

NOTES

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Property Rights for Women in the ECA Region Results from Recent World Bank Projects

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The Europe and Central Asia (ECA) Region has one of the largest portfolios of land administration and management projects in the World Bank – 40 projects over the past 20 years. Since the fall of communism, the ECA region has witnessed one of the largest land reforms in history. This Note focuses on the role of women as property owners and describes what the Bank is doing in ECA to help protect their rights.

THE IMPORTANCE OF PROPERTY RIGHTS FOR WOMEN

Formal rights to land for women can have an important impact on intra-household decision making and income pooling, and on women's overall role in the household economy. These rights can improve a woman's access to credit, enabling her to expand a business or invest in improving her land. Because land provides rural households with the basic means of subsistence and market production, increasing women's access to land is crucial to fighting hunger and poverty. Women's exclusion from formally owning land and property has a direct impact on their economic well-being and on the health and welfare of other members of their households.

In most ECA countries, inheritance and property ownership laws are similar to those of Western Europe. Women and men have the same formal rights to own and inherit land and other property. Although formal rights throughout most of ECA are gender-neutral, *women enjoy substantially less access to information and legal recourse than do men.*

Experience gathered from over two decades of land projects and recent analytical work in the ECA region suggest that women in many East European and Central Asian countries face barriers to property

rights, particularly in rural areas. In cases of inheritance, the region's laws generally state that property will be divided equally among the heirs regardless of gender. Among some groups, however, custom and tradition require a woman to relinquish her inheritance in favor of male relatives. Moreover, titles and deeds to land are often solely in the name of the head of household, who is usually male. In many countries privatization or restitution of farmland has been applied to whole families, but the male head of household is often listed formally on the title or registered deed, thereby reducing the *de facto* rights of other family members. Therefore, practical steps are required to modify attitudes, norms, and systems to facilitate women's full utilization of their rights.

Many of the challenges that women in the region face relate to local practices, traditions, and culture rather than to issues resolvable through legal

LESSONS LEARNED

- Improving women's access to land and property will not happen by itself; instead, projects and governments must be proactive in educating women about their rights and informing land agencies of their responsibilities to protect and promote women's property rights.
- Simple steps to protect and promote women's property rights can be easily integrated into project activities, often at low cost.
- Gender-disaggregated data are needed to track the long-term impacts of such programs on women's access to land, property, and credit.
- More research is needed on the gender impacts of access to credit and ways to improve women's access to credit.





Photo: Holger Kray

reforms. These local settings vary widely from the Western Balkans to the Caucasus to Central Asia.

HOW TO IMPROVE WOMEN'S ACCESS TO PROPERTY RIGHTS

- Raising awareness and education. Educate women on their rights to land and property; educate men on the rights of their wives, sisters, and daughters; remind politicians and officials at cadastre and land registries that women represent half of the population; and involve women's user groups and organizations.
- Improvement of cadastre and land registry services. Ensure the registration process includes spouses; redesign forms to include room for the names of both husband and wife; address gender issues in all manuals and guidelines; increase women's access to administrative services, e.g., additional hours and hotlines for women.
- Ensure women's access to legal services. Initially provide women with pilot legal assistance at reduced cost to ensure that women have open and transparent access to land and property.
- Training. Train government staff, contractors, and land market professionals on how to be inclusive; make sure government officials are sensitized to gender issues.
- Develop gender-specific indicators during project preparation to measure the differential impacts the project has on men's and women's property rights.
- Ensure women have open and transparent access to

land and property. When a husband and wife participate jointly in any program, it should be mandatory that both names appear on titles of ownership and any other documents.

KOSOVO – REAL ESTATE CADASTRE PROJECT (RECAP)

A set of practical activities to protect and promote women's property rights are mainstreamed in the RECAP, ranging from office renovation design, public outreach, training sessions, and collection of gender-disaggregated data of customers and training course participants. All activities are built on existing customer service and other project initiatives, and therefore easily incorporated into the operations within the existing funding.

TAJIKISTAN – LAND REGISTRATION AND CADASTRE SYSTEM FOR SUSTAINABLE AGRICULTURE PROJECT (LRCSP)

The LRCSP is carrying out gender-disaggregated monitoring of certificate shareholders and family heads of household receiving certificates, with follow-up by project management where gender exclusion seems to be a serious problem. The project has included gender-specific expectations and instructions in the terms of reference for NGOs carrying out awareness activities. A recent study carried out under the project on farmer perceptions includes extensive analysis on gender as it affects both the awareness program and the actual issuance of certificates.

PRACTICAL APPLICATIONS

Additional gender-disaggregated data has been utilized across the ECA region in several World Bank-financed land administration projects, for example:

- **Bosnia and Herzegovina** — *Real Estate Registration Project (RERP)*, disaggregates all data from the cadastre system by gender and is used in a baseline study for impact evaluation of the project
- **Macedonia and Kyrgyzstan** — gender-disaggregated data is collected from cadastre office applications.



**ROMANIA – COMPLEMENTING
EU SUPPORT FOR AGRICULTURAL
RESTRUCTURING PROJECT (CESAR)**

Vulnerable groups, including widows, single women, and Roma women, were identified before starting project activities. The project established specific responsibilities for the service contractors, including requirements to: include a communication and mediation specialist on the field teams who could provide information on social issues; involve local leaders in the public awareness campaigns; and have the contractors organize special meetings for the Roma. The participation of vulnerable women in project activities was recorded, 66 percent of widows and 59 percent of single women participated in the information sessions to explain the systematic registration process, and 25 percent of widows and 21 percent of single women participated in the field activities (walking boundaries, etc.). This is an important first step in having women identified as owners. All registration data are now disaggregated by gender.



Photo: World Bank



Photo: World Bank

ADDITIONAL RESOURCES

"Gender Issues and Best Practices in Land Administration Projects"

Report 32571, World Bank, 2005, http://siteresources.worldbank.org/INTARD/Resources/Gender_land_fulltxt.pdf.

Gender in Agriculture (website)

Includes resources from multiple organizations: World Bank, Food and Agriculture Organization (FAO), International Fund for Agricultural Development (IFAD), United Nations, etc. <http://www.GenderInAg.org>.

Gender in Agriculture Sourcebook

Compilation of evidence of good practices and lessons learned to guide practitioners in integrating gender dimensions.

World Bank, 2009, <http://go.worldbank.org/5Z9QPCC7L0>.

"Gender in Agriculture"

World Bank, FAO, and IFAD, Agriculture and Rural Development. Includes 4-page "Toolkit for Integrating Gender-Related Issues in Land Policy and Administration Projects," http://siteresources.worldbank.org/EXTGENAGRLIVSOUBOOK/Resources/GiA_toolkit_v4.pdf.

World Development Report 2012: Gender Equality and Development

World Bank, 2011, <http://go.worldbank.org/U6VCPKOOB0>.

"Social Institutions and Gender Index"

Organisation for Economic Co-operation and Development (OECD), <http://my.genderindex.org>.

"In Her Name: Gender Asset Gap Project in Ecuador, Ghana and India"

Project data available on the gender asset gap (land, property, household goods, financial assets) and methodology on how to better measure the gap <http://genderassetgap.iimb.ernet.in>.

"Voluntary Guidelines on Governance of Tenure"

Recently adopted by the Committee on World Food Security <http://www.fao.org/nr/tenure/voluntary-guidelines/en/>.

A guide to implementing the Guidelines with a gender perspective is soon to be published.

