EXECUTIVE SUMMARY

ON EQUAL GROUND

*Promising Practices for Realizing Women's Rights
in Collectively Held Lands*

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FOREWORD

For more than three billion people around the world, land lies at the heart of their survival, well-being, and dignity. Of those who rely almost exclusively on land and natural resources for their livelihoods, more than half are women. Women play vital roles in their communities—they grow food for their families, they invest in the nutrition, education, and health of their children, and they are holders of traditional knowledge on plants, forest resources, and ecological management. Women are integral to building the adaptive capacities of their families and communities.

Women make up 70 percent of smallholder farmers in the developing world, where up to 80 percent of the food comes from small farms. Their traditional role in food production and responsibility for collecting water, fuelwood, and other household resources make them critical to national food security and building climate resilience. Yet, many women do not have the right to own land. Of the total global population of agricultural landowners – only 14 percent are women, and that number drops dramatically across Africa and East Asia. Many typically only have access through a husband or male relative. This is an extremely insecure position for them as they are subject to swift losses in cases of divorce or death of a spouse. The insecurity of women's land rights is crucial to overcome if we are to build climate resilient communities and end extreme poverty and hunger worldwide.

The majority of existing research on women's land rights focuses on how women can better gain individual access to land. But communal and collectively held lands, such as forests and pastureland, are crucial resources in these communities. Research on how women can better access them is essential to creating equitable land tenure systems.

This report looks at five diverse indigenous and customary communities in five countries—Cameroon, Mexico, Indonesia, Nepal, and Jordan—which have

all secured women's rights to communal lands and resources. It reveals the scope of women's tenure rights in these communities and dives into how their rights were realized. In all five communities, laws and policies granted women rights, and social interventions enabled women to claim them. The report uses these case studies to provide an invaluable guide for policymakers, donors, and others working to empower women.

If we are to realize the vision of shared prosperity, peace, and opportunity for all on a healthy planet under the 2030 Sustainable Development Agenda, we must ensure that both women and men have the same access and rights to land and resources—and we need to start now.

Andrew Steer

*President
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Wanjira Mathai

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Highlights

- Equal and secure land rights for women are integral to attaining global development outcomes and a more gender-equitable and sustainable world.
- In collectively held lands, women have secure tenure when collective land tenure is legally recognized and enforceable and women can claim and exercise rights equally with men, including the right to use and benefit from the lands and resources and participate in their governance.
- Laws devolving control over common resources to local communities, when they mandate gender-inclusion, pave the way for women to gain tenure rights where previously they had secondary or no rights.
- Women's participation in communal land and resource governance is a key aspect of tenure security; where their participation is nascent or weak, women should be supported through capacity-building activities and by sensitizing men to the benefit of gender-inclusive decision-making.
- While there is no one-size-fits-all formula applicable to different contexts, universally, interventions to secure women's land tenure must be carried out at multiple levels and in an interlinked manner, targeting both the structural framework that ensures that women have rights and the operational environment that creates the conditions for women to be able to realize rights.

Background

For many women, especially in the developing world, access and rights to land and other productive resources are crucial for building a more resilient future for themselves, their families, and their communities, and for attaining more inclusive, equitable, and sustainable societies. To achieve these goals, policies and investments to secure women's land rights must target not only their individual rights (or jointly with spouses) to household land but also their group-based rights in collectively held lands and resources, such as forests and rangelands.

The World Resources Institute (WRI) partnered with Resource Equity (RE) and organizations in five countries to identify and conduct case studies of five communities that have relatively gender-equitable land tenure systems (see Table ES-1). The case studies investigated the extent and strength of women's tenure rights in the five communities and drew out the main factors or conditions that enabled women to claim and exercise rights. The extent of tenure rights was examined according to three dimensions of tenure security:

1. *Robustness*, which includes legitimacy or the recognition of rights in both formal and customary systems and the enforceability of rights against third parties;
2. *Completeness* or the scope of rights held, including the right to access, use, and derive benefits from lands and resources, as well as participation in their governance; and
3. *Durability* or the length and certainty of rights (Doss and Meinzen-Dick 2018).

WRI and RE then synthesized the findings to glean major enabling factors for realizing women's tenure security, which prove to be two sets of factors:

1. structural factors, or factors that ensure that women have rights
2. operational factors, or factors that create the environment for women to claim and exercise rights

Table ES-1 | Profile of Case-Study Communities

COMMUNITY & NGO PARTNER(S)	TENURE REGIME	GOVERNANCE STRUCTURE
BOPO Community Forest, Littoral Region, Cameroon Partners: African Women's Network for Community Management of Forests (REFACOF) & Cameroon Ecology (CE)	<ul style="list-style-type: none"> Legally classified as a community forest in 2010. Membership is on a household basis, represented by the husband and wife. Forestry activities are guided by an action plan based on an approved management plan. Current use is for cash crop production and individual access for household consumption. 	<ul style="list-style-type: none"> BOPO is organized as an association with written bylaws. Governed by a general assembly (GA), composed of permanent residents, and an executive committee (EC) with elected members. Women currently comprise 40% of the GA and five out of seven EC members.
Gajah Bertalut Village, Riau Province, Indonesia Partner: WRI Indonesia	<ul style="list-style-type: none"> Indigenous community with historical land occupation, in the process of acquiring formal title. The forest is divided into plantation forest and community forest. Plantation forest (PF) is subdivided into plots held in usufruct by women and inherited along the maternal line ("clan lands"). New plots opened by spouses belong to them jointly. Community forest is subdivided into forbidden, reserve, and utilization forests. 	<ul style="list-style-type: none"> Land use is governed by customary law (<i>adat</i>). Household plots in the PF are managed jointly by spouses or by extended families. The highest governing body is the Council of Elders (<i>ninik mamak</i>), composed of elected male elders from each of the four clans that the community comprises. The council sets rules relating to the use and management of the CF and the communal river.
Hima Bani-Hashem, Zarqa River Basin, Jordan Partners: International Union for Conservation of Nature Regional Office of West Asia (IUCN-ROWA), and the Arab Women's Organization (AWO)	<ul style="list-style-type: none"> Established in 2010 through a state grant of exclusive land-use rights. <i>Hima</i> refers to the traditional system of rangeland management. The <i>hima</i> is primarily used for livestock grazing. Women have the added right to collect and sell herbs for livelihood. The tribal charter requires certain areas to be left fallow on a rotation basis for land regeneration. 	<ul style="list-style-type: none"> The <i>hima</i> is governed by a tribal charter signed by community members. Day-to-day management is with a management committee, with membership comprising 60% men and 40% women. The management committee has 13 members, of which seven are men and six are women.
La Trinidad Ixtlán (LTI), Oaxaca, Mexico Partner: Union of Zapotec and Chinantec Forest Producing Communities in the Sierra Juárez (UZACHI)	<ul style="list-style-type: none"> Officially recognized as an indigenous community (<i>comunidad</i>) by presidential resolution in 1949, with title confirmed under a land-rights regularization program in the 1990s. Formal or registered community members co-own community forest lands. Men and women have equal right to become members, but only a few women have been availed of their right. The territory is divided into a forest area and a settlement/urban area. The forest area has three zones: community forest, ecotourism area, and communal agriculture area. The community forest and ecotourism area are operated by community-owned companies. Residents can collect nontimber forest products (NTFPs) for domestic use. The agriculture area is carved into plots that members can hold in usufruct. The urban area consists of household plots and public areas. 	<ul style="list-style-type: none"> <i>Comunidades</i> may establish their internal rules based on traditional practices and customs. The highest authority is the GA, composed of all community members (<i>comuneros</i>) and community residents (<i>avecindados</i>). Operational management of the forest area is with the Supervisory Body of Communal Assets, while the urban area is managed by the municipal authority. The supervisory body is composed of a president, secretary, and treasurer. Another body, the Oversight Council, consisting of a president and two secretaries, serves as an oversight body. Currently, there is only one woman holding a management position, as an alternate secretary in the supervisory body. Some women have been appointed as assistants.

Table ES-1 | Profile of Case-Study Communities (Cont.)

COMMUNITY & NGO PARTNER(S)	TENURE REGIME	GOVERNANCE STRUCTURE
Banpale Community Forest User Group (CFUG), Gandaki Pradesh Province, Nepal Partner: Federation of Community Forestry Users, Nepal (<i>FECOFUN</i>)	<ul style="list-style-type: none"> Formally established as a CFUG in 1994. CFUG membership is on a household basis, each represented by one male and one female. The CFUG has a collective enterprise in which members who provide labor are paid wages, and the income is used to improve the business and for forest management. All member households depend on the forest for timber and NTFPs. Access and collection of forest products is limited to certain times of the year or by special permission. 	<ul style="list-style-type: none"> The CFUG has its own constitution and forest operational plan approved by the district forestry office. The GA is the highest governing body, consisting of all member households, while management is with the EC. Forestry guidelines require at least 50% of the EC to be women, one of whom must be chairperson or secretary, while the other 50% of the EC must have proportional representation from poor and lower-caste groups. The EC has 11 members, chosen by GA consensus. Six are women, one of whom is from the lower-caste group. The vice-chair and the secretary are women.

Source: Authors.

Key Findings

A. Profile of Case-Study Communities

Table ES-1 provides a snapshot of each of the five case-study communities with respect to their land tenure regime and governance structure, indicating how women are situated.

B. The Dimensions of Women's Tenure Security

Table ES-2 provides an overview of the sources and extent of women's tenure security in each of the five case-study communities across the three dimensions of land tenure security.

The research findings reveal several trends in women's tenure security for each of the dimensions of land tenure security.

Robustness: Women's tenure rights derive from laws granting rights to local communities over lands and resources and from customary laws that are positive for women. In Cameroon and Nepal, women gained tenure rights from forestry legislation devolving control over state forests to communities. In Jordan, they acquired rights through a state grant of exclusive rights to pastureland under a rangeland revival intervention. In Indonesia, women are the customary tenure rights holders as members of a matriarchal ethnic group. In Mexico under the agrarian law, women may obtain tenure rights in indigenous communities (*comunidades*)

but may also rely on customary norms to access and benefit from collectively held lands. Formal recognition of collective tenure means that both women and men can enforce their rights against outsiders; for example, commercial investors. Internally, the legal gender mandates and strong community cohesion disincentivize usurpation of women's entitlement by other community members.

Completeness: Women have the same rights as men to access, use, and benefit from communal lands and resources. In Cameroon and Nepal, women and men have equivalent rights, defined by law and the state-approved management plans. In both cases, the forest is primarily used for a collective enterprise, with regulated individual access to meet conservation objectives. In Jordan, under tribal charter the *hima* is intended for livestock grazing, but women have the right to gather resources for livelihood. In Mexico, all residents regardless of membership status can access the community forest and collect NTFPs, while the benefits from the forestry enterprises are distributed on a household basis. In Indonesia, women are the tenure rights holders although both spouses use and benefit from clan land. Any resident can access the community forest and collect NTFPs, but timber harvesting is banned in the forbidden forest.

Table ES-2 | Overview of Women's Land-Tenure Security

	WOMEN'S LAND-TENURE SECURITY				
	Robustness		Completeness		Durability
Community	Primary Basis of Legitimacy of Women's Tenure Rights	Awareness of Rights and Ability to Exercise and Enforce against Threats	Extent of Access, Use, and Benefit to Collectively Held Lands and Resources	Extent of Participation in Communal Land Governance	Length of Rights and Security in the Event of Change in Civil Status
BOPO Community Forest, Cameroon	<i>Manual of Procedures for the Attribution and Norms for the Management of Community Forests 2009 (Implementing the 1994 Forest Code)</i>	Women are aware of their rights, through NGO rights-awareness campaigns. The law provides protection from external threats. Customary norms limit rights for some women and limit women's participation.	Women have the same rights in the bundle as men, but with more responsibilities in the forestry enterprise.	Women have active participation in governance and occupy positions in the executive body, but the agenda is centered on male interests.	Same long-term rights as men, set by law at 25 years, but renewable. But rights may be affected by marital status change.
Gajah Bertalut, Indonesia	Customary Tenure System (<i>adat</i>) based on matrilineal inheritance and matrilocal residence	Women are aware of their rights. The matrilineal tenure system has been practiced for generations. The process of land titling and its remote location protects from external threats. Women's customary rights are respected by the community.	Women have the same rights as men in the community forest but have stronger tenure rights than men to the plantation forest based on the matrilineal system.	Women are present in clan meetings but generally speak through their husbands. The village executive body is exclusively male per customary rules. Women can exercise influence because of land ownership.	Perpetual, for as long as the community owns and occupies the customary territory. Women inherit and pass on land to their daughters.
Hima Bani-Hashem, Jordan	State Policy and Donor Requirement: The 2014 Amman Declaration on Innovating Hima, as implemented by IUCN-ROWA, the Ministry of Agriculture, and AWO.	Women are aware of their rights, through NGO gender sensitization campaigns. Income generation through a livelihoods project allows them to be recognized as stakeholders in the <i>hima</i> . Lack of funding to protect the <i>hima</i> from outsiders poses an external threat.	Women have the same rights as men and with the additional right to gather shrubs and plants on pastureland for independent livelihoods, but this entails extra work.	Gender quota ensures inclusion in leadership positions. Women have active participation in meetings but in a subordinate role.	Same long-term rights as men, for as long as the grant of <i>hima</i> land is not revoked by the government. But rights may be affected by marital status change.
La Trinidad Ixtlán, Mexico	Agrarian Law: 1971 amendment recognizing women's equal eligibility for membership in collectively held lands (<i>ejidos</i> and <i>comunidades</i>) and the cultural precepts (<i>usos y costumbres</i>) of family patrimony and family providership	Women are aware of their rights. The law provides protection from external threats. Married women tend to opt out of formal community membership under the law and rely on social legitimacy.	Women have access and use rights regardless of formal membership, subject to permit and rules. Benefits from the forestry enterprises are distributed on a household basis.	Women who are formal members participate actively, but governance is still male dominated. Nonmembers are represented by their husbands.	Perpetual, for as long as the community owns and occupies the communal territory. Women may apply for formal membership in their own right in the event of status change.

Table ES-2 | Overview of Women's Land-Tenure Security (Cont.)

Community	WOMEN'S LAND-TENURE SECURITY				
	Robustness		Completeness		Durability
	Primary Basis of Legitimacy of Women's Tenure Rights	Awareness of Rights and Ability to Exercise and Enforce against Threats	Extent of Access, Use, and Benefit to Collectively Held Lands and Resources	Extent of Participation in Communal Land Governance	Length of Rights and Security in the Event of Change in Civil Status
Banpale CFUG, Nepal	Guidelines Implementing the 1993 Forest Act establishing Community Forest User Groups (2001, 2009)	Women are aware of their rights through NGO rights-awareness campaigns and their own experience. The law protects against external threats. Women have leverage by sharing their livelihoods opportunity with men and by providing building space for the CFUG offices and the forestry enterprise.	Women have the same rights as men. Lower-caste members are disadvantaged by restrictions on individual forest access.	Gender quotas and other state policies promote women's interactive participation in governance, but they still do not have complete parity. Lower-caste members are also represented but less influential.	Same long-term rights as men, for as long as the CFUG exists as an entity and manages the community forest in accordance with approved operational plans. But rights may be affected by status change.

Source: Authors.

Women are formally represented in community decision-making bodies, but their actual participation varies. Women have reserved seats in the executive body in Jordan and Nepal, while Mexico has a quota for candidates for office: Each gender may field up to 60 percent of the total number of

seats. Cameroon has no quota but requires women's inclusion in the management body. The women report that they have some say in decision-making. In Nepal, they appear to actively participate, while in Cameroon and Jordan, they voice opinions but have less influence than men in agenda-setting. In Mexico, the candidates' quota has not been implemented; thus there are few women in leadership. In Indonesia, husbands speak for the family at clan assemblies, with women typically silent. Overall, men play a greater role in decision-making; women still lack experience or opt out for practical reasons such as time constraints.

Durability: As members of the user group or community, women have the same tenure duration as men and generally retain their rights in the event of marital status change. The community has imprescriptible rights under the law in Indonesia and Mexico (still being formalized in the former); whereas they are long-term in Jordan, for as long as the *hima* is maintained; and in Nepal, they are subject to compliance with the law and CFUG management plans. Community forests have a fixed period of 25 years in Cameroon, subject to renewal. In the event of divorce or the husband's death, women in Indonesia are protected under the community's

Women's tenure rights derive from laws granting rights over lands and resources to local communities and from customary laws that are positive for women.

Figure ES-1 | Enabling Factors for Women's Land-Tenure Security and Voice in Community Governance

Source: Adapted from Doss and Meinzen-Dick 2018.

matrilineal system. In Mexico, registered members' tenure rights are also unaffected, although nonregistered married women have priority in intestate succession and may keep their entitlements based on custom and apply for individual membership. In the three other communities, widows retain their group membership, but not necessarily divorced women. In Nepal, they can apply for membership on their own, but local norms dictate whether a woman stays or moves out of the village upon divorce. In Cameroon and Jordan, divorced women traditionally move back to their natal village.

C. Enabling Factors and Promising Practices for Securing Women's Tenure Rights

The women in the case-study communities benefited from some combination of enabling factors at the structural and operational levels, working

in interlinked manner, to secure or improve their tenure rights (see Figure ES-1). At the structural level, women benefited from laws and customary norms that recognize collective land tenure and women's land tenure. In Cameroon and Nepal, explicit gender mandates in forestry laws devolving control over forests to communities paved the way for women to gain formal tenure rights where previously they had secondary or no rights. Similarly, in Mexico the agrarian law recognizing indigenous land rights gave equal rights to women to become registered members or co-owners of community lands. In Jordan, the inclusion of women as stakeholders was required for the grant of exclusive rights to rangeland for the establishment of the *hima*. Women also benefit from customary tenure systems that favor or provide them with strong protections, such as in Indonesia, where the matriarchal Minangkabau ethnic group accords women

land rights, passed down from mother to daughter, and paired with matrilineal residency practice. In Mexico, the tradition of land as family patrimony allows women who opt out of formal community membership to have access and benefit from communal lands and resources.

Gender quotas and explicit mandates in legislation for women's inclusion in resource governance bodies opened decision-making forums for women. A broad mandate, such as Nepal's 50 percent quota for women in the executive committee, gives women the numbers to have a strong voice. In Cameroon and Jordan, the mandate to include women enabled them to have strong representation in governance, although because the user groups are relatively new, women's participation is still nascent. Notably, in Indonesia, Jordan, and Mexico, women perceive their interests to be accounted for even if they are not as vocal as men during meetings. They are also actively engaging in activities that build up their capacity to participate in community governance (see operational factors).

At the operational level, several enabling factors, working in interlinked manner and combining with structural factors, empowered women to realize rights. These include the establishment of women's collective enterprises that allowed them to make visible contributions, leading to increased leverage and empowerment. This is exemplified in Jordan, where the rangeland revival intervention included the formation of a women's collective enterprise, enabling women to contribute financially to the household and the community, cementing their status as legitimate stakeholders in the pasture association. In Nepal, a women's collective enterprise established under a development project took off, prompting the men to ask to join, thereby enhancing women's clout in the CFUG. The women in both communities also reported gaining better bargaining power in the household.

Gender sensitization and capacity-building interventions helped overcome discriminatory customary norms. This is demonstrated in Jordan, where sustained sensitization and awareness-raising activities conducted by nongovernmental organizations (NGOs) enabled the uptake of women's inclusion by men. The Arab Women's Organization (AWO) used a culturally sensitive approach that allowed men to accept new ideas about women

working without feeling threatened. The AWO also provided livelihoods skills and training on the technical facets of the *hima*, preparing women for their new roles as stakeholders in the pasture association and for positions in the management committee. In Cameroon, CE educated the community about women's legal rights and encouraged women to run for positions in the executive body. In Nepal, training as facilitators for development interventions gave women new proficiencies, enabling them to be more engaged in community affairs and aspire to leadership roles.

Gender champions and pioneering individuals served as catalysts for change. This is illustrated in Mexico, where a female head of household actively approached community leaders to join a then all-male general assembly, serving as a role model for other women who gradually joined. As well, a former municipal head during his term invited all women to join municipal assembly meetings, signaling to the community their important role and normalizing a space that erstwhile women accessed only by individual request. In Jordan, the tribal leader and an active and well-respected senior woman were crucial in getting the men to listen to the AWO and accept new gender norms.

Community-based social and civic organizations that are led by or engage women socially empower them in significant ways. This is shown in Nepal, where, by providing physical space in its building for the CFUG and co-financing the construction of a new CFUG headquarters, a women's group (*aama samuha*) enhanced women's sway within the CFUG. In Mexico, auxiliary committees and working groups created by the community governance organs, such as school, health, and sports committees, provide women with exposure and training in public affairs and community leadership, allowing those aspiring to higher leadership roles to accumulate the experience traditionally required for moving up.

D. Timing of Gaining Tenure Rights

The timing of gender-intentional legislation and policy, as well as the subsequent interventions by external and internal actors, affected the realization of women's tenure rights in practice. In Cameroon and Jordan, women benefited from gender mandates enacted prior to or during the process of for-

mally establishing the user group. These mandates were then followed up by targeted interventions for women's economic empowerment and gender sensitization, facilitating women's tenure rights from the outset. In Nepal, the first gender guidelines were issued seven years after the CFUG was formed, with the community positioned to implement them because women had been increasingly empowered during the interim. In Mexico, women initially could not avail themselves of rights granted under agrarian reforms because the community itself had no control over its communal lands. Later, they relied more on the social recognition of their tenure interests. Initiatives by community actors to engage women in governance motivated women to claim their tenure rights. Finally, in Indonesia women in the community have customary control of clan lands, strengthened by the legal recognition of indigenous peoples' forestlands.

E. The Role Played by Women

Women exercised agency in many ways beyond being passive beneficiaries of gender mandates and interventions. In all five communities, women ran for seats in governance bodies that were opened by

new gender quotas or mandates. They leveraged their resources, such as seniority and influence in Jordan and material and financial contributions in Nepal, to shift gender norms and increase women's influence in the group. Women also carved out new spaces for greater participation within the community. For example, they successfully championed a community education council in Jordan.

However, women in the case-study communities continue to face barriers. Women's primary responsibility for domestic activities creates a double work burden. They are also often responsible for the bulk of agricultural activities, even as profits are shared equally by all group members. A subset of women may be barred from claiming rights, such as daughters who are expected to marry and move away; or they may forgo rights due to attached obligations that they find onerous or because minorities or lower-caste women are in a weak position to claim entitlements. Finally, women face practical and social barriers to effective participation, such as lack of time and experience and negative perceptions about their abilities.

Recommendations

As with any meaningful and enduring change, achieving a truly gender-equitable and inclusive collective land- and resource-tenure and governance is an evolving process. More can be done to move the needle for women. At the structural level, legislators or regulators can provide stronger participatory mechanisms for women in laws and implementing regulations. At the operational level,

external and community-based actors, including the donor community, governments, NGOs, and community-based organizations (CBOs), can help address underlying social norms and cultural beliefs to enable women to benefit from gender-sensitive policies and legislation. Figure ES-2 outlines specific suggestions.

Figure ES-2 | Specific Recommendations for Enhancing Women's Tenure Security

Source: Authors.

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CASE STUDY PARTNERS

CAMEROON: Réseau des Femmes Africaines pour la Gestion Communautaire des Forêts and Cameroon Ecology

INDONESIA: World Resources Institute Indonesia

JORDAN: International Union for Conservation of Nature Regional Office of West Asia

MEXICO: Unión de Comunidades Productoras Forestales Zapotecos-Chinantecos de la Sierra Juárez

NEPAL: Federation of Community Forestry Users, Nepal

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Natural resources are at the foundation of economic opportunity and human well-being. But today, we are depleting Earth's resources at rates that are not sustainable, endangering economies and people's lives. People depend on clean water, fertile land, healthy forests, and a stable climate. Livable cities and clean energy are essential for a sustainable planet. We must address these urgent, global challenges this decade.

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We envision an equitable and prosperous planet driven by the wise management of natural resources. We aspire to create a world where the actions of government, business, and communities combine to eliminate poverty and sustain the natural environment for all people.

Our Approach

COUNT IT

We start with data. We conduct independent research and draw on the latest technology to develop new insights and recommendations. Our rigorous analysis identifies risks, unveils opportunities, and informs smart strategies. We focus our efforts on influential and emerging economies where the future of sustainability will be determined.

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