

Resilience and Resistance

Indigenous, Afro-descendant, and Local Community Women's
Statutory Rights to Community Forests

Executive Summary



Maasai woman in Tanzania stands with her back to the camera. Photo by Shutterstock.

The critical importance of recognizing gender equality and securing the community-based land and resource tenure rights of Indigenous, Afro-descendant, and local community women is garnering increasing global attention and acceptance. Much of this progress is attributable to Indigenous, Afro-descendant, and local community women who have for generations engaged in protracted advocacy for the legal recognition of their equal rights, despite being inadequately supported and commonly overlooked. However, despite advancements in international law and national legislative reform processes across Africa, Asia, and Latin America, the tenure rights of Indigenous, Afro-descendant, and local community women remain inadequately recognized. **This study provides an up-to-date assessment of the status of Indigenous, Afro-descendant, and local community women's forest tenure rights across 35 key forest countries in the Global South. In doing so, it aims to inform and encourage gender-transformative actions by governments and other stakeholders impacting community forests, lands and other resources.**

Methodology

This report provides a critical update to the 2017 Rights and Resources Initiative (RRI) analysis *Power and Potential*. It evaluates the extent to which national laws, as of 2024, recognize the specific community forest rights of Indigenous, Afro-descendant, and local community women. The analysis covers 35 countries in Africa, Asia, and Latin America that encompass about 80 percent of forests in these three regions and 42 percent of global forest area. Five countries (Ecuador, Ghana, Lao PDR, Madagascar, and Nicaragua) are featured in the dataset for the first time. All reviewed countries have ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979) and adopted the Beijing Declaration and Platform for Action (1995).

By identifying, assessing, and comparing national legal frameworks (referred to as **community-based tenure regimes**, or CBTRs) as of 2016 and 2024, the analysis monitors progress and setbacks in the recognition of women’s community-based forest rights according to eight indicators under RRI’s Gender Methodology. Three **Overarching Indicators** assess rights applicable to all women in a country, regardless of whether they rely on a community-based tenure system to access land: **Constitutional Equal Protection; Affirmation of Women’s Property Rights;** and **Inheritance in Overarching Laws**. Additionally, five **CBTR-specific indicators** assess Indigenous, Afro-descendant, and local community women’s **community-level rights** to: **Membership, Inheritance, Governance (Voting and Leadership),** and **Dispute Resolution**.

While this report focuses mainly on the specific rights of Indigenous, Afro-descendant, and local community women, it relies on pre-existing RRI datasets and associated methodologies to derive insights into the relationship between communities’ collective forest rights and community women’s individual forest rights under national law. In particular, it draws upon RRI’s ongoing monitoring of Indigenous Peoples’, Afro-descendant Peoples’, and local communities’ statutorily recognized forest tenure rights for the same 35 countries, as captured by RRI’s Depth of Rights Methodology. The Depth of Rights Methodology employs a bundle of rights approach to assess communities’ collective forest rights of access, withdrawal, management, exclusion, due process and compensation, alienation, as well as the duration of these rights across each CBTR. It subsequently classifies the strength of such legal frameworks as “owned by Indigenous Peoples, Afro-descendant Peoples, and local communities;” “designated for Indigenous Peoples, Afro-descendant Peoples, and local communities;” or “government administered” under RRI’s Statutory Forest Tenure Typology.

The study does not assess either the implementation of statutory laws or the content of community practices. Customary laws and norms originating from communities predominantly determine access, use, and control over lands and resources within the territories of Indigenous Peoples, Afro-descendant Peoples, and local communities. The relationship between statutory laws, communities’ customary practices, and the realization of women’s tenure rights is complex and intersectional. It is shaped by the inherent cultural diversity of communities, legal pluralism, religious influence, and the multitude of gender-oriented values that are highly context specific. The inadequate statutory protections identified in this study may not reflect community practices that are gender-equitable and support women’s tenure security. Moreover, the use of the term “women” throughout this report is intended to be inclusive of Indigenous, Afro-descendant, and local community girls.

Findings and implications

Despite laudable international progress concerning the articulation of Indigenous, Afro-descendant, and local community women’s tenure rights and widespread constitutional protections for women’s equal rights, states are still failing to meet their legal obligations to legislatively protect women’s community-based forest tenure rights. **Of the 104 CBTRs recognized across 35 countries as of 2024, legislative provisions adequately protecting the rights of community women exist for only 2 percent of CBTRs in regard to Voting, 5 percent for Leadership, 13 percent for community-level Inheritance, 20 percent for Dispute Resolution, and 29 percent for Membership.**

The specific recognition of women’s community-based forest tenure rights improved only marginally from 2016–2024. Women-specific protections for Leadership increased by 5 percent (with 6 CBTRs newly

requiring a quota for women's membership in communities' executive leadership bodies) and women-specific protections for Voting increased by 1 percent (with 2 additional CBTRs recognizing women's right to participate in community general assemblies). The number of CBTRs that adequately recognize community women's voting rights and leadership rights by imposing quorum requirements each remained constant between 2016 and 2024; however, the proportions of CBTRs adequately recognizing women's Voting and Leadership rights each decreased by just under half a percent between 2016 and 2024. Beyond Governance, the proportion of CBTRs adequately recognizing community women's membership rights increased by 2 percent (4 additional CBTRs), 3 percent for women's dispute resolution rights (3 additional CBTRs), and less than 1 percent for women's inheritance rights to community lands or resources (1 additional CBTR).

Concerningly, as of 2024, the rights most pivotal for Indigenous, Afro-descendant, and local community women to shape their and their communities' relationship with forest resources—**Voting and Leadership—continue to receive the least amount of adequate protection under national law**, thus limiting community women's ability to challenge gender-discriminatory norms and meaningfully participate in key decisions impacting community territories. The inadequate recognition of community women's inheritance rights continues as of 2024, further showing the need to support these rights through laws prohibiting discrimination and gender-based violence against women and girls. Analysis presented in this report suggests that governments could bolster the security of community women's inheritance rights by passing and enforcing laws protecting women from domestic violence; **countries with both domestic violence legislation and specific provisions prohibiting economic forms of domestic violence have the highest rate of protection for both women's overarching and community-level inheritance rights.**

National legal frameworks that recognize community forest ownership, and those established with the primary goal of securing community rights (as compared to regimes established for conservation or resource extraction purposes), provide the strongest protections for Indigenous, Afro-descendant, and local community women's tenure rights—showing that the legal advancement of communities and community women can and does go hand in hand. **However, the widespread use of gender-blind legislation to regulate community forest tenure remains a persistent norm resulting in the inadequate recognition of community women's tenure rights.** For instance, between 2016 and 2024, at least 189 legal reforms across Africa, Asia, and Latin America provided governments with opportunities to improve statutory protections for women's community forest rights, yet these reforms only led to improvements in women-specific protections for 8 CBTRs analyzed. Legal reforms that generally overlook or actively diminish community women's forest tenure rights appear to be **eroding the positive association between communities' and community women's forest tenure rights under national law.** Left unchecked, they signal the growing failure of governments to protect community women's forest rights across legal frameworks recognizing community-based forest tenure, including those recognizing communities as forest owners.

Regional findings are mixed but largely reflect the same challenges as those found at the global level. Within each region, Membership is the right with the most adequate recognition for community women, while community women's Governance (Voting and Leadership) rights remain the least protected. Conservation-oriented CBTRs also generally provide the least adequate protections for community women's rights across all regions, while CBTRs recognizing community forest ownership provide the most adequate protections. Nevertheless, across all regions analyzed, advancements in the recognition of community-based forest tenure rights outpaced the recognition of women-specific protections.

Findings across Africa reflect both legislative rollbacks and proportional declines in the recognition of community women's forest rights during this period. In Asia, findings across 2016 and 2024 are marked by a combination of legislative stagnation and rollbacks that actively diminished the status of Indigenous and local community women's forest tenure rights under national law. While findings in Latin America are notable due to the stagnation in the recognition of women's community-level forest tenure rights between 2016 and 2024.

Recommendations

At the time of this report's 2025 publication, it has been 30 years since the establishment of the Beijing Declaration and Platform for Action and only five years remain to achieve the objectives of the 2030 Agenda for Sustainable Development. Despite these milestones, global data evaluating advancements toward gender equality targets show that countries are not making the strides necessary to achieve these objectives. Findings of this analysis underscore a pressing need for gender-transformative reforms recognizing the distinct rights of Indigenous, Afro-descendant, and local community women. **If the Beijing Declaration and Platform of Action are to be implemented and the human rights imperatives underlying CEDAW and the Sustainable Development Goals are to be realized, the recognition of Indigenous, Afro-descendant, and local community women's land and resource rights must not only be prioritized and accelerated—it must follow the highest standards of international human rights.** States, private entities discharging their human rights responsibilities, community rightsholders and institutions, and civil society supporting community-based tenure rights must all uphold human rights and constitutional guarantees for equality, non-discrimination, and property rights, and consistently apply intersectional, gender-transformative approaches, per CEDAW, to all engagements related to the forest, land, freshwater, and resource tenure rights of Indigenous Peoples, Afro-descendant Peoples, and local communities.