

# Gender and Land Training of Trainers (ToT) Guide



PEACE, PROSPERITY AND  
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PEACE, PROSPERITY AND  
REGIONAL INTEGRATION

# GENDER AND LAND TRAINING OF TRAINERS (TOT)

GUIDE

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# LIST OF ABBREVIATIONS

<b>ADR</b>	Alternative Dispute Resolution
<b>AU</b>	African Union
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>CSBAG</b>	Civil society Budget Advocacy Group
<b>CSOS</b>	Civil Society Organisations
<b>EOC</b>	Equal Opportunities Commission
<b>GRB</b>	Gender Responsive Budgeting
<b>HRB</b>	Human Rights Based Approach
<b>IGAD</b>	Intergovernmental Authority on Development
<b>ICESCR</b>	International Convention on Economic Social and Cultural Rights
<b>JLoS</b>	Justice Law and Order Sector
<b>MoGLSD</b>	Ministry of Gender, Labour and Social Development
<b>MoLHUD</b>	Ministry of Lands Housing and Urban Development
<b>PELUM</b>	Participatory Ecological Land Use Management
<b>SGNs</b>	Strategic Gender Needs
<b>UCOBAC</b>	Community Based Association for Women and Children Welfare
<b>UDHR</b>	Universal Declaration of Human Rights
<b>VGGTS</b>	Voluntary Guidelines on the Responsible Governance of Tenure

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# INTRODUCTION TO THE GENDER AND LAND TRAINING OF TRAINERS GUIDE

## 1.1 About the Guide

This contains a selection of critical participatory tools that aim at not just raising awareness about gender equality on land but also causing a transformative shift in the way land businesses are conducted. The selection of topics in the guide were informed by the results of gender assessment of the land sector which revealed key gender gaps in the sector, including limited knowledge and understanding of the gender specific laws promoting women's land rights, existence of negative social norms and values that discriminate against women on land, lack of gender sensitivity among land actors and land justice institutions, and lack of requisite knowledge on gender mainstreaming and gender budgeting for land.

The tools proposed and approach for tools delivery is very participatory and less prescriptive, thus allowing participants to reflect on their day-to-day lives and work operations in order to cause a positive change. The guide provides guidance on the application of each tool with a step-by-step approach as well as facilitator's notes and resources that may guide in producing PowerPoint slides where necessary.

This guide should be used by trainers who must be gender experts and have the ability to adapt and contextualise the guide in their context. Although it would be good for each group to be taken through all the tools at once, it's possible that each section can be trained separately, in case time doesn't allow a run-through of all the tools. The guide allows for the possibility of soliciting the most relevant tools for a particular team at a time.

The overall objectives are to

- Raise consciousness on the hidden gender inequalities and power relations that underpin inequalities in the land sector at different levels.

- Create a positive shift in the way gender matters on land are understood and enable land actors to apply a gender transformative approach aimed at closing the gender gap on land.

## 1.2 Target Audience

The content of the manual is useful for a wide range of land actors including decision-makers in the land sector, land administration professionals in formal land institutions, land actors in informal land institutions, civil society working on land issues and grassroots communities including women and men.

While training land administrators, it would be useful to make references and borrow some materials from the IGAD Gender Handbook for Land Administrators.

## 1.3 Structure of the Manual

The guide has a series of participatory tools and exercises intended to stimulate awareness and support for women's land rights. Each tool provides steps to follow in conducting the training. At the end of each section, reference materials and key facilitator's notes are provided.

## 1.4 How to Use the Manual?

The manual provides guidance for the trainers and can be adapted to suit different groups and contexts. The trainer has a key role in understanding the target audience and defining delivery methodology. It is also important to note that for the training to be effective, participants should have similar characteristics; for example, the trainer should have a distinct target audience, not combining grassroots men and women with technical teams.



## SECTION 1:

# HUMAN RIGHTS AND WOMEN'S LAND RIGHTS



# SECTION 1: HUMAN RIGHTS AND WOMEN'S LAND RIGHTS

This section contains tools that introduce human rights and human rights principles in the context of land governance and administration, intended to equip land actors with knowledge of human rights provisions and specific legal and policy instruments that promote women's land rights at global, regional and national levels. The tools also help in building knowledge on how to apply the rights-based approach to programming principles in land administration processes, in favour of gender equality on land matter.



## Tool: The Human Rights-Based Approach and Women's Land Rights

This tool introduces theoretical understanding of human rights and human rights principles. By the end of the session, the participants should be able to understand the connection between human rights and women's land rights

Duration: 1 hr

Objectives	Materials	Methods
To create awareness on the human rights-based approach and its connection to women's land rights.	<ul style="list-style-type: none"> <li>— Projector and PP</li> <li>— Coloured papers</li> <li>— Marker pens</li> <li>— Notebooks and pens</li> </ul>	<ul style="list-style-type: none"> <li>Presentation</li> <li>Reflection</li> <li>Discussions</li> </ul>

### Steps to follow:

Step 1: Start the sessions with providing theoretical background for this session: Introducing the origin of human rights, human rights principles, duty-bearers and rights holders.

Step 2: Ask the group to divide into small groups or pairs and ask each group to choose one specific right. Ask each group or pair to come up with an example of a violation of rights in their land rights programming context and to link this rights violation a) to the duty-bearers who should respect, protect and fulfil this right, and b) to the different rights holders affected.

Then ask participants how this rights violation is linked to gender norms. What are the underlying gender norms, and do they form an obstacle to gender equality?

Finally, ask what they could do in their programme to change the identified harmful norms to achieve gender equality (think of women's land rights violations).

Step 3: Ask participants why it's important to use a human rights approach in gender transformative programming. Ask participants how they will apply what they have learned in your programme – what would they need to change if they are to strengthen the agency of rights holders and duty-bearers to fulfil human rights for all, particularly women, girls and other social groups?

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## FACILITATOR'S NOTES ON HUMAN RIGHTS AND THE HUMAN RIGHTS-BASED APPROACH

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Human rights are universal and inalienable, indivisible, interdependent and interrelated. They are universal because everyone is born with and possesses the same rights, regardless of where they live, their gender or race, or their religious, cultural or ethnic backgrounds. Inalienable because people's rights can never be taken away. They are upheld by the rule of law and strengthened through legitimate claims for duty-bearers to be accountable to international standards.

The Universal Declaration of Human Rights (UDHR) 1948 set down for the first time a list of human rights and fundamental freedoms. It is the most significant human rights instrument as it served as the cornerstone of most human rights treaties and conventions we have today. It did not create human rights but codified the human rights standards. These were considered minimum standards by which governments (duty-bearers) should treat their citizens (rights holders).

Human rights are universal and inalienable. All people everywhere in the world are entitled to them. The universality of human rights is encompassed in the words of Article 1 of the Universal Declaration of Human Rights: "All human beings are born free and equal in dignity and rights."

Human rights are indivisible. Whether they relate to civil, cultural, economic, political or social issues, human rights are inherent to the dignity of every human person. Consequently, all human rights have equal status, and cannot be positioned in a hierarchical order. Denial of one right invariably impedes enjoyment of other rights. Thus, the right of everyone to an adequate standard of living cannot be compromised at the expense of other rights, such as the right to health or the right to education.

Interdependence and Interrelatedness: Human rights are interdependent and interrelated. Each one contributes to the realisation of a person's human dignity through the satisfaction of his or her developmental, physical, psychological and spiritual needs. The fulfilment of one right often depends, wholly or in part, upon the fulfilment of others. For instance, fulfilment of the right to health may depend, in certain circumstances, on fulfilment of the right to development, to education or to information.

A human rights-based approach is about empowering people to know and claim their rights and increasing the ability and accountability of individuals and institutions who are responsible for respecting, protecting and fulfilling rights.

This means giving people greater opportunities to participate in shaping the decisions that impact on their human rights. It also means increasing the ability of those with responsibility for fulfilling rights to recognise and know how to respect those rights, and make sure they can be held accountable.

A human rights-based approach is about ensuring that both the standards and the principles of human rights are integrated into policymaking as well as the day-to-day running of organisations based on key principles below:

**Equality and non-discrimination:** All individuals are equal as human beings and by virtue of the inherent dignity of each human person. No one, therefore, should suffer discrimination on the basis of race, colour, ethnicity, gender, age, language, sexual orientation, religion, political or other opinion, national, social or geographical origin, disability, property, birth or other status as established by human rights standards.

**Participation and inclusion:** All people have the right to participate in and access information relating to the decision-making processes that affect their lives and well-being. Rights-based approaches require a high degree of participation by communities, civil society, minorities, women, young people, indigenous peoples and other identified groups.

**Accountability and rule of law:** States and other duty-bearers are answerable for the observance of human rights. In this regard, they have to comply with the legal norms and standards enshrined in international human rights instruments. Where they fail to do so, aggrieved rights holders are entitled to institute proceedings for appropriate redress before a competent court or other adjudicator in accordance with the rules and procedures provided by law. Individuals, the media, civil society and the international community play important roles in holding governments accountable for their obligation to uphold human rights.

## Rights holders and duty-bearers

The two main parties in a human rights-based approach (HRBA) are the rights holders and duty-bearers, and the fulfilment of human rights is based on a relationship between the rights holders and the duty-bearers. The poor are rights holders by virtue of being born and are entitled to the enjoyment of civil, political, social, economic and cultural rights – not as a favour or act of charity but as a right.

A duty-bearer is that individual or institution with the obligation to respect, protect and fulfil a right. The state and its various organs, such as parliaments, local authorities, and the justice system, are often the primary, or ultimate, duty-bearers.

The essence of a HRBA, therefore, is a process of rights holders identifying, targeting and holding duty-bearers accountable. Rights can be claimed and protected only when rights holders are organised and mobilised as a constituency, are aware of their rights, and are conscious of why their rights are being violated.



### **Tool: International and Regional Legal and Policy Frameworks for Women's Land and Property Rights**

This tool helps participants to understand the existing legal, policy and normative frameworks existent at global and regional level and appreciate the linkages or gaps with national level frameworks. This session also helps participants to propose changes that could be made in national frameworks to promote domestication of global and regional policy frameworks.

Duration: 1 hr

Objectives	Materials	Methods
Help participants appreciate women's land rights and how to protect them.	<ul style="list-style-type: none"> <li>— PowerPoint slides</li> <li>— Flipchart</li> <li>— Marker pens</li> </ul>	<ul style="list-style-type: none"> <li>Presentation</li> <li>Discussions</li> <li>Plenary</li> </ul>

### **Steps to follow:**

Step 1: Ask participants to name the regional and international instruments they know of, and what they contain. Split the group into two smaller groups, one to look at regional instruments and the other one for international instruments.

Step 2: Ask group representatives to report back to the bigger group and ask for additions.

Step 3: Ask participants to list all national legal and policy frameworks in favour of women's land rights and ask them for specific clauses/provisions that relate to women land tenure security.

List all discussion points on a flipchart.

Step 4: Share a PowerPoint presentation to further explain the international, regional and national legal and policy framework, emphasising participants' points and any other areas that might have been missed out.

Clearly bring out clauses regarding women's property rights in marriage, separation, divorce and inheritance.

Step 5: Split participants into two groups for each to discuss the following questions:

- Are there instances in your country where women's rights have been violated? Ask them to share examples.
- Who are the key stakeholders responsible for protecting and promoting women's land rights and what are they doing?
- How can we promote respect for women's land rights at individual, family and community levels?

Step 6: Participants share their group discussions in plenary. Ask participants to reflect on their programme, on what they have been doing and how this session will help them to adapt their programmes. Give each participant at least 2 minutes to share their reflections.

**See Handout 2 for information on the legal and policy frameworks promoting women's land rights.**

### Useful Resources

**Action AID (2010).** Action on Rights Human Rights Based Approach Resource Book. Online: [https://actionaid.org/sites/default/files/hrba\\_resource-book\\_11nov2010.pdf](https://actionaid.org/sites/default/files/hrba_resource-book_11nov2010.pdf)

**UNICEF. Human Rights Approach to programming.** Online: [https://sites.unicef.org/policyanalysis/rights/index\\_62012.html](https://sites.unicef.org/policyanalysis/rights/index_62012.html)

**UN Women (2020).** Realizing Women's Rights to Land and other Productive Resources. Online: [https://www.ohchr.org/Documents/Publications/RealizingWomensRightstoLand\\_2ndedition.pdf](https://www.ohchr.org/Documents/Publications/RealizingWomensRightstoLand_2ndedition.pdf)

## SECTION 2:

### GENDER, NORMS AND POWER



## SECTION 2: GENDER, NORMS AND POWER

### Description of this Module:

Often, gender is misunderstood to mean women. This section will provide knowledge about what Gender is by using understanding from their day-to-day experiences. It's intended to allow participants compare their own understandings of gender and what gender is. Selected tools are intended to keep the terminology simple and clear, especially to participants who may not have had any gender training beforehand. There are a number of tools that have been proposed to build common knowledge of gender, norms and power and help participants to understand how these inhibit the achievement of women's land tenure security.

### 2.1 Understanding Gender



#### Tool: Boy or Girl

The tool helps participants to understand factors behind sex preferences and the value attached to each sex and how that impacts on access to and control over land by women and girls. The tools allow participants to reflect on whether the traditionally held preferential factors are static or changing and what needs to be done to change the negative stereotypes.

Duration: 45 mins

Objectives	Materials	Methods
To identify girl or boy preferences amongst participants.	— Pictures of a man and a woman drawn on a flipchart paper — Marker pens — Flipchart, cards and Manilla papers	Plenary Discussions

In this activity, participants describe why they would rather have a son or a daughter. Participants discuss their own values attached to having son and daughters. These will be critically reflected upon and explained as socially constructed gender perceptions in the discussions following this activity.

In this activity, the facilitator presents pictures of a man and a woman, cards and markers for notetaking.

#### Steps to follow

Step 1: Select 2 people to hold the pictures of the man and woman. One holds the picture of a woman at one end while the other person holds the picture of the man. The two pictures are shown to the rest of the participants.

Step 2: The facilitator then explains: "Imagine you have a medical condition and the doctor tells you that due to that condition, you can only have one child in your life. Would you wish/prefer to have, a boy or a girl child?" (Represented by a picture of the man and the women.)

Step 3: Ask participants to move and stand by the picture of that child they want: a son or a daughter.

Step 4: Ask the girl group and the boy group to sit down separately in small circles. Then the facilitator asks them: "Why did you chose a girl/boy?" The discussion can be led by the facilitator but make sure you pick someone to take notes of the discussion, ideally on a big piece of paper, flipchart or big Manilla card.

Step 5: Ask each group to nominate a leader to present the reasons for picking a girl or boy to the rest of the participants.

#### FACILITATOR'S TIPS:

Let the participants develop their own reasons; you should not interfere with the process.



### Tool: Gender Versus Sex

This participatory tool helps participants to question their understanding of gender and how that influences the way they work. By the end of the session, participants should have common knowledge on what gender is and what it's not.

Duration: 1 hr 30 mins

Objectives	Materials	Methods
This activity allows participants to talk about the differences between gender and sex. It helps to show how society and culture play a large role in what it means to be a woman or a man and that there is a difference between what we are born as and what society tells us to be.	<ul style="list-style-type: none"> <li>— Manila papers</li> <li>— Flipchart</li> <li>— Markers</li> </ul>	<ul style="list-style-type: none"> <li>Plenary discussions</li> <li>Group discussions</li> </ul>

#### Steps to follow:

Step 1: Start by asking participants the following question: "Do you know what the difference is between sex and gender?" **Refer to the glossary of concepts (Handout 1).**

Step 2: Prepare a poster with two columns, one labelled "sex" and the other "gender". Split the participant into two groups and ask each group to note down their responses.

Ask participants about their experiences with what defines being a man or being a woman. If their examples are related to character traits or tasks, then ask them to write them in the "gender" column. But if they relate to biological traits, write them in the "Sex" column. See example below.

Sex	Gender
Biological, male and female	Socially defined
Innate	Not inborn
Cannot be changed	Can be changed
Give examples below	Give examples below
— ?	— ?
— ?	— ?
— ?	— ?
— ?	— ?

Step 3: Facilitator explains gender and sex concepts to the participants to help them understand the differences. The notes below are useful in explaining the differences.



Gender: Gender refers to socially constructed differences between men and women.

Sex refers to the biological difference of being male or female.

### **Gender is relative**

Males and females have a list of activities they are expected to perform. Those activities are understood as normal because they are performed by the majority of males and females of all ages. These activities are categorised by gender-related rules that are formed by the people of that society and its history. Can you think of what men and women do in the community where you were born? Can you also think of what men and women do in the community where you currently live? Are there any differences?

### **Gender is learned**

Gender can be understood as learned rather than taught. We learn from our parents, community members that we grow up with. For example, when babies are born, they learn from their parents or guardians that they are a boy or a girl and by the age of 3 years they are able to classify who is male or female around them. They first learn by the way elders address them as its different for a baby boy than girl, both in terms of the specific words used and in tone. When a baby understands that she is a girl, she learns what a girl does. What should she wear, what should she play with and what should she avoid? She learns the answers to these questions by observing her parents, elders and her friends.

### **Gender roles vary in different places**

Gender roles vary across regions, class and religions. Women in some cultures are not allowed to construct a house whereas in other cultures it's the responsibility of women to construct/build houses. Some religions prescribe what activities women should do and what defines borders for women. Roles of men are also described by some religious cultures. Among the rich and educated, men take part in household chores as well and women also perform work outside homes.

### **Gender roles are not questioned**

The majority of tasks assigned to gender roles are accepted and remain unquestioned. For example, women are expected to be the caretakers, perform household chores and take care of the sick and the children, and they are not expected to take part in economy-generating activities. In some places men are expected to be the breadwinners.

Are there other examples of roles we do without questioning?

### **Gender roles are changeable over time**

Gender roles and responsibilities can change over time. Do you have examples of gender roles and responsibilities have changed over time due to social political and economic factors? For example, in some places, women have taken up breadwinner roles, girls were not allowed to go to school but nowadays girls are sent to school, men never used to participate in household chores but now boys and men are participating in household chores.

Sex is linked to biological characteristics of being male or female. This is inborn. However, there have been attempts especially in the western world to change sex.

For example, some men have gone for surgery and replace some physical male features with female features, but this doesn't necessarily change their full biological set up.

Step 4: Ask participants to share their experiences in relation to what has been explained around the gender and sex concepts. Close by asking whether participants have any questions about gender and don't confuse it with women

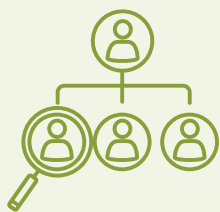
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### FACILITATOR'S TIP:

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Make sure that you end the session with a common understanding of the two concepts.

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#### Tool: Identifying Gender Roles

This tool helps participants to appreciate the workload women have and how that impacts on their lives and ability to engage and participate in development programmes including land governance activities at different levels. It provides an opportunity for participants to reflect on what needs to change and what actions they will take to improve women's participation in light of their time limitations.

Duration: 45 mins

Objectives	Materials	Methods
To help participants understand categories of gender roles.	— Flipchart — Manila papers — Marker pencils	Plenary Group discussions

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#### Steps to follow

Step 1: Explain the categorisation of gender roles using the explanation below – **refer to Handout 1 for a detailed definition.**

Work done by men and women is categorised as productive, reproductive and community work:

1. Productive work: Any work related to production, whether for income or family consumption.

2. Reproductive work: Involves the care and maintenance of the household and its members.
3. Community work: Includes any collective organisation of social events and services, ceremonies and celebrations, community improvement activities, participation in groups and organisations, local political activities and so on.

Step 2: Create a poster with 3 columns; one labelled "Reproductive roles", the second one "Productive roles" and the third column labelled "Community roles". Ask participants to form 3 groups and discuss and write down examples of work that fall under each of the categories.

Step 3: Ask each group to identify a leader to present their discussions.

Step 4: Allow participants to discuss which of the roles are mainly by women and men. Ask them to write down on a poster with two columns labelled "Women" and "Men" respectively. In each column write down work commonly done by women and that commonly done by men.

Step 5: Allow participants to discuss the lessons from the information presented on the poster. Is it fair, is it just? What does this situation mean for men or women? How does role distribution impact on the social and economic development of men or women? What needs to change?

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### FACILITATOR'S TIP:

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Enable participants to be very objective and open-minded; not to look at their own situation but the community context in general.

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## 2.2 Gender Norms and Values



#### Tool: Clarification of Gender and Sexual Norms and Values

This tool allows participants to dive deeper into the socialisation systems to understand the gender norms that have shaped their thinking, behaviour and practices.

By the end of the session, participants should be able to make a distinction between the positive and negative norms and strategies on what needs to be done to deconstruct the negative norms to achieve gender equality.

Duration: 1.5 hrs

Objectives	Materials	Methods
This section helps participants to understand gender norms and values and challenge themselves on upholding norms that spur development.	<ul style="list-style-type: none"> <li>— PowerPoint slides</li> <li>— Marker pens</li> <li>— Flipcharts</li> <li>— Sticky notes, coloured cards</li> </ul>	<ul style="list-style-type: none"> <li>Plenary</li> <li>Group discussions</li> </ul>

### Steps to follow

Step 1: The facilitator explains the social norms concept to the participants. Ensure that there is a good understanding of the concept among all. Allow participants to make contributions and note all their inputs on cards. Keep this discussion very broad to talk about all the norms and values that are held highly in their communities.

Step 2: Create a poster with two columns, one side labelled "Positive norms" and the other labelled "Negative norms".

Step 3: Split participants into two groups; ask each group to list up norms on each of the columns. Give them 15 minutes to complete this exercise.

Step 4: Group leaders present their discussions to the plenary. Allow participants to discuss and prioritise the ones that are very strong and the ones that are "losing" popularity. Note down the discussion points.

Step 5: Ask participants to point out norms that have a relationship with women's land ownership. "What norms and values inhibit women's land tenure security in your community?" The facilitator notes down all the discussion points and presents the poster on the wall. This poster ushers in tool 2.2 of this manual.



### Tool: Changing Harmful Norms

By the end of this session, individual participants are expected to make commitments to change the harmful norms. This exercise is important given the understanding that personal change has the potential to include broader community and societal changes. The facilitator needs to emphasise the importance of personal commitment to a transformative change.

Objectives	Materials	Methods
Understand that multiple factors can either enable or inhibit the changing of (harmful) gender norms and analyse the "stickiness" of gender norms and strategize and plan accordingly.	<ul style="list-style-type: none"> <li>— Flipcharts</li> <li>— Marker pens</li> <li>— Sticky notes</li> </ul>	<ul style="list-style-type: none"> <li>Plenary</li> <li>Group discussions</li> </ul>

### Steps to follow

Step 1: The facilitator pins the poster with notes on norms that inhibit women's land tenure security. Ask participants to add any other points that could have been left out.

Step 2: Ask participants to split into two single sex groups; this is to allow female participants to freely discuss and share their opinions without any undue influence.

Step 3: Ask each of the groups to create a poster with two columns: "Norms not in favour of women owning land" and "Strategies for change". Allow participants to discuss exhaustively. 30 minutes for discussions should be sufficient.

Step 4: Each group presents to the rest and allow discussions. Facilitator notes down crosscutting strategies from the two groups.

Step 5: Ask each participant reflects on the discussions and the topic and share their perspectives and lessons.

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## FACILITATOR'S TIP:

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This being a sensitive area, it's important to monitor discussions and keep members focused on the topic and not to mix in their feelings that can derail the group.

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### Facilitator's Reference Notes

Gender norms are a subset of social norms that relate specifically to gender differences. They are informal, deeply entrenched and widely held beliefs about gender roles, power relations, standards or expectations that govern human behaviours and practices in a particular social context and at a particular time. They are ideas or "rules" about how girls and boys and women and men are expected to be and to act. People internalise and learn these "rules" early in life. "Gender norms sustain a hierarchy of power and privilege that typically favours what is considered male or masculine over that which is female or feminine, reinforcing a systemic inequality that undermines the rights of women and girls and restricts opportunity for women, men, and gender minorities to express their authentic selves.

Gender norms are powerful, pervasive values and attitudes. Gender norms manifest at different levels, inclusion within households and families, communities, neighbourhoods and wider society. They ensure the maintenance of social order, punishing or sanctioning deviance from those norms interacting to produce outcomes which are frequently inequitable and dynamics that are often risky for girls and women.

Like with all social norms, it requires sustained effort and time to change gender norms. Gender norms are resistant to change because they are pervasive and largely invisible, considered "normal", and are held in place by a web of behaviours, beliefs and institutions.

Gender transformation aspires to tackle the root causes of gender inequality. It moves beyond individual self-improvement among girls and women towards redressing the power dynamics and structures that serve to reinforce gendered inequalities. Many of these gender norms are reflected in social institutions such as labour markets and legal systems and therefore transforming gender norms is complex and requires multi-sectoral approaches across the socio-ecological model.

Below are some of the strategies that can help change harmful norms.

Gender norms are most likely to change when:	Gender norms are less likely to change when:
There is no economic interest in the continuation of a practice or economic interest in changing norms/practices.	There are strong economic interests in the continuation of a practice.
No one's power is threatened by the change.	Groups perceive their power and status to be undermined by the change.
Only one key factor supports a norm.	The norm is supported by multiple factors.
There are no religious reasons for maintaining a practice.	There are religious forces that support the practice.
A critical mass (big group) has already changed their practice.	Very few others have changed the practice.
Role models and opinion leaders (religious leaders) promote the change.	Change role models and opinion leaders oppose the change.
Changing political or institutional contexts provides opportunities.	Political and institutional environment is resistant to change.

## 2.3 Gender and Power



### **Tool: Understanding Power: Personal Experiences in the Context of Land**

This tool helps to understand how power influences land access and control at family and community levels. It also helps participants to understand that to address the root causes of gender inequality, power should be taken into account.

Duration: 1 hr

Objectives	Materials	Methods
To help participants understand the different meanings of power for personal, organisational, social or political change.	<ul style="list-style-type: none"> <li>— Flipcharts</li> <li>— Marker pens</li> <li>— Power-Point slides</li> </ul>	<ul style="list-style-type: none"> <li>Group work</li> <li>Plenary</li> <li>Reflection</li> <li>Storytelling</li> <li>Role plays</li> <li>Discussion</li> </ul>

### **Steps to follow**

Step 1: Begin the session by asking participants to talk about their own experiences of power, disempowerment and empowerment using their own words before being introduced to the theory of power (see facilitator's notes below).

Step 2: Ask participants first on their own and then in pairs to think about the following questions and encourage them to think about the ways in which power plays a role in the challenges being faced.

- Can you identify some goals of women's land rights programmes?
- What enables or prevents change from happening?

Ask for volunteers to share their answers in plenary.

Step 3: Ask participants to think individually about a personal or professional experience in which they felt powerful, powerless or empowered, preferably but not necessarily in relation to women's land rights. For

example, a moment of conflict or discomfort at work, trying to make themselves heard in relation to power/authority/expertise, being in a position of power/authority/expertise, a situation in which they tried to get their rights recognised.

In small groups of three to four, participants take turns to share their stories allowing 2-4 minutes per person. Ask each group to have a timekeeper. Explain that sharing your story is voluntary and ask participants to refrain from moving on to interpretation and analysis of the stories.

Step 4: Reflection: After presentations, facilitate a discussion to draw out the different experiences of power, powerlessness or empowerment. At this stage, the purpose is to draw out the different ways of understanding power and to challenge any assumptions that power is defined in only one way.

Step 5: Introduce some of the key concepts, theories and frameworks of power and help participants to make connections with the experiences they shared in order to deepen understanding. Some of the questions to be asked include:

- What concepts, theories and frameworks are helpful?
- How do these concepts help to explain the experience of power and powerlessness represented in our stories?

Step 6: Ask participants to pick up one of the stories shared and analyse where the visible, hidden and invisible types of power play a role, where they lead, and how these contribute to a violation of women's land rights.

### **Activity 3.7: Using Power to Empower or Abuse**

This session helps participants to appreciate that some have power and influence and have the capacity to use it to both abuse and empower the vulnerable groups. The facilitator should therefore guide the participants to identify cases and examples where the powerful have used their power well or misused it and what women's land rights were violated in such instances.

Duration: 1.5 hrs

Objectives	Materials	Methods
This tool helps to link concepts of power: power over, within, power with and power to, and how these link to the empowerment process, and this helps participants to apply concepts of power in relation to women's land rights.	<ul style="list-style-type: none"> <li>— Flipchart</li> <li>— Marker pens</li> <li>— Coloured cards</li> <li>— Masking tapes</li> <li>— Glue stick</li> <li>— Sticky notes</li> <li>— Scissors</li> </ul>	<ul style="list-style-type: none"> <li>Group work</li> <li>Plenary</li> <li>Reflection</li> <li>Discussion</li> </ul>

### Steps to follow

Step 1: Begin by sharing definitions of power with the participants (see facilitator's notes below). Ask them to read the definitions of power, and then in plenary, discuss the concepts one by one and answer any questions as they arise.

Ask participants to think of an example in their **own life** or **community** of when they felt women's land rights were not respected, protected or fulfilled. Ask them to write these down on a sheet of paper.

Ask one or two participants to share their story and give an example of "power over" (i.e., abuse, coercion and failure to respect, protect and or fulfil women's land rights).

Step 2: Now that participants have heard the "power over" example, ask them to look at the explanation on the handout. Ask participants how, as staff within a women's land rights project/programme, they can facilitate "power within" for the person in the power over examples shared in the plenary. Write their responses on a flipchart.

Step 3: Ask the group what practical steps they can take to facilitate "power to" in order to facilitate empowerment of the disempowered. Let them give several examples. Write them down as well.

Step 4: Ask participants to identify a clear case of "power over" in their women's land rights project that they would like to address in real life.

### FACILITATOR'S TIP:

It's important to make sure that participants fully understand the link between harmful gender norms and power. In facilitating the session, keep asking which gender norms are at play with the different examples mentioned.



### Tool: A Power Analysis for Hidden, Visible and Invisible Forms of Power

This tool helps participant to appreciate that everyone has power, including women. The exercise helps participants to understand the type of power different people have and this helps to them to begin identifying entry points to influence the different powers and stakeholders towards a positive change in favour of women's lands rights.

Duration: 1.5 hrs

Objectives	Materials	Methods
Understand the concepts of hidden, visible and invisible forms of power and how these concepts relate to empowerment processes and women's land rights.	<ul style="list-style-type: none"> <li>— Flipchart</li> <li>— Marker pens</li> <li>— Coloured cards</li> <li>— Masking tapes</li> <li>— Glue stick</li> <li>— Sticky notes</li> <li>— Scissors</li> </ul>	<ul style="list-style-type: none"> <li>Group work</li> <li>Plenary</li> <li>Reflection</li> <li>Discussion</li> </ul>

### Steps to follow:

Step 1: Start by noting the different centres of power on separate flipcharts:

- Individual informal area
- Individual formal level
- Informal system level
- Formal system level

Divide the group into 4 smaller groups; one group will look at the individual informal area, one at the individual formal area, the third group at the informal systemic area and the final group at the formal systemic area. Ask each group to choose a women's land rights issue in relation to their area.

For example, at the individual informal level, addressing lack of knowledge about their land rights; at the individual formal level, exclusion from land-related decision-making processes; at the informal systemic level, discriminatory norms and traditions; and at the formal systemic level, a lack of gender sensitive laws and policies. You can assign these examples to the groups if they can't come with examples themselves.

Step 2: Ask each group to write down what they think are visible, hidden and invisible forms of powers at play in their own examples. It's important that they mention several stakeholders who perform this power play or are subject to it. Let the groups share in the plenary session.

Step 3: Ask in plenary: "After a power analysis like this, what are some of the practical things the programme could do to change the unequal power relations?" Ask the groups to draw up plans to address these issues based on the conducted analysis.

### Facilitator's Notes

Women and men hold multiple roles and relationships. With each, their level of power can vary. Power can be economic, political, social, cultural and symbolic. People are rarely powerful in (nor powerless across) all forms. Power is socially constructed. A person's experience of power can depend on their gender, race, class, age, etc. There are three dimensions of power:

Controlling power (Power over): The power over others through rules and governing processes (visible), through determining who has the right to participate in decision-making and the settings in which people interact (invisible), as well as through the power to define what is possible, reasonable or logical within a given context through shaping ideologies of kinship, capitalism, religion, science and education (hidden).

"Power with" describes collective action or agency and includes both the psychological and political power that comes from being united. It is often used to describe how those faced with overt or covert domination can

act to address their situation: from joining together with others, through building shared understandings, to planning and taking collective action.

"The power to empower", that is, the meaningful use of power to empower others, emphasises that those with power cannot disown it but should instead quietly accept it, and focus on using it sensitively and meaningfully to empower others.

"Power within" describes the sense of confidence, dignity and self-esteem that comes from gaining awareness of one's situation and realising the possibility of doing something about it. "Power within" is a core idea in gender analysis, popular education, psychology and many approaches to empowerment.

Understanding power and how it functions is central in theorising change to understand how change happens and thereby uncovering the reasons for gaps between theory and practice, between policy and implementation, proposed solution and actual outcome.

- Spaces for participation are created from above, yet they do not lead to real change.
- New institutional forms of democracy are promoted but are absorbed and reshaped by the contexts of power in which they sit.

These expressions are reminders that power can be used positively as well as negatively, by the disempowered as well as the powerful. They encourage us to think about power as something that can be galvanised to create strategies and pursue opportunities for change. The concepts are often used together: people need "power within" in order to act, and "power to" in order to act collectively, while the "power with" of shared understanding and action can also strengthen self-esteem and agency.

Power has different faces, and characteristic ranging from:

Visible power: observable decision-making. Visible power describes the formal rules, structures, authorities, institutions and procedures of political decision-making. It also describes how those in positions of power use such procedures and structures to maintain control. Visible power is countered with strategies of political advocacy and seeking access to formal decision-making processes.

Hidden power: setting the political agenda. Powerful actors also maintain influence by controlling who has access to the decision-making table and what is put on the agenda. These dynamics operate on many levels, often excluding and devaluing the concerns and representation of less powerful groups.

Responding to hidden power focuses on strengthening organisations and movements of the poor, building collective power and leadership to redefine the political agenda, and raising the visibility and legitimacy of issues, voices and demands that have been silenced.

Invisible power: shaping meaning and what is acceptable. Invisible power shapes the psychological and ideological boundaries of participation. Significant problems and issues are not only kept from the decision-making table but also from the minds and consciousness of those affected. By influencing how individuals think about their place in the world, this level of power shapes people's beliefs, sense of self and acceptance of the status quo. Processes of socialisation, culture and ideology perpetuate exclusion and inequality by defining what is normal, acceptable and safe.

Responding to invisible power focuses on re-imagining social and political culture and raising consciousness to transform the way people perceive themselves and those around them, and how they envisage future possibilities and alternatives.

### Useful References

- A Manual for Critical Discussions on Gender Norms, Roles and Relations *Stephanie Leder, Dipika Das, Andrew Reckers, and Emma Karki*. Accessed on: [https://wle.cgiar.org/sites/default/files/documents/Discussion%20Gender%20versus%20Sex\\_WLE%20Gender%20Training%20Manual.pdf](https://wle.cgiar.org/sites/default/files/documents/Discussion%20Gender%20versus%20Sex_WLE%20Gender%20Training%20Manual.pdf)
- IDS (2009) Power Pack: Understanding Power for Social Change. [www.powercube.net/wp-content/uploads/2010/01/PowerPack\\_web\\_version.pdf](http://www.powercube.net/wp-content/uploads/2010/01/PowerPack_web_version.pdf)
- Engaging Men and Boys for Gender Equality". Cooperative for Assistance and Relief Everywhere, Inc. (CARE). Accessed on: <https://www.care.org/sites/default/files/documents/UsefulResources>
- UNICEF (2020) Technical Note on Social Norms. Online: <https://www.unicef.org/media/104816/file/Gender-norms-technical-note-2020.pdf>



The background features a stylized landscape. At the top, a large white sun with a dotted pattern is partially obscured by a light beige background. Below the sun are several rolling hills and fields. The hills are rendered in dark green, black, and brown, each with a different texture: the dark green hill has a dense dot pattern, the black hill is solid, and the brown hill has a sparse dot pattern. Below these are fields in orange and reddish-brown, with the orange field having a dot pattern and the reddish-brown field having a line pattern. The bottom of the page is a solid black band.

**SECTION 3:**  
GENDER ANALYSIS IN  
THE LAND SECTOR  
PROGRAMMES

## SECTION 3: GENDER ANALYSIS IN THE LAND SECTOR PROGRAMMES

Gender analysis is an effort to understand how gender issues relate to development processes, through the application of a set of questions and tools that are to be integrated in all steps of the project. Therefore, it is imperative to ask how a particular activity, decision or plan will affect women differently from men, as the analysis is based on the fact that women and men play different roles in society, connected with different problems, different needs and priorities. It is for this reason that gender analysis must be applied at all stages of the development process. The basic assumption in gender integration in the project cycle – including monitoring, evaluation and impact assessment – is that men and women are not homogenous and are, therefore, involved in and affected by projects differently.

This module provides a set of tools that are essential in conducting gender analysis more generally and in land sector programming.



### Tool: 24-hour Activity Profile (Daily Activity Clock)

This activity helps participants to analyse busy periods for both sexes on a particular day and therefore helps them to identify appropriate times to involve women in land related activities. Without understanding women's schedules, there is a possibility that land activities could be organised during the busy periods for women and thereby causing them to not participate and engage.

Duration: 1.5 hrs

Objectives	Materials	Methods
To analyse the roles of women and men during the 24 hours of the day, looking at relative workloads between women and men.	<ul style="list-style-type: none"> <li>— Flipchart</li> <li>— Marker pens</li> <li>— Coloured cards</li> </ul>	<ul style="list-style-type: none"> <li>Group discussions</li> <li>Plenary</li> </ul>

### Steps to follow:

Step 1: Facilitator explains the tool to the participants. Make sure participants understand the tool before the exercise begins.

Step 2: Ask the participants to split into smaller single sex groups of no more than 10 people.

Step 3: Ask group members to list all the activities that they undertake in their daily routines on a piece of paper or coloured card. Each participant should be given a chance to express his/her own experience followed by others explaining whether they agree or not on those activities and their time management. In order to prevent a situation that one person dominates the discussion it would be wise to ask each person by turn so that each person provides their reflection on the question.

Step 4: Ask the smaller groups to record the activities on a flipchart paper. The flipchart should have two columns, on one side labelled "Activity" and the other side labelled "Time". List all activities under column one. Once this is completed, then let the group discuss on the activities that are most tedious and time-consuming or labour-intensive. Ask the group to indicate what time each activity starts, and the average time spent on each activity. This should be recorded under column two opposite each activity listed under column one.

Step 5: Ask groups to return to the plenary session and present their discussions. Once all the groups have presented ask the participants to reflect on the following questions:

- Who does most of the work? And how does that impact their socio-economic and health wellbeing, and specifically women's land tenure security?
- What can be done to help balance the workload?

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## FACILITATOR'S TIPS

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1. The “24-hour day” activity is a good way to understand the idea of gender roles – that women and men are expected to play different roles in the family, community and workplace because of society’s ideas about the differences between men and women. But remember that these gender roles may also be affected by class, ethnicity and other differences.
2. Bear in mind that many men do actually take part in some domestic work, usually as a way of helping out occasionally when there is a specific need but rarely as an expression of shared responsibilities.
3. Be aware that this exercise might make some men feel a sense of guilt or frustration when they so graphically see the injustices inherent in the ways that productive and reproductive work is socially divided. Enable them to move beyond that sensation, asserting the importance of taking small steps individually to change things where we can, which is usually within the family structure. Each one can take greater responsibility in a real way.
4. Remember too that when a man decides to change the way in which he relates to domestic work this affects the women who have been carrying it out for years! Men should be sensitive when they decide to take part in domestic work and ensure that the changes, they instigate do not make women feel threatened, undervalued or displaced as can often happen, especially if the women involved have had no access to gender training. Changes that men undertake should be talked about and negotiated with the women beforehand and subject to their approval!

Keep the presentations on the wall and then straight away begin with the next tool, the Access and Control Matrix.

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### Copy of handout (flipchart 1): The 24-hour Day (Men)

The activities that I carry out	Paid, Yes/No	The activities that the women who cares for me carries out	Paid, Yes/No
1am		1am	
2am		2am	
3am		3am	
4am		4am	
5am		5am	
6am		6am	
7am		7am	
8am		8am	
9am		9am	
10am		10am	
11am		11am	
12 noon		12 noon	

The activities that I carry out	Paid, Yes/No	The activities that the women who cares for me carries out	Paid, Yes/No
1pm		1pm	
2pm		2pm	
3pm		3pm	
4pm		4pm	
5pm		5pm	
6pm		6pm	
7pm		7pm	
8pm		8pm	
9pm		9pm	
10pm		10pm	
11pm		11pm	
12pm		12pm	

### Copy of flipchart 2: The 24-hour Day (Women)

The activities that I carry out	Paid, Yes/No	The activities that the women who cares for me carries out	Paid, Yes/No
1am		1am	
2am		2am	
3am		3am	
4am		4am	
5am		5am	
6am		6am	
7am		7am	
8am		8am	
9am		9am	
10am		10am	
11am		11am	
12 noon		12 noon	
1pm		1pm	
2pm		2pm	

The activities that I carry out	Paid, Yes/No	The activities that the women who cares for me carries out	Paid, Yes/No
3pm		3pm	
4pm		4pm	
5pm		5pm	
6pm		6pm	
7pm		7pm	
8pm		8pm	
9pm		9pm	
10pm		10pm	
11pm		11pm	
12pm		12pm	



### Tool: Access and Control Matrix

The tool helps to understand who benefits from the available resources at family and community levels. Towards the end of the session, the facilitator should place the Activity Profile discussion charts next to the Access and Control Matrix discussion charts and ask participants to study the linkages between the two and identify any unfair manifestations that need to be rectified.

Duration: 1.5 hrs

Objectives	Materials	Methods
To help participants analyse available resources and understand what benefits are derived by different genders.	Pre-prepared Access and Control Profile	Plenary Group Discussion

### Steps to follow:

Step 1: The facilitator explains the tool to the participants and asks participants to list all resources available at the household level. It's important to

differentiate access to resources and control over resources. Access to resources means having the opportunity to make use of a resources while control over resources is about power to decide how a resource is used and who has access to it.

Step 2: Ask the group to split into smaller groups of single sexes, i.e., separate groups for men and women.

Step 3: Ask each group to draw a matrix on a piece of flipchart paper and create four columns. Put "men" on top of the first two columns and "women" on the next two columns. Label columns 1 and 3 "Access to" and label columns 2 and 4 "control over". Use symbol X to indicate who has access to and symbol XX to indicate who has control over for both men and women. Use symbol Y if no access or control for either men or women.

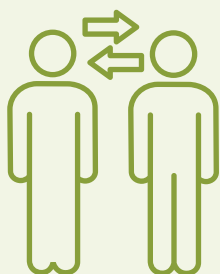
Step 4: Present the posters of small groups in plenary and allow time for reflection of about 5 minutes before the discussions begin. At this point, move the posters of activity profiles and place next to the access and control profile posters. The posters for women should be put side by side and the same procedure should be done for the posters for men.

Conclude the discussion by asking participants to reflect on the following questions:

- What do you observe from the two posters? What do the posters tell us about gender inequality in our community?
- What can we do to reverse this inequality? Who do you think has a responsibility to create this change at household, community and other higher levels?

### FACILITATOR'S TIP:

Quite often, participants provide socially desirable answers like "we are both in control", so it's always important to probe in order to be able to come up with clear representations of the situation on the ground.



#### **Tool: Gender Communication**

This tool helps participants to appreciate that there are different communication channels in every community and that certain channels are commonly accessible by

women and men and why. It allows them to reflect on what channels they have been using and whether the information has been reaching both sexes equally at the same level.

Duration: 1 hr

Objectives	Materials	Methods
To help participant understand gender dynamics of information transmission at household and community levels.	<ul style="list-style-type: none"> <li>— Pre-prepared Gender Communication Tool</li> <li>— Marker pens</li> <li>— Flipcharts</li> <li>— Masking tape/ Fanta sticks</li> </ul>	<ul style="list-style-type: none"> <li>Discussions</li> <li>Reflection</li> <li>Presentation</li> </ul>

This tool can be used to collect and analyse data at the community and household level with regard to ways of information transmission to the beneficiaries differentiated by gender. It enables programme planners to

choose a communication method that equally benefits women and men.

#### **Steps to follow:**

Step 1: Display the poster "Gender Communication Tool" to the participants and ask participants to identify methods and technologies that are applicable in their communication. This tool provides information on how women and men access and share information. Participants review different communication methods in casual and formal settings and indicate which gender gives and/or receives information for each technique/site of communication.

Ask them to create a poster following the same format and fill in with the new methods and technologies accordingly. Ask the participants to identify a leader and secretary to take notes and regulate group discussions and take notes.

Once the poster has been once filled, ask the group to brainstorm on the following questions:

- To what extent are your programmes taking into account communication and information accessibility challenges of women and men?
- What are you going to do differently to ensure that women and men and other social groups get timely land information?

#### **An example of a communication tool**

Communication Methods	Women	Women	Men	Men	Comments
	Receive information	Give information	Receive information	Give information	
<b>1 Formal meetings</b>					
					Village council meetings
					Area land committee meetings
					Village saving and loans associations
					Consultations
<b>2. Casual meetings</b>					
					Prayer time
					Family member meetings
					Friends
					Immunisation days
<b>3. Information and communication technologies</b>					
					Mobile phone – SMS
					Mobile phone – Calls
					Mobile – the Internet
					Radio
					Television



### Tool: Stakeholder Mapping of Land Actors

This tool helps participants to appreciate the role of different land actors and therefore proposes strategies for coordination and collaboration. If well facilitated, the exercise has the potential to unveil the level of power and influence on women's land rights, creating an opportunity to identify entry points and appropriate advocacy messages.

Duration: 1.5 hrs

Objectives	Materials	Methods
To understand which institutions are working on women's land rights.	<ul style="list-style-type: none"> <li>— Flipchart</li> <li>— Marker</li> <li>— Pens</li> <li>— Sticky notes</li> </ul>	<ul style="list-style-type: none"> <li>Brainstorming</li> <li>Discussions</li> </ul>

### Steps to follow:

Step 1: Ask participants to list down all institutions that support land governance or land use related programmes in their community. Ask them to include

government, non-government organisations, community-based organisations, faith-based organisation, traditional institutions and donors.

Step 2: Split the groups into smaller groups of 10 people and ask each group to select at least 5 institutions and brainstorm on the following questions:

- What do these organisations do?
- Where do they work?
- How do they interact with the target populations?
- Where are the overlaps with other organisations? Where are the gaps in capacity?
- What are the strengths and weaknesses of each organisation?
- How do they promote women's land rights in their work?
- What is the institution's level of influence over planning and implementation for gender equality in land programmes?

Step 3: Ask each group to present the discussion to the plenary and invite members from other groups to comment/add to it.

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### FACILITATOR'S TIP:

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The institutional mapping exercise helps to understand which institutions are working in the same community to support land rights work and specifically women's land rights. The mapping exercise helps in identifying the institutions that should be engaged in women's land rights and gender equality process as well as potential allies and opponents in addressing the vulnerability of women's land rights at the household and community levels. Thus, the facilitator needs to probe to ensure that all stakeholders are listed and then categorised based on their roles and levels of influence.

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### Facilitator's Notes

Gender analysis is a systematic analytical process used to identify, understand, and describe gender

differences and the relevance of gender roles and power dynamics in a specific context. In general, it forms the basis for gender mainstreaming.

Gender analysis helps to understand the relationships between men and women. Assessing the relationship makes it possible to determine men's and women's constraints and opportunities within the farming system. The analysis answers the following questions:

- Division of labour: Who within the household carries out which agricultural tasks? (What do men and women do?)
- Who has access to and control over resources and services?
- How are resources distributed and who makes the decisions? (Which decisions do men and women make in the family/community?)
- What are the reasons behind these differences in gender?

Why is gender analysis done?

- To better understand the opportunities/problems in the community and plan interventions which are beneficial to both women and men.
- To expose the barriers to women's full participation and economic development.
- To make decisions and implement the project/programme that promotes gender equity.
- It helps to find the best strategies and solutions to address the different needs and dynamics of men and women living in poverty.

Gender analysis can be done using:

- Formal interviews and surveys, mapping.
- Household interviews and focus group discussions (FGDs).

By conducting a household interview a lot of information (qualitative/quantitative) can be obtained that can give a better understanding of the issue. For example, in semi-structured interviews general questions or topics are initially identified and become basis for more specific questions during the interview allowing both



the interviewer and the person being interviewed to discuss the issues. The other approach is focus group discussions. In this case small groups (usually 5-10 people) are formed for an open discussion assisted by a facilitator/moderator. Unlike individual interviews, focus group discussions provide an added dimension of the interactions among members.

Gender analysis tools/frameworks are approaches used to generate data and information during gender analysis. They answer questions such as: who does what, who has what, who needs what and what should be done to close the gaps between what women and men need. In order to conduct gender analysis various tools have been developed of which two are presented below: the Harvard Gender Analysis Framework and the Gender Analysis Matrix (GAM).

### **When to conduct gender analysis?**

Gender analysis should be undertaken at all stages of a programme/project cycle.

- Stage 1: Identification of the project or activity. For example, the identification and formulation phase is the most important stage when it comes to integrating the gender dimension into the project. It allows the compilation of a balanced set of ideas, giving special attention to male and female opinions. It addresses the potential impacts the project will have on the lives of women and men. Furthermore, it allows the collection of necessary information on gender issues through indicators that will be useful later in assessing the impacts of the project.
- Stage 2: Formulation. Information from stage 1 is essential for good project formulation as it helps to understand which stakeholders will be most influenced by the project and therefore reveals who should be more involved in the design and planning of that activity implementation.

— Stage 3: Implementation, monitoring and evaluation. During implementation, monitoring and evaluation, gender analysis helps to assess differences in participation, the effect of the project on gender relations, and disparities in the benefits and impacts between males and females. At this level, it is important to take into account the following key questions:

- Do women/men benefit from the programme in the same way?
- Are some women/men negatively impacted by the programme?
- Have gender relations of women/men in the target group changed as a result of the programme? Have gender gaps been reduced?
- Are new gender issues emerging within the programme?
- Are there new external factors affecting gender besides the programme positively or negatively?
- Are women/men supportive of the programme or do they wish to change it (partly/ totally)? Who? Why? How?

### **Useful Resources:**

Manual on Gender Analysis Tools, accessed on: [https://agriprofocus.com/upload/CASCADE\\_Manual\\_Gender\\_Analysis\\_Tools\\_FINAL1456840468.pdf](https://agriprofocus.com/upload/CASCADE_Manual_Gender_Analysis_Tools_FINAL1456840468.pdf)

Climate Vulnerability and Capacity Analysis Handbook, accessed on [http://www.alofatuvalu.tv/FR/12\\_liens/12\\_articles\\_rapports/CARE\\_CVCA.pdf](http://www.alofatuvalu.tv/FR/12_liens/12_articles_rapports/CARE_CVCA.pdf)

## SECTION 4: GENDER BUDGETING

### *Step*

1

Formulation phase

2

Approval Phase

3

Implementation phase

4

Monitoring phase



## SECTION 4: GENDER BUDGETING

This module introduces the budget processes for most countries across the IGAD region. It enables civil society actors and government planners to identify entry points for influencing budget allocation. In addition, it empowers the governments, both local and national, to understand how to budget for women's land rights. The selected tools also provide guidance on how civil society can influence the budgeting process using evidence from their programmes.



### Tool: Introduction to the Budget Cycle

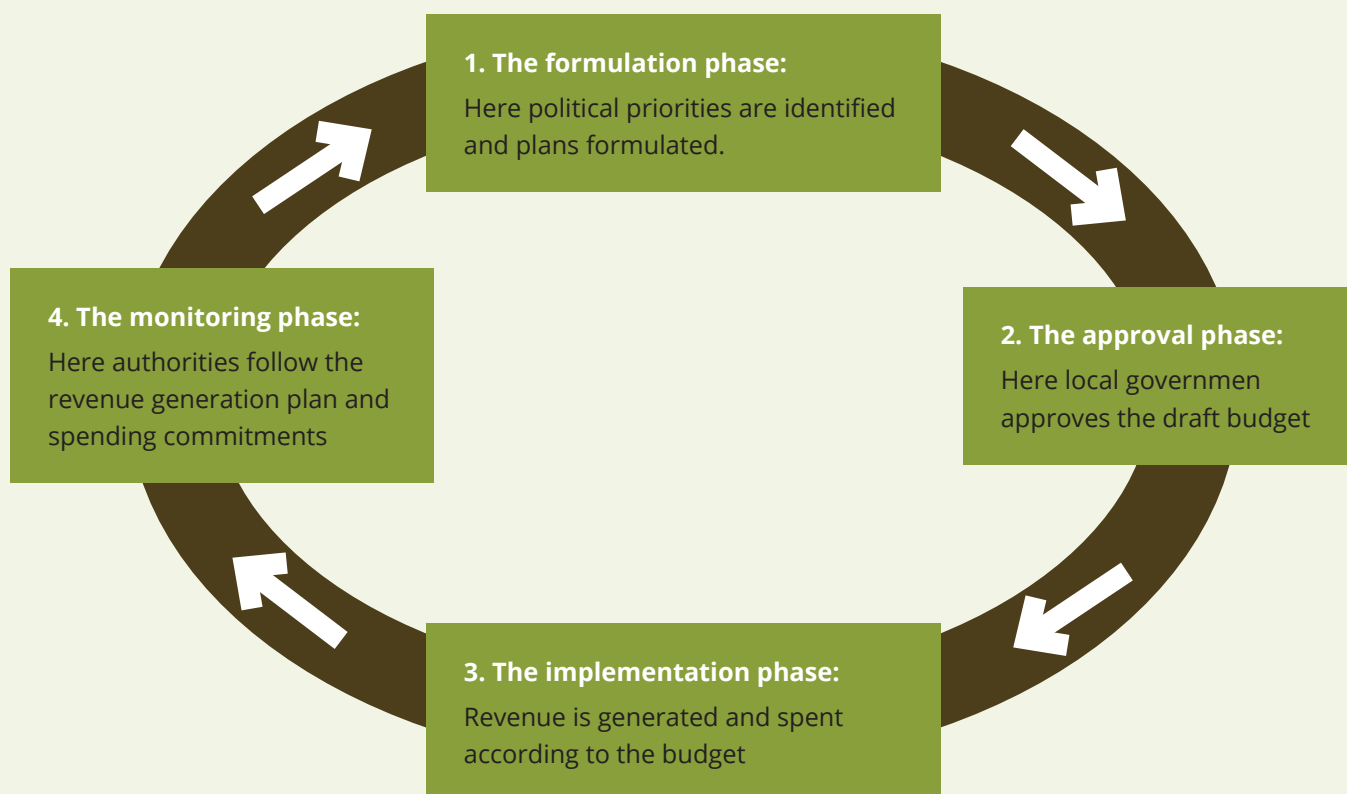
This tool helps participants to appreciate the important of gender

budgeting and the role of different stakeholders. Land actors have a key role in influencing the budget and ensuring the land budget is responsive to the women's land needs.

Duration: 2 hrs

Objectives	Materials	Methods
To introduce the budget cycle and the potential entry points for action on advocating for a gender sensitive land sector budget.	<ul style="list-style-type: none"> <li>— Flipchart</li> <li>— Marker pens</li> <li>— Sticky notes</li> </ul>	<ul style="list-style-type: none"> <li>Group exercises</li> <li>Plenary</li> </ul>

DIAGRAM 1: THE BUDGET CYCLE<sup>1</sup>



1 Commonwealth Secretariat: Gender Responsive Budgeting Tools. Found on: <http://www.unpac.ca/gender/learnmore.html>

## Steps to follow

Step 1: Participants are given a collection of sticks that represent money. They then have to decide how to spend the funds in their area. The facilitator gives an example where one stick represents a new school to introduce the concepts of "budget" and "budget cycle". The facilitator can guide the group through the budget cycle as they decide what to spend the budget on. For instance, the first stage is to consult and agree on the public services and investments that the community needs. This then needs to be approved by leaders in the community (i.e., the local government, chiefs etc.). The budget is then implemented, and it is up to the community to monitor and evaluate its implementation.

Step 2: The facilitator explains that a **budget** is a legal document in which the government says what the public money is going to be spent on. Part of the money available for budget expenditure is money collected from people's taxes.

Step 3: The facilitator explains the four phases of the budget cycle indicated in the diagram above.

**Phase 1 and 2 on budget allocations:** This is the moment of the year **when the government plans and decides** on what to spend the public money on (called "formulation phase") and agrees on a final decision (called "approval phase"). Your government is obliged to have consultations in your area before approving the budget and to publish the final approved budget in a clear and simplified way (i.e., citizens' budget) – although this does not always happen. You have the right to ask for your priority (i.e., schools) to be included in the budget.

**Phase 3 and 4 on real spending:** This is the moment of the year **when the government collects revenue and spends it** (called the "implementation phase"). Part of the money collected is through taxation. Finally, the government proves that funds are used correctly (called the "monitoring phase"). Local people need to complement the state's self-monitoring to check that the government is spending and monitoring correctly. This then informs their demands for public services and investments in next year's budget.

Step 4: The facilitator shows a copy of the budget (Local Government or Sector Budget) to the group. Participants analyse:

- Which areas are the local government is **spending on**?
- What services do you most want to see in your community? (Choose one or two.)
- Does the budget include that priority service identified?
- What are the **sources of revenue**?
- How much revenue comes from local taxes?
- How much revenue comes from the central state?
- Think of ways to raise more revenue locally.
- Which areas of the land sector are not budgeted for?
- Which areas of the land sector are sufficiently budgeted for?
- How much of the budget is allocated to addressing gender inequalities?

Step 5: Wrap up the session by asking participants to discuss the questions below:

- Who makes decisions about expenditure priorities?
- In which of the four phases do you think it is easier to influence the budget?
- In which phases might women's land rights budget priorities be introduced?



### Tool: Examining a Ministry's Budget Statement

This tool helps participants assess the extent to which the budget statement for the ministry of land is gender responsive. It provides factual information on gaps and, thus, can identify what corrective actions need to be taken. It's important that the facilitator identifies a budget statement prior to the training and make copies depending on the expected number of participants.

Duration: 3 hrs

Objectives	Materials	Methods
To enhance participants understanding of budget monitoring/tracking.	<ul style="list-style-type: none"> <li>— Budget framework paper/Budget statement</li> <li>— Flipchart</li> <li>— PowerPoint slides</li> <li>— Marker pens</li> </ul>	<ul style="list-style-type: none"> <li>Presentation</li> <li>Plenary</li> <li>Group discussion</li> </ul>

### Steps to follow

Step 1: Share the budget statement from at least 2 ministries (e.g., ministries responsible for lands and justice) that have a key role in addressing women's land rights. It's important that participants scrutinise all budget provisions to identify where related budget can be/has been allocated. Explain that this is the budget for the five-year plan which supports delivery of the development activities in that particular ministry.

Step 2: Split participants into groups of a maximum of 10 people per group.

Step 3: Ask participants to take turns reading the budget statement with each person reading one page. Pause after each page to discuss whether the participants have any ideas for changes that would make the BS address women's land rights concerns.

Step 4: Ask each group to make suggestions as to how the Budget Framework Papers (BFPs) can be adjusted to address women's land rights concerns.

Step 5: Wrap up the exercise by asking participants to discuss the following questions:

- Are women's needs and priorities in relation to other issues equally taken into consideration, given their specific challenges?
- What proposals for allocation do you have to women land rights concerns addressed by the respective ministries?
- What opportunities do you have for influencing budget revision at national or local levels?

## Facilitator's Reference Notes

### 1.1 Stages of the budgeting process

Budgets have to be passed regularly, usually on an annual basis, in order to ensure that the government continues to operate. The budgeting process is governed by a timeline that can be separated into four different stages: drafting, legislating, execution, and audit. This basic sequence is applicable for many if not most countries whose governments are built on democratic principles. But across countries there are important differences in the influence of various actors and the timing of the process. Budget cycles overlap – at any one time a number of different budgets are at different stages of the budget process. For example, the legislature might concurrently have to deal with one budget that has to be approved, monitor the implementation of the current year's budget, and consider an audit report on a budget that has already been implemented. For legislative bodies, the maintenance of fiscal oversight can be a complex challenge. The drafting stage is mostly internal to the executive, but it does not have to be a secretive affair.

- The first step is to set a fiscal policy and estimate available revenues in order to establish the total resource envelope that will be available for spending.
- Based on the policy priorities of the government, the second step involves negotiations between spending departments and the finance ministry or treasury on the allocation of funds across different functions. Usually, the finance ministry issues indicative expenditure ceilings for each department. The latter then have to compile draft spending proposals. These are reviewed by the finance ministry, which might enter into discussions with departments to resolve controversial issues.
- Once this stage is finalised, the draft budget has to be reviewed and approved by cabinet, which might also have to make a final decision on particularly contentious issues that could not be resolved before.

National government ministries, especially ministries of finance and planning which coordinate the budget process, need to build capacity in gendered policy and budget analysis and formulation. If government budget planners lack these skills, it is difficult for other stakeholders, such as legislators, to introduce a gender perspective to the budget in later stages.

## 1.2 Roles of different stakeholders in informing gender responsive budgets

Different stakeholders can be involved in gender responsive budgeting. They have different roles and carry out different activities. However, who is involved in gender budget work differs from country to country.

The Ministry of Finance plays a central and crucial role in gender responsive budgeting. This ministry is in the position to make changes in the budget call circular, it checks the line ministries' submissions against the prescriptions of the budget call circular, it approves the format for gender budget statements, and it can publish gender budget statements.

Sector ministries are responsible for submitting budget estimates to the Ministry of Finance and executing budgets according to their sector policies and priorities. They need to take into account gender-aware sector-specific research findings when formulating policies and drawing up budgets. They prepare submissions in line with the budget call circular and prepare gender budget statements for their respective sector.

The Ministry of Women's Affairs/Gender in most countries has the mandate to lobby for mainstreaming of gender in all policies, projects and programmes of the government. It should have the capacity to monitor the process of the implementation of gender responsive budgeting.

Researchers can carry out post-budget impact analysis or prepare pre-budget scenarios by applying different tools of gender responsive budgeting. The research findings should be widely disseminated and used for lobbying and advocacy.

Statisticians are crucial as good gender budget analyses and gender-sensitive planning and budgeting are dependent on the availability of reliable sex disaggregated data and other gender-relevant statistics. In some cases, the reformulation of existing questionnaires would be necessary to collect these data. In other cases, the design of new surveys would be needed, for example time use surveys for the collection of time use data.

Parliamentarians have to approve the budget after it is tabled in the parliament. They should scrutinise the proposed budget from a gender perspective and

propose amendments. However, the scope to demand amendments differs from country to country.

The media can play an important role in ensuring transparency and accountability by reporting about budget decisions from a gender perspective.

Donors play a role in gender responsive budgeting by funding gender-responsive budgeting activities and providing technical advice. Civil society organisations (CSOs) can lobby and advocate for budgets that are more pro-poor and gender equitable. Experience has shown that gender responsive budgeting initiatives are more successful in countries where groups outside the government are involved as a strong pressure group.

Civil society actors can have a range of different roles in Gender Response Budgeting (GRB) work, depending on their focus. A key task is to advocate gender responsive policies and lobby for necessary changes with a view to improve the gender equality performance of the municipality. Civil society actors have an important role in making sure that priorities of citizens, and especially women and other groups that have less access to policymakers, are channelled to decision-makers.

Also, CSOs can take up an important role in providing independent monitoring and evaluation of the budget. Budget monitoring/tracking helps to get a holistic picture of how public resources directly or indirectly affect people, especially the poorest and most marginalised people. The importance of tracking budgets is derived out of the recognition that allocation of funds does not always lead to disbursement or even efficient utilisation of the amount disbursed. It is for this reason that CSOs need to be involved in budget tracking of the resources meant for delivery of public services in the community. Budget tracking can be used by communities and CSOs to lobby governments to prioritise community priorities in public spending. Budget tracking provides communities and CSOs with the evidence to:

- Improve transparency and accountability in public spending,
- Improve quality of public service provision,
- Influence decision-making processes and targeted outcomes,
- Enhance public awareness on the government budget,

— Advocate for increased and efficient use of resources.

### 1.3 Steps to implement and institutionalise gender responsive budgeting

Several steps are necessary to implement and institutionalise gender responsive budgeting:

Collection of data on women's land rights needs and challenges. This could be through use of any qualified research.

The availability of gender-sensitive data is fundamental for gender responsive budgeting. Without sufficient data a meaningful analysis is much more difficult.

#### Sensitisation of policymakers

Gender responsive budgeting is not only about budgeting but also about policymaking and planning. It is therefore important to raise awareness among policymakers about gender issues and provide them with skills to analyse and address the issues.

Sensitisation of planning and budget officers in the Ministry of Finance and the budget departments of line ministries officers who plan and draw up budgets must also be sensitised that the work they are doing may have different impacts on women and men. Sensitisation must focus on a change in attitudes of people and new ways of analysing problems.

#### Training and capacity building

Awareness raising and sensitisation are not enough. Different stakeholders of gender responsive budgeting need different skills and capacities to make a practical difference in the lives of women, men, girls and boys that can be strengthened by trainings.

#### Advocacy

Experiences of different gender responsive budgeting initiatives have shown that advocacy is central to the success and sustainability of the initiative. The general objective of advocacy work is to influence decision-makers.

#### Institutionalising gender responsive budgeting

Gender responsive budgeting should not be regarded as an add-on activity. The standard budget guidelines

such as the annual budget call circular and reporting forms should be changed in a way that includes gender aspects. In this way gender responsive budgeting will become part of the normal budget routine.

#### Analysis of the gendered impact of existing revenues and expenditures

Many empirical studies have shown that the way a government raises revenues and its pattern of public expenditures often benefit women less than men or, even worse, affect women negatively. Usually this is not intended, but a result of gender-blind macroeconomic policymaking. Post-budget gender-aware impact analysis may reveal the gendered impacts of public finance

#### Increase the number of women in budget decision-making

Women and men often have different priorities and needs because of their different social roles and responsibilities. If more women are involved in budget decision-making the probability that women's needs and priorities are addressed by public investments is likely to increase.

#### Useful Resources

Budlender, D.; Sharp, R. with K. Allen: How to do a gender-sensitive budget analysis: contemporary research and practice, 1998. Found on: [http://www.bridge.ids.ac.uk/gender\\_budgets\\_cd/5-tools.htm#2](http://www.bridge.ids.ac.uk/gender_budgets_cd/5-tools.htm#2)

Commonwealth Secretariat: Gender Responsive Budgeting Tools. Found on: <http://www.unpac.ca/gender/learnmore.html>

Byanyima, W.; Wehner, J.: Parliament, the Budget and Gender, 2004. Found on: [www.ipu.org/PDF/publications/budget\\_en.pdf](http://www.ipu.org/PDF/publications/budget_en.pdf)

Economic Commission for Africa: Compendium of Best Practices on Gender Mainstreaming. Engendering National Budgets: The Case of Tanzania, 2002. Found on: [http://www.uneca.org/eca\\_programmes/acgd/archive.htm](http://www.uneca.org/eca_programmes/acgd/archive.htm)

Sen, G.: Gender Mainstreaming in Finance. A Reference Manual for Governments and Other Stakeholders, Commonwealth Secretariat, 1999. Found on: [http://www2.gtz.de/gender-budgets/deutsch/infothek\\_kontext\\_finanz.html](http://www2.gtz.de/gender-budgets/deutsch/infothek_kontext_finanz.html)

## SECTION 5:

# GENDER AND LAND ADMINISTRATION





# SECTION 5: GENDER AND LAND ADMINISTRATION

The proposed tools in this section help participants to interrogate the role of the local leaders and land administrators in managing land disputes. In addition, the tools introduce participants to institutions that are involved in managing land and resolving disagreements about land; how accessing and engaging with these institutions is different for women compared to men; how these differences affect women. The exercises help participants identify institutions with authority to manage land, resolve land disputes and to discuss the major access challenges that women face when they have land disputes.



### Tool: The Role of Land Administrators in Promoting Tenure Security for All

Most times land administration tends to be more land-focused than people-focused. This tool helps participants to understand the role of land administration from a people perspective, asking land administration *for who*. This session focuses on understanding whether the existing land administration processes and system respond to the needs of the most marginalised groups, especially women.

Duration: 1.5 hrs

Objectives	Materials	Methods
To help participants understand and clarify the role of land administrators in delivering gender sensitive decision-making at the community level.	<ul style="list-style-type: none"> <li>— Marker pens</li> <li>— Flipcharts</li> <li>— Coloured cards</li> </ul>	<ul style="list-style-type: none"> <li>Debate</li> <li>Plenary discussions</li> </ul>

### Steps to follow:

Step 1: The facilitator asks participants to map out key formal and informal institution responsible for land administrators. Institutions are listed on a piece of paper.

Step 2: Ask participants to split into two smaller groups. There will be a group of proposers and opposers with each defending their standpoint. A ruling is made based on the views shared.

Give instructions to the group: One group is to be opposers and the other group proposers on the topic: "Leaders and land administrators are a liability in ensuring women's and girls' inheritance of land in your community". Groups are given 15 minutes to discuss and consult in preparation for the debate. Each group selects 3 people to represent opposers or proposers. The facilitator nominates a chairperson and secretary for the debate.

Step 3: Begin the debate, each side is given 15 minutes for their presentation.

Step 4: Once the debate is over, open up for a plenary discussion.

- To what extent is the above statement true? Allow participants to share their personal experiences as much as possible.

- Why do you think the leaders are not gender sensitive?

- What accountability measure are leaders working with?

Step 5: Split the group into 3 groups, and distribute the following questions to each group:

- If your community wants to record its land, where should the community go? What are the requirements for legal documentation of land in your community?

- If your community land is being used by investors, which institutions can help the community to receive just benefits?
- What can be done to improve women's ability to participate in decisions about land investments to receive fair compensation for losses and enjoy equal benefits?

Step 6: Ask each group to present their discussions in plenary and seek comments from the other groups.

Step 7: Close the session by asking participants to share experiences regarding land-based investments, if any, and suggest any mechanisms for ensuring that leaders become gender sensitive in all land-related matters without any compromise.

#### FACILITATOR'S TIP:

Appreciate and be sensitive to people's needs, varying levels of experience

and backgrounds – encourage mutual respect among participants and between participants and facilitators. Make it clear to the participants that all levels of experience are useful and relevant to the discussion.

2. Allow space for experience sharing in the discussion – participants, who are comfortable sharing their experiences, either in a personal capacity or from their work environment, may be able to help others grow and enrich the group's learning. When people tell their stories, it enhances learning and understanding.



#### **Tool: Formal and Informal Dispute Resolution Mechanisms for Enforcing Women's Land Justice**

Land adjudication is a critical process in land administration and most times women lack access to justice institutions due to a knowledge barrier. This session helps to identify the most accessible and functional land justice institutions. Recommendations from this session can be shared in public spaces to enhance women's access to justice.

Duration: 2 hrs

Objectives	Materials	Methods
Understand the formal and informal dispute resolution mechanisms for enforcing women's land rights.	<ul style="list-style-type: none"> <li>— Flipchart</li> <li>— Markers</li> <li>— Blue tags/sticky notes</li> </ul>	<ul style="list-style-type: none"> <li>Plenary</li> <li>Group discussions</li> </ul>

#### **Steps to follow:**

Step 1: Divide participants into 3 smaller groups and ask them to deliberate on mechanisms for land dispute resolution.

Step 2: Ask participants to discuss:

1. The different traditional, government and civil society institutions' mandates and functions over land.
2. The challenges women face when trying to access these institutions.

Ask each group to write down their discussion points on a flipchart to hang on a wall.

Step 3: Choose one question below to give each group to discuss and note down their discussion points.

1. What are different types of land disputes women face at the community level?
2. How do institutions deal with women's land dispute cases in comparison to men's cases?
3. What changes would you like to see in the function of these institutions on land matters involving women?

Step 5: Allow each group to present their discussion in the plenary and invite comments from other groups. Write the key points for clarification on the flipchart, summarise the discussions, invite questions and observations and close the session.

## Facilitator's Notes

Land administration systems should ideally: guarantee ownership and secure tenure; support the land and property tax system; constitute security for credit systems; develop and monitor land markets; protect state lands; reduce land disputes; facilitate land reform; improve urban planning and infrastructure development; support land management based on consideration for the environment; and produce statistical data. The guidance within this handbook covers different aspects of land administration processes.

Land administration systems find mandate within national or state land laws and land policy frameworks. These should enable the creation of effective land administration and management systems; ones that are available, accessible, inclusive, participative, gender sensitive, transparent, and support the exchange, application and management of land administration information – to all members of society.

Gender equality in land administration is a relatively new phenomenon. Capacity development of the staff at various levels becomes important if success is to be achieved. Mainstreaming gender equality issues in land administration involves challenging the status quo – it means making changes to how the staff think, relate, and work, changing some of their long-held beliefs about the role and value of men and women in land ownership. Change is usually challenging for most people and can lead to resistance or low uptake of a reform.

For the uptake of gender equality in land administration to be successful, it must involve top management – a fact that has been proven repeatedly around the world and especially in relation to achieving gender equality. To achieve change, primary actors in the land administration chain must be willing to acknowledge and speak out about what needs changing, and how to do it, and must be firm in promoting change for gender equality throughout all land administration processes.

## Useful Resources

Training Manual For Local Administrators and Leaders on Women Land and Property Rights , CERD, 2014: Online: [http://www.unodc.org/documents/ropan/Manuales/Training\\_Curriculum\\_on\\_Women\\_and\\_Imprisonment\\_v1.pdf](http://www.unodc.org/documents/ropan/Manuales/Training_Curriculum_on_Women_and_Imprisonment_v1.pdf)

# GUIDANCE FOR THE FACILITATOR

## General Guidance

1. It's important for the facilitator to study each tool comprehensively and follow step by step processes to achieve the intended objective.
2. Appreciate and be sensitive to people's needs, varying levels of experience and backgrounds – encourage mutual respect among participants and between participants and facilitators. Make it clear to the participants that all levels of experience are useful and relevant to the discussion.
3. Allow space for experience sharing in the discussion – participants, who are comfortable sharing their experiences, either in a personal capacity or from their work environment, may be able to help others grow and enrich the group's learning. When people tell their stories, it enhances learning and understanding.
4. Encourage broad and active participation – notice who is quiet and who responds the most frequently and try to solicit input from everyone. Create an environment where it is safe for everyone to participate. Quiet people can sometimes participate more fully in small group discussions or in pairs.
5. Encourage constructive debates – if participants disagree with each other or with you, facilitate an open discussion, drawing on the experience and background of all participants. This discussion should, however, remain grounded in the principles of the course: human rights, gender and legal instruments.
6. Always take the time: 1) To remind the group about important points: emphasise and summarise your main ideas throughout the module.  
2) To summarise the discussion and link relevant ideas. 3) To ensure that the discussion does not deviate from the main topic by focusing on principles rather than opinions; for example, if someone argues that a man has the right to beat his wife, refer to the relevant legal instruments rather than simply telling the person that his or her opinion is wrong.
7. Use open-ended questioning techniques in discussion – open-ended questions that begin with "How", "Why", "What" or "Who" make people think about their answers rather than simply responding "yes" or "no". The answers are more comprehensive and allow for follow-up exploration. A useful open-ended question is simply to say, "Please say more about that" or "Please expand on your idea". Before answering a participant's question, put it to the group. If there is no one in the group who can answer the question, probe for a bit before you give the answer.
8. Build an honest relationship with participants – share your views and ideas and contextualise them within the principles of the course. If you are not sure of an answer to any questions asked, open it up for discussion and note the important points on a flipchart and post it somewhere in the classroom. This will encourage participants to talk freely and express their own ideas and opinion. If necessary, do some additional research at the next break.
9. Be positive, but realistic – encourage the participants to see the many options they have in addressing issues that confront them. At the same time, be sensitive to the limitations of what can be done with the specified time and budget.

# HANDOUT 1: GLOSSARY GENDER CONCEPTS

## Gender

Gender can be defined as the set of characteristics, roles and behaviour patterns that distinguish women from men which are constructed not biologically, but socially and culturally. The concept of gender refers not only to women and men but also to the relations of power between them. Gender relations are constantly being renegotiated in the context of changing political, economic, social, and cultural environments at the local, national and international level.

## Sex

Sex refers to the biological and physiological differences between males and females as determined by nature. It is God-given, universal and non-changeable.

## Gender relations

It refers to social relationships between men and women within a specified time and place. These social relationships explain the differences in power relations between the sexes. In most societies, power relations tend to be hierarchical in nature, with men being at the top of the hierarchy.

## Gender stereotypes

Stereotypes are structured sets of beliefs about the personal attributes, behaviours, and roles of a specific social group or person. Gender stereotypes are biased and often exaggerated images of women and men which are used repeatedly in everyday life.

## Gender issue

This is a point of gender inequality that is undesirable and therefore requires an intervention. It results from some form of gender discrimination or oppression. A gender issue arises when there is inequality, inequity or differentiated treatment of an individual or a group of people purely on the basis of social expectations and attributes of gender. Gender issues are sometimes called gender concerns.

**Gender gaps** refer to societal differences between men and women that are felt to be undesirable.

**Gender blind** means that it is not recognised that men and women are positioned differently, have different experiences, different needs, strengths and skills, and that these need to be considered while planning anything.

**Gender neutral** means that the existing inequalities, roles and definitions are not changed.

**Gender aware** means recognising or being aware of the existence of gender and gender differences in society; recognising that men and women are positioned differently, they have different experiences, different needs, different strengths and skills, and that these need to be considered while planning anything.

**Gender sensitive** means being aware AND taking action against existing gender discrimination and inequalities.

## Gender needs

Leading on from the fact that women and men have differing roles based on their gender, they will also have differing gender needs. These needs can be classified as either strategic or practical needs. Practical and strategic gender interests/needs should not be seen as separate, but rather as a continuum. By consulting women on their practical gender interests/needs an entry point to address gender inequalities in the longer term (strategic gender interests/needs) can be created.

## Practical gender needs

These are gender needs that women and men can easily identify, as they relate to living conditions. Practical gender needs are identified by women within their socially constructed roles in society. Although they often arise from gendered divisions of labour and women's subordinate position in society, practical gender needs do not challenge these norms. Practical gender needs are a response to an immediate perceived necessity identified within a specific context, such as access to

clean water or access to land and forest resources. They are practical in nature and often concern inadequacies in living conditions, such as water provision.

### **Strategic gender needs**

The needs women identify because of their subordinate position in society. They vary according to particular contexts, related to gender divisions of labour, power and control, and may include issues such as legal rights. Meeting SGNs helps women to achieve greater equality and change existing roles, thereby challenging women's subordinate position. They are more long term and less visible than practical gender needs. Strategic gender interests question women's socially constructed role, demanding greater equality and a change in existing roles.

### **Gender division of labour**

It relates to the different types of work that men and women do as a result of their socialisation and accepted patterns of work within a given context.

### **Gender roles**

Gender roles are reflected in activities ascribed to men and women on the basis of perceived differences which are reinforced through the gender division of labour. This arises from the socialisation of individuals from the earliest stages of life through identification with specific characteristics associated with being male or female. Gender roles are affected by age, class, race, ethnicity, religion and by the geographical, economic and political environment. Changes in gender roles often occur in response to changing economic, natural or political circumstances, including development efforts. Both men and women play multiple roles in society. The gender roles of women can be identified as reproductive, productive and community managing roles, while men's roles are categorised as either productive or community politics. Men are able to focus on a particular productive role and play their multiple roles sequentially. Women, in contrast to men, must play their roles simultaneously, and balance competing claims on time for each of them.

### **Productive roles**

Refer to the activities carried out by men and women in order to produce goods and services either for

sale, exchange, or to meet the subsistence needs of the family.

### **Reproductive roles**

Refer to the activities needed to ensure the reproduction of society's labour force. This includes childbearing, rearing, and care for family members such as children, elderly and workers. These tasks are done mostly by women.

### **Community managing role**

Activities undertaken primarily by women at the community level, as an extension of their reproductive role, to ensure the provision and maintenance of scarce resources of collective consumption such as water, health care and education. This is voluntary unpaid work undertaken in their "free" time.

### **Community politics role**

Activities undertaken primarily by men at the community level, organising at the formal political level, often within the framework of national politics. This work is usually undertaken by men and may be paid directly or result in increased power and status.

### **Triple role/multiple burden**

These terms refer to the fact that women tend to work longer and more fragmented days than men as they are usually involved in three different gender roles – reproductive, productive and community work.

### **Gender equality**

This concept focuses on the goal of achieving equality in rights, responsibilities, opportunities and benefits/outcomes for all women and men and providing potential for both women and men to shape their own lives and contribute to society in all areas. It implies that the knowledge, experience, contributions, priorities and constraints of women and men should be taken into consideration, recognising the diversity between different groups of women and men. Gender equality is both a human rights issue and a driver for sustainable development.

### **Empowerment of women and girls**

The empowerment of women and girls concerns their gaining power and control over their own lives.

It involves raising awareness, building self-confidence, expanding choices and increasing access to and control over resources and actions to transform the structures and institutions that reinforce and perpetuate gender-based discrimination and inequality. This implies that to be empowered women must not only have equal capabilities (such as education and health) and equal access to resources and opportunities (such as land and employment), but they must also have the agency to use these rights, capabilities, resources and opportunities to make strategic choices and decisions (such as is provided through leadership opportunities and participation in political institutions).

### Sex-disaggregated data

This refers to the collection and use of quantitative and qualitative data by sex (i.e., not gender) which is critical as a basis for gender-sensitive research, analysis, strategic planning, implementation, monitoring and evaluation of programmes and projects. The use of these data reveals and clarifies gender-related issues in areas such as access to and control over resources, division of labour, violence, mobility and decision-making.

**Gender-disaggregated data** is the collection of data on males and females separately in relation to all aspects of their functioning – ethnicity, class, caste, age, location, etc.

**Gender responsive budget** is a budget that works for everyone (women and men, girls and boys) by ensuring a gender-equitable distribution of resources and by contributing to equal opportunities for all. It also involves transforming these budgets to ensure that gender equality commitments are realised.

### Gender-sensitive indicators

Gender-sensitive indicators can be quantitative and qualitative and used to monitor and assess progress in policies, institutions, programmes, or projects. They are also used to assess changes in social, political, economic, and environmental behaviours and in the actions of both individuals and diverse communities.

When developing gender-sensitive indicators, the following guidance is a useful starting point:

- Research gender indicators that exist for the same subject matter and/or region of the project.

- Select existing indicators that are relevant to the local context and develop new indicators required to measure specific project results.
- When possible, develop indicators through a participatory process, which will help ensure that they are relevant to the realities of women and men in each setting.

**Gender equity** refers to the process of being fair to men and women, boys and girls that leads to equality – the equal valuing in society of both similarities and differences between men and women, boys and girls and the varying roles they play.

**Gender equality** reflects the concern that women and men, boys and girls have equal opportunities, resources, rights, and access to goods and services that a society values – as well as the ability to make choices and work in partnerships. Women's empowerment is all about improving women's status to enhance their decision-making capacity at all levels.

**Gender integration** is a strategy applied in programme planning, assessment, design, implementation and M&E to consider gender norms and to compensate for gender-based inequalities.

### Gender mainstreaming

Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes. This should be done in all political, economic and societal spheres so that women and men benefit equally, and inequality is not perpetuated. The ultimate goal is to achieve gender equality.

Gender sensitivity or having a gender perspective means that:

- A differentiation is made between the needs and priorities of men and women
- The views and ideas of both men and women are taken seriously

- The implications of decisions about women relative to men are considered: who will gain and who will lose?
- Action is taken to address inequalities or imbalance between men and women

### **Gender responsive**

A term used to describe laws, policies, programmes and public services that are formulated and/or delivered to: i) take into account existing structures and relations of gender inequality and seek proactively to overcome and remove them; and ii) identify and bring attention to women's contributions and critical roles as agents and leaders, in order to facilitate gender equality, the empowerment of women and women's enjoyment of human rights.

### **Gender transformation**

It describes a situation where women and men change their ways of thinking from a patriarchal perspective towards a gender equality perspective.

### **Gender audit**

A gender audit evaluates how gender considerations are being integrated into programmes and policies by an organisation, department or office. Wide in scope, audits assess gender approaches and policies, staff capacity, tools and resources, gender mainstreaming in programmes and projects, organisational culture and workplace issues. Overall, an audit will monitor relative progress made in mainstreaming and identify successes as well as critical gaps. Additionally, gender audits can integrate components of gender assessments to measure the impact of interventions on beneficiaries.

### **Gender assessment**

Gender assessment is a review – from a gender perspective – of a current or recently completed project or activity. It assesses how a project addresses and responds to gender dynamics and inequalities in technical programming, policies and practices. The assessment highlights successes and gaps in programming, identifying new opportunities to improve future programming. It often incorporates aspects of a gender analysis study because it requires an understanding of gender inequality in each setting. Gender

assessments sometimes incorporate some degree of gender auditing.

### **Gender analysis**

A gender analysis is a critical examination of how differences in gender roles, activities, needs, opportunities and rights/entitlements affect men, women, girls and boys in certain situation or contexts. A gender analysis examines the relationships between females and males and their access to and control of resources and the constraints they face relative to each other. A gender analysis should be integrated into all sector assessments or situational analyses to ensure that gender-based injustices and inequalities are not exacerbated by interventions, and that where possible, greater equality and justice in gender relations are promoted.

**Gender discrimination** is defined as: "Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on the basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

### **Marginalisation**

Marginalisation is the powerlessness and exclusion experienced by a group, resulting from an inequality of control of "resources and power structures" within society.

### **Gender-based violence**

Gender-based violence is defined as any act which results in a physical, psychological, sexual and/or economic harm to somebody just because they are female or male. Such acts result in the deprivation of freedom and negative consequences. This violence may be exercised within or outside households.

### **Social inclusion**

The process of improving the terms on which individuals and groups take part in society – improving the ability, opportunity, and dignity of those disadvantaged on the basis of their identity.



## Social exclusion

Process by which individuals or groups of people are systematically denied access to rights, opportunities, and/or services. Based on various axes, e.g., age, gender, sexual orientation, geography, disability, etc.

## Social norms

Social norms can be understood as either “what most people think and do” or, alternatively, “what individuals believe most people think and do”. As such, social norms are about what’s considered normal or ought to be normal in a given context and situation.

## Masculinity

A gender perspective, or way of analysing the impact of gender on people’s opportunities, social roles and interactions, which allows us to see that there is pressure on men and boys to perform and conform to specific roles. Thus, the term masculinity refers to the social meaning of manhood, which is constructed and defined socially, historically and politically, rather than being biologically driven. There are many socially constructed definitions for being a man and these can change over time and from place to place. The term relates to perceived notions and ideals about how men should or are expected to behave in a given setting. Masculinities are not just about men; women perform and produce the meaning and practices of the masculine as well.

**Patriarchy** is the practice, conscious or otherwise, of placing male human beings or the masculine point of view at the centre of one’s view of the world and its culture and history. In a patriarchal social system, the role of the father is central to social organisation, and fathers hold authority over women, children, and property. Historically, the principle of patriarchy has been central to the social, legal, political, and economic

organisation of almost all world cultures and has had a deep influence on modern civilisation.

## Participation

Effective participation implies that women and men have the potential to articulate their needs and interests and take responsibility for development actions. Development practice has generally viewed participation in stages – with people participating as passive recipients to active change agents. Gender and rights-based methodologies emphasise the latter.

## Gender equity in access to land

The rules of land tenure reflect the structure of power and beliefs in society. People who are landless or who have weak rights to land are usually those without power. In some societies, women cannot hold rights to land independently of their husbands or male relatives. Their rights are also often different from those of men. “Gender equity in rights to land can increase women’s power in social and political relationships. Providing secure rights to land for women can increase their social and political status, confidence, security and dignity. Land rights often lead to other benefits in society including participation in community decision-making, elections and other socio-economic activities ... Having rights to land may help to empower women in their negotiations with other household members, and with the community and society at large”.

## Access rights to land

The local and/or legally recognised right to enter and use a physically defined area. Access rights may be obtained through family or group membership or through legally sanctioned processes such as allocation, purchase and inheritance. Rights may be defined in terms of location, time, use and the individual’s relationship to the community.

# HANDOUT 2: INTERNATIONAL AND REGIONAL HUMAN RIGHTS INSTRUMENTS PROMOTING WOMEN'S LAND RIGHTS

## International legal and policy instruments

Various human rights instruments guarantee women's equal rights related to access, use and control over land.

**The Universal Declaration of Human Rights**, in article 2, sets out the principle of non-discrimination, including based on sex, in the enjoyment of rights guaranteed in the Declaration. Among many other rights, the Declaration recognises the rights to property, food, housing and education.

**The International Covenant on Civil and Political Rights**, in article 3, guarantees equality between women and men, and it prohibits discrimination based on sex, among other grounds, in article 2. The Covenant also recognises the rights to life, private and family life, liberty and security of person; to equality before the courts and tribunals and equal protection of the law; to information; to freedom of movement, association, assembly and expression; to freedom from torture and cruel, inhuman or degrading treatment; to self-determination; to participate in public affairs; and to remedies.

Article 3 of the **International Covenant on Economic, Social and Cultural Rights** calls on States parties to "undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant" and prohibits discrimination based on sex. The Covenant also recognises the rights to food, housing, education, health, culture, work and association (trade unions).

**The Convention on the Elimination of All Forms of Discrimination Against Women** calls on States parties to end discrimination against women in laws, policies and practices, including through the adoption of temporary special measures. Its article 2 obliges States to "take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination

against women". Article 5 provides for States' obligation to "modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices".

The United Nations Committee on the Elimination of Discrimination Against Women, the United Nations Committee on Economic, Social and Cultural Rights, and the United Nations Human Rights Committee have explicitly recognised equality in marriage over the management of property, including lands. In the general recommendation No. 21 (1994) on equality in marriage and family relations, the United Nations Committee on the Elimination of Discrimination Against Women underscored that "the right to own, manage, enjoy and dispose of property is central to a woman's right to enjoy financial independence, and in many countries will be critical to her ability to earn a livelihood and to provide adequate housing and nutrition for herself and for her family".

**The United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas** (adopted by the United Nations General Assembly in 2018) recognises that "peasants and other people living in rural areas have the right to land, individually and/or collectively, including the right to have access to, sustainably use and manage land and the water bodies, coastal seas, fisheries, pastures and forests therein, to achieve an adequate standard of living, to have a place to live in security, peace and dignity and to develop their cultures". It further recognises that peasant women and other women working in rural areas enjoy without discrimination the right to "equal access to, use of and management of land and natural resources, and to equal or priority treatment in land and agrarian reform and in land resettlement schemes".

The **United Nations Declaration on the Rights of Indigenous Peoples** (2007) provides that indigenous peoples have the right to the lands, territories

and resources that they have traditionally owned, occupied or otherwise used or acquired and that States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned. The Declaration also provides that indigenous women shall be protected from discrimination and that particular attention shall be paid to their rights and special needs.

Key international policy instruments that are relevant to women's rights and gender equality call for the protection and promotion of women's equal land rights include among others:

**The Beijing Declaration and Platform for Action**, adopted at the Fourth World Conference on Women in 1995 – the most comprehensive set of policy commitments made by States on gender equality, the empowerment of women and women's rights – called on governments to enable women to obtain affordable housing and access to land and to undertake legislative and administrative reforms to give women equal access to economic resources, including the right to inheritance.

The **Sustainable Development Goals** (SDGs) seek to realise the human rights of all and are universally applicable to all people in all countries – leaving no one behind. The 2030 Agenda provides for realising women's land rights under SDG 5 to achieve gender equality and empower all women and girls, specifically through target 5a: Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws. Women's land rights are also covered in SDG 1 to end poverty in all its forms everywhere, and related target 1.4; SDG 2 to end hunger, achieve food security and improved nutrition and promote sustainable agriculture addresses women's land rights through target 2.3; SDG 10 to reduce inequality within and among countries and target 10.3; SDG 16 to promote the rule of law at the national and international levels and ensure equal access to justice for all and target 16.3; and SDG 17 on finance, technology, capacity-building, trade and systemic issues are also relevant to the realisation of women's land rights.

The **Voluntary Guidelines on the Responsible Governance of Tenure of Lands, Fisheries and Forests** (VGGTS) in the Context of National Food Security, under the auspices of the Committee on World Food Security in 2012, reiterate the principle of gender equality, calling on States to “ensure that women and girls have equal tenure rights and access to land”. On indigenous women specifically, they provide that indigenous peoples and other communities with customary tenure systems that exercise self-governance of land, fisheries and forests should promote and provide equitable, secure and sustainable rights to those resources, with special attention to the provision of equitable access for women. Effective participation of all members, men, women and youth, in decisions regarding their tenure systems should be promoted through their local or traditional institutions, including in the case of collective tenure system.

The **New Urban Agenda**, endorsed by the United Nations General Assembly in 2016, envisions cities and human settlements that achieve gender equality and increased tenure security for all that is gender-responsive, paying particular attention to security of land tenure for women as key to their empowerment.

### Regional policy and legal framework

Several provisions of the **Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003)** address women's land and property rights. State parties are required to ensure that in case of separation, divorce or annulment of marriage, women and men shall have the right to an equitable sharing of the joint property deriving from the marriage; grant to women, whatever their marital status, access to adequate housing; promote women's access to and control over productive resources such as land; and guarantee their right to property (articles 7, 16 and 19). The Protocol also provides that a widow has the right to an equitable share in the inheritance of the property of her husband, and that women and men have the right to inherit, in equitable shares, their parents' properties (art. 21). In addition, the Protocol requires that State parties “take appropriate measures to ... provide women with access to clean drinking water, sources of domestic fuel, land, and the means of producing nutritious food” in the context of women's right to food security (article. 15).

Through the **African Union's Declaration on Land Issues and Challenges in Africa 2017**, African States have resolved to strengthen security of land tenure for women who require special attention.

The **Guiding Principles on Large Scale Land Based Investments in Africa** (2014) are based on a key recommendation of the Nairobi Action Plan on Large Scale Land-Based Investments in Africa, adopted at the High Level Forum on Foreign Direct Investments in Land in Africa in 2011. Among the six fundamental principles, the fourth is to: respect the land rights of women, recognise their voice, generate meaningful opportunities for women alongside men, and not to exacerbate the marginalisation of women.

The **Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights**, adopted by the African Commission on Human and Peoples' Rights in 2010, recognise the principle of

gender equality and women's equal rights to property and land. Among other provisions, they specify that African States are obliged to ensure equitable and non-discriminatory access, acquisition, ownership, inheritance and control of land and housing, especially by women. This includes the obligation to take measures to modify or prohibit harmful social, cultural or other practices that prevent women and other members of vulnerable and disadvantaged groups from enjoying their right to property, particularly in relation to housing and land.

The **Framework and Guidelines on Land Policy in Africa**, adopted by the African Union in 2009, state that better and more productive use of land requires that the land rights of women be strengthened through a variety of mechanisms including the enactment of legislation that allows women to enforce documented claims to land within and outside marriage.

