



ON EQUAL GROUND

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

CELINE SALCEDO-LA VIÑA AND RENÉE GIOVARELLI



WORLD
RESOURCES
INSTITUTE



Resource
Equity

WRI.ORG

ABOUT THE AUTHORS

Celine Salcedo-La Viña is a research associate II, Land and Resource Rights Initiative and Gender and Social Equity Initiative, WRI Governance Center

Renée Giovarelli is a co-founder and senior attorney, Resource Equity

ACKNOWLEDGMENTS

We are deeply grateful to Wellspring Philanthropic Fund for generously supporting this research and WRI's work on women's land and property rights. We are pleased to acknowledge our institutional strategic partners, who provide core funding to WRI: Netherlands Ministry of Foreign Affairs, Royal Danish Ministry of Foreign Affairs, and Swedish International Development Cooperation Agency.

We express special thanks to our research partners in the case study countries who authored or co-authored with us the case study reports: Elisa Scalise (Resource Equity); Septrina Tobing, Carolina Astri, Riza Aryani, and Dean Affandi (WRI Indonesia); Laura Jimenez-Bautista (UZACHI); and Janak Acharya and Melina Panta (FECOFUN). Thanks as well to Lucy Ruiz Perez (UZACHI) and Elizabeth Moses (WRI) for research support for the Mexico case study.

We are greatly indebted to our peer reviewers for lending their time and expertise to review our report: Ruth Meinzen-Dick, Jolyn Sanjak, Victoria Stanley, Herbert Kamusiime, and Paul Ntegeka Mwesige, who served as formal external reviewers, and Natalie Elwell, Ruth Nogueron, Dean Affandi, Ana M. Martinez, Uttara Narayan, and Neha Lal, who served as formal internal reviewers. Special thanks to Peter Veit and Renata Marson for their guidance as sign-off directors for WRI's Governance Center and Research, Data, and Innovation.

We also wish to acknowledge the editing and production support provided by Emilia Suarez, Romain Warnault, Caroline Taylor, Shannon Collins, and the communications and outreach support provided by Corey Filiault, Laura Lee Dooley, Rocio Lower, Mansie Hough, Nicholas Walton, Nadia Pembert, Jerin Tan, and Sarah Parsons.

Finally, we thank the women and men in BOPO, Cameroon; Gajah Bertalut, Indonesia; Bani-Hashem, Jordan; La Trinidad Ixtlán, Mexico; and Banpale, Nepal for welcoming us into their communities, sharing their insights, and inspiring us with their spirit.

Design and layout by:
Shannon Collins
shannon.collins@wri.com




TABLE OF CONTENTS

| | |
|-----------|---|
| 1 | Foreword |
| 3 | Executive Summary |
| 4 | Background |
| 4 | Key Findings |
| 12 | Recommendations |
| 15 | Introduction |
| 19 | Research Methods |
| 23 | Analytical Framework |
| 29 | Analysis of Women's Tenure Security |
| 30 | A. Overview of Case-Study Communities |
| 32 | B. The Dimensions of Tenure Security |
| 51 | Enabling Factors for Women's Tenure Security and Empowerment |
| 53 | A. Enabling Factors |
| 58 | B. Timing of Gaining Tenure Rights |
| 60 | C. The Role Played by Women |
| 63 | Conclusion and Recommendations |
| 64 | Conclusion |
| 65 | Recommendations |
| 68 | Appendix A: Case-Study Reports—Abridged Versions |
| 83 | Appendix B: Interview Guides and Guidelines |
| 89 | Glossary |
| 90 | List of Abbreviations |
| 90 | Endnotes |
| 95 | References |



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
World Resources Institute*



Wanjira Mathai

*Vice President and
Regional Director For Africa*



EXECUTIVE SUMMARY

The 2030 Agenda for Sustainable Development recognizes equal and secure land rights for women as integral to attaining the global goals of ending poverty and hunger and realizing a more gender-equitable world. This report seeks to advance women's land rights by documenting promising practices and approaches for securing women's tenure rights in collectively held lands gleaned from five communities in different parts of the world.

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>FECOFUND</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.

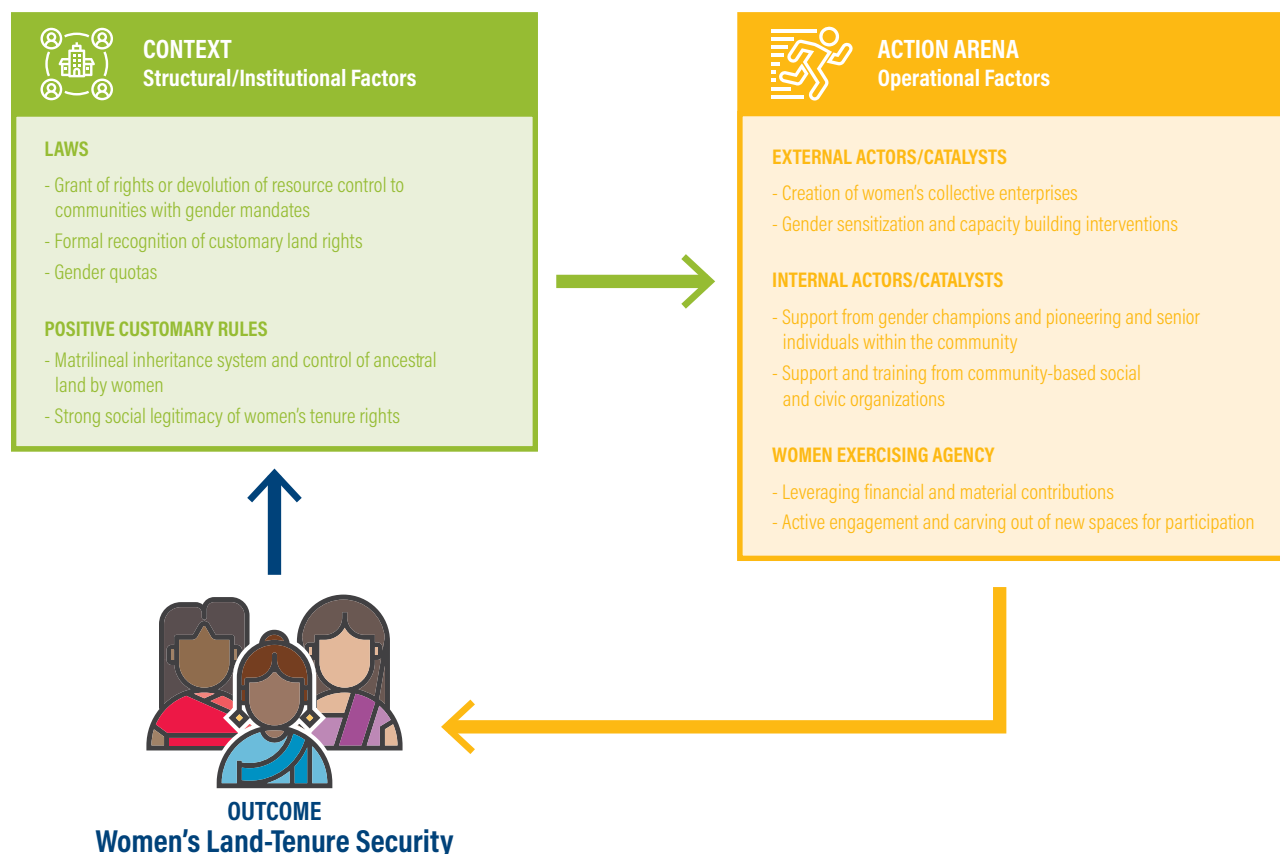
Women are formally represented in community decision-making bodies, but their actual participation varies. Women have reserved seats in the executive body in Jordan and Nepal, while Mexico has a quota for candidates for office: Each gender may field up to 60 percent of the total number of

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 matri-

archal Minangkabau ethnic group accords women land rights, passed down from mother to daughter, and paired with matrilocality 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 commit-

tees, 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 formally 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

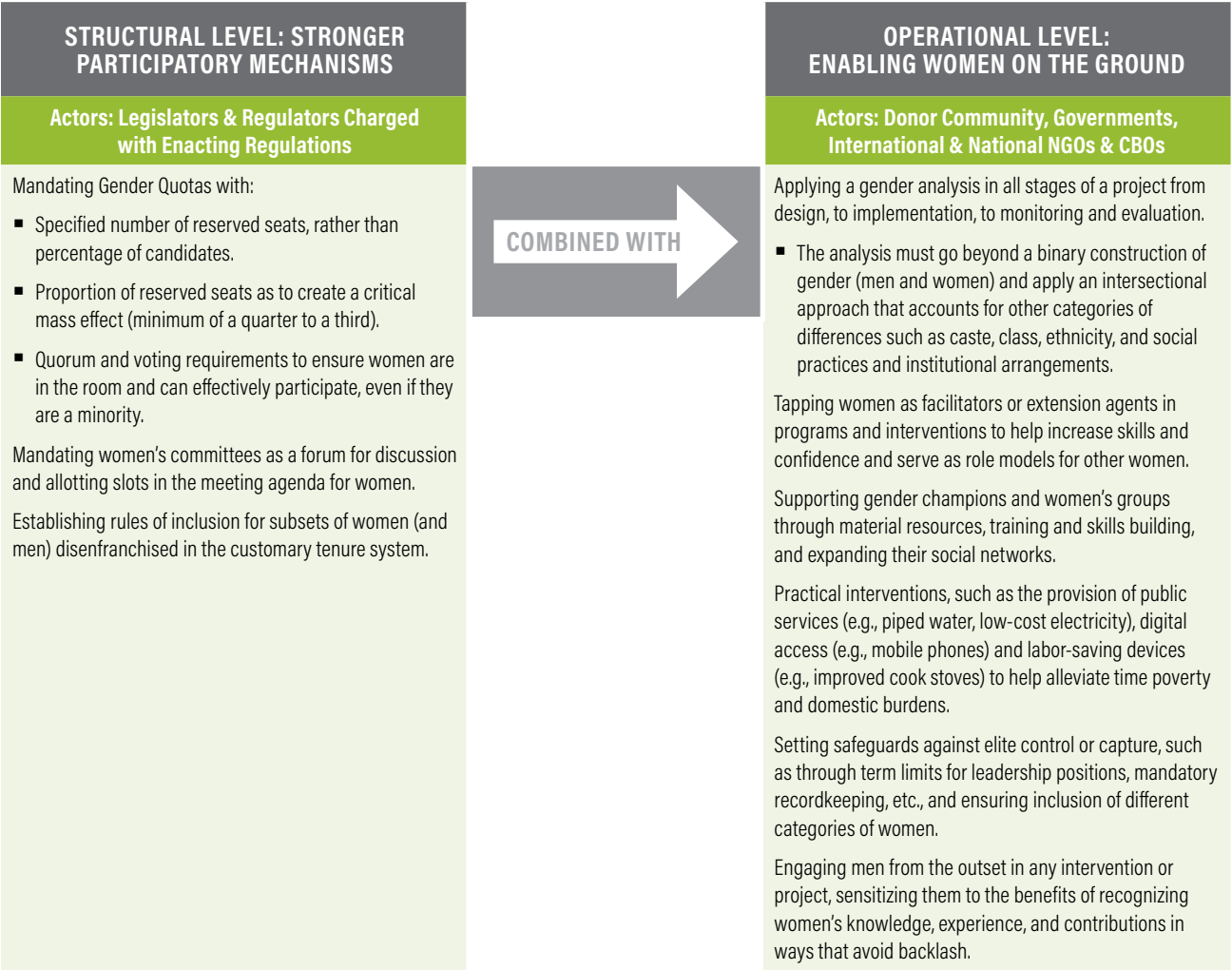
Women exercised agency in many ways beyond being passive beneficiaries of gender mandates and interventions. In all five communities, women ran for seats in governance bodies that were opened by new gender quotas or mandates. They leveraged their resources, such as seniority and influence in Jordan and 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.



SECTION I

INTRODUCTION

Equal and secure land rights for women are deemed as an integral component of the global blueprint for a more sustainable world set forth in the 2030 Agenda for Sustainable Development (UN Women 2016). Women's land rights are recognized as essential for achieving the goal of gender equality and a crucial element of the goals of ending poverty and hunger, attaining food security, and promoting sustainable agriculture.¹

The recognition of the importance of women's land rights in global policy is based on a growing body of research that highlights the links between women's access to and control over land and productive assets and various pathways to poverty reduction and other development outcomes, such as greater bargaining power at the household and community, food security, agricultural productivity, higher investments in children's health and education, and increased investments in land and natural-resource and climate-risk management (GI-ESCR n.d.; Gomez and Tran 2012; Meinzen-Dick et al. 2019). Key international instruments and pronouncements supporting the 2030 Sustainable Development Agenda in relation to women's land rights include the Voluntary Guidelines on the Responsible Tenure of Land, Fisheries, and Forests, which designates gender equality as one of its 10 essential implementation principles for the responsible and equitable governance of land tenure. General Recommendation No. 34 on the Right of Rural Women, issued by the Committee on the Elimination of Discrimination Against Women, the UN body that monitors implementation of the Convention on Elimination of All Forms of Discrimination Against Women, designated women's rights to land and natural resources as

A gap remains with respect to the comprehensive assessment of women's tenure rights within collective tenure systems.

fundamental human rights and called on states to legislate gender equality in land and resource rights and implement strategies to address discriminatory stereotypes and practices in customary systems that limit women's land rights. A majority of countries have enshrined gender equality in their constitution, and many have elaborated this to specify land and property rights in legislation. Policies and interventions to promote women's land rights generally focus on rights to household land or agricultural land, primarily providing tenure rights or titling at the individual level or jointly by spouses. Less considered are women's rights in lands and resources held collectively, including common property resources, despite the strong recognition accorded to indigenous peoples and customary land rights by the international community; for example, in the UN Declaration on the Rights of Indigenous Peoples and ILO Convention 169, Indigenous and Tribal Peoples Convention. Research is beginning to emerge exploring the nexus between collective land rights and women's land rights. Giovarelli et al. (2016) looked at donor-funded interventions aimed at formalizing community land rights and identified strategies and practices that were successful in incorporating women's rights.² Bose et al. (2017) reviewed the progress of legal reforms relating to community forestry in terms of gender equity in Latin America and found that, despite some success, women overall have fewer and weaker land rights than men in the region.³ There is considerable sector-based research, particularly in the forest sector, relating to women's rights to natural resources (Colfer et al. 2016, 2017) and women's participation in communal resource management (Agarwal 2001, 2010). But a gap remains with respect to the comprehensive assessment of women's tenure rights within collective tenure systems.

Women play key roles in collective communities, yet generally they face many barriers to securing land rights, including gaps in the laws, weak implementation, lack of knowledge of rights, and discriminatory cultural norms and practices. In many indigenous communities, women's land rights are

viewed as discordant to the collective identity and group cohesion; and focusing on women results in the weakening of the collective tenure system (Tauli-Corpuz 2015). But even as indigenous women subscribe to the vision of land as integral to collective identity, many are asserting their rights to access and use land and participate in community land and resource governance (FPP 2011). Studies that show how this dual objective can be achieved can yield critical lessons for the development community, women's land rights advocates, NGOs, local communities, and other stakeholders.

This report aims to advance women's tenure rights in collectively held lands through case studies of five communities where women possess secure land tenure. It examines the extent of rights held by women in those communities and systematically draws out the factors or conditions that enabled or empowered women to claim or realize rights, guided by a conceptual framework on women's land-tenure security. The findings yield information about promising practices, strategies, and pathways to achieve women's land-tenure security that can be applied in developing relevant policies, laws, programs, and interventions.

The remainder of the report is organized as follows: Section II discusses the research methods applied, followed by a discussion of the analytical framework used in Section III. Section IV is a synthesis of the case-study findings, starting with an overview of each community and followed by an evaluation of the extent and characteristics of women's tenure security in the five case studies. Section V offers an analysis of enabling factors extracted from the evaluation of tenure security. Section VI provides conclusions and some recommendations to help move the needle forward on women's land-tenure security.





SECTION II

RESEARCH METHODS

This report is based on case studies of one community in each of five countries: Cameroon, Indonesia, Jordan, Mexico, and Nepal. The case studies are qualitative in nature, combining desk research and fieldwork in the communities.

The case study countries for this report were selected to cover, as much as practicable, different geographic regions of the world reflecting a variety of contexts. To determine the case-study countries, WRI and RE conducted desk research and consulted with other researchers, practitioners, and NGOs, including women's groups and national and regional NGOs. Considerations for the selection of countries included donor target geographies and countries where WRI has offices. In each selected country, WRI and RE partnered with a local organization, and together with them, identified a case-study community after a discussion of the research objectives and using two criteria. The first, given that the research focuses on collectively held lands,⁴ is self-identification as an indigenous peoples' or customary community⁵ and practicing community-based land tenure system (where land is held as a shared or common resource, even as some portions are allocated for household use),⁶ regardless of formal recognition or title to the land. The second criteria, because the research seeks to identify enabling factors or promising practices that allow women to assert or exercise tenure rights, is a community that demonstrates considerable gender⁷ equity in access to, use and benefit from, and the governance⁸ of collectively held land and resources. Finding communities that meet the second criteria proved more challenging than anticipated, as generally rural women have weaker land and resources rights and less social power than men (Giovarelli et al. 2016; Namubiru-Mwaura 2014). The local partners played a key role in the identification of the following case-study communities, based on their previous or ongoing work in the area and in the specific communities selected:

- Cameroon: Boomabong and Pouth Ndjock Community Forest (BOPO CF), Littoral Region
- Indonesia: Gajah Bertalut Village, Kampar District, Riau Province
- Jordan: Bani-Hashem *Hima*, Zarqa River Basin (northern highlands)
- México: La Trinidad Ixtlán, Sierra Norte Region, Oaxaca State
- Nepal: Banpale Community Forest User Group (CFUG), Kaski District, Gandaki Pradesh Province

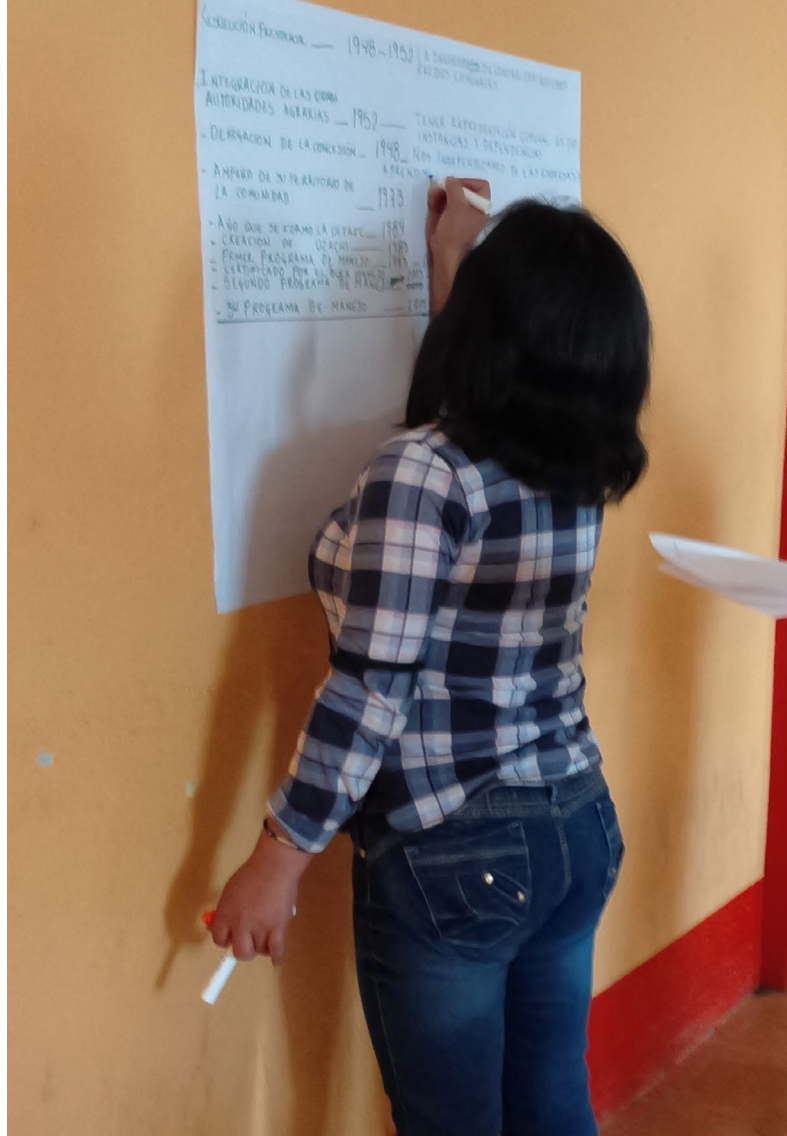
Desk research consisted of a review of relevant national laws and policies as well as academic and gray literature on women's land rights, indigenous and collectively held lands, forests, tenure, and similar topics, to provide country and local context prior to the fieldwork and to help with the subsequent analysis. Fieldwork was conducted by WRI and RE with the local partner in each country, with both WRI and RE undertaking field research in Indonesia, WRI in Mexico and Nepal, and RE in Cameroon and Jordan. Because the following local partners are organizations that are directly working or have directly worked in the case-study communities, they provided additional context not easily gleaned from the desk research and, importantly, a level of trust and candor from the community members: in Cameroon, the *Réseau des Femmes Africaines pour la Gestion Communautaire des Forêts* (REFACOF) and CE; in Indonesia, WRI Indonesia; in Jordan, the International Union for Conservation of Nature Regional Office of West Asia (IUCN ROWA) and the Arab Women's Organization; in Mexico, the *Unión de Comunidades Productoras Forestales Zapotecos-Chinantecos de la Sierra Juárez* (UZACHI, or Union of Zapotec and Chinantec Forest Producing Communities in the Sierra Juarez); and in Nepal, the Federation of Community Forestry Users, Nepal (FECOFUN).

The field research consisted of key informant interviews, individual interviews, focus group discussions (FGDs), and participant observation. In two of the case-study communities in Indonesia and Mexico, the researchers had the opportunity to examine internal documents of the community, such as community statutes, bylaws, and territorial maps and did a transect walk upon invitation of community members.⁹ The field research was conducted between January and June 2019. In each country, the local partner organized the field interviews and identified the participants, based on the interview guidelines and question guides developed by WRI and RE. The interview guidelines included an interview protocol and the minimum number of participants for each type of interview, which was exceeded in almost all instances (see Appendix B). The interview or question guides detailed the main topics (e.g., demographic profile, livelihoods profile, tenure regime, etc.) and specific information to be obtained for each, one guide for individual interviews, and another for key informant interviews

and FGDs (see Appendix B). The format used was semi-structured interviews, with topics including demographic context; main livelihood activities at the household and community levels; land-tenure regimes practiced by the community; women's access, use, and benefits from common property resources; community governance framework; and participation of women and local and external institutions and actors. The interview guides were translated into the local language by the local partners. Based on the interview guides, WRI Indonesia developed a detailed set of questions, which was adopted with permission by UZACHI in Mexico and FECOFUN in Nepal.

In four of the case-study countries, the researchers had the opportunity to visit a second community suggested by the local partner and conducted interviews and FGDs, providing further context or comparison and enriching the understanding of the issues. The exception is Indonesia, where physical distance and security concerns made it unfeasible to visit the other community that the partner has been working with. The additional communities are as follows: in Cameroon, the Pouma community in the Littoral Region; in Jordan, the Ma'an community in the southern region; in Mexico, San Juan Evangelista Analco in the Sierra Juarez region in Oaxaca; and in Nepal, Piplepokhara CFUG in Makwanpur District, Bagmati Pradesh province. The insights from the interviews and FGD in the additional communities are integrated in the analysis where relevant but not documented in separate reports because they are not the main focus of the study (except for the second community in Mexico).¹⁰

The findings in each of the five case studies were documented in a country case-study report, abridged versions of which are provided in Appendix A of this report. The individual case-study reports assessed women's tenure security in terms of the extent of rights of access, use, and benefit and participation in the governance of collectively held lands and resources. This synthesis report, in turn, provides an overall analysis of the extent of women's tenure security and investigates the factors or conditions that have enabled women to realize tenure security in the five communities. To provide broader context, the analysis of enabling factors additionally draws from the experience of other communities as documented in the literature. The



combined insights elicit a set of promising practices or approaches that can guide policymaking and interventions in the future.

For both the individual case studies and this synthesis report, the analysis of women's land-tenure security is based primarily on Doss and Meinzen-Dick's (2018) conceptual framework for women's land-tenure security. The conceptual framework identifies the criteria or dimensions of tenure security and introduces a framework for identifying the factors that influence tenure security. The authors additionally draw from Giovarelli and Scalise's (2019) women's land-tenure framework for an analysis practice guide to define the dimensions of tenure security and Agarwal's (2010) typology of participation to evaluate the extent of tenure rights. The analytical framework is discussed in more detail in the following section.



SECTION III

ANALYTICAL FRAMEWORK

The analysis for this research is based on the conceptual framework for women's land tenure security, developed by Doss and Meinzen-Dick (2018) to foster shared concepts and definitions around women's land rights and land tenure security.¹¹ The conceptual framework considers both the outcomes in terms of tenure rights held by women and the types of factors that affect those rights, taking into account the special challenges faced by women in exercising rights.



Applying the conceptual framework, this study applies a two-tiered analysis. First, we investigate the extent of women's tenure rights in the five case study communities under a set of criteria or dimensions of tenure security. Second, we proceed to examine the factors that enabled women to claim or realize those rights and achieve tenure security. The framework identifies four outcomes or dimensions of tenure security, of which three are applied in this study: robustness of rights, or when women's rights have legitimacy or are legally and socially recognized and enforceable; completeness of the bundle of land rights, or when the community holds multiple rights including use, benefit, and management of lands and resources, which women possess to the same extent as men; and durability of rights,

This study applies a two-tiered analysis. First, it investigates the extent of women's tenure rights under a set of criteria or dimensions of tenure security, and second, it examines the factors that enabled women to claim or realize those rights and achieve tenure security.

or when women's rights are long-term and not affected by a change in their civil status. The fourth dimension in Doss and Meinzen-Dick's conceptual framework is jointness or the manner in which tenure rights are held, whether held individually by one person (or jointly by spouses) or collectively by a community. Inasmuch as this research is focused on collectively held lands, a separate investigation of jointness need not be made here, although some aspects of jointness, insofar as they affect women, are discussed under the dimensions of robustness and completeness of rights. Table 1 expounds the definition and essential characteristics of robustness, completeness, and durability as used in this study.

In terms of completeness, it will be noted that the rights in the bundle of land rights on which the authors focus in this study are the rights of women to access, use, benefit, and participate in the governance of communal lands and resources. Other rights in the bundle as defined in the literature, including exclusion and transfer rights identified by Schlager and Ostrom (1992) and future rights or interests identified by Doss and Meinzen-Dick (2018), are treated at the community level, given the focus on collectively held lands. Access rights investigated in this study encompass both simple physical access and the right to access. Furthermore, for purposes of assessing the extent of women's participation in governance, the authors

Table 1 | Criteria for Tenure Security

| DIMENSION | DEFINITION AND CHARACTERISTICS |
|---------------------|---|
| Robustness | <p>Legitimacy: Women's tenure rights have legitimacy or are recognized within formal and informal systems.</p> <ul style="list-style-type: none"> Formal or legal legitimacy: community land rights as well as women's rights within the community are recognized in the country's laws. Women's rights and interests are recognized and compensated when community land is acquired by outsiders (due process and compensation.) Informal or social or customary legitimacy: women's tenure rights are recognized within the indigenous or customary community. No additional prerequisites or conditions for recognition of women's rights beyond what is required for men, and women's rights and interests are recognized and compensated when community land is acquired by outsiders (due process and compensation). <p>Enforceability: Women can exercise their rights and enforce them against internal and external threats.</p> <ul style="list-style-type: none"> Women are aware of their rights under the law, understand how to exercise them, and are practically able to do so. Women's rights are enforceable through customary and legal systems. Accessible grievance mechanisms exist that women are aware of and can and do use. |
| Completeness | <p>Extent of rights held by the group, and women's participation in those rights.</p> <ul style="list-style-type: none"> Multiple dimensions of land rights, or bundle of rights, including the right to access, use, withdraw fruits or benefit from, manage or govern, and exclude outsiders from community land, are held by the community and recognized in law. Women equally participate in the various rights in the bundle, including: <ul style="list-style-type: none"> the right to access and use, to withdraw fruits or benefit from, and to manage or govern community land; and the right to participate in decision-making and governance of the commonly held lands and resources in an interactive and meaningful way. |
| Durability | <p>Women have long-term rights regardless of social status.</p> <ul style="list-style-type: none"> Women's rights are long-term, with terms and conditions (including for termination) that are clear and the same as that of men. Women's rights are certain and not affected by, among others, marital status, such as divorce or death of the husband. |

Source: Adapted from Doss and Meinzen-Dick 2018 and Giovarelli and Scalise 2019.

adopted Agarwal's (2010) typology of participation as guide. The typology shows a continuum of women's participation, ranging from nominal or mere membership in the group to interactive or having an influence in decision-making, with the effectiveness of participation assayed at three levels: meeting attendance, speaking up, and holding an official position (Agarwal 2010, 101). The typology is reproduced in Table 2, classifying different levels of participation and the characteristic features of each.

With respect to the second tier in the analytical framework, the examination of the factors or conditions that enable or promote tenure security, Doss and Meinzen-Dick (2018, 8–9) identify four broad types of factors:

1. context, or the specific socioeconomic, biophysical, and institutional (laws and norms) setting;
2. threats and opportunities, or catalysts for change, both positive and negative;
3. action arena, including the actors and the resources (e.g., networks, wealth, education, etc.) that different actors can mobilize to seek preferred outcomes; and
4. outcomes, or changes to women's tenure security that, in turn, affect or shape the context for future land rights.

For purposes of this study, the authors focused on the first three types of factors and treated the fourth as an end result rather than a determining factor. This is because tenure-security changes or outcomes as a factor for future tenure security require a longer time frame to investigate. The authors also rephrased the second and third groups of factors in order to simplify the design of the interview guides. Box 1 describes each of the three sets of factors as adapted for this study. In analyzing the case studies, the authors considered a factor as enabling when it is identified, linked, or acknowledged by women and men as the basis for women's claim or exercise of tenure rights or when it supports the realization of tenure rights for women. Furthermore, a factor is enabling when it is demonstrated in one or more case studies, but need not be present in all of the case studies, because the objective is to draw out and synthesize promising practices for women's tenure security that have been demonstrated on the ground.

Table 2 | Typology of Participation

| FORM/LEVEL OF PARTICIPATION | CHARACTERISTIC FEATURES |
|---|---|
| Nominal participation | Membership in the group |
| Passive participation | Being informed of decisions ex post facto; or attending meetings and listening in on decision-making, without speaking up |
| Consultative participation | Being asked an opinion in specific matters without guarantee of influencing the decisions |
| Activity-specific participation | Being asked to (or volunteering to) undertake specific tasks |
| Active participation | Expressing opinions, whether or not solicited, or taking initiatives of other sorts |
| Interactive (empowering) participation | Having voice and influence in the group's decisions; holding positions as office bearers |

Source: Agarwal 2010, 101.

BOX 1 | Factors for Evaluation

The following factors provide a means of categorizing interview responses and other data and serve as analytical framework in terms of assessing the dimensions of tenure security.

1. **Community context:** Women's roles and experiences in the community in relation to land.

- Women's status and relationships: civil, social, and economic status; familial, economic, and social networks; position in the community.
- Land and land tenure, including characteristics such as location and type of land (forest, pastoral, etc.).
- Laws and customary norms and practice, including statutory law, customary law, religious law,

and norms not constituting law (such as social and gender norms related to land).

- Nature of the community, including its livelihoods base and homogeneity or heterogeneity.

2. **External and internal catalysts:**

Events and changes that create threats to or new opportunities for promoting women's rights (as defined in the Criteria for Tenure Security).

- Threats: Events and changes that weaken women's land rights and/or that women perceive as threatening their rights to community land. For example, commercial land investment, expropriation.
- Opportunities: Events and changes that promote or allow for improvement of women's rights and/or that women perceive as

promoting or supporting their rights to community land. For example, land-tenure intervention, agricultural programs, or legal reforms.

3. **External and internal actors and action resources:** Persons and resources that affect and advance women's rights to community land.

- Actors that have positive or negative impacts on women's land rights, such as customary or tribal authorities, local government, civil society and national and international NGOs or development agencies.
- Action resources that are available and affect any positive interventions or changes, such as political power, social standing, or financial and other assets.

Source: Adapted from Doss and Meinzen-Dick 2018.





SECTION IV

ANALYSIS OF WOMEN'S TENURE SECURITY

This section synthesizes the findings from the five case studies, presented in two parts: First, it provides an overview of each community presented in table form. Second, it gives an analysis of the extent and characteristics of women's tenure security in each of the three dimensions.

A. Overview of Case-Study Communities

The extent to which women's tenure rights are secure—i.e., robust, complete or comprising multiple rights in the bundle of land rights, and durable—is mediated by the specific context of the community and various external and internal influences that directly or indirectly promote or threaten those rights.

Table 3 below provides a profile of each of the five case-study communities, including the land-tenure regime, or the systems under which land is held and used by the community, and governance structure, or structures and systems for managing them. In each community, how women are situated and the roles they play are indicated. Further information can be obtained in the summaries of the case study reports in Appendix A.

Table 3 | Profile of Case Study Communities

| COMMUNITY | PROFILE | TENURE REGIME | GOVERNANCE STRUCTURE |
|---|--|---|--|
| BOPO CF, Littoral Region, Cameroon | <ul style="list-style-type: none"> Formally classified as a community forest in 2010, with support from NGOs^a Formed by two chiefdoms or villages, Boomabong and Pouth-Ndjock. CF land area: approx. 3,750 ha. | <ul style="list-style-type: none"> Co-owned by member households, each represented by husband and wife. CF activities are guided by an action plan based on an approved management plan. The community forest is used for cash crop cultivation and to obtain timber and nontimber forest products (NTFPs) for household consumption. Members contribute labor for cash crop production; proceeds from harvests are used for community projects and divided among households. | <ul style="list-style-type: none"> The CF has written bylaws. There are two governance bodies, the general assembly (GA), composed of permanent residents, and an executive committee (EC) with elected members headed by a delegate. The GA makes decisions on how to implement the action plan and prioritize the use of sales proceeds from cash crops. The EC implements the action plan and administers funds. Women currently comprise 40 percent of the GA and five out of seven EC members. |
| Gajah Bertalut Village, Riau Province, Indonesia | <ul style="list-style-type: none"> Indigenous community with historical land occupation, now in the process of being formally titled with support from NGOs. Village land area: 4,414 ha. | <ul style="list-style-type: none"> The community claims ownership of the forest, which is divided into plantation forest (PF) and village forest. The PF is subdivided into plots held in usufruct by families along the maternal line, deemed as ancestral land and is passed down from mother to daughter. PF is used as rubber farms with native and planted trees. New plots opened by spouses belong to them jointly. The village forest is divided into forbidden, reserve, and utilization forests—the latter designated for harvesting of timber and NTFPs, which all villagers can access. Part of the village forest has been opened as village gardens assigned to clerics and a youth group for livelihood purposes. | <ul style="list-style-type: none"> Land use is governed by customary law (<i>adat</i>). Ancestral land is managed jointly by spouses or by extended families, led by a senior woman. There are four clans, each headed by a clan elder and holds annual meetings. The highest governing body is the council of elders (<i>ninik mamak</i>), composed of elected male elders from each clan. The council sets rules relating to the use and management of the village forest and the communal river in accordance with <i>adat</i>. A local government body representing the state presides over municipal matters (health, education, etc.). |

Table 3 | Profile of Case Study Communities (Cont.)

| COMMUNITY | PROFILE | TENURE REGIME | GOVERNANCE STRUCTURE |
|---|--|--|--|
| Hima Bani-Hashem, Zarqa River Basin, Jordan | <ul style="list-style-type: none"> Established in 2010 through a state grant of exclusive rights to pasture land under a donor-funded project on rangeland revival based on the traditional management system called <i>hima</i>.^b Consists of four communities. Hima pasture land area: 100 ha. | <ul style="list-style-type: none"> The <i>hima</i> was established to restore degraded rangeland and promote sustainable livestock raising. Member households have exclusive rights to graze livestock in the <i>hima</i>. Under the tribal charter governing use of the <i>hima</i>, certain areas must be left fallow on a rotational basis to allow for land regeneration. Women have the added right to collect and sell herbs from the <i>hima</i> through a collective enterprise, allowing them to earn independent income and to contribute to the pasture association. Donor funding allowed the community to hire guards to protect the <i>hima</i> from nomadic herders, but this has since ended. | <ul style="list-style-type: none"> The hima has a tribal charter drafted and signed by community members. The <i>hima</i> is governed by a pasture management committee, 40 percent of the members of which must be women—a donor requirement that has since been adopted by the community. The management committee has 13 members, of which seven are men and six are women. |
| La Trinidad Ixtlán (LTI) Comunidad, Oaxaca, Mexico | <ul style="list-style-type: none"> Recognized as an indigenous community (<i>comunidad</i>) by presidential resolution in 1949. In the 1990s, LTI participated in a land rights regularization program called PROCEDE to confirm its title. <i>Comunidad</i> land area: 791,722 ha. | <ul style="list-style-type: none"> Under the law, formal/registered community members have co-ownership rights to communal lands. Men and women have equal right to become members, but only a few women have so far availed of their right. LTI divides its territory into a forest area and an urban settlement area. The forest area is under collective tenure and is divided into three zones: community forest (intensive and low-intensity forestry areas and conservation area), ecotourism area, and communal agriculture area. The forest and the ecotourism areas are operated by LTI-owned companies for the benefit of the entire community. Residents can collect NTFPs for domestic use. The communal agriculture area is subdivided into plots that members can hold in usufruct for individual or household farming. The urban settlement area consists of individual household plots and public areas (town hall, schools, auditorium, etc.). | <ul style="list-style-type: none"> A <i>comunidad</i> may establish its internal rules based on traditional practices and customs (<i>usos y costumbres</i>). The highest authority is the GA, composed of all community members and legal residents. The GA formulates internal rules, approves community membership and community residency, elects or appoints officers, approves and reviews work plans and activities, and decides the distribution of profits from the enterprises. Day-to-day management of the forest, agriculture, and ecotourism areas is with the Supervisory Body of Communal Assets (<i>Comisariado de Bienes Comunales</i>), while the urban area is managed by the Municipal Authority (<i>Agente Municipal</i>). The supervisory body is composed of a president, secretary, and treasurer. Another body, the Oversight Council (<i>Consejo de Vigilancia</i>), acts as an oversight body, consisting of a president and two secretaries. |

Table 3 | Profile of Case Study Communities (Cont.)

| COMMUNITY | PROFILE | TENURE REGIME | GOVERNANCE STRUCTURE |
|--|--|---|---|
| Banpale Community Forest User Group (CFUG),^c Gandaki Pradesh Province, Nepal | <ul style="list-style-type: none"> Formally established in 1994, with members from four different wards in the municipality. Community forest area: 16 ha. | <ul style="list-style-type: none"> Membership in the CFUG is on a household basis, represented by one male and one female from the household. The community forest is divided into four blocks, one used for a collective enterprise, two plots intended for silviculture, and the fourth block is in the process of being cleaned of bushes. The main forestry enterprise is processing and selling of hog plum fruit (<i>lapsi</i>) harvested from native trees. Members have also planted additional hog plum trees in the forest and on their private lands. All member households depend on the community forest for timber and NTFPs, including fodder, firewood, leaf litter, and forage such as mushrooms, etc., for domestic consumption. Access and collection of forest products is limited to certain times in the year or by special permission. | <ul style="list-style-type: none"> The CFUG has its own constitution and forest operational plan, with provisions required by law that must be approved by the district forestry office. The highest governing body is the general assembly of users (GA), but operational or day-to-day management is with an executive committee (EC) of between nine to 11 members elected or selected by the GA. Forestry guidelines require at least 50 percent of the EC membership to be women, one of whom must occupy the position of chairperson or secretary, while the other 50 percent of the committee must have proportional representation from the poor, lower-caste groups, and indigenous peoples. The CFUG has an 11-member executive committee, chosen by the GA by consensus, of which six are women, one of whom is from the lower-caste group. The vice-chair and the secretary are women. The GA consists of all registered community users, including male and female users of each member household. |

Notes: ^a The 1994 Forest Law's implementing regulations, Decree No. 95/531/PM of 23 August 1995, Laying Down the Procedure for Implementing the Forests System, defines a community forest (CF) as "a forest forming part of the non-permanent (state) forest, object of a management agreement between a village community and the Forest Administration. Management of such a forest shall be the responsibility of the village community concerned, with the technical assistance of the Forest Administration" (Art. 3 [11]). Community forestry was introduced as a means of improving community engagement in forest management, enhancing forest conservation, and reducing poverty for forest-dependent people. For communities to be considered a community forest, they need to fulfill a number of conditions, including constituting a legal entity to represent the CF, delineating and mapping the intended community forest area, and developing a simple management plan (Minang et al. 2019).

^b *Rangeland* refers to land on which the native vegetation is predominantly grasses, grass-like plants, forbs, and shrubs (can include dispersed trees) that are grazed or have the potential to be grazed, and which is used as a natural ecosystem for the production of grazing livestock and wildlife. Rangeland can include grasslands, shrub and dry woodlands, savannah, tundra, and desert. Disturbed lands that have been revegetated naturally or artificially are included. Pastureland are lands that are primarily used for the production of forage plants for grazing of livestock and wildlife (Davies et al. 2015; USDA 1997).

^c Community Forest User Group (CFUG) refers to a formally constituted group of local forest users in Nepal that are granted exclusive usufruct rights to a part of the national forest reclassified as a community forest. A community forest refers to part of the national forest handed over to a user group for development, protection, and utilization for their common interest (1993 Nepal Forest Act [2049 B.S.]).

Source: Authors.

B. The Dimensions of Tenure Security

Table 4 provides a snapshot of women's land tenure in the five case-study communities according to the three dimensions of tenure security (see Table 1). It shows the source of rights for women and the status and extent of their tenure security in practice. A more detailed analysis follows, applying the same format.

Two things to note in the discussion that follows: First, the case-study communities are mostly identified by the country name as a shorthand; hence, unless an explicit generalization is made, the reference is to the specific community rather than the country. Indeed, tenure regimes may vary across communities and regions within the same country. Second, references to law extend to both the principal law and implementing guidelines or regulations.

Table 4 | Overview of Women's Land Tenure Security

| 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 Communal Lands and Resources | Extent of Participation in Communal Land Governance | Length of Rights and Security in the Event of Change in Civil Status |
| BOPO CF, Cameroon | Manual of <i>Procedures for the Attribution and Norms for the Management of Community Forests 2009 (Implementing 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 village forests but have stronger tenure rights than men to household/ancestral land 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 allowed 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 can access additionally for independent livelihoods, but this entails more 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 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 4 | 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 Communal 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.

1. Robustness

Women's tenure rights are robust and secure when they are legally recognized and culturally legitimate and when they are exercisable, meaning that women are aware of their rights and can protect and enforce them when threatened within the community or by outsiders (see Table 1). The findings in each element are detailed as follows.

a. Legitimacy or Recognition of Tenure Rights in Formal and Informal Systems

Women in the five case-study communities have legally and socially recognized tenure rights. In Cameroon and Nepal, women derive rights under the law, the 1994 Forestry Law, and the 1993 Forest Act and their implementing regulations and guidelines, respectively. In Indonesia, women's tenure rights are based on custom—the matrilineal property inheritance system, in which customary control of land is held by women and passed down from mother to daughter, and a tradition of matrilineal residency. In Mexico, women are accorded tenure rights under the Agrarian Law but also rely on customary precepts of family providership and land as family patrimony to claim entitlements. In Jordan, the transfer of pastureland from state ownership to community management created the space to

revisit traditional norms regarding women's roles in pasture use and management and open up space for their inclusion.

Notably, in the three countries that legally provide for women's rights in common property resources, these rights are granted under subsequent amendments to the law or through regulations and guidelines issued several years after the passage of the law, reflecting changes in state policy and development practice. In Cameroon, the mandate for women's inclusion and representation in legal entity representing the community forest groups is provided in the *Manual of Procedures for the Attribution and Norms for the Management of Community Forests (CF Manual)*, issued in 2009, more than a decade after the 1994 Forest Code introduced the concept of community forestry, allowing forests outside of permanent forest estates to be managed by village communities. Similarly in Nepal, women's inclusion was provided in amendments to the Community Forest Guidelines in 2001 and 2009, several years after the 1993 Forest Act introduced community forestry and allocated state forests to legally constituted CFUGs for development, conservation, and utilization. In Mexico, the recognition of women as equal rights holders in col-

lectively held lands (*ejidos* and *comunidades*)¹² was introduced in the 1971 amendment to the Agrarian Law (Hamilton 2002). When the Agrarian Law was first codified in 1934, it provided that women must be heads of households and sole economic providers in order to be eligible for membership rights in *ejidos* and *comunidades* (Stephen 1996; Almeida 2009).¹³ As a brief background, the Agrarian Law was aimed at realizing Article 27 of the Mexican Constitution of 1917, which recognized collectively held lands, which it deemed social property, and mandated land reform, requiring the return of lands to indigenous communities and the expropriation of large private landholdings and distribution to peasants and rural communities (Kelly 1994). It took several decades before women became equal in the eyes of the law.

Cameroon's CF Manual guiding the establishment and management of community forests states that the articles of association of a community forest association must provide for the representation of all segments of the community, including women, youth, and minority groups, and that all members can be elected as members of the executive committee and must be consulted regarding the management of the community forest (Arts. 3.5 and 3.6, CF Manual). At the time the BOPO CF was being formed in 2003, the CF Manual was yet to be enacted, but the NGOs (particularly REFACOF and CE) that supported the two villages, Boomabong and Pouth-Ndjock, in fulfilling the legal and technical requirements for the establishment of their community forest and constituting the community association promoted and facilitated the inclusion of women in the process and recognition of their rights and roles. When the BOPO CF was finally approved in 2010, the CF Manual had formalized the inclusion of women in Cameroon's community forests, entitling the women of BOPO to be formal members or rights holders as individuals, either representing the household together with the husband or in their own capacity as women who are heads of household (provided, in both cases, that the households contribute land and labor, which are the conditions for membership).

Prior to the introduction of community forestry and women's explicit integration as stakeholders in the CF Manual, customarily held forests, and the plots allocated to households were held by men and passed along the male bloodline. Women's rights

were secondary, derived from their husbands, albeit the rights were lifetime (barring divorce or separation) and in most cases included use and control of production and income (Vitalis 2017). With the establishment of the BOPO CF, women realized tenure rights in their individual capacity to the legally constituted community forest. However, forest plots retained by households—that is, not contributed to the community forest—remain under customary male ownership. Moreover, custom mediates the interpretation of the law with respect to unmarried women in their parents' household. They are not considered as rights holders by themselves, even as they provide labor in the community forest and household forest, because their parents are deemed to represent their interests, and they are expected to marry and derive land rights from their husbands.

Nepal's amendment to the Community Forestry Guidelines in 2001 requires households to be represented by a male and female member, not just by the head of household (which is *de facto* the husband), while the 2009 amendment requires that the executive committee of the CFUG must have at least 50 percent women, and either the chairperson or secretary must be a woman (Wagle et al. 2016). The requirement under the Community Forestry Guidelines that the constitution and the operational plan of a CFUG must be approved by the District Forest Office provides a mechanism to help ensure compliance with the gender requirements, although the targets have yet to be fully achieved in some areas (Wagle et al. 2016). Prior to the amendments to the guidelines, women were largely barred by patriarchal customs from inclusion and representation in the CFUG, despite the decentralization of forest governance and creation of community-based forestry (Wagle et al. 2016). With respect to household land, under the Civil Code (*Muluki Ain*), women have the right to own and control their personal property. To encourage greater land ownership by women, the government in a 2006–07 directive waived registration fees for land registered in the names of women (as well as disabled persons and members of disadvantaged groups). The Financial Bill of 2015–16 reduced registration fees for land jointly registered in spouses' names and gave tax exemptions to women during registration (CARE Nepal 2016; USAID Land Links 2018).¹⁴ In Banpale CFUG, many women report that they own land, some even before the tax breaks were enacted.

It is possible that they are referring to the customary practice of *daijo* in which small plots of land are given to a daughter by her family when she marries (FAO GLRD n.d.). Notably, women are not simply members of the CFUG in Banpale, a women's civic organization, *Aama Samuha* (Mothers' Group), owns the small building where the CFUG currently holds office and is co-financing the construction of the CFUG's own headquarters.

In Mexico, women's tenure rights were first recognized in an amendment to the Mexican constitution in 1927, when female heads of households or sole family providers were granted eligibility for membership or co-ownership in *comunidades* and *ejidos*. In 1971, the Agrarian Law was amended, removing the requirement of household headship for women and establishing legal equality for men and women in agrarian collectives. It also repealed a provision on forfeiture of rights by women should they subsequently marry a member of a collective (on the logic of one family, one plot) and established the women's industrial agricultural unit, in which *comunidades* and *ejidos* may demarcate an area within the communal land, adjacent to the settlement area, for women's economic activities (Almeida 2009; Hamilton 2002). The law also gave women preferential inheritance rights as legal or common-law spouses or daughters of male rights holders. In 1992, another reform in agrarian legislation paved the way for the issuance of certificates of title to individual rights holders (titles to individual plots in *ejidos* or co-ownership titles in *comunidades*), formalizing previously recognized rights for both men and women and recording them in the National Agrarian Registry (RAN). The 1992 reforms, however, were considered as counter-reforms in some quarters because they put

an end to land redistribution and sought to open up collective lands to outsiders and create a rural land market (Kelly 1994). A direct consequence for women was diminished inheritance rights by way of the option granted to individual rights holders to designate nonfamily members as heirs or successors (and in the case of *ejidos*, including outsiders), although women continue to be privileged in intestate succession (Almeida 2009; Hamilton 2002).

In La Trinidad Ixtlán, the most recent update of the registry of members with the RAN shows that, as of 2017, only eight women are formally registered as members (*comunera*) of the community, compared to 211 men. Several women have applied for membership but are still in the process of completing the documentary requirements for registration of membership certificates with the RAN. Considering that the original community members for many years were all men, it is fair to say that women have made concrete strides forward in terms of membership. The women who are formal community members are all heads of households, reflecting the old law that limited membership rights to women who were economic providers. Presently, there are 40 other women who have pending membership applications (*posesionarias*) or have the status as community residents (*avecindadas*) in which a person is granted access and benefits but without co-ownership rights. These women are a mix of household heads, married women, and politically active young women, signaling shifting norms and a growing social acceptance of women's more active roles in the community. It all began with a single mother who was the first woman in the community to apply for the status of community resident and requested permission to participate in the then all-male general assembly.¹⁵ Other women gradually followed suit. Nonetheless, many women in La Trinidad Ixtlán (and Analco, the second community visited) continue to claim tenure rights indirectly through male relatives (husband or father) who are the formal members or community residents. These women rely on the strong social recognition of their tenure rights and interests in the communal lands and resources, rooted in the custom that property acquired by the husband is a family patrimony (i.e., intended to support the family). The women report that they are not in any rush to claim formal rights for practical reasons as well, mainly that formal membership has obligations attached to

Women in the five case-study communities have legally and socially recognized tenure rights.

it, such as serving in unremunerated positions or special assignments, performance of the *tequio* or unpaid community service, and compulsory attendance at assembly meetings that can last an entire day, all of which can be onerous if both spouses are members.¹⁶

In Indonesia, the village of Gajah Bertalut is situated in Western Sumatra, the homeland of the Minangkabau ethnic group, which is distinguished by its matrilineal kinship system in which descent is traced through the female line, and property is passed down from mother to daughter (Blackwood 2000; Göttner-Abendroth 2012; Sanday 2002).¹⁷ The Minangkabau group also practices matrilocal residency in which the husband moves to the wife's village upon marriage (Göttner-Abendroth 2012). As landowners, Minangkabau women, particularly senior women (matriarchs) who control large landholdings, exert considerable influence in the economic and social spheres of the village. The use of customary law (*adat*) in customary territories (*hak ulayat*) is recognized in Articles 18B(2) and 281(3) of the Indonesian Constitution and sectoral laws, such as the agrarian law, environmental law, and laws on regional and village government.¹⁸ The 1999 Forest Law previously disregarded customary communities' rights to their forests, declaring customarily held forests as part of state owned forests. But the Indonesian Constitutional Court in 2013 ruled the state's claim as unconstitutional. In Decision no. MK PUU 35/2012, the court classified customarily held forest as title or private forest.¹⁹ To further protect its forest rights, particularly since its territory was subsequently declared as part of a wildlife reserve created in the early 1980s,²⁰ Gajah Bertalut has applied for formal registration or title to its customary lands under a land mapping initiative launched by the government in 2018 called the One Map Initiative.²¹ National NGOs, including the *Aliansi Masyarakat Adat Nusantara* (AMAN) and WRI Indonesia, are assisting the community with its application.

Internally, customary law coexists with formal law and religious law (Islam) in Gajah Bertalut, described by the community as the three braided ropes (*tali bapilin tigo*). Customary law governs property rights under which the village forest areas and rivers belong to the entire village, while household land, consisting of rubber farms in the forest area and residential plots in the village settlement

area, are owned (technically, held in perpetual usufruct) by the women in the clan and inherited by their daughters. This land is called *tanah soko*, or ancestral land. Parents sometimes also open new land in the village forest area (with the permission of customary authorities) and hand it over to their daughters to manage. The rubber farms held by women occupy more than half of Gajah Bertalut's customary territory and are the main source of livelihoods for almost all households in the village. Women therefore occupy a central role in village life, based on a matrilineal customary rights system (Tobing et al. 2019).

In Jordan, a shift from a highly patriarchal tenure system to the recognition of women's tenure rights was catalyzed by an external intervention. The creation of the Bani-Hashem *hima* gave the community exclusive tenure rights to 100-ha rangeland that would have otherwise been open access and under state ownership pursuant to the Agricultural Law.²² Bani-Hashem is one of four communities in Jordan's Zarqa River Basin selected as pilots for the project to revive the traditional pasture management system called *hima*, led by IUCN-ROWA. The project is a part of efforts to combat desertification under the country's updated state rangeland strategy and the prime minister's Amman Declaration on Innovating Hima. However, in the traditional form of *hima*, women were not necessarily viewed as legitimate stakeholders. Men made all the decisions regarding rangeland use and management, and the role of women was limited to grazing livestock as part of domestic duties. Any involvement in rangeland management beyond this was considered work, which goes against the tradition designating women to the domestic realm and in subordinate roles (FAO 2001). The subordinate role of women goes beyond custom. Jordan's law on family relations, Articles 59–60 and 77–78 of the Personal Status Law, requires a woman to obey her husband in return for the financial maintenance and protection he is obligated to provide to her, although the spouses are encouraged to act with mutual respect toward each other. Under Articles 61, 288–89, and 292, women also need their husband's consent to work outside the home and do not have equal inheritance rights as spouses or daughters, although, under Article 320, they have equal administrative authority over assets during the marriage.

The *hima* revival refashioned the traditional system into a more gender-inclusive pasture management system. In the creation of the Bani-Hashem *hima*, gender was incorporated in several ways, spearheaded by AWO. First, AWO conducted a year-long gender sensitization campaign regarding the positive role and contributions that women can make in the *hima* system. AWO worked with women champions and secured the buy-in of the tribal leader in order to convince the rest of the community. Secondly, IUCN-ROWA required a gender quota of 40 percent women in the *hima* management committee, which the men were more open to after the sensitization efforts. And thirdly, AWO initiated a livelihoods component for women that allowed them to be economic contributors in the household and in the community. These three components ushered in a shift in men's attitudes and paved the way for more positive norms relating to women's work and contributions to pastoral societies and their roles in communal land management.

b. Awareness of Rights and Enforceability against Internal and External Threats

Women in the five case-study communities know their rights. They benefited from rights awareness activities conducted by NGOs prior to and during the creation of the community user group or association in Cameroon and Jordan, and after the amendments to the Community Forestry Guidelines in Nepal. In Mexico, women who are community members or community residents know their rights under the law and the communal statute. This is to be expected, as acquiring the status as member or community resident requires such knowledge. Other inhabitants of the community are familiar with what the communal statute provides because this is necessary to access and use communal lands but may not necessarily provide full information about rights under the law. Nonetheless, women are aware of the customary norms upon which they derive social legitimacy. As owners of ancestral lands and users of village forests, women in Indonesia are well aware of their customary rights. However, while aware of their rights, the women in the five communities tend to interpret their right to participate through the lens of customs that privilege male elders in communal land governance. This can result in missed opportunities to benefit from women's knowledge and perspectives, whereas their interests and concerns may not

necessarily be included or addressed, as will be seen in the discussion of the extent of women's participation in governance.

Women can enforce their rights against external or third parties in the same way as men. As legally constituted entities, all five communities have the mantle of law to exclude nonmembers or outsiders from any unauthorized access, claims, use, or potential acquisition by corporations or other government entities or similar external threats to its communal lands. In Cameroon and Nepal, the forest user group or association possess exclusive use and management rights over their community forests. In Jordan, the prime minister's designation of the Bani-Hashem *hima* conferred on community members exclusive rights to rangeland and, with funding support from IUCN-ROWA's rangeland restoration project, the authority to hire guards to keep out nonmembers. However, when the three-year project of IUCN-ROWA ended, the community found itself with less funds to keep the *hima* functioning as well as it did previously. Particularly, the community has since been short of funds to pay for guards, affecting its ability to prevent noncommunity members from illegally grazing in the *hima*. Importantly, the community retains its exclusion rights, or the right to enforce its tenure rights against external threats. But it does lack the practical ability at present to exercise this right due to lack of funds, underscoring the need to ensure sustainability post-intervention by external actors. In Mexico, a *comunidad* is a legal entity established under a presidential resolution, with an option to confirm formal title under a rural land registration program called the Program for the Certification of Ejido Land Rights and the Titling of Urban House Plots (PROCEDE), established to allow for privatization under the 1992 reform of the agrarian law, which La Trinidad Ixtlán did.²³ The community is also relatively small with strong internal cohesion, serving as a disincentive for land grabbing or usurpation.²⁴ Finally, in Indonesia, the customary title of the community is recognized by its neighboring communities, but formal titling with the state strengthened the land rights of the community against all outsiders. Additionally, the community's remote location in the middle of a wildlife reserve where infrastructure and services are limited serves as a disincentive to investors and other third parties seeking to acquire land for commercial purposes.

2. Completeness

Women's tenure rights are secure when they have multiple rights in the bundle of land rights (discussed in the Analytical Framework section above). The analysis of the extent or completeness of women's rights will be divided into (a) substantive rights, or the right to access, use, withdraw fruits, and benefit from communal land; and (b) and governance rights, or inclusion in governance bodies and leadership roles, and participation and influence in decision-making.

a. Extent of Women's Substantive Rights

In the five communities, women who are members of the user group or community possess the same rights in the bundle as men, subject to certain caveats. Tenure rights to communal lands do not appear to affect rights to individual or household land in three of the case-study communities, meaning that women's rights in those communities in Cameroon, Jordan, and Nepal neither improved nor diminished upon the establishment of the community forest or rangeland. In Mexico, women gained rights upon becoming formally registered members of the community (*comunera*) or acquiring the status as community resident (*avecindada*). Indonesia presents a unique context among the five case studies in that women possess stronger tenure security based on the matrilineal property rights system.

In Cameroon, tenure rights to the community forest are set by the governing body in accordance with the law, which requires parity for all members of the community forest association. Within the parameters of the government-approved management plan and action plan for the community forest, the members decide as a group what to produce and work together to produce them. Currently, the members of BOPO CF cultivate cash crops (plantain and pistachios), whereas in the past the community partnered with outsiders for timber extraction. The harvest is pooled, and marketing and sale of produce is handled by the executive committee. Funds from the sale of produce are held and administered by the treasurer of the group, who then reports to the general assembly. The members vote in assembly on what community projects to prioritize from the income earned—for example, they voted to install solar panels and potable water wells, and build a health center—and divide the remaining earnings on a household basis. Individual access

to collect products is given to all members, subject to permission from the governing body. Men and women are thus on equal footing in terms of access, use, and benefit from the collectively held property. However, the gender division of labor means that women often work harder and longer than men for the same rights. The tasks traditionally borne by women are more labor- and time-intensive (tilling, planting, tending) and are piled on top of responsibilities in the household forestland and their domestic chores. The women in BOPO generally view this added labor as a trade-off for benefits that would otherwise be hard for them to acquire individually, such as wells with potable water and electricity, while the income distributed to households, which spouses typically decide together how to spend, has allowed women to acquire home wares like cooking implements and chairs that have helped ease their domestic burdens. They also received training on agricultural practices and marketing during BOPO's transition to a legally recognized community forest that otherwise would not have been available to them.

Similarly, in Nepal the members of the forest user group, regardless of gender, have the same rights of access, use, and benefit to the community forest, in accordance with the forestry guidelines and the community's approved operational plan. Individual access to collect NTFPs like fodder, leaf litter, fuel wood, and wild plants is limited to a few times a year for purposes of restoring the community forest, but all CFUG members benefit through the forestry enterprise, individually, through livelihood opportunities and dividends for those who participate and provide labor, and collectively, in terms of community development projects funded through the profits earned. CFUG members also derive environmental benefits from improved forest conditions. The forestry enterprise, processing native hog plum fruit (*lapsi*) into candy and pickles, was an external livelihood intervention originally targeting the women exclusively. When it became successful, the men asked to join. The women welcomed them, among others, motivated by the potential to grow the business. It thus turned into a CFUG-wide enterprise, which they are further expanding with additional products like cardamom. CFUG members are planting more hog plum trees in the forest and in their household plots, increasing tree cover



in the area. However, some women belonging to the minority lower-caste group (*Dalits*), find themselves disadvantaged by the additional cost brought about by restricted forest access. They now must purchase fodder that they used to collect freely every day, but with limited income and resources to do so. But they concede the advantages of a healthier forest and have benefited from the developments that were co-funded through earnings from the forestry enterprise, such as piped water to all the member households, which has eased the burden of daily water collection. Biogas stoves provided by an NGO have also eased the daily toil of sourcing firewood for the women who have them, especially given the regulated access to the community forest.²⁵ The lower-caste members have also yet to see CFUG implement the provision in the 2009 community forestry guidelines requiring at least 35 percent of the income from forestry activities to be invested in livelihood improvements for poor households. Only a few CFUGs in Nepal have done so (Bhandari et al. 2019). However, executive committee members who were interviewed reported that the CFUG provided each of the 10 lower-caste households with a small piece of land and some small livestock (Salcedo-La Viña et al. 2020).

The establishment of Bani-Hashem *hima* in Jordan has improved women's tenure rights, conferring on them the right to use the pasture for a women's forestry enterprise—herb collection and processing into tea with training provided by AWO—the right to benefit individually and as a group from the microenterprise, and the right to participate in benefit distribution from revenues earned by the pasture association. The women use the income they earn from selling the herbal tea to augment their household income and to contribute to the pasture user association. This newly acquired right to use and benefit from the community pasture has resulted in work in addition to women's already heavy day-to-day activities that include grazing the family livestock and domestic chores. But the earning power and financial contribution they are now able to make has given them greater self-esteem and increased bargaining power in the household. It also reinforced their position as legitimate stakeholders in the *hima* association and opened space for them to participate in resource management, bringing with them their first-hand knowledge and experience of pasture management as the ones primarily responsible for grazing livestock.

In Mexico under the communal statute, all the inhabitants of La Trinidad Ixtlán, regardless of formal membership status, are allowed individual access to the community forest for purposes of collecting forest products (timber and NTFPs) for domestic consumption, subject to prior permission from the governing body, the Supervisory Body of Communal Assets (*Comisariado de Bienes Comunales*), and subject to specific rules for access and use. The community also uses its community forest for several forestry enterprises—timber harvesting and wood production, charcoal production, and ecotourism—from which it derives income and benefits. Part of the income is invested back into the businesses; another portion is used for community-wide improvements, such as roads and an auditorium, and activities, such as school support and fiestas); and the remaining portion is distributed, monetary and in-kind, on a household basis, including yearly supplies of basic pantry or kitchen staples, 8 cubic meters of roundwood every 10 years, cash support in case of family emergency, and interest-free emergency loans. The benefits from the community forest, the most economically

valuable land, are thus shared equally by all households regardless of formal membership, which is favorable for women.²⁶ Usufruct rights to small agricultural plots in the communal area and land in the settlement area may also be availed of by members and community residents, subject to application to the supervisory body, or may be purchased from another member or resident with respect to land in the settlement area.

Finally, in Gajah Bertalut in Indonesia, while women hold tenurial rights to clan lands that are deemed ancestral land, the land is treated as a family resource and managed by the spouses jointly. The work in the rubber forests is shared fairly equally, with both wife and husband visiting their plots together to tap trees, collect and coagulate the latex, and transport it to the seller. Men are typically charged with selling the rubber to the village middleman; while women manage the income and overall household finances. With respect to communal resources owned collectively—consisting of the village forest, village gardens, and river area—women and men enjoy equal access and use rights. Each common resource is subject to customary rules, practices, and decisions made by the managing body, the council of elders (*ninik mamak*), guided by an overarching objective to safeguard the resource for the long term. The forest is divided into utilization, reserved, and forbidden zones. All members of the village can access the village forest to collect NTFPs, although women do so more regularly than men and are more involved in the processing and selling of harvested NTFPs, such as seasonal fruits, wild plants, and tree bark, as a way of supplementing livelihoods during the off season or when rubber harvests are low. The men additionally harvest timber in the utilization zone (although in recent years they have started to venture into the reserved zone) also to supplement livelihoods. The river area is divided into nonforbidden waters, waters for use by the council of elders, and waters for use by men. Men are the ones who generally fish in the river, while women use it for other reasons, such as washing and leisure. The village gardens consist of a garden for use by clerics for their subsistence and a garden for use by the youth group (*tunas nagori*), mixed of women and men in the village, for consumption and livelihoods, thereby helping reduce the need to harvest timber to supplement incomes.

With respect to the other rights in the bundle, the right to exclude others from the land and the right to alienate or transfer land are possessed on a group basis. The legal status of the community forest in Cameroon, Indonesia (registration process ongoing), Mexico, and Nepal, and the community rangeland in Jordan, confers exclusion rights but not the right to alienate or transfer the land to outsiders. In Cameroon, the Forest Code grants the community management and exploitation rights, but Sections 37–38 exclude alienation rights. In Nepal and Jordan, the forest and the *hima*, respectively, are part of state or public land and therefore inalienable. In Indonesia, the village being situated inside a wildlife reserve limits transfer and alienation to outsiders, and ancestral land is held sacred. In Mexico under Articles 99–100 of the Agrarian Law as amended in 1992, land held by a *comunidad* is inalienable, imprescriptible, and unattachable, although the community may transfer commonly held property to a civil or commercial company fully owned by the community or enter into certain types of agreements with third parties, such as a joint venture, management agreement, temporary use rights, or as a company shareholder with the land as equity (USAID Land Links 2017).

b. Extent of Women's Participation in Governance











The findings reveal diversity and nuance in the ways in which women exercise voice or try to affect community decision-making. Rather than falling neatly within one category or another in the typology of participation (see Table 2), the participation of women tends to blend characteristics of two or more categories, ranging from interactive participation with a degree of influence on group decision-making, to relatively active participation in meetings but less influential, to more passive participation in the public sphere but with leverage exerted in the private sphere. Moreover, two interrelated threads that run through the case-study communities are the greater role of men in leadership and group decision-making and the self-limitation practiced by women in varying degrees. Table 5 provides a summary of women's participation in the five communities based on an adapted typology of participation.

In Cameroon, Mexico, and Nepal, the regulatory frameworks prescribe women's inclusion in the general assembly of members, the highest govern-

Table 5 | Type and Extent of Women's Participation in the Governance of Communal Lands and Resources

| | MEMBERSHIP | PARTICIPATION | | | | LEADERSHIP |
|----------------------------------|---|----------------------------------|--|--|---|---|
| COMMUNITY | Membership in the Governance Body (General Assembly/ Community Association) | Attend Meetings | Speak Up at Meetings | Asked or Volunteer to Do Specific Tasks | Influence Decision-Making | Office Bearers (Executive Committee or Customary Management Body) |
| BOPO CF, Cameroon | ✓ Spouses in dual-adult households and women heads of households. | ✓ Compulsory for all members. | ✓ Active participation. Can freely speak up and express opinions. Caveat: Speak up less than men and self-limit with respect to women's specific concerns. | ✓ All members contribute to group tasks, based on gender division of labor. | ✓ But women still self-limit mainly due to social norms; hence women's specific concerns have yet to be fully included in the agenda. | ✓ Constitute majority of the EC, with some holding key positions (e.g., treasurer) but have less influence than men in agenda setting. |
| Gajah Bertalut, Indonesia | ✓ All adult women in each household are members of the clan assembly. | ✓ Compulsory for all members. | X Passive participation. Typically stay quiet and self-limit; men speak for the household in public. Caveat: Express opinions in private at the household level. | ✓ All members contribute to group tasks. | ✓ Influence exercised mainly at the household level and derived from ownership of ancestral lands. | X Customary council are all male elders, but women are starting to occupy positions in local government. |
| Hima Bani Hashem, Jordan | ✓ Spouses in dual-adult households and women heads of households. | ✓ Compulsory for all members. | ✓ Consultative participation. Asked or volunteer their opinions on matters that women are responsible for or involved in, but do not bring up women's specific concerns. | ✓ All members contribute to group tasks, based on gender division of labor. | ✓ But women self-limit mainly due to social norms and speak up more outside of meetings through a respected senior woman who is active in the community. | ✓ Constitute 46% of the EC but have less influence than men in agenda setting. |

Table 5 | Type and Extent of Women's Participation in the Governance of Communal Lands and Resources (Cont.)

| COMMUNITY | MEMBERSHIP | PARTICIPATION | | | | LEADERSHIP |
|-----------------------------------|--|--|---|--|---|--|
| | Membership in the Governance Body (General Assembly/ Community Association) | Attend Meetings | Speak Up at Meetings | Asked or Volunteer to Do Specific Tasks | Influence Decision-Making | Office Bearers (Executive Committee or Customary Management Body) |
| La Trinidad Ixtlán, Mexico |  Women who are registered or formal members and those with status as community residents; constitute a minority in the assembly. |  Compulsory for all members. |  Active participation. Can freely speak up and express opinions. Caveat: Self-limit mainly due to their minority status. |  All members are asked or volunteer to do specific tasks or assignments, based on the cargo or career ladder system. |  But women have minimal influence, mainly due to their minority status |  Constitute a minority and hold junior positions, thus have less influence than men in agenda setting. |
| Banpale CFUG, Nepal |  Each household is represented by one man and one woman. |  Compulsory for all members. |  Interactive participation. Can freely speak up and express opinions. Caveat: Lower-caste women self-limit due to their lower position in society and minority status. |  All members are asked or volunteer to do specific tasks or assignments. |  Women have significant influence mainly due to their material and financial contributions, but lower-caste women are less influential. |  Members of the EC, including one lower-caste woman, hold key positions; can influence the agenda. Caveat: The chair (currently male) has a stronger voice. |

Source: The categories or levels of participation are adapted from Agarwal 2010.

ing body in the community. The regulations also provide for women to hold positions in the executive committee, the body charged with the implementation of government-required work plans and day-to-day management of the common resource.

In Cameroon, the CF Manual calls for women's inclusion, and an NGO set the stage for the provisions to be put into practice in the community. Except for unmarried daughters, women are for the most part represented in the assembly and hold leadership positions. The women attend meetings and freely voice their opinions on matters under discussion, which women affirm are listened to by the men; although, according to the men, women participate less often than men. In terms of bringing up their concerns, women tend to limit themselves to those that affect the whole group or affect them directly but have an impact on the income of the community forest (e.g., issues related to crop production). They do so even as they think that the men will listen if they raise matters that directly affect them (e.g., more solar panels and increased access to potable water to ease domestic responsibilities). The women also report being less prepared than men during meetings and are unable to meet with each other to discuss and prepare for meetings because of their greater responsibilities in the community forest and the household. Hence, even though women constitute 40 percent of the assembly, occupy more positions in the executive committee than men (five out of eight), and can freely participate and vote, they have yet to assert the inclusion of their specific interests in the agenda or the priorities of the community forest association.

In Mexico, the Agrarian Law recognizes membership equally for men and women. A 2016 amendment to the law mandates that candidates of one gender should not exceed 60 percent of the total number of candidates, thus ensuring that women are included in the pool of candidates (at least 40 percent). Women with membership status (*comunera*) become voting members of the general assembly and have the right to be voted into leadership positions. Women with status as community residents (*avecindada*) also become voting members of the general assembly but without the right to be voted into office. Women constitute a minority in the assembly (48 out of 315), but this is an improvement from the 1990s when only one woman applied for status as community resident and was

the only woman who attended assembly meetings. She paved the way for more women eventually acquiring membership or citizenship. Women have also started to seek office, although they currently occupy junior-level positions. One reason for this is the small pool of women eligible for office as there are few women community members. Another is the *cargo* or career ladder system practice by the community, in which one must move up from lower to higher positions, a custom in many communities in Oaxaca.²⁷ For these reasons, the gender quota for candidacy established by the law has yet to be fully implemented in the community.

Attendance at meetings of the general assembly and the executive bodies is compulsory and subject to fines for unexcused absences. This can be burdensome for women, given the multiple responsibilities they juggle as breadwinners and as parents. But the women report that they value their participation in the assembly and being educated about and involved in community governance. Women are active participants in meetings, though not as much as the men, and their opinions and concerns are taken into account. They stick to items in the agenda and view agenda-setting as a gender-neutral activity done by the executive body based on matters set forth in the law and the communal statute. The women appear not to think that they can or need to shape the agenda, perhaps due to their relative inexperience in leadership and current minority status. With the executive bodies dominated by men, it is uncertain whether women have specific concerns and interests that are not being included in deliberations. However, the women report that they are steadily gaining experience and confidence in public participation and developing leadership skills and will eventually seek higher positions. A woman is one of four professional or technical representatives in UZACHI, the inter-community forest management organization formed by La Trinidad with three neighboring communities. Some of the women have also started to call for the need to revisit the traditional career ladder system in order to meet the present-day context. Social norms about women's capabilities appear to be gradually evolving for the better.

Women in dual adult households (wives and daughters), except for some politically active youth, are generally not represented in the general assembly. This is more of a self-limitation than a restriction,

as some of these women have community resident status. They prefer to opt out of participation and rely on the traditional recognition of women's rights and interests in household and communal lands. This strong social recognition is evidenced by the fact that monetary and nonmonetary benefits accruing from the earnings in the forestry enterprises—consisting of timber harvesting and wood production, charcoal production, and ecotourism—are granted at the household level rather than to registered members individually. Moreover, any person who lives in the community can access the community forest and collect forest products subject only to obtaining permission from the supervisory body and following rules. One does not need to be a formal member or have the status as a community resident for reasonable access to resources. Although they are missing the opportunity, many married women do not appear to be aggrieved by their lack of participation in formal governance bodies for communal lands and resources. Women are also active in the civic life of the community and are members of various subcommittees (sports, education, health) and in the three churches in the community, all of which help build their confidence and skills in public service and leadership. Women appear to be gaining the experience needed for greater roles in community governance.

Nepal appears to have the most progressive policies on gender among the five case-study communities. Regulations mandate that each household member of the forest user group be represented by one male and one female, and become members of the general assembly. These regulations also reserve 50 percent of executive committee positions for women, one of whom must either be chairperson or secretary. The regulations further require proportionate representation for lower-caste groups and ethnic and indigenous minorities that belong to the CFUG. These regulatory requirements have been implemented in the CFUG. The general assembly is composed of all members, both men and women. Whereas prior to the regulations, the executive committee consisted of upper-caste men, now women are the majority (6 out of 11 members) and occupy the positions of vice-chair, secretary, and lower-caste group (Dalit) representative. Some women feel ready to run for the post of chairperson when the incumbent retires. Women also attend CFUG assemblies in high numbers and are engaged

during the meeting. They give their opinions on whatever it is on the agenda and from time to time bring up concerns that affect them directly (e.g., fodder availability, domestic violence). The women report that men are generally supportive of women's increased participation in the CFUG and the community in general. Women's participation is additionally leveraged by the successful forestry enterprise that they share with the men, and the sharing of building space by a woman's group for the executive committee and the forestry enterprise. Although not fully at par with men in terms of power, the women are able to exert influence in decision-making.

While progressive state policy served to catalyze greater participation of women and a more supportive attitude from men, there are other factors involved. To begin with, the policy was imple-

Women are also active in the civic life of the community and are members of various subcommittees (sports, education, health) and in the three churches in the community, all of which help build their confidence and skills in public service and leadership.

mented through active gender sensitization and leadership training conducted by the local government and national NGOs, including FECOFUN. The women themselves held powerful bargaining chips. The successful livelihoods intervention (hog plum candy and pickles enterprise) that now contributes considerably to the income of the CFUG was originally intended for women. The men asked to join, and were allowed in. It has since become a community-wide enterprise with both women and men involved and directly managed by the secretary of the executive committee, who is a woman. The members who participate in the enterprise earn wage income while the profits from sales are plowed back into the business and used to fund community development projects. Additionally, the building in which the hog plum products are processed, stored, and displayed and where the CFUG executive committee holds office, is owned by a women's group (*Aama Samuha*). The same group is co-funding the construction of a new building to serve as headquarters of the CFUG. The women have also become more capable and empowered by assuming more public-facing roles normally held by their husbands (e.g., attending CFUG meetings) when the latter out-migrate for seasonal or multi-year contract work.

However, upper-caste male leaders still exert more clout within the CFUG. Among others, they hold the most powerful positions of chairperson and treasurer. Some of the women interviewed report that while they have become more active in the CFUG, their participation is still not on a par with the men in terms of power and influence. Nonetheless, women and marginalized groups are increasingly engaged and are learning to assert their issues and ideas.

In Jordan, the gender sensitization campaign launched by AWO helped catalyze women's inclusion in the management of the *hima*. It is worth noting that the approach to sensitization was strategic, starting with securing the buy-in of individuals with community stature and influence, the tribal leader and a highly respected senior woman. Next, the NGO framed the discussions around environmental, agricultural, and livelihood issues, avoiding discussions relating to women's human rights, religion, and rights under Shariah, as well as political and economic power, as these would be threatening to men and would close the doors to change.

Importantly, gender sensitization went hand in hand with livelihoods training for women (herb gathering and tea making). This allowed women to earn income that helped improve the family's economic situation, empowering them, earning the respect of the menfolk, and affording social legitimacy to women's tenure rights. As women already earned social legitimacy, the IUCN requirement that the management committee should have 40 percent women did not encounter opposition. The founding committee consisted of seven men and six women who volunteered for the position, and this split was maintained when committee members were later elected.

The inclusion of women in the *hima* association and management committee has allowed their experience and knowledge to be incorporated into the management of the *hima*, which will benefit the entire community. But while women are now represented, in meetings they assume a subordinate role, sitting at the back of the room. The women speak up to contribute information, but the men lead the discussions. The women claim to exert their voice more through the senior woman leading them, who is highly respected by the men in the community, than in the meetings per se. The women have also since taken initiatives in community life around issues they care about, which the men have supported. For example, the women initiated the creation of a council of education for the children in the community, comprising four women and four men.

In Indonesia, where customary law prevails in the governance of communal lands, women's inclusion in the community assembly is based on kinship. A brother of the matriarch (*mamak*) is designated as the titular head of the family or lineage (*penghulu*) representing the family in the public sphere (Blackwood 2000).²⁸ The senior men from the maternal line constitute the formal chain of authority in the clan and lead lineage and clan meetings.²⁹ Each of the four clans in the village meets on an annual basis. Decision-making is based on the principle of consensus among all members (*mufakat*), although traditionally the opinions of senior men and women are deferred to (Blackwood 2000; Göttner-Abendroth 2012; Sanday 2002).³⁰ Women's participation during clan meetings can be characterized as passive; they are seated at the back and usually remain silent. There is no customary

rule that bars women from speaking at the meetings, but men are socially regarded as the family spokesperson in public. Despite being silent at meetings, according to the women, their interests and concerns are taken into account. They exercise immense leverage, given their ownership of the rubber forests that constitute the main livelihoods base in the community. The fact that culturally this leverage is exercised in the realm of the household or the private sphere does not render it less significant, given its impacts on the economic well-being of the community (Blackwood 2000). On the other hand, the village-wide governance body, the council of elders (*ninik mamak*), is composed exclusively of male elders. The village council decides on land disputes, social breaches, and village-wide matters (Blackwood 2000). The exclusion of women from the council is based on the cultural assignation of political and religious matters to men. But this does not mean that men are more powerful or that women are subordinate; Minangkabau culture views the different gender roles as complementary to each other (Blackwood 2000). In other settings, women are becoming more publicly vocal. In the youth group that cultivates the village gardens (*tunas nagori*), women who are members report that they speak freely during meetings of the

group, a fact confirmed by the male group leader. In state governance structures, six women ran for one reserved seat in the village consultative body, signaling the growing aspiration of women to be part of the public sphere.

3. Durability

Women's tenure rights are secure when they are long-term and certain, in that the terms and conditions of use and termination are clear and the same for all members, and women's rights are not vulnerable to changes in their marital status or family structure. Women in the case-study communities who hold tenure rights in their own name have the same long-term rights as men—or stronger in the case of Indonesia—but those whose rights derive from household membership in the group risk losing their rights in the event of divorce or death of the husband (summarized in Table 6).

In Cameroon and Nepal, the state retains absolute ownership of community forests, and the duration of rights of user groups is set by law. In Cameroon, it is 25 years, subject to renewal, and applies equally to all members of the community forest association, regardless of gender. At the end of the period, if no renewal is made, presumably the land reverts to

Table 6 | Impacts of Marital Status Change on Women's Tenure Rights

| COMMUNITY | MARITAL STATUS CHANGE: WIDOWHOOD | MARITAL STATUS CHANGE: DIVORCE/SEPARATION |
|-----------------------------------|---|---|
| BOPO CF, Cameroon | Will not affect status as member. Widow retains rights to household property for her lifetime. | Loses membership in the community forest and secondary access to household land. Without land to contribute, a widow will be unable to apply for membership individually. |
| Gajah Bertalut, Indonesia | Will not affect tenure rights to village forest and ownership of household/ancestral land. | Will not affect tenure rights to village forest and ownership of household/ancestral land. |
| Hima Bani Hashem, Jordan | Will not affect status as member of pasture association, unless the widow moves out of the village. | Traditionally, women move back to their natal village upon divorce and hence lose membership in the pasture association. |
| La Trinidad Ixtlán, Mexico | Will not affect status as community member or community resident. Nonmembers may inherit intestate or apply for membership in their own right. | Will not affect status as community member or community resident. Nonmembers may apply for membership in their own right. |
| Banpale CFUG, Nepal | Will not affect status as CFUG member for as long as widow remains in the community. Retains rights to land registered in her name and can inherit from deceased husband. | May apply for membership as a female head of household, although local norms mediate whether a woman stays or moves out of the village. Retains rights to household land registered in her name solely or jointly with the husband. |

Source: Authors

the household for continued customary management and use at the household level. The death of the husband will not affect a woman's rights in the community forest because customarily a widow retains possession and control of household property for her lifetime. But women are disadvantaged in cases of divorce because customarily women are not considered owners of land in their own right or joint owners of marital property (Kiye 2015). A divorced woman loses her membership status and secondary access to household land; she may move out or return to her natal village.³¹ As for the children, while her sons retain their status as heirs to succeed in their father's land rights, daughters may inherit only in the absence of a male next of kin (Kiye 2015).

In Nepal, the CFUG retains exclusive rights to the community forest for as long as it is not revoked for violation or noncompliance with the laws and regulations or the CFUG's own operational plans. However, the CFUG must renew and update its operational or work plan every 5 to 10 years. The law does not distinguish tenure rights between members; hence, women and men possess the same level of tenure security for as long as the CFUG exists and the individual is a member. The death of the husband does not affect the widow's status as a member of the CFUG, and she can continue to represent the household. Civil law provides property right to widows and divorced women, although local norms will mediate whether she stays or moves out of the village (FAO GLRDa n.d.).³² A divorced woman who stays can presumably apply for membership in her own right as a female household head. Women retain rights to household land registered in their name solely or jointly.

In Jordan, the state similarly retains ownership of the rangeland as treasury land, but the community has exclusive rights to the *hima*, presumably for as long as the community manages and maintains it. In the establishment of the *hima*, no distinction is made between men and women with respect to duration of rights. Presumably, a woman's widowhood will not affect her membership. However, whether a woman stays in the community and retains her membership or leaves the community depends on complex rules and factors under Jordanian personal law and social norms, which are both generally disadvantageous to women (Freedom House 2010). Women return to their natal village upon divorce and can legally retain

custody of their children (although customarily they may lose custody), with the children retaining their inheritance rights, with daughters inheriting less than sons (Alazzeah 2017; Canada: Immigration and Refugee Board 2017; Giovarelli 2019). An immediate concern for the community in terms of duration is the difficulty in maintaining the *hima* after the end of IUCN intervention because it can ill afford the cost of securing the *hima* against outsiders.

In Mexico, the communal land is owned by community members, and the duration of rights depends on the category of membership. Community members as co-owners have imprescriptible rights that are transmissible to heirs. Tenure rights acquired as a community resident are personal to the holder and nontransmissible but valid throughout the person's lifetime. Women who are neither formal members nor community residents (typically married women and unmarried daughters) derive rights from a relative within the household holding such status (typically the husband or father), presumably for as long as they remain in the household and community. In the event of death, the Agrarian Law prioritizes the spouse and children in intestate succession (i.e., decedent who died without a will) but grants the community member the right during his or her lifetime to designate in a will any relative



or resident in the community to inherit his or her tenure rights. Although the widow and children will not necessarily inherit tenure rights, under the law and the communal statute of La Trinidad Ixtlán, they have the option to apply for community membership or the status as community resident in their own name. The same goes for women who get divorced and would like to remain in the community (notably, the law is silent on divorce or separation). Women's right to individual membership is also customarily recognized, based on the cultural precept of family providership (Hamilton 2002).

In Indonesia, the community has lived and claimed customary rights to the village forests since time immemorial. It is now in the process of registering title to its lands based on a decision of the Constitutional Court declaring customarily held forests as excluded from state forests, and a subsequent initiative by the government to return customarily held forests to indigenous communities under the One Map Initiative. Titling confers imprescriptible rights, and the entire community benefits. Women have the advantage in terms of ancestral lands, the bulk of communal lands, which they own in accordance with customary law. Women hold rights

to ancestral land over their lifetime and pass it on to their daughters. Formalization does not affect tenure rights within the community.

In sum, the analysis shows that women in the case-study communities are well placed in each of the dimensions of tenure security. Their tenure rights are recognized legally and socially and comprise multiple rights equally with men, including the right to access, use, and benefit from communal lands and resources and participate in their governance. Women's tenure rights are also equally long-term and enforceable against others within the community and outsiders. While there is room for improvement as women continue to face some barriers to full realization of tenure rights—for example, customs that privilege men in decision-making and the uncertainty caused by marital status change (see Section V, Lingered Barriers)—on the whole women in the five case-study communities possess significant tenure security. Section V systematically draws out the factors that catalyzed tenure security for women, based on the factors for evaluation in Doss and Meinzen-Dick (2018), as adapted for this study (see Section III. Analytical Framework, and Box 1).





SECTION V

ENABLING FACTORS FOR WOMEN'S TENURE SECURITY AND EMPOWERMENT

In each community, some combination of the three sets of enabling factors—community context, external actors and catalysts, and internal actors and catalysts, described in Box 1—operate at different levels, through various mechanisms, and in varying degrees of influence to help women achieve tenure security.³³

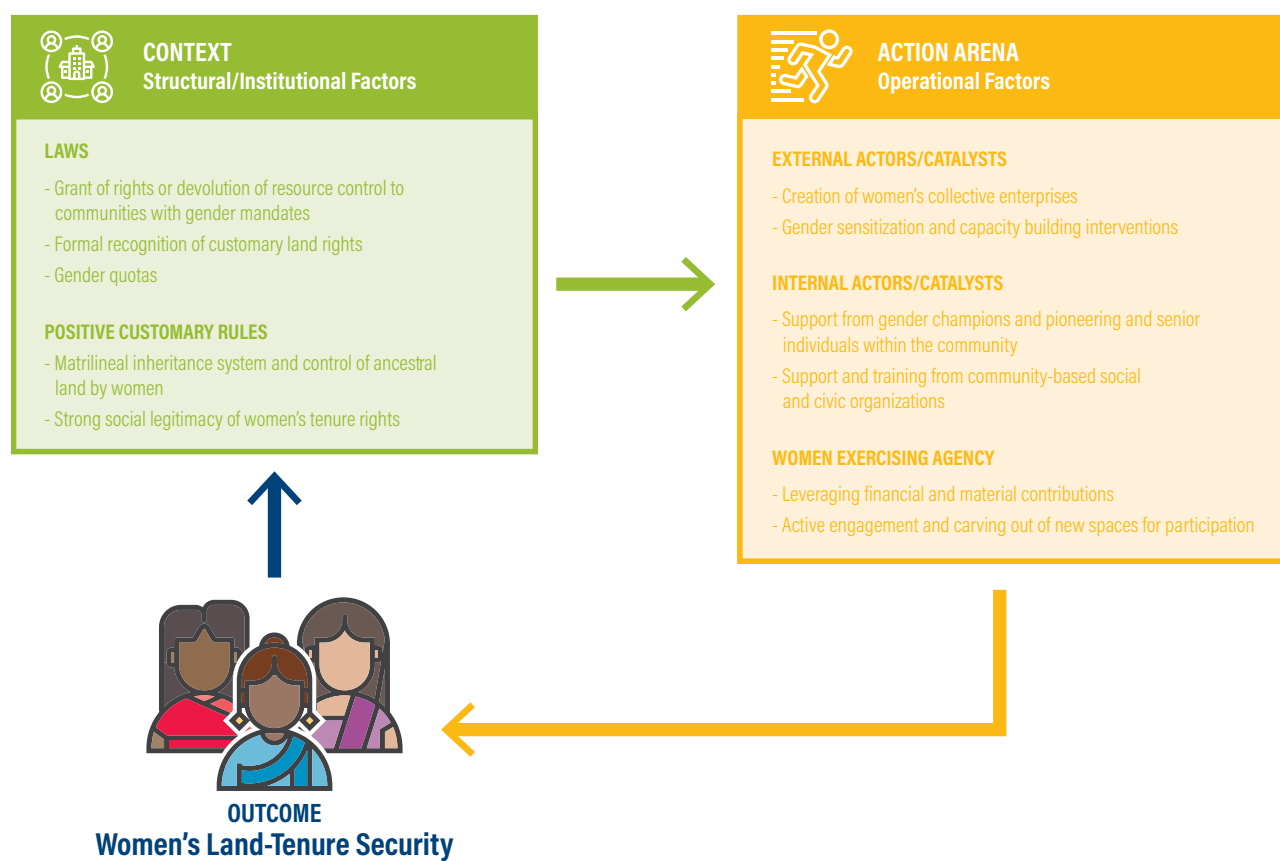
For purposes of this analysis, the enabling factors for women's tenure security are organized into factors that work at the structural or institutional level and factors that intervene at the operational level, as visualized in Figure 1. The structural-level factors are contextual factors, consisting of laws recognizing rights or devolving control over collective lands and mandating women's inclusion in local rules and customary tenure rules and practices that are positive for women or able to be changed through gender-intentional interventions.³⁴

At the operational level, a mix of interventions, serving as external catalysts, and internal and external actors were pivotal in securing or improving women's tenure rights. These include the creation of collective enterprises for women's livelihoods, capacity building and gender-sensitization inter-

ventions, individual gender champions within the community, and community-based social or civic organizations that are led by or engage women.

The findings also suggest that certain demographic trends, such as increased educational attainment of women and men, male out-migration, and the increased visibility of women in leadership positions, influence women's ability to claim or realize rights. But more systematic research is needed to fully unpack their linkages in the case study communities, hence these factors are mentioned as relevant but not discussed in depth in this report. At the national level, gender-responsive state policies and national level actors (such as parliamentarians and civil society leaders) working toward greater gender equity, and at the international level, rules and norms recognizing women's rights (for

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



Source: Adapted from Doss and Meinzen-Dick 2018.

example, the Convention on the Elimination of All Forms of Discrimination Against Women), create a backdrop in which women's rights are respected and promoted. Below the authors probe each of the two types of enabling factors, followed by an examination of the timeline of structural changes and actions and interventions leading to women's tenure security outcomes, and finally delve into the role played by women and some lingering barriers they face in achieving tenure security.

A. Enabling Factors

1. Structural Factors: Making the Rules Gender-Equitable

a. Legislation

In the case studies, the type of legislation that catalyzed rights for women is legislation that recognizes rights or devolves control over communal lands and at the same time mandates gender-inclusive local rules. This allowed women, who under customary tenure systems only had secondary tenure rights or no rights at all, to gain tenure rights to communal lands in their individual capacity. In Nepal, where CFUGs were created in response to rural poverty and the degradation of open-access forests, the gender requirements under the amended forestry law not only allowed women to become members but through quotas ensured that they have critical mass in the executive committee. Marginalized or lower-caste groups also acquired proportional representation. In the Banpale CFUG, about 46 percent of the membership is women, and 6 of the 11 executive committee members are women, one of whom holds the position of secretary. The representation for the lower-caste members is held by a Dalit woman.

In Cameroon, where community forestry is similarly a response to rural poverty and forest degradation, and a way to defuse increasing rural unrest related to commercial logging, the gender mandate in the CF Manual is couched in more general terms (Djeumo 2001; Kenneth 2006). It provides that all segments of the community, including women, youth, and minority groups, must be represented in the forest association, without requiring quotas for membership. Nonetheless, the generally worded mandate, paired together with gender-sensitization activities, resulted in robust representation in the

BOPO CF association. About 40 percent of the forest association membership is women, and five of the eight positions in the executive committee are held by women, including the key position of treasurer.

In Jordan, the updated rangeland strategy encourages communities to build their own institutions to manage rangelands. The Ministry of Agriculture and IUCN, working with AWO, promoted women's membership in the *hima* association and set a quota of 40 percent women in the initial management committee. The initial management committee was formed with seven men and six women, and this split has been retained in subsequent elections.

In Mexico, the Agrarian Law recognizes collective ownership and control over lands and resources (*ejidos* and *comunidades*). The law has a history tracing back to 1917, in the Article 27 constitutional provision authorizing the government to expropriate large landholdings and distribute them to eligible landless rural populations (Kelly 1994). Women's inclusion came much later and progressively improved (see earlier discussion of robustness), and the current version of the law grants women equal rights to become registered members or co-owners in *ejidos* and *comunidades*, accordingly having the right to vote on all matters relating to communal land governance and be voted into leadership positions. The law also requires that candidates for executive organs of either gender must not exceed 60 percent of the total number of candidates, thus ensuring that women are included in the pool of candidates.³⁵ So far, it is mostly women heads of households who have availed themselves of the right to become registered members.

Prior to the creation of the community user groups, the customary tenure regimes that prevailed in the four communities just discussed positioned men as the land rights holders. Women were restricted to secondary rights of access and use and in some cases control over the income from their allocated plots. Customary norms also placed men as heads of household representing the family in communal land and resource management. The devolution of control over communal lands with a mandate for gender inclusion paved the way for the restructuring of land-tenure systems in significant ways for women. The policy change reshaped the tenure

framework, conferring on women formal tenure rights and ensuring participation and leadership in the governance of the collectively held resource (Colfer et al. 2015). The formal status accorded to communal lands and resources also afforded both women and men with legal protection against claims by outsiders or commercial interests and other external threats (Knight 2012; Lawry 2014).

In terms of women's actual participation in decision-making, the analysis shows that the extent of the gender mandate matters. Where the mandate for women's inclusion is explicit and covers specific aspects where customary norms may disadvantage women, women will find it relatively easier to claim or exercise rights. For example, Nepal's gender quota ensures that women are equally represented in the executive committee, giving them the safety of numbers at a minimum and a greater likelihood of achieving a critical mass effect (Agarwal 2010). Agarwal's (2010) study of CFUGs in Nepal and India confirmed that the gender composition of the management body significantly influences women's participation overall. The more women members there are, the more women attend and speak up at meetings and become office bearers. Having at least one-quarter to one-third representation results in a critical mass for effective participation.

Women in the BOPO CF in Cameroon and Bani-Hashem *hima* in Jordan are also adequately represented in terms of numbers, but they are still on a learning curve in terms of participation. The

two user groups, both incorporated in 2010, are in highly patriarchal communities, where men have long dominated both in the private and public spheres. This explains the tendency to self-censor by women, despite their numbers in the general assembly and the executive committee.³⁶ Still, the women in the BOPO CF appear to have progressed, compared to other communities in Cameroon, where a recent study of 36 community forests showed that more than 70 percent have failed to meet standards for inclusive participation (Piabuo et al. 2018). As posited by Agarwal (2010), it is not unlikely that over time, women's presence in decision-making bodies becomes accepted, and men's attitudes and social norms will also change. Giri and Darnhoffer (2010) have a similar finding in their case study of two CFUGs in Nepal. They found that while initially women's participation was merely token, the women themselves slowly built their skills and capacities, trying new behaviors outside traditional expectations (e.g., daring to ask a question), which led to subtle shifts in social norms. Eventually, women's attendance at meetings became expected behavior, and voicing views was no longer seen as improper for a woman. Also important are a woman's personal endowments, such as education, age, and independent livelihoods (discussed later), as well as the presence of NGOs and activism of women's groups (Agarwal 2001, 2010; Coleman and Mwangi 2013; Flintan 2008). These elements are present in different combinations in the case study communities.

b. Positive Customary Norms

Where the customary tenure system upholds women's rights, they enjoy tenure security irrespective of the strength of gender inclusion in the legislation and even when the legislation is gender neutral. There are manifold types of customary tenure systems, but typically men are the primary land rights holders, and women access land through their husbands or fathers (Landesa Center for Women's Land Rights 2012). A growing number of countries are formally recognizing the land rights and tenure systems of customary and indigenous communities (WB, FAO, and IFAD 2008).³⁷ But in male-centric customary tenure systems, even when the law grants women land rights, additional interventions may be necessary for them to be able to claim or exercise their rights. The case-study communities in Indonesia and Mexico are among



the exceptions where women have strong customary rights to communal lands and resources. In Gajah Bertalut in Indonesia, women are traditionally the primary land rights holders, while in La Trinidad Ixtlán in Mexico, women who choose not to claim legal rights continue to benefit from communal lands and resources, based on custom. The recognition of customary tenure in the law has not negatively affected women's tenure rights, instead giving women greater leverage and adding protection against external threats.

2. Operational Level Factors: Leveling the Playing Field for Women

Whereas factors at the structural level altered the rules of entry to let women in, factors at the operational sphere worked to help level the playing field for women. Working in interlinked manner, these enabling factors combined to support women by empowering them economically and socially. They also led to shifts in attitudes and social norms about women's value and capabilities.

a. Collective Enterprises and Economic Empowerment

Livelihoods and enterprises that create independent income for women and increase their skills and personal endowments are associated with greater self-confidence and the capacity to claim greater access to household and community resources and decision-making arenas (Mello 2014; Schmink and Gómez-García 2015). As a component of interventions related to natural resource management, women's collective enterprises also demonstrate a recognition of women as predominant users of natural resources in most rural communities and the important role they play in their day-to-day management (New Course 2010). In Jordan and Nepal, the women's collective enterprise empowered women economically and improved their tenure security and participation in communal land and resource governance. It also contributed to the improved condition of the communal resource, benefiting the entire community. In Bani-Hashem, where the herb gathering and processing enterprise was a component of the rangeland revival project, the empowerment impact for women was remarkable. Prior to the establishment of the *hima* with a women's livelihoods component, women were completely excluded from economic activities and had limited and secondary rights to decision-making on pasture management. Tradition prohibited

Livelihoods and enterprises that create independent income for women and increase their skills and personal endowments are associated with greater self-confidence and the capacity to claim greater access to household and community resources and decision-making arenas.

women from working outside the home, except when they had to bring livestock to the pasture. Grazing livestock was considered part of women's domestic duties and not work. But when they started contributing financially to the household and the pasture association from their earnings, women working outside the home became acceptable, and they were seen as legitimate stakeholders in the *hima* with valuable contributions to make in pasture management.

In Nepal, the collective enterprise was part of a sustainable forestry intervention, resulting in similar empowerment effects. Being instrumental in expanding the community's livelihoods base and gaining independent income resulted in women having a greater say in household and in community decision-making. The same finding was made in Piplepokhara CFUG, the second community visited in Nepal. Women were able to view themselves as agents of change (Mello 2014). This mirrors research that cooperation in forest management highly correlates with women's participation (Coleman and Mwangi 2013; Molinas 1998).

Notably, in Indonesia women's economic empowerment in Gajah Bertalut derives from their ownership of clan land, which is the primary basis of livelihoods in the village, assuring them of income and giving them leverage in decision-making at the household and clan levels (although expressed in less visible ways in the latter). Where women's livelihoods activities are not carried out as a collective and do not visibly contribute to the community as a group, there appears to be no impact on their participation and influence in the management of collectively held resources (Oxaal and Baden 1997). This appears to be the case in La Trinidad Ixtlán in Mexico, where women are engaged in diverse livelihoods on an individual basis. A few are directly employed in the community forestry enterprises, but the majority are engaged in individual home-based businesses, such as small shops, bakeries, or eateries, or employed professionally as teachers. In Analco, the other community studied in Mexico, women are in the process of establishing a women-owned and operated charcoal production enterprise, but it is yet to be fully up and running due to a lack of resources and only a few members available to devote enough time to it. Most of the members either occupy other positions in the community or are mothers with children to care for (Ruiz and Moses 2020). The women in both case-study communities in Mexico appear to be empowered at the household level but remain absent at community-level decision-making.

b. Interventions for Social Empowerment

Several types of actors, both external and community-based, played key roles in helping women overcome or bypass entrenched social norms and other disadvantages that hinder them from availing themselves of their tenure rights under new or existing rules and arenas (Agarwal 2001, Flintan 2008).

NATIONAL AND INTERNATIONAL NGOS

National NGOs were pivotal in ensuring women's inclusion in the newly created community user groups in Jordan and Cameroon (Oyono et al. 2012; Piabuo et al. 2018; Wagle et al. 2016). In the Bani-Hashem *hima*, women's inclusion would not have been possible without AWO's gender sensitization and capacity-building activities. The organization successfully persuaded the men that women had

unique knowledge and skills to contribute and that their inclusion in the *hima* association was beneficial to the entire community. AWO was also the driving force behind the women's livelihood enterprise, convincing the men that women's work can improve household and community welfare. AWO trained the women on how to run a micro-enterprise and on technical facets related to the *hima*, its environmental, agricultural, and economic aspects. AWO strategically employed a culturally sensitive approach that avoided direct discussions on women's human rights, religion, and political power. In the process, AWO uplifted women by giving them skills and an opportunity to earn independent income, as well as increase their self-esteem and bargaining position, in a way that did not threaten the men or invite gender backlash. IUCN as an international donor also played an important part by setting a quota for women (40 percent) in the *hima*'s management committee. After a year of gender sensitization, the change in mind-set of men and women alike—the men recognizing women as legitimate stakeholders in the *hima*, and the women acquiring abilities and confidence—allowed the formation of the initial management committee with seven men and six women who were all volunteers. When the committee members were later elected, the community kept the same split of male and female membership. Moreover, the women gained the ability to organize around other issues of importance to them and to effect changes, something they were unable to do before the project. For example, the women successfully organized a council of education for the community, with eight members split evenly between women and men. However, the current difficulties faced by Bani-Hashem due to the conclusion of the project and end of donor funding, while not undoing any of the tenure rights and achievements gained by women, make it challenging for both women and men in the community to derive the benefits from the *hima* that they expect.

In the BOPO CF, CE ensured that women are included in the forest user association, parlaying its role in supporting the two villages, Boomabong and Pouth-Ndjock, in gaining recognition as a community forest. CE focused on awareness-raising and sensitization about women's constitutional and legal rights and the importance of gender equality.

It also promoted women's inclusion in the executive committee and encouraged women to run for office. CE thus ensured that women were able to claim the rights and opportunities granted in the forestry CF Manual.

In Nepal, several NGOs were instrumental in establishing a livelihoods enterprise initially aimed exclusively at women. WWF-Nepal, FECOFUN, and Machapuchre Development Organization (MDO) provided training and equipment to set up the enterprise as implementers of an international development intervention, the USAID-funded *Hariyo Ban* project. Women gained skills in production and marketing, and this afforded them the opportunity to better their income-earning capabilities, thereby increasing their confidence and leverage within the household and user group. The fact that women welcomed the men to take part in the business further enhanced their status in the community and also allowed the community to grow the business. In addition to creating a livelihood enterprise, the NGOs also built the capacity of the women in the community who were trained to be their organizations' facilitators. These women acquired new skills, such as surveying and information-gathering, record keeping, and basic computer literacy. They also gained experience in public speaking and dealing with different types of people. The skills and exposure increased their capabilities and confidence, enabling them to aspire for higher positions in community leadership. One of the women who served as a project facilitator is pondering a run for chairmanship of the CFUG when the current chair retires.

GENDER CHAMPIONS

Gender champions in the community also served as catalysts for change and opened spaces previously inaccessible to women, as illustrated in Jordan and Mexico. In Bani-Hashem, the tribal leader (after being convinced of the benefits) and a senior woman who was active and well-respected in the community were crucial for achieving men's buy-in to the new ideas that women should be members of the pasture association and that it was important for women to work to improve household welfare. Because they occupied positions of leadership and trust, these individuals were successful in persuading the men to accept ideas that essentially veered

away from traditional gender norms, paving the way for AWO to conduct its sensitization and training activities (see Agarwal 2010; Evans et al. 2016; Flintan 2008). The senior woman also occasionally became a *de facto* spokeswoman for the women in the *hima* association.

In La Trinidad Ixtlán, the actions of two individuals paved the way for a shift in social norms regarding women's abilities and role in the community (see Agarwal 2010; Evans et al. 2016). In the 1990s, a single mother and head of household blazed the trail for other women by asking to join the general assembly meetings and serve in the community at a time when only men were involved in public affairs. She also eventually became one of two women who were the first in the community to be elected to leadership positions, becoming a secretary in the oversight council, one of the two executive organs managing communal lands and resources. She thus served as a torchbearer and role model for other women in the community, especially those who were heads of households, who gradually followed suit, also asking to participate in assembly meetings. A municipal agent, who heads the executive organ charged with public administration (public services, infrastructure, peace, and order), also became a gender champion during his term of office in 2010 by formally inviting all women to municipal assembly meetings. According to the municipal agent, he was motivated mainly by the recognition that women are capable and must contribute their ideas to the assembly. Women's inputs were largely missing, and these inputs would lead to better municipal governance. He was also approached by some single mothers who wished to attend assembly meetings. Another possible motivation, though not explicitly voiced, is that more women in the community were obtaining secondary and tertiary education, including members of the municipal agent's own family. Hence, it can be said that he was more open-minded about women contributing ideas. By inviting women, the municipal agent signaled that women should be part of community decision-making, normalizing a space for women that they were previously able to access only through individual request. Through his example, the executive bodies governing communal lands and resources followed suit and invited women to general assembly meetings.³⁸

Finally, as shown in case study communities in Nepal and Mexico, the collective strength and resources and the knowledge of the local context possessed by local or community-based women's organizations and civic groups, can help socially empower women in significant ways (see Flintan 2008; UN Women and OHCHR 2013). In Banpale, the *Aama Samuha* (mothers' group, present in most villages in Nepal), by lending space in its building to house the CFUG executive committee and providing an area for processing and displaying of the products of the CFUG livelihood enterprise, as well as co-funding the construction of the CFUG's own building, increased the clout of women within the user group. The group also helps empower women in other arenas by helping reduce domestic violence through awareness-raising activities targeting men and providing peer support for women. In La Trinidad Ixtlán in Mexico, working groups and auxiliary committees created

Working groups and auxiliary committees created by the village executive organs, such as school, health, supply, religious, sports, and other committees, provide exposure and skills training for women in public affairs and community leadership.

by the village executive organs, such as school, health, supply, religious, sports, and other committees (including being a technical representative of the community in UZACHI, the inter-community forest management organization), provide exposure and skills training for women in public affairs and community leadership. Community civic groups and committees also allow women who aspire to be office bearers in the future to accumulate experience and positions to fulfill the tradition of *cargo* or career ladder system. Some women who are officers in auxiliary committees have set their sights on positions in the municipal and communal land governance bodies in the future (Jimenez-Bautista and Salcedo-La Viña 2020).

B. Timing of Gaining Tenure Rights

In each of the five case study communities, the combination of enabling factors created a unique trajectory and timeline for achieving tenure outcomes for women. In the four communities where structural change through gender-sensitive legislation and policies catalyzed tenure rights for women, the timing of these changes and targeted interventions by external and internal actors had an impact on the realization of rights in practice. On the other hand, in Indonesia, where the women in Gajah Bertalut always had customary control of clan lands, the subsequent restoration to indigenous peoples of their forest rights in the 2013 constitutional court decision served to legally buttress women's rights, rather than create them, and the community's current endeavor to obtain formal title to its lands will strengthen the community and women's rights against outsiders.

Women in Cameroon and Jordan benefited from amendments in the legislation and policies promoting gender equity that were enacted prior to or during the process of formally establishing the user group and the subsequent targeted interventions to implement them by external and internal actors. In Cameroon, the two villages constituting the BOPO CF—Boomabong and Pouth Njock—started their application for their joint community forest in 2003, a process that took seven years, or until 2010. In the meantime, the CF Manual calling for women's membership in community forests and their participation in their management was issued in

2008. CE and other NGOs, helping the two villages in their application, conducted rights-awareness and gender-sensitization campaigns based on the newly enacted rules and existing laws, so that when the BOPO CF was finally approved, women were recognized as rights holders in their individual capacity from the outset and empowered to run for positions in the executive committee.

In Jordan, Bani-Hashem was designated exclusive rights to pastureland in 2010, in the same year that the community was identified as a pilot area under the donor-funded government program to revive degraded rangelands. In this highly patriarchal tribal community, women's inclusion as stakeholders in the pasture association came just one year later, after the year-long gender sensitization campaign by AWO and respected community leaders, the setting up of the women's collective enterprise by AWO, and with IUCN as the donor requiring that the pasture management body comprise 40 percent women.

Conversely, in Mexico and Nepal, the case study communities were established long before gender-responsive policies and regulations were enacted by the state. It thus took longer for women to acquire tenure rights in their individual capacity. In Nepal, the Banpale CFUG was established in 1994, but it was not until 2001 that the forestry guidelines were amended to require each CFUG member household to be represented by a man and a woman. This was followed in 2009 by guidelines setting a gender quota for the executive committee and requiring proportional representation for marginalized groups. In the intervening years, women were gradually empowered with help from internal and external actors. These include the *Aama Samuha* in Banpale, formed in 1995 (and formally registered as a civil society organization in 1998), which conducted livelihood, health, and other training and started a microfinance program for women in the community. Another group, the Women's Development Corporation (WDC), a municipality-wide women's savings and loan association formed in 2002 with five women in Banpale as charter members, provided low-interest collateral-free loans to help women pursue livelihood opportunities. Hence, by the time the gender guidelines came, women were more empowered and the community

had positive perceptions about their contributions to the household and community, enabling easier implementation. After gaining recognition as rights holders, the women became progressively empowered within the CFUG. In 2015, the donor funded *Hariyo Ban* project established the women's hog plum enterprise that is now the principal income-generating enterprise of the CFUG. The Aama Samuha currently provides office space for the CFUG and co-finances the construction of the CFUG headquarters, while WDC membership in Banpale has grown to 82 women.

In Mexico, reforms in agrarian legislation over many years shaped women's tenure rights. The first was the amendment to the Mexican constitution in 1927, when women who were heads of households became eligible for membership or co-ownership in agrarian communities. Forty-four years later, in the 1971 amendments to the agrarian law, the previous limitation was repealed, and all women became equally eligible for membership. In 1992, another set of reforms, aimed primarily at allowing the privatization of *ejido* landholdings, gave members of *ejidos* and *comunidades* the option to acquire certificates of title documenting their tenure holdings (co-ownership titles in *comunidades*). In 2016, the law set a maximum of 60 percent of the total number of candidates per gender in elections for community executive bodies.

It was not until the early 1990s, however, that women in La Trinidad Ixtlán were able to initiate actions to avail themselves of rights under the law. La Trinidad was formally established in 1949, but from the mid-1950s to the mid-1980s, its community forests, along with those of its neighboring communities in the Sierra Norte, were under state-granted private logging concessions. Women could not claim rights where the community itself was unable to exercise tenure rights. La Trinidad and the other communities regained control of their forests in 1986 after a new government repealed the concession policy. After La Trinidad regained its community forest, the first step taken by women to participate in governance of the forest was taken by a single mother, who in 1993 approached the community leadership to request that she be allowed to attend general assembly meetings and volunteer in the community. She was joined five

years later by a few other women, and in 2008, two women were elected for the first time in the community governance bodies. Subsequently, in 2010, the municipal agent invited all women in the community to participate in the general assembly. Then in 2017, the president of the supervisory body invited eligible women to join the updated registry of members to be submitted to the RAN. Eight women took the opportunity and are now registered community members, while 40 other women have the status as community residents (including some who are completing the requirements for membership). More women have also been elected to public office through the years, first as assistants and gradually as secretaries or treasurers. Women, who choose not to apply for community membership, which is the majority of women in the community, are mostly married women whose husbands are registered members and who still benefit from strong social recognition of their interest in communal lands.

C. The Role Played by Women

Running through the analysis of women's tenure security and enabling factors are two important themes respecting the role of women: First, the role played by women as agents of change and, second, the lingering barriers faced by women stemming from their traditional roles and gender norms.

1. Women as Change Agents

Women themselves played vital roles in realizing or advancing their tenure rights and participation in community governance. Rather than being passive beneficiaries of external or internal interventions, women in each of the five communities—some individually, including as gender champions, and some as a group—actively engaged in the spaces and opportunities opened up by institutional reforms and the enabling environments fostered by interventions and actors (see Giri and Darnhofer 2010). For example, in all five communities, women volunteered or ran for office under newly established gender mandates and quotas, keenly embracing the new institutional space. In Indonesia six women vied for one seat in the village consultative body, while in Jordan they volunteered for the seats reserved for women in the pasture association. In Cameroon, where there is no numerical

quota, women picked up five of the eight executive committee membership. In Nepal, a woman who is active in the CFUG is aspiring to be the first female chairperson of the executive committee when the current chair retires. In Mexico, where inroads in communal land and resource governance have been a bit slow for women, some women are initiating conversations about ways to bypass or reassess the career ladder system to allow them to run for more senior positions in governance bodies.

Women also leveraged resources they had at their disposal to create conditions favorable to the realization of their tenure and participatory rights. In Jordan, the senior woman capitalized on her seniority and influence to help shift gender norms. In turn, the women in the community leveraged their new-found livelihoods and income to improve their position within the collective. In Nepal, the women's group, *Aama Samuha*, used its material and financial resources to strengthen the bargaining position and clout of women within the CFUG. This was bolstered by women CFUG members by allowing the men to join their collective enterprise.

Finally, women exercised agency by carving out new spaces for greater engagement within the community. This is illustrated in Jordan, where women in the pasture association successfully championed the establishment of a community education council with equal membership of women and men. In Mexico, a single mother displayed grit and determination by asking to join an all-male general assembly and participating as the sole female for five years, until other women gradually followed her lead. In all five communities, women are becoming more active and engaged.

2. Lingering Barriers

While women in the case-study communities have made strides in their tenure rights, in some instances they continue to face challenges that may keep them from fully exercising their rights. These include the gender division of labor that assigns more domestic work for women, intersectionality or barriers faced by certain subsets of women, and participatory barriers.

In the five communities and generally for most rural communities, women remain primarily responsible for gathering resources for and



maintaining the home, for subsistence farming, and for caring for the family, even as they assume income-earning roles and positions in community governance bodies. This means increased work burdens for women, albeit handled differently in each case (Agarwal 2001; Evans 2016; Schmink and Gomez-Garcia 2015). In Cameroon, women are responsible for the bulk of agricultural activities even when the land is collectively held and the profits derived are distributed equally among all members of the group.

In some communities, a subgroup of women may be impeded from claiming rights. In Cameroon, unmarried daughters are not considered members of the forest association, as they are expected to marry and move to their husband's village, accessing land through their husbands. In Mexico, married women end up forgoing legal rights through formal community membership due to the obligations of membership that they find onerous. In Nepal, lower-caste women and men experience differentiation, affecting their ability to claim rights, such as the allocation of a portion of CFUG income for marginalized segments under the CF Guidelines.

Finally, women still face challenges in exercising their participatory rights. In the five communities, agenda-setting for community assemblies remains largely the preserve of men, resulting in missed opportunities for women's inputs and for ensuring their concerns are included. Deeply entrenched social norms assigning women to the private domain in the home and men to the public domain of community assemblies and governance bodies result in women's tendency to hesitate or self-censor during group meetings. This is merged with other factors, such as women's lower educational levels, lesser mobility and domestic responsibilities that act as practical and social barriers to their effective participation (Bock and Derkzen 2008). However, as borne out by the literature, with any meaningful structural or normative change, it may take time for the new rules to take root and manifest themselves in daily practices and interactions on the ground. Progress may not even be smooth-sailing, and setbacks may happen (Giri and Darnhofer 2010). Achieving a truly gender equitable and inclusive communal land and resource tenure and governance is a long and continually evolving process (Flint et al. 2008; Giri and Darnhofer 2010).



SECTION VI

CONCLUSION AND RECOMMENDATIONS

The case-study communities provide cogent examples of communities in which women's rights are upheld at varying levels of strength and progress in each of the three dimensions of tenure security: robustness, completeness, and durability of rights. The case studies also demonstrate that policies and interventions to advance women's land-tenure security must be done at multiple levels and with complementary purposes to increase the likelihood of positive outcomes.

Conclusion

In each of the case-study communities, two sets of factors interlinked and mutually reinforced each other to enable women to claim or realize rights, as follows:

1. Structural or institutional factors, or the rules that grant or recognize tenure rights for women. The case studies show that legislation that devolves control over communal lands and resources to local communities and at the same time mandates women's inclusion in the local rules catalyzed tenure rights for women (e.g., Cameroon and Nepal). Where the legislation grants rights to local communities but allows them to use customary rules to govern the communal resource, women will realize rights where tenure norms are positive for women or where external actors help shape the local rules so as to include women (e.g., Jordan and Mexico). Customary land-tenure systems that favor women as primary rights holders are less common; but where they exist, they guarantee or provide women with strong tenure security (e.g., Indonesia).

Customary land-tenure systems that favor women as primary rights holders are less common; but where they exist, they guarantee or provide women with strong tenure security.

2. Operational-level factors, or actors and interventions that cinch the realization of rights in practice. It is well-documented that a law, no matter how well-designed or intentioned, may not effect change on the ground if it is not implemented or is poorly implemented, for reasons ranging from the state's weak capacity to implement the law, a lack of awareness by those targeted by the law, resistance by those who prefer to maintain the status quo, or social constraints faced by those favored by the law (e.g., lack of time, fear of stigma, backlash) (Milazzo and Goldstein 2017). Thus, complementary interventions are needed to enable women to realize rights.

In the five case-study communities, a mixture of interventions by external actors and support from community-based actors were instrumental in empowering women and removing constraints on the exercise of rights granted by law. These include interventions for women's economic empowerment, such as the creation of collective enterprises and microfinance initiatives (e.g., Jordan and Nepal), and interventions for women's social empowerment, through gender sensitization and rights-awareness activities and capacity-building project interventions (e.g., Cameroon, Jordan, and Nepal). Within the community, progressive leaders and gender champions played pivotal roles in reshaping social norms and creating spaces for women's participation (e.g., Jordan and Mexico), while community-based women's organizations and civic groups helped enhance women's social standing and increase women's public engagement (e.g., Mexico and Nepal).

In each community, the timeline for gaining tenure rights varied, influenced by when the gender mandate was enacted and the timing of interventions that support its implementation. The exceptions are Indonesia, where the women in the community had customary tenure rights from the outset, and Mexico, where women were unable to avail themselves of tenure rights mandated by law right away because the community was not in possession and control of communal lands for some time.

The case studies also demonstrate that women are change agents, not simply beneficiaries of outside interventions and support. They leveraged their resources, from seniority in the community to land ownership to financial resources, in order to strengthen women's social position and bargaining power within the household and community (e.g., Indonesia, Jordan, and Nepal). Women engaged actively in the new spaces opened up by structural reforms, such as running for positions created under gender quotas, or actively carved out new spaces for engagement; for example, by successfully advocating the formation of a new educational council with equal membership for women and men and by asking to join an all-male assembly (e.g., Jordan and Mexico). However, women still face certain barriers that hinder the full exercise of tenure rights, particularly the gender division of labor that assigns the bulk of unpaid domestic and reproductive activities to women. Some women may be excluded, based on their marital status, such as daughters who are expected to marry and move away or divorced women who lose their tenure rights (e.g., Cameroon and Jordan), or based on their ethnicity or lower-caste status (e.g., Nepal). Deeply entrenched social norms about women's roles in society also impede women's full participation in decision-making arenas, even in cases where customary tenure systems are positive for women in other aspects, such as access and benefits (e.g., Mexico).

The tenure regimes of each of the case-study communities are differently configured, each shaped by a distinct political, socioeconomic, and cultural backdrop. The combination of factors empowering women and improving their tenure security were thus unique to each community, based on its specific context. But while there is no one-size-fits-all formula applicable to different contexts, the case-study communities highlight the need to target both the structural framework to ensure that women have rights and the operational environment to ensure that conditions are in place for women to claim rights.

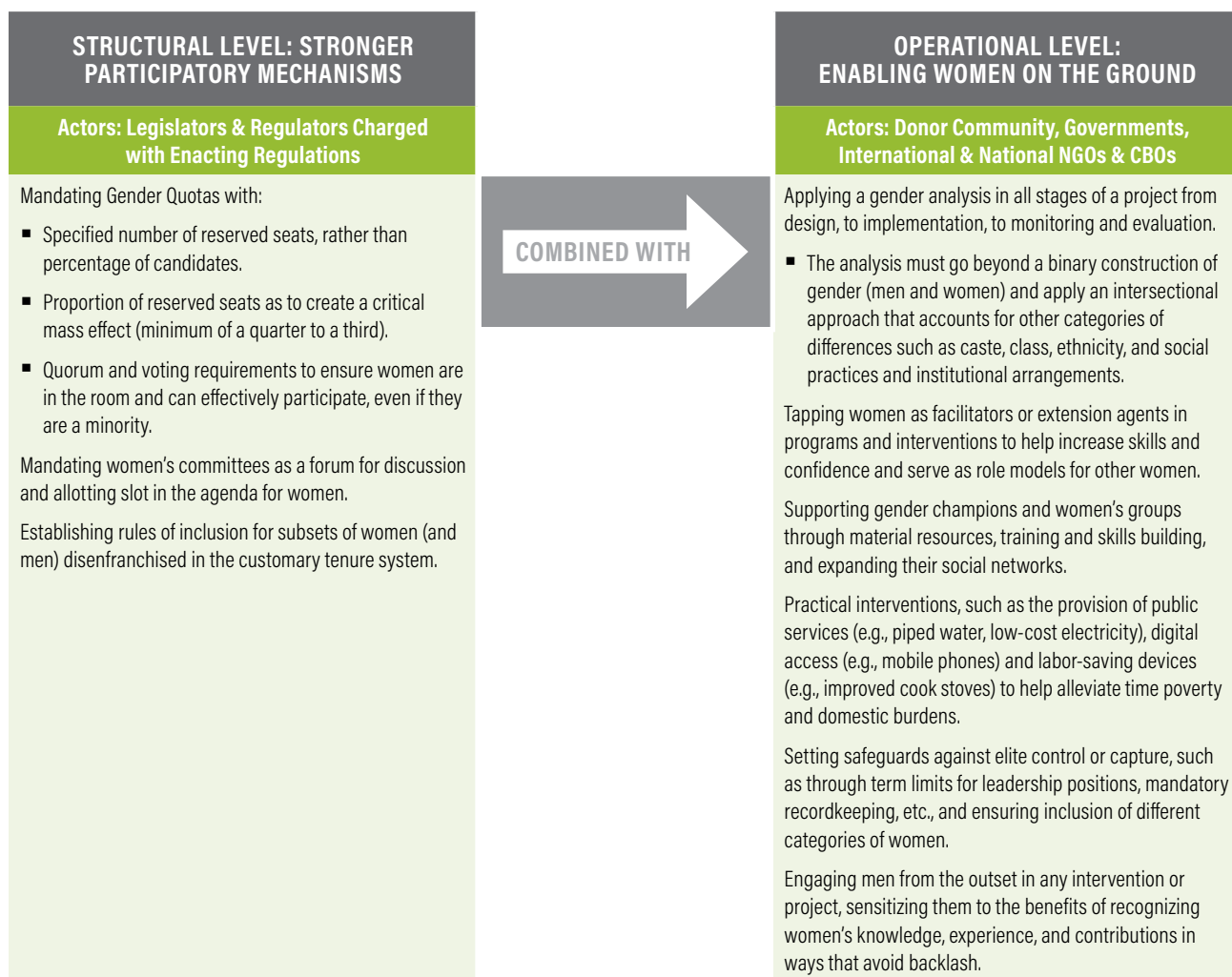
Recommendations

In addition to the promising practices gleaned from the case studies and to address the types of barriers or constraints exemplified in the case-study communities, the authors make some recommendations drawn from the literature and the case study reports (see Figure 2 for summary).

At the structural level, legislators or regulators charged with enacting regulations can provide the following stronger participatory mechanisms for women in the laws and implementing regulations:

- Gender quotas that designate a specific number of reserved seats in executive bodies for women rather than simply requiring a percentage of candidates that must be women (Milazzo and Goldstein 2017).
- A proportion of reserved seats under gender quotas sufficient to create a critical mass effect for women, defined in the literature as one-quarter to one-third of the total number of seats (Agarwal 2010).
- Quorum and voting requirements in the gender quota to ensure effective participation of women even if they are in the minority. For example, requiring that, to be valid, a quorum must have a percentage or number of the women members present. (Salcedo-La Viña and Morarji 2016).
- Women's committees that would provide space for women, whether registered members or not, to discuss their specific concerns and ideas, and providing space in the agenda for women to voice their specific concerns (Salcedo-La Viña and Morarji 2016).
- Rules that account for subsets of women and men who may be disenfranchised in the customary tenure system. For example, through procedural rules or mechanisms such as opening meetings of the general assembly, or at least some of them, to all residents of the community who use or have some stake in the common property resource, not just the members of the formal user group or community association (Scalise 2019). Other mechanisms include mandating proportional or some other form of representation for marginalized segments of the community.

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



Source: Authors.

For women to benefit under gender-sensitive policies, laws, and rules, the underlying cultural beliefs about women's tenure rights and roles in society that hold women back must also be tackled. This means that policies and interventions aimed at structural changes must be coupled with interventions or actions at the operational level. For example, quotas must be supported with sensitization and capacity-building activities to be effective. The operational level requires a long-term perspective and sustained efforts from external and commu-

nity-based actors, including the donor community, governments, NGOs, CBOs, and individual gender champions. The following actions at this level can help catalyze change:

- Ensuring that land tenure-related interventions are underpinned by a gender analysis in all stages from project design, to implementation, to monitoring and evaluation. A gender analysis is a systematic analysis to identify, understand, and describe the differences between

men and women, including their roles and the power dynamics in a specific context (UNDP 2016). The gender analysis must go beyond a binary construction of gender (men and women) and apply an intersectional approach; that is, an analysis that considers the interaction between gender and other categories of difference, such as race, ethnicity, religion, or class, as well as the social practices, cultural ideologies, and formal and informal institutional arrangements that shape situation-specific interactions (Onzere et al. 2020; Thompson-Hall et al. 2016).

- Tapping women as facilitators, canvassers, or extension agents in programs and interventions to help increase their skills, visibility, and confidence and to serve as role models for other women (Nethercott et al. 2010).
- Encouraging and supporting gender champions and women's groups by providing material resources like funding and physical space; training and skills building, including literacy and numeracy, public speaking, organizing, and rights and issue-awareness; and exposure to new and different ideas and expanding women's social networks through study tours and learning visits, among others (Flintan 2008).
- Setting safeguards against elite control or capture—such as term limits for leadership positions, voting by secret ballots, mandatory recordkeeping, public auditing, and procedures to oust leaders who abuse their positions—and ensuring that different categories of women, including women from the minority and poorer segments of the community, are included in the intervention and obtain tenure security or other benefits (Saito-Jensen et al. 2010).
- Engaging men from the outset in any intervention or project introduced and sensitizing them to the benefits of recognizing women's knowledge, experiences, and perspectives in communal land governance in ways that are nonthreatening and that avoid backlash. Community leaders and individuals who are trusted and influential play an important role in the sensitization process and championing of women (Glinski et al. 2018; ILO 2014).

- Practical interventions, such as the provision of public services that are important to women (e.g., piped water, low-cost electricity and power supply, feeder roads, safe and affordable transportation), digital access (e.g., mobile phones), and labor-saving devices (e.g., improved cook stoves), to help alleviate time poverty and domestic burdens (Grassi et al. 2015; Masika and Baden 1997; OECD 2018).

Research has shown that there are vast benefits to securing women's land rights (Landesa Center for Women's Land Rights 2012; USAID 2016). The five case studies point to enabling conditions and promising practices that can secure women's tenure rights in collectively held lands. While in each community a different combination of enabling conditions were in play, a common thread is the interlinked manner in which these conditions worked to advance women's land tenure security.

For women to benefit under gender-sensitive policies, laws, and rules, the underlying cultural beliefs about women's tenure rights and roles in society that hold women back must also be tackled.

APPENDIX A: CASE-STUDY REPORTS— ABRIDGED VERSIONS

1. Cameroon: Boomabong and Pouth-Ndjock (BOPO) Community Forest, Littoral Region

Case-Study Report Author: Elisa Scalise

Community Context

The Boomabong and Pouth-Ndjock (BOPO) CF covers around 3,750 hectares of land in the Littoral Region of Cameroon, which is in the southwestern coastal part of the country and is francophone. The area is characterized by lush, tropical forests. It is adjacent to a large forest concession, No. UFA07002 Edea, which is held by Edea Technopole, a state-owned corporation.

BOPO was formally classified as a community forest in 2010, as a collaboration of two chiefdoms or villages, Boomabong and Pouth-Ndjock. Article 31(2) of the Forest Code provides that, to be classified as a community forest, the applicant community must first establish itself as a legal entity submit an application that outlines the community forest's management objectives, and establish requirements on how use rights can be exercised by the population.

BOPO was assisted by CE in fulfilling all the administrative steps that were needed to gain recognition as a community forest. CE began working with the communities in 2003, and the process took around seven years to finalize. CE helped the two communities develop their management plan and assisted the community in developing its bylaws and procedures.

There are around 200 permanent residents and a few temporary residents made up of students who study away in the cities or elsewhere, those who have migrated to cities, and those who come looking for work. The area is remote and isolated. There are no schools, churches, or health care centers. Children have to travel 3 to 5 km to attend primary school up to grade three. Beyond that, children must board farther away from the village. The majority of the population is over the age of 40. The people of BOPO have always lived in the area. The area is relatively poor with few economic and livelihood opportunities. The land is not highly valued by the younger generation in terms of future opportunity for income or livelihoods.

The people of BOPO are part of the Bassa ethnic group as well as a small number of outside migrants; the Bassa have historically lived in the area and have been sustained by subsistence farming and fishing. Women typically move to their husband's households when they marry, and most of the women in the village have married in from another village. Most women have more than five children. There are a few female-headed households, typically elderly widows whose children have outmigrated for better opportunities.

The main economic activities in the area include cultivating cash crops (oil palm, cocoa) and consumables (cassava, yam, plantain). They also collect timber products and NTFPs like bush mangos, wild vegetables, spices, and wild fruits. Typically, men and women work together in agricultural activities, providing complementary labor: Men clear and fell trees; women till, plant seedlings, and harvest. This division of labor is described by respondents as "Men hold the machete; women hold the hoe." Women do the bulk of selling and marketing in and out of the community, sometimes traveling all the way to the nearest major city, Douala.

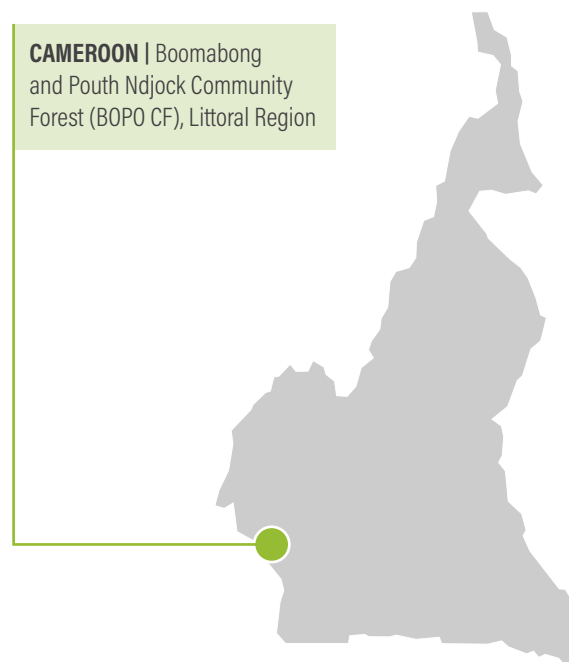
The respondents report noticeable changes in the agricultural output and rainfall patterns, which they attribute to climate change.

Tenure Regime

Before its organization as a community forest, land rights to the forested area were organized around households with intergenerational rights transferred along the male blood line. The people were organized around chiefdoms, but the chief played only an advisory role in land matters; he was not considered a landowner.

To be formally recognized as a community forest, the Boomabong and Pouth-Ndjock chiefdoms formed a legal entity and registered it with the state. Once the legal entity was formed, each household contributed a portion of its household forestland to the community forest of BOPO while retaining a small amount for household use.³⁹ For this reason the land that is part of the community forest is only partially contiguous. Each household then has two types of land under forest cover on which it works: household land, which is forested in some parts but cleared around the area where the house and the household garden is, and land that the household has contributed to the BOPO CF. The household land is managed at the household level, following customary rules and practices. The land contributed to the community forest is subject to the authority of the community forest association via its governing body, delegates and the general assembly. (See Governance Framework.) Thus, by contributing land to the community forest, the household gives up control of how that land is used, and how proceeds from that forest are used. Under the CF Manual, the

Figure A-1 | Location of BOPO in the Littoral Region of Cameroon



Source: Modified from Ngendakumana et al. 2013.

community forest management agreement lasts 25 years and may be renewed. When the term of the agreement has ended and if it is not renewed, presumably, the land reverts to the household for continued customary management and use at the household level.

Land in the Community Forest

Community forest activities run according to an action plan that is created as a requirement of the forest regulations. The action plan comes out of the approved management plan that must be submitted to the Ministry of Forests and Wildlife before the community forest is approved. The plan guides the immediate activities and decision-making pertaining to the community forest. Today, BOPO CF produces pistachios and plantains that are planted by members on land designated as a community forest. In the past the community has partnered with outsiders for some timber extraction. The community hopes to expand its activities in the future by growing different things. Men cultivate the plantains, and women cultivate pistachios. Community members work together on the community forest; any member of the community forest who is physically able contributes labor.

The produce harvested from the community forest enterprise is pooled. Marketing and sale of produce from the community forest is handled by the group through the delegate and the executive team of the governing body. Funds from the sale of products from the community forest are held and administered by the treasurer of the governing body, who then works with the membership on how it should be spent. The general assembly votes on prioritizing community projects. So far, the assembly has voted to bring in wells with potable water, extend electricity to more households through solar panels, and begin building a health center. Anything remaining after the community works are complete is divided among members on a household basis. Individuals may take timber and nontimber products from the community forest, but only with prior approval from the governing body. Harvesting timber as a community enterprise is allowed but must be included in the management and approved by the ministry before logging can begin.⁴⁰

Individual Household Land

For the individual household forest land surrounding the residence and not contributed to the community forest, married women and men use land that belongs to the male head of household under custom. Men and women perform different tasks on the land: Women decide what to grow and where, and men clear the land that women have chosen. Women do the planting. Women and men harvest together, and they decide together what to sell and where, although women are responsible for taking the goods to market. Women and men decide together how any income from sale will be spent.

Respondents who are widows who married in have remained on their husband's individual land and also continue to contribute to and benefit from the community forest. Widows also expect to continue to control use of the individual forest land until they are deceased and then expect that their sons will inherit it. Widows report that they need additional labor to work on their land and also to contribute to the community forest activities. They typically ask their sons to assist if they can, but often their sons have left the area for work elsewhere, in which case they hire laborers to assist. Married women expect the same if they should become widowed. Married daughters have typically moved to the land of their husbands and therefore do not assist their widowed mothers with the labor. Neither is it expected that married daughters

will inherit from their mothers. Unmarried daughters who are not at school—most children go to boarding school or live with relatives in areas where there are schools—assist with labor on household land but do not inherit land.

All women report that the partitioning of some land as a community forest has meant more work for them, as they now have a greater area that they are responsible for farming. However, the community forest has also meant greater income, and their responsibilities at home have been a little easier with the extension of some electricity services and potable water that came from community forest revenues. They also report that they have been able to purchase more home wares, such as cooking implements and chairs for the kitchen, and they have also received training on agricultural practices and marketing as part of the transition to a community forest, which has been beneficial. This training was provided by an NGO that also helped BOPO CF with its legal recognition process.

Governance Framework

For the community forest, land use is governed by written bylaws that were created when the community forest association was formed. The bylaws establish a governance body that is made up of a general assembly and an executive team that includes the delegate, deputy delegate, treasurer, two accountants, secretary general, deputy secretary general, and someone responsible for dispute settlement. All eight positions are elected for a two-year term. Anyone who lives permanently in the two villages can be a member of the general assembly. And any member of the general assembly can run for executive office. At the time of the fieldwork, there were 87 active members, and approximately 40 percent were women. The general assembly meets every 30 days ordinarily, and all members are expected to attend. In general assembly meetings, members make strategic decisions on the action plan, including which resources are needed to execute the action plan, how funds will be used to execute the action plan, if partners are needed, and other similar decisions. Decisions by the general assembly are voted on and require a simple majority to proceed.

Of the executive team, five positions are held by women, including that of the treasurer, a position of significant responsibility. Because it helped form the community forest, CE conducted gender-sensitization activities, including education on women's rights in the constitution and the importance of gender equality. CE also promoted inclusion of women in the governance process, including by encouraging women to put themselves forward for election of executive delegates.

When asked about the process for creating the bylaws and the contents of the bylaws that might be considered helpful for facilitating women's participation, the delegates responded that these were required by law; however, they were not able to refer to specific provisions or the name of the law that required these features. The bylaws were written in the local language and were translated *in situ*. With regard to women's participation, the bylaws state that all residents of the community may join the general assembly and that all persons in the general assembly may seek election to an executive position.

There are differences in the level of engagement among women and men in the general assembly. Men reported that women participate less often than men, even if they are present, and that women tend to participate more keenly on issues that are more closely related to their interests. For example, men will participate on questions that touch

on their interests, such as logging or timber products, and women will participate on questions that relate to their interests, such as food crops and agriculture. Both women and men report that when women do provide input, their input is treated the same as if it had been given by a man and that women are listened to. Both married women and widows report that they feel that they can express themselves freely in the general assembly meetings and that their concerns are given the same weight as men's, "because if women are tired, this impacts men too," according to one of the women interviewed. However, married women and widows report that they tend to raise only issues that they believe will be of interest to men as well; for example, matters related to agriculture. They would like to raise issues related to how proceeds from the community forest activities are used; for example, gaining better access to more water, improving roads that must be traveled to get to market and to access water, and to installing additional solar panels for more reliable electricity. However, they believe that these issues are not related to agriculture, so they do not raise them; although they believe that if they were raised, men would listen. Men and women report that disputes among members are infrequent.

None of the women reported receiving training or education on how the general assembly meetings function or their purpose, and they are learning as they go along. Those women who have been involved in the community forest longer tend to know more about how things run, but there is no opportunity for women to share that information with each other. Neither is there opportunity for women to share their concerns with other women, primarily because of a lack of time and lack of opportunity to mobilize as a stakeholder group. Also, some women reported that they are not informed of meetings with enough advance notice to be able to prepare input or organize with other women. The meetings are held at times when women can attend; however, women are generally busier than men, and this can be an obstacle to their attendance. The women respondents suggested that this could be remedied by having a women's subcommittee so that they can organize before a general assembly and also that they could receive training on how meetings are run and how they can better engage with them.

Other NGOs have also worked in the area to support the communities with regard to income-generation activities; reforestation programs that target women, REDD+ compliance, and improving decentralized governance mechanisms.

2. Indonesia: Gajah Bertalut Village, Kampar District, Riau Province, Sumatra

Case-Study Report Authors: Septrina Tobing, Carolina Astri, Riza Aryani, and Dean Affandi

Community Context

Gajah Bertalut is an indigenous community (*masyarakat adat*) that sits on the Bukit Barisan mountain range in Indonesia's Riau and West Sumatra provinces. It has a land area of 4,414 ha, hilly terrain on the bank of the Subayang River, surrounded by relatively pristine rain forest. The village is accessible only by small boat. Gajah Bertalut and its neighboring villages have been in existence long before the Indonesian state was established in 1945. In the 1960s, the state nationalized customarily held forests, and in the early 1980s, the state designated a large swathe of Kampar District, including Gajah Bertalut, as a wildlife reserve. In 2013, a landmark constitutional court decision ruled that indigenous or customarily held forests (*hutan adat*) are private forests and not part

of state forests, paving the way for indigenous communities to reclaim ownership of their forests. Since 2016, Gajah Bertalut, with the help of AMAN and WRI Indonesia, has been working to gain legal recognition of its customary forest territory.

Gajah Bertalut consists of 109 households with a total population of 416 people. The community is made up of four clans: Melayu, Domo Ulak, Domo Mudiak, and Chaniago, with the first two as the majority clans. These clans descended from the Pagaruyung Sultanate of West Sumatra, dating back to the 1300s, which is a combination of the Majapahit and Minangkabau Empires. The clans are governed by custom (*adat*) and adhere to a matrilineal system in which descent is based on the maternal line, and property inheritance is handed down from mother to daughter. The main language in Gajah Bertalut is *Bahasa Ocu*, which has roots from the Minang/Melayu language.

Rubber cultivation is the main source of livelihood in the village, and most households own a plot in the rubber forest, while about a third provide labor for somebody else's plot under profit-sharing agreements. Prior to rubber, the villagers planted rice, chili, and eggplant mainly for subsistence, but they switched between 1998 and 1999 in response to rubber's rising value in the market at that time. Subsistence cultivation practically disappeared, and people started to buy food.

Rubber farming is done year-round. During the dry season, from April to September, the villagers work between five and seven hours a day for five to six days of the week, collecting between 10 and 15 kg of rubber per day. The rubber collected is mainly sold to a local middleman (*tauke*) in the village at prices ranging from IDR 5,000–5,500/kg (approx. US\$0.36–0.39). In a month, a household earns approximately IDR 1.5 million (about \$108) for about 300 kg of rubber (at IDR 5,000/kg). Those without rubber plots who provide labor for others earn approximately IDR 100,000–150,000 (about \$7–10) per day. However, during the rainy season, from October through March, villagers can only work in their plots for one to two days a week, and harvest dwindles to about one-sixth of the normal volume, or approximately 250–300 kg for the entire season. To make ends meet during this time, men venture deeper into the forest to harvest timber while women gather NTFPs for sale and find temporary labor in neighboring villages.

While forest products are relied upon more heavily during the rainy season, the villagers collect other forest products all year-round to supplement incomes and for household consumption. The products include timber and NTFPs like rattan, honey, bananas, coconut, durian, and bitter bean (*petai*). The villagers also rely on herbs found in the forest for medicine. The villagers report that they have observed a decline in the quantity of forest products in recent years.

In addition to the forest, the river plays a crucial role in Gajah Bertalut and its neighboring villages along the Subayang River. Apart from serving as the main transportation artery, it is a source of drinking water and fish. The villagers catch fish both for consumption and sale. Each village designates a part of the river under its control as communal forbidden waters (*lubuk larangan*), an area where no fishing activities are permitted except once or twice a year.

Tenure Regime

Gajah Bertalut practices a customary tenure system. It divides its land into privately held and common property. Privately held lands are rubber plots located in the forest plantation area (*imbo perkebunan*) and residential parcels in the village settlement area (*imbo permukiman*). Common property resources consist of areas managed for

collective use, encompassing the forest area other than the plantation forest, village gardens, and river area. Each common property area is divided into zones.

Privately Held Land

Privately held land consists of clan land held in usufruct by a family or household, following a matrilineal inheritance system, referred to as *tanah soko* or ancestral land, and, with the rise of rubber cultivation, land cleared by a family with permission from clan leaders or purchased from another clan member or village resident. *Tanah soko* is passed down through the female line of the clan, usually distributed equally among daughters in a family. Each daughter may manage a specific plot individually, or all of them may manage the entire plot collectively. When a *tanah soko* is left idle or unused, the land is returned to the mother's clan, which then collectively picks a successor to manage the land. A man who is not an heir but from the same clan (e.g., a nephew) may be chosen as the new land manager, subject to approval of the original holders of the usufruct rights. *Tanah soko* is considered sacred. Hence, this land is unlikely to be rented out and cannot be sold except under extreme circumstances—for example, to pay for medical expenses of a sick family member—but only with approval from all clan members. In case of divorce, the wife retains full rights to *tanah soko*.

Land acquired by spouses through land clearing or buying belongs to the household (wife and husband). This land can be passed to sons and daughters although daughters are favored. In some cases, the sons work in the rubber plot even though it will eventually be inherited by their sisters. Some parents also clear land for their unmarried daughters and hand it to them to manage directly. Land that is cleared or purchased can be rented out or sold, subject to consent of the family. In the event of divorce, the spouses decide how the land is to be divided between them.

Individuals or households can also access land through sharecropping (*bagi hasil*). This practice has become more common as households abandon their rubber forest because of declining rubber prices. The typical income-sharing arrangement is 25 percent to the landowner and 75 percent to the worker.

Although women hold tenurial rights to land in Gajah Bertalut, the work associated with rubber forests is shared fairly equally among household members. The wife and husband visit the rubber plots together to tap trees, collect and coagulate the latex, and transport it to the seller. The husband usually sells the rubber latex to the village middlemen, while the wife manages the income and household finances in general. Children are also involved in the work; parents usually take their children with them to the rubber plots and train them in tapping. However, the last few years have seen a diminishing number of the younger generation involved in rubber cultivation. This is largely due to the decline in the price of rubber. Younger villagers prefer to study or work outside the village where they can earn a bigger income, although some young men stay to help their fathers harvest timber products for sale, rather than tap rubber.

Common Property Resources

Gajah Bertalut divides its forest area into zones based on function. The biggest zone is the plantation area (*imbo perkebunan*), occupying 51 percent of the total land area. While it is communal land, it is divided into rubber plots that are considered privately held land. The plantation area is primarily made up of rubber trees and other tree species that are native to the area but also includes trees that have been planted

by the villagers, for which reason the area is also referred to as *hutan karet* or rubber forest. The other half of the forest area consists of the community or village forest and is divided into three zones: the forbidden forest (*imbo gano/larangan*), reserved forest (*imbo cadangan*), and utilization forest (*imbo pemanfaatan*). The forbidden forest is a prohibited zone where no one is allowed access, covering 22 percent of the total land area. The reserved forest, about 15 percent of the total area, is a backup zone that can be accessed by community members only after the utilization forest is depleted. The utilization area, about 10 percent of the total area, is the forest area designated for harvesting forest products.

Under community rules, the following acts are prohibited: timber harvesting in all forest zones unless approved by the village customary council (*adat* elders, called *ninik mamak*); harvesting of certain tree species, e.g., *jelutong*, *sialang*, and *kompas*—the latter two being habitats for bees and the number of forest beehives is seen as an indicator of forest health; and cutting of trees along the river banks. Outsiders are strictly prohibited from accessing forest resources, with a few exceptions such as collecting honey, but only when accompanied by a community member. The village customary council lays down rules regarding when and how forest products may be harvested. Some norms and practices are based on folklore and myths told for generations. For example, when community members see a Sumatran tiger or hear it roar, they consider it a warning that disaster is nigh in the area. Sumatran tigers, an endangered species, inhabit the wildlife reserve and are nicknamed as “datuk,” or grandfather, by the villagers. They believe that to prevent these warning signs, the people must maintain harmony with nature and ensure that the surrounding forest remains intact with forest products extracted only as necessary.

Despite the prohibitions and taboos, the villagers have been relying more heavily on the forest to diversify their sources of income as rubber prices continue to decline. The men now go deeper into the forest to harvest timber for sale. Women collect more NTFPs for consumption and sale, including seasonal fruits (*langsat*, *ambai*, *kabau*, *durian*, *man-gosteen*), vegetables (*jengkol*, *pandan leaves*), and tree bark. The villagers acknowledge that forest resources have significantly decreased over the years due to harvesting for consumption, cutting of trees, and pests. During the field visit for this study, the researchers observed boats pulling logs from the forest and heard running chainsaws.

The other land-based common property resource is the village garden, which is land that is cleared for agriculture with permission from the village customary council. There are two separate plots currently designated as village gardens. One plot is allocated for the use of the village clerics (*alim-ulama*, Qur'an recital teachers), who may not have regular income sources, thus can grow crops for subsistence and livelihoods. The second plot is allocated to the village youth group (*tunas nagori*), a mix of young women and men, to encourage them to grow their own food and become more self-sufficient, and to help with reducing timber harvesting to supplement livelihoods. This activity was organized in mid-2018 by an outside NGO, WRI Indonesia, which has also been helping the community acquire title to its land. The youth group was allocated a 1 ha plot on which they grow vegetables. Decisions on what to plant (currently, chili, red spinach, water spinach, and cucumber) and the division of labor are discussed within the group, with tasks distributed evenly between men and women. Most of the harvest is sold locally. The members elected a leader to manage the group's income and finances.

Figure A-2 | Map of Gajah Bertalut



Source: Modified from WRI Indonesia 2018.

Finally, as with other villages along the river, Gajah Bertalut has customary fishing rights to part of the Subayang River. Its river area is divided into two main areas: the communal river (*imbo sungai*) and the forbidden waters (*lubuk larangan*). The communal river is about 33 ha and is open to fishing, an activity done mostly by men. The forbidden waters, approximately 3 ha, is subdivided into waters owned by the *adat* elders (*lubuk larangan ninik mamak*) and waters owned by the men in the village (*lubuk larangan pemuda*). Fishing is prohibited in the forbidden waters except for once or twice a year, during the Eid celebration or other special occasions. Violating this rule is believed to bring bad luck. The opening of the forbidden waters for fishing is attended by a ceremony in which the *adat* elders perform traditional rituals.

Governance Framework

Gajah Bertalut recognizes three types of *adat* or customary law. The first is called the original customary law (*adat nan sabenanyo adat*), referring to ancient laws that originate from religious teachings, mainly the Qur'an. The second is a code of conduct for community members, including a rule requiring immigrants to respect local culture, called *Tanggo Salah* 32. The third set of laws governs communal tenure and matters not covered by the first two, including rules on forest management and rules on the restricted zones. Gajah Bertalut is one of five villages of the Batu Songgan Caliphate. A caliphate in this context refers to a unit comprising villages that submit to the same values and norms, akin to a confederation. Every decision-making process must recognize the balance among three aspects of community life: *adat*, legal-formal, and religion. This dynamic is often described as a *tali bapilin tigo* (three-braided ropes system).

The highest customary governing body in Gajah Bertalut is the village customary (*adat*) council, the *ninik mamak*, composed of elders or leaders representing each of the four clans. Each clan votes for a male member to represent it in the council. Women are not eligible for the position. The elected representative retains the position for as long as he is capable of performing the necessary tasks to represent the clan. Each clan leader has a designated role in the council. As the clan that has settled the longest in Gajah Bertalut, the Melayu (Malay) clan leader is vested with the highest position in the council, called *Datuk Pucuak*. The leader of the Chaniago clan is charged with managing the river area, while the leader of the Domo Mudiak clan is charged with managing socioeconomic affairs. The council decides by consensus.

Each clan also has a governing structure. In addition to a clan representative in the *adat* council, each clan has a judge or *dubalang*, who settles intra-clan disputes and religious authority, or *malin*. Each clan holds an annual meeting that is compulsory to attend for all members. These meetings follow certain procedures, including a seating arrangement in which the elders, both men and women, sit in front, while all the other women sit at the back. Everyone can speak during meetings, but women tend to be silent. The women report that they speak with their husband before or during the meeting but let the husband speak on behalf of the family. They perceive the meetings to be inclusive of their concerns and aspirations. During the field work, the researchers observed fluid interactions between men and women in the community. During the FGD, young women participants freely voiced their opinions in front of their elders. The elders appeared unflustered by the women's level of contributions and the manner in which they delivered them. Moreover, in the youth group (*tunas nagori*), the women members report that they are able to freely speak their opinions during meetings and participate in group decision-making.

Although formal options for settling disputes are available, such as reporting an event to the police or village government, conflicts are usually resolved internally through customary law. *Adat* (custom) is generally considered more effective in resolving conflicts at the village level, with the *adat* council as the highest dispute resolution body. Formal law is reserved for dispute involving other villages and crimes. There is strong social stigma attached to disobeying customary and formal laws.

In addition to the customary institutions, Gajah Bertalut has a formal local government representing the state. The village government is headed by a chief executive elected by the people, with a maximum of two terms or 12 years. The elected chief has the power to appoint other village officials, including a secretary and division heads. The village also has a legislative body, the village consultative body (*Badan Permusyawaratan Desa* or BPD), which has six seats. The government recently imposed a gender quota of one seat for women in the BPD. In 2018, when the gender quota came into effect, six women in the village ran for the seat.

In addition, the village government oversees two other bodies, the Communities Empowerment Institution (*Lembaga Pemberdayaan Masyarakat*) and the Family Welfare Program (*Pembinaan Kesejahteraan Keluarga*), also called the women's group, which administers the government's cash transfer program for mothers with young children (conditioned upon schooling). Both bodies are not very active in the community.

3. Jordan: Bani Hashem Community, Hashimiyyah District, Zarqa Governorate, Zarqa River Basin

Case-Study Report Author: Renée Giovarelli

Community Context

Pre-intervention

Bani Hashem consists of four communities located in the Zarqa River Basin in the northern highlands of Jordan. The total population is 15,000, predominantly Bedouin herder tribes who were primarily nomadic but settled there in the 1850s when the area had a rich plant cover and many water resources. However, in 1954 an outbreak of malaria drove the villagers away from water resources, and many of them sold or abandoned their land and agricultural or pastoralist livelihoods (IUCN-ROWA n.d.). The level of education is low, especially among women, and 30 percent of the population is defined by the government as poor (IUCN n.d.).

Desertification and declined standards of living have forced the locals to abandon pastoralism as their main livelihood, and men often migrate to urban centers for work. There are few families completely dependent on livestock and agriculture (mainly cultivating barley, soya, and alfalfa) even though it is the Bedouin traditional way of life. The declined standards of pastureland for grazing can be traced to several factors. These include the shift among the Bedouin from pastoralism to settlement, causing livestock to over-graze in specific areas; private landowners exploiting land unsustainably and excluding traditional pastoralists; weak coordination between relevant governmental agencies and local communities resulting in conflicting approaches to managing land and natural resources; and potable water scarcity and the lack of sanitation (IUCN-ROWA n.d.).

The community also blames worsening conditions of rangelands on three nearby stone quarries, which are owned by private companies. The closest one is 1 kilometer away from the community; quarry land is either purchased or rented from the government. The quarries affect the groundwater, roads, infrastructure, and the physical health of community members due to the dust. Communities tried to protest the quarries by dynamiting a main road leading to the stone quarry. The government shut the protests down, and the male community members stated that they believe they mismanaged the protest and should not have used dynamite. However, since the protest, private quarry owners are paying community members on a per capita basis for the damage they cause. Also, a steering committee of ministries and other stakeholders met and decided to stop the quarries when their license ends because of the complaints by the local communities. The longest license remaining is for five years.

Other factors have made pastoralist activities more difficult. The area has suffered drought, and vegetables and fodder that once grew on the rangelands must now be grown on smaller areas using drip irrigation. At one time, the government provided subsidies and discounts for fodder for all households; but that has now been restricted to families that have 50 or more animals, and most families in the community are not eligible because they have between 30 and 50 head.

Traditionally, women are responsible for grazing the animals, and men are responsible for making decisions, marketing, and buying and selling animals and animal products. All money-related matters related to animals are in the realm of men, but women are able to sell small

things (like detergent) for money. Women do not deal with banks; rather, they have their own savings groups. Ownership documents for homes can be in the name of a woman if she inherited it or participated in buying it.

Tenure Regime (Establishing a *hima*)

Hima means a protected area in Arabic. The *hima* system originated more than 1,500 years ago where it spread along the Arabian Peninsula as a tribal system of sustainable management of natural resources for organizing, maintaining, regulating, and using natural pasture and rangelands. The open-access, centralized system of pasture management that was practiced in Jordan was degrading pastures already suffering from climate change. In 2010, Jordan was chosen as one of four country sites for a rangeland restoration and sustainable management project funded by the European Union and implemented by IUCN. The project, called Securing Rights and Restoring Lands for Improved Livelihoods,⁴¹ was implemented with the Jordanian Ministry of Agriculture and AWO, a Jordanian NGO with 12 women's groups in Amman and 45 women's groups in the governorates (local government units similar to states or provinces) and part of a growing movement within civil society to work on gender.⁴²

The project supported the revival of the *hima* system in four villages, including Bani-Hashem (the other three are Duliel, Hashemeyeh, and Halabat) within the Zarqa River Basin (around 100,000 people) to restore and protect rangelands and recover biodiversity and to promote the active engagement of women. The parties believed that because *hima* had its roots in traditional practice and Islamic law and at the same time recognized the needs and rights of local people, the *hima* would be an acceptable and effective alternative to a centralized protected area system under which pastureland is managed at the national level through protected area regulations. The project officially ended in 2013.

IUCN's approach was to secure the right of access to a specific area of land for the community and to secure the right of exclusion of noncommunity members as well. The tenure regime consisted of the right to access the land; the right to withdraw or obtain products or derive income from the land; and the right to manage access to the land and resources, control how the land is used, and exclude outsiders from access. However, the tenure regime does not include the right of alienation (WANA 2016). The Ministry of Agriculture identified and designated 100 hectares of land to Bani Hashem to use and manage and obtained the prime minister's approval. The land area is a part of 1,500 ha treasury land and consists of a narrow wadi (valley that is dry except for the rainy season) surrounded by rocky mountains and hills on the two sides. A second part of the project was to improve governance of the pasture. To accomplish this, the project began to hold stakeholder dialogues to explain and discuss the *hima* system of pasture management. The stakeholders included land users from the local community and government and nongovernmental service providers that support the community. IUCN worked in the community for one year to convince people of the benefit of the *hima* system.

During that year, AWO proposed to IUCN that it would raise awareness in local communities about the benefits of including women in pasture management using the *hima* system. AWO established a committee of women and worked with them on awareness-raising. At first, the tribal

leader was opposed to women's involvement, but he was later convinced that it would be positive. AWO stated that it does not talk about women's political and human rights *per se*, such as the rights provided in the Convention on the Elimination of All Forms of Discrimination against Women. It discusses environmental issues and agricultural issues but not economic and political power at the outset of its work with a community. It always avoids anything related to religion. AWO taught women to identify and use medicinal herbs on the pasture to earn additional income. AWO's message was that women are important agents of change and holders of significant knowledge and skills related to mitigation, adaptation, and reduction of risks relevant to land degradation. This makes them crucial agents of information and knowledge sharing, which are necessary to improve community livelihoods.

During that first year, in addition to stakeholder dialogues, training on pasture management and the *hima* system was held. Women and men were in groups together for some training, and women's groups also met without men because some men objected to women participating because they objected to women working. Even though traditionally women took livestock to the pastures, men did not consider that outside work because caring for livestock was part of the household duties. Managing the pastures and using the pastures for herb collection or other economic reasons was considered work.

Older women were able to attend community meetings at first, but even that took one year of community sensitization. The head of the tribe helped women engage in the meetings of the pasture user association because he accompanied one of the most active and respected community women to people who were against women participating to convince them that women should be part of the association. It was a new idea that it was important for women to work to improve

household welfare. Women stated that although they did not receive economic benefit from going to the association meetings, they were empowered and thus better able to make decisions at home.

The community meeting attendees began to notice a difference in the mixed male and female groups with women beginning to talk. One of IUCN's requirements was that the management committee that would establish the *hima* should have 40 percent women. After the year of gender sensitization, the committee was founded with seven men and six women who volunteered to be on the committee. When the committee members were later elected, the community kept the same split of seven men and six women.

Many women stated that the most active woman, the leader of the women, is 50 years old and single and has "no other responsibility." They also stated that without her to organize them, other women would not have been involved in establishing the *hima* system. Women who were committee members were either well known themselves, or their husbands were well known.

To ensure sustainability, a tribal charter was drafted and signed by community members, pledging protection from violations. The charter acquired official status because it involved law enforcement authorities as part of the accountability mechanism. The law enforcement authorities were key to the success of the system because they helped enforce the right to exclude others from the fallow part of the pasture. The *hima* had private guards on the property, and without funding for those guards, the system is not as effective because nomads, who are not part of the community, are using the areas that should be left fallow to regenerate.

Protecting the pilot area allowed shrubs and grasses to regenerate, restoring the land's vegetation to 1990 levels. Even some indigenous species, such as *Artemisia herba-alba*, reappeared in the *hima* site. A total of 36 native plant species were recorded in the site, mainly on the northwestern slope, which receives the highest amounts of rainfall. After one year of activities and protecting the *hima* area from herders (without using fencing), biodiversity benefits could be observed through the increase of biomass and restoration of indigenous floral species.

After the fallow area recovered, women were the first people allowed back into the recovered rangeland to pick medicinal plants. Women are making tea bags out of medicinal herbs and selling them. Part of the benefit from the tea bags goes to the pasture user association.

Governance Framework (Women's Engagement in the *Hima* System)

Since the beginning of the *hima* project, women collect herbs from the allocated area and sell them. The herbs used to be for home use only, but now they are collected and dried for sale. Marketing is an issue. During the *hima* project, women sold the herbs during conferences and gatherings associated with the project. A group of women from the community made a field visit to Al Muejeb, another *hima* site set up by an independent national organization, the Royal Society for the Conservation of Nature (RSCN) to learn from the experience of the RSCN in the production and marketing of medicinal plants.⁴³ With funding from the EU, Bani Hashem purchased a drying and packaging unit for medicinal plants to help improve the standard of living of women.

However, now at the end of the project, the women do not know where or to whom to sell the plants. Large companies are willing to buy the herbs but will sell them under their own brand and not the *hima* brand,

Figure A-3 | Zarqa River Basin and Bani Hashem Hima



Source: Modified from Myint and Westerberg 2015.

which is important to the women. For now, the women are not harvesting medicinal herbs and are leaving them to rest this year. Herb collection is difficult. During the project the women worked from dawn till 10:00 a.m. and then again went back to the pasture at 4:00 or 5:00 p.m.

Women have gained confidence from working and are more able to speak out in the community meetings. Their firsthand knowledge and experience of pasture management as the ones primarily responsible for grazing livestock is recognized and integrated into the management of the *hima*. Before the project, men did not want women to work. During the project and after it was finished, men are happy with the two incomes. Women earning income changed the household dynamic so that women are now able to make household decisions, and they believe they are included in decisions because they have economic power. Men verified this impression, stating that now that women earn an income, the men have more confidence in their opinions.

Post IUCN Project Changes

Since the *hima* project ended, Bani Hashem does not have regular meetings. Several people stated that this was because they no longer have use of a building to hold the meetings. They are not able to manage the pasture as they did during the project, primarily because they no longer have guards to exclude noncommunity members, because they are unable to pay the guards. Bani Hashem has a tribal charter, which protects the pasture from use, but outsiders are not bound by this charter. The community is talking to the government about having a process to protect the pastures, which may include fencing that can be moved. IUCN is worried that the Bani Hashem *hima* is not sustainable because the community does not have finances or an income. Many of the trained people left because of a lack of funding as well.

The lack of funding for the *hima* system weighs heavily on the group. The *hima* is not functioning as well as it did when the project was in effect, and now the community members all earn less money than they previously did. According to one of the women interviewed during the field work, "Without money, we cannot invite guests to our homes for dinner, and this affects our psychology."

When asked whether women were now more able to work outside the home than before the project, the women's groups stated that three young women are working outside the home: One has a small shop, one is an employee of another shopkeeper, and one sells detergent. The rest of the women in the village are housewives, which includes taking the animals to pasture.

The women's focus groups were proud of their ability to organize around issues they care about and to make changes, something they said they were not able to do before the project. They decided to organize around including both men and women on the Council for Education. They have 52 children in the school and decided to have a council for education. They agreed with the villagers that four members of the council would be for the girls' school and four members for the boys' school, and the council would be made up of both men and women. Elections were held the day of the interviews.

External actors played a role in bringing women into pasture management. It is impossible to know which interventions were most persuasive, but, in addition to IUCN, RSCN, and AWO, Danish Aid funded an awareness campaign related to including women in political decisions in municipalities; USAID funded a program to empower women to participate in local governance councils; and UNDP taught women how to plant medicinal herbs (Giovarelli 2019).

4. Mexico: La Trinidad Ixtlán Community, Santiago Xiacuá Municipality, Ixtlán de Juárez District, Sierra Norte, Oaxaca State

Case-Study Report Authors: Laura Jimenez-Bautista and Celine Salcedo-La Viña

Community Context

La Trinidad Ixtlán is an indigenous community located in the Sierra Norte in Oaxaca State. It was formally recognized as an agrarian community (*comunidad agraria*) under a presidential resolution dated February 19, 1949. In the late 1990s, La Trinidad participated in a government land rights regularization program for rural communities called PROCEDE (*Programa Nacional de Certificación de Derechos Ejidales y Titulación de Solares Urbanos*, Program for the Certification of Ejido Land Rights and the Titling of Urban House Plots), which resulted in formal titling and registration of the communal land with the official land registry, RAN.⁴⁴ The territory of La Trinidad comprises a forest area of 789 hectares and an urban settlement area of 485 hectares.

The people of La Trinidad belong to the Zapotec indigenous group.⁴⁵ The total population in the community is 783, of which 380 are males and 403 are females (INEGI 2010).⁴⁶ The number of households registered in 2010 is 580, of which 136 are headed by women (INEGI 2010). The majority of the population finished either elementary, middle, or high school; 2.62 percent of the population aged 15 years or older is illiterate (INEGI 2010). In recent years, some of the youth who have completed secondary or high school education migrate to the big cities like Oaxaca City and Mexico City to pursue higher education. Only a few return to the community. Migration to the United States for employment was prevalent in previous decades; but, under the Municipal Development Plan, Santiago Xiacuá, 2017–19 (MDP), this pattern has slowed down as people now seek employment within the community and region.

Basic utilities are available, including electricity connection and piped-in water service to all households. The community can be accessed through a public highway; the community itself has a combination of paved and dirt roads. There is public transportation consisting of a local taxi service and public buses with routes around the region. Communications services include landline and cell phone services and Internet services; there is a small Internet and gaming café in the community. There is a government-subsidized rural supply store and private stores that sell goods procured from the district capital of Ixtlán or Oaxaca City under the MDP.

La Trinidad has been managing its community forest for almost 25 years. Forest growth is 20 to 36 m³/ha per year, with benefits including increased biomass and biodiversity, increased ecosystem services, and higher production volume. The decline in the number of people relying on agriculture for their main livelihoods has also resulted in some areas that were previously cultivated being converted back into forest.

The local economy revolves mainly around community forestry enterprises, mainly timber harvesting and wood production. La Trinidad has recently expanded into ecotourism, building a recreation area with log cabins on part of its forest, but it is still in its early stages. More than two-thirds of the community residents, mostly men, are involved in the forest production chain, from timber extraction and transportation of roundwood, processing of roundwood to sawn wood, and value-added enterprises like furniture production and broomsticks production.

La Trinidad has designated a little over 587 ha, about 75 percent of its mountain area, as production forest. About 90 percent of the volume extracted is processed in the community sawmill and the wood sold locally and at the regional and state levels. The community also harvests oak wood, which it processes into firewood and charcoal and markets at the local, regional, and state levels. The community also set aside 161 ha, about 20 percent of its forest, as an area of conservation and restricted use.

La Trinidad did not always have full control of its forest. In the late 1950s, under claim of public ownership of forests, the state granted private concessions to community forests in the region. The forests were overexploited and degraded greatly during this period, with only a few employed by the concession and only a fraction of the stumpage fees going to the community. At the end of the 25-year concession period, La Trinidad and 30 other communities filed a case against the government to bar their renewal. In 1984, the court ruled in their favor, declaring private forest concessions on *comunidades* lands to be illegal. Two years later, a new government amended the forestry law to abolish the concession policy and allowed communities to regain control of their forests.

In the beginning, La Trinidad lacked the technical capacity as well as physical and social resources to manage its forest sustainably. In 1989, with help from academia and NGOs, La Trinidad and three of its neighboring communities—Santiago Xiacuí, Capulálpam, and Santiago Comaltepec, a Chinanteca community—formed an organization, the Union of Zapotecos-Chinantecos Forest Producing Communities of the Sierra Juárez (*Unión de Comunidades Productoras Forestales Zapotecos-Chinantecos de la Sierra Juárez*, or UZACHI), to cooperate in the development of each other's technical capacities and pursue integrated forest management.⁴⁷ UZACHI led the development of the group's Community Territorial Plan and is charged with developing the Forest Management Program (*Programa de Manejo Forestal*) of the group. The group also received support from government forestry agencies and the World Bank.

Most of the profits from La Trinidad's forestry enterprises are plowed back into the community in the form of infrastructure and social services or reinvested in the business. For example, in 2013 La Trinidad made a profit of Mex \$1.46 million (\$120,000), of which almost 70 percent was spent for improvement of health facilities, schools, roads, public buildings and other infrastructure, supporting athletes, providing monthly pensions to community members over 80 years old, supporting family medical emergencies, and giving food gifts to each family during festivals. The rest was reinvested in the forest enterprises and for forest conservation and restoration.

The forestry enterprise has generated other economic opportunities along the value chain, particularly carpentry and furniture manufacturing. La Trinidad is also in talks with domestic companies and the government for the sale of carbon credits. The community has become a reference for exemplary forest management at the regional, state, and national levels due to its sound silvicultural practices. Among the awards it has received are the National Prize for Forest Merit in 1996, the National Award for Ecological Merit in 1997, and a *Gift to the Earth*, which was awarded by World Wildlife Fund (WWF) in 2002 in recognition of the community's contribution to environmental conservation. La Trinidad and its sister communities in UZACHI were the first temperate forests in Mexico to obtain a certification from the Forest Stewardship Council (1994 and 1996, valid until 2012, with the renewal currently in process).

Agriculture

Currently, agricultural production is on a small scale, either in backyard gardens in the urban settlement area or the communal agricultural area, a small area of the forest subdivided into plots that are assigned to households. There are 25 community members with assigned plots in the communal agricultural area, which are cultivated mainly for self-consumption. The majority of households also have backyard gardens planted mainly for self-consumption and small-scale selling within the community.

Women's Livelihoods

Women in La Trinidad have diverse livelihood activities, either as the main household provider (single mothers, divorced women, or widows) or as wives supplementing the family income. Women's direct employment in community forestry enterprises began relatively recently, in 2015. Currently, 10 out of 33 full-time workers in the forestry enterprises are women, 9 of whom work in the forest area and 1 in the sawmill area. The women perform a variety of activities, typically the less physically demanding jobs, although a woman is in charge of charcoal production, a physically demanding job. Women are also employed as helpers in the carpentry shops and shops that produce broomsticks. About 35 women are employed in service industry jobs as seamstresses, domestic helpers, and cooks in neighboring communities or in the district capital, Ixtlán de Juárez; whereas, between 30 and 35 women run home-based small businesses like bakeries, canteens, a lodging house, an internet café, and mom-and-pop stores, or they sell surplus crop harvests. Many women are stay-at-home wives and mothers.

Women supplement household incomes by collecting NTFPs, such as edible and aromatic plants and herbs, mushrooms, mosses, and firewood, mainly used for home consumption. The women also plant vegetables, herbs, and ornamental flowers or rear small livestock and poultry in their backyards. Farming and livestock-raising activities typically involve both spouses and grown children still living in the family home. Women bear a greater share of domestic chores. Married women who earn income contribute to household expenses and keep a portion for their personal use. The use of income from joint livelihoods, such as backyard cultivation and livestock raising, is decided by the spouses jointly. Currently, families are investing more in the education of their children, both sons and daughters. The goal of many families is to prepare their children for professional careers.

Tenure Regime

La Trinidad divides its territory into a forest area and an urban settlement area. The forest area is under collective tenure and is divided into three zones: community forest (divided into intensive and low-intensity forestry areas and conservation area), communal agriculture area, and ecotourism area. The community forest and the ecotourism area are managed and operated for the benefit of the entire community. The communal agriculture area, while held collectively, is subdivided into plots of 1 to 3 ha for individual or household farming. The urban settlement area consists of individual household plots and public areas, consisting of the town hall and community center, auditorium, schools, library, churches, health clinic, and other areas of common use.

Tenure rights are defined by the Agrarian Law (*Ley Agraria*), which authorizes agrarian communities to establish its internal rules based on traditional practices and customs (*usos y costumbres*) under a communal statute. Both men and women enjoy tenure rights, although some have stronger rights based on membership status in the com-

munity. Formally recognized community members, called *comuneros/comuneras*, hold ownership rights to the community forest and other communal lands. Community members include the members recognized as such under the 1949 presidential resolution and those recognized by the general assembly, the highest governing body of the community, and whose names are recorded in the Register of Community Members and Community Residents. Community members acquire ownership rights in undivided shares to the forest area and other communal lands, the right to access and use the forest area and other communal lands subject to internal rules, the right to request individual residential plots in the urban settlement area, the right to request usufruct rights to individual plots in the communal agriculture area, membership and voting rights in the general assembly, and the right to be voted into the community's governing bodies. To be a community member, a person must be a Mexican of legal age and fulfill residency and other requirements, such as performance of *tequio* (the obligation to contribute labor or work for community benefit without remuneration) and other obligations and payment of economic contribution, as established in the community's communal statute. Under PROCEDE, existing community members acquired land certificates documenting their rights to individual household plots and the household's proportional share in the communal lands, which were registered with RAN.⁴⁸ Currently, there are 219 community members registered with RAN, of which 8 are women. Some community members are recognized by the general assembly but have yet to be registered with RAN. A few of them are women, but they are mostly men.

Apart from community membership, residents can have the status of community residents (*avecindados/avecindadas*). Community residents enjoy the same rights as community members but excluding the right of co-ownership of the forest and communal lands and the right to be voted into the community's governing bodies. Under the communal statute, a person who aspires for community membership must first acquire the status of a community resident, which can be attained upon application to the general assembly after at least six months residency in the community and submission of a letter of good conduct from the municipal authority in the applicant's place of origin. The applicant must then fulfill obligations required of all community residents and community members, including regular attendance at assembly meetings, payment of economic contribution, and performance of the *tequio* and other obligations specifically assigned by the general assembly. The application for recognition as a full-pledged community member may be made after completion of at least two full years of residency. Residents who do not have the status of community members or community residents may access the forest area and other communal lands subject to the community rules and can rent houses in the urban settlement area.

Community members and community residents may acquire usufruct rights to individual plots in the communal agriculture area upon request. There are about 20 women who hold use rights to communal agricultural plots. The rights to the plot are held for as long as the land is farmed. If the land is left idle for three years, it will revert to the community and may be assigned to another person. The ecotourism area is open to all community residents and the public, subject to fees. It has rental cabins, a restaurant, and recreational infrastructure and services (zip line, swimming pool, hiking trails).

Benefits derived from the forest and communal lands are both direct and indirect. Direct benefits include employment in the forestry enterprises; 8 m³ of roundwood every 10 years; access and use of areas

Figure A-4 | Location of the Communal Property of La Trinidad Ixtlán, Oaxaca



Source: Modified from UZACHI.

in the forest open to the public to collect NTFPs for home consumption; charcoal sold at low cost to residents (obviating the need for firewood collection); and obtaining NTFPs for small-scale livelihoods, subject to permit and the rules set by community authorities. Indirect benefits include monetary and in-kind benefits derived from the income produced by the community-owned forestry enterprises. These include road paving and other local infrastructure, interest-free emergency loans, other monetary support, including MN\$5,000 for each household in case of family emergency and funeral expenses support, and one basic pantry every year end for each household.

Access, Use, and Benefit for Women

Only eight women are formally registered community members, and all of them are heads of households (either single mothers, divorced women, or widows). According to those interviewed during the field work, traditionally it is the husband as head of the household who applies for membership or status as community resident on behalf of the family. Nonetheless, married women and unmarried daughters still living with the family have the same benefit of direct access and use of the community forest and the ecotourism area. They similarly enjoy indirect benefits under the communal statute as these are given to the household or family, rather than the individual. In the communal agriculture area, those interviewed mentioned that the use of the communal farm plot as well as backyard plots are decided by the husband and wife together. A 2017 amendment to the *Ley Agraria* authorizes the community to set aside land, preferably adjacent to the settlement area, for the establishment of a women's industrial agricultural unit for

women 16 years of age and older, but La Trinidad has so far not put this into effect. Women's direct employment in forestry enterprises began relatively recently, in 2015. Currently, 10 out of 33 full-time workers in the forestry enterprises are women, 9 of whom work in the forest area and 1 in the sawmill area. La Trinidad also has a woman professional or technical representative, one of four representatives in UZACHI, the inter-community forest management organization it formed with three neighboring communities.

In terms of inheritance, the *Ley Agraria* provides the order of intestate succession, with the spouse first in the order of preference, the concubine (or concubinator) second in order, and one of the children third in line, to be decided upon by all the children if there is more than one. For succession by will, an amendment to the law has allowed the testator to designate any relative or resident of the community as heirs and their order of preference. La Trinidad has seen a change in attitude and custom in recent years toward women's inheritance. Interview participants report that parents previously favored sons because they were expected to become heads of household while daughters were expected to move to the household of their husbands when they marry. Now many parents view daughters as equally having the right to own property.

Governance Framework

Under the law, the highest authority is the general assembly (*Asamblea*), which comprises all community members and community residents. The general assembly formulates the internal rules of the community, approves community membership and community residency, elects or appoints officers of the community's governing bodies, reviews financial accounts, approves and reviews work plans and activities (including land uses), approves contracts or agreements with third parties for the use of community land, and decides the distribution of profits from the use of community lands. The general assembly holds regular meetings every two months for municipal matters and every three months for matters relating to communal lands. Special meetings may also be held. Notice of assembly meetings are posted in public places and announced through the community loudspeaker at least eight days before the date of the meeting. Each household must be represented during meetings. There are 48 women in the general assembly out of 315 members, including community members and community residents.

The governing bodies consist of the municipal authority (*Agente Municipal*) and the Supervisory Body of Communal Assets (*Comisariado de Bienes Comunales*). The municipal authority is charged with administration of the urban settlement area, including ensuring security and order and managing local infrastructure and public and social services. It is constituted under the Municipal Organic Law for the State of Oaxaca and is composed of a municipal agent, councilors, police commander and officers, treasurer, secretaries, and helpers (*topiles*), with a term of office of one year. The municipal authority is supported by auxiliary committees, including a civic action committee, education committee, and a sports committee, whose members are also elected by the general assembly for a term of one year. Women participate actively in the auxiliary committees, the number of which varies from year to year. La Trinidad has a vibrant civic life. Active civic engagement has roots in the Zapotec custom of *shin raueo* or community work for the common benefit (in which members contribute labor or money) such as building a school, road, market, etc.). For some women, participation in civic activities adds to their experience in public life and enables them to rise in the ranks and aspire for a position of greater respon-

sibility in the future. Several of the women interviewed are currently officers in auxiliary committees with an eye to higher positions in the future. At the same time, some women have also voiced the need to reimagine the traditional system of *cargo* or career ladder to reconcile it with current capacities of women.

The Supervisory Body of Communal Assets is charged with management of the community forest, the agriculture area and the ecotourism area. It is constituted under the *Ley Agraria* and is composed of a president, secretary, and treasurer. Another body, the Oversight Council (*Consejo de Vigilancia*), consisting of a president and two secretaries, acts as an oversight body to the supervisory body. The term of office for both bodies is three years. Activities in the community forest are managed through three private companies formed by the community, the Economic Unit for Community Forestry (*Unidad Económica de Aprovechamiento Forestal Comunal*) established in 1984, the La Trinidad Ixtlán Wood Processor, SPR de RI (*Procesadora Madera La Trinidad Ixtlán, SPR de RI*), created in 2016, and Banetzi Community Ecotourism (*Ecoturismo Comunitario Banetzi*), formed in 2007. These three corporations are fully owned by the community, and their officers are appointed by the general assembly and serve for one year.

Two things to note regarding public office: First, the positions are unremunerated and are hence not full-time positions. Many officers are also employed in the community forestry enterprise. Second, the community practices a system called the career ladder. To be eligible for a higher-ranking position, one must first serve in the lower positions and slowly go up the ranks. The rationale is that this equips the person with the necessary experience and training for leadership. A 2016 amendment to the *Ley Agraria* requires that no more than 60 percent of the candidates for positions in the supervisory body of communal assets and oversight council must be of the same gender, giving space for women to seek office. La Trinidad has yet to fully implement this amendment. Notably, the quota is for candidates, not the positions themselves.

Women's Participation and Leadership

The integration and active participation of women in community governance came gradually. In the past, women in La Trinidad, like other rural communities throughout Mexico, did not participate in the public arena. A single mother and household head led the way in the early 1990s. As a resident of the community but not having a husband to represent her in the general assembly, C.V.M. (name withheld for privacy) approached the municipal agent in 1993 to be allowed to attend meetings and serve in the community. The municipal agent acceded, and for the next five years C.V.M. was the sole woman attending general assembly meetings, at first just listening and eventually speaking up. In 1998, two other women heads of households joined her after which more women gradually started attending. In 2008, two women were elected to leadership positions for the first time. One was the woman who pioneered women's representation in the assembly, elected as a secretary in the oversight council, and another woman elected as assistant (*topiles*). Two years later, in 2010, the incumbent municipal agent invited all women community residents to join the general assembly. According to the municipal agent, he was motivated mainly by the recognition that women are capable and must contribute their ideas to the assembly. Women's inputs were largely missing, and these inputs would lead to better municipal governance. He was also approached by some single mothers who wished to attend assembly meetings. Another possible motivation, though not explicitly voiced, is that more women in the community were obtaining secondary and ter-

tiary education, including members of the municipal agent's own family. Hence, it can be said that he was more open-minded about women contributing ideas. Currently, the women in the general assembly are mostly household heads and some active youth. In 2017, the president of the Supervisory Body of Communal Assets invited all eligible women to join the updated registry of community members to be submitted to the RAN. The eight women, including C.V.M., took the opportunity and are now registered. More women have also been elected to public office through the years, first as assistants (*topiles*) and gradually as secretaries or treasurers. Notably, only those women who are recognized community members can hold positions in the Supervisory Body of Communal Assets. The same rule applies to men.

During the interviews and FGDs, both women and men acknowledged that women have the same opportunity to give their opinions on matters being discussed during assembly meetings and that their proposals and suggestions are taken into account in decision-making. When asked whether women participated in determining what matters are to be discussed or included in the meeting agenda, the interviewees responded that generally agenda items are based on the requirements of the communal statute and the law and determined by the municipal agent and the president of the supervisory body, as the case may be. They tend to view the agenda for general assembly meetings as gender-neutral.

Married women and unmarried daughters who are citizens are welcome to attend assembly meetings. Those who were interviewed said they are content with the men (husband or father) representing the household at the meetings. They prefer not to attend because of the time commitment; a meeting can last an entire day. The women said they give opinions at home and prefer to use the time to do chores or generate income or help in fulfilling the *tequio* (unpaid work for community benefit) on behalf of the household. Whether they find out what matters were discussed during the meeting varies from household to household, and not all matters discussed in meetings are allowed to be made public. On the other hand, women who participate in the general assembly like being actively involved in community matters. The women interviewed who were heads of household, even if they were single mothers with young children, said that being actively involved gives them a sense of empowerment although they admit it can be time-consuming. Most single mothers live with extended family.

5. Nepal: Banpale Community Forest User Group (CFUG), Annapurna Rural Municipality, Kaski District, Gandaki Pradesh

Case-Study Report Authors: Celine Salcedo-La Viña, Janak Acharya, and Melina Panta

Community Context

The Banpale CFUG is located in the Annapurna Rural Municipality in Gandaki Pradesh western Nepal. It was established in 1994 (2050 B.S. in the Nepali calendar)⁴⁹ and has a forest area covering 16 hectares. The community forest is a mixed type forest located in an inner mountain, with various wild animals and birds and the main tree species being chandan, kafal, and kattus. The community forest is divided into four blocks or plots based on direction and topography. One plot is designated as the model plot on which hog plum (*lapsi* in Nepali) and cardamom tree seedlings have been planted, while two other plots are being prepared for silviculture in the next two years. The last plot

is in the process of being cleaned of bushes and weeded and pruned. Additionally, the landscape features hillside farmlands, rivers, rocky areas, and settlements. The municipal infrastructure includes roads, electricity, and more recently, a piped-in water system through the government's "one house one tap" program, to which the CFUG and each beneficiary household contributed.

The Banpale CFUG consists of 159 households, of which 148 households belong to the Brahmin and Chhetri caste, and 11 households belong to the Dalit (untouchable caste). These households officially belong to four different wards in the municipality (*gaupalika*) but are all users of the Banpale community forest. There are 11 wards in the municipality, and a ward is the smallest administrative unit. All but five households are originally from the area, with the wives moving to their husband's households upon marriage. The member households comprise 672 individuals, 350 of whom are male and 312 are female.⁵⁰

Most of the households identify as middle class according to a participatory well-being ranking conducted by the government in 2019. The ranking is based on the level of household income level and extent of landholdings. In terms of education, the older generation typically reach primary or secondary-level education, but many of the younger generation are pursuing higher education levels. Two other effects of male out-migration are an increase in female-headed households, though temporary, and an increase in women getting educated and pursuing higher education. The dominant religion practiced is Hindu, followed by Buddhism.

For their livelihoods, the members of Banpale CFUG rely on agriculture and livestock rearing, forestry enterprises, and work abroad, mostly by men on labor contracts in the Gulf States. Many households have a male family member, either the husband or son, who has outmigrated for work and sends remittances back home. A few men have since returned home. For agriculture, the members plant a variety of crops, including rice, maize, and millet, and cultivate vegetables in greenhouse tunnel tents. Agriculture is both for domestic consumption and sale of produce at the local market. Most households have one or two buffalos or cows and some goats and chickens and produce milk and meat for home consumption and sale. An NGO (Heifer International) has distributed goats and other small livestock to 25 women in the CFUG.

The main forestry enterprise is processing and selling of candy and pickles from hog plum fruit (*lapsi*) that are harvested from trees that are native to the community forest. The enterprise was set up under a USAID-funded climate adaptation project that has a livelihoods component called *Hariyo Ban Nepal ko Dhan*.⁵¹ The project is being implemented in Banpale by several organizations and local government: WWF, FECOFUN, MDO, and the District Forest Office. WWF supported the training for pickle and candy-making, funded the building of flooring for the processing site, and will support the planting of 1,600 grafted hog plum tree seedlings in private lands of household members to help grow the business. FECOFUN funded the purchase of materials for production hygiene (caps, masks, aprons) repair of the water tank and tap, and cleaning of the forest (pruning, weeding, etc.) and will provide training in product marketing through MDO. The District Forest Office provided equipment for the production process (tree ladders for gathering fruit, driers, etc.). The hog plum enterprise has been fairly successful. The members have begun planting additional hog plum trees in the community forest and on private land. They have also invested in solar panels to be used for drying the hog plum fruit before processing. The products are sold mainly in the local market, but the CFUG is starting to expand to markets in the district capital, Pokhara,

which is 75 km from the village and a major tourist destination. A few household members that own small stores also carry the products in their stores.

Aside from providing livelihood opportunities to its members, the hog plum enterprise was a factor in Banpale being named as a model CFUG by the government for 2015–16 (2071–72 B.S.). The hog plum enterprise was also instrumental in building the capacity of the CFUG members. For example, in 2018 a delegation of members traveled to two other districts, Lamjung and Kavre, to observe and learn about *lapsi* product diversification. In 2019, some members traveled to Pokhara to market their products during a week-long Nepali festival, giving them insights about bigger city markets.

The CFUG members plan to expand the community forest enterprise to include cultivation of cardamom and broom grass for commercial sale. All households participate in the community forest enterprises. The work is assigned and divided according to availability, with women doing most of the fruit processing and men doing the harvesting of the fruit from the forest. All workers, regardless of gender, earn a daily wage based on prevailing rates in the area for farm labor (500–600 NPR or \$4.35–5.20). Aside from the hog plum enterprise, the CFUG earns income from the sale of timber and firewood. The CFUG members also collect fodder and firewood in the community forest for domestic consumption.

Women are involved in agriculture and the community forestry enterprise. In female-headed households, they assume primary responsibility for farming. Some women raise chickens for sale, and there are a few that run small retail shops. Women are also the ones primarily responsible for selling farm produce in the local markets. The *Hariyo Ban* hog plum processing enterprise was originally targeted for women, but the project, which started in 2015, became so successful that men joined, turning it into a community-wide enterprise. Women also depend on remittances from their husbands or other male relatives who out-migrate for seasonal or contract work. A few outliers, women who are completely independent in terms of income, include a woman leader who operated a stone quarry for many years. She has since retired and now runs a poultry business. The distribution of biogas stoves to all the member households has helped in reducing women's domestic burdens.

Many women in the CFUG, so far 83 in all (6 of whom are Dalits), are members of a municipality-wide savings and loan association, the Women's Development Cooperative (WDC).⁵² The WDC was established in 2002 (2058 B.S.), with five women from Banpale originally joining. WDC members each contribute a small amount every month (200–500 NPR or \$1.75–4.35), and the funds are then lent out to the members at low interest and without need of collateral. So far, the WDC has provided small loans to about 40 women in Banpale. The loans have been used by the borrowers for purchasing small livestock, fertilizer and other agricultural inputs or for household repairs. The cooperative is managed by an executive committee chosen by the members.

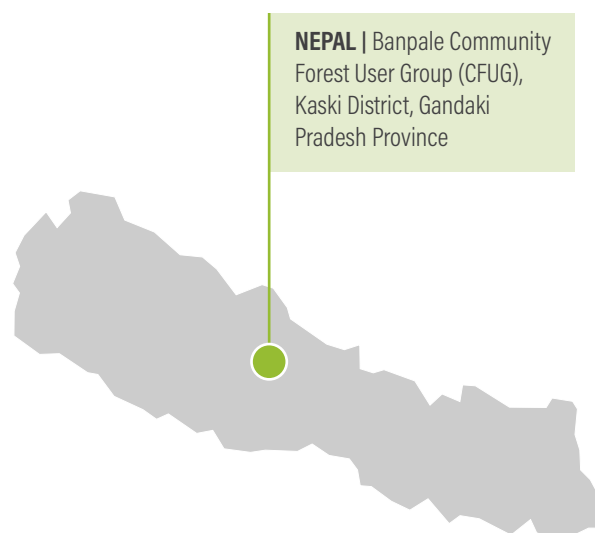
Banpale also has a mothers' group (*aama samuha*), which is a typical women's group in Nepalese villages (Pokharel n.d.; Pokhrel 2015).⁵³ The Banpale mothers' group began in 1995 (2051 B.S.) as a support group to help deal with cases of domestic violence. It formally registered as a civil society organization in 1998 (2054 B.S.), calling itself the *Samajik Batabaraniye Aama Samuha*, and expanded its activities to include conducting training on health, nutrition, and livelihoods. The

group raises funds by performing traditional songs and dances during religious holidays and other festivities, and lately by renting out chairs and utensils used for public and private events. The group has used the funds to start a microfinance program and eventually to construct a small building as its headquarters. Part of the building is being used as CFUG offices and a processing area and showroom for the CFUG's *lapsi* products. The group is currently co-financing the building of the CFUG's headquarters. At present, the Banpale *aama samuha* has 17 members, consisting of 11 Dalit and 6 Brahmin women that meet every month. The current chairperson is a Brahmin woman. Membership is open to all women in the community, and other women work with the group without being formal members.

Environmental Trends

Since the creation of the CFUG, the community forest has rebounded from being a degraded forest. Under the law, CFUGs must have an approved community forest operational plan that combines conservation with sustainable use and exploitation (see Governance Framework). Nonetheless, CFUG members observe climatic changes that have affected agriculture and their livelihoods. These include drought, scorching heat, irregular rainfall, and flooding. The increase in forest cover has also brought about an increase in human-wildlife conflict. The *Hariyo Ban* project has supported skills training in the community on climate adaptation practices, including sustainable forestry practices, forest fire management, water conservation, biological barrier practices for landslide and soil erosion, biodiversity mapping, and human-wildlife conflict avoidance strategies.

Figure A-5 | Banpale Community Forest User Group (CFUG), Kaski District, Gandaki Pradesh Province



Source: Modified from FECOFUN.

Tenure Regime

Household Land

All household members of Banpale CFUG own the land on which their house is built, while 144 out of 159 households own agricultural plots, ranging in size from 1 to 20 *ropani* (approximately .05 ha to 1 ha). The lower-caste or Dalit households own much smaller plots of 1 to 2 *ropani* (approximately .05 to .10 ha). During the FGD, the women were asked whether they owned land, and the majority answered yes. It is not clear however, whether the formal titles to the farm plots had their names on them, especially since most households acquired or purchased their farm plots prior to the tax breaks created by the government in 2017 for land registered in women's names and lower fees for land jointly registered in both spouses' names. Women have access to agricultural land and are involved in subsistence production and small livestock rearing. For dual households, nowadays day-to-day management and decision-making are generally made jointly by the spouses or by the wife if the husband is working abroad. According to some interviewees, this is an improvement from the past when men made all the decisions. But there are exceptions. For example, a woman interviewee said that she consulted with her husband for everything. Men still make major decisions. During the FGD, women claimed that they relied on their husbands for major decisions as they were more educated and experienced. Men also typically control the income from the sale of agricultural or dairy produce as they are the ones who often do the selling of these products in the market. In the case of divorce or widowhood, the wife gets a share of the marital property. Agricultural lands are outside the scope of the CFUG and are privately owned.

Common Property Resources

All CFUG member households in Banpale depend on the community forest for timber and (NTFPs, including fodder, firewood, leaf litter, and forage like mushrooms, for domestic consumption. Access and collection of forest products is limited to certain times in the year as determined by the CFUG executive committee. Timber collection is allowed once a year, but special permission may be obtained at other times; for example, for building a house. Collection of NTFPs is permitted many times during the year. Women are more active in gathering NTFPs. The introduction of biogas stoves, distributed by an NGO, has decreased the need for fuelwood collection. Nowadays, women go to the forest mostly to collect fodder for livestock. There has also been a decreased need for timber as people are starting to use aluminum for their houses. CFUG members are allowed to enter the community forest without need of permission for recreational activities.

The abundant *lapsi* or hog plum fruit that were previously left to lie on the forest floor have been turned into a forestry enterprise by the CFUG. Those who provide work earn a daily wage at the same rate for men and women (currently 500 NPR or about \$4.40). Most of the profits are plowed back into the business, but a portion is used for community purposes, such as school improvements, road construction, or provision of drinking water. The business is managed by the executive committee of the CFUG.

Importantly, the CFUG's strategy plan for 2019–20 incorporated programs for women, including leadership training and capacity building and information campaigns against gender-based violence. This is mainly influenced by NGOs and development agencies working or funding projects in the area. Under the law, a change in a woman's marital status, such as divorce or widowhood, will not affect her membership in the CFUG. However, according to some of those interviewed,

the requirement of allocating 35 percent of CFUG income to Dalits and other marginalized castes has not been implemented in the community, although the head of the executive committee said that the CFUG has provided each of the Dalit member households with a small plot on which to build their house and to farm and a few small livestock to help with their livelihoods.

Governance Framework

Each CFUG has its own constitution and forest operational plan, with provisions required by law and which must be approved by the District Forestry Office. Banpale hired a third-party technician to help the founding committee members draft their constitution and operational plan, incorporating the elements required in the forestry law and guidelines. The draft constitution was then presented to the general assembly for approval. The constitution defines the rights and responsibilities of members of the group, its working procedures, and punishment imposed for violation of the constitution and forest management plan. Community forestry guidelines enacted in 2001 required that each CFUG member household be represented by one male and one female adult in the household. The highest governing body of a CFUG is the general assembly of users, but operational or day-to-day management is with an executive committee of between 9 and 11 members elected or selected by the general assembly. A 2009 amendment to the forestry guidelines mandated that women constitute at least 50 percent of the executive committee membership, and one of them must occupy the position of chairperson or secretary, while the other 50 percent of the committee must have proportional representation from the poor, lower-caste groups, and indigenous people. The forestry guidelines also require that membership fees for poor and marginalized members be waived or discounted.

The Banpale CFUG has an 11-member executive committee, members of which are chosen by the general assembly consensus, representing each of the five village hamlets (*tole*) constituting the CFUG. Of the current 11 members, 6 are women, 1 of whom is a Dalit. The vice-chair and the secretary are women. All the women members are married, except for one who is a widow. Women's increased membership in the executive committee directly resulted from the gender quota under the amended guidelines. The same goes for the Dalit member. This policy was accompanied by an awareness-raising and leadership development program implemented by the local government and FECOFUN. Previously, the executive committee was composed of mostly male and upper-caste members of the CFUG. The long-time chairperson, an army veteran, who has held the position for 16 years (through reelection) has said that he is ready to retire and that it may be time for a woman to occupy the position. A female key informant, who is a facilitator for the *Hariyo Ban* project has indicated that she might run for the position.

The executive committee administers the community forest in accordance with a management plan approved by the district forest officer, which outlines the activities planned for a 10-year period (renewable), as well as the rules prescribed under forest regulations and guidelines and decisions made by the general assembly. Under the forest regulations, the activities must include forest protection and promotion (cleaning, pruning, seedling nurseries, setting fire lines) and biodiversity monitoring. The CFUG may set aside areas for cultivation, including for commercial purposes, and manage the collection of timber and NTFPs by its members. The executive committee sets the date for timber extraction once a year, although special permission may be obtained on a case-by-case basis, while NTFP collection is allowed

several times during the year. The executive committee also manages the forestry enterprises, with the hog plum business directly managed by the secretary (who is a woman as required by the forestry guidelines). Part of the income from commercial enterprises must be used for forest management and development (25 percent) and for programs targeting poor and marginalized households in the CFUG (35 percent). However, it appears that most of the income from the community forestry enterprise to date has been invested back in the *lapsi* business and to diversify to other products (cardamom and broom grass). Under the forestry guidelines, the bank signatories for the CFUG shall consist of the president or secretary and the treasurer.

The executive committee also manages a community-wide revolving fund (*ghumti kosh*) created by the CFUG. The CFUG initially raised 100,000 NPR (a little less than \$900) to start the ball rolling and has now increased the fund to about 400,000 NPR (roughly \$3,500). The CFUG fund provides loans at 0.5 percent to its members for small-scale livelihoods enterprises, such as goat raising, poultry production, vegetable farming, and retail shops. Lending priority is given to the poorest households according to the well-being ranking in the community. To date, 10 households, mostly Dalits, have benefited from the *ghumti kosh*. The CFUG treasurer is primarily charged with managing the fund, and the executive committee makes a report to the general assembly.

The executive committee holds regular meetings and decides by majority vote. Women have been steadily increasing their capacity to manage the community forest and lead the CFUG, thanks to capacity-building interventions by national and international NGOs. However, according to FECOFUN, men still handle most matters that involve external interactions, such as selling of timber and dealings with government agencies.

Community Assembly

Under the amended forestry guidelines, the general assembly consists of all registered community users, including male and female users of each member household. General assembly meetings are held at least once a year at the end of the fiscal year in July. The agenda for the meeting is set by the executive committee, which usually includes financial reporting. During the FGD and interviews, both women and men claim that women CFUG members attend general assembly meetings regularly in high numbers and participate actively during meetings. According to the local partner, between 50 and 90 percent of the women in the CFUG attend the general assembly meetings. They give their opinions on items in the agenda but also speak about topics such as the availability of fodder and wood, the need for awareness-raising on topics such as domestic violence, and the lending priorities for the community-wide revolving fund (*ghumti kosh*). The FGD participants affirmed that overall, men are supportive of women's participation. However, according to the local partner, some Dalit members, who are a minority in the CFUG, claim that their voices are not heard as much.

APPENDIX B: INTERVIEW GUIDES AND GUIDELINES

Securing women's rights within the collective

Interview guidelines

Pre-interview: The principal investigator (the person responsible for the case study report) must conduct a desk review to know and understand the following information:

- Country legal and policy framework:
 - Relevant laws and regulations related to indigenous or customary lands, forests, gender, inheritance.
 - Relevant policies related to indigenous or customary lands and forests; for example, national strategies and development plans.
- Trends, such as national titling initiatives, push for extractives development (including timber), increasing commercial agriculture, conservation initiatives, forest restoration initiatives, etc.
- Quantitative and qualitative data from government databases and existing literature, academic and gray, related to forests or rangelands and gender in the case study area.
- Background data on the community; for example, population, location, physical characteristics or topography of the area occupied or used by the community, boundaries of village or community land, etc.

Field Interviews: The interviews will be semi-structured rather than yes-or-no questionnaires or surveys (with some exceptions, such as background information or interviewee profile). There are three main topics (factors for evaluation) to be discussed with the interviewee. For each topic, there will be a set of questions designed to elicit key information related to the topic. The goal is to tease out the specific factors that can be correlated to the strong and secure access, use, and benefit of forests and forest resources (or other types of common land, such as rangelands), and meaningful and effective participation in forest management. Hence, the interview guide elaborates or gives examples of the type of information to be elicited. The questions in the interview guides need not be asked verbatim, but it must be ensured that the main points described in the question headings are covered. Without digressing from the research goal or changing the substance of the questions, the questions may be tailored to each case-study context with the help of local partners and facilitators. The principal investigator must share data from the desk review with the other interviewers to provide background information and context.

Following international best practice, individual interviews should be between 60 and 90 minutes. Focus group sessions should not exceed two hours per session. They must be guided by the principles of respect for interviewees, including gaining informed consent prior to the interview, and minimizing harm, including by maintaining confidentiality in the reporting or sharing of data and protecting the safety of interviewees and the research team. Informed consent includes communicating to the participants the purpose of the research and the structure of the interview or focus group discussion and assuring them that confidentiality will be preserved in all reports and outreach resulting from the focus group or interview. It is also important to convey

that the research is not related to any specific or future development intervention or programming, although the research report resulting from the case studies is aimed at contributing to greater understanding of women's rights to forests (or rangelands) in collectively held lands by policymakers and development practitioners.⁵⁴

Three types of interviews to be conducted:

1. **Key informant interviews:** individuals with knowledge about the community's land-tenure and social systems. These include community leaders (chiefs and other traditional leaders and elected village leaders), local government officials (representatives of government ministries and elected officials), representatives of NGOs or CBOs working in the area, church or spiritual leaders, and women leaders. There must be at least five key informant interviews, ensuring a mix of people from different perspectives.
2. **Interview of individual community members:** both women and men who are members of the case-study community, representing a cross-section of the community and sufficient to enable a range of responses and perspectives and gather data to connect to the analytical framework, including those with high and low status and wealth, different ethnicity or minority groups, and different ages. Spouses must be interviewed separately. There must be between five and seven individual interviews, two-thirds of which must be of women.
3. **Focus group discussions:** small groups of between seven and ten community members representing a cross-section of the community. FGDs can include some of those interviewed individually, but the number should not exceed one-fourth of the total participants per focus group. There must be at least four FGDs in each case-study community: two women-only FGDs and two men-only FGDs (one for younger and one for older women and men).

Interview Protocol: The following guidelines shall be observed in the interviews:

- Prior to the interviews, the interviewers and facilitators must agree on how the questions will be tailored and asked based on the local context, without changing the substance of the questions.
- Due to the number of topics to be covered, interviewers or facilitators must have knowledge of background or context data obtained from the desk review, which must be shared by the principal investigator (the person responsible for the case study report) prior to the interviews. In the interest of time, for general background or context questions, interviewers need only fill in gaps or validate information already obtained from the desk review.
- Each interview or focus group session must be preceded by an introduction (facilitator/s and organization), a clear explanation of the interview objectives, the reason the participants were selected, and the use/s of the data acquired.
- Interviewees must be informed that confidentiality of information will be maintained, and no interviewee will be quoted in any report or discussion outside the session unless the interviewee has agreed to this beforehand in the consent form.

- Interviewees must be informed that the facilitator/s will be taking notes and recording the discussions so as not to miss any of the comments and will be taking photographs during the interview, except for those who do not wish to be photographed.
- The interview should be conducted at a convenient time for the interviewees.
- Interviewees must be treated with respect.
- Interviewees must be informed that there are no right or wrong answers to the questions that will be asked. Focus group interviewees must be informed that different points of view are welcome. Everyone can share their opinions even if they differ from what others have said.
- The facilitator/s must ensure that each focus group participant gets a chance to share.
- The facilitator/s must not express judgment and remain neutral during the interview or focus group session.
- The facilitator/s should pay attention to nonverbal cues from interviewees and make observational notes on reactions and group dynamics. Observational notes should be included in the interview report.

Interview guide: securing women's rights within the collective

Individual Interviews of Community Members

1. Background information on the individual:

- Name (to be kept confidential, unless the interviewee assents to being quoted).
- Sex; age (can use a range, e.g., 18–35, 36–53, 54–70); marital status (note if in a polygamous arrangement and indicate place in the order of wives).
- Level of education; ethnicity; religion, if any.
- Number of years of residence in the community (note whether it is the natal village or spouse's village).

2. Household information:

- Number of children and ages; whether the children go to school.
- Whether other family members reside with the interviewee and their relationship (e.g., parents, in-laws).
- Out-migration: whether the husband works away from the community. If yes, whether seasonal or longer arrangement (number of months away/year).
- Main livelihood sources of the household: farming, livestock production, timber production, agroforestry, silvopasture, wage labor (what kind, e.g., plantation or forestry work, mining, etc., and whether seasonal or year-round).

3. Individual activity profile (livelihood and time use):

- Main livelihood activities of the interviewee (note how much from agriculture and from common property resources (CPR)/ forest products).
- What are the main tasks and activities performed in a typical day (from waking up to before bedtime)? Is the task performed exclusively or predominantly by the interviewee, or is it a shared task? If s/he gets help from other family members, which one/s and how often? Interviewer to group responses according to the following criteria:
 - productive activities: e.g., farming, whether subsistence and/or cash crops, and farm labor; gathering of NTFPs for income generation (identify which products and what type of livelihood, for example, basket weaving, handicrafts, selling of fruits and honey, etc.); wage employment (identify what kind and whether related to CPR).
 - reproductive activities: e.g., gathering of NTFPs from CPR for domestic use (identify which products, for example, water, fodder, fuelwood, wild plants, fruits, and animals; cooking/ food preparation; cleaning; child-care and health).
 - community and networking activities: e.g., attendance at meetings, religious activities, recreation, helping others in time of need, labor in community projects.

4. Household tenure rights and decision-making:

- Household land, including arable plots: access and use of household land, size and location of household plots—contiguous plots or several plots in different areas.
 - How land was acquired: i.e., inherited; allocated—by whom, to whom, for how long, and the terms; purchased—from whom and whose name/s is/are on the document; or other mode (describe).
 - Is land access perceived to be secure? Who decides what to plant on that land? Is the spouse consulted? Does the spouse's opinion carry weight?
 - If access is through customary law, does interviewee have knowledge of legal rights? How much?
 - Is production marketed? If so, by whom? Is the spouse consulted? Does the spouse's opinion carry weight?
- Decision-making on income: whether spouses' incomes are kept separately or pooled. If pooled, who is the primary decision-maker on the use of income? Is the spouse consulted? Does the spouse's opinion carry weight?
- Decisions pertaining to the family: Who is the primary decision-maker on matters such as children's education, purchase of assets, etc.; whether the spouse is consulted; whether the spouses' opinion carries weight.
- Customary norms and practices regarding household decision-making. Who represents the household in community meetings and public events?
- Change over time.

5. Access and use of common property resources:

- Type of CPR used and distance to the community
- How are rights to access, use, and benefit acquired? From whom and under what terms? Are these rights perceived to be secure?
 - Does the interviewee have knowledge of legal rights and how much?
 - Whether there are different rules for different resources and what these rules are—i.e., rules for access, use, benefit, control, exclusion. Who can be excluded from which resources?
 - Can rights to access, use and benefit be taken away or lost? How?
- Type of resources collected from CPR and frequency of trips (e.g., daily, weekly, periodic, seasonal) per type of resource, differentiated by gender.
 - Amount of time spent gathering or collecting the resource/s.
- Whether a livelihood is derived from resources gathered, what type of livelihood (for women, handicrafts, basket-weaving, selling of honey or fruits, for example); whether primary or supplemental and whether seasonal or year-round.
- Perception of change in the availability and quality of the resources collected from CPR.
 - Whether the change is perceived as gradual or sudden; whether the change is positive or negative (i.e., more access or resources v. less access or resources, better or poorer quality, etc.);

- Information or knowledge of events or actors that precipitated the change in availability of the resource (e.g., commercial development activities such as extractives, logging, or conversion for cash crops, public infrastructure, conservation or protection, deforestation or degradation, drought, conflict, etc.).

- Ongoing disputes? With whom?

6. Participation on governance of the commons/forest:

- Leadership position: whether the interviewee (or woman) occupies a position in the management entity and what type of position; whether the position is elective or appointive and whether, if elected, the process of election. Quotas? Set-asides? Term? If appointed, by whom? How did the interviewee become involved in public or community affairs (as part of a women's group, as a wife of a male leader, as a daughter of a chief, personal qualifications such as teacher, spiritual leader, seniority etc.)?
- Whether interviewee (or woman) would like to hold a leadership position and perception of the possibility of such happening.
- Knowledge and attendance: whether interviewee(s) are invited to or informed of meetings (how or by whom); How much notice is given before a meeting? Is notice given in a public place to which both men and women have access?
 - Whether interviewee attends the meetings and how often; reasons for attending (e.g., personal preference, proxy for husband, need to raise an issue, etc.) or not attending (e.g., distance, time constraint, domestic responsibilities, don't see the need, etc.); number of women who usually attend meetings (note whether this is based on estimates or written record).
 - Whether the interviewee attends as part of a group; whether with a group or attending individually, and how many other women are usually with the interviewee.
 - Marital status of women who attend meetings—Head of household; age group of women who attend meetings.
 - Whether the same women or group of women attend the meetings? Whether there are differences based on the day and time, location, and matter to be discussed.
- Participation and decision-making: whether interviewee (or woman) speaks up during meetings (note whether occasionally or always); reasons for speaking up (need to raise an issue, want to express an opinion, etc.) or not speaking up (e.g., don't feel the need, shy, not allowed, etc.).
 - Participation as part of a group of women (e.g., cooperative of women forest users)
 - Issues or matters brought up by interviewee (or woman);
 - Whether women are consulted during meetings; whether women's opinions are listened to or ignored.
- Grievance mechanism: Whether the CPR governing body has a grievance or dispute resolution mechanism or process to resolve issues regarding access or use of CPR; whether the grievance mechanism is accessible to women.
 - Perception of treatment and the decisions as fair;
 - Perception of decisions as fairly enforced.

7. Participation in social groups:

- Community-based groups: whether there are social groups based in the community and what type (e.g., farming cooperative, savings and loan association, forest users' group, religious group).
 - Whether mixed or women-only groups (or men-only groups) and how big; if interviewee is a member, how was membership acquired?
 - Leadership position in the group? How acquired?
 - Knowledge of and attendance at meetings (marital status and whether head of household; age group; and how often, whether occasionally or always, and reason for this.
 - Participation and decision-making: frequency: whether rarely, sometimes, or always, and reason behind. Who are the primary decision-makers in the group? If mixed, how many are women?
- Whether the social group is involved in CPR (note whether directly or indirectly); whether membership in the group has helped the interviewee (or woman) obtain access or use rights to the CPR or participate in its governance and in what way, actual and perceived
- Whether group membership has improved interviewee's (or woman's) well-being, status, decision-making, or role in the community;

8. External factors (actions and actors):

- Interventions: whether there are or were external interventions that target the community (e.g., land mapping or titling, agricultural training and extension services, health education, public or local infrastructure like a road, clinic, or school).
 - Whether there are women-only interventions;
 - Impacts on access to and use of CPR, differentiated by gender and social groups, positive or negative; actual and perceived.
- Other actors: whether there are NGOs or CBOs working in the community; if yes, type of activities performed.
 - Whether there are women-focused NGOs or CBOs;
 - Impact of NGO or CBO activities on interviewee's or (woman's) well-being, status, decision-making, or role in the community, positive or negative, actual and perceived;
 - Impact of NGO or CBO activities on interviewee's (or woman's) access and use of the forest or commons and participation in its governance, positive or negative, actual and perceived.

Interview guide: securing women's rights within the collective

Key Informant Interviews and Focus Group Discussions

Community Profile:

- To be obtained through desk review, key informant interviews, and FGDs.
- For desk review, cite sources. Obtain as much information as possible from government databases and extant literature to enable a longer discussion on the other information needed.
- For key informant interviews, obtain background information on the individual (see questions in the Individual Interview Guide).
- Include the following key informants:
 - local leader;
 - local government official;
 - officer or representative of a CBO or social group within the community;
 - representative of NGO working in the community;
 - leader of women's group, if any.
- For FGDs, name all participants and obtain background information on each person.

Background information on the individual:

- Name (to be kept confidential, unless the interviewee assents to being quoted).
- Sex; age (can use a range, e.g., 18–35, 36–53, 54–70).
- Marital status (note if in a polygamous arrangement and indicate place in the order of wives).
- Level of education.
- Ethnicity; religion, if any.
- Number of years of residence in the community (note whether it is the natal village or spouse's village).
- Length of time holding the leadership position or role; length of time working in the community (for NGOs and CBOs).

Information to be obtained:

Note: obtain as much information as possible through desk review and preliminary visit; then validate information and fill-in gaps.

1. General description of village spatial features and key resources (obtain a map or drawing if possible):

- Residential areas; fields or farmlands.
- Common property resources: forests, water resources, woodlots or vegetation, grazing areas.
- Services: school, clinic, church, if any.
- Commercial areas: shops or markets; special areas such as cemetery, shrine, or bus stop, if any.

2. Demographic profile:

- Population size and trends (growing or shrinking).
- Number and types of households (e.g., poor, middle class, rich, based on definitions or criteria established with the key informants, such as size of land ownership, number of livestock, etc.).
- Ethnic composition (and/or caste, religion).
- Rate of out-migration and/or in-migration from other parts of the country.
- Number of female-headed households and whether increasing or decreasing.
- Educational level of members of community: women, men, ethnic group, social groups.
- Health issues (e.g., AIDS, malnutrition), if any.

3. Economic or livelihoods profile:

- Main livelihood activities of community members: farming, livestock production, timber production, agroforestry, silvopasture, wage labor (what kind, e.g., plantation or forestry work, mining, etc., and whether seasonal or year-round).
- Main livelihood activities of women and whether seasonal or year-round.

4. Environmental trends:

- Are there environmental issues, such as deforestation, drought, erosion, land degradation, water shortage, etc., that have changed or are changing land use and use of CPR?
- What are the main impacts of these trends on community livelihoods? The livelihoods of women?

5. Tenure regime:

- Type of tenure regime practiced in the community, i.e., individual or household leases, individual or household title, community title as described in law, community concession, etc., and whether based in law or custom, with description of main features, including:
 - Land access: What are the rules for accession or allocation to the household? Who determines who uses what land and for how long? Who owns or holds land for the household? How do women access land for farming? How do different socioeconomic, ethnic, or other groups access land for farming?
 - Common property resources (CPR):
 - What are the rules for access, use, and benefit of CPR? Are there different rules for men, women, or different segments in the community?
 - What are the patterns of access and use of CPR differentiated by gender, including frequency of access and types of resources gathered?
 - › Are the resources used for household consumption or livelihoods? If livelihoods, primary or supplemental, seasonal or year-round?
 - › Can rights to specific resources or to the commons be lost? If so, how?
 - › Do women keep the income or earnings from CPR-derived livelihoods?

- Are there other or outside users of community CPR? What resources do they use, how did they acquire access, and what rules govern their access and use? Can women exclude other or outside users from the commons or from the resources they access, use, and benefit from?
- Are there conflicts around access, use, benefit, or governance of CPR? Describe the conflict and how it was or is being resolved. How does it affect women's access to and use of CPR?

- If community tenure is recognized in law but the tenure regime is based on a customary system, what is the level of knowledge or awareness of the law and rights held under it, differentiated by gender?

6. Governance framework:

- Obtain a copy of written bylaws, if any.
- Is the governance body based on law or custom or both or a hybrid?
- Composition of governing body (GB):
 - How many members in all and the number of women members?
 - Whether appointed or elected. If elected, what is the process of election, and is it the same as that for men? That is, are there special rules for women, such as gender quotas under the law? If members are appointed, by whom? If GB is a traditional body, how do women become members?
 - What type of positions do women hold?
 - What are the terms for GB members? Is there a gender difference?
 - How long have women been members of the GB?
 - Position or status of women GB members in the community; educational level.
- How long has the GB been in existence? Changes over time in terms of members.
- Powers and duties of the GB, such as land-use planning, patrolling, decisions about infrastructure, collecting funds, determining timing and amount of extracting resources and by whom, dispute management, etc.
- Primary decision-makers in the GB; frequency of meetings:
 - Rate of attendance based on gender. Is there a gender quorum?
 - Type of participation of women members:
 - Attendance: How often do women members attend GB meetings?
 - Participation: Do women members speak up during meetings? If there is more than one member who is a woman, who among them speaks up (or speaks up more often than the others)? What issues or matters do women bring up?
 - Decision-making: Are women members actively consulted during meetings? Are women's opinions listened to or factored into the decision-making? Is there a gender voting requirement?

- Number of meetings per year with the community.
 - Type of notice given, whether written or oral or both and how disseminated.
 - Frequency.
- Types of decisions or matters taken up. Whether it includes land-use planning.
- How decisions are communicated back to the larger community.
- Community or village assembly membership: Is membership by household or by individuals?
 - If based on household, who represents the household during assemblies?
 - Attendance: Rates of women's attendance. Marital status of women who attend meetings. Head of household? Age group. Older women, youth? Is there a gender quorum? (Note whether this is based on estimates or a written record; obtain or check copy of written records, if any.)
 - How are community members notified of meetings? Is notice posted in a public place to which both men and women have access?
 - What are the most cited reasons for attending (e.g., personal preference, proxy for husband, need to raise an issue, etc.) or not attending (e.g., distance, time constraints, domestic responsibilities, don't see the need, etc.)?
 - Participation: Do women speak up during meetings? Never, rarely or occasionally, often or always?
 - Reasons for speaking up (need to raise an issue, want to express an opinion, etc.) or not speaking up (e.g., don't feel the need, shy, not allowed, etc.);
 - What issues or matters do women typically bring up?
 - Decision-making: Are women consulted during meetings? Are their opinions listened to or ignored?
- Grievance or dispute resolution: What type of grievance or dispute resolution process does the community have? Are women involved? Is the process accessible to women? Are decisions fairly enforced?

7. Local and external institutions and organizations:

- Number and types of organizations and purposes or objectives or issues covered: farmers' group, forest users' group, women's groups (e.g., savings and loan association), religious; NGOs or CBOs (type of work conducted).
- Group composition: Are there women-only organizations? Mixed groups (what is percentage of women)? Are there groups that exclude women? Are there groups that exclude the poor or other groups (cite basis, such as religion, caste, etc.)?
- Are there groups that affect access, use, benefit, and governance of CPR? What type of effect, and who are affected (men, women, other social groups)?
 - Actual and perceived impacts on women's access and use of the CPR and participation in its governance;
 - Actual and perceived impact on women's well-being, status, decision-making, or role in the community.
- Group participation:
 - What is the rate and type of women's participation in meetings of the organization or group?
 - Knowledge of and attendance at meetings (marital status and whether head of household; age group), how often (occasionally or always), and reason behind;
 - Participation in meetings, including frequency, whether rarely, sometimes, or always, and reason behind;
 - Leadership positions (how many are women?); primary decision-makers in the group (if mixed, how many are women?).
- Major achievements of the institution or organization, if any (e.g., built a well, raised awareness, etc.).

8. External factors:

- Interventions, events, or trends that affect or affected access, use, and governance of CPR; for example, introduction of commercial agriculture, mining, logging, and other commercial investments; government land mapping or titling initiative; introduction of electricity; introduction of agricultural extension services; building of local infrastructure (e.g., road, school, or health clinic); external interventions or donor-funded activities, etc.
 - What are the impacts on access to and use of CPR, differentiated by gender and social groups, positive or negative, actual and perceived?
 - Specific interventions, events or trends that have positive impacts on women, actual and perceived?

GLOSSARY

Adat. Indonesian for “customary law”; refers to the customs and practices of Indonesia’s various ethnic groups. Adat encompasses customary laws, ritual conventions, marriage rules, kinship systems, methods of conflict resolution, rules for resource ownership and utilization, and other formally articulated norms and ideas.

Asamblea. Spanish for “general assembly”; typically the highest governing body in formally recognized rural and indigenous communities in Mexico. The asamblea is composed of registered community members and citizens and charged with formulating internal rules of the community.

Community Forest (CF). Forests on indigenous, customary, or community land. In some countries, the law recognizes customary ownership of the forest by the community, with some countries requiring formal registration of community forests. In other countries, forests are owned by the state or are in the public domain, but the law devolves to the community the right control and manage forestland and resources therein, either for a fixed period or on a long-term basis, and subject to certain conditions.

Comunera/comunero. Spanish for “community member”; refers to formally registered members of indigenous communities in Mexico. They have co-ownership rights to communal lands and resources and are members of the general assembly with voting rights and the right to be voted into positions in community governance bodies.

Comunidad/es. Spanish for “community/ies”; under Mexico’s Agrarian Law, refers to legally recognized indigenous communities with demonstrated historical occupation of land that have maintained their communal property structure.

Hima. Arabic term meaning “protected place” or “protected area”; refers to the traditional system of pastureland or rangeland management in which land is set aside seasonally to allow for regeneration (or rangeland reserve), practiced in the Arabian Peninsula, including Jordan. The 2014 Amman Declaration on Innovating *Hima* expanded the concept to cover a “comprehensive package of governance, conservation, science, and markets.”

Tenure Security. The extent and duration of rights held by a person to land and the certainty that those rights will be recognized by others and protected in cases of specific challenges. There are variations in how the term is defined and measured in the literature. For purposes of this study, the definitions and criteria for measurement applied the conceptual framework developed by Doss and Meinzen-Dick (2018), which synthesizes several frameworks recognized in the literature.

Tequio. An indigenous word for traditional communal work among Oaxacan indigenous peoples. It is an expected obligation of community members (without remuneration). Today tequio can be used to refer either to this traditional kind of communal work or to any collective group or volunteer organization. The word comes from the Nahuatl (Aztec) language, but tequios are most important in the Mixtecan-Zapotecan groups, such as the Zapotec, Mixtec, Trique, Mixe, and Amuzgo. Sometimes tequio is also known by its Zapotecan name, guendalizaá (Native Indian Encyclopedia n.d.; Jimenez and Salcedo-La Viña 2020).

Usos y Costumbres. Spanish term for traditional practices and customs. It is also the term for a legally recognized communal governance system under the national Agrarian Law and Oaxaca state law. The Agrarian Law considers the general assembly the highest governing authority within its jurisdiction with authority to constitute internal rules and where elected posts are accountable to the assembly, rather than the state or federal government directly (Bray and Torres-Rojo 2006).

LIST OF ABBREVIATIONS

| | |
|------------------|--|
| AWO | Arab Women's Organization |
| BOPO CF | Boomabong and Pouth Ndjock Community Forest |
| CE | Cameroon Ecology |
| CFUG | Community forest user group |
| EC | Executive committee |
| FECOFUN | Federation of Community Forestry Users, Nepal |
| FGD | Focus group discussion |
| GA | General assembly |
| IUCN-ROWA | International Union for Conservation of Nature-Regional Office of West Asia |
| LTI | La Trinidad Ixtlán |
| NTFPs | Nontimber forest products |
| PROCEDE | <i>Programa Nacional de Certificación de Derechos Ejidales y Titulación de Solares Urbanos</i> (Program for the Certification of Ejido Land Rights and the Titling of Urban House Plots) |
| RAN | Registro Agrario Nacional (National Agrarian Registry, Mexico) |
| UZACHI | Unión de Comunidades Productoras Forestales Zapotecos - Chinantecos de la Sierra Juárez Union of Zapotec and Chinantec Forest Producing Communities in the Sierra Juárez, Mexico) |

ENDNOTES

1. Expressed in the targets and indicators supporting SDG Goal 1, No Poverty (Target 1.4; Indicator 1.4.2); Goal 2, Zero Hunger (Target 2.3); and Goal 5, Achieving Gender Equality (Target 5.A; Indicators 5.A.1 and 5.A.2).
2. Based on case studies conducted in six countries: China, Kyrgyz Republic, Ghana, Namibia, India, and Peru.
3. Based on case studies conducted in Colombia, Nicaragua, Mexico, Brazil, and Bolivia.
4. Collectively held land or land under collective tenure refers to land occupied and used by an indigenous or customary community or collective associations such as user groups, either owned by them *de jure* (regardless of formal title) or owned by the state but where the state has devolved the power to manage and derive benefit from the land to the community. Land held under collective tenure can be distributed to and used by households or used and governed by the collective as a whole; for example, as common grazing land or as community forest. Membership in the community is the key feature of establishing a right to collectively held land, and membership can be defined by custom or law or both (Giovarelli et al. 2016).
5. Described in ILO Convention 169, Indigenous and Tribal Peoples Convention. Under Article 1 of Convention 169, indigenous and tribal peoples are peoples in independent countries whose social, cultural, and economic conditions distinguish them from other sections of the national community and whose status is regulated wholly or partially by their own customs and traditions or by special laws or regulations. They are also peoples in independent countries who are regarded as indigenous on account of their descent from the populations that inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their social, economic, cultural, and political institutions.
6. Broadly speaking, land tenure refers to the relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to land (and natural resources existing thereon, such as water and trees. Land tenure is also defined as the systems of rights, rules, institutions, and processes regulating resource access and use (Cotula and Mayers 2009, 3).

7. Gender refers to the social attributes and opportunities associated with being male and female and the relationships between women and men and girls and boys, as well as the relations between women and those between men. These attributes, opportunities, and relationships are socially constructed and are learned through socialization processes. They are context or time-specific and changeable. Gender determines what is expected, allowed, and valued in a woman or a man in a given context (UN OSAGI 2001).
8. Governance is the sum of the many ways that individuals and institutions, public and private, manage their common affairs. It is a continuing process through which conflicting or diverse interests may be accommodated and co-operative action may be taken. It includes formal institutions and regimes empowered to enforce compliance, as well as informal arrangements that people and institutions either have agreed to or perceived to be in their interest (Commission on Global Governance 1995). For purposes of this report, governance includes the structures or institutions, systems, processes, and mechanisms through which communal lands and resources are managed by the community.
9. A transect walk is a tool for describing and showing the location and distribution of resources, features, landscape, and primary land uses along a given transect or area (see <https://earthrights.org/wp-content/uploads/transect-walk.pdf>; http://www.fao.org/tempref/agl/agll/farmspi/FARM_refmat.pdf). In Indonesia, the transect walk covered an area of the plantation forest (women's ancestral lands) and communal or village gardens and included a canoe ride along the communal river. In Mexico, the transect walk covered a section of the community forest and ecotourism area, as part of the interviews of community members employed in the community forestry enterprises.
10. The second community in Mexico was originally intended as the focus of the case study, but the local partner suggested visiting another community. Thus, case-study reports were made for both communities to determine which one offered more insights for the study.
11. The rationale for having shared definitions and concepts around women's land rights and land-tenure security is to facilitate aggregation of the lessons from individual analysis and case studies and more easily compare, share, and apply findings. Different actors from the legal community, social science researchers, and advocacy agencies and practitioners tend to use different concepts, definitions, indicators, and data in their research or evaluation of policies and programs, making it difficult to draw broader lessons. Additionally, programs and interventions are implemented in very different contexts, and often the defining features of the context are not identified. As women's land rights and land tenure security continue to gain prominence on national and international agendas, it is critical to have a shared understanding and a common agenda among the various stakeholders and actors (Doss and Meinzen-Dick 2018).
12. *Ejido* and *comunidad* are forms of collective land tenure established under the Agrarian Law. They are the product of agrarian reform that saw the redistribution by the government of public land and large landed estates to rural peasants beginning in 1917 (the enactment of a new constitution after the revolutionary war), although it was not until 1934 that substantial redistribution occurred. Land redistribution ended in 1992 with the amendment of the constitution. The *ejido* is land redistributed to landless peasants while *comunidad* is indigenous land legally recognized by the state (Kelly 1994; Morett-Sánchez and Cosío-Ruiz 2017).
13. Women heads of households were first granted eligibility for membership and rights in *ejidos* and *comunidades* in the 1927 Land Endowment and Restitution Law (*Ley de Dotaciones y Restituciones de Tierras*). This law was the first time that the rights of land reform beneficiaries were spelled out in legislation (Almeida 2009; Stephen 1996).
14. Land registration fees are paid when the property is sold or transferred to a new owner (excluding inheritance). The directive had a tangible effect since 33 percent of land newly registered in 11 districts in 2008 was in the name of women; currently, property registered in the name of women receives a 25 percent discount in registration fees, 40 percent if they live in remote areas (CARE Nepal 2016). Under the Financial Bill 2015–16, a woman gets a minimum 25–50 percent tax exemption during land registration (varying according to geographical location), provided she does not sell the land within three years (otherwise, she will have to repay the full amount). Women who fall under the category of senior citizens, disabled people, Dalits, or highly marginalized people receive a 25 percent tax exemption, which is the same as men in the category. A widow receives a 35 percent tax exemption. Fifty percent of tax is exempted when land is transferred within three generations of daughter or granddaughter (USAID Land Links 2018).
15. Her initials are C.V.M. Name withheld for privacy reasons.
16. Vázquez-García and Ortega-Ortega (2016) postulate that family-based membership disadvantages women. "Women exercise an incomplete membership in that they are expected to contribute to community wellbeing as much as the men but are excluded from decision-making and unable to express their own views and needs."

17. Western Sumatra is the center of the Minangkabau society, one of the largest matrilineal societies in the world. The present Minangkabau clans combine the matrilineal system with patrilineally oriented Islam (Kato 1978).
18. Recognition of customary law or *adat*: Article 18B(2) of the 1945 Constitution (Second Amendment) provides: "The state recognizes and respects indigenous peoples and their traditional rights providing these still exist and are in accordance with the development of the people and the principles of the Unitary State of the Republic of Indonesia, which shall be regulated by law." Art. 28I(3) of the constitution provides: "The cultural identities and rights of traditional communities shall be respected in accordance with the development of the times and civilization." The constitutional mandate is reflected in sectoral laws, including Law 5/1960, the Basic Agrarian Law, which recognizes rights over customary territories (*hak ulayat*) and *adat* law for as long as they exist; Law 39/1999 on Human Rights (acknowledges the importance of protecting *adat* communities' rights as basic human rights); Law 27/2007 on Management of Coastal Areas and Small Islands; Law 32/2009 on Environmental Protection and Management; Laws 22/1999 and 32/2004 on Regional Government (recognizes the right of *adat* communities to organize and administer community life in the form of an "autonomous village" in accordance with traditional customs); Law 39/2014 on plantation development; Law 6/2014 on villages (declares that local/*adat* communities have the opportunity to apply for the status of *adat* village (*desa adat*) and gives them the ability to self-govern based on *adat* laws); and Law 41/1999 on Forestry (as amended after Constitutional Court Decision No. 35 in 2013) (Tobing et al. 2019).
19. Constitutional Court Decision MK 35/PUU-X/2012 issued May 16, 2013 upon petition by two indigenous communities and the country's largest indigenous NGO, the *Aliansi Masyarakat Adat Nusantara*. The two communities are the Kuntu community from Riau and the Kasepuhan Cisitu from Banten. The court ruled that the word *state* be deleted from Article 1.6 of Forestry Law No. 41/1999, which henceforth reads as "customary forests are forests located in the territory of customary law communities (*masyarakat hukum adat*)." The court ruling redefined the status of customary forest and moved customary forest from state forest category to *hutan hak* (title or private forest) (Siscawati et al. 2017).
20. The *Bukit Rimbang Bukit Baling* Wildlife Reserve was created in 1984 (<https://www.biosphere-expeditions.org/images/stories/pdfs/reports/report-sumatra16.pdf>).
21. The One Map Initiative in Indonesia is an initiative to bring together land use, land tenure, and other spatial data into a singular database for Indonesia. The project is being completed in collaboration with the U.S. Agency for International Development and U.S. Forest Service International Programs. Presently, the different levels of government (national, provincial, and district), as well as the private sector, often have maps showing conflicting data and different reference points. The initiative is ambitious and goes to the heart of land ownership, land tenure, and land rights in Indonesia, making the project very sensitive at all levels of government and society (Spatial Informatics Group n.d.).
22. The Agricultural Law No. 20 of 1973 transferred tribal lands to state ownership. This was replaced by Agriculture Law No. 13 of 2015, which placed direct authority over pastureland with the Ministry of Agriculture (Giovarelli 2019).
23. PROCEDE (*Programa de Certificación de Derechos Ejidales y Titulación de Solares Urbanos* or Program for the Certification of *Ejido* Land Rights and the Titling of Urban House Plots), implementing the 1992 Ley Agraria, was aimed at registering and titling land-rights in *ejidos* and *comunidades* in order to strengthen land-tenure security, improve the efficiency of rural land markets (and credit markets), and pave the way for privatization. It also resolved boundary conflicts between neighboring *ejidos* and *comunidades* and recognized the property rights of individual members within each *ejido* and *comunidad*. Under PROCEDE, the National Agrarian Registry issued land certificates to document individual parcels and each household's proportional share of common lands. (Almeida 2009; Klein 2018; USAID Land Links 2017).
24. The strong internal cohesion is forged by, among others, overcoming external threats faced in the past (such as the private concession imposed by the government on community forests including the community's), an issue with the municipal government over budget allocations a few years ago, and a shared stake in the sustainability of the community forest as the main economic driver for the community. In regard to the latter, external actors, including UZACHI—of which La Trinidad is a partner—and government forestry agencies, were instrumental in helping the community build the technical capacity to manage its community forest (Jimenez-Bautista and Salcedo-La Viña 2020).
25. In other contexts, women continue to use traditional cook stoves that burn firewood over improved or fuel-efficient cook stoves, despite the drudgery of firewood collection and health hazards associated with the indoor pollution generated by traditional cook stoves. Some of the reasons include the lack of interest in fuel efficiency due to the availability of firewood from unprotected forests, the price of fuel-efficient cook stoves, or firewood gathering seen as a social activity (HEDON Household Energy Network 2014).
26. Research has shown that women in community forestry gain if benefits are in-kind (Agarwal 2001).

27. The cargo system (*sistema de cargos*) is the traditional practice in which community members are required to fulfill civic duties without remuneration. Under the system, community members start from junior or minor positions or duties and steadily occupy more responsible positions until the member becomes eligible for the top administrative positions. One of the main purposes of the practice is to enable the member to accrue experience and perspectives needed for leadership positions (Aparicio-Cid 2019; Bray and Torres-Rojo 2006).
28. According to Blackwood, this originated from the Dutch colonial policy of installing the highest-ranking senior man as village head and requiring that one representative from each lineage, the senior man, represent the family in all dealings with colonial authorities (Blackwood 2000, 40–41).
29. Clan meetings follow a seating arrangement, with men seated separately in the front of the house and women near to the kitchen. Blackwood (2000), citing Waterson, explains that this should not be viewed as women relegated to the back of the house and men at the front, rather that women are in the inner place, associated with the womb, which is the source of life, fertility, and nourishment.
30. The same observation is made by Giri and Darnhoffer (2010) in their study of CFUGs in Nepal and Elmhirst et al. (2017) in their study of Dayak communities in Indonesia.
31. Secondary land rights refer to a type customary tenure right in which a person derives the right to access and use land from a primary land rights holder, or the person who owns or has permanent occupation of the land and has discretion over land use and inheritance. Secondary rights may be granted on a short-term seasonal basis or may be long-term agreements. In many customary communities, women are secondary land rights holders, deriving rights from their husband or other male relative (FAO GLRDb n.d.).
32. In Nepal, Hindu groups practice patrilocal residency, in which the wife moves to the husband's village upon marriage (FAO GLRDa n.d.).
33. For a similar assertion, see among others Evans et al. 2016.
34. This classification draws from Giri and Darnhoffer 2010.
35. Agrarian Law, Art. 37.
36. In their study of women's participation in community forests in Nicaragua, Evans et al. (2016) find that pervasive domestic violence in the household acts as a barrier for women's participation in governance at the community level.
37. Recognition of customary systems is increasing in Sub-Saharan Africa and has been recognized in Asia for a longer time (WB, FAO, and IFAD 2008).
38. Note, as mentioned earlier, that married women continue to opt out for practical reasons.
39. This is reportedly a legal requirement, although the author was unable to find this in the laws.
40. Order No 2001/ 0518/MINEF/CAB of December 21, 2001.
41. The project is a multi-country project that includes Jordan, Botswana, Mali, and Sudan. The project goals were three-fold: securing rights and access to land tenure, improving governance of land and natural resources, and enhancing income generation.
42. AWO has an equity network of more than 100 organizations and small associations in rural areas. It partners with organizations that want to include women in their projects. AWO also works together with parliament and ministries. For example, it worked on changing the law to increase the age of marriage from 16 to 18. AWO held a conference to support the existing gender platforms and civil society organizations in coordinating their national networks for women in local governance. One participant at the conference was Aida Al Khattab, who started the Ma'an Association, an association that organizes women to make additional income by selling herbs and tea. Her husband was fully supportive of her efforts, which she credits with being able to take on the project. She is now the vice president of the council of Jordan's largest governorate (also called Ma'an) in southern Jordan, the only woman in Jordan to hold this position (Giovarelli 2019).
43. The RSCN was established in 1966. RSCN helps nearby communities to improve their economic situation by teaching women to engage in environmentally friendly activities like collecting herbs and painting ostrich eggs. RSCN facilitates marketing between large organizations and local communities, including selling items in airport shops, for example. RSCN set up seven protected areas (*hima*) covering over 1,200 square kilometers. RSCN involves women in the management of their *hima* sites. The RSCN *hima* sites continue to improve because it has the authority and the staff to exclude people from using the protected land (Giovarelli 2019).
44. PROCEDE was intended to register and title land rights in *ejidos* and *comunidades* to strengthen land-tenure security, improve the efficiency of rural land markets (and credit markets), and pave the way for land privatization (USAID Land Links 2017).

45. The Zapotec indigenous group is subdivided into four groups based on the region inhabited: Zapotecs of Sierra Juarez or Sierra Norte, Zapotecs of Sierra Sur, Zapotecs of the Central Valleys, and Zapotecs of the Isthmus of Tehuantepec.
46. The population census is taken every 10 years. At the time of writing the report, the 2020 census had not been released.
47. UZACHI is made up of 16 delegates, with each partner community represented by four delegates, and a technical staff presently numbering 13, four of whom are from La Trinidad and two of whom are women. The community delegates are joined by the president of the supervisory body of communal assets in assemblies of the organization. UZACHI invests in the training and education of its technicians. For example, one of the female technical staff from La Trinidad, Lucina Ruiz Perez, was a fellow at Conservation International, a U.S.-based international conservation organization.
48. Mexico has two systems for land-rights registration: First, registration under the RAN, part of the Agrarian, Territorial and Urban Development Secretariat, for all rights pertaining to *ejidos*, *comunidades* and *colonias*. Second, registration under the Public Registry of Property for all rights pertaining to private property (USAID LandLinks 2017).
49. The Nepali calendar is also known as the Bikram Sambat Nepali calendar, denoted as B.S. The Nepali calendar is approximately 56 years and 8 months ahead of the English calendar, known as the Gregorian calendar, which is denoted as A.D. (Maya 2018).
50. According to FECOFUN, the figures are not updated.
51. The project is named after the popular Nepali saying that translates in English as "Healthy Green Forests are the Wealth of Nepal." The USAID-funded project is being implemented in two regions, including the Chitwan-Annapurna region where Banpale is situated. The project has two interwoven core components: biodiversity conservation including livelihoods, and climate-change adaptation, with governance, gender equality, and social inclusion as cross-cutting themes (WWF-Nepal n.d.).
52. Community-based cooperatives and savings and loan associations are typical in Nepal, being recognized in the country's constitution as one of the three pillars of economic development (the other two being the public and private sectors). However, it has been observed in the literature that some women-only cooperatives are controlled by elites in the community and used for political purposes. The cooperative leaders, wives of politically connected elites, mobilize the women members during elections or other political events. Women who seek loans are often screened for their political affiliation, and those who are not members of the same party as the cooperative leaders are refused credit (Bajracharya 2018).
53. The *Aama Samuha*, Nepali for Mothers' Group, is one of the oldest civil society groups in Nepal, dating back to the 1800s. The first mothers' group was formed by women whose husbands and sons and joined the British Army after the peace treaty between Nepal and the British East India Company in the 1800s. The women came together to sing, dance, and perform cultural activities. Later they formed a group and began to meet every week. The group also started welcoming returning soldiers on leave with singing and dancing. In return, the soldiers donated money to the groups, and the money was used for social welfare activities. The groups later enlarged their activities, and soon similar groups began to appear in communities all over Nepal (Pokhrel 2015). Currently, *aama samuhas* perform a range of functions related to women's and general community welfare, such as health and nutrition education, supporting domestic violence victims, social awareness, fundraising and income generation to support members and community activities (Pokharel n.d.)
54. See ACDI/VOCA Gender Analysis, Assessment, and Audit Manual and Toolkit.

REFERENCES

- Agarwal, B. 2001. "Participatory Exclusions, Community Forestry, and Gender: An Analysis for South Asia and a Conceptual Framework." *World Development* 29 (10): 1623–48.
- Agarwal, B. 2010. "Does Women's Proportional Strength Affect Their Participation? Governing Local Forests in South Asia." *World Development* 38 (1): 98–112.
- Alazze, M. 2017. *Women's Right to Inheritance in Jordanian Law: Requirements and Prospects of Change*. Doha, Qatar: Arab Center for Research and Policy Studies. https://www.dohainstitute.org/en/lists/ACRPS-PDFDocumentLibrary/Womens_Right_to_Inheritance_Jordan_Research_Paper.pdf.
- Almeida, E. 2009. *Ejidatarias, Posesionarias, Vecindadas: Mujeres Frente a Sus Derechos de Propiedad en Tierras Ejidales de México*. *Revista Estudios Agrarios*. La Paz, Bolivia: International Land Coalition y Centro de Estudios Mexicanos y Centroamericanos. http://www.pa.gob.mx/publica/rev_52/analisis/ejidatarias_posesionarias_vecindadas.pdf.
- Aparicio-Cid, R. 2019. "Territory and Ontology in the Educational Practices of an Indigenous Zapotecan Community in Mexico." *Southern African Journal of Environmental Education* 35 (2019): 19–30.
- Bajracharya, A. 2018. "Are 'Women-Only' Cooperatives of Nepal Really Empowering Women?" Blog. June 21. <https://english.onlinekhabar.com/are-women-only-cooperatives-of-nepal-really-empowering-women.html>.
- Bhandari, P., P. Bhusal, G. Paudel, C. Upadhyaya, and B.K. Chhetri. 2019. "Importance of Community Forestry Funds for Rural Development in Nepal." *Resources* 8 (2): 85. <https://www.mdpi.com/2079-9276/8/2/85/htm>.
- Blackwood, E. 2000. *Webs of Power: Women, Kin, and Community in a Sumatran Village*. Lanham, MD: Rowman and Littlefield Publishers, Inc., 40–41.
- Bock, B., and P. Derksen. 2008. "Barriers to Women's Participation in Rural Policy Making." *Research in Rural Sociology and Development* 13: 263–281.
- Bose, P., A. M. Larson, S. Lastarria-Cornhiel, C. Radel, M. Schmink, B. Schmook, and V. Vázquez-García. 2017. "Women's Rights to Land and Communal Forest Tenure: A Way Forward for Research and Policy Agenda in Latin America." *Women's Studies International Forum* 65: 53–59.
- Bray, D., C. Antinori, and J.M. Torres-Rojo. 2006. "The Mexican Model of Community Forest Management: The Role of Agrarian Policy, Forest Policy and Entrepreneurial Organization." *Forest Policy and Economics* 8: 470–484.
- Canada: Immigration and Refugee Board. 2017. "Jordan and the United Arab Emirates: Treatment of Divorced Women, Including Those Living with Their Ex-Husband, by Family Members and Society; Information on Honour-Based Violence, Including State Protection (2015–August 2017)." <https://www.refworld.org/cgi-bin/telex/vtx/rwmain?docid=5afadec54>. Accessed March 9, 2020.
- CARE Nepal. 2016. "Housing, Land and Property Issues in Nepal and Their Consequences for the Post-earthquake Reconstruction Process." https://www.sheltercluster.org/sites/default/files/docs/care_housing-land-property-issues-in-nepal_feb-2016.pdf.
- Coleman, E., and E. Mwangi. 2013. "Women's Participation in Forest Management: A Cross-Country Analysis." *Global Environmental Change* 23 (1): 193–205.
- Colfer, C.J.P. 2013. "The Gender Box: A Framework for Analysing Gender Roles in Forest Management." Occasional Paper 82. Bogor, Indonesia: Center for International Forestry Research.
- Colfer, C.J., P.R. Achdiawan, J.M. Roshetko, E. Mulyoutami, E. Linda Yuliani, A. Mulyana, M. Moeliono, et al. 2015. "The Balance of Power in Household Decision-Making: Encouraging News on Gender in Southern Sulawesi." *World Development* 76: 147–164.
- Colfer, C.J., B.S. Basnett, and M. Elias, eds. 2016. *Gender and Forests: Climate Change, Tenure, Value Chains and Emerging Issues*. Center for International Forestry Research. Oxford, UK, and New York: Earthscan from Routledge.
- Colfer, C.J., M. Elias, B.S. Basnett, and S.S. Hummel, eds. 2017. *The Earthscan Reader on Gender and Forests*. Center for International Forestry Research. Oxford, UK, and New York: Earthscan from Routledge.
- Commission on Global Governance. 1995. *Our Global Neighborhood: Report of the Commission on Global Governance*. Oxford, UK: Oxford University Press. <http://www.gdrc.org/u-gov/global-neighborhood/>.
- Cotula, L., and J. Mayers. 2009. "Tenure in REDD—Start-Point or Afterthought?" Natural Resource Issues No. 15. London: International Institute for Environment and Development.
- Davies, J., C. Ogali, P. Laban, and G. Metternicht. 2015. "Homing in on the Range: Enabling Investments for Sustainable Land Management." Technical Brief 29/01/2015. Nairobi, Kenya: International Union for the Conservation of Nature (IUCN) Commission on Ecosystems Management. https://www.iucn.org/sites/dev/files/media-uploads/2018/03/homing_in_on_the_range_enabling_investments_for_sustainable_land_management.pdf.

Djeumo, André. 2001. "The Development of Community Forests in Cameroon: Origins, Current Situation and Constraints." Rural Development Forestry Network, Network Paper 25b, July 2001. <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/1208.pdf>.

Doss, C., and R. Meinzen-Dick. 2018. *Women's Land Tenure Security: A Conceptual Framework*. Seattle, WA: Research Consortium. <https://consortium.resourceequity.org/conceptual-framework>.

Elmhirst, R., M. Siscawati, B. Sijapati Basnett, and D. Ekowati. 2017. "Gender and Generation in Engagements with Oil Palm in East Kalimantan, Indonesia: Insights from Feminist Political Ecology." *The Journal of Peasant Studies* 44 (6): 1135–1157.

Evans, K., S. Flores, A.M. Larson, R. Marchena, P. Müller, and A. Pikitle. 2016. "Challenges for Women's Participation in Communal Forests: Experience from Nicaragua's Indigenous Territories." *Women's Studies International Forum* 65: 37–46.

FAO (Food and Agriculture Organization of the United Nations). 2001. "Pastoralism in the New Millennium." FAO Animal Production and Health Paper 150. Rome, Italy: FAO. <http://www.fao.org/3/y2647e/y2647e00.htm#toc>.

FAO. 2002. *FAO Land Tenure Studies 3: Land Tenure and Rural Development*. Rome: FAO <http://www.fao.org/3/y4307e/y4307e00.htm#Contents>.

FAO GLRDa (Gender and Land Rights Database). n.d. Nepal Country Profile. http://www.fao.org/gender-landrights-database/country-profiles/countries-list/customary-law/en/?country_iso3=NPL. Accessed January 8, 2020.

FAO GLRDb. n.d. Gambia Country Profile. http://www.fao.org/gender-landrights-database/country-profiles/countries-list/land-tenure-and-related-institutions/en/?country_iso3=GMB. Accessed April 16, 2020.

Flint, C.G., Luloff, A.E., J.C. Finley. 2008. "Where Is 'Community' in Community-Based Forestry?" *Society and Natural Resources* 21: 526–37.

Flintan, F. 2008. *Women's Empowerment in Pastoral Societies*. IUCN and World Initiative for Sustainable Pastoralism. IUCN Publications. <https://www.iucn.org/content/report-womens-empowerment-pastoral-societies>. Accessed March 13, 2020.

FPP (Forest Peoples Programme). 2011. "Indigenous Women Shape Women's Rights." June 3, 2011. <http://www.forestpeoples.org/en/topics/gender-issues/news/2011/06/indigenous-women-shape-women-s-rights>. Accessed April 9, 2019.

Freedom House. 2010. "Women's Rights in the Middle East and North Africa 2010—Jordan." <https://www.refworld.org/docid/4b9901227d.html>. Accessed February 4, 2020.

Giovarelli, R., A. Richardson, and E. Scalise. 2016. *Gender & Collectively Held Land: Good Practices & Lessons Learned from Six Global Case Studies*. Seattle, WA: Resource Equity and Landesa Center for Women's Land Rights.

Giovarelli, R., and E. Scalise. 2019. *Women's Land Tenure Framework for Analysis: Land Rights*. Seattle, WA: Resource Equity.

Giovarelli, R. 2019. *Jordan Case Study Report*. Unpublished, available upon request.

Giri, K., and I. Darnhofer. 2010. "Nepali Women Using Community Forestry as a Platform for Social Change." *Society and Natural Resources* 23: 1216–1229.

Glinski, A., C. Schwenke, L. O'Brien-Milne, and K. Farley. 2018. *Gender Equity and Male Engagement: It Only Works When Everyone Plays*. Washington, DC: International Center for Research on Women. https://reliefweb.int/sites/reliefweb.int/files/resources/ICRW_MaleEngagementBrief_WebReady_v5.pdf.

Global Initiative for Economic, Social, and Cultural Rights (GI-ESCR). n.d. *Using CEDAW to Secure Women's Land and Property Rights: A Practical Guide*. New York, New York: ESCR-Net. <https://www.escr-net.org/resources/using-cedaw-secure-womens-land-and-property-rights-practical-guide>.

Gomez, M., and D. H. Tran. 2012. *Women's Land and Property Rights and The Post-2015 Development Agenda*. NY, NY and Seattle, Washington: GI-ESCR and Landesa Center for Women's Land Rights. <https://www.gi-escr.org/latest-news/womens-land-and-property-rights-and-the-post-2015-development-agenda>.

Göttner-Abendroth, H. 2012. *Matriarchal Societies: Studies on Indigenous Cultures across the Globe*. New York: Peter Lang Publishing, Inc.

Grassi, F., J. Landberg, and S. Huyer. 2015. *Running Out of Time: The Reduction of Women's Work Burden in Agricultural Production*. Rome: FAO. <http://www.fao.org/3/a-i4741e.pdf>.

Hamilton, S. 2002. "Neoliberalism, Gender, and Property Rights in Rural Mexico." *Latin American Research Review* 37 (1): 199–143.

HEDON Household Energy Network. 2014. *Boiling Point: A Practitioners' Journal of Household Energy, Stoves and Poverty Reduction*. Chislehurst, UK: HEDON. <https://www.dora.dmu.ac.uk/bitstream/handle/2086/11599/BP64-%20Barriers%20to%20Cookstoves%20compressed.pdf?sequence=1&isAllowed=y>. Accessed April 15, 2020.

ILO (International Labour Organization). 2014. *Engaging Men in Women's Economic Empowerment and Entrepreneurship Development Interventions: An ILO-WED Issue Brief*. Geneva, Switzerland: ILO.

- IUCN (International Union for the Conservation of Nature). n.d. "Community Management Plan for Hima Bani-Hashem 2013–2017." https://www.iucn.org/sites/dev/files/import/downloads/bani_hashem_hima_cemp2012_2017.pdf.
- IUCN-ROWA (Regional Office for West Asia). n.d. *The Zarqua River Basin, Jordan: Reviving Hima Sites*. Amman, Jordan: IUCN-ROWA. https://www.iucn.org/downloads/iucn_aug_30.pdf.
- Jimenez-Bautista, L., and C. Salcedo-La Viña. 2020. *Mexico: La Trinidad Ixtlán Case Study Report*. Unpublished, available upon request.
- Kelly, J. 1994. Article 27 and Mexican Land Reform: The Legacy of Zapata's Dream. *Columbia Human Rights Law Review* 25: 541–70.
- Kato, T. 1978. "Change and Continuity in the Minangkabau Matrilineal System." *Indonesia* 25: 1–16.
- Kenneth, A.A. 2006. *Community-based Forest Enterprises in Cameroon: A Case Study of the Ngola-Achip Community Forest in East Cameroon*. Case Study for the ITTO, Forest Trends, and Rights and Resources Initiative Scoping Study Community-based Forest Enterprises in Tropical Forest Countries. <http://rightsandresources.org/wp-content/exported-pdf/ngolaachipcamerooncfecasestudy.pdf>.
- Kiye, M.E. 2015. "Conflict between Customary Law and Human Rights in Cameroon: The Role of the Courts in Fostering an Equitably Gendered Society." *African Study Monographs* 36 (2): 75–100.
- Klein, M., and T. McArthur. 2018. "Gender and Land in Mexico." Selected Paper for Presentation at the 2018 Agricultural and Applied Economics Association Annual Meeting, Washington, D.C., August 5–7, 2018.
- Knight, R. 2012. "Empowering Communities to Document and Protect Their Land Claims: A Solution to the Global Land Grab?" Blog. July 19. <https://terra0nullius.wordpress.com/2012/07/19/empowering-communities-to-document-and-protecttheir-land-claims-a-potential-solution-to-the-global-land-grab>.
- Landesa Center for Women's Land Rights. 2012. "Women's Secure Rights to Land—Benefits, Barriers, and Best Practices." Issue Brief. Seattle, WA: Landesa Center for Women's Land Rights.
- Lawry, S. 2014. "Customary Land Tenure." *Developing Alternatives*, September 29. <https://dai-global-developments.com/articles/customary-land-tenure>. Accessed March 9, 2020.
- Maya. 2018. *Nepali Calendar – Bikram Sambat*. Blog. April 9. Life of Us website. <https://lifeofus.net/blog/2018/04/09/nepali-calendar-bikram-sambat/> Accessed November 18, 2020.
- Masika, R., and S. Baden. 1997. *Infrastructure and Poverty: A Gender Analysis*. Report prepared for the Gender Equality Unit, Swedish International Development Cooperation Agency. Brighton, UK: Institute of Development Studies.
- Meinzen-Dick, R., A. Quisumbing, C. Doss, and S. Theis. 2019. "Women's Land Rights as a Pathway to Poverty Reduction: Framework and Review of Available Evidence." *Agricultural Systems* 172: 72–82.
- Mello, D. 2014. "Collective Microenterprises and Rural Women's Economic Empowerment in Brazilian Amazonia." Ph.D. dissertation, University of Florida.
- Milazzo, A., and M. Goldstein. 2017. "Governance and Women's Economic and Political Participation: Power Inequalities, Formal Constraints and Norms." Background paper for *World Development Report 2017: Governance and the Law*. Washington, DC: World Bank.
- Minang, P.A., L.A. Duguma, F. Bernard, D. Foundjem-Tita, and Z. Tchoundjeu. 2019. "Evolution of Community Forestry in Cameroon: An Innovation Ecosystems Perspective." *Ecology and Society* 24 (1): 1. <https://www.ecologyandsociety.org/vol24/iss1/art1/>.
- Molinas, J.R. 1998. "The Impact of Inequality, Gender, External Assistance and Social Capital on Local-Level Cooperation." *World Development* 26: 413–431.
- Morett-Sánchez, J.C., and C. Cosío-Ruiz. 2017. "Outlook of Ejidos and Agrarian Communities in México." *Agricultura, Sociedad y Desarrollo* 14 (1): 125–152.
- Myint, M.M., and V. Westerberg. 2015. *An Economic Valuation of a Large-Scale Rangeland Restoration Project through the Hima System in Jordan*. Nairobi, Kenya: IUCN. https://www.iucn.org/sites/dev/files/import/downloads/eld_iucn_case_study_jordan__web_.pdf.
- Namubiru-Mwaura, E. 2014. *Land Tenure and Gender: Approaches and Challenges for Strengthening Rural Women's Land Rights*. Washington, DC: World Bank. <https://openknowledge.worldbank.org/handle/10986/21033>. Accessed March 9, 2020.
- Native Indian Encyclopedia. n.d. Native American Terms: T. <http://www.native-languages.org/definitions/tequio.htm> Accessed February 18, 2020.
- Nethercott, K., R. Marianti, and J. Hunt. 2010. *Gender Equality Results in ADB Projects: Indonesia Country Report*. Mandaluyong City, Philippines: Asian Development Bank. <https://www.adb.org/sites/default/files/publication/27492/gender-equality-results-ino.pdf>.
- New Course. 2010. "Women, Natural Resource Management, and Poverty: A Review of Issues and Opportunities." <http://anewcourse.org/wp-content/uploads/2014/04/women-natural-resource-management-and-poverty-PEW.pdf>.

- Ngendakumana, S., E.G. Bachange, P. Van Damme, S. Speelman, D. Foundjem-Tita, Z. Tchoundjeu, A. Kalinganire, et al. 2013. "Rethinking Rights and Interests of Local Communities in REDD+ Designs: Lessons Learnt from Current Forest Tenure Systems in Cameroon." *ISRN Forestry* Volume 2013, Article ID 830902. <http://downloads.hindawi.com/archive/2013/830902.pdf>.
- Onzere, S., N. Elwell, E. Carr, C. Caron, and D. Bebbington. 2020. "Who's Governing Community Forests? Gendered Participation in Liberian Forest Management." Working Paper. Washington, DC: World Resources Institute. www.wri.org/publication/genderedparticipation-liberia-forest.
- OECD (Organisation for Economic Co-operation and Development). 2018. *Bridging the Digital Gender Divide: Include, Upskill, Innovate*. Paris: OECD. <http://www.oecd.org/internet/bridging-the-digital-gender-divide.pdf>.
- Oxaal, Z., and S. Baden. 1997. *Report No. 40: Gender and Empowerment: Definitions, Approaches, and Implications for Policy*. Brighton, UK: BRIDGE, Institute of Development Studies, University of Sussex.
- Oyono, P.R., M.B. Biyong, and S.K. Samba. 2012. "Beyond the Decade of Policy and Community Euphoria: The State of Livelihoods under New Local Rights to Forest in Rural Cameroon." *Conservation and Society* 10 (2): 173–181.
- Piabu, S. M., D. Foundjem-Tita, and P.A. Minang. 2018. "Community Forest Governance in Cameroon: A Review." *Ecology and Society* 23 (3): 34–48. <https://doi.org/10.5751/ES-10330-230334>.
- Pokharel, Y. n.d. "'Mothers' Group,' Light of Hope for Rural Women in Nepal." *Foreign Correspondents Reports 2015–2016*. Kitakyushu, Japan: Asian Women's Exchange and Research Forum/Kitakyushu Forum on Asian Women. http://www.kfaw.or.jp/correspondents/docs/25-2_Nepal_E.pdf.
- Pokhrel, A. 2015. "Making Waves in the Mountains: The Women's Groups Fighting for a Fairer Future in Nepal." Blog. March 8. <https://www.peaceinsight.org/blog/2015/03/making-waves-mountains-womens-groups-fighting-fairer-future-nepal/>.
- Ruiz, L., and E. Moses. 2020. *Mexico: San Juan Evangelista Analco Case Study Report*. Unpublished, available upon request.
- Saito-Jensen, M., I. Nathan, and T. Treue. 2010. "Beyond Elite Capture? Community-Based Natural Resource Management and Power in Mohammed Nagar Village, Andhra Pradesh, India." *Environmental Conservation* 37 (3): 327–335.
- Salcedo-La Viña, C., and M. Morarji. 2016. *Making Women's Voices Heard in Community Decision-Making on Land Investments*. Washington, DC: World Resources Institute.
- Salcedo- La Viña, C., J. Acharya, and M. Panta. 2020. *Nepal Case Study Report*. Unpublished, available upon request.
- Sanday, P.R. 2002. *Women at the Center: Life in a Modern Matriarchy*. Ithaca, NY, and London: Cornell University Press.
- Scalise, E. 2019. *Cameroon Case Study Report*. Unpublished, available upon request.
- Schlager, E., and E. Ostrom. 1992. "Property-Rights Regimes and Natural Resources: A Conceptual Analysis." *Land Economics*, 68 (3): 249–262.
- Schmink, M., and M.A. Gómez-García. 2015. "Under the Canopy: Gender and Forests in Amazonia." Occasional Paper 121. Bogor, Indonesia: Center for International Forestry Research.
- Siscawati M., M.R. Banjade, N. Liswanti, T. Herawati, E. Mwangi, C. Wulandari, M. Tjoa, et al. 2017. "Overview of Forest Tenure Reforms in Indonesia." Working Paper 223. Bogor, Indonesia: Center for International Forestry Research. https://www.cifor.org/publications/pdf_files/WPapers/WP223Siscawati.pdf.
- Spatial Informatics Group. n.d. *The One Map Initiative—A Single Land Database for Indonesia*. <https://sig-gis.com/projects/one-map-indonesia/>. Accessed March 25, 2020.
- Stephen, L. 1996. "Too Little, Too Late? The Impact of Article 27 on Women in Oaxaca," In *Reforming Mexico's Agrarian Reform*, edited by L. Randall. New York and London: M.E. Sharpe.
- Tauli-Corpuz, V. 2015. *Report of the Special Rapporteur on the Rights of Indigenous Peoples*. A/HRC/30/41. New York: UN Digital Library. <https://digitallibrary.un.org/record/848738?ln=en>. Accessed April 22, 2019.
- Thompson-Hall, M., E. Carr, and U. Pascual. 2016. "Enhancing and Expanding Intersectional Research for Climate Change Adaptation in Agrarian Settings." *Ambio* 45 (Suppl. 3): S373–S382.
- Tobing, S., C. Astri, R. Aryani, and D. Affandi. 2019. *Indonesia Case Study Report*. Unpublished, available upon request.
- UNDESA (United Nations Department of Economic and Social Affairs), UNDP (United Nations Development Programme), and UNESCO (United Nations Educational, Scientific and Cultural Organization). 2012. "UN System Task Team on the Post-2015 UN Development Agenda: Governance and Development Thematic Think Piece." https://www.un.org/millenniumgoals/pdf/Think%20Pieces/7_governance.pdf.

UNDP. 2016. "How to Conduct a Gender Analysis: A Guidance Note for UNDP Staff." Bureau of Policy and Programme Support, Gender Team. <https://bit.ly/2ZhD6sv>. Accessed April 14, 2020.

UN OSAGI (Office of the Special Adviser on Gender Issues and Advancement of Women). 2001. "Important Concepts Underlying Gender Mainstreaming." Fact Sheet. UN Women Digital Library. <https://www.un.org/womenwatch/osagi/conceptsanddefinitions.htm>. Accessed February 18, 2020.

UN Women. 2016. *Women and Sustainable Development Goals*. <https://sustainabledevelopment.un.org/index.php?page=view&type=400&nr=2322&menu=1515>. Accessed April 14, 2020.

UN Women and UN OHCHR (Office of the High Commissioner for Human Rights). 2013. *Realizing Women's Rights to Land and Other Productive Resources*. New York and Geneva, Switzerland: UN Women and OHCHR.

USAID (U.S. Agency for International Development). 2016. "Land Tenure and Women's Empowerment." Fact Sheet. <https://www.land-links.org/issue-brief/fact-sheet-land-tenure-womens-empowerment/>. Accessed April 14, 2020.

USAID Land Links. 2010. "Country Profile: Property Rights and Resource Governance: Indonesia." https://www.land-links.org/wp-content/uploads/2016/09/USAID_Land_Tenure_Indonesia_Profile_0.pdf.

USAID Land Links. 2017. "Country Profile: Property Rights and Resource Governance: Mexico." <https://www.land-links.org/country-profile/mexico/>. Accessed May 14, 2020.

USAID Land Links. 2018. "Country Profile: Property Rights and Resource Governance: Nepal." <https://www.land-links.org/country-profile/nepal-2/>. Accessed June 24, 2020.

USDA (U.S. Department of Agriculture). 1997. *National Range and Pasture Handbook*. National Resources Conservation Service. <https://www.uwagec.org/wire/ResourcePages/NRPH.PDF>.

Vásquez-García, V., and T. Ortega-Ortega. 2016. "Gender, Local Governance and Non-timber Forest Products: The Use and Management of Satureja Macrostema in Oaxaca's Central Valleys, Mexico." *Women's Studies International Forum* 65: 47–52.

Vitalis, N. 2017. "When 'Property Cannot Own Property': Women's Lack of Property Rights in Cameroon." *African Journal of Economic and Sustainable Development* 6 (1): 67–85.

Wagle, R., S. Pillay, and W. Wright. 2016. "Examining Nepalese Forestry Governance from Gender Perspectives." *International Journal of Public Administration* 40 (3): 205–225.

WANA (West Asia-North Africa Institute). 2016. *Facilitating a Hima Resurgence: Understanding the Links between Land Governance and Tenure Security*. Amman, Jordan: WANA. <http://wanainstitute.org/sites/default/files/publications/Facilitating%20a%20Hima%20Resurgence.pdf>.

WB (World Bank), FAO, and IFAD (International Fund for Agricultural Development). 2008. *Gender in Agriculture Sourcebook—Module 4: Gender Issues in Land Policy and Administration*. Washington, DC: WB.

World Wildlife Fund (WWF)-Nepal. n.d. *Hariyo Ban Program*. Brochure. https://awsassets.panda.org/downloads/hariyo_ban_program_second_phase_brochure.pdf.

Legislation, Official Documents, and International Instruments

Cameroon, Government of. 1994. Law No. 94/01 of 20 January 1994 To Lay Down Forestry, Wildlife and Fisheries Regulations. https://sherloc.unodc.org/cld/document/cmr/1994/law_no._94-01_of_20_january_1994_to_lay_down_forestry_wildlife_and_fisheries_regulations_en.html?

Cameroon, Government of. 1995. Decree No. 95/531/PM of 23 August 1995 Laying Down the Procedure for Implementing the Forests System. http://www.abs-initiative.info/fileadmin/user_upload/Documents_ICIPE/legal_texts/Legal_Cameroon_Decree_95_531_pm.pdf.

Cameroon, Government of. 2009. Decision No. 0098/D/MINFOF/SG/DF/SDFC of 12 February 2009 to adopt the Document entitled “Manual of Procedures for the Attribution and Norms for the Management of Community Forests.” https://carpe.umd.edu/sites/default/files/documentsarchive/Revised-Community_Forestry_manual_Eng_Cameroon_2009.pdf.

Indonesia, Government of. 1945. The 1945 Constitution of the Republic of Indonesia (As Amended). https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_174556.pdf.

Indonesia, Government of. 1960. Basic Agrarian Law: Act No. 5 of 1960, The Basic Provisions Concerning the Fundamentals of Agrarian Affairs. <https://zerosugar.files.wordpress.com/2014/08/law-no-5-of-1960-on-basic-agrarian-principles-etlj.pdf>.

Indonesia, Government of. 1999. Law No. 41/1999 Concerning Forestry. <http://www.flevin.com/id/lgo/translations/Laws/Law%20No.%2041%20of%201999%20on%20Forestry.pdf>.

Indonesia, Government of. Constitutional Court Decision No. 35 /PUU-X/2012: Testing Law No. 41/1999 Concerning Forestry. https://www.forestpeoples.org/sites/default/files/news/2013/05/Constitutional_Court_Ruling_Indonesia_16_May_2013_English.pdf.

International Labour Organization. 1989. General Conference of the ILO Adopting Convention 169 - Indigenous and Tribal Peoples Convention. https://www.ilo.org/dyn/normlex/en/?p=NORMLEXPU B:12100:0::NO::P12100_ILO_CODE:C169.

Jordan, Government of. 2015. Law No. 13 of 2015 Concerning Agriculture (As Amended). https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=102861.

Jordan, Government of. 2014. The Amman Declaration on Innovating Hima. https://www.iucn.org/downloads/the_amman_declaration_on_innovating_hima_signed_by_hrh.pdf.

Jordan, Bani-Hashem Hima Management Committee. 2013. *Community Management Plan for Hima Bani-Hashem 2013–2017*. Bani-Hashem, Jordan: Bani-Hashem Hima Society. https://www.iucn.org/sites/dev/files/import/downloads/bani_hashem_hima_cemp2012_2017.pdf

Jordan, Government of. 2010. Personal Status Law, No. 36 of 2010. <https://bit.ly/3ITA0Fk>.

Mexico, Government of. 2019. Political Constitution of the United Mexican States (As Amended). <https://mexico.justia.com/federales/constitucion-politica-de-los-estados-unidos-mexicanos/gdoc/>.

Mexico, Government of. 2018. Agrarian Law of 1992 (As Amended) (Ley Agraria, Última reforma publicada DOF 25-06-2018). <https://mexico.justia.com/federales/leyes/ley-agraria/>.

Mexico. Instituto Nacional de Estadística y Geografía—National Institute of Statistics and Geography (INEGI). 2010. *Principal Results of the 2010 Population and Housing Census*. <https://www.inegi.org.mx/app/biblioteca/ficha.html?upc=702825002093>. Accessed December 12, 2019.

Mexico. Municipality of Santiago Xiacuí. 2017. *Municipal Development Plan, Santiago Xiacui: 2017–2019*. Unpublished, available upon request.

Nepal, Government of. 1993. Forest Act, No. 49 of 2049 (1993) (As Amended). <http://extwprlegs1.fao.org/docs/pdf/nep4527.pdf>.

Nepal, Government of. 1995. Forest Regulations, 2051 (1995) (As Amended). <http://extwprlegs1.fao.org/docs/pdf/nep6233.pdf>.

UN General Assembly. 2007. A/RES/61/295: Resolution Adopted by the General Assembly on 13 September 2007—United Nations Declaration on the Rights of Indigenous Peoples. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/512/07/PDF/N0651207.pdf?OpenElement>.

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



ABOUT WRI

World Resources Institute is a global research organization that turns big ideas into action at the nexus of environment, economic opportunity, and human well-being.

Our Challenge

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.

Our Vision

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.

CHANGE IT

We use our research to influence government policies, business strategies, and civil society action. We test projects with communities, companies, and government agencies to build a strong evidence base. Then, we work with partners to deliver change on the ground that alleviates poverty and strengthens society. We hold ourselves accountable to ensure our outcomes will be bold and enduring.

SCALE IT

We don't think small. Once tested, we work with partners to adopt and expand our efforts regionally and globally. We engage with decision-makers to carry out our ideas and elevate our impact. We measure success through government and business actions that improve people's lives and sustain a healthy environment.

ABOUT RESOURCE EQUITY

Resource Equity believes empowered women change the world. We advocate for legal, policy, and social change with the goal of advancing women's land and resource rights, and we serve as a global source for research, best practices, and policymaking. We are committed to collaborating with partners around the world in our focus on women, land, and resources.

PHOTO CREDITS

Cover, Paolo Nicoletto; Table of Contents, Aaron Thomas; pg. iv, Suraj Shaky; pg. 2, Andres Sanz; pg. 10-11, WRI Indonesia; pg. 17, Delightin Dee; pg. 18, Marisol Benitez; pg. 21, UZACHI; pg. 22, Juli Kosolapova; pg. 24, Resource Equity/IUCN ROWA; pg. 27, REFACOF/Cameroon Ecology; pg. 28, Analuisa Gamboa; pg. 40, Resource Equity/IUCN ROWA; pg. 48-49, UZACHI; pg. 50, WRI Indonesia; pg. 54, WRI Indonesia; pg. 61, WRI Indonesia; pg. 62, Radoslav Bali

Each World Resources Institute report represents a timely, scholarly treatment of a subject of public concern. WRI takes responsibility for choosing the study topics and guaranteeing its authors and researchers freedom of inquiry. It also solicits and responds to the guidance of advisory panels and expert reviewers. Unless otherwise stated, however, all the interpretation and findings set forth in WRI publications are those of the authors.

Maps are for illustrative purposes and do not imply the expression of any opinion on the part of WRI, concerning the legal status of any country or territory or concerning the delimitation of frontiers or boundaries.



Copyright 2021 World Resources Institute. This work is licensed under the Creative Commons Attribution 4.0 International License.
To view a copy of the license, visit <http://creativecommons.org/licenses/by/4.0/>



WORLD
RESOURCES
INSTITUTE

10 G STREET NE
SUITE 800
WASHINGTON, DC 20002, USA
+1 (202) 729-7600
WWW.WRI.ORG

doi.org/10.46830/wrirpt.19.00007