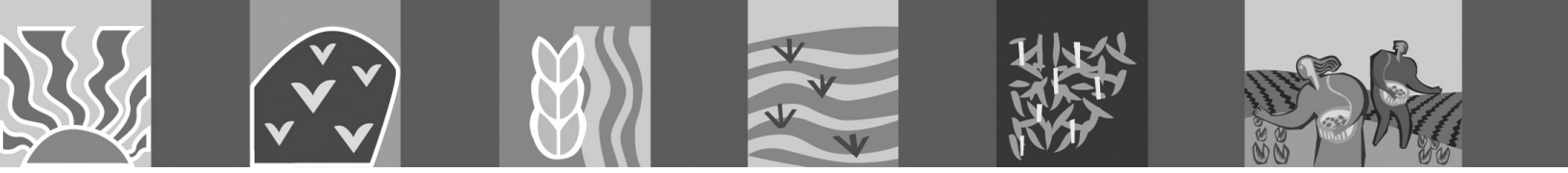
Women's Land Rights in Asia

Written by Catherine Liamzon, Anika Arevalo, and Marianne Jane Naungayan (ANGOC) and presented by Marianne Jane Naungayan

In Asia, land issues affect women in ways that call for serious deliberation and action. Suffice it to say, the legitimate concerns of females transcend generations and geographical borders. Attaining a stable livelihood, meeting basic resource needs and having adequate housing are just some of the issues that affect women. There is, however, a pressing need to heed the woes of rural women in particular. The poor are swelling in numbers and the condition of poor rural women lies on the fringes of the global economic agenda.

Agriculture is the main driver of economic growth in many developing Asian countries, where women's contribution is equal to or exceeds that of men (FAO, 2011). However, despite their critical role in agriculture, most women remain landless. Rural women are neither recognized nor duly compensated for their labor, which includes field preparation, planting, weeding, working in backyard gardens, harvesting, taking care of livestock – to say nothing of the work they do at home to support and feed their families.

As an FAO report (2011) points out, many constraints women face in agriculture hampers their productivity, a primary reason behind the sector's underperformance in many Asian countries. Given the same support like inputs, women are just as productive as men. Sans adequate land rights, however, women cannot invest in land improvement, and as a corollary, they cannot access other support services. Women have less access to agricultural support services than men (Mbo'o-Tchouawou & Colverson, 2014), and this adversely affects their agricultural productivity (Meinzen-Dick, et. al., 2011). This sorry state has even forced some women landowners to give up their land (Moni & Sumaiya, 2013).



There is increasing evidence revealing the ripple effects a woman creates when she learns how to best manage a piece of land that she can call her own. Strengthening women's land rights is a key strategy for combating hunger and alleviating poverty (Quisumbing, 2013). Furthermore, land ownership can serve as a source of capital, financial security, food, water, shelter, and resources – capital that enables women to earn incomes and allocate resources fairly within the household (Wickeri & Kalhan, 2009). Securing a woman's right to land that she cultivates or resides in not only allows her to provide food and shelter for herself and the people under her care—it is one of the most crucial foundations for propelling and sustaining rural development initiatives that are beneficial for all.

However, gender-biased legislation and programs, discriminatory customary practices and anti-female sentiments undermine women's status as agents and beneficiaries of their own cause.

Challenges

Limited land ownership

Throughout Asia, women's land rights are limited and women's land ownership varies. It is safe to claim that women are less likely to own land than men, the scarcity of nationally representative data on women's land ownership and property rights notwithstanding (Kieran, et al. 2015). Women across the region indeed own considerably less land than men, in terms of both quantity and quality, but the gender gap in Southeast Asia is smaller than in South Asia.

In Bangladesh, women own 10.10% of land, but the percentage of landowners who are women is 22.61% in 2012 (Kieran, et. al., 2015). Indian rural women own 14% of land in 2011 (Swaminathan, et. al., 2011). Only 9.7% of Nepali women own land solely in 2011 (Ministry of Health and Population, Nepal, et.al., 2012). The percentage is even lower in Pakistan: only 2% of all women own land in 2013 (National Institute of Population Studies, Pakistan and ICF International, 2013).

In contrast, in Cambodia, sole land ownership is at 15% in 2010 (Kieran, et. al., 2015), and in Indonesia, 12.5% in 2012 (Statistics Indonesia, et. al. 2013). However, only 6.5% of Filipino women own land solely in 2013 (Philippine Statistics Authority and ICF International, 2014). Despite having land titles and certificates, women wield little power over the land they supposedly own. As an example, latest census data show a significant mismatch between the number of women holding tenure instruments with those employed in the agriculture sector (PhilDHRRA, 2013). This is one of countless instances across the region indicating that women's land ownership is merely nominal. Women are often used as fronts to override tax laws or land ceilings, as shown by experiences in Cambodia and the Philippines of rich and powerful men hiding amassed wealth under the names of female relatives. Although indicators on women's land rights may hint that women in Southeast Asia fare better than those in South Asia, caution must be exercised given limited data.

Women who do own land usually belong to wealthy families. In Nepal, for example, the 10% of landowners who are women come from the middle and upper classes (CSRC, 2013) while women landowners in Bangladesh, representing the upper-class cannot even pinpoint their land (Moni and Sumaiya, 2013). This ownership, however, seldom equates with actual control over the land.

Table 4. Women's contribution to agriculture and land ownership

Country	Women's contribution to agriculture, % of the total (FAO, 2011)	Women's land ownership	
		Land owned by women	Percentage of women who own land
Bangladesh	51.0	10.1% (2012)[1]	22.61% (2012)[2]
Cambodia	51.2	15% (2016)[3] – solely	
India	32.2	14% (2011)[4]	
Indonesia	39.3	12.5% (2012)[5]	
Nepal	48.1		9.7% (2011)[6]
Pakistan	29.6		2% (2013)[7]
Philippines	24.0		6.5% (2013)[8]
From the powerpoint of Marianne Jane Naungayan during the regional workshop "Land as Human Rights: An Imperative towards the Realization of the Sustainable Development Goals", held in Phnom Penh, Cambodia on 24-25 November 2016		**Sources:** 1 Kieran, et. al., 2015 2 Kieran, et. al., 2015 3 Kieran, et. al. 2015 4 Swaminthan, et. al., 2011 5 Statistics Indonesia, et. al., 2013 6 Ministry of Health and Population, Nepal, et. al., 2012 7 National Institute of Population Studies, Pakistan and ICF International, 2013 8 Philippine Statistics Authority and ICF International, 2014	

A Culture of Patriarchy

The principle that women are equals is neither ingrained nor prominent in prevailing mindsets. Arguably the single greatest hurdle to women's rights – not just land rights – is a culture of *patriarchy*, which is firmly entrenched in many Asian countries, particularly in South Asia. Patriarchy can be seen in a society's customs, values, and traditions, which insist that men lead over women (World Bank et al., 2009). A patriarchal society is one where men exercise power and control over decisions, including decisions on land (Rao, 2011). In contrast, women's rights are limited and ultimately dependent on men. This social system leads to women's tolerance of violence, poverty, and limited access to health and education, which will adversely affect their production in the long run (Moni and Sumaiya, 2013). With women's limited awareness of their rights, they are more vulnerable in contractual affairs including land claims (FAO, 2015).

Patriarchy manifests as gender discrimination and lies at the core of women's oppression and limited rights. Sons are favored over daughters in South Asia, where majority of women who work rely on agriculture (Rao, 2011). Daughters are seen as liabilities for whom dowries must be paid to their husbands' families (RDI, 2009). In Nepal in particular, sons are considered as their parents' future caretakers.

Inheritance practices

Religion may be found at the root of discrimination against women. Women's rights are weakened when religions dictate that women are inferior to men. In effect, they receive less than what their husbands, fathers, and brothers do. Women who claim their inheritance are often harassed by their families, prompting many to remain silent instead (Barkat & HDRC, 2014).

Inheritance laws embody the glaring biases against women. In South Asia, the subject of inheritance is guided by religious personal law or customary law, that is, Hindus follow the Daibhag, and Muslims, Sharia law.

Muslim women have limited inheritance rights, being entitled to half of what their male counterparts receive. However, this lacks serious implementation. For example, in Bangladesh and Pakistan religion imposes *tanazqul* – the practice of putting a premium on a male family member's land inheritance rights by compelling a woman to give up hers. Muslim women in Bangladesh receive only 43.2% their hereditary property (Barkat & HDRC, 2014).

On the other hand, Hindu women in Bangladesh are exceedingly marginalized, and do not enjoy inheritance rights to property. In fact, they can only benefit from the land through their husbands; unmarried women must let the males in her family take care of them. Meanwhile, India's Hindu Succession (Amendment) Act, 2005 provides for equal land rights for women, but again, enforcement is weak.

Legal land rights: Joint titling

When a married couple buys a piece of land, the title should be in the name of both husband and wife. Joint titling of land is provided for by law in some countries. As such, Cambodia's 2001 Land Law creates an environment conducive to joint land ownership, estimated at 36% in 2010 (Kieran, et. al., 2015). The Philippines' revised Family Code also recognizes joint ownership: not only for married couples but also for domestic partnerships, protecting many unmarried couples in the country's rural areas (Pedragosa, 2010). Similarly, 26.2% own land jointly in Indonesia in 2012 (Statistics Indonesia, et. al., 2013).

It is unsurprising that joint ownership in South Asia is uncommon: 2% in India; 0.4% in Nepal; and 1.8% in Pakistan. In Bangladesh, 2.19% of land is jointly owned (2011). Farmer women in Nepal are acquiring Joint Land Ownership Certificates, paying minimal fees to transfer ownership in their names together with their husbands' (CSRC, 2013).

Some land distribution policies also uphold joint land ownership between spouses, such as the Khas Land Management and Distribution Policy of Bangladesh that guarantees joint ownership, (ALRD, 2013), as well as Administrative Order 1-11 of the Philippine's Department of Agrarian Reform (DAR), which elaborates on titling, decision-making, and even land transactions between spouses (PhilDHRRA, 2013). According to data from DAR, 9.2% of agrarian reform beneficiaries own land jointly (DAR, 2011; DAR, 2012).

Joint ownership implies consent of both husband and wife. Despite such provisions and programs, women often still need their husbands' permission just to include their names in the titles. In the majority of cases, the husband's name is

entered in the record of rights. In Indonesia and the Philippines, many land titles still bear only the names of the men – who are officially the heads of households. In decisions on property sale or management, women have little say, but this is sometimes by preference, not necessarily meaning that women have no decision-making power.

However, excluding the woman's name on the title makes women vulnerable to being denied their rights. In the case of divorce, abandonment, or separation, they may be left with nothing. Separated and divorced Bangladeshi women for example cannot claim their husbands' land, nor can widows and single people apply for *khas* land (Moni and Sumaiya, 2013).

The "feminization" of agriculture

Women's roles in agriculture are shifting in different directions. On one hand, in South Asia, globalization has resulted in rural men migrating to urban areas or Gulf countries in search of better jobs, leaving the women to till the fields in their stead, usually as smallholder farmers (ILO, 2005; ANGOC, 2011; Lastarria-Cornhiel, 2006) – a phenomenon referred to as feminization of agriculture. This trend is changing women's ways of life, notably increasing burdens. Women have to do more work on the farms, in addition to the sheer household work they already must do. Unfortunately, for many women left behind to stand in for the men, the only compensation are lower wages for the tasks left by men – or in some cases, nothing (Kelkar, 2009).

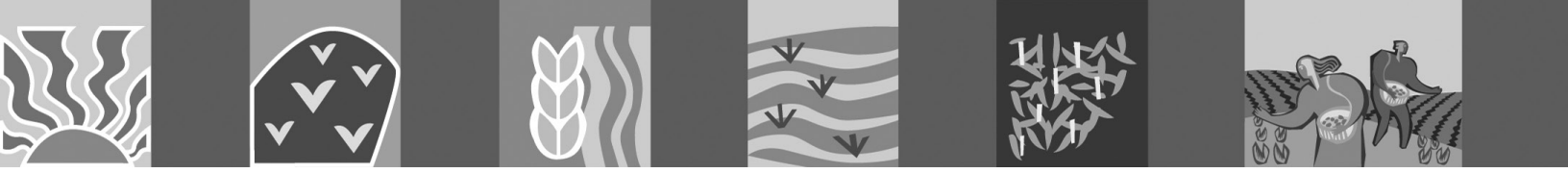
On the other hand, studies suggest that the number of women employed in Southeast Asia in agriculture is dwindling, as more and more women find employment off-farm (Rao, 2011). At least this greater mobility may lead to the transformation of traditional gender roles (UN-DESA, 2008), which hopefully can lead to women's empowerment. When women actually benefit from opportunities to earn income, they likewise earn a place in the home as decision-makers (Moni and Sumaiya, 2013). As economic power enlarges, so does political power.

The feminization of agricultural labor has not translated to women's empowerment (Lastarria-Cornhiel, 2006), but what it does is highlight the salience of women's land rights "Land to the tiller" is not rhetoric, it remains more relevant than ever – as it is only fair and just that women should own and control the lands that they cultivate.

The lack of gender-sensitive approaches in land-related programs and policies

Policies and programs may be "gender-sensitive", "gender-blind", or "gender-biased". Countries should seek to move in the direction of gender-sensitive policies promoting access to rural land and tenure security for rural women. Gender-sensitive policies consider that outcomes are systematically different for men and women (Meinzen-Dick et al., 2011).

In contrast, gender-blind policies are those that fail to consider these differences. Throughout Asia, policies and programs are often gender-blind, assuming women are the same as men when women's roles, needs, and experiences are in fact different. In Cambodia, the Protected Areas Law remains silent on gender and women's equal rights, which should be harmonized with the Land Law of 2001 and Forestry Law to effectively protect the land rights of poor and indigenous peoples where majority are women (Daley, et. al. 2013). But accounting only for the needs of male farmers while oblivious to female farmers' needs indicates that policies, extension programs,



and plans are "built on a partial view of reality" (FAO, 1998). Programs may disregard gender indicators, including sex-disaggregated data, in their monitoring and evaluation frameworks. Consequently, it is difficult to measure progress against goals of mainstreaming gender.

Moreover, in spite of increasing attention on women, we still lack sufficient knowledge on women, especially their land rights. Available studies on women tend towards "traditional" women's issues, skirting the politically sensitive matter of land rights (STAR Kampuchea, 2013). How are women affected by land policies and programs? How many of them have titles? How many have access to agrarian justice? How do female-headed households differ from male-headed ones? These are just a few unanswered questions.

Gender-blindness renders women invisible. This invisibility results in the continued neglect of women's specific needs and the lack of recognition of their rights. For women to move away from the fringes of development as the single biggest marginalized sector, deliberate efforts must be made to specifically include women in research and programs.

Finally, gender-biased policies, rooted in the perception that women are dependents of men, with lesser capabilities (Agarwal, 2003), discriminate against women. These gender biases are manifested in religious and customary laws prevailing in many South Asian countries.

CEDAW shines light on gender-biased discriminatory practices, and binds signatory states to implement its action agenda against such practices, although this is weakly enforced (Rao, 2011). It asserts that discrimination and violence against women are not only physical. It calls upon signatory states to ensure that women can participate in and benefit from rural development, ensuring their right to access to agricultural credit and loans, marketing facilities, appropriate technology, and equal treatment in agrarian reform and land resettlement schemes. Beyond the obvious signs of physical violence, depriving women of property rights represents less apparent but nonetheless insidious form of violence and abuse.

While pro-women laws and policies may have been codified and formulated, implementation is an entirely separate matter that behooves critical reflection. Indeed, without willful execution of such efforts on the part of governments, and equally important, citizens themselves, the campaign on land rights for women remains constrained. Necessary, culturally-responsive yet fair land legislation and policies may not see the light of day if decision-makers turn a deaf ear to disclosures of women that reveal injustices involving land access and control.

Indigenous women's customary land rights

Indigenous women face multiple discrimination. Simply by being women, they are already at a disadvantage. This disadvantage is being exacerbated by being indigenous or *adivasi*. The struggle to realize self-determination for IPs must be taken in parallel with the struggle for indigenous women's self-determination (Roy, 2010). Indeed, indigenous women bear the double bias of being women and being indigenous in patriarchal societies with a dominant ethnic group. Customary laws with relation to land run the entire gamut, with some that are pro-women and others that are biased against women. Both matrilineal and patrilineal systems, women are still severely underrepresented in traditional governance (Ibid).

Aside from patriarchal systems, the Asian Indigenous Peoples Pact (AIPP) summarizes common challenges confronting indigenous women: the continuing loss of lands, territories and resources due to conservation areas, land grabbing, forced evictions, and the criminalization of traditional livelihood practices; the non-implementation of policy and legal provisions on indigenous people's and indigenous women's rights; and political repression, militarization, persecution, and extra-judicial killings of indigenous women land rights activists.

Table 5. Joint titling in South and Southeast Asia

Country	% Joint titled lands
Cambodia	35% (2010)[1]
Indonesia	26.2% (2012)[2]
India	2%[3]
Nepal	0.4%[4]
Pakistan	1.8%[5]
Bangladesh	2.19% (2011)[6]
From the powerpoint of Marianne Jane Naungayan during the regional workshop "Land as Human Rights: An Imperative towards the Realization of the Sustainable Development Goals", held in Phnom Penh, Cambodia on 24-25 November 2016	**Sources:** 1 STAR Kampuchea, 2013 2 Yayasan Bina Desa, 2013 3 AVARD, 2014 4 CSRC, 2013 5 SCOPE, 2013 6 ALRD, 2014

Sadly, "big development" is encroaching on indigenous peoples' customary lands throughout the region, threatening their cultures as well. These lands occupy forests and mineral-rich lands coveted by commmercial and governmental interests. Large-scale projects like hydropower dams in Nepal and mining operations in the Philippines result in forced evictions. In Cambodia, about 2.66 million ha of indigenous peoples' land have been granted to or reserved for private companies. Laws purporting to protect indigenous peoples' rights often conflict with other laws that come in the guise of "national development".

The AIPP briefing paper (2015) illustrates the displacement of tribal groups in India, which leads to indigenous the decline in women's economic and social status – women losing a natural source of livelihood makes her more economically dependent on men. Other negative impacts include greater workloads, domestic violence, and poorer health (AIPP, 2015). This is not dissimilar from experiences in Indonesia with rampant land grabbing, where women find themselves divested of their customary ways of life and livelihood (Yayasan Bina Desa, 2013). Moreover, commercial land acquisitions in the Philippines, Bangladesh, Lao PDR, Indonesia, Nepal, and northeast India, to name a few, have resulted in migration, sexual harassement and exploitation, and a rise in female-headed households, and growing poverty (AIWN & FPP, 2011).

Indigenous women can and have taken the lead in defending their land rights. The Subanen (an indigenous tribe in Misamis Occidental, Philippines) women have strengthened their positions in the customary governance system, actively participating as decision-makers concerning the governing of mining in their community, although their leadership remains unrecognized (Pasimio, 2013).

Finally, violence, ranging from harassment to brutal murder, is inflicted against indigenous women land rights activists. Too many indigenous women have been slain fighting for what is their ancestral land from time immemorial, all in the name of greed.

Working towards securing women's land rights

Throughout the region, CSOs, including members and partners of the Land Watch Asia campaign, organize a range of activities to further the cause of women's land rights.

Awareness programs/campaigns and capacity development

CSOs launch programs and campaigns that reach women and heighten their awareness of their land rights. Armed with the knowledge of the rights they are legally entitled to, women can, and have claimed lands that are rightfully theirs. For instance, the Association for Land Reform and Development (ALRD) of Bangladesh organizes training courses and seminars on women's land rights. During these courses, participants learn about land laws, ordinances, agrarian reform, inheritance laws, and movements in relation to women's rights (ALRD, 2014).

The Community Self-Reliance Centre (CSRC), an NGO in Nepal working on the issues of land rights for landless people including women, launched a women's land rights campaign at the community level to educate "ordinary" women and men and state actors to understand the legal and constitutional dimensions of women's land rights. During the "Second National Conference on Women Farmers" in 2013, rural women leaders shared their experiences on how their lives had changed upon being made aware of their land rights. Accounts of some participants are quoted as follows (CSRC, 2013):

> "*I was married at an early age and had to face domestic violence. After I got organized in Village Level Land Rights Forum (VLRF), I became aware of women's rights and learned to claim our rights. Now I have succeeded in acquiring the share of property from my husband as well.*"
>
> - Walawati Rajbansi, Jhapa

> *"I was the first in the district to prepare a joint land ownership certificate. Through the conference, I have acquired other legal information required for expanding the campaign, which I will implement further to strengthen the campaign."*
>
> - Subhadra Bajgain, Lalitpur

Policy dialogue and lobbying for pro-women laws, policies, and programs.

CSOs elevate rural women's concerns to the policy level by holding policy dialogues with key decision-makers and stakeholders, especially women community members. Policy dialogues are a vehicle for bringing issues to the fore and discussing these openly among stakeholders whose perspectives tend to be different.

Pro-women laws and policies have been successfully passed as a fruit of CSOs' intensive lobbying, such as the 2009 Philippine Magna Carta of Women, a comprehensive women's human rights law (PhilDHRRA, 2013). CSRC Nepal has organized multi-stakeholder policy discussions with leaders, to help enshrine equal land rights of women in the country's new Constitution.

Rallies and mobilizations

Mass mobilizations and demonstrations are a popular activity of CSOs. They demonstrate the power of people coming together in the name of a cause. They help the voiceless find a way to express their dissatisfaction with the status quo, and thus articulate their demands and call for change in a non-violent manner. This in turn creates pressure on leaders to enact or implement

policies. In a 16-day campaign on violence against women of the Rastriya Mahila Adhikar Manch (MAM) of Nepal, a 2-day empowerment rally was held for the implementation of the joint land registration certificate system. The Chief District Officer showed commitment by sending the demand letter to no other than the Prime Minister (CSRC, 2013).

Research and knowledge sharing

Evidence-based research informs and strengthens land rights advocacy, as well as establishes CSOs' credibility. Research enables CSOs to share new knowledge and put forward recommendations to achieve goals, as well as monitoring developments, improvements, successes, and even program failures. Monitoring the Cambodian government's compliance with specific CEDAW articles on women's access to and ownership of land and other resources, STAR Kampuchea (SK) prepared a shadow report submitted to the CEDAW committee (STAR Kampuchea, 2013).

Publications or "knowledge products" allow advocates on women's land rights to share knowledge. CSOs publish research reports, as well as proceedings of workshops and policy dialogues, which provide useful information on the state of women's land rights and current debates surrounding these. For example, LILAK released "Mining and Violence against Rural and Indigenous Women in the Philippines", which documents the struggles of women given the government's corporate-led mining policy, as well as indigenous women's role in leading this initiative (Pasimio, 2013).

Ensuring policy implementation

Aside from carrying out watchdog functions, CSOs also engage in service delivery, especially where governments fail. They actually facilitate the implementation of land laws and policies. In Pakistan, OXFAM-GB mobilized Sindh province's rural women for the land redistribution initiative, helping them fill out applications and completing the requirements during the registration process (SCOPE, 2013). CSRC facilitates the joint land ownership initiative in Nepal, resulting in a rise in the number of women owning land, with 484 families acquiring joint land ownership covering an area of 118.8 ha (CSRC, 2013).

How to achieve gender justice for land rights

The struggle to overcome gender discrimination towards gender justice, particularly in land and agriculture, can be overcome in manifold ways, big and small. We can stop the vicious cycle of poverty, discrimination and neglect of women across generations – this is the agenda central to the Land Watch Asia campaign. In order for discourse on women's land rights to thrive, the repertoire needed to adequately articulate and respond to the legitimate concerns of women needs to be provided. Gender and knowledge gaps have to be bridged, and the sharing of experiences in the cause on women, promoted. It is vital that the female point-of-view becomes the foundation of this radical repertoire.

Challenging the culture of patriarchy

The gender gap in terms of equitable access and ownership to land can be reversed by changing mindsets. It begins with every man and every woman recognizing the intrinsic and immeasurable value of a woman, including all her roles in all spheres of life. This is the key to ultimately reversing the gender gap. It also means critically examining assumptions and expectations about gender roles – and asserting rights and entitlements of women, as provided

Source: *"Women and their land rights", an issue brief by the Center for Agrarian Reform and Rural Development (CARRD)*

for international conventions, national laws, and human rights declarations. When concrete efforts are made to ensure that women's legal land rights are implemented, patriarchial structures are threatened.

Bridging the gap: enhancing women's participation

Gender gaps go unnoticed, especially in terms of adequate representation of women in decision-making bodies. A higher proportion of women should be included in government – not limited to legislative bodies, but extending to all branches of government – to ensure women's needs are addressed. Programs that specifically cater to women should thus also be developed as concrete and affirmative action.

Women's participation in politics has been guaranteed by many international conventions; however, in reality, this has always been difficult to realize (UNDP & NDI, 2011). As per the data of International Women's Democracy Centre in 2008, women's political representation in Asia accounts for 17.4% – a figure lower than the quota systems instituted by most countries in Asia (e.g. Indonesia: 30%; Philippines: 20%; India: 33%). Women's political participation remains one of the keys to ensuring gender-equality issues are addressed in the society (Ibid); hence, realizing women representation in decision-making bodies protecting their rights and opportunities (Rai, 2014).

At the field level, the gender gaps persist. FAO reports that only 15% of women are extension agents – even if the percentage of women farmers is much higher (GFRAS, 2012). This exposes a vicious cycle wherein women are not empowered as leaders owing to the belief that their rightful place is in the home. With limited options to develop their capacities, women stand little chance to become leaders.

Gender-sensitive and pro-women laws

There is a dearth of pro-women discourse in existing legal and policy frameworks and an absence of a reliable repertoire that fundamentally consists of women's issues and approaches to address them in advocacy activities. Governments and citizens alike bear the onus of advocating for laws that not only recognize but also promote women's rights, especially in land.

Empowering women

Meinzen-Dick et al. (2011) define female empowerment as "increases in opportunities for women in contexts—ranging from access to or ownership of valuable assets to increases in mobility and personal decision-making—in which gender norms had previously limited or prevented their participation". Land Watch Asia believes it is primarily through empowering women and developing their capacities that rural women can learn to push for— and even lead in the direction of—sound reforms, not only in terms of land laws and policies concerning women, but including the wider spectrum of women's rights. Women must learn more about land laws and policies, as well as the wider spectrum of rights, and their concomitant entitlements for women. All matters taken together, land rights for women will flourish if only solid community organizing at the grassroots is done, and good practices are shared and replicated.

Monitoring women's land rights

We need to draw more attention not only to the plight of women, but also to whether progress is made towards strengthening women's land rights, specifically using gender-sensitive indicators. Indicators on land rights, including land ownership, vary across countries, summarized by Kieran et al. (2015), they are as follows:

- incidence of land ownership among women and men;
- distribution of landowners by sex;
- distribution of plot ownership by sex;
- mean size of plots owned solely by men and women, and jointly; and,
- distribution of land area owned solely by women and men, and jointly.

They maintain that using multiple measures of land ownership are important, as each indicator presents a different dimension and degree of gender inequality.

In addition to gender-specific indicators, data disaggregated by sex should constitute a critical dimension of any land monitoring framework. The Land Watch Asia campaign's Land Reform Monitoring Initiative, for example, includes sex-disaggregated data for indicators on land disputes, evictions, land ownership, and landlessness. Data collected by governments, development agencies, and CSOs too often tend to ignore gender differences.

One must be careful, however, that selected indicators for monitoring women's land rights are indeed relevant and useful. Data for quantitative indicators may be easier to gather, but alone they will not tell a very good story. It is tempting to simply count the number of women with land titles, but again, how do we know that they effectively control their land? It is equally tempting to merely count the number of women attending a land project's meeting, but this will nothing of the quality of participation. Also, while gender-sensitive data is a key objective, so should data sensitive to rural-urban disparities (UN Women Watch, 2012). Qualitative, in-depth women's studies serve to illustrate men and women's actual experiences, challenges, and

successes in securing land rights, highlighting differential impacts. Thoughtful indicators generate better data that ultimately holds the key to understanding realities on the ground.

In terms of tools, the Gender Evaluation Criteria (GEC) produced by the Global Land Tool Network (GLTN) partners is a set of 22 questions based on six criteria, to assess the responsiveness of large-scale land tools to both men's and women's needs. Governance, capacity-building, and socio-cultural considerations, are among the criteria.

Finally, beyond data collection, the results of any monitoring and evaluation exercise need to be effectively shared. Reporting success stories of what women can achieve when they come together can help replicate good practices (Chitrakar, 2010).

Gender mainstreaming

Gender mainstreaming is a target only reached when women are finally always included and thoughtfully considered – rather than merely mentioned for compliance's sake – in policies, programs, and plans. Gender mainstreaming entails that women step out of their confined spaces, whether physical, economic, cultural, or social, and into broader spaces which they can genuinely and fully participate in, as well as influence. When the focus on women finally becomes "normal", the options for women's empowerment, and the wealth of possibilities, are without limit. As reports upon reports suggest, a world with empowered women, especially in agriculture, is one that is food secure, healthier, and happier. ■

References

Agarwal, B. (2003). *Gender and land rights revisited: exploring new prospects via the State, family and market*. Journal of Agrarian Change, Vol. 3(1&2):184-224.

Association of Voluntary Agencies for Rural Development (AVARD). (2014). *Scoping study on women's land rights (India).* [Unpublished].

ALRD. (2014). Training course on "Land and Women" in Bangladesh. In *Land Watch Asia: Campaign for Access to Land and Resources of Asia's Rural Poor*. Retrieved from https://landwatchasia.wordpress.com/2014/07/10/training-course-on-land-and-women/.

Asia Indigenous Peoples Pact (AIPP). (2015). *Briefing paper on the rights of indigenous women to their lands, territories and resources in Asia.* Chiang Mai, Thailand: AIPP.

Asian Indigenous Women's Network (AIWN) and Forest Peoples Programme (FPP). (2011). *Gender and land rights in Asia - Workshop Report, November 20-21, 2010.* Retrieved from http://www.forestpeoples.org/sites/fpp/files/publication/2011/02/gender-and-land-rights-asia-report-final2-ht.pdf.

Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC), Association for Land Reform and Development (ALRD), and International Land Coalition (ILC). (2011). *Asian regional workshop on women and land rights: workshop proceedings.* 25-26 October 2010. Quezon City: ANGOC, ALRD, and ILC.

Association of Voluntary Agencies for Rural Development (AVARD). (2014). *Scoping study on women's land rights (India).* [Unpublished].

Barkat, A. and Human Development Research Centre (HDRC). (2014). *Assessing Inheritance Laws and their Impact on Rural Women in Bangladesh.* Paper presented during the seminar on Deprivation of Women and their Rights to Land. Dhaka, 4 May 2015,

Chitrakar, J. 2010. Major challenges to women's access to/control of land. In ANGOC, ALRD, and ILC. (2011). *Asian regional workshop on women and land rights: workshop proceedings.* 25-26 October 2010. Dhaka. (pp. 9-10). Quezon City: ANGOC, ALRD, and ILC.

Community Self Reliance Centre (CSRC). (2013). *Scoping study on women and land rights in Nepal*. [Unpublished].

Daley, E., Flower, C., Miggiano, L.,and Pallas, S. (2013). *Women's lands rights and gender justice in land governance: pillars in the promotion and protection of women's human rights in rural areas.* International

Land Coalition. Retrieved from http://www.ohchr.org/Documents/HRBodies/CEDAW/RuralWomen/InternationalLandCoalition.pdf.

Department of Agrarian Reform (DAR). (2011). *Accomplishment Report 2011*. Quezon City: DAR.

Department of Agrarian Reform (DAR). (2012). *Accomplishment Report 2012*. Quezon City: DAR.

Food and Agriculture Organization (FAO). (1998). *Rural women and food security: Current situation and perspectives*. Rome: FAO.

Food and Agriculture Organization (FAO). (2011). *The state of food and agriculture 2010-2011: women in agriculture.* Rome: FAO.

Food and Agriculture Organization (FAO). (2015). *Cambodia: Other factors influencing gender differentiated land rights.* Retrieved from http://www.fao.org/gender-landrights-database/country-profiles/countries-list/land-tenure-and-related-institutions/other-factors-influencing-gender-differentiated-land-rights/en/?country_iso3=KHM.

Global Forum for Rural Advisory Services (GFRAS). (2012). *Fact sheet on extension services.* [Position Paper]. Lindau, Switzerland: GFRAS.

International Labour Organization (ILO). (2005). *ILO Plan of Action on Labour Migration in Asia Pacific.* Bangkok: ILO.

Kelkar, G. (2009). *The feminization of agriculture in Asia: Implications for women's agency and productivity.* New Delhi: UNIFEM South-Asia Regional Office.

Kieran, C., Sproule, K., Doss, C., Quisumbing, A. R., & Kim, S. M. (2015). *Examining gender inequalities in land rights indicators in Asia*. IFPRI Discussion Paper 1429). Washington: International Food Policy Research Institute (IFPRI).

Labelle, H. 1994. Policies and consequences the development of human and natural resources in the rural sector. In Food and Agriculture Organization (FAO). (1995). *Environment, women and population: interrelated issues in rural development in Southeast Asia.* Proceedings. 2-6 May, 1994. Bangkok, Thailand. Retrieved from http://www.fao.org/docrep/x0178e/x0178e03.htm.

Lastarria-Cornheil. (2006). Feminization of agriculture: Trends and driving forces. Retrieved from http:// siteresources. worldbank.org/ INTWDRS/ Resources/ 477365-1327599046334/8394679-1327599874257/LastarriaCornhiel_FeminizationOfAgri.pdf.

Mbo'o-Tchouawou, M. and Colverson, K. (2014). Increasing access to agricultural extension and advisory services: How effective are new approaches in reaching women farmers in rural areas? Nairobi, Kenya: International Livestock Research Institute (ILRI).

Mienzen-Dick, R., Quisumbing, A., Behrman, J., Biermayr-Jenzano, P., Wilde, V., Noordeloos, M., Ragasa, C. and Beintema, N. (2011). Endegendering agricultural research, development, and extension. [Research Monograph]. Washinton, DC: International Food Policy Research Institute (IFPRI).

Ministry of Health and Population (MOHP) [Nepal], New ERA, and ICF International Inc. (2012). Nepal Demographic and Health Survey 2011. Kathmandu, Nepal: Ministry of Health and Population, New ERA, and ICF International, Calverton, Maryland.

Moni, R. J. and Sumaiya, T. (2013). Scoping study on women and land rights in Bangladesh. Association of Land Reform and Development (ALRD). [Unpublished].

National Institute of Population Studies (NIPS) [Pakistan] and ICF International. (2013). Pakistan Demographic and Health Survey 2012-13. Islamabad, Pakistan, and Calverton, Maryland, USA: NIPS and ICF International.

Pasimio, J. A. (2013). Mining and violence against rural and indigenous women in the Philippines. Quezon City: LILAK (Purple Action for Indigenous Women's Rights).

Pedragosa, S. 2010. The Philippine Experience. In ANGOC and ALRD. (2011). Asian regional workshop on women and land rights: workshop proceedings. 25-26 October 2010. Dhaka. (pp. 65-66). Quezon City: ANGOC and ALRD.

Philippine Partnership for the Development of Human Resources in Rural Areas (PhilDHRRA). (2013). Women's land rights in the Philippines: a scoping study. [Unpublished].

Quisumbing, A. (2013). Why we should care about women's rights to land. Retrieved from https://www.devex.com/news/why-we-should-care-about-women-s-right-to-land-81749.

Rai, P. (2014). Political representation and empowerment: women in local government institutions in Bihar, India. Stockholm, Sweden: Stockholm University, Department of Political Science.

Rao, N. (2011, September). Women's access to land: An Asian perspective. In Expert paper prepared for the UN Group Meeting 'Enabling Rural Women's Economic Empowerment: Institutions, Opportunities and Participation'. Accra, Ghana (pp. 20-23).

Roy, D. 2010. Land rights, women and indigenous people. In ANGOC, ALRD, and ILC. (2011). Asian regional workshop on women and land rights: workshop proceedings. 25-26 October 2010. Dhaka. (pp. 59-62). Quezon City: ANGOC, ALRD, and ILC.

Rural Development Institute (RDI). (2009). Women's inheritance rights to land and property in South Asia: A study of Afghanistan, Bangladesh, India, Nepla, Pakistan, and Sri Lanka. [Report for the World Justice Project]. Retrieved from http://www.landesa.org/wp-content/uploads/2011/01/RDI_Report_WJF_Womens_Inheritance_Six_South_Asian_Countries_December_2009.pdf.

Society for Conservation and Protection of Environment (SCOPE). (2013). Scoping study on women's land rights. [Unpublished].

STAR Kampuchea. (2013). Scoping Study on Women's Land Rights in Cambodia 2013. [Unpublished].

Statistics Indonesia (Badan Pusat Statistik—BPS), National Population and Family Planning Board (BKKBN), and Kementerian Kesehatan (Kemenkes—MOH), and ICF International. (2013). Indonesia Demographic and Health Survey 2012. Jakarta, Indonesia: BPS, BKKBN, Kemenkes, and ICF International.

Swaminathan, H., J. Y. Suchitra, and R. Lahoti. (2011). Karnataka Household Asset Survey: Measuring the Gender Asset Gap. Bangalore: Centre for Public Policy, Indian Institute of Management Bangalore.

UN, Department of Economic and Social Affairs (DESA), Division for the Advancement of Women (DAW). (2008). Rural women in a changing world: opportunities and challenges. Women 2000 and Beyond. New York: UN. Retrieved from http://www.un.org/womenwatch/daw/public/Women.

UN Development Programme (UNDP) and National Democratic Institute (NDI). (2011). Empowering women for stronger political parties: a good practices guide to promote womens's political participation. Retrieved from https://www.ndi.org/files/Empowering-Women-PolitParties-ENG_0.pdf.

UN Women Watch. (2012). Facts & Figures: Rural Women and the Millennium Development Goals. Retrieved from http://www.un.org/womenwatch/feature/ruralwomen/facts-figures.html#footnote1.

Wickeri, E. And Kalhan, A. (2009). Land rights issues in international human rights law. Retrieved from http://www.ihrb.org/pdf/Land_Rights_Issues_in_International_HRL.pdf.

World Bank, FAO, and IFAD. (2009). Gender in agriculture sourcebook. Washington DC: World Bank.

Yayasan Bina Desa. (2013). Scoping study on women and land rights. [Unpublished].

Acknowledgements

We would like to thank the writers/organizations who prepared the scoping papers on women's access to land:

Bangladesh: Rowshan Jahan Moni and Tamima Sumaiya of Association for Land Reform and Development (ALRD)

Cambodia: STAR Kampuchea

India: Association of Voluntary Agencies for Rural Development (AVARD)

Indonesia: Yayasan Bina Desa

Nepal: Community Self Reliance Centre (CSRC)

Pakistan: Society for Conservation and Protection of Environment (SCOPE)

Philippines: Ivy Marian Panganiban and Emily Roque of Philippine Partnership for the Development of Human Resources in Rural Areas (PhilDHRRA)

This publication contains papers presented or used as reference materials during the regional workshop "Land as Human Rights: An Imperative towards the Realization of the Sustainable Development Goals (Khmer Surin, Phnom Penh, Cambodia)" jointly organized by the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC), International Land Coalition (ILC-Asia), Land Watch Asia (LWA) and STAR Kampuchea (SK) in partnership with Forum Syd, HEKS/EPER-Cambodia and United Nations Cambodia Office of the High Commissioner for Human Rights (UNCOHCHR).

ANGOC

Founded in 1979, ANGOC is a regional association of national and regional networks of non-government organizations (NGOs) in Asia actively engaged in food security, agrarian reform, sustainable agriculture, participatory governance and rural development. ANGOC network members and partners work in 14 Asian countries with an effective reach of some 3,000 NGOs and community-based organizations (CBOs). ANGOC actively engages in joint field programs and policy debates with national governments, intergovernmental organizations (IGOs), and international financial institutions (IFIs).

ANGOC is the convenor of the Land Watch Asia (LWA) campaign and the Asian Alliance Against Hunger and Malnutrition (AAHM-Asia). ANGOC is also a member of the International Land Coalition (ILC), the Global Land Tool Network (GLTN), Global Forum on Agricultural Research (GFAR), and the Indigenous Peoples' and Community Conserved Territories (ICCA) Consortium.

Asian NGO Coalition for Agrarian Reform and Rural Development
33 Mapagsangguni Street, Sikatuna Village,
Diliman, 1101 Quezon City, Philippines
P.O. Box 3107, QCCPO 1101, Quezon City, Philippines
Tel.: +63-2 3510581 | Fax: +63-2 3510011
E-mail: angoc@angoc.org | URL: www.angoc.org

INTERNATIONAL LAND COALITION | ASIA

ILC is a global alliance of intergovernmental, governmental, and civil society organizations working together with the rural poor to increase their secure access to natural resources, especially land.

LAND WATCH ASIA

Land Watch Asia (LWA) is a regional campaign to ensure that access to land, agrarian reform and sustainable development for the rural poor are addressed in national and regional development agenda. The campaign involves civil society organizations in seven (7) countries—Bangladesh, Cambodia, India, Indonesia, Nepal, Pakistan, and the Philippines. LWA aims to take stock of significant changes in the policy and legal environments; undertake strategic national and regional advocacy activities on access to land; jointly develop approaches and tools; and encourage the sharing of experiences on coalition-building and actions on land rights issues.

ស្តារកម្ពុជា STAR KAMPUCHEA

STAR Kampuchea is a Cambodian non-profit and non-partisan organization. It was established in August 1997 and is dedicated to building democracy by strengthening civil society. The organization's mission is to promote and strengthen Cambodian civil society actors by initiating action, by cooperating with and supporting them, and by providing means for a common voice for those groups so that they may advocate for democracy.

ANGOC
33 Mapagsangguni Street
Sikatuna Village, Diliman
1101 Quezon City, Philippines
P.O. Box 3107, QCCPO 1101, Quezon City, Philippines
Tel: +63-2 3510581 Fax: +63-2 3510011
Email: angoc@angoc.org
Website: www.angoc.org

Asian NGO Coalition for Agrarian Reform and Rura