















"The ability of rural women to protect themselves from violence requires the realization of their socio-economic rights, particularly those regarding land, property and inheritance. Inequality and sex-based discrimination with regard to land ownership and its effective control, is the single most critical contributor to violations of the economic, social and cultural rights of women among the agrarian economies of most developing countries."

-Rashida Manjoo, Former Special Rapporteur on Violence against women, its causes and consequences, UN Commission on the Status of Women (56th Session)

The purpose of this Brief is to highlight entry points that offer actionable guidance to development practitioners on how to integrate prevention of and response to violence against women and girls (VAWG) into land programming. The following pages contain guidance on ethics and safety, resources for carrying out a rapid situation analysis, specific actionable ideas for implementation at the policy, institutional/sectoral and community level, detailed examples of promising practices, a menu of indicators for use in M&E, and dozens of active links to more detailed resources and toolkits. This brief complements the World Bank/IFAD's Toolkit for Integrating Gender-Related Issues in Land Policy and Administration Projects<sup>1</sup>.

### **KEY POINTS**

- VAWG is a form of gender-based violence that is, 'violence directed against a person because of his or her gender and expectations of his or her role in a society or culture'2. VAWG is a manifestation of gender inequality and is the ultimate sanction on women and girls stepping out of line with social expectations. There is a growing recognition of the immensity of the challenge posed by VAWG to development as a violation of human rights, and a significant impediment to economic growth, political participation and vibrant and healthy democracies.
- Various types of VAWG have been documented in relation to land<sup>3</sup>. The most documented forms
  of VAWG linked to land are intimate partner violence (IPV), property grabbing of widows, and sexual
  extortion by land authorities to women who seek land titles or negotiate access to property (see next
  section on intersection between land and VAWG).
- The OECD Social Institutions & Gender Index (SIGI), 2019 benchmarking exercise on discriminatory social institutions finds that laws or customary practices of 127 out of 180 countries still deny women the same rights to access land as men, and only 64 countries accord women the same inheritance rights as men, both in law and in practice. Discriminatory inheritance laws, unequal access to land and unfair ownership regimes perpetuate women's subordinate status. In recent years, particularly since the Habitat II Conference in 1996, some low and middle-income countries have passed laws explicitly recognizing women's land rights, and there is now a growing acceptance of such rights among the world's more traditional societies.
- Available data on landownership differs greatly among countries. Despite the varying statistics, we know that globally, significantly more men than women own land. Formal law, traditional legal systems and societal norms, including customary and religious laws, often deny women the right to acquire and inherit property. Patriarchal customs governing inheritance are found in many traditional

- societies, where property typically reverts to the husband's family in the event of his death, or to the husband in the event of divorce.
- Informal union can place women in positions of vulnerability, reduce their bargaining power, and expose them to IPV. Informal unions<sup>4</sup>, both common law and polygamous, decrease the rights of informal wives to own property, which increases their vulnerability to poverty and risk of experiencing gender-based violence. Land matters are not just about land laws when it comes to women, they are also tightly bound up with marital and relationship issues because most women (those who are unable to purchase land in their own names) hold land rights derived from their marital status<sup>5</sup>. Often customary and statutory land laws do not effectively guarantee women's rights to property without formal registered marriage.

### INTERSECTION BETWEEN LAND AND VAWG

o The links between property ownership and IPV are complex. Emerging research indicates different pathways describing how property ownership can serve to protect, deter or increase IPV (Box 1). The bulk of the emerging literature suggests that providing women with secure rights over land and other property decreases the risk of IPV<sup>6</sup>. A limited number of studies' findings are either inconclusive or report increased incidence of violence, with no definitive resolution of whether such an increase is a mere temporary spike in violence because they are perceived as subverting or upending traditional power relations<sup>7</sup>. This suggests that the effects of women's property ownership are context-specific and depends on the interplay of various factors. Among the contextual factors to consider in land operations is how common it is for women to own assets and whether women's asset ownership challenges gender



norms. Positive outcomes are more likely in situations where social norms and institutions are supportive of women's rights<sup>8</sup>. Risk factors that may lead to negative outcomes are contexts where institutions (such as courts, or social norms and practices) are not supportive of women's empowerment and where partners are prone to misuse of alcohol or drugs, or populations with high rates of unemployed men. Marital and inheritance regimes in a country should also be taken into consideration. For instance, one may expect an increase in women's ownership of assets would be less likely to produce a backlash effect in contexts where both men and women have inheritance rights when compared to contexts where inheritance is predominantly male.

# Box 1. Protective relationship between women's property ownership and experience of IPV

#### At household and individual levels:

- ✓ Increases women's empowerment, status, and capability (negotiation, bargaining power, decision making) that shifts household power dynamics in a positive way and reduces the willingness to accept IPV.
- ✓ **Provides a tangible exit option.** Women's property ownership may be protective against IPV, signaling sufficient economic independence or credible threat for women to discourage IPV or leave abusive situations.
- ✓ **Addresses risk factors**<sup>9</sup> **related to violence** by addressing barriers —alleviated by property rights— which may be leading women to stay in violent relationships.

#### Long term, at the societal level:

Expanding women's inheritance and property rights changes cultural gender norms and attitudes in a positive way reducing the risk factors for VAWG<sup>10</sup>.

**Context matters.** In some contexts, this may be seen as threat to male authority, which could lead to an increase in IPV. Accompanying activities in land projects should strive to mitigate the risk of IPV and address the drivers of violence.

Land disputes in the context of HIV/AIDS are a common underlying cause of violence against widows. This dynamic is particularly visible in East Africa, where women are frequently stripped of their property and other assets or evicted from their homes when a husband dies of HIV/AIDS or other causes<sup>11</sup>. In the context of HIV/AIDS, young widows are particularly vulnerable to the loss of their inheritance and property rights due their young age and the stigma associated with the disease and the customary land rights prevalence in different societies. Further, becoming a widow may entail exposure to other forms of VAWG such as forced sex with husband's relatives in order to be cleansed, wife inheritance or violence that stems from being blamed for the husband's death or accusations of witchcraft<sup>12</sup>. In some countries, formal laws do not recognize equal inheritance for women and men and for daughters and sons. Moreover, in many systems of customary law, primary property rights are allocated to the males in the household, and widows are not permitted to inherit those rights from their deceased husbands. Protections for women which may have existed traditionally are eroding as land pressures increase. In Uganda, a study that surveyed 1,806 widows in Mukono County, found nearly 40

percent of widows faced an attempt of or experienced property grabbing following a loss of a husband. In many cases, the widow reported experiencing violent acts that either influenced her decision or forced her to leave her land or property<sup>13</sup>. These ranged from verbal threats to physical and sexual violence to mass destruction of land or property. The study revealed three statistically significant protective factors against property grabbing: marriage formalization, the existence of a will for the husband prior to his death, and land documentation. Four statistically significant risk factors for property grabbing were found as well: land ownership through kibanja, customary/traditional marriage, presence of co-wives and existence of children from the deceased husband and another woman.

Research finds that women face <u>sexual extortion</u> where individuals in positions of power demand sexual favors as bribes to gain access to agricultural land or a land title14. Sexual extortion is a form of sexual exploitation and abuse (SEA)15. Women and girls living in poverty are particularly vulnerable to sexual extortion, as they may be unable to pay cash bribes<sup>16</sup>. Marital status (such as single. widowed, and divorced) and other aspects of a woman's identity might leave them vulnerable to discrimination and stigma may exacerbate vulnerability. Sexual extortion has severe physical and mental health consequences including trauma, unwanted pregnancy, marital problems, risk of HIV infection and social marginalization. Shame, stigma, victim blaming, and a lack of witnesses are barriers to bring complaints forward. Key obstacles to address sexual extortion in the context of land titling are a lack of information on the cost of services and on sexual extortion and on ways to report it, patchy regulatory frameworks, and lack of evidence that satisfies judicial processes.

### ETHICAL AND SAFETY RECOMMENDATIONS FOR **VAWG INTERVENTION**

Any intervention that aims to prevent or address VAWG should include precautions above and beyond routine risk assessment to mitigate any potential harm that may be caused. This includes following ethical guidelines related to: respect for persons, non-maleficence (minimizing harm), beneficence (maximizing benefits), and justice to protect the safety of both service providers and the survivors. The sensitive nature of collecting information about VAWG demands additional precautions above and beyond routine risk assessments to guarantee no harm is caused. Interventions should:

- Assess whether the intervention may increase VAWG
- Minimize harm to women and girls
- Prevent revictimization of VAWG
- Consider the implications of mandatory reporting of suspected VAWG cases
- Be aware of the co-occurrence of child abuse
- Minimize harm to staff working with survivors
- Provide referrals for care and support for survivors

For further details on these Ethical and Safety Recommendations, visit the Ethics section of our website.

### RAPID SITUATION ANALYSIS

Integrating VAWG prevention and response into land projects requires an understanding of the legal, social, and epidemiological context of VAWG and how this relates to land initiatives. Land projects can empower women and transform institutionalized inequalities. Understanding the context and the risk factors associate to them is essential for mitigating violence, setting up support systems for those who may experience violence and intentionally using projects as a lever to gender equality.

Different actors related to a project can become potential perpetrators of VAWG. Land projects can disrupt traditional norms and gender roles that can lead to violence in the home or community. They can exacerbate power imbalance between women and authorities / influencers which can lead to SEA. Project teams can carry out a qualitative assessment at the community level that can include a participatory mapping exercises that identifies stakeholders who may be affected by project activities to understand who supports and opposes women's exercise of rights to own and control land and property and for what reasons. The World Health Organization's Researching Violence Against Women: A Practical Guide for Researchers and Activists outlines some of the methodological and ethical challenges of conducting research on VAWG and describes a range of innovative techniques that have been used to address these challenges 17.

In addition to the standard questions to land projects -i.e. Do women have equal rights to land? What are inheritance practices for widows and daughters? Is there an association of harmful discriminatory patriarchal practices such as dowry, bride price, women inheritance, child marriage, polygamy, etc. and access to land? What is the awareness of land agencies about issues of women's rights and access to land at the institutional level (such as land registries, courts, conflict resolution institutions, and local land administration agencies), etc- project teams should work with ministries, other governmental stakeholders, non-governmental organizations, local experts, communities and other counterparts in the country to answer some or all following questions:

- How are decisions about the use of land and other property typically made in the community?
- What is the legal framework around the ownership and inheritance of land by women?
- Are the proposed activities perceived as harming men or their natal families and whether the proposed activities be perceived as providing women with an undeserved or "windfall" benefit?

For general questions to include in all Rapid Situation Analysis looking to understand the intersection between VAWG and a development program visit the Integrate section of our website.

# KEY AREAS FOR INTEGRATING VAWG IN LAND PROJECTS BY TYPE

At the <u>policy and institutional levels</u>, interventions that strengthen women's property rights can shift longstanding social norms and power dynamics that perpetuate inequality between women and men and contribute to the acceptance of the use of violence against them and reduces the risk factors related to violence by addressing barriers that can be alleviated by property rights. Ownership of property (including land or house or both) by women may provide them with a means of sustained economic and social security, which, unlike shock specific safety nets (such as employment schemes, disaster aid), influences social and cultural norms, gender attitudes, and family and community networks

Since interventions that increase women's landownership can shift longstanding social and power dynamics, at the <u>community level</u>, practitioners need to develop context-specific approaches. Behavior change interventions to influence the attitudes and practices around women's land and property rights and IPV and other forms of VAWG can be included in awareness raising strategies to reduce acceptance of IPV related to the use and control of land. Project teams should be aware that in low- and middle-income country contexts, criminal justice systems are often not effective at holding perpetuators of VAWG accountable, so project teams should consider mitigating the risk of VAWG.

### Policy Level

- Address legal gaps in women's rights to property ownership. Ensuring equal land and property rights for women begins with analyzing how existing land legislation, marital (including divorce) law, inheritance, and customary laws interact in terms of women's right to land and how statutory law can promote women's rights irrespective of their marital status. Projects can contribute to:
  - Advocacy for the revisions of any legal inequality in land, divorce and inheritance law and policies related to land and the consequences of proposed legal change as denial of resources, services and opportunities is a form of gender-based violence.
  - Facilitating the participation of civil society, gender experts, and female local leaders to ensure a
    critical mass of women's representation in land project. Engage these stakeholders in analysis on
    how changes may impact VAWG and work with them to define prevention and response measures,
    including other stakeholders from different sectors that should be engaged.
  - Advocacy efforts for the elimination of harmful discriminatory practices related to marriage.
- In the case of <u>marital property</u>, advocate for community property regimes (full or partial) that increase access to property to women and make them equal to those of men<sup>18</sup>. And where community property exists, the project team can recommend procedures that specify that marital property be titled to both spouses.
- In the case of <u>informal unions</u>, advocate for laws to be amended to recognize property rights of couples in informal unions to marital property after a certain number of years have passed by expanding the definition of marriage, or where possible, efforts can be made to regularize

**informal marriages.** Project teams can also design land titling schemes that recognize informal unions and ensure both the man and the woman's names are recorded on the land title.

- o In the case of inherited land, where the law recognizes the rights of wives and daughters (as well as husbands and sons), strive for procedures that ensure the title include all property owners. In addition, establish inheritance cooling off periods under which inheritance rights cannot be renounced for a certain period or must be registered before being renounced. Customary practice, often encourages and even pressures women, particularly daughters, to cede their shares to their brothers, leaving women dependent on the generosity and goodwill of their brothers, and husbands. These practices may also encourage women to willingly forfeit their legal rights to shared ownership and titling of land. Lack of financial freedom is often cited as a barrier to women fleeing violent relationships. Globally over a third of women experience violence at the hand of their intimate partner. By not assuring that women have assets and documents to prove ownership, women's financial standing is weakened which may trap her in a violent relationship.
- Advocate for <u>mandatory joint titling</u> of land for married/cohabiting couple as opposed to optional/voluntary within the project intervention. Legislation should provide for compulsory joint tenure as the default regime when conducting land or housing allocation to households and as part of land formalization programs or when spouses marry. In this case, both spouses will hold land and/or housing either through a joint title or by holding equal rights over the property. Non-formalized unions should also be subject to compulsory joint tenure or co-ownership<sup>19</sup>. If it is not possible to change legislation, then project focused procedures should ensure that both wife and husband are included in the adjudication process and titling as the default/mandatory option, instead of optional joint titling. The reason is that in contexts dominated by patriarchal gender norms, women often are not knowledgeable about their ownership rights or they do not demand to be in the title to maintain harmony in the relationship. This puts women at risk of being trapped in a violent relationship with no assets to support a voluntary separation.

# Box 2. Promising Practices... Securing Legal Provisions associated with Women's Rights to Property

- Marital Property Regimes: In Rwanda, the Organic Land Law provides three alternative matrimonial regimes for spouses to choose from, but if no affirmative choice is elected, spouses are presumed to be married under the community of property regime and maintain joint ownership of their moveable, immovable, present and future property. In effect, therefore, women who have attained beneficial rights to land (such as through marriage or inheritance) are protected under the law. The law also specifies that consent from all beneficiaries must be obtained in case of any land transfer, mortgage or lease. (See: Arts. 34-38). The law applies only to legal, non-polygamous marriages.
- Women's inheritance rights to property: In <u>Laos</u>, legislation including the 1991 Constitution, acknowledges gender equity with regard to family, inheritance, and property laws. Daughters and sons are to inherit equally. Land acquired by a couple is supposed to be issued a joint land use certificate or title in the name of wife and husband (Law on Land, Art. 43; Family Law; and Property Law).
- Criminalizing property grabbing of widows:

- <u>Malawi</u>: 1999 amendment to Wills and Inheritance Act of 1967. An amendment to the Wills and Inheritance Act of 1967 declared any property grabbing by a deceased spouse's relatives to be a criminal act, subject to prosecution.
- Zambia: Article 35(1) of Part IV of the Intestate Succession Act, 1989. A penalty will be imposed on an administrator or guardian who —wrongfully deprives a minor of property or a share in property to which the minor is entitled ... 2 A parent or guardian must hold a minor's property until he or she reaches legal majority, and the minor child has the right to be adequately cared for.
- Zimbabwe: Sections 65(1) and (2) of the Wills and Administration of Testate Estates Act, No. 6 of 1989. If a will makes no —reasonable provisions for wife, husband, child or parent of the deceased, any of these persons can request the court for maintenance. The Wills and Administration of Testate Estates Act specifically prohibits —intermeddling of property with those entitled to it pursuant to the Act. An unauthorized person who deprives a person entitled to the property or any part of it has committed an offence and is liable to a fine or imprisonment.

#### Laws that address sexual extortion:

- Section 27 of the <u>Tanzania</u> Prevention and Combating of Corruption Act of 2007, makes it an offense for "any person in position of power or authority" to "demand or impose sexual favors" as a condition of the exercise of that authority.
- The Criminal Codes of the Federation of <u>Bosnia and Herzegovina</u> and the <u>Republika Srpska</u> include the offense of "Sexual Intercourse by Abuse of Position."

#### Sources:

UN Women, Joint tenure and titling for spouses, Available at: <a href="http://www.endvawnow.org/en/articles/771-joint-tenure-and-titling-for-spouses.html">http://www.endvawnow.org/en/articles/771-joint-tenure-and-titling-for-spouses.html</a>

Lastarria-Cornhiel, S. (2006). Gendered Outcomes of Property Formalization in Bolivia and Laos Urban and Regional Planning, Paper prepared for the Colloque international "Les frontières de la question foncière – At the frontier of land issues", Montpellier, 2006 1 University of Wisconsin-Madison

Izumi, K. Chitra Deshpande, Ch., Larson, G.; Ragasa, C. (2008). Module 4: Thematic Note 5: Protecting Women's Land and Property Rights in the Context of AIDS, FAO, Available at: <a href="http://mokoro.co.uk/wp-content/uploads/protecting">http://mokoro.co.uk/wp-content/uploads/protecting</a> womens land property rights in the context of aids.pdf

International Association of Women Judges (IAWJ), (2012). Toolkit: Naming, Shaming and Ending Sextortion, IAWJ. http://www.iawj.org/wp-content/uploads/2017/04/Corruption-and-Sextortion-Resource-1.pdf

Roy, T. (2018). "Sextortion: Revisiting Laws on Corruption In India", ILI Law Review -2018 (Summer Issue)

Support data collection on sex-disaggregated land and property ownership. The lack of data seriously hampers efforts to track the progress that countries are making on women's land and property ownership rights. Many agricultural censuses and household data sets do not collect land, property, and other asset ownership data disaggregated by sex. The <a href="Evidence and Data for Gender Equality">Evidence and Data for Gender Equality (EDGE)</a> project launched in 2013 by the United Nations Statistics Division and UN Women seeks to help countries gather gender-specific asset data more systematically. In addition, studies can be undertaken to understand the constraints to women's land ownership and options to improve women's position or on possible consequences of proposed agricultural and privatization policies in terms of women's right to own land. These studies can inform in-country dialogue with other government agencies and civil society (for example, workshops with government, university, community-based organization, and non-governmental organization participants) to publicize gender issues in land titling, the successes of land registration in improving women's position, and to explore further opportunities for reform. These discussions should explore the protective factors that can be triggered when women have access to land. Land can help them improve their negotiation power within a violent relationship and perhaps even lead to financial security that may enable survivors to leave a violent relationship<sup>20</sup>.

### Institutional/Sectoral Level

- Promote will writing and marriage formalization. Married couples, widows and property grabbing victims would benefit greatly from service providers who can help them take tangible steps to protect themselves and their families from property grabbers, specifically in the areas of will writing, land documentation, marriage formalization and navigation of the justice system. The ICRW 2010 toolkit on Inheritance Law, Will and Women contains a training module on testate succession and wills. Projects can promote marriage formalization through awareness raising campaigns<sup>21</sup>. Projects can partner with NGOs to educate communities about the risks inherent of not formalizing marital relationships. In addition, land administration agencies and other public service providers could provide information to couples who get married customarily and develop links with relevant civil registries to facilitate official marriage registration.
- Make land administration gender-sensitive to increase women's access to land titles. The technical systems of land administration dealing with land delimitation, titling and registration of land and user rights, play an important part in creating equal rights to land in different systems of land tenure. Access to land can also act as a protective factor for women at risk of experiencing violence, especially at the hands of an intimate partner. Processes of land delimitation, titling and registration of tenure must be carried out in an open manner that does not discriminate against women and reinforce existing inequalities., Land administration systems and processes should strive to encourage women's participation and increase women's right to land. Projects can support this by:
  - Creating a systematic registration system which is accessible to illiterate women and men, where legal tenure documents only are valid if photographs or fingerprints are used in registration processes, instead of signatures.
  - Training land/ property adjudication staff on women's land rights. Most officials and decision-makers on land issues are men. Many are not knowledgeable on women's land rights and still hold discriminatory cultural beliefs under which women cannot own or inherit property. These social norms should be actively addressed before giving power to men that can further discriminate women. Officials should receive training on how to provide land services without gender bias or corruption,

- particularly sexual extortion. In addition, officials can be trained on protecting the land rights of women and men in informal unions. Moreover, in the case a land official creates a safe space for a woman to open up about abuse that she faces he or she should be able to share information on service providers operating in the vicinity of the survivor. The official should be able to listen empathetically with no judgement and explain how there may be services that can help the survivor. To enable a warm referral the project should include mapping of service providers in the project area of influence<sup>22</sup>.
- Developing handbooks or guidelines for lawyers and personnel of cadastral offices to assure that correct information about marital status and joint ownership rights is known and upheld, as well as notices of security for debt, sales of property or transfers of title.
- clear and simplified complaint procedures. Professional codes of conduct and other ethical rules and regulations can be deployed as a tool to prevent sextortion. When devising proposals for anti-corruption legislation and integrity frameworks, it is advisable to use language that is broad enough to include non-financial 'bribes'. For example, the <a href="Code of Conduct and Ethics for Uganda Public Service">Code of Conduct and Ethics for Uganda Public Service</a> prohibits a public officer from subjecting others or being subjected to "conduct of a sexual nature affecting his or her dignity, which is unwelcome, unreasonable and offensive to the recipient." Training to the community on the code of conduct that land officials have signed is important, so women can know to report anything that constitutes a breach of the code. Sanctions for breach of the code may include suspension, compensation for the victim, and removal from public service. Sanctions must be clearly spelled out, shared with all those signing the code and enforced should the code of conduct be breached. When a report of sextortion or other breach in the code of conduct is lodged, the ensuing process should respect the safety, dignity and requests of the person bringing forth the claim.
- Establish effective grievance procedures. Projects can work to establish grievance redress mechanisms services (GRS) in land operations. GRS receive and address any concerns, complaints, notices of emerging conflicts or grievances alleging actual or potential harm to affected persons arising from the titling of property and land. Complaints mechanisms to report sexual extortion and other forms of SEA should be transparent, independent, accountable, accessible, safe, easy to use, and, most importantly, gender sensitive. Such mechanisms need to consider the cultural context to make sure that every women and girl has a safe channel to report sexual extortion or any forms of SEA. A GRS that receives potential complaints related to violence against women, including sextortion should be able to refer the complainants to services that will help them move forward with healing.
- Carry out large-scale public education and communication campaigns about:
  - Women's rights to land/property ownership and combining it with information on rights to live a life free of violence: Information campaigns can educate the population on the links between women's lack of property ownership with their increased poverty and vulnerability and their exposure to VAWG. Awareness campaigns need to address the persistence of traditional beliefs among men and women that men and boys have stronger claims to land than women and girls. Awareness campaigns should be in all applicable languages, including local languages, and in formats accessible to all, including illiterate grassroots women. These campaigns need mobile services for remote communities and mobile indigenous peoples. The introduction in the school curricula of gender and land rights issues can be useful tools, as well as involving men in campaigning. Engaging with media to raise visibility on women's land rights issues can be critical to enable women to claim

their land rights which will increase their potential opportunities to navigate a relationship and can serve as a protective factor for women who are abandoned by their husbands after experiencing violence. Paluck and Ball (2010) provide a thorough assessment of what works in communication and media campaigns to change social norms linked to VAWG and provides useful principles for consideration in designing such campaigns, which are summarized in Box 3.

- Sexual extortion: A significant barrier to address sexual extortion is the lack of information on sexual extortion and how to report it. Sextortion victims are often not aware that the conduct is punishable victims believe that, if they failed to resist the coercive power of authority, there was no crime because s/ he "consented". Moreover, victims commonly lack knowledge on where or how to report an allegation of sextortion. For the most part, existing complaint processes have not been clarified enough for victims to understand how to access them in connection with sextortion claims. Projects can promote advocacy and education campaigns against sexual extortion and other forms of sexual abuse and exploitation to empower people to claim their rights by providing know-your-rights materials to the public via radio, public speaking, brochures, and other means.
- Property grabbing of widows: Even when communities strongly disapprove of those culpable in cases of property grabbing, the issue is often seen as a private matter within the household and not the province for community intervention on the victims' behalf. Therefore, where laws penalizing property grabbing exist, projects can fund large-scale education campaigns to raise awareness of the issue, and to inform people that it is an illegal act.
- Map women's organizations and other service providers that offer affordable, good quality support services to survivors of VAWG and establish contact with them for future referrals. Land projects can provide an entry point for women seeking VAWG support services. The project can map the VAWG support services using the United Nations Joint Global Program on <a href="Essential Services for Women and Girls Subject to Violence">Essential Services for Women and Girls Subject to Violence</a>, that identifies the essential high-quality services to be provided by the health, social services, police and justice sectors for women and girls experiencing violence. As part of the awareness raising on women's land rights, staff in land administration services can provide advice to survivors of VAWG in a non-threatening and supportive way and refer them to the appropriate to VAWG support services.
- Conduct impact evaluations to assess impact of women's land ownership on VAWG. Land titling projects can be an entry point to increase the evidence-base of the links between land ownership and IPV. The World Bank can help fund impact evaluations of land titling projects. Suggested research questions include:
  - What is the effects of mandatory/default vs. optional joint titling on IPV?
  - Under what conditions does joint titling help prevent or reduce IPV? Under what conditions does it contribute to increase IPV?
  - What interventions work best to shift men's attitudes of IPV in response to women's exercise of property rights?
  - Which interventions work best to prevent or reduce IPV for younger women, wives in polygamous marriages; for older women?
  - Is secure homeownership for women a positive strategy for preventing or reducing IPV; if yes, under what conditions

### Box 3. Important considerations to guide the design communications campaigns to address social norms linked to VAWG

Evaluations and assessments of communication and media intervention to change social norms provides several important considerations for their design, including:

- o Baseline studies can help identify the (i) problem, the target of social norms and behaviors, and (ii) the target social audience. In addition to provide an essential reference point for future impact studies, baseline studies allow to tune a social norms message to the correct group, to the existing social norms within that group, and to the wider social environment in which that group exists. Baseline research also helps to identify power brokers in the community, to identify behavioral "channels" (such as confidential and relatively easy-to-access hotlines for victims of VAWG) to allow people to act upon a new social norm, and to understand how that group accesses news and entertainment and interacts in their community.
- Pilot the communication intervention. Before any intervention begins, a pilot period in which programmers test, redevelop, and retest culturally and normatively relevant messages is necessary.
- Norms change communication campaigns should target injunctive rather than descriptive norms. One common problem with social norms marketing campaigns is their focus on awareness-raising. For example, in the DRC, a billboard campaign featured graphic pictures of gangs of men and their victims either just before or just after rape. The words on the billboards typically said, "Stop Rape" but the image communicates the idea that "Rape is common. This happens in our community. This is normal." Awareness campaigns can often propagate a descriptive norm that violence behavior is prevalent in the community, perhaps licensing violent behavior rather than activating behavior to reduce VAWG. Norms change campaign should focus instead on messages about injunctive norms because they discourage behavior.
- o Norm change is particularly likely in homogenous, tightly knit groups in which there is private dissent against the current norm<sup>23</sup>. Social norms are most likely to affect behavior when individuals know that the norm will be enforced by people who are present in their everyday lives. In heterogeneous communities, individuals may follow the norms of smaller subcommunities, or may know that breaking a social norm will not result in sanctions from community members who live nearby, who matter to them, or who are often physically present. Thus, social norm interventions should be calibrated to social groups that are cohesive, important to their members, and salient in many aspects of the individuals' lives.
- When there is some degree of private disagreement with an existing norm, attempts to change that norm will be more successful. To give an example: people have multiple reasons to want to report a neighbor's abuse, including concern for the abused spouse and her children, concern that impunity for abusers encourages further abuse throughout the community, and even simple concern for peace and quiet. However, individuals wishing to report abuse may be constrained by a perceived social norm that violence in the home is a private affair. A social norms campaign aiming to change the injunctive norm, promoting the idea that "in this community, violence anywhere is a community affair," may license the individual privately inclined to report abuse to do so.
- It is necessary to replace an old norm with a new one. A successfully weakened norm will rebound if a new one does not replace it. Norms exist for a reason: they provide the rules for how to belong to a group. Given that people feel a need for belonging, weakening a norm leaves a void that should be filled by a newer positive norm. Many domestic abuse interventions, for example, use skills training and relationship modeling to provide couples with a model of healthy relationship strategies following programming that seeks to disrupt dysfunctional ideas about what is typical or desirable in a relationship.
- Norms campaigns should "channel" individuals into opportunities to act on the new norm. A final condition that ensures the long-term success of a norm change campaign is the connection of the social norms to an outlet that facilitates the newly normative behavior. Psychologists call these outlets 'channel factors.' Channel factors channel people into, for example, services, activities, or social support networks. A campaign that is conducted with channel factors is more enduring because it both changes perceptions of the norm and makes it easier for people to behave in accordance with the new norm.

Source: Paluck, E.L., & Ball, L. (2010). Social norms marketing aimed at gender-based violence: A literature review and critical assessment. New York: International Rescue Committee.

### Community Level

Ensure that social risk assessments consider the VAWG risk assessment. The social risk assessment should identify risks factors that may be exacerbated by the project, support and safety services available to address VAWG, and local governance structures. Projects can include the knowledge and concerns of local women in designing projects, so they are tailored to women's needs. Local women can assist in designing trainings and VAWG-risk mitigation measures. For questions to help guide the risk assessment see the rapid situational analysis section of this brief above.



- oPromote women's right to land in customary law. Customary law is often not subject to a legislative process and efforts to improve women's land rights need to focus on the interpretation of customary law. Men who are viewed as autonomous members of the community and lineage, are generally perceived as the owners or care-takers of land and are accorded a wider of span of authority over the asset. Women's customary land rights, meanwhile, are generally limited to use rights – with restrictions on transfer, long-term investments, etc. – and are determined by their relationship with a male spouse or relation in the kin group or community. Actions include:
- Supporting women's groups or organizations advocating gender equality within customary systems.
- Working with traditional authorities to advance women's land rights under customary land systems (Box 4). The strongest resistance to women's land rights is often found at the community level. Project teams can identify and work with traditional authorities and leaders who can serve as advocates and educate community members about the importance of women's peaceful and safe exercise of their land and property rights (). When made aware of the grave consequences of discrimination against women in land disputes, local leaders can also be forces for more equitable land governance.

### **Box 4.** *Promising Practice...* Engaging Village Chiefs in Gender-equitable Land Certificates

In Chisamba District, Chamuka Kingdom in Zambia, a project implemented by the <u>People's Process on Housing and Poverty in Zambia</u> and its grassroots alliance partner, the Zambia Homeless and Poor People's Federation (ZHPPF) with support of the UNHabitat Global Land Tools (GLTN) issued gender-equitable customary certificates of occupancy to residents in the area validated by both traditional leaders and local authorities using the Social Tenure Domain Model (STDM) tool developed by GLTN.

As a first step, the project engaged the village head, Chief Chamuka as a key champion of the STDM. The team organized meeting with Chief Chamuka and his Palace Committee as well as officials from the Ministry of Lands and the district council together with other village chief to explain the usefulness of the STDM tool and land certification process.

As a second step, the project team undertook extensive community mobilizations to educate the community on the STDM tool and to identify indigenous community volunteers who would participate in the data collection process. The community mobilization process created a safe space for traditional authorities (the chief, palace committee and headpersons) and their subjects to openly discuss the challenges they were experiencing with regards to land. The salient challenges that were brought to the fore included contingent boundary disputes between villages; boundary disputes among neighboring subjects; and disinheritance and displacements among women (especially widows) and orphans. During the community mobilization process, women were given an opportunity to voice out their concerns and be heard by the traditional authorities.

The third step consisted in training of community volunteers on the STDM tool. The fourth step consisted of community validation or the data collected. Feedback sessions were held with the communities and traditional authorities in order to validate the authenticity of the data. Where gaps were identified, the data collection team went back into the field to make corrections until all the stakeholders were in agreement with the final products.

The final step was the launch of Land Occupancy Certificates. On 30th November 2016, Chief Chamuka inaugurated the issuance of 40, (17 women; 14 men; 7 jointly owned), certificates of customary land occupancy, the first of its kind not only in the chiefdom but also in Zambia using the STDM tool. The event was covered and aired by the national media and attended by dignitaries from the land sector in Zambia, UN Habitat/GLTN technical officers, and community members from Bulemu Village.

*Source:* Morgan, K., H.R.H. Chief Chamuka; Shumba, F.; Ncube, N.; Antonio, D.; Nyamweru, H.; Gitau, J.; Sylla, O.; Mkumbwa, S. Chileshe. A. (2018). Innovations for securing tenure rights on customary lands through traditional authorities: experiences from Chamuka Chiefdom, Zambia, Paper prepared for presentation at the "2018 World Bank Conference on Land and Poverty", The World Bank - Washington DC, March 19-23

Project video: https://www.youtube.com/watch?v=3Jwjdvlx3q0

- Depending on the type of VAWG to be addressed, conduct communication sensitization campaigns at the community level on:
  - IPV: Land projects can work to sensitive men and community members on women's land rights to mitigate the risk of backlash effects on women. Communication campaigns can focus on the positive changes that occur when women's land rights are established, how an individual, family, and how the community and nation benefits when women get proper land rights (Box 5). In addition to communications campaigns and working with elders and tribal leaders to advocate for women's land rights, projects can also engage men in structured conversations on women's land rights similar to what has been done in connection to a women's saving and loans program (Box 6). Including training on healthy conflict resolution when communicating with program beneficiaries can also help address a trigger for IPV.
  - Sexual extortion: A significant barrier to address sexual extortion is the lack of information on sexual extortion and how to report it. Sextortion victims are often not aware that the conduct is punishable victims believe that, if they failed to resist the coercive power of authority, there was no crime because s/ he "consented". Moreover, victims commonly lack knowledge on where or how to report an allegation of sextortion. For the most part, existing complaint processes have not been clarified enough for victims to understand how to access them in connection with sextortion claims. Projects can promote advocacy and education campaigns against sexual extortion and other forms of sexual abuse and exploitation to empower people to claim their rights by providing know-your-rights materials to the public via radio, public speaking, brochures, and other means. In Sierra Leone, Transparency International uses community radio discussions as a powerful way to reach women and men in many different contexts. The program includes phone-ins for community members to voice concerns and share experiences of land corruption<sup>24</sup>.
- organizations, grassroots paralegals, and community-based volunteers to provide legal education and legal aid to women to strengthen their claims over property and help them address gender constraints related to enforcement and service delivery gaps, as well constraints related to customary adjudication<sup>25</sup>. At the community level, community sensitization is important, especially of key actors such as local chiefs, as chiefs are often the first to hear about cases of property grabbing of widows. Equally important is providing women with access to legal assistance and strengthening legal and police support systems are needed (Box 7).

#### Box 5. Promising Practice... Communications campaign in Rwanda targeting men

USAID's four-year <u>Rwanda Land Project</u> (2012-2016) implemented by Chemonics, sought to teach citizens the legal framework for land governance and reduce land-related conflict while implementing the Organic Land Law of 2005.

As one of the project activities, the USAID Land Project partnered with Radio Ishingiro, a community radio station to launch a 10-month communications campaign across four districts in Rwanda targeted at men and boys. By invoking "gender-equal land rights" rather than "women's land rights," the campaign aimed to overcome men's fears that only women stood to benefit, and at men's expense. This approach was inspired by field interviews in which women lamented that campaigns promoting gender equality routinely targeted only women. Giving considerable attention to boys and men, the campaign aimed to shift their mindsets toward embracing gender equality.

To ensure this targeting was effective, program staff first needed to understand boys' and men's attitudes about land rights and address any prejudices they held. They also needed to understand which communication vehicles were most likely to reach boys and men. To glean this information, Radio Ishingiro conducted a baseline survey across four districts in Rwanda. Respondents were asked questions like, "What rights do you believe a wife in an informal marriage should have when her husband dies?" and "Suppose a formally married couple has a son and a daughter... if the husband and the wife were to die, who would inherit the land?" The breadth of data collected gave the campaign a vital grasp of local knowledge, attitudes, and beliefs regarding gender-equal land rights. Armed with this qualitative and quantitative data, campaign designers got to work developing tailored messages. They also researched what channels of information Rwandan audiences favored most and found that 66 percent of respondents across all four districts considered radio an effective means of conveying land information.

To creatively raise awareness of gender-equal land rights, Radio Ishingiro hosted radio dramas, talk shows, quiz programs, and a series of poetry and dance competitions. With 284 men and 205 women participating in the poetry and dance competitions, Radio Ishingiro succeeded in recasting gender-equal land rights as more than a woman's issue.

**Source:** Chemonics, From Policy to Practice: Exercising Gender-Equal Land Rights in Rwanda, https://chemonics.com/impact-story/policy-practice-exercising-gender-equal-land-rights-rwanda/



#### Box 6. Promising Practice... Gender Dialogue **Groups to prevent IPV**

In Cote d'Ivoire, violence against women and girls has been exacerbated by the long conflict, with 60% of women experiencing violence at some point in their lifetimes, according to one community-based project evaluation. In 2007, the World Bank funded the International Rescue Committee to implement a Village Savings and Loan Association (VSLA) program to address women's economic vulnerability. In addition to encouraging members to forms groups and save money through purchasing shares, the project included a prevention of VAWG component. This consisted of Gender Dialogue Groups (GDG), in which participants discussed the characteristics of successful households and learned about healthy relationships and conflict resolution. Both men and women were randomly selected into two groups: the VSLA alone or the VSLA with an eight-session Gender Dialogue Group. Although not statistically significant, an impact evaluation found that the combination of GDGs and VSLAs reduced the incidence of VAWG. Women also experienced increased empowerment, financial autonomy, and reported more equitable gender attitudes and household decision-making. Overall, GDGs were found to be an acceptable method for involving men and women to improve shared decision-making, communication, mutual respect, and gender norms, while simultaneously offering economic benefits to the woman and her household.

#### Sources:

Hossain, M., Zimmerman, C., Kiss, L., and Watts, C. (2010). Violence against women and men in Cote d'Ivoire: a cluster randomized controlled trial to assess the impact of the 'Men and Women in Partnership' intervention on the reduction of violence against women and girls in rural Cote d'Ivoire – results from a community survey, London School of Hygiene and Tropical Medicine. London. Gupta, J., Falb, K., Lehmann, H., Kpebo, D., Xuan, Z., Hossain, M. and Annan, J. (2013). "Gender norms and economic empowerment intervention to reduce intimate partner violence against women in rural Cote d'Ivoire: a randomized controlled pilot study". BMC International Health and Human Rights, 13(1), 46.

# Box 7. *Promising Practices*... Providing legal aid to women on their land rights

In <u>Uganda</u>, the International Justice Mission Uganda (IJM), pioneered the collaborative casework approach, through which it partners with local authorities to support women facing violent abuse over land issues and to serve justice to the perpetrators. The process brings together subject-matter experts with law enforcement agents and judicial authorities to provide tangible, hands-on support throughout individual cases of abuse. IJM investigators help the police with the investigation, gathering evidence and interviewing witnesses. An IJM lawyer is then assigned to a client to support the state attorney with the case and attend court hearings with the client. Throughout the process, clients receive physical and emotional support services. To facilitate the casework approach and provide opportunity for any woman facing land injustice to seek redress, IJM has partnered with the Ugandan police to establish "property-grabbing desks" at police stations in Mukono. IJM trains police officers to identify and properly investigate property grabbing and provides them with ongoing mentoring. Complaints of corruption are reported to supervisors at police headquarters.

The Ghana Integrity Initiative (GII) partnered with two local organizations, Women in Law and Development in Africa (WiLDAF) and the Widows and Orphans Movement to develop a training course and identified local participants for paralegal training in eight communities. The training aims to give the paralegals all the skills necessary to help community members, especially women, understand, demand and access their rights. The paralegals also liaise with GII's Advocacy and Legal Advice Centre (ALAC) for support in individual cases and to build an understanding of how land laws are implemented. The ALAC offer appropriate referral mechanisms for cases, and feeds data from paralegal platforms into GII's wider advocacy for changes in the laws and policies on land rights, especially those of women.

#### Sources:

Transparency International (2018). Women, Land and Corruption, Berlin;

Transparency International (2016). Ghana Integrity Initiative Paralegal Training Manual, Berlin.

In addition to the above set of entry points for VAWG mitigation in land operations, Box 8 lists additional activities that Task Teams could consider but might fall might outside the remit of land projects. These activities could be implemented if there is government and project counterpart will.

# Box 8. Additional VAWG mitigation activities that might fall outside the scope of land projects

- Recommend the criminalization of property grabbing from widows. Efforts can be made to ensure that all forms of forced eviction at the hands of both public and private actors particularly perpetrated against women (for example, "property-grabbing") are illegal and subject to criminal penalties.
- Recommend that anti-corruption and/or gender-based violence laws are revised to cover sexual extortion. This will enable countries to improve accountability by increasing their prosecution of sextortion crimes. A 2015 study by the International Association of Women Judges (IAWJ) "Combating Sextortion" analyzed gaps in criminal justice systems around the world to address sextortion, and recommended steps to strengthen domestic laws and policies.
- o Improve national identification systems. Efforts can be made to improve the coverage, government-issued identification as well as the robustness and reliability of identification systems. Without proof of identity, women may be denied access to rights and services—they may be unable to own property, open a bank account, seek legal protection, or otherwise engage in modern society. Identification allow citizen to authenticate themselves for key government services, including land administration and titling. The World Bank's Identification for Development (Id4D) Initiative brings global knowledge and expertise across sectors to help countries realize the transformational potential of digital identification systems. It operates across the World Bank Group with global practices and units working on digital development, social protection, health, financial inclusion, governance, gender, and legal issues. ID4D also focuses on ensuring integration of digital identification systems with civil registration and vital statistics.
- Support gender-sensitive law enforcement and access to justice. When a dispute arises, enforcement requires that the disputing parties are familiar with the law. Projects can facilitate good law enforcement by:
  - Conducting gender sensitization training to law enforcement institutions such as courts, local councils of existing laws and tools to support women's rights and claims to land, and on the urgent need to bring quick resolution to intrahousehold land disputes, as there is a potential for these to generate violence against women claimants. As a proactive measure, women in the midst of a land dispute should be given information on services providers available should they experience violence.
  - Supporting mechanisms (formal institutions, paralegals and e.g. NGOs) that assist women who claim their legal rights and there-by go against societal norms.
  - Advocating for the creation of national or regional mechanisms to monitor the enforcement of policies, targets and laws on women's right to land.
- Encourage governments to prioritize criminal prosecution of property grabbing-related cases. Given low reporting rates to the police and a great mistrust of the actors in the criminal justice system, land administration personnel could provide victims of property grabbing-related crime with information on legal and psychosocial support in their pursuit of criminal sanctions against the perpetrator. Providing information on legal assistance and land rights could help victims navigate the relationships with the various actors in the system, avoid being coerced into abandoning their rights and stand up to requests for bribes, all while reinforcing values of equal protection expressed in the Constitution and laws of the country and eliminating the air of impunity that surrounds these crimes, deterring future property grabbers from engaging in the behavior. Furthermore, local council leaders are typically a widow's first point of contact with the public justice system after the death of her husband and/or a property grabbing event. As such, local council leaders wield a great deal of influence in whether widows in their jurisdictions engage the system and whether that engagement is ultimately successful or not. Unfortunately, local council leaders generally lack understanding as to how to guide widows through the administration process, how property is supposed to be divided under the law and what constitutes a property grabbing-related crime that should be reported to the police. Accordingly, investment should be made in educating, training and

equipping local council leaders to provide their constituents with proper guidance in matters relating to succession, administration and criminal prosecution.

### SUGGESTED INDICATORS

To better understand the outcomes associated with land tenure and property rights interventions, monitoring and evaluation activities should include indicators that monitor changes in the incidence of VAWG in the project area --at the community level--, training activities, and changes in attitudes and behavior. Monitoring and evaluation work can also identify unanticipated concerns related to IPV and other forms of VAWG that might arise during the course of a project. When data is collected it should be both sex and age disaggregated. The Sustainable Development Goal (SDG) 5 on gender equality and related indicators can be used to track progress towards women's economic empowerment, changes to the legal and regulatory framework and increased government, civil society and beneficiary capacity. In addition, the community-level illustrative indicators can be used to better understand how project activities are affecting local community members and local outcomes related to IPV and other forms of VAWG.

Type of Indicator	Suggested Indicators
Key Performance Indicators	<ul> <li>Percentage/number of women surveyed whose attitude of acceptance of VAWG or IPV associated with the exercise of land or property rights changes.</li> <li>Percentage of women who believe their status has increased within the household and community as a result of obtaining and exercising land and property rights.</li> <li>Percentage of women and men who report an incidence of IPV associated with obtaining or exercising land and property rights receiving referral to appropriate service providers to help them begin healing from the violence they have experienced.</li> <li>Proportion of men and boys who agree that women should have the same legal rights to land and property ownership as men.</li> </ul>
Intermediate Indicators	<ul> <li>Percentage/number of women and men receiving training in access to land justice.</li> <li>Percentage/number of women and men members of land dispute resolution institutions and mechanisms, including local watchdog groups.</li> <li>Percentage/number of women and men receiving legal support in land cases in the formal justice system.</li> <li>Percentage/number of women and men in central /district /local / customary land institutions and other land-related local institutions.</li> <li>Number of land officials receiving gender sensitization and training including VAWG.</li> </ul>

- Existence of Codes of Conduct in land administration agencies with clear accountability frameworks.
- Number of gender and VAWG sensitization and awareness-raising initiatives focusing on land.
- Number of gender and VAWG sensitization advocacy and legal literacy training sessions focusing on land.
- Percentage of women and men receiving VAWG sensitization advocacy and legal literacy training focusing on land.
- Number of communication and media tools used to get the message across on gender equitable land tenure governance and combining it with information on rights to live a life free of violence.
- Proportion and numbers of women and men reached by the messages.
- Percentage of women and men with increased skills to negotiate safe & mutually respectful decision making related to land and property.
- Proportion of women who demonstrate knowledge of available VAWG support services.
- Number of programs implemented for men that include examining norms related to gender equitable land rights and VAWG.
- Proportion of men and boys who agree that women should have the same legal rights to land and property ownership as men.



# RECOMMENDED RESOURCES FOR INTEGRATING VAWG INTO LAND SECTOR PROJECTS

#### International conventions related to gender and right to land

Beijing Platform for Action

Convention on Economic, Social and Cultural Rights Art.11 (1966)

Economic and Social Council Commission on the Status of Women Resolution 42/1, Human Rights and land rights discrimination

Habitat II Conference, Istanbul 1996 Preamble

Istanbul Declaration on Human Settlements (esp. Par.7) III Commitments D

Rome Declaration on World Food Security (1996)

UN Convention on the Elimination of All Forms of Discrimination against Women, Article 16

Universal Declaration of Human Rights (1948)

World Food Summit. "African Charter on Human and Peoples' Rights" (1986). The United Nations
Commission on Human Rights Resolution 2002/49

### **Guidance and Tools**

### Guidance tools and literature reviews for preventing VAWG in land projects

- Boudreaux, K. (2018). Intimate Partner Violence and Land Tenure What Do We Know and What Can We Do?, USAID, Washington DC <a href="https://www.land-links.org/wp-content/uploads/2018/02/USAID\_Land\_Tenure\_IPV\_Final\_Report.pdf">https://www.land-links.org/wp-content/uploads/2018/02/USAID\_Land\_Tenure\_IPV\_Final\_Report.pdf</a>
- International Association of Women Judges (IAWJ), (2012). Toolkit: Naming, Shaming and Ending Sextortion, IAWJ. <a href="http://www.iawj.org/wp-content/uploads/2017/04/Corruption-and-Sextortion-Resource-1.pdf">http://www.iawj.org/wp-content/uploads/2017/04/Corruption-and-Sextortion-Resource-1.pdf</a>
- International Association of Women Judges (IAWJ)(2012). Stopping the Abuse of Power through Sexual Exploitation: Naming, Shaming, and Ending Sextortion. <a href="http://www.iawj.org/wp-content/uploads/2017/04/Corruption-and-Sextortion-Resource-1.pdf">http://www.iawj.org/wp-content/uploads/2017/04/Corruption-and-Sextortion-Resource-1.pdf</a>
- Meinzen-Dick, R., Quisumbing, A. Doss, C. Theis, S. (2017). Women's Land Rights as a Pathway to Poverty Reduction A Framework and Review of Available Evidence, IFPRI Discussion Paper 01663.
- Transparency International (2017). Gender Responsive Work on Land and Corruption: A Practical Guide, Berlin.
  - https://www.transparency.org/whatwedo/publication/gender\_responsive\_work\_on\_land\_and\_corruption\_a\_practical\_guide
- Transparency International (2018). Women, Land and Corruption: Resources for Practitioners and Policy-Makers, Berlin.

- file:///C:/Users/WB260541/Downloads/2018\_ResourceBook\_WomenLandandCorruption\_EN%20(5).pdf
- USAID, 2015. Kenya Justice Project Implementation Guide Dissemination of Lessons Learned: Enhancing Customary Justice Systems In The Mau Forest, Kenya: <a href="https://land-links.org/wp-content/uploads/2016/09/USAID\_Land\_Tenure\_Justice\_Implementation\_Guide.pdf">https://land-links.org/wp-content/uploads/2016/09/USAID\_Land\_Tenure\_Justice\_Implementation\_Guide.pdf</a>

# General guidance and tools for increasing women's rights to land and property ownership

- Food and Agriculture Organization (FAO), (2013). Governing land for women and men A technical guide to support the achievement of responsible gender-equitable governance of land tenure: governance of tenure technical guide: http://www.fao.org/3/a-i3114e.pdf
- Inter-Agency Standing Committee. (2015). Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing risk, promoting resilience and aiding recovery. https://gbvguidelines.org/en/home/
- International Center for Research on Women (ICRW), (2010). Inheritance Law, Wills, and Women, A Training Toolkit, Washington DC <a href="https://icrw.org/files/images/Property-Rights-and-Gender-A-Training-Toolkit-Inheritance-Law-Wills-and-Women.pdf">https://icrw.org/files/images/Property-Rights-and-Gender-A-Training-Toolkit-Inheritance-Law-Wills-and-Women.pdf</a>
- International Center for Research on Women, (2010). Property Rights and Gender in Uganda: A Training Toolkit: <a href="https://www.icrw.org/wp-content/uploads/2016/10/Property-Rights-and-Gender-A-Training-Toolkit.pdf">https://www.icrw.org/wp-content/uploads/2016/10/Property-Rights-and-Gender-A-Training-Toolkit.pdf</a>
- International Federation of Surveyors' (FIG), (2001). Women's Access to Land FIG Guidelines. Principles for Equitable Gender Inclusion in Land Administration:

  <a href="http://www.fig.net/resources/publications/figpub/pub24/figpub24.asp">http://www.fig.net/resources/publications/figpub/pub24/figpub24.asp</a>
- Open Society Foundation, (2014). Securing Women's Land And Property Rights A Critical Step To Address Hiv, Violence, And Food Security, <a href="https://www.opensocietyfoundations.org/sites/default/files/Securing-Womens-Land-Property-Rights-20140308.pdf">https://www.opensocietyfoundations.org/sites/default/files/Securing-Womens-Land-Property-Rights-20140308.pdf</a>
- Richardson, Amanda. (2017). Threats to Women's Land Tenure Security and Effectiveness of Interventions Annotated Bibliography. http://landwise.resourceequity.org/guides/12/subguides/59
- UN Habitat, (2008). Gendering Land Tools: Achieving secure tenure for women and men file:///C:/Users/WB260541/Downloads/Gendering%20Land%20Tools.pdf
- UN Habitat, (2011). Designing and Evaluating Land Tools with a Gender Perspective: http://mirror.unhabitat.org/pmss/listItemDetails.aspx?publicationID=3138
- UN Habitat, (2011). Improving Gender Equality and Grassroots Participation through Good Land Governance, A training package:
  - http://mirror.unhabitat.org/pmss/listItemDetails.aspx?publicationID=3137
- UN Women, (2015). Essential Services for Women and Girls Subject to Violence, New York...

  <a href="http://www.unwomen.org/en/digital-library/publications/2015/12/essential-services-package-for-women-and-girls-subject-to-violence">http://www.unwomen.org/en/digital-library/publications/2015/12/essential-services-package-for-women-and-girls-subject-to-violence</a>
- USAID, Land Links: https://www.land-links.org/issue/gender-equality/
- World Bank, (2009). Integrating Gender in Module 4: Gender Issues in Land Policy and Administration, in Gender and Agriculture Sourcebook, Washington DC.
  - http://siteresources.worldbank.org/INTGENAGRLIVSOUBOOK/Resources/CompleteBook.pdf
- World Bank, 2013. Toolkit for Integrating Gender-Related Issues in Land Policy and Administration Projects <a href="http://siteresources.worldbank.org/INTARD/Resources/GenderLandtoolkit.pdf">http://siteresources.worldbank.org/INTARD/Resources/GenderLandtoolkit.pdf</a>

World Bank, A Practical Guide for Addressing Gender Concerns in Land Titling Projects, Washington DC. <a href="http://siteresources.worldbank.org/INTARD/Resources/genderinlandguide.pdf">http://siteresources.worldbank.org/INTARD/Resources/genderinlandguide.pdf</a>

World Bank, Toolkit for Integrating Gender-Related Issues in Land Policy and Administration Projects, Washington DC <a href="http://siteresources.worldbank.org/INTARD/Resources/GenderLandtoolkit.pdf">http://siteresources.worldbank.org/INTARD/Resources/GenderLandtoolkit.pdf</a>

#### **Data Sources**

Evidence and Data for Gender Equality (EDGE): <a href="https://unstats.un.org/edge/">https://unstats.un.org/edge/</a>

FAO Gender and Land Rights Database: <a href="http://www.fao.org/gender-landrights-database/en/">http://www.fao.org/gender-landrights-database/en/</a>

FAO Legal Assessment Tool (LAT) for gender-equitable land tenure: <a href="http://www.fao.org/gender-landrights-database/legislation-assessment-tool/en/">http://www.fao.org/gender-landrights-database/legislation-assessment-tool/en/</a>

OECD's Social Institutions and Gender Index: <a href="https://www.genderindex.org/">https://www.genderindex.org/</a> World Bank Women, Business, and the Law Database: <a href="http://wbl.worldbank.org/">http://wbl.worldbank.org/</a>

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Access the full set of briefs on our website: www.vawgresourceguide.org

#### References:

<sup>1</sup> World Bank and IFAD, 2009. Toolkit for Integrating Gender-Related Issues in Land Policy and Administration Projects, Available at:

siteresources.worldbank.org/INTARD/Resources/GenderLandtoolkit.pdf

- <sup>2</sup> Hughes, Christine, Caroline Marrs, and Caroline Sweetman, 2016. Introduction to Gender, Development and VAWG, Gender & Development 24 (2): 157–169
- <sup>3</sup> Agarwal, B. and Panda, P. (2007). Towards Freedom from Domestic Violence: The Neglected Obvious. Journal of Human Development 9(3), 359-388.

Amaral, S. (2017). Do Improved Property Rights Decrease Violence Against Women in India? Discussion Papers 15-10, Department of Economics, University of Birmingham.

Bhatla, N., Chakraborty, S., Duvvury N. (2006). Property Ownership and Inheritance Rights of Women as Social Protection from Domestic Violence: Cross Site Analysis. Washington, DC: ICRW

Bhattacharya, M., Bedi, A., Chhachhi, A. (2009). Marital violence and women's employment and property status: Evidence from north Indian villages, "IZA Discussion Paper No. 4361.

Chowdhry, P. (2012). Reduction of Violence Against Women: Property Ownership & Economic Independence in Rural Haryana, UN Women.

Grabe, S., Grose, R.G., Dutt, A. (2014). Women's Land Ownership and Relationship Power: A Mixed Methods Approach to Understanding Structural Inequities and Violence Against Women, Psychology of Women Quarterly 39, 7–19

Gupta, J. (2006). Property ownership of women as protection for domestic violence: The West Bengal Experience. Washington, DC: ICRW.

Oduro, A., Deere, C.D., Catanzarite, Z. (2015). Women's Wealth and Intimate Partner Violence: Insights from Ecuador and Ghana, Journal Feminist Economics Vol 21(2):1-29

Wekwete, N., Sanhokwe, H., Murenjekwa W., Takavarasha F., Madzingira, N. (2014). Spousal Gender-Based Violence and Women's Empowerment in the 2010-11 Zimbabwe Demographic and Health Survey, Working Papers, Analysis of Zimbabwe Demographic and Health Surveys, ICF International, Maryland. International Justice Mission (IJM) (2014). Property Grabbing from Ugandan Widows and the Public Justice System Response, Washington DC

Transparency International, 2018. Women, Land and Corruption, Berlin.

Matsheza, P., Timilsina, A., Arutyunova, A. (editors) (2012). Seeing Beyond

- <sup>4</sup> **Note:** The types of unions are as diverse as the circumstances of the people that enter into them, and include traditional monogamous unions in which bride wealth has been paid; consensual unions inles cohabitate without observing traditional rites; concubinage unions in which one partner is formally married to another; polygamous unions in which the man has more than one informal wife; and religious polygamous unions, which are sanctioned by Islamic institutions (Hughes and others 2016).
- <sup>5</sup> Hughes, K., Madina Ndangiza, A., Ikirezi, M. (2016). The Rights of Women in De Facto Unions to Land and Property, USAID LAND Project, Kigali, Rwanda.

Aparna, P. (2014). Procuring Meaningful Land Rights for the Women of Rwanda, Yale Human Rights and Development Journal 14 (1): Article 3.

Dancer, H. (2015). Women, Land & Justice in Tanzania. Rochester NY: James Currey.

<sup>6</sup> Agarwal, B. and Panda, P. (2007). Towards Freedom from Domestic Violence: The Neglected Obvious. Journal of Human Development 9(3), 359-388.

Amaral, S. (2017). Do Improved Property Rights Decrease Violence Against Women in India? Discussion Papers 15-10, Department of Economics, University of Birmingham.

Bhatla, N., Chakraborty, S., Duvvury N. (2006). Property Ownership and Inheritance Rights of Women as Social Protection from Domestic Violence: Cross Site Analysis. Washington, DC: ICRW

Bhattacharya, M., Bedi, A., Chhachhi, A. (2009). Marital violence and women's employment and property status: Evidence from north Indian villages, "IZA Discussion Paper No. 4361.

Chowdhry, P. (2012). Reduction of Violence Against Women: Property Ownership & Economic Independence in Rural Haryana, UN Women.

Grabe, S., Grose, R.G., Dutt, A. (2014). Women's Land Ownership and Relationship Power: A Mixed Methods Approach to Understanding Structural Inequities and Violence Against Women, Psychology of Women Quarterly 39, 7–19

Gupta, J. (2006). Property ownership of women as protection for domestic violence: The West Bengal Experience. Washington, DC: ICRW.

Heise, L. (2012). Determinants of partner violence in low and middle-income countries: exploring variation in individual and population level risk. PhD thesis, London School of Hygiene & Tropical Medicine.

Kes, A., Jacobs, K., Namy, S. (2011). Gender Differences in Asset Rights in Central Uganda, Washington DC: ICRW.

<sup>7</sup> Ezeh, A., Gage, A. (2000). Domestic violence in Uganda: Evidence from qualitative and quantitative data. Working Paper No. 18, Nairobi: African Population and Health Research Center.

Peterman, A., Pereira, A., Bleck, J., Palermo, T., Yount, K. (2017). Women's Individual Asset Ownership and Experience of Intimate Partner Violence: Evidence from 28 International Surveys Am J Public Health 107(5): 747-755.

<sup>8</sup> Oduro, A., Deere, C.D., Catanzarite, Z. (2015). Women's Wealth and Intimate Partner Violence: Insights from Ecuador and Ghana, Journal Feminist Economics Vol 21(2):1-29

Wekwete, N., Sanhokwe, H., Murenjekwa W., Takavarasha F., Madzingira, N. (2014). Spousal Gender-Based Violence and Women's Empowerment in the 2010-11 Zimbabwe Demographic and Health Survey, Working Papers, Analysis of Zimbabwe Demographic and Health Surveys, ICF International, Maryland. <sup>9</sup> Heise, L. (1998). Violence against women: An integrated, ecological framework. Violence Against

Women, 4(3), pp.262-290.

Heise, L. (2012). Determinants of partner violence in low and middle-income countries: Exploring variation in individual and. London School of Hygiene and Tropical Medicine.

<sup>10</sup> Bhatla, N., Chakraborty, S., Duvvury N. (2006). Property Ownership and Inheritance Rights of Women as Social Protection from Domestic Violence: Cross Site Analysis. Washington, DC: ICRW

<sup>11</sup> Englert B, Daley E. (2008). editors. Women's rights to land and privatization in Eastern Africa. Oxford, England: James Curry.

Izumi, K., (2007). Gender-based violence and property grabbing in Africa: Adenial of women's liberty and security. Gender & Development 15:11-23.

Mendenhall E., Muzizi L., Stephenson R., Chomba E., Ahmed Y., Haworth A., Allen S. (2007). Property grabbing and will writing in Lusaka, Zambia: An examination of wills of HIV-infected cohabiting couples. AIDS Care 19:369-374

UNAIDS (2010). Report on the global AIDS epidemic. Geneva: Joint United Nations Program on HIV/AIDS. Walsh J. (2005). Women's property rights violations and HIV/AIDS in Africa. Peace Review 17:189–195.

<sup>12</sup> Muchunguzi, J. (2002). HIV/AIDS and women's land ownership rights in Kagera region, Tanzania. Paper presented at the FAO/SARPM Workship on HIV/AIDS and Land Tenure, Pretoria, South Africam June 24-25.

- <sup>13</sup> International Justice Mission (IJM) (2014). Property Grabbing from Ugandan Widows and the Public Justice System Response, Washington DC
- <sup>14</sup> Transparency International, 2018. Women, Land and Corruption, Berlin.
- <sup>15</sup> **Note:** SEA is defined as any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes, including but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. In the context of World Bank-supported projects, SEA occurs against a beneficiary or member of the community.
- <sup>16</sup> Matsheza, P., Timilsina, A., Arutyunova, A. (editors) (2012). Seeing Beyond the State: Grassroots Women's Perspectives on Corruption and Anti-Corruption, New York: UNDP.
- <sup>17</sup> Ellsberg, M., Heise, Lori (2005). Researching Violence Against Women: A Practical Guide for Researchers and Activists. World Health Organization (WHO) and Program for Appropriate Technology in Health (PATH), Washington D.C.
- <sup>18</sup> **Note:** The default legal distribution of marital property in a given country plays a key role in women's access to property. Marital property regimes govern the allocation and control of assets during marriage and the division of those assets upon the dissolution of marriage (in the event of death or divorce). The default property regime can partially determine the relative bargaining power of husbands and wives and the socio-economic outcomes of household members.
- <sup>19</sup> See: UN-Habitat, Policy Makers Guide to Women's Land, Property and Housing Rights across the World, 2007; UN-HABITAT, Shared Tenure Options for Women, 2005.
- <sup>20</sup> Bhatla, N., Chakraborty, S., Duvvury, N. (2006). Property Ownership and Inheritance Rights of Women as Social Protection from Domestic Violence: Cross Site Analysis. Washington D.C: ICRW.
- <sup>21</sup> International Center for Research on Women (ICRW), 2010. Inheritance Law, Wills, and Women: A Training Toolkit, Washington DC: ICRW.
- <sup>22</sup> Mapping of GBV service providers including health, legal and psychosocial support, often exist in low and middle-income settings. Women's organizations or UN agencies working to prevent or respond to GBV usually have knowledge of existing country and local level mapping.
- <sup>23</sup> **Note:** A social norm is a perception of where a social group is or where the social group ought to be on some dimension of attitude or behavior. This definition identifies two major types of social norms. One type of social norm is a descriptive norm or is the perception of where the group is. A descriptive norm identifies the typical attitudes or behaviors of the group. The second type is an injunctive norm, or the perception of where the group ought to be. An injunctive norm identifies the desirable attitudes or behaviors of a group. <sup>24</sup> Transparency International, 2018. Women, Land and Corruption, Berlin.
- <sup>25</sup> Billings, L., Meinzen-Dick, R., Mueller, V. (2014). "Implications of Community-Based Legal Aid Regulation on Women S Land Rights." IFPRI Research Brief No. 20. Washington, D.C.