriculture, women's land rights and more generally women's rights;
- » Displays on different items produced using natural resources that can be used to enhance the income of local families;
- » A cultural programme that includes songs and drama, focusing on women's land rights issues;
- » Debates and talks on women's land rights involving a broad range of actors, including members of women's groups, lawyers, social activists and journalists.

## 3 IMPLEMENTATION

The organisation(s) involved in putting the programme into practice must find a place to make it happen, contact the relevant institutions to obtain all the necessary authorisations and invite artists to take part (this can be done through an open call, through a preliminary selection or through a combination of both). It also requires a lot of communication work to publicise the event at local level to make it visible and involve participants. To facilitate participation, it can be useful to send invitations to partner organisations. It is important to ensure communication about the festival while it is ongoing.

## 4 FOLLOW-UP

After the festival, it is important to stay in touch with the organisations involved in organising the event as well as with all those you invited, in order to get feedback on the festival and also to plan future events. It is also important to assess the impact of the festival on the women involved through analysis or data collection, which can be done in collaboration with the local (women's) committees involved.

## FROM THEORY TO PRACTICE: A CASE STUDY FROM SWADHINA

Earth Festivals help women to understand the basics of land rights in a very creative way. They confirm that the use of creative tools, such as radio, videos, posters, images, theatre and cultural performances, songs and cartoons has a positive impact on sensitisation and awareness raising; these tools make information more accessible and interesting and less intimidating than printed materials presented in official jargon. These activities also facilitate the continued engagement of the community in raising awareness and can also change men's attitudes in a positive way.

Through these festivals, it has proved much easier to sensitise not only women but also their families. In the long run, they have been very useful in promoting activities based on land rights and land-based livelihoods, with many women taking up activities such as making ropes from Babui grass or creating kitchen gardens.

One of the main results of this activity has been increased clarity about women's land and property rights in a context where, despite the existence of legal rights that entitle women to inherit and own land, women and their families are not aware of these entitlements. Through taking part in Earth Festivals, women have realised for the first time that they can enjoy special rights as women farmers. This has helped to break down traditional social attitudes that see women treated as mere dependants, and women have become better able to claim their rights, including through the creation (to date) of four women farmers' groups that are able to use tools and laws to claim and protect their rights.



Photos © ILC/Jason Taylor

Developed by LEMU in the framework of projects aimed at protecting women's land rights in a sustainable way.



# FAMILY LAND RIGHTS AND LINEAGE TREE

## THE TOOL

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*A method of conflict resolution aimed at identifying land tenure rights* by drawing a Family Land Rights and Lineage Tree to identify relevant facts and preventing future conflict including by planting actual trees.

## IT'S GOALS

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- » Fair recognition of land tenure under customary tenure systems;
- » Land conflict mediation within families and communities;
- » Inclusion of women in land rights records;
- » A drawing of distinctions between land disputes and land grabbing cases (in particular where widows and children are targeted);
- » Avoiding over-reliance on oral and unsworn evidence in traditional dispute resolution forums;
- » Avoiding or reducing future conflicts.

## ACTORS INVOLVED

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A *diverse range of actors*: parties in conflict, family and relatives, communities and neighbours, traditional institutions.

### ALREADY TESTED BY

Land and Equity Movement of Uganda (*LEMU*).

## MORE INFORMATION

**LEMU** <http://www.landcoalition.org/en/regions/africa/member/lemu>

**FURTHER INFORMATION** <http://land-in-uganda.org/>

## EXPECTED OUTCOMES

- » Different kinds of conflict are identified.
- » A distinction is made between land grabbing cases and land disputes.
- » Attempts at land grabbing are recognised and denounced.
- » Land grabbing is reduced.
- » Land disputes are resolved.
- » Families define the borders of their land through boundary planting of trees in order to avoid future conflicts.

**Ultimate outcome:** Land boundaries are recognised and are no longer challenged.

## FUNCTIONING

The overall functioning of the tool includes training for the different practitioners involved, communication about the tool's existence and establishing the facts relating to the land rights of family and community members and the claims of disputing parties, which are then used to draw up the Family Land Rights and Lineage Tree (FLRLT). The practical activities of drawing maps and planting boundary trees help to prevent further conflict arising over the same land.

The following steps are very country- and culture-specific, but here they are presented in a very general manner and so must be adapted to the contexts where the tool is replicated.

### STEP BY STEP PROCESS

# 1

#### INFORMATION

This first step includes training on customary norms, including what customary land tenure is, principles of natural justice and how to plant boundary tree and draw sketch maps. The training materials are simplified and translated into local languages.

# 2

#### FIRST CONTACT

Rights holders get in touch with clan leaders, police or NGOs to have their land cases mediated and resolved.

### **3 DRAWING OF THE FAMILY LAND RIGHTS TREE**

Rights holders are involved in the drawing exercise. From the lineage tree it is possible to identify the relevant facts concerning the case and to analyse who is entitled to land rights. Different aspects are taken into account, including power relationships and specific vulnerabilities of the parties involved, whether the conflict is opportunistic in nature (for example, sparked by the death of a husband) and any previous attempts to resolve conflicts. This reduces the chances of forum shopping (where a litigant seeks out the court or forum most likely to deliver the desired outcome).

These elements serve to identify whether the case is a dispute between two parties or a land grabbing case, and if the case is brought in bad faith or if it involves violence. The tool enables documents from previous mediation attempts to be collected and previous actors in mediation to be identified and consulted.

### **4 INTERPRETATION OF THE FACTS**

The facilitating organisation evaluates the case and selects appropriate forums to take it to next in order to resolve the conflict – for example, to a clan committee, the police or the courts. If the complainant is identified as a land grabber, representatives of the facilitating organisation would meet them alone and request that they withdraw their claim to the land. If the forum is the clan, the FLRLT is shared with traditional leaders who can make a decision. A debate may take place on the interpretation of the information presented.

### **5 APPEALING**

If it is not possible to resolve the dispute at a lower clan level, the organisation can support the party with the land rights to appeal to a higher clan level or to a higher court.

## **FROM THEORY TO PRACTICE: A CASE STUDY FROM LEMU**

The Family Land Rights and Lineage Tree (FLRLT) was developed by LEMU to tackle specific challenges in the mediation of land-related conflicts. LEMU's previous experience had shown that some witnesses deliberately lied to win land conflicts and that the number of witnesses involved in cases relating to family- and community-owned land made it very difficult to keep written records of proceedings.

Furthermore, even though a sales agreement may be used as evidence of land rights, LEMU found that the same land was often sold to more than one person and that agreements might be forged or that many “original” copies of the agreement existed when an “owner” had sought to secure loans from different banks.

The FLRLT tool establishes the facts on how and where the conflicting parties have obtained their land, how much land they were given, other actors involved, relationships and key events in the family history (such as marriages, deaths and births) and other characteristics such as gender or age. This information puts LEMU in a position that allows it to independently analyse land rights and responsibilities.

LEMU can also analyse institutional weaknesses, discrimination and bias, lack of knowledge of laws and the parties’ fears and self-interest on a case-by-case basis and assess if the party seeking its help is forum shopping.

The tool allows LEMU to understand the power and vulnerabilities of different parties, and whether the conflict is opportunistic in nature. By understanding the history of the dispute, LEMU can identify which stakeholders to consult and which documents to request. Understanding steps taken by the parties to resolve previous land conflicts helps LEMU to meet different stakeholders, review previous case records and develop the best strategy to resolve the current conflict.

The FLRLT is a good tool with which to investigate parties’ land rights, intentions, vulnerabilities and power relations, but it takes a long time to establish the facts since it involves the personal life history of one (or both) parties. Failure to get all the necessary facts means that the analysis will be incomplete and more time will be needed to seek additional information.

#### **LEMU deals with specific problems as follows:**

**1. *A party refuses to take part in mediation***

Where one of the parties undermines the clan by being overly aggressive, not turning up when invited to a clan committee meeting or ignoring the clan’s decision, LEMU now works with police community liaison officers to go back to the clan committee to have the case heard. This seems to be working well.

**2. *The clan itself is discriminatory, corrupt, has self-interests or is avoiding its responsibilities***

LEMU goes back to the same committee with copies of the FLRLT and requests its members kindly to interpret which party has land rights based on the facts it contains. Usually clans interpret the land rights correctly and reverse their original decision. If they do not, LEMU asks them to write down their decision so that the losing party can appeal to a higher clan committee.

# GENDER EVALUATION CRITERIA (GEC)

## THE TOOL

A matrix to assess whether laws and policies are responsive to the needs of both women and men and to promote gender-responsive land governance.

## IT'S GOALS

- » **Collect consistent data** on differentiated impacts of (land) laws and policies on women and men;
- » **Ensure gender-responsiveness** of land governance and policy.

## ACTORS INVOLVED

A diverse range of actors can be involved: civil society organisations, NGOs, grassroots movements, local communities, traditional and religious leaders, local authorities, ministry officials and civil servants, research institutions.

## ALREADY TESTED BY

**ADHD** (Togo), **CINEP** (Colombia), **Espaço Feminista** (Brazil, with support from the Huairou Commission), **Nitlapan** (Guatemala), **Uganda Land Alliance** (Uganda).

## MORE INFORMATION

**THE GEC** <http://www.gltm.net/index.php/publications/publications/send/2-gltm-documents/616-gender-evaluation-criteria-gec-matrix-eng-2011>

<http://www.gltm.net/index.php/land-tools/gltm-land-tools/gender-evaluation-criteria-gec>

**ADHD** <http://www.landcoalition.org/en/regions/africa/member/adhd>

**ILC DATABASE OF GOOD PRACTICES** <http://www.landcoalition.org/en/regions/africa/goodpractice/use-gender-evaluation-criteria-evaluation-laws-and-awareness-raising-amongst-togolese>

**FURTHER INFORMATION** <https://landportal.info/debates/2016/sharing-best-practices-and-lessons-learned-supporting-women%E2%80%99s-land-rights-debate-gender>

The Gender Evaluation Criteria for large-scale land tools are the output of a **process begun by the Global Land Tool Network (GLTN) in 2007**, in collaboration with other partners including the Huairou Commission, the International Land Coalition, the International Federation of Surveyors (FIG), UN-Habitat and the University of East London.

## EXPECTED OUTCOMES

- » Laws and policies are assessed.
- » Relevant gaps in the gender-responsiveness of laws and policies are identified.
- » Data emerging from the assessment can be used to conduct lobbying and advocacy activities to change existing laws and/or policies, as well as to influence the process of developing new ones.

**Ultimate outcome:** practical recognition of women's land rights at community level.

## FUNCTIONING

The GEC matrix comprises a set of 22 questions on a range of relevant factors (e.g. equal participation; gender-responsive governance; legal, institutional, economic, social and cultural considerations in regard to women's and men's access to land; empowerment and capacity building). These 22 questions are grouped under six criteria that can be used to assess the law or policy. There is no minimum number or typology of criteria to be used: organisations using the GEC can select any criteria they consider relevant for the evaluation.

Because of the specific features of this tool, it may be useful for users to participate in dedicated trainings before implementing it for the first time.

### USING THE GEC STEP-BY-STEP

#### 1 LEARNING

Read up about the experiences of other organisations that have used this tool to check whether it responds to your own needs and, ideally, participate in an actual training session where an organisation that has used it shares tips and challenges (this can also be done online). However, if this is not possible, in-depth research on others' experiences of the GEC will be sufficient to learn how to use the tool. If you consider the GEC to be a useful tool for your organisation, do not hesitate to try using it, even if you have not managed to attend a training session.

#### 2 PARTNERSHIP

An organisation can use the GEC on its own, but collaboration with other organisations or institutions is a better choice if you are to make the most of the tool. The easiest way to establish partnerships is to contact organisations and groups you have worked with in the past or that are interested in similar fields of work. Once a partnership has been created, you can move on to the next step. Please note that there is no need to formally register partnerships.



### 3 IDENTIFICATION OF THE LAW/POLICY TO BE ASSESSED

Based on resources, their interests and the context, the organisation(s) can decide which law or policy they want to evaluate. The choice can also depend on time constraints and/or the level of existing dialogue with the target government. In some cases, the choice could be based on ongoing processes at jurisdictional level that you may want to influence.

### 4 IDENTIFICATION OF CRITERIA AND ADAPTATION OF THE GEC MATRIX

The selection of criteria must be a participative process, based on their relevance to specific aspects of the piece of law or policy that you have selected, as well as on the resources of the organisations involved. In some cases it is better to dig deeper on selected aspects rather than providing a general overview; in other cases the opposite will be true. Furthermore, it is important to identify relevant questions for each criterion as well as targets and indicators. Adaptation of the matrix should be based on the country context and the questionnaires elaborated to respond to the criteria must take into account all these diverse elements.

### 5 IMPLEMENTATION

You can collect data using any methodology you consider useful and with which you are familiar, but it must include some sort of desk review and legal analysis. The more you involve local communities in collecting data, assessing the law/policy and in developing the final analysis, the better the result will be. There is no pre-defined methodology for doing this.

### 6 ANALYSIS AND PRESENTATION OF RESULTS

After data collection, use the selected criteria to assess the law/policy and carry out a broader analysis; this can include making recommendations. Depending on the organisations involved, the presentation of the outcomes may be a public event, a publication, a hearing with the government or a combination of these.

### 7 ADVOCACY

The GEC are mainly an evaluation tool, but the results of the assessment can be used to conduct advocacy activities aimed at changing a law or modifying a draft law. Depending on relations with the government, the process can also have a positive impact on the development of future laws. In the specific case of countries where a National Engagement Strategy (NES) project is ongoing (or is being planned), the outcomes of this exercise may be used to inform the project on aspects relating to women's land rights.

**The Gender Evaluation Criteria (GEC)** were created to assess land-related laws and policies, but they have **also proved to be useful in assessing legal instruments in other fields.**

## FROM THEORY TO PRACTICE: A CASE STUDY FROM ADHD

ADHD, an ILC member organisation that promotes rural development and gender equality in Togo, has been using the Gender Evaluation Criteria since 2013, after it participated in a dedicated training session organised by ILC and the GLTN. It has used them in different ways, providing training for organisations and government officials as well as conducting actual assessments of laws and policies. The goal of the process was to assess the country's Family Code (*Code des personnes et de la famille*), which had already been revised in 2012 based on comments received in the framework of the revision of the Convention to Eliminate All Forms of Discrimination against Women (CEDAW, which Togo ratified in 1992).

In 2013–2014 ADHD organised three training sessions for partner organisations in Togo's National Engagement Strategy (NES), including CSOs, representatives of ministries and the private sector, and traditional leaders; the sessions included implementation of the GEC in the field, from data collection to data validation. After the collection and validation of data, the organisations presented reports and recommendations based on the assessment. 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 this presentation. The organisations involved then used the expertise they had acquired to assess the preliminary draft of the Land Code.

On the basis of this experience, ADHD has put in place mechanisms of consultation, dialogue and conflict resolution to promote women's land rights. Fifty-one such frames have been put in place to date, and the Togo NES partners plan to put in place at least 100 by 2017. The implementation of these consultation and dialogue frames requires the sensitisation of local actors on women's land rights, taking account of international human rights treaties and conventions. The use of the GEC tool will contribute to this work.

In June 2015 ADHD established a collaboration with the women's ministry (*Ministère de la promotion de la femme*). Ministry officials have promoted the creation of gender clusters within each government ministry, each comprising three members of staff; ADHD is in charge of training these focal people (70 in total) on how to use the GEC tool to assess policies, programmes and projects. At least two of the three members of each cluster (at least one of whom is a woman) have participated in training sessions, which have involved learning about the tool and practical exercises.

# GROUPS OF WOMEN CLAIMING RIGHTS

## THE TOOL

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*Groups of women who act collectively to claim their rights.*

## IT'S GOALS

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- » **Raise awareness** about women's rights;
- » **Enhance women's capacity** to claim their rights;
- » **Enforce implementation of laws and policies** in favour of women's rights.

## ACTORS INVOLVED

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Rural women, members of rural women's committees, organisations involved (in this case Swadhina) and their staff in the region, policy makers.

### ALREADY TESTED BY

*Swadhina* (India).

## MORE INFORMATION

### SWADHINA

<http://www.landcoalition.org/en/regions/asia/member/swadhina>

### ILC DATABASE OF GOOD PRACTICES

<http://www.landcoalition.org/en/bestpractice/group-women-unites-and-claims-rights-and-services-state>

[http://www.landcoalition.org/sites/default/files/documents/resources/case\\_study\\_0018\\_india\\_en.pdf](http://www.landcoalition.org/sites/default/files/documents/resources/case_study_0018_india_en.pdf)

**This tool was developed and implemented by Swadhina**, an Indian CSO focused on women's empowerment, in collaboration with members of local rural women's committees.

## EXPECTED OUTCOMES

- » Women gain awareness of their rights and play an active role in claiming their rights.
- » Women obtain access to different schemes, policies and rights that improve their overall welfare.
- » Women are socially recognised as an economic force, as farmers and agricultural workers.
- » A change occurs in society concerning perceptions about women, in particular at community level.
- » Women are able to address issues concerning their rights, and violations of these rights, through collective action.

**Ultimate outcome:** practical recognition of women's land rights at community level.

## FUNCTIONING

### STEP BY STEP PROCESS

# 1

#### MOBILISATION

The promoting organisation, together with other actors (in particular rural women's committees), mobilises women in order to create and organise a women's collective, which will be the main actor in claiming women's rights.

# 2

#### LEARNING AND AWARENESS RAISING

Women are involved in a learning process that includes the provision of information about different rights and government schemes and policies, including social care and economic rights. The approach to awareness raising includes the use of cartoon booklets, posters, debates and other interactive tools.

# 3

#### PLANNING

The collective develops a joint action plan and decides a specific approach to be used. Each member of the group plays an active role, and decisions are taken collectively. The action plan and related planning activities should include the identification of specific targets (authorities) to be approached. A well prepared action plan is fundamental to approaching the relevant authorities in an effective manner.

## 4 **CAMPAIGNING**

The women's collective approaches the authorities identified as being responsible for the implementation of policies affecting rights, in order to claim rights over land and demand the implementation of relevant schemes and policies. This is the core part of the action and must be adapted to local cultural contexts, keeping in mind that the effectiveness of this tool is strongly related to the relationship that is built between the women's group and the authorities.

### **FROM THEORY TO PRACTICE: A CASE STUDY FROM SWADHINA**

Since 2013 the Indian CSO Swadhina has been promoting awareness amongst indigenous women in East Singhbhum district, Jharkhand state, on their rights to land and land-based livelihoods. Under the leadership of Swadhina, grassroots women have successfully undertaken collective action and have participated in capacity-building programmes, including advocacy, lobbying and mobilisation.

The strength of the collective has given women the courage to translate their learning into reality. Under the leadership of the Sardardih Women's Committee, 22 rural women from this group used the knowledge they acquired to claim from the state their right to obtain the Agro Credit Card, which is designed to provide low-income farmers with credit from government institutions, in order to ensure better investments on their land. Following this success, others emulated this first group of women and now a quarter of families in the area have access to the Agro Credit Card, while a further 67% have applied for it.

The women who first decided to come forward met with officials to claim their rights; they were granted their due rights to the scheme and received credit in time for the farming season. Collective organisation also helped women to benefit from other schemes, ranging from bank accounts to social security schemes. Swadhina organised further training and orientation sessions for group members, on topics including gender awareness, access to government services and functioning of the panchayats (local governments).

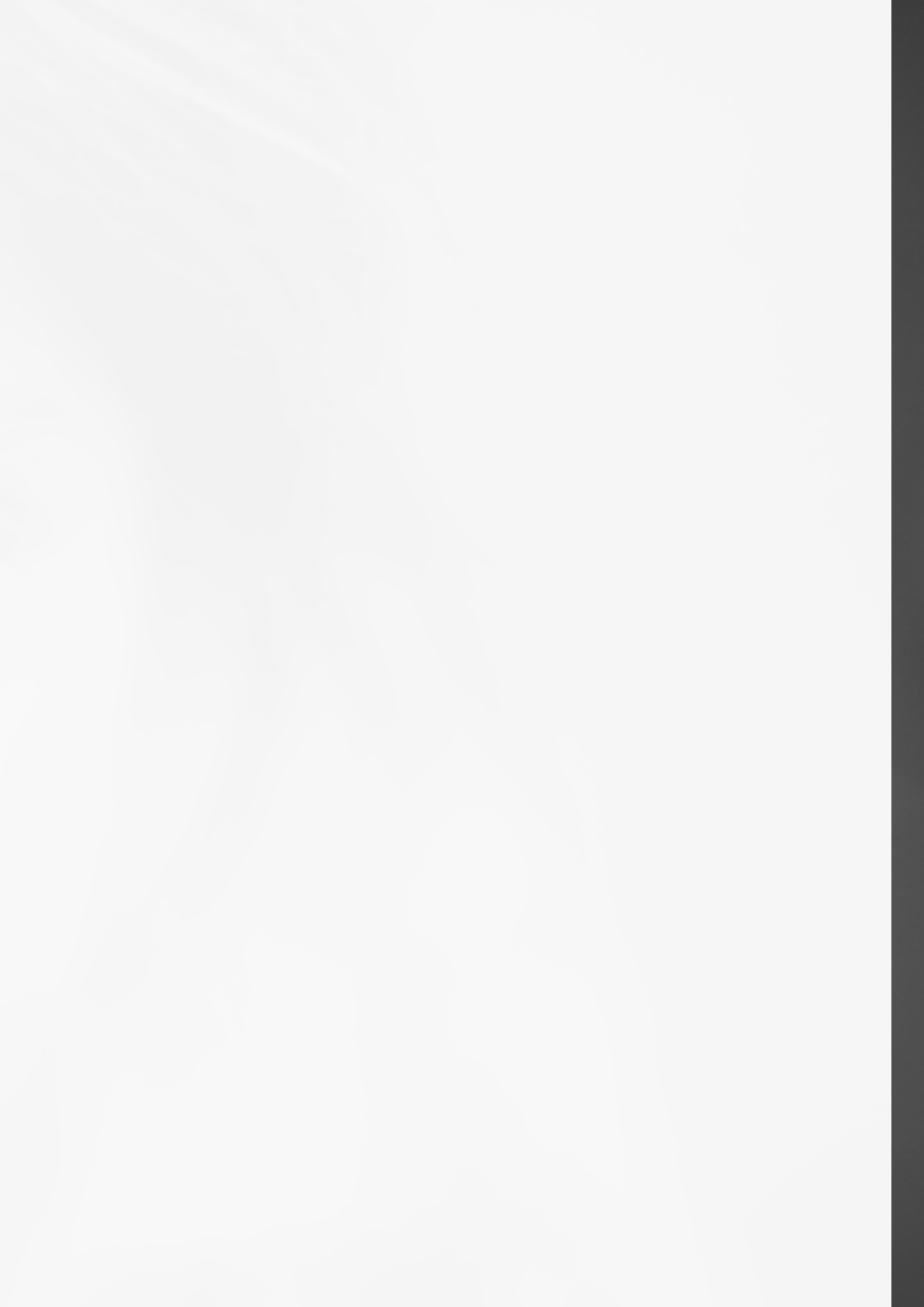
Although initially it was difficult to convince government officials to grant women access to these schemes, regular meetings as a group put pressure on them and eventually succeeded in ensuring their success. The women put forward their demands as a collective, which helped to publicise the deprivations faced by rural women. For instance, they highlighted the huge difficulties faced by women due to the lack of drinking water supply in the area; in another area, women pointed out that they were denied access to the food security scheme, which was essential for the welfare of their families.

As a result, a total of 281 women now have social security insurance and have obtained recognition as agricultural labourers in the informal sector. Another 111 women have enrolled for the food security scheme in their own names, and 151 women now have their own kitchen gardens, while 185 women have bank accounts in their own names. They now not only have control over their food supply, but are able to claim their rights over monetary returns from the sale of agricultural produce. This has provided a huge boost to the women in recognising their status as farmers.

Women have gained social recognition and are now regularly consulted by their households and at the broader community level on various social issues. In the context of India's social structure, this is a significant achievement. Furthermore, due to their collective advocacy campaigns, the general attitude of family members towards women's rights is undergoing a change and the collective strength of women is increasingly recognised.

These activities have given women a collective voice and strength, which goes beyond simply being aware of their rights and entitlements; by being able to claim them, they have become an example for others. In addition, cooperation between government agencies and the grassroots has increased, with improvements seen in public service delivery to grassroots beneficiaries.





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