

Resilience & Resistance

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



MARCH 2025



Table of Contents

Acknowledgements	06
Foreword	07
Abbreviations and Acronyms	09
Glossary	11
Executive Summary	13
Chapter 1: Introduction	17
1.1 Indigenous, Afro-descendant, and local community women’s nature-based contributions are central to the achievement of global environmental and development objectives	18
1.2 Statutory laws applicable to community lands can be powerful tools or formidable obstacles for the realization of community women’s rights	19
1.3 State obligations to protect the tenure rights of Indigenous, Afro-descendant, and local community women	21
1.4 Major global commitments related to gender equality and the tenure rights of Indigenous Peoples, Afro-descendant Peoples, and local communities remain unmet	22
Chapter 2: Scope of Analysis and Methodological Approach Uniting RRI’s Tenure Data	24
2.1 Scope of analysis	24
2.2 Unit of analysis and key terms	27
2.3 Legal indicators and assessment criteria	28
2.3.1 Legal indicators	28
2.3.2 Assessment criteria	32
2.3.2.1 Assessment of progress 2016–2024	33
2.4 Caveats	33
Chapter 3: Key Developments Since 2016	35
3.1 Global developments impacting Indigenous, Afro-descendant, and local community women and their communities	35
3.1.1 The Covid-19 pandemic and its lingering effects on gender inequality	35
3.1.2 Trends toward authoritarianism	36
3.1.3 Violence against women environmental defenders	37
3.2 Advancements for Indigenous, Afro-descendant, and local community women and their communities under international law and international processes	40

3.2.1 Advancement in the recognition of women’s overarching rights in international law	40
3.2.2 International developments advancing the specific rights of Indigenous, Afro-descendant, and local community women	42
3.2.3 Community women’s rights under the UN Declaration on the Rights of Peasants	43
3.2.4 Advancements in the context of global environmental regimes	44
3.2.5 Progress toward international recognition of Afro-descendant Peoples’ rights to self-determination, but uncertainty for Afro-descendant women’s tenure rights	44
Chapter 4: Global Findings	46
4.1 Overarching Indicators as of 2024	46
4.2 CBTR-specific Indicators as of 2024	48
4.2.1 Membership	48
4.2.2 Governance	49
4.2.2.1 Voting and Leadership	49
4.2.2.2 The relationship between collective forest management rights, collective rights to free, prior and informed consent (FPIC), and community women’s individual rights to participate in community forest governance	49
4.2.3 Inheritance in CBTRs	52
4.2.3.1 Linkages between women’s membership and community-level inheritance rights	52
4.2.3.2 Linkages between the recognition of women’s inheritance rights and legislative protections against domestic violence	52
4.2.4 Dispute Resolution	53
4.3 Changes in the statutory protection of community women’s forest rights between 2016 and 2024	54
4.3.1 Extent of legal reforms across regions from 2016 to 2024	54
4.3.2 Change over time (2016–2024)	55
4.3.3 Findings across legal frameworks established or reformed between 2016 and 2024	56
4.4 Findings by Tenure Category	57
4.5 Findings by Legislative Pathway	59
Chapter 5: Implications of the Global Findings	63
5.1 Stalled progress in meeting obligations under international law	63
5.2 Prevalence of gender-blind reforms and legal frameworks	64
5.3 Community forest ownership is associated with enhanced protections for the forest rights of community women	65
5.4 Emerging divergence between the recognition of communities’ and community women’s rights	66

5.5 Conservation-oriented CBTRs are especially gender-blind	67
5.6 Legislative obstacles to the meaningful participation of community women in decision-making processes related to community forests are pervasive, and serve as barriers to their ability to transform gender-discriminatory norms	69
5.7 There is a particular need to prioritize the recognition of community women’s inheritance rights, and to further support these rights through laws prohibiting violence against women and girls	71
Chapter 6: Regional Findings and Implications	73
6.1 Africa	75
6.2 Asia	79
6.3 Latin America	82
Chapter 7: Recommendations	86
7.1 Recommendations for governments	87
7.2 Recommendations for Indigenous Peoples, Afro-descendent Peoples, local communities, and the women within these groups and their organizations	89
7.3 Recommendations for donors and supporting allies	89
7.4 Recommendations for private sector entities, conservation organizations, and nature-based project proponents.	90
ENDNOTES	
Report	157
Annex	173
ANNEXES	
Annex 1: International Legal Instruments Recognizing Women’s Tenure Rights: Gender- and Sex-specific Provisions	92
Annex 2: Methodology Note – Depth of Rights and Gender	106
Annex 3: Full Table of Country and CBTR Results, 2024	114
Annex 4: Summary of 15 CBTRs in which Legislative Reforms Between 2016 and 2024 Resulted in Changes in Assessments of CBTR-specific Indicators Under RRI’s Gender Methodology	122
Annex 5: Legislation Cited and Literature Consulted	127
BOXES	
Box 1: Environmental Gender-Based Violence	38
Box 2: Introducing a New Indicator on Free, Prior and Informed Consent	50

Box 3: Gaps Between Paper and Practice	61
Box 4: The Women in Global South Alliance (WiGSA)	70
Box 5: Left Behind: Afro-descendant Women’s Rights Remain Neglected Despite Increasing Statutory Recognition of Afro-descendant Peoples’ Rights and Collective Status in Latin America	85

FIGURES

Figure 1. Map of 35 Countries Assessed	24
Figure 2. The Bundle of Rights by Category under RRI’s Statutory Tenure Typology	26
Figure 3. Scope of Laws and Judicial Decisions Considered During Analysis	26
Figure 4. Overarching Gender Findings across 35 Countries in 2016 and 2024	46
Figure 5. Performance of 35 Countries in the Recognition of Women’s Rights across CBTRs in 2016 and 2024	48
Figure 6. Linkages Between Women-specific Governance Protections and Communities’ Free, Prior and Informed Consent	51
Figure 7. Linkages Between Legislation on Domestic Violence and Inheritance	53
Figure 8. Comparison Between Non-reformed CBTRs vs. New and Reformed CBTRs	55
Figure 9. Recognition of Women’s Rights at the CBTR Level According to Tenure Category, as of 2024	57
Figure 10. Distribution of CBTRs by Tenure Category across Three Legislative Pathways in 2016 and 2024	59
Figure 11. The Extent to which CBTRs in Each of the Legislative Pathway Categories Address the Rights of Women, as of 2024	60
Figure 12. Performance of 13 Countries in Africa	75
Figure 13. Performance of 11 Countries in Asia	79
Figure 14. Performance of 13 Countries in Latin America	82

TABLES

Table 1: RRI Gender Methodology: Legal Indicators and Assessment Criteria	30
Table 2: Countries that Statutorily Recognize the Equal Inheritance Rights of Different Categories of Women, in Comparison to their Male Counterparts as of 2024	47
Table 3: Countries Analyzed in Africa that Statutorily Recognize the Equal Inheritance Rights of Different Categories of Women, in Comparison to their Male Counterparts, as of 2024	77

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Foreword



Indigenous girls attend school near Cuzco in Peru. Photo by Omaira Bolaños for Rights and Resources Initiative.

As I write these lines, gender equality advocates across the international development sector are seeing a uniquely challenging time. Our coalition members in countries where civic space for women is already precarious are increasingly facing risks of losing both funding and moral backing for gender justice from national leaders who—driven by political shifts in the West—see little political gain in supporting women's movements.

This comes as we approach the 30th anniversary of the Beijing Declaration and Platform for Action, a pioneering set of international norms on women's rights. It is also a reminder that progress on the Declaration's objectives, as well as on the Sustainable Development Goals (SDG) on Gender Equality, remain alarmingly inadequate. With just five years remaining to achieve the 2030 Agenda for Sustainable Development, gender equality targets are far from being met.

The situation is even more sobering when it comes to Indigenous, Afro-descendant, and local community women, who still struggle to achieve their enormous potential as household and forest managers, protectors, and leaders in their communities. That is not to say they haven't come a long way since 2017 when RRI published the first edition of this report, *Power and Potential*. The importance of gender equality in community-based land and resource tenure rights has surely garnered greater acceptance in global development, climate, and conservation circles. Women's outsized contributions to sustainable agriculture and resource governance, and the environmental, economic, and social well-being of their communities, are more well-documented than ever before. They are also more visible on platforms like the Commission on the Status of Women despite still lacking sufficient participation in decision-making at all levels.

These small but significant gains result from tireless advocacy by women who have fought for generations for a place at the table in their own communities and in political and policy arenas.

This year marks two decades of RRI and the many ways it has supported gender justice since its inception. Advocating for the tenure rights of Indigenous, Afro-descendant, and local community women has been at the center of RRI's collective strategy. Our Gender Justice program mobilizes community women's grassroots organizations and networks from Africa, Asia, and Latin America to secure their tenure rights and leadership. Its key milestones include organizing cross-regional exchanges for women's advocates to share best practices; developing new global advocacy tools and groundbreaking research on women's funding; and helping to establish a new Global South Alliance for Indigenous, Afro-descendant, and local community women.

This report is another milestone in our extensive body of work on tracking and analyzing gender justice for community women. It provides critical data to measure global progress against SDGs related to gender and land. As it shows, despite significant progress in the national recognition of Indigenous Peoples, Afro-descendant Peoples, and local communities, the specific rights of women in these groups remain largely unrecognized. The growing failure of governments to protect women's community rights in national legal frameworks isn't our only challenge. Gender justice is also largely overlooked by international development donors, including climate and conservation finance institutions.

All this underscores the urgency of action that must move beyond lip service. The global fight for women's rights must go hand in hand with advocacy for community tenure rights across the world. If SDGs on women's rights are to be realized, the recognition of Indigenous, Afro-descendant, and local community women's land and resource rights must be accelerated at all costs.

But how do we do it? For starters, we must look to local women themselves for the solutions. We must learn, promote, and share their best practices in protecting their lands and forests. Importantly, we must move from policy to practice. While continuing to advocate for national legal recognition, we must ensure effective implementation, organizing, and strategizing around customary practices. One effective way to do this is by strengthening women's leadership within their customary institutions and ensuring they are recognized as full community members with a clear voice.

I hope this timely report will push advocates and policymakers alike to inform and encourage immediate and transformative actions. The fight for a peaceful, just, and inclusive planet for women has never been simple, but it isn't impossible. As they say in Portuguese, *a luta continua*—let the resistance continue!



Solange Bandiaky-Badji
President and Coordinator, RRI

Abbreviations and Acronyms

CBD	Convention on Biological Diversity
CBTR	Community-based tenure regime
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CEDAW GR	CEDAW General Recommendation
CFS	Committee on World Food Security
CSW	Commission on the Status of Women
CLARIFI	Community Land Rights and Conservation Finance Initiative
CoP29	29th session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC)
CSO	Civil-society organization
DRC	Democratic Republic of the Congo
DUAT	Right of use and benefit of land (Direito de uso e aproveitamento da terra (Mozambique))
FAO	Food and Agriculture Organization of the United Nations
FCPF	Forest Carbon Partnership Facility
FPIC	Free, prior and informed consent
GBF	Kunming-Montréal Global Biodiversity Framework
GBV	Gender-based violence
GR/GC	General Recommendations or Comments adopted by respective UN treaty bodies
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IFC Performance Standards	International Finance Corporation Performance Standards on Environmental and Social Sustainability
IACtHR	Inter-American Court of Human Rights
ILO Convention No. 169	International Labour Organization Convention on Indigenous and Tribal Peoples 1989, No. 169

Lao PDR	Lao People's Democratic Republic
NDC	Nationally Determined Contribution
NBSAP	Nationally-Based Strategic Action Plan
NTFP	Non-timber forest product
ONAMIAP	National Organization of Andean and Amazonian Indigenous Women of Peru
R2HR	Right to a clean, healthy and sustainable environment
REDD+	Reducing emissions from deforestation and forest degradation
RRI	Rights and Resources Initiative
SDG	Sustainable Development Goal
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNDROP	United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas
UNEP	United Nations Environment Programme
UNFCCC	United Nations Framework Convention on Climate Change
UNGA	United Nations General Assembly
UNGPs	United Nations Guiding Principles on Business and Human Rights
UN HRC	United Nations Human Rights Council
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
WiGSA	Women in Global South Alliance for tenure and climate

Glossary

Throughout this report, the following key terms are used as defined:

A **community** is a group of people (such as Indigenous Peoples, Afro-descendant Peoples, or local communities) who share a common interest or purpose in a particular territory or natural resource, and who primarily hold rights to those lands and/or resources at the community level.

Community practices refer to the realization by Indigenous Peoples, Afro-descendant Peoples, and local communities of their communities' norms; such practices may include the exercise of customary laws, cultural traditions, and community-based institutional processes.¹

Community-based tenure denotes "arrangements in which the right to own or govern land and/or natural resources (such as freshwater) is held at the community level by Indigenous Peoples, Afro-descendant Peoples, and/or local communities," whether or not these arrangements are legally recognized.²

Community-based tenure systems are the institutional frameworks of Indigenous Peoples, Afro-descendant Peoples, and local communities—which may or may not be recognized by statutory laws—that, in practice, give rise to community-based tenure. A community-based tenure system is distinct from a CBTR, which constitutes a distinct set of national, state-issued laws and regulations.³

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 at the community level."⁴

Community lands and **community forests** are lands or forests subject to community-based tenure.⁵

Community women: refers to Indigenous, Afro-descendant, and local community women globally.

CBTR-specific laws: state-issued, national-level laws and regulations concerning the tenure rights of individuals at the community-level, within a specific CBTR.⁶

Consensual unions are domestic partnerships that do not qualify as marriage under statutory law. Consensual unions include customary marriages if these unions lack recognition under statutory law, as well as domestic partnerships that exist outside the scope of customary marital practices.⁷

Gender "refers to the roles, behaviors, activities, and attributes that a given society at a given time considers appropriate for women and men. These attributes, opportunities, and relationships are socially constructed, context/time-specific, can change over time, and vary widely within and across cultures. Gender is part of the broader sociocultural context, including class, race, ethnicity and age."⁸

Gender-based discrimination refers to "any distinction, exclusion, or restriction made on basis of sex, gender identity, or perceived social norms with the purpose of disenfranchising the human rights of others."⁹

Gender blind refers to “[t]he failure to recognize that the roles and responsibilities of men/boys and women/girls are given to them in specific social, cultural, economic and political contexts and backgrounds. Projects, programmes, policies and attitudes which are gender blind do not take into account these different roles and diverse needs, maintain status quo, and will not help transform the unequal structure of gender relations.”¹⁰

Gender equality: “the concept that women and men, girls and boys must have equal conditions, treatment and opportunities for realizing their full potential, human rights and dignity, and for contributing to (and benefitting from) economic, social, cultural and political development. Gender equality is, therefore, the equal valuing by society of the similarities and the differences of men and women, and the roles they play. It is based on women and men being full partners in the home, community and society. Equality does not mean that women and men will become the same but that [individuals’] rights, responsibilities and opportunities will not depend on whether they are born male or female,”¹¹ nor will it depend on their gender identity.

Gender equity is “the process of being fair to men and women, boys and girls, and importantly the equality of outcomes and results. Gender equity may involve the use of temporary special measures to compensate for historical or systemic bias or discrimination. It refers to differential treatment that is fair and positively addresses a bias or disadvantage that is due to gender roles or norms or differences between the sexes.”¹²

Gender-based violence (GBV): “an umbrella term for any harmful act”—physical, verbal, sexual, psychological, and/or socioeconomic—perpetrated against a person’s will and that is based on socially ascribed (gender) differences between males and females.¹³

Gender-responsive refers to the ability to identify, understand and implement interventions to address gender gaps and overcome historical gender biases in policies and interventions. Gender-responsiveness in application contributes—pro-actively and intentionally—to the advancement of gender equality. A gender-responsive approach recognizes and acknowledges gender norms and inequalities and responds to them by creating actions, policies and initiatives to address the different needs, constraints, and opportunities of women and men. A gender-responsive approach ensures that women’s and men’s differential needs are addressed; women’s and men’s participation is equitable; and distribution of benefits, resources, status, and rights are equitably attended.¹⁴

Gender-transformative refers to measures, laws, approaches, programs, and actions “capable of changing norms and systems that perpetuate gender inequality, and [that] address the root causes of gender-based discrimination.”¹⁵

Overarching laws: refers to all national laws of general application protecting fundamental rights and freedoms established through constitutions, national legislation, or decisions of a country’s highest national court. Unlike CBTR-specific laws, overarching laws apply to all people in a country, regardless of one’s tenure practices.

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.

Chapter 1

Introduction



Indigenous Asháninka women from the Waypancuni community, Peru. Photo by Juan Llasca for Rights and Resources Initiative, 2024.

This report provides an update to the 2017 Rights and Resources Initiative (RRI) analysis *Power and Potential*.¹⁶ 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 to community-level membership, voting, leadership, inheritance, and dispute resolution. The analysis covers 35 countries in Africa, Asia, and Latin America, which encompass about 80 percent of forests in these three regions and 42 percent of global forest area.¹⁷

Since 2017, the importance of gender equality and securing the community-based land and resource tenure rights of Indigenous, Afro-descendant, and local community women has garnered greater global acceptance.¹⁸ Much of this progress is attributable to Indigenous, Afro-descendant, and local community women who have for generations engaged in protracted advocacy for their rights to gender equality and secure tenure,¹⁹ despite being inadequately supported and commonly overlooked.²⁰ In addition to leading zealous advocacy on behalf of their communities, community women often confront gender-discriminatory laws and customs, actively campaign for gender-transformative actions impacting community territories,²¹ and purposefully seek to assert their rights and contributions in environmental decision-making processes at all levels.²²

Despite these advancements and an array of national legislative reform processes impacting community lands across Africa, Asia, and Latin America, the tenure rights of Indigenous, Afro-descendant, and local community women remain inadequately protected and respected by governments. **In response, this study provides new data on the status of Indigenous, Afro-descendant, and local community women's**

forest tenure rights to inform and encourage gender-transformative actions by governments and other stakeholders impacting community forests, lands, and other resources.

Following this Introduction, Chapter 2 presents RRI's methodology for evaluating women's rights to community forests under national law. Chapter 3 features recent global challenges and advancements regarding community women's rights. Global findings from the 35 reviewed countries are presented in Chapter 4, and Chapter 5 discusses their implications. Chapter 6 examines regional trends in Africa, Asia, and Latin America. Finally, Chapter 7 presents recommendations for governments, community rightsholders' organizations, donors, allies, and enterprises.

1.1 Indigenous, Afro-descendant, and local community women's nature-based contributions are central to the achievement of global environmental and development objectives

Legally recognized tenure rights for communities and community women are essential to nature stewardship, the livelihoods and cultural traditions of community rightsholders, and the agency, well-being and advancement of community women themselves. Tenure insecurity is a principal cause of poverty,²³ while securing tenure rights for Indigenous, Afro-descendant, and local community women improves their and their communities' economic productivity, food security, nutrition, health and education,²⁴ in addition to enhancing women's bargaining power and potentially reducing gender-based violence.²⁵ Therefore, governments can improve a range of development, justice, and environmental outcomes by passing and enforcing legislation that empowers community women to better assert their and their communities' tenure rights.²⁶



“Generational handover is important to continue fighting for the rights of the Emberá...the process begins within the family but extends to a community process.

In my community, we women have taken the initiative to restore knowledge of ancestral seeds, which allows us to contribute every day to the resistance that continues to strengthen us as women and looking for ways to reach the financing that helps us to improve innovation with techniques that are adapted to our cultural relevance.”

Sara Omi

President of the Coordinadora de las Mujeres Líderes Territoriales de Mesoamérica and a member of WiGSA, Panama

Community women and girls play profoundly valuable and irreplaceable roles in the stewardship and safeguarding of their communities' territories, which are estimated to span half of Earth's land area.²⁷ They are key guardians of Traditional Ecological Knowledge, cultivating and passing down crucial knowledge about plants, water, seeds, fauna, ecosystems, and sustainable stewardship practices across generations.²⁸ Through a vibrant array of customary practices, Indigenous, Afro-descendant, and local community women sustainably manage and utilize community lands to nourish their families,²⁹ maintain household-level livelihoods, and develop medicines that support their communities' health.³⁰ Moreover, women's leadership and equal participation in the governance of community resources are proven to enhance environmental governance, leading to an array of benefits such as conflict reduction,³¹ increased climate resilience, and more equitable benefit distribution.³² Such linkages are well documented regarding community forests, with positive forest conservation outcomes being especially likely where gender-equal participation in decision-making is guaranteed by gender quotas.³³

Today, there is growing recognition that community women's many nature-based contributions are **vital to global environmental and development objectives**. For example, the 2022 Kunming-Montréal Global Biodiversity Framework (GBF) and associated decisions emphasize the rights of Indigenous Peoples, Afro-descendant Peoples,³⁴ and local communities while highlighting that achieving the Framework's conservation and development goals requires gender equality, women's empowerment, and reduced inequalities.³⁵ Relatedly, there is broad acceptance that the achievement of all Sustainable Development Goals (SDGs) depend on women's equality and empowerment³⁶ and there is growing recognition that community women are disproportionately impacted by environmental harm.³⁷ **Achieving gender equality and ecological sustainability are thus interdependent goals that require gender-transformative, rights-based climate and environmental action,³⁸ none of which can occur at scale without secure tenure rights for community women.**

Foundationally, **basic principles of justice demand secure tenure rights for community women** because secure land tenure is pivotal to a broad range of their human rights, including the right to a healthy environment, food, health, water, culture, work, and development.³⁹ As major economic assets, community lands and resources are a vital source of economic security, empowerment, agency, and cultural identity for community women, who rely on community lands and resources to sustain their livelihoods, food security, water security, health, and cultural and spiritual needs.⁴⁰ **Consequently, the absence of secure tenure rights constitutes a direct violation of community women's human rights, "individual autonomy, personal liberty, security, privacy and integrity."⁴¹**

1.2 Statutory laws applicable to community lands can be powerful tools or formidable obstacles for the realization of community women's rights

Within the context of their broader communities, Indigenous, Afro-descendant, and local community women rely on customary laws, norms, and practices to guide their access, use, and management of community lands and resources.⁴² Notwithstanding the existence of positive gender norms in some communities,⁴³ it is widely acknowledged that community practices often restrict these women's tenure rights to mere access and use of land rather than granting them a comprehensive bundle of rights that would enable meaningful control over land and natural resources.⁴⁴ In many communities, women's land tenure rights and community

membership are closely linked to their marital status and relationships with men,⁴⁵ although matrilineal community-based tenure systems are not uncommon.⁴⁶

Indigenous, Afro-descendant, and local community women's tenure rights are also influenced by rules and gender norms emanating from outside their communities. As discussed in [Box 3](#), **there is often a stark contrast between communities' customary norms and those established by state laws**, notwithstanding the existence of plural legal systems where customary and religious laws are recognized and enforceable by states as a source of national law.

Gender-based discrimination is a pervasive problem across all states, societies, socioeconomic strata, cultures, and governance institutions. Consequently, **statutory laws and regulations applicable to community lands have the potential to either act as important gender-transformative tools enabling the equal realization of community women's tenure rights⁴⁷ or as a barrier to this crucial gender justice imperative.** Today, Indigenous, Afro-descendant, and local community women continue to face significant legal, sociocultural, and structural barriers to accessing land, forests, natural resources, and other productive resources.⁴⁸ **Gender-blind or discriminatory formal laws, as well as exclusionary legislative reform processes, remain critical stumbling blocks to community women's access, use, and control over these resources as they often exacerbate power imbalances between community men and women.**⁴⁹

In practice, many legislative inadequacies stem from reform processes that fail to meaningfully consult community women. Resulting laws are more likely to entirely overlook or fail to adequately address gender-discriminatory customary norms that restrain community women's realization of their tenure rights⁵⁰ and may also undermine Indigenous Peoples', Afro-descendant Peoples', and local communities' gender-equitable land tenure customs.⁵¹ While some statutory laws contain explicitly gender-discriminatory provisions applicable to community lands,⁵² others contain explicit carve-outs that render statutory provisions guaranteeing gender equality inapplicable to community women's tenure rights.⁵³ Under all of these circumstances, community women are left without legal recourse against discriminatory practices impacting their tenure security.

Global analyses strongly suggest that these legislative failings are common across Asia, Africa, and Latin America. For instance, as of 2019, traditional, religious, and customary laws limited women's ability to claim protected land assets in 123 countries, with just 29 percent of countries guaranteeing equal land rights for women in both law and practice.⁵⁴ Gender inequalities in access to education and technology create additional challenges in that community women often face wider information gaps regarding their legally recognized tenure rights than men.⁵⁵ These obstacles are compounded by intersecting inequality and discrimination faced by Indigenous Peoples, Afro-descendant Peoples, and local communities who are often also marginalized on the basis of their socioeconomic status, ethnicity, caste, or race.⁵⁶ The cumulative consequences of these injustices are that **community women's comparative agency and voices are often restrained at both the local and national level**, which enables patriarchal norms, customary and

DEFINITION

GENDER-BLIND

The failure to recognize that the roles and responsibilities of men/boys and women/girls are given to them in specific social, cultural, economic and political contexts and backgrounds. Projects, programmes, policies and attitudes which are gender blind do not take into account these different roles and diverse needs, maintain status quo, and will not help transform the unequal structure of gender relations.

statutory laws, and structures to persist, thus ensuring that community women’s land, forest, and resource tenure rights remain insecure.

Finally, it is important to acknowledge that communities’ tenure rights, gender-just customary norms, and the tenure rights of community women must all be legally recognized if the full suite of individual and collective rights of community women are to be realized. Indeed, the legal recognition of all three of these elements is crucial to securing individual and collective rights to self-determination and development across community territories.⁵⁷ **While customary laws can be used to discriminate against women, they can also be flexible and easily adapted to new circumstances (particularly in comparison to statutory law), are often tailored to communities’ specific circumstances and contexts, and commonly embrace positive principles of communal property ownership that are essential to communities’ nature-based cultural identities, livelihoods, and advancement.**⁵⁸ For these reasons, legislative best practices in securing community women’s tenure rights include reforms that explicitly recognize women’s membership rights and the related tenure rights of women and their communities, resonate with customary laws that respect community women’s equal tenure rights, and are consistent with the priorities of Indigenous Peoples, Afro-descendant Peoples, local communities, and the women within these groups.⁵⁹

“[Community]⁶⁰ women and other rural women play a significant role in the economic survival of their families and in contributing to the rural and national economy,...but are often denied tenure and ownership of land, equal access to land, productive resources, financial services, information, employment or social protection, and are often victims of violence and discrimination in a variety of forms and manifestations[.]”⁶¹

– UNDROP, Preamble

1.3 State obligations to protect the tenure rights of Indigenous, Afro-descendant, and local community women

The evaluation of national laws applicable to the lands of Indigenous Peoples, Afro-descendant Peoples, and local communities is essential for assessing whether states are fulfilling their international legal obligations to ensure gender equality. Under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)—ratified by 189 states—states must eradicate all forms of gender-based discrimination against women, including by i) repealing all gender-discriminatory laws; ii) guaranteeing gender equality in national constitutions; and iii) taking legislative and other measures (including “extraordinary measures”) to eradicate gender-discriminatory laws, regulations, customs, practices, and associated stereotypes.⁶² With respect to rural women in particular, State Parties must ensure that rural women i) equally participate in and benefit from rural development; ii) “experience equal treatment in land and agrarian reform” processes;⁶³ and iii) equally “participate in all community activities.”⁶⁴

The rights of specific community women are further expounded in multiple international instruments, including the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP), and ILO Convention No. 169 (ILO 169). UNDRIP and ILO Convention No. 169 require states to legally recognize and protect Indigenous Peoples' and tribal peoples' rights, including Afro-descendant Peoples' rights,⁶⁵ to the lands, territories and resources that they traditionally own, occupy or use.⁶⁶ Moreover, UNDRIP asserts that all rights covered by the Declaration "are equally guaranteed to male and female indigenous individuals"⁶⁷ and requires states to take specific measures to ensure that Indigenous women and children receive full protection and guarantees against all forms of violence and discrimination.⁶⁸ In relation to Indigenous, Afro-descendant, and local community women, UNDROP recognizes community women's equal rights to access, use, and manage land and natural resources⁶⁹ and requires states to legally recognize individual and collective land tenure rights⁷⁰ while "[removing] and [prohibiting] all forms of discrimination relating to the right to land, including those resulting from change of marital status, lack of legal capacity or lack of access to economic resources."⁷¹

The aforementioned legal imperatives are also reflected in the Beijing Declaration and Platform for Action, which was adopted by 189 states at the UN's Fourth World Conference on Women in 1995. As one of the earliest global blueprints for gender equality and women's empowerment, the Declaration constitutes a pathbreaking milestone for the protection of women's rights—particularly for rural⁷² and Indigenous women's⁷³ rights to equal tenure, land and natural resource governance, and participation in environmental decision-making.⁷⁴ Both CEDAW and the Beijing Declaration are aligned with the SDGs, including Goal 5 on gender equality and its indicators on women's land ownership and tenure security. Collectively, these international instruments underscore that the security of community women's tenure rights is essential to the fulfillment of international obligations and commitments to equality, development, environmental sustainability, and democratic governance.

1.4 Major global commitments related to gender equality and the tenure rights of Indigenous Peoples, Afro-descendant Peoples, and local communities remain unmet

At the time of this report's 2025 publication, the world is five years away from the 2030 Agenda for Sustainable Development's deadline. Forty-five years have passed since CEDAW's adoption, and the Beijing Declaration and Platform for Action is now 30 years old. **Yet global and regional progress toward achieving SDG 5 on gender equality and the Beijing Declaration's strategic objectives remains alarmingly insufficient.**⁷⁵

None of the SDG 5 indicators are on track to be achieved by 2030.⁷⁶ As of March 2023, of the 68 countries reporting on SDG indicator 5.a.2 on women's equal control and ownership of land, half met two or fewer of the six proxies measuring progress, and just over 30 percent met between four and six proxies.⁷⁷ Only 26 percent of 105 countries and areas with SDG 5 data have transparent systems tracking budget allocations for gender equality,⁷⁸ signaling the inadequacy of current commitments to addressing gender inequality.

As reflected in regional progress reports for the Beijing+30 Review process, **Africa, Asia, and Latin America remain especially far from achieving key justice and sustainable development objectives of vital importance to securing women's community-based tenure rights:**⁷⁹

- **Africa:** Of 39 evaluated African countries, more than half (over 20 countries) have not prioritized “legal equality, non-discrimination and access to justice over the next five years.”⁸⁰ Over one-third (15) of countries evaluated have not “enacted or enhanced gender-responsive laws and policies to foster an equitable approach to disaster risk reduction and climate resilience.”⁸¹ Furthermore, only 15 countries indicated they are “working to preserve Indigenous women’s traditional conservation knowledge.”⁸²
- **Asia:** Per data on SDG indicator 5.a.2, “only 2 out of 14 Asia-Pacific countries with available information had high or very high levels of guarantees of gender equality in land ownership and/or control in the legal framework.”⁸³ Moreover, in the 49 Asia-Pacific countries with Nationally Determined Contributions in 2023, only 10 acknowledged women “as agents of change and decision-makers essential for driving climate action.”⁸⁴ Meanwhile, Indigenous women remain underrepresented across Asia’s national women’s machineries.⁸⁵
- **Latin America:** Across the region, “only 25% of the [SDG] targets for which data are available appear to be on track to be met by 2030”⁸⁶ and “27% are moving backwards.”⁸⁷ In 2018, between 63 and 76 percent of women were estimated to have experienced gender-based violence, which disproportionately impacts community women environmental defenders across the region.⁸⁸

The inadequacy of global and regional progress toward critical environmental and development imperatives to date underscores the urgency of legally recognizing community-based land, forest, and water rights for Indigenous, Afro-descendant, and local community women,⁸⁹ without which gender justice, environmental justice, and sustainable development cannot be achieved.



A woman holds a fruit recently picked toward the camera, India.
Photo by Shutterstock.



Ketut Ayu is head of the Women Farmers’ Group and member of the Adata Dalem Tamblingan Indigenous community in Bali, Indonesia. The Group plants, grows, harvests, packages, and sells over 700kg of coffee every month in shops throughout Bali.
Photo by Santhi Wijaya for Rights and Resources Initiative, 2023.



A young woman of the Talang Mamak community in Riau province weaves a rug, Indonesia.
Photo by Jacob Maentz for Rights and Resources Initiative, 2022.

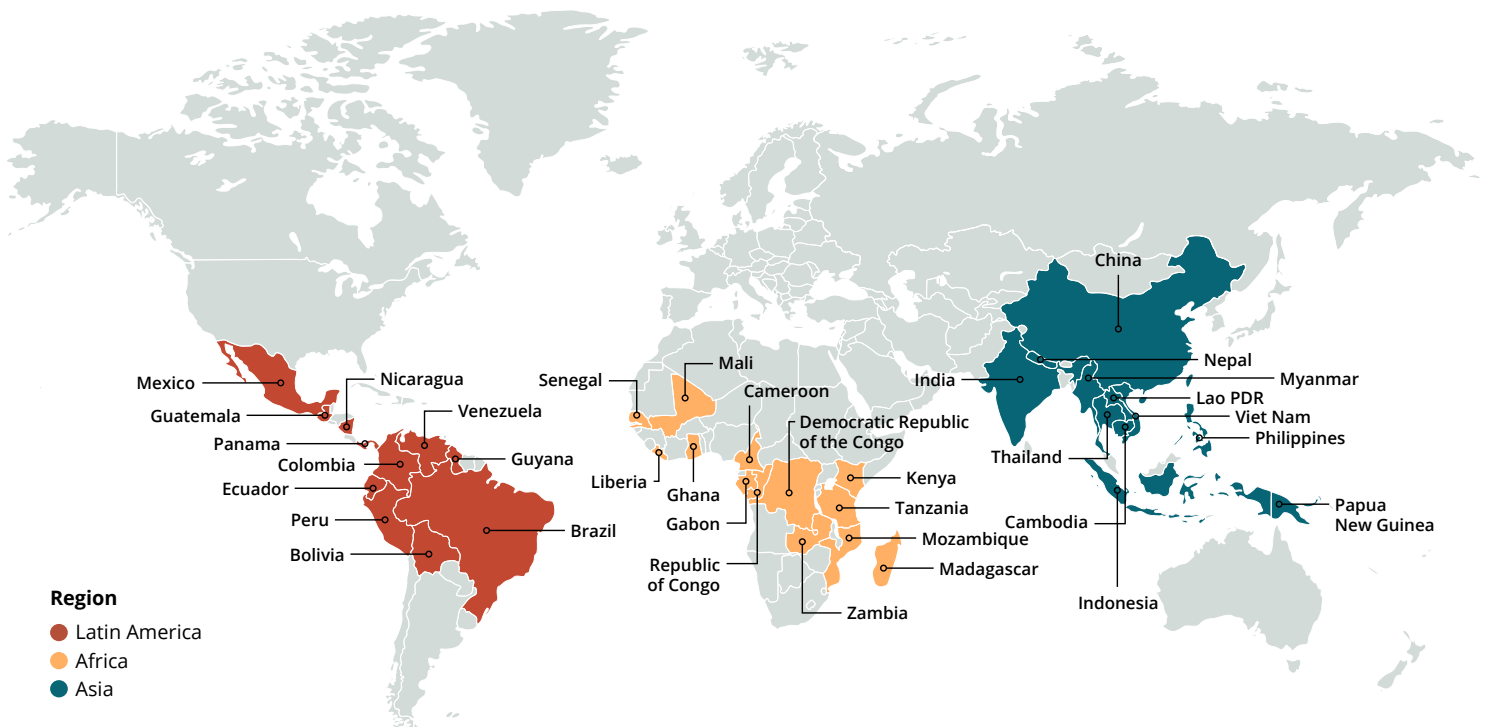
Scope of Analysis and Methodological Approach Uniting RRI's Tenure Data



Members of the Talang Mamak community in Riau province collect forest products, Indonesia. Photo by Jacob Maentz for Rights and Resources Initiative, 2022.

2.1 Scope of analysis

Figure 1 | Map of 35 Countries Assessed



This report provides a critical update to RRI's first global analysis on women's **community-based forest tenure** rights, *Power and Potential* (2017), by reviewing the status of Indigenous, Afro-descendant, and local community women's forest rights under national law. By assessing national-level legal frameworks as of 2016⁹⁰ and 2024, this analysis monitors progress and setbacks in the recognition of women's community-based forest rights according to eight indicators under RRI's Gender Methodology. The analysis assesses 35 countries across Africa, Asia, and Latin America. Together, these countries cover 80 percent of total forest area in Africa, Asia, and Latin America, and 42 percent of global forest area.⁹¹

Five countries feature in the dataset for the first time: Ecuador, Ghana, Lao PDR, Madagascar, and Nicaragua. These five new countries were selected for their geographical diversity, significant legal reforms relating to land and forest rights, availability of comparable and underlying Tenure Tracking data, and the presence of the RRI coalition and other grassroots partnerships. All 35 countries have ratified CEDAW (1979) and adopted the Beijing Declaration and Platform for Action (1995).⁹²

DEFINITION

COMMUNITY-BASED FOREST TENURE

Arrangements in which the right to own or govern land and/or natural resources (such as freshwater) is held at the community level by Indigenous Peoples, Afro-descendant Peoples, and/or local communities, whether or not these arrangements are legally recognized.



“We women need to work together for the advocacy of women's rights to access land and resources, improve on our knowledge so that we can strengthen policies, so that we can have women leaders.”

Chouchouna Losale

Member of La Coalition des Femmes Leaders Pour l'Environnement et le Développement Durable (CFLEDD) and member of WiGSA, Democratic Republic of the Congo

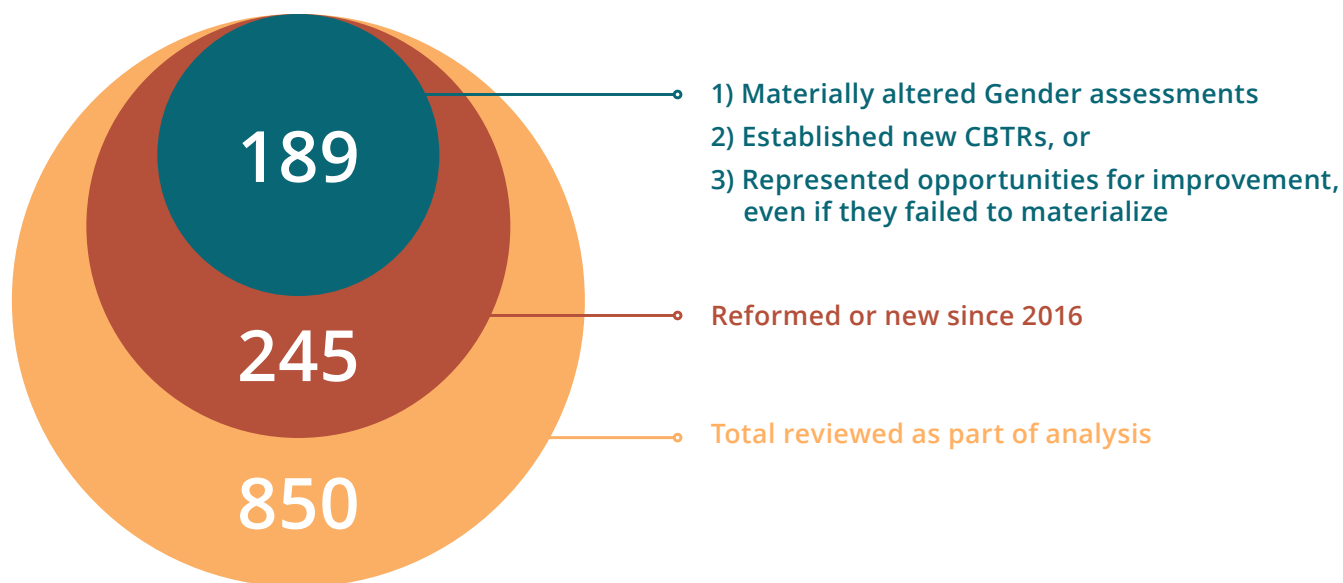
While this report focuses mainly on the specific rights of Indigenous, Afro-descendant, and local community women, it relies on pre-existing RRI datasets and associated methodologies to derive insights into the relationship between communities' and community women's forest rights under national law. Of particular importance, this study draws upon RRI's ongoing monitoring of Indigenous Peoples', Afro-descendant Peoples', and local communities' statutorily recognized rights to forestland and resources for the same 35 countries included in this report, as captured by RRI's Depth of Rights Methodology.⁹³ 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, as well as the duration of these rights and communities' recognized authority to alienate them across distinct legal frameworks recognizing community-based forest tenure rights. 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 Forest Tenure Typology.

Figure 2 | The Bundle of Rights by Category under RRI's Statutory Tenure Typology



This report also examines the extent to which women’s community-based forest rights are recognized under national-level legal frameworks that were established or subjected to reforms from 2016–2024. Of the nearly 850 laws and judicial decisions reviewed as part of the analysis, more than 245 were enacted or reformed since October 2016—the cut-off point for national laws considered in *Power and Potential*. Of these identified laws, 189 laws across 30 analyzed countries either i) *materially altered* community women’s recognized forest rights, either by improving or diminishing the recognition of community women’s rights as measured in this analysis; or ii) *provided a reasonable opportunity to improve* the recognition of community women’s forest rights.

Figure 3 | Scope of Laws and Judicial Decisions Considered During Analysis



2.2 Unit of analysis and key terms

RRI's Tenure Tracking methodologies are united by their reliance on a common unit of analysis—the **community-based tenure regime (CBTR)**—that allows for identifying and comparing the distinct legal frameworks by which Indigenous Peoples', Afro-descendant Peoples', and local communities' tenure rights are recognized under national law. These distinguishable sets of laws and regulations govern all situations by which rights to land and natural resources are held at the community level.⁹⁴ By collecting data on CBTRs, this study assesses the bundle of rights legally held by Indigenous Peoples, Afro-descendant Peoples, and local communities who claim and hold lands at the community level and evaluates the statutory recognition of women's individual rights to the same community forests. Like other RRI tenure analyses, the term "regime" refers to national-level laws constituting "formal legal recognition as expressed in a country's statutes." This analysis identifies 104 CBTRs in force as of December 31, 2024, across the 35 countries studied. By identifying and assessing distinct CBTRs recognized by the national laws of 35 countries (see Annex 3), this analysis allows readers to isolate the legal frameworks of interest to them, and, where relevant, compare and better understand the differences among them.

All CBTRs captured by this analysis regulate forestlands and/or resources. In some cases, the same CBTRs may also recognize communities' land or territorial rights beyond forested landscapes. For this reason, although legal indicators are assessed based on provisions particularly impacting community-based forest tenure rights, many of the findings also reflect community rights recognized in non-forested lands.

Throughout this report, the following key terms are used as defined:

- A **community** is a group of people (such as Indigenous Peoples, Afro-descendant Peoples, or local communities) who share a common interest or purpose in a particular territory or natural resource, and who primarily hold rights to those lands and/or resources at the community level.
- **Community practices** refer to the realization by Indigenous Peoples, Afro-descendant Peoples, and local communities of their communities' norms; such practices may include the exercise of customary laws, cultural traditions, and community-based institutional processes.⁹⁵
- **Community-based tenure** denotes "arrangements in which the right to own or govern land and/or natural resources (such as freshwater) is held at the community level by Indigenous Peoples, Afro-descendant Peoples, and/or local communities," whether or not these arrangements are legally recognized.⁹⁶
- **Community-based tenure systems** are the institutional frameworks of Indigenous Peoples, Afro-descendant Peoples, and local communities—which may or may not be recognized by statutory laws—that, in practice, give rise to community-based tenure. A community-based tenure *system* is distinct from a CBTR which constitutes a distinct set of national, state-issued laws and regulations.⁹⁷
- **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 at the community level."⁹⁸
- **Community lands** and **community forests** are lands or forests subject to community-based tenure.⁹⁹
- **Community women** refers to Indigenous, Afro-descendent, and local community women globally.

DEFINITION

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 at the community level."

2.3 Legal indicators and assessment criteria

2.3.1 Legal indicators

RRI's **Gender Methodology** is the primary methodology employed by this analysis. As summarized in [Table 1](#) below and detailed in [Annex 2](#), it examines eight **legal indicators** to assess the rights of Indigenous, Afro-descendant, and local community women.

Three **Overarching Indicators** are applicable to all women in a country, regardless of their status within a community-based tenure system. They include **Constitutional Equal Protection; Affirmation of Women's Property Rights**; and **Inheritance in Overarching Laws**. Constitutional provisions guaranteeing gender equality and non-discrimination create the foundation from which women's rights can be most comprehensively supported through states' legal systems. The affirmation of equal rights to property is key to ensuring community women's ability to make decisions about the use, maintenance, and alienation of property—which are often prerequisites for both community women's and their broader communities' economic stability. Moreover, Indigenous, Afro-descendant, and local community women's inheritance rights uniquely impact their ability to experience gender equality at both the household and community level. As such, this study examines i) the overarching rights of daughters, widows, and women in consensual unions under overarching inheritance laws governing **intestate succession**;¹⁰⁰ and ii) whether laws specifically regulating community-based forest tenure address the inheritance rights of women at the community level. Taken together, these two sets of inheritance laws determine women's and girls' legal capacity to retain rights to collective resources and to pass down property to their children.

There are also five **CBTR-specific Indicators** that assess community women's forest rights at the community level for each CBTR analyzed in this report. These include indicators on community women's **Membership; Inheritance in CBTR-Specific Laws; Voting; Leadership**; and **Dispute Resolution** rights. In practice, community-level membership is the primary gateway to all other rights related to community lands, forests, and natural resources. In addition to empowering women to exercise their self-determination and participate in community-level decision-making processes, women's right to fully participate in community governance is particularly important during community negotiations with external actors, including processes in which communities' free, prior and informed consent (FPIC) is guaranteed, because community agreements with

DEFINITION

OVERARCHING LAWS

are national laws of general application protecting fundamental rights and freedoms established through constitutions, national legislation, or decisions of a country's highest national court.

DEFINITION

INTESTATE SUCCESSION

refers to the legal process for distributing a person's assets and property when they die without a valid will or other equivalent legal document.



Indigenous woman learns to weave at Maria Community Indigenous School, Indonesia. Photo by Rachel Watson for Rights and Resources Initiative, 2024.

states, private corporations, and local elites can have wide-reaching impacts on communities and their territories for generations.

The Voting and Leadership indicators (referenced together as Governance indicators) aim to accommodate diverse community governance structures, including consensus-based decision-making, that require the full participation and agreement of all community members.¹⁰¹ This aligns with FPIC principles and state obligations under CEDAW, which mandate that states ensure women's right "to participate in all community activities."¹⁰² Whereas the Voting indicator is inclusive of a variety of community-wide governance structures, the Leadership indicator examines whether community women have a statutory right to serve on community-level executive bodies and to take binding actions in this capacity through the inclusion of quota and quorum requirements specific to women.

For further information on RRI's legal indicators, *Power and Potential* provides a detailed overview of all eight indicators and their significance for **community women's** rights.

DEFINITION

COMMUNITY WOMEN

refers to Indigenous, Afro-descendent, and local community women globally.



A woman bends over a fire outside a shelter, Honduras. Photo by If Not Us Then Who?

Table 1 | RRI Gender Methodology: Legal Indicators and Assessment Criteria

Overarching Legal Indicators	
	<p>Constitutional Equal Protection</p> <p>Does the constitution contain gender-specific equal-protection provisions or prohibit gender-based discrimination? If the constitution affirmatively recognizes customary law, customary practices, and/or customary rights/tenure, does it also require customary law, customary practices, and/or customary rights/tenure to conform with all other provisions of the constitution?</p>
	<p>A. The constitution either prohibits gender-based discrimination or contains a provision guaranteeing equal protection specific to gender. However, the constitution does not affirmatively recognize customary law, customary practices, or customary rights/tenure.</p> <p>- OR -</p> <p>B. All three of the following requirements are satisfied:</p> <ol style="list-style-type: none"> 1. The constitution prohibits gender-based discrimination or contains a provision guaranteeing equal protection specific to gender. 2. The constitution affirmatively recognizes customary law, customary practices, or customary rights/tenure. 3. The constitution explicitly requires customary law, customary practices, or customary rights/tenure to conform with all other provisions of the constitution, or renders void all provisions and customs that do not conform with the constitution.
	<p>A. The constitution contains a non-discrimination or equal-protection provision that does not specify gender but does explicitly include all individuals without exception.</p> <p>- OR -</p> <p>B. The constitution prohibits gender-based discrimination or has a provision guaranteeing equal protection that specifies gender. The constitution also recognizes customary law, customary practices, or customary rights/tenure, but fails to require customary law, customary practices, or customary rights/tenure to conform with all other provisions of the constitution.</p> <p>- OR -</p> <p>C. The constitution does not contain non-discrimination or equal-protection provisions. However, it does establish that treaties are self-executing, and the country has ratified or acceded to CEDAW.</p>
	<p>The constitution does not contain non-discrimination or equal-protection provisions. It also lacks provisions that would make CEDAW self-executing.</p>
	<p>Affirmation of Women's Property Rights</p> <p>Does the constitution, civil code, land law, or other overarching environmental or agrarian law contain a general provision affirming all women's property rights or prohibiting property-related practices that would adversely affect women's access to or ownership of land?</p>
	<p>The constitution, civil code, land law, or other overarching environmental or agrarian law contains a general provision affirming women's property rights or prohibiting property-related practices that would adversely affect women's access to or ownership of land.</p>
	<p>No general protections for women's property rights exist in the legislation reviewed.</p>
	<p>Inheritance in Overarching Laws</p> <p>Do overarching national laws provide equal protection for the intestate inheritance rights of daughters, widows, and women in consensual unions?</p>
	<p>Overarching laws mandate that daughters, widows, and women in consensual unions have intestate inheritance rights equal to those of their male counterparts (sons, husbands, and men in consensual unions). For this condition to be met, the law must specifically mention women's mandatory rights to inherit and be nondiscriminatory (for example, a daughter should not inherit a smaller share than a son).</p>
	<p>The law must provide at least some intestate inheritance rights to at least one category of women (for example, daughters, widows, or consensual partners).</p>
	<p>The law provides no specific protection for women.</p>
	<p>A country has multiple, distinctly enumerated intestate inheritance regimes, where at least one regime provides unequal inheritance rights to at least one category of women (daughters, widows, and women in consensual unions) in comparison to their male counterpart. In these circumstances, the overarching inheritance rights of women within the same category will vary according to the applicable inheritance regime.</p>

Full Credit
Partial Credit
No Credit
Case by Case
Not Addressed

CBTR-specific Legal Indicators



Membership

Under CBTR-specific laws, are women explicitly defined as members of the community?

	Membership is explicitly defined as extending to women.
	Membership is explicitly defined to include all/any/every adult in the community.
	Membership provisions explicitly limit community membership to men, define community membership at the household/familial level, or otherwise fail to recognize the individual membership rights of all adults in the community.
	There are no provisions defining membership at the community-level.



Inheritance in CBTR-specific Laws

Does the CBTR address inheritance? If so, are women's inheritance rights specified?

	The CBTR addresses inheritance and explicitly allows women to inherit land.
	The CBTR addresses inheritance, but does not explicitly recognize women's right to inherit land.
	The CBTR does not address inheritance.



Voting (Governance)

Does the CBTR guarantee that women have the right to vote or take equivalent binding action in community general assemblies or equivalent community decision-making bodies? Additionally, is a quorum of women voters (or decision makers) required to be present in order for the decision-making body to vote or take other legally binding action?

	Women have the right to vote or take equivalent action in a community general assembly or equivalent community decision-making body. Additionally, a quorum of women—that is, a minimum number of women voters/decision-makers—is required to be present for a general assembly to vote or take equivalent, legally binding action.
	Women are specified as having the right to vote or take equivalent action in the general assembly/equivalent community decision-making body, but there is no quorum requirement for women voters/decision makers.
	Women are not specified as having the right to vote or take equivalent action in the general assembly/equivalent community decision-making body. Individual or household voting rights (or other decision-making rights) may be generally discussed.
	Community decision-making processes are not addressed in the CBTR.



Leadership (Governance)

Under CBTR-specific laws, do community-level executive bodies require a minimum quota of women to be executive body members, and is a quorum of women executive members required to be present for the executive body to take binding actions?

	Community-level executive bodies require both a minimum quota of women to hold seats in the body and a quorum of women executive members to be present for the body to exercise its decision-making authority.
	A minimum quota of women must be included in community-level executive bodies, but there is no women's quorum requirement.
	There is no quota or quorum requirement related to women's participation within community-level executive bodies.
	Community-level leadership is not addressed in the CBTR.



Dispute Resolution

Does the CBTR address mechanisms for resolving forest tenure disputes, and do provisions contain specific considerations for women?

	The CBTR addresses mechanisms for resolving tenure disputes, and provisions contain specific considerations for women.
	The CBTR addresses mechanisms for resolving tenure disputes, but provisions do not contain any specific considerations for women.
	The CBTR does not address mechanisms for resolving tenure disputes.

■ Full Credit
 ■ Partial Credit
 ■ No Credit
 ■ Case by Case
 Not Addressed

2.3.2 Assessment criteria

The eight legal indicators under RRI's Gender Methodology reflect rights grounded in international human rights law that are central to the eradication of gender-based discrimination against Indigenous, Afro-descendant, and local community women with respect to land and natural resource tenure. Each legal indicator is assessed on a scale ranging from "full credit" to "not addressed," using relevant criteria. Importantly, criteria for "**full credit**" assessments under each indicator reflect the *minimum* or *adequate* degree of statutory protections for women's community-based tenure rights as mandated under CEDAW, which requires all states to take legislative and other measures to eradicate all forms of gender-based discrimination against women.¹⁰³

Assessment categories corresponding with less robust legal protections for women's rights are "**partial credit**," "**no credit**," "**case-by-case**," and "**not addressed**." Whereas *Power and Potential* used the terminology "Not Applicable" to describe situations in which no provisions addressing community-level membership, voting, leadership, inheritance, or dispute resolution were identified, this analysis instead uses the terminology "Not Addressed" to better reflect the meaning of this assessment category. [Annex 2](#) describes the specific criteria associated with each legal indicator under the Gender Methodology.



“Having a women's network is important to know the different struggles and the resistance that women put up together, uniting in our struggles.

Ketty Marcelo Lopez

Peruvian leader from the Asháninka Indigenous community of Pucharini, President of the National Organization of Andean and Amazonian Indigenous Women of Peru (ONAMIAP), and member of WiGSA, Peru

In this report, legal protections for women's community-based forest rights are sometimes described as "**women-specific**" and "**adequate**" protections to account for differences in the assessment criteria across the CBTR-specific indicators. "**Women-specific protections**" describe legal acknowledgements of women's community-level forest rights that *explicitly apply to women or are explicitly applicable regardless of gender*. However, such protections do not always correspond to "adequate" protections under the Gender Methodology. In the case of Membership, CBTR-Specific Inheritance, and Dispute Resolution indicators, "women-specific protections" and "adequate" legal protections are synonymous. In the case of Voting and Leadership, "**women-specific protections**" refers to both full and partial credit scores, while "**adequate protections**" require full credit scores (like all other CBTR-specific indicators). Furthermore, the use of "**adequacy**" in this report does not mean that Indigenous, Afro-descendant, and local community women are satisfied with the extent to which their rights are recognized under national law, nor does it indicate that community women have achieved the full realization of their rights. It is simply the threshold level of statutory protection for women's rights to community forests established by this study as consistent with state obligations under CEDAW.

2.3.2.1 Assessment of progress 2016–2024 | RRI tracks global progress across legal indicators by comparing the proportion of CBTRs that provide protections for community women’s rights across all indicators as of both 2016 and 2024.¹⁰⁴ As of 2016, 97 CBTRs were recognized across the 35 countries analyzed. As of 2024, 104 CBTRs are identified across the same countries. The cumulative increase in CBTRs between 2016 and 2024 is a result of a greater number of new CBTRs having been established than were repealed since October 2016. [Annex 2](#) provides a detailed account of CBTRs that are new, repealed, or retroactively identified in RRI’s database.

There are 93 CBTRs¹⁰⁵ which were legally recognized as of 2016, and which continue to be recognized as such under national law as of 2024. Through targeted analysis of these CBTRs, RRI is able to isolate specific instances where legal reforms impacted the assessment of community women’s membership, governance, inheritance, or dispute resolution rights between 2016 and 2024. Such reforms may have i) improved an assessment positively through the introduction of newly gender-responsive provisions; ii) negatively impacted an assessment, either because a gender-responsive legal provision was repealed, or a right that previously existed for all community members was eliminated during reforms from 2016–2024; or iii) reflect reforms that are gender-blind in nature because they improved the recognition of communities’ collective forest tenure rights while either failing to address women’s rights (for example, where scores for Inheritance in CBTR-specific Laws or Dispute Resolution change from “not addressed” to “partial credit”) or only addressing the right in question using gender-blind language (that is, where scores change from “not addressed” to “no credit”).

Across this analysis, changes in cumulative proportions over time account for post-2016 reforms to CBTRs existing as of 2016, and to the assessment of CBTRs established after October 2016. For instance, the proportion of CBTRs that provide explicit protections for women’s membership rights increased by 2 percent between 2016 and 2024 (representing 4 additional CBTRs), and this change reflects positive reforms in 3 CBTRs between 2016 and 2024, in addition to one CBTR that was newly established after 2016. To ensure clarity, this report uses the language of “proportional” when referring to global and regional data, and refers to numerical changes in reference to reforms impacting assessment at the CBTR- and country-level.

2.4 Caveats

In keeping with RRI’s past Tenure Tracking analyses, the following caveats should be noted:

- Analysis is limited to the formal content of written, government-issued laws and regulations and, where applicable, decisions of the highest national court. While the report may reference community practices in context-specific cases, it does not systematically track or aggregate data on the realization of Indigenous Peoples’, Afro-descendant Peoples’, local communities’, or the women within those communities’ tenure rights in practice, nor does it evaluate the extent to which customary laws guarantee the rights of community women.
- This report’s focus on government-issued laws does not imply or endorse the notion that community-based rights emanate from the state or that the state possesses a legitimate authority to deny or revoke the customary, Indigenous, or community-based rights of Indigenous Peoples, Afro-descendant Peoples, local communities, or the individual members of these same communities.
- **References to “Indigenous Peoples, Afro-descendant Peoples, and local communities” and/or “community women” are not meant to equate or conflate these distinct rights-holding populations or to ignore the differentiated rights that specific communities may hold under**

national or international law.¹⁰⁶ Rather, this terminology is used by RRI to encompass the immense diversity of Peoples and populations that exercise their own forms of community-based tenure around the globe, and that self-identify in a myriad of ways that also may or may not correspond to the manner in which their rights are recognized or acknowledged by national governments. National governments may recognize any number of CBTRs, and CBTRs may or may not recognize community-based tenure rights on the basis of a particular identity. **While Indigenous Peoples, Afro-descendant Peoples, and local communities (or Indigenous, Afro-descendant, and local community women) are thus generally referenced together in overarching discussions of the methodology or global and regional findings, country or CBTR-level discussions employ context-specific terminology.**

DEFINITION

GENDER-TRANSFORMATIVE

refers to measures, laws, approaches, programs, and actions “capable of changing norms and systems that perpetuate gender inequality, and [that] address the root causes of gender-based discrimination.”

- **By focusing this analysis on women and girls, RRI is not endorsing a binary perspective on sex or gender, nor is it negating the diversity of gender identities and sexual orientations recognized within the many Indigenous Peoples, Afro-descendant Peoples, and local communities across the globe.**¹⁰⁷ Indeed, this report’s focus on the rights of Indigenous, Afro-descendant, and local community women is inherently intersectional. The CEDAW Committee has clearly established that the Convention requires intersectionality as a basic concept for understanding the scope of State Parties’ obligations,¹⁰⁸ and has stated that **“to eliminate all forms of discrimination against women, States parties must also tackle all possible intersecting factors of discrimination,”**¹⁰⁹ including discrimination related to sexual orientation and gender identity.¹¹⁰ In keeping with CEDAW’s intersectional and human rights-based approach, **achieving true gender justice requires equality for gender diverse people**. RRI further recognizes that every individual has multiple and intersecting social identities outside of sex and gender—including their socioeconomic status, ethnicity, caste, race, disability, indigeneity, age, sexual orientation, and citizenship status.¹¹¹ **Importantly, while this report contains recommendations aimed at advancing the community forest, land, and resource rights of community women and girls, this does not imply that gender-transformative laws, policies, and programs concerning community lands and resources should employ a gender binary approach.**¹¹² In all instances, laws regulating the land and resource rights of Indigenous Peoples, Afro-descendant Peoples, and local communities should reflect and affirm concepts of gender diversity embraced by these communities to best ensure that all Indigenous, Afro-descendant, and local community members enjoy gender-equal realization of community-based land and resource rights.
- The **use of the term “women” throughout this report is intended to be inclusive of Indigenous, Afro-descendant, and local community girls.** While this study and the underlying data do not entail an in-depth analysis of the challenges and obstacles faced by community girls that may differ from those of community women, the rights of girls in these communities are considered to different extents in RRI’s Gender Methodology. The Overarching Inheritance indicator directly measures the rights of girls as it evaluates whether inheritance law provides protection for daughters that is equal to that of sons. Two other overarching indicators (Constitutional Equal Protection and Affirmation of Women’s Property Rights) and one CBTR-specific indicator (Community-level Inheritance) readily apply to girls in these communities, whereas CBTR-specific indicators such as Voting, Leadership, and Membership will have different age thresholds for these rights to vest.

Key Developments Since 2016



Photo taken during the religious celebration in honor of Yemanjá, Queen of the Water, and entity revered by African-based religions in Salvador, Brazil. Photo by Rafael Martins for Rights and Resources Initiative.

3.1 Global developments impacting Indigenous, Afro-descendant, and local community women and their communities

Since the publication of *Power and Potential* in 2017, the world has undergone momentous shifts. The burgeoning hope offered by the historic Paris Agreement and the SDGs in 2015 has largely given way to concern for the durability and ambition of these commitments, with the 29th UNFCCC Conference of the Parties (COP29) being widely criticized as a “climate betrayal,”¹¹³ the Earth crossing six of nine crucial planetary boundaries,¹¹⁴ and progress stalled or regressing on over one-third of SDG targets, including those on poverty and hunger.¹¹⁵

These trends have undoubtedly been affected by dramatic political shifts across the globe, the devastating Covid-19 pandemic starting in 2020, and heightened conflict—all of which have had particularly acute impacts on both rural populations broadly and on Indigenous Peoples, Afro-descendant Peoples, local communities, and the women within these communities.

3.1.1 The Covid-19 pandemic and its lingering effects on gender inequality

The health impacts of Covid-19 were most acute in developing countries, and as men succumbed to the disease in disproportionate numbers and the numbers of widows increased,¹¹⁶ so too did women’s unpaid care burden of caring for the sick.¹¹⁷ This, in turn, reduced women’s and girls’ ability to seek paid work or to pursue

education,¹¹⁸ and led to increases in child marriage.¹¹⁹ In summary, “[t]he Covid-19 pandemic exposed existing underlying gender inequalities in agrifood systems. It also worsened inequalities between men and women, particularly in employment, access to financial resources (savings, assets and access to credit) and nutritious food, access to and use of health services, the burden of care and exposure to domestic violence.”¹²⁰

At the global level, Covid-19 caused an abrupt and sharp decline in economic activity, widespread supply chain bottlenecks, pervasive market volatility, and an increase in economic inequality within and between countries, all of which inflamed existing global debt crises as well as crises within the fragile care economies that underwrite business activities worldwide.¹²¹ The historic global economic recession that followed the pandemic disproportionately impacted low- and middle- income countries, forcing them to take on even greater debt in the face of skyrocketing need for public expenditures.¹²²

Under the guise of economic necessity and public health, states used Covid-19 as a basis for restricting movement and access to natural resources in at least three of the reviewed countries (India, Indonesia and the Philippines), resulting in passage of controversial legislation that deregulated business, fast-tracked consultation/approvals for industry, and promoted food production policies that were more likely to result in the grabbing of the traditional lands of Indigenous Peoples and local communities.¹²³ These restrictions also hindered communities’ ability to organize communal assemblies, undermined their local governance processes, and reduced their ability to respond to a variety of threats.¹²⁴ Relatedly, the economic crisis that Covid-19 unleashed on developing countries also created accountability vacuums that had devastating impacts on community rights, leading to increases in illegal mining and logging on community lands.¹²⁵

While all of these health and economic developments adversely impacted all members of Indigenous Peoples, Afro-descendant Peoples, and local communities, they disproportionately and differentially impacted community women who: i) are commonly responsible for a range of essential livelihood activities such as the collection of freshwater and forest sources;¹²⁶ ii) often suffer the greater share of adverse consequences from commercial activities within community lands;¹²⁷ iii) face unique challenges when engaging in community governance processes (especially when their unpaid care burdens increase, such as during the pandemic);¹²⁸ and iv) are often simultaneously subjected to multiple forms of discrimination and structural barriers on the basis of their gender, race, ethnicity, and socioeconomic standing.¹²⁹

Notwithstanding these obstacles, community women played an essential role in Indigenous Peoples’, Afro-descendant Peoples’, and local communities’ self-led responses to the pandemic. Indigenous Peoples and local communities in countries across Asia developed solidarity and reciprocal commodity-sharing networks to enhance food security in under-served regions.¹³⁰ The National Organization of Andean and Amazonian Indigenous Women of Peru (ONAMIAP) played a key role in developing Covid-conscious protocols for delivering aid to communities.¹³¹

3.1.2 Trends toward authoritarianism

Since 2016, there has been a steep rise in the share of the world’s population living under closed or electoral autocracies, from 3.56 billion people (47 percent of global population) in 2016 to 5.68 billion people (71 percent of global population) as of 2023, with Asian countries accounting for over three-quarters of the population subjected to authoritarian leadership during the time period.¹³²

In Europe, pressures exerted by conflict, inflation and migration have combined to further nationalistic political agendas,¹³³ leading to pronounced changes in the international financing priorities of European Union member states with reduced support for climate financing overall.¹³⁴ **Given that more than half of ODA for gender equality came from climate finance in recent years,¹³⁵ any reduction in the dedicated support from EU member countries could have an outsized impact on efforts to advance women's rights more globally.**

Already, Indigenous Peoples, Afro-descendant Peoples, and local communities receive less than 1 percent of Official Development Assistance (ODA) for climate, and support for women's groups is even lower.¹³⁶ For instance, "the average ODA to women's rights organizations (WROs), women's movements, non-governmental organizations working on gender-related issues, and gender initiatives at the governmental level dropped by 2 percent from US\$891 million in 2019–2020 to US\$631 million in 2021–2022."¹³⁷ Whereas European donors have historically filled the gap in international funding for sexual and reproductive health when administrations in the United States were less favorable, changes in the EU political landscape now suggest that such backstopping support is unlikely to continue,¹³⁸ jeopardizing progress toward Indigenous, Afro-descendant, and local community women's sexual and reproductive health and associated agency.¹³⁹

Adding further challenges to this overall context, **many countries are experiencing various forms of conflict and social, political, or economic instability.** From 2017–2023, seven of the 35 countries featured in this analysis experienced attempted or realized coups,¹⁴⁰ with three of the realized coups occurring in fragile and conflict-affected countries (Mali, Myanmar and Venezuela).¹⁴¹ It is widely understood that **armed conflict is one of the most "globally significant drivers of both gender inequality and environmental destruction,"¹⁴² with especially profound impacts related to gender-based violence, displacement, and food and water insecurity facing rural women.**¹⁴³

3.1.3 Violence against women environmental defenders

The confluence of changing political agendas and growing demand for land and natural resources contributes to the risks facing Indigenous Peoples, Afro-descendant Peoples, and local community members who engage in environmental and human rights defense. Between 2015 and 2023, the Business and Human Rights Resource Centre documented over 5,300 attacks on human rights defenders, about 78 percent of which targeted land and environmental defenders.¹⁴⁴ In 2023 alone, half (97) of the 196 land and environmental defenders killed were Indigenous or Afro-descendant individuals.¹⁴⁵

While men are more often the victims of murders,¹⁴⁶ **community women who engage in environmental human rights defense are disproportionately vulnerable to gendered threats and reprisals in response to their advocacy efforts,** including sexual violence, misogynistic smear campaigns, threats against family members, stigmatization for going against traditional gender roles, and accusations of terrorism in response to environmental advocacy.¹⁴⁷ These problems are pervasive across Latin America, Asia, and Africa.¹⁴⁸ For example, the Economic Commission for Africa indicates that violence against African women human rights defenders remained a major regional challenge in 2024. Yet over the past five years, only 15 of 39 African nations recently evaluated by the Commission have taken steps to protect women's human rights defenders and strengthen civil protections for women's movements.¹⁴⁹ Asia remains the worst region for agribusiness-related attacks regardless of gender, with 85 percent of such attacks happening in the region.¹⁵⁰ The Philippines is amongst the three countries (including Colombia and Brazil) with the

most cases of assassination of women environmental defenders,¹⁵¹ including massacres or serial killings of women environmental defenders.¹⁵² Violence against women environmental defenders is especially well documented across Latin America and the Caribbean. In Mesoamerica alone, the NGO IM Defensora recorded 4,504 attacks against women environmental defenders between 2010 and 2022, representing 15.6 percent of the total recorded. Most of these attacks were directed toward Indigenous and Afro-descendant women fighting environmental destruction.¹⁵³

While violence against women environment and human rights defenders has gained greater international attention,¹⁵⁴ violence and other human rights abuses against Indigenous, Afro-descendant, and local community women environmental defenders increased during Covid-19,¹⁵⁵ and is unlikely to decline in states plagued by conflict, political instability, and authoritarian rule.

Box 1 | Environmental Gender-Based Violence

Over the past decade, the link between environmental injustice and gender-based violence (GBV) against women and girls has gained increasing recognition in global development and human rights discourse¹⁵⁶ and research.¹⁵⁷ As a result, **environmental gender-based violence** is increasingly recognized as a distinct and urgent issue, with important implications for the security of women's tenure rights within Indigenous, Afro-descendant, and local communities.

What is environmental GBV?

The term “environmental gender-based violence” refers to discriminatory acts of violence that are directly or indirectly caused or intensified by environmental factors.¹⁵⁸ It encompasses a range of physical, economic, and structural forms of violence linked to a wide range of environmental harms—including pollution, environmental degradation, unsustainable resource exploitation, land dispossession, and climate-induced disasters—virtually all of which disproportionately and differently affect Indigenous, Afro-descendant, and local community women due to their specific reliance on nature to contribute to their families' livelihoods.¹⁵⁹ Environmental GBV manifests in various forms, including **physical domestic violence, economic domestic violence, forced eviction, physical violence by environmental law enforcement agents, child marriage, and other forms of sexual violence and exploitation.**

Given the mounting effects of climate change and other environmental crises, it is not surprising that environmental GBV is increasing in some contexts. For instance, rural women have been forced into prostitution in drought-ridden areas across Africa due to the impacts of climate change.¹⁶⁰ In other settings, climate change-induced land and resource scarcity is contributing to the resurgence of “long-abandoned” harmful customary practices such as inheritance renouncement against women and wife inheritance, both of which subjugate rural women while maintaining men's disproportionate control over land and other valuable natural resources.¹⁶¹ Elsewhere, Indigenous and local community women have been raped and subjected to other forms of gender-based violence by park rangers and military eco-guards tasked with patrolling government-designated protected areas that overlap with community territories.¹⁶²

The impact of environmental and other forms of GBV on Indigenous, Afro-descendant, and local community women's tenure rights

As pressures on community lands and natural resources continue to rise due to climate change, unsustainable resource exploitation, and exclusionary conservation approaches, research demonstrates that women are

more likely to experience environmental GBV, to the detriment of their own health and safety, the well-being of their families, and the advancement of their communities.¹⁶³ GBV often prevents community women from exercising their rights to land, water, and natural resources, while other forms of gender inequalities commonly limit their access to justice.¹⁶⁴ Acts of violence and intimidation against women, combined with a lack of institutional support and legal protection, can have a chilling effect on advocacy and suppress women's participation in environmental governance and decision-making processes; they can also reduce women's personal agency in ways that heighten women's risk to HIV/AIDs and sexual exploitation,¹⁶⁵ all while reinforcing systemic barriers that suppress women's advocacy efforts and preserve gender inequality.¹⁶⁶

Conversely, when women are protected from violence and have legal recourse for any violence that they do experience, incidents of domestic violence are reduced¹⁶⁷ and women are more empowered to advocate for their rights and to exercise individual agency, including through their participation in decision-making processes at the household and community level.¹⁶⁸ This is particularly crucial for Indigenous, Afro-descendant, and local community women, both because their customary tenure rights are often tied to their relationships with male community members,¹⁶⁹ and because community territories are subject to heightened risk from external pressures like corporate land and water grabs and exclusionary environmental enforcement actions.¹⁷⁰

Legislation can play a key role in combatting GBV against community women and girls

Comprehensive laws that explicitly protect Indigenous, Afro-descendant, and local community women and girls against all forms of violence, including environmental GBV, enable women to challenge discriminatory practices, including property grabbing against women and the coercive control of community resources, which undermine their tenure rights.

For example, by protecting women's autonomy within the household, domestic violence laws contribute to strengthening women's broader rights, including access to and control over land and natural resources. In Latin America, 18 countries have now criminalized femicide based on different legal provisions, leading to improvements in statistics and focused attention on prevention policies and support for survivors and relatives.¹⁷¹ Encouragingly, nine of this study's focus countries in Africa and Asia passed domestic violence legislation between 2019-2024 (Gabon, Kenya, Liberia, Madagascar, Mozambique, Nepal, Papua New Guinea, Republic of Congo, and Zambia),¹⁷² although there is much legislative work to be done across Africa, Asia, and Latin America to combat domestic and other forms of GBV facing community women.



Drone footage of the Amazon Rainforest, Ecuador. Photo by Shutterstock.

3.2 Advancements for Indigenous, Afro-descendant, and local community women and their communities under international law and international processes

Since RRI published *Power and Potential* in 2017, there have been many positive advancements in international law, policy, and associated global processes concerning the human rights of Indigenous, Afro-descendant, and local community women. As members of nature-dependent communities with strong collective sociocultural identities, Indigenous, Afro-descendant, and local community women also benefited from new international instruments further articulating the collective rights of their communities.

The international advancements discussed in this section reflect critical global consensus that: i) states must take gender-transformative measures capable of transforming norms and systems perpetuating gender inequality to eradicate all forms of discrimination against Indigenous, Afro-descendant, and local community women; and ii) gender-transformative actions are not only central to securing community women's dignity and human rights, but are prerequisites for achieving sustainable development for all and effectively combating the global climate, biodiversity, and pollution crises.¹⁷³ As such, the developments discussed below are promising beacons of hope. They lay the foundation for stronger global, regional, and national action in support of community women's equal participation in land, resource, and environmental governance at all levels, their receipt of equitable land and environmental benefits, and their realization of gender equality concerning all community-based land, forest, water and resource rights. A detailed list of international instruments related to community women's tenure rights are summarized in [Annex 1](#).

3.2.1 Advancement in the recognition of women's overarching rights in international law

One seminal advancement in the human rights of women and all other persons was the recognition of the human right to a clean, healthy and sustainable environment (R2HE) by the UN Human Rights Council in 2021 and the UN General Assembly in 2022.¹⁷⁴ This right encapsulates all human rights related to nature—including the right to healthy and sustainable ecosystems, safe climate, sustainably produced food, a non-toxic environment, and others of central importance to the security of community-based tenure rights—and is thus of pivotal importance to Indigenous Peoples, Afro-descendant Peoples, and local communities given their particular reliance on nature for their cultural identities and livelihoods. Both UN Resolutions highlight the importance of ensuring gender equality in addressing environmental harm and acknowledge the disproportionate consequences of environmental injustice on women, girls, Indigenous Peoples, and other vulnerably situated groups.

To advance the implementation of the R2HE, the former UN Special Rapporteur on Human Rights and the Environment authored a 2019 thematic report on women and girls articulating states' human rights obligation to recognize women's tenure rights in a gender-transformative manner. In this report, the UN Special Rapporteur acknowledged the discriminatory impact of gender-blind legislation on these rights, and states' obligations to remedy this situation through legal reform processes.

“All...laws and policies should be reviewed and, as necessary, revised to ensure that they are gender transformative. It has been noted that so called gender-blind laws, policies, budgets and procedures, including those relevant to climate and the environment, are proven to enable discrimination against women and to disproportionately disadvantage them, and thus are incompatible with States’ obligations under international law. States must amend all gender-blind climate and environmental laws to specify the rights of women and girls and avoid retrogressive measures affecting the right of women and girls to a healthy environment.”¹⁷⁵

Advancements related to all women’s rights were also made in relation to the private sector. The UN Working Group on Business and Human Rights provided extensive guidance to businesses on the gender dimensions of their human rights responsibilities in 2019. This Guidance consists of a framework comprised of **gender-responsive assessment, gender-transformative measures to prevent and mitigate adverse business impacts, and gender-transformative remedies** where businesses cause or contribute to human rights violations.¹⁷⁶

Additionally, there is now greater acceptance that traditional and Indigenous knowledge is key to transforming food systems, and that much of this knowledge is uniquely possessed by community women.¹⁷⁷ In reflection of this awareness, the Committee on World Food Security’s (CFS) 2023 *Voluntary Guidelines on Gender Equality and Women’s and Girls’ Empowerment in the Context of Food Security and Nutrition* underscores the importance of ensuring respect for women’s, Indigenous Peoples’, and local communities’ land tenure rights and property rights in accordance with the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)*.¹⁷⁸



Indigenous women farmers stand in rice fields, Viet Nam. Photo by iStock.



Kwango province, Democratic Republic of the Congo. Photo by Ley Uwera for the Tenure Facility.



Women collect forest products in Sumatra, Indonesia. Photo by Jacob Maentz for Rights and Resources Initiative, 2022.

3.2.2 International developments advancing the specific rights of Indigenous, Afro-descendant, and local community women

Across the UN system, community women’s rights to secure community lands and resources have been further articulated. In its 2016 General Recommendation 34 on rural women, the CEDAW Committee stated unequivocally that it “considers rural women’s rights to land, natural resources, including water, seeds and forests, and fisheries as fundamental human rights.”¹⁷⁹ Since then, the CEDAW Committee—the body charged with interpreting CEDAW, monitoring its implementation, and issuing associated recommendations—has issued several additional General Recommendations (GRs) that are salient to community women’s tenure rights:

- **GR 39 on the rights of Indigenous women and girls (2022):** i) Underscores that both collective and individual rights are pivotal to Indigenous women’s human rights,¹⁸⁰ and that subsequently, discrimination against Indigenous women and girls must be understood in both individual and collective terms;¹⁸¹ ii) identifies the lack of effective implementation of Indigenous women’s rights to self-determination and autonomy as root causes of gender-based discrimination, leading to their continued dispossession of lands, territories, and resources;¹⁸² and iii) urges states to legislate in a manner that fully protects Indigenous women’s and girls’ rights to land, water, and natural resources.¹⁸³
- **GR 37 on the gender-related dimensions of disaster risk reduction in the context of climate change (2018)** articulates the human rights imperatives of securing Indigenous, Afro-descendant, and local community women’s tenure rights in the context of climate change and the planetary crisis,¹⁸⁴ emphasizing that women’s traditional knowledge and adaptive practices in agriculture, land conservation, and water management are vital to environmental management and climate resilience.¹⁸⁵
- **GR 40 on equal and inclusive representation of women in decision-making systems (2024)** proposes an intersectional and gender-transformative approach to addressing patriarchy and enhancing women’s roles in decision-making, rooted in CEDAW Article 5(a)’s mandate to eliminate gender-based prejudices.¹⁸⁶ Importantly, the GR reiterates the need to address intersecting discrimination against Indigenous and rural women and to ensure inclusive systems where diverse women, particularly youth, lead efforts in legislation, strategies, policies, and programs.¹⁸⁷

Other UN treaty bodies have adopted General Comments (GC) since the publication of *Power and Potential*, aimed at furthering the recognition of community women’s and girls’ rights at the international level. The Committee on Economic, Social and Cultural Rights, for instance, has issued GC 24¹⁸⁸ on state obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR) in the context of business activities and GC 26¹⁸⁹ on land, economic, social and cultural rights. GC 24 acknowledges the pronounced risk faced by Indigenous women and girls due to intersectional discrimination, investment-linked evictions, and associated displacements. It recommends that State Parties address the business impacts on women and girls, including Indigenous women and girls, and incorporate a gender perspective in their regulation of business activities.¹⁹⁰ GC 26 recalls that in land-related contexts, State Parties should adopt legislation aimed at eliminating discrimination against women, Indigenous Peoples, peasants and other people in rural areas. It highlights women’s rights to secure land tenure, use of and control over land, and their right to own, use, and control land and property on an equal basis with men. Finally, the GC recalls that states should take specific measures to improve gender equality in land tenure, including by “giving preference to women when granting land rights.”¹⁹¹

3.2.3 Community women’s rights under the UN Declaration on the Rights of Peasants

In 2018, UNDROP was established. This Declaration applies to Afro-descendant Peoples and local communities, in addition (and without prejudice)¹⁹² to Indigenous Peoples. Accordingly, it recognizes individual¹⁹³ and collective¹⁹⁴ rights of central importance to community women, including rights to land, conservation, traditional knowledge concerning seeds and agricultural practices, food sovereignty, and gender equality, amongst other rights. Importantly, UNDROP protects the rights of Indigenous, Afro-descendant, and local community women explicitly and comprehensively. Under Article 4 of the Declaration, states must take all appropriate measures to eliminate all forms of discrimination against community women, which includes any violations of the individual and collective rights of community women, and that all human rights set out in the Declaration are enjoyed by community women without discrimination (Article 4.1).

Together with UNDRIP and previously cited efforts of the CEDAW Committee, there is now greater clarity under international law that:

- **The individual and collective rights of community women must both be respected if community women’s human rights are to be fulfilled.**¹⁹⁵ The legal ecosystem created by UNDROP and UNDRIP mirrors and implements under international law what the CEDAW Committee elucidated in GR 39:

“[C]ollective rights are indispensable for the existence, well-being and integral development of Indigenous Peoples, including Indigenous women and girls. The individual rights of Indigenous women and girls should never be neglected or violated in the pursuit of collective or group interests, as respect for both dimensions of their human rights is essential.”

— CEDAW GR 39, paragraph 19¹⁹⁶

- **Violations against community women’s tenure rights, their rights to participate in matters affecting them, and their fundamental autonomy constitute discrimination against community women and against their larger communities.**¹⁹⁷ Specifically, discrimination and gender-based violence against Indigenous women and girls in its collective dimension threatens and disrupts the spiritual life, connection with Mother Earth, cultural integrity, and social fabric of Indigenous Peoples and communities.
- **All CEDAW signatories are legally bound to take gender-transformative measures to end and prevent all forms of discrimination against Indigenous, Afro-descendant, and local community women.** Coupled with the human rights responsibilities of private actors,¹⁹⁸ states and businesses are therefore required to address gender-discriminatory norms and structures that both threaten community women’s individual rights to self-determination and autonomy while simultaneously undercutting their *communities’ collective rights to self-determination*.

3.2.4 Advancements in the context of global environmental regimes

There is now a strong global imperative to recognize Indigenous, Afro-descendant, and local community women as key partners, rightsholders, and knowledge-bearers who must be placed at the heart of all biodiversity conservation and climate actions.

Perhaps most notably, the Kunming-Montréal GBF underscores the critical role of Indigenous, Afro-descendant, and local community women in achieving global conservation goals. Thanks in no small part to the advocacy of community women and their communities, the Framework calls for the implementation of a human rights-based approach,¹⁹⁹ underscores “the important roles and contributions of indigenous peoples and local communities as custodians of biodiversity and as partners in its conservation, restoration and sustainable use,”²⁰⁰ and acknowledges that the Framework’s successful implementation “will depend on ensuring gender equality and empowerment of women and girls, and on reducing inequalities.”²⁰¹ GBF 2030 Targets 22 and 23 prioritize these principles, calling for full, equitable, inclusive, effective, and gender-responsive representation and participation in decision-making, and gender equity in the implementation of the Framework.

Advancements within climate change mechanisms have also taken place. At COP25 in 2019, Parties to the UN Framework Convention on Climate Change (UNFCCC) adopted the Gender Action Plan focused on integrating gender equality and women’s empowerment into climate policies and acknowledging the specific rights of Indigenous Peoples and local communities. Decision 3/CP.23 under the UNFCCC (adopted in 2017) highlighted the importance of considering gender in climate policy and promoted the adoption of gender-responsive climate policies. Furthermore, and for the first time,²⁰² the Commission on the Status of Women (CSW) devoted its 2022 session to climate change, environment, and disaster risk reduction, producing Agreed Conclusions that emphasize community women’s rights to “fully and equally participate in the design, implementation, follow-up to and evaluation of policies and activities that affect their livelihoods, well-being and resilience.”²⁰³

In collaboration with human rights specialists, rightsholder representatives, conservation actors and funders, and human-rights focused organizations like RRI, the UN Environment Programme (UNEP) prepared and launched its *Core Human Rights Principles for Private Conservation Organizations and Funders* in 2024 to support the adoption of a human rights-based approach to conservation.²⁰⁴ These principles are intended to guide private actors’ conservation actions in a way that fully respects the rights of community women, Indigenous Peoples, Afro-descendant Peoples, and other tribal communities.²⁰⁵

3.2.5 Progress toward international recognition of Afro-descent Peoples’ rights to self-determination, but uncertainty for Afro-descendant women’s tenure rights

For decades, Afro-descendant women have been leading the fight for the recognition and protection of their rights and those of their larger communities.²⁰⁶ A major accomplishment resulting from Afro-descendant women’s leadership and Afro-descendant Peoples’ advocacy²⁰⁷ was the creation of the UN Permanent Forum of People of African Descent, established as part of the International Decade for People of African Descent. Women of African descent comprise the majority of the Forum,²⁰⁸ which is a consultative mechanism for improving the safety, quality of life, and livelihoods of people of African descent, as well as an advisory body to the UN Human Rights Council.²⁰⁹

In 2021, the UN General Assembly adopted a Resolution inviting the Forum to contribute to the elaboration of a draft UN Declaration on the promotion, protection and full respect of the human rights of people of African descent.²¹⁰ In 2022, the Forum presented its preliminary submission on a draft declaration that contained key protections for the individual and collective rights of Afro-descendant women and men.²¹¹ The draft declaration's General Remarks and Preamble acknowledges the right of all Afro-descendant Peoples to freedom from gender and sex-based discrimination and the imperatives of i) mainstreaming a gender perspective within laws and policies that considers the needs and realities of Afro-descendant women; and ii) addressing the intersectional discrimination faced by Afro-descendant individuals, including Afro-descendant women.²¹² The draft declaration's core provisions recognize Afro-descendant women and girls' rights to education and sexual and reproductive health,²¹³ as well as states' obligation to provide sex-disaggregated data related to the human rights of people of African descent.²¹⁴ Crucially, core provisions also recognize several foundational collective rights, including: i) the recognition of the collective rights of Afro-descendant Peoples;²¹⁵ ii) the right of Afro-descendant Peoples to recognition, cultural identity, and self-determination in their traditional territories;²¹⁶ and iii) Afro-descendant Peoples' right to prior consultation with respect to decisions which may affect their rights.²¹⁷

Yet despite such significant advancements and the tremendous leadership of Afro-descendant women, **the preliminary submission fails to recognize and protect the specific tenure rights of Afro-descendant women and fails to recognize their rights to gender equality more broadly.** The right of people of African descent to equality based on sex and gender is only mentioned in the draft's General Remarks, while transformative measures and intersectionality are only mentioned in the Preamble.

In August of 2024, Member States of the Intergovernmental Working Group on the effective implementation of the Durban Declaration and Programme of Action proposed elements for a future declaration on the rights of people of African descent.²¹⁸ Unlike the preliminary submission, the Working Group's proposed draft does include articles recognizing Afro-descendant women's and girls' rights to non-discrimination²¹⁹ and to "full, equal, and meaningful participation and leadership in public and political affairs."²²⁰

While the Working Group's proposed language represents progress, it remains inadequate in that **it neglects to recognize the tenure rights of Afro-descendant women. It is imperative that the final declaration be fully consistent with states' human rights obligations in relation to gender equality and Afro-descendant women's land tenure rights.** Ultimately, this is the only way to fully honor Afro-descendant women's astounding leadership in precipitating this declaration and in amplifying the collective voices of their communities and Peoples.

Chapter 4

Global Findings

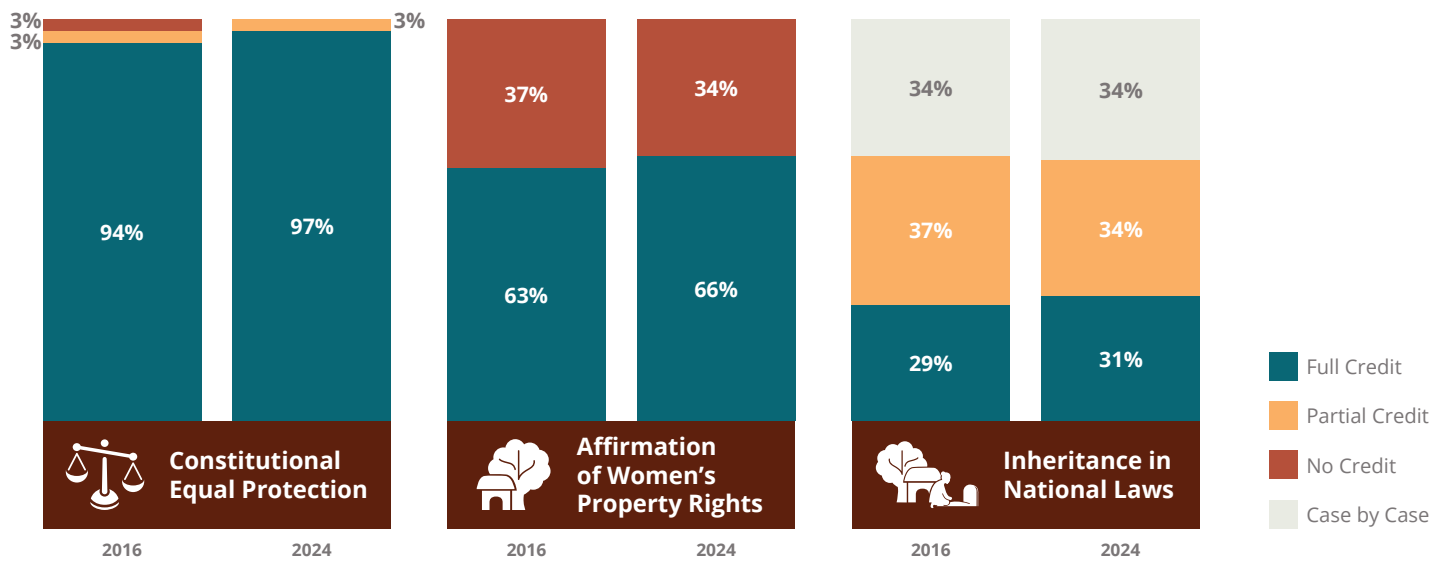


Community women carry water in canteens on their heads, India. Photo by iStock.

4.1 Overarching Indicators as of 2024

As of 2024, most countries recognize women’s equal protection and property rights under national law, but the recognition of women’s intestate inheritance rights is far less common.

Figure 4 | Overarching Gender Findings across 35 Countries in 2016 and 2024



Note: Due to rounding, data presented in all bars may not sum to 100%.

Out of the 35 countries reviewed, 34 constitutionally prohibit gender-based discrimination and/or guarantee women equal protection under the law as of 2024. Only one country (Indonesia) does not explicitly protect women's Constitutional Equal Protection. More than two-thirds (23 countries) of countries analyzed also affirm women's property rights through their constitution, civil code, or overarching land, gender, environmental, or agrarian law, although there are notable disparities in this recognition across regions.

In comparison, less than one-third of the 35 countries (11 countries, or 31 percent) analyzed legally mandate that all daughters, widows, *and* women in consensual unions have equal rights to inherit alongside their male counterparts. In one-third (12 countries, or 34 percent) of analyzed countries, equal intestate inheritance rights are recognized for at least one, but not all, categories of women. In the remaining one-third of countries (12 countries), plural inheritance regimes applicable to individuals based on their civil, religious or customary status fail to recognize the equal intestate inheritance rights of daughters, widows, and women in consensual unions across all inheritance regimes established under state law.

Table 2 | Countries that Statutorily Recognize the Equal Inheritance Rights of Different Categories of Women, in Comparison to their Male Counterparts as of 2024

Country	Daughters	Widows	Women in Consensual Unions
Bolivia	✓	✓	✓
Brazil	✓	✓	✓
Cambodia	✓	✓	✗
Cameroon	✓	✓	✗
China	✓	✓	✗
Colombia	✓	✓	✓
Congo, Republic of the	✗	✗	✗
Democratic Republic of the Congo	✓	✓	✗
Ecuador	✓	✓	✓
Gabon	✓	✓	✗
Guatemala	✓	✓	✓
Guyana	✓	✓	✓
Lao PDR	✓	✓	✗
Liberia	✓	✓	✗
Madagascar	✗	✓	✗
Mexico	✓	✓	✓
Mozambique	✓	✓	✗
Nepal	✓	✓	✓
Nicaragua	✓	✓	✓
Peru	✓	✓	✓
Thailand	✓	✓	✗
Venezuela	✓	✓	✓
Viet Nam	✓	✓	✗



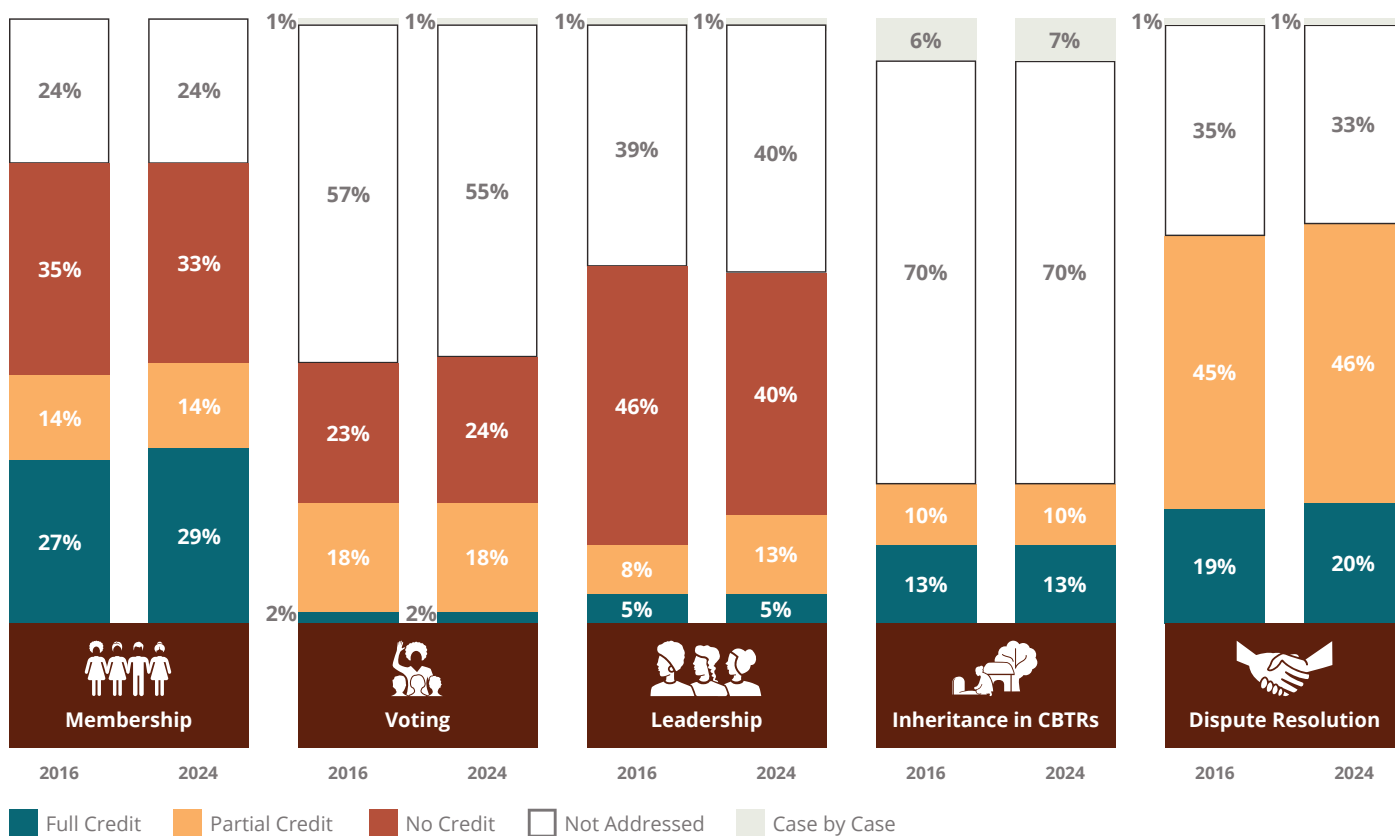
A woman stands in the Amazon Rainforest in Colombia collecting bananas in a basket strapped to her back. Photo by Amazon Conservation Team.

Note: 12 countries establish plural overarching inheritance regimes in which at least one regime overtly discriminates against surviving daughters, widows, or women in consensual unions, or defers to religious or customary law without safeguarding women's inheritance rights. These countries are not featured in this table.

4.2 CBTR-specific Indicators as of 2024

Most national legal frameworks recognizing community-based forest tenure inadequately recognize Indigenous, Afro-descendant, and local community women’s rights to membership, voting, leadership, inheritance, and dispute resolution.

Figure 5 | Performance of 35 Countries in the Recognition of Women’s Rights across CBTRs in 2016 and 2024



Note: Due to rounding, data presented in all bars may not sum to 100%.

In comparison to the legal recognition afforded under the study’s Overarching Indicators, the 35 countries analyzed provide far fewer and far weaker protections for community women’s specific rights to community-level membership, governance, inheritance, and dispute resolution.

4.2.1 Membership: Community women’s right to Membership is the most commonly protected right among the CBTR-specific Indicators analyzed

Of 104 CBTRs identified across 35 countries as of 2024, 29 percent (30 CBTRs) explicitly define women as members of the community. However, 14 percent of CBTRs (15 CBTRs) define membership to include all adults in the community without reference to women or gender equality, and 33 percent of CBTRs (34 CBTRs) either explicitly limit community membership to men, define community membership at the household level, or otherwise fail to recognize individual membership rights of all adults in the community. Nearly one-quarter (24 percent, or 25 CBTRs) of CBTRs fail to statutorily define community membership.

4.2.2 Governance: Women's right to participate in community forest governance through voting and leadership are among the least protected rights identified across national legal frameworks

4.2.2.1 Voting and Leadership | As of 2024, only one-fifth of CBTRs have provisions explicitly recognizing women's role in community-level voting (20 percent, or 21 of 104 CBTRs, specify that community women have the right to vote in community-wide forums) or leadership (18 percent, or 19 of 104 CBTRs, require a minimum quota of community women to be executive body members). Even fewer of these mandate that a quorum of women be present for community-wide forums or community leadership bodies to take binding actions.

Adequate recognition of community women's voting rights exists for 2 percent of the 104 CBTRs (2 CBTRs) identified, and for 5 percent of CBTRs (5 CBTRs) for women's leadership rights. Afro-Colombian Community Lands in Colombia and Scheduled Tribes and Other Traditional Forest Dwellers Forest Rights in India are the only 2 CBTRs that establish quorum requirements (of 30 percent and one-third, respectively) for *both* women's participation in community-wide decision-making procedures *and* in executive leadership bodies. Three additional CBTRs in Tanzania establish a quorum only in the context of leadership bodies (Non-reserved Forests on Village Lands require a quorum of 50 percent, Village Land Forest Reserve require a quorum of 2 out of 5 present members, and Wildlife Management Areas require a quorum of 50 percent).

Regarding voting rights, as of 2024, more than half of CBTRs (55 percent, or 57 of 104 CBTRs) fail to statutorily acknowledge or address community-wide decision-making procedures in any respect, and a further 24 percent of CBTRs (25 of 104 CBTRs) establish voting or equivalent decision-making procedures in a gender-blind manner, including through provisions according voting rights to households. With respect to leadership rights, 40 percent of CBTRs (42 of 104 CBTRs) establish a community-level executive body without ensuring women's participation through either a quota or quorum, and 40 percent (42 of 104 CBTRs) fail to identify a leadership body.

4.2.2.2 The relationship between collective forest management rights, collective rights to free, prior and informed consent (FPIC), and community women's individual rights to participate in community forest governance | **The legal recognition of community women's individual rights to participate in community forest governance is positively associated with their broader communities' collective rights to manage community forests and to collectively exercise FPIC.**

The existence of legal protections for Indigenous, Afro-descendent, and local community women's rights to participate in community decision-making and executive bodies is closely tied to the strength of overall collective management rights afforded to their broader communities under RRI's Depth of Rights Methodology. Among the 74 CBTRs where, as of 2024, communities have recognized collective rights to exclusively manage community forests within the limits of a management plan, 21 CBTRs (28 percent) have explicit provisions regarding community women's individual right to vote in community assemblies, and 18 CBTRs (24 percent) establish quotas or quorums for women's participation in executive leadership bodies. In contrast, across the 18 CBTRs where the recognition of communities' collective management rights is limited to participation in a management board alongside a government or other non-community members, no CBTRs recognize community women's individual voting rights, and just 1 CBTR (6 percent) includes a quota but no quorum requirements for women's participation in community-level leadership bodies.²²¹

In keeping with the above findings, there is a positive association between the recognition of communities' collective FPIC rights and stronger protections for Indigenous, Afro-descendant, and local community women's individual voting rights.

Box 2 | Introducing a New Indicator on Free, Prior and Informed Consent

For the first time, RRI has developed a legal indicator to assess the recognition of Indigenous Peoples', Afro-descendant Peoples', and local communities' collective right to free, prior and informed consent (FPIC). While this stand-alone indicator is separate from either the Gender or Depth of Rights Methodologies, it is discussed in this analysis to provide further nuance regarding this report's assessment of community women's individual rights to participate in community forest governance processes.

The right to FPIC ensures that community rightsholders have the authority to give or withhold collective consent to plans, initiatives, or projects affecting their lands, resources, or rights. It requires that communities' consent be given freely and without coercion, in a timely manner before decisions occur, and based on clear, context-specific, accessible and comprehensive information.²²² *In evaluating this indicator, RRI's intention is not to evaluate the status of recognized FPIC rights for Indigenous Peoples, Afro-descendant Peoples, and local communities under international human rights law, but rather to examine the national-level legal recognition of FPIC rights within each CBTR.* RRI's analysis, presented in summary in this report and in more detail in RRI's forthcoming report²²³ on the status of the Depth of Rights across these same 35 countries, demonstrates that national laws recognize FPIC rights using a wide array of terms and without regard for communities' self-identification. Because states recognize a diversity of communities as holders of FPIC rights, RRI's analysis evaluates whether each CBTR recognizes the right to FPIC for the specific communities recognized under that CBTR. To capture the diversity of rightsholders and acknowledge that Indigenous Peoples, Afro-descendant Peoples, and local communities have distinct rights, the FPIC indicator assesses whether FPIC is recognized for all communities whose tenure rights are recognized through the CBTR, or if FPIC is recognized on a case-by-case basis according to the different types of communities whose rights are recognized through the CBTR.

Free, Prior and Informed Consent (FPIC)	Does national law guarantee FPIC rights for Indigenous Peoples, Afro-descendant Peoples, or local communities—or their self-appointed representative institution—that are applicable to community forests?
 Full Credit	National law guarantees FPIC rights for all Indigenous Peoples, Afro-descendant Peoples, or local communities—or their self-appointed representative institution—regulated under the CBTR.
 Case-by-Case	FPIC rights are guaranteed for a subset of communities regulated by the CBTR.
 No Credit	National law does not guarantee FPIC rights for Indigenous Peoples, Afro-descendant Peoples, or local communities—or their self-appointed representative institutions.

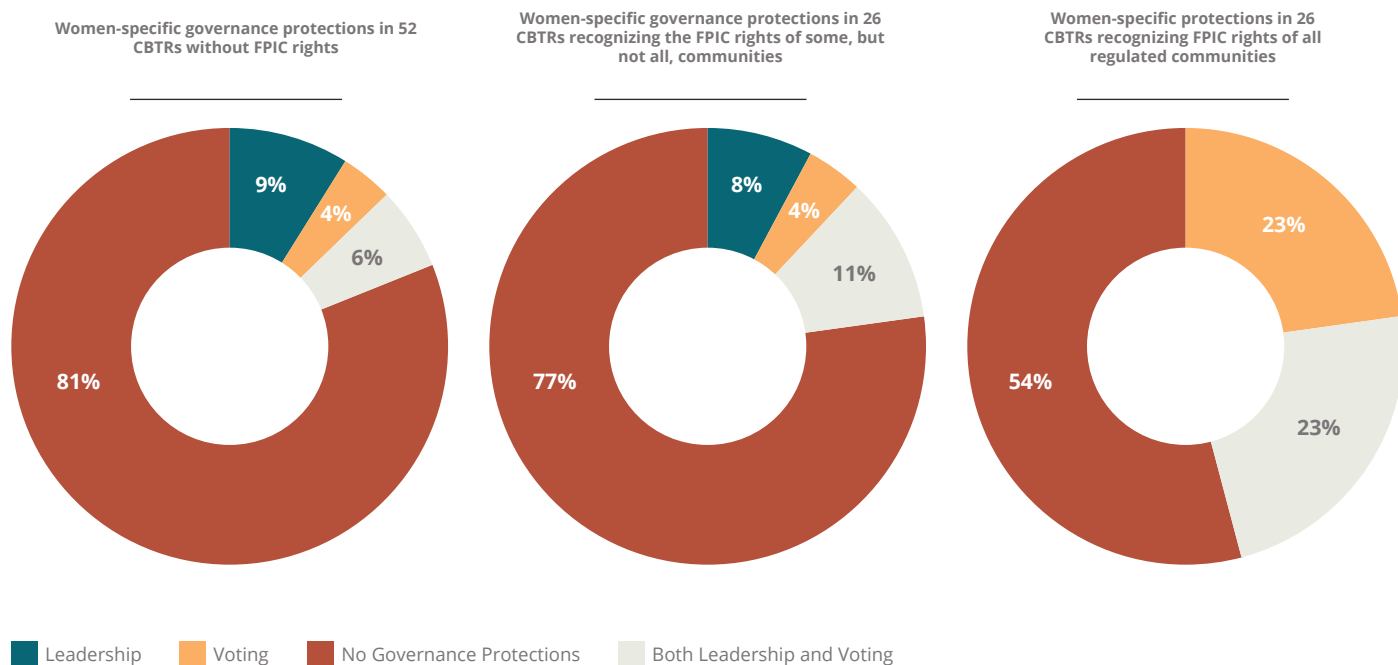
A fishing boat appears in the distance on Lake Tambligan in the customary territory of the Masyarakat Adat Dalem Tamblingan in Bali, Indonesia. Photo by Rights and Resources Initiative, 2023.

Fifty percent of CBTRs (52 of 104 CBTRs) analyzed recognize *at least some* communities regulated under the CBTR as collective holders of FPIC rights, with half of those 52 CBTRs (26 CBTRs) providing FPIC rights to all rights-holding communities and the other half (26 CBTRs) acknowledging FPIC rights for some, but not all, communities that may have recognized tenure rights under the CBTR. Women-specific recognition of voting rights is found in just 10 percent (5 CBTRs) of the 52 CBTRs that do not recognize communities' collective FPIC rights; 15 percent (4 CBTRs) of the 26 CBTRs recognizing the FPIC rights of some, but not all, rights-holding communities also have women-specific voting protections; while 46 percent (12 CBTRs) of 26 CBTRs recognizing all rights-holding communities' FPIC rights have women-specific provisions concerning community-level voting or equivalent decision-making procedures.

A similar association can be found for community women's leadership rights, as women-specific recognition of leadership rights is found in just 15 percent (8 CBTRs) of the 52 CBTRs that do not recognize communities' FPIC rights; 19 percent (5 CBTRs) of the 26 CBTRs recognizing the FPIC rights of some, but not all, rights-holding communities; and 23 percent (6 CBTRs) of 26 CBTRs recognizing all rights-holding communities' FPIC rights.

While the full recognition of FPIC rights is associated with stronger protections for women's rights to participate in community-wide decision-making processes concerning community forests, only 2 of 104 CBTRs analyzed (Tierras de las Comunidades Negras, or Afro-Colombian Community Lands, in Colombia and Scheduled Tribes and Other Traditional Forest Dwellers Land in India) adequately protect women's individual voting and leadership rights as well as the collective FPIC rights of their communities.

Figure 6 | Linkages Between Women-specific Governance Protections and Communities' Free, Prior and Informed Consent



Note: Due to rounding, data presented in all bars may not sum to 100%.

4.2.3 Inheritance in CBTRs

Less than 15 percent of national legal frameworks adequately recognize the community-level inheritance rights of Indigenous, Afro-descendant, and local community women.

Aside from the legal recognition of community-level governance rights, the recognition of community-level inheritance rights for Indigenous, Afro-descendant, and local community women remains the least protected entitlement analyzed in this study. As of 2024, only 13 percent (14 CBTRs) of the 104 CBTRs analyzed specifically protect women's right to inheritance at the community level. An additional 7 CBTRs (or 7 percent of the 104 CBTRs analyzed as of 2024) recognize women's CBTR-level inheritance rights on a case-by-case basis, depending on the application of customary and religious inheritance regimes recognized under national law.

Seventy percent of CBTRs (73 of 104) fail to address the rights of any community members to inherit rights to community forests, while 10 CBTRs (10 percent) of 104 CBTRs analyzed refer to inheritance in a gender-blind manner. Notably, 7 of these 10 CBTRs exist in countries²²⁴ where overarching inheritance provisions are also inadequately protected.

4.2.3.1 Linkages between women's membership and community-level inheritance rights | As community membership is generally a prerequisite for inheriting rights to community lands, linkages between findings on Membership and CBTR-specific Inheritance are relevant to this analysis. Within the 17 CBTRs (16 percent of the 104 CBTRs analyzed) where community-level inheritance rights are recognized in a gender-blind manner or are recognized for women on a case-by-case basis, only 4 CBTRs explicitly recognize women's membership rights. Thus, in the majority of these 17 CBTRs (13 CBTRs or 76 percent), membership rights are either addressed in a gender-blind way or specifically exclude women, thereby severely limiting community women's pathways to asserting community-level inheritance rights under national law.

4.2.3.2 Linkages between the recognition of women's inheritance rights and legislative protections against domestic violence | *Power and Potential* (2017) relied on World Bank data to demonstrate that the presence of laws prohibiting domestic violence (DV) and the strength of those laws were correlated with the explicit recognition of community-level inheritance rights for women. This trend continues in 2024 and is paralleled by findings related to women's overarching intestate inheritance rights.

Countries with both domestic violence legislation and specific statutory provisions that prohibit economic forms of domestic violence have the highest rate of adequate protection for both women's overarching and community-level inheritance rights. Across all 35 countries analyzed, 11 adequately protect the overarching inheritance rights of wives, daughters, and women in consensual unions. Of these 11 countries, 10 (90 percent) have a DV law that specifically prohibits economic violence, and 1 country (9 percent of 35 countries analyzed) has a general DV law without any prohibition of economic violence. In the 30 countries containing DV laws of any kind (without regard to specific prohibitions of economic violence), a comparatively smaller proportion of countries (11 countries, or over two-thirds of the 30 countries with DV laws) protect the equal, intestate inheritance rights of daughters, widows, and women in consensual unions.

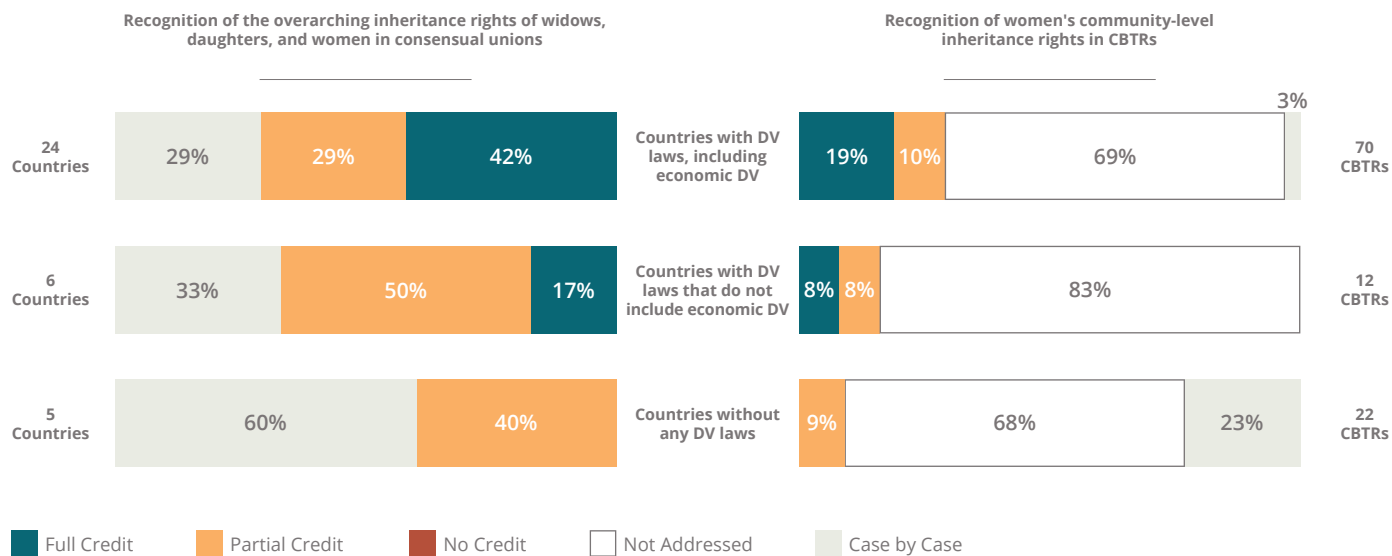
The same trend is evident across 104 CBTRs in relation to CBTR-specific inheritance. Of the 14 CBTRs providing adequate protection for women's community-level inheritance, 13 CBTRs (93 percent) are in countries possessing DV laws specifically prohibiting economic violence. In comparison, 1 CBTR (7 percent) with adequate protections for women's community-level inheritance is in a country possessing a general DV law, without any specific prohibition of economic violence.

In the 5 countries without any DV legislation (Cameroon, DRC, Mali, Myanmar, and Tanzania), there are correspondingly no overarching laws mandating that daughters, widows, and women in consensual unions have intestate inheritance rights equal to those of their male counterparts. Moreover, no CBTR-specific laws pertaining to any of the 22 CBTRs across these 5 countries explicitly allow community women to inherit rights to community forests.

Notably, 9 countries in RRI’s analysis passed DV legislation between 2019 and 2024: Gabon, Kenya, Liberia, Madagascar, Mozambique, Nepal, Papua New Guinea, Republic of Congo, and Zambia.²²⁵ Of these, only one country (Nepal) provides full protection for women’s overarching inheritance rights (as defined in this analysis) due to a post-2016 reform to Nepal’s Civil Code.

4.2.4 Dispute Resolution

Figure 7 | Linkages Between Legislation on Domestic Violence and Inheritance



Note: Due to rounding, data presented in all bars may not sum to 100%.

Community women’s rights to resolve community forest disputes through community mechanisms are recognized in only one-fifth of reviewed national legal frameworks.

As of 2024, community women’s right to Dispute Resolution is the second most consistently protected right analyzed (after Membership), with 20 percent (21 CBTRs) of 104 CBTRs providing specific considerations for community women in provisions related to community-level dispute resolution mechanisms. Almost half of the 104 CBTRs identified (48 CBTRs, or 46 percent) recognize a community-level dispute resolution mechanism’s authority to resolve tenure disputes but fail to specify the rights of community women to utilize these entities. In 33 percent of all CBTRs analyzed (34 CBTRs), dispute resolution mechanisms for tenure disputes are not addressed, and 1 CBTR (1 percent of 104 CBTRs analyzed) recognizes women’s role in community-level dispute resolution bodies on a case-by-case basis.

In instances where provisions on community-level Dispute Resolution do not adequately consider women, women may still be able to access justice through other means if they have governance rights that allow

them to meaningfully participate in community decision-making processes; however, community women’s governance rights (voting and leadership) are seldom recognized. Notably, protections for community women’s leadership rights are weaker in those analyzed CBTRs that either fail to protect women’s dispute resolution rights or entirely fail to acknowledge communities’ dispute resolution mechanisms. Of the 83 of 104 CBTRs (80 percent) that either do not address dispute resolution mechanisms, do not provide specific protections for women in these mechanisms, or only consider women’s rights within dispute resolution processes on a case-by-case basis, only 10 percent (12 CBTRs) also provide some protection for women’s leadership rights and only 9 percent (11 CBTRs) provide some protections for women’s voting rights within their communities. Of the 21 CBTRs that do explicitly recognize community women’s dispute resolution rights, 52 percent (11 CBTRs) protect women’s leadership rights by mandating at least a minimum quota for women’s participation in community-level executive bodies, and 12 CBTRs (57 percent) protect women’s voting rights with or without a quota requirement supporting women.

4.3 Changes in the statutory protection of community women's forest rights between 2016 and 2024

4.3.1 Extent of legal reforms across regions from 2016 to 2024

As stated in Chapter 2, over 245 laws were newly enacted or amended across the 35 countries analyzed between November 2016 and December 31, 2024. Of these, 189 laws relate to reforms or new legislation that impacted or could have impacted Gender indicators covered by this analysis, representing as many opportunities to advance community women’s forest rights.

These 189 laws include legislation establishing 11 new CBTRs between 2016 and 2024 across 7 countries (Cameroon, DRC, Liberia, Mali, Republic of the Congo, Indonesia, and Thailand), as well as reforms that had the potential to enhance protections for women’s community-based rights as measured by this analysis (hereafter, described together as “reformed” or “established” CBTRs). In total, reforms (including newly established laws) took place across 30 of the 35 countries analyzed, and impacted 67 CBTRs (56 pre-existing CBTRs were reformed and 11 CBTRs were newly established). More than half of the 56 CBTRs reformed between 2016 and 2024 were subject to more than one relevant legal reform. Thus, governments had multiple opportunities to improve protections for women’s community forest rights between 2016 and 2024.



Indigenous Pygmy women collect water, DRC. Photo by EnviroNews RDC for Rights and Resources Initiative, 2024.

The above changes are measured through cumulative (proportional) data, whereas this study also examines individual instances of changes in reforms as explained in [Section 2.3.2.1](#) above. Importantly, much of the apparent progress in the recognition of community women's rights is due to the creation of new CBTRs during the analyzed time period, rather than reforms to CBTRs that existed as of 2016. [Section 2.3.2.1](#) above provides details on the assessment of progress as negative, positive, or gender-blind and [Annex 4](#) provides details on CBTRs reformed between 2016 and 2024, such that RRI's assessment of the recognition of community women's forest rights changed.

Legislative reforms between 2016 and 2024 resulted in progress for community women's rights recognized by 8 CBTRs, across 5 countries (3 CBTRs in Indonesia, 1 in Kenya, 1 in Lao PDR, 2 in Mexico, and 1 in Peru). Eight positive changes occurred for community women's rights to membership, leadership and dispute resolution.

Notably, some legislative changes in CBTRs between 2016 and 2024 were regressive in relation to the recognition of community women's forest rights, with rollbacks in the rights recognized by 5 CBTRs across 4 countries (Community Protected Areas in Cambodia, Community Forests in the Republic of the Congo, Protected Community Areas in Madagascar, Community-Managed Forests within the Forest Domain of Decentralized Territorial Collectives in Mali, and Forestland Allocated to Communities in Viet Nam). In these 5 CBTRs, 6 assessments across 3 CBTR-specific indicators were negatively impacted by the elimination of women-specific protections for membership rights or the elimination of legislative acknowledgements concerning community inheritance and community-level dispute resolution bodies. Most rollbacks actively diminished statutory protections for women's membership rights: 1 reformed CBTR in Mali now features gender-blind language on community membership where it previously explicitly included women, 1 CBTR in Viet Nam no longer addresses membership in communities in any respect, and 1 CBTR in Madagascar that previously did not address membership now defines community membership in a way that does not explicitly include women. This study also identifies 4 CBTRs (Hutan Adat in Indonesia, Community-Managed Forests within the Forest Domain of Decentralized Territorial Collectives in Mali, Community Forestry Concessions in Myanmar, and Protected Area Community-Based Resource Management Agreement in the Philippines) where gender-blind reforms between 2016 and 2024 either improved the recognition of communities' collective forest tenure rights to inheritance and dispute resolution, but failed to address women's rights or where a right was previously not addressed and while now addressed, it fails to include community women due to gender-blind language, indicating that governments actively considered key rights to governance, inheritance and/or dispute resolution, but still overlooked the specific rights of community women.

4.3.3 Findings across legal frameworks established or reformed between 2016 and 2024

Inadequate protections for women's community forest rights pervade CBTRs that were newly established and reformed between 2016 and 2024.

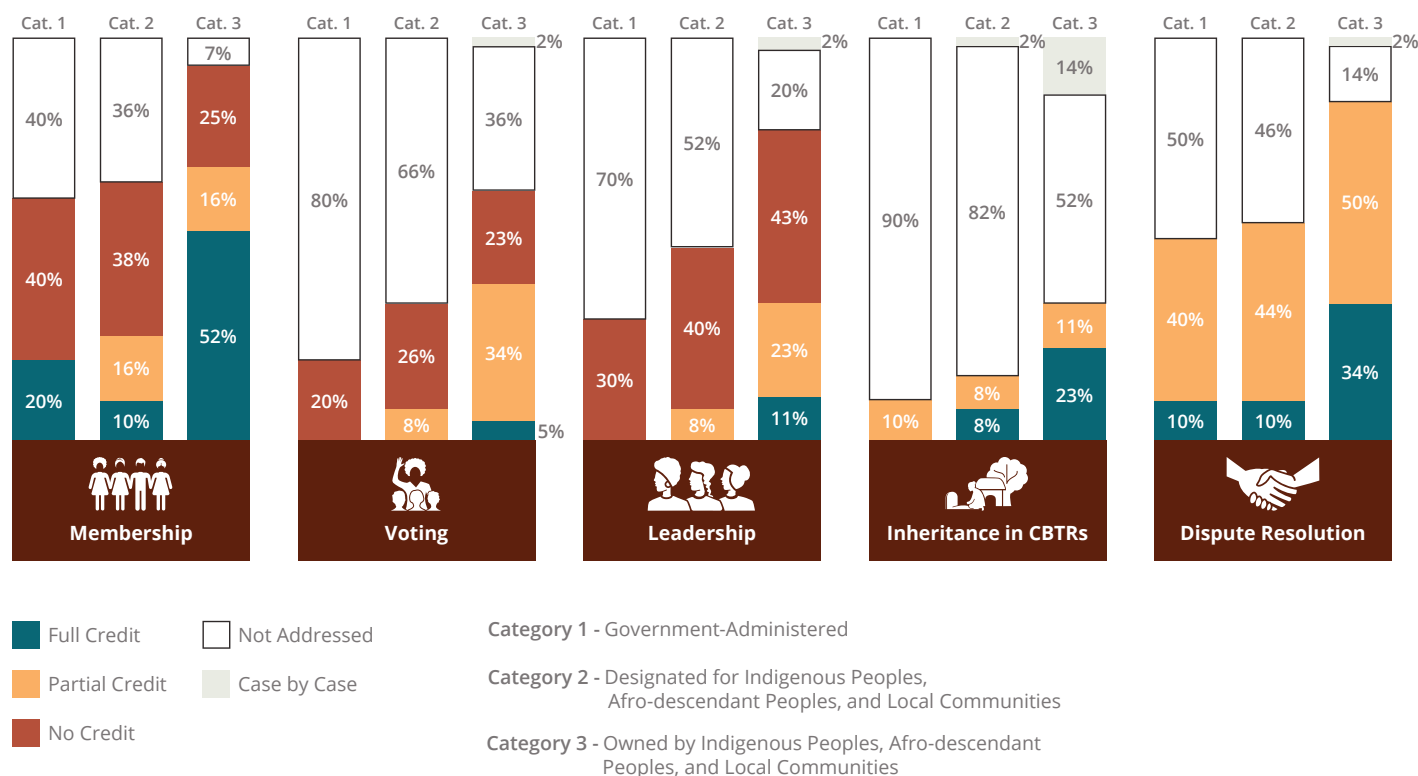
During the 2016–2024 period, a total of 67 CBTRs were newly established or reformed. While these CBTRs provide slightly stronger recognition of women's community forest rights compared to recognition across all 104 CBTRs, protections for community women's governance rights across reformed/established CBTRs were generally weaker. Of the 67 newly established and reformed CBTRs, adequate recognition exists for 31 percent of CBTRs regarding women's membership rights (compared to 29 percent across all 104 CBTRs), 21 percent for women's inheritance rights (compared to 13 percent across all 104 CBTRs), and 22 percent for

women’s dispute resolution rights (compared to 20 percent across all 104 CBTRs). However, these 67 new and reformed CBTRs provided proportionally fewer women-specific protections for voting rights than that was found across all 104 CBTRs analyzed (21 percent versus 22 percent), and fewer adequate protections for women’s leadership (4 percent versus 6 percent).

4.4 Findings by Tenure Category

Legally recognized community forest ownership is associated with more adequate statutory recognition of community women’s forest tenure rights, although progress over time is more limited and inconsistent for the rights of community women.

Figure 9 | Recognition of Women’s Rights at the CBTR Level According to Tenure Category, as of 2024



Note: Due to rounding, data presented in all bars may not sum to 100%.

Of the 104 CBTRs identified across the 35 countries analyzed as of 2024, 3 percent (44 CBTRs) recognize communities as forest owners, 47 percent (50 CBTRs) designate forest rights to communities without recognizing them as forest owners, and 10 percent (10 CBTRs) acknowledge a smaller subset of forest rights to communities within government-administered forests. Per RRI’s Forest Tenure Typology, the overall number of CBTRs recognizing communities as forest owners or designated rightsholders increased since 2017 (by 4 CBTRs in both cases), while the number of CBTRs recognizing community forest rights within government-administered forests decreased by 1 CBTR over the same period.

In keeping with 2016 findings, legal frameworks recognizing communities as forest owners as of 2024 continue to provide more robust protections for community women’s membership, governance, inheritance, and dispute

resolution rights than CBTRs that recognize a more limited bundle of communities' forest tenure rights. As of 2024, the proportion of CBTRs recognizing communities as forest owners while also providing adequate protections for community women's membership, dispute resolution, voting, and leadership rights is at least three times that of legal frameworks that treat communities as designated rightsholders. The proportion of CBTRs establishing statutory forest ownership for communities while recognizing women's CBTR-level inheritance rights is over twice as large as the proportion of CBTRs that adequately recognize women's community-level inheritance rights while recognizing communities as designated holders of forest rights.

CBTRs classified as government administered provide the weakest statutory forest tenure rights for communities and rarely contain gender-responsive provisions. As of 2024, just 2 of the 10 government-administered CBTRs identified explicitly recognize women as community members, and just 1 of these CBTRs provide specific provisions for community women's dispute resolution rights. None of these 10 CBTRs contain explicit protections for community women's governance or inheritance rights.

Notwithstanding the positive association detailed above, progress in the recognition of community women's forest tenure rights has been inconsistent and marginal within CBTRs acknowledging community forest ownership. Although the proportion of CBTRs recognizing community forest ownership increased by 13 percent between 2016 and 2024 (rising from 40 to 44 CBTRs), the proportion of CBTRs recognizing community forest ownership while adequately protecting community women's dispute resolution and leadership rights each decreased by 1 percent between 2016 and 2024.

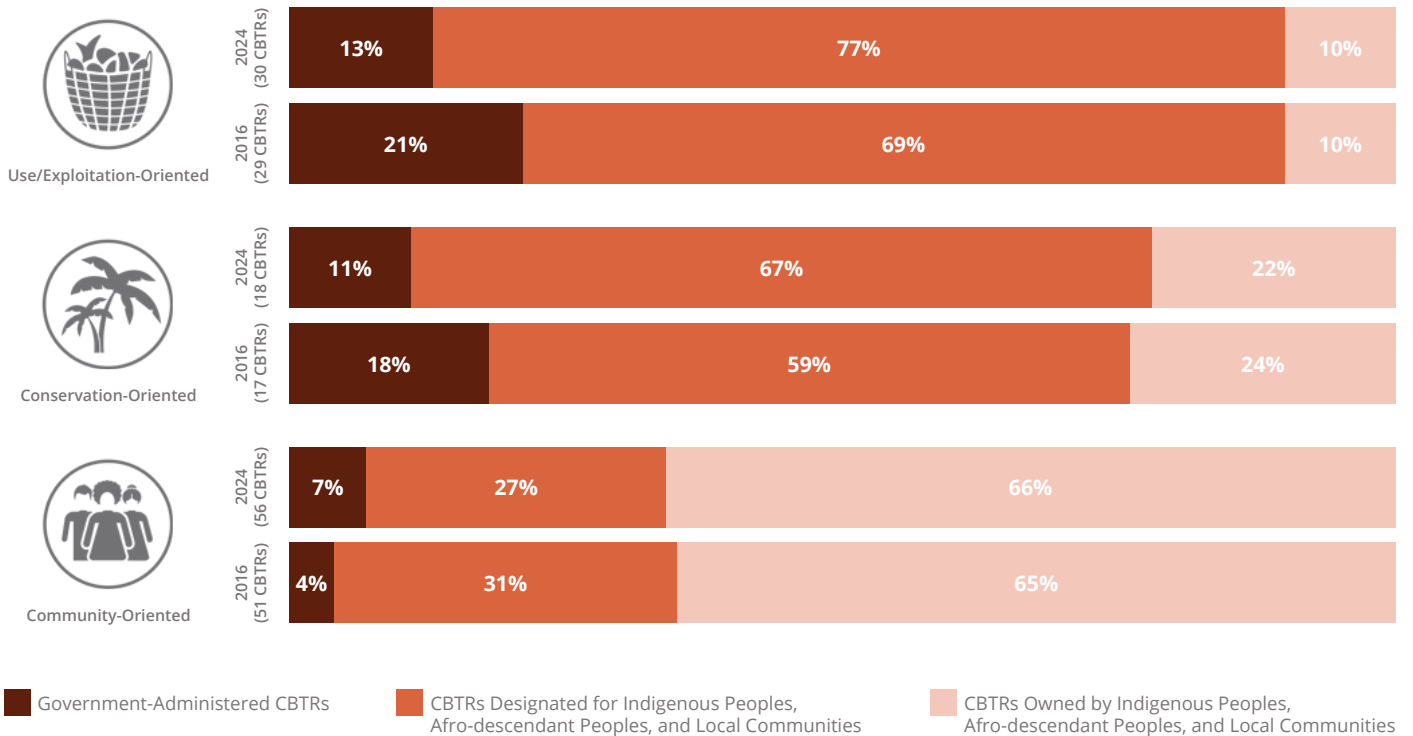
Moreover, in both 2016 and 2024, CBTRs recognizing community forest ownership provide the same proportion of adequate protections for community women's inheritance and voting rights. Adequate protections for community women's inheritance rights exist across 23 percent of CBTRs recognizing community forest ownership, and for 5 percent of these CBTRs in relation to voting in both 2016 and 2024. Finally, the only proportional increase in adequate protections for community women's membership rights across CBTRs recognizing community forest ownership is extremely modest, with an increase of 2 percent (23 of 44 CBTRs provided adequate protections for women's community membership rights in 2024, whereas 20 of 40 CBTRs did so in 2016).

Finally, as of 2024, the extent of adequate statutory protections for communities' collective forest rights (as captured by RRI's Depth of Rights data) continues to far exceed that provided for community women's individual rights to community forests (as measured by CBTR-specific indicators under RRI's Gender Methodology). As of 2024, the proportion of adequate protections for community women's forest rights ranges from 2 to 29 percent. In comparison, adequate legal recognition for communities' collective forest rights regarding access, withdrawal, management, exclusion, due process and compensation, and duration exists for between 65 to 99 percent of CBTRs across the same 35 countries. While RRI's Depth of Rights and Gender Methodologies employ somewhat different assessment criteria that may influence the comparatively higher degree of full credit scores under the Depth of Rights Methodology, these findings nonetheless indicate a substantial difference between the modest protections afforded community women's forest rights under national law in comparison to the recognition of collective forest rights held by entire communities.

4.5 Findings by Legislative Pathway

RRI also analyzed CBTRs according to its Legislative Pathways framework,²²⁶ in which CBTRs are distinguished based on one of three primary policy objectives that motivate their establishment: 1) community rights-oriented CBTRs primarily aim to recognize customary or community-based rights; 2) use/exploitation-oriented CBTRs primarily aim to regulate the extraction or use of land and natural resources; and 3) conservation-oriented CBTRs primarily aim to conserve land and natural resources, and view the recognition of community forest rights as part of (or even incidental to) a broader effort to conserve nature. [Annex 2](#) describes these categories in more detail.

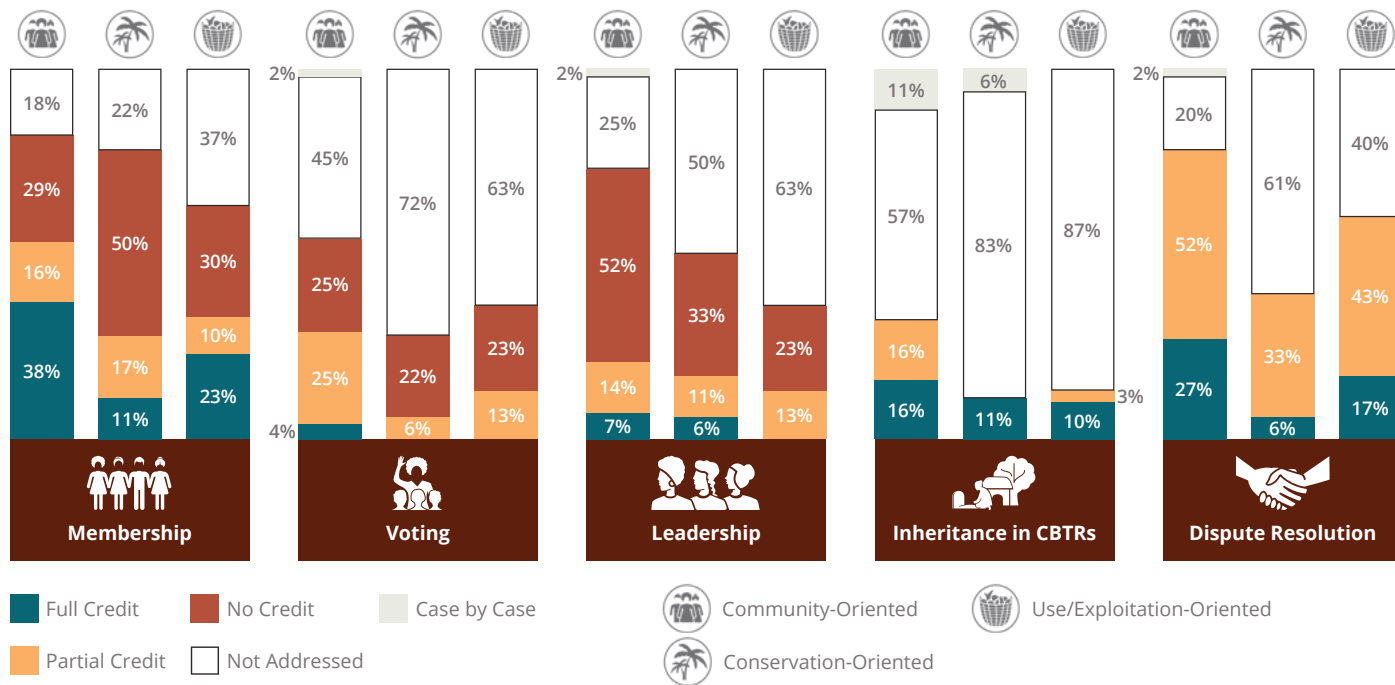
Figure 10 | Distribution of CBTRs by Tenure Category across Three Legislative Pathways in 2016 and 2024



“We have a great role to conserve the natural forests, something that we have been doing for generations, which we do without many resources, and have to face many legal cases in the conservation of national parks.”

Nimi Sherpa
 Chairperson of the National Indigenous Women's Federation (NIWF) and member of WiGSA, Nepal

Figure 11 | The Extent to which CBTRs in Each of the Legislative Pathway Categories Address the Rights of Women, as of 2024



Note: Due to rounding, data presented in all bars may not sum to 100%.

Community-oriented national legal frameworks are associated with stronger recognition of community women’s forest tenure rights than use/exploitation- or conservation-oriented regimes, despite the large proportion of conservation- and use/exploitation- oriented regimes that were reformed between 2016 and 2024.

Evidence shows that community-oriented CBTRs continue to provide the strongest overall protections for both Indigenous, Afro-descendant, and local community women and their communities’ forests rights in 2024, followed by use/exploitation-oriented CBTRs, and then conservation-oriented CBTRs.

As of 2024, the gap between the comparatively superior protections for community women’s rights across community-oriented versus conservation-oriented CBTRs was widest for Membership (where community-oriented frameworks provide over three times the proportion of adequate protections than conservation-oriented frameworks); Dispute Resolution (where community-oriented frameworks provide over five times the proportion of adequate protections than conservation-oriented frameworks), and Voting (as all 3 CBTRs providing adequate protections for community women’s voting rights as of 2024 are found in community-oriented CBTRs and there are no adequate protections within conservation-oriented CBTRs).

Two-thirds of use/exploitation-oriented and conservation-oriented CBTRs were each subject to legislative reform in 2016–2024, in comparison to 46 percent (26 of 56 CBTRs) of community-oriented CBTRs. Yet reforms pertaining to 12 conservation-oriented CBTRs did not result in any new protections of women’s rights to community forests. Similarly, reforms to 19 use/exploitation-oriented CBTRs resulted in just 2 additional CBTRs recognizing women’s membership rights. By contrast, community-oriented CBTRs are this study’s only source of improvement in the recognition of community women’s inheritance, leadership, and dispute resolution rights between 2016 and 2024. Of the 8 CBTRs exhibiting improvements across these indicators between 2016 and 2024, 6 CBTRs (75 percent) are community-oriented and 2 CBTRs (25 percent) are use/exploitation-oriented.

Box 3 | Gaps Between Paper and Practice: Despite the Formal Recognition of Community Women's Rights Within Legal Frameworks, a Persistent Gap Exists Between Rights on Paper and the Lived Experiences of Women in Realizing Their Rights

This study does not systematically assess the implementation of the laws examined or the treatment of Indigenous, Afro-descendant, and local community women according to community practices, both of which can be highly localized. However, thanks to the contributions of rightsholders, researchers, experts, and other stakeholders, RRI has identified a plethora of examples illustrating common gaps between statutory laws and the lived experiences of women in community-based forest tenure systems.

In many countries, inconsistencies between statutory laws, customary laws, and community practices constitute a complex normative ecosystem that community women must navigate in order to realize their tenure rights. For example, this analysis identified circumstances in which community women's rights and political participation are stronger in practice due to community customs and customary laws than they are under the state laws of Ghana, India, Indonesia, Lao PDR, Senegal, and Viet Nam. 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.²²⁷ Similarly in Thailand, there are no statutory provisions explicitly affirming women's property rights, yet there are matrilineal practices within Thai society through which land ownership is often traditionally held by and through women.²²⁸

In other contexts, statutory law provides greater protection for community women's tenure rights than is readily available in practice. For instance, in Bolivia, while women and men are legally considered equal members within Indigenous Territories of Origin, local patriarchal norms often prevent women from exercising their rights. Within these same territories, even though statutory legislation fails to protect women's leadership rights, there have been instances where the internal rules of communities defined a quorum requirement for women's political participation.²²⁹ In Nepal, Community Forests afford both Indigenous and non-Indigenous communities with rights of forest ownership, and key provisions require women's participation in the governance of Community Forest User Groups. However, Indigenous women and Dalit women often find themselves excluded from decision-making, particularly in Community Forests dominated by non-Indigenous Peoples. As a result, they are frequently denied the right to exercise their ancestral practices and livelihoods.²³⁰

Notwithstanding the potentially positive impacts of legal reforms, even gender-transformative laws may have limited effects if they are not backed by equally transformative implementing regulations and supporting actions aimed at realizing women's rights in practice. In Lao PDR, despite the 2019 Law on Gender Equality recognizing women's equal rights to property and inheritance, the new Land Law adopted in the same year no longer requires married women to be included in the land registration of matrimonial property, and this regressive reform constitutes a major obstacle to securing community women's land rights in practice.²³¹ Likewise in Colombia, despite Law 731 recognizing Afro-Colombian women's participation rights, recent regulations on Afro-descendant communities' decision-making bodies fail to mandate women's inclusion. The divergence between overarching and subsidiary implementing legislation highlights the necessity for consistent gender-transformative reforms and implementation measures.

In some cases, non-binding policies or other state-issued documents provide stronger provisions for women's governance rights than those found in national laws. In Cambodia, community women's governance rights lack adequate protections within laws regulating Community Forests. However, the Ministry of Agriculture, Forestry

and Fisheries' non-binding Gender Mainstreaming Plan for 2022–2026 sets a target of 15–20 percent of women representatives in the Community Forest Management Committees.²³² In another example, Venezuela provides no adequate legislative protections for any of the CBTR-specific rights of women, despite the existence of a policy statement in the Organic Law of the Indigenous People and Communities valuing the essential roles of Indigenous women and establishing that the state must “guarantee the conditions required for their integral development, promoting the full participation of indigenous women in the political, economic, social and cultural life of the Nation.”²³³ Where non-binding policies are more gender-responsive than enforceable legislation applicable to community lands, community women’s tenure rights remain vulnerable in practice.

Finally, failures to address discriminatory provisions in overarching laws, paired with gaps or gender-blind laws regarding community women’s rights, often enable and reinforce discriminatory practices at the community level. For example, in Mali, community women in Community-Managed Forests within the Forest Domain of Decentralized Collectives are impacted by the compounded effect of gender-blind laws regarding governance²³⁴ and discriminatory overarching laws applicable to all women. Village governance is dictated through customary law,²³⁵ which generally provides the head of the family a single vote. Mali’s Family Code states that women shall obey their husbands under the limit of the rights and duties of the Code.²³⁶ As these customs and formal laws all favor men, voting members within villages are mostly men in practice and the representation of women within community bodies remains low.²³⁷



Forest in the Congo Basin, Republic of the Congo. Photo by EnviroNews RDC for Rights and Resources Initiative, 2024.

Implications of the Global Findings



Indigenous woman stands with an axe over her shoulder. Photo by REPALEAC.

5.1 Stalled progress in meeting obligations under international law

Despite laudable international progress concerning the articulation of Indigenous, Afro-descendant, and local community women’s tenure rights, states are still failing to meet their obligation under international law to legislatively protect women’s community-based forest tenure rights.

As detailed in Chapter 3, there has been marked progress since 2016 in the articulation of Indigenous, Afro-descendant, and local community women’s rights under international law, and in these women’s inclusion in associated global environmental imperatives. However, international progress has yet to translate into consistent, adequate legal protection for women’s community forest rights under national law, even though all 35 countries analyzed are CEDAW signatories, with all but one country providing constitutional protection for gender equality.

Consistent with previously reported findings, this analysis once again finds that constitutional protections for women’s equal rights and overarching protections for women’s property rights remain markedly stronger than Indigenous, Afro-descendant, and local community women’s rights under CBTR-specific laws, which most closely regulate community women’s interactions with community forests.

Evidence shows that few countries in Africa, Asia, or Latin America have passed gender-transformative legislation necessary to i) meet their human rights obligations concerning gender equality and secure land,

forest, and natural resource tenure for community women; ii) protect the rights of community women to forests in both their individual and collective dimensions, thereby safeguarding rights essential for the sustainable development of community women and their larger communities; and iii) achieve associated global climate, biodiversity, and development imperatives, none of which can be timely and justly achieved without accelerated advancements in gender equality for community women, including in the context of community-based land, forest, and resource tenure.

Women's right to non-discrimination is an immediate and non-deferrable legal obligation upon states that is not subject to the principle of progressive realization under international human rights law.²³⁸ Yet, at the rate of progress from 2016 to 2024 captured in this report, adequate protections for women's community-level forest tenure rights across all 104 CBTRs identified will not exist for over 129 years in regards to Membership, 630 years in regards to Inheritance, and over 193 years in relation to Dispute Resolution. Similarly, women-specific protections for Voting across all 104 CBTRs will not be achieved for over 1,300 years, while over 156 years would be necessary to achieve the same level of protection for community women's Leadership.

Given the significant progress at the international level discussed in Chapter 3, greater inclusion of community women within global environmental imperatives, increasing awareness of community women's rights and contributions, and the development of significant legal declarations and guidance, states should be getting better at fulfilling their human rights obligations to legislatively ensure gender equality within community-based tenure systems. The findings in this report demonstrate that this is not the case.

5.2 Prevalence of gender-blind reforms and legal frameworks

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. Findings underscore a pressing need for gender-transformative reforms recognizing the distinct rights of Indigenous, Afro-descendant, and local community women.

The meagre and infrequent legal recognition of women's community-based forest rights captured by this analysis does not reflect a lack of legislative action between 2016 and 2024. Rather, the limited progress to date can be best explained by the preponderance of *gender-blind legislation* recognizing the forest rights of Indigenous Peoples, Afro-descendant Peoples, and local communities. This study points to systemic weaknesses across Africa, Asia, and Latin America concerning the *quality* of legal reform processes and the resulting inadequacy of laws. While most national laws analyzed do not explicitly discriminate against Indigenous, Afro-descendant, or local community women, many legal frameworks analyzed do fuel the pervasive gender-based discrimination facing community women by overlooking their specific forest rights, contributions, needs, and demands. Even though gender-blind laws purportedly aim to treat all persons equally, they overlook the fact that systemic gender inequalities and structural barriers exist²³⁹ and must be actively transformed to achieve substantive equality for Indigenous, Afro-descendant, and local community women. As a result, gender-blind laws increase the inequalities that community women experience and perpetuate gender bias and gender-based discrimination against them.²⁴⁰

This analysis demonstrates that governments across Africa, Asia, and Latin America had numerous missed opportunities to improve statutory protections for women’s community forest rights between 2016 and 2024. Indeed, 189 legal reforms across 30 of the reviewed countries resulted in i) the establishment of 11 CBTRs since October 2016 and ii) legislative changes in 57 CBTRs that could reasonably be expected to enhance protections for women’s community-based rights, including 30 CBTRs (of those 57 CBTRs) that were subject to more than one relevant legal reform. These findings suggest that while states are doing a marginally better job of protecting some of women’s community forest tenure rights in recent years, they largely continue to pass gender-blind reforms that overlook the specific community forest rights of Indigenous, Afro-descendant, and local community women. This trend remains despite legal obligations to the contrary, exhaustive guidance, and the support of overwhelming research. Indeed, states have a specific obligation under CEDAW to ensure that there is neither direct nor indirect discrimination against women, including through the adoption of gender-blind legislation and policies,²⁴¹ and regional human rights systems also require that states adopt legislative frameworks, constitutions, and policies with a comprehensive gender-based perspective.²⁴²

5.3 Community forest ownership is associated with enhanced protections for the forest rights of community women

National legal frameworks that recognize community forest ownership, and those established with the primary goal of securing community rights, 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.

Legislation that strengthens Indigenous Peoples’, Afro-descendant Peoples’, and local communities’ forest tenure rights *and* those of Indigenous, Afro-descendant, and local community women can and should be advanced contemporaneously. Two positive associations found in this study support this premise: i) the legal recognition of community forest ownership is associated with strong legal protections for the rights of community women, and ii) legal frameworks principally aimed at recognizing communities’ forest tenure (rather than achieving extraction or conservation aims) are associated with stronger protections for women’s community-based forest tenure. As noted in *Power and Potential* (2017), the comparative strength of women’s tenure rights within CBTRs recognizing communities as forest owners (and those chiefly aimed at recognizing collective forest rights) demonstrates that Indigenous, Afro-descendant, and local community women need not and should not be compelled to choose between the recognition of their own tenure rights and those of their larger communities.

In many respects, CBTRs recognizing community forest ownership and those principally focused on communities’ collective forest rights are especially well-positioned to support community women’s individual forest rights. For example, the longevity of ownership regimes may encourage and incentivize policymakers to “consider a wider range of destabilizing circumstances, including gender inequality, that could weaken the long-term advancement and tenure security of communities.”²⁴³ Moreover, the rights-based policy motivation underpinning community-oriented CBTRs may predispose lawmakers to more effectively and

consistently consult with Indigenous Peoples, Afro-descendant Peoples, and local communities, including community members of all sexes, and to consider communities' socioecological dynamics in ways that likely increase legislators' attention to the specific rights, needs, and nature contributions of community women.

5.4 Emerging divergence between the recognition of communities' and community women's rights

Legal reforms that either overlook or actively diminish community women's forest tenure rights are eroding the positive association between communities' and community women's forest tenure rights under national law.

This analysis identifies several troubling indications that the positive association between adequate legal recognition of collective forest rights and adequate legal recognition of community women's individual forest rights may be at risk:

- The extent of adequate statutory protections for collective forest rights continues to far exceed that provided for community women's individual forest rights, with advancements for community women's forest rights remaining marginal between 2016 and 2024.
- Progress in adequately recognizing community women's forest tenure rights has been inconsistent and marginal, even across legal frameworks recognizing community forest ownership.
- Overall, the 67 CBTRs that were newly established or reformed between 2016 and 2024 were characterized by a plethora of gender-blind provisions, such that the proportions of adequate protections for women's voting and leadership rights across these CBTRs were lower than this analysis' baseline findings for Voting and Leadership.
- Five countries passed reforms between 2016 and 2024 that actively diminished community women's forest rights across 5 CBTRs, meaning that the assessment of these CBTRs were negatively impacted by the elimination of women-specific protections or the elimination of legislative acknowledgements concerning community-level inheritance and dispute resolution rights.
- As further evidence of the impact of recent gender-blind reforms, this analysis identified 4 additional CBTRs where, due to gender-blind reforms between 2016 and 2024, rights to governance, inheritance, and/or dispute resolution that were previously ignored by legislation are now addressed but fail to provide for the rights of community women, indicating that governments actively considered key rights of membership, governance, inheritance and/or dispute resolution but entirely overlooked the rights of community women.

Collectively, these trends signal a profound failure to protect community women's forest rights across legal frameworks recognizing community-based forest tenure, including those recognizing communities as forest owners. If these negative trends persist and the gender responsiveness of CBTRs overall does not improve, the current positive association between the recognition of community women's individual rights and the recognition of collective forest rights could wane.

5.5 Conservation-oriented CBTRs are especially gender-blind

Conservation-oriented CBTRs provide especially inadequate recognition for the rights of Indigenous, Afro-descendant, and local community women, and for the rights of their larger communities.

There is now a wealth of research demonstrating that conservation objectives are best achieved through means that strengthen the rights of Indigenous Peoples, Afro-descendant Peoples, and local communities—including and especially the women within these communities. Mounting evidence demonstrates that communities achieve conservation outcomes that are equivalent or superior to government-protected areas, which all too often employ exclusionary tactics that violate community-based rights and harm the well-being of community women and their larger communities.²⁴⁴ Moreover, effective environmental and conservation efforts are intimately linked to the contributions and rights of Indigenous, Afro-descendant, and local community women. Not only are communities and community women best placed to advocate for effective conservation of their lands and resources, but community women are also often disproportionately dependent on resources in rural areas subject to conservation requirements.²⁴⁵



Two Indigenous Pygmy women carry baskets on their backs to collect firewood. Photo by If Not Us Then Who?

Correspondingly, international human rights law and associated guidance increasingly call for the explicit inclusion of community women to meaningfully and effectively participate in decision-making related to the environment.²⁴⁶ Yet conservation-oriented CBTRs continue to provide the least amount of protection for community women's forest rights as of 2024, particularly with regard to their membership, voting, and dispute resolution rights. Among the 12 conservation-oriented CBTRs that underwent reforms between 2016 and 2024, no advancements were made in the protection of community women's specific rights.

When considered alongside other RRI analyses, these findings underscore that **national frameworks supporting government- and community-led conservation efforts are overlooking community women's many contributions to biodiversity conservation.** A forthcoming RRI analysis²⁴⁷ encompassing 27 of the 35 countries analyzed in this report finds that, in all 27 countries, **community-led conservation efforts may be legally recognized and included by governments in their global commitments,** either through protected area systems, the recognition of Indigenous and Traditional Territories, or through Other Effective

area-based Conservation Measures (OECMs). In some instances, this recognition occurs through conservation legislation not identified in the present report, such as natural reserves that are open to communities and civil society in general. The forthcoming analysis shows that communities have legally recognized means of leading conservation actions through 66 CBTRs that are also analyzed in this report. In these 66 CBTRs, community women's rights to Membership are only explicitly recognized across 35 percent of CBTRs analyzed, less than 25 percent of CBTRs provide any legal protection for women's specific community forest governance rights, and even fewer adequately recognize women's community-level voting or leadership rights by establishing a quorum requirement (less than 5 percent of CBTRs each). Thus, even if a community succeeds in obtaining recognition for community-led conservation, Indigenous, Afro-descendant, and local community women may be excluded from planning, managing, and benefiting from conservation activities, as their rights are not protected.

By neglecting community women's rights in legal regimes establishing government-led conservation and regimes establishing community-led conservation, including where such conservation is aimed at compliance with international commitments under the Convention on Biological Diversity (CBD), women's essential contributions to conservation remain ignored and their voices inadequately protected, contrary to international human rights obligations. Overall, these findings signal that states have yet to consistently internalize and act upon the well-established fact that secure tenure rights for community women and their broader communities lead to favorable conservation and climate outcomes.



“Whenever safe spaces are provided to us, we are free to learn, collaborate and strategize together on how we can improve issues that affect women's human rights, to effect policies in our own interests....for women to be responsive to issues we must have the right information and a safe space. We are learning how we can document our issues and how we can build teams together, supporting women at the grassroots level so that they can make decisions when it comes to their governance and their own leadership, their laws and policies, at the local and regional level, to feed into global-level policies.

Loretta Alethea Pope

Executive Director at the Foundation for Community Initiatives (FCI) in Liberia and member of WiGSA

5.6 Legislative obstacles to the meaningful participation of community women in decision-making processes related to community forests are pervasive, and serve as barriers to their ability to transform gender-discriminatory norms

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—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.

Inadequate statutory protections for community women's governance rights ultimately risks undermining the security of women's tenure rights and that of their larger communities. Put simply, Indigenous Peoples', Afro-descendant Peoples', and local communities' FPIC rights cannot be fully realized if women's equal governance rights are disrespected and they are excluded from community governance bodies against their will.

Under FPIC's international principles, both women and men must possess a sufficient degree of knowledge regarding a proposed development activity, its impact on their land, and the value of compensation being offered to them in order to make meaningful, informed, and voluntary decisions prior to the commencement of any proposed development activity.²⁴⁸ Gender equitable governance processes are especially important where communities' decision-making bodies negotiate land acquisition agreements with private companies, forest management agreements with government ministries, and the terms of REDD+ projects.

Inadequate recognition of community women's rights to govern community forests diminishes community women's voice and agency, the potency of any existing FPIC rights held by their wider communities under national law, as well as the broader right to self-determination held by Indigenous Peoples, Afro-descendant Peoples, and/or local communities under international law. Ultimately, no community can be said to enjoy self-determination if the voices of half of their communities are constrained, or if FPIC rights present under international law have yet to be reflected under national legal frameworks. By contrast, where both collective and individual decision-making rights are respected, women's dignity/autonomy and that of their broader communities are more comprehensively preserved, and self-determination is possible.

Securing collective land rights and the security of tenure rights for women's access to secure degraded lands for restoration was challenging due to lack of laws or law reform processes/laws with weak implementation.

— *WiGSA women in the working group from Africa at WiGSA's annual meeting in Panama (2023)*

Box 4 | The Women in Global South Alliance (WiGSA): Indigenous, Afro-descendant, and Local Community Women Leaders at the Forefront of Conservation, Tenure, and Economic Empowerment

Notwithstanding a host of persistent gender inequalities including inadequately recognized tenure rights, **community women continue to lead the fight for their rights and the rights of their communities, in addition to making other key contributions to their communities' well-being and self-determination.**²⁴⁹

Such leadership is exemplified by the **Women in Global South Alliance for tenure and climate (WiGSA)**, a new advocacy network comprised of grassroots Indigenous, Afro-descendant, and local community women's organizations, groups, and associations from Asia, Africa, and Latin America. Facilitated by RRI, WiGSA was created in 2022 to enhance women's strategic advocacy at national and international levels and secure direct climate and conservation finance for grassroots women's rights agendas. WiGSA is the first alliance of its kind in that it unites community women's organizations from across the Global South to directly support their role in achieving climate and conservation goals and land tenure rights.

Thus far, WiGSA representatives have participated in several international events to advocate for their rights and financial support, such as its launching at the UNFCCC CoP27 in Egypt, the Women Deliver 2023 Conference in Rwanda, the Global Environment Facility Seventh Assembly 2023 in Canada, Mesoamerican Climate Week 2023 in Panama, The First Forum of Indigenous and Local Community Women in Central Africa and the Congo Basin 2023, UNFCCC CoP28 in Dubai, the World Bank Land Conference 2024, CSW68 NGO Forum in 2024, the international event Securing Afro-descendant Peoples' Land Tenure Rights in Latin America and the Caribbean: An Effective Pathway to Conservation and Climate Change Action in Colombia 2024, CBD CoP16 in Colombia, and UNFCCC CoP29 in Azerbaijan.

WiGSA is serving as an essential women-led platform for Indigenous, Afro-descendant, and local community women to meet, share their stories and struggles, and connect their advocacy across the Global South.

To date, WiGSA women have led dialogues about their common problems and created an advocacy strategy that reflects their global connections. They have also highlighted shared priorities and challenges with respect to the underrepresentation of women in governance structures and in local and national decision-making processes, and the many challenges facing community women's equal land rights. WiGSA has enabled community women to commit to i) leveraging WiGSA's *Call to Action* demanding that climate finance not leave community women and girls behind; and ii) advocating for systemic changes at the global, regional, national, and local levels with donors and governments to introduce gender-equitable funding mechanisms. Key areas of advocacy relate to community women's tenure rights, livelihoods, roles and rights as land and environmental defenders, and inter-generational leadership for climate justice.²⁵⁰

To facilitate these goals, RRI is supporting a bottom-up research effort to provide evidence-based analysis to strengthen WiGSA's global advocacy for direct funding, with the contributions of national and regional-level WiGSA member organizations.²⁵¹ The first phase of the research identified significant gaps in the state of data on global funding for women and the funding reaching women in the Global South. Alarming, investments in gender equality are on the decline, and while data shows US\$28.5 billion in disbursements supporting women and girls between 2016 and 2022, only 1.4 percent of such funding went to organizations working with Indigenous women.²⁵²

United through WiGSA, community women are demonstrating that they are central leaders in the advancement of both women's and communities' rights to tenure, economic empowerment, non-discrimination, conservation, and traditional knowledge.

5.7 There is a particular need to prioritize the recognition of community women's inheritance rights, and to further support these rights through laws prohibiting violence against women and girls

While global attention to Indigenous, Afro-descendant, and local community women's governance rights has increased in recent years, comparatively less attention has been paid to community-level inheritance. Although the proportion of adequate protections for Governance remained unchanged between 2016 and 2024, the adequate recognition of community women's inheritance rights exhibited the smallest degree of improved protection during the period. As of 2024, community women can only rely on a specific legal guarantee for their inheritance rights in a mere 13 percent (14 CBTRs) of all 104 CBTRs; only 35 percent of countries analyzed recognize the equal intestate inheritance rights of daughters, widows, and women in consensual unions. **The extent of inadequate recognition of women's inheritance rights, both at the national and community level, demonstrates that much work is to be done if community women's ability to inherit rights to community forest and forest resources are to be secured.**

Although community forest *ownership and collective management rights* are held by communities as collective rights-holding entities, individual members of Indigenous Peoples, Afro-descendant Peoples, and local communities inherit specific entitlements related to community forests and forest resources in various contexts, including when they come of age, in the event of divorce/separation, and when other community members die. Therefore, while community-level governance rights (Voting and Leadership) empower community women to shape their communities' norms surrounding community forests, community-level inheritance rights are often especially important in shaping community women's relationship with community forests (and other community lands or resources) at the household level. The contribution of secure community-level inheritance rights to community women's well-being and equality is particularly salient where customary norms challenge community women's ability to inherit specific rights to community forests and/or render women's tenure rights dependent on their relationships with community men.

Given the significant economic asset that community forests represent, prioritizing gender-transformative protections for community women's specific inheritance rights is critical for community women's economic security,²⁵³ their associated ability to avoid gender-based violence,²⁵⁴ and their ability to exercise agency and control over community forest resources at a household level.²⁵⁵ This and previous RRI analyses have identified a range of legislative best practices to achieve gender-transformative outcomes, including laws that guarantee inheritance rights to all women regardless of marital and parental status, laws that recognize the validity of consensual unions, and laws expressly prohibiting gender-based discrimination regarding inheritance (including under customary and religious laws and practices).²⁵⁶

Moreover, this analysis suggests that governments could bolster the security of community women's inheritance rights by passing laws protecting women from domestic violence, as countries with both domestic violence legislation and specific provisions that prohibit economic forms of domestic violence most frequently protect both women's overarching and community-level inheritance rights.

Combined analysis of World Bank and RRI data presented in Chapter 4 shows that legal frameworks that provide strong legislative protections against DV also provide more adequate recognition for women's community-level and overarching inheritance rights, thus leaving Indigenous, Afro-descendant, and local community women less vulnerable to environmental and economic forms of gender-based violence that

violate their inheritance rights. However, 5 of the 35 countries analyzed in this report still lack any DV laws. Four of these 5 countries are in Africa, a region where violations against rural women's inheritance rights in the form of property grabbing and other forms of economic DV are especially well documented.²⁵⁷ Correspondingly, no country in Africa adequately recognizes women's overarching inheritance rights, and the region also has the smallest proportion of CBTRs that adequately protect women's community-level inheritance (just 2 of 44 African CBTRs, or 5 percent, provide such legislative protections as of 2024).

Since 2017, significant research has been published linking environmental injustice to violence against women, including seminal work by IUCN²⁵⁸ and a thematic report by the UN Special Rapporteur on violence against women and girls focused on linkages between climate change and GBV.²⁵⁹ In fact, environmental GBV²⁶⁰ (see Box 1) is increasingly a focus of research pertaining to community women's tenure security, including forms of environmentally driven domestic violence. In the context of increasing threats of GBV against rural women and environmental injustice, it is clear that states can do far more to protect Indigenous, Afro-descendant, and local community women from the factors that drive domestic violence and all forms of GBV, and that such measures may advance the security of community women's inheritance rights. Notably, the UN Special Rapporteur on Violence Against Women and Girls has observed that in the context of climate change, women are particularly at risk of experiencing GBV where women's inheritance rights are not protected by state law and customary legal systems.²⁶¹

Finally, the lack of specific protection for community women's inheritance rights becomes even more concerning when considered in the context of the weak protections for their membership rights. Even if broader communities' rights to inheritance are legislatively acknowledged or customary laws affirming this right are generally observed, some community women's inheritance rights may still be neglected in practice if their status as community members is not secure. This analysis demonstrates that a large portion of CBTRs guarantee inheritance rights in a gender-blind way while also failing to provide adequate protections for women's membership rights.²⁶² **Because of this, even where communities' rights to inheritance are somewhat protected under national law, community women may face particular difficulties using statutory law to defend their inheritance rights and are more likely to solely depend on their relationships with men, as dictated by some communities' customary norms, to access secure tenure.**



“The work of women to raise their voices for the defence and protection of their rights, especially thinking of Afro-descendant communities, is what WiGSA has supported in order to continue weaving these networks that allow us to continue advancing in these processes, weaving between continents, and weaving with the African continent is to return to our roots as Afro-descendants.

Clemencia Carabalí

President of the Association of Afro-descendant Women of Northern Cauca and member of WiGSA, Colombia

Regional Findings and Implications



Cécile Bibiane Ndjebet, founder of the African Women's Network for Community Management of Forests (REFACOF) and WIGSA member, receives tika from the local community in Nepal. Photo by Sandesh Chaudhary for Rights and Resources Initiative, 2024.

Regional findings reflect the same challenges as those found at the global level. Across Asia, Africa, and Latin America, progress advanced at a glacial pace whilst the gap in rights recognition between community women and their communities has widened.

All three regions echo global findings in several key respects:

Global Implication	Regional Findings
<p>Community women's rights to membership receive the most legislative protection, while community women's governance rights receive the least protection.</p>	<ul style="list-style-type: none"> • In Africa, 25 percent of identified CBTRs (11 of 44 CBTRs) include protections for women's explicit rights to membership, while no CBTRs protect women's rights to vote with a quorum requirement, and 7 percent (3 of 44 CBTRs) require a quorum and quota for women's leadership rights. • In Asia, 41 percent of identified CBTRs (11 of 27 CBTRs) include protections for women's explicit rights to membership, while 4 percent (1 of 27 CBTRs) protect women's rights to vote with a quorum requirement, and 4 percent (1 of 27 CBTRs) require a quorum and quota in support of women's leadership rights. • In Latin America, almost one-fourth of identified CBTRs (8 of 33 CBTRs) include protections for women's explicit rights to membership. Only 1 CBTR (3 percent of the 33 CBTRs) protects women's right to vote with a quorum requirement and include quorum and quota requirements in support of women's leadership rights.

Global Implication	Regional Findings
<p>CBTRs established for the primary purpose of recognizing the rights of Indigenous Peoples, Afro-descendant Peoples, and local communities provide greater protections for women’s community forest rights than those CBTRs that are primarily aimed at exploiting or conserving natural resources.</p>	<ul style="list-style-type: none"> • In Africa, community-oriented CBTRs provide greater protection for all indicators except Leadership, the only indicator where conservation-oriented CBTRs provide greater protection. Use/exploitation-oriented CBTRs provide a greater proportion of adequate protections than conservation-oriented CBTRs for membership and dispute resolution rights, whereas the reverse is true for leadership rights. • In Asia, conservation-oriented CBTRs provide the smallest proportion of adequate protections for community women’s rights, with no conservation-oriented CBTR providing adequate protection for women’s rights to membership, voting, leadership, and dispute resolution, and only 1 CBTR providing protection for women’s inheritance rights. • In Latin America, no conservation-oriented CBTRs or use/exploitation-oriented CBTRs provide any explicit protections for women’s governance or dispute resolution rights, and community-oriented CBTRs provide the greatest level of protection across all indicators.
<p>While CBTRs that recognize community forest ownership provide the strongest protections for community women’s tenure rights, the gap between communities’ collective forest rights and the individual forest rights of community women widened under national laws in Asia, Africa, and Latin America between 2016 and 2024.</p>	<p>In all three regions analyzed, advancements in the recognition of community-based forest tenure rights outpaced advancements across CBTR-specific Gender indicators:</p> <ul style="list-style-type: none"> • In Africa, the proportion of CBTRs recognizing Indigenous Peoples and local communities as forest owners (17 CBTRs) increased by 2 percent between 2016 and 2024. However, the proportion of these CBTRs providing adequate recognition of community women’s rights declined by 4 percent regarding Leadership between 2016 and 2024, no significant changes (less than a 1 percent increase) occurred regarding women’s explicit dispute resolution rights, and no CBTRs in Africa recognizing community forest ownership provide adequate protection for voting rights in 2016 or 2024. • In Asia, the proportion of CBTRs recognizing community forest ownership (9 CBTRs) increased by 4 percent between 2016 and 2024. However, across CBTRs recognizing community forest ownership in Asia, the proportion of adequate legal recognition for community women’s rights to Voting decreased by 1 percent during this time period, by 1 percent for Leadership, by 4 percent for Inheritance, and by 7 percent for Dispute Resolution. • Latin America exhibits the strongest recognition of the collective forest rights captured by RRI’s Depth of Rights indicators. The region also features the highest proportion of CBTRs recognizing community forest ownership in both 2016 and 2024. In comparison to all three regions analyzed, the positive association between legally recognized community forest ownership and enhanced recognition for community women’s forest rights is strongest in Latin America. Indeed, a subset of adequate protections for CBTR-specific indicators are found within all 18 CBTRs in Latin America recognizing community forest ownership. However, between 2016 and 2024, Latin American CBTRs featured no changes to the percentage of CBTRs recognizing community forest ownership or to the protection of community women’s rights.

Across all three regions, there were only 8 instances where the assessment of an indicator improved due to a gender-responsive reform between 2016 and 2024, with Asia leading as the region generating the most positive changes in assessments. Of the 8 positive changes across indicator assessments, half (4) occurred in CBTRs in Asia, while 3 advancements occurred in Latin America, and only 1 occurred in Africa.

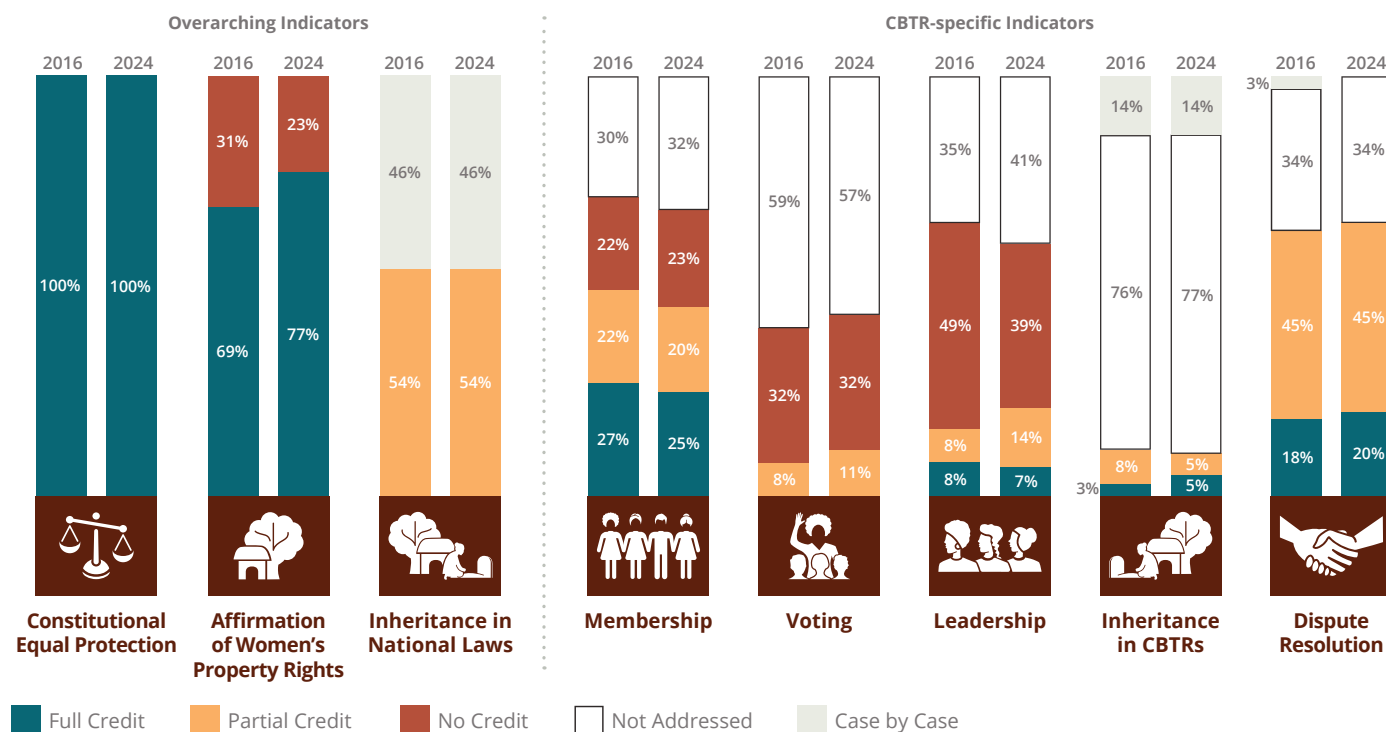
While most changes across indicator assessments between 2016 and 2024 represent an advancement in community women’s forest rights, this analysis also identified 6 instances of regressive changes to assessments of community women’s forest rights across Africa and Asia, wherein gender-responsive legislative protections previously applying to community women were revoked or a right that previously existed for all community members was eliminated, thereby also eliminating community women’s access to such right. Of these 6 instances of regression, 3 occurred in Africa and 3 in Asia, whereas Latin America saw no regression on the statutory rights of community women.

The study also identified a further 4 gender-blind reforms that altered the assessment of 3 indicators (Voting, Inheritance, and Dispute Resolution) across 4 CBTRs; 3 of the CBTRs that experienced gender-blind reforms are in Asia, and 1 is in Africa. All of these gender-blind reforms represent an instance where countries actively addressed community-level rights analyzed in this report while entirely neglecting community women, thus resulting in an assessment change.

6.1 Africa

The 13 countries in Africa included in the study are Cameroon, Democratic Republic of the Congo, Gabon, Ghana, Kenya, Liberia, Madagascar, Mali, Mozambique, Republic of the Congo, Senegal, Tanzania, and Zambia.

Figure 12 | Performance of 13 Countries in Africa



Note: Due to rounding, data presented in all bars may not sum to 100%.

Across the regions analyzed, African countries established the greatest number of new CBTRs and passed the most legal reforms since 2016, yet the African countries analyzed exhibit the lowest degree of progress for the forest tenure rights of Indigenous and local community women at the regional level.

Nine of the 11 new CBTRs identified in this analysis were established in Africa, and the region accounted for more than one-third (21 CBTRs) of 57 CBTRs reformed during the period. **Despite these considerable opportunities to strengthen or improve the community-based tenure rights of community women across the region, African countries analyzed reflect the smallest proportional gains for community women, including rollbacks of previously recognized rights.** Of the three reviewed regions, African states demonstrate an especially marked proclivity toward gender-blind laws and reforms. Moreover, across the 9 newly established CBTRs in Africa, most 2024 CBTRs for community-level Membership, Voting, Leadership, and Inheritance either do not address the right entirely or address the right without including community women. Thus, across African CBTRs established post-2016, many of the most consequential individual forest rights for community women's tenure are either ignored or without any gender-responsive protection.



A woman watches elephants in the distance in Kenya. Photo by Anthony Ochieng.

Voting is the most fundamental right necessary for Indigenous and local community women to actively shape their communities' norms and participate in decision-making, **yet Africa is the only region as of 2024 where no CBTRs recognize community women's voting rights with a quorum requirement for taking legally binding action.** In regard to Leadership, the proportion of CBTRs requiring a minimum quota for women in community-level leadership bodies improved by 5 percent, but the proportion of CBTRs safeguarding women's leadership rights through additional quorum requirements actually decreased between 2016 and 2024 by 1 percent.

Africa is the only region where stronger legal recognition of women's rights to participate in community forest governance is not positively correlated with the recognition of communities' FPIC rights. Only 9 (20 percent) of 44 CBTRs in Africa recognize FPIC rights for *all* regulated communities, and a further 4 CBTRs (9 percent) guarantee FPIC rights for a subset, *but not all*, communities whose rights are regulated by those CBTRs. However, all 13 African CBTRs recognizing at least some communities' FPIC rights fail to provide adequate protection for either community women's voting or leadership rights. Only 23 percent (3 CBTRs) of these 13 CBTRs recognize women's right to vote without establishing a quorum requirement; and 15 percent (2 of 13 CBTRs) protect women's leadership rights by establishing only a quota for women's inclusion within executive bodies, but no quorum. The significant gap between legal protections for communities' collective decision-making rights via FPIC and legal protections for community women's governance rights in Africa is particularly alarming. In communities subject to these legal frameworks, Indigenous and local community women lack legislative support to adequately participate in FPIC processes that are guaranteed under national law.

Africa also features the lowest proportion of adequate protection for women's overarching and CBTR-specific inheritance rights. None of the reviewed countries in the region recognize, at an overarching level, the equal intestate inheritance rights of daughters, wives, and women in consensual unions, though most provide equal protections for a subset of these women. With regards to CBTR-Specific Inheritance, only 5 percent of African CBTRs address inheritance and explicitly allow community women to inherit rights to community forests, compared to 26 percent in Asia and 15 percent in Latin America.

Table 3 | Countries Analyzed in Africa that Statutorily Recognize the Equal Inheritance Rights of Different Categories of Women, in Comparison to their Male Counterparts, as of 2024

Country	Daughters	Widows	Women in Consensual Unions
Cameroon	✓	✓	✗
Congo, Republic of the	✗	✗	✗
Democratic Republic of the Congo	✓	✓	✗
Liberia	✓	✓	✗
Madagascar	✗	✓	✗
Mozambique	✓	✓	✗

Note to Table: Madagascar fails to protect widows in all circumstances as it is less protective of surviving spouses without children and does not protect girls' inheritance in customary cases where women are excluded. Three countries in Africa may allow for inheritance in consensual unions but do not mandate it and the law remains ambiguous in some of these instances (Gabon, Liberia, and Mozambique).

The critical shortcomings in the recognition of Indigenous and local community women's overarching and community-level inheritance rights across the region renders community women especially vulnerable to property grabbing and other forms of economic DV at the household level, while also jeopardizing their ability to meaningfully steward community forest resources. To compound matters, World Bank data indicates that African countries analyzed have comparatively fewer DV laws, and even fewer of these laws cover economic DV. However, Africa is the only region where progress occurred regarding the overarching affirmation of women's property rights. In the Republic of the Congo, due to the adoption of a new land law in 2018 and the Law Mouebara on violence against women in 2019, customary practices cannot discriminate against women's property rights²⁶³ and economic violence and discrimination are prohibited.²⁶⁴

Africa is also 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. Adequate recognition of community women's membership rights decreased by 2 percent; adequate recognition of women's leadership rights decreased by 1 percent; and no proportional improvements in the adequate recognition of community women's voting rights were identified.

In Africa, between 2016 and 2024, 3 reforms diminished previous protections for community women's rights, while 1 additional gender-blind reform—which previously failed to provide any voting provisions, although it now addresses voting rights—failed to include women's rights to vote:

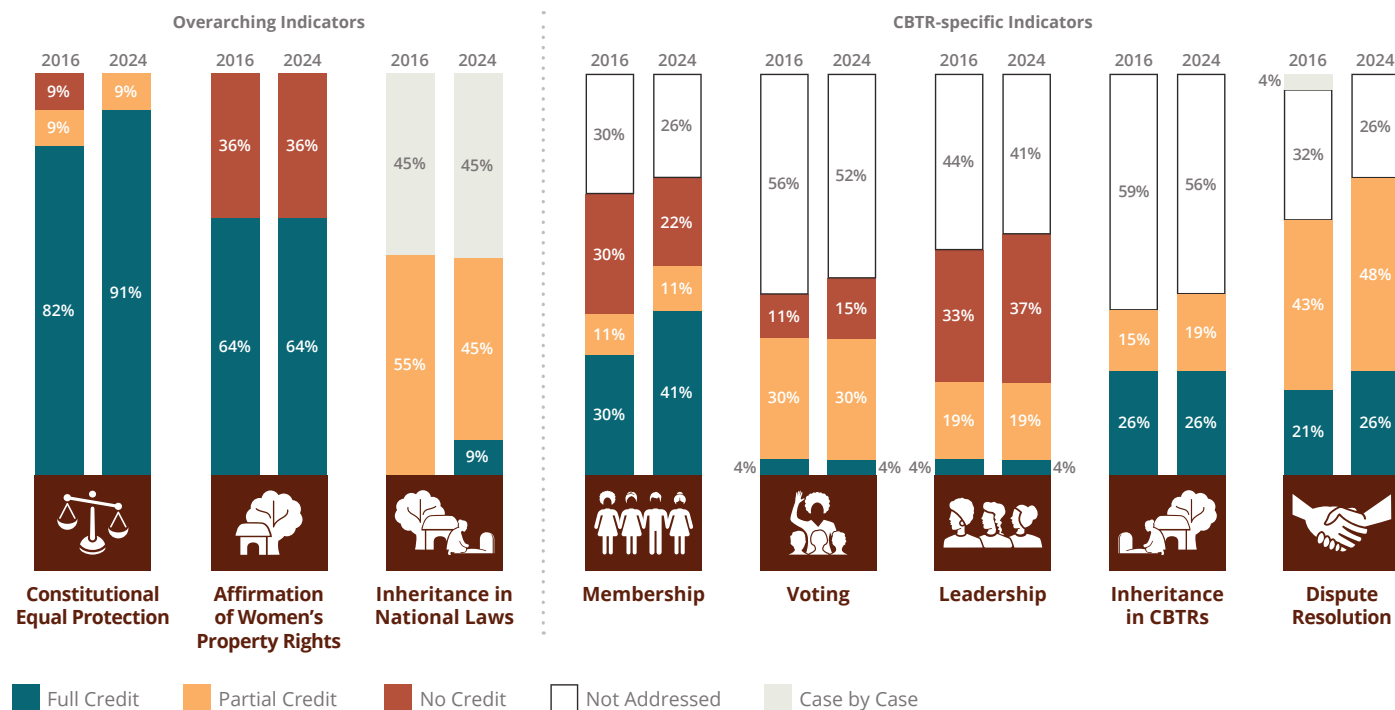
- *Regressive and other gender-blind reforms that altered indicator assessments:* In Mali, post-2017 reforms to laws regulating Community-Managed Forests within the Forest Domain of Decentralized Territorial Collectives lessened the protections for community women. Whereas community women's specific membership rights were previously recognized, membership is now described in a gender-blind manner. Within this same CBTR, a 2024 reform newly recognizes community-level decision-making bodies but fails to include any protection for community women's voting rights.
- *Regressive reforms that altered indicator assessments:* In the Republic of the Congo, Community Forests were established by Law No. 33-2020,²⁶⁵ replacing a previous CBTR. Unlike previously applicable legislation, the new law does not recognize community-level dispute resolution bodies, although the formerly applicable law did so in a gender-blind way. With these reforms, neither community men nor community women possess legally recognized rights to bring forest disputes before community forums.
- *Other regressive reforms that shifted indicator assessments:* Membership was not addressed by laws regulating Community Protected Areas in Madagascar as of 2016. While Decree 2017-425 of 2017 (implementing the 2015 Code on Protected Areas) now defines communities, the decree fails to include any provisions to protect community women's membership rights or to define all adults as community members.

Only one reform in the region, in Kenya, resulted in specific progress for women's leadership rights, where community women's leadership rights are now recognized through a quota requirement in Registered Community Lands. The Community Land Regulations adopted in 2017 specifies that the election process for the Community Land Management Committee (CLMC) must abide by a quota requirement under which no more than two-thirds of the CLMC's members can be of the same gender.²⁶⁶ However, the The Community Land Regulations, while requiring a quorum of at least 5 members to make a decision, does not require that such a quorum include the women members of the CLMC.

6.2 Asia

The 11 countries in Asia included in the study are Cambodia, China, India, Indonesia, Lao PDR, Myanmar, Nepal, Papua New Guinea, Philippines, Thailand, and Viet Nam.

Figure 13 | Performance of 11 Countries in Asia



Note: Due to rounding, data presented in all bars may not sum to 100%.

Several analyzed countries actively diminished community women's forest rights through regressive legal reforms, and protections for collective FPIC rights remain the weakest of the three analyzed regions.

As of 2024, Asia leads among the regions analyzed in the proportion of adequate protections for women across 4 of the 5 CBTR-specific indicators (Membership, Voting, Inheritance, and Dispute Resolution), with the greatest degree of proportional growth for adequate protections for Membership and Dispute Resolution of any region between 2016 and 2024.

However, Asia is not the leader in relation to the overarching rights of women. Asia remains the only region analyzed where all countries do not adequately recognize women's Constitutional Equal Protection by ensuring gender-based discrimination is either prohibited or gender equality is specifically guaranteed. Indonesia is the only country out of the 35 assessed in this study that does not adequately recognize Constitutional Equal Protection; its constitution only contains a non-discrimination provision that does not specify gender. As such, in Indonesia, legislative reforms applicable to specific and commonly marginalized rightsholders are less likely to be gender-transformative, either in form or during implementation.



A woman shops at a local market holding a handmade basket, Lao PDR. Photo by Peter Hershey for Unsplash.

Overarching protections for women’s inheritance rights also remain inadequate, with only 1 country (Nepal) protecting the inheritance rights of all women. Considering that property-grabbing against rural women in Asia is well-documented,²⁶⁷ the consistently poor performance across 2016 and 2024 for Overarching Inheritance and the lack of any progress regarding community-level inheritance rights is problematic.

Less than two-thirds of countries analyzed in Asia provide for the overarching affirmation of women’s property rights, only 1 more country than those in Latin America and behind the 10 analyzed countries (77 percent) in Africa that provide such protections.

Asian CBTRs also exhibit a notable degree of legislative stagnation in regards to community women’s rights, as the extent of adequate recognition for community women’s voting (4 percent), leadership (4 percent), and inheritance (26 percent) rights all remained the same in 2016 and 2024.

During the review period, two new CBTRs were established in Asia (Community Forests Allocated on the Basis of Constitutional Rights in Thailand and Hak Ulayat – Customary Land Rights in Indonesia), 17 of the 27 Asian CBTRs (67 percent) were subject to reforms, and 4 (24 percent) of these 17 CBTRs improved recognition of community women’s forest tenure rights, as evidenced by assessments. Explicit (and therefore adequate) recognition of community women’s membership rights increased by 11 percent; adequate protections for community women’s dispute resolution rights improved by 5 percent; and adequate protection of community women’s voting, leadership, and inheritance rights remained stagnant.

Notable positive reforms documented in Asia include:

- Thailand’s Constitution of 2017 provides for the equality of men and women under the law and prohibits discrimination on the basis of sex.²⁶⁸
- Nepal’s 2017 Civil Code provides equal protection for daughters’, wives’, and female partners’ intestate inheritance rights in comparison to their male counterparts.²⁶⁹

- Indonesia's Regulation Ministry of Environment and Forestry No. 9 of 2021 explicitly recognizes women as community members across three CBTRs (Hutan Adat – Customary Law Forests, Hutan Kemasyarakatan – Rural or Community Forest, and Kemitraan – Partnerships).²⁷⁰
- In Lao PDR, community women's dispute resolution rights within Village Forestry receive adequate recognition as of 2024 thanks to provisions in the 2019 Law on Gender Equality guaranteeing that women have equal access to complaint mechanisms to protect their rights and interests.²⁷¹

Despite notable progress across Gender Methodology indicators between 2016 and 2024, Asian CBTRs also exhibit 3 rollbacks in community women's forest rights across 2 CBTRs:

- *Regressive reforms that altered indicator assessments between 2016 and 2024:*
 - » Within Forestland Allocated to Communities in Viet Nam, the adoption of the 2024 Land Law diminished community women's recognized rights to Membership and Inheritance. While both rights were addressed in gender-blind provisions prior to 2017, the new 2024 Land Law and new 2017 Law on Forests fail to address inheritance or community membership rights in any respect where forests or other land is allocated to communities.²⁷²
 - » In Cambodia, the new 2023 Environmental Code results in the removal of provisions establishing the National Committee for Conflict Resolution on Protected Area Management (NCRPAM). Under existing legislation, there is no legally recognized community-level mechanism to resolve disputes concerning community forests within protected areas apart from the state's judicial system.

Gender-blind reforms across three Asian CBTRs shifted assessments because they either improved the recognition of community-level forest tenure rights while failing to address women's rights or only addressing the right in question using gender-blind language, thus reflecting a legislative tendency to neglect community women's rights even where the individual interests of community members are either recognized or clarified through reforms:

- In Hutan Adat forests in Indonesia, a 2021 reform²⁷³ recognizes the right to inherit customary forests for the first time but provides no explicit legislative protection for community women's inheritance rights.
- While legislative changes applicable to Community Forestry Concessions in Myanmar²⁷⁴ and Protected Area Community-Based Resource Management Agreements in the Philippines²⁷⁵ resulted in the establishment of community dispute resolution mechanisms for tenure disputes, the rights of community women within these mechanisms remain unrecognized.

Legislative rollbacks, stagnation in community women's recognized rights, and gender-blind reforms in Asia are particularly concerning given the alarming prevalence of violence against women environmental and land defenders in the region.²⁷⁶

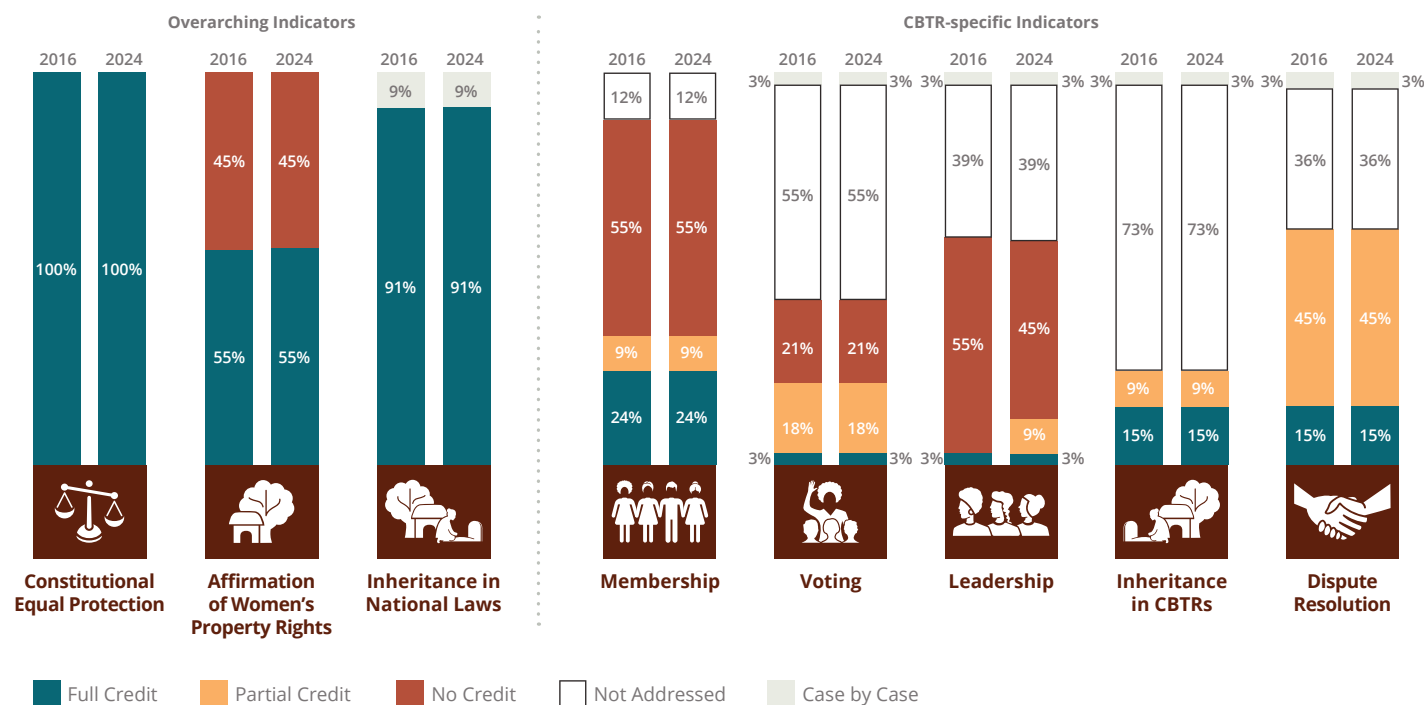
With regards to FPIC, only 4 of 27 CBTRs in Asia (15 percent) recognize all regulated communities' FPIC rights, and an additional 7 (26 percent) do so for a subset of regulated communities, **making Asia the region with the fewest legislative protections for collective FPIC rights**. However, while FPIC protections are less common in the region, the positive association at the global level between FPIC rights and women's governance rights is sustained in Asia. The majority of Asian CBTRs that recognize women-specific governance rights also provide for FPIC rights. Across the region, 9 CBTRs provide women-specific protections for voting rights, of which 6 (67 percent) also provide FPIC rights for all or a subset of regulated communities. Of the 11 CBTRs recognizing

FPIC under at least some circumstances, 5 CBTRs (45 percent) recognize women’s right to vote without establishing a quorum, and 4 CBTRs (36 percent) recognize women’s rights to leadership through a quota (but no quorum requirement exists). One CBTR (9 percent) adequately protects community women’s voting and leadership rights as well as FPIC rights (Scheduled Tribes and Other Traditional Forest Dwellers Land in India).

6.3 Latin America

The 11 countries in Latin America included in the study are **Bolivia, Brazil, Colombia, Ecuador, Guatemala, Guyana, Mexico, Nicaragua, Panama, Peru, and Venezuela.**

Figure 14 | Performance of 13 Countries in Latin America



Note: Due to rounding, data presented in all bars may not sum to 100%.

Compared to other regions, CBTRs in Latin America exhibit the smallest proportion of adequate protection for the rights of Indigenous, Afro-descendant, and local community women. However, Latin America is the only region to see no legislative rollbacks in the recognition of community women’s forest rights. It also hosts the largest proportion of community-owned CBTRs, has the greatest recognition of the overarching intestate inheritance rights of daughters, wives, and women in consensual unions, and features the largest proportion of recognized FPIC rights for Indigenous Peoples, Afro-descendant Peoples, and local communities.

Latin American CBTRs were least impacted by legislative change between 2016 and 2024. Eighteen of 33 Latin American CBTRs (55 percent) underwent some level of reform in the region, but no new CBTRs were established. Notwithstanding opportunities to strengthen community women’s forest tenure rights, reforms

did not advance adequate protections of women’s community forest rights in Latin America. Despite some progress in women-specific protections for governance rights, Latin America is the only region analyzed to show no change in the adequate recognition of women’s community forest rights between 2016 and 2024 at either the national or CBTR level, or in the recognition of community forest ownership.

Latin America trails behind Africa and Asia in terms of the Affirmation of Women’s Property Rights, with 6 of the 11 Latin American countries evaluated (55 percent) having a general provision affirming women’s property rights or prohibiting property-related practices that would adversely affect their access to or ownership of land. However, Latin America is the only region where most countries (10 out of 11) provide gender-equal recognition of the intestate inheritance rights of daughters, wives, and women in consensual unions, whereas only 1 country in Asia and none in Africa provide this recognition.

Across the 11 countries reviewed, **the 33 Latin American CBTRs provided the lowest proportion of adequate protections for membership (24 percent in both years), leadership (3 percent in both years), and dispute resolution (15 percent in both years) rights in both 2016 and 2024.** Statutory protections for women’s voting and inheritance rights in Latin America were similar to those in Asia, but ahead of those in Africa. Women’s community-level inheritance rights were adequately recognized in 5 of the 33 CBTRs in Latin America (15 percent, compared to 26 percent for Asia and 5 percent for Africa), and women’s community-level voting rights were adequately recognized in only 1 CBTR in Latin America (3 percent, compared to 1 CBTR in Asia and 0 in Africa).

Latin America leads the other two regions in terms of recognized collective FPIC rights. Just over one-third (39 percent) of 33 CBTRs recognize FPIC for all regulated communities, while 15 CBTRs (45 percent) recognize these rights for a subset of regulated communities—this means 84 percent of CBTRs recognize at least a subset of regulated communities as FPIC rightsholders. **Yet Latin America provides the smallest proportion of adequate and women-specific protections for women’s leadership rights.** Across the 13 CBTRs that recognize FPIC for all communities, 5 CBTRs (38 percent) protect women’s voting rights without a quorum requirement and 1 CBTR (8 percent) does so with a quorum requirement, while 2 CBTRs (15 percent) protect women’s leadership rights only through a quota requirement and 1 CBTR (8 percent) does so with both a quota and quorum requirement. Of the 15 CBTRs recognizing FPIC under at least some circumstances, only 1 CBTR recognizes women’s right to vote without establishing a quorum requirement and none require a quorum; only 1 CBTR requires a quota of women but no quorum in community decision-making bodies. While the legal recognition of FPIC is associated with stronger recognition of women’s governance rights in Latin America, **the gap between CBTRs recognizing at least a subset of regulated communities as FPIC rightsholders (84 percent) and those CBTRs recognizing women-specific protections for voting (25 percent) and leadership (14 percent) rights is extremely wide in Latin America.** The ramifications of this gap are detrimental to both communities and community women, as FPIC rights cannot be fully realized in the absence of clear, recognized, and realized rights for Indigenous, Afro-descendant, and local community women.

The stagnancy across community women’s legally recognized rights in Latin America fails to reflect the reality of community women’s struggles, contributions, and sacrifices in the region. The limited recognition of women’s voting and leadership rights in Latin America is especially out of step with the tremendous sacrifices that Indigenous, Afro-descendant, and local community women have made in defense of their environmental rights across the region ([see Section 3.1.3](#)).²⁷⁷ The lack of advancement in Membership means that the door by which Indigenous, Afro-descendant, and local community women access all other

rights to community forests across the region has not widened since 2016. Moreover, **as Latin American community women strive to bring their communities' disputes before multiple global, regional, and national forums,²⁷⁸ their ability to bring disputes before their own communities' judicial mechanisms remains inadequately protected by governments,** with 60 percent (20 CBTRs) recognizing community member's rights to resolve tenure disputes via community processes, but only 15 percent (5 of those 20 CBTRs) recognizing the explicit rights of community women to utilize these mechanisms.

Despite all of these challenges, Latin America is the only region that did not experience legislative rollbacks. Notable progress in the region includes 3 CBTRs which were reformed to protect women's leadership rights through quota requirements applicable to community-level decision-making bodies, although these CBTRs do not feature a quorum requirement safeguarding community women's leadership rights. In the Peasant Community Forestlands Suitable for Forestry CBTR in Peru, a 2019 legal reform establishes that the body responsible for government and administration of the community must be composed by at least 30 percent of women or men.²⁷⁹ In Mexico, where previously there was no legal recognition of community women's leadership rights, a 2023 reform to the Agrarian Law established a requirement for parity in the executive bodies for both CBTRs in the country (Comunidades and Ejidos).²⁸⁰ Mexico stands out as a country that has undergone significant gender-responsive reforms thanks to the advocacy of women's rights organizations advancing parity rights at the constitutional, national, and state levels.²⁸¹



Indigenous woman weaving in the Tropical Andes. Photo by Bartosz Hadyaniak for iStock.

Box 5 | Left Behind: Afro-descendant Women's Rights Remain Neglected Despite Increasing Statutory Recognition of Afro-descendant Peoples' Rights and Collective Status in Latin America

In Latin America and the Caribbean, Afro-descendant Peoples make up 30 percent of the region's population²⁸² and their collective rights have been recognized by international human rights law since at least 1991, with the adoption of the Indigenous and Tribal Peoples Convention (ILO Convention No. 169).²⁸³ Yet despite Afro-descendant Peoples' significant presence and their crucial roles across the region, only 8.1 million hectares have been officially recognized as owned by these communities in six Latin American countries.²⁸⁴

To address this injustice, RRI has supported the strengthening of a pathbreaking grassroots alliance of Afro-descendant Peoples' organizations and networks since 2013 and developed a roadmap for identifying and mapping collective territories across the region under the leadership of the Process of Black Communities (PCN), the National Coordination for the Articulation of Rural Black Quilombola Communities (CONAQ), and the Pontifical Universidad Javeriana's Observatory of Ethnic and Campesino Territories (OTEC). In 2022, the Coalition for the Environment and Territorial Rights of Afro-descendant Peoples of Latin America and the Caribbean was formed to lead building of the knowledge base and enhance advocacy for the recognition of the collective and territorial rights of Afro-descendant Peoples and Afro-descendant women, both within national laws and in international climate, biodiversity, and human rights spaces, including the mapping of their territories and overlapping with crucial biodiversity hotspots.²⁸⁵

Regional analysis found that even within the six Latin American countries that were found to provide constitutional recognition of Afro-descendant Peoples' territorial rights (Brazil, Colombia, Ecuador, Bolivia, Mexico, and Nicaragua),²⁸⁶ the specific rights of Afro-descendant women remain neglected within the legal frameworks regulating these rights. Of the six²⁸⁷ regimes that can be utilized to recognize Afro-descendant Peoples' forest ownership, the proportion of adequate protections for Afro-descendant women's community-level forest rights to membership, inheritance, voting, leadership, and dispute resolution ranged from 17 to 50 percent. Adequate protections for women's governance rights were least common (only Afro-Colombian Community Lands provides such protections), while adequate protections for Afro-descendant women's membership and dispute resolution rights exist for half of the 6 CBTRs identified.²⁸⁸

Afro-descendant women have engaged in decades of activism and leadership on behalf of their own rights and those of their larger communities.²⁸⁹ Despite the tremendous contributions of Afro-descendant women to the stewardship of their lands and territories—along with the significant violence, misogyny, discrimination, and racism that they face—Afro-descendant women's statutory rights remain poorly recognized by national legislation,²⁹⁰ even in cases where the rights of the broader Afro-descendant communities are already statutorily protected.



Drone footage of the customary territory of the Afro-descendant Peoples, Colombia. Photo by Rafael Martins.

Chapter 7

Recommendations



Women and children of the Ipetí-Emberá community of Panama in the main Maloka of the Alto Bayano Collective Territory, Panama.
Photo by Tova Katzman for Rights and Resources Initiative, 2023.

This year marks a major inflection point for the rights and sustainable development of Indigenous, Afro-descendant, and local community women, their larger communities, and the territories and nature they steward. 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. **Yet, "not a single indicator under the gender equality Goal has been fully achieved,"²⁹¹ and none of the reviewed regions are on track to achieve the Beijing Declaration's strategic objectives related to "women and the environment" and "women in power and decision-making."²⁹²**



“We have gathered in WiGSA to bring the voice of women from all regions of the world to make a call to action to governments to really include in their programs linked to the international climate agenda the participation of women, the voice of women because we need policies that understand us and take care of us.

Sara Omi

President of the Coordinadora de las Mujeres Líderes Territoriales de Mesoamérica and a member of WiGSA, Panama

As acknowledged by UN Women’s 2024 progress report on the SDGs, “unless progress rapidly accelerates, the global community will fall short of achieving gender equality by 2030. Overall progress is insufficient... Robust laws and policies that promote gender equality and address gender discrimination are essential to achieving change. Yet discriminatory frameworks prevail in relation to women in public life, violence against women, employment and economic benefits, and marriage and family.²⁹³ Given that women’s land and resource rights and engendered land governance are pivotal to all of these areas, the **proliferation of gender-blind laws regulating community lands revealed by this study only solidifies the discriminatory status quo facing Indigenous, Afro-descendant, and local community women under both domestic legislation and the social norms experienced by women in their daily lives.**

If the Beijing Declaration and Platform of Action are to be implemented and the human rights imperatives underlying the SDGs are to be realized, the recognition of women’s community 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 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.**

The recommendations below provide a roadmap to realize such ends. Consistent with the approach used in this report, these build on an integrated view of community women’s rights to community lands, forests, freshwater, and all other natural resources. Like all elements of nature, such rights are fundamentally inter-linked and must be protected and realized together if Indigenous, Afro-descendant, and local community women are to exercise their agency, live out their inherent dignity, and realize their tremendous power and potential.

7.1 Recommendations for governments

Governments, supported by rightsholder organizations and dedicated community women’s organizations, international development organizations, international advocates, and civil society organizations, should:

1. Legally recognize and proactively respect, protect and fulfill the individual and collective rights of Indigenous, Afro-descendant, and local community women to own, inherit, use, manage, and benefit from community lands, forests, waters, and other natural resources regardless of their marital status, including through the prioritization and mainstreaming of reforms and actions that:
 - I. Eliminate all gender-discriminatory legal provisions and ensure the equal protection of community women’s rights, including where plural legal systems prevail;
 - II. Recognize the inheritance rights of daughters, widows, and women in consensual unions;
 - III. Ensure women’s rights to vote or take equivalent binding action in community general assemblies or equivalent community-wide decision-making bodies, and to be part of community-level executive bodies;

- IV. Develop, adopt, and implement laws that explicitly recognize and ensure equal rights for all Indigenous, Afro-descendant, and local community women to membership within their communities, including provisions that provide for the explicit inclusion of community women or prohibit their exclusion when membership is defined as accessible to all adults or individuals in a community;
 - V. Safeguard community women’s meaningful participation in all FPIC processes, as applicable under international and/or national law, and remove barriers that impede such participation;
 - VI. Protect against all forms of GBV, including violence driven by domestic, economic, or environmental factors, and ensure that community women can actively pursue their livelihoods, advocacy, and political, cultural, and religious activities without fear of reprisal, intimidation, harassment, or threats of any kind from either state or non-state actors; and
 - VII. Improve access to fair, accessible, competent, and inclusive justice and dispute resolution mechanisms, as well as access to effective remedies where any of the above rights are violated.
2. Integrate national commitments to gender equality and gender-transformative actions—as required by international law including CEDAW, UNDRIP, UNDROP, ILO Convention No. 169, ICCPR, ICESCR, ICERD, and the Convention on the Rights of the Child—into all national laws, policies, climate plans, biodiversity conservation plans, and budgets of relevance to the rights of Indigenous Peoples, Afro-descendant Peoples, local communities, and the women within these groups.
 3. Actively prioritize and embed the participation, rights, and priorities of Indigenous, Afro-descendant, and local community women, their communities, and their representative organizations throughout all stages of legislative reform, policy development, and implementation processes, including in policies dictating national contributions to climate change mitigation and adaptation, biodiversity conservation, and progress toward the achievement of the SDGs.
 4. Support implementation of national reporting methodologies and processes that regularly collect data on tenure security and that can be disaggregated by gender and reliance on individual or community-based/customary tenure, in alignment with SDG targets on tenure security and gender equality.
 5. Take proactive measures to engender land governance and to embed gender-transformative approaches in all national and subnational government institutions. To these ends, agencies and ministries with mandates that overlap with the status and rights of women and girls—particularly including, inter alia, those that intersect with justice, health, education, the economy, the environment, land administration, and forests and natural resources management—should:
 - I. Establish budgets with dedicated funding for measures that advance gender equality;
 - II. Prioritize partnerships and establish and support multistakeholder platforms with expertise on gender equality and women’s land rights—such as ministries responsible for women’s affairs, legal and technical specialists on women’s rights, and dedicated civil society organizations—to support the design and implementation of policies and actions impacting community women; and
 - III. Provide capacity-building for government institutions, lawmakers, policymakers, judges, and law enforcement officials on the rights of community women, gender-transformative approaches, and the negative social, economic and environmental impacts of gender-blind laws, policies, directives, and programs.

7.2 Recommendations for Indigenous Peoples, Afro-descendent Peoples, local communities, and the women within these groups and their organizations

Indigenous Peoples, Afro-descendant Peoples, local communities, the women within these groups, and their organizations should use the findings and recommendations of this report to raise awareness, mobilize support, and coordinate collective actions to advance government actions that:

1. Eliminate all forms and sources of gender-based discrimination, including gender-blind laws and policies;
2. Mainstream gender-transformative provisions, consistent with CEDAW, across all statutory laws and policies regulating community lands, waters, forests, and natural resources—including those that legally recognize customary laws, practices and tenure systems; and
3. Uphold, secure, and respect Indigenous, Afro-descendent, and local community women's equal rights, as articulated above.

In particular, Indigenous Peoples, Afro-descendant Peoples, local communities, and their dedicated organizations and associations should:

1. Ensure that their advocacy efforts, collective governance processes, and all other actions actively recognize, advance, and respect the voices, participation, equal rights, contributions, leadership, and self-determined priorities of Indigenous, Afro-descendant, and local community women concerning:
i) community decision-making processes; ii) the governance and use of community lands, forests, freshwaters, and the equitable distribution of associated ecosystem services and other benefits; iii) the pursuit of national and subnational climate, conservation, and sustainable development initiatives; and iv) development projects by public or private entities that rely on community lands, forest, water, or other community-held resources.
2. Prioritize gender-transformative actions to ensure that all customary laws, by-laws, norms and practices embraced by communities—whether written or unwritten—are gender equitable and respect the equal tenure rights of Indigenous, Afro-descendant, and local community women.
3. Prioritize women-led community organizations' and associations' access to direct funding for the pursuit of their self-determined climate, conservation, and development priorities and initiatives.

Indigenous, Afro-descendant, and local community women and their dedicated organizations and associations should:

1. Leverage local, regional, and international expertise—and build associated partnerships—to strengthen the capacity of Indigenous, Afro-descendant, and local community women (and women's groups) to advance their rights within and beyond their communities.

7.3 Recommendations for donors and supporting allies

Public and private donors and funders, international development organizations, civil society organizations, and other partners and allies dedicated to human rights, gender justice, climate change adaptation and mitigation, biodiversity conservation, and the pursuit of the SDGs should:

1. Support states to ensure that the tenure and governance rights of community women, Indigenous Peoples, Afro-descendant Peoples, and local communities are fully respected, irrespective of the status of their rights under national law.
2. Actively support governments to eliminate all gender-discriminatory legal provisions and mainstream gender-transformative provisions in all statutory laws and policies applicable to community lands, forests, waters, and other natural resources—including those that legally recognize customary laws, practices, and tenure systems.
3. Develop funding pathways and mechanisms that provide flexible, consistent, and long-term support to Indigenous Peoples, Afro-descendant Peoples, local communities, and community women’s organizations and associations, including by minimizing administrative barriers that hinder rightsholder and women’s organizations from accessing or using dedicated funding.
4. Accelerate direct, fit-for-purpose funding to Indigenous, Afro-descendant, and local community women’s groups, organizations and associations, in alignment with RRI and WiGSA’s Call to Action for gender inclusive climate, conservation, and development financing.
5. Prioritize context-based, gender-responsive, and gender-transformative legal, technical and financial support to Indigenous, Afro-descendant, and local community women’s groups and associations to advance their self-determined priorities.
6. Buttress the implementation of gender-transformative customary laws and associated customary governance institutions with technical assistance, targeted messaging campaigns, and other tailored support.
7. Foster cross-regional networks to share knowledge, strategies, and resources toward the advancement of Indigenous, Afro-descendant, and local community women’s rights, and favor collaborations that enhance social, economic, and environmental outcomes for women and their communities.
8. Adopt, implement, and promote the highest international standards for human rights and environmental due diligence and engagements with Indigenous Peoples, Afro-descendant Peoples, local communities, and the women within these groups, as articulated by the Land Rights Standard, UNEP’s Core Human Rights Principles for Private Conservation Organizations and Funders, the UN Guiding Principles on Business and Human Rights, and the Gender Dimensions of the Guiding Principles on Business and Human Rights.

7.4 Recommendations for private sector entities, conservation organizations, and nature-based project proponents.

In addition to legal obligations applicable to enterprises under national laws, enterprises have responsibilities to respect all human rights, including those related to gender equality, Indigenous Peoples, Afro-descendant Peoples, local communities, and the right to a clean, healthy and sustainable environment. To satisfy these responsibilities, enterprises must conduct effective, ongoing human and environmental due diligence, and must assess, prevent, mitigate, and effectively remedy all adverse impacts to human rights that their actions cause or contribute to.²⁹⁴

As secure land and resource tenure are cornerstones of communities' and community women's human rights, non-state actors—including private sector entities, investors, conservation organizations, and carbon and biodiversity crediting schemes or voluntary market initiatives—involved in landscape level interventions should abide by the following recommendations, irrespective of the status of Indigenous Peoples', Afro-descendant Peoples', local communities', and community women's rights under national law:

1. Ensure that all landscape level interventions and interactions with states and other enterprises actively advance the recognition and realization of community women's equal tenure rights and the tenure rights of their broader communities, including in the context of legislative reform processes. Under no circumstances should enterprises support rollbacks of legally recognized rights to community lands or resources, or otherwise hinder the full recognition and realization of those rights.
2. Adopt the Land Rights Standard, implement associated principles as binding, and adhere to the highest international standards for human rights and environmental due diligence and engagements with Indigenous Peoples, Afro-descendant Peoples, and local communities, as articulated in the UN Guiding Principles on Business and Human Rights, the Gender Dimensions of the Guiding Principles on Business and Human Rights, and UNEP's Core Human Rights Principles for Private Conservation Organizations and Funders.
3. Proactively ensure equal opportunities for the effective, accessible, and ongoing participation of community women in project-related investments and operations, ensuring that community women's rights, voices and contributions to nature-based solutions and sustainable development initiatives are recognized, respected, and integrated throughout the design and implementation of all landscape level interventions, and especially in all FPIC and/or other collective decision-making processes.
4. Ensure zero tolerance for violence, harassment, or intimidation against women and girls in all project operations, and adopt preventive and corrective measures to protect Indigenous, Afro-descendant, and local community women—including community women who are environmental and human rights defenders—from project-related violations, including access to justice and effective, gender-transformative remedies for harms or violations incurred.
5. Provide all members of Indigenous Peoples, Afro-descendant Peoples, and local communities with access to operational-level grievance mechanisms capable of providing effective, gender-transformative remedies where non-state actors cause or contribute to violations of any of the aforementioned rights. Such mechanisms should be designed and operated in a manner reflective of continuous engagement with community rights-holders, including community women; deemed legitimate and trustworthy by communities and community women; accessible; predictable; equitable; transparent; human-rights compatible; and a source of continuous learning for improvements aimed at preventing future grievances and associated harms.
6. Promote and support opportunities for community women-led climate, conservation, and development/livelihoods initiatives, and pursue equal partnerships with community women in these areas that affirm community women's leadership, rights, traditional knowledge, and nature stewardship contributions.

Annex 1 | International Legal Instruments Recognizing Women's Tenure Rights: Gender- and Sex-specific Provisions

The below list highlights key international laws and associated instruments that recognize the land tenure rights of Indigenous women, Afro-descendant women, and local community women, as well as their broader communities, as of December 2024. It is meant as a guidance tool rather than a comprehensive set of all relevant laws or instruments, and the specific articles referenced do not necessarily encompass all legal provisions within these instruments that pertain to community women's or communities' tenure rights.

Instrument	Provisions
Universal Declaration of Human Rights	Articles 2 and 17: Guarantees all freedoms in the Declaration—including the right to own property alone or in association with others—to all persons without distinction to sex.
International Covenant on Civil and Political Rights (ICCPR)	Article 3: States Parties must “undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights ... in the present Covenant.” Article 26: “[T]he law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as ... sex .”
International Covenant on Economic, Social and Cultural Rights (ICESCR)	Article 2: States Parties must “undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to ... sex .” Article 3: States Parties must “undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights ... in the present Covenant.”
International Covenant on Economic, Social and Cultural Rights, General Comment No. 26	13. Women are among those who are disproportionately affected by poor access to, use of, control over and bad governance of land, threatening their rights under the Covenant and potentially leading to discrimination, including intersectional discrimination. [...] [T]he Committee noted that women have a right to own, use or otherwise control housing, land and property on an equal basis with men, and to access necessary resources to do so (paragraph 28). In its General Comment No. 12 (1999), the Committee recognized the importance of full and equal access to economic resources, particularly for women, including the right to inheritance and the ownership of land (paragraph 26). 14. [...] States should also monitor and regulate customary law, which in many countries has an important role in governing land, to protect the rights of women and girls who are affected by traditional inheritance rules of male primogeniture . 15. [...] Ensuring that women enjoy the rights enshrined in the Covenant on an equal basis to men requires the removal of traditional land regulations and structures that discriminate against women . [...]

Instrument	Provisions
<p>International Covenant on Economic, Social and Cultural Rights, General Comment No. 24 (2017)</p>	<p>8. Among the groups that are often disproportionately affected by the adverse impact of business activities are women, children, indigenous peoples, particularly in relation to the development, utilization or exploitation of lands and natural resources, peasants, fisherfolk and other people working in rural areas, and ethnic or religious minorities [...]</p> <p>9. Certain segments of the population face a greater risk of suffering intersectional and multiple discrimination. For instance, investment-linked evictions and displacements often result in physical and sexual violence against, and inadequate compensation and additional burdens related to resettlement for, women and girls. In the course of such investment-linked evictions and displacements, indigenous women and girls face discrimination both due to their gender and because they identify as indigenous people. [...] States parties address the specific impacts of business activities on women and girls, including indigenous women and girls, and incorporate a gender perspective into all measures to regulate business activities that may adversely affect economic, social and cultural rights, including by consulting the Guidance on National Action Plans on Business and Human Rights.</p>
<p>International Covenant on Economic, Social and Cultural Rights, General Comment No. 15 (2002)</p>	<p>Paragraph 2: “The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses.”</p> <p>Paragraph 6: “Water is required for a range of different purposes, besides personal and domestic uses, to realize many of the Covenant rights [including the human rights to adequate food, health, livelihoods, and take part in cultural life.] ...Nevertheless,, priority in the allocation of water must be given to the right to water for personal and domestic uses.”</p>
<p>Convention on the Elimination of All Forms of Discrimination against Women (1981)</p>	<p>Article 1: “[D]iscrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”</p> <p>Required legislative prohibitions and reforms—Article 2: “State Parties ... agree to: pursue by all appropriate means and without delay a policy of eliminating discrimination against women, and ... undertake” to:</p> <ul style="list-style-type: none"> • Adopt and enforce “legislative ... measures ... prohibiting all discrimination against women,” and embodying “the equality of men and women.” • “Refrain from ... any act or practice of discrimination against women” and “take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise.” • “[M]odify or abolish existing laws, regulations, customs and practices which constitute discrimination against women.” <p>Political participation/leadership—Article 7: “States Parties shall take all appropriate measures to eliminate discrimination against women in political and public life, and ... shall ensure to women, on equal terms with men, ... the right:</p> <ul style="list-style-type: none"> • “To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies.” • “To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government.” • “To participate in non-governmental organizations and associations concerned with the public and political life of the country.”

Instrument	Provisions
<p><i>Continued</i></p> <p>Convention on the Elimination of All Forms of Discrimination against Women (1981)</p>	<p>Rural women—Article 14: “States Parties shall take into account the particular problems faced by rural women” and the “significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy ...”</p> <p>(2): States Parties “shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and ... shall ensure to such women the right: (f): To participate in all community activities.”</p> <p>Legal Capacity/Dispute Resolution—Article 15: States Parties shall:</p> <ul style="list-style-type: none"> • “Accord to women equality with men before the law.” • “Give women equal rights to ... conclude contracts and to administer property.” • “Treat [women] equally in all stages of procedure in courts and tribunals.” • “Accord to men and women the same rights with regard to ... the freedom to choose their residence and domicile.” <p>Family relations—Article 16: “States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and ... shall ensure:</p> <p>(c) The same rights and responsibilities during marriage and at its dissolution; ...</p> <p>(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment, and disposition of property.”</p>
<p>General Recommendation No. 34 on the rights of rural women – Convention on the Elimination of All Forms of Discrimination against Women (2016)</p>	<p>9. States parties should ensure that legal frameworks are non-discriminatory and guarantee access to justice to rural women, in line with general recommendation No. 33, including by: [...]</p> <p>(b) Enacting legislation to regulate the relationship between different mechanisms within plural legal systems in order to reduce conflicts of law and ensure that rural women may claim their rights.</p> <p>23. [...] They should eliminate discriminatory stereotypes, including those that compromise the equal rights of rural women to land, water and other natural resources.</p> <p>54. To ensure the active, free, effective, meaningful and informed participation of rural women in political and public life, and at all levels of decision-making, States parties should implement general recommendations Nos. 23 and 25, and specifically: (a) Establish quotas and targets for rural women’s representation in decision-making positions, specifically in parliaments and governance bodies at all levels, including in land, forestry, fishery and water governance bodies, as well as natural resource management.</p> <p>56. The Committee considers rural women’s rights to land, natural resources, including water, seeds and forests, and fisheries as fundamental human rights.</p> <p>57. States parties should take all measures, including temporary special measures, necessary to achieve the substantive equality of rural women in relation to land and natural resources, [...]. States parties should pay special attention to customary systems, which often govern land management, administration and transfer, in particular in rural areas, and ensure that they do not discriminate against rural women.</p>

Instrument	Provisions
<p><i>Continued</i></p> <p>General Recommendation No. 34 on the rights of rural women – Convention on the Elimination of All Forms of Discrimination against Women (2016)</p>	<p>59. States parties should ensure that legislation guarantees rural women’s rights to land, water and other natural resources on an equal basis with men, irrespective of their civil and marital status or of a male guardian or guarantor, and that they have full legal capacity. They should ensure that indigenous women in rural areas have equal access with indigenous men to ownership and possession of and control over land, water, forests, fisheries, aquaculture and other resources that they have traditionally owned, occupied or otherwise used or acquired ...</p>
<p>General Recommendation No. 37 on gender-related dimensions of disaster risk reduction in a changing climate (2018)</p>	<p>2. [...] Situations of crisis exacerbate pre-existing gender inequalities and compound the intersecting forms of discrimination against, among others, women living in poverty, indigenous women, women belonging to ethnic, racial, ... minority groups ...</p> <p>26. States parties should ensure that all policies, legislation, plans, programmes, budgets and other activities relating to disaster risk reduction and climate change are gender responsive and grounded in human rights-based principles, including the following:</p> <p>(a) Equality and non-discrimination, with priority being accorded to the most marginalized groups of women and girls, such as those from indigenous, racial, ethnic ... minority groups ...</p>
<p>General Recommendation No. 39 on the rights of Indigenous women and girls – Convention on the Elimination of All Forms of Discrimination against Women (2022)</p>	<p>16. The prohibition of discrimination in articles 1 and 2 of the Convention applies to all rights of Indigenous women and girls under the Convention, including, by extension, those set out in the Declaration, which is of fundamental importance to the interpretation of the Convention in the current context.</p> <p>58. Indigenous women and girls have a key role in their communities in securing food, water and forms of livelihood and survival. The dispossession of their territories, forced displacement and lack of recognition of Indigenous land rights limits their opportunities to achieve food and water security and to manage these needed natural resources. The implementation of extractive and other economic activities and development projects can cause food and water contamination, [...] States should adopt urgent measures to ensure that Indigenous women and girls have adequate access to sufficient food, nutrition and water.</p> <p>60. The right to a clean, healthy and sustainable environment encompasses a safe and stable climate; safe and adequate food and water; healthy ecosystems and biodiversity; a non-toxic environment; participation; access to information; and access to justice in environmental matters.</p> <p>23 [...]</p> <p>(e) Adopt legislation to fully ensure the rights of Indigenous women and girls to land, water and other natural resources, including their right to a clean, healthy and sustainable environment, and that their equality before the law is recognized and respected, as well as ensuring that Indigenous women in rural and urban areas have equal access to ownership, title, possession and control of land, water, forests, fisheries, aquaculture and other resources that they have owned, occupied or otherwise used or acquired, including by protecting them against discrimination and dispossession.</p>
<p>General Recommendation No. 40</p>	<p>17. Under the Convention, States parties must address discrimination against women that intersects with other forms of discrimination [...] No. 34 (2016) on the rights of rural women and No. 39 (2022) on the rights of Indigenous women and girls, in all of which it calls for equal and inclusive decision-making ...</p>

Instrument	Provisions
<p><i>Continued</i></p> <p>General Recommendation No. 40</p>	<p>26. [...]</p> <p>(a) Ensure the full implementation of the Convention, including by abolishing all discriminatory legislative provisions and ensuring equality before the law, including in the Constitution, ... adopting legislation and other measures for substantive equality in all fields, ... and harmonizing customary law with the Convention.</p> <p>(b) Amend the constitution and legislative frameworks to institutionalize fifty-fifty parity between women and men in all spheres of decision-making.</p> <p>49. [...]</p> <p>(a) Adopt laws and other measures to ensure parity in decision-making positions at all levels in public administration and the judiciary, including local, customary and informal justice systems ...</p>
<p>United Nations Declaration on the Rights of Indigenous Peoples (2007)</p>	<p>Article 21: Indigenous Peoples, including indigenous women, have the right to improve their economic and social conditions without discrimination.</p> <p>Article 22: (1) "Particular attention shall be paid to the rights and special needs of indigenous ... women, ..." and to protections regarding violence and discrimination against women.</p> <p>Article 26: Indigenous Peoples have the right to land, territories and resources that they have traditionally owned, occupied or otherwise held.</p>
<p>United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) (2018)</p>	<p>Article 2</p> <p>2. Particular attention shall be paid in the implementation of the present Declaration to the rights ..., including women, ... taking into account the need to address multiple forms of discrimination.</p> <p>Article 4</p> <p>1. States shall take all appropriate measures to eliminate all forms of discrimination against peasant women and other women working in rural areas and to promote their empowerment in order to ensure, on the basis of equality between men and women, that they fully and equally enjoy all human rights and fundamental freedoms and that they are able to freely pursue, participate in and benefit from rural economic, social, political and cultural development.</p> <p>2. States shall ensure that peasant women and other women working in rural areas enjoy without discrimination all the human rights and fundamental freedoms set out in the present Declaration and in other international human rights instruments, including the rights:</p> <p>(a) To participate equally and effectively in the formulation and implementation of development planning at all levels; [...]</p> <p>(e) To organize self-help groups, associations and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment;</p> <p>(f) To participate in all community activities;</p> <p>(g) To have equal access to financial services, agricultural credit and loans, marketing facilities and appropriate technology;</p> <p>(h) To equal access to, use of and management of land and natural resources, and to equal or priority treatment in land and agrarian reform and in land resettlement schemes; [...]</p> <p>(j) To be free from all forms of violence.</p>

Instrument	Provisions
<p><i>Continued</i></p> <p>United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) (2018)</p>	<p>Article 17</p> <p>1. Peasants and other people living in rural areas have the right to land, individually and/or collectively</p> <p>Article 19</p> <p>1. Peasants and other people working in rural areas have the right to seeds, in accordance with article 28 of the present Declaration, including:</p> <ul style="list-style-type: none"> (a) The right to the protection of traditional knowledge relevant to plant genetic resources for food and agriculture; (b) The right to equitably participate in sharing the benefits arising from the utilization of plant genetic resources for food and agriculture; (c) The right to participate in the making of decisions on matters relating to the conservation and sustainable use of plant genetic resources for food and agriculture. [...] <p>2. Peasants and other people working in rural areas have the right to maintain, control, protect and develop their own seeds and traditional knowledge.</p>
<p>UN Framework Convention on Climate Change</p>	<p>Paragraph 7: Recognizes “the need to engage a broad range of stakeholders at the global, regional, national and local levels, ... and that gender equality and the effective participation of women and indigenous peoples are important for effective action on all aspects of climate change.”</p> <p>Appendix 1 (Safeguards), paragraph 2: REDD+ countries should promote and support: Actions that “complement or are consistent with ... relevant international conventions and agreements” (which would include CEDAW); the full and effective participation of relevant stakeholders, in particular Indigenous Peoples and local communities, during REDD+ initiatives; REDD+ processes developed and implemented in a gender-considerate manner.</p>
<p>Enhanced Lima work programme on gender and its gender action plan</p>	<p>5. To achieve and sustain the full, equal and meaningful participation of women in the UNFCCC process.</p>
<p>CBD/COP/DEC/15/11 – Gender Plan of Action</p>	<p>1. The purpose of the Gender Plan of Action is to support and promote the gender responsive implementation of the Kunming-Montréal Global Biodiversity Framework. [...]</p> <p>2. [...]</p> <ul style="list-style-type: none"> (c) Applying a human rights-based approach to advancing gender equality in the conservation and sustainable use of biodiversity and the fair and equitable sharing of benefits arising from the utilization of genetic resources, and noting that resolution A/RES/76/300 adopted by the United Nations General Assembly recognized the right to a clean, healthy and sustainable environment as a human right. International human rights instruments and mechanisms, including the Convention for the Elimination of All Forms of Discrimination against Women, and the committee of experts it establishes, offer critical guidance for gender responsive environmental action that benefits both people and planet; (d) Addressing the intersecting ways in which gender inequalities may be amplified for all women and girls. Women and men, and boys and girls around the world, experience marginalization in different, multiple and intersecting ways depending on their ethnicity, social status, caste, age, and environment, among other factors. [...]

Instrument	Provisions
<p><i>Continued</i></p> <p>CBD/COP/DEC/15/11 – Gender Plan of Action</p>	<p>(e) Ensuring meaningful and effective engagement and empowerment of women and girls from indigenous peoples and local communities. Indigenous women and girls, and those from local communities are integrally involved in the conservation and sustainable use of biodiversity, and yet continue to face discrimination and remain marginalized in decision-making processes, access and ownership over resources including land. As such, it is proposed that implementation of the Gender Plan of Action include a focus on empowering and supporting the meaningful, informed and effective engagement of women and girls from indigenous peoples and local communities to address their rights, needs and interests, and to recognize and value their traditional knowledge, innovations, practices, technologies and cultures and their related rights in support of the conservation and sustainable use of biodiversity, and in the fair and equitable sharing of benefits.</p>
<p>Kunming-Montréal Global Biodiversity Framework</p>	<p>Target 22. States are to ensure the full, equitable, inclusive, effective and gender-responsive representation and participation in decision-making, including access to justice for Indigenous Peoples, local communities, women and girls, and the full protection of environmental human rights defenders.</p> <p>Target 23. Ensure gender equality in the implementation of the Framework through a gender-responsive approach, where all women and girls have equal opportunity and capacity to contribute to the three objectives of the Convention, including by recognizing their equal rights and access to land and natural resources and their full, equitable, meaningful and informed participation and leadership at all levels of action, engagement, policy and decision-making related to biodiversity.</p>
<p>UN Convention to Combat Desertification</p>	<p>Article 5 [...] (d) promote awareness and facilitate the participation of local populations, particularly women and youth, with the support of nongovernmental organizations, in efforts to combat desertification and mitigate the effects of drought.</p> <p>Article 10 [...] (f) provide for effective participation at the local, national and regional levels of non-governmental organizations and local populations, both women and men, particularly resource users, including farmers and pastoralists and their representative organizations, in policy planning, decision-making, and implementation and review of national action programmes.</p>
<p>UNCCD – Gender Action Plan</p>	<p>Goal</p> <p>The purpose of the gender action plan is to make the implementation of the Convention and the UNCCD 2018–2030 Strategic Framework gender-responsive and transformative ... on policies and measures to mainstream gender and achieve gender equality and the empowerment of women and girls.</p> <p>Objectives</p> <ul style="list-style-type: none"> • To enhance women’s role as agents of change by addressing the gender inequalities they face; • To build the capacities of women and girls to access the resources they need to improve their livelihoods, manage land sustainably and become resilient to drought.

Instrument	Provisions
<p>Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (The Maputo Protocol) (2004)</p>	<p>Article 18</p> <p>1. Women shall have the right to live in a healthy and sustainable environment.</p> <p>2. States Parties shall take all appropriate measures to:</p> <p>a) ensure greater participation of women in the planning, management and preservation of the environment and the sustainable use of natural resources at all levels; [...]</p> <p>c) protect and enable the development of women's indigenous knowledge systems. [...]</p> <p>Article 19. Women shall have the right to fully enjoy their right to sustainable development.</p>
<p>UNGA Resolution A/RES/76/300 – The human right to a clean, healthy and sustainable environment</p> <p>UNHRC Resolution A/HRC/48/L.23/Rev.1 – The human right to a safe, clean, healthy and sustainable environment</p>	<p>Preamble</p> <p>Recognizing that, while the human rights implications of environmental damage are felt by individuals and communities around the world, the consequences are felt most acutely by women and girls and those segments of the population that are already in vulnerable situations, including indigenous peoples ...</p> <p>Recognizing also the importance of gender equality, gender-responsive action to address climate change and environmental degradation, the empowerment, leadership, decision-making and full, equal and meaningful participation of women and girls, and the role that women play as managers, leaders and defenders of natural resources and agents of change in safeguarding the environment.</p>
<p>A/HRC/37/59 Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment</p>	<p>7. The obligations of States to prohibit discrimination and to ensure equal and effective protection against discrimination apply to the equal enjoyment of human rights relating to a safe, clean, healthy and sustainable environment.</p> <p>26. States must provide members of the public with an adequate opportunity to express their views, and take additional steps to facilitate the participation of women and of members of marginalized communities (framework principle 14).</p> <p>41. Those who are at greater risk from environmental harm for either or both reasons often include women, children, persons living in poverty, members of indigenous peoples and traditional communities, older persons, persons with disabilities, ethnic, racial or other minorities ...</p>
<p>International Finance Corporation (IFC) Performance Standards on Environmental and Social Sustainability (2012)</p>	<p>Business actors must:</p> <ul style="list-style-type: none"> • Identify disadvantaged or vulnerable individuals and groups that may be “directly and differentially or disproportionately” affected by the project (including women) and “propose and implement differentiated measures so that adverse impacts do not fall disproportionately on them and they are not disadvantaged in sharing development benefits and opportunities.” Performance Standard 1, paragraph 12. • Inclusively engage and informatively consult with Indigenous Peoples and/or local communities, including women, when assessing and managing environmental and social risks (Performance Standard 1, paras. 30–31), when engaging in project-related land acquisition and involuntary resettlement processes (Performance Standard 5, paragraph 10), and when abiding by FPIC principles in the context of projects involving Indigenous Peoples (Performance Standard 7, paragraph 14).

Instrument	Provisions
<p>World Bank Environmental and Social Framework</p>	<p><u>ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement</u></p> <p>Community Engagement</p> <p>18. The consultation process should ensure that women’s perspectives are obtained and their interests factored into all aspects of resettlement planning and implementation. Addressing livelihood impacts may require intra-household analysis in cases where women’s and men’s livelihoods are affected differently. Women’s and men’s preferences in terms of compensation mechanisms, such as replacement land or alternative access to natural resources rather than in cash, should be explored.</p> <p><u>ESS7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities</u></p> <p>3. This ESS recognizes that Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities have identities and aspirations that are distinct from mainstream groups in national societies and often are disadvantaged by traditional models of development. In many instances, they are among the most economically marginalized and vulnerable segments of the population. Their economic, social, and legal status frequently limits their capacity to defend their rights to, and interests in, land, territories and natural and cultural resources, and may restrict their ability to participate in and benefit from development projects. In many cases, they do not receive equitable access to project benefits, or benefits are not devised or delivered in a form that is culturally appropriate, and they may not always be adequately consulted about the design or implementation of projects that would profoundly affect their lives or communities. This ESS recognizes that the roles of men and women in indigenous cultures are often different from those in the mainstream groups, and that women and children have frequently been marginalized both within their own communities and as a result of external developments, and may have specific needs.</p> <p>Impacts on lands and natural resources subject to traditional ownership or under customary use or occupation</p> <p>Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities are often closely tied to their land and related natural resources. Frequently, land is traditionally owned or under customary use or occupation. While Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities may not possess legal title to land as defined by national law, their use of the land, including seasonal or cyclical use, for their livelihoods, or for cultural, ceremonial, and spiritual purposes that define their identity and community, can often be substantiated and documented. [...]</p> <p>The assessment of land and natural resource use will be gender inclusive and specifically consider women’s role in the management and use of these resources.</p>
<p>Beijing Declaration and Platform for Action</p>	<p><u>Declaration</u></p> <p>32. Intensify efforts to ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language, ethnicity, culture, religion, or disability, or because they are indigenous people.</p>

Instrument	Provisions
<p><i>Continued</i></p> <p>Beijing Declaration and Platform for Action</p>	<p>46. The Platform for Action recognizes that women face barriers to full equality and advancement because of such factors as their race, age, language, ethnicity, culture, religion or disability, because they are indigenous women or because of other status.</p> <p><u>Strategic objective A.2. Revise laws and administrative practices to ensure women's equal rights and access to economic resources</u></p> <p>Actions to be taken</p> <p>61. By Governments:</p> <p>(b) Undertake legislative and administrative reforms to give women full and equal access to economic resources, including the right to inheritance and to ownership of land and other property, credit, natural resources and appropriate technologies;</p> <p>(c) Consider ratification of Convention No. 169 of the International Labour Organization (ILO) as part of their efforts to promote and protect the rights of indigenous people.</p> <p><u>Strategic objective D.1. Take integrated measures to prevent and eliminate violence against women</u></p> <p>Actions to be taken</p> <p>124. By Governments:</p> <p>(a) Condemn violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women; ...</p> <p>(c) Enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society; ...</p> <p>(f) Implement the Convention on the Elimination of All Forms of Discrimination against Women, taking into account general recommendation 19, adopted by the Committee on the Elimination of Discrimination against Women at its eleventh session.</p> <p>125. By Governments, including local governments, community organizations, non-governmental organizations, educational institutions, the public and private sectors, particularly enterprises, and the mass media, as appropriate:</p> <p>(e) Organize, support and fund community-based education and training campaigns to raise awareness about violence against women as a violation of women's enjoyment of their human rights and mobilize local communities to use appropriate gender-sensitive traditional and innovative methods of conflict resolution.</p> <p><u>Strategic objective F.1. Promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources</u></p> <p>Actions to be taken</p> <p>165. By Governments:</p> <p>(e) Undertake legislation and administrative reforms to give women equal rights with men to economic resources, including access to ownership and control over land and other forms of property, credit, inheritance, natural resources and appropriate new technology.</p>

Instrument	Provisions
<p><i>Continued</i></p> <p>Beijing Declaration and Platform for Action</p>	<p><u>Strategic objective G.1. Take measures to ensure women’s equal access to and full participation in power structures and decision-making</u></p> <p>Actions to be taken 190. By Governments:</p> <ul style="list-style-type: none"> (c) Protect and promote the equal rights of women and men to engage in political activities and to freedom of association, including membership in political parties and trade unions ... ; (g) Encourage greater involvement of indigenous women in decision-making at all levels. <p><u>Strategic objective K.1. Involve women actively in environmental decision-making at all levels</u></p> <p>Actions to be taken 253. By Governments, at all levels, including municipal authorities, as appropriate:</p> <ul style="list-style-type: none"> (a) Ensure opportunities for women, including indigenous women, to participate in environmental decision-making at all levels, including as managers, designers and planners, and as implementers and evaluators of environmental projects. <p><u>Strategic objective K.2. Integrate gender concerns and perspectives in policies and programmes for sustainable development</u></p> <p>Actions to be taken 256. By Governments:</p> <ul style="list-style-type: none"> (a) Integrate women, including indigenous women, their perspectives and knowledge, on an equal basis with men, in decision-making regarding sustainable resource management and the development of policies and programmes for sustainable development, including in particular those designed to address and prevent environmental degradation of the land.
<p>United Nations Guiding Principles on Business and Human Rights</p>	<p>Commentary on Principle 3:</p> <p>Guidance to business enterprises on respecting human rights should indicate expected outcomes and help share best practices. It should advise on appropriate methods, including human rights due diligence, and how to consider effectively issues of gender, vulnerability and/or marginalization, recognizing the specific challenges that may be faced by indigenous peoples, women, national or ethnic minorities ...</p> <p>Commentary on Principle 12:</p> <p>Depending on circumstances, business enterprises may need to consider additional standards. For instance, enterprises should respect the human rights of individuals belonging to specific groups or populations that require particular attention, where they may have adverse human rights impacts on them. In this connection, United Nations instruments have elaborated further on the rights of indigenous peoples; women; national or ethnic, religious and linguistic minorities ...</p>

Instrument	Provisions
<p>A/HRC/41/43 – Report on gender lens to the Guiding Principles on Business and Human Rights</p>	<p>Gender Dimensions of the Guiding Principles on Business and Human Rights</p> <p>Guiding Principle 3</p> <p>(d) State policies, including those concerning implementation of the Sustainable Development Goals, should be gender-transformative. For example, policies related to poverty, health, housing, education, sanitation, decent work, land and climate change should address the root causes of discrimination against women.</p> <p>Guiding Principle 4</p> <p>(g) States should require all State-owned or State-controlled business enterprises to establish effective gender-responsive grievance mechanisms.</p> <p>Guiding Principle 12</p> <p>(d) Business enterprises should be aware of the intertwined layers of discrimination faced by women because of intersectionality: different women may be affected differently by business activities ... ethnicity, ... indigenous or minority status.</p> <p>(e) When business enterprises may adversely affect indigenous women, they should take into account the rights, including to self-determination and of free, prior and informed consent, set out in the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization and in the United Nations Declaration on the Rights of Indigenous Peoples.</p> <p>Guiding Principle 18</p> <p>35. In identifying and assessing any actual or potential adverse human rights impacts, business enterprises should adopt a gender-responsive approach, draw on gender experts, and conduct meaningful consultations with potentially affected women, women’s organizations (including grass-roots organizations) and women human rights defenders.</p> <p>Guiding Principle 20</p> <p>(c) Business enterprises should engage women, women’s organizations and local community groups to assess the effectiveness of their gender-transformative responses.</p> <p>Guiding Principle 22</p> <p>43. Business enterprises should provide for, or cooperate in the provision of, gender-transformative remedies where they identify that they have caused or contributed to adverse human rights impacts.</p> <p>Guiding Principle 25</p> <p>49. States must ensure that all necessary judicial, administrative, legislative or other steps that they take to provide affected persons with access to effective remedies for business-related human rights abuses are gender-transformative.</p> <p>Guiding Principle 27</p> <p>(e) States should ensure that customary or indigenous justice systems operate in line with women’s international human rights standards.</p>

Instrument	Provisions
<p>Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (2012) Updated in 2020</p>	<p>Preface: "It is important to note that responsible governance of tenure of land, fisheries and forests is inextricably linked with access to and management of other natural resources, such as water and mineral resources ..."</p> <p>1.1: "These Voluntary Guidelines seek to improve governance of land [as defined in the national context], fisheries and forests ..."</p> <p>3.2: "Non-state actors including business enterprises have a responsibility to respect human rights and legitimate tenure rights ... [and] should act with due diligence to avoid infringing on the human rights and legitimate tenure rights of others ..."</p> <p>5.3: "States should ensure that policy, legal and organizational frameworks for tenure governance recognize and respect ... legitimate tenure rights including legitimate customary tenure rights that are not currently protected by law; and facilitate, promote and protect the exercise of tenure rights ... States should provide frameworks that are non-discriminatory and promote social equity and gender equality ..."</p> <p>5.4: "States should consider the particular obstacles faced by women and girls with regard to tenure and associated tenure rights, and take measures to ensure that legal and policy frameworks provide adequate protection for women and that laws that recognize women's tenure rights are implemented and enforced ..."</p> <p>9.1: "State and non-state actors should acknowledge that land, fisheries and forests have social, cultural, spiritual, economic, environmental and political value to indigenous peoples and other communities with customary tenure systems."</p> <p>9.4: "States should provide appropriate recognition and protection of the legitimate tenure rights of indigenous peoples and other communities with customary tenure systems, consistent with existing obligations under national and international law ..."</p>
<p>Voluntary Guidelines on Gender Equality and Women's and Girls' Empowerment in the Context of Food Security and Nutrition (2023)</p>	<p>69. Governments are urged to:</p> <ul style="list-style-type: none"> (i) Design, strengthen, and implement legislation or introduce new legislation, as appropriate, to promote equal access to and control over natural resources for all women. [...] (ii) Promote that all women and girls, including from Indigenous Peoples, and local communities, have equal, secure and transparent legitimate tenure rights, as applicable, and safe access to and control over and use of land, water, fisheries and forests [...] <p>70. Governments, with the support of all relevant stakeholders, including civil society, Indigenous Peoples, local communities, private sector, and development partners, should:</p> <ul style="list-style-type: none"> (i) Advance knowledge on land tenure as well as user rights in fisheries as a crucial step towards achieving gender equal governance of fisheries and attaining food security and nutrition and livelihood benefits. (ii) Promote and support full, equal and meaningful participation of women, including young women, Indigenous women and women with disabilities, in the management, transmission and governance of natural resources at all levels, including of customary institutions, recognizing the importance of traditional and Indigenous Peoples' knowledge systems. [...] (vi) Promote the full, equal and meaningful participation and leadership of women, including Indigenous women, in all aspects of climate and environmental policy formulation and actions at all levels.

Instrument	Provisions
<p>Sustainable Development Goals (2016)</p>	<p>Goal 1.4: “By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources ... ownership and control over land and other forms of property, inheritance, [and] natural resources.”</p> <p>Goal 5.1: “End all forms of discrimination against all women and girls everywhere.”</p> <p>Goal 5.a: “Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance, and natural resources, in accordance with national laws.”</p>



Women of the Ipetí-Emberá community of Panama dance with members of WiGSA in the main Maloka of the Alto Bayano Collective Territory, Panama. Photo by Walter Hurtado for Rights and Resources Initiative, 2023.

Annex 2 | Methodology Note—Depth of Rights and Gender

1. Sources of Law

This analysis tracks the recognition of Indigenous Peoples', Afro-descendant Peoples', and local communities' collective rights to forestlands and resources, as well as the specific rights of women to those same community lands and resources. As in other RRI analyses, the results of this study rely on analysis of national-level, legally binding sources of law, including national legislation and regulations addressing the recognition of Indigenous Peoples', Afro-descendant Peoples', and local communities' rights; land, forests, and agriculture (where forestry is considered); succession; marriage; and other subjects related to women's tenure rights. Non-legally binding documents are referenced where they add to or clarify the manner in which binding sources of law are to be implemented or interpreted. Expert opinions and information found in the literature provided guidance on the interpretations and interactions of laws cited in this report. Laws entering into force after December 31, 2024, were not considered.

2. Data Collection and Review

Data were collected in several phases over a period of approximately 24 months. Existing “bundle of rights” (also referred to as “Depth of Rights”) data regularly updated through various RRI analyses and Gender data last published in *Power and Potential* (2017) were updated for 30 countries to reflect legislative changes affecting the recognition of community-based forest tenure between November 1, 2016 and December 31, 2024. Five additional countries (Ecuador, Ghana, Lao PDR, Madagascar, and Nicaragua) were reviewed for the presence of CBTRs, and Depth of Rights and Gender assessments were conducted for each of the CBTRs identified.

A desk review of national constitutions and legislation broadly concerning land and forests, marriage, and inheritance was also conducted to inform the assessment of the overarching indicators in the study.

The desk review was followed by an expert review process during which preliminary data for both the bundle of rights assessments and the Gender assessment were submitted to individuals with country-level expertise to verify their accuracy and completeness. Overall, reviews of country data were solicited from nearly 280 people globally in 2023–2024, and reviews of data for individual countries were received from more than 80 experts. All efforts were made to include the most up-to-date laws and regulations in the study and to ensure that its legal interpretations reflect country-specific contexts and nuances; however, legal interpretations can vary and may be subject to debate. RRI welcomes feedback concerning its approach, data sources, and data.

3. Methodologies Relied on in this Analysis

RRI's Tenure Tracking data monitors the legal recognition of Indigenous Peoples', Afro-descendant Peoples', and local communities'—including women's—rights to forests, land, and natural resources through databases that examine both quantitative and qualitative aspects of community rights recognition. The current analysis relies on two of RRI's core methodologies. The **Depth of Rights** methodology provides the basis for this analysis in the way of CBTRs and the rights recognized as part of these regimes. The **Gender Methodology** is the fundamental methodology driving this analysis, as it presents a comparative analytical framework that assesses **if** and **how** women's forest rights are considered within national legal frameworks recognizing CBTRs.

While both the Depth of Rights and Gender methodologies assess the rights that communities, as well as women within those communities, hold under national laws, neither methodology systematically assesses the realization of those rights in practice.

4. Changes in the Number of CBTRs Assessed

During the analysis underpinning *Power and Potential*, RRI identified a total of 80 CBTRs recognized across 30 countries as of October 2016. In this update, RRI has identified a total of 97 CBTRs recognized across 35 countries as of 2016, and 104 CBTRs recognized across the same countries as of December 2024:

1. 76 CBTRs that were recognized as of October 2016 and for which data was published in *Power and Potential* still exist as of December 2024 and are therefore included in this analysis.
2. 4 CBTRs that were legally recognized in 2016 have since been repealed or replaced as a result of legal reforms and, therefore, are not included in the 2024 analysis.

In addition to the 76 CBTRs retained from *Power and Potential*, RRI identified and incorporated **28 additional CBTRs to the data set for this study**. CBTRs were added to RRI's database for one of three reasons:

1. **Entirely new CBTRs:** A total of 11 CBTRs were created by laws that entered into force between *Power and Potential's* cut-off date for data collection (October 2016) and this study's cut-off date (December 2024).
2. **CBTRs identified in 5 new countries:** A total of 8 CBTRs were identified in the 5 new countries analyzed in 2024 (Ecuador, Ghana, Madagascar, Lao PDR, and Nicaragua). Since all 8 CBTRs were created prior to 2017, to be able to provide information on progress or setbacks in rights between 2016 and 2024, RRI analyzed these 8 CBTRs both retroactively to 2016 and in 2024. Among these 8 CBTRs, 1 CBTR corresponds to a customary regime that was already somewhat recognized in common law but was formalized in statutory law post-2016 (Allodial Interest in Ghana, formalized in 2019).
3. **CBTRs retroactively added to RRI's Gender Database:** As a result of expanded analysis of legal instruments and identification of new information through the expert review process, RRI has identified 9 additional CBTRs that existed under national law in 2016 but were not included in *Power and Potential*. These 9 CBTRs have been added to RRI's Depth of Rights and Gender Databases and assessed for the strength of protections they provided for communities' and community women's rights retroactively as of 2016, as well as for progress or setbacks between 2016 and 2024.

5. Changes to the Bundle of Rights Methodology Legal Indicators




Since 2012, RRI has tracked national-level legal recognition of the bundle of rights—including rights of access, withdrawal, management, exclusion, due process and compensation, alienation, and the duration of these rights—legally held by Indigenous Peoples, Afro-descendant Peoples, and local communities.



A. Due Process Indicator and corresponding change to the Bundle of Rights

RRI's Depth of Rights methodology has evaluated the recognition of due process and compensation rights for impacts on communities' tenure rights since its inception. As part of the Depth of Rights analysis underpinning both this report and the forthcoming Depth of Rights report, RRI carried out a review of this

indicator to ensure the bundle of rights properly reflected different legal realities and international human rights law perspectives on the right to due process of communities.

Previously, RRI assessed the recognition of communities’ Due Process and Compensation rights affirmatively or negatively in the aggregate by considering i) whether communities can judicially challenge a government’s efforts to extinguish, alienate, or revoke their rights; and ii) if, in these cases, rightsholders within the community are entitled to compensation for the lost resources. To better reflect the vast legal realities under which communities live and a comprehensive legal understanding of the rights to due process and compensation, RRI has expanded both the question and universe of answers that evaluate the right to due process. Under RRI’s revised legal indicator on Due Process, the law must recognize communities’ rights **to both prior notice and consultation and to challenge the proposed action where there would be an impact on their rights** in order to receive a “full credit” assessment. If only the right to challenge the proposed action exists in law, then a “partial credit” is assessed. If neither right is recognized, then the CBTR receives “no credit.”

Due Process	Does national law require communities to receive advanced notice and consultation when decisions or proposals could impact community rights? Does national law recognize the rights of communities to judicially or administratively challenge governmental decisions, proposals and actions that would extinguish or infringe upon community-based forest rights?
 Full Credit	National law guarantees communities’ right to prior notice and consultation regarding decisions or proposals that could impact community forest rights. In addition, national law guarantees communities’ right to judicially and/or administratively appeal a government’s decision, proposal or action to extinguish or infringe upon community-based forest rights.
 Partial Credit	National law guarantees communities’ right to judicially and/or administratively appeal governmental decisions, proposals and actions that would extinguish or infringe upon community-based forest rights, but does not guarantee community rights of prior notice and consultation regarding proposals or decisions that could impact community forest rights.
 No Credit	National law does not guarantee communities’ right to judicially and/or administratively appeal a government’s decision, proposal or action to extinguish or infringe upon community-based forest rights. Community-based rights of prior notice and consultation regarding proposals or decisions that could impact community forest rights may or may not be recognized for communities.

Compensation	Does national law recognize that communities are entitled to compensation from the government for infringing upon or extinguishing their community forest rights?
 Full Credit	National law recognizes communities’ right to seek and receive compensation for the infringement or loss of community forest rights where the government or a private entity is responsible for such harm.
 No Credit	National law does not guarantee communities compensation for the infringement or loss of their community forest rights.

Under RRI's Statutory Tenure Typology (see Figure 2), Due Process and Compensation rights are required for classification of a CBTR as "owned by Indigenous Peoples, Afro-descendant Peoples, and local communities." To maintain continuity with RRI's previous analyses, RRI will hereafter consider both "full" and "partial" assessments of the Due Process and Compensation indicator to constitute a sufficient basis for a CBTR to be considered legally owned by communities. As such, while RRI's methodology now entails the collection of more detailed data on communities' recognized due process and compensation rights, the overall analysis of CBTRs according to Tenure Category is not significantly impacted.

B. New Procedural Indicator: Free, prior and informed consent

As discussed in Box 1, RRI has developed a legal indicator to assess the recognition of Indigenous Peoples', Afro-descendant Peoples', and local communities' right to free, prior and informed consent (FPIC) as applicable to specific CBTRs for the first time. *In evaluating this indicator, RRI's intention is not to evaluate the status of recognized FPIC rights for Indigenous Peoples, Afro-descendant Peoples, and local communities under international human rights law, but rather to examine the national-level legal recognition of FPIC rights within each CBTR.* RRI's analysis demonstrates that national laws recognize the components of FPIC rights using a wide array of terms and without due regard for communities' self-identification as "Indigenous" or other identities. This new FPIC indicator is designed to capture the diversity of rightsholders and acknowledge that Indigenous Peoples, Afro-descendant Peoples, and local communities have distinct rights.

Free, Prior and Informed Consent (FPIC)	Does national law guarantee FPIC rights for Indigenous Peoples, Afro-descendant Peoples, or local communities—or their self-appointed representative institution—that are applicable to community forests?
☑ Full Credit	National law guarantees FPIC rights for all Indigenous Peoples, Afro-descendant Peoples, or local communities—or their self-appointed representative institution—regulated under the CBTR.
Ⓒ/Ⓒ Case by Case	FPIC rights are guaranteed for a subset of communities regulated by the CBTR.
☒ No Credit	National law does not guarantee FPIC rights for Indigenous Peoples, Afro-descendant Peoples, or local communities—or their self-appointed representative institutions.

6. Changes to Legal Indicators and Assessment Criteria under the Gender Methodology

A. Assessment of Constitutional Equal Protection

Under RRI's overarching **Constitutional Equal Protection** indicator, countries can receive a "full score" assessment in two scenarios:

- **Condition A:** The constitution either prohibits gender-based discrimination or contains a provision guaranteeing equal protection specific to gender. However, the constitution does not affirmatively recognize customary law, customary practices, or customary rights/tenure.
- **Condition B:** All three of the following requirements are satisfied: i) The constitution prohibits gender-based discrimination or contains a provision guaranteeing equal protection specific to gender; ii) the constitution affirmatively recognizes customary law, customary practices, or customary rights/tenure; and iii) the constitution explicitly requires customary law, customary practices, or customary

- rights/tenure to conform with all other provisions of the constitution. In prior assessments, the third requirement under condition B was only found to be satisfied in cases where the text explicitly established a requirement that customary law conform with the constitution. In this study, **a provision voiding all laws and customs that do not conform with the constitution is considered sufficient to meet this requirement under condition B.***

B. Assessment of the Affirmation of Women's Property Rights

In previous analysis, the methodology underpinning the **Affirmation of Women's Property Rights** overarching indicator was limited in scope to protections found in the constitution, land law, or other overarching environmental or agrarian law. The scope of this indicator has been expanded to also consider protections for all women's land rights that are found in civil codes or other pertinent framework legislation. As a result of the inclusion of civil codes in analysis for this indicator, 1 country (Cambodia) that was previously found not to affirm women's property rights in *Power and Potential* now receives "full credit," and 2016 results for the indicator have been retroactively revised for the present analysis.

7. Retroactive Changes to *Power and Potential* Data




Due to in-depth analysis, expansion of legal instruments captured in data collection and identification of new information and peer-reviewed data, RRI has identified 28 instances where the assessment of Gender indicators required a retroactive change. This means that 29 indicator assessments across 21 CBTRs have been retroactively revised to reflect updated understandings of laws and regulations that were in force as of October 2016. There were 2 retroactive changes for the overarching indicator on the Affirmation of Women's Property Rights, 9 retroactive changes for 9 CBTRs' Membership indicator, 4 retroactive changes for 4 CBTRs' Voting indicator, 2 retroactive changes for 2 CBTRs' Leadership indicator, 8 retroactive changes for 8 CBTRs' CBTR-specific Inheritance indicator, and 6 retroactive changes for 6 CBTRs' Dispute Resolution indicator. Retroactive changes to more than 1 indicator per CBTR occur in 6 CBTRs.

8. RRI's Legislative Pathways Methodology

As discussed in Chapters 4, 5, and 6, RRI categorizes CBTRs according to their distinct policy motivations in order to analyze the way in which such motivations impact the recognition of Indigenous Peoples', Afro-descendant Peoples', local communities', and community women's rights. These three legislative pathways are described below:

* For example, in Colombia, Article 4 of the Constitution establishes that the Constitution is the supreme law and that the Constitution will be applied over all laws or norms in cases of incompatibility. In Ghana, Article 1(2) establishes the supremacy of the Constitution and establishes that all inconsistent laws shall be void to the extent of the inconsistency. Both provisions, regardless of the negative or positive legal language, would be sufficient within RRI's methodology to satisfy requirement 3 under Condition B for a full credit score under the Equal Constitutional Protection overarching indicator.

Legislative Pathways for securing the tenure rights of Indigenous Peoples, Afro-descendant Peoples, and local communities

Legislative Pathways		Definition
 <p>Community-Oriented CBTRs</p>	<p>CBTRs established to recognize customary or community-based rights</p>	<p>Legal provisions in these CBTRs seek to recognize the community-based land rights, customs, practices, and cultural identities of Indigenous Peoples, Afro-descendant Peoples, and local communities. Laws may acknowledge the legitimacy of community-based laws, customary governance structures, and cultural practices, define “Indigenous persons” or other ethnic identities, and/or explicitly recognize “community lands” or “customary land tenure.” Such laws may be found in national constitutions, land and forestry laws, or specific regulations targeting Indigenous Peoples, Afro-descendant Peoples, and local communities.</p>
 <p>Conservation-Oriented CBTRs</p>	<p>CBTRs established to further the conservation of land and natural resources</p>	<p>Legal provisions in these CBTRs recognize community rights to land and natural resources as part of a broader effort to achieve conservation objectives. Conservation laws are often enforced through time-bound conservation and management contracts between communities inhabiting protected areas and government bodies responsible for forests and natural resource management. Some conservation-oriented laws recognize the rights of Indigenous Peoples, Afro-descendant Peoples, and/or local communities to protected lands and/or natural resources, provided communities abide by the imposed environmental and conservation provisions. These requirements may be found in conservation laws, protected-area laws, and other laws imposing environmental regulations.**</p>
 <p>Use / Exploitation-Oriented CBTRs</p>	<p>CBTRs established to regulate the use and exploitation of land and natural resources</p>	<p>Laws comprising these CBTRs provide rights to natural resources that are not necessarily limited to Indigenous Peoples, Afro-descendant Peoples, and local communities and are not primarily intended to recognize customary rights or enhance conservation. Such provisions are typically motivated by resource use or exploitation-oriented objectives, may acknowledge the rights of Indigenous Peoples, Afro-descendant Peoples, and/or local communities to use and benefit from specific natural resources, and often emphasize commercial exploitation for private actors and/or communities. Community rights conveyed in this category tend to be temporary in nature and may be subject to time-bound management contracts or concession agreements—in addition to more detailed management plans—between communities and government bodies.</p>

***It is important to note that conservation-focused regimes do not include those cases where Indigenous Peoples or local communities willingly decide to formally insert their traditional land or territory into the national conservation system. In those cases, the law would continue to recognize the ownership of land and resources, but the recognition of the communities’ rights was not premised on conservation,” Almeida 2017, 22.

Retroactive changes to 2016 data for CBTR-specific indicators: A total of 29 CBTR-level indicator assessments across 21 CBTRs and 12 countries have been retroactively revised by RRI. The following retroactive revisions to assessments as of 2016 of CBTR-specific indicators have been carried out:

Bolivia

- The assessment of Membership for Títulos Comunes para Comunidades Agro-extractivistas (Norte Amazónico) (Communal Titles for Agricultural-Extractivist Communities in the Northern Amazonian Region) was revised from “Not Addressed” to “No Credit,” due to the identification of Decree No. 29.215 which defines membership at the family level.
- The assessment of Dispute Resolution for Agrupaciones Sociales del Lugar (ASL) (Location-Based Social Associations) was revised from “Not Addressed” to “Partial Credit,” due to the identification of a special procedure for disputes concerning forest concessions under Supreme Decree No. 24453 of 1996.

Brazil

- The assessment of Membership for 3 CBTRs (Florestas Nacionais (FLONA) (National Forests); Reserva Extrativista (RESEX) (Extractive Reserve); and Reservas de Desenvolvimento Sustentável (Sustainable Development Reserves)) was revised from “Not Addressed” to “No Credit,” given that provisions explicitly define community membership at the household/familial level.
- The assessment of Membership for 3 CBTRs (Projeto de Assentamento Agro-Extrativista (PAE) (Agro-Extractivist Settlement Project); Projeto de Desenvolvimento Sustentável (Sustainable Development Projects); and Projetos de Assentamento Florestal (Forest Settlement Projects) (Unique to the northern region)) was revised from “Full Credit” to “No Credit,” given that provisions explicitly define community membership at the household/familial level.
- The assessment of CBTR-specific Inheritance for 3 CBTRs (Projeto de Assentamento Agro-Extrativista (PAE) (Agro-Extractivist Settlement Project); Projeto de Desenvolvimento Sustentável (Sustainable Development Projects); and Projetos de Assentamento Florestal (Forest Settlement Projects) (Unique to the northern region)) was revised from “Partial Credit” to “Not Addressed.” This indicator previously received “partial credit” on the basis that the acquisition of rural land might be realized through inheritance (Article 2 of Decree No. 59428/66). However, peer reviewers José Heder Benatti and Ana Luisa Santos Rocha have since clarified that “the acquisition of rural properties referred to in Decree No. 59.428/1966 does not apply to federal public areas designated for environmentally differentiated settlements.”

China

The assessment of Dispute Resolution for Collective Ownership with Individual Property Rights to Forestland was revised from “Partial Credit” to “Full Credit,” due to the identification of the 2005 version of the Law on the Protection of Women’s Rights and Interests which was not considered in the original analysis and addresses women’s rights to arbitration and litigation, including in the context of their rights being infringed upon on the context of collective economic organizations.

Colombia

The assessment of Dispute Resolution for Tierras de las Comunidades Negras (Afro-Colombian Community Lands) was revised from “Partial Credit” to “Full Credit,” because the General Assembly and Community Council, which have jurisdiction to act on dispute resolution and internal conflicts, must be composed of 30 percent women (Article 22 of Law 731 of 2002).

DRC

The assessments of Voting and Leadership for Concessions Forestières Communautaires (Local Community Forest Concessions (LCFC)) were both revised from “No Credit” to “Partial Credit.” *Power and Potential* assessed this as “No Credit” because, while Article 4 of Loi No. 15/013 reiterates that “women are equitably represented in all nominative and elective positions within...local institutions,” “equity” is not defined in terms of numerical equality, and because women’s right to vote or take equivalent action in local institutions is not otherwise specified. However, this was retroactively revised as the same law also requires a 30 percent quota for women’s participation, a provision confirmed to apply by peer reviewers.

India

The assessment of Dispute Resolution for Scheduled Tribes and Other Traditional Forest Dwellers Land was revised from “Partial Credit” to “Full Credit,” to reflect that the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules, 2007 requires the Sub-Divisional Level Committee that hears and adjudicates disputes between Gram Sabhas on the nature and extent of forest rights (6(f)) to be composed of a subdivisional officer, a forest officer, three members of the Block or Tehsil level Panchayats, with at least two belonging to Scheduled Tribes and one being a women (5(c)).

Mali

The assessment of CBTR-specific Inheritance for Forêts gérées par les communautés dans le domaine forestier des collectivités territoriales décentralisées (Community-Managed Forests within the Forest Domain of Decentralized Territorial Collectives) was revised from “Partial Credit” to “Not Addressed” as a result of improved understanding of the legal framework. This CBTR exists due to an allowance under Article 12 of Law No. 96-050 of 1996 for Decentralized Territorial Collectives to **delegate their management authority to village authorities**, or to even more localized bodies, thus creating a “community managed forest within the forest domain of decentralized territorial collectives” (Article 14, Law No. 96-050, 1996). As such, the laws comprising this CBTR do not address inheritance.

Nepal

- The assessments of Membership and Voting for Buffer Zone Community Forest were revised from “No Credit” and “Not Addressed,” respectively, to “Partial Credit” due to the identification of the 1999 Forest Guidelines.
- The assessments of Voting, Leadership, and Dispute Resolution for Community Leasehold Forest Granted to Communities were revised from “Not Addressed” to “Partial Credit.” The assessment of CBTR-specific Inheritance for this same CBTR was revised from “Not Addressed” to “Full Credit,” due to the identification of a Leasehold Forest Implementation Guideline approved by the Department of Forests, which RRI was unable to access at the time *Power and Potential* was published.

Peru

The assessment of Membership for Reservas Comunales en suelo forestal (Communal Reserves in Forest Land) was revised from “No Credit” to “Not Addressed,” as a result of a more fulsome review of the applicable law which determined that, while women are not expressly defined as members of the community in Law No. 26834/1997 or Resolution No. 19/2005, membership itself is not defined within the norms regulating this specific tenure regime.

Philippines

The assessment of Voting for Community-Based Forest Management was revised from “Not Addressed” to “No Credit,” due to the identification of a 2016 Guideline establishing the role of the General Assembly in processes for the management and decision-making within this CBTR. Because section 7(ix) of DENR Adm. Order No. 2004-29 does not provide for the rights of women, this has been retroactively revised to “No Credit.”

Tanzania

The assessment of CBTR-specific Inheritance for 3 CBTRs ((Non-reserved) Forests on Village Lands; Community Forest Reserves; and Village Land Forest Reserve (VLFR)) were revised from “Not Addressed” to “Case-by-Case” because, upon further examination of the law, this assessment identified that at the overarching level some statutory laws related to customary law may allow for discriminatory provisions.

Viet Nam

The assessment of Dispute Resolution for Forestland Allocated to Communities was revised from “Not Addressed” to “Partial Credit,” due to the identification of applicable provisions as of 2016. The state is responsible for resolving land disputes (Article 22 of the Law on Land of 2013) and two mechanisms for solving land disputes are peoples’ courts (Article 84 of the Law on Forest Protection and Development) and district or provincial-level Peoples’ Committees (Article 89 of Decree 43 of 2014).

Annex 3 | Full Table of Country and CBTR Results, 2024

Country	Tenure Regime	Tenure Category	Legislative Pathway	Overarching Indicators			CBTR-Specific Indicators				
				Constitutional Equal Protection	Affirmation of Women's Property Rights	Overarching Inheritance	Membership	Voting	Leadership	Inheritance	Dispute Resolution
Bolivia ⁱ	Territorio Indígena Originario Campesino (Original Peasant Indigenous Territory)	3					✓	—	✗	N/A	✓
	Propiedades Comunitarias (Communal Property)	3					✓	—	✗	N/A	✓
	Títulos Comunes para Comunidades Agro-extractivas (Norte Amazónico) (Communal Titles for Agricultural-Extractivist Communities in the Northern Amazonian Region)	3		✓	✓	✓	✗	N/A	✗	N/A	—
	Agrupaciones Sociales del Lugar (ASL) (Location-Based Social Associations)	2					N/A	N/A	N/A	N/A	—
Brazil ⁱⁱ	Reserva Extrativista (RESEX) (Extractive Reserve)	2					✗	N/A	N/A	N/A	N/A
	Reservas de Desenvolvimento Sustentável (Sustainable Development Reserves)	2					✗	N/A	N/A	N/A	N/A
	Projeto de Assentamento Agro-Extrativista (PAE) (Agro-Extractivist Settlement Project)	2					✗	N/A	N/A	N/A	N/A
	Projetos de Assentamento Florestal (Forest Settlement Projects) (unique to the northern region)	2		✓	✓	✓	✗	N/A	N/A	N/A	N/A
	Projeto de Desenvolvimento Sustentável (Sustainable Development Projects)	2					✗	N/A	N/A	N/A	N/A
	Florestas Nacionais (FLONA) (National Forests)	1					✗	N/A	N/A	N/A	N/A
	Territórios Quilombolas (Quilombola Communities)	3					N/A	N/A	✗	N/A	N/A
	Terras Indígenas (Indigenous Lands)	3					✗	N/A	N/A	—	—
Cambodia ⁱⁱⁱ	Community Forests	2					✓	—	✗	N/A	—
	Community Protected Areas	2		✓	✓	✓	N/A	N/A	N/A	N/A	N/A
	Indigenous Communities Land	3					✓	N/A	✗	N/A	—

Regions:

- Latin America
- Africa
- Asia

Tenure Categories:

- 1 - Government-Administered
- 2 - Designated for Indigenous Peoples, Afro-descendant Peoples, and local communities
- 3 - Owned by Indigenous Peoples, Afro-descendant Peoples, and local communities

Legislative Pathway:

- Community
- Conservation
- Use / Exploitation

Assesment:

- ✓ Full Credit
- Partial Credit
- ✗ No Credit
- C/C** Case by Case
- N/A** Not Addressed

- Downward change in assessment due to reforms between 2016–2024
- Improvement in assessment due to reforms between 2016–2024
- Gender-blind reforms between 2016–2024

* CBTR established between November 1, 2016 and December 31, 2024.

Country	Tenure Regime	Tenure Category	Legislative Pathway	Overarching Indicators			CBTR-Specific Indicators				
				Constitutional Equal Protection	Affirmation of Women's Property Rights	Overarching Inheritance	Membership	Voting	Leadership	Inheritance	Dispute Resolution
Cameroon	Forêts Communautaires (Community Forests)	2					N/A	N/A	N/A	N/A	—
	Zones d'Intérêt Cynégétique à Gestion Communautaire (Community Managed Hunting Zone)	2					N/A	N/A	N/A	N/A	—
	Territoires Communautaires de Chasse dans les Forêts non Permanentes et les Forêts (Community Hunting Areas within Non-Permanent Forests)*	2			✓	✓	—	N/A	N/A	N/A	—
	Aires Protegee Communautaires dans les Forêts Permanentes (Community Protected Areas within Permanent Forests)*	2						N/A	N/A	N/A	—
	Droits d'Usage de Populations Riveraines (Local Population Use Rights)*	1						N/A	N/A	N/A	—
China	Collective Ownership with Individual Property Rights to Forestland	3		✓	✓	—	✓	—	—	✓	✓
Colombia ^v	Resguardos Indigenas (Indigenous Reserves)	3					✗	N/A	✗	N/A	—
	Tierras de las Comunidades Negras (Afro-Colombian Community Lands)	3		✓	✓	✓	✗	✓	✓	N/A	✓
	Zonas de Reserva Campesinas (Peasant Reserves Zones)	3					✓	N/A	N/A	N/A	N/A
Congo, Republic of the ^v	Terres des Populations autochtones (Indigenous Populations' Land)	2					—	N/A	✗	—	—
	Forêts communautaires (Community Forest)	2					N/A	✗	✗	N/A	N/A
	Terres coutumières (Customary Lands)*	3			✓	✓	—	✗	✗	✗	✓
	Droit d'usage des communautés locales ou des populations (Right of Use of Communities and Indigenous Populations)*	1						N/A	✗	✗	N/A
	Séries de développement communautaires (SDC) (Community Development Series)	2						N/A	N/A	N/A	—

Regions:

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- Africa
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Legislative Pathway:

- Community
- Conservation
- Use / Exploitation

Assesment:

- Full Credit
- Partial Credit
- No Credit

C/C Case by Case

N/A Not Addressed

- Downward change in assessment due to reforms between 2016–2024
- Improvement in assessment due to reforms between 2016–2024
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Country	Tenure Regime	Tenure Category	Legislative Pathway	Overarching Indicators			CBTR-Specific Indicators				
				Constitutional Equal Protection	Affirmation of Women's Property Rights	Overarching Inheritance	Membership	Voting	Leadership	Inheritance	Dispute Resolution
Democratic Republic of the Congo	Concessions Forestières Communautaires (Local Community Forest Concessions (LCFC))	3					—	—	—	N/A	—
	Droits d'usage communautaire dans les forêts de production permanentes (Community Use Rights Within Permanent Production Forests)	1					N/A	N/A	N/A	N/A	—
	Droits d'utilisation de la population locale dans les forêts classées (Local Population Use Rights Within Classified Forest)	2		✓	✓	—	—	N/A	N/A	N/A	N/A
	Concessions de conservation assignées aux communautés (Conservation Concessions Allocated to Communities)	2					—	✗	✗	N/A	✓
	Droits des peuples autochtones pygmées* (Rights of Indigenous Pygmy Peoples)	3					✓	—	✗	N/A	—
Ecuador	Territorios Ancestrales de los Pueblos y Nacionalidades Indígenas, el Pueblo Afroecuatoriano, el Pueblo Montubio y las Comunas (Ancestral Territories of Indigenous Peoples, Afro-Ecuadorians, and Montubios)	3					✓	—	✗	✓	—
	Territorios Ancestrales de los Pueblos y Nacionalidades Indígenas, el Pueblo Afroecuatoriano, el Pueblo Montubio y las Comunas en Areas Protegidas (Ancestral Territories of Indigenous Peoples, Afro-Ecuadorians, and Montubios within Protected Areas)	3		✓	✓	✓	✓	N/A	N/A	✓	—
Gabon ^{vi}	Forêts Communautaires (Community Forests)	2					✓	✗	✗	N/A	N/A
	Des Droits d'Usages Coutumiers (Customary Use Rights)	1		✓	✗	—	✗	N/A	✗	N/A	N/A
	Contrat de Gestion de Terroir aux Parcs Nationaux (Management Contract with Local National Parks Administration)	2					✗	N/A	✗	N/A	N/A
Ghana ^{vii}	Allodial Interest	2		✓	✗	C/C	N/A	N/A	✗	C/C	—

Regions:

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Legislative Pathway:

- Community
- Conservation
- Use / Exploitation

Assesment:

- ✓ Full Credit
- ▬ Partial Credit
- ✗ No Credit
- C/C** Case by Case
- N/A** Not Addressed

- Downward change in assessment due to reforms between 2016–2024
- Improvement in assessment due to reforms between 2016–2024
- Gender-blind reforms between 2016–2024

* CBTR established between November 1, 2016 and December 31, 2024.

Country	Tenure Regime	Tenure Category	Legislative Pathway	Overarching Indicators			CBTR-Specific Indicators				
				Constitutional Equal Protection	Affirmation of Women's Property Rights	Overarching Inheritance	Membership	Voting	Leadership	Inheritance	Dispute Resolution
Guatemala ^{viii}	Concesiones Comunitarias (Community Concessions)	2		✓	✗	✓	✗	N/A	N/A	N/A	N/A
	Tierras Comunales (Communal Lands)	3		✓	✗	✓	✗	N/A	✗	N/A	—
Guyana ^x	Community Forest Management Agreement (CFMA)	2		✗	✗	✗	✗	N/A	N/A	N/A	N/A
	Titled Amerindian Village Land	2		✓	✗	✓	—	✗	✗	N/A	—
	Amerindian Protected Areas	2		—	✗	✗	—	✗	✗	N/A	—
India ^x	Scheduled Tribes and Other Traditional Forest Dwellers Land	3		✓	✗	C/C	✓	✓	✓	—	✓
Indonesia ^{xi}	Hutan Adat (Customary Law Forest)	3		—	✓	C/C	✓	N/A	N/A	—	—
	Hutan Kemasyarakatan (Rural or Community Forest)	2		—	—	—	✓	N/A	N/A	N/A	—
	Kemitraan (Partnership)	1		—	—	—	✓	N/A	N/A	N/A	—
	Hutan Tanaman Rakyat (People Plantation or People Plant Forest)	2		—	✓	C/C	✗	✗	✗	N/A	—
	Hutan Desa (Village Forest)	2		—	—	—	✗	N/A	✗	N/A	—
	Hak Ulayat (Customary Land Rights)*	2		—	—	—	N/A	N/A	N/A	—	—
Kenya ^{xii}	Registered Community Lands	3		—	—	—	✓	—	—	N/A	✓
	Unregistered Community Lands	3		✓	✓	C/C	✓	N/A	N/A	N/A	N/A
	Community Forest Association Participation in the Conservation and Management of Public Forests under Approved Forest Management Plans	2		—	—	—	N/A	N/A	N/A	N/A	N/A
Lao PDR ^{xiii}	Village Forestry (inside and outside Protection Forests, Conservation Forests, and Village Use Forests)	2		✓	✓	—	✓	—	✗	✓	✓

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Legislative Pathway:

- Community
- Conservation
- Use / Exploitation

Assesment:

- ✓ Full Credit
- Partial Credit
- ✗ No Credit
- C/C** Case by Case
- N/A** Not Addressed

- Downward change in assessment due to reforms between 2016–2024
- Improvement in assessment due to reforms between 2016–2024
- Gender-blind reforms between 2016–2024

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Country	Tenure Regime	Tenure Category	Legislative Pathway	Overarching Indicators			CBTR-Specific Indicators				
				Constitutional Equal Protection	Affirmation of Women's Property Rights	Overarching Inheritance	Membership	Voting	Leadership	Inheritance	Dispute Resolution
Liberia ^{xiv}	Community Forests	3		✓	✓	—	✓	—	—	N/A	—
	Customary Lands outside of Authorized Community Forests*	3		✓	✓	—	✓	—	—	N/A	✓
Madagascar ^{xv}	Communautés de base agréées avec contrats de gestion (Agricultural Communities with Management Contracts)	2		✓	✗	—	✗	✗	✗	N/A	N/A
	Aires protégées communautaire (Community Protected Areas)	1		✓	✗	—	✗	N/A	N/A	N/A	N/A
Mali ^{xvi}	Droits d'usage - Le domaine forestier de l'État et le domaine forestier des collectivités territoriales décentralisées (Use rights in State Forests and in the Forest Domain of Decentralized Territorial Collectives)	1		✓	✓	C/C	✓	N/A	N/A	—	✓
	Forêts gérées par les communautés dans le domaine forestier des collectivités territoriales décentralisées (Community-Managed Forests within the Forest Domain of Decentralized Territorial Collectives)	2					—	✗	—	N/A	✓
	Terres Agricoles des Communautés Rurales (Enregistrée et non Enregistrée) ((Registered and Unregistered) Rural Community Agricultural Lands)*	3					✓	N/A	—	N/A	C/C
	Terres Pastorales (Pastoral Lands)	3					✓	N/A	N/A	N/A	—
	Zone Cynégetiques Villageoises dans des Forêts Protégées (Village Hunting Areas within Protected Forests)*	2					N/A	N/A	N/A	N/A	✓
Mexico ^{xvii}	Ejidos Localizados en Tierras Forestales (Ejidos Located on Forestlands)	3		✓	✗	✓	✓	—	—	✓	✓
	Comunidades (Communities)	3		✓	✗	✓	✓	—	—	✓	✓

Regions:

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- Africa
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- ▬ Partial Credit
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- C/C** Case by Case
- N/A** Not Addressed

- Downward change in assessment due to reforms between 2016–2024
- Improvement in assessment due to reforms between 2016–2024
- Gender-blind reforms between 2016–2024

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Country	Tenure Regime	Tenure Category	Legislative Pathway	Overarching Indicators			CBTR-Specific Indicators				
				Constitutional Equal Protection	Affirmation of Women's Property Rights	Overarching Inheritance	Membership	Voting	Leadership	Inheritance	Dispute Resolution
Mozambique ^{xviii}	Zonas/Floresta de Uso e de Valor Histórico-Cultural (Zones/ Forests of Historical and Cultural Use and Value)	2					✗	N/A	✗	N/A	—
	DUATs Comunitários Certificados e Não-Certificados (Uncertified and Certified Community DUATs)	3		✓	✓	—	✓	N/A	N/A	✓	—
	Concessões Florestais Comunitárias (Forest Concessions to Communities)	3					✗	N/A	N/A	N/A	N/A
	Áreas de Conservação Comunitária (Community Conservation Areas)	3					✓	✗	✗	N/A	N/A
Myanmar ^{xix}	Community Forestry Concessions	2		✓	✗	C/C	✗	✗	✗	—	—
	Village-Owned Firewood Plantations on Reserved Forests or Protected Public Forests	2					N/A	N/A	N/A	N/A	N/A
Nepal ^{xx}	Community Forest	3					—	—	—	N/A	N/A
	Community Leasehold Forest Granted to Communities	2					✓	—	—	✓	—
	Religious Forests Transferred to a Community	2		✓	✓	✓	N/A	N/A	N/A	N/A	N/A
	Buffer Zone Community Forest	2					—	—	—	N/A	N/A
	Buffer Zone Religious Forest Transferred to a Community	2					✗	N/A	—	N/A	N/A
Nicaragua ^{xxi}	Propiedad Comunal de los Pueblos Indígenas y Comunidades Étnicas (Communal Property of Indigenous Peoples and Ethnic Communities)	2		✓	✓	✓	✗	✗	✗	—	—
	Comanejo de Areas Protegidas en Propiedades Comunes (Co-management of Protected Areas)	2					✗	N/A	✗	N/A	N/A
Panama ^{xxii}	Territorios de los Pueblos Indígenas (Indigenous Peoples' Territories)	3		✓	✗	C/C	✗	C/C	C/C	C/C	C/C
	Asentamientos Campesinos (Peasant Settlements)	3					—	✗	✗	✓	—
Papua New Guinea ^{xxiii}	Common Customary Land	3		✓	✗	C/C	N/A	N/A	N/A	N/A	✓

Regions:

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- Africa
- Asia

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- 1 - Government-Administered
- 2 - Designated for Indigenous Peoples, Afro-descendant Peoples, and local communities
- 3 - Owned by Indigenous Peoples, Afro-descendant Peoples, and local communities

Legislative Pathway:

- Community
- Conservation
- Use / Exploitation

Assesment:

- ✓ Full Credit
- ▬ Partial Credit
- ✗ No Credit
- C/C** Case by Case
- N/A** Not Addressed

- Downward change in assessment due to reforms between 2016–2024
- Improvement in assessment due to reforms between 2016–2024
- Gender-blind reforms between 2016–2024

* CBTR established between November 1, 2016 and December 31, 2024.

Country	Tenure Regime	Tenure Category	Legislative Pathway	Overarching Indicators			CBTR-Specific Indicators				
				Constitutional Equal Protection	Affirmation of Women's Property Rights	Overarching Inheritance	Membership	Voting	Leadership	Inheritance	Dispute Resolution
Peru	Tierras de Comunidades Nativas con Aptitud Forestal (Native Community Forest Lands Suitable for Forestry)	3		✓	✗	✓	✗	✗	✗	N/A	—
	Reservas Comunes en suelo forestal (Communal reserves in Forest Land)	2					N/A	✗	✗	N/A	—
	Tierras de Comunidades Campesinas con Aptitud Forestal (Peasant Community Forestlands Suitable for Forestry)	3					✓	✗	—	N/A	—
	Reserva Indígenas (Indigenous Reserves)	2					✗	N/A	N/A	N/A	N/A
Philippines ^{xxiv}	Ancestral Domains	3		✓	✓	C/C	✓	—	✗	✓	✓
	Ancestral Lands	3					✓	—	✗	✓	✓
	Community-Based Forest Management	2					✗	✗	✗	✓	✓
	Protected Area Community-Based Resource Management Agreement (PACBRMA)	2					✗	N/A	N/A	✓	—
Senegal ^{xxv}	Des droits d'usages des populations riveraines dans le domaine forestier de l'État (Usage Rights of Riparian Populations in the Forest Domain of the State)	1		✓	✓	C/C	N/A	N/A	N/A	N/A	N/A
	Les forêts gérées par les collectivités locales (Forests Managed by Local Collectives)	2					N/A	N/A	N/A	N/A	N/A
Tanzania ^{xxvi}	(Non-reserved) Forests on village lands	3		✓	✓	✓	—	✗	✓	C/C	✓
	Village Land Forest Reserve (VLFR)	3					—	✗	✓	C/C	✓
	Community Forest Reserves	3					C/C	✗	✗	C/C	—
	Joint Forest Management (JFM)	2					—	✗	✗	N/A	N/A
	Wildlife Management Areas	3					—	✗	✓	C/C	—

Regions:

- Latin America
- Africa
- Asia

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Legislative Pathway:

- Community
- Conservation
- Use / Exploitation

Assesment:

- ✓ Full Credit
- ▬ Partial Credit
- ✗ No Credit
- C/C** Case by Case
- N/A** Not Addressed

- Downward change in assessment due to reforms between 2016–2024
- Improvement in assessment due to reforms between 2016–2024
- Gender-blind reforms between 2016–2024

* CBTR established between November 1, 2016 and December 31, 2024.

Country	Tenure Regime	Tenure Category	Legislative Pathway	Overarching Indicators			CBTR-Specific Indicators				
				Constitutional Equal Protection	Affirmation of Women's Property Rights	Overarching Inheritance	Membership	Voting	Leadership	Inheritance	Dispute Resolution
Thailand	Community Land Title Deeds	2		✓	✗	—	N/A	N/A	N/A	N/A	N/A
	Community Forests (allocated on the basis of Constitutional Rights)*	3					—	✗	✗	—	—
Venezuela ^{xxvii}	Hábitat y tierras de los pueblos y comunidades indígenas (Habitat and Land of Indigenous Peoples and Communities within Forest Lands)	3		✓	✓	✓	N/A	—	✗	—	—
Viet Nam ^{xxviii}	Forestland Allocated to Communities	2		✓	✓	—	N/A	N/A	N/A	N/A	—
Zambia ^{xxix}	Community Forest	3		✓	✓	C/C	✗	N/A	✗	N/A	—
	Joint Forest Management Area (JFMA)	1					✗	✗	✗	N/A	—

Regions:

- Latin America
- Africa
- Asia

Tenure Categories:

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Legislative Pathway:

- Community
- Conservation
- Use / Exploitation

Assesment:

- Full Credit
- Partial Credit
- No Credit
- C/C** Case by Case
- N/A** Not Addressed

- Downward change in assessment due to reforms between 2016–2024
- Improvement in assessment due to reforms between 2016–2024
- Gender-blind reforms between 2016–2024

* CBTR established between November 1, 2016 and December 31, 2024.

Annex 4 | Summary of 15 CBTRs in which Legislative Reforms Between 2016 and 2024 Resulted in Changes in Assessments of CBTR-Specific Indicators Under RRI's Gender Methodology




The below list highlights key international laws and associated instruments that recognize the land tenure rights of Indigenous women, Afro-descendant women, and local community women, as well as their broader communities, as of December 2024. It is meant as a guidance tool rather than a comprehensive set of all relevant laws or instruments, and the specific articles referenced do not necessarily encompass all legal provisions within these instruments that pertain to community women’s or communities’ tenure rights.






Cells in red reflect downward changes in assessments that negatively impact community women, either because





- i) a gender-responsive legal provision was removed, or
- ii) a right that previously existed for all community members was eliminated during reforms from 2016 to 2024.






Cells in green reflect an improvement in assessment due to a positive impact on community women’s rights through the introduction of gender-responsive provisions.

Cells in yellow reflect reforms considered gender-blind in nature because they improved the recognition of communities’ collective forest tenure rights while either failing to address women’s rights (for example, where scores for Inheritance in CBTR-specific Laws or Dispute Resolution change from “not addressed” to “partial credit”) or only addressing the right in question using gender-blind language (that is, where scores change from “not addressed” to “no credit”).





Country	Overarching Indicators		
	Constitutional Equal Protection	Affirmation of Women’s Property Rights	Inheritance in National Laws
Republic of the Congo		 <p>Due to the adoption of a new land law in 2018 and the Law Mouebara on violence against women in 2019, customary practices cannot discriminate against women’s property rights (Article 19 of Law No. 21, 2018) and economic violence and discrimination are prohibited (Article 10 of Law No. 19, 2022).</p>	
Nepal			 <p>Sections 67, 205 and 206 of the 2017 Civil Code provides equal protection for daughters’, wives’ and female partners’ intestate inheritance rights in comparison to their male counterparts.</p>
Thailand	 <p>Section 27 of the Constitution of 2017 provides for the equality of men and women under the law and prohibits discrimination on the basis of sex.</p>		

Country	Tenure Regime	CBTR-specific Indicators				
		Membership	Voting	Leadership	Inheritance	Dispute Resolution
Cambodia	Community Protected Areas					 <p>Whereas the Protected Area Law of 2008 previously established the National Committee for Conflict Resolution on Protected Area Management (NCRPAM), the 2024 Code on Environment and Natural Resources no longer addresses such a mechanism.</p>
Republic of the Congo	Forêts communautaires (Community Forest)					 <p>Whereas Decree No. 2013-280 of 2013, applicable to the CBTR replaced by Community Forests, provided for the existence of community dispute resolution mechanisms, the Forest Code of 2020 fails to address dispute resolution in Community Forests.</p>
Indonesia	Hutan Adat (Customary Law Forest)	 <p>Regulation No. 9 of 2021 now defines local communities as “a social unit consisting of community members, both women and men...”</p>			 <p>While inheritance was not addressed under prior legislation, Government Regulation No. 23 of 2021 recognizes “Customary Territory” as customary land owned, utilized, and preserved from generation to generation.</p>	
	Hutan Kemasyarakatan (Rural or Community Forest)	 <p>Regulation No. 9 of 2021 now defines local communities as “a social unit consisting of community members, both women and men...”</p>				

Country	Tenure Regime	CBTR-specific Indicators				
		Membership	Voting	Leadership	Inheritance	Dispute Resolution
Indonesia	Kemitraan (Partnership)	 <p>Regulation No. 9 of 2021 now defines local communities as “a social unit consisting of community members, both women and men...”</p>				
Kenya	Registered Community Lands			 <p>The Community Land Regulations passed in 2017 specify a quota requirement in that Community Land Management Committees must take account of the two-thirds gender rule in the composition of the community’s executive decision-making body.</p>		
Lao PDR	Village Forestry (inside and outside 3 forest categories)					 <p>While the 2003 Land Law had established a gender-blind mechanism for resolving land disputes, the 2019 Law on Gender Equality No. 77/NA now specifies that women have equal access to complaint mechanisms, including with respect to their right to property.</p>
Madagascar	Community Protected Area	 <p>While Law No. 2015-005 failed to define the composition of the “local community,” Decree 2017-425, which amended this law, now defines the community in a gender-blind manner that does not account for all adults.</p>				

Country	Tenure Regime	CBTR-specific Indicators				
		Membership	Voting	Leadership	Inheritance	Dispute Resolution
Mali	Community-Managed Forests within the Forest Domain of Decentralized Territorial Collectives	 <p>While the Agricultural Law of 2006 previously defined “familial agricultural holdings” as including both men and women, reforms that modified this provision now leave in place original 2006 provisions that only address membership in a gender-blind manner.</p>	 <p>Ordinance No. 2024-019/PT-RM amending Law No. 06-023 of June 28, 2006, establishes the Village Council as the decision-making body at the village level, but fails to address women’s role or voting rights in decision-making bodies.</p>			
Mexico	Comunidades			 <p>A November 2016 amendment* to the 1992 Agrarian Law established a special parity quota to form the "consejo de vigilancia" (vigilance council) and the "comisario ejidal" (ejido commission), the two executive bodies for Ejidos and Comunidades.</p>		
	Ejidos			 <p>A November 2016 amendment** to the 1992 Agrarian Law established a special parity quota to form the "consejo de vigilancia" (vigilance council) and the "comisario ejidal" (ejido commission), the two executive bodies for "ejidos."</p>		
Myanmar	Community Forestry Concessions					 <p>The 2019 Community Forest Instruction establishes a dispute resolution mechanism but does not include provisions on women’s access to such mechanisms.</p>

* Amended in November 2016, after the October 2016 cutoff for Power and Potential.
 ** Amended in November 2016, after the October 2016 cutoff for Power and Potential.

Country	Tenure Regime	CBTR-specific Indicators				
		Membership	Voting	Leadership	Inheritance	Dispute Resolution
Peru	Peasant Community Forestlands Suitable for Forestry			 <p>Law 30982 of 2019 modifying Law No. 24656 of 1987 now specifies a quota requirement in that the body responsible for the governance and administration of the community (Directiva Comunal), must be composed of at least 30% women or men.</p>		
Philippines	Protected Area Community-Based Resource Management Agreement (PACBRMA)					 <p>DENR Administrative Order No. 2019-05 establishes that the Protected Area Management Board is responsible for creating the Committee on Conflict Resolution, but there are no provisions on women's access to or role in this board.</p>
Viet Nam	Forestland Allocated to Communities	 <p>In contrast to the 2004 Law on Forest Protection and Development that defined the "Village Population Community" to include "all households and individuals living in the same village, hamlet, or unit," the 2017 Law on Forest fails to define community membership.</p>			 <p>In contrast to the 2013 Law on Land that allowed members of a household to inherit based on the provisions of a will, there is no right to inheritance addressed in the case of land allocated to communities under Land Law No. 31 of 2024.</p>	

Annex 5 | Legislation Cited and Literature Consulted

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Bolivia	Constitución Política del Estado de 2009	2009
	Código Civil	1976 (2021)
	Código Procesal Civil	2013
	Ley No. 603 - Ley de 19 de Noviembre de 2014 - Código de las Familia y del Proceso Familiar	2014
	Ley No. 1333 - Ley de 27 de abril de 1992 - Ley del Medio Ambiente	1992
	Ley Forestal No. 1700 - Ley de 12 de julio de 1996	1996
	Ley No. 1715 - Ley de 18 de Octubre de 1996 - Ley del Servicio Nacional de Reforma Agraria	1996
	Ley No. 2066 - Ley de 11 de abril de 2000 - Ley Modificatoria de Servicios de Agua	2000
	Ley No. 2341 - Ley del Procedimiento Administrativo	2002
	Ley No. 3058 - Ley de hidrocarburos	2005
	Ley No. 3545 - Ley de 28 de noviembre de 2006 - Modificación de la Ley No. 1715 Reconducción de la Reforma Agraria	2006
	Ley No. 3760 - Que Eleva a rango de Ley a UNDRIP	2007
	Ley No. 3897 - Ley de 26 de junio de 2008 - Incorporación de UNDRIP	2008
	Ley No. 031 - Ley Marco de Autonomías y Decentralización 'Andrés Ibáñez'	2010
	Ley No. 71 - Ley de derechos de la madre tierra	2010
	Ley No. 073 - Ley del Deslinde Jurisdiccional	2010
	Ley No. 144 - Ley de la revolución productiva comunitaria agropecuaria	2011
	Ley No. 300 - Ley de la madre tierra y desarrollo integral para vivir bien	2012
	Ley No. 337 - Ley de apoyo a la producción de alimentos y restitución de bosques	2013
	Decreto Supremo No. 29215 de 2 de agosto de 2007 - Reglamento de la Ley No. 1715 del Servicio Nacional de Reforma Agraria, Modificada por la Ley No. 3545 de Reconducción Comunitaria de la Reforma Agraria	2007
	Decreto Supremo No. 24453 de 1996 - Reglamento de la Ley Forestal, No. 1700	1996 (2024)
	Decreto Supremo No. 26389 de 2001 - Sistema de Regulación de Recursos Naturales Renovables - SIRENARE	2001
	Decreto Supremo No. 27572 de 17 de junio de 2004	2004
	Decreto Supremo No. 28817 de 8 de octubre de 2004	2004
	Decreto Supremo No. 29215 del 2 de agosto de 2007 - Reglamento de la Ley No. 1715 del Servicio Nacional de Reforma Agraria, Modificada por la Ley No. 3545 de Reconducción Comunitaria de la Reforma Agraria	2007
	Decreto Supremo No. 29.033 - Reglamento de consulta y participación para actividades hidrocarburíferas de los pueblos indígenas, originarios y comunidades campesinas	2007
	Decreto Supremo No. 0727 de 2010	2010
	Decreto Supremo 3467 de 2018 (Modificación de Leyes Agrarias)	2018
	Resolución ADM 0052/2004 de 25 de marzo de 2004	2004
	Decreto Supremo No. 28736 de 2 de junio de 2006 - Declara de emergencia nacional la conclusión del proceso de saneamiento de la propiedad agraria	2006
Secondary Sources: Chaney, Elsa M. 1984. Women of the World: Latin America and the Caribbean. U.S. Department of Commerce Bureau of the Census and U.S. Agency for International Development Office of Women in Development. 102; Crespo, Pilar Uriona. 2010. Dueñas de nuestra vida, dueñas de nuestra tierra: Mujeres indígena originario campesinas y derecho a la tierra. Coordinadora de la Mujer, La Paz; Contreras-Hermosilla, A. y M.T. Vargas Ríos. 2002. Dimensiones Sociales, Ambientales y Económicas de las Reformas en la Política Forestal de Bolivia. Forest Trends and CIFOR, Washington, DC.		

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Brazil	Constituição da República Federativa do Brasil de 1988	1988
	Código Civil Brasileiro	2002 (2024)
	Lei No. 4.504 de 30 de novembro de 1964	1964
	Lei No. 6.001 de 19 de dezembro de 1973 - Estatuto do Índio	1973 (2023)
	Lei No. 8.629 de 25 de fevereiro de 1993	1993 (2023)
	Lei No. 9.278 de 10 de maio de 1996	1996
	Lei No. 9.985 de 18 de julho de 2000	2000
	Lei No. 11.284 de 2 de março de 2006	2006 (2023)
	Lei No. 11.952 de 25 de junho de 2009	2009 (2023)
	Lei No. 12.512 de 14 de outubro de 2011	2011 (2023)
	Lei No. 12.651 de 25 de maio de 2012 - Novo Código Forestal	2012 (2024)
	Lei No. 13.123 de 20 de maio de 2015	2015
	Lei No. 14.447 de 9 de setembro de 2022	2022
	Lei No. 14.701 de 20 de outubro de 2023	2023
	Decreto Lei No. 3.365 de 21 de junho de 1941	1941
	Decreto No. 1.775 de 8 de janeiro de 1996	1996
	Decreto Lei No. 59.428 de 27 de outubro de 1966	1966
	Decreto Lei No. 271 de 28 de fevereiro de 1967	1967
	Decreto No. 99.710 de 21 de novembro de 1990	1990
	Decreto No. 4340 de 22 de agosto de 2002	2002 (2024)
	Decreto No 4.887 de 20 de novembro de 2003	2003
	Decreto No. 5975 de 2006	2006
	Decreto No. 6040 de 2007	2007
	Decreto No. 7.747 de 5 de junho de 2012	2012
	Decreto No. 9311 de 2018	2018
	Decreto No. 10088 de 5 de novembro de 2019	2019
	Decreto No. 10592 de 2020	2020 (2024)
	Decreto No. 10.239 de 11 de fevereiro de 2020	2020
	Decreto No. 10.347 de 13 de maio de 2020	2020
	Decreto No. 11.266 de 7 de outubro de 2022	2022
	Decreto No. 11.786 de 20 de novembro de 2023	2023
	Decreto No. 12046/2024	2024
	Instrução Normativa ICMBio No. 3 de 18 de setembro de 2007	2007
	Instrução Normativa ICMBio No. 3 de 2 de setembro de 2009	2009
Instrução Normativa INCRA No. 57 de 20 de outubro de 2009	2009	
Instrução Normativa INCRA No. 65 de 27 de dezembro de 2010	2010	
Instrução Normativa ICMBio No. 16 de 4 de agosto de 2011	2011	
Instrução Normativa ICMBio No. 35 de 2013	2013	
Instrução Normativa ICMBio No. 9 de 2014	2014	
Instrução Normativa ICMBio No. 1 de 2018	2018	
Instrução Normativa INCRA No. 99 de 2019	2019 (2021)	
Instrução Normativa INCRA No. 111 de 2021	2021	

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Brazil	Instrução Normativa INCRA No. 112 de 2021	2021
	Instrução Normativa INCRA No. 129 de 2022	2022
	Instrução Normativa INCRA No. 136 de 2023	2023
	Portaria INCRA No. 981 de 2 de outubro de 2003	2003
	Supreme Court Decision ADPF 709 MC-REF / DF, 2020	2020
	Recurso Extraordinário (RE) 1017365, com repercussão geral (Tema 1.031)	2023
	Ação de Descumprimento de Preceito Fundamental (ADPF) 760 and Ação Direta de Inconstitucionalidade por Omissão (ADO) 54	2024
	Decreto No. 5051 de 2007	2007
	Decreto No. 6063 de 20 de março de 2007	2007
	Decreto No. 6.992 de 28 de outubro de 2009	2009
	Instrução Normativa INCRA No. 477 de 1999	1999
	Instrução Normativa INCRA No. 1141 de 2003	2003
	Instrução Normativa INCRA No. 15 de 30 de março de 2004	2004
	Instrução Normativa ICMbio No. 2 de 2007	2007
	Instrução Normativa INCRA No. 38 de 13 de março de 2007	2007
	Instrução Normativa INCRA No. 56 de 7 de outubro de 2009	2009
	Portaria INCRA No. 268 de 23 de outubro de 1996	1996
	Portaria INCRA No. 269 de 23 de outubro de 1996	1996
	Portaria INCRA No. 477 de 4 de novembro de 1999	1999
	Portaria INCRA No. 1.141 de 19 de dezembro de 2003	2003
Secondary Sources: Abreu, Jonathan. "Mulher e Quilombola: Women and Self-Representation in Quilombos and Comunidades Remanescentes de Quilombo"; Alencar, Edna F. 2013. "Questões de gênero em projetos de manejo de recursos pesqueiros na reserva de desenvolvimento sustentável Mamirauá." Seminário Internacional Fazendo Gênero 10, Florianópolis, 16 a 20 Setembro de 2013; Araújo, Clarissa Flávia Santos, Alyne Maria de Sousa Oliveira, and Maria do Socorro Lira Monteiro. 2014. Condições de vida das mulheres do assentamento rural santana nossa esperança, Teresina-PI; Carvalho, Felipe Bruno Santabaya de. 2012. "A posição hierárquica dos tratados internacionais e da lei complementar no ordenamento jurídico brasileiro." Âmbito Jurídico, Rio Grande, XV, n. 97, fev 2012; Corpuz, Victoria Tauli. 2016. United Nations Special Rapporteur on the rights of indigenous peoples: End of Mission Statement, 17 March 2016. UN; da Silva, Nelmiere Ferreira. 2014. Gênero e Meio Ambiente na Agenda da Nova Reforma Agrária Brasileira. Universidade Federal Rural de Pernambuco, Recife; Dias, Thelma Lúcia Pereira, Ricardo de Souza Rosa and Luis Carlos Pereira Damasceno. 2007. Aspectos socioeconômicos, percepção ambiental e perspectivas das mulheres marisqueiras da Reserva de Desenvolvimento Sustentável Ponta do Tubarão (Rio Grande do Norte, Brasil). Gaia Scientia 2007, 1(1), 25-35; FAO. Gender and Land Rights Database. "Country Profile: Brazil." FFAO, Rome; Garcia, Keyla Morales de Lima. 2014. O papel da mulher no assentamento; ICMBio. 2009. "Com muita educação ambiental, Flona na Bahia não para de comemorar seus dez anos." Unidades de Conservação no Brasil; Mendes, Mauricio Ferreira, Sandra Mara Alves da Silva Neves, and Ronaldo José Neves. 2014. A Experiência Das Mulheres Extrativistas Do Assentamento Margarida Alves Em Mirassol D'oeste/Mt. Geografia em Questão 7(1), 34-49; Minority Rights Group. 2015. "Brazil Country Profile." Minority Rights Group; OECD. 2014. OECD Social Institutions and Gender Index Brazil Data Sheet. OECD; Pacheco, Maria Emília Lisboa. 2004. Em defesa da Agricultura Familiar Sustentável com Igualdade de Gênero; Pereira, Caio Mário da Silva. 2006. "Instituições de Direito Civil: Direito das Sucessões." Vol. VI, Editora Forense, Rio de Janeiro; Silveira, Luciana Braga and Raquel Wiggers. 2013. "Protegiendo los bosques, reconfigurando los espacios en la Amazonía: el caso del Projeto de Assentamento Agroextrativista Santa Maria Auxiliadora, Humaitá (AM)." Revista de Administração Pública, Rio de Janeiro; Supremo Tribunal Federal. 2017. "Aplicação das Súmulas no STF: Súmula Vinculante 25"; Torres, Ana Flavia Melo. 2002. "Acesso à Justiça." Âmbito Jurídico, Rio Grande, III, n. 10; UN-Habitat. 2005. Brazil: Land Tenure, Housing Rights and Gender Review: Latin America. United Nations Human Settlements Programme (UN-HABITAT), Kenya; USAID. 2011. USAID Country Profile, Property Rights and Resource Governance. USAID, Rio de Janeiro.		
Cambodia	The Constitution of the Kingdom of Cambodia	1993 (2008/2022)
	The Civil Code of Cambodia	2008
	Law on Marriage and Family	1989
	Law on the Organisation of the Courts	1993

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Cambodia	Land Law of 2001 (NS/RKM/0801/14)	2001
	Law on Forestry (NS/RKM/0802/016)	2002 (2019)
	Law on Expropriation	2010
	Law on Implementation of the Civil Code (NS/RK/0511/007)	2011
	Code on Environment and Natural Resources	2023
	Sub-Decree on Forest Concessions Management (No. 05/ANK/BK/ February 7, 2000)	2000
	Sub-Decree on Organization and Functioning of the Cadastral Commission (No. 47 ANK/BK/May 31, 2002)	2002
	Sub-Decree on Community Forestry Management (No. 79 Or Nor Krar. Bor Kar)	2003
	Sub-Decree on Social Land Concessions (No. 19 ANK/BK/ March 19, 2003)	2003
	Sub-Decree on Procedures of Registration of Land of Indigenous Communities (No. 83 ANK/BK/ June 09, 2009)	2009
	Prakas Declaration No. 1033 on the Protection of Natural Areas	1994
	Prakas on Guideline on Community Forestry (No. 219 Par Kar. Kar Sar Kar)	2006
	Regulations on the Creation and Designation of Protected Areas	1993
	National Protected Area Strategic Management Plan 2017–2031	2017
	Law on Environmental Protection and Natural Resource Management	1996
	Protected Areas Law (No. NS/RKM/0208/007)	2008
	<p>Secondary Sources: CEDAW. 2011. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Combined fourth and fifth periodic reports of States parties: Cambodia. CEDAW, Geneva; CEDAW. 2013. Concluding observations on the combined fourth and fifth periodic reports of Cambodia. Presented at CEDAW 56th session, Geneva, December 5; Constitutional Council of Cambodia. Constitutional Council of the Kingdom of Cambodia; FAO Gender and Land Rights Database. 2014. "LAT Assesment - Cambodia." FAO, Rome; Ministry of Agriculture, Forestry, and Fisheries. 2010. "National Forest Programme: 2010-2029." Phnom Penh; OECD. 2010. "Cambodia." In OECD Atlas of Gender and Development: How social norms affect gender equality in non-OECD countries. OECD, 22-23; Florian Rock. 2019. The Application of FPIC Standards in Cambodia. Mekong Region Land Governance (MRLG); Filer, Colin, Sango Mahanty, and Lesley Potter. 2020. "The FPIC Principle Meets Land Struggles in Cambodia, Indonesia and Papua New Guinea." Land 9(3): 67. doi:10.3390/land9030067; ClientEarth. 2022. Community Protected Areas in Cambodia: Analysis of Legal Framework, Practice and Recommendations; ClientEarth. 2024. Legal Analysis: An Examination of Cambodia's Environment and Natural Resources Code (2023): Changes to Governance of Protected Area and Community Protected Area Management and Remaining Challenges; Filer, Colin, Sango Mahanty, and Lesley Potter. 2020. "The FPIC Principle Meets Land Struggles in Cambodia, Indonesia and Papua New Guinea." Land 9(3): 67. doi:10.3390/land9030067; Florian Rock. The Application of FPIC Standards in Cambodia. Mekong Region Land Governance (MRLG), 2019; International Work Group for Indigenous Affairs (IWGIA). 2024. The Indigenous World 2024: Cambodia.</p>	
Cameroon	La Constitution de la Republique du Cameroun	1996 (2008)
	Code Civil des Français	1804
	Administration of Estates Act, 1925	1925
	Law No. 85-09 of 4 July 1985 on expropriation for public utility purposes and on compensation procedures	1985
	Loi No. 96-12 portant loi-cadre relative à la gestion de l'environnement	1996
	Law No. 2006-15 of 29 December 2006 on Judicial Organization	2006
	Law No. 2011/011 of 6 May 2011 amending and completing certain provisions of Ordinance No. 81/02 of June 29, 1981	2011
	Law No. 2012/001 of 19 April 2012 relating to the Electoral Code	2012
	La Constitution de la Republique du Cameroun	1996 (2008)
	Code Civil des Français	1804
	Administration of Estates Act, 1925	1925
	Law No. 85-09 of 4 July 1985 on expropriation for public utility purposes and on compensation procedures	1985

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Cameroon	Loi No. 96-12 portant loi-cadre relative à la gestion de l'environnement	1996
	Law No. 2006-15 of 29 December 2006 on Judicial Organization	2006
	Law No. 2011/011 of 6 May 2011 amending and completing certain provisions of Ordinance No. 81/02 of June 29, 1981	2011
	Law No. 2012/001 of 19 April 2012 relating to the Electoral Code	2012
	Law No. 2023/014 of 19 December 2023 relating to the Mining Code	2023
	Law No. 2024/008 of 24 July 2024 to lay down forestry and wildlife regulations	2024
	Décret No. 76-166 fixant les modalités de gestion du Domaine National	1976
	Decree No. 77/245 of 15 July 1977 on the organization of traditional chiefdoms	1977
	Décret No. 95-531/PM fixant les modalités d'application du régime des forêts	1995
	Decree No. 95/466/PM of 20 July 1995 to lay down the conditions for the implementation of wildlife regulations	1995
	Decree No. 2013/0171/PM of 14 February 2013 setting out the procedures for carrying out environmental and social impact assessments	2013
	Décret No. 2017/383 du 18 juillet 2017 portant organisation du ministère des Affaires sociales	2017
	Ordonnance No. 74-2 du 6 juillet 1974 fixant le régime domanial	1974
	Ordonnance No. 74-1 du 6 juillet 1974 fixant le régime foncier, modifiée par la loi No. 19 du 26 novembre 1983 relative aux compétences des juridictions judiciaires et des commissions consultatives	1974 (1983)
	Ordinance No. 81-02 of 29 June 1981 to organize Civil Status Registration	1981
	Voluntary Partnership Agreement between the European Union and the Republic of Cameroon on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT)	2011
	Arrêté conjoint No. 0076/MINATD/MINFI/MINFOF du 26 juin 2012 fixant les modalités de planification, d'emploi et de suivi de la gestion des revenus provenant de l'exploitation des ressources forestières et fauniques destinés aux communes et aux communautés riveraines	2012
Law No. 94/01 of 20 January 1994 to lay down forestry, wildlife and fisheries regulations	1994	
<p>Secondary Sources: Assembe-Mvondo, Samuel, Carol J.P. Colfer, Maria Brockhaus and Raphael Tsanga. 2014. "Review of the legal ownership status of national lands in Cameroon: A more nuanced view." <i>Development Studies Research</i> 1(1); CEDAW. 2013. List of issues and questions in relation to the combined fourth fifth periodic reports of Cameroon, Addendum: Cameroon's responses. CEDAW/C/CMR/Q/4-5/Add.1. Distributed December 18; CEDAW. 2014. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women (continued): Combined fourth and fifth periodic reports of Cameroon. CEDAW, Geneva; Cziment, Stella. 2009. Cameroon: A Mixed Jurisdiction? A Critical Examination of Cameroon's Legal System Through the Perspective of the Nine Interim Conclusions of Worldwide Mixed Jurisdictions. <i>Civil Law Commentaries</i> 2(2): 1-28; FAO Gender and Land Rights Database. 2017. "Country Profile: Cameroon." FAO, Rome; Kamdem Kamgno, Hélène and Carole Eulalie Mvondo Mengue. 2014. "Rise of Unofficial Marriages in Cameroon: Economic or Socio-Demographic Response?" <i>American International Journal of Social Science</i> 3(3); Killander, Magnus (ed.). 2010. <i>International Law and Domestic Human Rights Litigation in Africa</i>. Pretoria University Law Press, Pretoria; Kiyé, Mikano E. 2015. "The Repugnancy and Incompatibility Tests and Customary Law in Anglophone Cameroon." <i>African Studies Quarterly</i> 15(2); OECD. 2014. "OECD Social Institutions and Gender Index: Cameroon." OECD; Time, Victoria M. 2014. "Rise of Unofficial Marriages in Cameroon: Economic or Socio-Demographic Response?" <i>Journal of Law and Conflict Resolution</i> 6(1); Phil Rene Oyono. 2009. New Niches of Community Rights to Forests in Cameroon: Tenure Reform, Decentralization Category or Something Else? <i>International Journal of Social Forestry</i>, Vol. 2(1): 1-23; MBAIRAMADJI, Jérémie. 2009. De la décentralisation de la gestion forestière à une gouvernance locale des forêts communautaires et des redevances forestières au Sud-est Cameroun; NKOTO EDJO, Henry. 2007. Les aspects juridiques de la protection de l'environnement dans les forêts communautaires au Cameroun; Organisation Internationale du Travail. Législations, politiques et institutions concernant les peuples autochtones: Cameroun.</p>		
China	Constitution of the People's Republic of China	1982 (2018)
	Civil Code	2020
	Land Reform Law of the People's Republic of China	1950

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
China	The Forest Law of the People's Republic of China	1984 (1998)
	Law on Protection of Women's Rights and Interests	1992 (2022)
	Organic Law of the Villagers Committees of the People's Republic of China	1998
	Law of the People's Republic of China on Land Contract in Rural Areas	2002 (2018)
	Land Management Law of the People's Republic of China	2002
	Regulations on the Implementation of the Land Management Law of the People's Republic of China	1998 (2019)
	Guarantee Law of the People's Republic of China	1995
	Property Law of the People's Republic of China	2007
	Secondary Sources: FAO Gender and Land Rights Database. 2014. LAT Assesment - China. FAO, Rome; World Bank. 2013. "Women, Business and the Law: China." World Bank, Washington, DC; Xiaobei, Wang, Elise Scalise and Renee Giovarelli. 2012. Ensuring that Poor Rural Women Benefit from Forestland Reforms in China: Fieldwork Findings and Policy Recommendations. Landesa Rural Development Institute and RRI; Ping, Li and Robin Nielsen. 2010. A Case Study on Large-Scale Forestland Acquisition in China: The Stora Enso Plantation Project in Hepu County, Guangxi Province. Rights and Resources Initiative, Washington, DC; Ping, Li and Zhu Keliang. 2007. A Legal Review and Analysis of China's Forest Tenure System with an Emphasis on Collective Forestland. Rights and Resources Initiative, Washington, DC.	
Colombia	Constitución Política de la República de Colombia	1991 (2024)
	Código Civil, Ley 57 de 1873 (with amendments through 2016)	1873 (2024)
	Ley 89 de 1890 - Por la cual se determina la manera como deben ser gobernados los salvjes que vayan reduciéndose a la vida civilizada	1890
	Ley 54 de 1990	1990
	Ley 21 de 1991	1991
	Ley 70 de 1993	1993 (2023)
	Ley 99 de 1993	1993
	Ley 142 de 1994	1994 (2023)
	Ley 160 de 1994	1994 (2023)
	Ley 388 de 1997	1997
	Ley 51 de 1998	1998
	Ley 599 de 2000	2000 (2024)
	Ley 731 de 2002	2002
	Ley 975 de 2005	2005
	Ley 979 de 2005	2005
	Ley 1448 de 2011 - Por la cual se dictan medidas de atención, asistencia y reparación integral a las víctimas del conflicto armado interno y se dictan otras disposiciones	2011
	Ley 1437 de 2011 - Código Procesal Administrativo	2011 (2022)
	Ley 1561 de 2012	2012
	Ley 1753 de 2015	2015 (2023)
	Ley 2126 de 2021	2021 (2022)
Decreto Ley No. 4633 de 2011	2011 (2021)	
Decreto Ley No. 4635 de 2011	2011 (2021)	
Decreto Ley No. 1953 de 2014	2014	
Decreto 2811 de 1974	1974 (2021)	
Decreto 1541 de 1978	1978	

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Colombia	Decreto 2164 de 1995	1995
	Decreto 1745 de 1995 - Por el cual se reglamenta el Capítulo III de la Ley 70 de 1993, se adopta el procedimiento para el reconocimiento del derecho a la propiedad colectiva de las "Tierras de las Comunidades Negras" y se dictan otras disposiciones	1995
	Decreto 1777 de 1996	1996
	Decreto 1791 de 1996 - Régimen de aprovechamiento forestal	1996
	Decreto 1320 de 1998	1998
	Decreto 4800 de 2011	2011
	Decreto 2041 de 2014 - Por el cual se reglamenta el Título VIII de la Ley 99 de 1993	2014
	Decreto 1953 de 2014	2014
	Decreto 1076 de 2015	2015 (2023)
	Decreto 2369 de 2015	2015
	Decreto 2365 de 2015	2015
	Decreto 1073 de 2015 Sector Administrativo de Minas y Energía	2015
	Decreto 1076 de 2015 Por medio del cual se expide el Decreto Único Reglamentario del Sector Ambiente y Desarrollo Sostenible	2015 (2023)
	Decreto 1640 de 2020	2020
	Decreto 1384 de 2023 - Por el cual se reglamenta el capítulo IV y las demás disposiciones ambientales contenidas en la Ley 70 de 1993, en lo relacionado con los recursos naturales renovables y del ambiente, en los territorios colectivos adjudicados, en trámite u ocupados ancestral y/o tradicionalmente por las comunidades negras, afrocolombianas, raizales y palenqueras, y se adiciona al Título 12 de la Parte 2 del Libro 2 del Decreto 1076 de 2015 - Decreto Único Reglamentario del Sector Administrativo del Sector Ambiente y Desarrollo Sostenible y se dictan otras disposiciones.	2023
	Decreto 1396 de 2023 - Por el cual se reglamenta el Capítulo V de la Ley 70 de 1993, se adoptan mecanismos especiales para el fomento y desarrollo de las actividades mineras en los territorios colectivos de las comunidades negras, afrocolombianas, raizales y palenqueras, se dictan otras disposiciones, y se adiciona el Capítulo 11 al Título V de la Parte 2 del Libro 2 del Decreto 1073 de 2015, Decreto Único Reglamentario del Sector Administrativo de Minas y Energía.	2023
	Decreto 1147 de 2024	2024
	Decreto 1275 de 2024	2024
	Directiva Presidencial No. 1 de 2010 - Garantía del derecho fundamental a la consulta previa de los grupos étnicos nacionales	2010
	Directiva Presidencial No. 10 de 2013 - Guía para la realización de consulta previa con comunidades étnicas	2013
	Directiva Presidencial No. 08 de 2020 - Guía para realización de consulta previa	2020
	Acuerdo 024 de 1996	1996
	Acuerdo final para la terminación del conflicto y la construcción de un apaz estable y duradera	2016
	Sentencia C-169/2001	2001
	Sentencia C-891/2002	2002
	Sentencia T-955	2003
	Sentenci T-880, Corte Suprema	2006
Sentencia C-461/ 2008	2008	
Sentencia C-030/2008	2008	
Sentencia T-769, Corte Suprema	2009	
Sentencia C-283/2011	2011	

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Colombia	Sentencia C 028/14	2014
	Sentencia C-225/15	2015
	Sentencia T-622/2016	2016
	Sentencia T-103/2016	2016
	Sentencia T-329, Corte Suprema	2017
	Sentencia T-011/19	2019
	Secondary Sources: FAO Gender and Land Rights Database. 2014. LAT Assesment - Colombia. FAO, Rome; Francisco Gomes. 2014. Challenges of War: Peasant Reserves Zones and Conflict Resolution in Rural Colombia. Potentia, 98-103; Incoder. 2015. "Zonas de Reserva Campesina Constituidas: Subgerencia de tierras rurales direccion tecnica de ordenamiento productivo." Presented at RRI Country Planning Meeting in Bogota, Colombia; José H. Salas R. Zonas de Reserva Campesinas. Incoder; OECD. 2014. "OECD Social Institutions and Gender Index: Colombia." OECD; Rey-Maqueira Palmer, Elena. 2015. Situación de las mujeres afrocolombianas e indígenas: Colombia 2011-2014. Corporación Humanas Colombia; USAID. 2010. USAID Country Profile, Property Rights and Resource Governance: Colombia. USAID, Washington, DC; Julio C. Tresierra, 2000. Derechos de uso de los recursos naturales por los grupos indígenas en el bosque tropical. IADB, Washington, DC; Calí Tzay, Francisco. 2024. Declaración final del Relator Especial de las Naciones Unidas sobre los derechos de los Pueblos Indígenas, al concluir su visita oficial a Colombia; Vargas-Chaves, I., W. Valencia-Jiménez and A. Cumbe-Figueroa. 2022. Hacia una consulta previa campesina: Elementos para el debate desde el régimen de certificación de semillas en Colombia. El Ágora USB, 22(1): 57-83; Góngora-Mera, Manuel. 2016. Symposium: Prior Consultation in Latin America - The Case of Colombia: Prior Consultation in Colombia: Paradoxes of Inclusion through Tribalization. Völkerrechtsblog, 4 January 2016.	
Congo, Republic of the	Constitution de la République du Congo	2015
	Loi No. 51-83 du 21 avril 1983 portant code de procédure civile, commerciale, administrative et financière	1983
	Loi No. 073-1984 du 17 octobre 1984 portant Code de la Famille	1984
	Loi No. 3-2003 du 17 janvier 2003 fixant l'organisation administrative territoriale	2003
	Loi No. 7-2003 portant organisation et fonctionnement des collectivités locales	2003
	Loi No. 10-2003 portant transfert de compétences aux collectivités locales	2003
	Loi No. 13-2003 portant Code de l'Eau	2003
	Loi No. 10-2004 fixant les principes généraux applicable aux régimes domaniaux et foncier	2004
	Loi No. 11-2004 du 26 mars 2004 portant procédure d'expropriation pur cause d'utilité publique	2004
	Loi No. 25-2008 portant régime agro-foncier	2008
	Loi No. 8-2010 portant protection du patrimoine national culturel et naturel	2010
	Loi No. 5-2011 du 25 février 2011 portant la promotion et protection des droits des populations autochtones	2011
	Loi No. 43-2014 d'orientation pour l'aménagement et le développement du territoire	2014
	Loi No. 21-2018 fixant les règles d'occupation et d'acquisition des terres et terrains	2018
	Loi No. 33-2020 portant Code Forestier	2020
	Loi MOUEBARA No. 19-2022 portant lutte contre les violences faites aux femmes en République du Congo	2022
	Loi No. 26-2022 du 25 mai 2022 fixant les règles d'immatriculation de la propriété immobilière	2022
	Décret No. 86-970 fixant les indemnités dues en cas de destruction d'arbres à fruits et de dommages aux cultures	1986
	Décret No. 2002-437 du 31 décembre 2002 fixant les conditions de gestion et d'utilisation des forêts	2002
	Décret No. 2010-792, relatif à l'administration du quartier et du village	2010
Décret No. 2013-280 du 25 juin 2013 portant création, attribution et organisation du comité de gestion et de développement communautaire	2013	

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Congo, Republic of the	Décret No. 2018-484 du 26 décembre 2018 fixant les attributions, la composition et le fonctionnement de la commission nationale de reconnaissance des terres coutumières	2018
	Décret No. 2018-87 du 5 mars 2018 portant attributions et organisation de la direction générale des collectivités locales.	2018
	Décret No. 2019-201 fixant les procédures de consultation et de participation des populations autochtones aux projets et programmes de développement socio-économique	2019
	Décret No. 2019-200 déterminant les modalités de protection biens culturels, des sites sacrés et des sites spirituels des populations autochtones	2019
	Décret No. 2023-118 déterminant les modalités d'exercice du consentement libre, informé et préalable en matière de classement d'une forêt	2023
	Arrete No. 5053 du 19 juin 2007 definissant les directives nationales d'aménagement durable des concessions forestieres	2007
	Voluntary Partnership Agreement between the European Union and the Republic of the Congo on forest law enforcement, governance and trade in timber and derived products to the European Union (FLEGT)	2013
	Code Civile	1804 (2012)
	Loi No. 16-2000 du 20 novembre 2000 - Code forestier	2000
	Loi No. 17-2000 régime de la propriété foncière	2000
	Décret No. 2006-255 du 28 juin 2006 portant institution, attributions, compositions et fonctionnement d'un organe ad'hoc de constatation des droits fonciers coutumiers	2006
	Loi No. 14-2009 du 30 décembre 2009 modifiant certaines dispositions de la loi No. 16-2000 du 20 novembre 2000 portant Code forestier	2009
	Décret No. 2003-148 du 4 août 2003 portant attributions et organisation de la direction générale des collectivités locales	2003
	Secondary Sources: Mvoukani, G. I. et al. 2020. Les droits d'usage et la série de développement communautaire: Fiche d'information sur les dispositions de la loi No. 33-2020 du 8 juillet 2020 portant Code forestier, 1-7; ClientEarth; CEDAW. 2002. CEDAW/C/COG/1-5 Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women: Initial, second, third, fourth, and fifth periodic report of States parties, Congo; CEDAW. 2003. CEDAW/C/SR.607 Summary Record of the 607th Meeting, paragraph 41; OECD. 2014. OECD Social Institutions and Gender Index: Congo Data Sheet. OECD.	
Democratic Republic of the Congo	Constitution de la Republique Democratique du Congo modifiée par la Loi No. 11/002 du 20 janvier 2011 portant révision de certains articles de la Constitution de la République Démocratique du Congo du 18 février 2006	2006 (2011)
	Loi No. 73-021 du juillet 1973 portant Régime général des biens, Régime foncier et immobilier et Régime des sûretés telle que modifiée et complétée par la Loi No. 80-008 du 18 juillet 1980	1973 (1980)
	Loi No. 80/008 du 18 juillet 1980 modifiant et complétant la loi No. 73-021 du 20 juillet 1973 portant régime général des biens, régime foncier et immobilier et régime des sûretés	1973 (1980)
	Loi No.87-010 du 1er août 1987 portant Code de la Famille	1987 (2016)
	Loi No. 16/008 du 15 juillet 2016 modifiant et complétant le Loi No.87-010 du 1er août 1987 portant Code de la Famille	1987 (2016)
	Loi No. 011/2002 du 29 août 2002 portant Code forestier en République Démocratique du Congo	2002
	Loi No. 11/009 du 09 juillet 2011 portant principes fondamentaux relatifs a la protection de l'environnement	2011
	Loi No. 11/022 du 24 decembre 2011 portant principes fondamentaux relatifs a l'agriculture	2011
	Loi organique No. 13/011-B du 11 avril 2013 portant organisation, fonctionnement et compétences des juridictions de l'ordre judiciaire	2013
	Loi No. 14/003 du 11 février 2014 relative à la conservation de la nature	2014
	Loi No. 15/026 du 31 decembre 2015 relative à l'eau	2015

Law has been repealed

Secondary Source

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Democratic Republic of the Congo	Loi No. 22/030 du 15 juillet 2022 portant protection et promotion des droits des peuples autochtones pygmées	2022
	Décret No. 14/018 2014 du 02 août 2014 fixant les modalités d'attribution des concessions forestières aux communautés locales	2014
	Décret No. 08/08 du 08 avril 2008 fixant la procédure de classement et de déclassement des forêts	2008
	Décret No. 08/09 du 08 avril 2008 fixant la procédure d'attribution des concessions forestières	2008
	Arrêté 28/08 fixent les modes de contrat de concession d'exploitation des produits forestiers et de cahier des charges y afférent	2008
	Arrêté 24/08 fixant la procédure d'attribution des concessions forestières	2008
	Arrêté ministériel No. 103 /CAB/MIN/ECN-T/15/JEB/09 du 16 juin 2009 portant organisation et fonctionnement de la commission de règlement des différends forestiers	2009
	Arrêté 23/2010 fixant le modèle d'accord constituant la clause sociale du cahier des charges du contrat de concession forestière	2010
	Arrêté ministériel No. 025 du 09 février 2016 portant dispositions spécifiques relatives à la gestion et à l'exploitation de la concession forestière des communautés locales	2016
	Arrêté ministériel No. 059 CAB/MIN./EDD/AAN/TNT/02/2018 portant création, organisation et fonctionnement du groupe genre et environnement	2018
	Note Circulaire n 006/CAB/MIN/ECN-DD/05/00/RBM/2016 - Prise en Compte de la Notion du genre dans la Foresterie Communautaire	2016
	Secondary Sources: Luamba, Moà se Nsongo. 2011. "De la protection juridique de l'union en droit comparé." Université libre de Matadi, Matadi; World Bank. 2010. Women Business and the Law: Measuring Legal Gender Parity for Entrepreneurs and Workers in 128 Economies. World Bank, Washington, DC; De Wit, Paul. 2011. DRC Scoping Mission: Opportunities in the current forest and land tenure landscape to advance community tenure rights. Unpublished report for Rights and Resources Initiative. Rights and Resources Initiative, Washington, DC.	
Ecuador	Constitución de la República de Ecuador	2008
	Código Civil	2005 (2021)
	Ley de Organización y Régimen de las Comunas	2004
	Ley Orgánica del Régimen de la Soberanía Alimentaria	2009 (2022)
	Ley Orgánica de Participación Ciudadana	2010 (2024)
	Código Orgánico de Organización Territorial, Autonomía y Descentralización	2010 (2024)
	Ley Orgánica de Tierras Rurales y Territorios Ancestrales	2016 (2022)
	Código Orgánico del Ambiente	2017 (2021)
	Decreto Ejecutivo 1283, Reglamento a la Ley Orgánica de Tierras Rurales y Territorios Ancestrales	2017 (2022)
	Decreto Ejecutivo 752, Reglamento al Código Orgánico del Ambiente	2019 (2022)
	Acuerdo Ministerial Nro. 056: Establecer Los Requisitos y Procedimientos Para El Registro y Mecanismos de Aprobación, Monitoreo y Seguimiento Para Los Socios Implementadores y Los Planes de Implementación de Medidas y Acciones REDD+	2019
	Acuerdo-Ministerial Nro. MAATE-2023-053: Norma Técnica que establece el esquema de compensación de emisiones de gases de efecto invernadero del Ecuador	2023
	Sentencia No. 273-19-JP del 2019, Corte Constitucional	2019
	Sentencia No. 20-12-IN, del 2020, Corte Constitucional	2020
	Sentencia No. 273-19-JP del 2022 (Ratificación de Sentencia), Corte Constitucional	2022
Ley Forestal y de Conservación de Areas Naturales y Vida Silvestre	2004	
Gabon	Constitution de la Republique Gabonaise	1991 (2011)
	Code Civil, Première Partie	1972 (2015)

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Gabon	Constitution de la Republique Gabonaise	1991 (2011)
	Code Civil, Première Partie	1972 (2015)
	Loi No. 16/01 du 31 décembre 2001 portant le Code forestier de la République Gabonaise	2001
	Loi No. 6/61 du 10 mai 1961, Réglementant l'expropriation pour cause d'utilité publique et instituant des servitudes pour l'exécution des travaux publics	1961 (1976)
	Loi No. 12/75 du 18 décembre 1975 Abrogeant et remplaçant la loi No. 4/75, portant réorganisation de la République gabonaise	1975
	Loi No. 19/89 du 30 décembre 1989, portant adoption de la deuxième partie du code civil	1989
	Loi No. 003/2007 du 27 août 2007 relative aux parcs nationaux	2007
	Loi No. 004/2009 du 9 février 2010 portant création, organisation et fonctionnement du Fonds Forestier National	2010
	Arrêté No. 018 MEF/SG/DGF/DFC fixant les procédures d'attribution et de gestion des forêts communautaires	2013
	Arrêté No. 105/MFEPRN/SG/DGF/DDF/SACF fixant le modèle du cahier de charges contractuelles	2014
	Arrêté No. 106/MFEPRN portant Droit de Réserve d'une forêt par une communauté villageoise	2014
	Décret No. 1394/PR-MI du 28 décembre 1977 portant organisation et fonctionnement des unités administratives territoriales	1977
	Décret No. 001028/PR/MEFEPEPN du 01 décembre 2004 fixant les conditions de création des forêts communautaires (en application de l'article 197 de la loi 016/01)	2004
	Décret No. 692/PR/MEFEPEPN du 24 août 2004 fixant les conditions d'exercice des droits d'usage coutumiers en matière de forêt, de faune, de chasse et de pêche	2004
	Décret No. 19/PR/MEFEPEPN du 06 janvier 2005 Portant réglementation des professions de lieutenant de chasse et de guide de chasse	2005
	Ordonnance No. 006/PR/2002 portant modification de certaines dispositions de la Loi. No. 016/2001 du 31 décembre 2001 portant Code forestier en republique gabonaise	2002
	Ordonnance No. 011/PR/2008 modifiant et complétant certaines dispositions de la loi 16/01 du 31 décembre 2001 portant Code forestier en République Gabonaise	2008
	Ordonnance No. 008/PR/2010 du 25 février 2010 portant modification et abrogation de certaines dispositions de la loi No. 16/01 du 31 décembre 2001 portant Code forestier en République Gabonaise	2010
	Ordonnance No. 007/PR/2017 du 27 fevrier 2017 portant modification et suppression de certains dispositions de la loi No. 003/2007 du 27 aout 2007 relative aux parcs nationaux	2017
	Arrêté No. 0004/MEFMEPCODDPAT/SG/DGF du 25/02/2020 complétant certaines dispositions de l'arrêté No. 18/MEF/DGF/DFC du 31 janvier 2013 fixant les Procédures d'attribution et de Gestion des Forêts Communautaires	2020
Secondary Sources: World Bank. 2016. "Women, Business and the Law: Gabon." World Bank, Washington, DC.		
Ghana	Constitution of the Republic of Ghana	1992
	Intestate Succession Law, 1985 (PNDCL 111)	1985 (1991)
	Water Resources Commission Act, 1996, Act 522	1996
	Timber Resource Management Act, 1998, Act 547	1998 (2003)
	Minerals and Mining Act, 2006, Act 703	2006
	Alternative Dispute Resolution Act, 2010, Act 798	2010
	Land Act, 2020, Act 1036	2020
	Environmental Assessment Regulations, 1999 (LI 1652)	1999

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Ghana	Timber Resources Management Regulations, 1998 (LI 1649)	1998
	Secondary Sources: Oxfam. 2015. The right to decide: Free prior informed consent in Ghana. Ghana Cocoa Forest REDD+ Programme (GCFRP) Emissions Reductions Programme Document (ER-PD).	
Guatemala	Constitución Política de la República de Guatemala de 1985, reformada por Acuerdo Legislativo No. 18-93 del 17 de Noviembre de 1993	1985 (1993)
	Código Civil, Decreto-ley No. 106	1963 (2022)
	Código Procesal Civil y Mercantil	1963 (2022)
	Ley de Titulación Supletoria, Decreto 49-79	1979 (2005)
	Ley de Áreas Protegidas, Decreto 4-89	1989
	Ley Forestal, Decreto 101-96	1996
	Decreto 9-96	1996
	Ley del Fondo de Tierras, Decreto 24-99	1999 (2010)
	Ley de los Consejos de Desarrollo Urbano y Rural, Decreto 11-2002	2002
	Código Municipal, Decreto 12-2002	2002
	Ley de Registro Catastral de 2005	2005
	Ley del Sistema Nacional de Seguridad Alimentaria y Nutricional, Decreto 32-2005	2005
	Ley del Chicle Decreto 23-2024	2024
	Reglamento de la Ley de Áreas Protegidas, Acuerdo Gubernativo No. 759-90	1990
	Reglamento de La Ley Forestal, Resolución 1/43/05	2005
	Reglamento Específico Para Reconocimiento Y Declaración De Tierras Comunales, Resolución No. 123-001-2009	2009
	Reglamento del Registro Nacional Forestal, Resolución JD.01.19.2023	2023
	Acuerdo Gubernativo número 137-2016 de fecha 11 de julio de 2016 de la Presidencia de la República	2016
	Opinion Consultiva relativa al Convenio 169 sobre Pueblos Indígenas y Tribales en Países Independientes y Convenio No. 169 (OIT), Expediente 199-95 Corte de Constitucionalidad	1995
	Apelación de Sentencia de Amparo 2567-2015, Corte Constitucional	2015
Apelación de Sentencia de Amparo, Expedientes Acumulados 90-2017, 91-2017 y 92-2017, Corte Constitucional	2017	
Ley del Chicle, Decreto 99-96	1996	
Reglamento de la Ley Forestal, Resolución 4/23/97	1997	
Secondary Sources: FAO Gender and Land Rights Database. 2017. Country Profile: Guatemala. FAO, Rome; World Bank. 2016. Women, Business, and the Law: Guatemala Country Profile. World Bank, Washington, DC; CONSEJO DE DERECHOS HUMANOS. 2018. Estudio: Consentimiento libre, previo e informado. Aportes del Estado de Guatemala. Mecanismo de Expertos sobre los Derechos de los Pueblos Indígenas (Resolución A/HR/C/36/57). Guatemala, Centro América; GARCÍA SÁENZ, Carlos Javier. 2022. Análisis jurisprudencial de los criterios establecidos por la Corte de Constitucionalidad de la República de Guatemala relativos al derecho de consulta previa de pueblos indígenas de conformidad con el Convenio 169 de la organización internacional del trabajo. Revista Auctoritas Prudentium, No. 27.		
Guyana	Constitution of the Co-operative Republic of Guyana Act, Act 2 of 1980 (Chapter 1:01)	1980 (2009)
	Marriage Act (Chapter 45:01)	1901 (1985)
	Act No. 12 of 1904, Married Persons (Property) Act (Chapter 45:04)	1904 (2014)
	State Lands Act (Chapter 62:01)	1903 (1997)
	Act No. 15 of 1916, Civil Law of Guyana Act (Chapter 6:01)	1916 (2021)
	Act No. 10 of 1917, Deceased Persons Estates' Administration Act (Chapter 12:01)	1917 (1991)

Law has been repealed

Secondary Source

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Guyana	Act No. 34 of 1919, Matrimonial Causes Act (Chapter 45:02)	1919 (1986)
	Act No. 18 of 1959, Land Registry Act (Chapter 5:02)	1959 (2003)
	Representation of the People Act (Chapter 1:03)	1964 (2022)
	Amerindian Lands Commission Act (Chapter 59:03)	1966
	Local Democratic Organs Act (Chapter 28:09)	1980
	Mining Act (Chapter 65:01)	1989
	Family and Dependants Provision Act (Chapter 12:24)	1990
	Act No. 19 of 1990, Equal Rights Act 1990	1990
	Environmental Protection Act (Chapter 20:05), as amended by Act No. 17 of 2005	1996 (2005)
	Act No. 26 of 1997, Prevention of Discrimination Act (Chapter 99:08)	1997
	Water and Sewerage Act (Chapter 30:01)	2002
	Act No. 6 of 2006, Amerindian Act 2006	2010
	Act No. 6 of 2009, Forests Act 2009	2010
	Act No. 14 of 2011, Protected Areas Act 2011	2011
	Civil Law of Guyana (Amendment) Act 2021 (No. 12)	2021
	State Lands (Amerindians) Regulations	1910 (1949)
	State Lands Regulations (Chapter 62:01)	1919 (1968)
	Regulations of the Forests Act of 2018	2018
	Environmental Protection Agency/Environmental Assessment Board's Environmental Impact Assessment Guidelines Volume 1 - Rules and Procedures for Conducting and Reviewing EIAs	2004
	Forest Regulations (Chapter 67:01)	1953 (1972)
Secondary Sources: Guyana Norway REDD+ Partnership. 2011; Ministry of Parliamentary Affairs and Governance. 2023. Expert Mechanism on the Rights of Indigenous People Establishing Effective Monitoring Mechanisms at the National and Regional Levels for the Implementation of the UNDRIP. Government of Guyana Responses. Guyana Government Information Agency. 2005. The New Amerindian Act: What will it do to the Amerindian People? Guyana Government Information Agency, Georgetown.		
India	The Constitution of India	1949 (2015)
	The Indian Christian Marriage Act 1872	1872
	Indian Succession Act, 1925	1925
	The Indian Forest Act, 1927	1927
	The Parsi Marriage and Divorce Act, 1936	1936
	The Muslim Personal Law (Shariat) Application Act, 1937	1937
	Hindu Succession Act, 1956	1956
	The Forest (Conservation) Act, 1980	1980 (1988)
	The Muslim Women (Protection of Rights on Divorce) Act, 1986	1986
	Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989	1989 (2015)
	The Provisions of the Panchayats (Extension to the Scheduled areas) Act, 1996	1996
	The Protection of Women from Domestic Violence Act, 2005	2005
	Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	2006
	The Constitution of India	1949 (2015)
	The Indian Christian Marriage Act 1872	1872

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
India	Indian Succession Act, 1925	1925
	The Indian Forest Act, 1927	1927
	The Parsi Marriage and Divorce Act, 1936	1936
	The Muslim Personal Law (Shariat) Application Act, 1937	1937
	Hindu Succession Act, 1956	1956
	The Forest (Conservation) Act, 1980	1980 (1988)
	The Muslim Women (Protection of Rights on Divorce) Act, 1986	1986
	Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989	1989 (2015)
	The Provisions of the Panchayats (Extension to the Scheduled areas) Act, 1996	1996
	The Protection of Women from Domestic Violence Act, 2005	2005
	Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	2006
	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013	2013
	The Compensatory Afforestation Fund Act, 2016	2016
	Orissa Scheduled Areas Transfer of Immovable Property (by Scheduled Tribes) Regulation, 1956	1956
	Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Rules	2008
	Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Amendment Rules	2012
	Ministry of Environment and Forests, Circular, F. No. 11-9/1998-FC (pt)	2009
	Ministry of Tribal Affairs, Implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006	2007
	Judgment State of Bombay vs. Narasu Appa Mali, 24 July 1951, Bombay High Court	1951
	Judgment Gopal Singh Bhumij vs Giribala Bhumij And Others, 28 February 1990, Patna High Court	1990
	Judgment Madhu Kishwar and Others vs. State of Bihar and Others, 17 April 1996, Supreme Court of India	1996
	Judgment Nirmala and Others vs. Government of NCT of Delhi and Others, 4 June 2010, Delhi High Court	2010
	Judgment Butaki Bai vs. Sukhbati, 2 May 2014, Chattisgarh High Court	2014
Judgment Archana vs. Deputy Director of Consolidation Amroha, 27 March 2015, Allahabad High Court	2015	
Judgment Bahadur vs Bratiya And Others, 23 June 2015, Himachal Pradesh High Court	2015	
Judgment Ram Dev Ram vs. Dhani Ram & Others, 11 January 2016, Chattisgarh High Court	2016	
Judgment Roshan Lal vs. Pritam Singh and Others, 13 December 2018, Himachal Pradesh High Court	2018	
Judgment Vineeta Sharma vs Rakesh Sharma, 11 August 2020, Supreme Court of India	2020	
Judgment Urban Improvement Trust Bikaner vs Gordhan Dass Through Lrs. and Others, 19 October 2023, Supreme Court of India	2023	
Secondary Sources: Choudhary, Amit Anand. 2015. "Couple living together will be presumed married, Supreme Court rules." The Times of India, April 13. Accessed April 10, 2017; OECD. OECD Social Institutions and Gender Index: India Data Sheet. OECD; World Bank. 2016. "Women, Business and the Law: India." World Bank, Washington, DC.		
Indonesia	Constitution of the Republic of Indonesia	1945 (2002)
	Civil Code, S.NO.23	1847

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Indonesia	Act No. 5 of 1960, concerning Basic Regulations on Agrarian Principles	1960
	Law No. 25/1992 re Cooperatives	1992
	Basic Forestry Law No. 41 of 1999	1999
	Law of the Republic of Indonesia No. 39 of 1999 on human rights	1999
	Law No. 17 of 2019 on Water Resources	2019
	Permenhut No. P. 37/Menhut-II/2007 as amended by Permenhut P. 13/Menhut-II/2010	2007 (2010)
	P.49/Menhut II/2008 Tentang Hutan Desa	2008
	P.14/Menhut-II/2010 Tentang Hutan Desa	2010
	PERATURAN MENTERI LINGKUNGAN HIDUP DAN KEHUTANAN REPUBLIK INDONESIA NOMOR P.17/MENLHK/SETJEN/KUM.1/8/2020	2020
	Regulation of the Minister of Forestry No. 23/Menhut-II/2007, Procedure for Application for Business License for Utilization of Timber Forest Crop on People's Cultivated Forest in Cultivated Forest	2007
	Regulation of the Minister of Forestry No. P.30/MENHUT-II/2012 on the administration of Forest Product derived from Private Forest	2012
	Constitutional Court, PUTUSAN - Nomor 35/PUU-X/2012	2013
	Regulation of the Minister of Forestry No. P.89/Menhut-II/2014 concerning Village Forests	2014
	Permen LHK No. 9 Tahun 2021 tentang Pengelolaan Perhutanan Sosial	2021
	Government Regulation No. 23 of 2021 about Forestry Management [Peraturan Pemerintah Republik Indonesia Nomor 23 Tahun 2021]	2021
	Regulation of the Government of the Republic of Indonesia No. 20 of 2021 on control of abandoned areas and lands	2021
	Regulation on the Implementation of Land Administration and Land Registration of Customary Land Rights of Customary Law Communities (No. 14/2024)	2024
	Government Regulation No. 30 of 2024 concerning Water Resources Management	2024
	Glossary of The State of Indonesia's Forests 2022: Towards FOLU Net Sink 2030 (p. XIV), published by the Ministry of Environment and Forestry	2022
	Constitutional Court, PUTUSAN - Nomor 35/PUU-X/2012	2012
	83/MENLHK/Secretariat/KUM.1/10/2016 Tentang Perhutanan Sosial	2016
	Permen 10 Tahun 2016 Tatacara Penetapan Hak Komunal	2016
	Government Regulation No. 6/2007, Forest Arrangement and Formulation of Forest Management Plan as well as Forest Exploitation	2007
Government Regulation No. 3/2008, The Amendment to Government Regulation No. 6/2007 on Forest Arrangement and Formulation of Forest Management Plan as well as Forest Exploitation	2008	
Regulation No. 11 /MENLHK/SETJEN/KUM.1/5/2020	2020	
Regulation of the Minister of Environment and Forestry No. 17 of 2020 concerning Customary Forests and Private Forests Subject to Rights.	2020	
Secondary Sources: Simarmata, R. 2019. The enforceability of formalised customary land rights in Indonesia. <i>Australian Journal of Asian Law</i> , 19(2); Anggraini, Nesita and Umery Lathifa. 2017. Communal Rights of Land: Indonesia Government Effort to Protect the Rights of Indigenous Group, 513; Brown, Jennifer. 2003. Rural Women's Land Rights in Java, Indonesia: Strengthened by Family Law, but Weakened by Land Registration. <i>Pacific Rim Law & Policy Journal</i> , 12(3). University of Washington School of Law, Seattle; OECD. 2014. <i>OECD Social Institutions and Gender Index: Indonesia</i> . OECD.		

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)	
Kenya	The Constitution of Kenya, 2010	2010	
	The Law of Succession Act of 1981	1981	
	The Land Act	2012	
	The Land Registration Act	2012	
	Matrimonial Property Act	2013	
	The Wildlife Conservation and Management Act	2013	
	The Marriage Act	2014	
	The Protection of Traditional Knowledge and Cultural Expressions Act	2016	
	The Land Laws (Amendment) Act	2016	
	The Community Land Act	2016	
	The Water Act	2016	
	The Forest Conservation and Management Act	2016	
	The Climate Change Act	2016 (2023)	
	The Public Participation Bill (Sen Bills No. 4 of 2018)	2018	
	The Land Value (Amendment) Act	2019	
	Environmental (Impact Assessment and Audit) Regulations, 2003	2003	
	The Community Land Regulations	2017	
	The National Guidelines for Free, Prior and Informed Consent, Ministry of Environment, Natural Resources and Regional Development Authorities, 2016	2016	
	Endorois Peoples' Biocultural Protocol: Sustainable Biodiversity Resource Management for Access and Benefit Sharing and Protection from Threats to Culture	2019	
	Supreme Court Advisory Opinion No. 2 of 2012	2012	
Abdalla Rhova Hiribae & 3 others v Attorney General & 7 others [2013] KEHC 19 (KLR), Civil Case 14 of 2010	2013		
John K. Keny & 7 others v Principal Secretary Ministry of Lands, Housing and Urban Development & 4 others [2018] eKLR - Constitutional Petition 6 & 5 of 2017	2018		
Secondary Sources: Ndlovu, Nqobizitha and Enyinna S Nwauche. 2022. "Free, Prior and Informed Consent in Kenyan Law and Policy After Endorois and Ogiek." <i>Journal of African Law</i> 66(2): 201–27. doi:10.1017/S002185532200002X.			
Lao PDR	Constitution of the Lao People's Democratic Republic	1991 (2015)	
	Law No. 08/NA on the Development and Protection of Women	2004	
	Lao Women Union's Law 2013	2013	
	Law on Water and Water Resources (Amended) 2017	2017	
	Civil Code	2018	
	Land Law	2019 (2024)	
	Gender Equality Act 2019	2019	
	Forestry Law (Revised)	2019	
	Decree of the Minister of Agriculture and Forestry No. 219/GOV on protected forests	2023	
	National Assembly Resolution (NA Res. 57)	2024	
	Ministry of Agriculture and Forestry, Manual Participatory Agricultural Land Management (PALM) at Village Level	2018	
	2021 Department of Forestry Technical Guidelines on Village Forest Management Planning	2021	
	Ministry of Natural Resources and Environment Instructions on Land Registration, MI No. 0500/MONRE/2022	2022	
	Secondary Sources: Committee on the Elimination of Discrimination against Women (CEDAW). Tenth periodic report submitted by the Lao People's Democratic Republic under article 18 of the Convention, due in 2022. CEDAW/C/LAO/10. 22 June 2023; Committee on the Elimination of Discrimination against Women (CEDAW). Concluding observations on the tenth periodic report of the Lao People's Democratic Republic. CEDAW/C/LAO/CO/10. 29 October 2024.		

■ Law has been repealed

□ Secondary Source

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Liberia	The Constitution of Liberia	1986
	The Decedents Estate Law, Title 8	1972
	The Civil Procedure Law	1972
	The Domestic Relations Law	1973
	The Equal Rights of Customary Marriage Law of 1998 (The Act to Govern the Devolution of Estates and Establish Rights of Inheritance for Spouses of Both Statutory and Customary Marriages)	1998 (2003)
	Environmental Protection and Management Law	2004
	The National Forestry Reform Law of 2006	2006
	The Community Rights Law of 2009 with Respect to Forest Lands	2009
	National Wildlife Law	2016
	An Act to Establish the Land Rights Law of 2018	2018
	Liberia Rules and Regulations Governing the Hinterland (2001)	2001
	Regulation No. 101-07 Public Participation	2007
	Regulation on Tender, Award, and Administration of Forest Management Contracts, Timber Sale Contracts, and Major Forest Use Permits (FDA Regulation 104-07)	2007
	Regulation on Forest Land Use Planning (FDA Regulation 102-07)	2009
	Regulations to the Community Rights Law of 2009 with Respect to Forest Lands	2011
	Regulations to the Community Rights Law of 2009 with Respect to Forest Lands, as Amended	2017
	Land Rights Act Regulations	2022
	ENVIRONMENTAL IMPACT ASSESMENT PROCEDURAL GUIDELINE	2006
	Liberia Environmental Protection Agency and Forestry Development Authority of the Government of Liberia (June 2019). Development of National Guidelines on Free, Prior and Informed Consent (FPIC) Project Report	2019
	2021 Revised Environmental and Social Impact Assessment/ Strategic Environmental Assessment (ESIA/SEA) Procedural Guidelines EPA/003/03-22	2022
The Public Lands Law	1956	
Secondary Sources: The Problems of Gender Inequality Raised by Unmarried Couples in Liberia. Theses and Dissertations. Paper 21. Digital Repository at Maurer Law. Maurer School of Law: Indiana University, Bloomington; Scalise, Elisa and Leslie Hannay. 2013. Land Policy Reform for Women in Liberia. Brief, Focus on Land in Africa; Troell and Stephanie Keene. 2022. Legal Recognition of Customary Water Tenure in Sub-Saharan Africa: Unpacking the Land-Water-Nexus; De Wit, Paul and Caleb Stevens. 2014. "100 Years of Community Land Rights in Liberia: Lessons Learned for the Future." Paper presented at World Bank Conference on Land and Poverty, Washington, DC, March 24-27, 2014; Dolo-Barbu, Yah-Yeplah. 2015. The Problems of Gender Inequality Raised by Unmarried Couples in Liberia. Indiana University Maurer School of Law, Bloomington; Knight, Rachael, Judy Adoko, Teresa Auma, Ali Kaba, Alda Salomao, Silas Siakor and Issufo Tankar. 2012. Protecting Community Lands and Resources: Evidence from Liberia, Mozambique and Uganda. Namati and International Development Law Organization, Rome; Scalise, Elise and Leslie Hannay. 2013. Land Policy Reform for Women in Liberia. Focus on Land in Africa; Wily, Liz Alden. 2007. So Who Owns the Forest: An investigation into forest ownership and customary land rights in Liberia. Sustainable Development Institute and FERN.		
Madagascar	Constitution de la Quatrieme Republique	2010
	Loi No. 68-012 du 04 juillet 1968 relative aux successions, testaments et donations	1968
	Loi No. 96-025 relative à la gestion locale des ressources naturelles renouvelables [GELOSE]	1996
	Loi No. 97-017 du 08 août 1997 portant révision de la législation forestière	1997
	Loi No. 2001-004 portant réglementation générale des Dina en matière de sécurité publique	2001
	Loi No. 2006-031 du 24 novembre 2006 fixant le régime juridique de la propriété foncière privée non titrée	2006
	Loi No. 2007-022 du 20 août 2007 relative au mariage et aux régimes matrimoniaux	2007
	Loi No. 2015-005 portant refonte du Code de Gestion des Aires Protégées	2015

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Madagascar	Loi No. 2021-016 portant refonte de la Loi No. 2006-031 du 24 novembre 2006 fixant le régime juridique de la propriété foncière privée non titrée	2021
	Loi No. 2022-013 Amendments to the Law No. 2006-031 establishing the legal regime for untitled private land ownership	2022
	Ministere des Eaux et Forêts, Decret No. 2001-122 fixant les conditions de mise en œuvre de la gestion contractualisée des forêts de l'État	2001
	Décret No. 99-954 du 15 décembre 1999 modifié par le décret No. 2004-167 du 03 février 2004 relatif à la mise en compatibilité des investissements avec l'environnement (MECIE)	2004
	Ministere de l'environnement, de l'Ecologie et des Forêts, Decret No. 2017-415 de 30 mai 2017 fixant les modalités et les conditions d'application de la Loi No. 2015-005 du 26 février 2015 portant refonte du Code de Gestion des Aires Protégées	2017
Mali	Constitution du Mali	1992
	Loi No. 96-050, portant principes de constitution et de gestion du domaine de collectivités territoriales	1996
	Loi No. 01-004 portant Charte Pastorale du Mali	2001
	Loi No. 02-006 du 31 Janvier 2002 portant Code de l'Eau	2002
	Loi No. 06/45 portant loi d'orientation agricole	2006
	Loi No. 06-023/ relative à la création et à l'administration des Villages, Fractions et Quartiers	2006 (2024)
	Loi No. 10-028 du 12 juillet 2010 déterminant les principes fondamentaux relatifs à la gestion des ressources du domaine forestier national	2010 (2021)
	Loi No. 2011-040 du 15 Juillet 2011 portant statut des exploitations et des exploitations agricole	2011
	Loi No. 2011-087 portant code des Personnes et de la Famille	2011
	Loi No. 2015-052 instituant des mesures pour promouvoir le genre dans l'accès aux fonctions nominatives et électives	2015
	Loi No. 2017-001 portant sur le Foncier Agricole	2017
	Loi No. 2018-036 fixant les principes de gestion de la faune et de son habitat	2018
	Loi No. 2021-056 portant modification et ratification de l'Ordonnance No. 2020-014/PT-RM du 24 décembre 2020 portant loi domaniale et foncière	2021
	Loi No. 2022-057 portant modification de la Loi No. 2011-087 du 30 décembre 2011 portant Code des Personnes et de la Famille	2022
	Loi No. 2023-004 du 13 mars 2023 portant Code des Collectivités territoriales	2023
	Decret No. 97-052/P-RM du 31 Janvier 1997 déterminant les modalités et conditions d'exercice des droits conférés par les titres de chasse	1997
	Decret No. 06-439/P-RM du 18 octobre 2006 fixant les modalités d'application de la Loi No. 01-004 portant Charte Pastorale du Mali	2006
	Decret No. 06-567 P-RM du 29 Decembre 2006 fixant le mode de designation des conseillers de village de fraction et de quartier et les modalités de fonctionnement des conseils de village, de fraction et de quartier	2006
	Décret No. 09-011 P-RM du 19 janvier 2009 fixant les attributions, la composition et les modalités de fonctionnement des commissions foncières locales et communales	2009
	Décret No. 2011-637-P-RM du 20 septembre 2011 déterminant les conditions et modalités d'exercice des droits conférés par les titres d'exploitation et de transport des produits forestiers	2011
Decret No. 2018-0333/P-RM du 04 avril 2018 fixant la composition et les modalités de fonctionnement de la commission foncière villageoise ou de fraction	2018	
Decret No. 2018-0662/P-RM du 08 août 2018 portant réglementation de l'exploitation des produits forestiers dans le domaine forestier nationale	2018	

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Mali	Ordonnance No. 02-044-P-RM du 28 mars 2002 Portant obrogation de la Loi No. 69-016 du 12 février 1996 portant création de l'Unité de Gestion Forestière	2002
	Ordonnance No. 2020-014/PT-RM portant Loi domaniale et foncière	2020
	Ordonnance No. 2024-019/PT-RM du 04 octobre 2024 portant modification de la Loi No. 06-023 du 28 juin 2006 relative a la creation et a l'administration des Villages, Fractions et Quartiers	2024
	Arrêté No. 08-0268/MATCL-SG fixant les modalités de creation, de fusion et de suppression des villages, fractions et quartiers	2008
	Arrêté Interministériel No. 2021-0079/MEADD-MEF-MICPI-SG du 01 fevrier 2021 determinant les modalites d'exportation et de reexportation du bois transformé	2021
	Politique Foncière Agricole du Mali	2014
	Loi No. 95-003 portant organisation de l'exploitation du transport et du commerce du bois	1995
	Loi No. 95-004 fixant les conditions de gestion des ressources forestières	1995
	Loi No. 2017-051 portant Code des Collectivités Territoriales	2017
	Ordonnance No.00-027 du 22 mars 2000 portant Code domanial et foncier, modifié par la loi No.02-008 du 12 février 2002	2000 (2002)
	Secondary Sources: FAO. 2021. Handbook: Respecting free, prior and informed consent in Mali. FAO, Rome; Doumbé-Bille, Stéphane. 2004. Le Droit Forestier en Afrique Centrale et Occidentale: Analyse Comparée. Etude juridique de la FAO en ligne #41. FAO, Rome; Jones-Casey, Kelsey, Anna Knox and Zoey Chenitz. 2011. Women, Inheritance and Islam in Mali. Focus on Land in Africa; Landesa. 2013. Gender and Land: Good Practices and Lessons from Four Millennium Challenge Corporation Compact-Funded Land Projects. Landesa, Seattle.	
Mexico	Constitución Política de los Estados Unidos Mexicanos del 1917	1917 (2024)
	Código Civil Federal	1928 (2021)
	Código Penal Federal	1931 (2016)
	Ley Agraria	1992 (2024)
	Ley de Aguas Nacionales	1992 (2023)
	Ley General de Cambio Climático	2012
	Ley General de Instituciones y Procedimientos Electorales	2014
	Ley de Desarrollo Forestal Sustentable	2018 (2024)
	Ley del Instituto Nacional de los Pueblos Indígenas	2018
	Ley Federal de Protección del Patrimonio Cultural de los Pueblos Indígenas y Afromexicanas	2022 (2023)
	Decreto por el que se reforman y adicionan diversas disposiciones de la Ley General del Equilibrio Ecológico y la Protección al Ambiente.	2018
	Reglamento de la Ley General de Desarrollo Forestal Sustentable	2020
	Contradicción de Tesis 12/2008-SS	2008
	Secondary Sources: Morett Sánchez, Jesús Carlos. 2001. El ocaso de la Reforma Agraria Mexicana. Universidad Autónoma de Chapingo, México, 204. ESTUDIOS AGRARIOS; Cobera, S., M. Estrada, G. Navarro and P. Pacheco. 2010. Rights to Carbon Forest and Carbon: insights from Mexico, Brazil and Costa Rica. Paper presented at the Workshop on Forest Governance decentralization and REDD+ in Latin America and the Caribbean; FAO Gender and Land Rights Database. 2017. "Country Profile: Peru." FAO, Rome; Gesell, Jeffrey N. 1997. "Customary Indigenous Law in the Mexican Judicial System." The Georgia Journal of International and Comparative Law 26: 643-671; OECD. 2014. "OECD Social Institutions and Gender Index: Mexico." OECD.	
Mozambique	Constituição da República	1990 (2004)
	Código Civil - Decreto-Lei No. 47/344, de 25 de Novembro de 1966	1966 (2021)
	Código de Registo Civil	2004
	Lei No. 4/92 Cria os Tribunais Comunitarios e define as suas competencias	1992
	Lei de Terras, Lei No. 19/97 de 01 de Outubro, 1997	1997
	Lei No. 19/2007 - Lei de Ordenamento do Território	2007

Law has been repealed

Secondary Source

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Mozambique	Lei No. 16/2014, de 20 de Junho, Lei de Protecção, Conservação e Uso sustentável da Diversidade Biológica	2014 (2017)
	Lei 20/2014 Lei de Minas	2014
	Lei No. 22/2019: Lei da Família	2019
	Lei No. 17/2023 Estabelece os princípios e normas básicas sobre a protecção, conservação e utilização dos recursos florestais e revoga a Lei No. 10/99, de 7 de Julho de 1999	2023
	Decreto No. 66/98 - Regulamento da Lei de Terras	1998
	Decreto No. 11 de 2005 Regulamento da Lei dos Órgãos Locais do Estado	2005
	Decreto No. 43 de 2010 introduz alteração no Regulamento da Lei de Terras (No. 2 do artigo 27)	2010
	Decreto No. 31/2012 Aprova o Regulamento sobre o Processo de Reassentamento Resultante de Actividades Economicas	2012
	Decreto No. 89/2017 Aprova o Regulamento da Lei No. 16/2014, de 20 de Junho, Lei da Protecção, Conservação e Uso Sustentável da Diversidade Biológica	2017
	Decree No. 82/2021 (Regulation of Recreational and Sport Fishing)	2021
	Decree No. 21/2022 (Regulation of Fishing in Inland Waters)	2022
	Diploma Ministerial No. 93 de 2005	2005
	Diploma Ministerial No. 158 de 2011 que fixa os procedimentos a serem seguidos para a realização da consulta comunitária	2011
	Resulacao No. 23/2020 Aprova a Political Florestal e Estrategia da sua Implementacao	2020
	Lei No. 10/99, Lei de Florestas e Fauna Bravia	1999
	Lei No. 10/2004, Lei da Familia	2004
	Decreto No. 12/2002, Regulamento da Lei de Florestas e Fauna Bravia	2002
Secondary Sources: Cooper, Elizabeth. 2011. Policy Notes: Challenges and opportunities in inheritance rights in Mozambique. Chronic Poverty Research Centre; OECD. 2014. OECD Social Institutions and Gender Index Mozambique Data Sheet. OECD.		
Myanmar	Constitution of the Republic of the Union of Myanmar	2008
	The Contract Act	1872
	The Married Women's Property Act	1874
	The Burma Laws Act	1898
	The Vacant, Fallow and Virgin Lands Management Law, Pyidaungsu Hluttaw Law No. 10 of 2012	2012
	Farmland Law, Pyidaungsu Hluttaw Law No. 11 of 2012	2012
	The Environmental Conservation Law (Pyidaungsu Hluttaw Law No. 9/2012)	2012
	The Myanmar Buddhist Women's Special Marriage Law	2015
	Ethnic Rights Protection Law (The Pyidaungsu Hluttaw Law No. 8/2015)	2015
	Firewood Plantation Law 2015 of Mon State	2015
	The Forest Law (The Pyidaungsu Hluttaw Law No. 29/2018)	2018
	The Conservation of Biodiversity and Protected Areas Law (The Pyidaungsu Hluttaw Law No. 12/2018)	2018
	Organization Registration Law, State Administration Council Law No 46/2022, 5th Waxing of Tazaungmone 1384 ME	2022
	The Vacant, Fallow and Virgin Lands Management Rules, Notification No. 1	2012
	The Forest Rules	2019
	The Community Forestry Instructions (Notification No. 69/2019)	2019
	National Land Use Policy	2016

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Myanmar	Forest Law of 1992	1992
	Registrations of Organization Law, Pyidaungsu Hluttaw Law No. 31	2014
	The Community Forestry Instructions of 16 August 2016 (Notification No. 84/2016)	2016
	<p>Secondary Sources: Displacement Solutions. 2015. Land Acquisition Law and Practice in Myanmar: Overview, Gap Analysis with IFC PS1 & PS5 and Scope of Due Diligence Recommendations. Displacement Solutions; Ewers Andersen, Kirsten. 2015. "Analysis of Customary Communal Tenure of Upland Ethnic Groups, Myanmar." Paper presented at Burma/Myanmar in Transition: Connectivity, Changes and Challenges. Center for ASEAN Studies (CAS), Chiang Mai University, the Regional Center for Social Science and Sustainable Development (RCSD); Myanmar Center, the Faculty of Humanities at Chiang Mai University and the International Institute for Asian Studies (IIAS) in Leiden, the Netherlands. 24-26 July 2015; Ewers Andersen, Kirsten. 2015. Study of Upland Customary Communal Tenure in Chin and Shan States: Outline of a Pilot Approach towards Cadastral Registration of Customary Communal Land Tenure in Myanmar. Land Core Group; Forest Department, Ministry of Forestry, Government of Myanmar. 1997. Asia-Pacific Forestry Sector Outlook Study. Country Report: Union of Myanmar. Working Paper No: APFSOS/WP/08. FAO, Rome; Jhaveri, Nayna, Vaneska Litz, Jason Girard, Robert Oberndorf, and M. Mercedes Stickler. 2016. Community Land Resource Tenure Recognition: Review of Country Experiences. USAID Tenure and Global Climate Change Program, Washington, DC; Mark, SiuSue. 2016. Are the Odds of Justice Stacked Against Them? Challenges and Opportunities for Securing Land Claims by Smallholder Farmers in Myanmar. Critical Asian Studies, 48:3, 443-460; Myanmar Lawyers Network and Asian Human Rights Commission. 2015. Land and Law in Myanmar: A Practitioners Perspective, Workshop Report and Recommendations. Myanmar Lawyers Network and Asian Human Rights Commission, Yangon; OECD. 2014. OECD Investment Policy Reviews: Myanmar 2014. OECD Publishing; Pierce, Caitlin J. and Nant Thi Thi Oo. 2016. Gendered Aspects of Land Rights in Myanmar: Evidence from Paralegal Casework. Namati; Tint, Kyaw, Oliver Springate-Baginski and Mehm Ko Ko Gyi. 2011. Community Forestry in Myanmar: Progress and Potentials; USAID. 2013. USAID Country Profile, Property Rights and Resource Governance: Burma. USAID; Wachenfeld, Margaret, Donna Guest, Haley St. Dennis, Vicky Bowman, and Thi Thi Thein. 2014. Myanmar Oil & Gas Sector Wide Impact Assessment. Myanmar Centre for Responsible Business, Institute for Human Rights and Business and the Danish Institute for Human Rights; Woods, Kevin. 2013. Timber Trade Flows and Actors in Myanmar: The Political Economy of Myanmar's Timber Trade. Forest Trends; Institute for Human Rights and Business (IHRB); Myanmar Centre for Responsible Business; Danish Institute for Human Rights (DIHR). 2016. Briefing paper: Indigenous Peoples' Rights and Business in Myanmar. DIHR; LILJEBLAD, Jonathan. 2022. Indigenous Identity, Human Rights, and the Environment in Myanmar: Local Engagement with Global Rights Discourses. London, New York: Routledge.</p>	
Nepal	Constitution of Nepal 2015	2015
	National Civil Code Act, 2017 (2074)	2017
	The Muluki Ain (General Code)	1963 (2010)
	Lands Act (1964)	1964 (2010)
	National Park and Wildlife Conservation (NPWC) Act, 2029	1973 (2017)
	The Treaty Act of 1990 (2047 B.S.)	1990
	An Act to Regulate and Control International Trade in Endangered Wild Fauna and Flora	2017
	The Forests Act, 2019 (2076)	2019
	Buffer Zone Management Regulation 2052, 1996	1996
	Buffer Zone Management Guideline, 1999 (2056-5-3)	1999
	Environmental Protection Regulation 2077	2020
	Forest Regulations 20179	2022
	Guideline for the preparation of bylaws and Work Plan of Leasehold Forest Groups	2006
	Herbs and NTFPs Resources Inventory Guideline	2012
	Community Forest Development Program Guidelines (2014)	2014
Forest Act 2049 (1993)	1995 (1999)	
Forest Regulation 2051 (1995)	1995	

Law has been repealed

Secondary Source

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Nepal	Secondary Sources: National Human Rights Commission. 2019. ILO Convention No. 169 Implementation Status Report. Nepal, 27-28; IWGIA. 2023. Free, Prior and Informed Consent of the Tamang Indigenous Peoples of Nepal. Kathmandu, 49-59; Acharya, Dhruva, Dilli Raj Khanal, Hari Prasad Bhattarai, Basanta Gautam, Gyanendra Karki, Eveline Trines, Wouter van Goor and Ram Prasad Acharya. 2015. FCPF/REDD/S/QCBS-20: REDD+ Strategy for Nepal -First Draft Strategy Report. REDD-Forestry and Climate Change Cell, Ministry of Forests and Soil Conservation, Babarmahal; FAO and RECOFTC. 2015. Gender and forests in a changing landscape: Understanding women's participation in forestry in Nepal - Policy Brief. FAO and RECOFTC, Bangkok; Ministry of Forests and Soil Conservation, Government of Nepal. 2013. Persistence and Change: Review of 30 years of community forestry in Nepal. Multi-stakeholder Forestry Programme, Services Support Unit, Lalitpur; Pandey, Ghan Shyam. 2015. Community Forestry in Nepal: Protecting Forest, Improving Livelihoods. FERN.	
Nicaragua	Constitución Política de la República de Nicaragua	2014
	Código Civil	2019
	Ley No. 28, Estatuto de la Autonomía de las Regiones de la Costa Atlántica de Nicaragua	1987 (2016)
	Ley No. 445, Ley Del Regimen De Propiedad Comunal De Los Pueblos Indigenas Y Comunidades Etnicas De Las Regiones Autonomas De La Costa Atlántica De Nicaragua Y De Los Rios Bocay, Coco, Indio Y Maiz	2003
	Ley No. 462, Ley de Conservación, Fomento y Desarrollo Sostenible del Sector Forestal	2003
	Ley No. 585, Ley de Veda para el Corte, Aprovechamiento y Comercialización del Recurso Forestal	2006
	Ley No. 648, Ley de Igualdad de Derechos y Oportunidades	2008
	Ley No. 717, Ley Creadora del Fondo para Compra de Tierras con Equidad de Género para Mujeres Rurales	2010
	Ley No. 757, Ley de Trato Digno y Equitativo a Pueblos Indígenas y Afro-descendientes	2011
	Ley No. 217, Ley General del Medio Ambiente y los Recursos Naturales	2014
	Ley No. 870, Código de Familia	2014
	Decreto Ejecutivo No. 70-2006 Marco General de Políticas de Tierras	2006
	Decreto Ejecutivo No. 01-2007 Reglamento de Áreas Protegidas	2007
	Decreto Ejecutivo No. 69-2008 Política Nacional de Desarrollo Sostenible del Sector Forestal de Nicaragua	2008
	Decreto Ejecutivo No. 52-2010 Reglamento de la Ley No. 717, Ley Creadora del Fondo para Compra de Tierras con Equidad de Género para Mujeres Rurales	2010
	Resolución Administrativa No. DE 21-2009 que establece la Estrategia Nacional de Forestería Comunitaria para el Desarrollo de los Pueblos Indígenas, Comunidad Étnicas y Campesinado en el Manejo Comunitario de los Recursos Forestales	2009
	Corte Interamericana de Derechos Humanos, Caso de la Comunidad Mayagna (Sumo) Awas Tingni vs. Nicaragua, Sentencia de 31 de agosto de 2001 (Fondo, Reparaciones y Costas)	2001
	Corte Interamericana de Derechos Humanos, Caso Pueblos Rama y Kriol, Comunidad de Monkey Point y Comunidad Negra Creole Indígena de Blue Fields y sus miembros Vs. Nicaragua	2024
Secondary Sources: Committee on the Elimination of Racial Discrimination. 2023. CERD/C/NIC/CO/15-21: Concluding observations on the combined fifteenth to twenty-first periodic reports of Nicaragua. 22 December; OHCHR. 2024. A/HRC/57/20: Situation of human rights in Nicaragua - Report of the United Nations High Commissioner for Human Rights. 2 September; Freguin-Gresh, Sandrine. 2014. Regulations on Access and Property Rights to Natural Resources in Nicaragua and Honduras: Literature review for institutional mapping of the Nicaragua-Honduras Sentinel Landscape. doi:10.13140/RG.2.2.18666.52165.		
Panama	Constitución Política de la República de Panamá	1972 (2004)
	Código Civil de la República de Panamá - Ley No. 2 de 22 de agosto de 1916	1916
	Código de Comercio de la República de Panamá - Ley No. 2 de 22 de agosto de 1916	1916 (2011)
	Código de la Familia - Ley No. 3 de 17 de mayo de 1994	1994 (2022)

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Panama	Ley No. 22 de 08 de noviembre de 1983 por la cual se crea la Comarca Embera de Darien	1983
	Ley No. 23 de 21 de octubre de 1983 por la cual se reglamentan las organizaciones campesinas	1983
	Ley No. 2 de 2 de junio de 1987 por la cual se desarrolla el Artículo 249 de la Constitución Política, y se señalan las funciones de los gobernadores de las provincias de la República.	1987
	Ley No. 1 de 03 de febrero de 1994 - Legislación Forestal de la República de Panamá	1994
	Ley No. 24 de 12 de enero de 1996 por la cual se crea la comarca kuna de madugandi	1996
	Ley No. 10 de 07 de marzo de 1997 Que crea la COMARCA NGOBE BUGLE	1997
	Ley No. 22 de 14 de julio de 1997	1997
	Ley No. 41 de 01 de julio de 1998 Ley General del Ambiente	1998
	Ley No. 4 de 29 de enero de 1999	1999
	Ley No. 34 de 25 de julio de 2000 que crea la comarca Kuna de Wargandí	2000
	Ley No. 38 de 10 de julio de 2001	2001
	Ley No. 29 de 13 de junio de 2002	2002
	Ley No. 16 de 31 de marzo de 2004	2004
	Ley No. 72 de 23 de diciembre de 2008 Que establece el procedimiento especial para adjudicación de la propiedad colectiva de tierras de los pueblos indígenas que no están dentro de las comarcas	2008
	Ley No. 44 de 25 de abril de 2011 que establece el regimen de incentivos para el fomento de la construccion y explotacion de centrales eolicas destinadas a la prestacion del servicio publico de electricidad	2011
	Ley No. 55 de 23 de mayo de 2011 que adopta el codigo agrario	2011
	Ley No. 18 de 26 de marzo de 2013 que modifica y adiciona articulos a la Ley 44 de 2011	2013
	Ley Fundamental de Gunayala	2013
	Ley No. 37 de 2016, que establece la consulta y consentimiento previo, libre e informado a los pueblos indígenas	2016
	Ley No. 188 de 04 de diciembre de 2020 que crea la Comarca Naso Tjer Di	2020
	Ley No. 301/2022 - Establece medidas para el desarrollo integral de los pueblos indígenas de Panamá	2022
	Ley No. 287/2022 que reconoce los derechos de la Naturaleza y las obligaciones del Estado relacionadas con estos derechos	2022
	Resolución de Junta Directiva No. 05-98 de 22 de enero de 1998 - Reglamento de la Ley Forestal de la República de Panamá	1998
	Decreto Ejecutivo No. 66 de 25 de septiembre de 1984 por el cual se aprueba el Reglamento de la Ley 23 de 1983 sobre las organizaciones campesinas	1984
	Decreto Ejecutivo No. 228 de 03 de diciembre de 1998 por el cual se adopta la Carta Organica Administrativa de la Comarca Kuna di Madugandi	1998
	Decreto Ejecutivo No. 84 de 09 de abril de 1999 por el cual se adopta la Carta Organica Administrativa de la Comarca Embera Wounaan de Darien	1999
	Decreto Ejecutivo No. 194 de 25 de agosto de 1999 que adopta la Carta Orgánica Administrativa de la Comarca Ngöbe-Buglé	1999
	Decreto Ejecutivo No. 414 de 22 de octubre de 2008 por medio del cual se adopta la Carta Organica Administrativa de la Comarca Kuna de Wargandi	2008
	Decreto No. 223 de 2010 - Reglamento de la Ley No. 72 de 2008	2010
	Decreto No. 59/2016 - Crea y regula el mecanismo de manejo compartido en el Sistema Nacional de Áreas Protegidas (SINAP)	2016
Plan Nacional de Desarrollo Integral de los Pueblos Indígenas de Panamá (2018)	2018	
Resolución No. 612/2019	2019	
Sentencia de 25 de mayo de 2017, 1115-16, Corte Suprema de Justicia (Pleno)	2017	

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Panama	Sentencia de 28 de octubre de 2020, Corte Suprema de Justicia (Pleno) sobre la Ley No. 656	2020
	Corte Interamericana de Derechos Humanos, Caso del Pueblo Saramaka vs Surinam, Sentencia de 12 de agosto de 2008 (Interpretación de la Sentencia de Excepciones Preliminares, Fondo, Reparaciones y Costas)	2008
	Secondary Sources: RIVERA POLO, MEZA-LOPEHANDÍA. Autonomía territorial indígena en Panamá: las comarcas indígenas; CEDAW. 2010. "Concluding observations of the Committee on the Elimination of Discrimination against Women." Presented at CEDAW 45th session, Geneva, February 5; Comité de América Latina y el Caribe para la Defensa de los Derechos de la Mujer - Panamá. 2010. "Informe Alternativo: Situación de Derechos Humanos de las Mujeres en Panamá." Paper presented at CEDAW Committee 45th Session, Geneva, February 1; El Congreso de la Cultura en la Ley Fundamental y Estatuto. Artículos de la Ley Fundamental y Estatuto Relacionados al Congreso General de la Cultura Guna; National Indigenous Women's Coordination of Panama (CONAMUIP). 2009. Alternative Report: The VOICE of Panama's Indigenous Women; OECD. 2014. "OECD Social Institutions and Gender Index: Panama." OECD; World Bank. 2016. "Women, Business, and the Law: Panama." World Bank, Washington, DC.	
Papua New Guinea	Constitution of the Independent State of Papua New Guinea (1975)	1975 (2014)
	Customs Recognition Act of 1963	1963
	Will and Probate Administration Act of 1966	1966
	Land Groups Incorporation Act	1974 (2018)
	Water Resources Act	1982
	Village Courts Act of 1989	1989 (2018)
	Forestry Act 1991	1992 (2005)
	Land Act 1996	1996 (2022)
	Underlying Law Act	2000
	Environment Act 2000, as amended by the Environment (Amendment) Act 2014	2001 (2014)
	Land Groups Incorporation (Amendment) Act 2009	2012
	Voluntary Customary Land Registration (Amendment) Act (2009)	2012
	Civil Registration (Amendment) Act 2014	2014
	Village Courts (Amendment) Act 2014	2014
	Climate Change (Management) Act 2015	2015 (2021)
	Village Courts (Amendment) Act 2018	2018
	Land Groups Incorporation (Amendment) Act 2018	2018
	Climate Change (Management) (Amendment) Act 2021	2021
	Land (Amendment) Act 2022	2022
	Protected Areas Act	2024
Water Resources Regulation	1982	
Forestry Regulation 1998	1998	
Independent State of Papua New Guinea (2014), Papua New Guinea Policy on Protected Areas. Conservation & Environment Protection Authority, October 2014, Waigani, National Capital District, Papua New Guinea	2014	
Secondary Sources: Manning, M. and P. Hughes. 2008. Acquiring Land for Public Purposes in Papua New Guinea and Vanuatu. Ausaid, Australia; Filer, Colin, Sango Mahanty, and Lesley Potter. 2020. "The FPIC Principle Meets Land Struggles in Cambodia, Indonesia and Papua New Guinea." Land 9(3): 67. doi:10.3390/land9030067; Darko, E., W. Smith and D. Walker. 2015. Gender Violence in Papua New Guinea-the cost to business. The Overseas Development Institute; GRAINvideo. 2010. "PNG Farmland Grab.wmv." YouTube video, 8:30. Posted 12 May; OECD. 2014. "OECD Social Institutions and Gender Index: Papua New Guinea." OECD; Oxford Business Group. 2012. The Report: Papua New Guinea 2012: Construction & Real Estate: At last: Inroads are finally being made on land reform and ownership. Oxford Business Group; Papua New Guinea Office of the Development of Women and UN Women. 2014. Papua New Guinea National Review on the Implementation of the Beijing Declaration and the Platform for Action and the Outcomes of the 23rd Special Session of the General Assembly. Papua New Guinea Office of the Development of Women and UN Women, Port Moseby; USAID/Enabling Agricultural Trade (EAT). 2012. "Registering Property." In AgCLR Papua New Guinea: Agribusiness Commercial Legal and Institutional Reform Assessment - Agenda for Action, 63-72. USAID, Washington, DC; World Bank. 2016. "Women Business and the Law: Papua New Guinea." World Bank, Washington, DC.		

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Peru	Constitución Política del Perú, 1993	1993 (2024)
	Código Civil, Decreto Legislativo No. 295	1984 (2024)
	Ley No. 24656, 1987 - Ley General de Comunidades Campesinas	1987
	Ley No. 26505, 1995 - Ley de la Inversión Privada en el Desarrollo de las Actividades Económicas en las Tierras del Territorio Nacional y de las Comunidades Campesinas y Nativas	1995
	Ley No. 26821, 1997 - Ley Orgánica para el Aprovechamiento de los Recursos Naturales	1997
	Ley No. 26834, 1997 - Ley de Áreas Naturales Protegidas	1997
	Ley No 27867, 2002 - Ley Orgánica de Gobiernos Regionales	2002 (2023)
	Ley No. 28611 - Ley General del Ambiente	2005
	Ley No. 28736, 2006 - Ley para la protección de pueblos indígenas u originarios en situación de aislamiento y en situación de contacto inicial	2006
	Ley No. 29785/2011, Ley del derecho a la consulta previa a los pueblos indígenas reconocido en el Convenio 169 de la OIT	2011
	Ley No. 29763 de 2011, Ley Forestal y de Fauna Silvestre	2011 (2024)
	Ley No. 30007	2013
	Ley No. 30754, Ley Marco sobre Cambio Climático	2018
	Ley No. 30982 - Ley que modifica la Ley 24565 para fortalecer el rol de la mujer en las comunidades campesinas	2019
	Ley No. 31973, Ley que modifica la Ley 29763, Ley Forestal y de Fauna Silvestre, y aprueba disposiciones complementarias orientadas a promover la zonificación forestal	2024
	Decreto Ley No. 22175, 1978 - Ley de Comunidades Nativas y de Desarrollo Agrario de la Selva y de Ceja de Selva	1978
	Decreto Ley No. 1374 - Establece el Regimen Sancionador por incumplimiento de las disposiciones de la Ley No. 28736	2018
	Decreto Supremo AG No. 014/2001 - Reglamento de la Ley Forestal y de Fauna Silvestre	2001
	Decreto Supremo AG No. 038/2001- Reglamento de la Ley de Áreas Naturales Protegidas	2001
	Decreto Supremo MIMDES No. 008/2007	2007
	Decreto Supremo No. 001-2012-MC, Reglamento de la ley del derecho a la consulta previa a los pueblos indígenas reconocido en el Convenio 169 de la OIT	2012
	Decreto Supremo No. 018-2015-MINAGRI - Decreto Supremo que aprueba el Reglamento para la Gestión Forestal	2015
	Decreto Supremo No. 019/15/MINAGRI - Reglamento para la Gestión de Fauna Silvestre	2015
	Decreto Supremo No. 020/15/MINAGRI - Reglamento para la Gestión de las Plantaciones Forestales y los Sistemas Agroforestales	2015 (2024)
	Decreto Supremo No. 021-2015-MINAGRI, Decreto Supremo que Aprueba el Reglamento para la Gestión Forestal y de Fauna Silvestre en Comunidades Nativas y Comunidades Campesinas	2015 (2024)
	Decreto Supremo No. 008-2016-MC Modifican Reglamento de la Ley No. 28736, Ley para la Protección de Pueblos Indígenas u Originarios en situación de Aislamiento y en situación de Contacto Inicial, aprobado por Decreto Supremo No. 008-2007-MIMDES	2016
	Resolución de Intendencia INRENA-IANP No. 019/2005 - Régimen Especial de administración de Reservas Comunales	2005
Resolucion No. 010 del 2013 para Aprobar la Directiva No. 002-2013-VMI/MC "Procedimiento de petición de los Pueblos Indígenas para su inclusión en un proceso de Consulta Previa o para la realización del mismo, en el Ministerio de Cultura"	2013	

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Peru	Resolución Viceministerial No. 004-2014-VMI-MC, Lineamientos que establece instrumentos de recolección de información	2014
	Resolución Viceministerial No. 025-2015-VMI-MC, que regula el Libro de Registro de Resultados de los Procesos de Consulta Previa	2015
	Resolución Ministerial No. 365-2017-MC, que aprueba los procedimientos internos del Ministerio en materia de consulta previa	2017
	Resolución Ministerial R.M. No. 403-2019-MINEM/DM - Procedimientos Administrativos del Subsector Minero sujetos a Consulta Previa	2019
	Resolución Administrativa RA No. D000268-2024-MIDAGRI-SERFOR-ATFFS-SIERRA CENTRAL	2024
	Ministerio del Ambiente, Glosario de Términos de la Gestión Ambiental Peruana	2012
	Secondary Sources: PERU. Ministerio de Cultura. Normas Legales - Consulta Previa; Bustamante Oyague, Emilia. 2013. Derechos sucesorios del conviviente. Suplemento Jurídica - Diario Oficial El Peruano, Lima, Edición 462, 4-5; IWGIA. 2016. "2016 Yearbook Article on Indigenous Peoples in Peru." In The Indigenous World 2016, edited by Diana Vinding and Cæcilie Mikkelsen. IWGIA, Copenhagen, 156-166; FAO Gender and Land Rights Database. 2014. LAT Assessment - Peru. FAO, Rome; FAO Gender and Land Rights Database. 2017. "Country Profile: Peru." FAO, Rome; OECD. 2014. "OECD Social Institutions and Gender Index: Peru." OECD; USAID. 2016. Property Rights and Resource Governance Country Profile - Peru. USAID, Washington, DC.	
Philippines	The Constitution of the Republic of the Philippines	1987
	Republic Act No. 386 - Civil Code of the Philippines	1949
	Republic Act No. 6657 - Comprehensive Agrarian Reform Law of 1988	1988
	Republic Act No. 7192 - Women in Development and Nation Building Act	1992
	Republic Act No. 7586 - National Integrated Protected Areas System Act of 1992	1992
	The Indigenous Peoples' Rights Act of 1997 No. 8371	1997
	Republic Act No. 9710 - The Magna Carta of Women	2009
	Revised Wildlife Resources Conservation and Protection Act	2021
	Presidential Decree No. 705 - Forestry Reform Code	1975
	Presidential Decree No. 1083 of 1977, A decree to ordain and promulgate a code recognizing the system of Filipino Muslim laws, codifying Muslim personal laws, and providing for its administration and for other purposes	1977
	Executive Order No. 209 - The Family Code of the Philippines	1988 (2009)
	Executive Order No. 263	1995
	Executive Order No. 23 Declaring a Moratorium on the Cutting and Harvesting of Timber in the Natural and Residual Forests and Creating the Anti-Illegal Logging Task Force	2011
	DENR Administrative Order No. 98-41, 24 June 1998	1998
	DENR Administrative Order No. 2004-29 - Revised Rules and Regulations for the Implementation of Executive Order 263, the Community-Based Forest Management Strategy	2004
	DENR Administrative Order No. 2004-32 - Revised Guidelines on the Establishment and Management of Community-Based Program in Protected Areas	2004
	DENR-NCIP Joint Administrative Order No. 2017-01 on the Procedures for Securing Titles Under Section 12 of the Indigenous Peoples Rights Act (IPRA) of 1997, New regulation to the Republic Act no. 8371/1997 (IPRA)	2017
	DENR Administrative Order No. 2019-05 implementing Rules and Regulations of Republic Act No. 7586, or the National Integrated Protected Areas System (NIPAS) Act of 1992, as Amended by Republic Act No. 11038, or the Expanded National Integrated Protected Areas System (ENIPAS) Act of 2018	2019
DENR Administrative Order No. 2020-18 on Promoting Tree Plantation Development and Liberalising Harvesting and Transport of Planted Trees and Tree Derivatives for Inclusive Growth and Sustainable Development	2020	
DENR Administrative Order No. 2021-42 Guidelines on the processing of Applications for Expansion of Areas under Community Based Forest Management Agreement (CBFMA) to Cover Adjacent Untenured Areas within Forestlands	2021	

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Philippines	DENR Administrative Order No. 2022-05. Rules and Regulations on Wood Charcoal	2022
	NCIP Administrative Order No. 03, Series of 2012 - The Revised Guidelines on Free and Prior Informed Consent (FPIC) and Related Processes of 2012	2012
	NCIP Administrative Order 4-2012 - Revised Omnibus Rules on Delineation and Recognition of Ancestral Domains and Lands of 2012	2012
	NCIP Administrative Order No. 2, series of 2018 - Revised Guidelines on the Formulation of the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP)	2018
	Republic Act No. 9700	2009
	DENR Administrative Order No. 25, Series of 1992	1992
	DENR Administrative Order No. 96-29, 10 October 1996	1996
	Secondary Sources: FAO Gender and Land Rights Database. 2017. "Country Profile: Philippines." FAO, Rome; OECD. 2014. "OECD Social Institutions and Gender Index: Philippines." OECD; USAID. 2011. Property Rights and Resource Governance Country Profile - Philippines. USAID, Washington, DC; World Bank. 2016. "Women, Business, and the Law: Philippines." World Bank, Washington, DC.	
Senegal	Constitution de la République du Sénégal	2001 (2016)
	Loi constitutionnelle No. 2016-10 du 05 avril 2016 portant révision de la Constitution	2016
	Code de la famille sénégalais	2000
	Loi No. 64-46 du 17 juin 1964 relative au Domaine national	1964
	Loi No. 2004-16 du 04 juin 2004 portant loi d'orientation agro-sylvo-pastorale	2004
	Loi organique No. 2008-35 du 08 août 2008 sur la Cour suprême	2008 (2017)
	Loi No. 2010-11 du 28 mai 2010 instituant la parité absolue Homme-Femme	2010
	Loi No. 81-13 portant Code de l'eau	2013
	Loi No. 2013-10 du 28 décembre 2013 portant Code général des Collectivités locales	2013
	Loi No. 2014-18 du 15 avril 2014 abrogeant et remplaçant la loi No. 2012-01 du 03 janvier 2012 portant code électoral	2014
	Loi organique No. 2017-09 du 17 janvier 2017 abrogeant et remplaçant la loi organique No. 2008-35 du 08 août 2008 sur la Cour suprême	2017
	Loi No. 2018-25 portant Code forestier	2018
	Loi No. 2021-35 du 23 juillet 2021 portant Code électoral	2021
	Loi No. 2023-15 du 02 août 2023 portant Code de l'environnement	2023
	Décret d'application No. 64-573 du 30 juillet 1964 fixant les conditions d'application de la loi No. 64-46 relative au domaine national	1964
	Décret No. 72-1288, du 27 octobre 1972 relatif aux conditions d'affectation et de désaffectation des terres du domaine national comprises dans les communautés rurales	1972 (2022)
	Décret No. 80-268 du 10 mars 1980 portant organisation des parcours du bétail et fixant les conditions d'utilisation des pâturages	1980
	Decret No. 96-1134 du 27 decembre 1996 portant application de la loi portant transfert de compétences aux régions, aux communes et aux communautés rurales, en matière d'environnement et de gestion des ressources naturelles	1996
	Décret No. 98-555 portant application des dispositions du Code de l'Eau relatives aux autorisations de construction et d'utilisation d'ouvrages de captage et de rejet	1998
	Décret No. 2001-282 du 12 avril 2001 portant application du code de l'environnement	2001
Décret No. 2007-1253 du 23 octobre 2007 modifiant le décret No. 99-1124 du 17 novembre 1999 relatif aux maisons de justice, à la médiation et à la conciliation	2007	
Décret No. 2011-819 du 16 juin 2011 portant application de la Loi instituant la Parité absolue Homme-Femme	2011	

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Senegal	Décret No. 2019-110 portant application de la loi No. 2018-25 portant Code forestier	2019
	Décret No. 2022-2307 modifiant le décret No. 72-1288 du 27 octobre 1972 relatif aux conditions d'affectation et de désaffectation des terres du domaine national	2022
	ARRÊTE MINISTRERIEL No. 0071 en date du 08 Janvier 2003, portant application des dispositions du décret No. 98-555 du 25 Juin 1998 relatives aux autorisations d'installations ou d'utilisation d'ouvrages de déversement, d'écoulement ou de rejet	2003
	Circulaire No. 0989/5/2018 du ministère de l'Agriculture et de l'Équipement rural	2018
	Loi No. 98-03 portant le Code forestier	1998
	Loi No. 2001-01 du 15 janvier 2001 portant Code de l'environnement	2001
	Décret No. 98-164 portant Code forestier	1998
	Secondary Sources: ActionAid. 2015. Implementing the Tenure Guidelines for Women and Small-scale Food Producers: An Analysis of Mozambique, Tanzania, Senegal, and Haiti; FAO. 2019. Guide d'accompagnement. Respecter le consentement préalable, donné librement et en connaissance de cause au Sénégal; World Bank. n.d. Droits Fonciers et Inégalités de Genre au Sénégal. World Bank, Washington, DC.	
Tanzania	The Constitution of the United Republic of Tanzania of 1977	1977 (2005)
	Succession Act	1865
	The Judicature and Application of Laws Act	1920 (1971)
	Succession (Non-Christian Asiatics) Act	1923 (2002)
	The Judicature and Application of Laws Act	1961 (1964)
	Probate and Administration of Estates Act (Cap. 352)	1963 (1987)
	Land Acquisition Act	1967 (2019)
	Islamic Law (Restatement) Act	1967
	Chapter 29, The Law of Marriage Act	1971 (2019)
	Local Government District Authorities Act No. 7 of 1982, as amended by The Local Government Laws (Miscellaneous Amendments) Act of 1999	1982 (2000)
	The Magistrates Court Act No. 2	1984
	Local Government Laws (Amendment) Act, 1999	1999
	The Land Act, 1999	1999 (2023)
	The Village Land Act, 1999	2001
	The Land Disputes Courts Acts, 2002	2002
	The Forest Act, 2002	2004
	Wildlife Conservation Act	2022
	The Local Customary Law (Declaration) Order, Government Notice No. 279 of 1963	1963
	The Local Customary Law (Declaration (No. 4) Order, Government Notice No. 436 of 1963	1963
	The Wildlife Conservation (Wildlife Management Areas) Regulations	2012
Tanzania National Forest Policy	1985	
Secondary Sources: Knight, Rachael S. 2010. Statutory recognition of customary land rights in Africa: An investigation into best practices for lawmaking and implementation. FAO Legislative Study 105, FAO, Rome; Rwebangira, Magdalena K. and M.C. Mukoyogo. 1995. The Law of Inheritance in Tanzania: A Status Report. Woman and law in East Africa, Nairobi; Sundet, Geir. 2005. "The 1999 Land Act and Village Act: A Technical Analysis of the Practical Implications of the Acts." Working Draft; Wikigender. 2015. "Africa for Women's Rights: Tanzania." Wikigender; World Bank. 2013. "Women Business and the Law: Tanzania." World Bank, Washington, DC.		
Thailand	Constitution of the Kingdom of Thailand (Interim), B.E. 2560	2017
	Civil and Commercial Code, B.E. 2468	1925 (2024)
	National Reserved Forest Act, B.E. 2507 (1964)	1964
	Commerical Forest Plantation Act, B.E. 2535 (1992)	1992

Law has been repealed

Secondary Source

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Thailand	Agricultural Land Consolidation Act (B.E. 2558)	2015
	Community Forest Act (B.E. 2562), 2019	2019
	National Land Policy Act 2019 (B.E. 2562)	2019
	National Parks Act, B.E. 2562 (2019)	2019
	Wildlife Conservation and Protection Act, B.E. 2562 (2019)	2019
	Regulation of the Prime Minister's Office on the Issuance of Community Land Title Deeds	2010
	Forest Act, B.E. 2484 (1941)	1942
	National Park Act, B.E. 2504 (1961)	1961
	Wildlife Preservation and Protection Act, B.E. 2535 (1992)	1992
	Secondary Sources: Draft Constitution of the Kingdom of Thailand 2016, Unofficial English Translation. 2016. International IDEA, International Commission of Jurists, and the Office of the United Nations Resident Coordinator in Thailand; FAO Gender and Land Rights Database. 2017. "Country Profile: Thailand." FAO, Rome; The Network of Indigenous Peoples of Thailand. 2016. Civil Society Report on the Implementation of the ICCPR (Contribution to the List of Issue) - Review on the Situation and National Legal and Policy Framework on the Rights of Indigenous and Tribal Peoples in Thailand: In Response to International Covenant on Civil and Political Rights (ICCPR). Inter Mountain Peoples Education and Culture in Thailand Association (IMPECT), Chiang Mai; World Bank. 2015. "Women, Business and the Law: Thailand." World Bank, Washington, DC.	
Venezuela	Constitución de la República Bolivariana de Venezuela, 1999	1999
	Código Civil	1982
	Ley de Igualdad de Oportunidades para la Mujer	1999
	Ley de Demarcación y Garantía del Habitat y Tierras de los Pueblos Indígenas	2001
	Ley Orgánica de Pueblos y Comunidades Indígenas	2005
	Ley de Consejos Comunales	2006
	Ley de gestión de la diversidad biológica	2008
	Ley de Reforma Parcial de la Ley de Tierras y Desarrollo Agrario	2010
	Ley de Bosques	2013
	Ley Orgánica Sobre el Derecho de las Mujeres a una Vida Libre de Violencia	2014 (2021)
	Decreto Ley No. 1.546 de 09 de noviembre de 2001 - Decreto con Fuerza de Ley de Tierras y Desarrollo Agrario	2001
	Sentencia No. 1682 de Tribunal Supremo de Justicia - Sala Constitucional de 15 de julio de 2005	2005
	Ley de Bosques y Gestión Forestal (Decreto No. 6.070)	2008
	Secondary Sources: Bello, Luis J. 2005. Derechos de los Pueblos Indígenas en el Nuevo Ordenamiento Jurídico Venezolano. IWGIA; FAO Gender and Land Rights Database. 2017. "Country Profile: Venezuela." FAO, Rome; OECD. 2014. "OECD Social Institutions and Gender Index: Venezuela." OECD; Pinho de Oliveira, Maria Fátima. 2011. "Los Tratados Internacionales y sus Posibles Conflictos en el Orden Interno a la Luz de la Constitución de la República Bolivariana de Venezuela." CONHISREMI, Revista Universitaria de Investigación y Diálogo Académico, 7(3).	
Viet Nam	The Constitution of the Socialist Republic of Viet Nam of 2013	2013
	Law on Gender Equality (No. 73/2006/QH11)	2006
	Law on Marriage and Family (No. 52/2014/QH13)	2014
	Civil Code (No. 91/2015/QH13)	2015
	Law on Forestry 2017 (No. 16/2017/QH14)	2017
	Law No. 72/2020/QH14 on Environmental Protection	2020
	Law No. 17/2023/QH15 on Cooperatives	2023
	Law No. 28/2023/QH15 on Water Resources	2023
	Land Law No. 31/2024/QH15 ("Land Law 2024")	2024
	Decree Detailing a Number of Articles of the Land Law (No. 43/2014/ND-CP)	2014 (2023)
	Decree on Regulations on Land Prices (No. 44/2014/ND-CP)	2014 (2024)

Country	Legal Instruments and Secondary Sources	Year Enacted (Revised/Amended)
Viet Nam	Decree on Regulations on Compensation, Support and Resettlement upon Land Expropriation by the State (No. 47/2014/ND-CP)	2014
	Decree No. 156/2018/ND-CP providing for enforcement of a number of articles of the Law on Forestry	2018
	Decree No. 10/2023/ND-CP on amendments and supplements to several Articles of Decrees on instructions for implementation of the Law on Land	2023
	Decree No. 12/2024/ND-CP on amendments to Decree No. 44/2014/ND-CP of the Government on land prices and Decree No. 10/2023/ND-CP of the Government on amendments to Decrees on guidelines for the Law on Land	2024
	Decree No. 27/2024/ND-CP on amendments to Decree No. 156/2018/ND-CP elaborating the Law on Forestry	2024
	Resolution of the Judicial Council of the Supreme People's Court 02/2000/ NQ-HDTP	2000
	Law on Forest Protection and Development (No. 29/2004/QH11), as promulgated by Order No. 25/2004/L-CTN	2005
	Law on Water Resources – Order No. 15/2012/L-CTN of 2012	2012
	Land Law (No. 45/2013/QH13)	2013
	Decree No. 181-2004-ND-CP providing for implementation of Law on Land	2004
	Decree on the Implementation of the Law on Forest Protection and Development (No. 23/2006/ND-CP)	2006
	Decree No. 43/2014/ND-CP Detailing a number of Articles of the Land Law	2014
	<p>Secondary Sources: ICRW, ISDS and USAID. 2015. Property and Land Rights in Marriage and Family; IWGIA. 2024. The Indigenous World 2024: Vietnam; Pham, Thuy Thu, Jean-Christophe Castella, Guillaume Lestrelin, Ole Mertz, Dung Ngoc Le, Moira Moeliono, Tan Quang Nguyen, Hien Thi Vu and Tien Dinh Nguyen. 2015. "Adapting Free, Prior, and Informed Consent (FPIC) to Local Contexts in REDD+: Lessons from Three Experiments in Vietnam" <i>Forests</i> 6(7): 2405-2423; Alvarado, Gina, Khuat Thu Hong, Stella Mukasa, Zayid Douglas, Jennifer Schulz, Nguyen Thi Van Anh, Nguyen Thu Phuong Thao and Vu Xuan Thai. 2015. Training Toolkit: Property and Land Rights in Marriage and Family. The International Center for Research on Women, Washington, DC; FAO Gender and Land Rights Database. 2017. "Country Profile: Vietnam." FAO, Rome; OECD. 2014. "OECD Social Institutions and Gender Index: Viet Nam." OECD.</p>	
Zambia	Constitution of Zambia (Amendment) Act, No. 2 of 2016	(1991) 2016
	The Intestate Succession Act (Chapter 59)	1989
	The Lands Act, 1995	1995 (1996)
	The Lands Tribunal Act, No. 39 of 2010	2010
	Water Resources Management Act	2011
	The Forests Act, No. 4 of 2015	2015
	Zambia Wildlife Act, No. 14 of 2015	2015
	Gender Equity and Equality Act, No. 22 of 2015	2015
	Statutory Instrument No. 11, The Forests Community Forest Management Regulations	2018
	High Court for Zambia decision 2021/HP/1280 of 25 January 2022	2022
	Court of Appeal, Decision No. 104-2020 of 21 April 2022	2022
<p>Secondary Sources: FAO Gender and Land Rights Database. 2017. "Country Profile: Zambia." FAO, Rome; Himonga, Chuma. 2011. Family Law in Zambia. The Netherlands: Kluwer Law International; Munalula, Mulela Margaret. 2016. "Constitutional Reform in Zambia." Blog of the IACL, AIDC, March 2; USAID. 2010. USAID Country Profile, Property Rights and Resource Governance: Zambia. USAID; Veit, Peter. 2012. Brief: Custom, Law and Women's Land Rights in Zambia. Focus on Land in Africa; World Bank. 2016. "Women, Business and the Law: Zambia." World Bank, Washington, DC.</p>		

Endnotes

- 01 Rights and Resources Initiative. 2017. Power and Potential: A Comparative Analysis of National Laws and Regulations Concerning Women's Rights to Community Forests. Rights and Resources Initiative, Washington, DC, 16. doi:10.53892/PMYV6840.
- 02 Resources Initiative. 2020. Whose Water? A Comparative Analysis of National Laws and Regulations Recognizing Indigenous Peoples', Afro-descendants', and Local Communities' Water Tenure. Rights and Resources Initiative, Washington, DC, 19. doi:10.53892/DRQB6907.
- 03 Rights and Resources Initiative 2017, 17.
- 04 Rights and Resources Initiative 2017, 16, citing Rights and Resources Initiative. 2015. Who Owns the World's Land? A Global Baseline of Formally Recognized Indigenous and Community Land Rights. Rights and Resources Initiative, Washington, DC, 3. doi:10.53892/NXFO7501.
- 05 Rights and Resources Initiative 2017, 17.
- 06 Rights and Resources Initiative 2017, 16.
- 07 Rights and Resources Initiative 2017, 17.
- 08 UNCCD. 2022. Study on the Differentiated Impacts of Desertification, Land Degradation and Drought on Women and Men. United Nations Convention to Combat Desertification, 10. Available at: <https://www.unccd.int/sites/default/files/2022-11/Gender%20study%20.pdf>.
- 09 UNCCD 2022, 10
- 10 UNICEF Regional Office for South Asia. 2017. Gender Equality: Glossary of Terms and Concepts. United Nations Children's Fund, Kathmandu, 3–4. Available at: <https://www.unicef.org/rosa/media/1761/file/Gender%20glossary%20of%20terms%20and%20concepts%20.pdf>.
- 11 UNCCD 2022, 11.
- 12 UNCCD 2022, 11.
- 13 Inter-Agency Working Group on Reproductive Health in Crises. 2010. Inter-agency Field Manual on Reproductive Health in Humanitarian Settings. 2010 Revision for Field Review. Inter-agency Working Group on Reproductive Health in Crises, 157, 202. Available at: https://www.ncbi.nlm.nih.gov/books/NBK305149/pdf/Bookshelf_NBK305149.pdf.
- 14 UNCCD 2022, 12.
- 15 UN Human Rights Council. 2023. Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment. David R. Boyd, A/HRC/52/33, para. 61. Available at: <https://www.ohchr.org/en/documents/thematic-reports/ahrc5233-women-girls-and-right-clean-healthy-and-sustainable-environment>.
- 16 *Power and Potential*, published by the Rights and Resources Initiative (RRI) in 2017, is a global analysis that first examined the extent to which women's rights to community forests are legally recognized in 30 countries in Africa, Asia, and Latin America. Five new countries have been added to RRI's 2024 analysis published in this report. Rights and Resources Initiative 2017.
- 17 FAO. 2022. FAOSTAT Land Use domain. Food and Agriculture Organization of the United Nations, Rome. Accessed February 14, 2025. Available at: <https://www.fao.org/faostat/fr/#data/RL>.
- 18 For example, land tenure security and gender equality are now recognized as integral components of international laws and frameworks, such as the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP, 2018), the Committee on Economic, Social and Cultural Rights' General Comment No. 26 (2022) on land and economic, social and cultural rights, the 2030 Agenda for Sustainable Development, the Sustainable Development Goals (SDGs), and the 2022 Kunming-Montréal Global Biodiversity Framework (GBF).
- 19 See, for example, Rights and Resources Initiative 2017, 28-29.
- 20 Rights and Resources Initiative. 2022a. Climate Finance Must Not Leave Indigenous, Afro-descendant and Local Community Women and Girls Behind! Our Call to Action. Rights and Resources Initiative, Washington, DC. doi:10.53892/ERHL1637; UN Women. 2021a. Beyond COVID-19: A feminist plan for sustainability and social justice. UN Women, New York, 52. Available at: <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2021/Feminist-plan-for-sustainability-and-social-justice-en.pdf>.
- 21 See, for example, Rights and Resources Initiative. 2019. Strengthening Indigenous and Rural Women's Rights to Govern Community Lands: Ten Factors Contributing to Successful Initiatives. Rights and Resources Initiative, Washington, DC. doi:10.53892/BRNT4919.
- 22 Salcedo-La Viña, Celine and Renée Giovarelli. 2021. On Equal Ground: Promising Practices for Realizing Women's Rights in Collectively Held Lands. World Resources Institute, Washington, DC, 65. Available at: <https://www.wri.org/research/equal-ground-promising-practices-realizing-womens-rights-collectively-held-lands/>.
- 23 FAO. 2011. The State of Food and Agriculture, 2010–2011. Food and Agriculture Organization of the United Nations, Rome. Available

- at: <http://www.fao.org/docrep/013/i2050e/i2050e.pdf>; Gomez, Mayra and Hien Tran. 2012. Women's Land and Property Rights and the Post-2015 Development Agenda. Presented at the Global Thematic Consultation on "Addressing Inequalities: The Heart of the Post-2015 Development Agenda and the Future We Want for All," October 2012. Available at: http://globalinitiative-escr.org/wp-content/uploads/2012/10/28102012-FINAL-Inequalities-Paper-on-Womens-Landand-Property-Rights-GI_-.pdf; International Fund for Agricultural Development (IFAD). 2016. Rural Development Report 2016: Fostering Inclusive Rural Transformation, Rome, 52–55, 220–223. Available at: <https://www.ifad.org/documents/38714170/40724622/Rural+development+report+2016.pdf>; UN Women and UN Human Rights Office of the High Commissioner (OHCHR). 2013. Realizing Women's Rights to Land and Other Productive Resources. HR/PUB/13/04. United Nations, New York and Geneva. Available at: <http://www.ohchr.org/Documents/Publications/RealizingWomensRightstoLand.pdf>.
- 24** Agarwal, Bina. 1994. *A Field of One's Own: Gender and land rights in South Asia*. Cambridge, Cambridge University Press; UNDP. 1997. Human Development Report: 1997. United Nations Development Programme, New York. Available at: hdr.undp.org/sites/default/files/reports/258/hdr_1997_en_complete_nostats.pdf; IFAD. 2001. *Rural Poverty Report: The challenge of ending rural poverty*. Oxford University Press, Oxford; Open Society Foundation. 2014. *Securing Women's Land and Property Rights: A critical step to address HIV, violence and food security*. Available at: <https://www.opensocietyfoundations.org/publications/securing-womens-land-and-property-rights>; Gomez and Tran 2012; Namubiru-Mwaura, Evelyn. 2014. *Land Tenure and Gender: Approaches and Challenges for Strengthening Rural Women's Land Rights*. Women's Voice, Agency, & Participation Research Series 2014 No. 6. World Bank Group, Washington, DC. Available at: <https://openknowledge.worldbank.org/server/api/core/bitstreams/9f51d4e1-11a2-52fc-9c97-228abd331/content>; FAO. 2018. *The Gender Gap in Land Rights*. Food and Agriculture Organization of the United Nations, Rome, 1. Available at: <https://openknowledge.fao.org/server/api/core/bitstreams/4966d50c-233b-43a9-8fa7-8d43263dd082/content>.
- 25** See, for example, FAO 2018, 1; United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and UN Women. 2024. *Charting New Paths for Gender Equality and Empowerment: Asia-Pacific Regional Report on Beijing+30 Review*. United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), Bangkok, 168. Available at: <https://unescap.org/kp/2024/charting-new-paths-gender-equality-and-empowerment-asia-pacific-regional-report-beijing30>; Strickland, Richard S. 2004. *To Have and To Hold: Women's property and inheritance rights in the context of HIV/AIDS in sub-Saharan Africa*. Working Paper. International Center for Research on Women. Available at: <https://www.icrw.org/wp-content/uploads/2016/10/To-Have-and-To-Hold-Womens-Property-and-Inheritance-Rights-in-the-Context-of-HIV-AIDS-in-Sub-Saharan-Africa.pdf>; UNCHR. 2000. Report of the Special Rapporteur on violence against women, its causes and consequences, Ms Radhika Coomaraswamy, on trafficking in women, women's migration and violence against women, submitted in accordance with Commission on Human Rights Resolution 1997/44. February 29, 2000. E/CN.4/2000/68; UNDP. 2008. *Voices and Visions: The Asia Pacific Court of Women on HIV, Inheritance and Property Rights*. Copyline, Colombo. Available at: <https://www.undp.org/asia-pacific/publications/voices-and-visions-asia-pacific-court-women-hiv-inheritance-and-property-rights>; UN Women and OHCHR 2013.
- 26** See, for example, Salcedo-La Viña and Giovarelli 2021; Rights and Resources Initiative 2019.
- 27** Rights and Resources Initiative. 2023. *Who Owns the World's Land? Global State of Indigenous, Afro-descendant, and Local Community Land Rights Recognition from 2015–2020*. Second Edition. Rights and Resources Initiative, Washington, DC. doi:10.53892/MHZN6595.
- 28** CEDAW. 2022. General recommendation No. 39 (2022) on the rights of Indigenous women and girls. CEDAW/C/GC/39, para. 60. Available at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no39-2022-rights-indigenous>; Tzec, Anita. 2022. "Celebrating and upholding Indigenous women – keepers of Indigenous scientific knowledge." IUCN, Gland. Accessed February 10, 2025. Available at: <https://iucn.org/blog/202208/celebrating-and-upholding-indigenous-women-keepers-indigenous-scientific-knowledge>; FAO. 2021. *Indigenous peoples, Afro-descendants and climate change in Latin America – Ten scalable experiences of intercultural collaboration*. Food and Agriculture Organization of the United Nations, Rome, 18–19, 28, 34, 43, 54, 63. doi:10.4060/cb4847en; Climate Investment Funds. 2021. *Empowering Indigenous Women to Integrate Traditional Knowledge and Practices in Climate Action*. Climate Investment Funds, 9. Available at: https://www.cif.org/sites/cif_enc/files/knowledge-documents/indigenous_women-tkt_report.pdf.
- 29** La Via Campesina. n.d. "International Peasants' Movement." Accessed March 9, 2025. Available at: <https://viacampesina.org/en/>. See also, High Level Panel of Experts on Food Security and Nutrition. 2019. *Agroecological and other innovative approaches for sustainable agriculture and food systems that enhance food security and nutrition*. Committee on World Food Security, Rome, 33, 39, 43, 47, 107, 110. Available at: <https://openknowledge.fao.org/server/api/core/bitstreams/ff385e60-0693-40fe-9a6b-79bbef05202c/content>; UN Economic and Social Council. 2022a. *Achieving gender equality and the empowerment of all women and girls in the context of climate change, environmental and disaster risk reduction policies and programmes*. Report of the Secretary-General, E/CN.6/2022/3, para. 38. Available at: <https://docs.un.org/en/E/CN.6/2022/3>.
- 30** Tzec 2022; FAO 2021, 18–19, 28, 34, 43, 54, 63; Climate Investment Funds 2021, 9.
- 31** Ahmadnia, Shaadee, Agathe Marie Christien, Phoebe Spencer, Tracy Hart and Caio Cesar De Araujo Barbosa. 2022. *Defueling Conflict: Environment and Natural Resource Management as a Pathway to Peace*. World Bank Group, Washington, DC, 29. Available at: <https://documents1.worldbank.org/curated/en/099520010272224660/pdf/P1771511b38fda01e1afec11edd810d8cde.pdf>; UN Human Rights Council 2023, para. 58, citing Isabelle Fauconnier and others, *Women as Change-Makers in the Governance of Shared Waters* (2018); UNEP, UN Women, PBSO and UNDP. 2013. *Women and Natural Resources: Unlocking the Peacebuilding Potential*. United Nations Environment Programme, United Nations Entity for Gender Equality and the Empowerment of Women, United Nations Peacebuilding Support Office and United Nations Development Programme. Available at: https://wedocs.unep.org/bitstream/handle/20.500.11822/8373/-Women%20and%20natural%20resources_%20unlocking%20the%20peace%20building%20potential-2013Womenandnaturalresource_2013.pdf?sequence=3&isAllowed=y; Smith, Jessica M., Lauren Olosky and Jennifer Grosman Fernández. 2021. *The Climate-Gender-Conflict Nexus: Amplifying women's contributions at the grassroots*. Georgetown Institute for Women, Peace and Security, Washington, DC. Available at: <https://giwps.georgetown.edu/wp-content/uploads/2021/01/The-Climate-Gender-Conflict-Nexus.pdf>.

- 32 UN Women. 2021b. Sixty-sixth session of the Commission on the Status of Women (CSW66, 2022): 'Achieving gender equality and the empowerment of all women and girls in the context of climate change, environmental and disaster risk reduction policies and programmes'. Report of the Expert Group, EGM/ENV/Report November 2021, 12. Available at: https://www.unwomen.org/sites/default/files/2021-12/CSW66%20EGM%20report_final.pdf; UN News. 2022. The key to climate action and sustainable peace? Women's full and equal participation. United Nations. Accessed March 7, 2025. Available at: <https://news.un.org/en/story/2022/03/1115272>.
- 33 UN Human Rights Council 2023, para. 58, citing Nathan Cook, Tara Grillos and Krister Andersson, "Gender quotas increase the equality and effectiveness of climate policy interventions", *Nature Climate Change* (2019). Conversely, restricted access to forest resources for female-led households can result in food insecurity, reduced resilience to environmental shocks and disturbances, and lower incomes at the community level. UNEP. 2016. *Global Gender and Environment Outlook*. UN Environment Programme, Nairobi, 152, 159–163. Available at: <https://www.unep.org/resources/report/global-gender-and-environment-outlook-ggeo>; Agarwal, Bina. 2009. Gender and forest conservation: the impact of women's participation in community forest governance. *Ecological Economics* 68(11): 2785–2799; Coleman, Eric A. and Esther Mwangi. 2011. Gender and Local Environmental Governance. XIV World Forestry Congress, Durban, South Africa, September 7–11, 2015. Available at: foris.fao.org/wfc2015/api/file/5547556ee52d79267e89a589/contents/20c78d11-4edc-453e-91ac-88867f394fb4.pdf; Coleman, Eric A. and Esther Mwangi. 2013. Women's participation in forest management: a cross-country analysis. *Global Environmental Change* 23(1): 193–205.
- 34 "In a landmark decision at COP 16, Parties adopted a new Programme of Work on Article 8(j) and other provisions of the Convention related to indigenous peoples and local communities. This transformative programme sets out specific tasks to ensure the meaningful contribution of indigenous peoples and local communities towards the three objectives of the Convention ((a) the conservation of biological diversity, b) the sustainable use of biological diversity, and c) the fair and equitable sharing of benefits), as well as the implementation of the KMGBF... A further decision was taken to recognize the role of people of African descent, comprising collectives embodying traditional lifestyles, in implementing the Convention and in the conservation and sustainable use of biodiversity." Convention on Biological Diversity. "Biodiversity COP 16: Important Agreements Reached towards Making Peace with Nature." Accessed March 9, 2025. Available at: <https://www.cbd.int/article/agreement-reached-cop-16>.
- 35 UN Environment Programme. 2022. Decision Adopted by the Conference of the Parties to the Convention on Biological Diversity. CBD/COP/DEC/15/4. Section C. Available at: <https://www.cbd.int/doc/decisions/cop-15/cop-15-dec-04-en.pdf>.
- 36 UN Women. "SDG 5: Achieve gender equality and empower all women and girls." Accessed March 9, 2025. Available at: <https://www.unwomen.org/en/node/36060#:~:text=In%20short%2C%20all%20the%20SDGs,in%20private%20and%20public%20spheres>.
- 37 Secretariat of the Convention on Biological Diversity. 2020. *Global Biodiversity Outlook 5*. Secretariat of the Convention on Biodiversity, Montréal, 98. Available at: <https://www.cbd.int/gbo/gbo5/publication/gbo-5-en.pdf>; UN Women 2021a, 50; UN Women. 2024. *Progress on the Sustainable Development Goals: the Gender Snapshot 2024*. UN Women, New York, 7. Available at: <https://www.unwomen.org/en/digital-library/publications/2024/09/progress-on-the-sustainable-development-goals-the-gender-snapshot-2024>.
- 38 UN Human Rights Council 2023, para. 90.
- 39 UN Human Rights Council 2023, paras. 24–25; Committee on Economic, Social and Cultural Rights. 2023. General Comment No. 26 (2022) on land and economic, social and cultural rights. E/C.12/GC/26. UN Economic and Social Council, para. 14. Available at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/ec12gc26-general-comment-no-26-2022-land-and>.
- 40 Agarwal 1994; Open Society Foundation. 2014. *Securing Women's Land and Property Rights: A critical step to address HIV, violence and food security*. Available at: <https://www.opensocietyfoundations.org/publications/securing-womens-land-and-property-rights>; Gomez, Mayra and Hien Tran. 2012. Women's Land and Property Rights and the Post-2015 Development Agenda. Presented at the Global Thematic Consultation on "Addressing Inequalities: The Heart of the Post-2015 Development Agenda and the Future We Want for All," October 2012. Available at: http://globalinitiative-escr.org/wp-content/uploads/2012/10/28102012-FINAL-Inequalities-Paper-on-Womens-Landand-Property-Rights-GI___pdf; Namubiru-Mwaura, Evelyn. 2014. *Land Tenure and Gender: Approaches and Challenges for Strengthening Rural Women's Land Rights*. Women's Voice, Agency, & Participation Research Series 2014, No. 6. World Bank Group, Washington, DC. Available at: <http://documents.worldbank.org/curated/en/309091468153867580/pdf/927600NWP0Wome00Box385358B00PUBLIC0.pdf>; FAO. 2023. *The status of women in agrifood systems*. Food and Agriculture Organization of the United Nations, Rome, 30. doi:10.4060/cc5343en.
- 41 UN Human Rights Council 2023, paras. 46, 50.
- 42 Rights and Resources Initiative 2023.
- 43 See, for example, a study by the International Land Coalition: "[i]n the matrilineal community of Batu Songgan in Indonesia, a parents' house is usually bequeathed either to the youngest daughter, because it is expected that her older sisters are likely to be better established in their lives, or to the daughter who will care for her parents in old age ... In Circompang, Indonesia, inheritance is usually distributed equally between women and men, sometimes during the parents' lifetimes. Indigenous traditions allow women to have inheritance rights over land and other property such as houses, jewelry, and livestock. However, some families give greater access to men, because they think that men need more land to support their traditional role as head of the household." Khan, Frida. 2016. *Islamic Inheritance Laws and their Impact on Rural Women in Muslim Societies: A synthesis of studies from Asia and West Africa and emerging recommendations*. Land Governance in the 21st Century: Framing the Debate Series. International Land Coalition, Rome, 14–15. Available at: www.landcoalition.org/sites/default/files/documents/resources/web_framing_the_debate_islamic_inheritance__0.pdf; Sombolinggi, Rukka. 2016. Personal communication discussing gender-equitable practices among certain Indigenous Peoples in Indonesia, International Advocacy Coordinator, Aliansi Masyarakat Adat Nusantara (AMAN), November 2, 2016; see also the gender-equitable practices described in several distinct communities in Colfer, C.J.P., M. Elias and R. Jamnadass. 2015. Women and men in tropical dry forests: a preliminary review. *International Forestry Review* 17(S2): 70–90, 78. Available at: http://www.cifor.org/publications/pdf_files/articles/AColfer1501.pdf (citing Du 2000 on southwest China; Noss and Hewlitt 2001 on the Aka pygmies of the Central African Republic; and Sultive's 1991 collection on Borneo).

- 44 Rights and Resources Initiative 2017, 13; CEDAW 2022, paras. 17–18.
- 45 UN Women and OHCHR. 2020. *Realizing Women’s Rights to Land and Other Productive Resources* (Second Edition). United Nations and United Nations Entity for Gender Equality and the Empowerment of Women, New York and Geneva, 47–48, 55–56. Available at: <https://www.unwomen.org/en/digital-library/publications/2020/10/realizing-womens-rights-to-land-and-other-productive-resources-2nd-edition>; CEDAW 2022, para. 21.
- 46 UN Women and OHCHR 2020, 48–50.
- 47 See, for example, Salcedo-La Viña and Giovarelli 2021 and Rights and Resources Initiative 2019.
- 48 UN Human Rights Council. 2015. Report of the Special Rapporteur on the right to food: integrating a gender perspective in the right to food. A/HRC/31/51, para. 9. Available at: <https://www.ohchr.org/en/documents/thematic-reports/ahrc3151-report-integrating-gender-perspective-right-food>; CEDAW. 2018. General Recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change. CEDAW/C/GC/37, paras. 70–71. Available at: <https://digitallibrary.un.org/record/1626306?ln=en&v=pdf>.
- 49 See, for example, UN Human Rights Council 2023, para. 76, citing E/CN.4/2006/118 and A/HRC/16/40. See also CEDAW. 2016. General Recommendation No. 34 (2016) on the rights of rural women. CEDAW/C/GC/34, paras. 8, 10, 22–23. Available at: <https://digitallibrary.un.org/record/835897?ln=en&v=pdf>; UN Women and OHCHR 2020, 15; OECD. 2019. *SIGI 2019 Global Report: Transforming Challenges into Opportunities*, Social Institutions and Gender Index. OECD Publishing, Paris. doi:10.1787/bc56d212-en; Rights and Resources Initiative 2017; Rights and Resources Initiative 2020; UN Women. 2019. *Families in a Changing World: Progress of the World’s Women 2019–2020*. UN Women, New York, 74–135. Available at: <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2019/Progress-of-the-worlds-women-2019-2020-en.pdf>.
- 50 See, for example, UN Human Rights Council 2023, para. 76, citing E/CN.4/2006/118 and A/HRC/16/40. See also CEDAW 2016, paras 35–36; UN Women and OHCHR 2020, 11; OECD 2019; Rights and Resources Initiative 2017; Rights and Resources Initiative 2020; UN Women 2019, 74–135. Moreover, the CSW’s 2020 global review of countries’ implementation of the Beijing Declaration’s Platform for Action, mandated under Economic and Social Council resolution 2018/8, found that “only 23 per cent of States reported that they were evaluating the impact of environment policies and sustainable infrastructure projects on women and girls, and only 20 per cent were working to protect indigenous women’s conservation practices.” UN Economic and Social Council. 2020. Review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session of the General Assembly. Report of the Secretary-General, E/CN.6/2020/3, para 297. Available at: <https://docs.un.org/en/E/CN.6/2020/3>.
- 51 See, for example, Endnote 43 and Box 3.
- 52 As of 2019, discriminatory laws affect over 2.5 billion women and girls worldwide. UN Economic and Social Council 2020, 13 (Box III.1); UN Women 2024, PAGE.
- 53 For example, under the Bill of Rights Section 24(4) of Kenya’s Constitution of 2010: “The provisions of this Chapter on equality shall be qualified to the extent strictly necessary for the application of Muslim law before the Kadhis’ courts, to persons who profess the Muslim religion, in matters relating to personal status, marriage, divorce and inheritance.” Notably, Art. 2(4) of the Kenya Constitution states that “any law, including customary law, that is inconsistent with this Constitution is void to the extent of the inconsistency, and any act or omission in contravention of this Constitution is invalid.” Government of Kenya. 2010. *The Constitution of Kenya*, Art. 2(4), 24(4), 170(5). Available at: <https://faolex.fao.org/docs/pdf/ken127322.pdf>.
- 54 OECD 2019, PAGE.
- 55 See, for example, regarding the gap in knowledge and information that impacts women’s ability to access REDD+ benefits: UNEP 2016, 161. See also UN Human Rights Council 2023, paras. 13, 41–42; Inter-American Commission on Human Rights. 2021. *Economic, Social, Cultural and Environmental Rights of Persons of African Descent*. OEA/Ser.L/V/II, paras. 75–77, 123. Available at: <https://www.oas.org/en/iachr/reports/pdfs/DESCA-Afro-en.pdf>.
- 56 Inter-American Commission on Human Rights 2021, paras. 122–123; CEDAW 2022, para 13; Boyer, A.E., Seline S. Meijer and Molly Gilligan. 2020. *Advancing Gender in the Environment: Exploring the triple nexus of gender inequality, state fragility, and climate change*. International Union for Conservation of Nature and United States Agency for International Development, Washington, DC, 8, 50. Available at: <https://genderandenvironment.org/triple-nexus/>.
- 57 Rights and Resources Initiative 2019.
- 58 For example, in Lao PDR, the Constitution does not recognize customary laws, creating situations where the national law is applicable in matrilineal communities despite being less protective of women’s rights. While the 2019 Land Law is gender-neutral, customary laws recognized women’s land rights in a number of matrilineal societies for centuries (personal communication with RECOFTC, June 7, 2022). In Madagascar, community women’s voting rights are not guaranteed by the laws applicable to the CBTR “Communautés de base agréées avec contrats de gestion,” however communities are regulated by the Dina (a community convention that has the force of law among the community according to Law 2001-004) where women’s voting rights would be addressed (personal communication with Saholy Rambinintsotra, July 2022). See also, examples provided in Endnote 43.
- 59 Rights and Resources Initiative. 2018. *Legislative Best Practices for Securing Women’s Rights to Community Lands*. Rights and Resources Initiative, Washington, DC. doi:10.53892/TKZH7332; Salcedo-La Viña and Giovarelli 2021.
- 60 “Community women” is used here, despite UNDROP referring to “peasant women and other rural women” given that UNDROP applies to Indigenous, Afro-descendant, and local community women.

- 61 United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP). 2018. A/HRC/RES/39/12. Preamble. Available at: <https://digitallibrary.un.org/record/1650694?ln=en&v=pdf>.
- 62 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). 1979. G.A. Res 34/180. Arts. 1, 2, and 5. Available at: <https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/cedaw.pdf>; see also CEDAW. 2017. General Recommendation No. 35 on gender-based violence against women, updating General Recommendation No. 19, para. 26. Available at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no-35-2017-gender-based>.
- 63 CEDAW 1979, Art. 14(g).
- 64 CEDAW 1979, Art. 14(f).
- 65 The International Labor Organization (ILO) Convention No. 169 which recognizes the inherent rights of Indigenous and Tribal Peoples. ILO Convention No. 169 is credited for the recognition of many non-Indigenous ethnic groups across Latin America, Africa and Asia, including the territorial and FPIC rights of Afro-descendant Peoples in Latin America (for example, Colombia, Brazil, Honduras). For a legal explanation on the status of Afro-descendant Peoples' rights in the Americas as distinct ethnic collectives, tribal groups or Indigenous Peoples, and their status as rightsholders of the "same rights as those held by indigenous peoples and their members," see paras. 28–31 of Inter-American Commission on Human Rights. 2016. Indigenous Peoples, Afro-Descendent Communities, and Natural Resources: Human Rights Protection in the Context of Extraction, Exploitation, and Development Activities. Organization of American States, Washington, DC. Available at: https://iwgia.org/images/publications/0746_CIDH_Industrias_extractivas.pdf.
- 66 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). 2007, Art. 26. Available at: https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf; Indigenous and Tribal Peoples Convention, 1989 (No. 169) (ILO Convention No. 169). 1989, Arts. 14–15. Available at: https://normlex.ilo.org/dyn/nrmlx_en/f?p=NOR_MLEXPUB:12100:0::NO::P12100_ILO_CODE:C169.
- 67 UNDRIP 2007, Art. 44.
- 68 UNDRIP 2007, Art. 22.
- 69 UNDROP 2018, Art. 4(2)(h).
- 70 UNDROP 2018, Art. 17.
- 71 UNDROP 2018, Art. 17(2).
- 72 UN Women. "World Conferences on Women." Accessed March 9, 2025. Available at: <https://www.unwomen.org/en/how-we-work/intergovernmental-support/world-conferences-on-women>; United Nations. 1996. Report of the Fourth World Conference on Women. Beijing, 4–5 September 1995. A/CONF.177/20/Rev.1, paras. 166, 247, 256. United Nations, New York. Available at: <https://www.un.org/womenwatch/daw/beijing/pdf/Beijing%20full%20report%20E.pdf>.
- 73 United Nations 1996, paras 32, 46, 58, 167, 175, 190, 253, 256.
- 74 The Beijing Declaration calls for strategic measures addressing "gender inequalities in the management of natural resources and in the safeguarding of the environment" (para. 44), recognizes the unique challenges faced by Indigenous and rural women across development, economic, environmental and political spheres, acknowledges the critical importance of realizing their full and equal participation as agents and beneficiaries of sustainable development (paras. 247 and 256), and requires specific actions to protect community women's rights from an intersectional perspective (para. 46).
- 75 UN Women 2024, 12; United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and UN Women 2024, Chapter 7; Economic Commission for Africa. 2024. Africa regional review summary report: Beijing declaration and platform for action 2020–2024. United Nations, Addis Ababa. Available at: <https://repository.uneca.org/handle/10855/50260>; United Nations Economic Commission for Latin America and the Caribbean (ECLAC). 2024. Action for equality, development and peace in Latin America and the Caribbean: draft regional report on the review of the Beijing Declaration and Platform for Action, 30 years on, in synergy with the implementation of the Regional Gender Agenda (LC/MDM.66/3). United Nations Economic Commission for Latin America and the Caribbean, Santiago. Available at: https://conferenciamujer.cepal.org/66m/sites/crm66m/files/2401046e_mdm.66_draft_report_beijing_web.pdf.
- 76 UN Women 2024, 12.
- 77 FAO 2023, 69–71.
- 78 Refers to "105 countries and areas with data from 2018–2021." UN Women 2024, 13.
- 79 United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and UN Women 2024; United Nations Economic Commission for Africa 2024; United Nations Economic Commission for Latin America and the Caribbean (ECLAC) 2024.
- 80 Economic Commission for Africa 2024, 24.
- 81 Economic Commission for Africa 2024, 20.
- 82 Economic Commission for Africa 2024, 20.
- 83 United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and UN Women 2024, 168.

- 84** United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and UN Women 2024, xvi.
- 85** United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and UN Women 2024, 131.
- 86** United Nations Economic Commission for Latin America and the Caribbean (ECLAC) 2024, 11.
- 87** United Nations Economic Commission for Latin America and the Caribbean (ECLAC) 2024, 11.
- 88** United Nations Economic Commission for Latin America and the Caribbean (ECLAC) 2024, 47.
- 89** UN Economic and Social Council 2020, para. 297.
- 90** Note that 2016 data reflect legislation in force as of October 31, 2016.
- 91** FAO 2022.
- 92** UN Women. “World Conferences on Women.” Accessed March 9, 2025. Available at: <https://www.unwomen.org/en/how-we-work/intergovernmental-support/world-conferences-on-women>; United Nations. 1996. Report of the Fourth World Conference on Women. Beijing, 4–5 September 1995. A/CONF.177/20/Rev.1. United Nations, New York. Available at: <https://www.un.org/womenwatch/daw/beijing/pdf/Beijing%20full%20report%20E.pdf>.
- 93** Learn more at Rights and Resources Initiative. “Tenure Tracking.” Available at: <https://rightsandresources.org/tenure-tracking/>.
- 94** Rights and Resources Initiative 2017, 16, citing Rights and Resources Initiative 2015.
- 95** Rights and Resources Initiative 2017, 16.
- 96** Rights and Resources Initiative 2020, 19.
- 97** Rights and Resources Initiative 2017, 17.
- 98** Rights and Resources Initiative 2017, 16, citing Rights and Resources Initiative 2015.
- 99** Rights and Resources Initiative 2017, 17.
- 100** Intestate succession refers to the legal process for distributing a person's assets and property when they die without a valid will or other equivalent legal document.
- 101** Findings from an empirical study of women's participation in community forestry in a village in India's Maharashtra state: “The Forest Protection Committee and the Village Council in Village 1 are one and the same, so the Village Council serves as the participatory forum where Joint Forest Management issues are discussed. ... All of the village are members of the Village Council and hence by default are part of the Forest Protection Committee. Moreover, there are no membership conditions, e.g., property, literacy, etc. ... The Village Council's decisions are based on consensus, meaning that there needs to be some basic agreement among the villagers on an issue and even though not everyone may completely agree with the decision, no one is completely against it. The villagers explained that they preferred consensus decision-making since they felt it reflected a more democratic process.” Gupte, Manjusha. 2004. Participation in a gendered environment: the case of community forestry in India. *Human Ecology* 32(3): 365–382, 383. Available at: www.rmportal.net/framelib/participation-in-a-genderedenvironment-india.pdf; findings from another study of internal governance mechanisms of communities in Mexico: “Each ejido and comunidad has a General Assembly, which is the supreme governing body that decides on all principal issues within the community. In the GA, each registered member of the community has one vote. Voting is by consensus or majority rule, depending on community practices. Assemblies meet a minimum number of times per year as required by law.” Antinori, Camille and Gordon Rausser. 2007. Collective choice and community forestry management in Mexico: an empirical analysis. *Journal of Development Studies* 43(3): 512–536, 515.
- 102** CEDAW 1979, Art. 14(f).
- 103** CEDAW 1979, Arts. 1–3.
- 104** Power and Potential (Rights and Resources Initiative 2017) analyzed 80 CBTR across 30 countries in Africa, Asia, and Latin America. This analysis retroactively revises the 2016 data set to include CBTRs recognized as of October 31, 2016, in five additional countries, as well as additional CBTRs recognized in the 30 countries originally analyzed that were legally recognized as of October 31, 2016, but were identified after the publication of Power and Potential through subsequent RRI tenure analyses. See Annex 2 for more information.
- 105** The 97 CBTRs examined for 2016 include 4 CBTRs that were legally recognized in 2016 but have since been repealed or replaced as a result of legal reforms and therefore are not included in the 2024 analysis. For this reason, in 2024, there are only 93 CBTRs that are examined as existing in both years and are therefore comparable. See Annex 2 for a detailed account.
- 106** See the treatment of “distinct and differentiated rights” by the Land Rights Standard. Indigenous Peoples Major Group for Sustainable Development (IPMG) and Rights and Resources Initiative. 2024. The Land Rights Standard: Principles for recognizing and respecting Indigenous Peoples, local communities, and Afro-descendant Peoples' land and resource rights in Climate, Conservation and Development Actions and Investments. Rights and Resources Initiative, Washington, DC, 1–2. Accessed March 7, 2025. Available at: <https://rightsandresources.org/land-rights-standard/>; Cali Tzay, José Francisco, Sheryl Lightfoot and Dario José Mejía Montalvo. 2023. Statement by the United Nations Permanent Forum on Indigenous Issues, Special Rapporteur on the Rights of Indigenous Peoples, and the Expert Mechanism on the Rights of Indigenous Peoples. United Nations Expert Mechanism on the Rights of Indigenous Peoples, Geneva. Available at: https://www.ohchr.org/sites/default/files/documents/issues/indigenouseoples/emrip/Statement_EM RIP_July_2023.pdf. For further discussion, see: Hofschneider, Anita. 2024. “IPLC: The acronym that is keeping Indigenous advocates up at night.” March 27. Accessed February 11, 2025. Available at: <https://grist.org/global-indigenous-affairs-desk/iplc-the-acronym-that-is-keeping-indigenous-advocates-up-at-night/>.

- 107** Gender and sexual diversity have existed since pre-colonial times, and evidence of such concepts within Indigenous Peoples, Afro-descendant Peoples and local communities is documented. For example, in Juchitán, Mexico, muxes are neither men nor women, but a Zapotec gender hybridity. In Hawai'i, the māhū embrace both the feminine and the masculine. The Māori term takatāpui describes same-sex intimate friendships. The quariwarmi (man-woman) embodied a third creative force between the masculine and the feminine in Andean philosophy. In South Asia, hijras have been a celebrated part of the culture for thousands of years. Mashoga is a Swahili term that connotes a range of identities on the gender continuum. Although male-bodied, the sekrata of Madagascar exhibit feminine behaviours from early childhood that are accepted by society, and they have a social role related to their spiritual status. In Samoa, fa'afafine and fa'afatama are fluid gender roles that move between male and female worlds. For more details on the above, see Picq, Manuela L. and Josi Tikuna. 2019. *Indigenous Sexualities: Resisting Conquest and Translation*. E International Relations. Accessed March 9, 2025. Available at: <https://www.e-ir.info/2019/08/20/indigenous-sexualities-resisting-conquest-and-translation>; Natural History Museum of Los Angeles. 2020. "Beyond Gender: Indigenous Perspectives, Fa'afafine and Fa'afatama - A limited series on some of the world's third gender Indigenous people." Accessed March 9, 2025. Available at: <https://nhm.org/stories/beyond-gender-indigenous-perspectives-faafafine-and-faafatama>; PBS Independent Lens. 2023. "A Map of Gender-Diverse Cultures." Accessed January 12, 2025. Available at: https://www.pbs.org/independentlens/content/two-spirits_map-html/; Rock, Erik. 2016. "Global Genders." Accessed January 12, 2025. Available at: <https://www.colorado.edu/honorsjournal/archives/2016/gender-and-ethnic-studies-2016>.
- 108** CEDAW. 2024. General Recommendation No 40. on the equal and inclusive representation of women in decision-making systems, para. 17. Available at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no-40-equal-and-inclusive#versions>.
- 109** CEDAW 2024, para. 27. See also CEDAW 2022, which recommends that in developing policies to eliminate discrimination against Indigenous women and girls, States parties, "should include measures to address intersectional discrimination faced by Indigenous women and girls, including persons with disabilities and those with albinism; older women; lesbian, bisexual, [and] transgender and intersex women" (para. 23).
- 110** Campbell, Meghan, Loveday Hodson, Catherine O'Rourke, Katie Capstick, Lucía Baca, Marion Bethel, Mel Duffy, Niels-Erik Hansen, Marisa Hutchinson, Imani Kimiri, Kseniya Kirichenko, Lia Nadaraia, Victor Madrigal-Borloz, Alexa Moore and Danielle Roberts. 2021. *The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Sexual Orientation and Gender Identity: Workshop Report* (Transitional Justice Institute 2021). Transitional Justice Institute, Newtownabbey and Derry-Londonderry. Available at: <https://ohrh.law.ox.ac.uk/wp-content/uploads/2022/07/CEDAW-and-SOGI-Report.pdf>.
- 111** Boyer, Meijer and Gilligan 2020, 8, 50.
- 112** UN Human Rights Council 2023, para 11.
- 113** Climate Action Network International. 2024. "Betrayal in Baku: Developed Countries Fail People and Planet." November 23. Available at: https://climatenetwork.org/2024/11/23/cop29_betrayal_in_baku/.
- 114** Potsdam Institute for Climate Impact Research. 2024. "Earth exceeds safe limits: First Planetary Health Check issues red alert." Accessed March 9, 2025. Available at: <https://www.pik-potsdam.de/en/news/latest-news/earth-exceed-safe-limits-first-planetary-health-check-issues-red-alert>.
- 115** High-Level Political Forum on Sustainable Development. 2024. "SDG1: No Poverty – End poverty in all its forms everywhere." High-Level Political Forum on Sustainable Development, 1–2. Available at: https://unstats.un.org/sdgs/files/report/2024/2024_Factsheets.pdf.
- 116** Gelber, George and Sylvia Beales. 2021. "Paper 1: Impact of COVID-19 on women with multiple discrimination – a global overview." In *Leave No Woman Behind: Impact of Covid-19 on Women and Girls*. Global Call to Action Against Poverty, Asia Indigenous Peoples Pact (AIPP), Network of Indigenous Women in Asia (NIWA), National Campaign for Dalit Human Rights (NCDHR), India, Asia Dalit Human Rights (ADRF), Global Forum for DWD (GFOD), Ghana Federation of Disability Organisations (GFD), AMASBIF, Mali, Polycom, Kenya, SDGs Kenya Forum, 25. Available at: <https://gcap.global/wp-content/uploads/2021/08/Global-Report-LNWB-Covid-19-and-women-with-multiple-discrimination.pdf>.
- 117** FAO 2023, 138; UN Women 2021a, 9-11. See also Salcedo-La Viña, Celine, Ruchika Singh and Natalie Elwell. 2020. "Rural Women Must Be at the Heart of COVID-19 Response and Recovery." September 21, 2020. World Resources Institute, Washington, DC. Available at: <https://www.wri.org/insights/rural-women-must-be-heart-covid-19-response-and-recovery>.
- 118** UN Women 2021a, 16-17, 20-21.
- 119** UN Women 2021a, 52.
- 120** FAO 2023, 138; See also Rai, Pragya and Richa Pradhan. 2021. "Paper 4: Status of Indigenous Women facing multiple discrimination during COVID-19 pandemic in Asia." In *Leave No Woman Behind: Impact of Covid-19 on Women and Girls*. Global Call to Action Against Poverty, Asia Indigenous Peoples Pact (AIPP), Network of Indigenous Women in Asia (NIWA), National Campaign for Dalit Human Rights (NCDHR), India, Asia Dalit Human Rights (ADRF), Global Forum for DWD (GFOD), Ghana Federation of Disability Organisations (GFD), AMASBIF, Mali, Polycom, Kenya, SDGs Kenya Forum, 72–87. Available at: <https://gcap.global/wp-content/uploads/2021/08/Global-Report-LNWB-Covid-19-and-women-with-multiple-discrimination.pdf>; Elam, Amanda, Niels Bosma and Anita Shankar. 2022. *COVID-19 Impacts on Women Entrepreneurs in Emerging Economies: Insights and Indicators*. Global Entrepreneurship Monitor (GEM), 8. Available at: <https://www.gemconsortium.org/images/media/covid-19-impacts-on-women-in-emerging-economies-1644427445.pdf>.
- 121** World Bank Group. 2022. *Finance for an Equitable Recovery*. World Bank, Washington, DC, 25–48. Available at: <https://openknowledge.worldbank.org/server/api/core/bitstreams/e1e22749-80c3-50ea-b7e1-8bc332d0c2ff/content>; UN Women 2021a, 11-13, 17-18.

- 122** World Bank Group 2022, 25–48; UN Women 2021a, 17-18.
- 123** Asia Indigenous Peoples Pact, Coalition for Tenure Justice in Indonesia, and Rights and Resources Initiative. 2020. Under the Cover of Covid: New Laws in Asia Favor Business at the Cost of Indigenous Peoples' and Local Communities' Land and Territorial Rights. Rights and Resources Initiative, Washington, DC. doi:10.53892/UCYL6747. See also Golar, Golar, Adam Malik, Hasriani Muis, Achmad Herman, Nurudin Nurudin and Lukman Lukman. 2020. The social-economic impact of COVID-19 pandemic: implications for potential forest degradation. *Heliyon*, 6(10). doi:10.1016/j.heliyon.2020.e05354.
- 124** International Center for Not-for-Profit Law (ICNL). "COVID-19 Civic Freedom Tracker." Accessed March 9, 2025. Available at: <https://www.icnl.org/covid19tracker/>; Bethke, Felix S. and Jonas Wolff. 2023. Lockdown of expression: civic space restrictions during the COVID-19 pandemic as a response to mass protests. *Democratization*, 30(6): 1073–1091. doi:10.1080/13510347.2023.2209021; Bolaños, Omaira. 2024. "Latin America's Indigenous and Afro-descendant women face a 'triple pandemic.'" *Stand for Her Land*. Accessed February 11, 2025. Available at: <https://stand4herland.org/latin-america-indigenous-afro-descendant-triple-pandemic/>.
- 125** Bolaños 2024; Golar et al. 2020.
- 126** Rights and Resources Initiative 2020, 11-13, 25; Rights and Resources Initiative 2017, 14.
- 127** See for example, UN Human Rights Council 2015, paras 41–48, 54; CEDAW 2022, para. 7; Behrman, J. et al. 2011. The Gender Implications of Large-Scale Land Deals. IFPRI Policy Brief 17. International Food Policy Research Institute, Washington, DC; UN Economic and Social Council 2022a, para. 46, citing Saturnino M. Borras, Jr., Philip McMichael and Ian Scoones, "The politics of biofuels, land and agrarian change: editors' introduction", *Journal of Peasant Studies*, vol. 37, No. 4 (2010); and Sophie Jane Tudge, Andy Purvis and Adriana De Palma, "The impacts of biofuel crops on local biodiversity: a global synthesis", *Biodiversity and Conservation*, vol. 30, No. 11 (September 2021); and UN Women and OHCHR. 2013. *Realizing Women's Rights to Land and Other Productive Resources (First Edition)*. United Nations and United Nations Entity for Gender Equality and the Empowerment of Women, New York and Geneva. Available at: <https://www.unwomen.org/en/digital-library/publications/2013/11/realizing-womens-right-to-land>.
- 128** World Resources Institute. 2020. "Rural Women Must Be at the Heart of COVID-19 Response and Recovery." Accessed February 19, 2025. Available at: <https://www.wri.org/insights/rural-women-must-be-heart-covid-19-response-and-recovery>; International Fund for Agricultural Development (IFAD). 2016. *Reducing rural women's domestic workload through labour-saving technologies and practices*. Available at: https://www.ifad.org/documents/d/new-ifad.org/documents/d/new-ifad.org/teaser_workload_web-pdf.
- 129** For example, the failure to guarantee access to critical water, sanitation, and healthcare resources during the pandemic is estimated by some to have led to a mortality rate among Quilombola communities in Brazil that was four times the national average. See also, Macqueen, Lee and Beena Pallical. 2021. "Paper 2: Status of DWD women with multiple discrimination during the COVID -19 pandemic." In *Leave No Woman Behind: Impact of Covid-19 on Women and Girls. Global Call to Action Against Poverty, Asia Indigenous Peoples Pact (AIPP), Network of Indigenous Women in Asia (NIWA), National Campaign For Dalit Human Rights (NCDHR), India, Asia Dalit Human Rights (ADRF), Global Forum for DWD (GFOD), Ghana Federation of Disability Organisations (GFD), AMASBIF, Mali, Polycom, Kenya, SDGs Kenya Forum*, 51. Available at: <https://gcap.global/wp-content/uploads/2021/08/Global-Report-LNWB-Covid-19-and-women-with-multiple-discrimination.pdf>. Moreover, in Thailand, where Indigenous Peoples are not recognized and Indigenous women and children often have particular difficulty accessing identification documentation, Indigenous women are often excluded from government services and relief efforts, including those related to Covid-19. Rai and Pradhan 2021, 77. See also, Bolaños 2024; Rai and Pradhan 2021; Macqueen and Pallical 2021.
- 130** Examples from India, Indonesia and the Philippines: Asia Indigenous Peoples Pact, Coalition for Tenure Justice in Indonesia, and Rights and Resources Initiative 2020; Thailand: Asia Indigenous Peoples Pact. 2020. "Further Reciprocal Rice for Fish: An act of Indigenous Peoples against Covid-19 recurrence." November 25. Accessed March 9, 2025. Available at: <https://aippnet.org/further-reciprocal-rice-fish-act-indigenous-peoples-against-covid-19-recurrence/>; Nepal: Harris, Nicole, Asmita Panday and Bharati Pathak. 2022. "In Nepal, Indigenous women generate green jobs through lime cultivation." February 3. Rights and Resources Initiative. Accessed January 24, 2025. Available at: <https://rightsandresources.org/blog/covid-19-nepal-indigenous-women-generate-green-jobs-through-lime-cultivation/>.
- 131** ONAMIAP. 2020. "ONAMIAP exige la instalación de un espacio multisectorial entre organizaciones indígenas y Estado..." April 30. Organización Nacional de Mujeres Indígenas Andinas y Amazónicas del Perú (ONAMIAP). Accessed March 9, 2025. Available at: <https://www.onamiap.org/post/onamiap-exige-la-instalaci%C3%B3n-de-un-espacio-multisectorial-entre-organizaciones-ind%C3%ADgenas-y-estado>.
- 132** Our World in Data. "People Living in Democracies and Autocracies." Citing V-Dem (2024); Population based on various sources (2023). Accessed February 19, 2025. Available at: <https://ourworldindata.org/grapher/people-living-in-democracies-autocracies>. According to the Regimes of the World data set, closed autocracies are those where "citizens do not have the right to choose either the chief executive of the government or the legislature through multi-party elections." In electoral autocracies, "citizens have the right to choose the chief executive and the legislature through multi-party elections; but they lack some freedoms, such as the freedoms of association or expression that make the elections meaningful, free, and fair." Herre, Bastian. 2024. "The 'Regimes of the World' data: how do researchers measure democracy?" Our World in Data. Accessed February 19, 2025. Available at: <https://ourworldindata.org/regimes-of-the-world-data>.
- 133** Chatham House. "How Will Gains for the Far Right Affect the European Parliament and the EU?" June 2024. Accessed February 19, 2025. Available at: <https://www.chathamhouse.org/2024/06/how-will-gains-far-right-affect-european-parliament-and-eu>.
- 134** Hackenesch, Christine, Maximilian Högl, Hannes Öhler and Aline Burni. 2022. "Populist Radical Right Parties' Impact on European Foreign Aid Spending." *JCMS: Journal of Common Market Studies* 60(5): 1391–1415. doi:10.1111/jcms.13308.
- 135** Rights and Resources Initiative. 2024a. *Is Global Funding Reaching Indigenous, Afro-descendant, and Local Community Women?* Rights and Resources Initiative, Washington, DC, 3. <https://doi.org/10.53892/XXKU6665>.

- 136** Rights and Resources Initiative. 2022b. Funding with Purpose: A study to inform donor support for Indigenous and Local Community Rights, Climate, and Conservation. Rights and Resources Initiative, Washington, DC, 2, 5, 15-16. <https://doi.org/10.53892/WRFV7289>.
- 137** Rights and Resources Initiative 2024a.
- 138** Usher, Ann Danaiya. 2024. "UNFPA braces for Trump II, scant hope for increased European funding this time." *Development Today*, November 19. Available at: <https://www.development-today.com/archive/2024/dt-8--2024/unfpa-braces-for-trump-ii-scant-hope-for-increased-european-funding>.
- 139** Downing, Cristal. 2025. "Foreign Aid Cuts Compound Harmful Impact of US Reimposition of 'Mexico City Policy'." *Just Security*. Accessed March 9, 2025. Available at: <https://www.justsecurity.org/108610/foreign-aid-cuts-compound-harmful-impact-of-us-reimposition-of-mexico-city-policy/>; Maciel, Edgar. 2025. "The fallout from USAID cuts: Latin America faces a humanitarian and environmental crisis. February 24. *DevelopmentAid*. Accessed March 9, 2025. Available at: <https://www.developmentaid.org/news-stream/post/191864/usaid-cuts-to-latin-america>.
- 140** Five countries experienced coups between 2017 and 2023 (Gabon, Mali, Myanmar, Bolivia and Venezuela). Attempted coups took place in four countries (Brazil, Peru, Gabon and Venezuela). Peyton, Buddy, Joseph Bajjalieh, Dan Shalmon, Michael Martin, Jonathan Bonaguro and Emilio Soto. 2024. *Cline Center Coup d'État Project Dataset*. Cline Center for Advanced Social Research. V.2.1.3, February 27. Accessed November 27, 2024. University of Illinois Urbana-Champaign. doi:10.13012/B2IDB-9651987_V7.
- 141** World Bank. 2024. "Classification of Fragile and Conflict-Affected Situations." Accessed February 19, 2025. Available at: <https://www.worldbank.org/en/topic/fragilityconflictviolence/brief/classification-of-fragile-and-conflict-affected-situations/>; World Bank. 2024. "FY24 List of Fragile and Conflict-affected Situations." Accessed February 19, 2025. Available at: <https://thedocs.worldbank.org/en/doc/3d4356ac2aee9f0b2db90ae9ce49f639-0090082024/original/FCSList-FY06toFY24.pdf>; World Bank. 2025. "FY25 List of Fragile and Conflict-affected Situations." Accessed February 19, 2025. Available at: <https://thedocs.worldbank.org/en/doc/b3c737c4687db176ec98f5c434d0de91-0090082024/original/FCSListFY25.pdf>.
- 142** UNEP 2016, 199.
- 143** United Nations Environment Programme, UN Women, UNDP and UNDP/PA/PSO. 2020. *Gender, Climate and Security: Sustaining Inclusive Peace on the Frontlines of Climate Change*. Available at: <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2020/Gender-climate-and-security-en.pdf>.
- 144** Business and Human Rights Resource Centre. 2023. *People power under pressure: Human rights defenders & business in 2023*. Business and Human Rights Resource Centre, London. Available at: <https://www.hrfn.org/resources/human-rights-defenders-business-in-2023/>.
- 145** Global Witness. 2024a. *Missing voices: The violent erasure of land and environmental defenders*. Global Witness, London. Available at: <https://www.globalwitness.org/en/campaigns/environmental-activists/missing-voices/>.
- 146** Of 2,106 land and environmental defenders known to have been killed from 2012–2023, just under 11 percent were women. Global Witness. 2024b. *In numbers: Lethal attacks against defenders since 2012*. Global Witness, London. Available at: <https://www.globalwitness.org/en/campaigns/environmental-activists/numbers-lethal-attacks-against-defenders-2012/>.
- 147** International Union for the Conservation of Nature (IUCN). No date. *Women Environmental Human Rights Defenders: Facing gender-based violence in defense of land, natural resources and human rights*. International Union for the Conservation of Nature, Gland. Available at: https://genderclimatetracker.org/sites/default/files/Resources/iucn-srjs-briefs-wehrd-gbv-en_01.pdf; Global Witness 2024a, 19; Global Witness. 2022. *Decade of Defiance: Ten years of reporting land and environmental activism worldwide*. Global Witness, London, 15. Available at: https://gw.cdn.ngo/media/documents/Decade_of_defiance_EN_-_September_2022.pdf; Global Witness 2020, 7-8, 13; United Nations Economic Commission for Latin America and the Caribbean (ECLAC) 2024; Oxfam International. 2019. *Women Defenders of Agricultural, Territorial, and Environmental Rights in Colombia: Risking their Lives for Peace*. Oxfam Briefing Paper, Nairobi. Available at: <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/620872/bp-colombia-women-environmental-defenders-021019-en.pdf>; Tran, Dalena and Ksenija Hanaček. 2023. *A global analysis of violence against women defenders in environmental conflicts*. *Nature Sustainability* 6: 1045–1053. doi:10.1038/s41893-023-01126-4.
- 148** Tran and Hanaček 2023.
- 149** Economic Commission for Africa 2024, paras. 73, 82.
- 150** Global Witness 2020, 10.
- 151** Tran and Hanaček 2023.
- 152** Tran and Hanaček 2023.
- 153** IM-Defensoras. 2024. *Resumen Ejecutivo. Datos que nos duelen, redes que nos salvan: 10+ años de agresiones contra defensoras de derechos humanos en Mesoamérica 2012–2023*. IM-Defensoras, 12. Available at: <https://im-defensoras.org/es/public/fz0bf73vtdxm4h5fcl8gzwmxeryz/IM-RESUMENEJECUTIVO-ESP-OK-HIGH3.pdf>.
- 154** CEDAW 2022, para. 45; UN Environment Programme 2022, Target 22; Economic Commission for Africa 2024; CEPAL. 2023. *Compromiso de Buenos Aires. XV Conferencia Regional sobre la Mujer de América Latina y el Caribe Buenos Aires del 7 al 11 de noviembre de 2022*. CEPAL, Santiago. Available at: <https://repositorio.cepal.org/server/api/core/bitstreams/6ef02df9-68a1-4d75-a707-f753a31405ae/content>; United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and UN Women 2024; United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and UN Women 2024, 132, 139, 155–157.

- 155** Global Witness 2020; CIVICUS. "Civic space in numbers." CIVICUS. Accessed March 9, 2025. Available at: <https://monitor.civicus.org/quickfacts/>; Joseph, Jewel and Ed O'Donovan. 2020. "Defending rights during a pandemic: Impact of Covid-19 on the safety and work of human rights defenders." April 17. Frontline Defenders. Available at: <https://www.frontlinedefenders.org/en/statement-report/defending-rights-during-pandemic-impact-covid-19-safety-and-work-human-rights>.
- 156** United Nations General Assembly. 2022a. Report of the Special Rapporteur on violence against women and girls, its causes and consequences. Reem Alsalem, A/77/136. Available at: <https://docs.un.org/en/A/77/136>; UN Human Rights Council 2023, para. 6; CEDAW 2022, para 60; CEDAW 2018; UN Economic and Social Council. 2012. Combating violence against Indigenous women and girls: Article 22 of the United Nations Declaration on the Rights of Indigenous Peoples. Report of the international expert group meeting. E/C.19/2012/6. Available at: <https://digitallibrary.un.org/record/723396?ln=en&v=pdf>.
- 157** See, for example, Carmen, Andrea. 2017. "Environmental Violence: Impacts on Indigenous Women and Girls." In *Indigenous Peoples' Rights and Unreported Struggles: Conflict and Peace*, Institute for the Study of Human Rights, Columbia University. Available at: <https://academiccommons.columbia.edu/doi/10.7916/D80V9MDW>; Castañeda Camey, Itzá, Laura Sabater, Cate Owren and A. Emmett Boyer. 2020. Gender-based violence and environment linkages: The violence of inequality. Wen, J. (ed.). *International Union for the Conservation of Nature, Gland*. doi:10.2305/IUCN.CH.2020.03.en; Seager, Joni. 2021. *Gender and Illegal Wildlife Trade: Overlooked and Underestimated*. World Wildlife Fund, Gland. Available at: https://cdn.genderandiw.org/Gender_IWT_WWF_Report_FINAL_with_lang_options_bb2c8d37d8.pdf.
- 158** Castañeda Camey et al. 2020.
- 159** CEDAW 2018, para. 2; United Nations General Assembly. 2022b. Report of the Special Rapporteur on trafficking in persons, especially women and children. Siobhán Mullally, A/77/170, para. 21. Available at: <https://documents.un.org/doc/undoc/gen/n22/427/23/pdf/n2242723.pdf>; Salcedo-La Viña, Celine, Anamaría Martínez and Patricia Quijano Vallejos. 2025. "How Global Climate Initiatives Can Risk Indigenous Women's Land Rights." World Resources Institute, January 8. Accessed March 9, 2025. Available at: <https://www.wri.org/insights/global-climate-initiatives-indigenous-womens-land-rights>; Deivanayagam, Thirusa Abi, Sonora English, Jason Hinkel, Jon Bonifacio, Renzo R. Guinto, Kyle X. Hill, Mita Huq, Rita Issa, Hans Mulindwa, Hezal Patricia Nagginda, Priscila de Morais Sato, Sujitha Selvarajah, Chetna Sharma and Delan Devakumar. 2023. "Envisioning Environmental Equity: Climate Change, Health, and Racial Justice." *The Lancet* 402(10395): 64–78. doi:10.1016/S0140-6736(23)00919-4; UN Women 2021a, 52.
- 160** UN Human Rights Council 2015, para. 61, citing Marshall Burke, Erick Gong and Kelly Jones. 2015. "Income shocks and HIV in Africa." *The Economic Journal*, 125(585):1157–1189.
- 161** United Nations General Assembly 2022a, para. 41.
- 162** IUCN, David R. Boyd and Stephanie Keene. 2021. Policy Brief No. 1 - Human rights-based approaches to conserving biodiversity: equitable, effective and imperative. United Nations Special Rapporteur on human rights and the environment, 7. Available at: <https://www.ohchr.org/sites/default/files/Documents/Issues/Environment/SREnvironment/policy-briefing-1.pdf>.
- 163** Boyer, Meijer, and Gilligan 2020, 1; Castañeda Camey et al. 2020; United Nations General Assembly 2022a, paras. 29, 31, 49–51; United Nations General Assembly. 2009. Promotion and Protection of All Human Rights, Civil, Political, Economic, Social, and Cultural Rights, including the Right to Development. Report of the Special Rapporteur on violence against women, its causes and consequences. Yakin Ertürk, A/HRC/11/6, paras. 32, 54. Available at: <https://docs.un.org/en/A/HRC/11/6>; Women Deliver. 2021. *The Link between Climate Change and Sexual and Reproductive Health and Rights: An Evidence Review*. Women Deliver, New York. Available at: <https://womensdeliver.org/wp-content/uploads/2021/02/Climate-Change-Report.pdf>; see CEDAW 2020. General Recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration. CEDAW/C/GC/38, paras. 33–34. Available at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-recommendation-no38-2020-trafficking-women>; UN News. 2022. "Put women's rights 'front and centre' of climate policies: Bachelet." June 27. Available at: https://news.un.org/en/story/2022/06/1121442?utm_source=UN+News+-+Newsletter&utm_campaign=5e959c8461-EMAIL_CAMPAIGN_2022_06_27_05_13&utm_medium=email&utm_term=0_fdbf1af606-5e959c8461-108031977; UN Women Fiji. 2014. *Climate Change, Disasters and Gender-based Violence in the Pacific*. UN Women. Available at: <https://www.unclearn.org/wp-content/uploads/library/unwomen701.pdf>; CEDAW 2018, paras. 2–4, 70.
- 164** Castañeda Camey et al. 2020.
- 165** United Nations General Assembly 2022a, para. 28, citing Submissions by Global Forest Coalition, International Development Law Organization and UN-Women. 2018. *Challenges and opportunities in achieving gender equality and the empowerment of rural women and girls*; see also Castañeda Camey et al. 2020; Boyd and Keene 2021, 7; Casabonne, Ursula, Diana Arango and Victoria Stanley. 2019. *Violence Against Women and Girls Resource Guide: Land Sector Brief*. World Bank, Global Women's Institute, Inter-American Development Bank and International Center for Research on Women, 4–5. Available at: <https://documents1.worldbank.org/curated/en/537121611123764095/pdf/Violence-Against-Women-and-Girls-Resource-Guide-Land-Sector-Brief.pdf>.
- 166** CEDAW 2022, paras. 16–17; UN General Assembly 2022. The Commission on the Status of Women's (CSW) 2022 Agreed Conclusions states that "the Commission also recognizes that violence against women and girls, including sexual harassment in private and public spaces, including in educational institutions and the world of work, as well as in digital contexts, impedes participation and decision-making in the context of climate change, environmental and disaster risk reduction policies and programmes and leads to a hostile environment" (para. 41). UN Economic and Social Council. 2022b. *Achieving gender equality and the empowerment of all women and girls in the context of climate change, environmental and disaster risk reduction policies and programmes*. Agreed conclusions, E/CN.6/2022/L.7. Available at: <https://docs.un.org/en/E/CN.6/2022/L.7>.
- 167** UN Women 2024, 12. See also UN Women. 2025. "Global Database on Violence against Women." Accessed March 9, 2025. Available at: <https://data.unwomen.org/global-database-on-violence-against-women>.
- 168** See, for example, Islam, Asif and Augusto Lopez-Claros. 2021. "Using the law to protect women from violence: Does it work?" *World Bank Blogs*. August 3. Accessed March 9, 2025. Available at: <https://blogs.worldbank.org/en/developmenttalk/using-law-protect-women-violence-does-it-work>; Amin, Mohammad, Asif M. Islam and Augusto Lopez-Claros. 2021. *Absent Laws and missing women: Can domestic violence legislation reduce female mortality?* *Review of Development Economics*, 25(4): 2113–2132.

- doi:10.1111/rode.12799; USAID. 2022. Intimate Partner Violence and Land Toolkit. USAID, Washington, DC. Available at: https://landwise-production.s3.amazonaws.com/2022/03/USAID_Land-Tenure-IPV-Toolkit_nd-1.pdf; Roberts, Beth. 2021. "Securing Women's Land Rights: Challenges and Solutions." May 22. Landesa. Accessed March 9, 2025. Available at: <https://www.landesa.org/securing-womens-land-rights-challenges-and-solutions/>. See, for example, Roberts 2021; Errico, Stefania. 2021. Women's Right to Land Between Collective and Individual Dimensions. *Some Insights from Sub-Saharan Africa*. *Frontiers in Sustainable Food Systems*, 5. doi:10.3389/fsufs.2021.690321; CEDAW 2022, para. 21.
- 169** Boyd and Keene 2021; Tauli-Corpuz, Victoria, Janis Alcorn and Augusta Molnar. 2018. *Cornered by Protected Areas: Replacing 'Fortress' Conservation with Rights-based Approaches Helps Bring Justice for Indigenous Peoples and Local Communities, Reduces Conflict, and Enables Cost-effective Conservation and Climate Action*. Rights and Resources Initiative, Washington, DC. doi:10.53892/EXQC6889.
- 170** United Nations Economic Commission for Latin America and the Caribbean (ECLAC) 2024, 44 and Table II.1.
- 171** World Bank. 2024. "Women, Business and the Law 1.0 Data for 1971-2024." File version: March 4, 2024. World Bank, Washington, DC. Accessed March 9, 2025. Available at: <https://wbl.worldbank.org/en/wbl-data>.
- 172** See, for example, UN Women 2021a, 162; and UN Human Rights Council 2023, paras. 2, 90.
- 173** UN General Assembly 2022d; UN General Assembly 2021.
- 174** UN Human Rights Council 2023, para. 76.
- 175** United Nations General Assembly. 2019. *Gender dimensions of the Guiding Principles on Business and Human Rights*. A/HRC/41/43. Available at: <https://docs.un.org/en/A/HRC/41/43>.
- 176** Rivera Ferre, Marta G. 2021. "Sustainable food systems and gender equality in the context of climate change and biodiversity conservation." Expert Paper for UN Women Expert Group Meeting on achieving gender equality and the empowerment of all women and girls in the context of climate change, environmental and disaster risk reduction policies and programmes, October 11–14, 2021, EGM/ENV/EP.19. Available at: https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/CSW/66/EGM/Expert%20Papers/Marta%20RIVERA_CSW66%20Expert%20Paper.pdf.
- 177** Committee on World Food Security (CFS). 2023. *Voluntary Guidelines on Gender Equality and Women's and Girls' Empowerment in the Context of Food Security and Nutrition*. Committee on World Food Security, Rome, paras. 20–21. Available at: https://www.fao.org/fileadmin/templates/cfs/Docs2223/Gender/Guidelines_Final_Agreed_Version_June_2023_CLEAN/GEWGE_Guidelines_Final_Agreed_Version_June_2023_CLEAN.pdf.
- 178** CEDAW 2016, para. 56.
- 179** CEDAW 2022, para. 19.
- 180** CEDAW 2022, para. 17.
- 181** CEDAW 2022, para. 11.
- 182** CEDAW 2022, para. 23.
- 183** CEDAW 2018, paras. 69–70, 72.
- 184** CEDAW 2018, para. 33. As further stated in Boyd and Keene 2021, 13: "Rural women fulfil major roles in subsistence and small-scale agricultural production, seed selection, livestock breeding, fish processing, post-harvest labour, and other activities central to maintaining their families' and communities' basic food, nutritional and health needs. They accomplish this tremendously important work through the cultivation and intergenerational transfer of specific, gendered knowledge regarding the uses of land, water, fauna, flora and fungi within their communities' territories. Consequently, Indigenous, Afro-descendant, local community, and peasant women are valuable leaders and knowledge-bearers whose decisions significantly contribute to the maintenance and restoration of biodiversity."
- 185** CEDAW 2024, para. 12.
- 186** CEDAW 2024, para. 17.
- 187** UN Committee on Economic, Social and Cultural Rights (CESCR). 2017. *General Comment No. 24 (2017) on State obligations under the International Covenant on Economic, Social and Cultural Rights in the context of business activities*. E/C.12/GC/24. Available at: <https://docs.un.org/en/E/C.12/GC/24>.
- 188** UN Committee on Economic, Social and Cultural Rights (CESCR). 2022. *General Comment No. 26 (2022) on Land and Economic, Social and Cultural Rights*. E/C.12/GC/26. Available at: <https://www.ohchr.org/en/documents/general-comments-and-recommendations/ec12gc26-general-comment-no-26-2022-land-and>.
- 189** CESCR 2017, para. 9.
- 190** CESCR 2022, paras. 11–13, 51.
- 191** Article 28(1) of UNDROP (2018) clearly states that "nothing in the present Declaration may be construed as diminishing, impairing or nullifying the rights that peasants and other people working in rural areas and indigenous peoples currently have or may acquire in the future."

- 192** UNDROP 2018, paras. 1, 7, 22, 24.
- 193** UNDROP 2018, paras. 19, 26.
- 194** See UNDRIP 2007, Preamble, Arts. 21–22; UNDROP 2018, Arts. 2.2, 4; CEDAW 2022, paras. 6, 13.
- 195** CEDAW 2022, para. 19.
- 196** CEDAW 2022, para. 18.
- 197** United Nations General Assembly 2019, paras. 5, 22, 39; Committee on World Food Security 2023, paras. 8–9; UN Human Rights Council. 2018. Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment. Note by the Secretariat, A/HRC/37/59, para. 35. Available at: <https://docs.un.org/en/A/HRC/37/59>.
- 198** UN Environment Programme 2022, Section C, para. 7(g), Target 19, s. (f).
- 199** UN Environment Programme 2022, Section C, para. 7(a).
- 200** UN Environment Programme 2022, Section C, para. 7(h). See also Targets 22 and 23.
- 201** WEDO. 2022. “WEDO At CSW66: Highlights And Resources.” April 5. Women’s Environment & Development Organization. Accessed March 9, 2025. Available at: <https://wedo.org/wedo-at-csw66-highlights-and-resources/>.
- 202** For example, the Commission on the Status of Women’s (CSW) 2022 Agreed Conclusions acknowledges that Indigenous women, rural women, women smallholder farmers and women who use coastal marine resources are “guardians of biodiversity” and as such, it is crucial to ensure that they “fully and equally participate in the design, implementation, follow-up to and evaluation of policies and activities that affect their livelihoods, well-being and resilience” (para. 57). UN Economic and Social Council 2022b.
- 203** United Nations Environment Programme. 2024. Core Human Rights Principles for Private Conservation Organizations and Funders. United Nations Environment Programme, Nairobi. Available at: <https://wedocs.unep.org/20.500.11822/46756>.
- 204** United Nations Environment Programme 2024, 1.
- 205** See, for example, the process of building a historical network of Afro-descendant women over 30 years ago: UN Women – Americas and the Caribbean. 2021. “Working together for the vindication of the rights and dignity of Afro-descendant women.” July 23. Accessed March 9, 2025. Available at: <https://lac.unwomen.org/en/noticias-y-eventos/articulos/2021/07/dia-de-las-mujeres-afrolatinas>. For specific examples of how Afro-descendant women lead the protection of their communities, see Fòs Feminista. 2022. “Black feminist leadership is changing Latin America and the Caribbean.” February 27. Accessed January 7, 2025. Available at: <https://fosfeminista.org/media/black-feminist-leadership/>.
- 206** United Nations General Assembly. 2022c. Resolution adopted by the General Assembly on 24 December 2021. A/RES/76/226. Available at: <https://documents.un.org/doc/undoc/gen/n21/416/80/pdf/n2141680.pdf?OpenElement>.
- 207** As of March 2025, the Forum is composed of nine members, of which five are Afro-descendant women. See United Nations Office of the High Commissioner. “Members - Permanent Forum on People of African Descent.” Accessed March 9, 2025. Available at: <https://www.ohchr.org/en/permanent-forum-people-african-descent/members>.
- 208** See United Nations Office of the High Commissioner. “Permanent Forum on People of African Descent.” Accessed March 9, 2025. Available at: <https://www.ohchr.org/en/permanent-forum-people-african-descent>.
- 209** United Nations General Assembly 2022c.
- 210** United Nations Office of the High Commissioner. 2022. Preliminary Submission by the UN Permanent Forum of People of African Descent. Available at: <https://www.ohchr.org/sites/default/files/documents/issues/racism/forum-people-african-descent/declaration/2022-10-13/ppad-prelim-submission-declaration-pad.pdf>.
- 211** United Nations Office of the High Commissioner 2022, General Remarks (para 8(xiii)) and Preamble (paras. 11-12).
- 212** United Nations Office of the High Commissioner 2022, Provisions (C. Development, paras. 31(a) and 35(iii)).
- 213** United Nations Office of the High Commissioner 2022, Provisions (A. Recognition, para. 31(ii-iii)).
- 214** United Nations Office of the High Commissioner 2022, Provisions (A. Recognition, paras. 24–29).
- 215** United Nations Office of the High Commissioner 2022, Provisions (A. Recognition, paras. 26, 28–30).
- 216** United Nations Office of the High Commissioner 2022, Provisions (A. Recognition, para. 30(vii)).
- 217** United Nations General Assembly. 2024. Status report of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action on the elaboration of the draft United Nations declaration on the respect, protection and fulfilment of the human rights of people of African descent. Note by the Secretary-General, A/79/304, Annex I. Available at: <https://documents.un.org/doc/undoc/gen/n24/236/66/pdf/n2423666.pdf>.
- 218** United Nations General Assembly 2024, Annex I, Art. 5.

- 219** United Nations General Assembly 2024, Annex I, Art. 11.
- 220** Forêts gérées par les communautés dans le domaine forestier des collectivités territoriales décentralisées (Community-Managed Forests within the Forest Domain of Decentralized Territorial Collectives) in Mali establish a quota for women's leadership.
- 221** Colchester, Marcus and Maurizio Farhan Ferrari. 2007. Making Free, Prior and Informed Consent Work: Challenges and Prospects for Indigenous Peoples. Forest Peoples Programme, Moreton-in-Marsh. Available at: <https://www.forestpeoples.org/sites/default/files/publication/2010/08/fpicsynthesisjun07eng.pdf>.
- 222** Rights and Resources Initiative. 2025. Report on the Depth of Rights (Forthcoming). Rights and Resources Initiative, Washington, DC. doi:10.53892/QSTZ6441.
- 223** Ghana, Mali, Panama, and Tanzania.
- 224** World Bank 2024.
- 225** Almeida, Fernanda. 2017. Legislative Pathways for Securing Community-based Property Rights. Rights and Resources Initiative, Washington, DC. doi:10.53892/XMHG7144.
- 226** WWF Cameroon. 2023. "NTFPs: The New Gold for Local Women." October 2. Accessed March 9, 2025. Available at: <https://cameroon.panda.org/?45883/NTFPs-The-New-Gold-for->
- 227** Private communications with Ian Baird; Gyrovary, Sabrina. 2016. Indigenous women's customary land tenure: A study of three communities in northern Thailand. Info brief. Mekong Regional Land Governance (MRLG) and RECOFTC, Bangkok. Available at: <https://www.recoftc.org/sites/default/files/publications/resources/recoftc-0000432-0009-en.pdf>.
- 228** For example, this was the case for the Indigenous Peoples of Chiquitano in the Department of Santa Cruz in the direct elections to the general assembly of the Department of Santa Cruz (direct communications with Ivan Bascope).
- 229** National Indigenous Women's Federation (NIWF). 2021. Indigenous Women's Land Rights in the Community Forests: Community Forest Policy Review, and Exclusion of and Impacts on Indigenous Women by Community Forests. National Indigenous Women's Federation (NIWF), Kathmandu.
- 230** Land Information Working Group. 2020. Briefing Note: Women's Land Rights Study in Laos. December 2020. Available at: <https://laolandinfo.org/wp-content/uploads/2020/12/Policy-brief-WLR-Eng-version.pdf>.
- 231** According to Donal Yeang, this percentage has been enforced by all stakeholders during the election process for the committees. Ministry of Agriculture, Forestry and Fisheries Cambodia. 2022. Gender Mainstreaming Policy and Strategic Framework in Agriculture 2022–2026. Available at: <https://faolex.fao.org/docs/pdf/cam217024.pdf>.
- 232** Art. 109, Ley Orgánica de Pueblos y Comunidades Indígenas de 2005.
- 233** Members of the Village Council, the decision-making body at the village level, are appointed under customary law with no protections for women's equal voting rights (Art. 29, Loi No. 06-023, 2006, as amended by Ordonnance No. 2024-019/PT-RM du 04 octobre 2024 portant modification de la Loi No. 06-023 du 28 juin 2006 relative a la creation et a l'administration des Villages, Fractions et Quartiers).
- 234** Ibid.
- 235** Arts. 316, 319, Code des Personnes et de la Famille (2011).
- 236** Convergence des Femmes Rurales pour la Souveraineté Alimentaire (COFERSA). Droit des femmes aux terres communautaires au Mali. Sikasso, November 2023. https://agroecology.world/wp-content/uploads/2023/12/WomensRight_2.0_Cofersa.pdf.
- 237** International Covenant on Economic, Social and Cultural Rights. 1966. Art. 3. Available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>.
- 238** CEDAW. 2010. General Recommendation No. 28 on the core obligations of States parties under article 2 of the Convention on the Elimination of All Forms of Discrimination against Women. CEDAW/C/GC/28, para. 16. Available at: <https://digitallibrary.un.org/record/711350?ln=en&v=pdf>; CEDAW 2016, para. 10; FAO, IFAD and World Food Programme. 2024. Step-by-step guide to integrating a gender transformative approach throughout the project cycle. Food and Agriculture Organization of the United Nations, Rome. doi:10.4060/cd2629en; Portia, Elizabeth Pollitzer. 2022. Integrating a gender perspective into implementation of Agenda 2030. Guidance Note. UN Women, Nairobi. Available at: <https://africa.unwomen.org/sites/default/files/2022-08/UNW%20Guidance%20Note%20Integrating%20a%20gender%20perspective%20into%20implementation%20of%20Agenda%202030%200207202201.pdf>.
- 239** For instance, in India, even though positive reforms to acknowledge women's ownership were adopted, discriminatory provisions persisted. Section 14(1) of the Hindu Succession Act 1956 converted limited estate (usufructuary right) given to women into full ownership; however, S. 14(2) of the Hindu Succession Act 1956 retains a provision for the owner of a property to confer a limited estate in favor of a woman, in which case such a limited estate would not transform into an absolute ownership. This provision applies only to women. Mali's Family Code of 2011 defines that only husbands are the heads of the family (chefs de famille), and they can be replaced by their wives only in cases of abandonment, interdiction, or incapacity (Art. 319, Code des Personnes et de la Famille (2011)).
- 240** CEDAW 2010, para. 16.
- 241** IACHR and Organization of American States. 2019. Annex 1. Standards and Recommendations: Violence and Discrimination against

- Women and Girls. IACHR, San José. Available at: <https://www.oas.org/en/iachr/reports/pdfs/ViolenceWomenGirls-Annex1.pdf>; African Union. 2003. Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. Africa Union, Addis Ababa. Available at: https://au.int/sites/default/files/treaties/37077-treaty-charter_on_rights_of_women_in_africa.pdf.
- 242** Power and Potential, 49. In this analysis, nearly 70 percent of all CBTRs designated for communities (47 CBTRs in 2016 and 48 CBTRs in 2024) are time-bound in nature, with most established through agreements with local, state, or national governments.
- 243** See Rights and Resources Initiative 2017, Endnote 74; UN Women and Women Count. 2024. Gender and Biodiversity: A Data Brief. Available at: https://data.unwomen.org/sites/default/files/documents/Publications/2024/gender_and_biodiversity_data_brief.pdf.
- 244** Boyd and Keene 2021; UN Women and Women Count 2024, 21.
- 245** CEDAW 2022, paras. 60–61; UNDROP 2018, Arts. 4(h), 18–20; CEDAW 2016, paras. 11–12; UN Human Rights Council 2023, paras. 83–86, 93 and 95; UN Environment Programme 2022, Targets 22–23; African Union. 2025. Common Africa Position Document: Africa Pre Commission on the Status of Women the Beijing + 30 Review. Cluster 6. Available at: https://africa.unwomen.org/sites/default/files/2025-01/f_cap_csw69.pdf; CEPAL 2023, Arts. 16–17, 25, 37; United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and UN Women 2024, 164–186.
- 246** Rights and Resources Initiative. 2025. Report on the Depth of Rights (Forthcoming). Rights and Resources Initiative, Washington, DC. doi:10.53892/QSTZ6441.
- 247** FAO. 2016. Free Prior and Informed Consent: An Indigenous Peoples' Right and a Good Practice for Local Communities. Manual for Project Practitioners. Food and Agriculture Organization of the United Nations, Rome. Available at: <https://openknowledge.fao.org/server/api/core/bitstreams/8a4bc655-3cf6-44b5-b6bb-ad2aeede5863/content>.
- 248** For instance, community women in Nepal, India, and Latin America are leaders in their communities' development and conservation efforts. In 2021, 14 community rights and community forest resource rights were approved by the State of Odisha in India. Four out of the 24 villages that received these titles had Forest Protection Committees composed entirely by women. See Dhoop, Vandana. 2021. "In Nayagarh, India, community women get long-due recognition for protecting their forests." November 17. Rights and Resources Initiative. Accessed January 24, 2025. Available at: <https://rightsandresources.org/blog/in-nayagarh-india-community-women-get-long-due-recognition-for-protecting-their-forests/>. In the Nawalpur district in Kathmandu, Nepal, Tharu and Kumal women worked together to plant lime trees on over 25 hectares of government and privately-owned farmland, restoring degraded land through horticulture during a province-wide lockdown during the COVID-19 pandemic. This resulted in restored degraded farmland and significantly contributed to the improvement of the women's livelihood by generating more green jobs in the community (see Harris, Nicole, Asmita Panday and Bharati Pathak 2022). Among 89 community enterprise initiatives across eight Latin American countries, 68.5 percent were led by Indigenous women, 18 percent by Afro-descendant women, and 9 percent by women from local communities (see Rights and Resources Initiative. 2021. *Emprendimientos Comunitarios De Economía Propia Lideradas Por Mujeres Étnicas: Primera Etapa – Mapeo Regional Y Tipificación*. Reporte Técnico. Rights and Resources Initiative, Washington, DC, 6–7. Available at: https://rightsandresources.org/wp-content/uploads/2021/03/EmprendimientoMujeresEtnicas_Etapal_RRI.pdf; Zamora, Alejandra. 2021. "How local and ethnic women in Latin America are transforming their communities' economies." April 3. Rights and Resources Initiative, Washington, DC. Available at: <https://rightsandresources.org/blog/how-local-and-ethnic-women-in-latin-america-are-transforming-their-communities-economies/>).
- 249** Rights and Resources Initiative. "Women in Global South Alliance for tenure and climate (WiGSA)." Accessed January 28, 2025. Rights and Resources Initiative, Washington, DC. Available at: <https://rightsandresources.org/women-in-global-south-alliance/>.
- 250** Rights and Resources Initiative 2024a.
- 251** Rights and Resources Initiative 2024a, 3.
- 252** Agarwal 1994; Open Society Foundation 2014; Gomez and Tran 2012; Namubiru-Mwaura 2014; FAO 2023.
- 253** See, for example, UN General Assembly 2022, para. 41.
- 254** Rights and Resources Initiative 2017, 24–26, 41, 51–52.
- 255** Rights and Resources Initiative 2018.
- 256** Economic Commission for Africa 2024, paras. 16, 51, 109; Tenkorang, Eric Y. and Adobea Y. Owusu. 2024. Measuring Lineage: Implications for Family Violence Research in Sub-Saharan Africa. *Sociology of Race and Ethnicity*, 10(3): 420–431. doi:10.1177/23326492241239027; Ajare, Deji. 2023. "Breaking the Chains: Overcoming Widow's Socio-Economic Challenges in Africa." September 4. Africa Women Conference. Available at: <https://africa-womenconference.org/breaking-the-chains-overcoming-widows-socio-economic-challenges-in-africa/>.
- 257** Castañeda Camey et al. 2020; Tran and Hanaček 2023; Boyer, Meijer, and Gilligan 2020; FAO 2023.
- 258** UN General Assembly 2022.
- 259** Carmen 2017, 97.
- 260** UN General Assembly 2022, para. 41.
- 261** As seen above in Section 4.2.3.1, 13 of 17 CBTRs, or 76 percent of CBTRs that guarantee communities' inheritance rights in a gender-blind way, also fail to provide adequate protections for women's membership rights.
- 262** Art. 19 of Loi No. 21-2018.

- 263** Art. 10, Loi MOUEBARA No. 19-2022.
- 264** Loi No. 33-2020 Code Forestier, Arts. 15-21.
- 265** Schedule 1(2) of The Community Land Regulations (2017).
- 266** LICADHO. 2014. *Good Wives: Women Land Campaigners and the Impact of Land Rights Activism in Cambodia*. Cambodian League for the Promotion and Defense of Human Rights (LICADHO), Phnom Penh. Available at: <https://www.licadho-cambodia.org/reports/files/200LICADHOReportGoodWivesFemaleActivism2014-English.pdf>; PAN Asia Pacific. 2021. "Peasants Rise Up (Indonesia): Women in palm oil and a community's victory vs. land grabbing." May 20. Pesticide Action Network Asia Pacific, Maputo. Accessed March 9, 2025. Available at: <https://panap.net/2021/05/peasants-rise-up-indonesia-women-in-palm-oil-and-a-communitys-victory-vs-land-grabbing>.
- 267** Section 27 of the Constitution of the Kingdom of Thailand (2017).
- 268** Section 67, 205, 206(2), National Civil Code, 2017.
- 269** Art. 1.26 of Regulation No. 9 of 2021 defines local communities as "a social unit consisting of community members, both women and men, who live around the forest area as evidenced by a resident identification card that resides and/or manages within the state forest area as evidenced by having a social community in the form of a history of forest area management and depending on the forest."
- 270** Art 19, Gender Equality Act, 2019.
- 271** Art. 39.2, Land Law No. 31 of 2024.
- 272** Art. 1(70), Government Regulation No. 23, 2021.
- 273** Section 67, (Part VIII), National Land Use Policy (NLUP) 2016 states that women should participate in decision-making processes related to land tenure rights. Part IX of NLUP ensures equal rights for men and women in land tenure and management, including the right to represent their community in land issues. Section 74(e) highlights the right to participate and represent the community in land disputes, including customary practices and systems of ethnic nationalities.
- 274** Section 11, rule 11.12 (5), DENR Administrative Order No. 2019-05.
- 275** Tran and Hanaček 2023.
- 276** Of the 10 countries with the highest rates of killings of land and environmental defenders in 2019, seven were in Latin America (See Global Witness 2020). Specific analysis shows that extrajudicial killings of women environmental defenders is most prevalent in Latin America, with Colombia, Brazil and Mexico accounting for the most assassinations globally, only after the Philippines (See Tran and Hanaček 2023).
- 277** For several examples of the efforts and actions taken by Afro-Colombian women at the national and regional level to vindicate their territorial rights, see Bratspies, Rebecca. 2020. "'Territory is Everything': Afro-Colombian Communities, Human Rights and Illegal Land Grabs." *Columbia Human Rights Law Review* 4(290). Available at: <https://hrlr.law.columbia.edu/hrlr-online/territory-is-everything-afro-colombian-communities-human-rights-and-illegal-land-grabs/>. See the work of Lottie Cunningham Wren, a lawyer and Miskito Indigenous women, defending the rights of Indigenous and Afro-descendant women in Nicaragua: Right Livelihood. 2020. "Lottie Cunningham Wren." Accessed February 4, 2025. Available at: <https://rightlivelihood.org/the-change-makers/find-a-laureate/lottie-cunningham-wren/>. See the advocacy of Ecuadorian Indigenous women regarding international trade agreements that could impact or fail to protect their territorial rights: Cecco, Leyland. 2025. "Indigenous Women from Ecuador Urge Ottawa to Halt Free-Trade Agreement." *The Globe and Mail*, January 30. Available at: <https://www.theglobeandmail.com/world/article-indigenous-women-from-ecuador-urge-ottawa-to-halt-free-trade-agreement/>.
- 278** Article 19, Ley No. 24656 – Ley General de Comunidades Campesinas, 1987, modified by Ley 30982, 2019.
- 279** In April 2023, the Agrarian Law was reformed to require that these bodies be made up with regard to the principle of gender parity (which as of 2019 is a constitutional principle in Mexico). Parity refers to the actual equal representation (at a minimum, a 50/50 principle) and it has been interpreted as such in domestic law. The General Law on Electoral Procedures and Institutions establishes in Art. 26 that Indigenous Peoples and Communities shall elect their authorities and representatives under their own political and governance systems guaranteeing both equality and parity between man and woman in accordance with the rules established in the Constitution, local constitutions and applicable laws (which would include electoral laws). Among the rules that establish some of the basic precepts of the parity principle is the General Law on Electoral Procedures and Institutions, which under Art. 234 establishes that all candidate lists must have one person of each gender as principal and alternate, alternating between both until the candidate list is completed. Electoral Laws of Different States also provide for this interpretation of parity: the electoral codes of the State of Mexico (which has a 47.6 percent of ejidos and communities), the State of Jalisco, and the State of Michoacan define parity as guaranteed by the division of seats and candidatures on a 50/50 basis for women and men. The Code of the State of Oaxaca (one of the states with the highest concentration of ejidos and communities) defines parity as the principle that guarantees equal participation of women and men, in which candidacies for access to public office and popular representation are distributed equally between genders or at least with minimal percentage differences. Moreover, the movement from quotas to parity was a big advocacy piece by women's rights organization and civil society and it was a huge win by those movements as it moved from the formulas of 60/40 to context-specific regulations of equal distribution.
- 280** Instituto Nacional Electoral. 2019. "Cronología: Movimiento en Pro de la Paridad de Género." *Igualdad de Género y No Discriminación*. Accessed February 14, 2025. Available at: <https://igualdad.ine.mx/paridad/cronologia-del-movimiento-en-pro-de-la-paridad-de-genero/>.
- 281** Universidad Javeriana Observatory for Ethnic and Rural Territories (OTEC), Process of Black Communities (PCN), National Coordination of Articulation of Rural Black Quilombola Communities (CONAQ) and Rights and Resources Initiative. 2024. Afro-

- descendant territoriality in Latin America and the Caribbean and the recognition of their tenure rights. Rights and Resources Initiative, Washington, DC. Available at: https://rightsandresources.org/wp-content/uploads/RRG-8217-Afro-Descendent-COP28-Brochure_Final_EditedBackground_Digital.pdf.
- 282** Inter-American Commission on Human Rights 2021, paras. 19, 225.
- 283** Rights and Resources Initiative. 2024b. An event for Securing Afro-descendant Peoples' Land Tenure Rights in Latin America and the Caribbean as an effective pathway to conservation and climate change action. June 11-14, 2024, Bogotá, Colombia. Available at: https://rightsandresources.org/wp-content/uploads/ADP-Event-Flyer_EN-Final.pdf.
- 284** Rights and Resources Initiative. 2022c. Strategic Priorities and Work Plans 2022. Rights and Resources Initiative, Washington, DC, 30–32. Available at: <https://rightsandresources.org/wp-content/uploads/EN-Program-Book-2022-V7-1.pdf>; Rights and Resources Initiative, National Coordination of Articulation of Rural Black Quilombola Communities (CONAQ), Process of Black Communities (PCN) and Universidad Javeriana Observatory for Ethnic and Rural Territories (OTEC). 2023. Afro-descendant Peoples' Territories in Biodiversity Hotspots across Latin America and the Caribbean: Barriers to Inclusion in Conservation Policies. Rights and Resources Initiative, Washington, DC, 28–31. doi:10.53892/FTMK5991; Rights and Resources Initiative, Process of Black Communities (PCN) and the Pontifical Universidad Javeriana's Observatory of Ethnic and Campesino Territories (OTEC). 2022. Mapping the Presence, Lands, and Territories of Afro-descendant Peoples in Latin America and the Caribbean: Findings and Challenges for the Climate Debate and Collective Tenure Rights. Rights and Resources Initiative, Washington, DC. doi:10.53892/ANVH3601.
- 285** Honduras is not one of the 35 countries assessed using RRI's Depth of Rights and Gender Methodologies as of 2024.
- 286** Propiedades Comunitarias (Communal Property) in Bolivia, Territórios Quilombolas (Quilombola Communities) in Brazil, Tierras de las Comunidades Negras (Afro-Colombian Community Lands) in Colombia, Ancestral Territories of Indigenous Peoples, Afro-Ecuadorians, and Montubios in Ecuador, and Ejidos in Mexico all include protections for communities' rights that ensure a level of territorial ownership by Afro-descendant communities. Propiedad Comunal de los Pueblos Indígenas y Comunidades Étnicas (Communal Property of Indigenous Peoples and Ethnic Communities) in Nicaragua does not include a protection for communities' right to exclude third parties and Propiedad Comunal de Afrohondureños in Honduras only provides for partial recognition of rights to exclude and rights to due process, meaning it is characterized as being designated for Afro-descendant communities instead of owned by these communities.
- 287** Of the 6 regimes (listed above) that can be utilized to recognize Afro-descendant Peoples' forest ownership: (a) none adequately recognize Afro-descendant women's rights to all 5 of the community-level forest rights evaluated in this analysis: Membership, Voting, Leadership, Inheritance and Dispute Resolution; (b) Afro-Colombian Community Lands is the only CBTR that adequately ensures women's governance rights by establishing a right to vote, requiring a quorum of women to participate in order for the voting forum to take binding action, and mandating a minimum quota and quorum of women within community leadership bodies; (c) only 2 CBTRs (in Ecuador and Mexico) protect Afro-descendant women's rights to community-specific inheritance; (d) only 3 CBTRs (50 percent) in 3 countries (Bolivia, Ecuador and Mexico) include legal provisions that explicitly define women as members, and the remaining 3 CBTRs (in Brazil, Colombia and Nicaragua) either do not address women's rights to membership or define membership at the household or familial level; and (e) only 3 CBTRs (in Bolivia, Colombia and Mexico) explicitly recognize women's dispute resolution rights.
- 288** Economic Commission for Latin America and the Caribbean (ECLAC). 2018.
- 289** Mujeres afrodescendientes en América Latina y el Caribe: Deudas de igualdad. Economic Commission for Latin America and the Caribbean (ECLAC), 15. Available at: <https://repositorio.cepal.org/server/api/core/bitstreams/28f87ae3-931d-4762-85d7-0b83e653d210/content>; Fòs Feminista 2022.
- 290** Inter-American Commission on Human Rights 2021, paras 121–142.
- 291** UN Women 2024, 36.
- 292** Economic Commission for Africa 2024; United Nations Economic Commission for Latin America and the Caribbean (ECLAC) 2024; United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and UN Women 2024.
- 293** UN Women 2024,12.
- 294** United Nations. 2011. Guiding Principles on Business and Human Rights.HR/PUB/11/04. Available at: https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinessshr_en.pdf; United Nations General Assembly 2019; OECD. 2023. OECD Guidelines for Multinational Enterprises on Responsible Business Conduct. OECD Publishing, Paris. doi:10.1787/81f92357-en; Principles for Responsible Investment. "What are the Principles for Responsible Investment?" Accessed March 9, 2025. Available at: <https://www.unpri.org/about-us/what-are-the-principles-for-responsible-investment>; International Labour Organization (ILO). 2022. Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration). Available at: <https://www.ilo.org/ilo-department-sustainable-enterprises-productivity-and-just-transition/areas-work/tripartite-declaration-principles-concerning-multinational-enterprises-and>; Save the Children, UNICEF and United Nations Children's Fund. 2012. Children's Rights and Business Principles. Save the Children, UNICEF and United Nations Children's Fund. Available at: <https://www.unicef.org/media/96136/file/Childrens-Rights-Business-Principles-2012.pdf>; United Nations General Assembly. 2022d. Resolution adopted by the General Assembly on 28 July 2022 on the human right to a clean, healthy and sustainable environment. A/RES/76/300. Available at: <https://documents.un.org/doc/undoc/gen/n22/442/77/pdf/n2244277.pdf>; United Nations General Assembly. 2021. Resolution adopted by the Human Rights Council on 8 October 2021 on the human right to a clean, healthy and sustainable environment. A/HRC/RES/48/13. Available at: <https://docs.un.org/en/A/HRC/RES/48/13>; UN Human Rights Council 2018, paras. 7–10, 35 and Annex: Framework principles on human rights and the environment.

Annex Endnotes

I BOLIVIA | Regarding the Leadership indicator for Territorio Indígena Originario Campesino (Original Peasant Indigenous Territory) in Bolivia: In some instances, communities in Bolivia have adopted a quorum requirement for women into their internal rules (personal correspondence with Ivan Bascope, 2016).

II BRAZIL | Regarding the Membership indicator for Terras Indígenas (Indigenous Lands) in Brazil: Because the definition of “Indio or Silvicola” pertains more closely to ethnicity, rather than defining the composition of the “Indigenous Community or Tribal Group,” the Membership Indicator for Indigenous Lands received “no credit” (see Art. 3 of Lei No. 6.001 de 19 de dezembro de 1973 - Estatuto do Índio).

Regarding the Membership indicator for Reserva Extrativista (Extractive Reserve), Reservas de Desenvolvimento Sustentável (Sustainable Development Reserves), and Florestas Nacionais (FLONA) (National Forests) in Brazil: Under Brazilian law, the rights recognized under RESEX, RDS and FLONA Conservation Units are recognized for beneficiary families, so there is no recognition of the individual membership rights of all adults in the community and therefore no explicit recognition of women’s membership rights. It is worth noting, however, that some legal instruments could be interpreted to enforce a membership right for women if such was denied. The National Policy for the Sustainable Development of Traditional Peoples and Communities (Decree No. 6,040/2007), establishes as one of its specific objectives: “to implement and strengthen programs and actions aimed at gender relations in traditional peoples and communities, ensuring women’s vision and participation in government actions, valuing the historical importance of women and their ethical and social leadership” (Art. 3, XII, Annex). In addition, Normative Instruction 35/2013, which establishes the administrative process to homologate beneficiary families in RESEX, RDS and FLONA, establishes that the criteria to determine a beneficiary family cannot include criteria that would involve prejudice on the basis of race, sex, color, age, religion, philosophical or political ideology.

Regarding the Voting and Leadership indicators for Reserva Extrativista (Extractive Reserve), Reservas de Desenvolvimento Sustentável (Sustainable Development Reserves) Florestas Nacionais (FLONA) (National Forests), Territórios Quilombolas (Quilombola Communities) and Terras Indígenas (Indigenous Lands) in Brazil: Peer reviewers José Heder Benatti and Ana Luisa Santos Rocha note that “it is important to emphasize the role of consultation protocols, which can also be developed by traditional peoples and communities, in which collective decision-making processes are established.”

Regarding the Dispute Resolution indicator for Reserva Extrativista (Extractive Reserve), Reservas de Desenvolvimento Sustentável (Sustainable Development Reserves) and Florestas Nacionais (FLONA) in Brazil: While there is no specific mechanism for the resolution of tenure disputes in the laws comprising these CBTRs, the following laws and regulations indicate a legal ecosystem where communities could exercise rights of access to justice and dispute resolution: Indigenous Peoples and their communities have legal standing and the right to activate the justice system in defense of their rights and interests, upon which the government must intervene in the process (Art. 232, Constitution); one of the specific objectives of the National Policy of Sustainable Development of Traditional Peoples and Communities is to resolve or minimize conflicts related to the implementation of Conservation Units in traditional territories (Law 6040/2007, Art. 3.II); the ICMBio has the power to act as environmental police for the protection of Conservation Units; the Directive Councils of communities created for the management of Conservation Units must support decision-making mechanisms that support the participation of members of the community (IN No. 02/2007, Art. 3); the creation of “mosaics of Conservation Units” (a mosaic of nearby, adjoining or overlapping protected areas of Brazil that are managed as a whole) is recognized to, among others, propose directions and actions to harmonize the relationship with the population living in the mosaic area and express its opinion on proposed solutions for overlapping conservation units (Decree 4340/2002, Chapter III). As a result of this array of legislation, some Directive Council’s Internal Rules, approved by the ICMBio, do recognize the Council’s management power to propose solutions to problems within the Conservation Unit through appropriate measures (Reglamento Interno RDS Piagacu Purus; Reglamento Interno RDS Puranga Conquista).

III CAMBODIA | Regarding Cambodia’s Affirmation of Women’s Property Rights indicator: Analysis conducted in 2016 for Power and Potential overlooked Arts. 2 and 974 of the 2007 Civil Code. Although Art. 44 of the Constitution upholds property rights for all individuals in a gender-blind manner, the Civil Code addresses women’s property rights. Art. 2 states as a fundamental concept that “[t]his Code gives concrete embodiment to the concepts of the dignity of the individual, the equality of the sexes and the guarantee of property rights provided in the Constitution.” Moreover, Art. 974 states that “a husband and wife shall have equal rights to use, enjoy the benefit from and manage common property, and each of them shall have the right to use, enjoy the benefit from and manage their own property. [...]” Based on these provisions, the assessment of the Affirmation of Women’s Property Rights indicator has been revised from “no credit” to “full credit” for both 2016 and 2024.

Regarding the Leadership indicator for Community Forests in Cambodia: Although the Sub-Decree on Community Forestry Management of 2003 (see, for example, Arts. 18 and 19) and the Prakas on Guidelines on Community Forestry of 2006 encourage women’s participation in Community Forest Management Committees, there is neither a quota nor quorum requirement for women’s participation. Cambodia’s Ministry of Agriculture, Forestry and Fisheries’ Gender Mainstreaming Plan (which is not legally binding) sets a target of 15–20 percent of women representatives in the Community Forest Management Committees. According to Donal Yeang, this percentage has been enforced by all stakeholders during the election process for the committees. See Cambodia’s Ministry of Agriculture, Forestry and Fisheries. 2022. Gender Mainstreaming Policy and Strategic Framework in Agriculture 2022–2026. Available at <https://faolex.fao.org/docs/pdf/cam217024.pdf>.

IV COLOMBIA | Regarding the Leadership indicator for Tierras de las Comunidades Negras (Afro-Colombian Community Lands) in Colombia: Art. 22 of Law 731 of 2002 on Rural Women states that participation of rural Afro-Colombian women in the Junta del Consejo Comunitario, as well as the Regional and High-Level Departmental Consultative Committees, should not be less than 30 percent. However, implementing legislation fails to follow up on these requirements. Decree No. 1640/2020 regulating the registration of these Consejos and other forms of internal organization of Black communities does not mention women directly and mandates only the respect and promotion of human rights, as well as “territorial, social, economic, cultural, environmental and/or political rights of the black, Afro-Colombian, Raizal or Palenquera communities.” This decree establishes that these representative organizations must have at least fifteen members but does not specify the inclusion of women. Nevertheless, since Law 731/2002 is hierarchically stronger, this indicator receives “full credit.”

Regarding the Leadership indicator for Zonas de Reserva Campesinas (Peasant Reserve Zones): The laws analyzed do not include provisions on the composition of executive bodies within the community. However, under Decree 1147 of 2024, the Ministry of Agriculture and Rural Development, in conjunction with ZRCs, must contribute to the incorporation of a gender focus and the elaboration of management plans that prioritize access to land for women, as well as inclusion and affirmative action for youth.

V CONGO, REPUBLIC OF THE | Regarding Forêts Communautaires (Community Forest) in Republic of Congo: This CBTR was referred to as “Des forêts des communes et autres collectivités locales” in Power and Potential. Community Forest is a new CBTR (Loi No. 33-2020, Art. 15-21), which replaces the previous CBTR “Des forêts des communes et autres collectivités locales” (Code Forestier, Loi 16-2000, Art. 11-12).

VI GABON | Regarding Gabon’s Affirmation of Women’s Property Rights indicator: Despite the lack of any explicit provision recognizing all women’s equal rights to property, provisions do provide for some recognition of the equal rights of married women. The Civil Code of 1972 presumes that marital property is common property (Art. 320), except for the property acquired before marriage, by donation, or by legal or testamentary succession. In these cases, property is considered to be “personal property” (Arts. 320 and 321). Furthermore, Art. 336 of the Civil Code, as amended in 2015, states that no spouse may dispose of common property without the other spouse’s consent.

Regarding Gabon’s Overarching Inheritance indicator: Analysis conducted in 2016 for Power and Potential overlooked the 2015 amendment of the Civil Code (brought by Law No. 002/2015, altering Arts. 691, 692 and 696) that eliminated the overtly discriminatory provision previously found in Art. 692 of the 1989 Civil Code, which deprived a widow of her right to usufruct when she remarried outside of the family, upon legal separation, or if spouses had not cohabited for more than six months. While this revision does not alter the “partial credit” assessment, the rationale for this indicator has been updated accordingly.

VII GHANA | Regarding Ghana’s Affirmation of Women’s Property Rights indicator: Ghana’s legislation does not explicitly affirm and/or protect all women’s land and property rights. However, some protections for women are embedded in provisions regarding protections for spousal rights (see Art. 22 of the Constitution of Ghana), joint ownership, and collective ownership under customary laws. For example, the 2020 Land Act legalizes the usufructuary interest in land, granting inherent rights to both male and female members of the land-owning groups in Ghana. However, the law does not go beyond that to explicitly protect against the limitations women may face within the customary land governance system before accessing and securing their rights under the usufructuary interest.

Regarding the Voting and Leadership indicators for Allodial Interest in Ghana: The members of the traditional leadership make decisions on behalf of all the communities, with processes defined by the different customs and traditions. The Traditional Council is not composed solely of male chiefs and elders; it is composed of the Chiefs, Queen Mothers, clan heads, youth leaders and traditional priests from particular traditional settings. Although women leaders may be involved in the decision-making processes at the traditional council level in practice, this analysis does not consider this to be sufficient for “full” or “partial” credit.

VIII GUATEMALA | Regarding the Dispute Resolution indicator for Tierras Comunales (Communal Lands) in Guatemala: Peer reviewer Silvel Elías (2023) notes that the dispute resolution mechanism established by the Specific Rules for the Recognition and Declaration of Communal Land of 2009 “is insufficient because after 15 years it has not resolved any case in favor of women.”

IX GUYANA | Regarding Voting and Leadership indicators for Community Forest Management Agreement (CFMA) in Guyana: While legal provisions do not address voting mechanisms or women’s role in these, the internal voting procedures of each CFMA provide for specific provisions.

Regarding Leadership indicator for Titled Amerindian Village Land in Guyana: While there are no quota or quorum requirements for women within the Village Council, women may enjoy some leadership rights at the national level through the Indigenous Peoples’ Commission. Of the 12-member Indigenous Peoples’ Commission, three are nominated by the National Toshias Council (one of whom must be a woman as per Art. 212 S (b)) and two are nominated by Amerindian organizations (one of whom must be a woman as per Art. 212 S (c)).

X INDIA | Regarding India’s Constitutional Equal Protection Indicator: India’s Constitution (2015) prohibits discrimination based on sex, guarantees all persons equal protection under the law, and requires customary law to conform to the Constitution (Arts. 13, 14 and 15). However, contradicting judicial decisions make the status of such protections ambiguous and puts women’s equality at risk in instances where customary laws apply. For example, the 1951 judgment in State of Bombay vs Narasu Appa Mali held that personal status law/family law is not “law” under Art. 13, and so it can contain provisions that violate fundamental rights (especially to equality and non-discrimination). In another judgement, the Himachal Pradesh High Court struck down tribal customary law that discriminates against women as unconstitutional and held that it also violated CEDAW provisions (Bahadur vs Bratiya & Others, 2016). Nevertheless, because the Supreme Court has not ruled that Arts. 14 and 15 are invalid as of 2024, India’s Constitutional Equal Protection Indicator receives a “full credit” assessment in this analysis.

XI INDONESIA | Regarding Indonesia's Overarching Inheritance indicator: Peer reviewer Avi Mahaningtyas (2023) notes that the implementation of legislative protections is problematic and that there is “unequal access to legal procedures and certainty to receive protection for inheritance rights, [which are] very dependent to the custom, tradition and religions.”

Regarding the repeal of Hak Komunal (Communal Rights) in Indonesia, included in 2016 analysis: Hak Komunal was originally established by Ministerial Decree 10/2016 (Permen 10 Tahun 2016). However, this was repealed by the Regulation of the Minister for Agrarian and Spatial Planning no. 18 of 2019. As such, RRI considers that the Hak Komunal CBTR has been repealed.

XII KENYA | Regarding Kenya's Constitutional Equal Protection and Overarching Inheritance indicators: Kenya's Constitutional Equal Protection indicator received a “full credit” assessment because the Kenyan Constitution of 2010 guarantees women and men equal protection (Art. 27(3)), affirmatively recognizes customary laws (Art. 2(4)) and requires customary laws to conform to the Constitution (Art. 2(4)). However, under the Constitution's Bill of Rights Art. 24(4): “The provisions of this Chapter on equality shall be qualified to the extent strictly necessary [emphasis added] for the application of Muslim law before the Kadhis' courts, to persons who profess the Muslim religion, in matters relating to personal status, marriage, divorce and inheritance.” Art. 24(4)'s restriction on constitutional equality does not alter the full credit assessment for Kenya's Constitutional Equal Protection indicator because it relates specifically to persons that voluntarily “profess” the Muslim religion and because under Art. 170(5) of the Constitution the jurisdiction of a Kadhis' court is limited to “proceedings in which all the parties profess the Muslim religion and submit to the jurisdiction of the Kadhi's courts.” Peer reviewers also indicated that women who profess the Islamic faith can opt to go through the normal courts in cases where they feel that the Kadhi's court will not give them justice. However, their ability to do so is often curtailed by cultural and social norms.

Regarding Registered Community Lands: The Wildlife Conservation and Management Act (WCMA) of 2014 allows communities to establish wildlife conservancies and sanctuaries on community lands, as established by the Community Land Act (CLA) of 2016 (see WCMA Arts. 11, 39, 40, 41 and 44). The establishment of a wildlife conservation area on community land does not alter the community's ownership of community lands, and the provisions of the CLA remain applicable.

Regarding Voting and Leadership indicators for Registered Community Lands in Kenya: With regard to the two-thirds gender rule, a Supreme Court decision interpreted the rule as being subject to progressive rather than immediate implementation. See Supreme Court Advisory Opinion No. 2 of 2012.

Regarding the Dispute Resolution Indicator for Registered Community Lands in Kenya: Section 39 of the Community Land Act (CLA) grants communities the right to use traditional dispute resolution mechanisms to resolve community land conflicts and prioritizes alternative methods of dispute resolution. Notably, CLA Section 39 does not consider women. However, the Dispute Resolution indicator has received “full credit” due to constitutional provisions that prohibit gender-based discrimination and regulate the actions of traditional dispute resolution forums. Art. 27(3) of Kenya's 2010 Constitution states that “women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres” and Art. 27(5) prohibits persons from discriminating against women. Under Art. 159(3) of the Constitution, traditional dispute resolution mechanisms are prohibited from being used in a way that “(a) contravenes the Bill of Rights; (b) is repugnant to justice and morality or results in outcomes that are repugnant to justice or morality; or (c) is inconsistent with this Constitution or any written law.” Thus, Kenya's Constitution prohibits traditional adjudicatory bodies from discriminating against women or taking any action that results in a discriminatory outcome for women. The “full credit” assessment accorded to the Dispute Resolution indicator also reflects the fact that under Section 30(4) of the CLA: “A registered community shall not directly or indirectly discriminate against any member of the community on any ground including ... gender [or] marital status. ...”

Regarding the Dispute Resolution indicator for Community Forest Association Participation in the Conservation and Management of Public Forests under Approved Forest Management Plans in Kenya: No dispute resolution mechanism is addressed within the laws comprising this CBTR. However, under Section 45 of the Forest Conservation and Management Act, forest management agreements between the Kenya Forest Service and any person, institution or organization must specify the “mechanism for settlement of disputes arising in respect of the agreement.” Where a traditional dispute resolution mechanism is invoked in the agreement, women's rights would be protected as under Art. 159(3) of the Constitution: “Traditional dispute resolution mechanisms shall not be used in a way that: (a) contravenes the Bill of Rights; (b) is repugnant to justice and morality or results in outcomes that are repugnant to justice or morality; or (c) is inconsistent with this Constitution or any written law.” Kenya's Constitution prohibits gender-based discrimination and guarantees women equal protection under the law.

XIII LAO PDR | Regarding Lao PDR's Affirmation of Women's Property Rights indicator: While Lao PDR's laws affirm women's equal rights to property and there has been progress through the adoption of the 2019 Land Law, certain previously gender-sensitive provisions of the 2003 Land Law have been removed and replaced by gender-neutral language. The Land Law of 2019 no longer includes the protection clause for married women, and the reference to “joint ownership” of husband and wife in case of matrimonial property is omitted.

XIV LIBERIA | Regarding Community Forests: This tenure regime includes Aboriginal Land Grant Deeds and Public Land Sale Deeds. These fee simple deeds, like others issued under laws passed prior to 1956, were issued to chiefs in the name of a particular community or people (personal correspondence with Caleb Stevens, September 27, 2016.) See also De Wit and Stevens 2014; Alden Wily 2007; and Namati 2012. Pursuant to Chapter 1, Section 2.3 of the Community Rights Law of 2009 with Respect to Forest Lands, forested land subject to Aboriginal Land Grant Deeds and Public Land Sale Deeds are classified as Community Forests. Consequently, this study considers both deeds to fall within the larger purview of Community Forests.

Regarding Liberia's Overarching Inheritance indicator: Section 25.3 of the Civil Procedure Law establishes that “persons who live together as husband and wife and hold themselves out as such are presumed to be married” under the law. However, no

laws address the inheritance rights of these parties, and the Supreme Court has reportedly been hesitant to apply the marriage presumption. See Dolo-Barbu 2015; and Scalise and Hannay 2013. As a result, RRI has not interpreted partners in consensual unions as having recognized intestate inheritance rights in Liberia, and this indicator has received “partial credit” (due to the existing rights of spouses and daughters).

Regarding Voting and Leadership indicators for all CBTRs in Liberia: Although not directly related to the assessment of Voting and Leadership, Section 15 of the Land Rights Act Regulations (2022) notably includes several gender-sensitive requirements in the process of advertising for a Community By-Laws meeting.

Regarding the repeal of Communal Forests in Liberia, included in 2016 analysis: Communal Forests, originally established by the National Forestry Reform Law of 2006, are considered to have been subsumed by Customary Lands as recognized by the 2018 Land Rights Act.

XV MADAGASCAR | Regarding the Voting and Leadership indicators for Communautés de base agréées avec contrats de gestion (Agricultural Communities with Management Contracts) in Madagascar: While this study finds that national laws applicable to the CBTR do not protect women’s governance rights, each community’s convention may still do so. The basic community is regulated by the *Dina*, a community convention that has the force of law among the community. The *Dina* is a written agreement that is legally enshrined in Law 2001-004 on the *Dina* (Art. 1). The regulation of women’s governance rights would, therefore, be determined by the *Dina*.

XVI MALI | Regarding Mali’s Affirmation of Women’s Property Rights indicator: Despite Art. 396 of Law No. 2011-087 (The Family Code) guaranteeing men and women equal ownership rights to immovable property, several discriminatory provisions remain, including that women shall obey their husbands, under the limit of the rights and duties of the Code (Art. 316); the husband is the head of the family (chef de famille), relinquishing this to the wife only in cases of abandonment, interdiction, or incapacity (Art. 319).

Regarding Forêts gérées par les communautés dans le domaine forestier des collectivités territoriales décentralisées (Community-Managed Forests within the Forest Domain of Decentralized Territorial Collectives) in Mali: This CBTR was referred to as “the Forest Domain of Decentralized Territorial Collectives” in Power and Potential. This CBTR’s name has been updated to properly reflect the nature of the CBTR (a delegation of power by Decentralized Territorial Collectives to communities) and in order to more clearly differentiate the scope of this CBTR from that of the CBTR regarding use rights in State Forests and Forest Domain of Decentralized Territorial Collectives.

Regarding Droits d’usage - Le domaine forestier de l’État et le domaine forestier des collectivités territoriales décentralisées (Use rights in State Forests and in the Forest Domain of Decentralized Territorial Collectives) in Mali: This CBTR was referred to as “Le domaine forestier de l’état (State Forests)” in Power and Potential. This CBTR’s name has been updated to properly reflect the nature of the CBTR, which grants communities use rights within State Forests and Forest Domain of Decentralized Territorial Collectives.

Regarding the Leadership indicator for Forêts gérées par les communautés dans le domaine forestier des collectivités territoriales décentralisées (Community-Managed Forests within the Forest Domain of Decentralized Territorial Collectives) in Mali: Changes to Law No. 06-023 may result in overt discrimination against women at the General Assembly of the village. Previously, Art. 29 of Law No. 06-023 stated: “In each village, hamlet, or district, a council is established, composed of members appointed at the General Assembly of heads of families or their delegates in the presence of the State representative at the communal level and the mayor.” The amended Art. 29 removes the General Assembly and stipulates that members are “appointed and replaced according to the customs and traditions recognized in each locality.” The Village Chief is the executive representant of the village. The Village Council recommends a name to the state, and the state proceeds with the designation of the Village Chief (Art. 8, Law No. 06-023, 2006). The Village Council is the decision-making body at the village level. Their members are “appointed and replaced according to the customs and traditions recognized in each locality” (Art. 29, Law No. 06-023, 2006, as amended by Ordinance No. 2024-019/PT-RM). The analysis of this indicator revealed that, in practice, heads of families held voting power at the General Assembly. Since “the Family Code of 2011 defines that only husbands are the heads of the family (chefs de famille), and they can be replaced by their wives only in cases of abandonment, interdiction, or incapacity (Art. 319, Law No. 2011-087),” heads of families are predominantly men. Consequently, voting members are mostly men, resulting in very low female representation on the Village Council.

Regarding the repeal of Droits fonciers coutumiers sur les terres non-immatriculées (Customary Rights on Non-classified Land) in Mali, included in the 2016 analysis: This CBTR was effectively discontinued by the 2017 Agriculture Law, and is therefore not included in the 2024 analysis.

XVII MEXICO | Regarding the Leadership indicator for Ejidos Localizados en Tierras Forestales (Ejidos Located on Forestlands) and Comunidades (Communities) in Mexico: A November 2016 amendment of Article 37 of the Agrarian Law, 1992 (after the October 2016 cutoff for Power and Potential), established a special quota to form the “consejo de vigilancia” and the “comisario ejidal,” which are the two executive bodies for Ejidos and Comunidades. Candidates to both of these bodies cannot exceed 60 percent for a same gender; therefore, a minimum of 40 percent must be women. In April 2023, the Agrarian law was reformed again and changed to require that the composition of these bodies be consistent with the constitutional principle of gender parity recognized in 2019. “Parity” refers to actual equal representation (at a minimum, a 50/50 principle) and it has been interpreted as such in domestic law. Art. 26 of the General Law on Electoral Procedures and Institutions establishes that Indigenous Peoples and Communities shall elect their authorities and representatives under their own political and governance systems guaranteeing both equality and parity between man and woman in accordance with the rules established in the Constitution, local constitutions and applicable laws (which would include electoral laws). See also Art. 234. The electoral laws of different states (which include the

obligation of Indigenous elections respecting parity): For example, the electoral codes of the State of Mexico (one of the states with the highest concentration of Ejidos and Comunidades along with Oaxaca, Chiapas and Guerrero), the State of Jalisco, and the State of Michoacan define parity as guaranteed by the division of seats and candidatures on a 50/50 basis for women and men. The Code of the State of Oaxaca defines parity as the principle that guarantees equal participation of women and men, in which candidacies for access to public office and popular representation are distributed equally between genders or at least with minimal percentage differences. Moreover, the movement from quotas to parity had strong advocacy backing from women's rights organizations and civil society and was considered a significant win by those movements as it moved from the formulas of 60/40 to context-specific regulations of equal distribution. Thus, as of the 2023 reform, this indicator receives "partial credit."

XVIII MOZAMBIQUE | Regarding Mozambique's Overarching Inheritance indicator: De facto unions are recognized in Art. 203 of the Family Law of 2004, and surviving partners in such unions lasting more than five years are entitled to the limited inheritance rights of 1/8 of the deceased's assets, to be used for subsistence purposes (Art. 424). However, this indicator receives a "partial credit" assessment because the inheritance rights of partners in consensual unions are neither equivalent nor comparable to those of surviving spouses. Under this analysis, where only one or two classes of women (widows, daughters and women in consensual unions) possess equal rights to inherit with respect to their male counterparts, the Inheritance in Overarching Laws indicator receives a "partial credit" assessment.

Regarding the Voting and Leadership indicators for DUATs Comunitários Certificados e Não-Certificados (Uncertified and Certified Community DUATs) in Mozambique: Art. 30 of the Land Law 1997 states that, "the mechanisms for representation of, and action by local communities, with regard to the rights of land use and benefit, shall be established by law." Despite the reference to "action by local communities," these indicators continue to be assessed as "not addressed" because implementing legislation has yet to be established by law. In 2023, peer reviewer André Calengo noted that "Ministerial Diploma 158/2011, of June 15, sought to regulate the process of community consultations in the context of the titling of the right to use and enjoy the land. However, it does not respond to the void brought about by Article 30 of the Law, nor does it expressly impose the presence of women in the consultation, much less any quota for such presence."

Regarding the CBTR-specific Inheritance indicator for DUATs Comunitários Certificados e Não-Certificados (Uncertified and Certified Community DUATs) in Mozambique: Although inheritance in CBTRs receives "full credit" on the basis of Art. 16 of the Land Law of 1997, a study by Save the Children Mozambique reportedly found that more than half of 384 people (children, women, justice officials, etc.) from four different districts believe that existing customary social norms allow land and money to be equally inherited by men and women. In practice, however, the study recorded that in both patrilineal and matrilineal communities, men are more likely to inherit the more valuable items, such as the house and commercial assets, while women and children inherit crockery, clothing, some furniture, and some money." See Cooper, Elizabeth. 2011. Challenges and Opportunities in Inheritance Rights in Mozambique. Policy Notes: February 2011. Chronic Poverty Research Centre. Available at: <https://assets.publishing.service.gov.uk/media/57a08adde5274a27b20007ef/PN-Inheritance-Mozambique.pdf>.

XIX MYANMAR | Regarding Myanmar's Constitutional Equal Protection indicator: Since the military coup that took place on February 1, 2021, and the subsequent declaration of a state of emergency, both Arts. 354 and 365, which protect the ability to enact customary laws, have been used by the State Administrative Council (SAC) to revoke the rights of communities, particularly as it relates to the exercise of cultural practices. In light of this, we interpret that, as of 2021, the Constitution is not currently being interpreted by the SAC as recognizing customary rights insofar as they conform with the Constitution.

Regarding the Dispute Resolution indicator for Community Forestry Concessions in Myanmar: This analysis assessed CBPA Law 2018, which includes dispute resolution provisions outlined in Section 9(e), Chapter IV. While this is sufficient for the assessment of "partial credit," implementation gaps remain. As pointed out by an anonymous peer reviewer, the dispute mechanisms for the CBPA Law 2018 have yet to be implemented and the associated Rules have not been passed by parliament.

Regarding Forest Lands Managed by Organizations in Myanmar: While Forest Lands Managed by Organizations was analyzed as a CBTR in 2016 as part of Power and Potential, this has been removed from the 2024 analysis based on feedback that this CBTR is not used as a pathway for community-based tenure rights as of 2018 and identification of the Forest Rules as of 2019 which both establish that the objective of this regime is to promote private sector investment in the forestry sector (Art. 53).

XX NEPAL | Regarding the Membership indicator for Community Forests in Nepal: The 2014 Community Forest Development Program Guidelines define membership at a household level but also require that a woman member of each household participate in the Community Forest User Group (CFUG) management committee. While the provisions do not permit every adult to participate in the CFUG management committee, the provisions requiring both sexes to do so imply that membership—a prerequisite of CFUG management committee participation—is afforded to all/any adults within the community. As a result, the Membership indicator has received a "partial credit" assessment.

Regarding the Voting indicator for Community Forests in Nepal: One man and one woman from each household are required to participate in the General Assembly. Women have a right to vote in the CFUG General Assembly and Executive Committee (Rule 42 and Schedule 19, Forest Regulation 2022; Community Forest Development Program Guidelines 2014). However, forest-dependent rural women are struggling to operationalize these legal rights, resulting in direct criticism and opposition from rightsholder organizations to Nepal's updated 2022 Forest Regulation. See Federation of Community Forestry Users Nepal (FECOFUN). 2024. "Repeal the forest regulation 2022 which is against the constitution, federalism, human rights, women's rights and community forest." FECOFUN, Bhaktapur. Accessed March 5, 2025. Available at: <https://fecofun.org.np/2020/07/08/4507/>.

XXI NICARAGUA | Regarding Dispute Resolution indicator for Propiedad Comunal de los Pueblos Indígenas y Comunidades Étnicas (Communal Property of Indigenous Peoples and Ethnic Communities) in Nicaragua: Peer reviewers note that,

although CONADETI is meant to resolve conflicts over land incursions and land use changes, it has not tended to intervene in conflicts over community property.

XXII PANAMA | Regarding Territorios de los Pueblos Indígenas (Indigenous Peoples' Territories): Prior to 2008, federal laws recognized five Indigenous districts of Panama: Gunayala, Emberá and Wuonaaan, Kuna de Madungandi, Kuna de Wargandí, and Ngäbe-Buglé (known as "Comarcas"). Ley 72 de 23 de diciembre de 2008 que establece el procedimiento especial para adjudicación de la propiedad colectiva de tierras de los pueblos indígenas que no están dentro de las comarcas establishes a special, unified procedure for the free adjudication of properties collectively inhabited by Indigenous Peoples and communities, which had not previously been incorporated by any of the five Comarcas mentioned above. The intent of the law was to clarify and unify the specific procedures for the recognition of new collective land rights in contrast to the ad hoc legislation enacted to that point. In light of this unifying legislation, Indigenous Peoples' Territories have been considered to be inclusive of Comarcas (including those established since 2008) for the purposes of this analysis.

Regarding the Tenure Categorization of Territorios de los Pueblos Indígenas (Indigenous Peoples' Territories): Although the right to exclude, particularly in the context of natural resource exploration and exploitation concessions, may vary across the Comarcas, we have determined that the consultation procedures outlined in Art. 12 of Ley 72 de 23 de diciembre de 2008 que establece el procedimiento especial para adjudicación de la propiedad colectiva de tierras de los pueblos indígenas que no están dentro de las comarcas, Arts. 96–105 of Ley No. 41 de 1 de julio de 1998, and Art. 44 of the Ley No. 1 de 3 de febrero de 1994 (Legislación Forestal de la República de Panamá) are sufficient to consider Indigenous People's Territories as "owned by" Indigenous Peoples under RRI's Statutory Tenure Typology.

XXIII PAPUA NEW GUINEA | Regarding the Voting indicator for Common Customary Land in Papua New Guinea: Notably, voting procedures are addressed in Section 14D of the Land Groups Incorporation (Amendment) Act 2009, which states that "all members of an incorporated land group shall be entitled to attend the meeting of the group and vote" and that "no business shall be transacted at a meeting of the members unless at least sixty percent of the members of the group are present at the meeting, out of which, at least 10% are of the other gender." However, as customary communities are not required to incorporate their lands and customary governance procedures are not defined in the legislation regulating Common Customary Land, the Voting indicator is assessed as "not addressed."

Regarding the Leadership indicator for Common Customary Land in Papua New Guinea: Notably, the Land Groups Incorporation (Amendment) Act 2009, Schedule 5(16) states that "the management committee of the group shall consist of a chairman, vice-chairman, secretary, treasurer, and three other members, of whom not less than two shall be elected from amongst the group members of the other gender," although no quorum of women is required in order for actions taken by the management committee to be valid. However, as customary communities are not required to incorporate their lands and customary governance procedures are not defined in the legislation regulating Common Customary Land, the Leadership indicator is assessed as "not addressed."

Regarding the Dispute Resolution indicator for Common Customary Land in Papua New Guinea: Notably, the Land Groups Incorporation (Amendment) Act 2009 contains provisions regarding dispute resolution (see Arts. 7, 20–25). However, as customary communities are not required to incorporate their lands, these provisions have not factored into the assessment of the Dispute Resolution indicator.

XXIV PHILIPPINES | Regarding the Philippines' Overarching Inheritance indicator: As per rule IV, Section 15 of the Implementing Rules and Regulations of Republic Act No. 9710, "the executive–legislative body shall prioritize bills that will amend or repeal discriminatory provisions of existing laws, inter alia [within 3 years of this Act]: ... [including the] Code of Muslim Personal Laws." However, as of 2024, widows and widowers continue to hold unequal legal succession rights under Muslim Personal Laws in contradiction of these Rules and Regulations.

Regarding the Voting and Leadership indicators for Protected Area Community-Based Resource Management Agreement (PACBRMA) in the Philippines: While voting and decision-making provisions are not recognized by the laws comprising the CBTR itself, Section 11 of DENR Administrative Order No. 2019-05 provides that at least 40 percent of the Protected Area Management Board members shall be women, pursuant to Republic Act No. 9710 (The Magna Carta of Women).

XXV SENEGAL | Regarding the Voting and Leadership indicators for Des droits d'usages des populations riveraines dans le domaine forestier de l'État (Usage Rights of Riparian Populations in the Forest Domain of the State) in Senegal: While national laws do not address community-level voting and leadership mechanisms, customary provisions may provide protections for women. According to peer reviewer Kader Fanta Ngom (2023), "local provisions and mechanisms are put in place by local authorities. These instruments include specific provisions for women. Examples include land governance charters and land use plans. Women are members of zonal commissions (set up by communes as part of the implementation of their land-use plans) responsible for adjudicating rural conflicts."

Regarding the Leadership indicator for Les forêts gérées par les collectivités locales (Forests Managed by Local Collectives) in Senegal: The Law on parity does not apply to village committees as they are not part of the scope of the law (Marie Gagne, 2023).

XXVI TANZANIA | Regarding Tanzania's Overarching Inheritance indicator: Tanzania's overarching laws on inheritance defer the matter of inheritance to customary and religious legal regimes and, as such, this indicator receives a "case-by-case" assessment. RRI has identified overtly discriminatory provisions in Tanzania. Local Customary Law (Declaration) Order Government Notice No. 279 of 1963 and Local Customary Law (Declaration) (No. 4) Order Government Notice No. 436 of 1963 both contain overtly discriminatory inheritance provisions. Declaration No. 4 states that women and girls are prohibited from inheriting clan land under Islamic

customary law (see the Second Schedule of Declaration No. 4). While Government Notice No. 279 does acknowledge women's non-marital relationships, it does not protect their inheritance rights; it also states that the father of the bride has the right to receive bride wealth but forbids the mother of the bride from receiving this bride wealth if the father of the bride is deceased.

Regarding the Membership indicator for Community Forest Reserves in Tanzania: Notably, "where a [community forest management] Group is to be formed for purposes of managing a community forest reserve, that Group shall be guided by the following principles: (a) all persons within the neighbourhood or living in close proximity to or deriving their livelihood from or otherwise having strong traditional ties to the forest in respect of which it is proposed to apply to manage as a community forest reserve shall be given an opportunity to join the Group (Art. 42(2)(a) Forest Act 2002)." However, because this is only a guiding principle rather than a necessary process, this analysis has determined that Community Forest Reserves do not meet the criteria for "partial credit."

Regarding the Voting and Leadership indicators for Joint Forest Management in Tanzania: This assessment is applicable where at least one party to the Joint Forest Management Agreement is a Village Council. It is unclear whether Joint Forest Management Agreements are formed in circumstances where neither party to the agreement is a Village Council.

Regarding Dispute Resolution indicator for Joint Forest Management in Tanzania: No dispute resolution bodies were identified specifically regarding community-level disputes within communities that are part of Joint Forest Management Agreements. However, this analysis infers that the Village Adjudication Committee (as applicable to Village Land Forest Reserves, above) would likely have the authority to oversee disputes where a Village Council is a party to a Joint Forest Management Agreement. Because this is not necessarily the case, this indicator has received "no credit."

XXVII VENEZUELA | Regarding the Membership indicator for Hábitat y tierras de los pueblos y comunidades indígenas (Habitat and Land of Indigenous Peoples and Communities within Forest Lands) in Venezuela: Art. 109 of the Organic Law of the Indigenous People and Communities of 2005 promotes women's participation in the communities by stating that: "Indigenous women carry the essential values of the culture of indigenous peoples and communities. The State, through its constituted bodies, together with indigenous peoples and communities, guarantee the conditions required for their integral development, promoting the full participation of indigenous women in the political, economic, social and cultural life of the Nation." However, because this is only a guiding principle and legal provisions do not address women's membership or describe the composition of Indigenous communities, this analysis has assessed Membership as "not addressed."

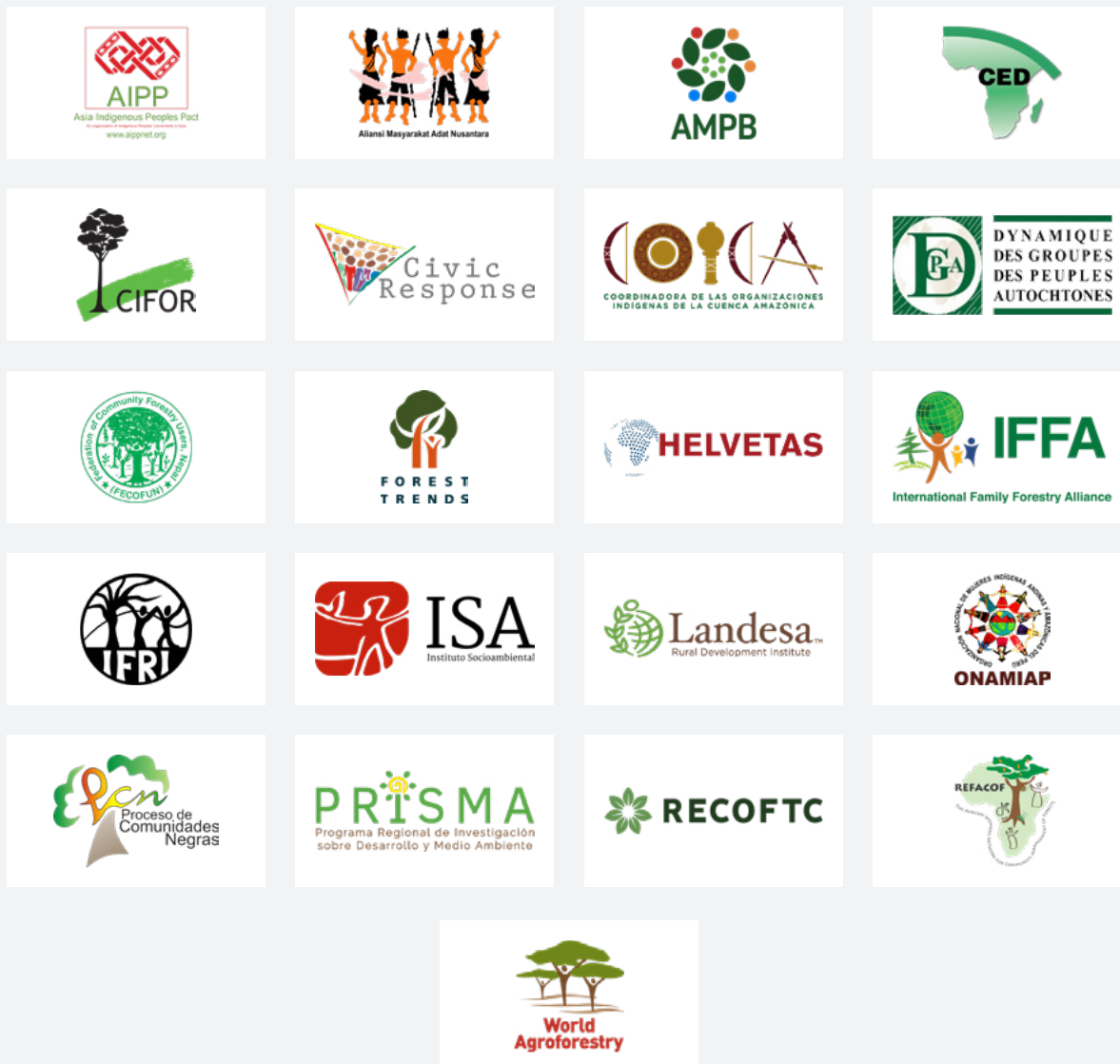
XXVIII VIET NAM | Regarding the Dispute Resolution indicator for Forestland Allocated to Communities in Viet Nam: While women's ability to participate in community-level dispute resolution is not addressed by the law, women may be able to access these mechanisms on a case-by-case basis. Representatives of the Women's Union may be invited to the dispute resolution body (Decree No. 43/2014/ND-CP of 2014, Art. 88.1.b).

XXIX ZAMBIA | Regarding Zambia's Affirmation of Women's Property Rights indicator: Analysis conducted in 2016 for Power and Potential overlooked the Gender Equity and Equality Act of 2015. As a result of the identification of this Act, the assessment of the Affirmation of Women's Property Rights indicator has been revised from "no credit" to "full credit" for both 2016 and 2024.

About the Rights and Resources Initiative (RRI)

RRI is a global coalition of over 200 organizations dedicated to advancing the forest, land, and resource rights of Indigenous Peoples, Afro-descendant Peoples, local communities, and the women within these groups. 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. Its members capitalize on each other's strengths, expertise, and geographic reach to achieve solutions more effectively and efficiently. 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, visit www.rightsandresources.org.

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