

Gender and Land

Enabling both women and men to have access to and control over land, resources and opportunities is fundamental to reducing poverty and to achieving gender equality. Globally, women cultivate more than 50 percent of all food grown, yet they account for 70 percent of the world's hungry¹ and less than 20% of landholders². Gender disparities exist in all countries, and even though the equality of women and men is enshrined in their constitutions and legal framework - as in Myanmar - there is major disengagement between laws, policies, implementation and practices. As a result, women continue to face considerable barriers to having access to and control over land and resources, and this undermines food security, health, incomes, nutrition and gender equality³.

The Challenges

Millions of rural women are farmers and primary producers in Myanmar, and multiple factors limit their access to and control over productive resources such as land, water, forests, fisheries, credit, training, and technology. Some of these factors include:

- Legal frameworks and policies that do not explicitly address gender differences
- Challenges related to land tenure security
- Law enforcement depends on institutions that frequently disadvantage women e.g. those that regard only men as household heads and have only the man's name on the land title
- Gender discrimination in land rights is often culturally and socially engrained, including some customary laws that favour men e.g. inheritance practices
- Decision-making structures that restrict or prevent women's involvement and strongly held beliefs by both men and women about women's participation in community affairs
- A lack of sex-disaggregated data and analysis upon which to base rural and agricultural planning
- A lack of gender sensitization and legal literacy programmes, as experienced in many other countries.

Key Messages

1. Law reform and policy initiatives must explicitly demonstrate gender perspectives including women's right to hold legal and documented claims, spousal co-ownership rights, and legal protection for customary and informal claims to land
2. Drafting new land bills should involve multiple stakeholders – including women
3. Women are important contributors to national and household food security and primary production and need secure access to and control over land (water, forests, fisheries), financial services, training, communications, technologies, extension services and marketing facilities
4. Women face social, cultural and structural barriers which prevent them from engaging in decision-making processes. It is critical that women's role in production is recognised and that women are represented and participate meaningfully in processes determining development, economic and agricultural policies and programmes

¹ UN Human Rights Council, Preliminary study of the Human Rights Council Advisory Committee on discrimination in the context of the right to food, 22 February 2010, A/HRC/13/32

² FAO, March 2010. Policy Brief 'Gender and Land Rights'.

³ What Works for Women: Proven approaches for empowering women smallholders and achieving food security. March 2012.

5. Women's access to and control over land and resources can be increased if gender perspectives are considered in the early stages of Myanmar's development planning and reform efforts. Gender disparities will continue unless explicit policy and practice changes are made
6. Local knowledge and practices can be harnessed to support women – women know what to do, however they must be supported - invest in women and men.
7. Raise awareness of men and boys to achieve gender equality
8. Collective action is a powerful way for women to increase productivity, to access markets, to share knowledge, information and productive assets such as land, livestock, and credit.

What Can Be Done?

- a. Identify women's roles and productive contributions in food security and livelihoods and their related need to secure land tenure
- b. Ensure participatory and gender-equitable land use planning
- c. Address discrimination in land ownership and tenure - legal frameworks must explicitly state that women and men have equal rights
- d. Where policy and legal frameworks exist, the implementation roles of Government authorities and civil society organisations should consider both women and men
- e. Collect and analyse sex disaggregated data and use for planning and monitoring purposes
- f. Actively support women's groups, civil society organisations and networks – identify their successes and constraints and provide demand-driven support and training⁴ to increase their capacity to support women's access to and control over resources
- g. Ensure effective mechanisms for the inclusion of women in decision-making processes and provide training to build their confidence and strengthen skills
- h. Make extension services such as training and education, gender-sensitive and ensure the participation of women
- i. Sensitize land administration officers, the public, civil society organizations, the media and government authorities about the importance and rights of women to have access to and control over land and resources
- j. Increase women's representation within land administration institutions, such as titling and registration offices and local village-level councils
- k. Gather and share information about practices that have resulted in increasing women's access to land and resources.

⁴ Useful Resources include the following:

What Works for Women: Proven approaches for empowering women smallholders and achieving food security, 2012. ActionAid International, CARE International UK, Christian Aid, Concern Worldwide UK, Find Your Feet, Oxfam GB, Practical Action, Save the Children UK, Self Help Africa

<http://www.care.org.au/document.doc?id=780>

Gender in Agriculture Sourcebook, 2009. The World Bank, Food and Agriculture Organization, and the International Fund for Agricultural Development

<http://siteresources.worldbank.org/INTGENAGRLIVSOUBOOK/Resources/CompleteBook.pdf>

Women's Perspectives: A Case Study of Systematic Land Registration, Cambodia, July 2008. Mehrak Mehrvar, Chhay Kim Sore & My Sambath. Gender and Development for Cambodia and Heinrich Böll Stiftung Cambodia

<http://www.gwi-boell.de/web/service-en-case-study-cambodia-land-registration-2860.html>