

# Strengthening Indigenous and Rural Women's Rights to Govern Community Lands

Ten Factors Contributing to Successful Initiatives



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### I. Introduction

Across the globe, indigenous and rural women make invaluable and multifaceted contributions to the myriad of sustainable development and climate goals. Indigenous and rural women often bear primary responsibility for meeting their households' needs for food, energy, traditional medicine, fodder for livestock, clothing, and other culturally significant items. To fulfill this essential yet often undervalued workload,1 they use and manage the communitybased territories that comprise over 50 percent of the world's land.<sup>2</sup> Indigenous and rural women commonly possess and employ unique knowledge when making decisions regarding the use of natural resources. Their many positive contributions are facilitated by their distinct and commonly gendered responsibilities and cultural knowledge, which often allow them to use, conserve, and value natural resources in ways that preserve biodiversity, maintain viable landscapes, and strengthen climate change mitigation and adaptation action.3 Increasingly, indigenous and rural women are organizing and forming networks to defend community lands and resources, and assuming leadership positions within

### Key Findings from Power and Potential

Power and Potential—a global analysis published by RRI in 2017 examining the extent to which women's rights to community forests are legally recognized in 30 LMICs in Africa, Asia, and Latin America—concludes that indigenous and rural women's rights to participate in community forest governance through community-level voting and leadership positions are rarely protected by national laws. Of the 80 analyzed community-based tenure regimes (CBTRs), legal frameworks establishing community forest tenure under national law, the analysis found that:

- Of the five community-level rights analyzed (membership, voting, leadership, inheritance, and dispute resolution), women's voting and leadership rights received the least legal protection.
- Only 2 CBTRs (3 percent) provide adequate protection for indigenous and rural women's voting rights, while 65 CBTRs (81 percent) either do not address community decision-making processes or fail to acknowledge women's right to vote in community general assemblies or equivalent decision-making bodies.
- Only 4 CBTRs (5 percent) provide adequate protection for women's leadership rights, while 69 CBTRs (86 percent) either fail to address community-level leadership or to require that women hold a given percentage of leadership positions.

government institutions, Indigenous Peoples' networks, and community forest networks.<sup>4</sup> They may do so at great risk to their personal safety, as rates of threats, assaults, and murders of indigenous and rural women land defenders continue to rise in many countries.<sup>5</sup> In addition to their increasingly visible advocacy efforts, many women are taking on greater responsibilities for land and resource management within their communities—a trend that is likely to continue across low- and middle-income countries (LMICs) due to a confluence of factors, including the rise in men's out-migration from many indigenous and local communities, increased educational and economic opportunities for women, and positive developments in traditional practices that increase women's ability to make decisions about community lands at a local level.

Historically, the injustices confronting women with regard to community land rights have been widespread. They are commonly perpetuated by patriarchal community-level practices, customary laws, and formal laws passed by governments, all of which either overlook or directly discriminate against indigenous and rural women's tenure rights. Indeed, "it is now widely recognized that community practices more often relegate indigenous and rural women's tenure rights solely to land access and use, rather than providing a fuller bundle of rights that would enable control over land and natural resources." 6 While women and men are increasingly challenging and positively transforming patriarchal customs at a local level, research demonstrates that across LMICs,

women's rights to substantively participate in decisions determining the use, management, conservation, allocation, and inheritance of community lands and resources remain inadequately protected under national- level law.<sup>7</sup> As a result of these injustices, community-level land and forest management institutions, leadership councils, and community leadership positions tend to be more heavily influenced and controlled by men,<sup>8</sup> and national laws do not consistently protect women's rights to exercise decision-making authority with respect to community lands and resources.

Without legally recognized and secure governance rights over community lands, indigenous and rural women's priorities, unique knowledge, and rights to free, prior, and informed consent (FPIC) are unlikely "As the consumer of these resources, she [the woman] must seize the current opportunity for reform through dialogue which will bring together all stakeholders implicated in the management of land and forest resources in order to encourage them to take into account her rights and her implication in the management and full enjoyment of land and forests."

CFLEDD "Report on the Multi-Stakeholder Dialogue on Women's Land and Forest Tenure in Sud-Kivu: Territories of Uvira and Kabare, 19/09/2018"

to be respected during key decision-making, negotiation, and legislative reform processes that may impact the status of community territories for generations to come. Women's rights to equally benefit from private land acquisitions, land and resource management agreements, and REDD+ projects are also unlikely to be respected. More fundamentally, communities will operate at half-capacity when facing critical challenges due to climate change, mounting private sector engagements, political turmoil, and conflict. Such injustices lead to the suffering of rural women, their families, and their communities, while precluding countries' sustainable development and resilience. For these reasons, there is an acute need to strengthen indigenous and rural women's rights to both hold positions in executive bodies with decision-making authority over community lands and to vote or take equivalent binding action in community general assemblies or similar institutions.

Encouragingly, grassroots groups and a wide range of development organizations are devising successful initiatives to advance the land governance rights of rural women and their communities, generating stories of progress that underscore women's agency, power, and potential. However, successful support processes remain under-reported and insufficiently analyzed. More specifically, there remains a critical dearth of analysis and documentation addressing *how* organizations can best support and facilitate the efforts of indigenous and rural women to realize their community land governance rights, *why* particular interventions have succeeded while other have failed, and *what qualities* of support efforts are most commonly associated with success.

This report begins to address these gaps by identifying factors that have contributed to the success of local, national, and regional initiatives employed in LMICs to strengthen indigenous and rural women's governance rights concerning community lands. Identifying replicable solutions for strengthening women's community land governance is important because women's land governance rights are arguably the most essential rights needed for women to advocate for their land rights under formal law and to transform discriminatory community norms and practices that weaken their land tenure security. Without critical reflection on the contributing factors behind successful initiatives strengthening women's governance of community lands, essential learning and opportunities for knowledge-sharing across countries and regions will be lost.

### II. Purpose, Methodology, and Scope

Given the marked inadequacy of legal frameworks and the insecurity of indigenous and rural women's rights

to exert control over the community lands they regularly use and depend upon,<sup>13</sup> this report identifies and analyzes contributing factors behind initiatives and support processes that have successfully strengthened indigenous and rural women's governance rights with the aim of distilling guidance on best practices and their application in similar contexts and situations. It facilitates and aggregates global learning from the reflections of 18<sup>14</sup> organizations (some of whom are indigenous and local community members or representatives) that have implemented 22<sup>15</sup> successful initiatives strengthening the land governance rights of indigenous and rural women within LMICs at local, national, and regional levels. Nineteen of the initiatives featured in this report were implemented by members of the RRI Coalition.<sup>16</sup> Thus, the factors presented below draw on preliminary observations derived from the modest number of initiatives analyzed, and reflect the Coalition's ongoing desire to gather, reflect on, and learn from best practices around the globe.

The initiatives analyzed were employed by a wide variety of organizations, including civil society organizations, international NGOs, national networks of community forest users, and regional networks of Indigenous Peoples and local communities. RRI Coalition members and other allied organizations provided contributions to this report by completing a standardized questionnaire outlining: (1) the challenges encountered by indigenous and rural women in the implementation areas; (2) the strategy employed through one or more successful initiatives; (3) results of the implemented activities; and (4) specific contributing factors they considered instrumental to the project's success. Activities were implemented in LMICs in Africa, Asia, and Latin America, including Cameroon, the Democratic Republic of the Congo, India, Indonesia, Kenya, Myanmar, Nepal, Peru, Uganda, and Zambia, and by regional networks operating throughout the Amazon Basin and Mesoamerica.

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## III. An Overview of Analyzed Initiatives and Highlighted Obstacles to Women's Governance Rights

The initiatives examined in this report reflect a variety of approaches and objectives. Some supported indigenous and local community members to revise and/or draft community-level bylaws, statutes, or community forest management agreements. Several initiatives offered trainings and other capacity- building sessions to communities, which were designed to increase the knowledge of community members concerning community forest and land governance, including through participation in REDD+ initiatives. Other projects supported communities to pursue legal claims or strategic litigation in defense of their rights to lands and other natural resources. Finally, several activities implemented national or regional campaigns to improve indigenous and rural women's land governance rights in legislation regulating community lands, increase women's participation within the leadership structures of national or regional community forest networks, or increase indigenous and rural women's participation within national climate change, land titling, or other development programs.

Cumulatively, these initiatives demonstrate that a variety of factors can contribute to countering the many interrelated challenges to indigenous and rural women's governance rights. The following obstacles were commonly referenced by contributing organizations:

- National laws, climate change programs, and development projects usually fail to recognize and support
  women's governance rights. Correspondingly, government officials and private sector actors—who are
  typically predominantly male—are often inattentive to women's land rights and gendered differences
  related to natural resource governance, and are more likely to pass and implement laws in ways that
  overlook women's needs and priorities.
- · Mainstream media outlets may be less familiar with and less likely to cover issues related to women's land

rights or environmental and ecological needs, thus limiting the public's awareness and their ability to compel positive government action.

- Community members (especially women) may be unaware of gender-sensitive provisions within
  government-issued laws, development projects, climate programs, and international treaties such as the
  Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) that recognize
  women's land governance rights, leading to inadequate enforcement of such positive provisions.
- Patriarchal stereotypes, practices, and discriminatory gender norms within indigenous and local
  communities often consider decision-making and leadership responsibilities concerning natural resources
  to be within the sole jurisdiction of men, either forbidding or discouraging women's participation in decisionmaking fora and reducing the chances of men taking women's viewpoints seriously.
- Community norms may view household-level caretaking responsibilities as the exclusive or predominant
  duty of women, thereby limiting the amount of time women have to attend decision-making fora and
  reducing women's ability to balance their role within community land governance processes alongside other
  existing responsibilities.
- As compared to men, women often have limited education and literacy levels, along with limited access
  to information, technology, and transportation—all of which hinders their ability to consistently and
  substantively engage in community land governance matters.
- A lack of gender-disaggregated data on land and forest governance hinders efforts to better support indigenous and rural women's governance rights and to identify specific challenges.

As reflected by the activities analyzed in this report, these obstacles prevent many indigenous and rural women from acquiring the logistical capacity, knowledge, experience, and resulting confidence required to substantively and consistently exercise their rights under CEDAW (in addition to positive guarantees in governments' constitutions, case law, and legislation), which expressly guarantees rural women's equal rights to "participate in and benefit from rural development" and to "participate in all community activities." In light of these challenges, the exercise of discerning, documenting, and sharing the qualities of interventions that have successfully strengthened indigenous and rural women's land governance rights is crucial.

### IV. Acknowledging the Specific Circumstances of Community-based Tenure Systems

Before presenting the 10 most commonly shared contributing factors across the initiatives analyzed, it is important to emphasize that this report specifically pertains to "community-based tenure systems," which differ from individual tenure systems in important ways that must be accounted for when designing activities to strengthen women's governance rights. Community-based tenure systems are defined as institutional frameworks of Indigenous Peoples and local communities—which may or may not be recognized by statutory laws—that in practice give rise to a complex and interrelated bundle of tenure rights held by an entire community. These systems are often characterized by especially tight bonds among community members, who share a special attachment to their lands and are dependent on each other's roles in successfully stewarding a wide array of natural resources that all members depend on for their livelihoods and cultural identity. Rules and practices concerning land governance within community-based tenure systems are especially likely to be unwritten and are more quickly adaptable to the changing needs of communities than formal laws dependent on prolonged legislative processes. However, shifting community norms and related practices may depend on

a high proportion of community members accepting normative changes. For these reasons, community-based tenure systems render the status of all community members particularly dependent on their collective well-being, which in turn depends on the maintenance of the social harmony necessary for functional community land governance, and therefore the sustainable and equitable governance of their lands and resources.

At the same time, the range of diversity in community practices, gender norms, religious perspectives, and sociohistorical backgrounds across the world's community-based tenure systems cannot be overstated. This diversity results in a plethora of community land governance frameworks that have significant impacts on the balance between the land rights of individual community members and the rights of a community as a whole. For instance, some communities may rely on consensus-based decision-making processes in which all adults must agree on a particular course of action regarding community land governance, <sup>19</sup> whereas in other communities powerful individual actors may be able to take unilateral action, regardless of the preferences of most community members. <sup>20</sup> Similarly, research demonstrates that in some indigenous and local communities, women-led land governance processes are commonplace, <sup>21</sup> while in other communities women's increased agency and associated land rights may be perceived as a threat. <sup>22</sup>

Given the unique and diverse realities that apply to community-based tenure systems, the tremendous cultural and socioeconomic value that many indigenous and local women place on these tenure arrangements, and the resulting efforts of indigenous and rural women to defend community lands,<sup>23</sup> interventions seeking to strengthen women's rights to govern community lands must respond to their identities and rights as both individuals and members of a larger rights-holding group whose long-term success necessitates collaboration and benefit-sharing across the sexes.<sup>24</sup>

## V. 10 Contributing Factors Underlying Initiatives that Successfully Strengthened Indigenous and Rural Women's Land Governance Rights

The following contributing factors underlying successful processes and interventions supporting indigenous and rural women's land governance rights are organized according to three themes: 1) maintaining a community-wide focus; 2) using information and learning to further empower women and their communities; and 3) establishing strategic networks and alliances at multiple levels.

### A. Maintaining a Community-Wide Focus

1. Community-wide engagement is essential for sustainable, wide-spread progress: Successful processes and interventions aiming for sustainable and wide-spread change empower women and strengthen their governance rights as part of an ongoing and collaborative process involving the entire community.<sup>25</sup>

A number of cases analyzed emphasize the importance of approaching women's empowerment within an indigenous or local community as an ongoing, inclusive, and collaborative process involving a wide cross-section of community members. To counter negative gender norms and promote women's rights to community land governance in the long term while also preserving communities' social harmony, many analyzed activities: (1) supported both men and women (striving to involve men and women from the same households) to better realize and respect women's decision-making rights; (2) addressed the way that both genders interact and depend on one another to define their relationships with community lands; and (3) responded to indigenous and rural women's dual identities as individuals and members of a larger community, rather than viewing women solely as an isolated population. As suggested below by Contributing Factor 2, such an approach does not negate the importance of specifically supporting influential members of a community, such as community

"For indigenous women, our land is a sacred space that cannot be sold or divided up. By stewarding these lands we play a fundamental role in food security, the preservation of biodiversity, and the governance of our territories. But without voice and vote, women cannot fully use and protect the lands and forests we all rely on."

Ketty Marcelo, ONAMIAP

or religious leaders. Rather, contributions to this report underscore the importance of taking a cross-cutting approach to strengthening women's land tenure rights that engages all community members and facilitates horizontal learning, regardless of participants' particular position and social status.

Namati's work in partnership with the Community Self Reliance Centre (CSRC) to support indigenous communities in revising and documenting municipal-level bylaws on community land governance in Nepal's Bhajani-Trishkti Municipality illustrates the level of inclusivity that may be required to successfully strengthen women's governance rights within community-based tenure systems. This two-year project included multiple facilitated meetings (over 800 bylaw meetings across 54 wards within the Bhajani-Trishkti Municipality) during which

between 100-200 indigenous community members (both men and women) debated problems related to the management of their lands, gender rules, and the status of customary rules concerning their natural resources. Ultimately, the community issued multiple bylaws strengthening women's land governance rights, including bylaws requiring families with registered land to obtain joint land ownership certificates that are held by both husband and wife; requiring 50 percent of the major and minor leadership positions within community forest user groups be held by women; enabling women to be elected as traditional leaders; and requiring that women be represented in all community-level committees.

### 2. Engage community leaders: Successful projects often receive the support of male and female community leaders. <sup>26</sup>

Analyzed initiatives indicate that if leaders with legitimacy and influence within their community embrace the need to strengthen women's land rights, initiatives designed to promote women's land governance rights are more likely to be effective. Indigenous Peoples and local communities typically rely on customary laws and norms to determine their social order and relationship with natural resources, with few if any communities relying solely on state-issued laws. Therefore, the perspective of community leaders who are typically male and oftentimes viewed as the authority on customary law is deeply important to addressing issues regarding women's land governance. Contributions to this report suggest that it is particularly important for male community leaders to be included in activities that increase community members' knowledge of women's land rights and the value that gender equality brings to entire communities.

Community-level work by the National Organization of Andean and Amazonian Indigenous Women of Peru (ONAMIAP for its Spanish acronym)—a national organization of indigenous women in Peru who advocate for the community-based rights of indigenous women and their larger communities, including rights to lands and territories—is one of several contributions to this brief that reflects this recommendation. ONAMIAP's support to communities to revise their community statutes and recognize women as bona fide community members follows a process in which predominantly male community leaders attended workshops and trainings tailored to their positions within the community, before the larger community began the process of adjusting and memorializing revised community rules. ONAMIAP's work suggests that it is especially important to receive community leaders' early endorsement of women's governance rights and the proposed intervention.

Work in Cameroon by the African Women's Network for Community Management of Forests (REFACOF for its French acronym), a regional network supporting women's tenure rights in 16 member-countries in West and Central Africa, uniquely targeted the often-influential wives of traditional leaders ("Queen Mothers") to influence

the perspectives of Traditional Chiefs. In REFACOF's experience, Queen Mothers are "well placed to promote women's tenure rights both within their communities and when engaging with local, regional and national government officials,"<sup>27</sup> making them potential allies in efforts to gain the support of commonly male leaders.

## 3. Provide culturally appropriate support: Successful activities implemented by organizations external to communities are designed alongside community members, resonate with communities' cultural norms, and prioritize communities' agency.<sup>28</sup>

Most cases analyzed for this report emphasize the importance of organizations external to communities designing activities and interacting with communities in ways that are culturally appropriate, socially legitimate, and empowering. Rather than lecturing community members on the importance of women's land rights or giving long-winded ready-made presentations, RRI Coalition members underscore the importance of facilitated community meetings on women's land governance led by the questions and answers of community members themselves. Several implementing organizations cited the successful use of culturally tailored visual tools such as dramatic performances, role play, illustrations, videos, and other mediums in explaining key concepts undergirding women's governance rights and gender equality.

In addition, multiple contributions to this report reiterate the value of facilitating community meetings and other interactions in the communities' local language, ideally by trained persons from the community itself. Contributions from ONAMIAP and other organizations emphasize that facilitators and other partners must earn the trust and respect of community members before designing and supporting actions impacting community norms and rules surrounding gender and community land governance. To be effective, facilitated community meetings should reinforce community autonomy while creating a shared decision-making arena, a common understanding of the problems at hand, and willingness to experiment with the prescriptions and solutions that are born therein. The social legitimacy of facilitators working with communities (regardless of whether they themselves are community members) may prove vital in creating the kind of safe space necessary for men to feel secure enough to accept proposed changes that would increase women's influence in community decision-making processes, and for women and other marginalized community members to feel secure enough to openly discuss their concerns and priorities in a public and potentially unfamiliar forum.

## 4. Recognize that social change takes time: Successful activities allow enough time to transform patriarchal attitudes towards gender roles and for normative changes to manifest in favor of women's land governance rights.<sup>29</sup>

RRI Coalition members' work reflects the simple but critical fact that transforming discriminatory gender norms and associated governance structures that privilege the decision-making power of men is often a

time-consuming process that should not be rushed. For example, effectively supporting specific communities to revise and document their customary laws often takes a year or more, and this timeframe does not include activities to reinforce and monitor the implementation of community rules. Ocntributions from Namati and other organizations suggest that communities may take over a year to effectively deliberate the necessarily wide range of issues related to governing their lands; connect these matters to women's rights and roles; help women acquire the skills, information, and confidence needed to substantively participate in decision-making forums; and persuade more reticent

"The problem is: It takes time. We should be very patient and we really need to see things in a very long term perspective. But I'm sure that we'll get there, because we have started working with some traditional chiefs, and we have some concrete examples. Many chiefs have told me: Things are changing." community members to support women's governance rights.

Initiatives and support processes analyzed for this report suggest that nation-wide initiatives may require even more time than local-level projects, but also offer opportunities to produce more wide-reaching change. For example, over the course of an enduring and multifaceted national campaign to strengthen women's leadership within community forest institutions by the Federation of Community Forest Users in Nepal (FECOFUN), this national coalition representing 8.5 million people and over 19,000 community forestry user groups significantly enhanced women's leadership within community forest governance institutions throughout Nepal. In 2010, after 15 years of advocacy, the campaign led to the revision of FECOFUN's constitution to require that 50 percent of its executive leadership be comprised of women, even though Nepalese law currently only reserves 33 percent of decision-making positions for women within the formal government.<sup>31</sup> With FECOFUN's support, 632 of the nearly 2,000 indigenous and local community members elected during Nepal's 2017 local elections were women, many of whom are also involved in the front lines of Nepal's grassroots community forestry movement. These positive steps forward would not have been possible without the prolonged efforts of FECOFUN.<sup>1</sup>

### B. Using Information and Learning to Further Empower Women and their Communities

### 5. Highlight the valuable contributions that women already make to their communities: Render visible the positive impact of women's work on the management and conservation of community lands.<sup>32</sup>

Many contributing organizations highlight the significant work of indigenous and rural women in managing community lands, stewarding community resources, and using these resources to meet the needs of both their families and communities. Unfortunately, such contributions are often insufficiently recognized by community members and government actors. Successful initiatives stress the importance of addressing this troubling awareness gap by actively documenting and disseminating the unique contributions and knowledge women bring to the management of community lands and natural resources. Successful efforts by ONAMIAP supporting indigenous communities in Peru to revise community statutes were prefaced by awarenessraising campaigns and informational workshops designed to demonstrate women's contributions to their communities and their unique relationship to community lands and natural resources. The ultimate objective of ONAMIAP's intervention was to support the revision of community statutes to recognize indigenous women as full-fledged community members with guaranteed governance rights, an achievement that is essential to women's inclusion in processes related to the formalization and titling of community land rights, as well as decision-making processes concerning outside investments in community land. However, project activities were designed to defer the meetings in which community members would discuss challenges related to community land governance until after the value of women's existing contributions to those lands was rendered visible, allowing both men and women to more clearly understand how their daily lives were enhanced by women's work and how strengthening women's land governance rights would benefit the entire community. The results of ONAMIAP's efforts suggest the benefits of this multi-phase approach. Upon completion of project activities, many communities' modified community statutes included quotas ensuring that between 30-40 percent of women community members are included within community leadership bodies, thus promoting women's greater representation and voice in decision-making spaces concerning their community lands and natural resources.

When possible, successful activities may also be scheduled to take place alongside other promising positive political developments that enable their success. Initiatives analyzed highlight the value of timing activities to align with windows of political change and other opportunistic advocacy moments, such as decentralization movements and efforts to pass national-level laws on women's property rights. Pathak, Bharati. 2018. Personal communication, Secretary General, FECOFUN, December 14, 2018; and Marcelo, Ketty. 2018. Personal communication, President, ONAMIAP, October 25, 2017.

### 6. Demonstrate the community-wide advantages of securing women's governance rights: Successful initiatives empowering women also benefit—and are presented as benefiting—the entire community.<sup>33</sup>

Several initiatives analyzed indicate the critical importance of building on the demonstrated community benefits of strengthening women's governance rights. Research has shown that improving rural women's land rights and economic empowerment has the potential to expose women to greater levels of domestic violence if men feel

excluded from these gains.<sup>34</sup> On the contrary, a five-year initiative carried out by the Center for International Forestry Research (CIFOR) to implement an Adaptive Collaborative Management (ACM) approach in six communities throughout Uganda reveals the efficacy of empowering women in a way that directly benefits them as well as their larger communities. This project used trainings and participatory meetings to support 279 community members (128 men and 151 women) to identify and respond to community forest management challenges. This resulted in the reversal of several discriminatory norms that previously prevented women from exercising land management rights at household and community levels, such as those that previously favored men's rights to plant trees that traditionally convey land ownership. CIFOR partly attributes these normative changes to the project's intentional inclusion of men as beneficiaries and key participants, and to the project's encouragement of "women to work alongside their husbands and other men so that the benefits

"Educating women is educating the community at large. And also if you talk of traditional knowledge or cultural heritage, it is very important to focus on women. Women have a lot of traditional knowledge, especially on issues of climate change, and will provide more strategies on how to manage these lands."

Aminatu Gambo, International Indigenous Women's Forum (FIMI)

of group action were distributed beyond women."<sup>35</sup> Over time, such normative shifts may increase indigenous and rural women's ability to exert greater control over resources obtained from community forests (both at a household and community level), thus allowing them to better counter the many pressures posed to community forests from climate change, private sector investments, and demographic shifts that may place increased burdens on women as community forest managers.

Work by Namati also emphasizes the power of demonstrating the community-wide advantages to securing women's governance rights, underscoring that interactions with communities should "show rather than tell men why women's voices are critical in land management and natural resources conservation." For example, Namati observed that the nature of rural women's work with natural resources in Uganda and elsewhere often allows them to contribute to community land maps in a unique manner that men appreciate, such as by cataloguing and mapping a broad variety of resources that men are less aware of. Thus, women's participation in community mapping exercises alongside men—which takes place prior to the revision of community bylaws—allows men to freely and clearly recognize the manner in which women's participation within land governance processes benefits their entire communities. Similarly, the advancement of women's leadership in FECOFUN has been buttressed by the fact that implemented strategies have improved the situation of all community forest user groups represented by FECOFUN, in addition to generating specific advancements primarily benefiting women members.

Under women's leadership, FECOFUN has reserved 35 percent of the income generated from community forest user groups for both poor persons and women, more directly addressed controversial issues such as violence against women alongside community-level conflict management that impacts all community members, and successfully advocated for the passing of two gender-sensitive policies: Nepal's Community Forestry Guidelines (2014) and the Gender Strategy (2065).

## 7. Use information to empower women as community leaders and decision-makers: Successful activities use the sharing of information with women as the foundation of women's leadership and decision-making capacity.<sup>38</sup>

The majority of initiatives analyzed shared information with women in order to strengthen their decision-making capacity and increase community members' awareness of the many ways in which women's work can serve as an asset to community land management. While activities such as trainings, information sessions, and capacitybuilding exercises benefit both men and women, they may have an especially marked impact on women who are less likely to have received similar information in the past. The power of information to propel women into leadership roles that strengthen their rights and those of their entire communities is exemplified by the "Grassroots Capacity Building for REDD+" projects employed by RECOFTC in Indonesia, Lao PDR, Myanmar, Nepal, and Vietnam<sup>39</sup> to support indigenous and local community members to contribute as key actors in national and subnational discourse and policy-making surrounding REDD+. This multi-country project equipped grassroots community members with essential information about climate change, REDD+, social safeguards, and the prevention of environmental degradation through capacity- building trainings, thus allowing women to participate in decisions regarding community forest governance in a more informed manner. Through trainings and workshops, the project also equipped community members with facilitation skills to enable them to readily share their information and perspectives with other community members and key government officials at both local and national levels. While the project trained both men and women, the results with respect to women were particularly notable. After completing these trainings, indigenous and rural women began advising their communities on best practices regarding community forest management, providing useful information that all community members could use in tackling difficult issues such as illegal logging. By empowering women through education and information sharing, the project enhanced women's status and value within their own communities, allowing them to become important sources of information that the entire community could clearly benefit from.

Initiatives analyzed for this report also suggest that the work of legal aid organizations in guiding community members to file lawsuits in defense of their community land rights can provide valuable information to women about access to justice that can empower them to exert more control over community lands. Vasundhara, an organization supporting community rights recognition and land governance, has worked to inform both rural women and men in the state of Odisha of their community forest rights under India's Forest Rights Act, and supports local communities in filing Community Forest Rights claims with the government. In Odisha, these efforts have proven to be especially effective in bolstering the confidence and knowledge of women community members, who have been empowered by receiving information about their communities' rights; acquiring familiarity with formal complaint systems; and gaining experience in asserting their rights to use, control, and benefit from community lands, even when they are threatened by powerful government actors. Women who received Vasundhara's support in Odisha have later advocated for the restoration of their community lands, pursuing additional legal claims on behalf of their communities.

#### C. Establishing Strategic Networks and Alliances at Multiple Levels

8. Establish meeting spaces, activities, networks, or institutions that are exclusively for women: Successful initiatives often facilitate women-only networks, institutions, activities, meeting-spaces, or agreements.<sup>40</sup>

While it is important to ensure that both men and women are involved in and benefit from initiatives aiming to strengthen women's land governance, activities exclusively targeting women and the specific challenges they face remain a pivotal element of many successful initiatives. Women-only activities and facilitated meetings may serve as safe spaces for women to voice their concerns related to community lands for the first time and to organize an agenda highlighting their priorities. They may also prove essential for women to narrow the gender

gaps in information and communication skills that may hinder them from realizing their land governance rights. The projects examined for this report suggest that as long as such activities do not overshadow the inclusivity of the entire initiative, women-only activities may significantly enhance a projects' success by building women's capacity to participate in community assemblies, fostering their confidence, and providing them with alternative livelihood opportunities that increase their income and ability to pursue leadership roles.

Finally, it is important to note that indigenous and rural women's priorities and objectives regarding community land governance may also be heard through the establishment of women-only networks and organizations. Women leaders within both the Mesoamerican Alliance of Peoples and Forests (AMPB for its Spanish acronym) and the Coordinator of Indigenous Organizations of the Amazon Basin (COICA for its Spanish acronym)— regional organizations of Indigenous Peoples and local communities in Latin America dedicated to defending Indigenous Peoples' and local communities' territorial rights—have recently formed regional-level women's bodies to advocate for their land rights and strengthen their leadership. The Amazonian Women's Council and its secretariat is an assembly of women from COICA, representing each of the organization's nine country-level members across Latin America. Likewise, AMPB's newly formed Gender Commission is comprised of women territorial leaders from each of the organization's 10 country-level members across Mesoamerica. According to women within both organizations, the establishment of these women-only groups have provided women leaders with an opportunity to organize themselves, redefine their objectives for community lands as women, and chart a path forward toward both better integrating their voices within their respective organizations and lifting up communities' indigenous rights agenda. 41

### 9. Create self-sustaining, multilevel networks of women leaders: Successful activities create networks of women leaders who engage in mentoring and information sharing to maximize results.<sup>42</sup>

Implementing organizations emphasized that the long-term impact of projects was greatly improved when "cascade" training approaches were implemented in which women resource persons were established at multiple levels (national, subnational, and grassroots) to train and support new indigenous and rural women leaders. Results from RECOFTC's multi-country project entitled "Grassroots Capacity Building for REDD+" suggest that such multilevel networks of women leaders are well-positioned to capitalize on the growing confidence and knowledge of indigenous and rural women who receive capacity building training, leadership training, and information on community land governance. Indigenous and rural women have utilized these networks to bring other women into their collective struggle for community rights, thus amplifying their voice and impact. The network of leaders established through these activities has increased the number of indigenous and rural women leaders within community forest management institutions and has developed women land defenders who champion both women's and communities' tenure rights before local- and national-level government bodies.

## 10. Build and leverage strategic relationships with a variety of stakeholders outside of communities: Successful initiatives effectively communicate and build relationships with a wide variety of external actors to garner their support.<sup>43</sup>

Many RRI Coalition members' work on women's land governance emphasizes the importance of building strategic relationships with a variety of actors—including those outside of communities—to garner support for the recognition and protection of rural women's land governance rights. Such relationships require strong communication and facilitation skills in order to build trust among potentially diverse stakeholders over time, and can be strengthened by the relationships of existing project supporters. The success of analyzed initiatives was enhanced by relationship building and/or collaboration with various actors outside of communities, including: civil society organizations, journalists and media outlets, academic researchers, officials in national land ministries, local government officials, national women's networks, regional Indigenous Peoples' networks,

national coalitions of community forest users, national coalitions of chiefs, and religious leaders. For example, in the Democratic Republic of the Congo (DRC), the Coalition of Women Leaders for Environment and Development (CFLEDD for its French acronym) organized multi-stakeholder dialogues on indigenous and local community land governance with provincial leaders, local political leaders, chiefs, and indigenous and rural men—alongside capacity-building trainings for indigenous and rural women—that contributed to the passage of Edict No. 002/2018 Bearing Recognition of the Rights of Possession and Enjoyment of Women to the Forest and Land Patrimony (Edict No. 002/2018 Portant Reconnaissance des Droits de Possession et de Jouissance des Femmes aux Patrimoines Forestiers et Fonciers). The Edict is a gender sensitive provincial regulation broadly affirming indigenous and rural women's rights to govern and benefit from community lands and forests, in addition to emphasizing the importance of collaboration between indigenous and rural women, customary chiefs, and local political leaders. These dialogues focused on recommendations from a CFLEDD advocacy paper on women's land governance, which reflected CFLEDD's review of literature and legislation on women's land governance rights in DRC.

Similarly, multi-stakeholder dialogues have generated successful outcomes in Peru. ONAMIAP—buttressed by its own participatory research alongside research from CIFOR on women's land governance rights<sup>44</sup>—took advantage of multi-stakeholder forums to open a credible space and facilitate relationship-building that ultimately secured the substantive inclusion of indigenous women from ONAMIAP within key national dialogues on the implementation of a major ongoing national titling project. Importantly, these dialogues also ignited public debate regarding the need for broad multi-stakeholder support behind the community titling process, a notion that was outside of the public discourse only two years earlier.

These examples underscore the specific value of multi-stakeholder dialogues grounded in research driven by indigenous and rural women operating at a local level. Indigenous and rural women should always be the leaders and fundamental agents of change to strengthen their governance rights over community land and natural resources, yet these interventions demonstrate that even the most local-level actions supporting women's land governance rights can have a wider and more long-lasting impact when alliances are built with outside actors dedicated to supporting the tenure rights of rural women, Indigenous Peoples, and local communities.

## VI. Embracing a Solutions-Oriented Approach to Indigenous and Rural Women's Tenure Rights

To date, the international development community has primarily focused on the many obstacles to realizing indigenous and rural women's community land rights, offering recommendations based on increasingly well-documented injustices rather than adopting a solutions-based focus that prioritizes analysis unpacking why and how a variety of initiatives are strengthening indigenous and rural women's tenure rights. As the specific situation of indigenous and rural women's tenure rights within community-based tenure systems becomes increasingly visible and better understood, opportunities to identify and share best practices and contributing factors related to the strengthening of indigenous and rural women's tenure rights will also increase.

Analyzing and sharing best practices can accelerate the advancement of women's land rights, but such exercises can also be daunting. The success of various initiatives is influenced by a complicated web of overlapping factors—including cultural dynamics, the presence of particularly effective and receptive community leaders, emerging political developments at local and national levels, natural disasters, economic trends, demographic shifts, the availability of funding, and both promising and recursive legislative reforms—not all of which can be anticipated or controlled. Moreover, the pressures that implementing organizations often feel to secure funding,

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meet externally established project deadlines, and oversimplify messaging surrounding their work in order to generate awareness and support for their engagements can actually hinder efforts to distill best practices regarding women's governance rights within community-based tenure systems, especially at local levels where solutions are likely to be most nuanced and context-dependent. Given these challenges, it is especially important that organizations supporting community land rights in a variety of settings provide stakeholders with opportunities to freely share best practices regarding women's land rights, reflect on the array of drivers prompting both successful and unsuccessful outcomes, and disseminate such information widely to facilitate cross-border learning and replication.

Ultimately, the challenges facing rural women, Indigenous Peoples, and local communities require locally-driven, time-intensive, and solutions-based approaches that address how gendered power dynamics can be transformed and managed to positively impact community land tenure security. The initiatives discussed in this report emphasize the importance of increasing women's control over community lands and resources; the need to ensure that women land defenders are free and safe to engage in their expanding and increasingly visible roles as advocates and leaders; and the need to further support women whose workloads may be preventing them from further engaging in decision-making processes regarding community lands. While the analyzed initiatives are encouraging examples, a truly worldwide movement of organizations actively dedicated to advancing the land, forest, and resource rights of both communities and rural women is needed. Efforts to support women's rights to community lands should consistently maintain a community-wide focus, use information and learning to empower all community members to support women's land rights, and establish strategic, multi-level networks whenever possible.

The global community of stakeholders working to support the security of community lands and natural resources can rise to this challenge by fostering a culture of information sharing and transparent reflection concerning rural women's tenure rights that does not merely espouse the results of a particular project, but provides insights as to why initiatives succeed and how such results can be replicated in other contexts. In this collaborative spirit, RRI warmly invites organizations and stakeholders at all levels to share their learning with us as a step toward expanding dialogue across organizations, sectors, and regions. By working together in support of rural women, Indigenous Peoples, and local communities, we can secure community lands at scale, thus promoting justice, dignity, and advancement for all men and women within indigenous and local communities; and safeguarding the ecosystems that all societies depend on.

### **Endnotes**

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- <sup>3</sup> Rights and Resources Initiative 2017: 14 (endnotes 18 and 19); See also: Alvarez & Lovera 2016: 263-265.
- <sup>4</sup> See, for example: AMPB. 2018. "Nace Comisión de Género de la Alianza Mesoamericana de Pueblos y Bosques." The Mesoamerican Alliance of Peoples and Forests AMPB. Accessed December 10, 2018. Available at: http://www.alianzamesoamericana.org/nace-comision-de-genero/; FECOFUN. 2018. [RRI Land Governance Survey submission]. Unpublished raw data; The Center for Peoples and Forests RECOFTC. 2016. Stories of Change (2009-2016). RECOFTC, Bangkok, 20-24; 29-32. Available at: https://www.recoftc.org/publications/0000151; The Center for Peoples and Forests RECOFTC. 2017. Ensuring Women's Participation in Forest Decision-making: Advancing Sustainable Development Goal 5 on gender equality through community forestry in Asia and the Pacific. RECOFTC, Bangkok, 3-6. Available at: https://www.recoftc.org/publications/0000157; Servindi. "Mujeres tendrán participación paritaria en la estructura de COICA." Servindi. Accessed December 10, 2018. Available at: https://www.servindi.org/actualidad-noticias/19/06/2018/mujeres-tendran-participacion-paritaria-en-la-estructura-de-la-coica. (See also: Jintiach, Juan Carlos. 2019. Personal communication, Coordinator, COICA, January 15, 2019).
- <sup>5</sup> As stated in Rights and Resources 2017: 29: "Evidence in four countries in Mesoamerica shows that attacks against female human rights defenders increased between 2012 and 2014; of the 1,688 attacks recorded over that time period, 31 percent were in response to women's defense of land, territory, and natural resources." This trend continued into 2015 and 2016, with a recent follow-up report demonstrating that in El Salvador, Guatemala, Honduras, Mexico, and Nicaragua there were 2,197 attacks against women human rights defenders between 2015-2016, thus amounting to a 30 percent increase in such attacks since the 2012-2014 period. "In keeping with the trend of the former period, [women human rights defenders] of land, territory and natural resources have suffered the most [609] attacks," with women working at a local and rural level proving to be most vulnerable. Data from: Mesoamerican Initiative of Women Human Rights Defenders. Executive Report: Bodies, territories and movements in resistance in Mesoamerica. 2015-2016 report on attacks against women human rights defenders. Mesoamerican Initiative of Women Human Rights Defenders. Available at: http://imdefensoras.org/wp-content/uploads/2018/05/Informe-ejecutivo-2015-2016-english.pdf. Similarly, Front Line Defenders has recorded that in 2018, over three quarters of the 38 women human right defenders killed were engaged in the defense of land, environmental, and Indigenous Peoples' rights. Data from: Front Line Defenders. 2019. Front Line Defenders Global Analysis 2018. Front Line, the International Foundation for the Protection of Human Rights Defenders, Dublin, Ireland. Available at: https://www.frontlinedefenders.org/sites/default/files/ global\_analysis\_2018.pdf.

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<sup>&</sup>lt;sup>7</sup> Rights and Resources Initiative 2017.

- <sup>8</sup> Sunderland, T., Achdiawan, R., Angelsen, A., Babigumira, R., Ickowitz, A., Paumgarten, F., ... & Shively, G. (2014). Challenging perceptions about men, women, and forest product use: a global comparative study. World Development 64, S56-S66.
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- <sup>10</sup> A community-based tenure regime, or CBTR, can be understood as a distinguishable set of national, state-issued laws and regulations governing "all situations under which the right to own or manage terrestrial natural resources is held at the community level." See: Rights and Resources Initiative 2017.
- <sup>11</sup> See, for example Elmhirst, R., Siscawati, M., Basnett, B. S., & Ekowati, D. (2017). Gender and generation in engagements with oil palm in East Kalimantan, Indonesia: insights from feminist political ecology. The Journal of Peasant Studies 44(6): 1135–1157. Available at: https://doi.org/10.1080/03066150.2017.1337002.
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- <sup>14</sup> The African Women's Network for Community Management of Forests REFACOF (*Réseau des Femmes Africaines pour la Gestion Communautaire des Forêts REFACOF*); Cameroon Ecology; Center for International Forestry Research CIFOR; The Center for Peoples and Forests RECOFTC; the Community Self Reliance Centre (CSRC); Coalition of Women Leaders for the Environment and Sustainable Development CFLEDD (*Coalition des Femmes Leaders pour l'Environnement et Developpement Durable CFLEDD*); Coordinator of Indigenous Organizations of the Amazon River Basin COICA (*La Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica COICA*); Federation of Community Forestry User Groups Nepal FECOFUN; The Foundation of Indonesia Legal Aid Institute YLBHI; International Land Coalition (ILC) America Latina Y El Caribe; Jaringan Masyarakat Peduli Pegunungan Kendeng/JMPPK (Community Network for the Care of Kendeng Mountains); The Mesoamerican Alliance of Peoples and Forests AMPB (*Alianza Mesoamericana de Pueblos y Bosques AMPB*); Namati; National Organization of Andean and Amazonian Indigenous Women of Peru ONAMIAP (*Organizacion de Mujeres Andinas y Amazonicas de Peru ONAMIAP*); Open Society Justice Initiative; Research, Advocacy and Education Institute (*Kajian Advokasi dan Edukasi-Live*); People's Process on Housing and Poverty in Zambia; and Vasundhara.
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<sup>&</sup>lt;sup>19</sup> Rights and Resources Initiative 2017: 27 (endnote 81).

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- <sup>21</sup> Rights and Resources Initiative 2017: 12 (endnote 3).
- <sup>22</sup> Rights and Resources Initiative 2017: 14 and 25.
- <sup>23</sup> See: endnote 5.
- <sup>24</sup> See, for example: Luz Durán, Rosa, Iliana Monterroso y Anne M. Larson. Género e interculturalidad en la formalización de las comunidades nativas en Perú: Desafíos y recomendaciones. CIFOR. Available at: http://www.cifor.org/publications/pdf files/flyer/6916-flyer.pdf.
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- <sup>26</sup> See: CFLEDD 2019; Kumwenda et. al 2018 (People's Process on Housing and Poverty in Zambia); ONAMIAP 2017; RECOFTC 2017 (Indonesia); REFACOF 2018 (See also: Rights and Resources Initiative 2017: 28, Box 1); Vasundhara 2018.
- <sup>27</sup> Rights and Resources Initiative 2017: 28.
- <sup>28</sup> See: FECOFUN 2018; Foundation of Indonesia Legal Aid Institute (YLBHI) and Community Network for the Care of Kendeng Mountaions (JMPPK) 2019; Knight 2018; Marcelo 2018 (ONAMIAP); Mukasa et. al 2018 (CIFOR); Namati 2018; ONAMIAP 2017 (Buenas Practicas); ONAMIAP 2018; RECOFTC 2016 (Nepal and Myanmar-Layshee); RECOFTC 2017 (Myanmar-Magway), Vasundhara 2018.
- <sup>29</sup> See: FECOFUN 2018; Namati 2018; ONAMIAP 2017; ONAMIAP 2018.
- <sup>30</sup> See: Namati 2018; ONAMIAP 2017.
- <sup>31</sup> Constitution of Nepal, Article 84(8), part 8. Available at: https://www.wipo.int/edocs/lexdocs/laws/en/np/np029en.pdf.
- <sup>32</sup> See: Knight 2018 (Namati); Kumwenda et. al 2018 (People's Process on Housing and Poverty in Zambia); Marcelo 2018; Open Society Justice Initiative 2017; RECOFTC 2016 (Nepal and Myanmar-Layshee); RECOFTC 2017 (Indonesia and Myanmar-Magway).
- <sup>33</sup> See: Foundation of Indonesia Legal Aid Institute (YLBHI) and Community Network for the Care of Kendeng Mountains (JMPPK) 2019; Knight 2018; Kumwenda et. al 2018 (People's Process on Housing and Poverty in Zambia); Marcelo 2018; Mukasa et. al 2018 (CIFOR); Namati 2018; ONAMIAP 2017 (Buenas Practicas); RECOFTC 2017 (Indonesia and Myanmar-Magway); RECOFTC 2016 (Nepal and Myanmar-Layshee); Vasundhara 2018.
- <sup>34</sup> Rights and Resources Initiative 2017: 14 (endnote 25).

- 35 Mukasa et. al 2018: 4 (CIFOR).
- <sup>36</sup> Knight 2018: 9 (Namati).
- <sup>37</sup> See: Knight 2018. In a similar manner, documented efforts to support the strategic litigation efforts of indigenous communities in Kenya and Peru indicate that the process of evidence gathering and documentation that communities must engage in to participate in a lawsuit can also provide an opportunity for indigenous and rural women to record their territorial claims, define their specific relationship with community lands, and situate those claims alongside those of men in their communities. This process, which necessarily illuminates women's unique use and reliance on community lands, may then lead to the restructuring of community decision-making bodies in a more gender equitable manner. Data from: Open Society Initiative 2017.
- <sup>38</sup> See: CFLEDD 2019; Foundation of Indonesia Legal Aid Institute (YLBHI) and Community Network for the Care of Kendeng Mountaions (JMPPK) 2019; Kumwenda et. al 2018 (People's Process on Housing and Poverty in Zambia); Marcelo 2018 (ONAMIAP); Namati 2018; ONAMIAP 2017; ONAMIAP 2018; Open Society Initiative 2017; RECOFTC 2016 (Nepal and Myanmar-Layshee); RECOFTC 2017 (Indonesia and Myanmar-Magway); Research, Advocacy and Education Institute (Lembaga Kajian, Advokasi dan Edukasi LivE) 2018; Vasundhara 2018.
- <sup>39</sup> Projects cited in this report include: RECOFTC 2016 (Nepal and Myanmar-Layshee); RECOFTC 2017 (Indonesia).
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### About the Rights and Resources Initiative

The Rights and Resources Initiative is a global Coalition of more than 200 organizations dedicated to advancing the forestland and resource rights of Indigenous Peoples, local communities, and rural women. Members capitalize on each other's strengths, expertise, and geographic reach to achieve solutions more effectively and efficiently. RRI leverages the power of its global Coalition to amplify the voices of local peoples and proactively engage governments, multilateral institutions, and private sector actors to adopt institutional and market reforms that support the realization of rights. By advancing a strategic understanding of the global threats and opportunities resulting from insecure land and resource rights, RRI develops and promotes rights-based approaches to business and development and catalyzes effective solutions to scale rural tenure reform and enhance sustainable resource governance.

RRI is coordinated by the Rights and Resources Group, a non-profit organization based in Washington, DC. For more information, please visit www.rightsandresources.org.



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