

Gendering Land Tools

Achieving secure tenure
for women and men



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Acknowledgements

Cover photos © Indo-USAID FIRE-D Project, UNESCAP and UN-HABITAT

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Sponsors: Norwegian Government and the Swedish International Development Cooperation Agency

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Abbreviations

AIDS	Acquired Immunodeficiency Syndrome
AU	African Union
CDD	Community Driven Development
COHRE	Centre on Housing Rights and Evictions
FAO	United Nations Food and Agricultural Organisation
FIG	International Federation of Surveyors
GAD	Gender and Development
GLTN	Global Land Tool Network
GEM	Gender Evaluation Methodology
GMG	Gender Mechanism Expert Group
GMS	Gender Management System
HAC	Harmonisation, alignment and coordination
HC	Huaiyou Commission
HIV	Human Immunodeficiency Virus
HS Net	Human Settlement Network
ILC	International Land Coalition
IFAD	International Fund for Agricultural Development
ILO	International Labour Organisation
MDGs	Millennium Development Goals
PRSP	Poverty Reduction Strategy Paper
RBM	Results Based Management
SAPs	Structural Adjustment Policies
Sida	Swedish Agency for Development Cooperation
SRH	UN Special Rapporteur on Housing
SWOT	Strengths, weaknesses, opportunities and threats analysis
ToT	Training of Trainers
UNDP	United Nations Development Program
UNIFEM	United Nations Development Fund for Women
WID	Women in Development
WSO	World Summit Outcome

Executive Summary

After wide-ranging stakeholder consultations, the strategies and outline for the GLTN gender mechanism were adopted at a dedicated high status round table on gendering land tools at the World Urban Forum of June 2006. It serves as a framework of methodologies and strategies for systematically developing gender responsive land tools that promote equal tenure security for women and men. The distinctive features of this mechanism are:

- an emphasis on a multi-stakeholder approach
- a systemic multi-stage methodology for developing gender responsive land tools
- a focus on scalable tools.
- while a woman-led process, also recognizing the important contributions men need to make.

There are four parts to this mechanism. The first is the **introduction and conceptual outline** which presents the rationale, answering questions such as why gender responsive tools are necessary, where this mechanism comes from and how it has been developed.

The second part focuses on the **methodologies and components of gender responsive tool building**, offering a brief summary on why each component is necessary and what needs to be done.

Component 1: Gender responsive environment for gendering land tools

Component 2: Review of gender responsive land issues

Component 3: Determining tooling objectives through a gender responsive land analysis

Component 4: Tooling framework of principles, values and priorities

Component 5: Construction and review of the gender responsive tools inventory

Component 6: Piloting and scaling up of gendered tools

Component 7: Gendered evaluation of tools

Component 8: Improving land governance through gendered tools

The third part deals with the **strategies necessary for implementation of this mechanism**. It identifies general objectives as well as specific ones for each stage of tool development and proposes a series of general and specific outputs and activities for each objective at country or global level or both. The conclusion emphasises that the

mechanism is a mutual learning and sharing process rather than a blueprint approach. There is no single path to making tools sufficiently responsive to both women and men. Any generic tools must be adaptive to context and responsive to women's and men's specific needs, experiences and choices. No single partner has the capacity to undertake this hard and difficult tooling process on their own. The mechanism offers a road map for collaboration between stakeholders in gendering tools for land, property and housing rights.



Stakeholder meeting with women in Khartoum.

Photo©UN-HABITAT

1. Setting the context

1.1 Why gender and land?

Equal property rights of women and men are fundamental to social and economic gender equality. However, women often face discrimination in formal, informal and customary systems of land tenure. Around the world, women encounter larger barriers due to social customs or patriarchal tenure systems which prevent them from obtaining and holding rights to land.

The commoditization of land and the impact of globalization through unrestricted land markets also disproportionately affect women's land rights. Bringing poor urban women into the urban economy remains a big challenge, and one source of low status and economic vulnerability of women is their limited access to property rights.

Research shows that despite progress towards greater acceptance of women's equal rights to land in laws and policies, their effectiveness runs into significant obstacles, ranging from patriarchal attitudes and cultural practices to general lack of political will and resources. Women suffer from discrimination and injustice under various disguises. War in some countries and HIV/AIDS has disproportionately affected women's land rights. Women in informal settlements and slum, indigenous women, the disabled, elderly and widows and refugees are among the various categories of women who are further marginalized.

Providing secure land rights for women makes economic sense and is critical in fighting poverty. There is a strong correlation between improving women's land rights and reducing poverty. When women control land assets, we see a rise in women's cash incomes, spending on food, children's health and education and household welfare in general.

Female-headed households, a significant proportion of the poor, can benefit enormously from the security, status and income-earning opportunities which secure rights to even a small plot of land can provide. Women who become single heads of household are particularly vulnerable. Since women's access to land is often through their husbands or fathers, they may lose such access after widowhood, divorce, desertion or male migration. Secure land rights for female farmers



Young girl in India. Photo © Indo-USAID FIRE-D Project

and businesswomen can improve investment, access to sources of credit and better land use and productivity, with women frequently regarded as at lower risk of credit default than men.

1.2 The demand for gender responsive tools

Despite progress on women's rights on some fronts over the last few decades, it is recognized that women's access to land and security of tenure has noticeably declined. Development approaches to implement women's land rights driven by general poverty-alleviation (pro-poor) agendas have been basically ineffectual. Women are disproportionately affected by gender blind/neutral approaches more needs to be done to truly impact women's access to land.

Governments, civil society, land professionals and analysts generally point to the paucity of effective land tools that are both gender responsive and are able to be up-scaled to reach large populations as hindering the realisation of these rights. Tools, historically devised on male interests and priorities, need to be developed to also recognise women's experiences, needs and participation, in order to be effective.

Why tools?

Tools are the converters of objectives in legislation, policy or principles into implementation. They are the knowledge, skill and ability to practically deliver results. Principles guide actions and goals and policies reflect political will, but without tools, they are abstract phrases which remain aspirations. Tools are cogs in the wheels of planning, implementation, monitoring and evaluation in relation to land. Drawn from real-life successes and failures, an effective tool is a best practice which can be communicated, adapted and applied in various contexts. Insufficient attention has been focused on how transferable tools can be developed, documented, understood and adapted by others.

A whole range of interconnected gender responsive tools are required to protect women's and men's secure tenure, from intra-household and community tools to those that impact specifically on women's access to land and their interaction with the State land systems. It requires gendering spatial information, land use, planning, registration, administration, management and dispute resolution. For example, a number of tools are involved in securing inheritance rights for women. Tools linking land registry to the civil registry and tools on gender-accessible dispute settlement mechanisms must correlate to tools on gender sensitive administration of estates in inheritance cases in order to be effective.

2. Introduction to the Global Land Tool Network

What is the Global Land Tool Network?

The Global Land Tool Network (GLTN) is an emerging international network that aims to take a more holistic approach to land issues. Its goal is to support women and men, at national and local levels, to use land tools that are pro-poor, gendered, and scalable.¹ Hosted by UN-HABITAT, the Network works through partners, which include government, intergovernmental organizations, civil society and professionals.

GLTN has a range of broad-reaching objectives though they are mostly focused on the specific task of developing 'land tools'. The objectives are to:

- Help its partners promote and create a 'continuum of land rights', rather than just focus on individual land titling.
- Improve and develop pro-poor land management and land tenure tools.
- Improve the general dissemination of knowledge about how to implement security of tenure.
- Unblock existing initiatives.
- Assist in strengthening existing land networks.
- Improve global coordination on land.
- Assist in the development of gender responsive tools (the subject of this report).

What is the connection between gendered tools and GLTN?

Gender responsiveness is one of the core values of GLTN. As such every land tool, existing or under development, needs to be evaluated for its gender responsiveness. In developing large scale tools, GLTN partners will be encouraged and supported in undertaking an approach to their work which consistently considers gender dimensions. In particular, GLTN and its partners seek to promote the gendered land tool agenda.

Promotion of gender equality and participation is not viewed as just another fashionable addition to the long list of things to do in the land sector, but rather as a core shared commitment. It moves away from the ad hoc and incremental view of offering small-scale projects for women to prioritising systemic tools. The tools approach entails removing the obstacles to women's empowerment through implementation of land rights and reconfiguring land relations and management measures which are aimed at addressing gender inequality. In this context, the key questions GLTN partners address include: How can we more effectively secure both women's and men's land,

¹ See www.gltn.net.

property and housing rights at scale? What are the characteristics of gendered land management and administration tools? How can we judge whether a land tool is sufficiently sensitive to women and men's needs? How can we ensure that the gender responsive land tools are useful to the grassroots?

The GLTN gender mechanism in the context of ongoing work

GLTN draws from the experiences of GLTN partners as well as tool development by others in related fields. However, no organisation or body has undertaken the task of systematically developing large scale gendered tools for land, housing and property rights. Several tools have been developed for projects but are not targeted at systematically addressing women's empowerment and land governance. The initiative is aimed at supplementing ongoing efforts by partners, not substituting or replicating them. For example, some of the stakeholders concentrate on developing gender responsive community tools which are vital, whereas GLTN is concerned with large scale tools at country level. The gender mechanism facilitates the process through which GLTN partners themselves can develop more gender responsive tools.

What is the comparative advantage of GLTN and its partners?

UN-HABITAT is initiating this process through the GLTN and it is meant to be dynamic learning process among GLTN partners aimed at creating synergy, momentum and direction. It is the stakeholders who contribute to and determine the final shape and will operationalise this mechanism. This mechanism is being developed through consultations with a wide range of stakeholders working on land, property and housing issues. It is being coordinated by UN-HABITAT which has been mandated by the UN General Assembly as the focal point for MDG 7, Target 11 and implements the Vancouver Declaration on Human Settlements 1976 (Habitat I Conference) and the Habitat Agenda 1996 (Habitat II Conference). Its mandate is further expanded by the 2002 UN Declaration on Cities and Other Human Settlements in the New Millennium, General Assembly Resolution A/59/484 on Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and the 2005 World Summit Outcome. UN-HABITAT has also been specifically tasked with protecting women's security of tenure. Likewise, the key GLTN partners have mandates, competence and commitments to enhancing women's security of tenure.

3. The GLTN Gender Mechanism

3.1 How this mechanism works

Gendered tools can help translate principles into practice, whether the goal is improved land governance systems which are gender responsive or women's empowerment through better implementation of women's land, property and housing rights and security of tenure. This requires a series of actions through a combination of strategies. The mechanism proposes a multi-stage, multi-stakeholder approach for systematically gendering land tools. Each stage requires inputs, guidelines and activities coordinated by an expert committee, lead partners, short term consultancies, stakeholder meetings, capacity building and dissemination (see strategies below). Since the emphasis is on developing systemic gendered land tools, most activities take place at national level. There are other activities at regional and global level aimed at facilitating better sharing of international best practices.

A multi-stakeholder approach can synergise and strengthen new tools. The grassroots must also play a significant role in developing gender responsive tools through their experiences and mobilisation. Land professionals, as implementers of the formal land systems, also have a key role in gender responsive tool development. Decision-makers and enforcers, including the State land agencies, are often unable to resolve the conflict between *de facto* and *de jure* tenure. All stakeholders need to be involved in gendering land tools through a woman-centred process.

The milestones along the way include the creation of a gender responsive environment for gendering tools, review and analysis of gendered land issues for identifying objectives for the tooling process, identification of principles, values and priorities to form a framework, creating and auditing a gendered tools inventory, piloting and scaling up of priority tools, evaluation of implementation of gendered tools and integration into land governance. It is a participatory approach to translate conceptual issues, resources and expertise into effective and practical tools for implementation. Section 4 below provides a brief outline of each component indicating why and how it is relevant.

Objectives of this mechanism

The main objective of the mechanism is to promote more effective, efficient and equitable land governance models that are driven by gender sensitivity as one of the core principles. It is equally committed to supporting women's efforts in empowering themselves through security of tenure. This can be done through ensuring that existing land tools are gender responsive, scaling up of what is already considered to be sufficiently gender responsive land tools, and where there are gaps, through development of new tools. The tooling process itself is to be participatory and include both

GLTN land tools

1. Land rights, records and registration

- 1a. Enumerations for tenure security
- 1b. Continuum of land rights
- 1c. Deeds or titles
- 1d. Socially appropriate adjudication
- 1e. Statutory and customary
- 1f. Co-management approaches (government and communities)
- 1g. Land record management for transactability
- 1h. Family and group rights

2. Land use planning

- 2a. Citywide slum upgrading
- 2b. Citywide spatial planning
- 2c. Regional land use planning
- 2d. Land readjustment (slum upgrading and/or post crisis)

3. Land management, administration and information

- 3a. Spatial units

4. Land law and enforcement

- 4a. Regulatory framework for private sector
- 4b. Legal allocation of the assets of a deceased person (Estates administration, HIV/AIDS areas)
- 4c. Expropriation, eviction and compensation

5. Land value taxation

- 5a. Land tax for financial and land management

6. Cross-cutting issues

- 6a. Modernising of land agencies budget approach
- 6b. Measuring tenure security for the Millennium Development Goals
- 6c. Capacity building for sustainability
- 6d. Land access/land reform
- 6e. Key characteristics of a gendered tool
- 6f. Grassroots methodology for tool development at scale

More information can be found on these tools on the GLTN website.

women and men at all stages. Towards this, the mechanism seeks to improve understanding of how tools can successfully include gender dimensions by providing access to existing best practices. It should help non-gender specialists in demystifying gender and seek practical ways to contribute towards gender equality in their work.

This mechanism assumes general knowledge of international land, property, housing and inheritance rights for women. Effective gendered tools are necessary to meet the Millennium Development Goals. There is political impetus and consensus on promoting women's security of tenure through equal rights to land, property and inheritance as seen in the World Summit Outcome (WSO) and the elaboration of Millennium Development Goal (MDG) 3, where women's land, property and inheritance rights are seen as an important indicator of women's empowerment.

3.2 Scope of this mechanism

This mechanism engages with tools relating to women's and men's land, property and housing rights in both the urban and rural sector. The Network has committed itself to work on eighteen land tools, agreed to by the partners, which also forms the focus of the gender mechanism (see box). The work includes studying, debating, designing, sharing and implementing various land tools. UN-HABITAT has also recommended that the tool development process should contribute towards: (a) policy-making; (b) management; (c) capacity building; (d) research (e) teaching (f) advocacy; (g) conflict resolution.² GLTN aims to go beyond just designing pro-poor, gendered and scalable land tools *in theory*; it wants to support the design of land tools that get developed and tested *on the ground*.

The tools have differing characteristics. A large number focus on the direct provision of pro-poor and gender responsive land approaches. This includes pro-poor continuum of land rights, city-wide slum upgrading, land access/land reform and allocation of assets of deceased persons. Others are more focused on building the capacity of government and others to provide appropriate and sustainable land administration and management, for example the tools addressing co-management approaches, land record management, land tax, and capacity building for sustainability - all of which should consider the realities of both women and men. Lastly, a number of tools assist with planning and monitoring, e.g., enumerations for tenure security, city-wide spatial planning, and regional land use planning.

Who can use this mechanism?

The mechanism provides conceptual outlines, methodologies and strategies for a range of stakeholders interested or involved in making land more accessible to both women and men. These include multilateral and bilateral organisations, including UN-HABITAT

² UN-HABITAT, 'Design of Global Network to Develop Pro-Poor Land Tools' (2005).

staff, partners of the GLTN and the UN-HABITAT campaign on sustainable urbanization, government officials and decision makers in the land sector and in other ministries, civil society, professionals including planners, surveyors, land tax consultants, lawyers and grassroots representatives. It also includes community groups, women, human rights advocates, gender specialists and trainers, development agencies and donor organisations, private sector companies including micro-finance enterprises and development analysts, researchers and academics. The end users are in particular poor women, who can access this mechanism either directly or through gender rights advocacy groups, experts or grassroots organisations and networks.

What kind of gender responsive tools?

There is no definitive list of gender responsive land tools. This mechanism proposes to identify those required. The tools needed depend on the problems – and how they may differ for women and men - be it protection against forced eviction or participation in slum grading schemes. Land tools are typically interdisciplinary and include other tools and larger empowerment issues.



Mandala artist, India.

Photo © Indo-USAID FIRE-D Project

Thus, there are tools for empowerment and capacity, assessment, diagnostic, planning, design, implementation, reporting and monitoring, and evaluation. A typology of tools can be characterised in several ways – according to the phase they are used during (design, planning, evaluation etc.), objectives, outputs or evaluation. Tools include instruments, approaches, schemes, devices and methods ranging from a simple checklist to a more elaborate matrix.

This mechanism seeks integration of tools from many disciplines, including surveying, registration, planning, management, regulation, taxation, law, human rights and dispute resolution. Importantly, it seeks State and professional support to operationalise tools. It considers best practices in other fields and tooling initiatives carried out by international agencies, regional organisations, research institutes and civil society.

3.3 How can this mechanism be used?

The mechanism is based on the idea that gender responsive land management systems must respond at scale to country contexts and needs and cannot be delivered through piecemeal and short-term goals. Therefore, most of the interventions and activities envisaged

by this mechanism take place at the country level, enriched by the expertise, experience and mission of various partners.

The mechanism has been designed in an accessible and dynamic framework which will assist GLTN partners in identifying the possible roles and inputs they can make. The mechanism is jointly owned by key stakeholders who will be responsible for implementation, monitoring and evaluating the initiative.

The mechanism presented is not a recipe but a guide to be adapted to specific objectives. Some preparations spelt out in the methodologies already underway. Each stage has specific material and resources on the range of fields involved, (land tooling, gender mainstreaming, planning, evaluation), which have to be considered alongside the experience of partners/stakeholders. The mechanism is not a stand-alone document and is to be considered alongside other materials and resources available for partners (see www.glt.net).



Manzese savings office, Tanzania

Photo © Suzi Mutter

4. Components of gender-sensitive tool building

There are wide gaps at present in our knowledge of large-scale tool development and even more so in relation to gender dimensions. The required expertise will emerge as partners learn by doing, particularly in collaboration, and share best practices. To succeed, the mechanism must incorporate emerging practices and approaches to gender which are diverse, creative, and inclusive. Adapting general principles and methods to relevant country contexts, and translating these into practice through rigorous and transparent protocols will create a dynamic process and products.

Table 1. Summary of components

Component	Purpose	Activities
Component 1	Create a gender responsive environment	<ul style="list-style-type: none"> • Gender mainstreaming • Inclusive participatory models • Setting the gendered land agenda • Fostering partnerships and capacity building • Establishing ownership and conceptual clarity
Component 2	Review gendered land issues	<ul style="list-style-type: none"> • Addressing women's property issues • Sex disaggregated data • Impact of policies • Legal, constitutional and customary laws
Component 3	Determine objectives through gendered land analysis	<ul style="list-style-type: none"> • Land analysis techniques • Gender land analysis models • Content of gendered land analysis • Methodology for gendered land analysis
Component 4	Establish framework of principles, values and priorities	<ul style="list-style-type: none"> • Gender equality through a human rights approach • Recognising women's activities • Addressing women's land issues • Improving land governance through tools
Component 5	Take inventory of gendered tools	<ul style="list-style-type: none"> • Tool documentation • Sharing the inventory • Auditing tools for monitoring and learning
Component 6	Piloting and scaling up	<ul style="list-style-type: none"> • Piloting priority land tools • Scaling up community tools • Achieving scale through good land governance
Component 7	Evaluate gendered tools	<ul style="list-style-type: none"> • Set evaluation criteria • Select who will evaluate tools • Carry out tool evaluations
Component 8	Improve land governance	<ul style="list-style-type: none"> • Tool evaluation for policy makers • Opportunities for stakeholder participation • Training and capacity building • Advocacy and mobilisation

4.1 Component 1: Fostering a gender responsive environment

There are numerous formulations of ‘gender mainstreaming’ which differ in ambition, scope and emphasis. The widely used 1997 definition from the United Nations Economic and Social Council is as follows:

Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in any area and at all levels. It is a strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres, so that women and men benefit equally, and inequality is not perpetuated. The goal of mainstreaming is to achieve gender equality.

The European Community defines gender mainstreaming as concerning “planning, (re)organisation, improvement and evaluation of policy processes, so that a gender equality perspective is incorporated in all development policies, strategies and interventions, at all levels and at all stages by the actors normally involved therein.” With regard to gendering tools, gender mainstreaming is not merely greater gender awareness and sensitisation but an integral part of overall planning for tools. Gender mainstreaming strategies are relevant in three overlapping spheres – the organisational structures, culture and policies, the organisational programme of activities and the impact of gendered approaches on the wider community (Sida 1996).

This first component is not meant to duplicate gender mainstreaming underway in other sectors but to supplement specific dimensions which could aid the gendering of land tools. The aims of this component correspond to the overarching objectives of the mechanism - to facilitate gender empowerment through increasing women’s participation and recognition of their perspectives and enhance gender responsive land governance through better conceptual clarity, inclusiveness, targeted capacity building and gender training.

Gender mainstreaming

Gender mainstreaming is the first step in creating a gender inclusive corporate culture, a gender responsive policies and programmes framework, gender focused partnerships and capacity building through which gender perspectives and tooling processes can work in tandem. Even when women are better represented in decision-making positions, one should not assume that gender concerns will automatically be integrated into dominant decision-making structures.

Gender mainstreaming first demands a preliminary stakeholder identification which can be more fully explored through a gender land analysis (in component 3). A more balanced participation by women and men increases the effectiveness of participatory models. However, fuller participation of women requires an understanding of social differences and how women may be perceived and act within a group dynamic.

Setting the gendered land agenda

Gender mainstreaming goes beyond increasing women's participation by bringing the experience, knowledge, and interests of women and men to bear on the development agenda (The ILO Mainstreaming Policy 2002). The integrationist strategy of gender mainstreaming continually raises the question as to why gender is not addressed in all activities. Mainstreaming is also a catalyst for agenda setting, using a gender perspective to transform the existing tool development agenda. The exploration of the gendered dimension is more fully carried out in the next two components of the tooling process – the review and gendered land analysis.

On the other hand, gender mainstreaming, when carried out as a stand alone or routine exercise, has been ineffective. Among the challenges faced are how to track and evaluate gender mainstreaming projects, and how to apply the findings. The land agenda can not only benefit from, but also contribute to, gender mainstreaming. In this component of gendering land tools, gender mainstreaming can contribute information and understanding of current practices, and capacities among the stakeholders.

Establishing ownership and conceptual clarity

Gender mainstreaming often challenges social, political and cultural mores and will not likely be welcomed with equal enthusiasm in all countries, sectors or organisations. A single model of gender equality for all societies and cultures is unrealistic. Simplistic notions of gender roles and oppression have to yield to complex cross-cultural realities. In practice, a general resistance to gender mainstreaming has been noticed, which may be associated with a Western dominated feminist agenda or seen as promoted by particular vested interests or donor communities. Gender mainstreaming in some contexts can work better through local groups who have credibility or are perceived as being neutral and constructive.



Informal settlement in Lima, Peru

Photo © C. Acioly, UN-HABITAT

4.2 Component 2: Reviewing gendered land issues

A review of gendered land issues is often subsumed into gendered land analysis. However, data collection and identification of themes precedes such analysis. Insufficient quantitative and qualitative information on how social relations, including marital, intra-household, community, customary and religious practices and statutory systems, impact women's access to property as compared to men's, and handicap those working on tool development. A literature review will help contextualise data available (which by itself is not sufficient) and other sources of information leading to country situational analysis. Such reviews can be conducted at different levels, with a comparative study identifying best practices, for example in locating forms of tenure which promote women's access to land, property rights and security of tenure, such as joint and co-tenure and the continuum of land rights model.

Identifying women's property issues

Gendered land tools will need to respond to women's property issues. Therefore, a careful review is needed on what are the most vital issues for women. For example, inheritance is a very common way for women to acquire land or access to land. However, in most countries, statutory discrimination, customary laws or patriarchal practices make it difficult for women to access their inheritance. Men's preferences dominate whether under matrilineal or patrilineal inheritance principles. A widow's property rights are often conditional on her good relations with the family of the deceased. Property grabbing from widows whose husbands die of HIV/AIDS is widespread in Southern Africa. Identification of issues such as inheritance helps to guide the types of tools which should be prioritized.

Sex disaggregated data

A better statistical profile of women's and men's experiences with land access, use, ownership and management will point to gaps or deficiencies in tools. Often the poor landless women in the informal sector are overlooked by poverty assessments, and are thus invisible in the designing of land tools. However, sex-disaggregated data is limited in relation to property and land rights. The official land registration, titling and information system in most (developing) countries is inadequate, outdated or difficult to access. Moreover, most of the property transactions occur in the private sphere, informally or within traditional, customary systems. There is also a wide gap between informal and customary rights to property and statutory rights. As a result, studies and policies regarding women's property rights are based more on generalised assumptions than on the realities and hard data.

The purpose of this component must be to identify the gender statistics necessary for tool development and for evaluating tools which are already available. This includes statistics of land holdings by gender plus any relevant available information on gender roles, customs and responsibilities male/female differentiated access to education,

employment and resources. This can be achieved in two ways. First, by collating available data. Data can be obtained from a variety of formal sources such as the United Nations databases, national statistics or World Bank surveys. Existing statistics should be reviewed for gaps, leading to coordinated endeavors to fill any gaps. Working on gender disaggregated land information from the tool-building angle generates new, valuable information. Several GLTN partners are already doing this and can share and evaluate this information. Second, guidelines can be developed on how formal systems can deliver better sex disaggregated data. In the final analysis, availability of sex-disaggregated data is essential for monitoring and evaluation of gendered tools.

Impact of policies

Even where women have been integrated into development processes, these processes are essentially flawed. While gender policies and land policies are increasingly evident in many countries, the links between gender empowerment, land reform and reducing poverty do not feature prominently, even in Poverty Reduction Strategies Papers (PRSPs). Until recently, women have been excluded from the direct benefits of land reform programmes due to discriminatory regulations on land distribution, titling and inheritance. Few slum upgrading projects have catered explicitly for women. These are all areas where gendered tools are necessary.

The review needs to address core questions at country level such as:

- How effective are policies aimed at achievement of the Millennium Development Goals in relation to gender and land?
- What lessons have been learned about land reforms and statutory interventions?
- What can be done to generate gender responsive land policies?
- What institutional and professional issues have a bearing on women's security systems?
- What are the impediments to realising women's security of tenure?

Legal, constitutional and customary laws

Equal rights of women and men to land, property and housing under international law have been recognised by an increasing number of countries through their constitutions and ratification of international treaties. Most countries, however, have failed to generate gender responsive laws and regulations, and lack supportive judicial enforcement. Even where specific legislation acknowledges women's rights to land, customary laws resist recognising women as equal claimants. Substitution of customary land rights with statutory rules has failed to improve women's security of tenure. Further exploration of these issues is needed for tools which women's groups and others can use due to the diversity of cultural practices but also to challenge the stereotyping of custom. For example, there are several strategies within the Islamic framework which offer innovative and enhanced women's land, property and housing rights.

4.3 Component 3: Determining objectives through gender responsive land analysis

The goal of gender-based analysis is to integrate gender perspectives into policy. The earlier/second component of identifying gendered land issues provides the basis of gender analysis. Sex disaggregated information provides quantitative data on gender differences and inequalities, whereas gender analysis builds on the qualitative information; exploring why the disparities exist, how they impact women's access to land, and how they might be addressed through gender responsive tools. Gendered land analysis raises awareness of gender issues, informs policy-making and tool development, identifies gender training needs and sets the baseline to monitor and evaluate impact of tools.

Gender analysis should explore how particular tools respond to women's experiences in acquiring land such as male preference in inheritance, obstacles to obtaining credit in the land market, discrimination in land reforms, and bias in resettlement schemes or corruption in antipoverty programmes. Gender analysis for land tools goes beyond the formulation of tools, and is relevant to the monitoring, implementation and evaluation stages.

Land analysis techniques

Gendered land analysis uses social assessments, situational analysis, desk reviews, interviews, focus group discussions, pair wise ranking, case studies, trend analysis, social mapping, surveys and stakeholder consultations. Gender analysis becomes difficult in countries where accurate or specific data is unavailable. Moreover, information may be held by different government departments, be incomplete, unreliable or take a long time to collect.

Content of gendered land analysis

Gendered land analysis engages with the overall economic conditions, (such as poverty levels, inflation rates, income distribution, market dynamics). The question of why women have inferior access to and control over land than men is best understood in its particular context of division of labour and access to savings and credit. Also relevant are demographic factors such as household composition and leadership, which indicate how women are claimants to land. Individual, family and community perspectives of women's land needs are also relevant to the analysis.

This is better understood through assessment of education, awareness of rights and levels of gender empowerment



Consultation meeting lacking gender balance, India.

Photo © UNESCAP

and participation. The capacity of various stakeholders – the state, civil society, land professionals and others - to mobilise support and promote equality in access to property are relevant. It also considers the intended and unintended consequences of policies and programmes as well as attempts, as far as possible, to recognise the hidden contribution that women make to development.

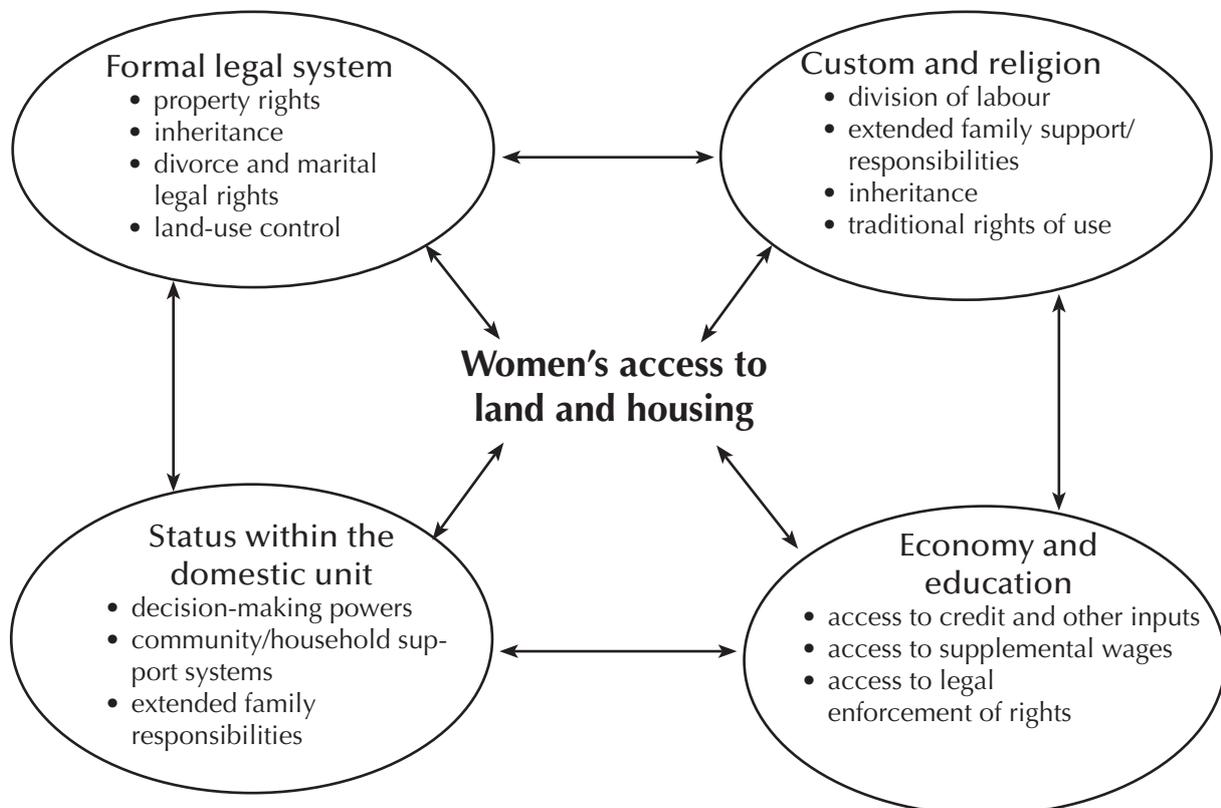
Gender land analysis goes beyond identification of obstacles to consider what changes and adjustments are necessary to remove the obstacle.

Methodology for gendered land analysis

A gender analysis in relation to women’s and men’s access to land, property and housing would query – the reality of access to and control of land through various property generation avenues – the legal basis for gender equality/inequality and its practice, the policy framework on gender equality and its implications, and the culture, religious dimensions and stereotypes impacting on implementation.

It would consider how injurious community norms and beliefs could be countered. Based on the analysis, tools could then be created to give impetus to any laws or regulations which support women’s security of tenure. Where appropriate, gendered land tools would be created with an explicit gender equality objective - based on opportunities identified by the gender analysis and with remedies for anticipated obstacles.

Figure 1. Gender dimensions required in land analysis (FAO)



4.4 Component 4: A framework of principles, values and priorities

This component sets up a framework of agreed principles and values that drive the process of gendering tools, testing them against certain standards. The two main guiding principles of GLTN are that (1) the implementation of women's equal land, property and housing rights is a part of women's empowerment and (2) these must be sustainable through gender responsive land governance.

The gendered review of land issues and the gender analysis (component 2 and 3) provides the factual basis. It provides the rationale for equal treatment of women and men in access to land, property, inheritance and housing and affirmative action where necessary. However, this mechanism also recognises that the gendering of land tools cannot be merely symbolic but must represent real rights with remedies, with specific responsibilities for all stakeholders. Gendering of land tools has to be part of a broader framework of gender empowerment, good governance, participatory rights and women-driven agendas.

Recognising plurality of voices

Neither women nor men form a homogeneous group. The challenge is to recognise the plurality of women's voices, the multiplicity of challenges encountered, such as violence against women, HIV/AIDS, displacement, post-conflict rehabilitation, economic reforms and in conditions such as slums, informal settlements, shelters and refugee camps. Women in informal settlements and slums, indigenous and black women, elderly, disabled, widows and refugees are among the most marginalised. At the same time patriarchal values and institutions influence at different levels and sectors. Reviews can identify the relative gender strengths and weaknesses of each sector, e.g. the number of women land surveyors, by focusing on structural, institutional, professional and operational issues. Women's active roles in informal networks as agents of change also needs to be recognized, and their capacity for political organisation despite obstacles.

This component centers on bringing together various stakeholders and actors for sharing information and expertise to expedite the development of effective gender responsive land tools. This requires agreement on gender land policies and objectives. A good foundation is that gender equality is regarded as a cross-cutting development issue along with good governance, human rights, and environmental sustainability. Like other cross-cutting issues, gender equality is an important development objective in itself, but it is also instrumental for the achievement of poverty reduction or any other development goal. Since the Fourth World Conference on Women in Beijing (1995), sustainable development goals have been aimed at eradicating inequalities between women and men in access to livelihoods and resources. In this component, a comparison can be made between overall gender principles and objectives with land practices to confirm whether particular tool enhances or worsens equal access to land.

The importance of land governance

UN-HABITAT and its partners have long recognised that promotion of secure tenure alone cannot ensure women's and men's equal access to land and protection from forced eviction. It has to be accompanied by governance of land, natural resources and processes of land use change. Problems relating to women's security of tenure go beyond particular human rights violations and are often a consequence of lack of equitable land management or corrupt and inefficient land administration systems. Land governance can be understood as 'the process by which decisions are made regarding the access to, and use of, land, the manner in which these decisions are implemented and the way that conflicting interests in land are reconciled' (GLTN).

Effective gender responsive land tools can be developed and implemented only where women's voices, including grassroots women, are fully considered in an inclusive and transparent process. However, participatory approaches to gendering land tools must recognise power imbalances within communities, intra-household and intra-family relations. Male-dominated power relations and institutions make fair representation difficult for women in decision-making. Women are vastly under-represented at all levels of government, limiting their power to influence governance and public policy. However, aiming for a full spectrum of actions for institutional reform as a precondition for carrying out gendering of land tools may be unrealistic. This mechanism focuses instead on promoting priority activities for achieving the gendering of land tools.

“Women are vastly under-represented at all levels of government”



Community meeting in Guatemala City

Photo © C. Acioly, UN-HABITAT

4.5 Component 5: Taking inventory of gender responsive tools

There is no existing global inventory of gender responsive land tools. Nor is there a satisfactory methodology for creating one and to review effectiveness of existing tools regarding their impact on women and men's lives. It is important that good practices in gender-responsive land tools are documented and available, if they are to impact on land governance. In this component, stakeholders identify and document land tools that have explicitly included a gender dimension. Through this compilation, 'gaps' in gendered tools can also be identified. Partners experienced in using tools can facilitate the inventory using standard formats for data collection and information exchange.

The tools inventory as 'toolkit'

A particular challenge regarding existing gender responsive land tools is that they are often invisible to outsiders or may be part of an undocumented oral tradition. As a result these practices are not sufficiently shared.

A tools inventory is more than a vehicle for knowledge transfer. Inventories are also 'toolkits' and contain important resources (e.g. case studies) which enable use of combinations of tools to address complex problems. Most importantly, a tool inventory is testimony to actual practice which can inform policy implementation. It can demonstrate the gap between theory and reality. It is also a vital building block towards gendering affordable large-scale land tools. Analysis of the tool inventory as it emerges will also point to overlooked areas of concern to women in which new tools will have to be developed. Some analysis has already been started and the results available on www.gltm.net

Tool documentation

There is, at present, limited understanding on how to carry out a substantial inventory of existing large scale land tools. There is also a need to build an inventory of those community tools, appropriate to the GLTN agenda, which could be considered for scaling up. Knowledge regarding tools is fragmented and divided among various sectors. Even within government urban land agencies, different authorities hold related information and there are gaps between the formal and informal processes. The collating of tools used by



A family in West Africa

Photo © UN-HABITAT

land professionals (planners, surveyors, engineers and lawyers) is a costly and time consuming operation. The result is that the synergy between the various tools is lost. Moreover, the lack of gendered perspectives and sex-disaggregated data hinders deployment of gender specific tools.

Documentation of tools calls for consensus about what tools *are*. All stakeholders should be encouraged to contribute to the inventory following certain descriptive and functional parameters. This will foster recognition of cross-cultural tools, for example Islamic approaches or best practices from customary norms, and the diversity of practice. Tools are varied in nature and scope, while being at different stages of evolution and sophistication. The inventory must be inclusive and based on guidelines agreed between stakeholders.

Sharing the inventory

Tool information must be standardised in a uniform and comparable format. GLTN partners should document existing tools with brief definitions of each tool, its objective, how each tool works, examples/case studies, scope, scale and duration, intended users, costs, benefits, limitations, risks and references. Developing such an information system required guidelines about the extent of information required, the level of interaction between stakeholders to supplement or information and the capacity to periodically update the inventory.

Auditing tools for monitoring and learning

From a list of tools, stakeholders supported by experts must next compare the relative strengths of the tools, as they relate to gender, in order to make informed decisions of what resources to invest in their further development, or what adjustments may need to be made. Assessment methods may or may not require extensive technical and financial resources. To move from 'discovery' of tools which sufficiently address gender, to realisation of their full potential, auditing will have to be quick, cost-effective and pragmatic. The basis of auditing tools will be the principles, priorities and values identified earlier, for example a human rights and development based approach, with emphasis on their impact on women's empowerment and secure tenure.

A gender analysis audit is a means through which data is systematically and regularly collected to track the performance of the tool against indicators. Tools should be given time to prove their durability before they are formally evaluated.

4.6 Component 6: Piloting and scaling up

There are two distinct processes in this component:– piloting of *new* tools and evaluation of *existing* tools for scaling them up. The GLTN emphasis on large-scale tools is based on the rationale of sustainability. However, these could involve piloting of community tools provided they are part of the GLTN agenda and are capable of being scaled up to national level. Gender evaluation criteria need to be formulated for selecting tools, piloting and scaling up. Priority tools are identified through gender analysis and gaps in the tools inventory. Those tools which meet criteria and show tangible gender impact can be piloted by partners and supported by GLTN. Consultations will determine how many and which tools should be piloted.

There is considerable evidence of good gender responsive land tools at local or community level but very few among them are being applied at scale. In the scaling-up part of this component, the challenge is to move from pilot projects to sector focus. Scaling up is a challenging process which requires greater involvement of community organisations as well as land professionals and the State.

Piloting priority land tools

Pilots can be identified from the experience of gender mainstreaming, review of gendered land issues, gender analysis and the best practices and gaps from the tools inventory available. Tools to be piloted will be drawn from the pool of local or community tools which are already gender-responsive and show potential to be scaled-up, or large-scale tools that need to be more responsive to gender. Piloting of tools is not the end but the means of progressing towards scalable tools. Thus, the process has to be systematic, transparent and monitored, requiring both guidelines on choosing priority tools for piloting as well as a methodology for piloting for results that can assist the development of scalable and sustainable tools. Prioritising gender responsive tools for piloting is a challenge given the range of issues impacting women's security of tenure. These will need to be identified through women's experiences and stakeholder consultations, which promise greatest impact, and are part of the GLTN agenda. For example, preliminary stakeholder consultations have identified lack of tools in relation to inheritance rights and HIV/AIDS contexts.

From community level to large-scale tools

One dimension of scaling up is to transform successful local or community pilots in order to provide similar benefits for many people. In a land context this means potentially covering the entire country. Expanding the tools impact could have qualitative implications too. What works at the community and grassroots level must be adapted and may encounter systemic challenges. There is a need to better understand community driven development (CDD) approaches and their role in poverty reduction and how to build on this. The dynamics of

community and grassroots mobilisation – and the gender aspects – have planning implications for scaling up the tool. Capturing and sharing the knowledge of women in local communities is vital to provide better understanding, ownerships, insights and partnerships. Transferring this knowledge to professionals for replication is also critical.

Scaling up community tools without adequate consultations can also meet resistance where it is seen as a process of local knowledge being stolen or distorted. Trust, ownership, and equal partnerships between all stakeholders are important for the integrity of the tooling process and product. However, community approaches are rarely static and successful scaling approaches have been where community experiences are based not merely on learning from other community members but forging strong partnerships among peer groups, advocacy bodies, technical experts and officials. Partnerships between the communities and others for scaling tools range from traditional elders to the private sector. The key is to improve communication between stakeholders on how community tools can be developed.

Scaling up community tools

Several aid agencies recognise two types of scaling up process – the horizontal (people to people) and the vertical (institutions to people). Scaling up is fundamentally about increasing people's capacities while extending the tool's reach. Horizontal scaling up recognises that however focused and committed a particular stakeholder is – for example a community based organisation – there is a need to be inclusive and bring in expertise and approaches and to develop vertical scaling up for tools with institutional relations.

Achieving scale through good land governance

The stepping up and upgrading of services and support is critical in creating sustainable gender responsive large scale tools. Research on scaling up in general has examined factors that influence interventions aimed at achieving scale across settings.

There are three major elements that have been identified. First, the priorities and obstacles must be better understood and shared among stakeholders in order to generate leadership, technical support and resources. Second, the partnerships between stakeholders and support groups must be better coordinated. Finally, scaling up of tools will require practical improvement in land governance structures and processes. While social and community frameworks determine community priorities State support is necessary for enlisting wider stakeholder engagement.

4.7 Component 7: Evaluation of gender responsive tools

Partners must devise participatory evaluations which monitor quantitative and qualitative impacts of land tools on various categories of women and men. At the same time, evaluation of tools requires strong technical skills and resources and calls for a multi-stakeholder effort. The purpose of the evaluation component of gendering land tools is to consider, *inter alia*, their pro-poor accessibility, affordability, transferability and scalability. To achieve this objective, the tool evaluation must be transparent with regard to the information used, assumptions and objectives and candid in its assessment. One of the important criteria for evaluation of tools falling within the GLTN agenda is scalability and learning from them what elements make a tool sufficiently responsive to both women and men's needs.

In this component, there are three types of tools to be evaluated; large-scale gender responsive tools, community level gender responsive tools which are piloted for their scalability and new piloted land tools which are both sufficiently gender responsive and systemic. Thus, both pre-existing land tools and those that have been piloted and scaled up are evaluated. Evaluation is not an isolated event in the latter stages of tool building but rather a process to begin in the planning stages. Its effectiveness is based on the existence of sex disaggregated data, continuing gender analysis and most significantly the framing of evaluation questions. A framework for evaluating land tools from a gender perspective, including a set of evaluation questions, is currently being developed by GLTN partners.

Evaluation criteria

Unless a tool is capable of being monitored and evaluated, necessary support or resources will not be forthcoming. For the tool users, the benefits must be clear. The first principle in tool evaluation, from a gender perspective, is that a gender-sensitive monitoring and evaluation system should be in place from the design component. Indicators need to be established to measure how well gender equality objectives are met and the extent of improvement in women's and men's security of tenure. Benchmarks, indicators and targets are all vital to track progress and impact of the tool.

The GLTN evaluation criteria currently under development are based on ongoing multi-stakeholder consultations, including an e-forum. However, each stakeholder may approach evaluation differently according to their needs, interests and perspective. Whether the evaluation criteria are broadly acceptable is based on appropriate weight being given to different tool components. The evaluation criteria could be narrow enough to judge the tool's impact on land ownership by women or broad enough to see its sustainable impact on gender equality, empowerment and urban governance.

Who evaluates tools?

A range of stakeholders should be involved, including those collecting analysing, and monitoring data, implementers of tools, beneficiaries, and those providing technical support. One of the participatory models is the engendered logical frame matrix which brings together project planners, stakeholders and beneficiaries in analysing gender relations and social dimensions. Granted that civil society, community groups and grassroots women are among the 'question makers' but technical experts will be required for carrying out tool evaluations.

There are different models of evaluation depending on the levels of expertise, resources, and choice of methods. Identification of the evaluation team when finalising evaluation criteria promotes transparency of the process. The team should be balanced with capacity to assess gender responsiveness and tool strengths. A peer review of the evaluation process could be included.

Carrying out tool evaluations

Strong evaluation processes are central to development initiatives, for example the World Bank's Results Based Management (RBM) approaches. Gendered tool management assessments use indicators which measure gender equality outcomes anticipated by the tool. Measuring improvement in the status or empowerment of women is difficult and needs to be tracked alongside a large number of components. These include changes in access, distribution of basic needs, improved opportunities for leadership roles, involvement in planning and control over factors of production. A matrix, which lays out clear objectives, targets, indicators and methods of verification, can map the outputs which lead to results and outcomes. Evaluators using a gendered approach will examine if the application of the tool creates significant and lasting changes in the well-being of sufficient numbers of intended beneficiaries. They will consider the risks arising out of the planned, yet unintended consequences of tool implementation. It will have to be adapted to be useful in large scale tool development. Some organisations, such as IFAD, use the strengths, weaknesses, opportunities and threats (SWOT) analysis in the assessment of the gender dimension of development programmes. Such practices must be capable of being shared in other jurisdictions and be adapted for large scale tool development.

4.8 Component 8: Improving land governance

This component of gendering tools is aimed at conversion of technical tools into cogs in the wheels of good governance.

The relationship between tool development and governance is demonstrated by the need for responsive governance structures and processes to fully implement tools. Gendered tools remain illusory without integration into policies, strategies and action plans.

An objective of the gender mechanism is to improve land governance through gender responsive tools. This will in parallel require gender responsive urban planning and management and adequate representation of women in policy-making positions.

Tool evaluation for policy makers

Tool evaluation results related to gender feed into advocacy and policy making. Policy makers play a vital role in using the evaluation feedback to make necessary changes to budgets and national plans. The role of the State (and local governments) in recognising and integrating these tools in land governance is crucial. Typically, the entrenched land systems built over years take a long time to reform and need State sponsorship for change.

The delivery of tools depends on the commitment and capacity of partners and users, particularly policy-makers. Demand for large scale gender responsive tools needs to be matched by proactive land agencies which are well resourced and accountable. Robust implementation and enforcement strategies by State institutions provide the lead for professionals, civil society, private sector, development agencies and other stakeholders. Since the GLTN partners focus on tool development at country level, there is a need for State involvement in ensuring harmonisation, alignment and coordination (HAC) among the numerous players in the land and gender sectors, as outlined in the 2005 Paris Declaration.

Opportunities for stakeholder participation

Gendering land tools creates new avenues for greater stakeholder participation in policy making. Through dissemination of successful tools – ratified by the evaluation process – stakeholders not only demonstrate the significance of their work programmes but also contribute to the future development of tools. On the other hand, when tools fall short of their targets, it stimulates stakeholder dialogue and mutual critical reflection on developing alternative planning and implementation strategies. Gendering land tools is not merely about outputs, activities and partnership but can be an opportunity for self appraisal for most organisations. It can gauge the vitality of management structures, effectiveness of delivery and implementation, utility of outreach and networks, inclusivity of intended beneficiaries, successes of documentation and dissemination and the mobilisation of technical expertise and support systems.

Training and capacity building

Training and capacity building is addressed/important at all stages of gendering tools. Gender training is an important part of gender mainstreaming. Policy-makers who are not experts in gender issues are often assigned the role of devising gender-integrated policies and practices. Gender mainstreaming, gender analysis and the tool development process identify deficiencies in capacities needed to develop tools. Where one GLTN partner lacks a written gender policy, or has one that needs updating, guidance can be provided by other partners.

Methodological and practical aspects of gender training include questions such as: Who needs training? What kind of training? Who provides training? Ultimately, each organisation – through gender mainstreaming – assesses its own gaps and needs. A range of methods from spider diagrams to gender-specific worksheets can be used to help analyse and provide a visual summary of institutional capacity. USAID measures institutional capacity using different approaches for particular types of capacity building, strengths and limitations of each organisation and activity. It can help assess both responsiveness of organisational structures as well as awareness, commitment to and capability of staff members for addressing gender issues in all activities.

At country level, technical capacities for public sector management need more systematic identification and support. International development summits repeatedly emphasise the importance of investments in building partner country capacity to support greater development effectiveness, particularly for improved public sector management. Development agencies have to further invest in public sector capacities. In particular, experience shows that women require special capacity-building support to bridge knowledge and skills gaps, because of the many disadvantages which have limited their effective participation. Implementation of tools for women's security of tenure and enforcement of rights must be supported through capacity building efforts.

Advocacy and mobilisation

Gendering of land tools is not merely a technical process but also a movement toward addressing broader policy reforms, challenging patriarchal attitudes, social structures, institutional blockages and obstacles to women's empowerment. Thus the stimulation of gender and institutional capacity in the areas of policy development, planning, partnership building, service delivery and workplace procedures is vital to the implementation of gendered land policies, practices and approaches. Strategies have to be developed on canvassing political support, generating enforcement and implementation protocols as part of a global gendered land tools agenda.

For gendering of land tools to move into civil society domains, stakeholders will have to create awareness, highlight positive examples in the public eye and pass on their experiences on the innovative approaches. Tools for achieving security of tenure must be widely disseminated and promoted by GLTN partners. The media can play a

role in popularising tools and advocating further support systems and remedies for workable tools. Sustainable tools also require partnerships for financial arrangements. Through dissemination, advocacy and mobilisation, strategic action plans can be developed to augment the support, recognition and further integration of gendered land tools into country strategies.



Kibera, Nairobi.

Photo © UN-HABITAT

5. Strategies for gendering land tools

How strategies for implementation can work

This part identifies objectives corresponding to the stages of tool development discussed in Part II. It proposes a series of general outputs and activities as well as specific ones for each objective. Each activity can take place either at country or global level or both and is correspondingly marked C (country) G (global) or C&G (for both country and global level). Systematic development of land tools, and ensuring that these tools are gender responsive, have not been done thus there are no clear best practices covering the breadth of the enterprise. These strategies are derived from UN-HABITAT and partner experiences from related fields. They are not explained in great detail, for example how many tools can be piloted, due to limited basic information on how many tools exist and what are the gaps, which capacities are required and available or what resources can be marshalled.

The strategies operate at two levels. At the general overview level, they offer a series of resources – an Expert Group, GLTN support, short term consultancies and lead partners who can guide the implementation of the mechanism. At the specific level, at each stage of the tool building process, a series of activities and outputs are proposed. Some of the activities are already taking place and it is proposed to harness and adapt them for the purpose of gendering land tools. While the ‘components’ of tool development suggests a sequential approach, there will be overlaps and different priorities on the ground. What the mechanism primarily does is to identify the areas of work that have to be undertaken in order that the process is well directed, realistic and robust.

Table 2. Strategies for implementing the Gender Mechanism

No.	Strategy	Objective	Outputs/ Activities
1	Strengthening the GLTN gender network	<i>To include experts, key resource individuals of various stakeholders to ensure an inclusive and systematic process owned by GLTN partners</i>	<ul style="list-style-type: none"> • Interchange of information • Partner dialogue • Stakeholder consultations • Using the GLTN website as a clearing house • Create a GLTN Gender data base • Realise user conferences and web forums • GLTN Gender officer to coordinate and offer TA • Create linkages with future partners/ members of GLTN
2	Facilitating the Global Land Tool Agenda	<i>To establish the Gender Mechanism Expert Group (GMEG) for main oversight and co-ordination of implementation</i>	<ul style="list-style-type: none"> • Determine size, composition and membership • Decide on protocol, meetings and support to GMEG • Outline the role of the GMEG (incl. monitoring, advising and facilitating) • Prioritize themes and tools • Guide implementation through action plans • Facilitation of dialogue • Identification of leads for various tasks
3	Guiding implementation of the Gender Mechanism	<i>To facilitate short term consultancies on specific tasks to guide the process</i>	<ul style="list-style-type: none"> • GMEG to review ToRs for consultants • GMEG to assess consultancy output • Consultancy output to guide planning process • Preparation of scoping or action papers, reports, stakeholder forums and meetings • Consultants to cooperate with GLTN partners • Facilitation, when applicable, on specific projects
4	Complementing activities at global, regional and country level	<i>To transfer knowledge and expertise to support tool development</i>	<ul style="list-style-type: none"> • Tooling development to take place at global (G) and/ or country (C) level • Consultants appointed among national and international experts • Country level activities from global initiatives, best practices and expertise • Support to national GLTN partners • Highlight national experiences by partners through networks, publications and meetings • Support to grassroots and civil society agents on the gender land tool agenda • Influencing global agenda through grassroots and civil society experience
5	Lead partners appointed for each tooling phase	<i>To enable partners to carry out specific roles based on expertise, capacity and comparative advantage (G)</i>	<ul style="list-style-type: none"> • Devise leadership roles with work plan through GMEG • Ensure coordination of lead with GLTN partners • Dissemination of lead outputs with acknowledgement • Production of periodic reports submitted to GMEG

No.	Strategy	Objective	Outputs/ Activities
6	Gender responsive capacity building	<i>To promote sharing of best practices on creating gender responsive environments, mainstreaming gender and building capacity among GLTN partners</i>	<ul style="list-style-type: none"> • Consultancy assessing gender sensitive environments, including a road map recommending activities, indicators of success and capacity building initiatives (G) • Workshops focused on gendering land tools, roles and opportunities for various stakeholders as well as awareness of gender dimensions for capacity building (G & C) • Dissemination of best practices and self appraisal checklists to enhance women's priorities in GLTN partner work programmes (G) • Informal bilateral meetings and joint activities by grassroots and professional groups for peer learning and knowledge transfer on both process and products (G & C) • Preparation of Manual for Gender Responsive Environment for Gendering Land Tools to GLTN partners (C)
7	Review of gendered land issues	<i>To identify major issues, impacting on women's security of tenure, impacting on gendering land tools</i>	<ul style="list-style-type: none"> • Consultancy to determine data and info. needed to develop gendered land tools, how relevant info. can be obtained and underpin tooling process (G) • Global literature study and best practice review to identify forms of tenure promoting women's access to land, property and housing, security of tenure (e.g. joint and co-tenure forms, the continuum of rights model) (G) • Country level land reviews (incl. legal systems, land reforms and interventions) impacting on women (incl. HIV/ AIDS, displacement, post-conflict and post-disaster) in informal settlements and shelters (C) • Identify "gender" strengths and weaknesses of sectors, e.g. Number of women land surveyors, by focus on structural, institutional, professional and operational issues (G) • Develop guidelines for how formal systems may deliver sex disaggregated data • Usage of participative methods for information gathering, adapted and integrated, within formal land systems and used as evidence in courts (G) • Explore impact on social tenure relations and women's access to property (incl. marital, intra-household, community, customary and religious practices as well as statutory systems) (G & C) • Prepare manual for upscaling innovative methods (e.g. Community mapping) for provision of reliable statistics through rigorous methodologies (G & C)

<p>8 Identify objectives for land tooling process through gender land analysis</p>	<p><i>To ensure that women's priorities, experiences and voices are taken into account in planning and developing objectives for tools as to respond to gendered land analysis (G & C)</i></p>	<ul style="list-style-type: none"> • A short term consultancy to facilitate a participatory gender land analysis and to ensure that it drives the tool development process with recommendations of activities including capacity building initiatives (G). • Develop guidelines on how to balance expert analysis and grassroots experiences, in country and international experience, through a consultative process to identify and share best practices, using the GLTN Grassroots mechanism (G). • Preparation of a training manual outlining an action research and gender analysis framework for identifying the objectives for gendering tools (G & C). • Identify key objectives through problem based analysis – problems or obstacles for which specific tools are needed at country level – engaging with the gender dimensions in the priorities of GLTN (C). Identify tools and best practices which are significant in country and international best practices which may be relevant (C). • Develop strategic action plans at country level which can adapt the analysis and test the tooling priorities against key findings of the analysis, for monitoring and evaluation at country level (C) • Disseminate the main themes and priorities of the gendered land analysis to ensure that they inform the tooling processes as well as projects, programmes and policy (G & C).
<p>9 Apply framework of agreed principles, values and priorities to the process</p>	<p><i>To achieve consensus on the basic principles, values and priorities among GLTN partners will underpin the gendering of land tools (G).</i></p>	<ul style="list-style-type: none"> • Achieve consensus among GLTN partners with core values of the GLTN which are pro poor, gender responsiveness, governance, equity, subsidiarity, affordability, and systematic large scale approach (G). • Disseminate the main GLTN partner objectives and the core GLTN partner work programme areas for developing the tools (G) and review their continued relevance. • Ensure that international human rights and development standards such as gender equality, women's empowerment, non-discrimination and self determination serve as shared vision and benchmarks for GLTN partners in their tooling work. (G). • Address the gender discriminatory customary and religious practices particularly with regard to inheritance and succession laws which are volatile of gender equality. • Develop a framework at country level to ensure that the tooling process and products are tested against these standards, particularly that all tools must be pro-poor, gendered, affordable and scalable (C). • Develop a training Manual for monitoring and training on the principles and practices which can be used by various stakeholders in their roles in gendering the tooling process and contributing to products (G).

10 Construct and review the gendered land tools inventory	<i>To collect information on existing land tools and test their gender responsiveness and effectiveness based on the principles, values and objectives</i>	<ul style="list-style-type: none"> • A short term consultancy to determine the kind and scale of inventory that is needed for the tooling process, i.e. carrying out an inventory of existing tools from a range of sources and the criteria for evaluating them (G). • Develop guidelines on the standardised format for an inventory of tools, which includes a brief definition of each tool, objective, how each tool works, examples/case studies, scope, scale and duration, users, costs, benefits, limitations (C). • Develop a structured data format to facilitate collection and disseminate information on effective tools as part of sharing best practices (G & C). • Develop criteria for testing existing tools for gender responsiveness (impact on women's security of tenure), affordability and scalability (G). • Multi-stakeholder workshop to discuss specific tools, relative strengths and weaknesses for monitoring for learning (C). • Devise strategies for gendering existing land tools which are effective but not gendered, through a manual which can be used by various stakeholders, including the land agency (C). • Devise strategies for implementation of gendered land tools.
11 Pilot and upscale gendered tools	<i>To pilot priority gendered tools and to further select among them tools to be upscaled based on criteria and guidelines which can deliver innovative, affordable and scalable gendered tools (G).</i>	<ul style="list-style-type: none"> • A short term consultancy on how to pilot priority tools and select those for upscaling through documentation, design, assessment and development (G). • Consultations with GLTN partners, through the short term consultancy, on how many tools should be piloted, where and at what scale and cost based on support systems, resources, expertise and impact (G & C). • Stakeholder workshop to facilitate movement from project to systemic focus and large scale tools with particular inputs from land professionals and State (C). • Develop an Upscaling Manual for users which identifies the processes, stages and roles involved in piloting and upscaling of priority gendered land tools (G). • Dissemination of best practices and challenges to enable different stakeholders and all GLTN partners to be involved in the process (G & C). • Develop strategies for replicating successfully piloted tools through consultations between various stakeholders (C).

<p>12 Undertake gendered evaluation of tools</p>	<p><i>To evaluate the implementation of land tools on the basis of impact and effectiveness in protecting women's security of tenure and the availability of rights.</i></p>	<ul style="list-style-type: none"> • A short term consultancy to determine how best to carry out a gendered evaluation of implementation of gendered land tools through an expert as well as participatory process (G). • Develop criteria for the contextualisation and sensitive evaluation of tools, which is capable of critical reflection and monitors quantitative and qualitative impact on various categories of women (G). • Multi-stakeholder workshops to discuss the working of specific tools, particularly durability, accessibility, affordability, remedies and implications in regard to gendering of tools (C). • Expert groups are set up to carry out an evaluation of specific tools underlining their strengths and weaknesses, obstacles and proposals for enhancing effectiveness (G). • Findings of the gender evaluation highlighting both best practices and proposals for improving effectiveness to be disseminated (G & C). • Dissemination of a Manual on a global best practices approach for identifying effective gendered tools and the ingredients for their success, which could be adapted elsewhere (G & C).
<p>13 Improve land governance through gendered tools</p>	<p><i>To develop strategic action plans – based on short, medium and long term outputs –to augment the support, recognition and further integration of gendered land tools into country strategies (C).</i></p>	<ul style="list-style-type: none"> • Short term consultancy to assist on developing strategies for integrating gendered land tools within policies, projects and programmes. • Stakeholder strategies workshop on how to canvass political support, generate enforcement and implementation processes to be part of a global gendered land tools agenda. • Develop guidelines on converting social tenure through innovative tools into legal security of tenure. • Develop and disseminate toolkits which focus on women's rights and remedies aimed at protecting women's security of tenure, with particular safeguards against violations such as forced evictions. • Preparation of a manual on how pro-poor gendered tools can serve as pegs for various campaigns, movements and networks, through the Global Campaigns of UN-HABITAT and other initiatives, inside and outside the UN agencies. • Build capacity among various stakeholders, particularly grassroots, for awareness creation of tools, their implementation and enforcement of rights through Training of Trainers (ToT) workshops. • Discuss with stakeholders financial arrangements for sustainable tools.

6. Conclusion

Given the limitations of existing piecemeal and ad hoc gender land strategies, there is demand for an integrated gender responsive land tool framework. However, the current state of land tools indicates that we are at a preliminary stage in preparing for systematically gendering tools at scale. No single partner has the capacity to undertake this long difficult tooling process on their own. Hence, a clear road map, coordination, collaboration and guidelines are required from all partners. This mechanism offers a road map for discussion. GLTN partners can provide coordination for these discussions and outline draft methodologies. It is important to note that ensuring that land tools benefit both women and men constitutes a challenge to powerful vested interests and attitudes that are resistant to change.

This mechanism recognises that there is no single path to effective gender responsive tools. Generic tools must be adapted to different contexts and respond to a diversity of needs, experiences and choices. Therefore, the mechanism provides the structure to guide preparations and set strategies for the tooling process. GLTN, with partners, anticipates that the gender mechanism will serve as a reference guide that prompts critical reflection and innovative approaches.



Young street-vendors in Yangon.

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7. Bibliography

- Abeyesekera S (1995) 'Women's Human Rights: Questions of Equality and Difference', *Institute of Social Studies Working Paper Series*, The Hague: Institute of Social Studies.
- Afkhami M, Eisenberg A and Vaziri H (2001) *Leading to Choices: A Leadership Training Handbook for Women* (Women's Learning Partnership for Rights, Development, and Peace - WLP).
- Agarwal B (1994) *A Field of One's Own: Gender and Land Rights in South Asia*. Cambridge: Cambridge Univ. Press
- Akpalu EA, Ofei-Aboagye E, and Derbyshire H (2000) *Gender Mainstreaming: Emerging Lessons from Ghana*. (London: Government of UK, Social Development Department.
- ARCI-DONNA (2000) *Recipes, Best Practices of Gender Mainstreaming*, Palermo, Italy: ARCI-DONNA.
- Ashworth G (1996) *Gendered Governance: An Agenda for Change*. New York: United UNDP
- Beall J (1996) 'Urban governance: Why Gender Matters' New York: UNDP.
- Benschop M (2002) *Rights and Reality: Are Women's equal rights to Land, Housing and Property Implemented in East Africa?* Nairobi: UN HABITAT.
- Budlender D and Hewitt G (2003) *Engendering Budgets: A Practitioners' Guide to Understanding and Implementing Gender-Responsive Budgets* London: Commonwealth Secretariat.
- Canadian International Development Agency (2000) *Accelerating Change: Resources for Gender Mainstreaming* Ottawa: CIDA.
- Centre on Housing Rights and Evictions (2004) *Bringing Equality Home: Promoting and Protecting Inheritance Rights of Women, A Survey of Law and Practice in Sub-Saharan Africa* (Geneva: COHRE).
- Chege R (2004) *A Curriculum for the Trainers of Trainers in Gender Mainstreaming*, Nairobi: African Women's Development & Communications Network - FEMNET.
- Cook RJ (1995) 'Enforcing Women's Rights through Law', Vol 3:2 *Gender and Development*: 8-15.
- Commonwealth Secretariat (1999) *Gender Management System (GMS) Series*, London: Commonwealth Secretariat.
- Corner L (1999) *Capacity Building for Gender Mainstreaming*, New York: UNIFEM.
- Council of Europe (1998) *Gender Mainstreaming: Conceptual Framework, Methodology and Presentation of Good Practices*, Strasbourg: Council of Europe.
- Dandekar H (1993) *Shelter Women and Development: First and Third World Perspectives*, Ann Arbor: White.
- Deere C and Leon M (2001) *Empowering Women: Land and Property Rights in Latin America*, Pittsburgh: University of Pittsburgh Press)
- Department for International Development (DfID) (2002) *Gender Manual: A Practical Guide for Development Policy Makers and Practitioners*, London: DfID.
- Drimie S (2002) *The Impact of HIV/AIDS on Rural Households and Land Issues in Southern and Eastern Africa*, Rome: FAO)
- Economic Commission for Africa (2004) *The African Gender and Development Index*, Addis Ababa: ECA.
- Estrella J and Gaventa J (1998) *Who Counts Reality? Participatory Monitoring and Evaluation: A Literature Review*, Brighton: Institute of Development Studies.
- Evertzen A (2001) *Gender and Local Governance*, Amsterdam: KIT.
- Facio A (1995) 'From Basic Needs to Basic Rights' Vol 3:2 *Gender and Development*: 16-22.
- Fernandes E and Varley A (1998) *Illegal Cities: Law and Urban Change in Developing Countries*, London: Zed)
- Fong MS and Bhushan A (1996) *Toolkit on Gender in Agriculture*, Washington DC: World Bank.
- Food and Agriculture Organization (1998) *The Socioeconomic and Gender Analysis Programme- The SEAGA Package*, New York: FAO.
- Fort L, Manoukian V, Blackden M and Bamberger M (2002) *World Bank PRSP Sourcebook: Gender Chapter*, Washington DC: World Bank.
- Gallagher A (1997) 'Ending the Marginalization: Strategies for Incorporating Women into the United Nations Human Rights System' Vol 19:2 *Human Rights Quarterly*: 283-333.
- Gibb H (2001) *Gender mainstreaming: Good Practices from the Asia Pacific Region*, Ottawa: The North-South Institute.
- Gopa G (1999) 'Gender-related Legal Reform and Access to Economic Resources in Eastern Africa', Washington DC: World Bank.
- Goetz AM (1997) *Getting Institutions Right for Women in Development*, London: Zed Press.
- Göler R and Jacobsen I (1999) *Gender Responsive Land Tenure Development*, Eschborn: GTZ.
- Griffiths AMO (1997) *In the Shadow of Marriage: Gender and Justice in an African Community*, Chicago: University of Chicago Press.
- Guijt I and Shah MK (1998) *The Myth of Community: Gender Issues in Participatory Development*, London: Intermediate Technology Publications.
- Hedman B, Percuui F and Sundstrom P (1996) *Engendering Statistics: A Tool for Change*, Stockholm: Statistics Sweden).
- Herod, A. (1993), 'Gender Issues in the use of Interviewing as a Research Method' Vol45:3 *Professional Geographer*: 305-317.

- Hilsdon AM, Macintyre M and Mackie V (2000) *Human Rights and Gender Politics: Asia-Pacific Perspectives*, London: Routledge.
- Hubbard D (1999) *Proposals for Law Reform on the Recognition of Customary Marriages*, Legal Assistance Centre, Windhoek.
- International Labour Organization (1995) *Guidelines for the Integration of Gender Issues into the Design, Monitoring and Evaluation of ILO Programmes and Projects*, Geneva: ILO.
- Jacobs S (1998) 'The Gendered Politics of Land Reform: Three Comparative Studies in Latin America' in Randall V and Waylen G (eds), *Gender, Politics, and the State*, London: Routledge.
- Jalal I (1997) *Law for Pacific Women: a Legal Rights Handbook*, Suva: Fiji Women's Rights Movement.
- Kabeer N (2003) *Gender Mainstreaming in Poverty Eradication and the Millennium Development Goals*, London: Commonwealth Secretariat.
- Kimmel M (2000) *The Gendered Society Reader*, New York: Oxford University Press.
- Kothari U and Valodia I (1998) 'Gender, Governance and Policy: An Introduction' Vol 10:7. *Journal of International Development*: 927-8.
- Kuiper E et al (1995) *Out of the Margins: Feminist Perspectives on Economics*, London: Routledge.
- Landsberg-Lewis I (1998) *Bringing Equality Home: Implementing the Convention on the Elimination of All Forms of Discrimination against Women*, New York: UNIFEM.
- Longwe SH (1995) *The Evaporation of Policies for Women's Advancement, in A Commitment to the World's Women: Perspectives on Development for Beijing and Beyond*, New York: UNIFEM.
- MacDonald M et al (1999) *Gender and Organisational Change: Bridging the Gap between Policy and Practice*, Amsterdam: RTI.
- March C et al (1999) *A Guide to Gender Analysis Frameworks*, London: Oxfam.
- Mason K. and H Carlsson (2004) 'The Impact of Gender Equality in Land Rights on Development' Paper presented at the Human Rights and Development: Towards Mutual Reinforcement conference, New York: NYU.
- Meer S (1997) *Women, Land and Authority*, Claremont: National Land Committee.
- Mies M (1991) *Patriarchy and Accumulation on a World Scale: Women in the International Division of Labour*, London: Zed.
- Miller C and Razavi S (1998) *Gender Analysis: Alternative Paradigms*, New York: UNDP.
- Moors A (1995) *Women, Property and Islam: Palestinian Experience, 1920-1990*, New York: Cambridge University Press.
- Morrisson C and Jutting J (2004) *The Impact of Social Institutions on the Economic Role of Women in Developing Countries*, Paris: OECD.
- Moser C (1993) *Gender Planning and Development: Theory, Practice and Training*, London: Routledge
- Mukhopadhyay M (2001) *Gender Perspectives on Property and Inheritance: A Global Sourcebook*, Amsterdam: Oxfam and KIT.
- Odame H (2000) *Engendering the Logical Framework.*, Netherlands: International Service for National Agricultural Research-ISRAN.
- Oldham J (1993) 'Management of the Community Estate during an Intact Marriage,' Vol 56 *Law and Contemporary Problems*.
- Ott CS (2002) *Tackling Gender Issues in Sustainable Land Management*, Berne: Centre for Development and Environment.
- Oxfam (2000) *The Essential Element: Mainstreaming Gender - What Does it Mean?*, Oxford: Oxfam.
- Palmer I (1995) 'Public Finance from a Gender Perspective' Vol 23:11 *World Development*: 1981-1986
- Peterson VS and Sisson Runyan A (1993) 'The Politics of Resistance: Women as Non State, Anti-state, and Trans-state Actors', in Peterson and Runyan, *Global Gender Issues*, Colorado: Westview Press.
- Poe SC, Wendel-Blunt D and Ho K (1997) 'Global Patterns in the Achievement of Women's Human Rights to Equality' vol 19:4 *Human Rights Quarterly*: 813-35.
- Poulsen K (1995) 'Human Rights for Women: Battles of Culture and Power', vol 3:2 *Gender and Development*: 36-42.
- Rakodi C (1989) 'Self-Help Housing: The Debate and Examples; Upgrading in Lusaka, Zambia and Hyderabad, India' Vol. 13: 4 *Habitat International*.
- Randall V and Waylen G (eds), (1998) *Gender, Politics, and the State*, London: Routledge.
- Rathgeber E M and Ofwona Adera E (eds) (2000) *Gender and the Information Revolution in Africa*, Ottawa: International Development Research Centre- IDRC.
- Ray R (1999) *Fields of Protest: Women's Movements in India*, Minneapolis: University of Minnesota Press.
- Razavi S (2004) *Agrarian Change, Gender and Land Rights*, London: Blackwell.
- Rowan-Campbell D (1995) *National Machineries for Women, A Balancing Act, in A Commitment to the World's Women: Perspectives on Development for Beijing and Beyond*, New York: UNIFEM.
- Sadasivam B (1997) 'The impact of Structural Adjustment on Women: A Governance and Human Rights Agenda' vol 19:3 *Human Rights Quarterly*: 630-65.
- Sait S and Lim H (2006) *Land, Law and Islam: Property and*

- Human Rights in the Muslim World*, London: Zed.
- Schalkwyk J (2000) *Exercises in Gender Mainstreaming, Gender in Development Monograph Series 8*, New York: UNDP.
- Sicherl P (1989) *Methods of Measuring Disparity between Men and Women: A Technical Report*, Santo Domingo: INSTRAW.
- Snyder M (1995) *Transforming Development: Women, Poverty and Politics*, New York: UNIFEM.
- Strickland R (2004) *To Have and to Hold: Women's Property and Inheritance Rights in the Context of HIV-AIDS in Sub-Saharan Africa*, New York: ICRW Working Paper.
- Swedish International Development Cooperation Agency (2003) *A Manual for Gender Oriented Entrepreneurship Promotion*, Stockholm: Sida.
- Swedish International Development Cooperation Agency (1998) *Equality between Women and Men FACT SHEETS*, Stockholm: Sida.
- Tanner C (2002) *Law Making in an African Context: The 1997 Mozambican Land Law*, Rome: FAO.
- UN-HABITAT (2006) *Policy Makers Guide to Women's Land, Property and Housing Rights Across the World*, Nairobi: UN-HABITAT.
- UN-HABITAT and Transparency International (2004) *Tools to Support Transparency in Local Governance*, Nairobi: UN-HABITAT.
- UN-HABITAT (2004) *Pro Poor Land Management: Integrating Slums into City Planning Approaches*, Nairobi: UN-HABITAT.
- UN-HABITAT (2003) *Best Practices, Security of Tenure and Access to Land - Implementation of the Habitat Agenda*, Nairobi: UN-HABITAT.
- UN-HABITAT (2003) *Tools for Participatory Urban Decision Making*, Nairobi: UN-HABITAT.
- United Nations Development Fund for Women (2000) *Gender, HIV and Human Rights: A Training Manual*, New York: UNIFEM.
- United Nations Development Fund for Women (1995) *Legal Status and Legal Reality: CEDAW Advocacy Kit*, New York: UNIFEM.
- United Nations Development Fund for Women (1993) *Another Point of View: A Manual on Gender Analysis Training for Grassroots Workers*, New York: UNIFEM.
- United National Children's Fund (2000) *Gender mainstreaming in Water, Environment and Sanitation*, New York: UNICEF.
- United Nations Development Program and Energia (2004) *Energy and Gender for Sustainable Development: A Toolkit and Resource Guide*, New York: UNDP.
- United Nations Development Program (1998) *Building Capacity for Gender Mainstreaming: UNDP's Experience*, New York: UNDP.
- United Nations Development Program (1998) *Tracking Gender Mainstreaming in MDGD Activities*, New York: UNDP.
- United Nations Development Fund (1997) *Who are the Question-makers? A Participatory Evaluation Handbook*, New York: UNDP.
- United Nations High Commissioner for Refugees (2000) *Building Partnerships Through Equality: UNHCR Good Practises on Gender Mainstreaming*, Geneva: UNHCR.
- USAID (2005) *Land & Conflict: A Toolkit for intervention*, Washington DC: USAID.
- Vainio-Mattila A (1999) *Navigating Gender: A framework and a Tool of Participatory Development*, Helsinki: Ministry for Foreign Affairs, Government of Finland.
- Venkateswaran S (1995) *Environment, Development and the Gender Gap*, New Delhi: Sage Publications.
- Visvanathan N (1997) *The Women, Gender and Development Reader*, London: Zed.
- Wanyeki L.M. (2003) *Women and Land in Africa: Culture, Religion, and Realizing Women's Rights*, London: Zed.
- Walker C (2002) *Land Reform in Southern and Eastern Africa: Key Issues for Strengthening Women's Access to and Rights in Land*, Harare: FAO.
- Waylen G (1995) *Gender and Third World Politics*, Milton Keynes: Open University Press.
- Wilde V (1998) *SEAGA Field Handbook*, Rome: FAO and ILO.
- Williams S, Seed J and Mwau A (1995) *The Oxfam Gender Training Manual*, London: Oxfam.
- Women and Law in Southern Africa Research and Educational Trust (2001) *Critical Analysis of Women's Access to Land in the WLSA Countries*, WLSA.
- World Bank (2001) *Engendering Development through Gender Equality in Rights, Resources, and Voice*, Washington: Oxford University Press.
- Woroniuk B, Schalkwyk J, and Thomas H (1997) *Overview: Gender Equality and Emergency Assistance/ Conflict Resolution*, Stockholm: Sida.
- Worthen BR, Sanders JR and Fitzpatrick J (1997) *Program Evaluation: Alternative Approaches and Practical Guidelines*, White Plains, NY: Longman.

Annex 1. Glossary

The following general definition of terms includes many which are contested or discussed in gender, land or legal discourse.

Audit A gender audit (in the present context) examines or reviews the gender responsiveness of an organisation, strategy or tools. It can help to assess and improve the effectiveness of the tools audited but it is generally less rigorous than a systematic evaluation of tools in practice.

Best practices Practices that have proven successful in particular circumstances provide information and lessons about how and why they could work in different situations and contexts.

Benchmark Reference point or standard against which particular practices may be compared and assisting in setting realistic targets in comparable contexts.

Community driven development (CDD) An approach that gives control over planning decisions and investment resources to community groups and local governments.

Culture Social mores, traditions and customs that influence gender relations, see *Patriarchy*. There is growing demand that they be seen as evolving and gender responsive.

Discrimination Treatment of particular individuals or groups less favourably than those of dominant groups, whether it be in private or public sphere of people's lives.

Data Information that can be quantitative (in form of number statistics) or qualitative (non-numeric information for description). See *Sex-disaggregated data*.

Empowerment Ability of women to exercise power or control of decisions relating to their lives, either individually or collectively. Empowerment corresponds to women challenging existing power structures which subordinate women.

Evaluability The extent to which a tool has been planned to enable evaluation.

Evaluation A process by which a tool is studied and assessed in-depth for its gender responsiveness.

Female-headed households Women as household heads, either by choice or from divorce, widowhood, abandonment, as wives in polygamous marriages or where male family members are absent, usually because they have migrated in search of work.

Gender Culturally prescribed social roles and iden-

tities of men and women that are highly variable across cultures and are subject to change, as contrasted with sex which is the biological difference between men and women determined at birth.

Gender analysis Examination of the power relations between men and women, the diversity of women and their circumstances as well as their respective roles, responsibilities, needs and interests as they impact on women's access to land. The recognition of relevant issues assist stakeholders in identifying target groups, priorities and strategies.

Gender and Development (GAD) A development approach which challenges the structures and processes that reinforce gender inequality and block women's participation. It is based on gender analysis that seeks women's empowerment through equitable relations between men and women. See *Women in Development (WID)*

Gendering tools Modifying tools so that they can be used in response to obstacles women face in using tools, recognising the differential impact of a tool on women and men. It is a process of ensuring that tools can deliver on women's rights to land, property and housing.

Gender-sensitivity Perceptions and responsiveness concerning differences in gender roles, responsibilities, challenges and opportunities. It is the extent to which the respective roles of men and women in society are considered in formulating, implementing, and evaluating policies, programmes, and projects.

Gender-sensitive indicators Statistical measurement capable of showing gender sensitive change in a particular context over a given period of time. See also Impact, Indicators.

Gender equity The process of ensuring fair treatment of women and men with the eventual aim of attaining gender equality. It is an incremental strategy sensitive to cultural, religious or practical resistance to calls for immediate gender equality.

Gender equality Explicit recognition that women and men have equal rights, equal treatment before the law and are therefore predicated on the achievement of equal –not same- outcomes for both women and men. Gender equality is enshrined in international human rights instruments.

Gender mainstreaming The process of integration of gender equality concerns into analysis and operational activities, policies, programmes and projects of organisations.

Indicators The quantitative and qualitative specifications for an objective, used for measuring progress toward attaining the objective.

Impact Significant and lasting effect on, or changes in, the well-being of large numbers of intended beneficiaries. It includes planned as well as unplanned consequences of the project, see *Evaluation*.

Mechanism A mechanism is a framework of methodologies and strategies for the systematic development of a specific area, such as gendering land tools.

Monitoring A process of systematically reviewing regularly collected data about a programme or tool over time for checking effectiveness in implementing objectives.

Lesson learned A general hypothesis based on the findings of one or more evaluations, which is presumed to relate to a general principle that may apply more generally.

Legal pluralism The multiple, often overlapping, and even contradictory bases for legal rights, for example land which can emerge from state, customary and religious laws.

Land management system The laws, systems and processes for the way in which land that can be serviced, is supplied and/or upgraded and developed within a country.

Land administration The implementation of land management, through the use of land records and land information.

Land governance The political and administrative authority addressing the allocation and management of land at all levels. Good land governance is characterised by participation, transparency, accountability, rule of law, effectiveness and equity.

Participation Articulation by stakeholders - women and men - of their needs and interests which are to be taken into account in the planning, implementation and evaluation of land policies. Active participation presupposes direct involvement or influence in decision making.

Patriarchy Institutionalised male dominance. A term describing the reality of men being dominant in all state institutions and preventing access to power and resources by women.

Poverty Reduction Strategy Papers (PRSPs) Describes a country's macroeconomic, structural and social policies and programmes to promote growth and reduce poverty, as well as associated external financing needs.

Scaling up Practices which transform successful piloted tools into those providing similar benefits and experiences for a wider set of beneficiaries.

Security of tenure Access to land with protection

against forced eviction, the right to enjoy the land including the possibilities of transferring rights and access to mortgage and credit under certain conditions.

Sex-disaggregated data Quantitative statistical information on differences and inequalities between women and men. Sex-disaggregated data is a more accurate term than gender-disaggregated data.

Social structures Social dynamics or the manner in which gender relations and interaction between individuals or groups are organised by society and state.

Tools Tools are the converters of objectives in legislation, policy or principles into implementation. It is the knowledge, skill and ability on how to practically deliver results.

Women in development (WID) A development approach aimed at including women in development process, which has come under criticism for its lack of gender analysis and the passive treatment of women in early WID projects. See *Gender and Development (GAD)*, which is now a more influential approach.

Annex 2. Consultations on the Gender Mechanism

Planning for the Gender Mechanism

Planning for this mechanism began through a series of in-house UN-HABITAT workshops and informal discussions with partners, such as the Women's Land Link Africa (WLLA). It has further been developed through consultations between partners of the Global Land Tool Network.

Partners consultations

The preparatory phases of the GLTN formation have included partner discussions – including women's and civil society groups- at workshops and meetings on Innovative Land Tools and Urban Cadastre (Moscow 25-27 October 2005), on Land Titling in Western Africa (Nairobi, UNDP 1-3 November 2005), on Land Tools in Post Conflict Societies (Geneva, 17-18 November 2005), GLTN partner meeting (Stockholm November 24-25 2005), Asia Expert Group Meeting on Innovative Land Tools (Bangkok 8-9 December 2005), Arab regional meeting (Cairo December 16-17 2005) and GLTN partners meeting (Oslo March 23-24 2006).

The draft gender mechanism was presented at the GLTN Partners meeting that took place in Oslo. The workshop was jointly organised by UN-HABITAT, the Norwegian Ministry of Foreign Affairs, Norad, the Norwegian Mapping Authority and Sida. The workshop was attended by 77 participants from governments, non-government organisations, donor agencies, representatives of the UN system, universities and the private sector. Participants came from Bolivia, Canada, Chile, Denmark, Egypt, Finland, Germany, Ghana, India, Italy, Kenya, Nepal, Netherlands, Norway, Peru, Philippines, South Africa, Sudan, Sweden, Tunisia, Uganda, United Kingdom, United States and Zimbabwe.

The draft gender mechanism was circulated and presented for consultation with a view that it incorporates stakeholder inputs for the dedicated

round table on gendering land tools at the World Urban Forum. An intensive discussion followed this presentation where experiences from India, Peru, Egypt and Kenya were discussed along with thematic and strategic suggestions. These were incorporated into the draft which was then prepared for the GLTN forum.

GLTN internet forum

The objective of the GLTN Internet Forum (5-15 June 2006) was to invite partners to actively contribute to the development of pro poor land tools. The forum is a venue for partners to describe their ongoing initiatives as well as introducing questions on the way forward. The intention was to widen the debate by listening to land tool developers worldwide. The moderators were independent academics or thinkers on the subjects and Fides Bagasao (Huairou Commission) and Birte Scholz (COHRE) moderated the discussions on the gender mechanism which was posted on the web for discussions.. All the participants who discussed the gender mechanism supported it while discussing the contexts and suggesting further emphasis. These suggestions were incorporated into the background document for the round table.

Annex 3. WUF III Round Table on Gendering Land Tools

The GLTN High Level Round Table on Gendering Land Tools was held on Wednesday 21 June 2006 at the third session of the World Urban Forum, Vancouver, Canada. It was organised by GLTN and the Gender Unit, UN-HABITAT with support from the Huairou Commission, International Federation of Surveyors (FIG) and Human Settlements-Net (HS Net). The Round Table brought together leading grassroots, land professionals, policy makers, researchers, lawyers, analysts and experts through a women-led process to develop strategies towards systematically gendering land tools. All in all, 48 round table delegates and an equal number of observers were present at the round table (see Annex 2).

The objective of the multi-stakeholder dialogue was aimed at developing systematic methodologies, partnerships and strategies towards gendering existing land tools, upscaling existing gendered tools and developing new gendered tools in response to gaps. The GLTN Round Table had three inter-related segments; 1) Presentation and discussion on a draft mechanism for gendering tools, which was circulated to delegates in advance. 2) Tool presentations from among grassroots, land professionals, researchers and other stakeholders with deliberations on methodologies aimed at identifying best practices and comparative advantages and 3) Adoption of a comprehensive and integrated gendered land tools framework with strategies for an effective and proactive gendered land tools agenda.

Participants in discussions on the Gender Mechanism

Lindiwe Sisulu Minister of Housing, South Africa, the Chair of the Round Table

Anna Tibaijuka, UN Under-Secretary General and Executive Director, UN-HABITAT

Sybilla Dekker, Minister of Housing, Spatial Planning and Environment, Netherlands

Siraj Sait, UN-HABITAT

Carol Kidu, Minister of Community Development, Papua New Guinea

Agnes Kaliballa, Representative of G-77 and China

Angie Balata, HIC-HLRN

Birte Scholz, COHRE

Diana Lee-Smith, Urban Harvest, Kenya

Nomvula Mokonyane, Provincial Housing Minister, South Africa

Stakeholder presentations

Ann Wajiru, GROOTS, Kenya

Jennifer Whittal, UCT/FIG

Carole Rakodi, University of Birmingham

Raquel Rolnik, Ministry of Cities, Brazil

Shivani Bharadwaj, Sathi for All Partnerships, India

Hadfi Mongia, Tunisia

Miles Arroya, City Council, Philippines

Lama Almajali, Jordan

Diana Mitlin, International Institute for Environment and Development

Luz Maria Sanchez, Estrategia Center of Investigation and Action for Urban Development, Peru

Gladys Nyakajuya, Jinja Municipal Council, Uganda

Elena Cocon de Patal, Mujeres Por El Derecho A La Propiedad, Guatemala

Strategy discussions

Anne Stenhammer, Ministry of Foreign Affairs, Norway

Joan Kagwanja, UNECA

Kairinga Samuella, Cook Islands

Faye Dewar, Institute for the Advancement of Aboriginal Women, Canada

Patricia Hajabakiga, Minister of Lands, Rwanda

Lucia Kiwala, UN-HABITAT

Claudina Nunez Jimenez, Red De Plan Regulador, Chile

Alanna Hartzock, International Union for Land Value Taxation

Mohammed Elewa, Ministry of Justice, Egypt

The Global Land Tool Network

The main objective of the Global Land Tool Network (GLTN) is to contribute to poverty alleviation and the Millennium Development Goals through land reform, improved land management and security of tenure.

The Network has developed a global land partnership. Its members include international civil society organizations, international finance institutions, international research and training institutions, donors and professional bodies. It aims to take a more holistic approach to land issues and improve global land coordination in various ways. These include the establishment of a continuum of land rights, rather than a narrow focus on individual land titling, the improvement and development of pro-poor land management, as well as land tenure tools. The new approach also entails unblocking existing initiatives, helping strengthen existing land networks, assisting in the development of affordable gendered land tools useful to poverty-stricken communities, and spreading knowledge on how to implement security of tenure.

The GLTN partners, in their quest to attain the goals of poverty alleviation, better land management and security of tenure through land reform, have identified and agreed on 18 key land tools to deal with poverty and land issues at the country level across all regions. The Network partners argue that the existing lack of these tools, as well as land governance problems, are the main cause of failed implementation at scale of land policies world wide.

The GLTN is a demand driven network where many individuals and groups have come together to address this global problem. For further information, and registration, visit the GLTN web site at www.gltm.net.

About this publication

This publication, from the Global Land Tool Network, presents a mechanism for effective inclusion of women and men in land tool development and outlines methodologies and strategies for systematically developing land tools that are responsive to both women and men's needs.

Equal property rights for women and men are fundamental to social and economic gender equality. However, women often face discrimination in formal, informal and customary systems of land tenure. Around the world, women encounter barriers of social customs or patriarchal tenure systems which prevent them from obtaining and holding the same rights as men to land.

This report provides a conceptual outline answering questions such as why gender responsive land tools are necessary. The second part provides an overview of the components required for large scale gender responsive tool development. The third part deals with strategies necessary for the implementation of this mechanism. Taken together, these aspects define how the GLTN Gender Mechanism operates. The report will assist programme planners and decision makers at different levels of the land sector— with or without gender expertise—in identifying practical ways to make land tools more effective for both women and men.

UN HABITAT

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**GLOBAL
LAND
TOOL
NETWORK**

GLTN contributes to the implementation of
pro-poor land policies to achieve
secure land rights for all
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