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**Promoting rural women's rights to land:
UN Women programme experience in Kyrgyzstan and Tajikistan**

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* The views expressed in this paper are those of the author and do not necessarily represent those of the United Nations.

This paper is an overview of UN Women EECA sub-regional office experience in promoting rural women economic rights in Kyrgyzstan and Tajikistan¹, specifically focusing on the approaches and strategies applied in its flagship Programme on ‘Promoting Women’s Rights to Land’ (WLR). The results generated through this programme range from legislative changes to improved livelihood options for poor rural families, and women in particular.

Kyrgyzstan (KYR) and Tajikistan (TAJ) are the poorest countries in the CIS region with predominantly agricultural economies – 35.6% of GDP (KYR), and 67.5% of population employed in the agriculture (TAJ). Agricultural development and land reform process thus are essentially linked to government efforts to alleviate poverty and ensure sustainable rural livelihoods. The past decade has shown significant decline in overall poverty rate from 64% to 32% (KYR) and 80% to 53% (TAJ). However, despite of this dynamics, the phenomenon of feminized poverty still stands high on development agenda – in KYR 75% of people living below poverty line are rural citizens, the wage of women engaged in agriculture is one of the lowest in the country and comprises \$45 per month. In the absence of alternative employment in rural areas, the main sources of family income are agriculture and cattle breeding. This makes agricultural products and assets the most important resources for rural family welfare, however, these are resources to which women have less access than men². In TAJ rural women headed households comprise 23% of extremely poor population, compare to 19% of men headed households.

UN Women has used the opportunity of land reform process in Kyrgyzstan and Tajikistan as an entry point for advocating for women’s economic security and rights. The work aimed to help alleviate poverty by integrating women rights priorities into the relevant land laws and policies at central and local levels; developing and/or strengthening government capacities for gender responsive land reform, supporting community-based initiatives, setting up a culture of women’s groups-government partnership to ensure women’s equal access to land and economic resources.

I. Major Issues in Promoting Rural Women Economic Rights

Rural women needs assessments, studies, evaluation and monitoring reports undertaken by UN Women in Tajikistan and Kyrgyzstan throughout the course of programme implementation (2003-2010) examined the situation concerning rural women’s economic security and rights in the context of land reform and rural development.

The researches revealed a set of similar factors impeding reform and posing barriers to women’s rights with regard to land ownership, inheritance and property rights, and opportunities for rural poverty alleviation. These factors eventually can be framed around the fundamental issues of human rights based development and good governance, representing four major groups of concerns:

¹ The paper is based on the materials of the programme implemented by UN Women EECA in TAJ and KYR: ‘Land in the Right Hands’, 2010, project reports and studies

² Report to CEDAW, UNCT Kyrgyzstan, 2008

1. Government responsiveness and ability to promote women's rights to land

- ***Policies and legislation – responsiveness to specific women's aspirations and needs***
While legislation and policies governing land reform were largely gender neutral and did not explicitly discriminate against women, they failed to take into account the different impact of the reform on men and women. This increased the propensity for unequal access to the benefits of the reform process, and heightened the risk of negative effects on women in particular, because of their historically disadvantaged socio-economic position compared to men. In Kyrgyzstan, for example, the law prohibited the division of land plots, which resulted in women being prevented from claiming their share of land in the event of divorce or the death of a spouse. In Tajikistan, a provision in the Land Code stipulated that only people with experience in farming and farm management were entitled to land shares—women, with historically lower capacity in this area, were thus limited in applying for shares on an equal basis with men.
- ***Laws and policies enforcement*** In Kyrgyzstan the Law on Agricultural Land Management was amended with articles providing opportunities for protecting women's rights to land. However, existing discrepancies in the normative acts, as well the ambiguity of roles of state institutions involved in land management process are still may be impedimental for observance of certain women's rights, like for example, absence of normative standards for the minimum size of land plots.
- ***Low capacities*** Authorities tended to lack knowledge about the land reform process, leading to poor capacity for implementing legislation, conducting administrative procedures, and providing legal information to rural communities. This often led to unequal opportunities to land access for poor women and men.

2. Demand for quality services and holding government accountable for development processes and results

- Stressing the role of the government as major service provider – responsible for guaranteeing services and ensuring mechanisms for dialogue with citizens. Monitoring practices in both countries revealed an overall poor understanding of the notion of 'good governance' implying certain roles and responsibilities of actors in governance processes: civil servants-to serve to citizens; citizens-to demand for quality services. The need for actualizing each actors roles in governance system was clearly stressed in both countries: for government - to ensure policies / institutions are in place to serve citizens, for rural women/citizens – to learn about their rights and claim for quality services, for CSOs to serve as a bridge between government and citizens.
- ***Access to assets and resources*** While access to land was important, just as critical for women was the capacity to effectively utilize that land to their benefit. A sustainable livelihood through owning and working a plot of land would therefore also require access to economic resources such as credit and financing, seeds, fertilizer and farm equipment, and know-how about farming, farm management and agro-business development.
- ***Women representation*** The numbers of women in local and national governance structures was extremely low in both countries. Women's absence from public life fuels the existence of discriminatory stereotypes and customs and aids in the glossing over of women's needs and experiences in decision-making processes. When women's voices are not part of government, gender concerns are frequently relegated to the bottom of state priorities. This becomes a vicious circle, leading then to legislation and policy-making

that is not gender-sensitive and that may be discriminatory to women, even if not explicitly so.

3. Access to information and services - as an important pre-requisite for rural women to take informed decisions about their lives, gain self-reliance and be empowered.

- ***Awareness on land reform process*** While both rural women and men were generally lacking in awareness about the land reform process and their right to land shares, poor villagers, and especially the women among them, tended to be particularly ill-informed. This, compounded by the problem of corruption among local officials, contributed to their marginalization from the process. In both countries for example, cases were reported of poor villagers learning of land auctions or farm restructuring meetings only after the fact. Without knowing about the law or their rights however, it was impossible for them to seek redress.
- ***Knowledge on rights*** The impact of the reform on the land tenure situation of rural women-headed households was especially precarious. When widows, divorced or abandoned women, single mothers, or women with many children are no longer able to rely on relatives, they become highly dependent on land as their sole means of subsistence. Without adequate knowledge about their rights, and support in claiming land and accessing agricultural services to support their livelihoods, they would continue to be among the poorest and most vulnerable segments of society.
- ***Legal illiteracy*** also led to neglect in the filing of proper ownership documentation, which could lead to disputes involving land being distributed or leased twice to two different people, or situations where owners were unable to prove ownership of their land. The numerous cases of women's rights violations were related to absence of official civic registration, passports, marriage certificates, being specifically critical in the cases of unregistered marriages.

4. Changes in societal perceptions, behaviors and attitudes for positive changes in promoting women's rights

- ***Discriminatory practices and customs*** flourish despite the law, due largely to entrenched patriarchal customs and attitudes. There is evidence in both countries of cases where customary law—*adat*—carried out by traditional justice structures made women reluctant to ask about their rights or seek redress for wrongs. There is anecdotal evidence in Tajikistan of officials rejecting women's land claims on insufficient grounds, due to general perceptions that women are not good farmers. Similarly, in Kyrgyzstan, women reported that while auction systems were theoretically gender blind, in reality procedures were set up to allow pre-selection of bids, and often women's bids were not included in this pre-selection because of the attitude that women lacked the ability to effectively manage land. Women in Kyrgyzstan also expressed concern that land distribution procedures were often not transparent and prone to corruption, so that when they did gain access to land, their plots were often of poor quality.
- In Tajikistan, while legislation guarantees the right of all citizens—male and female—to a dekhan farm, in practice, due to ***traditional stereotypes*** accepted in society, inheritance is transferred chiefly through the male line and women typically only have access to land through their fathers or husbands. Land certificates are almost always registered in the man's name and farms are practically always run by men. The statistics covering the

2004-2007 period demonstrate that the percentage of farms headed by men amounted to 86.6%. Despite the fact that women farmers manage only 13.4% (2006) of cultivated land, the productivity level of farms headed by women was higher.

II. Approaches and strategies applied for promoting women's economic rights

UN Women programme experience during the period 2003-2011 evidently demonstrates that providing poor women and men with access to land and economic resources and improving their capacity to make effective use of land and resources is central to reducing poverty and empowering poor rural women and communities at large.

A strategic approach in programming was based on three major pillars:

1. A harmonized approach in using Human Rights Treaties (CEDAW) and international/national commitments (MDGs, BPFA, NDS) to uphold women human rights at national contexts in both countries;
2. Evidence based interventions;
3. A holistic approach in programming.

1. Use Human Rights Treaties and international commitments

UN Women's approach in using CEDAW, MDGs, BPFA and national strategies and policies was based on the notion of complementarity and mutually leveraging power of those documents for development: CEDAW as a legally binding treaty plays a normative role in interpreting rights protected by CEDAW; BPFA offers analysis, practical interventions and identifies actors who can work towards achievement of women's rights; MDGs provide strong political platform and serves as a framework for monitoring the progress towards development nationally and globally.

CEDAW plays particular role for ensuring human rights based development by bringing into international and national development focus the rights of women as human rights, including the right to be free from discrimination. CEDAW emphasizes on the Principle of Equality, by stating women's entitlements to equal opportunities and treatment; to have equal access to resources; to receive formal equalities de jure and de facto so that results can be seen. MDGs and BPFA provide political commitment and set policy and institutional environment for considering those rights, define actions for their implementation, and set out targets and indicators for monitoring process, MDGs and BPFA also help to generate global political interest and can provide more leverage for holding governments accountable.

Thus, taken together CEDAW BPFA and MDGs offer a powerful framework for promoting the Human Rights Based Development by emphasizing the notion of 'women right is a human right' as an indispensable prerequisite for development. It calls for a change in structural inequalities and it responses to real needs by paying attention on empowerment of women to claim their rights for participation in decision making, monitoring and holding government accountability.

In both countries the harmonized approach was used as political pressure for advocating necessary changes in laws, policies by using national processes of CEDAW reporting/monitoring, national MDG reporting/monitoring, reporting on BPFA, monitoring of state programmes and sectoral strategies. CEDAW articles, extracts from CEDAW Concluding Comments,

MDG/BPFA/National indicators were used in training modules/seminars/public hearings as an illustrative prove of national commitments for promoting women's rights.

Use of a harmonized approach was mostly important for placing the issue of women's human right at the agenda of land reform. Using CEDAW articles allowed making scrutinized analysis of provisions stipulated in land laws and policies by helping to define the issues of discrimination and equality with reference to both *de jure* and *de facto* equality and attention to both public and private spheres. The success of harmonized approach was possible in strong connection to evidences collected and analyzed through the programme, which helped to demonstrate how human rights concepts could be applied in national legal frameworks and development processes in order to overcome development challenges.

2. Evidence based interventions

UN Women placed significant importance for collection and analysis of evidences on women human rights violations in access to land and economic resources. The evidences collected were used to assess the implementation of laws, examine compliance of actions with human rights standards, and record cases of discrimination against women. Evidences were also instrumental for feeding back into normative processes, both at the national level in terms of validating demands for changes in legislation, and at the international level in terms of providing information on women's *de facto* situation and on government attempts to meet their obligations (such as through the CEDAW/MDGs/NDS reporting processes).

Research and evidence gathering took place at various levels, from the legislative and policy arena, to the community sphere. Legal experts were commissioned to undertake a thorough analysis of land reform related laws, policies and implementation procedures with a view to recommending changes to better integrate women's rights into the law. The analysis and recommendations were validated with national stakeholders through numerous consultations, and then articulated in concert with these stakeholders through sustained policy advocacy with relevant government institutions.

Extensive needs assessments were conducted within rural communities to obtain a clear picture of the situation of women's access to land and agricultural extension resources. The data collected was shared in public consultations. This led to the formulation of recommendations to better integrate gender concerns into national strategies, programmes. It also contributed to ensuring that gender priorities were stressed in development planning and reporting processes such as National Development Strategies and the preparation of national report on CEDAW, MDGs, BPFA.

In both countries, systems were established to track and analyze legal cases brought forward by rural men and women. Through the provision of legal advice to thousands of villagers, project staff was able to consistently gather data and case evidence to inform and substantiate actions at the legislative and policy level. Case studies were also used to create responsive communications and public advocacy initiatives to raise awareness about access to legal services, women's right to land and gender equality as a whole.

3. A holistic approach in programming

Beyond a strong evidence and rights-based framework encompassing its key objectives, the strategy was also holistic in that its interventions took place simultaneously on various levels, and in partnership with a range of national development actors identified as agents for positive change.

3.1 Macro/Policy Level

Actions at the **legislative and policy level** focused on analyzing the gender responsiveness of laws and policies, their compliance with international human rights standards, and the measures being taken by government institutions to implement them in accordance with commitments to women's empowerment and gender equality. The analysis was then used in sustained policy advocacy activities by women's NGOs and gender experts in land legislation, who were able to win amendments to legislation that were far-reaching in terms of offering new guarantees for women's right to land.

In Kyrgyzstan legal analysis by gender experts found discriminatory provisions in 12 articles of the Law on Agricultural Land Management (LALM), a seminal piece of legislation allowing for private land ownership that was adopted after a nationwide referendum in 1999. One of the most contentious issues lay in the use of the household as a legal unit. Under the reform process, each rural family given a plot of land received a certificate of ownership that delineated the plot's boundaries. Since the household was considered a legal unit, this effectively meant that land certificates were being issued per household, and specifically in the name of the head of the household. Furthermore, the LALM required that land could only be sold without division. This prevented divorced or abandoned women from selling their share of land, since land plots could not be exchanged outside the same village administrative area, if divorced or abandoned women returned to their parents' village, they were forced to give up their land share in their husband's village. The LALM also required that land be bequeathed to only one heir—since custom typically recognized only males as heirs, women and girls in most cases could be excluded from inheriting land. This was one example of a provision in the LALM that ran contrary to Kyrgyzstan's Civil Code, which allows all citizens to leave their property to one or several persons. Continuous analysis of cases of women's rights violation, collected in the process of extending the legal counseling services to all provinces, confirmed the need to advocate for amending land legislation to align with a women's human rights perspective.

In 2006, the final version of the law was put forward to Parliament containing eight suggested amendments. This law was adopted in June 2006, and shortly thereafter signed into law by the President as the Law on Amendments and Changes to the Land Management Law. The amendments offered new provisions to guarantee the rights of all family members wishing to sell, exchange or donate their land shares.

In Tajikistan since 2003, the UN Women assisted in improving gender responsiveness of the land reforms, enforcing women's land rights and broadening economic opportunities for rural women. Legal experts and gender advocates conducted research that found numerous provisions in the country's land legislation and policy regulations that restricted women's

rights. For example, a provision in the Land Code allowed only people with experience in farming and farm management to be entitled to a land share—in many cases, this was used by local authorities to withhold land shares from women, who were generally perceived as inexperienced or incapable managers

The following considerable results were achieved in the course of UN Women support:

- In 2004 seven out of eleven suggested recommendations for the Land Code were adopted by the Parliament and approved by the President of the Republic of Tajikistan. In 2009-2010 gender specific amendments were suggested to the Government's working group on review of the Land Code, based on changed policy and institutional frames;
- Amendments, related to issues of guaranteeing women's access to land, were adopted by the government and approved by the President to be included as a Special Chapter on Women's Rights to Land in the State Programme on Main Directions of the State Policy on Providing Equal Rights and Opportunities for Men and Women in the Republic of Tajikistan in 2001-2010.
- A new form of gender disaggregated data collection on land use, designed by the State Statistics Committee in close cooperation with the State Land Committee, was introduced, and since 1 January 2005 data collection has been carried out by using this form.
- Between 2002 and 2008, the percentage of dekhan farms in Tajikistan registered to women increased from 2% to 14%.

Key factors influencing success of integrating women rights priorities in land legislation in Kyrgyzstan and Tajikistan

- An in-depth analysis of the existing legislative framework was critical to identify gaps and obstacles to women's access to and exercise of their right to land. This analysis was complemented and substantiated by on-the-ground research and evidence-gathering on rural women's needs and concerns, which illustrated their de facto (rather than just de jure) economic situation.
- Identifying and seizing the opportunity of contextual entry-points (which differed in both countries) helped gauge the climate of 'receptiveness' within the political system, and 'readiness' of key allies to embark on influencing change in the legal framework.
- The value of a strong, multi-faceted political advocacy campaign to mobilize support for recommendations for legal reform, which targets policy and law makers, as well as the general public, cannot be underscored. Of key importance here are knowledgeable, well-networked and highly motivated national partners (such as gender advocates, women's NGOs, and women leaders in government agencies) who can articulate demands and urge action in a sustained manner that lends legitimacy and magnitude to efforts.
- Influencing the policy framework that defines the implementation of the law is a crucial next step after legal reform. Since the law is operationalized through key state policy and planning documents, provisions in such documents must also be assessed for their gender-responsiveness and non-discrimination against women, both at the national as well as local levels.

3.2 Meso/Institutional level

At the **institutional level**, efforts focused on building the knowledge and capabilities of key actors to employ a rights-based approach to gender equality and women's empowerment, and conduct gender-responsive policy and decision making within the development process, particularly as it related to land reform. The stress here was on enhancing the implementation of laws and policies related to land reform, especially in terms of making the governance and management of the land process more transparent and human rights oriented. Partners, such as national women's machineries, justice structures, and local government bodies, were therefore supported in order to strengthen their institutional and administrative effectiveness, to better be able to implement and enforce laws and policies on the one hand, and to respond to community needs and concerns on the other. Gender advocates and women's groups were supported to improve their capabilities to monitor implementation, expose ongoing gender discrimination through evidence collection, and effectively advocate for government accountability to women's rights.

In Kyrgyzstan UN Women paid specific attention to strengthening partnership between legal clinics and the experts from the Department of Cadastre and Registration of Immovable Property, which has led to prompt settlement of disputes in courts on restoring women legal rights to land share and receiving title establishing and certifying documents. The partnership efforts resulted in:

- Close to 2,000 rural women and members of their families received free juridical support on property and inheritance rights (2004-2011), including the cases were under the special consideration of lawyers requiring longer-term follow up support and the cases that required consideration at Court level were accompanied by the lawyers and positively resolved.
- Close to 8,000 villagers (85 % of them women) applied for and received legal advisory support on issues related to receiving land plots, land rent, receiving pasture holding tickets, documents of land shares, legal inheritance documents, assistance in registration of right certifying documents, etc.
- The recommendations for the Department of Cadastre and Registration of Immovable Property (DCRIP) and local governments for the improved access of rural women to services of these agencies were developed and applied based on the review of the functions of the DCRIP and local governments from the perspectives of observance of specific rural women's needs and women's property and inheritance rights.
- Procedures on provision of services by DCRIP as per current legislative acts were summarized and included into the booklets and schemes on registration of property and inheritance rights. Booklets and schemes were published and disseminated among local self-governance bodies, local departments of DCRIP, village areas. Use of schemes in the work of DCRIP allowed simplifying access of rural women to the services of DCRIP.
- Directive on the "Decree to allot land plot of agricultural purpose" was developed with special gender responsive provisions to: integrate the Directive into the draft law "On formation of immovable property"; take into account specific provisions of the Directive in the new wording of the Land Code of the KR; complete work over draft Land Cadastre Guidelines based on the provisions of the Directive.
- Gender experts entered into working group for elaboration of the draft Law of the KR

“On introducing changes and additions to the Land Code of the Kyrgyz Republic” and development of the Land Cadastre Guidelines. It allows continuous gender expertise in the work over improvement of laws and sub-legal acts of DCRIP in terms of ensuring property rights of women.

In Tajikistan specific focus was made to improving access of women to free legal services through District Task Forces (DTF) comprising of a staff of women’s committee and a hired lawyer:

- National Women’s Committee (WC) have been supported in the establishment of DTFs initially in 16 rural districts of Tajikistan, and currently in 75 districts all over the country, located in the premises of the local women’s committees.
- From 2003 till 2011 DTFs provided support to more than 16230 people, (86 %) out of them are women. In the majority of cases (72%) the applications were solved positively.
- UN Women has undertaken a number of steps to ensure sustainability of DTFs’ activities including advocacy, trainings, provision of equipment, elaboration of database, etc. which was followed by government decision to fully finance DTFs from the state budget.

In Tajikistan UN Women supported a concept on ‘*Citizens’ feedback mechanism*’ to support the Land Agency to collect feedback from people on ongoing land reform. This concept was based on the notion of good governance that implies existence of two interlinked prerequisites – 1) abilities of government structures to effectively provide services to citizens and maintain enabling environment which is open for citizens, and 2) active citizens that are aware of their rights and are able to claim it in a constructive way. The ‘*Citizens’ feedback mechanism*’ was based on two-ways communication between district Land Agency and rural citizens. Specific focus in the concept was placed on actions to remove cultural and social stereotypes that are still strong in rural areas. Piloting of the feedback mechanism and subsequent monitoring through citizen report card system showed a strong need for further strengthening capacities of local governments for rights-based service provision.

Extensive training was provided to government staff and civil society groups in Kyrgyzstan and Tajikistan to improve gender-sensitivity and increase understanding about women’s human rights, especially in regard to women’s land rights. CEDAW was used as a key reference to discuss government obligations to remove discrimination against women and empower them, and show how this could translate into actions in the national context. Laws governing land rights were examined in detail to illustrate their different impact on men and women, and show how they could directly or indirectly give rise to inequalities and discrimination.

Local government was an especially important target for capacity development activities. In Kyrgyzstan, almost 400 heads of village councils attended workshops to discuss the Law on Agricultural Land Management and provisions in other laws such as the civil, family and land codes that were relevant to women’s property and inheritance rights. These local officials also heard directly from women whose land rights had been violated, and learned about the government’s obligations to women under CEDAW. In addition, 70 village and district-level land specialists were trained to increase their technical knowledge of women’s land rights and data collection techniques to better enable them to respond to rural women’s concerns and give them accurate information and advice on land issues.

Similarly in Tajikistan, more than 650 local government officials and staff from the Land Agency, the Women's Committee, NGOs and informal rural community groups went through a series of training workshops on the gender aspects of the land reform process. This helped promote their more effective involvement in the land restructuring process, from improved skills in dealing with farmers' concerns, to more participation in pre-restructuring awareness campaigns.

3.3 Micro/Community level

At the **community level**, UN WOMEN's interventions sought to more directly impact the daily realities of rural communities. Activities such as free legal advisory and counseling services helped rural men and women to understand their land rights and become empowered to claim them. Support was given to help rural women improve their livelihoods and become economically self-reliant through the setting up of goods-and-services cooperatives and small businesses like bakeries and food catering for schools. Initiatives were also created to stimulate broader rural development through, for example, small grants and micro-credit schemes for villagers (and especially women) to set up community self-help initiatives—these had a required *participatory governance* element to foster partnerships between local government and civil society, and between rural women themselves.

One of the findings in UN Women work Women's Land Rights was that while access to land was important, just as critical for women was the capacity to effectively utilize that land to their benefit. A sustainable livelihood through owning and working a plot of land would therefore also require access to economic resources such as credit and financing, seeds, fertilizer and farm equipment, and know-how about farming, farm management and agro-business development.

UN Women applies social mobilization concept and facilitate formation of women's Self-Help Groups (SHG) for collective actions and building the partnership with local governments for joint actions for the benefits of the whole communities, to be mobilised in the self-help groups for getting access to economic resources, including land, agricultural extension services, seeds, etc. Support also aims at strengthening women's capacities to manage land and other economic resources, with the overall focus on broadening their access to various agricultural support services, and rural socio-economic infrastructure.

4. Strategies applied

Capacity development The main thrust of capacity development interventions was to expand the individual competencies and collective capabilities of key stakeholders to use a rights-based approach to promote women's economic security and rights in the land reform process. In the arena of policy and law-making, capacity building targeted government officials, parliamentarians, local legislators and members of the justice system encouraging them to develop gender-responsive approaches to their work, and to recognize the critical importance of taking gender concerns into account in national and local development strategies.

Knowledge Management To facilitate a coordinated approach regarding documentation of programme expertise, to ensure the proper recording of programme processes, the teams applied Knowledge Management and Documentation Strategy. Following this strategy a set of knowledge products on enhancing economic security of rural women (including global UN Women Knowledge Products) were systematically planned, produced and made accessible to partners in both countries.

Communication strategies under the slogan “Land in the right hands” (Kyrgyzstan) and ‘Woman-Land-Life’ (Tajikistan) consolidated the efforts of partners for advocating for gender equality and women rights by utilizing all possible forms of mass media: television, radio and newspapers, internet as well as drawing on UN Women own resources: its legal experts and land specialists, its organizational partners and in-house communication staff. The programme results and achievements were also promoted through the local mass media.

5. Partnership

UN Women is not a single player in the efforts to promote women economic rights and to advance gender responsive good governance – with new expanded mandate and based on recognised expertise in the countries – UN Women coordinates its work with multiple partners thus ensuring synergetic outcomes:

5.1 Partnership with CSOs:

UN Women pursues the strategy of NGOs involvement in programme implementation as major project implementing partners. Each of the partners contributed to implementation by bringing their expertise in the relevant programme fields, such as:

- *The Women Entrepreneurs Support Association (WESA)* has a unique positioning and mandate to carry out multidimensional work related to securing women’s economic rights in Kyrgyzstan.
- *The Agency for Social Technologies (AST)* has extensive experience in bringing a gender-based approach into to policy documents; carrying out research; advocacy; capacity development of government and non-government partners, including development of manuals and guides, and improving partnerships between GE advocates and government organizations.
- *The Community Development Alliance (CDA)* has experience in community development, social mobilization, gender-responsive local planning, and participatory results-based management.
- *The Coalition of Public Associations in Tajikistan “From Equality de-jure-to Equality de-facto”* – uniting prominent CSOs for monitoring of State programme on GE, CEDAW monitoring and reporting, gender expertise of laws and call for public hearings for dialogue with government on gender responsive policy making and governance.
- *Courts of Elders* in Kyrgyzstan – an informal justice system – partnered to support of women rights to property and inheritance by taking part in legal clinics.

5.2 Partnership with state agencies

- The partnership with the the *Ministry of Social Provision, Ministry of Labor, Employment and Migration, Department of Cadastre and Registration of Immovable Property* was set to introduce gender responsive approach to the analysis/ design/ budgeting/ implementation of sectoral strategies (KYR).
- An agreement with the *Ministry of Agriculture* was reached on joint activities aimed at the provision of vulnerable women groups with vegetable seeds in the framework of the partnership agreement (KYR).
- Participation of experts from the *Department of Cadastre and Registration of Immovable Property* in project legal advising led to prompt settlement of disputes in court on restoring women legal rights to land share and receiving title establishing and certifying documents (KYR)
- *State Land Agency* was instrumental for ensuring successful endorsement and implementation of gender provisions in the Land Strategy (TAJ).
- *The Women's Committee* takes active leading role in promoting and advocating for integrating the set of recommendations into the relevant laws and policies (TAJ).
- *The Network of gender experts* from the agencies responsible for land management and agricultural development is a dynamic task force that is entrusted to ensure effective and systematic gender mainstreaming within their respective organizations The Ministry of Agriculture, the Land Agency, the Civil Servants' Training Institute, and the Rural Development Bank nominated two staff members. The Network was officially endorsed by all participating agencies/ministries and formalized through the MoU, which specifies special roles/responsibilities and functions for the members of the Network (TAJ).

5.3 Partnership with UN agencies and international organizations

UN Women's partnership with FAO, WB, WFP, IOM, private company proved to be extremely successful leading to reinforced effect of all development interventions jointly undertaken by partners at all levels of programme implementation. Such holistic and synergetic approach to programming needs to be continued, allowing tackling the complexity of issues in comprehensive manner.

III. Conclusions

- Land reform in Kyrgyzstan and Tajikistan - as an important entry point for placing the issues of women's rights to land and economic resources at policy and development agenda.
- Tackling the issues of women rights to land can be effective only if it is being holistically addressed at all levels – *legislation/policies* - to ensure its gender responsiveness and consideration of specific women's' needs; *institutional level* – to ensure capacities of civil servants to respond to specific cases related to women's access to land; and *community level* – to ensure that rural women have knowledge and skills to claim their rights, and communities are favorable to support women's rights.
- Legislation and policies on land reform (ownership, use, and management) – if are neutral – then it will seriously impede access of women and poor rural population to the opportunities

provided by land reform – gender analysis of land legislation and policies, which is based on evidences of barriers for women’s access to land may help to change laws and policies and make it gender responsive.

- Challenges in governance system – including cumbersome registration procedures, process of renting land, corruption may be impedimental for poor rural women to get access to and manage land – requires systematic actions for strengthening capacities of government staff for gender responsive service provision which may transform institutional and policy set up and make it responsive to the needs of rural women.
- There is a need to build on programme experiences on the improvement of governance system by reiterating the roles and responsibilities’ of duty bearers-governments to provide quality information and services, and rights holders-rural women to learn about and claim for their rights to information and services.
- Frequent government reshuffles – in Kyrgyzstan within 6 years from 2005 to 2011 there were 7 times structural changes in the composition of the government. Needless to say about the fragility of the results. Persistence of the efforts and maintenance of close partnership with civil servants who became allies in promotion of women’s rights proved to be right strategy to stand against this challenge.
- The issue of rural women awareness on land reform process in general, and knowledge of women on how to learn about and claim for her rights to land specifically – is one of serious barriers for women to obtain land and use it for economic activities enabling them to improve family livelihoods. Regular and accessible legal consultations in rural areas are essential to ensure improvements in women’s knowledge on her rights to land.
- Customary practices that make women reluctant to claim their rights to land - wide and consistent public awareness campaigns are necessary for changing societal mindsets on gender roles and on fairness in providing rights and opportunities for all members of the community.
- While access to land is increasingly important for subsistence and survival, land alone is not sufficient to ensure a livelihood for rural families, and women-headed households in particular. Even when women have access to land, a shortage of cash and other inputs may prevent them from increasing the land’s productivity. Once women are able to secure land (either to own or control), they need assistance to access agricultural equipment, seeds, fertilizers and credit facilities to be able to effectively use land for their benefit.
- Community mobilization initiatives constitute a useful way of promoting sustainable rural development and empowering rural communities. As villagers combined their efforts to pursue community interests, they succeeded as a group to better access resources and meet livelihood needs.
- Placing access points in remote areas: the importance to reach out to rural women in remote areas since these groups often more sharply feel the negative effects of lacking access to

information and services. Mobile legal and advisory clinics allow outreaching thousands of rural women in remote areas and thus providing the ways for their empowerment.

- Case evidence and data collected in the process of providing legal advice and information service is used for establishing a database to validate advocacy, to improve legislation and policy, to inform national and local development strategies, and to monitor progress.

IV. Publications

Kyrgyzstan

- **Posters** portraying positive images of rural women engaged in farm work. One of the posters crystallized the project's vision with photographs of a farming woman under the slogan: "***Land in the Right Hands.***"
- Two editions of the **Handbook *Women's Rights to Land – Questions & Answers***, which provided practical information about ways to settle land disputes. The second edition describes the amendments to the Law on Agricultural Land Management, explaining how they can give rural women more leverage in exercising their land rights. The handbook also includes updated information about land registration procedures.
- An **illustrated booklet, *Women of Kyrgyzstan in Rural Development*** shows women engaged in a wide range of income-generating activities including trade, handicrafts, farming and the provision of various services. The booklet was published in both Kyrgyz and Russian editions, and was broadly distributed among governmental agencies, community-based organizations and national NGOs, international organizations, libraries and public places.
- The **newsletter *Ishker Ayim*** (Entrepreneurial Woman Farmer), with articles on issues such as leasing and renting land, tax payments, and liability issues concerning unauthorized occupation of lands.
- **Leaflets** giving rural residents practical information on the laws and regulations governing land reform and land ownership.
- **A Guide on Gender Mainstreaming into Sectoral Policies, Strategies and Programs** aiming at promoting gender mainstreaming and women's empowerment into the policy of the pilot ministries.
- **The Guidelines for the members of the Court of Elders** on how to review complaints on property and inheritance disputes from the perspective of women's human rights.
- **Training module, "Women Land Rights"** for leaders of women NGOs, trainers, gender experts, lawyers.
- **Procedures on provision of services by Department of Cadastre and Registration of Immovable Property (DCRIP) and local governments** as per current land legislative acts were summarized and included in the booklets and schemes on registration of property and inheritance rights allowed for the simplification of access of rural women to the services of DCRIP.

Tajikistan

- ***Using Human Rights Treaties***, a special brochure designed to inform staff of national, regional and local government agencies about the international treaties that Tajikistan has adopted that mandate gender equality in all spheres of life.

- ***Women's Rights in the Course of Land Reform in Tajikistan.*** This guide was designed for government employees and NGOs working in the area of land reform and agriculture.
- ***Women's Land Rights: Questions and Answers.*** The content of this brochure was based on questions raised by listeners and participants in the radio programs mentioned above.
- **Leaflets** describing women's rights to land, giving advice on land ownership, and explaining procedures for establishing household (dehkan) farms.
- About **one thousand informational leaflets and 100 posters** on women's land rights were distributed in conjunction with the **puppet shows**.
- A ***Monitoring Manual*** for regional and local government officials and staff, describing new gender-sensitive monitoring procedures, useful statistical indicators, and data collection and reporting guidelines.
- A ***Gender Kit*** for government agencies, Parliament, NGOs and affected groups. The kit includes the text and/or summaries of new gender-sensitive laws and regulations, and a wide-ranging gender assessment of Tajikistan's current land legislation.
- A **collection of *Women's Stories*** - personal accounts of women whose lives changed because of the help they received from the project's District Information and Legal Consultation Centers. Legal advice on how to deal with similar situations will accompany the stories.