

Resilience and Resistance



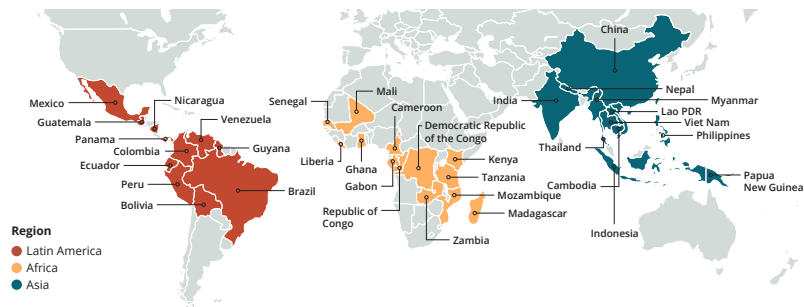
INDIGENOUS, AFRO-DESCENDANT, AND LOCAL COMMUNITY WOMEN'S STATUTORY RIGHTS TO COMMUNITY FORESTS

GLOBAL SUMMARY | MARCH 2025

Community women and girls play irreplaceable roles in the stewardship and safeguarding of the lands and territories traditionally held and managed by communities. These territories are estimated to span half of Earth's land area.

This report is an update of RRI's groundbreaking Power and Potential (2017) analysis and tracks 35 governments' progress in recognizing the forest rights of Indigenous, Afro-descendant, and local community women since 2016.

Analyzes **104 legal frameworks** as of 2024, including national laws regulating community forest tenure in **35 countries covering about 80% of forests in Africa, Asia, and Latin America.**



KEY FINDINGS

Most countries (34) recognize women's constitutional equality and property rights (23), but only 11 countries uphold their intestate inheritance rights.

Most of the laws that specifically regulate community-level tenure rights fail to adequately protect women's rights within communities.

Among the **97 legal frameworks recognized as of 2016 and the 104 legal frameworks recognized as of 2024**, the proportion that has adequate protections for women's rights has remained stagnant at:



Women's rights where an increase was observed:
from **19%** in 2016 → **20%** in 2024 for dispute resolution
from **27%** in 2016 → **29%** in 2024 for membership

Countries' overall progress on SDG-5 on gender equality, obligations under CEDAW, and the Beijing Declaration, is alarmingly low.

5 years away

2030 Agenda for Sustainable Development

Not a single SDG 5 indicator is on track to be achieved by 2030, including 5.a.2 on women's equal control and ownership of land.

40 years since

CEDAW's Adoption

All 35 countries have ratified CEDAW, yet none have satisfied their obligations under the Convention.

30 years since

Beijing Declaration and Platform of Action

Africa, Asia, and Latin America are far from meeting their goals, with weak legal protections for women's land rights, limited inclusion in climate policies, and persistent gender-based violence.

IMPACT OF LEGISLATIVE REFORMS ON LEGAL FRAMEWORKS ANALYZED FROM 2016-2024

11 legal frameworks established between 2016-2024

56 legal frameworks were reformed

23% saw changes to legal frameworks

8 legal frameworks improved community women's rights

5 legal frameworks rolled back women's specific rights

4 legal frameworks had gender-blind reforms that impacted assessment but failed to protect women's rights

The legal advancement of women and their communities goes hand in hand.

However, the widespread use of gender-blind legislation to regulate community forest tenure may be widening the gap between women's individual forest rights and their communities' collective forest rights.

Since 2016, progress in recognition of community women's forest tenure rights is **inconsistent and marginal**, even in legal frameworks recognizing their communities' forest ownership.

Among the **12 conservation-oriented legal frameworks** that underwent reforms between 2016-2024, **no advancements were made** in the protection of community women's specific rights.

GOVERNANCE (VOTING & LEADERSHIP)



Only **2 of 104** legal frameworks adequately protect both women's voting and leadership rights.

8% of legal frameworks that protect communities' FPIC rights also adequately protect community women's voting and leadership rights.

Of the legal frameworks that do not recognize FPIC rights, **NONE** adequately protect community women's voting rights and just **6%** adequately protect women's leadership rights.

Legal recognition of communities' free, prior and informed consent rights (FPIC) and women's governance rights go together.

INHERITANCE



As of 2024, **70% of 104 legal frameworks fail** to address the rights of any community members to inherit forests to community forests, while **10%** refer to inheritance in a gender-blind manner.

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KEY FINDINGS FROM AFRICA

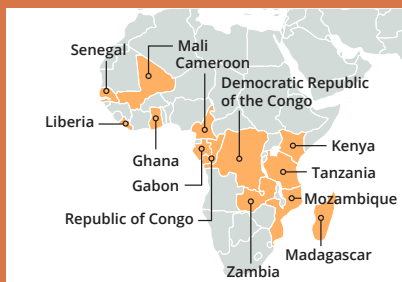
MARCH 2025



“Indigenous women are the first guardians of the forest.”

– Leonie Mputu Ngalula (DGPA - Dynamique des Groupes des Peuples Autochtones, DRC)

The study analyzed **44 legal frameworks** that regulate community forest tenure in **13 African countries**.



WHAT IS A COMMUNITY-BASED TENURE REGIME (CBTR)?

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 by a community.

KEY FINDINGS

- African countries established the **GREATEST NUMBER** of new CBTRs and passed the most legal reforms since 2016.
- However, these countries also had **the lowest degree of progress for the forest tenure rights of Indigenous and local community women** at the regional level, showing a particular trend toward **gender-blind** laws and reforms.
- 9 of 11 CBTRs** established since 2016 are in Africa. The region accounted for more than one-third of 57 CBTRs reformed. Yet, countries analyzed in Africa also reflect **the smallest proportional gains for community women**, including rollbacks of previously recognized rights.

OVERARCHING LAWS

All countries in Africa recognize Constitutional Equal Protection. However:



- None of the reviewed countries recognize the equal intestate inheritance rights** of daughters, wives, and women in consensual unions, though most provide equal protections for a subset of these women.
- 77%** of African countries analyzed provide general legal provisions affirming all **women's property rights**. Africa is the only region where progress occurred regarding the overarching affirmation of women's property rights.

SPOTLIGHT: In the **Republic of Congo**, due to the adoption of a new land law in 2018 and the Law Mouebarara on violence against women in 2019, customary practices cannot discriminate against women's property rights and economic violence and discrimination are prohibited.



COMMUNITY-LEVEL LAWS

- Africa is the only region that **experienced proportional declines** in the extent of protections for Indigenous and local community women's forest tenure rights between 2016 and 2024.
 - Membership decreased by **2%**
 - Leadership decreased by **1%**
- Stagnation on voting rights.** No CBTRs recognize community women's voting rights with a quorum requirement for taking legally binding action.

REFORMS

Positive

Kenya, Registered Community Lands: As per a 2017 regulation to the Community Land Act, community women's leadership rights are now recognized through a quota requirement.

Negative

Mali, Community-Managed Forests within the Forest Domain of Decentralized Territorial Collectives: Whereas community women's specific membership rights were previously recognized, membership is now described in a gender-blind manner.

Republic of Congo, Community Forests: The 2020 Forest Code does not recognize community-level dispute resolution bodies, although the formerly applicable law did so in a gender-blind way.

Madagascar, Community Protected Areas: Decree 2017-425 of 2017 (implementing the 2015 Code on Protected Areas) now defines communities, but fails to include any provisions to protect community women's membership rights.

Gender-blind

Mali, Community-Managed Forests within the Forest Domain of Decentralized Territorial Collectives: A 2024 reform to Law 06-023 newly recognizes community-level decision-making bodies but fails to include any protection for community women's voting rights.

LIVED EXPERIENCES

In **CAMEROON**, women's specific rights to membership, governance, inheritance, or dispute resolution within Community Forests are not legally recognized. However, community women have established an all-women cooperative to advance their rights and their larger communities' natural resource management in a Community Forest in Mambele.

In **MALI**, community women in Community-Managed Forests within the Forest Domain of Decentralized Collectives are impacted by the compounded effect of gender-blind governance laws and discriminatory overarching laws applicable to all women. Village governance is dictated through customary law, which generally provides the head of the family a single vote, and Mali's Family Code states that women shall obey their husbands under the limit of the rights and duties of the Code.