

Resilience and Resistance



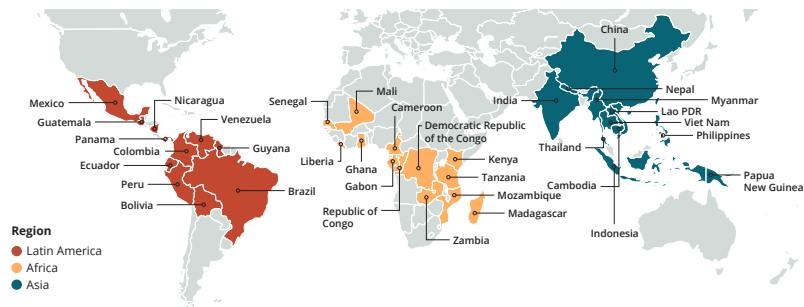
INDIGENOUS, AFRO-DESCENDANT, AND LOCAL COMMUNITY WOMEN'S STATUTORY RIGHTS TO COMMUNITY FORESTS

GLOBAL SUMMARY | MARCH 2025

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

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

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



KEY FINDINGS

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

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

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



2% for voting rights



5% for leadership



13% for inheritance

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

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

5 years away

2030 Agenda for Sustainable Development

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

40 years since

CEDAW's Adoption

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

30 years since

Beijing Declaration and Platform of Action

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

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

11 legal frameworks established between 2016-2024

56 legal frameworks were reformed

23% saw changes to legal frameworks

8 legal frameworks improved community women's rights

5 legal frameworks rolled back women's specific rights

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

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

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

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

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

GOVERNANCE (VOTING & LEADERSHIP)



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

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

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

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

INHERITANCE



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

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KEY FINDINGS FROM LATIN AMERICA

MARCH 2025



“We are not thinking of territory simply as a piece of land, but as an extension that co-habits with nature, human beings, and life. To speak about territory is to speak of culture, of family, of the woman, of Mother Earth.”
– Sonia Viveros, Director, Fundación de Desarrollo Social y Cultural Afroecuatoriana Azúcar, Brazil

The study analyzed **33 legal frameworks** that regulate community forest tenure in **11 Latin American countries**.



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

A distinguishable set of national, state-issued laws and regulations governing all situations under which the right to own or manage terrestrial natural resources is held by a community.

KEY FINDINGS

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

OVERARCHING LAWS

- All countries in Latin America recognize Constitutional Equal Protection.
- 55%** countries affirm the equal property rights of women, but Latin America trails behind Africa and Asia in the Affirmation of Women’s Property Rights.
- It is the only region where **most countries (10 out of 11) provide equal overarching inheritance rights for all women** (wives, daughters, and women in consensual unions).



COMMUNITY-LEVEL LAWS

- Least protection of all regions for community women’s rights to membership, leadership and dispute resolution.
- Only **15% of CBTRs** adequately protect women’s community-level inheritance.
- Only **1** legal framework (*Tierras de las Comunidades Negras*, of Afro-Colombian Community Lands) adequately protects voting and leadership rights, through establishment of quorum requirements.

REFORMS

Peru, Peasant Community Forestlands Suitable for Forestry: The 2019 legal reform to the Law on Peasant Communities establishes a 30 percent quota requirement for community women’s participation in the community-level governance body.

Mexico, Comunidades and Ejidos: The 2023 reform to the Agrarian Law establishes a requirement for parity in the executive bodies. Mexico 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.

LIVED EXPERIENCES

In **BOLIVIA**, while women and men are legally considered equal members within Indigenous Territories of Origin, local patriarchal norms can 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.

VENEZUELA provides no adequate legislative protections for any of the community-level 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.

In **COLOMBIA**, the potentially positive impacts of gender-responsive laws may have limited effects as they are not backed by equally transformative implementing regulations. Despite Law 731 recognizing Afro-Colombian women’s participation rights, a 2020 decree regulating the registration of Afro-descendant communities’ decision-making bodies fails to mandate women’s inclusion.