



INTRODUCTION

Gender issues related to land are complex. They involve sensitive social and cultural territories and challenge deeply-rooted power structures. At the same time, for land activities to be effective, they need to go beyond the technical issues and consider and address socio-cultural dimensions such as gender. It cannot be assumed that women and men benefit in the same way from initiatives in the land sector. Land tools (means to realise the land governance principles of a nation, community or group) should not just

benefit the poor- it must also work towards gender equality. This is critical as women continue to face large barriers in accessing land under formal, informal and customary systems of land tenure. Gender dimensions are frequently not captured by routine assessments and data collection regarding land issues. The reason for this is the absence of specific gender criteria in the process, either because gender analysis is not prioritised, or those involved lack a tool to do so.

SECURING LAND AND PROPERTY RIGHTS FOR ALL

THE INNOVATION

Historically, land tools have often been designed to serve male interests and priorities since women had (and still have) a low representation in decision making bodies of local and national authorities as well as civil society organizations and among land professionals. With the understanding that tools impact men and women differently, proper consideration must be employed. Effective land tools actively involve both women and men in tool design, implementation and evaluation processes.

The Gender Evaluation Criteria therefore, is a set of 22 questions on a range of relevant factors reflecting the

gender responsiveness of policies and practices within the land sector. This criteria is aimed at improving access to land and tenure security for both men and women. The commitment arises out of numerous key global policy documents and international standards including the Convention of the Elimination of all forms of discrimination against women (CEDAW) and the Beijing Platform for Action.

The Gender Evaluation Criteria has been developed through multi-stakeholder consultations as a flexible framework to test the gender responsiveness of land tools and can adapted to different activities and contexts.

A SAMPLE OF THE GENDER EVALUATION CRITERIA TOOL

Criteria	Examples of evaluation questions	Indicator
Equal participation by women and men and gender-responsive governance	Is the decision-making process in developing the land tool and in using the land tool itself, transparent and inclusive for both women and men?	An agreed critical mass (x%) of the decision makers are women
Capacity development, organization and empowerment of women and men to use, access and benefit from the tool	Is the information clear to, and does it empower both women and men to utilize the tool, and to know their rights related to this tool?	Information is available in at least x different forms (such as written, radio, etc.) and in local languages for different stakeholders
Legal and institutional considerations in regard to women and men's access to land	Does the tool provide gender-responsive dispute resolution?	Land administration and management systems have dispute resolution mechanisms built in that are available to both women and men
Social and cultural considerations in regard to women and men's access to land	Does the tool take into consideration statutory and customary laws and practices affecting women's land rights?	Consultations to provide (x%) attendance from agreed (representative) groups
Economic considerations in regard women and men's access to land	Does the tool promote economic opportunities for both women and men?	Registry/cadaster accommodates rights based and use rights tenure
Scale, coordination and sustainability to reach more women and men	Can the tool be implemented consistently (rather than ad-hoc)?	Existence of manuals for implementation

EVIDENCE-BASED APPROACH

In the process of promoting gender equality, evidence based assessment and advocacy strategies are proving to work best. This is because it creates an objective basis for sharing observations around gender. Evidence based assessment and advocacy is a continuous and adaptive process of gathering, organising and formulating information and data into an effective argument, which is then communicated to policy-makers through various communication channels.

This process can be led by different land actors ranging from grassroots and civil society groups to land officers and surveyors. The assessment of a land tool from a gender perspective is likely to complement, or be part of, wider evaluations. As such it is user-friendly enough to be used by gender specialists and non-specialists alike.

WHAT CAN BE EVALUATED?

The Gender Evaluation Criteria is useful for groups that want to highlight and address gender inequalities in the land sector. It can be used to evaluate specific land tools and how they are applied. It has been used as a checklist in the policy development process as well as a tool for identifying gender inequalities in existing processes. By using a range of different criteria, it becomes clearer to see where change needs to take place to ensure that both women and men will benefit from such processes. The criteria can also highlight opportunities and entry-points for such change. The criteria can be applied to:

- Evaluate a specific law or policy, or a group of laws and policies such as a municipal master plan
- Evaluate institutions such as land departments, land reform commissions, customary land secretariats, land management mechanism or land dispute resolution structures
- Guide in drafting or advocating for a new land law or policy
- Develop check-lists of things to think about before a land programme or project (for example land regularization) is started
- Develop a monitoring tool to regularly gender dimensions in the implementation of land policies, laws, programmes and projects

CASE STUDY: BRAZIL

PURPOSE: Check-list to ensure gender-responsive land regularization in Recife, Brazil

Espaço Feminista, a feminist NGO based in Recife, Brazil (and a member of the Huairou Commission) has since 2009 been utilizing the gender evaluation criteria as an advocacy tool in their struggle to secure tenure for the communities of Ponto de Maduro, a large informal settlement and home to over 8,000 low-income households.

At the World Urban Forum in Rio de Janeiro in 2010, it was announced that the area would not be evicted, and that a process of regularization would commence. It was also publically committed that a gender-responsive approach would be used, and that this would be ensured through the application of the Gender Evaluation Criteria throughout the regularization process. By using a gendered approach, the Local Committee (a multi-stakeholder forum constituting the federal agency that owns the land, the state agency responsible for the regularization, a research organisation and Espaço Feminista) can ensure that both women and men are not only beneficiaries, but social agents in the regularization process.



Local Committee in Recife using the Criteria. Photo © Espaço Feminista

CASE STUDY: UGANDA

PURPOSE: Identifying the gender gaps in Uganda's land sector

Uganda Land Alliance is a consortium of organisations working on land rights in Uganda. The organisation made a commitment to engage in a process of identifying the gender gaps in Uganda's land sector using the Gender Evaluation Criteria. A multi-stakeholder team including representatives from the Ministry of Lands, local governments, civil society organisations and community organizers, were trained and conducted participatory gender evaluation assessments in 10 districts using all the criteria. In the process they jointly analysed the existing gender inequalities in land policies, practices and institutions.

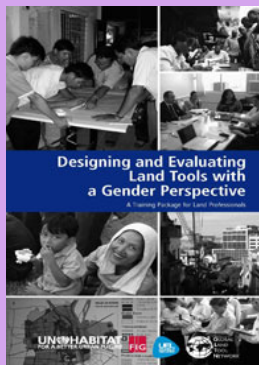
Within each district, the results were validated and finally presented in April 2012 to a national multi-stakeholder forum in Kampala. The findings uncovered that at the policy level equal rights to land is recognised, but that on the implementation level women continue to be marginalised as compared to men. One of the bottlenecks identified was the overrepresentation of men in the decision making bodies and land management mechanisms. The validation of results was followed by the development of a national action plan to address these concerns based on the evidence collected.

CONCLUSION

Gender equality does not come about haphazardly. It needs to be understood and promoted using evidence-based approaches. Gender issues to land are complex and sensitive and thus require broad participation of land professionals, grassroots and gender groups to ensure buy-in. It is also pivotal to utilise strategies and tools that will identify the inequalities in the land sector in order to highlight specific areas where action is required in order to advance gender equality.

The Gender Evaluation Criteria is a flexible tool that can be adapted to local contexts and used by all stakeholders to shed light on gender inequalities in the land sector and to promote action. By using a range of different criteria, it becomes clearer to see where change needs to take place in order to ensure that both women and men will benefit from such processes.

Related reading available on www.gltn.net:



Both men and women must benefit from the Gender Evaluation Criteria. Photo © UN-Habitat

For more information, please contact:

UN-Habitat
P.O. 30030, Nairobi 00100, Kenya
Tel: +254 20 76 23120
Fax: +254 20 762 4266
Website: www.unhabitat.org

GLTN Secretariat, Facilitated by UN-Habitat
P.O. 30030, Nairobi 00100, Kenya
Tel: +254 20 76 5199
Fax: +254 20 762 4256
E-mail: gltn@unhabitat.org
Website: www.gltn.net