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ILRG GENDER ASSESSMENT FOR ZAMBIA AND MOZAMBIQUE

FINDINGS AND RECOMMENDATIONS FOR GENDER INTEGRATION INTO ACTIVITY DESIGN AND IMPLEMENTATION, 2019–2021

INTEGRATED LAND AND RESOURCE GOVERNANCE
TASK ORDER UNDER THE STRENGTHENING TENURE
AND RESOURCE RIGHTS II (STARR II) IDIQ

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ILRG GENDER ASSESSMENT FOR ZAMBIA AND MOZAMBIQUE: FINDINGS AND RECOMMENDATIONS FOR GENDER INTEGRATION INTO ACTIVITY DESIGN AND IMPLEMENTATION 2019–2021 INTEGRATED LAND AND RESOURCE GOVERNANCE TASK ORDER UNDER THE STRENGTHENING TENURE AND RESOURCE RIGHTS II (STARR II) IDIQ

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LIST OF ACRONYMS

CEL	Communication, Evidence, Learning
DAO	District Administrative Official
DFID	Department for International Development
DREAMS	Determined, Resilient, Empowered, AIDS-free, Mentored and Safe
EU	European Union
FGD	Focus Group Discussion
GBV	Gender-Based Violence
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
ILRG	Integrated Land and Resource Governance
IPV	Intimate Partner Violence
KII	Key Informant Interview
MLNR	Ministry of Land, Environment and Natural Resources (Zambia)
NGO	Non-Governmental Organization
PELUM	Participatory Ecological Land Use Management Association
SPEED+	Supporting the Policy Environment for Economic Development
TGCC	Tenure and Global Climate Change
USAID	United States Agency for International Development
ZIFLP	Zambia Integrated Forest and Landscape Project

I.0 INTRODUCTION AND BACKGROUND

The purpose of this assessment is to determine how best to apply the Integrated Land and Resource Governance (ILRG) program's *Gender Integration Strategy* to project objectives and activities in Zambia and Mozambique pertaining to four areas: (1) documentation of customary/community land rights; (2) administration of customary/community land rights; (3) land use planning; and (4) governance of forestry and wildlife resources. The findings of this report will be integrated into each annual work plan and as new grantees and implementing partners are brought onto the project. Each country's gender advisor will also use this assessment as a basis for their own work planning activities on a quarterly basis. The assessment will be built upon through time, as the management and technical team periodically review the report to ensure that principles and activities are actively integrated. Toward this end, the project works with governments, communities, civil society and the private sector. The primary source of data for the assessment relates to work that was previously done under the Tenure and Global Climate Change (TGCC) program in Zambia and the Responsible Investment Pilot in Mozambique, which focused largely on customary/community land rights documentation. The assessment is therefore weighted toward this area of ILRG focus. This work builds on gender analysis previously conducted on TGCC activities in Zambia, and land and resource governance more generally in the project areas.¹ The assessment is forward-looking, intended to inform practical steps that can be taken by ILRG staff and implementation partners to ensure a robust integration of the gender strategy and to flag urgent and important issues for follow-up. The assessment is limited in scope by time. With only one week in each country, spread between the respective capital cities and three project sites, the assessment team did not attempt to do deep substantive research, but rather to gain enough knowledge as quickly as possible to identify and begin to explore risks and opportunities moving forward. Finally, not every fact or impression captured in the assessment is presented in this report; rather the author seeks to condense findings and recommendations to those of highest priority and potential impact.

Specific objectives of this assessment include:

1. To gain a more thorough understanding of impediments to women's equal participation in land and resource governance, and rights to land and resources, within the project communities, and how the project can address these over time.
2. Using the ILRG gender strategy as a guide, to identify gaps in gender equality in processes and outcomes related to planned project components and activities (with emphasis on the year one work plan), and provide strategies for addressing these. The year one work plan provides little guidance on how to implement the project objectives in a way that equally includes and benefits both women and men. Per the ILRG gender strategy, access points for working on gender within the work plan are many. The challenge is to identify the combination of channels and approaches that will best foster gender equitable processes and outcomes and, at the very least, ensure that the project does not further entrench gender-biased social norms that continue to keep women and other vulnerable groups in the cycle of poverty. The assessment recommendations take note of the need to balance robust gender integration with efficiency of process.

¹ See, e.g., Nkonkomalimba (2014) *Tenure and Global Climate Change (TGCC): Gender Analysis of TGCC Agroforestry and Tenure Interventions in Chipata District, Zambia*; Spichiger, R and E. Kabala (2014) *Gender Equality and Land Administration: the case of Zambia* (DIIS Working Paper 2014:04); Kajoba (nd) *Vulnerability and Resilience of Rural Society in Zambia: From the Viewpoint of Land Tenure and Food Security*; and Persha, L. and J. Patterson-Stein (2017) *Baseline Report: Performance Evaluation of the Responsible Investment Pilot* (USAID E3 Analytics and Evaluation Project).

During the course of the assessment, the project team had an opportunity to discuss in more detail the gender vision for the project, coming up with three working priorities. These incorporate a broad range of project values and guide the substance of this report, particularly the recommendations.

1. **Do no harm.** The first objective for the project's gender-related work is that we do not further entrench existing inequities through project design and activities. Given the high level of existing gender bias related to land and natural resource rights and governance in the project areas, and the lack of specific national expertise on gender in the project teams,² there is a very serious risk that ILRG and other land rights documentation/recognition/ formalization projects will lock into place a gender-biased cultural approach at a time when cultural and social norms and trends are actually in great flux, due to urbanization, globalization, breakdown of traditional household and community institutions and traditions, and swiftly changing demographic patterns. The United States Agency for International Development (USAID) is not a passive bystander, but is rather actively engaged in formalizing rights and moving toward commoditization of rights to land and natural resources through ILRG and other programs. What if the outcome is that women are disproportionately locked out of the benefits? What is the impact of that now? In ten years? For future generations? It is of urgent importance to identify at the outset what steps can be taken to mitigate and address these risks.
2. **Support gender champions within the project areas.** Some key leaders in both customary and state institutions within the project areas are already committed to gender equitable land and natural resource governance and have been working to strengthen women's land rights. These include particular chiefs and chieftainesses, headmen and headwomen, leaders of farmer cooperatives, and certain local officials. The project will seek ways to support these champions, leveraging their voice for broader awareness and potential behavior change within a culturally appropriate framework.
3. **Provide space, time, and mechanisms within project areas for positive social changes related to gender to take place alongside project activities, and to be reflected in activities and outcomes.** It will be important to make sure that gender-related dialogues around land and natural resource governance are taking place within communities³ that allow for organic shifts and changes around gender to take place, and for these to be reflected in project implementation.

The remainder of the report contains a short methodology section, followed by a section on findings in both Zambia and Mozambique, and concluding with a section on recommendations. The report has two annexes; one on legislative and policy issues for follow-up, and a second on issues for further data analysis.

² Note that in May, the Zambia project brought a national Gender Advisor onto the team through a full-time consultancy. This consultant will add high levels of capacity to the team both through her direct advice and inputs, and through ongoing training and mentoring of other members of the core team and implementing partners.

³ Themes for these community dialogues could include, for example: what are peoples' impressions and norms related to gender—what does gender mean and what is the origin of these impressions and norms; what are the traditional gender roles in land and natural resource governance at the community level—how did these come about, how have they changed over time, are these still relevant and useful; what are the social and demographic trends that may influence changing needs and abilities for women/men to participate in governance of land and natural resources at the household and community levels; what are positive ways that the community is already working to include both women and men in land and natural resource governance; what kinds of things would need to change in the community to reach full gender equality in decision-making around land and natural resources; which of these would have the most broad-based support from within the community; which of these are goals to strive for over the longer term; which of these are the most contentious; what gender-based legal protections are community members aware of, and where do these conflict with community norms and practices; what could be an initial agenda for change agreed upon by the community?

2.0 METHODOLOGY

This assessment took place in January and February 2019, over the course of two weeks. The ILRG Gender Advisor spent seven days in Zambia and five days in Mozambique. For the majority of this time, she was accompanied by the ILRG Chief of Party, Matt Sommerville. While in Zambia, she was also accompanied by a Zambian gender consultant, Vincent Akamandisa, and Chikampha Banda, who served as a coordinator for the TGCC field work in Petauke District; while in Mozambique she worked closely with the ILRG Mozambique Country Coordinator, Simon Norfolk, as well as others at Terra Firma involved in the Responsible Investment Pilot, like Emmanuel Malai.

In Zambia, the Gender Advisor and team conducted interviews in Lusaka, and visited project sites in Chipata and Petauke Districts in Eastern Province. In Mozambique, the team conducted interviews in Maputo and visited the Maragra project site in Manhiça Municipality (they did not visit the project's northern site because of time constraints).

The methodology included the following components:⁴

1. Review and analysis of selected TGCC and ILRG project documents pertinent to the development of the assessment framework;
2. Development of thematic outline for ILRG gender assessment and tools to be used to gather the appropriate information;
3. Meetings and discussions with ILRG staff and partners involved in the implementation of the project;
4. Key informant interviews (KIIs) with traditional authorities, government officials and extension agents, farmers' association leaders and members, District Land Alliance officers, leaders of other relevant civil society organizations, USAID mission staff, and former enumerators working with partner organizations; as well as, in Mozambique, leaders of the umbrella cooperative Hluvukani⁵ and Illovo Sugar Africa's Mozambique Maragra Plantation representatives.
5. Focus group discussions (FGDs) with women, men, and youth in selected districts and villages within the project's target geographical areas. In Zambia these also included separate meetings with former groups of women and men enumerators for TGCC.⁶ The purpose of the FGDs was to gain insight into land documentation processes and community participation levels (by women and men, respectively), methods used by enumerators to engage the beneficiaries and opinion leaders, and relevant issues related to community gender norms and practices. The discussions highlighted issues related to how community members were recruited and had their land parcels documented, the changing socio-cultural patterns of marriage arrangements, inheritance patterns, access and control of income, and decisions on labor allocation. Key information was collected on access to and control of agricultural technology and inputs, natural resources, financial resources, extension services, associations and cooperative, and education. Social and cultural norms and legal barriers were also discussed.

⁴ Adapted from Akamandisa (2019) *Draft Background Analysis Note of Gender and Social Inclusion Challenges for TGCC Program* (on file with Tetra Tech and Landesa).

⁵ The growers' Cooperativa Hluvukani Varime Manhiça was developed in partnership with Maragra Açúcar as part of a donor project funded by the European Union and Illovo.

⁶ Remainder of this paragraph adapted from Akamandisa (2019) *Draft Background Analysis of Gender and Social Inclusion*.

3.0 ISSUES AND FINDINGS

3.1 OVERALL

3.1.1 ISSUES RELATED TO BROADER SOCIAL/CUSTOMARY SETTING

1. Significant gender inequities exist in land and natural resource rights and governance in project areas in both countries, despite positive outcomes in Zambia and Mozambique under past programs in regard to women's names on certificates.⁷ This is true in both traditionally matrilineal/matrilocal areas and patrilineal/patrilocal areas. In both, stakeholders universally identified men as having a dominant role over land rights and land related decision-making within the household. This was also true even where women do most, if not all, of the family farming. Discriminatory cultural and social norms could be seen in six areas: (1) initial allocation of land by customary officials to men (women do not usually ask customary officials, especially when not accompanied by men, and it is unusual – though not unheard of – for a headman/woman to allocate available land to a woman); (2) inheritance by boy children (decisions over inheritance usually rest with man of household, and land is usually inherited to sons, although with increasing diversification); (3) insecure rights to land of wives upon death of husband (improving in both countries, but widows still face significant levels of insecurity in some areas); (4) insecure rights to land of wives upon divorce (divorced women usually do not have the option of staying on land on which they have farmed and lived with husbands from another village, and may or may not find land available in their birth village upon divorce); and (5) husband's control over land within marriages (management decisions usually fall to husband, although with some variance in situations where husbands are absent, e.g., those from Maragra communities who are working in South African mines, and some aspects of the land and agricultural production); and (6) customary dispute resolution bodies seldom include women.
2. Customary norms and traditions are changing very rapidly, caused by the need to adapt to external changes. In Zambia this could be seen in the change from matrilocal and matrilineal to patrilocal and patrilineal marriage and inheritance systems within the project areas. Also, in resettlement areas, where families were no longer living together on land passed down through family lineages, nuclear families appear to have become much stronger, and extended matrilineal families weaker. In the area around Maragra in Mozambique, communities fled their land during the years of war and civil conflict, and most areas have been re-settled over time by families and new communities. In these areas, traditional norms around household and community land and resource governance may not be as strong as they would be in areas that have remained for many generations within patrilineal/patrilocal inheritance systems. Also in Mozambique, it appears that traditions regarding men's rights to land are breaking down, some due to donor pressure from the European Union (EU) project, which encouraged women's

Bride Price Erodes Women's Empowerment and Rights to Land

"There is no difference in control of resources vis-à-vis women and men within a household in traditionally matrilineal/matrilocal areas, because bride price is now used everywhere, and this fosters a persistence attitude that wives are bought by husband and his family, and do not/cannot have their own rights to land and natural resources within the family."

- Chief Executive Officer of Kwatu (formerly Zambia Center for Communications Technology), Lusaka, February 2019

⁷ Approximately 50 percent of the certificates contain women's names as holders in Zambia; the number under the Responsible Investment Pilot in Mozambique was even higher. For more details on persistent gender-based discrimination, see Akamandisa (2019) Draft Background Analysis of Gender and Social Inclusion, as well as resources referred in note 1, above.

membership (and therefore land allocation) within farmers' associations linked to Maragra. These and other observations may signal increased project risks related to formalizing land rights at a particular snapshot in time, in a way that could significantly alter the long-term evolution of these communities around social and gender equity. The problem is that, despite many positive gender outcomes to date (e.g., certifying land to widows), some women are still being left behind. These include women within marriages, who are seldom included as either sole or joint certificate holders. Recent shifts in social norms related to gender within the Maragra project area would appear to support a widow holding land in her name, which could be considered a gender-positive outcome. But formalizing rights also concretizes existing biases and inequities, for example those that would discourage wives from holding land in their names or in joint tenure with their husbands. Risks for wives excluded from certificates manifest upon divorce or death of a husband. When these events occur, the existence of the certificate can create further, more perpetual and legally/customarily recognized setbacks to women.

3. Within both countries, there are a number of supportive, aware, pro-gender champions among key stakeholders. Some chiefs and chieftainesses and headmen and women are very knowledgeable about the issues, and pro-gender equity. Past and ongoing donor efforts in project areas on gender-based violence (GBV), Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS), and early childhood marriage have had significant gender components and have helped to raise awareness and (possibly) change social norms, or at least open new space for dialogue. There is also a new, energetic District Administrative Official (DAO) in Petauke District, Zambia, who appears to be pro-gender equity and open/eager to collaborate on new gender approaches.
4. Other donor projects and non-governmental organizations (NGOs) have been engaging with customary communities on aspects of gender awareness and equity for quite some time, especially as related to health and education projects (e.g., HIV/AIDS, end to early childhood marriage, anti-GBV issues). NGOs (such as, in Zambia, the Participatory Ecological Land Use Management Association [PELUM], Kwatu, Women for Change, etc.) have experience implementing, at the community level, the gender components of these projects and have developed approaches that could be very useful to ILRG in terms of (1) applied learnings; (2) exploring ways to directly build from gender work that has been done at the community level by these groups (e.g., choose communities for engagement where this work has been done); and (3) partnering with these organizations on gender-related ILRG work going forward.
5. When land values increase, interest by men is likely to increase within households. For example, in an area of land near to Maragra, an EU project has helped to connect small farmers with the sugar mill. While land in the area has been considered marginally productive, used for sustenance crops and "fit mostly for women to farm" (as one respondent noted), this is likely to change quickly with irrigation, assistance for growing sugar cane, and new contracts with the sugar mill. As one member of a (mostly women) farmers' association noted, "even men are starting to take new interest in the land." The national director of PELUM in Zambia also noted a parallel example in charcoal, which used to be burned and sold by men/women couples. As charcoal markets have become more commercial, however, men have increasingly taken over.
6. While the purpose of the assessment was not to explore a broader range of socioeconomic vulnerabilities, several issue areas came up that are likely to affect certain categories of women in specific ways. These include land conversion in the context of expanded district/township boundaries; HIV/AIDS (still very high in both countries); and youth (especially with later age inheritance, as a result of longer lifespans).
7. As a working hypothesis, it appears that there is often a noticeable difference in women's bargaining power and rights to land within areas that are governed by traditional patrilineal/patrilocal norms

versus areas that are not, e.g., areas that have been settled within the past one or two generations: women in the latter group appear more likely to participate in land-related decision making.

8. While the majority of marriages in the project areas visited in both Zambia and Mozambique appear to be monogamous, polygamous arrangements were also reported. It will therefore be important going forward to ensure that project approaches take into account the possibility that multiple wives may depend on and share customary rights to a household's land. Further knowledge of customary norms related to polygamy, including how land rights are allocated between spouses in polygamous marriages, will be important to ensuring that project benefits are available to all spouses within a single household.

3.1.2 ISSUES RELATED DIRECTLY TO THE PROJECT

1. Positive data on women's land rights under TGCC and the Responsible Investment Pilot, indicating that a high level of certificates were registered under women's names in both countries, may mask several key issues: within marriages, husbands are frequently named as the sole land holder on certificates (many of the parcels registered in women's names were for widows and other women heads of households); and the size and quality of parcels registered by women within marriages may be inferior to that of parcels registered to men. For example, in Mozambique some women in the FGDs said that they had registered their family parcel in their husband's name, and only the small parcel (pertaining to participation in a farming association) in the wife's name.
2. Under TGCC, pressure related to project deliverables (e.g., the number of certificates registered in a condensed amount of time) and other constraints sometimes compromised the level of safeguards that could be included in project implementation around gender and social inclusion. For example, the verification process for community demarcation maps, a very important part of the process in terms of gender inclusion (and social inclusion more broadly), was in some cases cut short, according to enumerators, and in most cases it was not possible to leave the maps posted in some central community space (as none existed) over an extended period of time so that all of those in the community could be sure to participate. Also, communities did not receive any gender-related orientation or guidance as part of the project's engagement. For example, there was no specific segment of community orientation to the project dedicated to gender issues and dialogue.
3. It appears that there was a fairly low level of gender awareness among most TGCC project staff and implementers. Trainings on gender were not uniformly offered, and staff and implementers from partner organizations reported, with few exceptions, that they had never attended a dedicated gender training (within or outside of the project). Though gender was the focus of specific training modules within the staff training, these were not perceived as adequate. Despite the project carrying out gender assessments and consultancies with the partner organizations, these impacts did not necessarily trickle down to field staff. In both countries, project leads did make efforts to highlight gender issues in data collection, as well as offer some level of ad hoc training, but it does not appear that this permeated project implementation in the field.
4. No consistent, uniform guidance on joint certification for spouses was offered by enumerators under the project. The marriage status of certificate holders (married, unmarried, divorced, widowed, etc.) was not required in Zambia, so it is not possible to ascertain the level of joint certification among spouses though records were kept of the relationship among joint landholders,

for example if they were a married couple, or parent/child.⁸ In Mozambique, the incidence of joint certification was very low.

5. In both countries, community members, selected by and including community leaders, were brought into the demarcation process to serve the role of on-the-spot clarifier of rights (and thus, informally, provide the first level of on-the-spot dispute resolution) were almost always men. It is important to note that women were involved in a significant percentage of the field demarcations, as witnesses and members of village land committees but women did not generally serve the authoritative role of on-the-ground arbitrator. Stakeholders across the board in both countries noted that the project had had a very positive effect on reducing land-related disputes between neighbors (and, from the perspective of the traditional authorities, among constituents). The gender dimensions of this are not clear and would need to be further explored, but it is a point worth noting given the high frequency with which this was noted by a wide range of stakeholders (both women and men).
6. Women enumerators reported that they felt generally safe vis-à-vis risks of GBV throughout project implementation. However, one enumerator in Zambia did report an incident where a demarcation team comprised of village men were drunk and making inappropriate sexual jokes with her (she was the only female, and the only enumerator, with the group).
7. Women community members and others reported that women who participated in the project from villages did not experience any direct enhanced risk of GBV (e.g., through being in the female minority when out walking property borders, or through interaction with a male enumerator). A deeper analysis of GBV risks was beyond the scope of this assessment, however.

3.2 ZAMBIA

3.2.1 ISSUES RELATED TO BROADER SOCIAL/CUSTOMARY SETTING

1. Matrilineal and matrilocal customs are rapidly changing – women are now “marrying out” of their communities in most instances, leaving their birth community to live with their husband in his community and with his family. This lends to consideration of husbands as “owners” of the family’s land, as part of their custodial duties over the extended family’s land, and a woman may not find it easy to include her name on a certificate in her village of marriage.
2. People are no longer passing property through matrilineal lines (nieces and nephews of mother), generally, but rather to their own children. In resettlement areas in particular, matrilineal customs of bequeathing land through sisters’ children appears to be breaking down, or were non-existent among the settlers, very quickly, since those settling are usually individual nuclear families and cannot easily bequeath land to a sister’s children.
3. Decision-making about land, including as related to what to grow, how to use the land, and to whom to bequeath it is mostly dominated by men within the household and within customary communities.
4. Government is very behind in its quota goal of 50 percent (or even 30 percent) allocation of state land leases to women. Kevin Chilemu (USAID Monitoring and Evaluation Officer) noted it was unclear how much, if any, progress had been made, and a Ministry of Land, Environment and Natural Resources (MLNR) official said there had been a lot of challenges even in meeting 30 percent,

⁸ From these records, it appears that women were less likely than men to register their spouse as a joint holder, a finding that will require further investigation to understand more fully.

because (1) women don't see or respond to announcements/advertisements by district officials in local newspapers and radio; (2) requirements for financing are often not readily attainable by women; and (3) district officials want to allocate the land as quickly as possible.⁹ Nora Anyoti, MLNR Gender Focal Point, said they can't measure ownership or allocation of land by gender because their previous data system didn't include gender as a parameter. This is changing. Now they are monitoring how many invitations and offers of state land go to women versus men. Sensitization of women and men on this issue is important – many wives stated a preference for listing their husband's name. She said that the country needs a major awareness campaign but MLNR lacks resources, both for this and for monitoring, which is also very important. She noted that MLNR should actively monitor allocations/offers from district councils, so that when they reach 50 percent issuance to men, they could cut them off unless/until they allocate an equal number to women. Generally there are no mechanisms to ensure that the 50 percent allocation of land is adhered to and no sanctions are meted to land agents that do not follow the quota (nor incentives or rewards given for meeting this objective).

5. USAID health/education projects appear to have encouraged some shift in customary attitudes toward women's land rights. Emmanuel Ngulube (USAID Health/GBV office) said they are working with 12 chiefs in pilot areas (seven provinces) who have adopted anti-GBV measures. These chiefs recognize that sharing power within households includes sharing ownership of land and that this is important to reducing incidence of GBV. He noted that chiefs are standing up to say, "We want women to own land, as this improves health and development indicators."

3.2.2 ISSUES RELATED DIRECTLY TO THE PROJECT

- I. Certification done under TGCC was not adequately conducive to individuals, and particularly daughters, being able to claim land in birth communities if they are not living there at the time of TGCC's engagement. In fact, daughters and other individuals not resident in the community may not know that their family's community is engaged in certification, let alone be able to make a claim. Some of this may have been due to the initial methodology, which was focused around an impact evaluation and the desire not to have spillover of information into neighboring communities. Because spouses in some cases are also not included on certificates in the community they moved to upon marriage, this means that spouses (usually wives, since in most cases they are now moving to husbands' communities) may be excluded completely from land registration under the project, and are among the most vulnerable of all project participants. In fact, women in the FGDs noted that wives' names were often not registered on the certificates.

⁹ Many stakeholders at the Eastern Province program launch in Chipata in June, 2019, reported a range of irregularities in Council allocation/sales of state leases, including self-allocation of up to 50 percent (or more) of parcels. Further, provincial land officials and others stated that allocations to women in order to meet the gender equity quota is often fraudulent, in that men front women as applicants, then buy the lease at a nominal amount (or no fee) following the transaction. The lease is then formally registered in the men's names. It appears that most land is going to Zambians, not foreign lessees, though this needs to be verified.

2. In the FGDs with women, some female participants said they were not fully included in TGCC processes (e.g., demarcation or verification) or on the certificates. As a result, while women were generally well-represented in meetings, in collection of points of interest and shared resources, in field demarcation, and in the registration of claims, this quota approach does not mean that **all** women were adequately represented. In this case, it is likely that particular women within the community (likely those who are recognized as landholders) participated to a greater degree, while youth, immigrants, those who were newly married, and those renting may have felt left out of the process.
3. People in the FGDs (particularly women) reported that they needed more time and opportunity within their communities and households to understand the implications of who within the household was included on the certificate, and whether they were included as a holder, joint holder, or person of interest. Enumerators noted that, due to time constraints, it was difficult to find out how a particular plot of land was acquired so as to verify the ownership/control aspects of it between husband and wife and/or other family members in the clan/community.
4. Enumerators lacked a uniform (or at least consistent) approach to describing to communities the meaning of “persons of interest” (largely defined as those who would have an inheritance interest in the land), and in some cases did not appear to understand the implications of spouses being included as joint holders versus persons of interest. This means that some participants may have included spouses only as “persons of interest” when they would perhaps more appropriately have been considered joint holders.
5. While the verification map was supposed to be left hanging in public area for community members to interact with during the process, in fact this rarely happened, as such easily accessible (and safe) public areas were not available. Because of this lack of tradition/experience with interacting with public notices in public places, the only chance community members had to see the village map was often when the implementers came for village meetings, though the maps sat with the village headpersons in the community.
6. People, including chiefs, are considering the “persons of interest” category on the certificates as a sort of a will, and think that it will be significant in determining who will receive the landed estate of the certificate-holder.
7. Expanding township boundaries appear to be an egregious case of uncompensated takings of farmland, which in turn is more likely to harm women. It is not yet clear whether certificates will prevent government from taking land if expanding township boundary, etc. It is also unclear whether the certificate will help occupants to make the case for compensation. If so, it would be very important that both spouses’ names are included on the certificate.
8. The project partner in Petauke hired many more men than women as enumerators, though Chipata had a gender balance. Reasons given included that not many women applied, not many women have motorcycle experience (which was required), and it is difficult for women culturally and given their assigned duties within their family to leave for rural community work on one-to-two week trips, requiring long motorbike rides, camping, etc. However, in a meeting within Chipata with women who were formerly enumerators under TGCC, several said that they felt discouraged from applying to the Petauke openings, and that they would have liked the chance.

Decision-Making Roles Go to Those Viewed as Owners

The PELUM country manager summed up the view of other key stakeholders when he posed the following question:

“If women are not seen as owners of the land, why would they have a role in decision-making about it?”

- Lusaka, January 2019

9. Women enumerators faced specific challenges, including cultural norms around motorbike riding, time spent away from family, and expectations to cook and clean up for meals with male colleagues. Women enumerators were considered by their male colleagues to be less apt at physical demarcation, but better at community facilitation.
10. Issues of early marriages and high alcohol abuse were consistently noted by respondents in most project areas, who said that this trend was getting worse in recent years, and involved both male and some female youth and adult males. They noted that these trends affected participation of those involved in development projects and contributed to divorce cases and abuse/violence against women and girls.

3.3 MOZAMBIQUE

3.3.1 ISSUES RELATED TO BROADER SOCIAL/CUSTOMARY SETTING

1. There are very high and rising levels of marriage informality in the project area. This can cause challenges to joint titling approaches for spouses or partners, including how to identify the spouses or partners and verify their respective interests. For example, if the project adopts and promotes strong incentives for joint titling of spouses, men – who usually have de facto control over the family land given patrilocal/patrilineal systems – can just say they are not in fact married. Community norms may be in flux around this, and so it may not be something that surfaces during the normal verification process.
2. At this moment in time, land in the project areas has been farmed for decades primarily for household sustenance, at low relative levels of productivity and with very little, if any, cash value attached to production. The land has not been considered valuable enough for men to farm, or for youth to want. People who have stayed in these communities and continue to farm are quite elderly, some estimated on average (for adults) upward of 50 or even 60 years old. Many men have left to work in the mines in South Africa and elsewhere, though most continue to retain ties with their wife and family in Mozambique.
3. In marriage, the man is almost always considered the “land owner,” and has to give consent for his wife’s name to be on the certificate, whether or not he is present. Some men who were absent (e.g., mining in South Africa) agreed to put the certificate in their wife’s name, some did not. Regardless, the majority of the parcels were certified in the name of women, given the high number of single women-headed households.
4. Recent large-scale donor projects in the area have sought to increase the productivity of the land and connect smallholder farmers with Illovo’s sugar mill and plantation (Maragra). This is likely to change demand for the land and its use over time, which could happen quite quickly, displacing women from the land access and use they have been accorded in the past. There will likely be a very similar issue in the north, with the Hamela project.
5. Informal transactions are happening on customary land, though it is not clear to what extent and in what ways. Additional information on this, including how certificates are or are not being utilized in the context of informal transactions, would be salient to understanding the project’s gender-related implications over time.

3.3.2 ISSUES RELATED DIRECTLY TO THE PROJECT

1. Perhaps the most significant finding, overall, is that the Responsible Investment Pilot did seem to be quite successful in certifying land rights to women within the project area, and including women in

all stages of the certification process at the community level. In FGDs and KIIs, we received a consistent message that women were vibrant and vocal participants in the process, often accompanying enumerator teams and community members through demarcation and other phases, and actively participating in verification phases.

2. While this was encouraging to see, we also heard significant feedback that in many married households, wives were not allowed to include their names on certificates, even if their husbands were absent, working in South Africa or elsewhere. Also, very few plots were certified jointly between spouses, though some were certified jointly between two women (possibly mother/daughter). Although the number of certificates in women's names was quite high, it still seems that a significant number of women within marriages were left completely off the certificate for their family land, and were generally not included as joint holders on parents' certificates.
3. It was not entirely clear what, if any, beneficial effect will accrue to women with names on certificates. People weren't sure, and this will be a critical area for further research. Despite the land registered in the name of women, most sugar cane contracts have been in men's names. One important question will be whether this changes where women's names are on the certificate.
4. Gender representation and participation levels in the leadership board for the umbrella Hluvukani Cooperative were unclear. From our meeting, it appeared that leadership and participation are weighted strongly toward men, though the group stressed that it is gender-balanced. Since Hluvukani is the land certification issuing body in the Maragra area and will likely play the primary role in the administration of the certificates over time, understanding its gendered compositions and dynamics and supporting full gender equity and balance to the extent possible and appropriate within the project will be important.
5. Likewise, it was not clear whether and to what extent leadership of women-majority producer associations in the project area are controlled by women (women almost always seem to have a role on the governing board, but often the role of chair was held by a man), or what the precise payment and benefits-sharing structure of associations are. Because these associations had just recently, through the EU project, connected up with Maragra to grow and sell cane, they had not yet gone through a harvest season, and information was difficult to obtain from the FGDs and KIIs on how these processes would actually work. The baseline report from 2017 contains some but not much more additional information.
6. When a woman held a piece of household land with her husband and a piece of land separately in one of the new associations established by the EU project around Maragra, the household land was often registered in the husband's name, whereas the association land was registered to the wife.

4.0 RECOMMENDATIONS

4.1 OVERALL

1. Provide gender training to national-level and local-level project staff and partner organizations.¹⁰ Consider inviting a wider group of stakeholders. Partner for trainings with national gender-focused NGO and/or consultant. Build on trainings provided in Burma and Liberia under other USAID-funded projects implemented by Tetra Tech (and 2018/19 Landesa gender trainings for Burma implementation staff).

2. Name a gender focal person at the national level in both Zambia and Mozambique.¹¹ Determine the necessary level of effort; this could be part of an existing position but needs to be clear. If existing staff, make and implement a robust capacity development plan for this person to build gender expertise. Bringing a full-time gender expert onto national-level staff in each country would be preferable. This position should be structured for maximum integration with all staff, with full backing from respective project leads, as it will be important to avoid creating a gender silo. Ensure that this person's roles and responsibilities are widely known among staff and partner organizations. See the model on the Liberia Land Governance Support Activity.

Training Approaches

Staff and partner gender trainings could embody a multi-phased approach, given rolling start-up dates for projects and (especially) new hires. In April/May, for example, ILRG could conduct an initial training with all staff members who are on board by then, and work intensively with staff (some or all) on particular gendered aspects of project design and implementation (basically on implementation of the recommendations that rise to the top from the gender assessment). The ILRG Gender Advisor and other ILRG leadership, together with a national gender consultant, could work closely on all with a small group of gender point people – one from the national office and one from each of the partner organizations. These people would then be prepared to provide the trainings to groups of subsequent hires, as they come on board, and perhaps in July/August hold a gender meeting/training for the full group of Zambia ILRG staff and implementing partner staff.

3. Identify and train gender focal points among enumerators/partner organizations¹². Create a job description (or part of a job description role), include adequate payment for additional responsibilities, and make sure that this person's role and responsibilities are widely known among project teams and in communities.
4. Form a small project gender task force among gender point people at national ILRG level and among partner organizations in both countries (possibly also bringing in Ghana). Facilitate quarterly meetings to discuss and address issues.
5. For each new community where the project engages, hold at least one dedicated meeting to discuss intra-household relationships with the land, and what kind of factors families might want to consider

¹⁰ Note that the first trainings for implementing partners in Zambia were completed in June 2019.

¹¹ Note that this has been done in Zambia, as of May 2019.

¹² Note that focal points have been identified among staff of implementing institutions, as of June 1, 2019, and will be training/mentoring with the national ILRG Gender Advisor.

when deciding whose name(s) to include in the certificate. At this meeting, explain concepts of joint holders and persons of interest (if applicable).

6. For each community, meet with women separately at the outset of engagement (or renewed engagement) to elicit any concerns about previous or upcoming project activities related to gender,

Joint Titling and Gender-Disaggregated Data Collection Related to Certificates

The assessment pointed to establishment of specific metrics for implementation success around:

- Number of women's names on certificates
- Number of women/men in a community whose names are on certificates
- Number of spouses (women and men) who are named as joint holders on certificates
- Number of women/men in a community who are named as joint holders on certificates

In the interest of the “do no harm” objective and given that social norms changes move slowly, but formalization of land rights has long-term implications, the project should strongly encourage joint certification of land held by spouses. In doing this, it will be very important to create a pathway that is as strong as possible but not prescriptive, balancing the critical value of community ownership over processes with the urgent need to ensure that land formalization processes are as gender equitable as possible, looking to strike a balance between slow-moving customary norms and behaviors and fast-moving formalization processes. The best way to do this would be to solicit and discuss input specifically on this question/issue among a multi-stakeholder group within the next month (or, maximum, two months) of project implementation. This issue is of equal concern in both countries.

One important question for further exploration at the community level, especially in Zambia given the fluidity and quickly changing nature of marriage customs and property inheritance through matrilineal/patrilineal and matrilocal/patrilocal customs, will be whether spouses not included on certificates would be provided some degree of safeguard around the land if one or more child is named on the certificate. Although this approach could provide some level of protection for certain spouses/parents who are not named on certificates, and merits further discussion at the community level, it also is likely to have significant shortcomings. These include: (1) it would not convey any official rights to the spouse during the course of the marriage/lifetime of both spouses, which could be important for a number of reasons including establishing a right to compensation in the case of takings of the land by the government or private investor; (2) in the event of divorce or death of the husband, it would likely not (e.g., in patrilineal/patrilocal communities) convey customary rights to the mother to inhabit the land until her child became an adult, and even this would likely depend on the sex of the child named on the certificate; (3) it could perpetuate gender-biased land rights by encouraging parents to name children on the certificate most likely to be acknowledged customarily as the heirs to the land, which would in most cases, given recent trends, be male children; and (4) it would not protect spouses without children.

Another question related to joint titling requiring further research is whether families/communities would in some instances prefer to jointly title land to brothers and sisters, rather than to spouses. The level of community interest in this approach, and gendered implications, are not clear and would require additional research.

and to better understand how women can fully participate moving forward (seeking information, e.g., about best meeting times, places and circumstances for women to attend, ways to make sure women are informed of project activities, etc.).

7. Throughout the community engagement process, create more space for discussion of gender-based decisions around names on certificates, participation in land use decision-making, etc., within each community. As part of partner gender trainings, brainstorm with enumerators the best ways to do this.

8. Ensure that all meetings at all times with communities are conducted in language(s)/dialect(s) understood by both women and men. (Note that this was a challenge even in the gender assessment; it seems like an accepted practice for some meeting participants to speak English and know what is going on, and others not to. This can significantly increase marginalization of those with lower levels of literacy and education, who are disproportionately women).
9. Ensure that project processes and documents accommodate all spouses in polygamous marriage arrangements.
10. For weekly enumerator debrief, include specific opportunity to focus on gender issues.
11. Encourage enumerators to collect stories from the communities on gender, and share these between communities, at national level, between Zambia and Mozambique.
12. Continue analysis of TGCC and the Responsible Investment Pilot data – e.g., find how many women (or men) in marriage were left off of certificates completely. See Annex 3. Also, carry out a specific follow-up research project on analysis of gender-related data collected under TGCC.
13. Explore greater project focus in peri-urban areas. Understanding what is going on in terms of social and gender inclusion in areas of quickly-rising land values has important implications in itself, and will provide key lessons for what is to come in other areas. Where land is considered plentiful and demand still fairly low, with few imminent conflicts, issues related to the land and natural resource rights of women, youth and others who are more marginalized within customary social systems are often not as clear or acute. Looking closely at peri-urban and other higher demand/conflict areas provides a helpful lens to viewing probably future trends in other areas where demands for land are only starting to rise.
14. Seek collaboration with USAID programs with significant gender components, e.g., those related to health (especially GBV, early childhood marriage, HIV/AIDs), Determined, Resilient, Empowered, AIDS-free, Mentored and Safe (DREAMS),¹³ as well as those related to natural resources and land issues, as well as NGOs and community-based organizations with experience in gender approaches in customary contexts.
15. Continue to explore with communities and individuals whether there are any benefits to holding a certificate in terms of women's economic empowerment. When a certificate is registered in a woman's name, does she have more authority over how to use the land, what to plant on it, and how to use any proceeds from it? Does she have additional access to credit or other important inputs? Is she more able to contract directly with buyers, such as Maragra, for sugarcane?
16. Conduct ongoing monitoring and evaluation of risks related to GBV (including intimate partner violence [IPV]).¹⁴ Begin by learning more about these risks within project focus areas, and creating a dialogue platform for key stakeholder and community dialogue around factors within the community that may contribute to GBV related to women's land rights and women's participation in land governance. To this end, explore collaboration with a gender-focused NGO(s) that has experience in community-level GBV-related work. Ensure that project metrics include: (1) Percentage of women who report incidence of IPV associated with obtaining or exercising a right to land or property; (2) percentage of women who believe their status has increased within the household (and community) as a result of obtaining or exercising land and property rights; and (3) percentage

¹³ DREAMS is a public-private partnership to decrease HIV rates among young women and adolescent girls in Zambia, Mozambique, and other high countries with the highest HIV rates.

¹⁴ Recommendations 16 and 17 adapted from USAID's *Intimate Partner Violence and Land Toolkit*, available at: <https://land-links.org/tool-resource/intimate-partner-violence-and-land-toolkit/>.

of target audience that has been exposed to communications/behavior change messages related to discontinuing GBV (including IPV) when women obtain and exercise land and prop rights.

17. For project implementation teams: explore access to confidential support services for women who face GBV (including IPV) as a result of obtaining or exercising land rights and share access to this information as part of implementation roll-out at the village level.

4.2 ZAMBIA

4.2.1 GENERAL COMMUNITY ENGAGEMENT AND CUSTOMARY RIGHTS REGISTRATION

1. Hire a gender-balanced group of enumerators. This will include a close review of job announcements to ensure that they appeal to qualified applicants who are both women and men. It may mean revisiting certain requirements, like having a motorcycle license. A first step could be to revise all hiring and on-boarding materials and processes with an eye to hiring a gender-balanced group.
2. Include in gender training of enumerators a specific section on the definitions of “persons of interest” and “joint holder,” and how to discuss these concepts in local languages to communities.
3. Increase community access during verification stage for people to understand and process maps.
4. Consider choosing some new communities that have been subjects of deeper-dive work on gender by other organizations.
5. Consider a pro-active, gender best-practice pilot for integrated land use planning in collaboration with chiefs and the Petauke District DAO. Consider efforts to collaborate with the World Bank’s Zambia Integrated Forest Landscape Project (ZIFLP). (The DAO has already applied for a project on integrated planning under ZIFLP, and is very enthusiastic about strong gender components.)
6. Leverage land use planning maps produced by separate groups of women and men. These are extremely valuable resources, and can be integrated into new designs by district and customary authorities for integrated planning. Gaining understanding of the use rights to the land through this process can also provide helpful insights that can be linked to the certification process.
7. Partner with Women for Change or other organizations focusing on gender and natural resource management on strengthening women’s participation in community resource management boards and community forest management.
8. Considering building on USAID/Department for International Development (DFID) donor projects (implementation work done by Kwatu) with gender components in Eastern Province.¹⁵ In particular, consider building on that project strategy of developing short video clips featuring footage on gender gaps/issues from community, produced during the course of a day and played back in the evening.
9. Establish a gender champions working group within the project area, bringing in chiefs/chieftainesses, government officials, men and women farmers, etc., as relevant. Create a short description of goals and objectives (basically to identify and address project-related gender issues as they arise, as well as to develop a legal/policy advocacy platform, as relevant), hold an initial meeting, and arrange for subsequent periodic meetings.

¹⁵ These worked with 18 chiefs to become gender change agents around GBV and other issues. Twelve of these created anti-GBV centers and secretariats, and were trained to develop by-laws on gender. Some spill-over into land rights. (e.g., increased protection of widows’ rights)—all 12 chiefs are encouraging women to own land.

10. Continue nurturing of gender champions – both women and men – at the community, district/province, and national levels. Develop new avenues for fostering interest, developing voices, and sharing stories. Consider formation of a multi-stakeholder task force on gender in each country (and/or each project location), or joining those groups that already exist.
11. Related to the above, encourage exchange visits among chiefs on gender inclusion in governance of land and natural resources. This worked well in GBV work, according to USAID and Kwatu.
12. Work through the anti-GBV projects going on at the chiefdom levels to include a strong focus on the relationship between GBV and women’s rights to land and natural resources, as well as their participation in decision-making related to the same. Consider the addition of a project metric on whether the anti-GBV donor programs and chiefdom agendas include a component on GBV/IPV in relationship to land and natural resources.

4.2.2 CUSTOMARY LAND ADMINISTRATION

1. Work with the community to ensure that at least one person involved in dispute resolution (on-the-spot, during demarcation, or during the verification process, or in other aspects of project implementation, as relevant) at the customary level is a woman, and that she is able to exercise her voice as a full member of the dispute resolution team.
2. Establish an efficient but fair system for considering corrections or additions to existing certificates in order to include women and men (including spouses, where appropriate) who were left off during the work done under TGCC. Systems in place to handle corrections and additions generally may already be sufficient.

4.2.3 LAND USE PLANNING

1. Work with traditional authorities and district officials to utilize community land use plans done by women and men separately under TGCC for land use and natural resource planning going forward in ILRG. This is a wealth of gender-important data, and different stakeholders we spoke with were surprised that maps were done separately by women and men. This could be an extremely valuable resource to the DAO in Petauke, for example, and should be introduced to him as soon as possible.

4.2.4 COMMUNITY MANAGEMENT OF FORESTRY AND WILDLIFE

1. Coordinate with the Communication, Evidence, Learning (CEL) project to produce best practices data on gender integration in community resource management boards and related community natural resource governance bodies, and apply to ILRG engagement, as relevant and useful, going forward.
2. For forestry and wildlife management, coordinate with other USAID projects related to the extent possible. For the anticipated grants on forestry and wildlife, work with winning organization(s) on gender trainings in the start-up phase, and integration of gender components throughout project design and implementation phases.
3. Conduct a separate gender assessment on needs, gaps, risks and opportunities related to the wildlife sector, as related to projects proposed by winning implementation project partners in this sector.

4.2.5 LEGAL AND POLICY ENGAGEMENT

1. Continue to seek opportunities to provide input into national policy, legal and regulatory reform from a gender perspective, including the draft National Land Policy and the upcoming customary land administration bill.
2. Research, write and share short briefs on particular legal/customary rights questions, such as the interplay between formal laws and customary norms on inheritance, and land and resource-related rights of people living on customary and resettlement land subject to expanding district and township boundaries. Sharing these with government officials can be a positive way to secure an invitation for further inputs. Work closely with partner organizations on these, to encourage the development of stronger capacity on advocacy.

4.3 MOZAMBIQUE

4.3.1 FOLLOW-UP RESEARCH AND UNDERSTANDING

1. Understand better the gendered dynamics and risks around (1) increasing land values through connection with Maragra, (2) the EU infrastructure project, and (3) the informal land market. The concern is that this combination of factors will increase the value of land that has been farmed by women for decades (if not much longer), creating new demand for the land by men within households and by external actors. Certification could then carry with it new gender-related risks, such as: (1) sale by one spouse on informal market without other spouse's consent; (2) displacement of households and communities by the government for purposes of commercial land development, which carries with it a disproportionate risk of damage for women and girls in displaced communities;¹⁶ and (3) if land under customary registration is taken under compulsory acquisition, compensation to families will become a critical issue in terms of gender equity – women whose names are not on certificates are likely to lose out completely. These issues may require additional study/assessment, which could also be furthered through EU-support and/or work that Ellen Hagerman of the Climate Resilient Infrastructure Development Facility is doing for DFID.
2. Understand better the gendered relationships and implications vis-à-vis land rights of farmers' associations in the Maragra area. The assessment was able to flag, but not deeply explore, important issues such as the gender composition of membership vs. gender composition of leadership; how payment arrangements are made in contracts with Maragra; how payments/benefits are distributed among the group; and what are accountability safeguards – all of which have important gender aspects. The *Baseline Report: Performance Evaluation of the Responsible Investment Pilot (2017)* also raises similar issues, but does not explore them fully. These issues require additional study, and will be very important to understanding a fuller range of potential gender-related risks and benefits to the certification of customary rights over time.
3. Understand better the gender dynamic of leadership in Hluvukani umbrella cooperative, and the role of this cooperative vis-à-vis members (associations and individuals). Gender representation was not clear. In our meeting with the board, members insisted the group was gender-equal in its leadership. However, the gendered dynamics of the meeting were skewed heavily toward the men in the room, posing the question of whether there is a significant difference between gender-based representation and gender-based empowerment/participation among the leadership.

¹⁶ The important question here is the role that certification would play in compulsory acquisition. Would mapping, demarcation, and registration of customary land make it harder for government/private investors to take land through compulsory acquisition or simply title it to an outside investor without communities' consent? Presumably, but is there also a risk that mapping, demarcation, and registration of customary land may make it more susceptible to takings?

4. Understand better the dynamics of the informal land market in project communities, both as related to the Maragra and the Zambezia components. This would include market trends, a gendered analysis of the market, as well as whether and how the customary land certificates affect the market and are utilized within it.

4.3.2 GENDER INTEGRATION IN DESIGN AND IMPLEMENTATION

1. Train enumerators more comprehensively on joint certification option, and how to discuss this with communities. This simple step could result in highly positive gender-based impacts.
2. Collaborate closely with the USAID Supporting the Policy Environment for Economic Development (SPEED+) land/gender assessment (likely part of a bigger socio-economic assessment) in April/May. Send gender expert on land and/or natural resources to accompany this assessment and help identify relevant issues and next steps, if possible.

4.3.3 LEGAL AND POLICY ENGAGEMENT

1. Explore chance to provide gender inputs on new draft law on succession.
2. Do a quick analysis on legal recognition of de facto unions. Consider developing a short brief on this. Analyze how this information could affect the project, particularly if the project embodies new incentives for joint certification between spouses.

ILRG's Northern Site in Mozambique – Manhiça/Portucel

The gender assessment team was not able to visit ILRG's Manhiça/Portucel site, but was able to talk extensively with Dan Mullins of Terra Firma while in Maputo.

While no qualitative assessment has been done on the northern site, gender-related issues and concerns are likely to include, at a minimum:

- What is the gender composition of community decision-making bodies on how benefits and losses from community dams are shared among community members? Some will lose land (to flooding from dams), others will gain value for their land through direct irrigation, and yet others will be outside of the areas of direct effect, but will still be impacted through potential access to irrigated lands, etc. How are women represented in these decisions?
- What are the gender-related implications of the decisions that are made? Among those who win, those who lose, and those for whom impact is neutral, how are women and men represented?
- Where households are compensated for losses, how will the compensation be distributed among members of the household? Will payments be in cash? Or rather in alternative land parcels? Or both? If in cash, how can they avoid a situation, common throughout Africa, where cash goes in a lump sum to the male "head of household," and does not reach women and children?
- For those who gain more valuable, irrigated land, who within the household will decide how the land is used? Is there any chance of displacement of women's sustenance crops for cash crops controlled by men? If families can move to higher value vegetable crops, etc., who within the household will be in charge of selling these, and where, and who will receive the cash payments?

Are there ways that the project can track project area, given the potential for higher value production and marketing of cash crops? This could be helpful to tying ILRG objectives and activities back into USAID gender and development goals around women's economic empowerment.

ANNEX I: LEGISLATIVE AND POLICY ISSUES FOR FOLLOW-UP

Zambia:

1. Marriage laws – de facto unions?
2. Succession rules – analysis of law v. customs. 1989 Succession Act – does not apply to customary land but still appears to have been influential in changing customs from matrilineal to patrilineal
3. Draft Customary Land Administration Bill
4. Legal rights around land conversion. Analysis of rights of people living in areas designated for expanded district and/or township boundaries, whether land in question is customary or state land designated for resettlement, etc. What are legal rights? What laws apply: 2017/18 act on district boundary expansion? Compulsory acquisition laws? What happens when chief approves, but without input from head persons and subjects? Any remedy for communities?
5. Draft National Land Policy
6. Ministry of Gender: formulated Climate Change Gender Access (or Action) Plan. <http://www.mgcd.gov.zm/index.php/ministry-departments/gender-in-development>. What are the government's implementation plans?

Mozambique:

1. Marriage laws – de facto unions?
2. New draft Succession Act?

ANNEX 2: ISSUES FOR FURTHER DATA ANALYSIS

- Relative size and value of parcels for women and men?
- Examine evidence on registration trends of spouses, children, and other categories for men and women?
- Process elements:
 - General enumerator bias:
 - Each enumerator and number of parcels demarcated that are:
 - Extend family vs. household
 - Enumerator and claims number of parcels with:
 - Joint landholding between m/f
 - Single landholder (m)
 - Single landholder (f)
 - Number of (total) persons of interest?
 - Number of youth as persons of interest
 - Number of females as persons of interest
 - Do our female enumerators have a different rate of success in terms of:
 - Field enumeration of women landholders doing demarcations
 - Collection of more or less female persons of interest
 - Collection of more or less joint landholdings
 - Different collection of family vs. household land?
 - These questions require going back into the core data and pulling out information.
 - Do fields claimed by women (or exclusively controlled by women) have a different rate of objection during objections and corrections process?
 - We have information on why objections were made, but does the objections process allow men to take back land or reallocate men as the primary holder...
 - Do this analysis with youth as well?
 - During the objection and corrections phase are there any gendered issues, such as a greater likelihood of men being put on certificates and women being pulled off of certificates?
- Governance Elements:
 - What are summary statistics of villages with male vs. female headpersons.

- Do we see a difference in size of village?
- Do we see a difference in any of our governance scores?
- (Spatial analysis): Do we see a difference in the amount of development infrastructure in villages that have male vs. female headpersons?
 - In villages with female headpersons, do we see a difference in outcomes related to number of parcels registered in a woman's name from villages with a male headperson.
- Parcel size managed fields by chiefdom:
 - Examine the relationship of parcel size, female demarcated y/n, ownership characteristics, age profile of owners, how land was acquired.

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