



Advancing Women's Land and Resource Rights

Possibilities for Gender
Equity in Land and Forest
Tenure in REDD+
Programming

Côte d'Ivoire



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Introduction

The FCPF Emissions Reduction Program (ER-P) accounting area covers three different categories of land: national parks, classified forests, and rural land. Land uses differ across the three categories of land, and much of the area is deforested. The National Parks are around 97% forested. The classified forests are around 70% cocoa plantations and 10% non-cultivated lowlands. Rural lands are around 54% cocoa plantations, 10% non-cultivated lowlands, and 11% food production (ERPD, 2019).

The Government of Côte d'Ivoire has suggested that success in REDD+ activities requires formalization of land rights, because a key driver of the extensive deforestation experienced in the country comes from agriculture on designated forest land where rights are insecure. One of the key issues on rural land is that land rights exist within two overlapping systems between customary and statutory tenure systems. The 1998 Rural Land Law sought to formalize customary land but remains largely unimplemented.¹ In addition, it sought to formalize the existing customary tenure system that excludes women's ownership. Under custom, women are allocated parcels of land on which the superior right is held by a male (her husband, father, etc.), in this sense, women's rights are considered secondary. The Rural Land Law and its implementing decrees, at this point, do not address secondary customary rights of women. In addition, to the extent that there might be primary rights available to women as joint owners of marital property, these are limited in application only to legally married women who are a minority in the rural areas. These gender issues are particularly important in the context of benefit sharing, which include criteria for receiving monetary and non-monetary benefits that are based on effort as well as "legal rights" (which women currently do not have).

¹ Only around 4000 land certificates had been issued by September 2017, out of an estimated 1 million rural plots, and only 134 cases of certificates being transformed into title as required by the Rural Land Law (World Bank, 2018).

National Legal Framework for Women's Rights



Photo by [Yoel Winkler](#)

Côte d'Ivoire's Constitution (2016)² prohibits discrimination on the basis of sex³ and provides a general right to ownership of property for all (women and men).⁴ It also provides that the rules of ownership of rural land is established by law⁵, presumably excluding custom, though this is not clearly stated in the law. Yet, article 24 of the Constitution of 2016 indirectly provides a claw back clause; it requires the state to promote and protect customs, provided that "they do not run counter to public order and the accepted standards of behavior."⁶ Article 24 notably omits what the state must do if customs and formal laws conflict. It appears this was not an oversight: the 2000 Constitution, which was replaced in 2016, provided that the state has the responsibility to safeguard culture and traditions provided that they are not contrary to the law.⁷ Given that customary land tenure systems in Côte d'Ivoire favor men over women, the claw back clause in the 2016 Constitution has the potential to limit women's rights to rural land and forests, and it contradicts constitutional prohibitions against discrimination based on sex.

² Constitution de le Côte d'Ivoire (2016). Retrieved from <http://www.caïdp.ci/uploads/52782e1004ad2bbfd4d17dbf1c33384f.pdf> and https://www.constituteproject.org/constitution/Cote_Divoire_2016.pdf?lang=en

³ *Id.* Art. 4.

⁴ *Id.* Art. 11.

⁵ *Id.* Art. 13.

⁶ *Id.* Art. 24.

⁷ *Id.* Art. 7.

A law passed in 2019 provides a 30% quota for female candidates in elections at national, regional, district, and municipal levels of government.⁸

The Ministry of Women, Family and Children is responsible for preparing laws and regulations relating to family, and to provide information, training, and education programs on women and the family (FAO, n.d.). It has an agency called the Directorate in charge of Equality and Gender Promotion within the Ministry. Under the Ministry, there is a Fund for the Development of Women that seeks to facilitate the socio-economic integration of poor women and to improve their living conditions through supporting credit and savings groups (GoCI, n.d.). In 2017, it had a budget of 500,000,000 FCFA, and by 2019 had helped 13,000 beneficiaries over 10 years (GoCI, n.d.).

The National Policy on Equal Opportunities, Equity, and Gender was updated in 2018, but has not yet been adopted. A national strategy for the empowerment of women is being finalized (FAO, 2020).

According to the National Observatory on Equity and Gender (ONEG), in the context of the study carried out from October to December 2018 on Gender and Climate, gender mainstreaming continues to be treated as a separate issue whose added value is not well understood or addressed (FAO, 2020).

⁸ Loi 2019-870. Favorisant la representation de la femme dans les assemblees elues.

National Legal Framework for Women's Land Tenure and Forest Management Rights



Photo by [Giulio Eugeni](#)

In the ER-P area, there are three different categories of land, and each has different rights attached to them:

1. Rural areas: comprised of formal rights under the rural land law, customary land rights, permanent and transitional properties (those issued land certificates per the rural land law but not registered under the law), leases, and emphyteutic leases;
2. Classified forests: state owned land potentially managed through concessions and governed by the new Forest Code of 2019; and
3. Protected areas: state owned lands protected and governed by the new Forest Code of 2019.

Individual Rights on Rural Land

After a number of various periods of reforms since independence, the current framework for tenure of rural land in Cote D'Ivoire incorporates two tenure systems. Statutory tenure, governed by the Rural Land Law 1998, and customary tenure, governed by the customs and practices of the people who have ancestral connection to the land. Even though the Rural Land

Law envisioned that all customary land rights would be converted to the statutory system by 2019, around 98% of land in Côte d'Ivoire is still held under customary tenure (USAID, 2017); though, there is an existing project to address this by the World Bank.

Internal and international migration and displacement of persons, caused by the armed conflict of 2002 to 2007, and other political crisis in 2010-11, as well as former land related policies, have added another layer of land uses and potential rights holders on both rural and forest classified forests. The Rural Land Law provides that non-Ivoirians are only permitted to a long-term lease, called an emphyteutic lease.

The language of the Rural Land Law (1998) is silent on matters of gender.⁹ Under the law, rural land expressly does not include land in the public domain, land in urban perimeters, and land in classified forests.¹⁰ It does include land owned by the state or by individuals on a “permanent” basis, and land that is part of the customary domain on a transitional basis.¹¹ The “transitional” nature of the customary land is created by law: the law envisions that all customary land in Côte d'Ivoire will be registered in the formal system.¹²

Customary rights are established under the law through an assessment performed by administration authorities and village councils.¹³ After this assessment, the land can be issued a certificate for individual or collective land, which then permits the land to be registered thereby creating ownership in the named holders.¹⁴ Certificates are issued either in the names of an individual or a collective group.¹⁵

The main forms of statutory rights for individuals are:

1. **Land certificate.** Legal persons in possession of a land certificate are allowed a transitory form of tenure under the 1998 Rural Land Law. Within three years following the issuance of the certificate, Ivoirian certificate-holders must apply for a definitive land title. Non-Ivoirians may apply only for an emphyteutic lease. In the meantime, rights under the certificate may be sold or leased (Chauveau, 2007).

⁹ Loi no. 98-750. du 23 decembre 1998 Relative Au Domaine Foncier Rural.

¹⁰ *Id.* Art. 2.

¹¹ *Id.*

¹² *Id.* Art. 3.

¹³ *Id.* Art. 7.

¹⁴ *Id.* Art. 8.

¹⁵ *Id.* Art. 10.

2. **Freehold rights.** Persons holding title to a parcel of land have freehold rights. Only the state, public entities, and Ivoirian individuals are eligible to own rural land. A land title may be sold to Ivoirians or passed on to heirs, and the property may be leased, but not sold, to non-Ivoirians or private companies (Chauveau, 2007).
3. **Emphyteutic lease.** Under the 1998 Rural Land Law, a lease of this kind entitles holders to heritable and alienable tenure rights for a duration between 18 to 99 years. While lease-holders do not own the land, they own everything built and produced on it. This is the most secure form of tenure available to non-Ivoirians (Chauveau, 2007).

The Rural Land Policy was adopted in 2017. It was developed to compensate for the implementation failures and difficulties of Law 98-750 of December 23, 1998, on rural land. The overall goal of the Rural Land Policy is to secure rural land tenure for rural poverty reduction, social cohesion, and sustainable natural resource management. It aims to (i) clarify rural land rights, (ii) establish security of rural land ownership, (iii) encourage and facilitate the acquisition of land titles, (iv) ensure the sustainable management of land conflicts, (v) give value to rural property, (vi) contribute to the modernization of agricultural lands, (vii) secure investment in rural land, and (ix) promote climate-friendly agriculture (ERPD, 2019). It proposes to extend the duration of land certificate from 3 to 10 years (ERPD, 2019).

Deep dive research could assess whether under this new policy additional legal changes are anticipated, as this could present a window of opportunity to address legal gaps for women and to ensure that there are affirmative protections for granting women rights that are equal to those of men, or to at least ensure that women's secondary rights are recognized through the process of titling and registration.

The Rural Land Law and confers broad powers on village Rural Land Management Committees (CVGFR) composed mainly of local communities.¹⁶

Under the Law on Marriages (as amended 2019), legal marriage creates community of property unless a separate property regime is chosen at the time of marriage.¹⁷ However, the potential of these positive legal provisions is limited in two ways. First, only marriages performed by a

¹⁶ Decree No. 99-593 of 13 October 1999 concerning the organization and powers of Rural Land Management Committees.

¹⁷ Loi 2019-570. Sur lar marriage, art. 59.

civil registrant have legal effect¹⁸ and polygamous marriages are not permitted.¹⁹ This means customary and informal marriages do not have legal effect and presumably are not protected by formal laws. Legal marriages are rare outside major urban centers (USAID, 2017). Although polygamy has been prohibited since 1964, the 2011-2012 Demographic and Health Survey (DHS) report found that 28% of women live in a polygamous union (OECD, 2014).

Second, the community of property that is created by law does not include inheritances made to only one spouse or properties that were acquired by one spouse prior to the marriage.²⁰ This means that even if a couple is legally married, if a male spouse inherits rural land by custom then that property is always considered separate property and is not part of the community. The rules for customary inheritance can be complex and layered and are also linked to rules and practices related to marriage, the presence of male or female offspring, dowry, residence, wealth, and status. However, custom overwhelmingly excludes women from inheritance rights (FAO, n.d.). Given that over 90% of land in Côte d'Ivoire is still held under customary tenure, this means that in practice even legally married women are locked out of the community of property protections intended by the Law on Marriage.

Notwithstanding, there have been recent positive changes in the legal framework for married women that may signal political will for change. In 2019, the Law on Marriage was amended to repeal the rule that the male is the head of the household and has authority over community property. It also added a consent clause: Art 82 provides that community property (only) can be administered by one or the other of the spouses, but that consent is required for alienating property, disposing of property, and using the property as collateral for a loan. While the consent provision is a positive move, per the discussion above, it is limited in application because of the exclusion of inherited property in the marital community.

Even though the combination of customary practices of inheritance and rules governing community of property established in the Law on Marriage law can work to limit the rights of legally married women to land in practice during the marriage, recent revisions to the Law on Succession (2019) provide some rights to land for widows as a surviving spouse.²¹ Article 27 of the Law on Succession provides that if the deceased has children, the surviving spouse inherits $\frac{1}{4}$ of his estate, where children inherit $\frac{3}{4}$ (if there are no children of the deceased, the surviving

¹⁸ *Id.* Art. 14.

¹⁹ *Id.* Art. 3.

²⁰ *Id.* Art. 73.

²¹ Loi 2019-572. Sur la succession.

spouse inherits $\frac{1}{2}$). Also, the Law on Succession does not distinguish between male and female children as heirs.

However, it is not clear from the Law on Succession whether this would only apply to legally recognized marriages; given that inheritance is an important way to transfer land (both formal and customary). This is a question for further research in the deep dive.

Under customary law, a woman's access to land depends on her relationship to a husband, father, uncle, brother, or son and on the goodwill of that male relative. Married women are allocated a plot of land to use by their husband. If the union is polygamous, each wife receives a plot to cultivate. In the event of the husband's death, the wife or wives generally remain on the land to protect the interests of their male children. If there are no sons, the brother of the deceased will inherit the land. Most communities allocate plots of land to widows and female orphans who do not otherwise have access to land, but women are generally not allowed to cultivate perennial crops, which are the most profitable (USAID, 2017).

There are more than 60 different ethnic groups in Côte d'Ivoire, and land in rural Côte d'Ivoire is, for the most part, attached to the lineage of a specific area's original inhabitants. Forms of customary rights differ from community to community but there are some commonalities. Permanent use-rights are the birthright of persons descended from the original inhabitants of an area. Such rights pass from generation to generation by the patrilineal or matrilineal line, depending on the community. In patrilineal communities, land is passed from father to son. In matrilineal groups land is passed from maternal uncles to their nephews. Village chiefs, land chiefs, or heads of the lineage manage the land as a collective resource bequeathed from their ancestors and held in trust for future generations. Administration and management of land-related issues, most importantly the allocation of plots, is generally in the hands of village chiefs or land chiefs, who are patriarchs of the lineage (USAID, 2017; McCallin & Montemurro, 2009).

Individual families of the lineage are granted rights to cultivate designated plots, which include fallow areas, and these rights are heritable within the family. Unused lands revert to the community. Under customary land tenure systems, whether patrilineal or matrilineal descent, women do not have the right to own property (Richards & Chauveau 2007; McCallin & Montemurro, 2009).

The customary rights of members of the lineage are inalienable and perpetual, but plots may be allocated to persons outside the lineage for their use. Customary usufruct rights are available to migrants from other parts of Côte d'Ivoire and from neighboring countries. In this case, they obtain land from a local guardian (*tuteur*) whom they reward with token gifts and loyalty or,

occasionally, with more substantial payment in the form of cash, product, or labor. Much of Côte d'Ivoire's cocoa and coffee is produced by migrants who hold their land in this fashion (McCallin & Montemurro, 2009). This customary practice allows outsiders the full use and enjoyment of a plot of land to cultivate crops and make their homes in exchange for small gifts, gratitude, and, occasionally, payment in the form of cash, product, or labor. The arrangement, usually made orally, is regarded as permanent and binding on both parties and on their respective descendants (USAID, 2017).

Thus, generally, across customary tenure systems women do not have property rights in land used and managed individually. Because statutory rights to rural land are based on custom, and women do not have customary rights, land cannot be registered in a woman's name unless there is some kind of affirmative step to make that so. Women can have rights to the crops that they grow, but not the land upon which the crops are grown (FAO, n.d.).

Common/Collective Land

Under the Rural Land Law, customary certificates can be issued in the name of a collective group.²² In such cases the Collective Land Certificate is established in the name of duly identified rights holders.²³

It is not clear from the law how the duly identified rights holders are established and whether the process is inclusive of women and could result in women's being named as a right holder or as member of a group whose rights are established. This question should warrant a deeper dive as it could help better understand the likelihood that women will directly share in benefits of REDD+ activities.

More recently, a participatory process for the delimitation of village territories was ratified by Decree No. 2013-296 of May 2nd, 2013. This procedure takes into account the history of the village territory, uses participatory mapping methods and validates the results during public meetings bringing together the inhabitants of the targeted villages (ERPD, 2018).

There is no legal requirement for gender equity in these participatory processes, and it is not clear from the existing literature whether women are involved in these processes.

²² Loi no. 98-750. du 23 decembre 1998 Relative Au Domaine Foncier Rural, art. 8.

²³ *Id.* Art. 9.

Community Membership

Article 10 of the Rural Land Law provides that groups who have a Collective Land Certificate are represented by a manager appointed by the members of the group and the representative is named on the Certificate. The law does not define members of the group or the process for defining members of the group.

A deep dive question would be to understand whether women are members of any group (i.e., natal community or married-in community) and also whether women are ever acting as representatives or play a meaningful role in selecting representatives. It might also look into whether there is opportunity, as customary law moves into the formal system, to formalize a gender equitable membership structure for customary collective lands (through the certification process).

If women are considered members of the collective group whose rights can be formalized under the law – and it is not clear whether women are considered members – then they might have some rights as a member of that group. The law makes no affirmative statement about the right of members of a collective group who has had rights formalized, so it is not clear what the potential of these membership rights for women might be. Either way, a positive outcome for women would depend on members of the collective being informed about and asserting their rights, and on the goodwill of the man who, before redistribution, controlled the collective land. Women, who are generally less educated than men in rural Côte d'Ivoire and less likely to be informed about the law, are at a distinct disadvantage and risk exclusion (USAID, 2017).

The law is not clear on what the scope of rights and obligations are for those who are members of the collective group whose rights are registered as part of this formalization process. It is silent on how (or whether) secondary rights will be recorded, these rights include long term use rights that are given to women by their husbands, and are the only rights that women have in the customary tenure system being formalized. A deep dive could consider the operational procedures that will be used for the formalization and to see whether it is feasible to record women's (secondary) rights to land as part of that process.

According to the World Bank, the conversion of land certificates into land titles could inadvertently undermine secondary rights, including for women given that the Rural Land Law and its implementing regulations do not provide for systematic registration of secondary land use rights as part of the certification process (World Bank, 2018).

Governance of Common Resources

According to the World Bank, nearly 40% of Village Land Tenure Committees did not include a single female member, and a further 55% included just one or two females among an average of thirteen members (World Bank, 2018). Since these committees are responsible for identifying customary land rights in their village, they hold considerable influence in outcomes of the process. The certification process does not typically include female representation in the committee and relies heavily on the committee's interpretation of who holds customary land rights without reference to the gender-neutral succession rights provided for under the Succession Law (World Bank, 2018).

There is no data on whether the women who are members of these committees are participating in meaningful way, this may be a question of the deep dive.

Using the typology of participation in the table below, women have only nominal – or even lower – participation in land and forest governance and decision making. At the local level, women's involvement in forest governance is very constrained. Although women in rural areas are involved in a range of important forest-related activities (fuelwood collection, harvesting of non-timber forest products, etc.), they are almost non-existent in decision-making regarding the management of forest resources. Women are typically excluded from decision making bodies, local development planning, and decisions on crops and investments that take place at the administrative level (FAO, 2020). Women are poorly included in timber harvesting activities and do not influence income use decisions, which does not allow them to ensure that their needs are taken into account when implementing simple management plans (FAO, 2020).

Table 1. Typology of participation

Form/level of participation	Characteristic Features
Nominal participation	Members of the governing group.
Passive participation	Informed of decisions <i>ex post facto</i> ; or attend meetings and listen to decision making, without contributing to discussion.
Consultative participation	Opinions are solicited in specific matters without guarantee of influencing decisions.
Activity-specific participation	Asked to (or volunteer to) undertake specific governance tasks (treasurer or secretary, or provide facilities and refreshments).
Active participation	Express opinions, whether or not solicited, or other initiatives.

Empowering Participation

Have voice and influence in agenda and in decisions; position as officer.

Laws or Regulations Relating to Land Resources (Forests, Trees, NTFPs) and Women's Rights



Photo by [anon zeeqx](#)

Land designated as forests and not governed as rural land totals over 1.7million hectares in the ER-P accounting area and is divided between two national parks (Mount Peko and Tai), one natural reserve (N'Zo), and 24 classified forests (ERPD, 2019). The classified forests are almost completely deforested (ERPD, 2019).

In general, classified forests and protected areas have suffered illegal incursions and occupations by new non-native migrants. While in the national parks, they may have been relocated outside with the example of the Tai National Park, many have settled within the classified forests (ERPD, 2019).

Cocoa farming has been practiced on land that has been designated as classified forest for about twenty years. Artisanal mining contributes to forest degradation and deforestation, not only through the disruption to the soils worked on, but particularly through the establishment of populations practicing traditional agriculture to produce their food. Illegal artisanal mining sites are found mainly along certain rivers within the classified forests and the Tai national park (Hana

River) (EPRD, 2019). Classified forests in the ER-P accounting area are also used for palm oil and rubber production, often by internal and international migrants.

The new Forest Code of 2019 applies to land categorized as forests, agroforests, trees outside of forests, and botanical gardens.²⁴ Under that law, the state has obligation to protect, regulate, and ensure good governance of forests.²⁵ The law provides that ownership of a natural forest or a tree rests with the owners of the land on which they are located; and ownership of a created forest or tree rests with the land owner or the person who created the forest under agreement with the owner.²⁶

Deep dive question: Do women engage in planting trees (even though it is not permitted under custom)? If so, then this might be an entry point to ownership – and therefore benefit sharing – for women of land designated as forests.

All land designated as forests are registered with the forest administration.²⁷ Forests include three types:

1. Forests of legal persons governed by public law. These are State forests, which are either public (national parks, etc.) or private state forests (classified forests, agroforests, forests planted in rural areas by the state, botanical gardens);
2. Forests of legal persons governed by private law (naturally occurring or planted forests on private land, community forests, sacred forests); and
3. Forest domain of natural persons (naturally occurring forests and plantations created on land where rights are established by the law, including customary tenure).²⁸

Under the Forest Code of 2019, use rights are established by law and only apply to state forests, not to forests of natural persons or legal persons with a private right.²⁹ Thus, in state classified forests and agroforests, use rights include collecting non-timber forest products, drinking water, rangeland for domestic animals, access to sacred sites, and logging timber for craft and construction of traditional habitats.³⁰ Women engage in all of these activities, including

²⁴ Forest Code 2019, art. 3.

²⁵ *Id.* Art. 14.

²⁶ *Id.* Art. 27.

²⁷ *Id.* Art. 17.

²⁸ *Id.* Arts. 18-25.

²⁹ *Id.* Art. 34.

³⁰ *Id.* Art. 39.

collecting non-timber forest products, drinking water, and crafts. Women are also responsible for caring for domestic animals (FAO, 2020).

Thus, for forests of natural persons or legal persons with a private right, the owner of the land retains use rights and has free access to the fruits of the land and to anything relating thereto³¹ as well as the trees situated on the plot.³² However, the state reserves a right to management oversight. Natural or legal persons who own lands designated as forests must, under the Forest Code, submit a *simplified forest plan* and any exploitation of forests must comply with the principles of forest governance that are set out in the law.³³ Because most women do not own land under custom or statutory law in Côte d'Ivoire, the Forest Code inadvertently is protecting the rights of men who own land (in terms of use rights and access), and their use would continue to be subject to the authority and management of the male owners.

Social and Environmental Situation Analysis



Photo by [Eva Blue](#)

Marriage/Households

The 2011-2012 DHS reports that 12% of women were married by the age of 15 and 36% before the age of 18. Half of women had entered their first union before the age of 20. Customary

³¹ Côte d'Ivoire Civil Code, art. 546.

³² Forest Code 2019, art. 21.

³³ *Id.* Arts. 58, 59.

marriages are not legally recognized, although reportedly are the large majority of marriages in rural areas (OECD, 2014).

Depending on the area of residence, women in rural areas (34%) are more likely to be in a polygamous union than those in urban areas (AFDB, 2015). There are also variations across region and religions (AFDB, 2015). The proportion of women in polygamous unions decreases with the level of education (AFDB, 2015). An Ivorian household has an average of 5 people (AFDB, 2015).

Household Decision Making

When it comes to household decision-making, most women decide alone (68%) or with their husband/partner (14%) how to spend the money she has earned; however, when choices are made over important household purchases, in 61% of the cases, women report that their husband makes the decisions alone (OECD, 2014).

Women heads of household generally have the entire burden of family expenses (health, education, food) and often do not have land. Female headed households represent between 19 and 28% of the households in the ER-P accounting area. Their households are composed on average of 2.88 to 3.00 individuals. Because of their work burden they are less often member of community organizations and associations (FAO, 2020).

Gender-based Violence

Data from the 2011-2012 DHS suggests that such violence is relatively widespread. The survey reports that 26% of women declared having experience physical violence in their lifetime. Courts and police view domestic violence as a problem to be addressed within the family; this, along with the severe social stigma and the blame that women victims of domestic violence face, means that few are willing to report incidents. Data on attitudes toward domestic violence show that almost half (48%) of women believe that for at least one of the cited reasons (i.e., burning the food, arguing with her husband, going out without his permission, neglecting the children, or refusing to have sex) her partner is justified in reacting with physical aggression (OECD, 2014).

Traditional gender norms in which men are considered the economic providers of the family, which is linked to perceptions of their masculinity, may have been threatened in times of armed conflict, primarily due to property theft and an inability to start future business opportunities.

This, in turn, has catalyzed instances of intimate partner violence in households where men may use violence to reassert their power (Falb et al., 2014).

Although made illegal in 1998,³⁴ as of 2006, 36.4% of women reported have undergone female genital mutilation and cutting (FGM) (OECD, 2014). It is prevalent in rural areas and among women and girls that have not had access to education. Data show that young girls and even babies are increasingly affected by practices of FGM, and the phenomenon is more and more taking an urban character, due to the recent crisis and massive population displacement. The majority of men and women (82% in both cases) declared they are favorable to the elimination of this practice (OECD, 2014).

Education

In terms of education, nearly one in two women (51%) and just over one in three men (36%) have no education. At the level of higher education, in 2009–2010, there were 61% of men against 39% of women, and in 2011–2012, 71% of men against 29% of women who had attained higher education (AFDB, 2015). In rural areas, women are less literate (38%) than men (61%) (AFDB, 2015).

Water

78% of households (67% in rural areas and 92% in urban) obtain drinking water from an improved source. Nearly two households on ten (17%) must spend 30 minutes or more to stock up on drinking water. More than half of Ivorian households (53%) have no toilets (AFDB, 2015). All women, regardless of their age, are concerned with fetching water. Women and young girls are in the majority of those fetching water; they are the first to get up and the last to go to bed. Whether it is water for cooking, hygiene, or just to hydrate, this chore is exhausting but can also be dangerous in the case of pregnant women or contaminated water sources. (AFD, 2016).

Gendered Labor

In rural areas, women tend to dominate reproductive roles but also participate in marketing activities for income. Income is generated from trade of food products or crafts, and is used to feed, clothe, and educate the family. 60 to 80% of food production is carried out by women.

³⁴ Loi 98-757 du 23 décembre 1998 portant répression de certaines formes de violence à l'égard des femmes.

Women also engage in activities such as fish farming and raising cattle, sheep, poultry, and pigs (INS, 2018).³⁵

The food crops sub-sector occupies 85% of the agricultural workforce, of which 90% are women. (AFDB, 2015). In addition to food crops, women also take care of processing and marketing of their derivatives. However, the income generated by women's agricultural activities is not always valued or counted because it is mainly intended for subsistence of the family. At the level of cash crops such as coffee, cocoa, and cotton, men dominate the sector, but women are an important part of unpaid labor that is often unrecognized (AFDB, 2015).

Women are responsible in households for cooking and for fuel supply, they are most often the economic actors that drive the traditional wood energy sector (GoCI, 2018). Women are involved in traditional fishing, but in comparison to men, who usually practice fishing irregularly and individually, women conduct fishing in the forest streams collectively in the dry season (ERPD, 2019).

Land and Forest Use

Women and men have different contributions to agriculture. In general, men are involved in export crops and high value-added perennial crops. Women, on the other hand, are involved in both perennial and food crops. At the level of agricultural operations, men are in charge of all operations related to tree felling and land preparation, while women are more involved in self-employment, seeding, weeding, harvesting, transporting, storing, processing, and other field maintenance (FAO, 2020). Women are prevented under custom from cultivating perennial crops on the land allocated for their use (AFDB, 2015).

Men contribute to the plot preparation work (weeding, cleaning, etc.), which can have a greater impact on deforestation and forest degradation, and also contribute to the uprooting of tubers at harvest time (FAO, 2020). Women and youth are responsible for collecting and using wood for family needs (FAO, 2020).

Women play an important role in the management of natural resources, particularly forest resources. Most of them derive resources necessary for their survival and for their families from

³⁵ National Institute of Statistics (INS), 2018.

agriculture but also from food and market gardening production and the exploitation of non-timber forest products (FAO, 2020).

Typically, services in agroforestry and for climate change are provided to producers and their cooperatives. Women's experience of these services is challenged by many factors: (a) poor accessibility of information on low-carbon technologies and practices as well as funding for women's projects, (b) low participation of women in mixed meetings (they do not speak in public; their domestic workloads limit their availability for meetings), (c) funding opportunities are not always accessible to women (distance from MFIs, difficult procedure, etc.), and (d) weak capacity of the institutions visited to address gender issues. They are also complicated by lack of land rights and lack of opportunity to improve their weak land rights and poor access to technologies to intensify agricultural practices on allocated degraded land (FAO, 2020).

Cocoa Farming

For cocoa farming in particular, women are involved in activities such as planting seedlings, collecting cocoa pods, transporting, fermenting, and drying cocoa beans. Often their role is unrecognized as they balance household work with farming and have unequal access to training, inputs, and education (Cargill, 2014). Although cocoa is traditionally perceived as a 'male crop', women are deeply involved in cocoa production. In Côte-d'Ivoire they provide approximately 45% of cocoa-related labor and are usually active in about 12 of the 19 typical steps of cocoa production (CARE, 2014). Women are often considered as just "helping" their husbands on the cocoa farm; whereas, in fact, women are actively involved in almost all stages of the production process: collecting and transporting the harvested pods from the fields, extracting, drying, and sorting the beans. They also carry out several other tasks such as land clearing, planting, and weeding (CARE, 2014).

Some tasks are considered typically male tasks, such as pruning and applying agro-chemicals. Farm management also remains within male control. Women, therefore, lack the opportunity to participate in crucial decisions and to retain a fair control over farm resources and revenue from cocoa. High rates of illiteracy also mean that even if women had access to technical and business information needed to improve their economic performance, they would find it challenging to assimilate and apply (CARE, 2014).

Very few women cocoa farmers participate in cooperatives or other forms of farmer-based organizations. When they are members, they very rarely have the opportunity to take part in the governance mechanisms of cooperatives. Additionally, there are very few women-based

organizations in the cocoa sector. Women are also usually excluded from the leadership of community-level committees. In a whole range of decision-making processes within cocoa in the west of Côte d'Ivoire, the number of female smallholders is increasing marginal, even with a growing number of female-headed households in cocoa-producing communities. This is partly due to male migration and to women having lost their husbands in the recent conflict. The main barriers to women's participation are lack of information, time, and resources due to the multiple roles (productive, reproductive, care) fulfilled by women on the farm and in the household. Social and cultural norms may also have a disempowering effect as they hinder equitable gender relations and dynamics at the farm, cooperative, and community levels (CARE, 2014; FAO, 2020).

Artisanal Mining

Before the conflict, seasonal agriculture supplemented diamond mining activities in Côte d'Ivoire. Revenues from mines financed agricultural inputs and agricultural production fed miners on the sites. Diamond mining provides economic occupations for some women, especially in the service industry (e.g., restaurants, small businesses). Men provide most of the labor for the artisanal diamond mining activity in Côte d'Ivoire, working as mining artisans, collectors, and managers of purchasing offices. Diamond mining is still a key sector of the local economy. Despite the decline in activity since a diamond mining embargo was put in place, mining operations continue and cause significant degradation of the environment and impacts the availability of land. At present, diamond mining supplements the incomes of the local economy, mainly supported by agriculture, livestock, and trade. All diamond mining in Côte d'Ivoire is artisanal (Rugadya, 2019).

Financial Services

Access to financial services, including bank loans, is difficult for women, not because of legal discrimination but because they are unable to meet the lending criteria established by banks, such as a title to a house or production of a profitable cash crop. Some banks also require married women to secure their husband's approval for loans (OECD, 2014).

Women's Groups

There is a practice of rural women organizing themselves in groups to sell their food products in the cities; an activity that is sometimes made difficult or even impossible by the lack of transport infrastructure (AFD, 2016). If women are organized, most groups do not have any

technical supervision or support (FAO, 2020). Women's productions are fragmented and their associations and cooperatives are not strong enough to organize the marketing of their members' products and influence prices and marketing methods. In addition, difficulties in accessing credit and poor financial education are exacerbating these marketing problems. Associations and cooperatives are not financially capable of making upfront cash payments for members' products for resale. Mentalities and a weak cooperative spirit do not allow production to be regrouped for after-sales payment (FAO, 2020).

Women's cooperatives generally grow manioc, rice, bananas, and all kinds of market gardening in small areas due to land constraints. The most common crops are cassava, bananas, and market gardening - in addition to their interventions in cocoa. Even though the common perception is that men dominate cash crops, one study found that 61% of women interviewed work in food crops while 40% work in cash crops (FAO, 2020), suggesting that women's roles in cash cropping might be invisible.

Climate Change Programming and Gender Inclusion



Photo by [Marou Bamba](#)

According to the ERPD, the main direct causes of deforestation and forest degradation, for both Classified Forests and the forests of the Rural Domain are (i) the massive expansion of extensive slash-and-burn agriculture; (ii) the uncontrolled exploitation of forests, including for fuelwood; (iii) bushfires (accidental or intentional, often related to agriculture or hunting); and (iv) mining, including illegal gold panning. The indirect drivers of deforestation are (i) the economic

attractiveness of activities leading to deforestation, (ii) non-native and non-indigenous migrations, and (iii) poor or non-compliance with laws.

The table below outlines the ERPD's activities for Cote D'Ivoire and shows the potential gender equity issues that could arise from those activities, based on the legal, customary, and social context.

Table 2. ER-P activities and gender potential equity issues

REDD+ Strategic Goal	ER-P Activity	Gender Equity Issues
Zero deforestation agriculture	<p>Rural land: Agroforestry development, agricultural intensification, and support for zero deforestation agriculture.</p> <p>Classified forest: Development of agroforests with agroforestry industrial concessions and cooperative agroforestry concessions.</p>	<p>Women have been excluded from training and extension services in agriculture. Women's role in cash-agriculture is currently undervalued and not well recognized (e.g., cocoa production is considered male dominated but women play an important role).</p>
Sustainable domestic energy with agricultural biomass	<p>Rural land: Development of community and individual plantations of wood energy; development of alternatives to wood energy using agricultural residues.</p> <p>Classified forests: Development of Tuangya system of community agroforestry (women and young people) for agricultural activities associated with wood energy plantations.</p>	<p>Women are currently key users of fuel wood (at the home) and play a key role in collecting fuel wood. Alternatives to fuel wood must be driven by women's needs and perspective first. To the extent there is any collective action, women are often excluded from participating in decision making, even though they are directly impacted by the decisions being made.</p> <p><i>Deep dive question: what is Tuangya system of agroforestry? Any evidence on whether it has been successful for women in Côte d'Ivoire and whether it can be replicated and used here?</i></p>
Sustainable management of forests and conservation of protected areas	<p>Rural land: Development of small timber plantations and preservation of private</p>	<p>Women and men perceive the value of different ecosystem services differently. Gendered roles, norms, and relationships</p>

	<p>and community forests through PES system.</p> <p>Classified forests: Reforestation and sustainable management of classified forests through sustainable forest concessions with resource renewal. Restoration and protection of forest relics through the development of conservation concessions.</p> <p>Protected areas: Strengthening protection of protected areas.</p>	<p>(and culturally defined ideas of masculinity and femininity) influence the behavior of women and men with regard to ecosystem services. Women and men may manipulate ecosystem services in different ways to achieve results that serve their social roles.</p> <p>Women's perspectives are often overlooked in decision-making on resources and their resource uses can be negatively impacted by changes in ecosystem services.</p> <p>Women and men use different goods within the same ecosystem. Knowledge and cultural roles align with those uses. For example, women often use renewable resources (planting crops for food or collecting firewood for the hearth), while men often use consumptive resources (harvesting trees for income).</p> <p>Women and men have different rights to, access to, and authority to make decisions on resources, which can be defined by custom or law (or both) and typically favor males. This can influence not just incentives to behave in a certain way but also the ability to influence the behavior of others. Given gendered differences in rights and authority over resources, the share of value or benefits derived from ecosystem services are not the same, and are often not equal.</p>
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		<p>Women and men have different access to spaces where negotiations or transactions take place (such as markets, but also local institutions, forums for consultation).</p> <p><i>Deep dive questions: what are the parameters and principles that will be applied to the PES program?</i></p>
Afforestation/reforestation, restoration of forests and degraded land	<p>Rural land: Development of small timber plantations and preservation of private and community forests through the PES; agroforestry development, agricultural intensification, and support for zero deforestation agriculture.</p> <p>Classified forests: Afforestation of classified forests; agroforestry in classified forests.</p> <p>Protected forests: Natural restoration of the Peko mountains.</p>	<p>As above for PES and community forests.</p> <p><i>Deep dive question: will there be crops apart from cocoa for which intensification will be supported? If so, are these traditional crops that women are engaged in cultivating?</i></p>
Mining respectful of the environment	Rationalization of artisanal mining and site restoration.	<p>Even though it is considered a male dominated activity, women and men play different role in artisanal mining, and the activities are linked to women and men's levels of participation in agriculture, food production, and income generation at different times of the year.</p> <p><i>Deep dive question: what specifically will rationalization of mining look like. Will it also incorporate support for aspect of mining that women currently benefit from?</i></p>

Payments for ecosystem services incentive systems	PES in rural areas to offset the economic appeal of cocoa.	As above for PES.
Regional planning and land reform	<p>Rural land: Tenure security in rural areas to remove obstacles to planting trees on agricultural plots, including formalizing land status; development of regional land use plans.</p> <p>Classified forests: Development of concession system with agriculture and forests and with agricultural cooperatives and women and youth's associations.</p>	<p>Women do not own land under custom and are allocated use rights by their husbands/fathers/males in their kin group. If those rights are formalized without an affirmative step to either (a) document and protect use rights, or (b) affirmatively change women's rights, their tenure security could decrease in this process.</p> <p><i>Deep dive: will the tenure security work be incorporated into existing donor supported programs or will there be a separate avenue/funding stream for this? Will this be done systematically?</i></p> <p>If planting trees on areas used for agriculture is the desired outcome, and if benefits accrue to those who plant trees on land they own, women could be doubly excluded: (1) they do not own land, and (2) they are not permitted by custom to plant permanent crops on land that is allocated to them for their use.</p>

Benefit sharing is treated differently in classified forest and national parks and on rural land.

According to the ERPD, for **classified forests** individuals will not be benefitted directly, but will be organized into group cooperatives to formalize their activities. Women may be a part of agroforestry cooperatives and community-based women associations.

Agroforestry cooperatives:

- Will be developed through regrouping of smallholders operating in classified forests, they will obtain a concession agreement that will include conditions for how carbon benefits are used.
- These cooperatives will receive 7% of the benefits allocated to classified forests, and such payments must be reinvested in new agroforestry plot development or renewals.

Community based women's associations:

- Will lead Tuangya activities that aim to develop community-based agroforestry plantations (wood energy and food crops) in classified forests under concession agreements.
- These will receive 5% of carbon benefits and these funds may be reinvested in furthering agroforestry activities and for community investments to strengthen these associations (ERPD, 2019).

For women's interests to influence the management and decision making of these groups, they will need access to the groups, the capacity to engage, and a foundation of policies and practices of receptiveness to women's needs and perspectives being given equal weight with those of men.

According to the ERPD, on **rural land** benefits are shared among local authorities and traditional chiefdoms, promoters of PES, and agroforestry cooperatives.

Local authorities and traditional chiefdoms:

- Will receive 10% and funds must be reinvested in socio-community activities that strengthen implementation.
- To the extent that women are members of these communities, they could benefit from this 10% provided that their interests are given weight when decisions are made on how the 10% will be invested.

Promoters of Payments of Ecosystem Services (PES):

- Will received 12% of benefits, which is paid based on contract upon performance.
- It may be paid to individuals, local communities, or agricultural cooperatives

- Women may be among those who share in these benefits; however, it will depend on whether women's ecosystem services are valued and are part of the PES program. It also could depend on whether women are involved in the PES design and delivery and whether there is proactive opportunity to integrate women's needs and perspectives.

According to the ERPD, there are also non-carbon benefits. Some of those with the potential to positively impact women (depending on how they are implemented) could include:

- Increased incomes from agroforestry for diversifying the income sources for farmers through fruit tree plantations, increasing and protecting soil fertility, and the profitability of crops (cacao cultivation based on better varieties, combined with energy coming from wood, or with fruits, rice, and subsistence agriculture in the lowlands).
- Planting trees with high economic value, and fast-growing trees for producing firewood.
- Longer term sustainable land management (soil management, improved techniques).
- Clarification of land tenure.
- Environmental benefits that can impact improved forest cover and water flow.

There are significant gender differences in agriculture (cash vs food crops; perennial vs permanent), land tenure, and water collection and use. Women are also often left out of training in agriculture and related programs. Thus, the extent that women can benefit from these non-carbon benefits depends on whether these gender differences are accounted for and addressed.

The BSP provides some additional information on how individuals may share in the benefits, beyond the group benefits described in the EPPD.

Individuals may be eligible for benefit sharing if they are (1) members of private organizations or if, as an individual, they are engaged in activities that directly or indirectly contribute to the reduction of GHG emissions from deforestation or forest degradation, including agroforestry, natural regeneration, and reforestation in the ER-P area; or (2) members of recognized rural community groups and associations whose livelihoods depend on one of the forests located in the ER-P area and able to prove a presence of more than two years in the area (BSP).

In the BSP, women and men who are direct beneficiaries of the associations of cocoa farmers on classified forests are not disaggregated so it is not clear how many of these groups include or work with women. In the BSP, 25 of the 50 named National Park's farmer's associations are women's associations, though this term is not defined. It is not clear whether these groups already exist or will be formed. It is also not clear if they are made up of women, run by women, or both. Further, it is not clear if women are involved in other associations or the size of these association, thus it is unknown how women's inclusion compares to men's. In the BSP, the information on who makes up these cocoa cooperatives on rural land is missing; however, secondary literature suggests that cocoa cooperatives do not include women because women's role in cocoa production and farming is largely un-valued and unrecognized.

The BSP does not state how membership in a rural community is defined, who defines it, and whether women are considered members. This could impact women's eligibility to share in benefits. In addition, while the BSP benefit definition and eligibility criteria do not make an overt link to land rights, the BSP states that it aligns with national laws, regulations, and the customary rights of communities. The BSP also provides that it was designed to recognize both efforts and legal rights. That is, it recognizes those who take steps to achieve emission reductions, those who have rights to trees or forests (legal or customary), and those who facilitate emissions reduction activities. By these terms, women could be excluded from benefits that accrue to legal rights holders because they do not hold legal rights and their rights under custom are secondary to those of men.

Furthermore, the BSP does not cover how funds will be distributed (cash, payment to bank accounts to which spouses have access) and whether the land that is being used for diversified agroforestry practices was land that would have otherwise been used by women (who are not owners); and if so, what steps will be taken to ensure that their loss of use is compensated.

In addition to the activities designed in the ER-P, there are other relevant projects that touch on ER-P activities.

The World Bank supports the Land Policy and Improvement and Implementation Project (2018-2021) (\$50MIL), which includes objectives to build the capacities and institutions necessary to support implementation of the national rural land tenure security program and to register customary land rights in selected rural areas (World Bank, 2018). It includes in its indicators of progress that 30% of registered customary parcels would be in women's names, and that women would make up 30% of the population with use or ownership rights recorded as part of the project.

Component 2 of the project will introduce several innovative practices to the formal land registration process to safeguard the rights of all land holders, including migrants and women, through the addition of two new elements to the land registration process: clarification and the formalization of land use contracts. The clarification activities will include a participatory inventory of existing land rights and land agreements (sometimes recorded by *petits papiers*). The project will also (a) support training for customary and local officials who engage in mediation and negotiation to improve their legal and social awareness, and (b) fund basic administrative costs for these alternative dispute resolution mechanisms (e.g. travel costs and record keeping) to ensure any disputes that arise during implementation are resolved in a peaceful and inclusive manner through existing alternative dispute resolution mechanisms. Parties will also have the right of appeal to a first instance court. The project will also support targeted awareness-raising as part of clarification to ensure all stakeholders understand their rights under the law and to promote women's land rights. Finally, measures to enable the active engagement of women, migrants, youth, and other vulnerable groups, including as members of the CVGFRs, will be incorporated throughout the land registration process (World Bank, 2018).

Deep dive: learning more about opportunities for women's rights within the operational procedures adopted by this project would be worthwhile. More information is needed on how these processes will address gender differences in customary land rights that are being formalized – as women cannot customarily own land – and then how this will impact the likelihood that women will be able to equally share in benefits of REDD+ activities. The benefit sharing plan does not clearly address this issue.

The Green Climate Fund supports a recently launched project – Promoting zero-deforestation cocoa production for reducing emissions in Côte d'Ivoire (PROMIRE) – that seeks to reduce greenhouse gas emissions by decoupling deforestation from cocoa production in 30 villages that cross over with the ER-P accounting area. The project was based on a pilot. Farmers in this project are encouraged to take on non-deforestation practices through promotion of organic and fair-trade cocoa. It also aims to strengthen access to markets. The project has a gender action plan, which seeks (1) equal opportunities and benefits for women in the establishment and maintenance of agroforestry systems based on organic cocoa and forest restoration; (2) economic empowerment for women through access to finance, markets, and capacity development; (3) capacity building of project teams; and (4) project monitoring and evaluation (FAO, 2020).

Deep dive: this might be a good project to speak with, especially with regard to lessons learned and data from the pilot for women and how they relate to the gender action plan and other project activities.

Existing Organizations Working with Women



Photo by [Eva Blue](#)

Other local organizations that could be active in the area of women's rights include the NGO **Femme Active de Cote D'Ivoire**, who work on the promotion and protection of women's political, social, economic, and human rights. The NGO **Côte d'Ivoire Femmes Environnement et Développement** works on increasing the value of women's labor, education, and access to credit. The NGO **Affokr** works on mobilizing rural women. The **Association Ivoirienne de Droits de la Femme** works on women's rights and ending violence against women.

Analysis and Recommendations for Gender Inclusion

Summary of Deep Dive Questions Identified in Text

Further information is needed to identify what concrete steps might be possible to ensure gender equity in the project, especially as it relates to land. Some of the questions may be answered through a deep dive inquiry into the topic in the following table (identified in the text in italics above).

Area	Deep Dive Inquiry
Law	It is not clear whether the Law on Succession would only apply to legally recognized marriages.
	The Rural Land Law is not clear on the scope of rights and obligations for those who are members of the collective group whose customary rights are formalized. It also does not explain how and whether secondary rights will be recorded. These rights include long term use rights that are given to women by their husbands, and are the only rights that women have in the customary tenure system. These questions might be addressed through the procedures that are developed for the formalization of customary rights. Deep dive could assess operational procedures that will be used for the formalization and to see whether it is feasible to record women's secondary rights to land as part of that process.
	Does the new land policy and its forthcoming implementing legislation present a window of opportunity to address legal gaps for women and to ensure that there are affirmative protections for granting women rights equal to those of men, or to at least ensure that women's secondary rights are recognized through the process of titling and registration.
	There is no legal requirement for gender equity in these participatory processes associated with land rights formalization (e.g. in the village rural land committees), and it is not clear from the existing literature whether women are involved in these processes. What lessons have been learned on the ground?
	The Rural Land Law makes no affirmative statement about the right of members of a collective group that has had rights formalized, so it is not clear what the potential of these membership rights for women might be.
	Are women considered members of any group (i.e. natal community or married-in community) under custom? Are women ever acting as representatives of those groups? Do they play a meaningful role in selecting representatives? Deep dive might also look into whether there is opportunity, as customary law moves into the formal system, to formalize a gender equitable membership structure for customary lands (through the certification process).
	Village land committees are responsible for identifying customary land rights in their village, and they hold considerable influence in outcomes of the process. The certification process does not typically include female representation in the committee and relies heavily on the committee's interpretation of who holds customary land rights. Are there any examples of women's meaningful participation in these committees?

Program Design	Do women engage in planting trees (even though it is not permitted under custom)? If so, then this might be an entry point to ownership – and therefore benefit sharing – for women of land designated as forests.
	What is Tuanya system of agroforestry? Any evidence on whether it has been successful for women in Côte d'Ivoire or whether it can be replicated and used here?
	What are the parameters and principles that will be applied to the PES program?
	Will there be crops apart from cocoa for which intensification will be supported? If so, are these traditional crops that women are engaged in cultivating?
	What specifically will rationalization of mining look like? Will it also incorporate support for aspects of mining from which women currently benefit?
	Will the tenure security work be incorporated into existing donor supported programs or will there be a separate avenue/funding stream for this? Will this be done systematically?
	the BSP does not cover how funds will be distributed (cash, payment to bank accounts to which spouses have access) and whether the land that is being used for diversified agroforestry practices was land that would have otherwise been used by women (who are not owners); and if so, what steps will be taken to ensure that their loss of use is compensated
	In the BSP, women and men who are direct beneficiaries are not disaggregated. Nevertheless, women are not seen as cocoa farmers, even though they play a key role in cocoa production.
	In the BSP, 25 of the 50 named associations are women's associations, though this term is not defined. It is not clear whether these groups already exist or will be formed. It is also not clear if they are made up of women, run by women, or both. Further, it is not clear if women are involved in other associations or the size of these association, thus it is unknown how women's inclusion compares to men's.
	The BSP does not state how membership in a rural community is defined yet it refers a number of times to "members." It is not clear who defines membership, how, or whether there is an opportunity to mandate membership for women via legal or procedural means.
While the BSP benefit definition and eligibility criteria do not make an overt link to land rights, the BSP states that it aligns with national laws, regulations, and the customary rights of communities. The BSP also provides that it was	

	designed to recognize both efforts and legal rights. That is, it recognizes those who take steps to achieve emission reductions, those who have rights to trees or forests (legal or customary), and those who facilitate emissions reduction activities. By these terms, women could be excluded from benefits that accrue to legal rights holders because they do not hold legal rights and their rights under custom are secondary to those of men.
Other Programs	Learn more about opportunities for women's rights within the operational procedures that are adopted by the World Bank land project. More information is needed on how these processes will address gender differences in customary land rights that are being formalized – as women cannot customarily own land – and then how this will impact the likelihood that women will be able to equally share in benefits of REDD+ activities. The benefit sharing plan does not clearly address this question.
	Consult with the PROMIRE project, especially with regard to lessons learned and results from the pilot for women and how they relate to the gender action plan and other project activities.

Early Recommendations Subject to Deep Dive Answers

Legal.

1. The new land policy and implementation of land rights formalization envisioned in the Rural Land Law presents an opportunity to revise the legal framework for women's land rights to ensure that they are affirmatively protected in the law. For individualized rights, this could be done by recognizing that secondary rights are legitimate and legally prescribing the nature and scope of those rights and how they will be formalized, recorded, and protected. Or it could be done by extending marital property provisions in the law to customarily married couples and implementing joint titling of individualized customary land. Also, inheritance law could be amended to ensure that it applies to customary married spouses on customary land.
2. For rights that would be formalized to a group, legal provisions could prescribe that steps be taken to affirmatively ensure that women are considered members in either their natal community or their married community.
3. Implementing decrees and regulations that address composition, authority, and governance by the village land committee. Provisions could be made to ensure

women can meaningfully participate and that their input has equal weight with that of men.

Program.

1. Develop affirmative programs that build women and men's capacity to engage in land and resource governance (adopting principles of good governance) and address social norms that put men's interests and perspectives over those of women.
2. Include quotas for women's participation.
3. Ensure PES and crop intensification programs are designed with an equal view to women and men's current uses, needs, and aspirations. This would entail detailed assessment of uses and practices and connecting them to social norms and customary rules etc.

Benefit Sharing.

1. Add current users of land to the eligibility criteria to share in benefits (in addition to customary and formal rights holders).
2. If working with established cooperatives or associations or creating new ones, work to address women's membership, participation, and authority within those groups. Develop inclusive and gender-transformative bylaws for those groups.
3. Make clear how monetary benefits will be distributed in terms of who (in a household, in a community) will receive the funds and how they must be allocated.

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