REFERENCE SHEET

Incorporating Land and Resource Governance into Gender Equality and Social Inclusion Programming

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Land and natural resources are discrete, finite, and fundamentally important assets. In developing countries, they constitute a substantial part of personal and national wealth. A country's approach to land and resource governance (LRG) contributes significantly to its broader socioeconomic development. LRG is increasingly recognized as a foundational component of many key environment and sustainable development strategies, and effective LRG strategies at all scales can contribute to achieving positive human well-being and environmental outcomes.

Strengthened LRG is a catalyst for sustainable economic growth. If well governed, land and natural resources are also fundamental for achieving many other development objectives, from conserving biodiversity and mitigating the impacts of climate change, to empowering women and bolstering civil society. If poorly managed, they can exacerbate environmental degradation and increase inequality, corruption, and conflict.

This reference sheet is part of a series of materials aimed at USAID Missions and other Operating Units interested in integrating LRG into their programming. Each reference sheet in this series briefly outlines existing evidence on the links between LRG and an adjacent development topic—in this case, gender equality and social inclusion (GESI) —and provides practical guidance for integrating LRG considerations across the Program Cycle.

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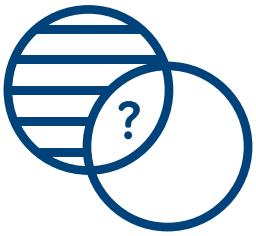

Why LRG Matters for GESI

WOMEN

Women with property and inheritance rights earn up to 3.8 times more income, and women who own land are up to eight times less likely to experience domestic violence.

Research shows that strengthening women's land and resource rights has a striking and positive impact on women's empowerment, which in turn contributes to the wellbeing of families and entire communities (USAID, 2020a). Access to land is one of the most fundamental avenues to financial security for women and girls, and control over critical natural resources can sustain livelihoods, provide collateral, and ensure economic stability. Numerous international human rights instruments recognize the fundamental importance of women's land rights, including the Convention on the Elimination of All Forms of Discrimination against Women (OHCHR, 1979), which identifies women's rights to land and natural resources as fundamental human rights and states that "[t]he right to own, manage, enjoy and dispose of property is central to a woman's right to enjoy financial independence, and in many countries will be critical to her ability to earn a livelihood and to provide adequate housing and nutrition for herself and for her family."

Yet, according to the World Bank's Women, Business and the Law survey, 40 percent of countries limit women's property rights in some way. In 19 countries women do not have equal ownership rights to property, and in 44 countries men and women don't have equal inheritance rights (World Bank, 2020). Further, in a 2020 global survey, one in five women feels insecure about her land and property rights, and in some regions like sub-Saharan Africa nearly one in every two women fears losing her land in the event of divorce or death of a spouse (Feyertag et al., 2020). Women remain disadvantaged due to socio-cultural, economic, and legal norms that prevent them from achieving land ownership. This disenfranchisement perpetuates a cycle of vulnerability that further prevents them from greater authority at the household and community levels.

A recent systematic review found that securing the property rights of women and girls empowers them in every other aspect of their lives, whether it is participation in household decision making, greater income at the household level, increased ability to remain healthy, and more money to feed and educate their children (Meinzen-Dick et al., 2019; Higgins et al., 2018). Researchers also find that improving women's land rights encourages them to invest in various natural resource management techniques, including soil conservation, terracing and bunding (Ibid.).

Women with property and inheritance rights earn up to 3.8 times more income, and women who own land are up to eight times less likely to experience domestic violence (Peterman, 2011; Agarwal and Panda, 2007). Not only that: because women are often responsible for making important household decisions about education, medical care, and nutrition, experts hypothesize that empowering women by securing their property rights benefits the entire family (USAID, 2020a). For example, a 2016 study in Nepal found that women's land ownership empowered

them to make decisions about their healthcare needs, major household purchases, and visits to family or relatives (Mishra and Sam, 2016).

LRG programs aimed at securing greater land rights for women focus on the following areas: legal rights, social acceptance of land rights, ability to generate value from land and engage in self-directed decision-making, ability to maximize land benefits, weighing women and men's interests equally, and ability to enforce rights when under threat (Scalise and Giovarelli, 2020).

But women aren't the only marginalized populations to suffer from insecure land tenure.

INDIGENOUS PEOPLES

Indigenous populations play a critically important role in protecting the environment, yet are often the most vulnerable to land grabbing and other forms of insecure land tenure.

Helping Indigenous populations secure their land and resource rights plays a critical role in ensuring forest conservation and countering the effects of climate change. For example, research by WRI found that the average annual deforestation rates in Indigenous forests in Bolivia, Brazil, and Colombia from 2000-2012 were two to three times lower than in similar forest areas not managed by Indigenous peoples (Blackman and Veit, 2018). Another study found that while Amazonian Indigenous lands lost less than 0.3% of their forest carbon between 2003 and 2016, non-Indigenous protected areas lost 0.6%, while other areas lost 3.6% (Harris and Gibbs, 2021). Additionally, land titles protect the economic rights of these groups to access payment for ecosystem services and other approaches that support forest-based livelihoods (USAID, 2020a).

Numerous international instruments recognize the critical need to protect Indigenous land and resource rights. These rights are articulated in the UN Declaration on the Rights of Indigenous Peoples and are reinforced by international conventions, such as the Indigenous and Tribal Peoples Convention (International Labor Organization Convention 169) and the International Convention on the Elimination of All Forms of Racial Discrimination. The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security describe in detail the obligations of governments and businesses with respect to Indigenous land and resource rights (FAO, 2012). At the regional level, the land and resource rights of Indigenous Peoples can be articulated in instruments such as the American Declaration on the Rights of Indigenous Peoples (USAID, 2020b).

Yet, Indigenous populations face several threats to their lands and forests, particularly in the biodiversity rich areas where they live. For example, while eighty percent of global biodiversity lies within traditional lands, and research shows that forest degradation and deforestation are significantly lower on Indigenous lands, Indigenous populations only have secure rights to 20% of these lands (Corriveau-Bourque et al., 2018; USAID, 2020a). In these remote areas, challenges such as weak environmental governance and law enforcement processes, poorly planned development that leads to deforestation, illegal logging and land grabs, and limits to Indigenous women's land access can hinder efforts for conservation and management (USAID, 2020a).

YOUTH

Youth are another population significantly impacted by insecure land tenure, particularly in Africa, where rapid population growth has left many young people landless or only able to access marginal lands. In sub-Saharan Africa, fewer than 10% of young adults are the sole owners of land plots, compared to one third of adults overall (IFAD, 2019). Because land is often a family's most valuable asset and forms the basis for a dowry, the inability to access land inhibits young people from marrying and becoming financially independent (Carpano, 2014). This is particularly true in the context of inheritance: as people live longer and have larger families, youth must wait longer to inherit dwindling amounts of land (Yeboah and Jayne, 2019). Research shows that across Africa, a progressively smaller proportion of young people are inheriting land due to land scarcity, and youth are more likely to rent land than own land (Ibid.). This tenure insecurity can lead to economic insecurity and to conflict (USAID, 2015). It also stifles entrepreneurship and drives rural-urban migration, as landless youth migrate to urban areas where job opportunities are more plentiful (Ibid.). Insecure land tenure also places youth who have lost parents to illness, such as HIV/AIDS, at greater risk of land grabs by male relatives or neighbors (Carpano, 2014). Girls are particularly disadvantaged since cultural and social barriers caused by predominantly patrilineal inheritance systems mean that land is inherited by sons, not daughters (Ibid.).

PEOPLE WITH DISABILITIES

Perhaps one of the most marginalized groups when it comes to land and property rights are persons with disabilities. Excluding those with disabilities from inheritance is a practice begun in early Roman times, and continues through the present day (Metzler, 2011; Grose, London, and Stein, 2014). Those with mental or intellectual disabilities are more likely to be excluded from inheritance due to a lack of trust in their judgment to manage property (Grose, London, and Stein, 2014). Disabilities can also affect access to courts, both communal and formal, due to physical barriers, stigmatization, or distance (Ibid.). Women with disabilities are among the most marginalized, particularly if they are unable to marry due to their disability, preventing them from inheritance lines of succession and economic support (Acen and Lillian, 2017). Their extreme vulnerability has led to land grabs, gender-based violence and multiple forms of discrimination either from family, neighbors or loved ones based on their identities as both persons with disabilities and their sex (Ibid.).

PHOTO CREDIT: FREDDY FERUZI

Research shows that across Africa, a progressively smaller proportion of young people are inheriting land due to land scarcity, and youth are more likely to rent land than own land. This tenure insecurity can lead to economic insecurity and to conflict.

Insights from the Field and Research

Past and ongoing USAID projects and research demonstrate that land and resource governance programming can effectively contribute to GESI development objectives. Below are examples of recent projects and research that incorporated LRG to empower women and other vulnerable populations. However, despite attention to the intersection of LRG and GESI, more rigorous research is needed to understand the impacts of land programming on different populations.

In Tanzania, USAID's Mobile Applications to Secure Tenure (MAST) pilot program increased women's land ownership from 27 percent to 49 percent, and engaged youth in participatory mapping processes for the first time. An impact evaluation of the expansion of the Land Tenure Assistance Activity, which scaled MAST to more than 70,000 households, will evaluate whether this gender parity and inclusion of youth in land documentation is leading to empowerment for women and young people.

An impact evaluation of USAID's Ethiopia Land Tenure Administration Program and Ethiopia Land Administration Program found that in households with second-level land certification, there was a 44% increase in a wife deciding which crops to grow on lands under her control.

A recent USAID gender analysis of customary land allocations found that female-headed households in Ethiopia and Zambia not only receive less land in customary systems, but also less productive land. The study also found that younger women received the least productive land, and that female heads of household often face higher levels of disputes over their land.

USAID's Integrated Land and Resource Governance (ILRG) project and Land Evidence for Economic Rights, Gender and Empowerment (LEVERAGE) activity under the Communications, Evidence and Learning (CEL) project are strengthening women's land rights and economic empowerment in countries in sub-Saharan Africa and Southern Asia. Improving women's land rights is key to addressing barriers that restrict women's ability to reach their full economic potential, while also contributing towards increasing women's participation in the workforce and supporting women's entrepreneurship.

The USAID-PepsiCo Global Development Alliance for Investing in Women to Strengthen Supply Chains in West Bengal is a partnership created to reach, benefit, and empower women in the potato value chain. By strengthening women farmers' land rights, access to technical agronomic training and direct engagement with PepsiCo, women farmers, women will access improved employment and entrepreneurial opportunities in the potato supply chain, increasing their income and economic resilience.

Through the Integrated Land and Resource Governance project, USAID is working with three major national and international companies in Mozambique to develop and implement gender-responsive practices for land-based investment, return of land to local communities, and engagement with smallholder farmers through ingrower and outgrower schemes. In Zambia, the ILRG project is using MAST approaches to document land rights for 20,000 women for the first time. In addition, tens of thousands of youth will have their names registered as persons of interest on land certificates to promote non-discriminatory inheritance practices.

Talking Points

To make the case for LRG as a gender equality and social inclusion solution, use the following talking points that link LRG with critical GESI outcomes, policies, and priorities.

WOMEN

- Research shows that strengthening women's land and resource rights has a striking and positive impact on women's empowerment, which in turn contributes to the wellbeing of families and entire communities.
- Yet, according to a 2020 global survey, one in five women feels insecure about her land and property rights. In some regions like sub-Saharan Africa, nearly one in every two women fears losing her land in the event of divorce or death of a spouse.
- Women with property and inheritance rights earn up to 3.8 times more income. Women who own land are up to eight times less likely to experience domestic violence.

INDIGENOUS PEOPLES

- Eighty percent of global biodiversity lies within traditional lands, and research shows that forest degradation and deforestation are significantly lower on Indigenous lands. Yet, Indigenous Peoples have secure rights to only 20% of these lands.
- Research shows that the average annual deforestation rates in Indigenous forests in Bolivia, Brazil, and Colombia from 2000-2012 were two to three times lower than in similar forest areas not managed by Indigenous Peoples.

YOUTH

- In sub-Saharan Africa, fewer than 10% of young adults are the sole owners of land plots, compared to one third of adults overall. Because land is often a family's most valuable asset and forms the basis for a dowry, the inability to access land inhibits young people from marrying and becoming financially independent.
- Research shows that tenure insecurity for youth leads to economic insecurity and conflict, and drives rural-urban migration.

DISABILITIES

- Those with mental or intellectual disabilities are more likely to be excluded from inheritance due to a lack of trust in their judgment to manage property.

Further Resources

PROGRAMMING LRG

Whether through standalone programs or as a component of larger programs, improving LRG can increase the effectiveness of USAID's democracy and conflict work and improve outcomes. The LRG Division in USAID's Center for Environment, Energy, and Infrastructure (EEI) provides a wide range of evidence-based technical advisory services and tools to help Missions better understand LRG trends as they relate to democracy and conflict. The resources can help effectively plan, implement, and evaluate LRG programs. These include:

How to incorporate LRG across the Program Cycle (see Annex A)**:**

- Integrating LRG into the Country Development Cooperation Strategy (CDCS)
- Designing LRG Projects and Activities
- Monitoring, Evaluating, and Learning from LRG Programs
- Geospatial analysis, strategic planning, and LRG assessments and analysis

Available mechanisms to support LRG programming (see Annex B)

ADDITIONAL LEARNING

Need more inspiration? Check out these additional resources linking LRG and GESI.

- Land and Development: A Research Agenda for Land and Resource Governance at USAID
- Landing Page: Gender Equality and Women's Empowerment
- Research Brief: Gender Disparities in Customary Land Allocation: Lessons from USAID Impact Evaluation Data
- Research Brief: Intimate Partner Violence and Land Tenure
- Brief: Women's Land Rights and Women's Economic Empowerment (WEE) Activities
- Brief: Gender Issues in the Artisanal and Small-Scale Mining Sector

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ANNEX A:

Integrating and Funding LRG across the Program Cycle

The EEI/LRG team is available to help Missions and Operating Units with each of the following Program Cycle analysis considerations.

Integrating LRG into the Country Development Cooperation Strategy

Incorporating LRG into the Country Development Cooperation Strategy (CDCS) process should start with examining how LRG will present the Mission with opportunities to achieve high-level development outcomes. The assessment above will assist in this regard. For example, if the Mission is contemplating a development objective (DO) related to democracy-building outcomes, understanding the impact of improved land and resource rights on these broader outcomes will help the Mission understand whether to incorporate LRG into the DO or Intermediate Result (IR) that feeds up to the DO. Even if the Mission determines that LRG does not warrant a DO or IR, it may still be useful to consider LRG trends, both during the life of the CDCS and beyond, as part of scenario planning.

Integrating LRG into Project Design and Implementation

Integrating LRG may entail a stand-alone project, or it may involve integrating LRG as a component of a broader project. The general process is as follows:

- **Initial Assessment:** Consider how an LRG project or component would contribute to achieving a DO or IR within the CDCS Results Framework. This step should involve an assessment of the particular development challenge, how LRG impacts that challenge, and how LRG solutions can contribute to addressing that challenge. This Toolkit (Sections 5 and 6, particularly) provides questions to ask and key considerations. One critical task is to identify key stakeholders, who may include national and municipal institutions (for example, the national or local land ministry), civil society organizations, other donors, private sector actors, and local communities within the planned intervention area. In particular, it is important to pay attention to stakeholders with traditionally vulnerable land and resource rights, including women, youth, ethnic minorities, and Indigenous Peoples.

- **Project Design:** Prior to developing a project, in addition to mandatory analyses, it may be beneficial to conduct additional analyses relevant to LRG, including political economy analysis, future scenario planning/analysis, youth analysis, and conflict analysis. As the project is being designed, it is key to embed local ownership in the process by consulting with key local stakeholders to ground-truth the appropriateness of the activities. It is especially important to include sub-national government actors as stakeholders.

Monitoring, Evaluating, and Learning from LRG Programs

Regular monitoring and review of LRG projects can support both adaptive management and accountability. All LRG activities should follow the Agency's monitoring and evaluation guidance in ADS 201.

- **Develop a Project Monitoring, Evaluation, and Learning (MEL) Plan as part of project design and update it during project implementation.** The MEL Plan should define how the project team will collect, organize, analyze, or apply learning gained from project data collection, along with appropriate indicators and disaggregation. The MEL Plan should also define a learning plan, especially given the cross-cutting and context/setting-specific nature of LRG work. Such a plan might examine opportunities for relevant stakeholder engagement within the Mission, or with other donors, the national government, and beyond in order to enhance collaboration and synergies across sectors and settings. Similarly, a learning plan could highlight how to share and apply implementation lessons regarding opportunities, needs, or constraints in one context or setting, or around the complex interplay between sectors and rural/urban settings. Finally, a learning plan might specify analytical tools to be used, processes for developing participatory learning/research agendas, and reflective processes to ensure that triggers for change in approach are noted and acted upon. If the MEL Plan contemplates an impact evaluation, this evaluation should be planned at the outset of the project, as impact evaluations are more difficult to incorporate once a project is under way.
- **Facilitate an intentional approach to collaborating, learning and adapting (CLA).** CLA is particularly important for LRG activities because they are often components of larger projects, and because LRG interventions must work in concert with other activities to be effective. Collaboration approaches could include joint work planning and regular partner meetings that facilitate knowledge and/or data sharing. Discussions during these meetings could focus on challenges and successes in implementation to date, changes in the operating environment or context that could affect programming, opportunities to better collaborate or influence other actors, emerging risks that threaten the achievement of objectives, and/or other relevant topics.

ANNEX B:

Available Mechanisms

EEI/LRG manages an Indefinite Delivery and Indefinite Quantity Contract (IDIQ) and several Task Orders related to land and resource governance.[1] The following mechanisms are available for Mission and Operating Unit (OUs) buy-ins.

- **Strengthening Tenure and Resource Rights II (STARR II) Indefinite Delivery Indefinite Quantity Contract (IDIQ):** Managed by EEI/LRG, the STARR II IDIQ is a $650 million, multi-faceted field support mechanism available for Missions and other Operating Units to buy into for activities through July 2025. STARR II is designed to provide short- and long-term technical assistance to improve land tenure, property rights, and resource governance through targeted interventions or integrated activities in support of broader development objectives. Missions and OUs can either buy into the existing STARR II Task Orders listed below, or procure a new Task Order under STARR II. Read more here.

- **Integrated Natural Resource Management (INRM):** This Task Order under the STARR II IDIQ is available for Missions and OUs to buy into for activities through July 2025. INRM provides on-demand support services and technical assistance across a wide array of environmental and natural resource management issues and sectors. The activity aims to strengthen the impacts of environmental programs, identify and adopt best practices for integration, respond to strategic shifts at the Agency, and build constituencies for integrated programming to achieve development and humanitarian assistance outcomes. INRM is designed to support the uptake of principles and approaches outlined in the Agency's Environmental and Natural Resource Management (ENRM) Framework. Read more here.

- **Integrated Land and Resource Governance (ILRG):** This Task Order under the STARR II IDIQ is available for Missions and OUs to buy into activities through July 2021, with option years extending to July 2023. ILRG can provide short- and long-term technical assistance, analytical services, and field implementation across the following areas of support: land and resource law and policy development; policy implementation, including clarifying, documenting, registering, and administering rights to land and resources; building land and resource governance capacity of local institutions; and facilitating responsible land-based investment. Read more here.

- **Artisanal Mining and Property Rights (AMPR):** This Task Order under the STARR II IDIQ is available for Missions and OUs to buy into for activities through September 2021, with option years extending to July 2023. AMPR is USAID's flagship project for addressing complex development challenges in the artisanal and small-scale mining (ASM) sector. The program is primarily focused on diamonds in the Central African Republic, but is designed to provide on-demand, short-term technical assistance to any USAID Mission and Operating Unit (OU) on development challenges associated with ASM. Read more here.

1 U.S. Agency for International Development, "Funding/Contract Mechanisms," *LandLinks*, accessed April 26, 2021, https://www.land-links.org/tools-and-mission-resources/funding-contract-mechanisms/.

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