

ADDRESSING INEQUALITIES

The Heart of the Post-2015 Development Agenda and the Future We Want for All

Global Thematic Consultation

**WOMEN'S LAND AND PROPERTY RIGHTS
AND THE POST-2015 DEVELOPMENT AGENDA**

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Abstract

Just as “discrimination against women and girls impairs progress in all other areas of development,”¹ gender inequality in secure rights to land and property impedes progress in achieving inclusive economic and social development, environmental sustainability, and peace and security – dimensions the UN System Task Team on the Post-2015 UN Development Agenda identified as requiring progress to build an equitable, secure, and sustainable world.

Securing women’s land and property rights is a necessary strategy for ensuring gender inequality and advancing women’s empowerment worldwide. Research from a range of sources including the World Bank, the United Nations Food and Agriculture Organization, the OECD Development Centre, civil society organizations, and academic institutions also point to another key finding: strengthening land and property rights for women goes hand in hand with the realization of many other development objectives related to poverty alleviation, food security, and environmental sustainability. In its recommendations, this paper advocates for the inclusion of targets specifically related to women’s land and property rights in the post-2015 development agenda.

Introduction

Secure rights to land and property for women are widely regarded as fundamental to ensuring effective and sustainable human development. Rights to land and property include the right to own, use, access, control, transfer, exclude, inherit and otherwise make decisions about land and related resources. *Secure* rights to land are rights that are clearly defined, long-term, enforceable, appropriately transferable, and legally and socially legitimate. For women, exercising these rights should not require consultation or approval beyond that required of men.

Globally, there is an evident correlation between gender inequality, societal poverty, and the failure to respect, protect and fulfill these rights for women. This failure entrenches gender inequality by reinforcing women’s dependence on men, and prevents poor countries from finding a sustainable and equitable path to development. Strengthening women’s secure rights to land can help empower them to reach their potential as citizens and as economic actors, and enable them to take control over their own lives. According to a World Bank report, “only independent or joint ownership can ensure that women have access to [and] control over land-based earnings.”² Additionally, as the World Bank recognizes, “[r]ights to land and natural resources increase a woman’s bargaining power within the household, which results in increased allocation of household resources to children and women as well as increased household welfare.”³

The link between women's land and property rights and sustainable human development is evident for a wide range of issues. For example, from the perspective of women's empowerment, food security and poverty alleviation, the Swedish International Development Cooperation Agency (SIDA) has noted that "Women's access to land and property is central to women's economic empowerment, as land can serve as a base for food production and income generation.... Agricultural production and food security also increase when women are granted tenure security."⁴ The United Nations Food and Agriculture Organization (FAO) estimates that if women had the same access to productive resources as men, they could increase yields on their farms by 20–30 percent.⁵ These gains in agricultural production could lift some 100–150 million people out of hunger.⁶ The FAO, however, noted:

[T]he potential production gains calculated by this method are *based on the existing distribution of land*. This implies that countries where women control proportionately more land could achieve the greatest potential gains. It may be the case, however, that the overall gender gap in access to agricultural resources is, in fact, wider where women control less land. The actual gains from closing the gender gap in access to resources would be greater in countries where the gender gap is wider. *Increasing women's access to land as well as complementary inputs in that case would generate broader socio-economic benefits than those captured in this analysis* (emphasis added).⁷

On HIV, the United Nations Development Programme (UNDP) has noted that women's rights to inheritance of property are "a crucial factor in reducing women's vulnerability to violence and HIV, as well as empowering women to cope with the social and economic impact of the epidemic at the household level."⁸ And on environmental sustainability, women's farming practices are typically less likely to contribute to environmental degradation and natural resource loss.⁹

Without the basic recognition of women's capacity and right to make fundamental decisions about their lives, women will remain relegated to the sidelines of society, among the first to suffer hardship and homelessness, violence and exploitation. For women to become active and valued participants in the lives of their communities, every woman's right to land and property must be respected, protected, fulfilled and enforced – and this must be done on the basis of equality with men. It is also clear that the global gains to be made through improving women's land and property rights are significant. These rights contribute to women's equality and well-being, and go hand in hand with many sustainable human development goals, including women's social and economic empowerment, poverty eradication, food security, and sustainable agriculture. The gains to be made would lift up women, first and foremost, as well as entire families, communities and societies.

International Recognition of Women’s Land and Property Rights

Despite the potential gains, the current Millennium Development Goals (MDG) framework does not directly address women’s land and property rights. Goal 3, to Promote Gender Equality and Empower Women, does not contain any specific target in relation to these rights. Similarly, Goal 1, which seeks to eradicate extreme poverty and hunger, provides no specific target in relation to these rights. This silence has led organizations including the OECD Development Centre to note that women's control over resources, including land and property, is one of the “missing dimensions” of the current MDG framework, and that examining this issue can in part “shed light on the bottlenecks that hamper further progress across all the MDG targets.”¹⁰

More recently, however, international policy documents have addressed women’s land and property rights. In May 2012, the Committee on World Food Security officially endorsed the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security. The Guidelines recognize the importance of gender equality in land tenure as critical to the strategies to reduce hunger and poverty, support sustainable development, and enhance the environment.¹¹ They exhort States to “ensure that women and girls have equal tenure rights and access to land, fisheries and forests independent of their civil and marital status,” and to ensure that policy, legal, and organizational frameworks for tenure governance are “non-discriminatory and promote social equity and gender equality.”¹²

The United Nations Conference on Sustainable Development held in June 2012 (Rio +20) also visibly raised the importance of women’s land and property rights. In the Rio +20 outcome document, ‘The World We Want,’ women’s land and property rights are explicitly reflected at paragraphs 58(k), 109, and 236-244. Paragraph 240, for example, clearly notes:

We are committed to equal rights and opportunities for women in political and economic decision-making and resource allocation and to removing any barriers that prevent women from being full participants in the economy. We resolve to undertake legislative and administrative reforms to give women equal rights with men to economic resources, including access to ownership and control over land and other forms of property, credit, inheritance, natural resources and appropriate new technology.

This recognition of the centrality of women’s land and property rights builds upon the increasing attention that the issue has received in recent years – despite their exclusion from the current MDG framework. In fact, women’s land and property rights have been recognized in dozens of international human rights instruments and related standards. In 1997, the former United Nations Sub-Commission on the Promotion and Protection of Human Rights

adopted the first resolution by an international body directly addressing women's housing and land rights specifically, urging governments to:

- Take all necessary measures in order to amend and/or repeal laws and policies pertaining to land, property and housing which deny women security of tenure and equal access and rights to land, property and housing;
- Encourage the transformation of customs and traditions which deny women security of tenure and equal access and rights to land, property and housing; and
- Adopt and enforce legislation which protects and promotes women's rights to own, inherit, lease or rent land, property and housing.¹³

In 1998, the Commission on the Status of Women adopted its first resolution on women's housing and land rights, resolution 42/1 on *'Human rights and land rights discrimination,'* recognizing that "secure land rights are key rights for the economic empowerment of women."¹⁴ During the early to the mid-2000s, the former United Nations Commission on Human Rights (now the Human Rights Council) also adopted a series of resolutions on *'Women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing'* (resolutions 2000/13; 2001/34; 2002/49; 2003/22; 2005/25).¹⁵

Beyond these resolutions, international bodies and experts relevant to women's land rights have adopted a number of additional pronouncements. The General Comments and Recommendations of the UN Treaty Bodies are particularly instructive. The Committee on the Elimination of Discrimination against Women stated that "there are many countries where the law and practice concerning inheritance and property result in serious discrimination against women.... Such provisions contravene the Convention on the Elimination of All Forms of Discrimination against Women and should be abolished."¹⁶

The UN Committee on Economic Social and Cultural Rights (which monitors States party compliance with the International Covenant on Economic, Social and Cultural Rights) has stated in its General Comment No.16 that "women have a right to own, use or otherwise control housing, land and property on an equal basis with men, and to access necessary resources to do so"¹⁷ and has highlighted women's equal inheritance rights.¹⁸ On food security, the Committee has said that national strategies to ensure food and nutrition security for all should "give particular attention to the need to prevent discrimination in access to food or resources for food. This should include: guarantees of full and equal access to economic resources,

particularly for women, including the right to inheritance and the ownership of land and other property, credit, natural resources and appropriate technology....”¹⁹

The United Nations Human Rights Committee (which monitors States party compliance with the International Covenant on Civil and Political Rights) has similarly said: “Women should also have equal inheritance rights to those of men when the dissolution of marriage is caused by the death of one of the spouses.”²⁰ The Committee has also stated unequivocally that “The capacity of women to own property ... may not be restricted on the basis of marital status or any other discriminatory ground.”²¹

This commitment from the international community is an important foundation on which to build, and must be urgently translated into reality for the world’s women. The post-2015 process represents a critical moment to ensure that women’s land and property rights receive the attention that they deserve on the international development agenda.

The Status of Women’s Land and Property Rights Worldwide

The FAO has recognized that, globally, “Gender inequalities in land rights are pervasive. Not only do women have lower access to land than men. They are often also restricted to so-called secondary land rights, meaning that they hold these rights through male family members. Women thus risk losing entitlements in case of divorce, widowhood or their husband’s migration. Evidence also shows that women’s land parcels are generally of smaller size and lower quality” than men’s.²² Single women or those whose marriages are not formally recognized also typically have more tenuous rights to land.

While women’s land and property rights are vital to development, the reality remains that in many parts of the world these rights are often not shared equally between men and women, and are routinely violated, denied, and given insufficient protection and enforcement. The obstacles which prevent women from effectively enjoying these rights equally with men are complex, and at times context specific. They range from inadequate legal standards and implementation of laws, to discriminatory social norms, attitudes, and programs at the national, regional and local levels which taken together result in wide discrepancies in practice between development outcomes for men and women.

In many countries, the result of gender biased statutory laws, customary law, traditions, and social norms and attitudes is that women cannot or do not use, access, control, own, rent, lease, or inherit land and property without consent from a man. This results in a form of social exclusion which constrains a woman’s ability to participate fully and equally with men in their homes and their communities. Certainly, secure rights to critical resources are connected to

broader social concerns of power, status, personal autonomy, and economic independence. These issues are in turn related to patterns of gender discrimination in education, work, income, family responsibilities, and participation in decision-making processes at all levels; a cyclical pattern of discrimination which exists in both developing and developed countries.

Women's exclusion from formal and customary systems of property inheritance has received increasing attention over the past few years. Because property inheritance is fundamental to how wealth is transferred within a society, it directly relates to the protection of a woman's economic livelihood and long-term security. This issue is especially vital because it addresses some of the systemic reasons for women's disproportionately high levels of poverty around the world and disproportionately insecure land and property rights. Some formal laws do not recognize equal inheritance for women and men and for daughters and sons. Moreover, in many systems of customary law, primary property rights are allocated to the males in the household, and widows are not permitted to inherit those rights from their deceased husbands. Protections for women which may have existed traditionally are eroding as land pressures increase. For instance, widows may have traditionally retained the right to use matrimonial land and remain in the matrimonial home until her death, remarriage, or while her children are unmarried. Over the past several decades however, widows, particularly those who are younger, have found themselves especially vulnerable to their in-laws taking the land, leaving them landless and homeless.²³

In many parts of Africa where customary systems predominate, men control household land (and the house which sits on that land). Community authorities, who are predominantly male, generally allocate land to male household heads for use with their households. These rights to land are then most commonly passed down to male heirs. And because most women move to their husband's home at the time of marriage, this means that for many women, access to land and property is entirely dependent on a relationship to male relatives (usually husbands and fathers). A husband may be obliged to provide arable land to his wife to farm, but he has ultimate authority to decide which piece of land the woman can use, for what purposes, under what conditions, for how long, and what she can do with the proceeds from that land. It also means that if their relationship breaks down, she must rely on his family's goodwill (which is often tenuous) or return to her father's/birth family's land (which is often not possible) to continue to provide for herself and her children.

In countries where women have the statutory right to own, rent, lease and inherit housing, land and property, tradition and dominant social attitudes may still prohibit these rights from being claimed or enforced in practice. For example, in India, women have considerable legal rights to own and inherit land, yet few women are able to claim these legal rights.²⁴ Although India has a

fairly progressive legal framework with respect to gender, this legal protection rests precariously upon a foundation which is fractured by a lack of political will at some levels and widespread gender inequality. Even in the cases where a woman does legally own land, gender discrimination and social stigma often serves to thwart a woman's ability to effectively exercise genuine "control" over her land. Similarly, in Nigeria, although the "Land Use Act" does not explicitly exclude women from being landowners, only a husband's name is expected to appear on land and house titles, putting women's claims on land on unequal footing with men's.²⁵ Furthermore, where gender-sensitive laws exist, progress can be constrained by the lack of resources necessary to reach rural communities through practical, low-cost, and culturally acceptable means.

The Transformative Development Potential of Women's Land and Property Rights

Gender inequality in secure rights to land and property impedes progress in achieving inclusive economic and social development, environmental sustainability, and peace and security – four dimensions the UN System Task Team on the Post-2015 UN Development Agenda identified as requiring progress to build an equitable, secure, and sustainable world. This gender disparity leaves women and the households they manage economically and socially vulnerable. Data analyzed by the OECD Development Centre show that countries where women lack rights or opportunities to own land have on average 60% more malnourished children than countries where women have some or equal access to land.²⁶

It has become increasingly clear that when women have secure land and property rights, the improvements in household welfare are even more pronounced. Secure land and property rights are a foundational building block for agricultural productivity, household food and nutrition security, education, and poverty reduction and promote more inclusive and stable societies. However, it is not only important that *households* have secure rights to land and property, but also that *women*, as well as men, hold these rights. This is crucial, first and foremost, for ensuring women's equality and empowerment, but it has other beneficial effects in terms of lifting households out of poverty. When men alone enjoy secure land rights, women and their children may not be able to fully reap the benefits of those rights.

Inclusive Economic and Social Development

The UN Task Team Report, *Realizing the Future We Want for All*, recognized that ensuring access, use and control of land is critical to supporting the smallholder agricultural growth that is needed for poverty reduction, particularly where families – and women – depend on farming for their livelihoods. In addition, it identified land tenure security as a key element to help eradicate hunger and guarantee food and nutrition security.²⁷ That the Report identified the significant role of secure rights to land in achieving inclusive economic and social development

is not surprising, given the clear linkage between those rights and improved agricultural productivity and food security.

Smallholder farmers with secure land and property rights have greater incentive to make productivity-enhancing investments because they have greater confidence that they can recoup their investments over the medium and long term. Secure rights also provide improved opportunities for families to access financial services, and sometimes are prerequisites to access government programs and assistance.²⁸ As numerous studies have shown, secure rights to land and property thus can lead to increased agricultural productivity and production.²⁹

The increased agricultural productivity and production can in turn enhance household food security and nutrition through two avenues: directly, through increased food production for consumption, and indirectly, through increased incomes permitting the purchase of more and better quality food and supporting livelihood diversification. In both ways, secure rights to land help moderate the impact of food price volatility on poor households.

A growing body of research points reveals the link between secure land and property rights and improved household food and nutrition security. When women have secure property rights—including rights over the land they cultivate—they gain improved social status which leads to their empowerment and greater influence over household decisions. For instance, a study in Central America found that women with land rights are more likely to exercise control over household income and have access to credit.³⁰ In Nicaragua, women with either individual or joint title control over 50 percent of the crop income while women who have no land rights control only 14 percent of that income.³¹ In Nepal, researchers found that women who own land are significantly “more likely to have the final say” in household decisions.³² Similarly, a study in Brazil showed that women’s secure land rights are associated with a woman’s increased ability to participate in household-decision-making.³³

The enhanced status of women is an important step to empowering women and achieving gender equality and economic and social development, as it leads to women’s increased decision-making power, greater autonomy, and greater participation in the community. Secure rights to land improve women’s ability to diversify livelihoods, better plan for the future, and escape the cycle of poverty and social exclusion.

Beyond that, it also translates into improved nutrition for women and for their children. Data from South Asia, Sub-Saharan Africa, and Latin America and the Caribbean “leave no doubt that women’s status plays a positive role in determining child nutritional status.”³⁴ Women with higher status have better nutrition and enjoy better prenatal and birthing care than those with

low status, especially in South Asia.³⁵ Their children, in turn, are more likely to be born at higher birth weights and receive better care critical to their nutritional well-being.³⁶ This study identified several public policies to improve women's status—including reforming legislation to give women equal rights to own and inherit land.³⁷

Furthermore, when women own land, their purchasing decisions are likely to benefit the household's food security and their children's nutritional status. Indeed, a World Bank report points out that “the income and resources that women control wield disproportionately strong effects on health and nutrition outcomes generally.”³⁸

- A study in Nicaragua and Honduras found that families spend more on food when the woman of the house owns land.³⁹ The study also found that when women have land rights, children have higher levels of educational attainment.⁴⁰
- A study in Ghana showed that when women own a larger share of the household's farmland, families allocate a larger proportion of their household budget to food.⁴¹
- In Nepal, research demonstrated that the likelihood that a child is severely underweight is reduced by half if the child's mother owns land. The Nepal study suggested that the route to better child nutrition was through the greater income and resources provided by the women's right to land.⁴²

Women's improved status benefits not only their children and families, but also the well-being of women themselves. This is paramount both to combat gender inequality and promote women's empowerment. One study in Botswana and Swaziland found that women who faced food insufficiency were more likely to engage in sexual risk-taking behaviors, such as selling sex for money or engaging in unprotected sex, putting them at greater risk of HIV infection.⁴³ Some research suggests that land and property rights for women may help prevent the further spread of HIV by promoting women's economic empowerment, thereby reducing their vulnerability to some forms of gender-based violence and exploitation, unsafe sex, and other HIV-related risk factors.⁴⁴ For example, women's increased economic empowerment through secure land and property rights can enhance their sexual autonomy. And because secure land rights can lead to increased household food security, women are less vulnerable to engaging in transactional sex as a means of survival. In fact, some have suggested that the way to make sex safer for women is by ensuring that they have access not only to condoms, but to title deeds.⁴⁵ Furthermore, land and other property can also serve as an income source to cover costs associated with HIV, improving women's ability to cope with the economic and social impact of the disease.

Environmental Sustainability

Population growth and poverty both place enormous pressure on the growing problem of land and natural resources degradation. When land rights are insecure and land users fear eviction or expropriation⁴⁶ or when natural resources are publicly owned and managed,⁴⁷ incentives exist to overuse the land and to convert non-arable land into farmland. As the UN Task Team Report noted, an immediate priority in preserving environmental sustainability is the sustainable management of natural resources, particularly with the full cooperation of local populations.⁴⁸ Traditional knowledge is a major asset for promoting this sustainability. With secure rights to land, users have incentives to make the land more productive and sustainable. By providing those who use land with long-term interests in the land's fertility and sustainability, secure land rights can create incentives to invest in measures such as erosion control.⁴⁹ Furthermore, secure land rights have been shown to reduce demographic pressures on natural resource areas such as forests, wetlands, and rangelands, thus minimizing the uncontrolled conversion of such areas to farm land where that is inappropriate.⁵⁰ This is especially important for the protection of common resources, which constitute a critical factor in providing women pastoralists, gatherers, and fishers, with secure access to food.

Lack of secure rights to land for women can cause land – and women's productivity – to suffer. As the people most often involved in day-to-day farming, it is critical that women have a vested interest in protecting natural resources.⁵¹ When a woman's rights to use land are derived from and dependent on a relationship with a male, she may fear that not using the land for one season will impact her longer-term access to the land. For example, a study in Uganda found that when women farmers did not have secure rights to the land they farmed, many chose not to let it lie fallow during the most beneficial periods, contributing to soil degradation.⁵² In Rwanda, a study found that women are the primary farmers but are granted only temporary and insecure use rights to the land they farm. These weak land rights contribute to a lack of investment in land that has led to severe problems with soil erosion.⁵³

However, where women have secure rights to use and access land, there is evidence that they use resources sustainably. Research shows that many women practice "traditional conservation methods such as 'managed' fallow, crop rotation, intercropping, and mulching," and "[b]ecause of their particular household responsibilities for obtaining food, fuel, and water, women who get these products directly from natural resources have a vested interest in protecting them."⁵⁴ The benefits to the environment are thus two-fold when women have secure land rights: as farmers, women will be able to make good long-term land use decisions, and as women, they are often more likely to use ecosystem-based approaches to land management.

Peace and Security

Around the world, land rights disputes within countries and between countries have led to political instability, violence, and displacement, which all have profound human costs and also undermine economic growth and poverty reduction. Disputes over property and land also have grave, and sometimes fatal, results at the community level. Intuitively, it is clear that secure rights to land and property provide families with greater security: secure rights decrease fears of eviction and displacement and provide families a solid stake in society.

The UN Task Team Report also pointed out that a development agenda that recognizes the centrality of human security must include efforts to prevent and reduce all forms of violence and abuse, particularly that of marginalized populations such as women and girls, calling gender-based violence “one of the worst and most pervasive manifestations of inequality and discrimination.”⁵⁵ Efforts to address women’s lack of secure rights to land and property is one key way to help reduce gender-based violence. By providing women enhanced status in the household and community, secure rights can in a very real sense protect women against domestic violence, and ensure that women who do face abuse are able to leave violent relationships. Land and property rights can strengthen a woman’s status and bargaining power within marriage, which serves to deter violence. Additionally, because these rights can enhance a women’s self-worth and increase her sense of autonomy and options, they can thereby increase her ability to stand up to violence.

For example, a study from India indicated that women who own land or a house face a significantly lower risk of marital violence. In Kerala, 49% of women without property reported experiencing long-term physical violence and 84% reported long-term psychological violence. However, significantly smaller percentages of women with land and a house reported physical and psychological violence – 7% and 16% respectively. In addition, 71% of propertied women who suffered violence left home compared to 19% of women without property, and a much smaller proportion of propertied women subsequently returned home.⁵⁶ In West Bengal, the story is similar. Women with property were much less likely than women without property to report experiencing physical violence – 15% versus 40% - as well as psychological violence – 28% versus 50%.⁵⁷ Surveys conducted in Nicaragua indicated that women’s land ownership increase their power and control within a marriage, which in turn reduces domestic violence.⁵⁸ While more studies are needed, these findings point to an important outcome linked to secure land and property rights for women.

Recommendations for the Post-2015 Development Agenda

The “[p]ersistent inequalities and struggles over scarce resources are among key determinants of situations of conflict, hunger, insecurity and violence.”⁵⁹ Gender inequality in secure rights to land and property is intimately tied to all of these development-related problems, which are key factors impeding efforts to achieve equitable and sustainable human development.

Indeed, women’s enjoyment of secure rights to land and property is essential to several of the current MDGs, including improvements in poverty and hunger, gender inequality, environmental sustainability, universal primary education, and combating HIV.

But without secure rights, women are relegated to a lower social status and more vulnerable to poverty, hunger, and violence as compared to men. Moreover, women cannot fully participate in the economy and cannot realize their full potential as individuals. Unfortunately, the lack of attention given to land rights issues has translated into less meaningful gains in achieving several of the current MDGs.

The very cross-cutting nature of women’s secure land and property rights represents a substantial opportunity: Efforts to strengthen and enforce such rights can help achieve multiple goals in a post-2015 development framework. But, without focused and explicit attention to women’s secure land and property rights that opportunity could be squandered. Accordingly, the post-2015 framework must:

- Recognize the transformative nature of women’s land and property rights with respect to a range of development goals related to advancing women’s empowerment, gender equality, food security and environmental sustainability;
- Include specific targets related to advance and secure land and property rights for women, as well as targets related to women’s access to productive resources more generally (such as credit, agricultural extension services, and agricultural inputs). Such targets should be crafted to address *de jure* protection of women’s land and property rights, as well as their *de facto* enjoyment of these rights;
- Ensure that these targets are themselves informed by, and aligned with, relevant international human rights standards protecting women’s land and property rights, (including as they relate to women’s access to, use of and control of housing, land and property; gender equality; equal inheritance rights; and equal rights in marriage);
- Ensure that affected women and women’s organizations are able to meaningfully and effectively participate in the articulation and monitoring of these targets.

These recommendations address both substance and process for the post-2015 framework. The good news is that there are many things that States can do to improve the status of women's land rights and property, both *de jure* and *de facto*. While it is beyond the scope of these recommendations (and this paper) to discuss fully all of the effective strategies which have been shown to advance the enjoyment of women's land and property rights in practice, it should be noted that such practices certainly do exist. Several important approaches will be discussed in greater detail in a Handbook on Effective Strategies to Realize Women's Rights to Land and Other Productive Resources that UN Women and the United Nations Office of the High Commissioner for Human Rights (OHCHR) is currently developing following an expert group meeting convened in June 2012.⁶⁰

For their part, States can address the problem of gender inequality in land and property rights in at least three ways. First, States should design and revise laws to ensure that women are accorded full and equal land and property rights with men, and should undertake administrative reforms and other necessary measures to give women and men the same access to credit, capital, appropriate technologies, markets, and information. Adequate enforcement mechanisms must also be put in place.

In this respect, part of the solution lies in removing discriminatory barriers in law and policies which exclude women from access to these resources, be they overtly or covertly discriminatory. It is important that all relevant laws – for example, personal laws, marriage and family laws, and land laws, etc. – are clear and consistent in their support of women's land rights. Laws which seem on their face to be 'gender neutral' must also be examined for their discriminatory impact. For example, the CEDAW Committee in its recent Concluding Observations on Sri Lanka underscored this point when they noted "that discriminatory practices prevent women from acquiring ownership of land since only the 'head of household' is authorized to sign official documentation such as land ownership certificates and receive pieces of land from Government,"⁶¹ because in Sri Lankan society the 'head of the household' was most often deemed to be male. The Committee urged the government of Sri Lanka to abolish the concept of 'head of household' in administrative practice and recognize joint or co-ownership of land and to amend its national legislation to ensure joint or co-ownership.

Second, States should also support the transformation of customs, traditions and patriarchal practices and norms that deny women secure land tenure. Awareness-raising campaigns and community dialogues can be effective ways to build understanding and support for women's land rights. Customs and traditions which support women's equal rights to land and property should be championed and shared.

Third, States should take proactive measures to ensure women's equality and to ensure that policies related to and affecting land and property rights actively promote gender equality and prioritize women's needs. In this regard, States should adopt temporary special measures as needed.

In all of the above, it is vital to ensure genuine and effective participation by women (especially the poor and marginalized) in the design, implementation, monitoring and evaluation of all laws, policies and programs that relate to land and property. Furthermore, States should specifically monitor the gender-differentiated impacts of their laws, policies and programs, in particular those concerning rural development and food security, with a special emphasis on women's land rights.

These strategies are fully consistent with international human rights laws and standards noted above, and would go a long way towards advancing these rights for women in both law and practice. Gains in increasing the number of women with secure land and property rights across the world will help achieve progress in a post-2015 development agenda that seeks to eradicate poverty, address gender inequality, and build an equitable, secure and sustainable world. The world must not allow this opportunity to pass by again.

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