LAND-at-scale

THEMATIC STUDY

GENDER

Synthesis of existing evidence on longer-term effects of gender-focused land interventions

A review of long-term impacts of land registration on women's land rights



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ACRONYMS

ANGOC	Asian NGO Coalition for Agrarian Reform and Rural Development
CCO	Certificate of Customary Ownership
CCRO	Certificate of Customary Rights of Occupancy
IDLO	International Development Law Organization
LAS	LAND-at-scale
MAK-SBE	Makerere University -School of the Built Environment
MENA	Middle East and North Africa
SaLAR	Secure Access to Land and Resources
SIGI	Social Institutions and Gender Index
UCOBAC	Uganda Community Based Association for Women and Children's Welfare
UN-Habitat	United Nations Human Settlements Programme
USAID	United States Agency for International Development
VFI	Village Focus International
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries, and Forests in the Context of National Food Security

KEY TERMS AND DEFINITIONS

***Gender-responsive land tools**:* Practical land administration and governance solutions that addresses gender inequality.

***Land intervention**:* Land-related project/program/initiative/measures, particularly land registration/titling/certification, implemented to safeguard the tenure security, land access, ownership, and control of land rights holders.

***Long-term effects**:* The resulting footprint as an aftermath of land intervention projects on the tenure security of beneficiaries after implementation.

Transformative impacts: The changes realized in the land access, control, and socio-economic life of beneficiaries as a result of the effects of an implemented land intervention project.

***Women's land rights**:* "The ability of women to own, use, access, control, transfer, inherit and otherwise make decisions about land and related resources, as well as women's rights to land tenure security, including community, customary, collective, joint, and individual tenure" (UN-Women, 2020, p9)

EXECUTIVE SUMMARY

The nexus between land registration interventions, tenure security, and the resulting impacts on gender, particularly women, has diverse contributions in literature. Although land registration is a dominant land intervention tool, it has received criticisms in many studies as not being the golden solution to increased tenure security. In many developing countries, land rights are primarily embedded in complex social arrangements such that formalization per se may not render the universal solution to equal access and tenure security. Over the years, efforts to safeguard women's land rights in different country contexts through land registration interventions have not yielded the expected change, especially in the longer term. There is ample evidence in literature and project implementation reports worth learning from.

This scoping study reviewed existing evidence to identify potential indicators of long-term transformative impacts through land registration interventions on women's land rights. It was found that there are limited studies on long-term impact assessment of land registration interventions because many projects are evaluated in the short term. Focusing on Sub-Saharan Africa, Latin America, and Asia, the study relied on literature reviews and interviews with experts and practitioners. Among the evidence of transformative impacts in the short term, the results point towards: increased perceived tenure security; increased investment in agriculture; improved socio-economic status and empowerment of women. Some identified threats to the sustainability of transformative impacts include socio-cultural norms and practices, supply-driven interventions, and costly land registration processes. The evidence to-date is scarce and inconclusive. Through the LAND-at-scale program, we aim to contribute to the evidence base on the longer-term gender-transformative effects of land registration interventions.

The study uncovers that generally, when it comes to inheritance, laws from many countries aim to provide equal rights and protection for all. But contradictions may exist between statutory laws, religious laws, and customary practices in the protection of women's inheritance rights. These contradictions must be critically analyzed to address the gaps. Also, different categories of women have diverse land tenure needs and each land registration intervention tool used (individual, joint, or collective), has its pros and cons on women's tenure security. Thus, it is important not to follow a 'one size fits all' approach, but rather conduct efficient baseline studies to align the contextual women's land needs to the selected interventions tools or strategies, in order to realize the expected transformative impacts. It is recommended that interventions work closely with local stakeholders and empower local champions, and that adequate project funding and technical assistance are provided to ensure the project's continuity and scalability even after donors have withdrawn their support.

1 INTRODUCTION

Women-focused land interventions remain highly prioritized on the global agenda. Gender and good land governance underlie the achievement of several Sustainable Development Goals (SDGs 1, 2, 5 and others) and therefore require great attention. The interventions aim to bring out transformational impacts on the gender imbalance regarding access, ownership, and control of land and other natural resources. Particularly, they are poverty alleviation strategies to strengthen land tenure security for all and improve livelihoods through gender equality. Inclusive and fair land governance with a gender dimension is, thus, central to the LAND-at-scale program in an effort to safeguard the land rights of the vulnerable. Over the years, progress has been made to achieve equal rights, ownership, control, and tenure security over land through land registration interventions, but evidence on its long-term transformative impacts still fall below expectations.

Globally, women, especially in the developing world, are more disadvantaged regarding their land rights and tenure security than men, irrespective of the criteria used (FAO, 2018). Even where a country's laws guarantee equal land access, many women face restrictions in exercising their land rights due to gaps in implementation and gender-biased intra-communal practices (Paradza et al., 2020). Thanks to the VGGT (*Voluntary Guidelines on the Responsible Governance of Tenure* of *Land, Fisheries, and Forests*) and similar global initiatives, gender-responsive and gender-equitable approaches have increasingly been incorporated into land tenure reforms and titling programs in recent years. A review of empirical evidence from Ethiopia, Peru, Nepal, India, and Rwanda reveals how land registration projects emphasized joint land ownership for spouses, or women individually (Choudhury et al., 2016; Deininger & Feder, 2009; Holden, 2021). Strengthening of legislation to protect women's land rights, women's capacity building at grassroot level to claim and defend their land rights, and land leasing to women in collectives are other gendered reforms implemented to expand the scope of women's land access (Choudhury et al., 2021; Santpoort et al., 2018). Despite these efforts, the sustainable impacts of such interventions on women's tenure security remain challenging, especially in the longer term (Ziade et al., 2019).

Some studies argue that land titling per se does not necessarily result in increased land tenure security (Deininger, 2003; Deininger & Feder, 2009; Salcedo-La Vina, 2020; Zevenbergen & Van Westen, 2022). However, land registration is an essential tool for good land governance, and thus it is critical to understand the constraints and success factors of land registration interventions to bring about gender-equitable outcomes. Such insights form the entry point for sustainable programs that contribute to a positive impact on women's tenure security. It propels the efficient implementation of land programs for good governance, discovering innovative approaches for gender transformation to challenge the status quo. A synthesis of evidence from the increasing body of research provides a substantial pool of insights.

Notably, many land programs lack gender-disaggregated data in the monitoring and evaluation frameworks to help understand the extent of the program's effects on women. In addition, though

there is a growing body of literature on the varying impacts of land interventions, available longitudinal studies on the long-term effects are limited. It leaves a knowledge gap on how the gender aspects of land interventions can be sustained in the long term and how the barriers to success can also be mitigated.

This study summarizes insights from land registration interventions in literature and from experts and practitioners to answer these questions for future projects and policy recommendations. This evidence-based study employed a scoping review for the research synthesis based on desktop studies and interviews. The synthesis includes projects funded by donors such as World Bank, GIZ, USAID, and also from the LAND-at-scale projects. In addition, global experts and practitioners from institutions in the land governance network representing the various geographical study areas were engaged in semi-structured interviews. Finally, it was enriched with earlier work by LANDac[1] on women's land rights in Africa and knowledge products produced by LAND-at-scale partners.

1.1 Overview of LAND-at-scale program

Since the early 2000s, the Netherlands Ministry of Foreign Affairs (NL MoFA), under the aegis of the Dutch Government, has been working towards measures to strengthen land tenure security in developing countries. This move also targets improving food and nutrition security, peace and stability, and economic development as a contribution to the UN's Sustainable Development Goals. With a prime focus on strengthening land governance programs in developing countries, the LAND-at-scale (LAS) program was launched in 2019. The program specifically aims at the essential components of the land governance program for men, women, and youth that have the potential to contribute to structural, just, sustainable, and inclusive change at scale in developing countries. Equitable land access and women's land rights themes are fundamental across all its programs.

Currently, a total of 10 countries in Africa, the Middle East, and Latin America are benefiting from the LAND-at-scale program. They include Burkina Faso, Burundi, Chad, Colombia, Mali, Mozambique, Palestinian Territories, Rwanda, Somalia, and Uganda. The project strategies in each country differ since the prevailing land issues are context specific. For instance, Chad has an outdated land law. The LAS project works towards providing a coherent and inclusive framework for a gender and conflict-sensitive land initiative with the objective to contribute to starting a process for inclusive and fair land reform. In Mozambique one of the strategies is to train female para-legals to strengthen the legal knowledge and empowerment of local communities.

Building on past achievements, the LAS's Knowledge Management (KM) consortium seeks to develop evidence-based lessons from the implemented interventions to facilitate further scaling and sustainability of impacts. This study takes a critical look at experiences from projects executed by

[1] LANDac is the knowledge management partner of the LAND-at-scale program. Twente University and Utrecht University are members of LANDac.

other land institutions to identify gaps, obstacles, and success factors to develop gender-transformative approaches to women's land rights. This knowledge-based study is intended to inform LAS country partners and other land governance actors on the lessons learned about the risks and sustainable factors of gender transformation in land governance.

2 The concept of gender transformation in land governance interventions

Gender transformation, or gender transformative approaches, are defined by many organisations and institutions. Central to all these definitions is that such an approach targets *structural* changes, that challenge existing norms and practices. They stress the importance of female leadership, and the engagement of men in gender transformative interventions (van den Berg and Sorensen, 2022; CGIAR, n.d.). As expressed by Joyce Ndakuru from HakiMadini, male champions need to be on board as, under current practices, it is men who give land to women.

To realize gender transformative impacts in land registration programs, it is useful to understand the Gender Equality Continuum Tool[2] developed by the Interagency Gender Working Group (IGWG) in the context of land governance. It recognizes different stages to incorporate gender when designing interventions, ranging from gender blind through to gender equality). The concept advocates the integration of gender transformative approaches as a cross-cutting theme in program implementations with clear gender indicators. Women's involvement and consultation throughout the designing, monitoring, and implementing of land reforms is crucial (Budlender and Alma, 2011, van den Berg and Sorensen, 2022). Development organizations seeking cultural shifts or transformative change and sustainable impacts in land interventions must have an awareness prior to implementation of the kind of impact an intervention program would have on gender equality through the continuum tool.

Changing a community's social norms to achieve sustainable gender transformation needs time and strong, long-term, local relationships. WOLTs and HakiMadini stressed the importance of having a long-term vision. Gender-blind land projects, in contrast, give little to no attention to gender differences. But, as Ruth Meinzen-Dick advised in an interview, whether a project is gender-blind or gender-transformative, it has the burden of proof to justify that at least women are not being harmed in the process. It is important to note that all intervention projects have impacts on gender and project implementers need to be aware of this.

[2] https://www.igwg.org/wp-content/uploads/2017/05/FG_GendrIntegrContinuum.pdf

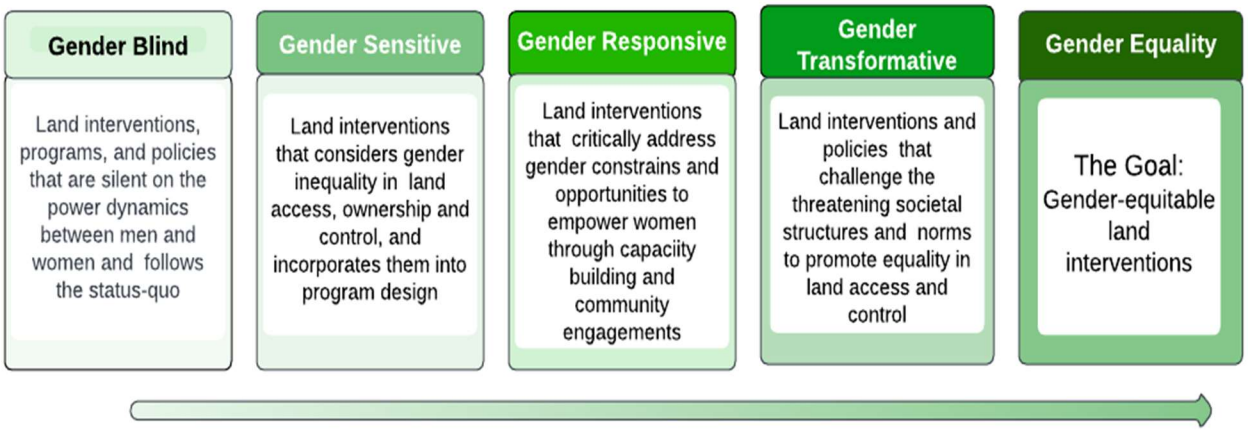


Figure 1: Authors' construct of Gender Equality Continuum Tool in the context of land interventions (Adapted from https://www.igwg.org/wp-content/uploads/2017/05/FG_GendrIntegrContinuum.pdf)

3 ANALYSIS OF EVIDENCE

Typically, in many countries, women's land rights are embedded in socio-cultural constructs of customary or communal land tenure systems, regulated by the prevailing norms and practices, which usually are gender-biased. Efforts to formalize these land rights through registration and titling have been hailed as the 'silver bullet' to long-term tenure security. Communities have increasingly opted for registration interventions to assert women's pre-existing rights over land. But, contrasting opinions exist on the effects of land registration interventions on women's tenure security and social status. Some researchers argue that individual titling breaks the collectivity in communities and undermines women's secondary land rights. Others interrogate what benefits land titling could have on women without first ensuring good governance as the enabling environment. Experts such as Banumathi Kalluri of Dhaatri, India, argue that a mere advocate for gender equality would not render the expected transformational change in gender inequality regarding land tenure security. Instead, ensuring that women have formal legal rights to land and productive resources is key (Land Portal, 2022). In other cases, beneficiaries of land titling programs revert to their original traditional practices after the intervention projects since they perceive land right formalization as an imposition.

Whichever way it is argued, land rights formalization, under certain circumstances, can be beneficial to poor and vulnerable groups such as widows or divorcees or where pressure on land is high as Hernando de Soto suggested (Otto & Hoekema, 2012; Zevenbergen & Van Westen, 2022). Strengthening women's land rights through land reforms has also been identified to reduce the risk of domestic violence against women (Song & Dong, 2017). The documented titles may not directly lead to tenure security, but it has the potential when it has been integrated into formal institutions with legal backing (Girma, 2021). The study acknowledges the ongoing debates on the potential benefits of land right formalization as one of the main tools for securing women's land tenure, especially on customary lands. From different contexts as found in literature, this section analyzes the tools for land registration interventions, the transformative impacts on women, sustainable factors and the gaps and contradictions in evidence.

3.1 TOOLS FOR WOMEN'S LAND RIGHTS REGISTRATION AND THEIR EFFECTS

Land registration or titling is one of the most common land interventions to strengthen tenure security. In developing countries, they are often large-scale, cost-intensive undertakings that require funding support from international donors. Before recent times, land registration programs tended to be silent on gender, despite the huge investments. Baseline strategies in land registration lacked gender focus or indicators for women's inclusion. Over the last two decades, land laws, policies, programs, and innovative practices have increasingly inculcated gender-responsive strategies to ensure equal treatment of rights held by women. Advances in land titling programs now have formulated elements such as non-discriminatory customary norms, presumed joint ownership of family land for spouses, barring land disposition without spouses' consent, and women's participation in land management decisions as objective (Otto & Hoekema, 2012). Among others, the forms of land registration that address women's rights to land include individual, joint, or collective land titling.

3.1.1 Individual land titling

Individual land titling has produced high tenure security results in developed countries (Rachel Knight, 2010). However, in developing countries, the approach has been criticized as potentially detrimental to women's rights if not properly implemented. The individualization of Kenya's Maasailand among group ranch members provides a good example. Large proportions of the hitherto collective lands ended up being allocated to committee members and wealthy cattle owners, while vulnerable groups such as widows and poor livestock herders received smaller land sizes (Mwangi, 2007). In the issuance of individual Certificate of Customary Rights of Occupancy (CCRO) in Tanzania, Kabigi et al.'s (2021) study reported that as of 2016, 68% of CCROs had been issued to men, while 32% were issued to women. A further survey in the study shows that about 75% of respondents felt the individual certification could extinguish the land rights of many women and children, especially women who cannot meet the certification requirements.

Individual land titling - In short:

+ Provides highest level of tenure security for women

- Predominantly in name of male
- Exclusion of secondary rights

Rabenhorst and Bean (2011) indicated that many land titling projects in Africa which focused on individualizing rights in communally held lands resulted in the exclusion of women's customary rights held over the same parcels. For instance, during the first level land certification in Ethiopia between 1998 and 2004, lands in regions such as Tigray were registered to only men as household heads (Ziade et al., 2019). Several documents also had only men's photos affixed. Early land reforms in parts of Latin America and South Asia, such as Vietnam, also focused on male household heads per the existing norms and customs (Rabenhorst & Bean, 2011). The trend presupposes that where land registration and reforms target household heads, it disadvantages women since men represent households in many cultural settings around the round.

Women, however, benefit from this approach if the individualized formalization is registered in their names. The land titling project in Laos ensured that the land titles were registered in women's names. With their equal participation and inclusion, women in Laos have greater access to, and control over, land than in other parts of East Asia, and they have greater chances of inheriting land than men (World Bank, 2014). In the case of India, the Government of Odisha also made provisions for land allocation specifically to widows, divorced, unmarried, and poor landless women in their names (Choudhury et al., 2016).

3.1.2 Joint land titling

Joint titles: in short:

+ Access and social equality

- Needs legal framework
- Informal relationships
- Resistance from men

Joint certification, where land titles register both the husband and wife, has shown promising results on enhancing women's tenure security, socio-economic status, and livelihoods. The approach has been recognized as a 'good practice' that enables women to have tenure security through equal entitlements to matrimonial properties without necessarily being the de facto or de jure household head (Basnet et al., 2014). With joint titles, women are protected from following stressful procedures to claim their inheritance of marital properties during vulnerable situations such as widowhood or divorce (Namubiru-Mwaura, 2014). Also, husbands cannot sell joint properties without the initial consent of their wives. Basnet et al. (2014) noted other far-reaching benefits of joint ownership evidenced in women's increased investments, higher self-esteem, and protection from marital violence. Additional evidence reveals that joint titling increases agricultural yields (Girma, 2021).

In many countries, the implementation of joint land ownership required strong legal reforms and policies. In Kenya, the Land Registration Act 2012 endorsed joint titling to protect women from losing their share in marital properties during and upon losing their marriages. The joint land ownership in Bangladesh was spurred by policy changes such as the Khas Land Distribution Policy. For Nepal, prior to legalizing the joint land tilting in 2012, a series of activities were held, including stakeholder engagements, workshops, street drama and mobilizing grassroots women to protest for policy change (interview Jagat Deuja). The activities were jointly spearheaded by the Community Self-reliance Centre (CSRC) and the National Land Rights Forum (NLRF). The Government later introduced incentives such as tax rebates and lower registration fees for joint land ownership to encourage the uptake.

Through legal reforms, the second land certification in Ethiopia saw remarkable changes in the protection of women's rights by issuing joint land certificates to spouses and ensuring that names and pictures of both spouses are included. Polygamous households were not left out in the implementation. According to Deininger et al. (2006), as cited in Rabenhorst and Bean (2011), the proof of joint tenure rights became a booster in the socio-economic status of women.

An important condition for women to benefit through joint titling is legalization of their marriages. In many countries, such as Brazil and Rwanda, joint land titles are only available to couples in registered

marriages. Julia Madariaga, mentioned that in Colombia grassroots training programs stimulated many women in cohabitation to take steps to register their marriages so their names could be included on the land title, alongside their spouses. Unregistered marriages often leave women more vulnerable upon widowhood, divorce, or desertion as they lose claims over their matrimonial landed properties. Legal provisions to address this risk have been taken in the Philippines, where the family law was revised such that joint ownership included domestic partnerships to protect women in informal marriages (Pedragosa, 2010).

In the implementation, joint titling can meet with resistance from men. Ziade et al.'s (2019) study in Ethiopia offers some noteworthy threats to joint titling. Evidence in the study indicates that some men deliberately exclude their wives' names, impersonate their wives' photos, or provide false information about their marital status to falsely state that they are widowers on titling certificates. Others use religious reasons to discourage their wives from attaching photos to joint titles. Some men even expel their wives from the house before or during the roll-out of joint certification programs. These reactions potentially stem from the fact that they feel they stand to lose clan lands to an external clan member, in this case, their wives.

In other settings, evidence reveals that even where joint titling is guaranteed by law, the registration forms lacked spaces to record the details of both spouses (Daley et al., 2013). In instances where additional spaces are provided to list spouse's names, no indication shows that the listed spouse is a co-right holder on the form, and sometimes only a single signature line is provided (Girma, 2016).

Overall, as Anne Locke indicated, joint registration is a step in a longer process to bring about tenure security for women. This process encompasses creating awareness of rights throughout the communities, how to protect these rights and preparing women for when they loose their husband.

3.1.3 Collective or community land titling

Collective titling in short:

+ Leaves no one behind
+ Efficient

- Discriminatory customary practices

Estimates suggest that communities hold about 65 percent of the world's total lands under customary and collective tenure systems (Rights and Resources Initiative, 2015). Though held collectively, community lands may be allocated to individual households and managed as such. Researchers interrogate the likely disproportional benefits and tenure security between men and women on collective lands. Namubiru-Mwaura (2014) noted that collective tenures could potentially exclude or exploit poor and vulnerable groups who may not have their own land. Filling the gap on how women's land rights could be protected within collective arrangements. Meinzen-Dick et al. (2021) suggest that both the community and the women as individuals must have tenure security. This requires good governance where women particitipate in decision making over land so that women's land access and control within the collective are recognized (Sutz, 2021).

Some studies perceive collective titling to protect and recognize all the rights in the social tenure, including overlapping or secondary rights which women often exercise (Knight, 2010). Ruth Meinzen-

Dick pointed out in an interview that individual and joint titling tend to concretize and concentrate the bundle of rights to only the title holders while it weakens the rights of other family members, such as girls and young men. Collective titling, however, leaves no one behind. Evidence from Liberia, Mozambique, and Uganda revealed community land titling is more efficient in protecting rural households and land claims than individual and family land titling (Knight et al., 2012). In Tanzania, a group Certificate of Customary Rights of Occupancy (CCRO) is considered a valuable tool for strengthening the land rights of vulnerable people such as women and children (Lekaita et al., 2014).

Constructive lessons from Salcedo-La Vina and Giovarelli's (2021) studies show that when collective lands have legal recognition and enforcement, women can enjoy secured access, equal benefits, and participation in governance. In Kerala, India, to enhance access to land and credit for collective women in agriculture, the Kudumbashree farming initiative provided great support through collective land leasing and access to other agricultural entitlements. Choudhury et al.'s (2021) study of the Kudumbashree intervention also revealed that legal backing for the land leasing and recording of the names of the lessees was a vital success factor for its sustainability.

An alternative use of collective titling for gender transformative tenure security is through providing land titles to women's groups (Enda Pronat and LANDac, 2018). This is also an approach piloted in Chad to overcome barriers that individual women experience in gaining access to land (Box 1). It has shown some promising results to strengthen women's land rights on which the LAND-at-scale interventions builds.

Box 1: Land access for women groups in Chad

During a workshop aimed at defining the focus of a campaign to improve policies in favor for women in the occasion of political election in 2016, the involved women's organizations realized that access to land and credit are essential to fight hunger in Chad. This informed the "With rural women, for a Chad without hunger" campaign, implemented by Oxfam and local partners CELIAF and CNCPRT. 300ha of land were allocated to 18 women's groups.

Source: https://landportal.org/node/101698

3.1.4 Key lessons on women's land registration tools

- The most appropriate land registration intervention tool for women's land rights is context-specific; therefore, no one-size-fits-all approach provides the golden solution for women's tenure security. The various tools should be analyzed in terms of cost, time, sustainability, scalability, capacity, and acceptance to understand which approaches work best where.
- Adequate spaces for names, signatures, and photos should be provided on joint titling registration forms to help identify all the title holders and co-owners.
- The registering parties should be well-informed about their rights, as well as the pros and cons of the land registration tool.
- Land registration interventions must ensure that women in informal marriages are well-protected in the legal framework to enable them to benefit from land titling.
- Ensure that women's secondary land rights in the social tenure system are not eroded in individual land titling.

- For collective or community land titling, community-specific gender analysis and strategies to mitigate gender inequities should be thoroughly studied (Knight et al., 2012).

3.2 Evidence of transformative impacts from land registration interventions

Positive transformative impacts are central to developmental projects. For many land intervention programs, baseline studies on gender are critically assessed and mainstreamed in the inception phase. However, the monitoring framework may lack clear sensitive gender indicators for gender-disaggregated data. Many project reports are often descriptive of the activities and generalized, with few comments on gender and women. The projects are usually only evaluated soon after implementation; studies on the long-term effect of land registration interventions are rare. For this study less than five reports that assessed projects beyond 10 years after implementation were identified, with the longest-term being 12 years. This section discusses insights on the evidence of some resulting impacts of land registration interventions on women's land access, tenure security, and control.

3.2.1 Perceived tenure security

Efforts to increase women's tenure security through land titling do not always significantly yield the expected results in the longer term. Assessing the impacts of the Certificate of Customary Ownership (CCO) project in Uganda, Burke and Kobusingye (2014) found that CCOs have increased tenure security for women resulting from reduced encroachments and dispossession of land. Through the project, women had certainty and societal recognition of jointly acquired marital properties, which would not leave them vulnerable upon losing their marriages. About 95.7 percent of women interviewed in Burke and Kobusingye's (2014) study also confirmed that the registration intervention had protected them from becoming victims of land grabs. In contrast, Kamusiime & Ntegeka's (2019) study found that the CCO intervention has not created, or is yet to create, increased tenure security for women based on the Women's Land Tenure Security Framework as measured by the completeness of rights.

In Wonago District, Ethiopia, a survey by Adam and Abay (2019) revealed that the tenure security of about 96.8% rural women had advanced after the issuance of the land certificates. However, a recent study by Alvarado et al. (2022), after 10-12 years, has found a decline in the perceived tenure security due to fear of likely land redistribution by the Government in the future.

3.2.2 Economic impacts

Rwanda's Land Tenure Regularization induced well-entrenched land markets (Ali et al., 2014). In Thailand, titled lands had high market values with high productivity. Early impact evaluation of Benin's rural land formalization by Goldstein et al. (2015) found that the project gave rise to long-term land investments and exogenous tenure security change for women. In terms of renting out in Ethiopia, a high probability was noted among female-headed households with certificates, increasing from 2.3%

in the first year to 14.4 % after 12 years (Alvarado et al., 2022). Evidence on the link between land certification and credit seems inconclusive (Doss & Meinzen-Dick, 2020).

3.2.3 Food security

Evidence from the Microplot Allocation and registration of homestead land Program in India indicated that the program laid the foundation for food security (Santos et al., 2014). Women were empowered with higher perceived tenure security which they optimized to access credit facilities to invest in agriculture to improve household and intrahousehold food security. Also, the Landesa synthesis study on MCC-funded projects in Benin, Lesotho, Mali, and Namibia reported that female-managed lands for which the women had certificates were more likely to be left fallow, which is essential for improving soil fertility in agricultural investments (Giovarelli et al., 2013). In Ethiopia, significant impacts were recorded on agricultural investment and soil conservation among female-headed households. This increased significantly even in the long term, especially among households headed by widows (Alvarado et al., 2022). Women in Rwanda also recorded increased confidence in cultivating their land, having the assurance that their inheritance rights, ownership, and use rights were secured through the land tenure regularization (Mukahigiro et al., 2015).

3.2.4 Socio-economic status

For jointly registered lands where women's photos were attached, evidence from Ethiopia revealed that it increased women's bargaining power (Deininger & Feder, 2009). They were more assertive in using, controlling, and making decisions on the income from their investment in land as a result of the certification. Alvarado et al. (2022) observed that this achievement had been sustained in the long term; however, wives in polygamous marriages had negatively been impacted. Examples from land titling projects in East Asia, particularly Vietnam, found that women's exclusive land rights, either held jointly or individually, increased their self-employment and expenditure, and reduced their fragility to poverty (World Bank, 2014).

Apart from marriage being the dominant means of land access, rural women in Wonago District, Ethiopia, could also acquire or inherit lands from their families before and even after marriage through the certification (Adam & Abay, 2019). However, Askale (2005) reported that while some marriages became more stable under the joint titling program in Ethiopia, some husbands also resisted the requirement to add their wives' names and, therefore, tried to divorce them before the registrations in order to have full ownership and control. In the case of Rwanda, increased documented land ownership for legally married women was recorded following the land tenure regularization, but it worked against women who were not lawfully married (O'Sullivan, 2017).

3.2.5 Women empowerment

Generally, women's empowerment becomes well-noticed in land interventions that emphasize women's participation. It was observed from the IDLO's community land titling initiative that women's land rights were strengthened through their involvement in the project. The women were empowered

to challenge the existing gender-discriminatory customs and practices that affected their inclusion in land management and inheritance (Knight et al., 2012). Adam and Abay's (2019) study in Ethiopia also showed that the certification program enhanced women's participation and involvement in household and community-level decision-making.

Mokoro's WOLTS program in Mongolia has observed sustained effects of their training of local champions for gender transformation. As narrated by Liz Dailey, champions trained in 2019 stood up in front of national government officials three years later, sharing how they still work with local governments on women's land rights and supporting their communities in various ways. These communities have not been supported or funded by Mokoro since the training.

3.2.6 Key lessons on transformative impacts of land registration interventions:

- The evidence on transformative impacts in the longer term is scarce.
- The evidence on tenure security for women after registration is inconclusive.
- Women with land ownership seem to be able to increase the income from their land asset.
- The most significant transformative effect of land registration interventions with a gender focus is a change in empowerment and social status of women.

3.3 THREATS AND SUCCESS FACTORS OF LAND REGISTRATION INTERVENTIONS FOR GENDER TRANSFORMATION

Evidence from many studies has proven, among other things, that good collaboration with local actors is key for upscaling land interventions to establish positive impacts in the longer term (Aalborg, 2014). Collaboration is even more important to also achieve gender transformation through these land interventions. It requires changing the discriminatory social norms that hold back women's land rights. An important entry point is thus strengthening local land governance institutions through strong relationships, education, and accountability in a participatory manner. The alliances include a partnership between grassroots and local land authorities.

According to Deininger and Feder (2009), the effectiveness of land registration interventions is achieved within the context of good land governance. In many country settings, legal pluralism of formal and customary laws co-exists with some discrepancies in practice. A social acceptance of equal land rights within the customary practices provide significant impacts for transformative results, but that seems the most difficult to achieve (Giovarelli & Richardson, 2016). Transformative change and sustainability of impacts in land interventions lie in addressing the norms and social structures as the underlying root causes that undermine gender equality to land rights. Ultimately, sustained tenure security for womenis enshrined in obtaining both societal and legal recognition of land ownership. Thus, beyond legislation and women's inclusion in land registration interventions, community cooperation and good land governance creates the enabling environment to realize transformative results on women's land rights.

This section unpacks in more details some barriers and success factors for the long-term sustainability and scalability of land interventions that bring about structural gender transformative change.

3.3.1 Barriers to sustainable gender-transformative land interventions

A number of barriers to sustainable gender transformative impact through land interventions have been identified.

Social norms and cultural practices: Studies have shown that women who have access to land through purchase feel more secure than those who access through family relations or inheritance (Burke & Kobusingye, 2014). Prindex research has found that the major threats to women's tenure security are from intra-household dynamics (Interview Anna Locke). Such factors need to be properly addressed, which goes beyond mere land registration. The baseline study conducted for the Amahoro@scale project in Burundi highlighted that cultural practices indeed hamper women from accessing, and inheriting, land, and that they feel less secure in their tenure (Internal LAND-at-scale report).

Weak legal rights: National laws in many countries, including those where LAND-at-scale operates, have formulated equal access to land between men and women. Implementation of these rights often lags behind, particularly where customary land governance systems allow women secondary rights only (ADECRU, Fórum Mulher and LANDac, 2018). The legislative frameworks on inheritance in many countries are weak, leaving room for the gender-biased customary or religious arrangements to dictate for women and girls. The SIGI report noted that, only 55 out of 160 countries legally recognize and practice equal inheritance rights for both men and women (Kolev et al., 2014). Under Islamic law, women generally inherit half of what their male counterparts inherit (UN-Habitat, 2018). In Burundi, the succession law prohibits women from inheriting land (Betge, Irutingabo, & Westerbeek, 2017).

Lack of clear information on registration implications: During the CCO program in Uganda, it was reported that some younger men were reluctant to include their wives' names on the titles. This was because they were uncertain how jointly registered lands would be handled in the event of divorce or demise of a partner. Substantial pre-information should be shared with beneficiaries on the registration approach, implications, and benefits to encourage them to include their partners on titles, but it should not be mandatory.

Supply-driven versus demand-driven interventions: Paradza et al. (2020) noticed that the supply-driven nature of land interventions undercut their long-term sustainability. Local actors may not always have the requisite techniques, capacity, or skills to maintain sophisticated land registration approaches or cadastral registers, preferably designed by the project donors. Without further capacity training, such projects suffer continuity after the development agency leaves. The SaLAR project reported that, in Uganda, low women's participation was initially recorded due to the use of the STDM tool and other computer applications, which the women had little or no skills to use (ANGOC et al., 2021). The absence of experiences of women in the design phase of land interventions was echoed by Fridah Githuku during the LAND-at-scale webinar on tenure security (Sorensen & Chamberlain - van der Werf, 2022)

The WOLTS project in Tanzania is community-led and therefore driven by local knowledge and solutions, hence the success. The ongoing USAID land titling project in Columbia has received a good reception from the beneficiaries because, following the peace agreement, the entire community agreed to change the root causes of the conflict, of which land is one. Land registration becomes more sustainable when the intervention is initiated from a demand by the beneficiaries.

3.3.2 Success factors to sustainable, gender-transformative land interventions

Prior context analysis: Before a land intervention is implemented, it is important to do a thorough gender analysis on the ground. This is to answer questions such as: what are the social variables, what are the existing norms, what is the position of women in their society? What are their vulnerabilities? What are the potentials for change? (Land Portal, 2022). A thorough understanding of the communities in which it works has been key to the intervention by HakiMadini in the WOLTS program. The involvement of women in the collection and analysis of data in this phase, and during inception, has empowered women, built awareness of the situation of women and has informed evidence-based advocacy for change on the ground (ActionAid Kenya, ADECRU, Enda Pronat, Fórum Mulher, GROOTS Kenya, Oxfam in Malawi, LANDac, 2018). Based on this analysis, stakeholders determine what the best tenure options are, acknowledging that women are a heterogenous group. Chigbu et al. (2019) investigated and found eight situations that categorize women and how that influences their need for land access and tenure security. These statuses include different economic classes – poor, middle, or high income; marital status; educational level; health conditions; age categories; women subject to different inheritance systems; women in political leadership and those in no leadership; and women with different land tenure holdings. Lessons from this study conducted in Ghana, Nigeria, and Zimbabwe, suggest that it is critical to recognize the different challenges, needs, and status of women when designing land interventions. Putting all women in a general pool will have little impact on poor and vulnerable groups and risk benefitting only the literate, married, healthy, or women with power and affluence in society. Particularly important is an understanding of the rights women have on land, which is more nuanced than through ownership. User rights, and other bundles of rights need to be assessed and included in the design of the intervention according to the context (Doss & Meinzen-Dick, 2020; UN-Habitat, 2018).

Continuous research, monitoring, and evaluations: Once a land intervention starts, data collection and monitoring on the ground throughout the implementation is vital. M&E frameworks need to capture gender-disaggregated data to track the impact of land registration (or other land governance interventions) on women separate from men. Equally important is monitoring for unintended harmful effects in the communities, particularly on vulnerable groups such as women in informal marriages (Duncan, Bermudez, & Barthel, 2022).

One main success factor behind Nepal's land titling is periodic data collection for policy formulation and amendments. Evidence reveals that the NES (National Engagement Strategies) has been researching and analyzing impacts on joint land ownership, women's land rights, community land

tenancies, and policy gaps from time to time (ILC, 2020). The results serve as a guide for subsequent policy formulation.

Local champions and Multi-stakeholder engagement: Women's land rights must be recognized as a complex issue that requires involving multiple stakeholders across multiple levels. Engaging the local actors of change such as grassroots women groups, community leaders, national government, and indigenous groups is a major facilitator for successful and sustainable interventions (ActionAid Kenya et al, 2018). In particular working with local champions allows for scaling and sustainability (Land Portal, 2022). From shared experiences in the WOLTS project implemented by HakiMadini in Tanzania, it is advised that locally trusted people should front project implementation for effective impacts. It involves training and development to strengthen the local power structures.

Awareness, capacity building, and legal literacy on gender: Awareness campaigns, capacity building for community members, and legal education for grassroots feminine movements are key ingredients for sustainable gender transformation. As Girma (2021) indicated, "*Women's ability to exercise their rights to land depends on awareness of their land rights, their ability to invoke the rights, and social acceptance of those rights*" (Girma, 2021, p.9). Experiences shared by HakiMadini, Tanzania, disclosed that through the continuous training and awareness programs, men who initially resisted women's land access, especially traditional leaders, now support women to acquire land. Some men have even released portions of their land to their wives and mothers. In many instances, cultural norms deter women from participating in land-related issues. Support can be provided by way of gender awareness programs to boost women's morale, as was evidenced in the HakiMadini project and also under the SaLAR project (ANGOC et al., 2021). Advocacy for equal-gender land access and proportional representation of women in community leadership roles is also crucial.

Julia Maradiaga shared her opinion about the situation in Columbia during the interview: *"Though we are a patriarchal society, we have a very progressive constitution, laws, an amazingly progressive Court system with strong female peace-building movement that ensures women's rights are protected*." From her experience, the existing laws in Columbia recognize women's contribution to marital properties through unpaid household work and thus protects them. Addressing the barriers in the legislation and community norms was necessary to ensure that at least 50 percent of titles are issued to women and that the law is unambiguous on women's inheritance rights in the on-going USAID project.

3.4 GAPS, CONTRADICTIONS AND REFLECTIVE QUESTIONS

Gaps and contradictions remain on the long-term impacts of land titling projects on women's land rights. Although gender awareness of land registration is increasing, and a growing body of evidence on impact from land registration on women is created, indicators towards the longer-term gender transformative effects after such interventions remain scarce. Firstly, the impacts of land registration projects are mostly reviewed in the short term. There is a big gap on the longer-term picture, with communities where gender-transformative land registration has been implemented not being revisted a number of years after the project has finished. Land registration projects should

incorporate plans for endline studies after 10 to 15 years of a project's lifespan to assess the impacts over a longer period. Ideally, as Girma (2021) noted, gender transformation requires revisits, iterative processes, and periodic adjustments. Secondly, many land intervention projects appear to address gender, but the monitoring indicators lack gender implementation guidelines, whiles the evaluation reports also lack gender-disaggregated data. These instances prevent proper articulation as to what the effects of certain land registration strategies, both administratively and technically, have been on women. Development organizations have different assessment frameworks for measuring gender impacts in land governance, further complicating building concise evidence.

In addition to these general gaps, specific areas have received little attention or have been overlooked when it comes to gender-transformative approaches in land registration interventions. The first relates to contexts of legal pluralism. It is often generalized that many country laws guarantee equal land access. But how effectively do statutory laws and customary norms concord to protect women's land rights? Also, most communities have complex overlapping forms of land tenure within which women's land rights are embedded. In other cases, statutory laws may be unambiguous on equal land access and inheritance, but its enforcement and practicality may still be counteracted by cultural or religious laws. A typical example is the case in India where inheritance is influenced by the different religious laws although the statutory law: Indian Succession Act of 1925, grants equal inheritance rights to both genders. Christian sons and daughters enjoy equal inheritance rights whiles Muslim sons enjoy twice as much inheritance than daughters, following the Shariah law (Choudhury et al., 2016; Tong, 2022). An amendment in 2005 to the Hindu Succession Act of 1956 ensures equal inheritance, but practically as found in Tong (2022)'s research, some families circumvent the law and cause daughters to forgo their portions of inheritance. To this, a detailed review of legal frameworks religious laws, and customary practices is needed to identify the gaps and contradictions that needs to be addressed.

The second theme on which more evidence is needed is on how land registration addresses the varying land needs of women as a heterogenous group. Land needs differ depending on their status and circumstances. Different categories of women face different challenges in accessing land rights. Can a single land registration intervention tool, such as individual or joint land titling, cater to these intertwining arrangements? There is a need for more evidence on which land registration intervention tool is suitable to address which land needs, in which geographic contexts, and under what conditions.

Evidence on the impact of land registration on tenure security for women is inconclusive (see section 3.2.1). This holds both on the short and the long-term. This asks for further research, revisiting historic interventions as well as more recent registration programs.

Addressing the complexities surrounding women's land rights and tenure security requires multifaceted mechanisms and actions. Figure 2 summarizes some gaps as the enabling areas of concern for achieving gender transformative impacts on women's land rights. Overall, good land governance plays a central role.

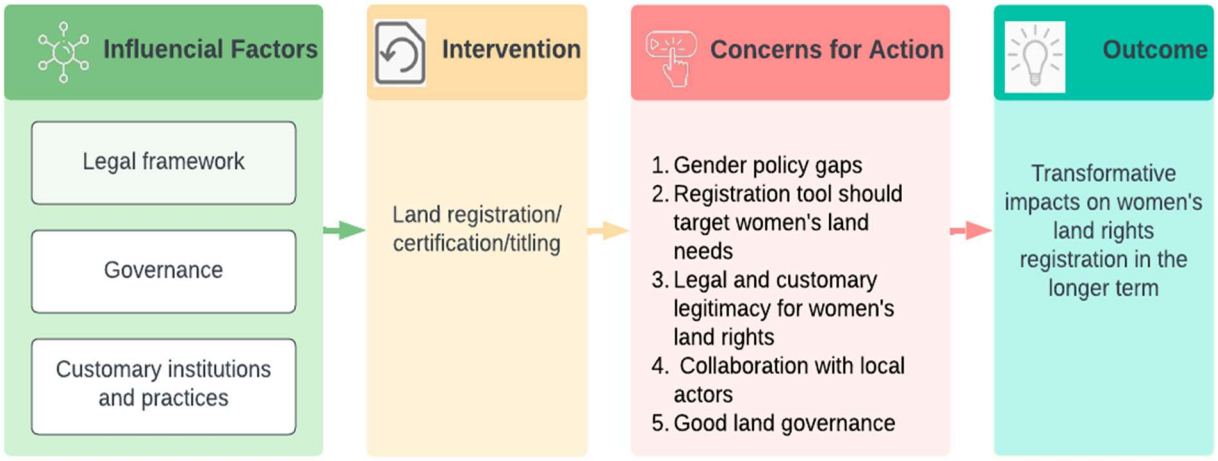


Figure 2: Action areas of concern for transformative impacts on women's land rights registration

3.5 Reflective questions for further research

1. For community land titling, do land rights for women improve in the long term after the registration projects?
2. How well does joint land titling protect women's land rights in polygamous marriages? Which registration tool best protects the land rights of women in informal marriages?
3. What are the drivers of tenure insecurity to women's land rights and to what extent are they being addressed in land governance and even beyond land administration?
4. Under what conditions are individual land titling more suitable than joint land titling?
5. Considering the benefits of joint land titling vis-à-vis the evidence of some adverse reactions from men in joint titling, should the tool be implemented as compulsory to protect women's land rights or optional for the men to protect their clan land during formalization?

4 Recommendations

Based on the findings, there is more room for improvement on women's land rights registration. This report recommends the following for increasing the sustainability and scalability of gender-transformative land registration:

Preparation: Project implementers need to gain a detailed insight into the context in which they are going to work. They need an understanding on the situation of women, their heterogeneity, and their needs. Data collection and analysis with the community forms a central element in such preparation. Engagement with a range of stakeholders is another activity that is crucial to come to a design that is suitable to bring about structural change for improved access to land for women in the particular context.

Project structure: To embed gender transformation in an intervention, the collation of gender-disaggregated data on land-related issues faced by women should be an integral part of land interventions (UN-Habitat, 2021). Projects should be monitored using gender-disaggregated data and adjusted where possible (Paradza et al., 2020). Furthermore, dedicated budget must be reserved for gender-related activities. A gender specialist in the project team can ensure that gender-transformation is effectively mainstreamed throughout the intervention, and beyond.

Registration Processes: Regardless of the specific registration mechanism, during the roll-out of this process a number of aspects must be ensured. Firstly, the different types of (customary) land rights held by women, either main or secondary rights, should be registered as they are. One of the successful pillars of the land titling project in Laos was ensuring women's existing customary land rights reflected in official registers without any alteration (World Bank, 2014). Secondly, mechanisms should be put in place to ensure female household members are recognized on land registration forms. As Widman's (2014) study found, Madagascar's land titling failed to secure women's land rights because it lacked mechanisms to ensure the inclusion of women on couple's jointly held lands. Speaking to Ruth Meinzen-Dick in an interview, it was disclosed that though the registration forms had additional spaces for the inclusion of wife names, the implementors were not informed or educated on its essence, hence flawing the Madagascar project from a gender perspective. Ensuring that wives and daughters are included on titles contributes to safeguard their inheritance and ownership rights upon the demise of the household heads, and hence the sustainability of the gender-transformative effect of an intervention. Thirdly, the staff or implementors must be well-trained in legal literacy and registration processes and uphold professional conduct. For instance, regarding how subsequent land transactions on already registered lands should be recorded. Experience from Uganda's Certificate of Customary land Ownership (CCO) project indicated there was a lack of a clear approach for capturing subsequent transactions on registration (Giovarelli et al., 2013).

Establish complaints units to address registration concerns: Set up complaint support units to provide legal support and assistance to women who may have peculiar issues in registering their land rights. To increase approachability, a significant proportion of this administrative team should be women. To maintain trust and credibility, resolution processes must be transparent, fair, timely, and binding.

Decentralization of registration and meeting centers: Women spend more time on domestic chores and family upkeep. Having registration offices and meeting centers in distant locations inconveniences women and discourages their full participation, which undermines the anticipated benefits. As reported in the SaLAR project in Laos, many women face challenges with full participation in training programs whenever meetings are held in the cities. Even where meetings are convened in rural areas, some women face confrontations from their husbands regarding them leaving their homes for some days or hours to attend the meetings (ANGOC et al., 2021; World Bank, 2014). Thus, the location and timing for convening meetings should be well planned to suit the target groups.

Strengthening women's grassroots organizations and local champions: A crucial element to realizing lasting transformative impacts on women's land rights is by building and strengthening women's

grassroots organizations as an integral part of land interventions. Local champions, either male or female, provide community support through contextual expertise and local strategies for effective, sustainable results. Indeed, the role of male champions is important as they have been observed to support women in decision-making and application for land (Liz Daley interview). Local champions are also instrumental in building capacity at a local level through training other champions. Support for women's organizations is pivotal to facilitating training and education for legal literacy and empowerment to challenge the status-quo on women's land rights.

5 CONCLUSION

There is a pool of literature on lessons, barriers, and sustainable factors of land interventions on women's land rights. A gap remains on the long-term impacts of land registration interventions on women's land rights. Periodic reviews and longer-term evaluations on land projects are rarely conducted. This study synthesized lessons from literature, interviews, and LAS projects to find out what the long terms impacts of land registrations have been on women's land rights, as well as what the sustainable factors or threats are for future program formulation. Among others, it was found that different land registration tools are often implemented, but critical analysis of which approach works best where and under what conditions is often overlooked. Also, the interrelationship between a country's legal framework and the customary land practices, and how well the people embrace the existing cultural norms, is vital to understand whether land interventions will receive a good reception from the beneficiaries towards transformational change. Overall, evaluations on long-term effects involve many factors and that could be effectively assessed if nuanced with data from the ground.

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1 APPENDIX

1.1 INTERVIEW GUIDE FOR EXPERTS AND PRACTITIONERS

Transformative Impacts of land interventions on Women's Land Rights

1. Which land registration interventions have you been involved/ evaluated and in which geographical areas?
2. What are some the observable changes/ effects realized on the women's socio-economic, tenure security, or general livelihood as a result of these interventions in the short-term? How different are these transformations years after the intervention (in the long-term)?
3. In designing such projects/interventions, what are some of the factors taken into consideration for incorporation into the implementation? For instance, issues that threaten the women's land rights, available opportunities that could be capitalized on etc.

Barriers and sustainable factors of successful land interventions in the long-term

4. What are some of the key factors that could be regarded as hindrances to the sustainability of similar projects?
5. Field reports indicate that, in many cases perpetrators continue to threaten women in order to deny them of exercising their land rights irrespective of their land rights documentation. This affects the women's tenure security even after registration.
   In your professional opinion, which land intervention tools, approaches, or measures do you consider as entry points to mitigate against such occurrences and make land registration beneficial to women in the long run?

Gaps, contradictions, and Recommendations for future policy formulation

6. What is your opinion on 'demand driven interventions' (commitment from the beneficiary requesting for the intervention) as against 'supply driven interventions' in terms of implementation and sustainability?
7. Many land interventions implemented in different geographical locations so far appear 'one size fits all', which? What is your opinion on this?
8. Finally, what would you recommend as factors to be taken notice of in future land registration interventions to effectively benefit women's land rights in the long term.

1.2 LIST OF EXPERTS AND PRACTITIONERS INTERVIEWED

Name	Institution
Anna Locke	Prindex
Elizabeth Daley	Women's Land Tenure Security Project (WOLTs)
Joyce Ndakuru	HakiMadini, Tanzania
Ruth Meinzen-Dick	International Food Policy Research Institute (IFPRI)
Jagat Deuja	Community Self Reliance Centre (CSRC), Nepal
Pranab R. Choudhury, Ashna Abi, and Richna Joshi	N R Management Consultants (NRMC), India
Maaike van den Berg	Netherlands Enterprise Agency (RVO)
Julia Madariaga	United States Agency for International Development (USAID), Columbia