

On the Agenda: Women's Right to Own Property

The issue: Globally, women's limited access to land and property, restricted by tradition and at times formal laws, denies women their rights and deepens their poverty. While there are wide gaps in the data needed to define the problem, estimates in some countries show that the percentage of landowners who are women is in the single digits, even as women may do three-quarters or more of the agricultural work. Property ownership can provide a form of economic and social security. Without this, women can become vulnerable to the social ills that frequently stem from social and economic dependency, such as domestic violence and HIV/AIDS. They may have a limited say in household decision-making, and no recourse to the assets that help cushion a crisis.

The fundamental importance of women's property rights has been repeatedly underscored in international agreements, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which refers to the right of rural women to equal treatment in land and agrarian reform processes. Women's property rights are an implicit part of achieving the first Millennium Development Goal, on eradicating extreme poverty, and the third, on promoting gender equality. The UN's Millennium Project has called for guaranteeing women's property and land rights as one of seven strategic priorities to reach the third MDG.

UNIFEM takes action: UNIFEM advocates for women's property rights as part of its core strategy to help reduce feminized poverty. There is a strong focus on ensuring that women have not only equal rights to property under the law, but that they are able to benefit from these rights in actual practice.

In Kyrgyzstan and Tajikistan: Successful projects are taking place in these two Central Asian countries, where rural living standards have declined despite post-transition economic reforms. With as much as 80 per cent of rural populations living in poverty, current land reform and privatization policies are now placing a heavy emphasis on poverty reduction and sustainable rural livelihoods. UNIFEM has worked closely with

national partners to ensure that the reforms protect and advance women's land rights. This has included steps to overcome two common barriers to women's property rights: the precedence given to tradition over modern laws, and women's own lack of awareness about their entitlements.

In Kyrgyzstan, the first country in the Commonwealth of Independent States to introduce private land ownership, UNIFEM-sponsored media campaigns and local seminars have spread awareness about women's land rights among women at large, as well as among the local authorities who help protect these rights. Regular television and radio broadcasts have publicized hotlines providing information, interactive talk shows have sparked debates, and posters explaining the current legal provisions have been displayed in public spaces and government offices across the country. Nine legal consulting offices were established in all Kyrgyz districts, allowing more than 12,000 people so far to consult with legal advisers on women's property issues, including those related to land use, management, rent and inheritance.

This work has now led to a series of proposals to amend the Land Code that are under consideration in Parliament; they comprise a provision protecting women's property rights in divorce cases, which UNIFEM field research had documented as a major problem. UNIFEM continues to support the legal reform process by offering technical advice, and by advocating an extended strategy that includes budgetary allocations, stronger ties to the national poverty reduction strategy and links to other UN agency programmes.

In Tajikistan, amendments to the Land Code have already taken place. In the run-up to a massive 'decollectivization' of land first decreed in 2002, UNIFEM began working with the Government, civil society groups, donors and other partners on in-depth assessments of the policy, legal and other challenges faced by a country where women own only two per cent of the private farms. A Coordination Council, chaired by the Deputy Prime Minister, was established; it draws together high-

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level officials from different government agencies to work on integrating gender issues into all aspects of land reform. As a result, in 2004, several clauses in the Land Code that discriminated against women were removed. New amendments stipulate that individual families have the right to receive land allotments from former collective farms, and that all family members, including women, will be listed on land use certificates.

To track the progress of the new laws and land privatization, UNIFEM has collaborated with the national land and statistics committees on developing new data broken down by gender. And to complement the stronger policies, UNIFEM is working to spread the word about women's land rights among the general public, including by training journalists to report on the issue, and a cohort of legal advisers to assist rural women and educate local officials.

In Southern Africa: A new project to promote women's right to land and water is now being rolled out in Southern Africa, where in economies heavily dependent on agriculture, these resources are critical to basic sustenance. UNIFEM is partnering with the group Women's Land and Water Rights in Southern Africa to advocate for national legislation and regional agreements that improve women's access. Awareness campaigns will demonstrate how traditional practices continue to impose limitations, despite women's major contributions to agricultural productivity. They will urge the adoption of land and water policies that bolster women's rights as a way of contributing not only to secure food supplies and sustainable livelihoods, but also to agriculture as a source of economic revival across the African continent.