

## **Gender In Collective Tenure Regimes: Women Rights And Forest Tenure Reforms**

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### **Extended abstract**

There is wide agreement that clear, secure rights over land and natural resources are key components for addressing poverty and food insecurity, and that women often face different risks as tenure reforms are implemented (Namubiru-Mwaura, 2014; FAO, 2010; FAO, 2002). Not only is their access and control over resources often tied to their relationships with male relatives, but also they tend to be heavily dependent on forest resources (Meizen-Dick et al, 1997; Bose, 2011; Agarwal, 1993). These issues are highly relevant as conventional approaches for promoting gender equality around land and resources rights emphasize titling of individual private property (including joint titling). Important progress has been made at the level of policy: according to UN Women (2011) “at least 115 countries specifically recognize women’s property rights on equal terms with men”. An assessment of women’s land rights by the OHCHR (2013) states, “A major part of the remaining challenge revolves around implementation and enforcement. Even in countries where good laws exist, women frequently do not enjoy their rights to access and control productive resources.”

While the focus of recent forest tenure reforms has aimed at ensuring collective rights for resource access (Pacheco et al., 2012), less is known about how resource rights are distributed between forest dependent men and women within these collective tenure systems. Collective tenure regimes, especially those of indigenous populations, are often embedded within customary rules and practices; changes to these arrangements could conceal intra household relationships and dynamics that are inequitable and potentially conflictive. A greater challenge is to understand how collective tenure reforms have impacted vulnerable groups within collectives, particularly women, poor men and ethnic minorities. Greater attention should focus on the gendered impacts of tenure reforms, to understand how the distribution of tenure rights affects different social groups within collectives, potentially driving or reinforcing internal social differentiation.

Based on extensive research on forest tenure reforms by the Center for International Forestry Research, this paper examines results from a research project in Indonesia, Peru and Uganda. The country cases are illustrative of different types of reforms that have been applied globally across forestlands. This study analyzed how these tenure reforms emerge, are implemented and their outcomes on tenure security. This paper uses a gender perspective to analyze how these reforms have resulted in changes in tenure arrangements that have affected men and women in distinct ways and how these may affect tenure security outcomes. In particular, we focus on formal and informal local-level practices, including customary tenure systems, to understand how collective land tenure regimes define institutional arrangements to consider rights of women and other vulnerable groups and the challenges these face to exercise their rights and attain secure tenure and access to resources.

Key research questions are four fold.

- How has the gender dimension been approached in reform design and implementation?
- Has the devolution of rights to the collective affected men and women and other vulnerable groups differently?
- Are the rights redistributed to men and women adequate to ensure benefits, livelihoods, improved management regimes?

- How can the rights of women be recognized and secure if they are excluded from customary and formal systems?

Using a mixed-method approach, research combined different quantitative and qualitative data collecting tools. At the national level, legal and historical analysis of key regulations around reforms illustrated how reforms emerged. At the local level, semi-structured interviews, intra-household surveys, and focus groups generated information and promoted the participation of local stakeholders in the discussion of the origins, and nature of forest tenure reform outcomes. Ethnographic methods including participant observation and key informant interviewing were central to data collection. The sample includes 55 villages in ten different tenure regimes and over 1300 households across the three countries. Data collection tools at the local level addressed separately women, men, youth and adults to elicit their actual and perceived impacts of forest tenure reforms. These results highlight gender-differentiated impacts of tenure reforms at the local level.

Results to date, suggest that generally, women are less involved in tenure reform implementation and are less informed of reform implementation and outcomes. In many cases, women were poorly represented in decision-making and leadership positions, unless special provisions were made in national regulations, directives, guidelines or local constitutional arrangements. The distribution of forest benefits was skewed; typically men enjoyed larger shares, particularly from products traded outside the community. There was also low participation by women in processes that required frequent visits to government agencies at the district, provincial or national level, which means that men dominate the formalization processes. A key implication of the low participation of women in the formulation of access and use rules is that the results are less sensitive to women's concerns and needs.

This paper is organized in three sections. The first section provides a brief discussion on forest tenure reform processes and tenure regimes analyzed in each country. It reviews important provisions in key reforms considering their gendered implications. The second section weighs these formal legal regulations against actual implementation practices. It discusses results from data collected at the local level, mainly drawing from quantitative and qualitative data analysis of how reforms have changed rights and tenure arrangements and tenure security for both men and women. Finally, the third section analyzes these changes to discuss lessons on how implementation processes can improve or hinder women's tenure security within collective tenure regimes.