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Looking Ahead and Moving Forward in Strengthening Women's Land Rights

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GLOBAL LAND TOOL NETWORK (GLTN):

Looking Ahead and Moving Forward in Strengthening Women's Land Rights

PHOTO: K. HALDRUP

Report prepared for UN-HABITAT
By Karin Haldrup, October 2007

Abbreviations

AMCHUD African Ministerial Conference on Housing and Urban Development

ADB Asian Development Bank

ECA The United Nations Economic Commission for Africa

FAO The United Nations Food and Agricultural Organisation

GLA Gendered Land Analysis

GLTN Global Land Tool Network

GM The Gender Mechanism document of GLTN, 2006

GMEG Gender Mechanism Expert Group

GPS Global Positioning Systems

GROOTS, GK a network of women self-help groups and community organizations in Kenya.

IDS Institute of Development Studies, United Kingdom

IDRC International Development Research Centre, Canada

ICRW International Centre for Research on Women, United States

ICT Information and Communication Technology

MDG Millennium Development Goals

NGO Non Governmental Organisation

OECD Organisation for Economic Co-operation and Development

PARIS21 PARtnership In Statistics for development in the 21 st century

SEEDS Sustainable Environment and Ecological Development Society, India

UNECA United Nations Economic Commission for Africa

UNESCAP United Nations Economic and Social Commission for Asia and the Pacific

UNFPA United Nations Population Fund

UNSTATS United Nations Statistics Division

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Executive Summary

The present background paper was commissioned by UN-HABITAT – GLTN as a follow up to the Gender Mechanism document (2006) with the objective of taking the gender mechanism a step further through gendering of land tools to strategies of large scale implementation.

The paper provides an overview of the pre-selected 23 GLTN priority land tools, discusses their nature and how the existing land tools best can be applied in a global quest for strengthening women's land tenure security and access to land. It is argued that the GLTN concept of gendering land tools is about building gender-sensitive processes of upgrading land tenure security.

Poor women depend on an enabling environment for accessing land and taking control of their land rights, be it in respect to necessary infrastructure, access to credit, or overcoming special barriers for women. The paper discusses how women can be empowered and how barriers can be lowered and overcome.

The paper suggests ten criteria of gender sensitive good governance:
- Non-discriminatory laws and policies;
- Strengthening representation of women and their participation in land governance;
- Contextual strategies for improving tenure security with due respect for the roles of communities;
- Differentiated approaches for different segments of areas and tenure based on needs and tenure typology;
- Gradual improvements of tenure security through indirect and direct measures;
- Stemming the tide of illegal land development;
- Transparency of decisions on land, clarity of authority and simplicity of land administration;
- Priority to vulnerable groups, vulnerable land rights, common space and community land;
- Sustainability both in respect to financing and to human & technical capacity;
- Accessibility of local land offices, information and appeal (distance, costs) for the poor, in particular women.

The paper links the priority land tools to their potential roles in systematic up-scaling, and outlines the structure of the up-scaling process. Up-scaling is seen partly from the perspective of the status of land rights in the field, and partly from the governance perspective, while participatory processes interlink the two, as sketched in a flow diagram.

Through a review of a large number of studies on women and land, the following key criteria were derived for up-scaling of gendered land tools:

1. Establish local context prior to up-scaling
2. Mobilize local resources and include participatory and representative mechanisms in up-scaling
3. Develop partnership between grassroots' and land authorities
4. Strengthen tenure framework and capacity prior to full scale tenure reform
5. Create room for diverse forms of tenure arrangements
6. Safeguard common space, common resources and community land rights
7. Prepare early land use planning and spatial planning with allocation of land for low-cost housing
8. Prepare early cost studies and plans for sustainability in financing and organisation of land administration
9. Apply appropriate standards for documents (wills, deeds, etc.) and public land records
10. Implement public information standards in land governance and use ICT as far as possible.

During a stepwise reform process tenure security can be strengthened in indirect ways, whereby on one side chocks can be avoided, which could put at risk the rights of the most vulnerable stakeholders, in particular poor women, and on the other side land governance capacity be given a chance to develop over time.

The Gender Mechanism differs from previous approaches to systematic up-scaling of land tenure reform through its emphasis on establishing gender disaggregated data, gendered land mapping, mapping out the tenure typology, differentiation according to context and advocating a more significant role of participatory processes.

Grassroots organizations play a strategic role in up-scaling. A success criteria for grassroots' initiatives is their ability in building partnership with land authorities at different levels, just as government structures need to integrate community-based functions in formal land administration and management structures.

The paper outlines a gender-sensitive up-scaling process through five overall stages:
Stage 1. Establishing context and taking stock
Stage 2: Preparations of gender sensitive framework
Stage 3: Systematic upgrading of land tenure security through indirect measures
Stage 4: Systematic adjudication of rights and building sustainable land governance
Stage 5: Formalisation of rights and building land records /information systems

A key feature of the paper is an up-scaling diagram developed to illustrate how GLTN land tools, themes and phases interlink as components of an up-scaling process. Many indirect steps of tenure upgrading are relatively affordable and simple in administrative terms.

New scenarios of overcoming practical barriers open up thanks to new, empowering ICT. The paper argues that new types of photo-maps may play as instrumental a role in land tenure reform, as the mobile phone does in communication.

The key issues of land, poverty and gender are associated with protecting access to common land resources, common space, customary rights, and with the way these resources are managed. Common resources, whether state land or community land, are especially exposed to land-grabbing, and erosion of rights of the poor.

Consequently, it is suggested to identify the various forms of common land, and securing the communal domain and common rights *as a first priority* in a tenure reform. Hereby, it is stressed that the most vulnerable land and weaker land rights (of the continuum of rights) rise to the top of the agenda.

The GLTN suggests up-scaling of successful strategies from community level to national level. The network has collected evidence of a number of grassroots initiatives, which have helped women in strengthening their bargaining position and their land rights. Reference is made to good examples of participatory approaches at community level.

A key challenge of strengthening women's land rights is bridging the vast gap between the principles of women's equal rights as found embedded in high level legal instruments, and their implementation. Shortcomings of implementation are usually not caused by lack of land tools, but by lack of political will.

New development is called for, where the GLTN is setting new standards for the preparatory stage of land tenure reform. This is the case in respect to the following central topics:
1. Production and use of sex-disaggregate tenure data
2. Gendered Land Analysis with identification of land tenure typology and stakeholder analysis
3. Alternative land tenure models, which offer opportunities for women
4. Cost studies of land tool affordability
5. Models of partnership between grassroots organisations and local government
6. Appropriate documentation and information strategies for formalisation of land tenure
7. Potential use of ICT for empowerment of (poor) women in land tenure reform

Better inventories and preparatory data on the de-facto social tenure situation may prevent later formalisation processes from extinguishing or depreciating women's land rights.

The GLTN approach to up-scaling can gain momentum in up-scaling, if appropriate new technology is put to good use. The paper elaborates strategies for unblocking gender dis-aggregated data.

In countries where infrastructure is weak, sources of data are also scarce and the most common source of statistics in the developing nations is the Census of population and housing. The paper points to the potential value of spatially disaggregated census data in combination with other available sources of information. Preparations for the coming round of Censuses of Population and Housing (2010) offers a golden opportunity of synergy as described in the paper.

Gendered Land Analysis (GLA) has been introduced by GLTN as a necessary stage in developing women's security of tenure. Gendered land analysis is basically about deepening the understanding of the complex patterns of rights, stakeholders and governance in a particular territory. The paper develops the concept of Gendered Land Analysis in further detail.

GLTN does not control resources for up-scaling, so achievements of its objectives will depend on GLTN abilities of introducing the gender agenda into programs conducted by governments, development agencies and not the least, local stakeholders.

1. Introduction

The present paper shall be seen in context with the background paper of the GLTN Workshop in Nairobi, October 11-12, 2007, "Towards large scale gendered land tools", where the GLTN concepts and progress of gendering land tools were presented, see http://www.gltn.net/en/newspage/workshop-on-gendering-land-tools-3.html.

The present paper highlights the interconnected nature of the GLTN priority land tools, and sees the processes of improving women's tenure security in the context of improving good governance of land. This perspective is in accordance with the overall objective of the Gender Mechanism 2006 of improving land governance, as well as a range of specific recommendations such as e.g., the regional recommendations of the UN-HABITAT studies on Land tenure, Housing rights and gender, 2005. Among its ten regional recommendations the paper recommends that *"(1) Government should take on a more proactive role in land matters*". The research has found that a firmer role of government is needed to reduce the intense speculation in urban land, which leads to exclusion of the poor. This includes increased efforts to address the glaring land ownership inequalities (UN-Habitat , "Land Tenure, Housing Rights and Gender", Latin America, 2005).

Similar recommendations are found in the regional recommendations of the UN-HABITAT document on Land Tenure, Housing Rights and Gender, South Sahara Africa, 2005, which calls upon the need to *"(10)Focus governments' attention on ensuring a more prominent place in poverty reduction strategy papers for more equitable and efficient land management and gender issues*. As the paper explains, in the recent AMCHUD Durban Declaration African countries committed themselves to prioritising the potential of good urban land management in economic and social development, as well as poverty reduction and "mainstreaming" these in their poverty reduction strategy papers.

The present paper will seek to suggest ways of improving good governance in land with focus on women's land rights building on the priority land tools, themes and stages defined in the GLTN Gender Mechanism, 2006.

The GLTN priority issues are general issues of land administration and land management, and they do not necessarily serve a gendered agenda. Therefore, the UN-HABITAT-GLTN commissioned the present assignment with Terms of Reference (ToRs) for preparing a background paper covering the following tasks:

- Devise criteria for assessing the gender responsiveness of existing large-scale land tools;
- Develop criteria and process steps for scaling-up existing gendered land tools from the community to the national framework;
- Define strategies, activities and criteria for developing new large-scale gendered land tools including pilot projects, where appropriate;
- Define next steps for the implementation of all above, including preliminary consultation on the composition of the Gender Mechanism Expert Group (GMEG) as detailed in the Gender Mechanism.

The present paper is the result of continues efforts by the consultant from July to November 2007, to collate and structure experience and recommendations from the rich sources of papers, guidelines, case studies, etc. in the area of gender and land, as found e.g., at the UN-HABITAT and GLTN websites. The present paper is action oriented, and it seeks to build structured strategies, so as to facilitate further development and action by GLTN and its partners. The assignment has been a challenging task performed in a stimulating environment of GLTN, but unfortunately within serious constraints set by the insufficient resources allocated for the study (18 days). While the report outlines possible ways towards the ambitious goals, it will be a longer term effort to fully develop the strategies, criteria and activities of gendering land tools.
I wish to thank the UN-HABITAT for entrusting me the assignment. It was a true pleasure meeting representatives of the GLTN and UN-Habitat at the workshop in Lukenya, October 2007. My sincere thanks also

go to the GLTN-secretariat at UN-HABITAT in providing feed-back. However, the present report – including possible errors and misinterpretations - is the full responsibility of the consultant.

2. The components and structure of the "Gender Mechanism"

2.1 Overview of GLTN themes and issues

In accordance with the outcome of the Stockholm conference (GLTN Stockholm 2005 report: p.8), the focus of the GLTN is on the themes: - Management /administration, - Information/planning, - Rights and records, - Law and enforcement, - Tax/valuation.

The focus of GLTN has during the latest workshops been structured into these six themes, within which GLTN has given priority to the 23 issues listed below (ref. to the GLTN paper "Themes and Issues, June 2006).
For ease of interpretation, the 23 issues have here been categorised according to main character of the issues, and in the background paper of the workshop, this table has been enhanced with a gender perspective.

	THEMES AND ISSUES Main character of Land issue / Land tool		
THEMES	**Land rights issues**	**Land governance issues**	**Intervention and Activities**
Theme 1: Land rights, records and registration	**1b.** Continuum of land rights **1c.** Deeds or titles **1e.** Statutory and customary rights **1h.** Family and group rights	**1g.** Land record management for transactability	**1a.** Enumerations for tenure security **1d.** Socially appropriate adjudication **1f.** Co-management approaches
Theme 2. Land use planning		**2b.** Citywide spatial planning **2c**. Regional land use planning	**2a.** Citywide slum upgrading **2d.** Land readjustment (slum upgrading and/or post crisis)
Theme 3. Land Management, Administration and Information	**3a.** Spatial units	a) Post conflict land administration b) Land administration & governance tools c) Technical/legal policy e.g. user fees d) Management of state land e) Geodetic for Africa f) Cost benefit analysis g) Pro poor GPS, (Accra 2006**)	
Theme 4. Land law and enforcement	**4a.** Regulatory framework for private sector **4b.** Legal allocation of the assets of a deceased person	**4c.** Expropriation, eviction and compensation (Estates administration, HIV/AIDS areas).	
Theme 5. Land Value Taxation		**5a.** Land tax for financial and land management	
Theme 6. Cross cutting issues	**6 d.** Land access*	**6a.** Modernising of land agencies budget approach.	**6d.** Land access/land reform*) **6b.** Measuring tenure security for the MDGs **6f.** Grassroots methodology for tool development at scale **6c.** Capacity building for sustainability **6e.** Key characteristics of a gendered tool

Figur 1 GLTN Themes and Tools / Issues

*) The issues of land access and land reform are so central that it is suggested here that the general formulation needs further specification to serve as an aid in gendering land tools.

**) These issues are extracted from the GLTN work programme presented in Accra, (Augustinus 2006), because the theme of Land Management, Administration and Information had not been elaborated in prior versions.

Crosschecking the table above with the strategies of GLTN and recommendations on gender in global and regional papers allows further elaboration of the issues. In other GLTN papers the 23 issues defined above have been denominated "tools" (ref. to Ulrik Westman, 2007). The above structure of priority issues and themes will facilitate identification of other critical land issues/tools for securing women's land rights and improving their access to land.

The issues have been classified into three main categories in consistency with the distinction of the GLTN approach between a rights based approach and through good governance, with issues having intervention character in a third column.

Good governance issues are placed at the centre of development of "gendered land tools", because:
"The main objective of the mechanism is to promote more effective, efficient and equitable *land governance models* that are driven by gendered land tools." (GM 2006, p.13)

The above structure is also in accordance with recommendations of the Expert Group Meeting of AUC-ADB-ECA on Land Policy in Africa ("A Framework of Action to Strengthen Land Rights, Enhance Productivity and Secure Livelihoods"), May 2007, where Julian Quan suggested monitoring to be performed according to three categories: Tenure rights, Land Governance and Land reform.

From Land Tools to Land Processes

The GLTN is not only concerned with these separate issues ("tools"), but also how these issues are interconnected. Indeed the land tools have to form an interconnected process and a system in order to fulfil their mission of establishing secure tenure for women at a larger scale, as argued in (GM 2006, p. 15), "1.2.3 What tools are needed?"
The priority land issues do not function on a stand-alone basis to the benefit of women's land rights, but need to be interconnected based on the relation between intra-household and community issues, and their interaction with the public land administration systems. As an example, tools are required for linking the land registry and the civil registry with gender sensitive administration of inheritance cases. The GM 2006 also emphasises that the use of various types of large scale interventions in land matters (land use planning, land registration and land management) requires availability of sex-disaggregated, spatial information.

As a consequence this paper shall strive at mapping out such interconnections and the processes of securing tenure for women. Clearly, the process of "tooling" has to be built on a perception of the land processes for which these "tools" are going to be applied. It is argued in this paper that the GLTN concept of gendering of land tools is very much about building *gender-sensitive processes*.

(Ref. to "Getting the Process Right: The Experience of the Uganda Land Alliance in Uganda", Oscar Okech K. and Harriet Busingye, http://www.capri.cgiar.org/wp/..%5Cpdf%5Cbrief_land-11.pdf)

The importance of thinking "processes" is reinforced by the dynamics of land tenure and conditions of holding land, which are rapidly changing, under urbanisation, environmental degradation, agricultural structural development, etc.

"….– land is a process (land is always a doing, always becoming, meanings change over time)
o Meaning of land may have changed with commoditization, legal plurality (where the boundaries between customary and statutory are negotiated)
o Tradition is invented and the meanings of customs will change as other factors change.."
http://idrinfo.idrc.ca/archive/corpdocs/124027/53752.pdf

Land is "Changing Contexts, Changing Relationships, Changing Rights", see Daley and Hobley, 2005 (DFID). In fact the only guaranteed static feature of land is its location.

Time and Sequencing

Thinking "process" means thinking "time"-lines and sequencing. Costs and time needed for implementation are related. Affordability will therefore also bring the "time" dimension to the top of the GLTN agenda. The GLTN is working against the clock. Vulnerable women depend on seeing results not too far into the future. Achievements on the ground have to be achieved in order not to loose ground in women's struggle for land. The issue of time-scale and sequencing is important to avoid widespread landlessness and destitution. Many good efforts have faced difficulties in implementation, since changing land administration and management is among the most challenging development tasks. Urgent needs are up against a heavy inertia in reforms of land tenure and land administration systems. Furthermore, GLTN is faced with a definite timeline defined by the MDG, so that results need to be produced within less than a decade, which in land matters is a short period.

"If the Millennium Development Goals are to be achieved through easier transfer and replication of best practices, the donor communities, the States, development agencies and all stakeholders in general would have to move away from the project driven, often ad hoc, piecemeal pilots into *better coordinated strategies* which could be delivered through pro-poor, affordable and sustainable gendered tools. Good governance as a precondition for large scale tools is also as much about participatory models, removing corruption and vested interests as it is about promoting innovative delivery methods, financing and institutional alliances." (GM 2006, p. 41)

The achievement of the objectives of the GLTN, such as implementation of equitable land policies, good land governance, and better coordinated strategies among multiple stakeholders, depends obviously on factors beyond the network itself.

Urban - Rural

The GLTN has chosen to work with land issues globally, covering both rural and urban issues. However, the selection of priority issues (land tools) may have a slight urban bias, with the direction of Theme 2 towards urban affairs (Slum upgrading etc.). In its addressing of stakeholders, the Gender Mechanism mentions "all urban stakeholders" (GM, p. 46) just as some other aspects of the background material have been related to the urgent problems of the expanding slums as a natural consequence of the significant rural to urban migration as documented in the UNFPA report on State of the World Population, 2007.

Interestingly, the UNFPA State of the World Population, 2007, is titled "Unleashing the Potential of Urban Growth", and includes significant chapters on the issue of land in general ("Land for the poor in the face of rapid urban growth"), and on women's land rights in particular ("The long road to property ownership for women"). The report also argues that *"There is no lack of land. The problem is dysfunctional land markets, misguided regulations and a lack of pro-active management policies* ("Regulating Urban Land Markets: Mission Impossible?").

The present paper is striving for geographic diversity. However, further attention is needed for establishing a rural-urban balance.

The GLTN Selection of Key Issues signals a Comprehensive Approach to Land

It can be seen from the list of priority issues that the GLTN as a point of departure intends to work with gender issues related to *all* the classical challenges of land registration, land administration and land management. That ambitious mission will require the topics of land tenure, land administration and land management to be viewed holistically as a complex system in a local context.

"A comprehensive approach, comprised of mutually reinforcing interventions, is needed to secure women's property rights." http://www.icrw.org/docs/2007-property-rights-south-asia.pdf

GLTN will therefore seek to build on the accumulated experience from many different professional disciplines, and from work at different levels from grassroots to national policy.

Prior to delving into developing gender criteria, selected priority land issues/tools will be commented, so as to analyse their importance for the gendered land agenda. Of particular importance for GLTN approach is the GLTN priority issue of a continuum of land rights.

2.2 Comments to selected GLTN priority land tools in view of the gender criteria

What is a Continuum of rights (Tool 1.b.) as defined by GLTN?

In legal terminology the bundle of rights signifies all the different components of property rights associated to a property. When using the term a "continuum of rights" this is to be understood in a wider sense with reference to all the different types of relations, claims or rights to properties present within a specified area, not necessarily to one property, just as the term in a GLTN context may be used in a less rigorous manner beyond what is usually defined within limited property rights.

Recognition of the range of land rights in a continuum of rights is strategically important for achieving the overall objectives of the "gender mechanism", as stated in the GM 2006 (p. 12):

> "Through recognising of a continuum of land rights, rather than just focusing on individual land titling, it seeks to improve and develop pro poor land management as well as land tenure tools; unblock existing initiatives; assist in strengthening existing land networks; improve global coordination on land; assist in the development of gendered tools which are affordable and useful to the grassroots; and improve the general dissemination of knowledge about how to implement security of tenure. …." …

The reason why a wide variety of rights must be taken duly into account is that in most countries a range of land tenure rights exist outside the formal system, which range from vulnerable use rights, de-facto possessions, occupancy rights, shared user rights, etc. held in either informal tenure or under customary land tenure regimes.

"UN-HABITAT research recognises that in most countries a range of land rights and tenure types exist, which forms a continuum." (Policy makers guide, 2 March, pp. 26-27) Women's rights may in traditional systems typically belong to the categories of limited use rights.

How is a continuum of land rights defined?

It is therefore worthwhile dwelling with how a continuum of land rights is to be defined. The concept is described by G. Payne and exemplified by a list of land tenure categories as found in many cities with slum areas:

"1 Pavement dweller
2 Squatter tenant
3 Squatter `owner' - un-regularised
4 Tenant in unauthorised subdivision
5 Squatter `owner' - regularised
6 Owner - unauthorised subdivision
7 Legal owner - unauthorised construction
8 Tenant with contract
9 Lease-holder
10 Free-holder"
(G. Payne, 2000 "Urban Land Tenure Policy Options: Titles or Rights?")

In this example, the various forms of tenancy may in slum areas take the form of *renting or sharing some living space rather than tenancy of specific areas of land*, although this is considered part of a continuum of land rights according to the UN-HABITAT GLTN definition.

The categories have been "discovered" through an inventory of the tenure situation in a particular urban area. Although Payne has proposed conducting the tenure typology exercise in an urban setting, this approach is as well applicable – and necessary – in a rural context. It is important to note that in a rural setting the types of land rights are likely to be quite different, and the spectrum of land rights will have to be investigated in a particular area to reflect this.

It can be concluded that the continuum of rights shall not be understood literally, as if the tenure goes through a natural development from one type of right to the other, because limited rights form part of the bundle of land rights and may continue to do so. The idea is that usufruct rights and less intensive use rights are to be listed along this spectrum in one end, followed by various forms of tenancy, while full ownership forms the other end of the continuum, ranked in order from partial to more full compositions of the bundle of land rights (of particular properties), but the term "continuum of rights" could be associated with a more flexible spatial definition, which is the case with some forms of rights such as e.g., grazing rights.

What purpose does the tenure typology serve on the gender agenda?
When planning interventions for improving tenure security, it is suggested to conduct an inventory of the typology of land rights in the areas concerned (Ref. to Payne, "Identifying existing tenure and property rights", 2002), "Before making any policy decisions regarding land tenure or property rights, it is advisable to undertake a review of the existing situation and the implications of each tenure category."

The typology inventory will result in a typology list of different categories of land rights ranked in order from weaker to stronger rights, from extensive to intensive rights, or as denominated in the Gender Mechanism, a continuum of land rights. Some of these rights (usufruct) may be quite specific to the area, so it is not possible to use a standard list. However, it might be possible to develop examples of tenure categories by regional areas (a regional typology), which would be helpful as a basis for strengthening land tenure security in a particular area.

It is *not* suggested that the range of rights represent a stepwise scale to be passed, when strengthening tenure security. However, based on the typology of tenure types, a policy can be developed for how to strengthen, protect or develop the rights of each category. It must be avoided that land titling extinguishes or depreciate other types of less intensive land rights.

Women's land rights are often belonging to the weaker spectrum of rights, for which reason determination of tenure typology could form an important tool in protecting women's land rights.

The typology suggested here is reflecting the *nature of land rights or claims*, but not other dimensions determining whether rights are strong and defendable, which is about land tenure security. In systems where protection of any types of rights are strong, a limited right may be equally well protected and strong as a full ownership right: As an example a protection clause to protect a view or an old tree, may effectively block for use of the area for e.g. construction in countries having a well functioning land tenure system.

A thorough discussion of how tenure security is defined, and a typology of different types of informal and insecure tenure forms can be found in Durand-Lasserve & Selod, 2007, "The formalisation of urban land tenure in developing countries". The question of what is informal vs. illegality in land tenure is discussed by Fernandes, see http://www.unhabitat.org/hd/hdv5n3/forum1.htm.

How can tenure security be gradually upgraded?

Associated with a refined understanding of tenure rights is an understanding that tenure security can also be upgraded through a gradual approach. *Tenure security can be improved in direct and indirect ways*. Durand and Selod distinguish between de-facto recognition and land tenure formalisation.

Tenure security for everyone in an area can be increased if the circumstantial conditions are improved, such as e.g., accepting an informally settled neighbourhood as an official part of the town. Such de-facto recognition can take place through e.g. assignment of road names/addresses. Tenure security can also be improved if general conflict levels are reduced not necessarily related to the particular land, but as a result of more general impact of better public control of development. Clarification of planning status, of community boundaries and of the authority over land are other ways of upgrading the general order in land management having a positive effect on the tenure situation generally in the area concerned.

Physical upgrading of an area will have a direct effect on the tenure; ref. to tool 2a. Citywide slum upgrading, and the reverse is true: when tenure security is improved, then residents are likely to invest more in the physical constructions (as has been shown, e.g., in a study in Peru, by Kagawa 2000).

Improving tenure security of individual claims could also be approached in a cautious manner through a stepwise process. Stepwise approaches may prevent a negative impact such as too drastic increases in land values, worsening the situation of tenants, etc., which could force the less resourceful out.

New forms of co-management arrangements provide good options in some circumstances, where the different interests in the land can be balanced in mutually beneficial contractual set-up. Co-management arrangements widen the options for holders of land for strengthening their security of tenure.

Alden Wily points to the need for a more action-based and community driven *evolutionary* process.
"This, it is argued, will better resolve conceptual confusions that still surround customary tenure and which frustrate sound policy development. It will also better trigger the local level empowerment and institution-building needed to more appropriately shape, drive and sustain political will towards real removal of the chronic tenure insecurity of the poor." (Alden Wily, 2006).
Alden Wily proposes a ten stage approach to securing community based tenure.

Suggestions on how gradual tenure upgrading can help strengthen women's land rights is included below.

Ways of getting access to land (Tool 6.d)

Access to land is generally achieved through inheritance, the market or communal land allocation processes, if not even through (illegal) land invasion.

Since women generally own a lower share of the overall land resources, gender land issues is not only concerning with securing their current social tenure, but also concerned with women's access to land. The questions of securing women's land rights is thus connected with the issue of women's access to land, which goes beyond securing actual social tenure.

The ways women get access to land can be grouped into different categories depending on the channel of allocation through
1. Intra-household relations (maritial rights, inheritance rights)
2. Access to common land resources (public) or community rights.
3. Individual access to land (through community land allocation, public allocation or the land market)
A variety of forms exist in informal systems (and customary systems), when the actual land use could be individualised although the authority on land allocation rests with the community.

The most common way for women to access land is through inheritance, a topic which has been studied in numerous sources, ref. to Benshop, 2005, but this is an inadequate channel for many women, for which reason access to land also depends on access to credit.

In well functioning land management systems, the land authority will be responsible for ensuring a supply of developed land (and housing) for different social groups of society through city plans and regional plans. The issue of land access is therefore connected to tools: 2.b Citywide spatial planning, and 2.c Regional land use planning. When the supply of land and housing for low income groups, in particular women, is limited, the root cause is often serious shortcomings in the official land delivery system.

Fair access to land is also associated with the issue of transparency: The risk of corruption and inequalities are very real in land allocation and management. Land speculation is a threat to poor women's access to land. "Tackling *land speculation* in urban centres and under-utilised land is crucial and releases more land for public purposes." http://otto.idium.no/landrightswatch.net/filestore/ForUM3.pdf

The topic of land allocation is not discussed in this paper, but clarification of channels of land access will be part of the gendered land analysis, as discussed in chapter 9 below.

Why are spatial units (Tools 3.a) a priority issue of GLTN?

The point of departure of any land tenure model is the basic spatial dimension of land: Land is about territory and land rights require connection to a specific location and definition of a space. The struggle to strengthening women's land right is a struggle for living space, and for security of rights to own or use a specific piece of land or to enjoy fruits of the land.

Spatial units of land rights cover a hierarchy of spatial units corresponding to areas of jurisdiction. Often the overall administrative boundaries of the statuary system at each level of government are not defined at sufficient scale and agreed upon. Straight lines drawn on small maps without consideration of the realities are still all too prevalent. High level conflicts arise over land, where such boundaries go through land with natural resources or natural territories defined by different local population groups. Increasingly disputes arise over ill defined administrative or community boundaries, when land use intensifies and there are prospects of rising land values.

Settling of administrative boundaries is an urgent issue, since lack of clarification leaves people living at such areas in limbo. Settling the hierarchy of administrative boundaries permits local land matters within each administrative territory to be handled at the lowest possible level. Supposedly, this could leed the way for less complexity, shorter processes and a more expedient resolution of local land questions within any given system. In the case of policy changes towards decentralisation, the practical issue of boundaries will also need to be resolved to provide a clear territorial framework for local government.

Delineation of communities in cases of community based tenure is among the toughest hurdles in clarification of land rights. Community boundaries may be disputed between neighbouring local communities, chiefs or politicians. Solving these disputes at first is likely to ease the clarification of rights at the lower hierarchical levels (K. Haldrup, 2003). Untangling of the geographic framework forms a type of simplification and clarification, which will benefit all in the areas concerned. Finally the delineation of the various forms on individualized properties is a challenge of volume, but identification of geographical entities can be facilitated by modern low cost methods. Defining spatial units is no trivial matter.

"Boundaries do exist and do matter. That customary regimes typically include overlapping interests is a well-established fact as described earlier. How to unpack and order these in secure ways is a main preoccupation of modern reform." (Alden Wily 2006, p. 38)

"In due course, common properties also need delineation, to enable them to withstand the constant attrition at the hand of local elites or external forces like local and central governments and investors, and much aided by unclarity as to boundaries and owners."
"Despite contention or because of it, the act of clarifying and agreeing boundaries is a deeply empowering experience for communities, clarifying and entrenching general and specific notions of customary land rights." (Alden Wily, 2005, p. 8)

In the 1995 Land Policy and 1997 land law of Mozambique, community land delimitation and consultation are key principles.

The GLTN tool no. 3 of spatial units is representing the larger issue of land information and land administration.
Land information is required for building transparency and efficiency in land administration. Good documentation and public access to land records are essential to prevent corruption (Ref. to Final Report of Expert Group Meeting on Transparency in Land Administration, Kenya, 29-31 January 2007, UN-HABITAT in cooperation with ITC). At the opening session Executive Director of UN-HABITAT, Mrs. Tibaijuka:
"In terms of the specific focus on the meeting on transparency in land administration, she stated that transparency is a critical component of a functioning land administration. This is particularly the case in view of the high degree of corruption common in the allocation of land. It extends to the lack of clear and credible information on land availability and transactions, and to the poor dissemination of public information on land rights and policies." …
She encouraged the group to consider the ways in which transparency can be promoted, such as through application of a range of instruments including public education, public participation, e-governance, ethics and institutional reform.

Land information needs to be well structured, so that it represents the subject matter in a complete way, and so that it is suited for multiple purpose applications. Therefore, efforts have lately been made to build a data model, which can accommodate the variety of tenure types found in a development context. The so-called Social Tenure Domain Model is such a model. For more detail see (Lemmen, 2007). Standardisation of data formats is also a prerequisite for integration of data from different sources and for cost-efficiency in building and maintaining the digital systems.

Of importance here is that any land tenure relation is defined as a relation between specified Persons and a specified area of land. For the data model to represent this relation, both unique identification of persons and unique identifications of land is required, while respecting the principles of a continuum of land rights so important for gender sensitive land administration.

Building well organised land records is an investment in the future, whether computerized now or later. On the longer term technology will permit a wide spread conversion to e-governance even in remote areas, and ICT can play a central role in empowerment strategies.

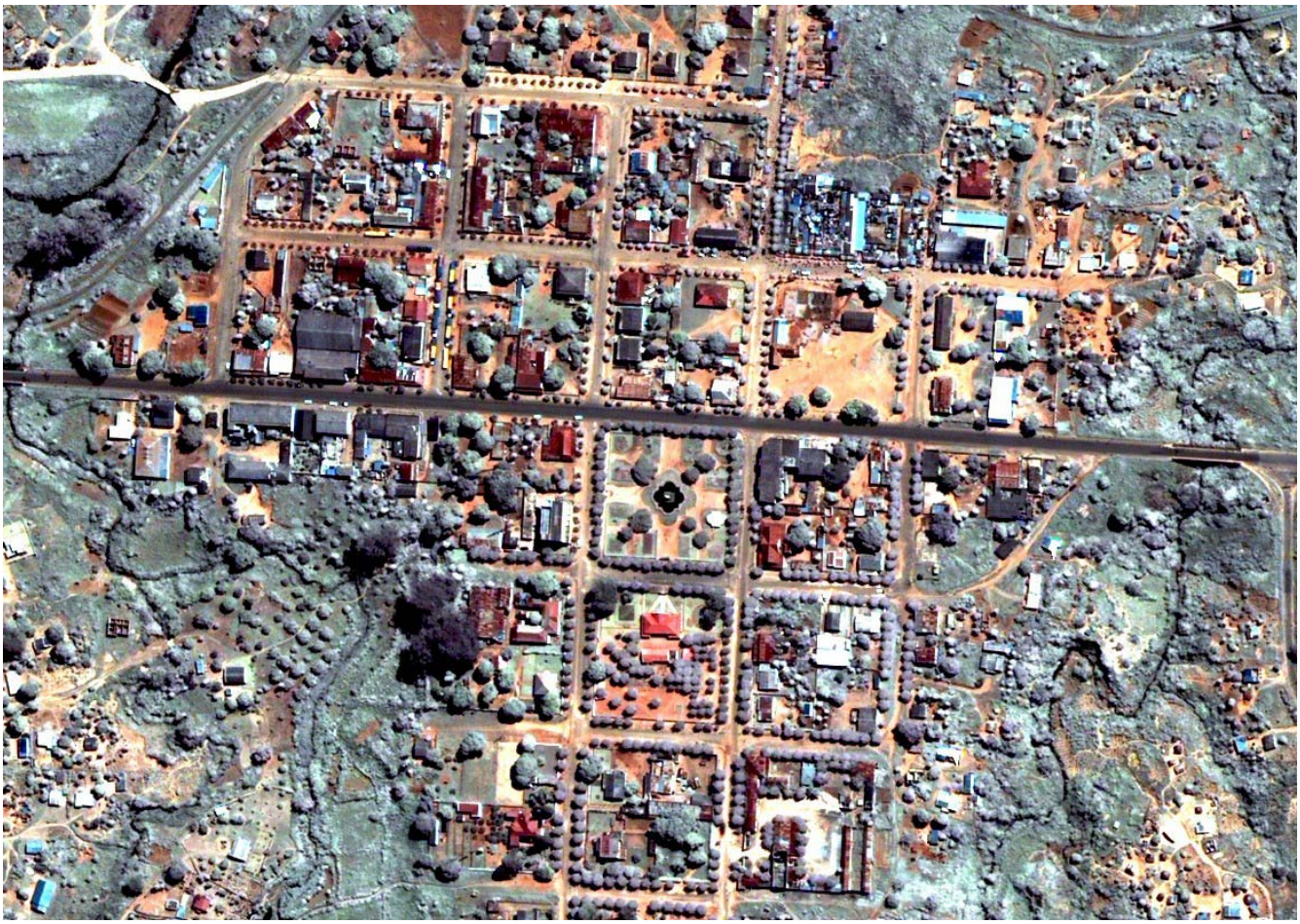
Good land records (land information) are a prerequisite for levying property taxes, See tool 5.a Land tax for financial and land management. Land taxation is strategically important for women, since taxation of property is an important source of revenue for financing decentralisation and building local services.

The most empowering technical land tool for clarification of land rights is the digital photo map
For all these purposes it is necessary to have good information on the actual status of the land in the area concerned. With the advent of photomaps (popularly known through Google-map) a new era in land administration has opened, whereby it is possible to get highly valuable, (relatively) low cost products with updated, detailed and authentic land information through sources outside the traditional conservative structures of map production.

The new types of photomaps offer a neutral and illustrative picture of the areas, which are invaluable for local use both as documentation of the status in the field, and for use in participatory processes of planning and land tenure regularisation. Photomaps do not require any expert skill for interpretation, and information present in the images is authentic and non selective. Use of photo maps eliminates the need for field surveying in all those cases, where the features are visible in the photo map. Photo maps can provide full information about areas, where access is difficult. *Often the spatial units are visible in the photo maps*. In these ways the costs and time for regularisation of the land tenure situation can be reduced significantly.

The new photo maps can serve as a common tool for all stakeholders in negotiation of the status of the land tenure situation and in preparing local land use plans. As a technical tool it offers both cost savings in facilitating basic fact-finding, and saving time and costs for everyone in documentation. With access to use of photo maps the information playing field will be levelled out for the participants in the negotiation process, whereby this particular technical tool serves as a democratic tool.

The Photo-map is for land administration and land tenure reform, what the mobile phone is for communication



Figur 2 Satellite image map Source: QuickBird color image of Manica, Mozambique, 0,6m resolution http://www.landinfo.com/GalSatQuickBirdManica.htm

3. Criteria for assessing the gender responsiveness of land tools

TOR: "1. Devise criteria for assessing the gender responsiveness of existing large-scale land tools;"

3.1 What are the main mechanisms explaining why it has gone wrong in the past?

Before devising tools for the future, it is necessary to learn from the past.

How the present unequal distribution patterns of land tenure rights between men and women in developing countries have come about was explained by Boserup E., 1965. With the rapid structural changes stemming from de-agrarianisation and rural-urban migration new complex relations arise between land rights, livelihoods and poverty as discussed by Daley and Hobley, (DFID, 2005).

In a given situation and a given area, the tenure situation needs to be understood in a local context, but many root causes of women's land tenure insecurity are similar across the world. Over time the root causes and their effects become intertangled, so it is no longer possible to keep a clear distinction. Some overall patterns of inequality stem from:

a. Violation of basic rights

Respect for basic rights has not reached large parts of the women in the developing world be it rooted in general systemic shortcomings, deficient legal basis and/or lack of implementation;
- Women are exposed to distress in the case of divorce, loss of spouse and disease; and women often have difficulties in claiming their rights in intra-household relations resulting in disinheritance;
- Women may experience high barriers of access to justice (awareness, physical access, complexity and cost), Benshop and Augustinus, UN-HABITAT, 2005
- Lack of tenure security triggers a vicious circle. As an example, women may contract deceases due to their vulnerability and as a result suffer under further violation of basic rights, as has been shown is the case with HIV/AIDS. According to ICRW.. "Organizations have limited understanding of how women's property rights could mitigate the impact of AIDS and prevent further spread." (Swaminathan, Bhatla, Chakraborty, www.ICRW.org)

b. Multiple, overlapping tenure arrangements

- Overlapping and competing systems of land management result in lack of clarity of where authority over land reside, which opens avenues for exploitation by the stronger segments of society.
- Exploitative practices and uneven power relations locally favour the local elite to the disadvantage of vulnerable groups of society, especially women;
- Customary chiefs may personally cash in on their own status of controlling land on behalf of the extended family or community at the cost of weaker members of the society. Etc.

c. Weak public land administration and management with limited capacity

The public administration in many developing countries suffers under sustainability challenge:
- Public services lack capacity, are uncoordinated, are overburdened, or not capable of meeting the needs. Hereby the gap between law and practice deepens, which in turn further undermines the trust in the system. In such situations, entrepeneurial persons in particular, can take advantage of the weak regulations of land use and weak public land management.
- Brain-drain and HIV/AIDS is taking its heavy toll among the well educated young people especially in Africa, who could run the government services, and could have been the hope for the future.
- Basic functions such as keeping the land records needed for taxing real property are inexistent or incomplete. Etc.

d. Too simplistic or inadequate reforms

- In some cases, where land reforms or land registration projects have been taking place, reforms may have lacked adaptation to actual needs and the local situation.

- More diverse options of land tenure options are needed than ownership, and some registration projects have registered property in the name of the head of household, only, hereby ignoring spouses' land rights.
- It has also been argued, that land titling may accelerate the process of commodization, although lively land markets exist without formal registration systems, etc..

"Experiences from countries such as Kenya showed that certain assumptions concerning the consequences of titling such as higher rates of investment and thus increased productivity do not hold true. (compare e.g. Hilhorst 2000, Yngstrom 2002, Jacobs 2002). Instead land concentration and landlessness have been on the increase and the practice of registering land in the name of the head of household, predominantly men, led to a further erosion of the generally marginal land rights women had held within the respective customary systems." Birgit Englert, 2003.

The effects of formalisation of urban land tenure are discussed in detail by Durand-Lasserve and Selod, 2007, who document the complexity of the question of formalisation and illustrate both positive and negative effects.

e. Dynamics of change vs. slow reforms

- The current unprecedented urban growth has created an extraordinary situation, where even systems, which previously functioned under more stable conditions, are breaking down under the burden of overwhelming development. Customary systems are affected by rapid change, and public land delivery systems of urban planning are dysfunctional;
- Uncontrolled land markets give room for widespread land speculation and illegality;
- The demographic changes are reinforced by the devastating effects of HIV/AIDS and conflicts
- Efforts of building professional capacity are grossly insufficient to cater for the needs and public sector reforms have been slow in delivering results in the field, etc.

f. Civic conflicts and war

Miserable conditions for entire population groups arise in case of conflicts and war, but often women are the most vulnerable and suffer from loss of property and livelihoods.

As a result there is widespread land ownership concentration, land tenure insecurity and landlessness

Land is a target for peoples' ambitions for good and for bad. In societies where the economic systems are underdeveloped the only secure investment is land and real property. Under commodization of land it takes money to access land, which favours persons having a cash income, not to mention persons taking advantage of the weak public land management systems for self allocation of land. Local land markets are affected by the fact that salaried persons and persons sending remittances from abroad are likely to invest in land and buildings. With more men typically being in charge of cash crops and having salaried income, the women are left at a disadvantage, when taking on their central role in caring for the family.

Although the markets may open options for the most resourceful persons among the poorer segments of the population, the poor will also need to be protected from the market forces (Haldrup, 2003).

Therefore it is of paramount importance to recognize *"The commons as the capital of the rural poor"* as stated by Alden Wily, 2006. This statement may also be extended to open space and common facilities in urban like settings. Hereby, the urgency of protecting common resources against erosion of rights or against land speculation is underlined.

3.2 What are general effects of insecure tenure affecting all poor persons, in particular women, and what are special gender issues?

General weaknesses of land tenure systems

One of the overall challenges of improving the conditions for women is the gap between law and policies on one side and practices on the other, which is undermining all systems and confidence in equitable land governance. Rebuilding confidence in land governance is therefore dependent on reducing this gap.

The general challenges to overcome are numerous as mentioned above:
- Inefficient land use planning, regulations of land use and allocation of land for development
- Overly complex land registration and land administration
- Long and complex land adjudication procedures
- Overload of legal system with cases of land
- Land speculation is prospering in a vacuum of governance in land
- People do not know their rights nor are they aware of how to claim their rights.

In this kind of situation gender roles reinforce discrimination of women, partly because of the overrepresentation of women among the poor, and because of unequal power relations in most spheres of life from the household to policy fora.

Overcoming special barriers for women

On top of the challenges all members of society are facing where land tenure is insecure, women experience special barriers associated with their gender roles.

Gender roles and cultural roles

The traditional role of child bearer and caring for the family confine the women's activities during periods of their life circle. The higher the social status, the more options will be available to get liberated from traditional female roles and the burdens of home caretaking. Each society has its social rules for men and women, but the traditional norms tend to be patriarchal.

Even where land tenure systems have traditionally been matrilinear, the tenure security of women are eroding, as this case shows in Malawi:

"The empirical data collected by the current report project team supports earlier studies indicating that women's land rights are becoming more precarious, even among the groups in southern and central Malawi where matrilineal rules and practices have been the norm for generations. In fact, how to secure women's land rights is a challenge, not only in African countries with a predominantly patrilineal tradition, but also in Malawi where matrilineal rules and practices have been dominant in a large part of the country."

"Our study indicates that the rights of women may become marginalised, not only in the informal family and lineage negotiations over rights and access to land as an increasingly scarce resource, but also in the bargaining processes related to the implementation of land reform policies and programmes. In order to counteract these tendencies, special mechanisms that protect women against direct discrimination and more indirect processes of marginalisation should be established.

The day-to-day challenge for a majority of Malawians is to access enough land to obtain decent livelihoods and a reasonable food security during the whole year. Women play a key role both in relation to land access and food security. But still women's roles and gender relations are seldom in the focus, either in research, policymaking or public debate in Malawi.

In the Malawian context, we have shown that over time there has been considerable focus on men's situation in matrilineal groups. Modernisation of land tenure, agricultural development and efficient production in Malawi has, to a great extent, been associated with a strengthening of men's land rights." Holden et al., 2006, pp 77-78

Examples of such barriers abound at different levels:

Barriers at family level:
- Lack of knowledge about rights (illiteracy, lack of other skills)
- Registration of land rights in the name of the head of household
- Acquisition of land on the land market depends on income and access to credit
- Dis-inheritance and dis-possession under distress (HIV-AIDS, divorce, etc.)
- Women's priorities of family welfare pose tough priorities between immediate needs and long term needs

Barriers at community level
- Women's options are limited by a range of factors related to social status, group affiliation, race, etc.
- Generally women have insufficient voice and representation, where decisions on land are taken
- Women's traditional rights (usufruct rights) are often more difficult to defend than stronger rights (full title)
- Dwindling of common resources, where women have traditionally been allocated land or held usufruct rights (non-exclusive forms of tenure)
- Channels of getting access to land are prone with corruptive practises.
- Furthermore, women are kept from forums of discussion, due to a variety of issues from outright patriarchy to a lack of time due to the demands placed on them.

Barriers in public land registration, adjudication and land management
- Lack of knowledge about services and rights
- Complexity of land administration and land registration, in-transparency
- Lack of basic documents (birth certificates, etc.)
- Difficulties and costs of access to justice
- Costs and difficulty of getting formal title
- Discriminatory practices of public administration;
- Inadequate infrastructure and services keep women from using their time productively

Other barriers to women
Women's land rights in many parts of the world are not only about getting formal rights, but also de-facto being able to benefit from these rights.
Agarwal (1994) describes the gap between ownership and control in South East Asia, where women are under pressure to 'volountary' giving up claims, and are dependent on male mediation. Barriers to women of self-managing land take various forms such as their social confinement and male control over labour and technology. The barriers for claiming women's land rights goes beyond the legal questions far into the domain of cultural resistance of kin and community, and their struggle over physical resources.

Barriers of getting access to credit are part of the challenges facing women around the world in both rural and urban areas.

Women's empowerment and overcoming barriers for women

Overcoming these barriers experienced by especially poor women in the developing world calls for women's empowerment. Criteria for gender sensitive land tools shall therefore be targeted at lowering the barriers for women on one side and contributing to women's empowerment on the other side.

Efforts of overcoming special barriers for women could take advantage of some general principles:
1. Work in response to needs
- Establish gender specific context
- Prioritize vulnerable rights and vulnerable areas
2. Ensure outreach

- Local information and awareness campaigns
3. Promote inclusive processes
- Transparency
- Participation
- Representation

"Enabling women to establish independent rights to land is arguably the most critical factor in empowerment processes that seek to renegotiate the social construction of gender within the household, the community and with the State and other institutions." (Ref to Gayatri A. Menon, Swayam Shikshan Prayog, 1996, p. 12).

3.3 Acknowledged recommendations for devising Gender Criteria for the future

As a point of departure UN-HABITAT studies on "Law, Land Tenure and Gender Review Series" cover regional recommendations from Latin America and Southern Africa (UN-HABITAT, 2005). The findings and recommendations of each of these studies on how to improve women's access to land and land tenure security are each summarized in 10 points, which are largely consistent among the studies. The recommendations provide clear indications of the current weaknesses, and show a way forward:

Regional recommendations, Latin America (UN-HABITAT, 2005):
(1) Government should take on a more proactive role in land matters.
(2) There is a region wide need to implement non-discriminatory laws and policies.
(3) Increase efforts in fulfilling the right to adequate housing.
(4) Recognise and reinforce the role of small and micro credit institutions among the poor.
(5) Recognise the special needs of indigenous and minority communities.
(6) Incorporate civil society into the highest levels of decision-making.
(7) Further pursue pioneering concepts in land tenure and reform and enhance shared learning.
(8) Integrate the poor living in informal settlements into the urban fabric.
(9) Reform of land registration systems across the region.
(10) Improve access to information and legal support on land and housing rights.

The Regional Recommendations, of the regional study of South Sahara Africa includes similar as well as distinct recommendations.

Regional recommendations, South Sahara Africa, (UN-Habitat, 2005):
(1) Women's land, housing and property rights are compromised by discriminatory laws. There is need for law reform.
(2) Develop country-specific step-by-step strategies for improving security of tenure of residents of informal settlements, particularly women.
(3) Clarify the legal basis for tenure where the formal, informal and customary tenure systems overlap.
(4) Design pragmatic and equitable strategies for managing informal settlements.
(5) Accommodate anticipated effects of migration, social changes and HIV/AIDS in all policies and plans.
(6) Strengthen regional social movements and NGOs involved in the urban land sector.
(7) Strengthen organs of the African Union to exchange information on best practices and establish regional standards for urban tenure security.
(8) Encourage donor support to national governments to develop dedicated urbanisation policies.
(9) Support initiatives to develop new, innovative and appropriate practices for land registration and cadastral survey in the region, building on some emerging good practices.
(10)Focus governments' attention on ensuring a more prominent place in poverty reduction strategy papers for more equitable and efficient land management and gender issues.

These recommendations seem to embrace other recommendations with examples of best practices as found in UN-HABITAT and GLTN resource material, (e.g., "Security of tenure, Best practices and Pro-poor Land

Management", UN-HABITAT). From these recommendations it is possible to deduct some criteria for gender sensitivity in land governance, although the recommendations seem to have a character of action points, rather than criteria.

3.4 Conclusions on criteria for assessing gender responsiveness in land tenure reform

How can the known tenure problems be addressed?

In this paper a distinction is made between land tools, which address the issue of strengthening women's basic rights (legal framework and its implementation (access to inheritance, co-titling, etc.)) and land tools directed at strengthening gender sensitive good governance of land. However, the two aspects interact and are interconnected e.g., through questions of equal representation and participation. The respect for women's basic rights is also affecting issues of good governance e.g., through a reliance on the functions of the legal system and access to justice. Even the most basic citizen rights such as the right to an identity is central for issue of legal documents.

The questions of what kind of criteria for gender sensitive land tools are required to respond to the violation of basic rights is covered by other papers, see in particular Benshop 2004, (UN-HABITAT, "Women's rights to Land and Property"). The paper covers aspects of discriminatory laws and practices related to land.
See also, UN-HABITAT paper 2006, "Women's equal rights to housing, land and property in international law."
The present paper is complementing the rights based approach by primarily focusing on gender criteria in respect to good governance of land.

Criteria of (gender sensitive) good governance of land

The objective of the evaluation methodology is to extract common denominators of how to build gender sensitive processes for improving women's land tenure security moving away from the one-size fit all approach in tenure reform programmes. Improvements of tenure security shall also occur in such a form, that it will not provide chocks and out-market the vulnerable groups, in particular poor women. Tentatively, it is suggested here, that the general criteria of gender sensitive good governance of land shall comprise:

Ten Criteria of Gender Sensitive Good Governance:

- Non-discriminatory laws and policies;
- Strengthening representation of women and their participation in land governance;
- Contextual strategies for improving tenure security with due respect for the roles of communities;
- Differentiated approaches for different segments of areas and tenure based on needs and tenure typology;
- Gradual improvements of tenure security through indirect and direct measures;
- Stemming the tide of illegal land development;
- Transparency of decisions on land, clarity of authority and simplicity of land administration;
- Priority to vulnerable groups, vulnerable land rights, common space and community land;
- Sustainability both in respect to financing and to human & technical capacity;
- Accessibility of local land offices, information and appeal (distance, costs) for the poor, in particular women.

Each of the main criteria can be elaborated further with sub-criteria in a specific context by exploring tenure issues of relevance for women in that area, as elaborated in the chapter 9 on Gendered land analysis,

In addition to the 10 main points of securing land rights, women need to be supported with a broader spectrum of options in order to be able to take control of their land rights and access land. In the case of agricultural land,

lessons from the South-East Asia experience demonstrate the need for facilitating access for women to necessary production infrastructure and production technology. Access to credit shall be part of an enabling environment.

In addition to these criteria for gender sensitive land governance can be added that many case studies show that one of the success criteria for positive change to take place is development of successful partnerships between local agents of change (community groups, grassroots, etc.) and local land authorities.

4. Criteria and process steps for scaling-up existing gendered land tools

TOR: "2. Develop criteria and process steps for scaling-up existing gendered land tools from the community to the national framework;"

4.1 Review of the GLTN Systematic Multi-Stage Approach

The Gender Mechanism 2006 suggests a "..multi-stage approach, strategies and methodologies for systematic gendered tool building, from preparation and analysis to the piloting/evaluation of gendered tools. Each stage requires inputs, guidelines, checklists and action plans from stakeholders and expert groups. The process will be realised through the GLTN by the following steps:" (GLTN Fact sheet, p. 2),

Level	MAIN STEPS of GLTN	PHASES of Gender Mechanism 2006
GLTN	**1. Sharing Genderising Land Approaches**	**Phase 1**: Gender responsive environment for gendering land tools - Inclusive participatory models - Setting the gendered land agenda - Fostering partnerships and capacity building - Ownership and conceptual clarity
National-GLTN	**2. Unblocking Gender Disaggregated Data**	Phase 2: Review of gendered land issues- Demystifying women's property issues - Sex disaggregated data - Impact of policies - Legal, constitutional and customary laws
Local areas-GLTN	**3. Participatory Gender Land Analysis**	**Phase 3**: Determining tooling objectives through a gendered land analysis- Land analysis techniques - Gender land analysis models - Content of gendered land analysis - Methodology for gendered land analysis
Local areas-GLTN	**4. Creating a Genderised Framework**	**Phase 4:** Tooling framework of principles, values and priorities - Gender equality through a human rights based approach - Gender empowerment through recognition of women's agency - Addressing women's land issues - Improving land governance through tools
GLTN	**5. Reviewing Land Tools**	**Phase 5: Construction and review of the gendered tools inventory**, - The importance of a tools inventory - The process of documenting tools - Creating accessible inventory for information sharing - Auditing tools for monitoring and learning
Local areas to be expanded	**6. Piloting and Upscaling of Existing Tools**	Phase 6: Piloting and upscaling of gendered tools - Piloting priority land tools - From community to large scale tools - Process of scaling community tools - Achieving scale through good land governance
	7. Participatory Evaluation of	**Phase 7**: Gendered evaluation of tools

	Tools	- Designing the evaluation criteria - Who conducts the evaluation of tools - Tool evaluation through gender analysis - Carrying out tool evaluations
Local and national levels	**8. Engendering Land Governance via Gendered Tools**	**Phase 8**: Improving land governance through gendered tools- Tool evaluation for policy makers - Opportunities for stakeholder participation - Training and capacity building - Advocacy and mobilisation

Figur 3 Phases defined in Gender Mechanism 2006

The critical questions are at what organisational level do the different activities take place? - Who are acting, and not the least, who is responsible? One aspect is conceptual development of land tools based on case studies, another is to work at implementation level at a grand scale. The GLTN objective is to work at scale and work for conversion of concepts into action through a facilitating role.

Bridging conceptual development in GLTN and real world implementation
Here, the term up-scaling is applied for strategies for field implementation. The GLTN success criteria of gendered land tools will ultimately be, if the combined flow of activities are likely to render results in response to women' needs in the not too distant future.

In many countries the outlook for women's land rights is bleak: This is the case in countries lacking the most basic elements of good governance and with fragile or absent public infrastructure, or where territorial wars are on-going, as is the situation e.g. in Sudan. Improving women's land rights will in those cases be dependent on respecting basic human rights.

Even under more favourable conditions one must have realistic expectations about the processes of change in the area of land tenure and land administration, where much inertia is caused by the complexity of the challenge and the political nature of the process of reform. Liverage, 2007, illustrated the timeline of land tenure reform in Mozambique, which has spanned over 15 years so far.

4.2 General Criteria for upscaling are defined in the Gender Mechanism 2006

GLTN Core Values

What are the common characteristics of gendered land tools, can be measured against the GLTN core values:

"GLTN core values that every tool be innovative, pro-poor, affordable, scalable and gendered underpin the enterprise." (Gender Mechanism, p.31)
"These tools are to be innovative, pro-poor, affordable, scalable and effective." (Gender Mechanism p.13)

Many good initiatives have been seen in designing new legislation and approaches to securing women's land rights and access to land, but implementation remains the main challenge. One of the biggest challenges for GLTN is to work for reducing the gap between law and policies on one side, and practices on the ground on the other. The critical importance of political will is underlined in the description of "gendered tools":

"They emerge from best practices which are affordable and transferable and are linked to capacity, resources and political will. (Gender Mechanism, p.14)

Pro-Poor
The GLTN themes and issues are explicitly defined within a general pro-poor approach, and gender issues are to be developed in compliance with general pro-poor land management and land administration recommendations. On the other hand, it is important to recognise, that the recommendations shall be generally applicable and suited for systematic approaches, thus covering complete spatial areas irrespective of type of area, status of land holders and character of tenure.

The Guidelines "Pro-poor Land Management, Integrating slums into city planning approaches", UN-HABITAT 2004, include the following main recommendations (p.26):

Phase 1: Identifying relevant local tools for land management
Identifying major stakeholders
Preliminary land audit
Identifying instruments and processes
Identifying available resources

Phase 2: Establishing relevant tenure framework for future development
Designate special zones
Create zones
Negotiate boundaries
Record boundaries
Outline minimum planning requirements
Capacity building of those that will do land administration

Phase 3: Integrating the poor into the city and developing a pro poor Land Management System
Defining infrastructure networks
Participatory planning
Sources of funding for infrastructure
Relocation, connection and costs
Upgrading tenure
An incremental process
Vacant or customary land inclusions incrementally
Amending centralized framework
Reviewing all frameworks
Reform and adaptation
Refocusing land information
Putting land records to good use
Inclusive innovative practice
Information management reform
Reckoning with land delivery variety (private sector roles)
Critical role for private sector/NGO

The above recommendations may serve as a checklist for development of the up-scaling programme of the GLTN gender mechanism, since it needs to be inclusive of other relevant key recommendations.

Not every tool defined by GLTN is targeted only at the poorer segments of society. Good examples of social mobility and women's successful coping strategies can thus serve as inspiration for development of general strategies.
Many tools are based on principles of benefit for society as a whole. When examining beneficiary groups, different parts of society are directly or indirectly affected in diverse ways, and pro-poor does not necessarily mean that others do not benefit. An example of a pro-poor tool, which may not appear to be so, is property

taxation. Property taxation, when levied fairly and proportionally, is an instrument which allows levying taxes on the able and creates revenues for local governments for providing local services and building infrastructure.

Innovative:
The GLTN approach is taking its point of departure in existing land tools. In fact there are a range of gender sensitive approaches already known, well documented and not necessarily innovative. Therefore, one of the tasks of the network is to identify, where there might be gaps, at first among the 23 priority land tools, and secondly in other known approaches to improving land tenure security in respect for women's rights. In order to do so, a comprehensive overview of the land issues /tools is required, which would on one hand provide an understanding of the land processes required for up-scaling, and on the other hand reveal, where the GLTN priority land tools need to be further developed. For this purpose an Up-scaling diagramme has been developed, see chapter 5 below.

"The mechanism seeks to improve understanding of the tooling process and gender dimensions by providing an easy reference to existing best practices and tools and stimulate systematic and innovative strategies to incorporating gender perspectives through women led approaches." (Gender Mechanism, p. 13)
"This is done through gendering of existing land tools, up-scaling of existing gendered land tools, and where there are gaps, through development of new gendered tools." (Gender Mechanism, p. 13)

Land Tools need not be innovative, if they are effective.
It is understood here, that innovation is about strategies.

Affordable:
The question of affordability is a difficult one, since the GLTN resource documents do not include cost studies, or estimation of costs in any of the cases (on the GLTN website). The term affordability raises the question of "affordable for whom?" For the government? Indeed, use of the term "affordability" might imply that the costs of upgrading land tenure are to be carried directly by the poor. Another question is if affordability is to be measured on the short or long term? Improved land management and decreasing inequality are such central development issues, that affordability could also be viewed from the perspective of GDP. Affordability is a relative term, to be viewed in the perspective of previous programmes such as full scale titling programmes, as well as relative to benefits.

It is clear that the GLTN strives towards low cost and sustainable methodologies suited for the specific local environment. It is understood here, that costs and affordability are to be calculated and analysed in representative cases to be indicative about the cost-efficiency of different methodologies in a given context. Costs also need to be inclusive of cost estimations of human resources required.

The cost issue is so important that dedicated resources are needed for cost calculation of various models of securing tenure. Estimates of cost-benefits of securing land tenure for women are highly complex, not least because a range of non-quantitative factors are to be taken into account, not to mention the dynamic value of the land.

The urgency of cost studies is underlined by the immense value of land and real property assets created during the rapid ongoing urbanisation processes. For further development of the gendered land tools, estimations of costs and resources required for recommended approaches are central to the goals of GLTN.

"Those gendered tools which are scalable, affordable, time and resources efficient with tangible gendered impact can be piloted by partners and supported by GLTN." (Gender Mechanism, p.38)

It can be seen that costing is required even before piloting, so pre-pilot work has to be conducted on costing alternative options in different settings.

Irrespective of tools, affordability depends on economy of scale
It has been shown that ad-hoc approaches are manifold as expensive as systematic approaches in land administrative, while also being less effective. In land tenure the economic effect of a systematic approach is amplified by the fact that tenure rights of specific properties touch on the rights of its neighbours (typically 4 neighbours per plot), and clarification of one property will in any case involve the neighbours. Thus affordability will depend on the economy of scale of taking a systematic approach to improving land tenure rights for entire territories, be it local communities or other administrative functional and areal units. Other weighty arguments for working systematically area by area with tenure reforms are listed below in chapter 5.

Questions of costs and affordability are related to financing
Seen from the governance perspective, clarification of land tenure rights and better land governance opens multiple positive prospects of saving the indirect and direct costs of dysfunctional land administration /management together with the prospects of improving public revenues through levying socially just real property taxes.
From that perspective financing the initial costs of putting the land administration and management in order, appears to have a good return on investment over the medium to longer term (dependent on time needed for the tenure reform). A broader economic analysis of affordability of land tenure interventions and administrative reforms in the land sector is called for, which also strives towards estimating the opportunity costs of <u>not</u> acting. The long term prospects of regularisation of land tenure may have widespread (positive) effects on a range of governance sectors, such as e.g., social welfare, rule of law, resource management and the environment, be they qualitative or quantifiable.

At household level affordability of land and housing is also associated with financing. Documentation of successful projects of microcredit indicates the growth potential of poorer households.
As an example, a grassroots organisation in Nepal has developed microcredit options for opening access for poor women to land and housing in Kathmandu. The case demonstrates a successful strategy of formation of community based saving groups and their formalization into coorperatives. The group has so far succeeded in providing micro-credit for 500 poor women to invest in land and housing.
(Grassroots_Innovations_Manandhar.pdf, Lajana Manandhar, Lumanti Support Group for Shelter, 14th March 2007, Global Land Tool Network, Grassroots Mechanism Workshop, UN-HABITAT, Nairobi)

However, investments in houses and land are often beyond the price range of what can be financed through a micro-credit facility. It is debated whether land tenure reforms improve access to (more affordable) credit for the poorer segments of society, but insufficient research evidence is still available on the question, as discussed by Durand-Lasserve and Selod, 2007.

Effective:
Different interventions come with different price tags and results. Clever strategies are obviously needed to identify approaches which are effective in respect to the objectives as well as being cost effective. The criteria of effectiveness are also contextual. What may be effective under some conditions may not be so in a different setting.

Effectiveness is dependent on timing and time. It is well known that early preventive action is much cheaper than remedying damages at a later stage, and this is not the least the case in land matters. Urban planning prior to development of land is a measure of great effectiveness, since early allocation of areas for infrastructure saves manifold the costs of installing infrastructure after (informal) settlement has taken place.

Associated with the concept of effectiveness is the issue of sustainability, since effectiveness has to be sustained over time. It is evident that strategies must be embedded in mobilization of local resources, and building local capacity for sustaining the system.

Effectiveness may also be associated with use of technical tools, which saves time and resources. Even clever low technology approaches, such as using standard forms for wills, deeds and other key documents may offer significant improvements of effectiveness.

4.3 GLTN takes its point of departure in local approaches to strengthening women's land rights

Community level action

The GLTN suggests up-scaling of successful strategies from community level to national level. The network has collected evidence of a number of grassroots initiatives, which have been helpful for women in strengthening their bargaining position or strengthening their land rights, including the decisive factors, which made it happen.

"Political will amongst all stakeholders and grass roots mobilisation is essential." Liversage, 2007.

These diverse initiatives of community action are here attempted grouped under the following headings:
a.) Collective action in cases of eminent threats of women's asset stripping, dis-inheritance, eviction, etc.
b.) Grassroots spearheading of local participation and watchdog functions
c.) Lobbying for better representation of women in local council, land boards, etc.
d.) Participatory mapping, enumeration and land use planning
e.) Micro credit initiatives

Collective action and community based tenure arrangement may not be best for women in all cases, and more tailored solutions can be called for, for improving women's land tenure security and access to land, as discussed below.

a. Collective action in cases of emergency – and beyond

When poor women experience serious cases of distress, they depend on support coming from members of their community, who have an understanding of their situation and a human surplus to help.
Typically grassroots' approaches take their point of departure of mobilizing support in urgent situations, where local womens' rights to land or housing are threatened: where they are dispossessed, evicted, or subject to other unfair treatment.

Successful cases demonstrate the positive effects of building self help groups, awareness campaigns and providing paralegal aid. By doing so, grassroots participation is born, since the definition of grassroots participation of the (Grassroots Background paper, 2007, p.10) is formulated as follows:

"[A] planned process whereby local groups are clarifying and expressing their own needs and objectives and taking collective action to meet them."

The definition indicates that grassroots networks have a role beyond lobbying, and have a role to play in assisting with development and implementation of the innovative land tools.

Local initiatives for strengthening women's land right operate with the two key challenges in parallel, first responding to emergency situations, and typically using the initial cause as a platform for further mobilization of women for other collective actions for improving land tenure security. A wide spectrum of local initiatives is required on the longer term for promoting good governance of land with a respect for women's land rights.

b. Grassroots spearheading local participation, watchdog functions and representation
Examples of successful action can be found in the area of building (poor) women's awareness and self confidence for standing up against the local establishment.
The building of Uganda Land Allience is an example of an effective NGO-initiative, which has created a voice widely heard (Okech and Busingye, http://www.capri.cgiar.org/, no date).

The Uganda Land Allience role as a lobby group for impacting on land law at a national level, is described at: http://www.eldis.org/go/display/?id=11416&type=Document. A community tool used with success in Kenya has been grassroots functioning as watch dogs.

Success of grassroots approaches depend on outreach and information strategies. Support is also needed for building and sustaining networks, groups and organisations.
"To ensure grassroots engagement, some capacity building will also be necessary. Knowledge must be disseminated *to* the grassroots as well as *from* the grassroots." GR 2007, p. 12
"Participation processes should respect and aim to build on existing networks, community processes, local customs and norms. Anyone involved in design of processes should therefore learn in a particular context about how." GR, p.19

Voice through representation can be achieved through affirmative action embedded in legislation.

Alden Wily, 2001, presents an overview over progress made in women's rights embedded in natural resource law reform in Africa. As an example the the Tanzania Village Land Act, Land Act 1999 (LA) and Village Land Act 1999 (VLA) includes provisions on women's representation:
- "National Land Advisory Council shall have regard for 'a fair balance of men and women' (LA s.17)
- On Village Adjudication Committee, women are to be not less than half of members (VLA s.53 (2,5))
- Participation of women in dispute settlement to be ensured (VLA s.60 (2))."

Progress in representation usually does not come without long struggles at grassroots level and lobbying at all levels of the political system before and after law reform. How women's grassroots can grow and build up influence is a contextual issue, highly dependent on local spokespersons as respected personalities, who communicate well and respond to local women's needs.

A better representation of women at all levels of government is a struggle which comprises all from the well educated women to the disadvantaged. High status women may spearhead wider representation, or they may play a key role of voicing the cases of women in distress. Impact and influence may therefore stem from multiple sources when working towards the long term goal of achieving gender balance in decision making bodies of land authorities.

c. Participatory mapping, enumeration and land use planning
Local inhabitants usually have an intimate knowledge of the status and history of the land in their immediate environment. Usually, they also hold information about the people in their neighbourhood. Under conditions of informal land tenure and shortage of land information, it seems obvious that local persons of integrity will be invaluable sources of information on de-facto land tenure arrangements.

The idea of participatory mapping and enumeration is a way of capturing such undocumented local knowledge and transforming it into information formats much needed for land administration and management.
"Chitekwe-Biti of Slum Dwellers International in Zimbabwe says that *community generated information* is a powerful tool and that you 'cannot over emphasise the role of this kind of locally collected and maintained information'. "
"Community generated information on inheritance, security of tenure, ownership etc. empowers the community to better negotiate with key stakeholders such as e.g. the local authorities." (Minutes from the network event on

GLTN, Development of pro-poor land tools, at the 3.rd session of the World Urban Forum, Vancouver, 20 June 2006, p. 16)

Examples of participatory mapping activities in Kenya

A Case Study of the Formation of Two Watchdog Groups of GROOTS Kenya, presented by Violet Shivutse, GROOTS Kenya (02-20-2007):
- GROOTS Kenya community led mapping project to study the situation of women, orphans and vulnerable children with regard to their access to property, access to ownership and inheritance rights, existing community responses, and the roles and effectiveness of local institutions. ….
During the mappings, grassroots women identified the specific nature of the problems faced by women in different communities and mobilized many community members to participate in an organized response to the problem of women and orphans dispossession of their land and property. This culminated to the formation of **Watchdog Groups** – a tool that was built as a systematic, community-based response to safeguard the needs of women, orphans, and vulnerable children. Watchdog Groups have become community tools that provide institutional and participatory protection to guard against property-grabbing, monitor communities for cases of women's dispossession, raise alarm in instances of eviction, and stop evictions. Watchdog Groups have also served as a platform for grassroots women to access governance institutions, to influence legal structures, and to advocate against resource-stripping and the dispossession of women's land and property.
…….
The mapping in Limuru provided locals with information on land grabbing and disinheritance. Dialogues with local authorities, the Assistant Chief and two village elders, led to the formation of a strong Watchdog Group that is staffed by a combination of community members and local authorities. The Watchdog Group in this community emerged from the initial mapping, which revealed there were six cases of disinheritance.

When women engage in participatory mapping methods they also build awareness of what are the (conflicting) interests in land in the local area, and on how are decisions taken on allocation and use of the land. Hereby participatory mapping processes are likely to build participants' confidence, to strengthen local women's empowerment and to bring about changed attitudes.

Information collection and maintenance is a function dependent on technical support and a sustainable organisation for holding the information. For this reason, participatory methods will be insufficient as a stand-alone activity, and need to be integrated into formal structures as part of an overall land information strategy. Without a sustainable organisation to keep and maintain the information, the value of a participatory mapping exercise is quickly eroding.

When professionals work on land tenure reforms, they also collect – and depend on - the information and testimonies provided by people in the area concerned. For locally collected information to serve as documentation in a legal process of upgrading tenure security, procedural aspects need to be considered.

Participatory land use planning
When taking a participatory process of documenting the actual status of land tenure a step further, participatory methods move into another gear with land use planning.

Land use planning is in nature different from mapping, since it concerns regulating the future use of land. Land use planning is an act of law binding the various public and private interests. In nature land use planning must therefore be performed by the authoritative governmental entity: most likely the local government. However, good governance of land builds on local participation. Participatory land use planning has long been the standard in European countries, where public information and participation campaigns are built into the early stages of land development.

The recent land tenure reform in Mozambique offers an example of best practices in community consultation and community participation, as presentation by Liverage, 2007. The case of Mozambique includes a range of community land tools – in addition to formal recognition of equal rights:

Ideal community land delimitation & consultation.
1. Request is made by a community to the District Administration & an inter-disciplinary team of external facilitators is appointed (government, NGO & private sector combos).
2. Community information dissemination on the Land Law, community's land rights and the land delimitation process.
3. Community selects representatives to liaise with the external facilitators and oversee the delimitation.
4. PRAs are done with various interest groups (women, men, youth, new settlers, etc) on: history of occupation & use, social interest grps & community organisations & long-term development vision. A report is produced.
5. Community mapping is done, incl: community boundaries, land use & occupancy, common use areas, existing & new concessions and vision of future development.
6. Confirmation of boundaries & common-use areas (eg: forests & grazing) with neighbours & District reps.
7. Conflict mediation if boundary disputes - elders are called in &/or external mediators.
8. Mapping and surveying of community boundaries, common use areas and neighbours are mapped on a topographic map, usually at 1:50,000 scale. Where a boundary cannot be identified on a map, a boundary point is surveyed to 30 metre accuracy – handheld GPS are ok.
9. Descriptive Memorandum is produced describing the boundary.
10. Validation of info at community meetings & signed by the community reps, facilitation team, neighbours & District Admin rep.
11. Community Delimitation Certificate issued by Gov & info is registered & filed at SPGC.
12. Community – investor partnerships. Based on development vision, investors are identified, negotiations are undertaken and a partnership agreement is made.
13. Confirmation of community consultation. Provincial Service of Geography and Cadastre (SPGC) confirms a proper consultation has been done.
14. New concession granted.

As illustrated by the case of Mozambique, community consultations need to be an integral component of the formal land procedures in order to be guaranteed and have legal validity. Gender equity is not automatically guaranteed through community approaches, so it is evident that local women will need to be active in safeguarding their rights during the community consultations, as well.

Participatory approaches in FAO rural programmes
FAO is promoting participatory approaches in a range of land tenure programmes. As an example, FAO has prepared guidelines on "Participatory Land Delimitation – Experiences and Methodologies", FAO Land Tenure Collection Number 2, March 2007, CD or available at http://www.fao.org/sd/dim_in1/in1_070301_en.htm

"The CD-ROM presents a collection of materials where demarcation of lands is viewed, in the context of participatory land delimitation, as a participatory process which links social legitimacy and legal validity, with the objective of reinforcing land tenure security of rural communities. This allows recognition and promotes guarantee of rights of access, use and management of lands of rural communities, and provides individual and/or collective property titles.
As the CD-ROM collection illustrates, the process of land demarcation and land titling is an integral part of local development. To realize such development fully, communities need a range of complementary support actions to accompany the land tenure security improvements resulting from land delimitation. Communities should participate in the planning of this local development to ensure sustainable management of territories and protection of natural resources, to promote local cultures, to reinforce the notion of rights for vulnerable groups and to consolidate local institutions in charge of development projects. Participation of local populations in such decision-making, promotion of productive activities and income generation, and creation of an environment that

favours dialogue between different actors and stakeholders, helps prevent land tenure conflicts and can promote their resolution."

4.3.2. The significance for women of common space, common land resources, customary or communal land tenure

The issues of local land governance are inevitably connected to issues of community land tenure. It is not possible to work on "gendering of land tools", without addressing the importance of common land, and community land management in countries with plural legal systems, as is the case in most developing countries, where the statuary system has not swept out customary land tenure systems.

The key issues of land, poverty and gender are associated not only with strengthening of women's individual rights, but also with protecting access to common land resources, common space, customary rights, and with the way these resources are managed through customary or communal tenure systems. This is because for the poor with little or no specific rights in land, their access to the commons is critical for their survival, and with dwindling of common resources, their livelihoods are threatened. Common space and common property may be their only property.

Alden Wily has analysed the role of the commons, customary and community based land tenure in a number of African and Asian countries, which can provide guidance for the GLTN work on gendering land tools. In "The Commons and Customary Law in Modern Times: Rethinking the Orthodoxies", 2005, she captures the issues:

"1. Conceptual confusion still blights ideas of the commons. It is necessary to draw a distinction between territories over which communities customarily exercise domain (Communal Domain) and tangible real estate, those properties within those domains which are the private group-owned property of all members of a community of persons, and which are held (for good reasons) in undivided shares. These are Common Properties."

……

"3. Priority focus should be upon the rural commons. It is these estates, not the family farm or house, which always have been, and remain today at most risk from involuntary loss. It is these community-owned properties to which governments throughout the continent have so consistently helped themselves and/or reallocate to others and which still bear the status in over half of African States as de facto un-owned or public land. These losses continue right up until the present.1 Moreover these losses directly affect the poor. For even the poorest members of rural communities, those without land or too little land to live on (the 'land poor') share the customary ownership of these estates with other, richer members of the community. This may be their only real property. Securing common rights is critical."

.....

"7. Whilst the focus of this presentation is upon the commons, it should be recorded that a second and rising pool of insecurity lies at the urban-rural interface, in those farmlands which are converted into building plots, generally on terms entirely unfavourable to customary owners. Remedy for both this and involuntary loss of the commons can only lie in clarification and legal entrenchment of customary rights."

It is suggested here that the Gender Mechanism needs to underline the need to identify the various forms of common land, and securing the communal domain and common rights *as a first priority* in a tenure reform. Hereby, it is stressed that the gendered processes have to define a sequence of activities to make sure that the most vulnerable land and weaker land rights (of the continuum of rights) rise to the top of the agenda.

Common resources whether state land or community land are especially exposed to land-grabbing. Vulnerability may take the form of gradually eroding rights or direct land grabbing.

"As the value of urban land increases, land-grabbing increases in intensity. This can result in large tracts of public land being illegally and irregularly allocated to elite groups. While this land is sometimes used to provide informal housing for the poor, the conditions are exploitative and the poor are often evicted once the value of land increases. Governments need to develop mechanisms to recover irregularly and illegally allocated land and develop sufficient anti-corruption mechanisms to prevent further grabbing of public land. Civil society has a significant role to play in monitoring land-grabbing. Norway can support such efforts."
"Tackling *land speculation* in urban centres and under-utilised land is crucial and releases more land for public purposes." http://otto.idium.no/landrightswatch.net/filestore/ForUM3.pdf

4.4 What are the limitations of local community land tools?

Constraints in cultural environment
In some areas of the world, women are so restricted in their personal movements, that they are deprived the option of developing collective action. Mehdi (2001) has studied villages in Pakistan, where "Women isolation and lack of any formal organisational structures leaves few possibilities of solidarity" (p.238). In such cases the point of departure is at a low point, leaving little hope for strengthening of women's tenure rights through community level action.
Mehdi has also described how customary law makes people comply under group pressure, in the form of ritual and emotional pressure, by use of shame, respect and authority mechanisms. (pp. 253-255).

Women's land tenure security can not be seen in isolation from their general situation. Broad spectral help is called for in the case of vulnerable groups, who may need support in a wider sense, be it in education, health care or other personal needs.

The critical importance of access to independent appeal
Community life may form a straight jacket for women, where they are made to comply with conservative norms, or they suffer from dominance by a local land elite. In any case, local interests in land can be so inter-tangled with power structures and community personalities that local community systems do not offer the protection that in particular vulnerable women need.

When there are cases of local land conflict it is of paramount importance to have access to independent appeal (outside the community), an option which need to be well known, affordable and accessible. This principle is widely used in land laws around the world, and needs to be incorporated in tenure reforms irrespective of the design of systems.

Community action does not necessarily mean communal ownership
Agarwal (*A field of one's own, 1994)* ... argues that women need independent rights in land for reasons of welfare, efficiency, gender equality and empowerment.
The welfare argument is based on the finding that ..."There is considerable evidence of the intra-household gender inequalities in the sharing of benefits from the household's resources."...
"Further, in many states in India notable differences have been found on how men and women of poor rural households spend the incomes under their control: women of poor households typically spend a significant part of their incomes to purchase goods for the family's general consumption and the children: men usually spend a significant part on their personal needs (tobacco, liquor, etc.). (pp. 28-29).
"Within this general argument in favour of women's independent access to economic resources, the case for rights in land is especially strong. In a context of limited non-farm opportunities, land serves as a security against poverty – a means to meet basic needs." (p.31)

What form of tenure is the best choice for women is a contextual matter, and actual options may be limited.

Alternative tenure arrangements
Various models of joint management and cooperatives may open new options for women, through which they can overcome some of the economic and practical barriers of getting access to land. An example is shown by Agarwal 2002, (SEEDS, The Deccan Development Society: Impact of Women Acquiring Land and Farming Collectively).

New forms of co-management arrangements have been introduced in various forms, such as e.g., Community Land Partnership and Environmental Stewardship Contracts, see http://www.gltn.net/en/tools-/241.html

The basic idea of new forms of co-management tenure arrangements is to build an equitable contract between 3-4 parties representing ownership, capital, sound land management and the occupants/users of the land, who take on a role as stewards of the land. Compared to classical tenure arrangements, the new forms of tenure are supposedly offering more satisfactory conditions for stewards of the land, which could e.g. be in the form of long term occupancy rights, a secured income, capacity building and a recognized role as a development partner.

The Environmental Stewardship Contract is a three party contract, whereby formerly landless people take on a role as stewards of the environment against being secured a basic living. The "Community Land Partnership" brings together the Community, Investors, and Occupiers and Managers.

Towards the future structural changes
Taking the future dynamics into consideration, the legal formats of community tenure arrangements shall cater for the possible needs for adaptation in the future to new conditions and needs. As an example, it might be helpful to clarify membership of communities in a legal foundation, so that it is possible to get recognised as a legal entity, which may also open for possible adaptations of the foundation to future needs through a legitimate process.

Land tenure clarification may best be performed as a part of other related activities, such as land use planning, slum upgrading or land consolidation, so that the upgrading of land tenure security is approached in a holistic manner in a particular local area.

5. What are the main process steps for up-scaling?

TOR: "2. Develop criteria and process steps for scaling-up existing gendered land tools from the community to the national framework;"

5.1 Horizontal replication and vertical up-scaling

At the off-set a tension may seem to arise between typical grassroots' activities and other approaches of building good governance of land from within the land administration structures. Grassroots approaches will usually be upscaled through horizontal replication. By nature the development of better administrative practices will be taking place within a hierarchical structure. However, grassroots and NGO initiatives of horizontal replication interact with vertical up-scaling as the initiatives gain footing.

The classical approach of initiating pilot projects, which are later scaled up, is used both by grassroots and the official systems. With pilots it is possible to develop methods in parallel with building confidence and experience. Demonstrating possible ways forward through local pilots is a convincing approach to gaining support for new ideas. Small scale pilots also reduce the risk for failure on a larger scale, whether the pilot is a community or a government initiative.

"It also creates 'political space' - once a government has witnessed the small-scale success of such an idea, it is more likely to be open to supporting community ideas on a larger scale." (Grassroots Mechanism, 2007)

Learning lessons from other good cases is a strategy, which can be spread through NGO networks much helped by powerful communication strategies. The Uganda Land Alliance has effectively used ICT for dissemination of experience and cases and for inspiring new initiatives. Their efforts of bringing together over 50 NGO's has strengthened their lobbying in government on legal reform and their advocacy for women's land rights.

The example of forming watchdog groups from GROOTS, Kenya, shows a combination of horizontal replication and vertical upscaling:

"The Watchdog group model was initiated in the Kakamega District but it was replicated successfully in five other regions, and later in several communities within the regions. Watchdog Groups were most successful when community members were able to create alliances with provincial administration, which is the closest government to the people, as well as with the local authorities as a part of the process of strengthening the groups." (Grassroots Mechanism, 2007, p.9)

Programmes of building good governance of land will necessarily be embedded in systematic approaches. Furthermore will efforts of improving good governance require a vertical up-scaling process in accordance with the administrative structures, although local governments may take independent initiatives.

It is often found that some local land offices are simply functioning better than others, be it due to better local resources and motivated key persons, or for other reasons. When initiating pilots it is often preferable to work with the better local land offices at first, where the chances are higher for generating a momentum of success or even a possible future resource centre. In any case, if the pilot does not work at the better offices, the reform stands little chance elsewhere.

It has been found that a criteria for success of grassroots' initiative is their ability to build partnership with authorities and government at different levels, just as government structures need to integrate community-based functions in formal land administration and management structures, as an example from Kenya shows:

"The potential for increasing the impact of Watchdog Groups is thereby based on the ability to replicate the model in many communities where women face asset-stripping, and the ability of governments to further integrate community-based models in formal governance structures and to build links with authorities and institutions at local, regional, and national levels.""Mutual Benefits of Partnerships between Communities and Local Authorities" were described by Ann Wanjiru of GROOTS, Kenya (GK 2007).

Community members forming the groups used local dialogue processes to build relationships with customary and civil authorities.

5.2 Lessons learnt in up-scaling

Mozambique and Madagascar

The case of Mozambique is highly relevant for GLTN, since Mozambique has developed progressive, pro-poor land reform policies with a comprehensive legal reform in recent years.

The key challenges have been developing the institutional and human capacity for implementation. Other challenges have been to ensure financial sustainability of participatory approaches and to ensure sustained investments to underpin the pro-poor land reform.

Like in all reforms the political will amongst all stakeholders has been critical, as has the challenges of mobilizing of grassroots.

Specific challenges in scaling up the pro-poor & participatory approaches to securing land rights in Mozambique have been:
- Some lack of clarity on the status of communities to enter into legal agreements.
- An overemphasis on group rather than individualized rights?
- Women's land rights not being adequately addressed?
- Lack of capacity in government and civil society service providers to facilitate delimitations, consultations and establishment of partnerships the key obstacle. A range of skills required.
- Issues of financial sustainability of community land registration not being adequately addressed –dependent on donors.
http://www.gltn.net/en/e-library/grassroots-mechanism-meeting-14-15-march-2007/challenges-in-scaling-up-pro-poor-participatory-approaches-to-securing-land-rights/details.html

Kenya

Experience with up-scaling of watchdog groups in Kenya also points in the direction of convergence between grassroots and good governance initiatives. GROOTS states that up-scaling of Watchdog Groups as an effective grassroots women's land tool depends on the following factors:
1. The ability of grassroots groups in many communities to replicate the model;
2. The level at which Watchdog Groups can be integrated into formal decision-making spaces at different levels of government; and
3. Integrating community paralegals into the Watchdog Groups.
(Mapping_Kenya_Shivutse.pdf, GK Watchdog group case study 2007, p.6,
http://www.gltn.net/component/option,com_docman/task,doc_details/gid,149/Itemid,92/)

GROOTS has also developed an approach to up-scaling composed of the following steps, which can serve as inspiration for others:
• Needs Assessment and Prioritization
• Community Mapping and Documentation
• Community Action Plan
• Formation of community Watchdog groups
• Community Feedback Forums
• Sharing Approaches and Replication

The watchdog Groups have been replicated in 16 communities across four regions in Kenya (2007), and many others have shown interest, because the model has been proved to have an impact on safeguarding women's property and inheritance rights.

"The government of Kenya has acknowledged the success of the Watchdog Group model at the local level and is using the groups as a mobilizing platform on issues of women and property rights. There is need for global attention and support towards comprehensive development of the model to be used in a larger-scale that feeds into the legal system." (GK 2007, p.8)

Participation and representation

Local participation in land tenure matters often takes its beginning with local pioneers, who initiate a local action, such as e.g., community mobilizers helping other women in case of dis-inheritance. At an early stage community mobilizers need training and mentoring, since they enter into a complex legal and social field. Thus

capacity building of grassroots organisation continues to be a worthy objective of development projects. Many areas of support are needed to strengthen local women's ability to act and organise.

For local participatory processes to be responsive to peoples' needs, participation requires accountability and good information flows. Participation fatigue has to be prevented by formulating clear objectives, and by addressing both short and long term objectives. It also takes skills to develop a local to- local dialogue with both the formal systems and the traditional systems, as may be the case.

When scaling up local initiatives it becomes necessary to build representative mechanisms, because not everyone to be directly involved in the negotiation processes. For this reason up-scaling requires special care in designing representation schemes, which ensures that the diverse local groups are represented at the decisive stages of decision making (Grassroots M. p. 22).

Election of local representatives can possibly grow out of the previous grassroots activities, where leadership and spokespersons may already have been surfacing. The grassroots mechanism suggests, that .. "A representative participation process may begin with wide open workshops where people can control selection of individuals as well as targeted workshops and focus groups discussions that ensure marginalised groups and organisations are included."

Representatives also need to be trained and supported in order that they can function well. As an example .."GROOTS Kenya is identifying people within community watch groups who will be trained as paralegals and have knowledge of the community with whom they are working. In this way, the defense of property rights is no longer a burden for one person but becomes a collective effort. ("Listen to us", 2007)

Better representation in decision making bodies of land remain a key objective in local efforts of strengthening women's land rights. Thus a key criteria of success will be to increase local women's level of attendance at meetings on land and housing, so that women gradually take responsibility and take part in decision making processes.
The overall goal is to get all-inclusive community representation (i.e. men and women, elders, children, opinion leaders, church, community institutions). However, it is a particular challenge to ensure women's representation in decision making in land, because land boards, land development committees, etc. have traditionally been the domain of men.

Sustainability

Experience from the national land tenure reform in Mozambique has shown that sustainability of reforms depends on financing the local land administration as well as ensuring support for local participation processes. Financial incentives or obstacles cannot be ignored.

Financing the reform

"The land reform needs to go hand in hand with other decentralisation initiatives, and needs to be accompanied with the necessary resources to establish efficient local administrations. Donor support may be crucial to find sufficient resources for this. Such support also seems essential to ensure that the land reform can be designed and implemented in a pro-poor way. NGOs are already active in the local debate and can play a key role in dissemination of information and contribute to make the reform pro-poor. Without proper implementation there is a high risk that the powerful will exploit the situation at the cost of the poor and the most vulnerable in Malawi today." (Land Policy Reform: The Role of Land Markets and Women's Land Rights in Malawi", By Stein Holden, Randi Kaarhus and Rodney Lunduka, Noragric Report No. 36, October 2006, Noragric, Norwegian University of Life Sciences (UMB))

"In Vietnam, experience with community-driven development processes showed that when investment ownership, decision-making powers, and financial control are transferred to the commune level, local empowerment was the result. The process created local employment opportunities, gave local people control over contracts with consultants, to manage budgets and banking accounts, to own invested projects, to purchase services locally, and to arrange and manage operations and maintenance."

Conflict resolution mechanisms
When initiating land tenure reforms, a Pandora box of dormant land conflicts will be opened. Any reform will thus require a setting up of appropriate conflict resolution mechanisms, which offer the parties affordable access to justice. Out of court settlement of land conflicts in the first instance can be modelled in ways of combining the official systems with local representation. In local conflicts poor women often need external assistance to overcome an un-even power balance and social-cultural barriers.

" Land tool development inevitably creates conflict. While legislation and policies may shift the balance of power in theory (and possibly create protective behaviour by those whose interests are threatened), it is at the implementation stage that conflict usually erupts."

5.3. Conclusions on Criteria for Up-scaling

In conclusion it can be summarized that the key criteria for gender sensitive scaling-up of existing gendered land tools from the community to the national framework are:

KEY CRITERIA FOR SCALING-UP GENDERED LAND TOOLS
1. Establish local context prior to up-scaling
2. Mobilize local resources and include participatory and representative mechanisms in up-scaling
3. Develop partnership between grassroots' and land authorities
4. Strengthen tenure framework and capacity prior to full scale tenure reform
5. Create room for diverse forms of tenure arrangements
6. Safeguard common space, common resources and community land rights
7. Prepare early land use planning and spatial planning with allocation of land for low-cost housing
8. Prepare early cost studies and plans for sustainability in financing and organisation of land administration
9. Apply appropriate standards for documents (wills, deeds, etc.) and public land records
10. Implement public information standards in land governance and use ICT as far as possible.

Challenges of planning, organisation, management and financing
An underlying presumption of any large scale operation is organisation and management. While some initial stages can be conducted without other investments of time and effort, the more long term components of upgrading of tenure depends on a costing and financing plan.

New communication tools and ICT technology may facilitate better cooperation and transparency between the many stakeholders. Long term plans for up-scaling will necessarily build on use of technical tools and appropriate technical standards.

5.4 The Up-Scaling process

Land tools, land processes and up-scaling

The phasing of the multi-stage strategy of Gender Mechanism 2006 weaves between general land tool development and activities taking place in a specific local environment. The success criteria of gendered land tools will ultimately be, if the combined flow of activities will render results in response to womens' needs in practise. For this reason the GLTN priority land tools and the multistage-approach of the Gender Mechanism

have been integrated to demonstrate the processes of upgrading tenure security as they may take place in a specific locality.

In Figur 4, Up-scaling of Gendered Land Tools, Illustrating gender sensitive processes of securing land tenure and improving access to land:, tools, themes and stages of the Gender Mechanism have been mapped into a model representing a gradual approach to tenure upgrading as seen both from the field situation (left) and the land governance (right). Phases of up-scaling have been defined in an operational context using the building blocks of the Gender Mechanism.
The colour coding highlights the different components defined in the Gender Mechanism 2006 (themes, tools, stages). Some of the land tools do fit into a sequence of events, others are more widely relevant. The up-scaling table represents a view of an up-scaling process to be read from the top.

The central column of the table represents the activities taking place in interaction between the land authorities (represented by the right column) and the communities and their inhabitants (represented by the left). In accordance with the GLTN framework these activities are drafted as participatory and gender sensitive.

The column at the left illustrates a development from status quo of insecure informal land rights in the field to the ideal stage of recognized land rights.
The column at the right illustrates the status of land governance, which goes from its pre-reform status of most likely disorderly and weak towards good (gender sensitive) governance

It can be seen that the participatory processes of upgrading tenure security goes through A. Enumeration of claims, B. Land use planning, C. Socially appropriate adjudication and D. Slum upgrading /Land readjustments.
The framing of A, B, C, and D illustrates that a holistic view is required. As an example, land use planning, slum upgrading and land readjustments are interdependent, and could ideally be conducted in an integrated process.
The table has been expanded with other aspects of the tenure upgrading process, so as to create a more complete picture of the land processes and the required land tools, but the additional elements are included as examples only.

Process steps for scaling-up existing large-scale land tools

TOR: "2. Develop criteria and process steps for scaling-up existing gendered land tools from the community to the national framework"

Up-scaling of existing gendered land tools is a complexity challenge, since ideally many diverse activities have to be seen in a holistic way from many different perspectives. Any attempt will therefore fall short of ideal requirements. Here the existing land tools have been mapped into a table indicating how the processes of up-scaling could take form. Further elaboration of the processes will be required in any particular case.

Here the rows of the up-scaling table represent the following overall stages of gender sensitive land tenure upgrading:

Stage 1. Establishing context and taking stock
- Unblocking gender disaggregated data
- Integration of available information such as statistics and maps
- Clarification of needs

Stage 2: Preparations for gender sensitive improvements of land tenure
- Create genderised framework: Grass roots mobilization, communication & awareness building
- Participatory Gendered Land Analysis with identification of vulnerable groups and areas
- Map out typology of tenure
- Modernization of land authorities,
- Engendering governance; Watchdog functions;

Stage 3: Systematic upgrading of the general land tenure situation through indirect measures
- Improve legal basis: clarify authority, improve land use planning and land administration
- Clarify territorial framework: administrative boundaries and land authority jurisdiction
- Strengthen recognition of de-facto rights (address systems, classification of sub-areas, etc.)
- Initiate documentation of informal rights
- Strengthen management of public land, common areas, community land;
- Spatial planning: urban and rural
- Strengthen local participation, transparency and representation;

Stage 4: Systematic adjudication of rights and build sustainable land authorities
- Build sustainable (financial and structural) land administration and land management
- Socially appropriate adjudication area by area
- Slum upgrading and land readjustments
- Regulating the land market

Stage 5: Formalisation of rights and land records /information systems
- Formalisation of land rights in gender sensitive forms (joint titling, alternative tenure arrangements, usu-fruct rights, etc.
- Land records system (paper, IT): land registration standards adjusted to local context
- Local land services with conflict resolution mechanisms,
- Land valuation and land taxation
- Public land management
- Access to information and transparent, affordable services

The stages outlined are indicative only. Clearly, a strategy has to be designed to local needs and constraints. What is important is seeing every land tool in its proper local context, where also timing is critical: "The issue of time-scale and sequencing is important to avoid widespread landlessness and destitution."

The stages 1-4 represent a continuous flow of events with a gliding transition from one stage to another. In contrast the transformation from stage 4 to 5 is a sharp line marking the significant step from informal to formal land tenure. The conversion to a system of formal land tenure entails a reform both for holders of rights and the land administration system. Conversion to a formal land registration and land information system means modernisation and simplification of services, and opens for reforming the property taxation system. Seen from the side of the users, the reform brings both benefits and obligations: They benefit from the protection of their land rights, and at the same time they are obliged to report property mutations to the system, or it will quickly decay. Likewise they benefit from more orderly land management, while they also have to respect the regulation of land use and other planning regulations.

The Gender Mechanism differs from previous approaches to systematic up-scaling through its emphasis on preparatory stages on establishing gender disaggregated data, gendered land mapping, mapping out the tenure typology, differentiation according to context and advocating a more significant role of participatory processes. Moreover, it suggests a gradual upgrading approach, so as to strengthen the de-facto clarification of land rights prior to formal recognition of land rights. Many indirect steps of upgrading are relatively affordable, and less administratively demanding. Through a gradual upgrading process, more time will be given for gradually strengthening the local capacity whether at grassroots level or in the local land authority. In this way the final step of formalisation will be like harvesting a crop, which has been growing for some time.

UPSCALING OF GENDERED LAND TOOLS through SYSTEMATIC APPROACHES

With reference to GLTN THEMES, ISSUES and PHASES

LAND TENURE STATUS	PARTICIPATORY PROCESSES		GOVERNANCE TASKS
STAGE 1: PRE-INTERVENTION SITUATION Clarification of land tenure status and needs	**INTEGRATION OF INFORMATION** on de-facto and de-jure field situation on maps: - Unblocking gender disaggregated data and spatially disaggregated data (statistics) - Administrative boundaries, place names, etc. - Official data on e.g., planning and ownership - Customary practices and cultural influences OUTPUT: Integrated data and maps		⇔ **LAND ADMINISTRATION AND INFORMATION** Disaggregated data & statistics production Pro-poor mapping support Technical support, Information management
STAGE 2: SENSITIVISATION (Creating a Genderised Framework) Communication Awareness of women's tenure rights Grassroots mobilisation Capacity building	**PARTICIPATORY GENDERED LAND ANALYSIS**: - Typology of tenure - Stakeholder analysis - Inventory of field situation based on best available data - Vulnerability mapping w/ delineation of areas acc. To e.g.,: gender, environment, resources, infrastructure, public space. - Classification of areas on basis of the above - Clarify de-facto land acce processes		**MODERNISING OF LAND AGENCIES /AUTHORITY** Budget approach; Communication; Capacity building Planning of tenure upgrading; Modernisation support for customary /local land authorities; Engendering Land Governance
STAGE 3: UPGRADE FRAMEWORK Upgrading administrative spatial framework: admin. boundaries, sub-area definition, addresses, etc. Documentation to support land rights and land claims Documentation of claimants: Identification of persons	**A. ENUMERATION OF CLAIMS** Systematic – Area by area Statutory & customary rights; Family and group rights; Individual and shared rights, intra-household rights; (incl. spatial units) Gender-sensitive priority of claims;	**B. LAND USE PLANNING** Citywide spatial planning Regional land use planning Local area planning (detailed) Publication of plans Watch-dog functions Pro-poor land allocation for urban expansion & infrastructure	**LEGAL BASIS** Land tenure reform incl.: Clarify authority, roles and procedures of adjudication and local planning; Management of state land; Regulatory framework for private sector; Expropriation, eviction and compensation; Participation, transparency Engendering Land Governance
STAGE 4: LAND RIGHTS UPGRADING Typology of tenure; Intra-household rights; Respect for the commons; Respect for community land as private property; Co-management approaches; Spatial extent:	**C. SOCIALLY APPROPRIATE ADJUDICATION** Process of adjudication to be described = Decisions on land INPUT: Claims OUTPUT: Rights	**D. SLUM UPGRADING LAND READJUSTMENTS** Process of slum upgrading – Land readjustments to be described	**ORGANISATION & FINANCING OF TENURE UPGRADING** Organisation & Management of adjudication and upgrading; Financing and administration; Communication, Fair processes , independent appeal; Engendering Land Governance
STAGE 5: LAND RIGTHS FORMALISATION Women's rights safeguarded (Joint titling, etc .) Holders of rights report and record mutations; Legal allocation of assets of deceased persons;	Conflict resolution mechanisms in place; Measuring tenure security for the MDG's	Land market regulation Watchdog functions Land valuation and land taxation	**LAND RECORDS AND REGISTRATION SYSTEM** Deeds or titles; Land record management for transactability; Land Law w/ Law enforcement capacity Land tax for financing land management and land supply

Figur 4, Up-scaling of Gendered Land Tools, Illustrating gender sensitive processes of securing land tenure and improving access to land:

Systematic approach to up-scaling means working Area by Area

The significance of a systematic approach in securing land rights by working area by area is underlined by the fact that land is a spatial and continuous resource. Land rights have both a geographic and a legal dimension. Clarification of land rights is about untangling overlapping rights and claims and about clarifying possible overlapping tenure systems. Often both the extent of the right and the right itself is being questioned.

In communities where land tenure is informal the interdependency of rights in the local area (community) is rooted in the land rights as being social rights i.e. interdependent rights. In any type of area, will the clarification of the land rights of a land plot be related to neighbouring plots. Systematic adjudication makes it possible to resolve complex land problems in a holistic manner.

It has been mentioned above, that affordability depends on a systematic approach, since sporadic adjudication of rights is much more costly and inefficient. A full clarification of cloudy land titles area by area will diminish the space for in-transparency and land speculation.

Finally, it shall be mentioned that a systematic area-by-area approach permits a systematic modernisation of land services. Conversion area by area to a system with clean land records (whether paper or IT) brings simplification and efficiency. When the old files have been scrutinized, and used as a basis for the adjudication process they become historical records to be stored safely, but consequently cumbersome searches in old files will no longer need to burden daily land administration.

Why is an area by area approach important for women?
Women often face difficulties of defending their land tenure rights held as social tenure, due to lack of documents, when their rights are challenged in individual cases. One of the significant benefits of systematic adjudication of rights is that the integrity of a systematic process can compensate for lack of individual documentation through the legitimacy of a public hearing process, whereby different forms of evidence can be brought forward. As a result everyone in the concerned area, whose land rights have been acknowledged by the adjudication decision, will be able to obtain documents. This would not be possible on an ad-hoc basis.
Women are traditionally dependent on various forms of usufruct rights, and these rights are easily encroached upon. In a systematic process more complex types of rights can be identified like more vaguely defined usu-fruct rights and such access rights extending over a larger territory, but which may seem negligible on a parcel by parcel basis. Therefore, it is in the interest of women to clarify rights over larger territories such as the whole community and surrounding areas.

Supply of land for housing is to be ensured through a land delivery process, which ideally is based on spatial planning. Lack of land for low-cost housing is caused by dysfunctional planning systems. Shortcoming in infrastructure, lack of areas for common space, etc. are also rooted in shortcomings of public land management. Well-off or well connected members of society will find their way in a jungle of un-controlled land development, while the poor (women) will have a particular benefit of proper land use planning, where land will be reserved to low-cost housing and common facilities. Land use planning and other forms of spatial planning concern entire areas of communities or regions, so also in the case of spatial planning will women have a particular interest in promoting systematic, area-by area approaches.

Only after a systematic overhaul of a dys-functional land records system, will it be possible to simplify land administration and ensure transparency. Simplification and modernization means more affordable, and better quality services to the benefit of all stakeholders, not the least women.

6. Activities of developing new large-scale gendered land tools

TOR: "3. Define strategies, activities and criteria for developing new large-scale gendered land tools including pilot projects, where appropriate;"

6.1 Identification of gaps and needs for new large-scale tools

An integrated view of GLTN-priority tools as presented in the Up-scaling table may serve as an aid in identification of gaps and needs for further development of gendered land tools. It is anticipated, that detailing the up-scaling processes in a particular context will reveal what additional tasks and underlying assumptions need to be addressed.

A key challenge in good (gender sensitive) governance of land is reducing the gap between land law and policies on one side and practices on the other. It is a question if new gendered land tools are needed or the main challenge lies in applying available knowledge and experience in a more holistic manner.

Some issues are not explicitly included in the priority land tool list, but are extensively referred to in GLTN studies, e.g.,
- Joint titling
- Legal aid for poor women and access to justice
- Modernisation of practices of customary tenure authorities
- Affirmative action in respect to local councils, land committees, etc.
- Personal documents of every individual person (birth certificates, wills, etc.)
- Interlinking of the civil registration and the land registry
- Use of ICT for developing transparency of land authorities, etc.

The above issues fit well with the priority tools of the Gender Mechanism, 2006, since they are also well proven. Extensive documentation on each of these topics can be found in the form of both pilots and full scale implementation. Still, more work is needed in identifying possible new ways of securing women's land tenure around the world.

The need for new developments is most articulate in areas, where the GLTN is setting new standards for the preparatory stage of land tenure reform. This is the case in particular in respect to the following central elements of a gendered strategy, where development activities are required:

***Development activities needed**:*
1. Production and use of sex-disaggregate tenure data
2. Gendered Land Analysis with identification of land tenure typology and stakeholder analysis
3. Alternative land tenure models, which offer opportunities for women
4. Cost studies of land tool affordability
5. Models of partnership between grassroots organisations and local government
6. Appropriate documentation and information strategies for formalisation of land tenure
7. Potential use of ICT for empowerment of (poor) women in land tenure reform

Better inventories and preparatory data on the de-facto social tenure situation may prevent later formalisation processes from extinguishing or depreciating women's land rights. The preparatory stages can instead contribute to empowerment of women.

Each of the areas mentioned above needs to be further developed with inventories of available experience, implementation of pilot projects, etc.. The two first points are discussed below in further detail, because of their centrality in the overall gendered strategy.

6.2 General Criteria of good governance

Good governance in land is dependent on the general state of governance in a particular country and location. Where the public administrative system suffer under severe problems, it is predictable that overwhelming institutional shortcomings and inadequacy of the legal system will also stand in the way for implementing the recommendations of good gender sensitive governance in land.

The UN-Habitat study "Law, Land and Tenure and Gender Review: Columbia, 2005", describes a range of difficulties encountered in implementing the Columbian administrative-legal reforms, which may be found elsewhere:

> "10.2 Administration of justice
> (1) The justice administration system is affected by problems in the legislation, combined with a lack of precision on how to coordinate the management of institutions, huge social conflicts (late pensions, insufficient social security, problems in access to health, housing and assistance to displaced people and lack of solution of the social obligations of the state), and the impunity with which justice is violated.
> (2) The operating structure of the judiciary is not clear.
> Confrontations between high courts generate breaches in the administration of justice. This affects the legal security of citizens.
> (3) The public does not know which law projects are being debated.
> (4) Mainly as a result of the armed conflict, mechanisms for the protection of rights, originally proposed as occasional mechanisms, have become widely and inappropriately used. This has swamped the courts.
> 10.3 Institutional structures
> The fallacy of achieving "savings" in the institutional structure through mergers, restructuring and staff reductions is becoming evident. There is an extensive body of legislation, with restricted application and successive regulations.
> Functionaries are overwhelmed and cannot provide effective technical assistance at national or local level. These mergers and cutbacks have resulted in a loss of institutional memory; emphasis on new issues at the expense of the "old" (leaving aside processes that had slowly become consolidated as significant for the country); imprecise policies and permanent adjustments of procedures (the vulnerable and socially excluded population is also the most misinformed and the most affected); and the lack of technical assistance at local level in particular."

It seems an up-hill struggle to work on gendered land tools in the midst of difficulties of this magnitude as under other conditions of disorder or a vacuum of governance, **if** good governance in general is considered a precondition for taking action in land tenure upgrading.

However, land questions can also be regarded as a key to resolving many other related difficulties. Taking a step forward in clarifying local land questions, advancing more equitable land tenure rights, local participatory planning, etc. could contribute to improving overall governance.

6.3 Subsidiarity, decentralisation governance and gender

> "The main objective of the mechanism is to promote more effective, efficient and equitable land governance models that are driven by gendered land tools." (Gender Mechanism p.13)

Land is through its very spatial nature a "decentral" asset. Having a local land governance system is not a matter of choice, since the relation between people and land has a local nature and is defined in a local context. The local custodians of the land may to more or less degree adhere to principles of national law and policy.

According to the GLTN core value of subsidiarity (Mechanism 2006, p. 12) the network is implicitly advocating a model of decentralised land governance. The call for local participation and unhindered access to services by disadvantaged groups, affordable services etc. all point in the direction of advantages of models of decentral land

governance. The relation is not a simple one, though, since local patriarchical power structures also form barriers for women (Jo Beall, 2005). The overall picture of decentralisation is complex, so access to justice beyond the community level is crucial for women.

In every local community can be found a strong competition for land dominated by local powerful groups, since power and land is so intrinsically connected. The painful reality of a competitions for land rights is evident at every level from within the households, within the communities, between interest groups and on the land market. Consequently will empowerment of women be an important aspect of "gendering land tools". Empowerment is nurtured through women's awareness, participation and representation.

Decentralisation does not work without some sources of local revenues. Property taxation is especially important as a source of local revenue for strengthening local governments, and taxation systems require land records of some sort. In this way strengthening the land tenure system can potentially strengthen local government services.

6.4 Land tenure data and land information serving a gendered agenda

A distinction is made between Social Tenure and Formal Tenure. A predominantly informal tenure situation in the field is reflected in a shortage of information, since social tenure is by nature unlikely to have been captured (directly) in public information sources. This is the case in all those developing countries where a minor part of the land is covered by the official land registry system.

Having defined tenure security as legally and socially recognized and enforceable rights (Agarwal 1994, p. 19), the question is how women's social tenure rights can be strengthened so as better to be defended.
It is argued here that the better known and the better described (documented) the social tenure relations are, the easier they are to defend in any type of tenure system. Thus, improving information becomes part of a strategy towards recognition and strengthening of social tenure relations, hereby eventually closing the gap between social and formal tenure.

If documentation of tenure is available, and the documentation is recognized by the legal system, then land tenure in the particular area is considered formal. Whether the formal tenure is also secure, depends on whether the formal system can be relied on for enforcement.

In many areas, where land is formally registered, the format of the records and archives are likely to inhibit systematic extraction of information for larger areas, not to mention sex-disaggregated data. Even if information could be extracted from (often old) files, it would not be certain that such data would correspond to the actual field situation. Furthermore, the registered areas are typically representing the most affluent areas of a city or country. Where land tenure is predominantly informal, i.e. held in tenure outside official record keeping systems, it follows that tenure data is correspondingly deficient.

A prevailing lack of land tenure data mirrors the general status of a land administration system. Good governance of land is dependent on availability of appropriate land information for planning, decision making and administration. Poor environments are unfortunately often also data poor.

The shortage of data and statistics on land tenure is general and not limited to sex-disaggregated data.

Weighty arguments support the need for better land tenure data, and for sex-disaggregated data for evidence based policies:

1. Improved information on the actual land tenure situation will permit better targeting of interventions;
2. Better information helps draw attention to actual problems by documenting precarious conditions of

vulnerable groups of people (including women) and identify land with vulnerable tenure status;
3. Exposing land grabbing and unlawful behaviour on the land marked may help put pressure on land authorities;
4. Description (documentation) of the nature of social land tenure and the extent of de-facto land rights on the ground is a prerequisite for upgrading the tenure security and for defending these rights;
5. Even land administrators have insufficient information on the territories they administer;
6. Transparency in land management and administration is about having access to information on land tenure and on transactions with land.

Clearly, land tenure rights have an inherent spatial nature, and all information (data) on land tenure needs to be related to areas directly or indirectly. Tenure data can be indirectly related to an area of land through relations to a name of a village, an administrative area, a street, etc., which is known and defined elsewhere. Direct relation of data to areas of land requires a map.

The interesting fact is that spatial nature of land data may help integrate data from different sources and of different types. Different data collected from various sources can be overlaid on maps hereby adding value to the information. *Such integrated land information is much easier to understand and use for persons in the field than tables and statistics*.

Obviously land information is needed in order to administer and manage land efficiently and well. Land information is a general term including all spatially defined data, which is or can be presented on maps. Different types of land information covers cadastre, land use, land cover, environment, infrastructure, etc. Land information also covers register and cadastral data (textual data), which is linked to an area or a location, defined indirectly through e.g., an address or a plot number.

Information may have a general character in the form of aggregated data or statistics covering smaller or larger areas and groups; or information may be specific describing specific rights. In this report the term sex disaggregated data is signifying statistical data collected by statistical methods, ref. to Gender Mechanism definition, p. 11. Statistical data may be spatially aggregated to geographical areas of large expansion covering regions or countries for general planning or policy purposes, while still being sex-disaggregated. However, when working with land tenure at a local level, data needs to be both sex-disaggregated and spatially disaggregated (microdata).

Land tenure data and land information is a cross cutting issue related to all land tools. Available land tenure information is playing multiple roles: as indicative of the state of affairs in land governance (transparency, efficiency, etc), as an aid in securing land tenure, as output of a tenure reform, and for monitoring of land tenure security. For these and many other reasons, will new information tools be instrumental for achieving the objectives of the Gender Mechanism.

7. Development of strategies for Unblocking gender disaggregated data

"The purpose of this phase of gendering tools cannot be the ambitious, time consuming and costly generation of sex-differentiated land data that is yet unavailable. Its approach is to identify the gender statistics necessary for tool development and for evaluating tools which are already available." (GM 2006)

7.1 Introduction

Sex disaggregated data plays a central role in the Gender Mechanism strategy, as can be seen from the discussions of the GLTN 2006 workshop (Workshop document p. 25-26). For good reasons GLTN has put "Unblocking sex-disaggregated data" on top of its agenda: as step 2 of 8 steps of the GLTN-multistage approach.

GLTN development of tools requires good disaggregated information for work at any conceptual level from global methodology development to specific local action.

The Gender Mechanism builds on a dual approach of working with formal systems and participative information collection methods:
- Collating existing data
- Develop guidelines on how formal systems can deliver better sex-disaggregated data
- Guidelines on participative information gathering methods.

The inherent nature of land tenure is its definition of a relation between people and land. It follows that building social land tenure information and tenure statistics requires interlinking data from the social domain with land data. Bridging these two types of data is another challenge in all efforts towards building better disaggregated land tenure data, where land tenure is outside a formal system.

Data delivery systems and access to information
When planning for better disaggregate land tenure data both the supply side and the user side is important. Data production requires careful consideration of specifications, collection methods, techniques, updating, costs and time. Some data is costly and takes substantial time and organisation to establish, other data fortunately comes at a relatively low-cost. Conceptual clarity is needed concerning statistics, data and land information, so as to optimise the use of data for particular purposes.

Communication strategies depends on establishing information services in some form. The UN-Habitat study (Columbia, 2005) suggests meeting the public information requirements through establishment of information centres:

> "(3) As the vulnerable and socially excluded population is also the most misinformed and the most affected by changes in government procedures, permanent information centres need to be established. This implies de-concentrating public entities, allocating staff to this task, or establishing information centres that assemble the representatives of institutions that provide services to the poorest communities."

7.2 Documents, Land Records, and Land information

Land information, data and documents
In a legal sense a distinction shall be made between data and documents, if the "data" represents decisions or transactions related to property and if it may serve as evidence in adjudication of rights. As an example, a documentation of uninterrupted possession of rights for a defined number of years may serve as evidence in adjudication of rights.

It can be seen, that there is an important spectrum of types of information from national statistics to disaggregated local data and to documentation, which all serve important functions in strengthening of tenure security. *It is argued here, that social tenure relations can be gradually strengthened through upgrading of information and building better documentation*.

Documentation of specific land rights
Data and documents covering specific properties or rights have a different character than statistical data. Clearly, a documented land right will appear to be legally superior to an undocumented claim in a formal legal system. Therefore, efforts on improving information on de-facto land tenure situation are important steps towards strengthening the legal position of the social land tenure rights. Documentation of land rights are needed to substantiate the extent and character of the land right both in respect to the history of the land and the social land rights.

Documentation on land rights to serve as evidence in court represents a more stringent form of documentation of specific land rights or claims to land, but this documentation may take the form of well described circumstances, witnesses or physical evidence of the tenure history.

A widespread misunderstanding is that formalisation of land tenure and land registration requires costly surveying. While land rights have to be spatially defined, territorial definition of land rights can occur in many different ways, some of which are low-cost, simple and applicable under technology-starved conditions.

Formal documentation, which has been acquired in unlawful ways, is a constant threat to any legal system. When it is known that many formal registration systems in the poorer countries are plagued by corruptive practices, even formally documented rights could theoretically be challenged.

It can be concluded, that efforts of building better data and documentation will be instrumental in helping disadvantaged groups, in particular poor women, protect their precarious land rights (Ref. to community mapping methods as suggested in the Grassroots Mechanism).

Role of Documents and land records
Introduction of written documents of decisions taken in local land commissions, council meetings, etc. are the most basic prerequisites for building good governance and transparency. Land records can be introduced at a low costs, when it concerns capturing oral decisions in a format suitable for modern administration.
Local land records can be kept in various formats adapted to the circumstances, as long as the key documents are kept safely in a depository, where they can be accessed at the critical moments, when they are most needed.

Grassroots organisations have been active in helping victims of HIV/AIDS in writing their wills to prevent the all too well known tragedies for spouses and relatives exposed to asset stripping. New attitudes to documentation will be helpful in securing orderly transactions as well as resolving conflicts, e.g., in case of tenancy agreements and succession.

Land records must include unique identification of the persons (legal or physical) holding the recorded rights. Tracing the linage and ensuring the transfer of land rights in case of inheritance, is also reliant on unique identification of rights and persons.

> "Additionally, women in Limuru reported that there was a general lack of awareness on the rights of women to property ownership and that a large majority of women and orphans continued to suffer because they did not recognize the importance of keeping records of documents. They noted that women who marry often fail to change their national identity cards to include their husband's name or to ensure that they take children's birth certificates which include their father's name." GROOTS, Kenya, (p.6)

This is no trivial matter, since many persons lack any certification of their official existence in the form of a birth certificate or other citizen document. Many poor, especially women, are officially invisible inhabitants of their societies.

As an example, it has been a barrier in many land reform programmes, that women do not even have a birth certificate, and as such "do not officially exist". This is a particular gender issue, since fewer girls than boys are officially registered in many disadvantaged countries. (Grassroots Innovations in Securing Land and Housing in Kathmandu, Nepal, presented by Lajana Manandhar, 2007).

7.3 Analysis of what are the "blocks" to be unblocked

Where can data be found?
Initially, existing sources of information related to land tenure have to be tapped. In data poor environments the challenge is to squeeze as much information as possible out of available data sources. It is likely that relevant data may also be found outside official administrative structures. "Unblocking" data therefore concerns both data in custody of public administration and non-public entities.

Data is an investment and represents a value. Numerous development organisations working on a project basis accumulate partial sets of information related to their field of work. However, such valuable information sources are often fractioned, dispersed and unsustainable. Project based data collection ends up in reports and in dedicated information systems likely to get lost, when projects close down. In countries receiving high levels of development aid, the loss could be significant.

Both within research, NGO's and development business, data represents a value that is often protected. Unless efforts are made to integrate such ad-hoc data with official sources of information, it will be difficult to make use fractioned sources of data for general purposes as discussed in this report. The loss of valuable information collected at a high cost in projects and research is rarely discussed, but this could be a topic of GLTN to address:

GLTN may warn against unsustainable data collection, and encourage working in partnership with official statistical agencies and public structures, so as to ensure that all data collection is put at good use. When integrating data from different sources, all data will have an added value.

What are the barriers?
The barriers of accessing disaggregated data, tenure data and land information occur in varied forms:
- *Awareness*: Knowledge barriers of where to find what information, and shortage of meta-data (data about data);
- *Management*: Administrative barriers in central and local government of closed access to information;
- *Cost barriers*: Agencies may ask formal or informal payments for maps and data, or government employees may use maps and data as a personal source of income;
- *Technical barriers*: Formats of the data and lack of technical capacity to understand and use the data.
- *Limited access to land records*: In some countries land records of the Land registry are protected as personal data and can only be accessed by persons with documented vested interests;
- *Proprietory data*: Information collected by organisations or private entities, which are not obliged to deliver data to the public domain.

Finally, the barrier of producing new data must be added, because it may be more cost effective to produce new maps and data, rather than to rely on collating outdated information.

For women in particular barriers of administration and technology are severe. In order to put available data at good use, women groups also need to make use of specialists, who can help them access, process and integrate data (cross tabulating data), so as to serve the purposes of strengthening women's position in their struggle for land rights. *Information is power*.

GLTN faces a challenge of lobbying for more easy access to disaggregated data (micro-data), as well as any other existing data sources via better government services. In particular land records should be made more easily accessible, since land registry records are often protected for data privacy reasons at the cost of transparency in land administration.

In many cases the formats of available documents are so fragile, that access to information in practice may require prior conversion to digital format through scanning or digitizing, if the value of the information justifies so. Thus conversion to ICT opens new avenues for accessing land data, and could be a supportive activity of the Gender Mechanism.

Under-used data
While there is a need for data for many types of applications, paradoxically census data is underutilised, a matter of concern discussed at the UN ESCAP Expert Group Meeting on Population and Housing Censuses, December 2004, in Bangkok, Thailand, where it was discussed why this is the case and how utilization of census data can be improved.

> "i. How can utilization of census data be improved? The Symposium identified several challenges in the area of data utilization. First, there is the challenge of education of users, the public and key stakeholders. Second, there is the challenge of enabling increased access to data such as by making those available free of charge, including on the Internet. Third, there is the significant challenge of improving dissemination by customizing products to fit different needs, including using Geographic Information System (GIS) technology for data dissemination and in planning census outputs in consultation with stakeholders and users. Along these lines the Symposium recommended that the Expert Group prepare guidelines on dissemination and public relations and possibly the development of brochures encouraging a public dialogue and educating users with regard to what data are available and how they might benefit from its use."…..

The quotation illustrates, that professional statisticians could potentially be good partners of GLTN in lowering the barriers of accessing data and in facilitating the use of available data for GLTN purposes.

All improvements on statistical data production and dissemination are also helpful for women, because statistics (census data) is collected in sex-disaggregated form at source.

Building awareness
Building awareness is an important task, which can be addressed by GLTN through e.g., exploring the data sources and developing examples of how the data can contribute to building better background information to strengthen women's social tenure and land claims.

Some technical expertise is needed for developing examples of how to put existing data and land information at good use in local communities. GLTN will need to mobilize technical experts from e.g. universities for developing appropriate examples.

NGO's and grassroots need a minimum of technical capacity to use disaggregated data & ICT. Women's organisations whether NGO's or grassroots have to get at level with ICT, so as to strengthen their position in their struggle with land agencies and the land grabbing elite. Capacity building will also be needed for end users at local level, e.g., in the form of training of facilitators. Participatory mapping efforts could benefit from technical support.

GLTN could meet this challenge through establishing cooperating with professionals and networks with the capacity to work with this technology. Increasingly, ICT is becoming a democratic tool accessible beyond borders to the benefit of people, and technical knowledge is more widespread. An example of such development can be found in Uganda, see Uganda Land Alliance, and ICT networks, working on building awareness: http://www.landcoalition.org/partners/ppula.htm; http://www.landcoalition.org/program/kpulall.htm

In summary it is argued that GLTN play a role in advocating:
- Releasing restrictions on access to land registry data
- Removing hindrances for access to micro-data1
- Upgrading the technical services for providing cross-tabulated data at user request
- Lower cost barriers of access to maps and data at specific agencies and between agencies
- Making data on land use planning, government land and development plans public
- Upgrade ICT capacity of women's lobby groups at both central and local levels

7.4 Matching data needs and sources of disaggregated data and land information

Exploring types of data and data sources

In poor and data poor environments the initial efforts will be directed at exploiting available sources of data optimally. In many countries the only countrywide type of data and maps are census data on one side and (often old) topographical maps on the other side. In specific areas of development better sources of information may be available within government agencies or the private sector.

General information of e.g. UN data bases are derived from national statistics, so UN-databases and other international statistical databases are hardly better than the national sources, they are derived from.

The more aggregated types of information, the more the actual variations within the areas will be levelled out as a result of the calculation of averages. Summary data for large territories (nations) will not represent the diversity and patterns of differences within the territories. Therefore the higher resolution of statistics and other data, the more local variations and characteristics will be represented.

1Statisticians call spatially disaggregated data "microdata". The highest spatial resolution of microdata corresponds to the smallest statistical spatial unit, typically a census enumeration area (or a group of enumeration areas). Enumeration areas are also the spatial units used for inter-census sample surveys. Statistical data is collected for individual households or persons, but questionnaire data can never be accessed, because individuals must be protected by statistical confidentiality codes.

Suitable aggregation levels will correspond to the application: When working at local level, data must also have the highest possible spatial resolution. Considering the very different cost labels of different types of data and information, it is worthwhile dwelling with both optimal use of available information and matching data needs with the purposes data are intended to serve.

Topographical maps and plans
Historically topographic mapping has been taken place at large time intervals due to a costly production with classical mapping techniques. In many countries access to (often outdated) topographical maps is limited to privileged persons. However, any maps are better than no maps, and processes of land tenure clarification are helped by use of maps. General maps covering entire localities are required as a common basis for recording the status in the field, and maps are indispensable tools for working on adjudication of rights.

Cadastral maps resulting from cadastral field surveys are limited to those areas covered by formal tenure arrangements, and even then cadastral maps may not reflect the true status of tenure, which might have changed. Cadastral maps are often (even) more difficult to access than topographical maps.

Urban plans defining the formal planning status of areas are central documents in defining the land tenure situation, but planning documents may be hard to get access to, as well.

National Census data
In countries with weak infrastructure sources of data are also scarce and the most common source of statistics in the developing nations is the Census of population and housing. The source data of censuses are the enumeration questionnaires of individual persons and households. The highest level of resolution of census data available for users is the enumeration area or groups of enumeration areas, because statistics must respect statistical confidentiality. The highest resolution of census data is called "micro-data".

Census data have a range of shortcomings including its decennial periodicity, but it is suggested here that census data is underexploited, e.g. because in many cases only the aggregated tables released in general statistical publications are used. However, census data is collected and tabulated by enumeration areas, which are typically areas covering between 500-1000 individuals, so the source data has a much finer spatial resolution. Furthermore, national censuses are usually conducted concurrently as Censuses of Population and Censuses of Housing. Population census data is always sex-disaggregated, and include intra-household relations, as well as tenure relevant statistics on e.g., education, economic activity, emigration and ethnic groups.

It may be argued that there is no single data field in the census data, which responds to the questions of women's land tenure. Therefore, the indicators of the social tenure situation have to be captured through clever use of the census data. The full range of census data can be deducted from the national census questionnaires, which are specific to each country, but international standardisation efforts work on use of common classification systems.

Questionnaires of Censuses of Population and Housing
Most censuses of population of housing include tenure relevant topics related to ownership and tenure, which in some countries are quite well developed.

Out of census questionnaires of the census round 2000 from 58 Countries representing all continents analysed by K. Haldrup, it was found that:
6 countries had no question on ownership of housing
20 countries had questions on ownership of housing with up to 5 options of response
20 countries had questions on ownership of housing with more than 5 options of response
13 countries had questions on ownership of both land and housing

It shall be noted that Censuses of Botswana (2001) and Uganda (2002) are good examples of questionnaires with ownership questions on both housing and land.

The number of questions shall be seen in the context of the magnitude of the questionnaire. In some cases, the limited overall size of the questionnaire dictates that the census questions are concentrated to core topics of demography and housing. Even among questionnaires of similar size can be seen differences in style and emphasis on the housing section. Some censuses of population and housing include a small agricultural section, in which case land tenure receives more attention. Censuses of housing provide good indications of general housing standards through statistics on e.g., living space and utilities.

As an example the Kenya 1999 housing questionnaire included 9 options.
In Kenya 1999 the questionnaire has gone quite far towards characterising the tenure of housing through including questions on the acquisition of the dwelling: If owner occupied, was it purchased? Constructed? or Inherited? This information is valuable in an analysis of the tenure status, as inheritance indicates a long term relationship with the land, and thus a relatively high level of tenure security. At the other end of the scale of tenancy, the Kenya classification did not provide differentiated options to capture the types of insecure tenure, endured by the huge number of squatters and persons living in various forms of informal tenure situations or customary arrangements in the country.

KENYA Census of Population and Housing 1999	
Main Dwelling Unit Tenure Status (H-12)	
If owner occupied state whether 1 Purchased 2 Constructed 3 Inherited	If rented /provided state whether 4 Government 5 Local Authority 6 Parastatal 7 Private Company 8 Individual 9 Other form of tenure

Sex-disaggregated data?
The next question is how women's tenure is reflected in the census data. At first, the cases of female headed households can be extracted, provided that the demographic data and housing data is cross tabulated cross tabulated through processing of (source) statistical data.

A full benefit of census data for the gendered land tools will require integration of contextual information of the population data, such as e.g., data fields on demographics, intra-household relations, immigration, education and ethnic group /language, religion. Standard census data includes relevant data on the topics called for in the Gender Mechanism 2006, see p. 25:
"Insufficient quantitative and qualitative information on how social tenure relations including marital, intra-household, community, customary and religious practices and statutory systems impact women's equal access to property handicap those working on tool development."

Options for clever exploitation of existing (sex and spatial) dis-aggregated census data are yet to be developed in the form of cross tabulation between population- and housing statistics at the smallest geographical units. The value of such small area statistics (micro-data) can be further increased by combination of statistics with maps, whereby valuable distribution patterns can be revealed. Even the basic calculation of densities of population is very helpful in locating the patterns of population pressure and poverty.

Statistical expertise can help enhancing the quality of census data, by e.g., using intercensal statistical survey data for upgrading the general estimates.

Users of statistics may only be familiar with summary statistical data as presented in general publications of national statistical bureaus. Technology has previously made access to the detailed tabulations of statistics cumbersome, but since statistical data is now converting rapidly to IT-data management, access to microdata is opening a new panorama, also called the microdata revolution among statisticians (see "The Census in global perspective and the coming microdata revolution", by Robert McCaa and Steven Ruggles, 2001).

In principle, sex-disaggregated statistical microdata of relevance for the gender mechanism could therefore be available on a global scale, when various blockages are overcome.

Poverty is correlating

The sad fact that deprived conditions of land tenure insecurity and other poverty factors correlate, may make disaggregated micro-data even more useful, even if statistical data at its face value does not appear to cover tenure data. Since the physical constructions often reflect the level wealth and tenure security, even the construction indicators can be helpful in developing better land tenure indicators.

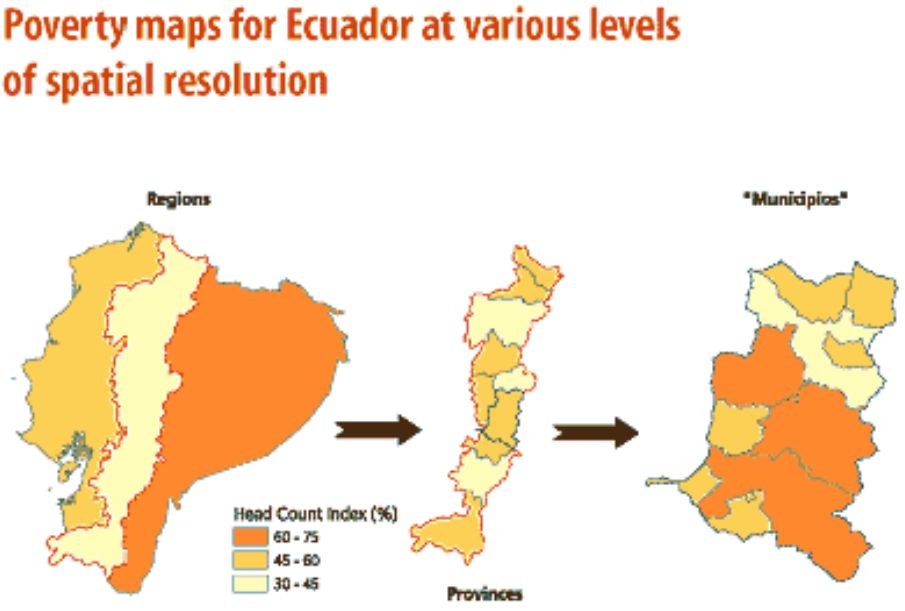
Another "helpful" factor in diagnosing the local patterns of land tenure through use of available limited data sources is the fact that in larger urban areas it is common to see a geographical segregation of various socio-economic groups. Distinct areas can be described by characteristic profiles of their inhabitants, which is the case both in high-income neighbourhoods and in slum areas.

Delineating areas having a similar profile and aggregating data within these areas may provide a "good fit" with the field situation and rather easy-to-use data. Value adding of such data can be done by inducing local knowledge into the general data.

Gendered land tenure mapping

The discipline of poverty mapping is technically similar to the challenges of building sex-disaggregated land tenure data for the "Gender Mechanism". Poverty mapping has so far been prepared at a much more general scale (national, regional), than required when working locally with women's land rights.

The technical illustrations of poverty mapping are helpful in indicating the way for better disaggregated data, see examples of poverty mapping at different scales, where the picture changes, the more detail can be shown:



Figur 5 Poverty maps for Ecuador illustrating the significance of spatial disaggregation

Numerous useful sources can be used for getting at level with understanding the "Geographic Aspects of Inequality and Poverty", Deichmann 1999, see http://povlibrary.worldbank.org/files/5319_povmap.pdf. It is argued here, that the gender mechanism may find much help in tapping the rich resources of the poverty network on poverty mapping, to help GLTN adopt similar techniques for "gendered land tenure mapping" using available data. http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTPOVERTY/0,,menuPK:336998~pagePK:149018~piPK:149093~theSitePK:336992,00.html

New types of maps and data

While use of existing information has to be improved, there is an obvious need for current and specific data for documentation of specific claims. Some land information can be collected through various forms of participatory mapping processes as discussed below.

Promising new techniques lower the threshold to establishing new mapping data and to surveying, and establishing better basic maps is becoming feasible in a development context. The recent ICT-development makes GPS-positioning devices and low cost image mapping real options in even the most deprived environments. Just as mobile phones have given people in the most remote spot a better access to keeping track of their beloved ones, low cost mapping devices may potentially offer assistance also for positioning their properties.

Geographic Information Systems (GIS) are technical tools for recording and integrating varied sources of data on maps. With a GIS-system users can overlay information, add their own data, and extract maps in different scales with user-defined contents. Generally, new approaches and technology open avenues for low-cost and rapid establishment of appropriate data, strengthening development towards E-government all over the world.

These are technical tools with a large potential for wider application, but women have to overcome a widespread apprehension of technology in order to put these tools to the best service in the conquest of women's land rights.

7.5 Activities in establishing gender disaggregated data locally, nationally and globally

Global players in statistics

The nature of statistics makes statistical data development a highly professionalized area, and statistical data production is an obligation of official statistical services of national governments. Due to the important role of statistics as a basis for informed policy, most of the important international organisations are engaged with strengthening statistical systems nationally and globally. Remarkable initiatives are taken currently to develop gender disaggregated statistics as illustrated by the examples below.

Rich opportunities are thus open for the GLTN to work with the key players in statistics on the global scene on improving sex-disaggregate data. Within the UN system the key player is the United Nations Statistical Division, http://unstats.un.org/unsd/default.htm.

Focus on statistical data production has increased with the spreading of the monitoring culture and the definition of the MDG, which has fostered new attention to improving monitoring data (all sex-disaggregated). Even though needs for monitoring data is having a generalised form, the new demands for better data can be expected to have an effect down through the data production systems at national level. International statistics is usually derived from the national statistical agencies. The call for better data has been supported at a high level with support to national agencies, e.g., through the "Partnership in Statistics for the 21 century", PARIS21 was founded in 1999 by the Organisation for Economic Co-operation and Development (OECD), the World Bank,

the European Commission, the International Monetary Fund and the United Nations, see http://www.paris21.org/,

The UN regional economic commissions are coordinating statistical development and standardisation in each their regions, e.g. the UNECA, working on general gender statistics, see e.g., UNECA, Ndiaye, 2006, at "Inter-Agency and Expert Group Meeting on the Development of Gender Statistics", 2006.

8. Development of strategies for participatory Gender Land Analysis

8.1 What is Gendered Land Analysis?

"., gender land analysis emerges as a tool for responding with informed and equitable options. Gendered land analysis creates awareness of gender issues, informs policy making and tool development, identifies gender training needs and lays the basis to monitor and evaluate the differential gendered impact of tools." GM 2006

Land is a spatial resource to be understood in its geographic, economic and social context.

Desk studies and research on general issues of women's land tenure are helpful for understanding land policy challenges, seeing patterns of similarity and differences, and unveiling the mechanisms of exclusion and dispossession. However, improvement of women's land tenure at a specific level requires clarification of the factors of the particular tenure situation in the territory as a basis for well targeted intervention, which corresponds to needs.

Improving security of tenure is about reducing uncertainty. Uncertainties exist at the level of specific claims and land rights, as well as the conditions of holding those rights. Uncertainty of tenure arises under direct or indirect future development interests, environmental threats, or through scarcity and population pressure. Weak governance and lack of clarity where authority resides in respect to decisions on land is another prevalent source of tenure insecurity. In such situations, it is necessary to take stock of the resources, the many factors influencing women's social tenure and diagnose the tenure situation.

Gendered land analysis has been introduced by GLTN as a necessary stage in developing women's security of tenure through gender sensitive processes.

The term "gendered land analysis" was launched by GLTN in 2006, and has not been elaborated in other sources than the Gender Mechanism 2006. The Grassroots Mechanism 2007 applies the term participatory mapping, which links up with gendered land analysis. Therefore the present chapter defines a-priori assumptions of what are the features of Gendered Land Analysis, followed by a discussion of the details. The concept of gendered land analysis requires further development e.g., through an inventory of comparable experience of the GLTN and through new pilots.

The basic principles of Gendered Land Analysis as understood in the present paper are:

1. GLA is an analytical process of tenure relations covering a specific territory, which explores and analyses the specific issues of women's social tenure in that territory within its proper context;
2. GLA makes use of integrated data from available sources (sex-disaggregated micro data, plans and maps, etc.), and participatory mapping methods as the situation permits in order to establish the context;
3. GLA maps out the vulnerable (geographic) areas and resources of importance for women, where women's land rights are challenged or could potentially be challenged;
4. GLA identifies the typical cases of women's tenure in the territory and ranks the problems faced by women in protecting their rights and accessing land;
5. GLA identifies the major stakeholders in the territory with particular focus on decision makers within relevant administrative and traditional authorities, community representatives, and the key players on the land market.
6. GLA seeks to clarify authority in local land management and authority over common and public land resources;
7. GLA explores the frontiers of development pressure and areas for potential future land allocation;
8. GLA is designed to support people on the ground, who have the best knowledge of what is going on, and how best to solve these problems;
9. Building awareness is an important feature of GLA with particular emphasis on land rights of women and their access to landed resources;

10. GLA is conducted in cooperation with local government and communities with facilitation by external resources. Hereby GLA serves as a tool in strengthening good governance in local land management.

GLA can be compared to a form of local vulnerability mapping, where the most precarious land rights and the frontiers of development are priority issues. Gender sensitivity in upgrading of the tenure status requires particular attention to such vulnerable situations and groups, so GLA prepares the ground for improving the on basis for future decisions and interventions. The resulting *information on sub-areas* permits diversification and targeting, rather than using a blanket approach for the whole territory. Gendered land analysis will also form a basis for classification of urgency of intervention. Sequencing of activities has high significance for the outcome, as is known from any other emergency situation, or cooking recipe, but not yet sufficiently recognized in land management.

The method of gender analysis can draw on internationally developed methods, as described in the Gender Mechanism 2006, p. 28: (2.4.2 Gender land analysis models).

GLA does not cover intra-household tenure relations (disinheritance, etc.), which must be addressed through other tools of the Gender Mechanism. Neither is GLA in the first instance concerned with resolving individual conflicts within the territory (to be addressed by adjudication), but with creating the full picture of women's social tenure in that territory, and an overview of disputed land as well as "vacant" land and exploring opportunities systematically area by area.

"Gender land analysis as a problem analysis is not merely about identification of obstacles but also about opportunities. For example, it considers what changes and adjustments are necessary to prevent the negative impact where possible." (Gender Mechanism 2006, p. 30)

GLA integrates knowledge on the land tenure situation in the specific territory, which can help define needs, priorities and wishes of different groups of women in the territory. GLA can serve to empower women both through improving the quality of information available for negotiations, and by increasing awareness through participatory processes.

To avoid unnecessary delays GLA can initially be targeted at exploring the most urgent issues for strengthening women in their struggle for landed resources. Even if not every case of Gendered Land Analysis will cover all the 10 issues above, every step towards the goal would be valuable. As an example GLA should ideally carry out a public land inventory and land audit including clarification of authority over public land. It will be important to clarify which level of government owns what land, and investigate the status of the possession, but this may be a complicated task to be addressed on the longer term.

8.2 Methods and organisation of Gendered Land Analysis

" …. Gendered analysis could use social assessments, situational analysis, desk reviews, interviews, focus group discussions, pair wise ranking, case studies, trend analysis, social mapping, surveys and stake holder consultations." (Gender Mechanism, 2006, p. 28)

GLA has been conceived as a composite method taking advantage of tools from a range of disciplines and experience. Methods of GLA will naturally depend on what are the resources available in the territory and what would be appropriate in view of the different groups of women whose social tenure is at stake. Before specifying methods, it may be necessary to analyse the possible organisation of the work.

In order to find an appropriate resolution of this difficult issue, it might be helpful to divide the task of Gendered Land Analysis into groups of activities, depending on their nature.
A. Some technical activities lend themselves to be outsourced or conducted by a technical support team.

B. Other activities are clearly participatory in nature, and they require mobilisation of local women, either as taking on responsibility for the task, participating in teams as informants, or supporting the inventory on a consultation basis. Resource persons knowing the social network of the particular areas will be required for initiating the processes in any case.
C. Activities conducted in dialogue or partnership with local governments
D. Activities conducted in dialogue or partnership with local customary land authorities.

Each party will ideally see their self-interest in contributing to the process, some power structures less so. The increased transparency to be developed through improving the information basis locally could work against the interests of powerful insiders of the land market, whether in (local) government, customary chieftains, or in the private market. However, land analysis performed through successful cooperation between the local stakeholders could also nurture consensus building.

In the table below is listed a preliminary structure of how responsibilities could be defined:

GENDERED LAND ANALYSIS Roles, responsibilities & resources: Activity\	UN-Habitat in cooperation with national NGO	Local Government	Community based groups, women's groups (of locality)
GLA project /process management	XX?		
Integrate data from available sources (sex-disaggregated micro data, plans and maps, etc.),	XX	X	
Participatory mapping of vulnerable (geographic) areas and resources of importance for women	X		XX
Identify the typical cases of women's tenure in the territory and rank the problems faced by women;			XXX
Identify major stakeholders & explore authority over land		X	XX
Explores the frontiers of development pressure and areas for potential future land allocation;	X	X	X
Build awareness & train facilitators	XX		X
Improve local governance of land	X	XX	X

GLTN can draw on experience with comparable tasks and arrangements.

Comparable work has been conducted in areas of Kisumu, Kenya in the form of the Situational Analysis of informal settlements, see: http://www.unhabitat.org/pmss/getPage.asp?page=bookView&book=2084, 2005.

"The Situation Analysis is a collaborative effort between the Municipal Council of Kisumu (MCK), Government of Kenya (GoK) and the United Nation Human Settlement Programme (UN-HABITAT). It aims at determining the state of the slums within Kisumu municipality in terms of the land issues, housing, infrastructure, social services and livelihood."

The Kisumu project has been supported by a GIS Secretariat established with international support from CordAid, UNHABITAT, RCMRD, and SANA.

The example illustrates that in order to work at scale, it is necessary to invest in institutional arrangements, and embed the project in a sustainable organisation. In some respect community based participants in gendered land analysis can be regarded as a kind of volunteers for a good course. Their efforts are likely to be a good investment of their time, when the process will be taken to the end.

While the methods of gendered land analysis are similar to e.g., the situation analysis, the GLA is – as the name suggests – paying particular attention to gender relations, and to the problems faced by women in getting secure tenure and in accessing land. Below will be discussed particulars of the Gendered Land Analysis method, which can be considered a preparatory phase for any other intervention: securing tenure, participatory land use planning, transparent land management, etc.

Thinking in terms of tools at scale, it is insufficient to rely on ad-hoc initiatives by pioneers, although pilot projects on GLA will be needed. The big question is how can such processes be initiated at a large scale? The problem may not even be funding, but how to embed the processes of Gendered Land Analysis in sustainable structures. How can such processes be facilitated, funded and managed? This is a challenge faced by not only GLTN but many comparable initiatives of the development community.

8.3 Contents of Gendered Land Analysis

A gendered land analysis shall be expected to produce output within the ten categories of activities listed above. Some examples of GLA activities illustrate how GLA may form an important hub in creating gender sensitive land governance.

Overview of tenure situation by sub area within the localities

At the heart of a gendered land analysis is the classification of sub-areas according to their tenure situation, social organisation, level of poverty and vulnerability. Sub-areas are defined as blocks of uniform character and tenure situation. The better sub-areas are defined in consistence with social structures, the better they may serve a variety of purposes.

Identification of sub-areas within informal settlements having common features is proposed as one of the most useful approaches for regularization of informal settlements, Augustinus and Benschop (2007):

> "Among the most useful approaches for the regularization of informal settlements are blocks, super blocks containing blocks and special zones, linked to a form of group rights, leases and local land record systems, structured around the blocks."
> http://www.gltn.net/component/option,com_docman/task,doc_details/gid,113/Itemid,92/

Each of these blocks should be defined in a way that they are cohesive. One attribute of importance for later adjudication of rights is the time of occupancy of the area, so the age of the settlement in general is an important attribute to be assigned to each of the sub-areas in the GLA.

Sub-area attributes and classification

A classification system has to be developed for each territory to reflect the type of the land tenure, planning and socio-economic status by sub-area.

A gendered land analysis entails identification of the full range of land rights, typology of tenure, encountered within the overall territory, including various forms of usufruct rights of particular importance for women. Another possible attribute to consider is a classification according to the level of conflict over land: (Burns et. al. 2006, p. 51 (39)), although this might be difficult to capture in a systematic way.

It shall be noted that in many instances, customary tenure and informal land administration systems are relatively secure, and informality is not necessarily equivalent with insecurity of tenure.

Having attributed the tenure situation of sub-areas the classification can be used for defining strategic priorities and geographic phasing of intervention. As an example, frontiers of urban development, "vacant land", areas with health hazards, etc. can be located systematically for setting priorities. Of particular importance in a gendered land analysis is the identification of common areas, community land, and common space, which are of paramount importance for the poor, in particular women.

The classification of sub-areas may also include an identification of "hot spots", where urgent action is needed. Gendered Land Analysis may be supplemented with a dedicated tenure enumeration in "hot spots", which would supplement general information, but enumeration is not thought to be included at the first stage of gendered land analysis, because enumeration is a heavy task. In Kenya, UN-Habitat is working with Kisumu and Pamoja Trust on an enumeration process to create stronger land rights, bringing in Institute of Surveyors Kenya and SDI (Slum Dwellers International) to provide assistance.

Role of sub-area division in future upgrading of tenure

An important parameter to be attached to each subarea is the time of initial settlement (in urban areas). This is because the duration of occupancy of the land is one of the key parameters in processes of securing tenure of informal settlements. Many countries have defined legal criteria for recognition of occupancy rights (or title) with a proven number of years of occupancy "in good faith" combined with community recognition, see (Burns et. al. 2006, p. 51-52 (39-40)). Burns have found that Indonesia requires a minimum period of 20 years peaceful occupation for recognition, Thailand a minimum of 10 years, while some informal settlements in South Africa have been upgraded based on occupancy of a minimum of 5 years settlement.

On a longer term, blocks could potentially form units for a step-wise tenure regularization strategy, with recognition of blocks and occupancy within the blocks (ref. to flexible titling work conducted in Namibia: p.50)

> "The Flexible Land Tenure System recommends two new types of tenure:
> • The "starter title" – a form of tenure registered in respect of a block of land. It provides the holder with the right to occupy a site within a block. The occupier may only transfer this right subject to a group constitution requiring group consent to transfer. As the individual household's site is not yet defined, the right cannot be mortgaged; and
> • The "land-hold title" – a form of tenure with all the most important aspects of freehold ownership except the complexities of full ownership. The title provides the owner with the right to occupy a defined site and to transfer of such right. Mortgaging is therefore possible.
> Starter and land-hold titles are interchangeable. A starter title can be upgraded to land-hold title or to a freehold title. A block is obtained by a saving scheme group, which forms an association after it has it has drawn up a constitution. The group can obtain freehold title provided it is situated in an approved urban area. Once tenure security is obtained it is envisaged that the occupants will build their own houses, with the local authority providing services."

Subdividing the city areas into blocks and attaching some basic information to each block provides a significant improvement of the land information at a rather low cost. In a city with millions of inhabitants, such area-units could provide a practical level of detail for local governments to work with in planning and administration. When blocks are uniquely identified with a name and a code, they can be used as a geographical reference system.

It is recommended that the subdivision of enumeration areas for statistical purposes be investigated when working on the gender analysis. If the statistical enumeration areas form meaningful subdivisions also in respect to the gendered land analysis, a co-incidence between GLA sub-areas and enumeration areas would create

compatibility between field activities and statistics at micro-level. Alternatively, relations between the two systems of sub-areas may need to be defined, so as to benefit from statistical micro-data.

Overview of land authorities, local stakeholders and power structures

"Gender mainstreaming, first and foremost, demands a preliminary stakeholder identification which can be more fully explored through a gender land analysis." Gender Mechanism 2006, p. 22

An essential component of Gendered Land Analysis is an analysis of the various interests in the particular land area under analysis. The term "stakeholder" is at times used in a broad sense including even those being interested in the topic of land. Here it is suggested that a GLA shall group stakeholders according to their roles and vested interests in the particular area of analysis:

1. Persons or groups of persons having a right or claim to land in the area (specific interest)
2. Local community and general public living in the area (general interest)
3. Land authority on land allocation, land regulation, land registration, land use planning
4. Judiciary system of land disputes: local land boards and dispute resolution system
5. Persons and companies active in the local land market (private developers, etc.)
6. Opinion makers and lobby groups: NGO's, professional interest organisations, grassroots, etc.

Holders of land rights (claims) is a highly in-homogenous group, so an analysis is needed for grouping the holders of rights (or claims) according to their interests by the help of socio-demographic factors and vulnerability, where possible with a gender dimension.

Similarly, GLA needs to clarify authority in land decisions, where authority may overlap in multiple tenure systems, or local authorities play multiple roles as guardians of public land, land authorities, and as active partners on the land market. Another distinction is to be made, where individuals act both as official representatives of land authorities and as private investors. Professionals may also act in different roles as representatives of organisations and in their personal capacity. Stakeholder analysis could therefore reveal a highly complex pattern of relations, which determine local power relations in land matters in that particular location.

What is important here is that a stakeholder analysis is mapping out the interests in lands, the ongoing activities and the channels of influence. This will help women determine threats to their land rights and opportunities in strengthening their position, thus be helpful in their empowerment and development of overall strategies of tenure reform. However, mapping out powerful persons' activities in the local land market could be a contagious issue, whether they belong to a customary system of tenure or operate in other segments of the land market.

"…. African women lawyers, a minority dissenting voice, are much more equivocal about trusting the customary, preferring instead to look to the State for laws to protect women's interests. We agree that there are considerable problems with so-called customary systems of land tenure and administration for achieving gender justice with respect to women's land claims. Insufficient attention is being paid to power relations in the countryside and their implications for social groups, such as women, who are not well positioned and represented in local level power structures. But considerable changes to political and legal practices and cultures will be needed before African states can begin to deliver gender justice with respect to land", (Whitehead and Tsikata, 2003, "The Implications Of The Re-Turn To The Customary").

Working with local government and holding local government accountable

Gendered land analysis will be conducted in partnership with local government and –if relevant – customary authorities. How such partnership takes form, can not be defined universally but will rely on particular local arrangements. At the start of introduction of gendered land analysis international organisations and donors may

function as facilitators of building local partnership. Roles and responsibilities shall be defined in agreements prior to initiation of works.

The local governments will in principle be a prime beneficiary, since gendered land analysis will contribute to developing better land governance, and enable local administration to better meet citizens' needs. Direct beneficiaries of gendered land analysis will reach far beyond the groups of women concerned, because all development work calls for better information on local land tenure.

"UN-HABITAT's Tools to Support Transparency in Local Governance serve as a guide for all urban stakeholders - policy makers, professionals, private sector, civil society organisations and concerned citizens working to improve the quality of life in their cities." (Gender Mechanism, p. 46)

The challenges of good governance at local level could surface at an early stage during gendered land analysis:
- Local government authority could be weak, and its capacity in land administration insufficient for contributing to the task;
- Gendered land analysis will touch on sensitive issues, where the analysis points to shortcomings in local administration. The issue of holding local governments accountable could cause difficulties in cooperation between civil society and local governments even during the gendered land analysis process.
- Local women could be intimidated by powerful interests in land, whether inside or outside official structures;
Etc.

Conducting a gendered land analysis could therefore in some cases turn out to be a balancing act. This is the type of challenges, which cannot be avoided due to the strategic importance of land ownership, but it is necessary to search for clever ways of how to reduce the level of conflict through negotiations.

9. Development of synergy with GLTN partners

9.1 Global efforts in generating sex disaggregated data

Key international agencies (UN, OECD, etc.) are increasingly paying attention to the need for sex-disaggregated data. Work is in progress on developing better data specifications in dialogue with major users, who have a chance for influencing the products through voicing their priorities. GLTN partners will also have a chance of influencing data production, if taking part in the normative processes at national and international level.

When available statistics is insufficient, it may be a quick and easy solution to initiate dedicated surveys. However, ad-hoc data may not be a good investment on the long run, when standards, comparability and repeatability are required. It is in any case recommended to work within the geographic frames of the official statistics, so that survey data can be combined with standard statistical data.

National statistical services need to be supported for reasons of sustainability. Evidently, shared resources will be much more cost-effective than stand-alone production of similar data. In particular mapping and general statistics require huge operational and costly operations. In parallel with working on improving access to existing data, GLTN will also have wide opportunities for putting users' requests forward, as illustrated by the presentations of Dr. Grace Bediako, government statistician of Ghana, who call for contributions by users on specifying users requirements.

ESA/STAT/AC.134/1	Production of Gender Statistics: An overview of the Process. Grace Bediako, Ghana Statistical Service	PPT	80KB
ESA/STAT/AC.134/7	Data Availability, Accessibility and Quality. Grace Bediako, Ghana Statistical Service	PPT	115KB
ESA/STAT/AC.134/13	Data Gaps. Grace Bediako, Ghana Statistical Service	PPT	465KB
ESA/STAT/AC.134/25	Strengthening National Gender Statistics Programmes: The way forward. Grace Bediako, Ghana Statistical Service	PPT	96KB

Thus it seems that the statistical systems are in full process of upgrading the general statistical data production and services, but GLTN could support their efforts by working in detail with specifications of relevant data in cooperation with statisticians. It is therefore suggested that the recommendation of the Gender Mechanism 2006, p. 60, is refined to reflect the role of GLTN in analysing national statistics and developing enhanced specifications of data on ownership and tenure:

"Develop guidelines on how formal systems can deliver better sex disaggregated data as well as use participative information gathering methods which can be adapted and integrated within the formal land systems and used as evidence in courts", Gender Mechanism 2006, p. 60.

GLTN may benefit from global initiatives in development of gender statistics through proposing additional data fields reflecting social and formal land tenure status (gender-disaggregated). Such proposals have to be based on a highly qualified analysis of the available standard data, and of what are workable options seen both from the perspective of data production and data use.

Major developers of statistical standards include dedicated organisations within the OECD and the UN system.

Work in progress on gender statistics

The OECD Development Centre is one of the international organisations working on gender-disaggregated data on women's rights, see OECD's "Gender inequality: the state of the world".

"The OECD Gender, Institutions and Development Data Base (GID-DB) is the first comprehensive data set on gender equality that also includes information on social institutions. It monitors 60 indicators on gender discrimination in 161 countries, revealing a particularly problematic situation for women in sub-Saharan Africa, the Middle East and South Asia." Gender analysis at the Development Centre (website), The Gender, Institutions and Development Data Base and The GID-DB: a resource for better policies (pdf)

The OECD efforts could possibly be enhanced in respect to data fields of importance for depicting women's social land tenure status, if special networks assist with specifications of data, which could also be integrated into national standards. Specifications of data, which can serve as indicators of complex tenure relations is no simple task, and an in-depth analysis of national formats of detailed data has to be conducted in cooperation with statistical experts.

Development of Gender Statistics as an interagency effort of the United Nations, as described in the UN Inter-Agency and Expert Group Meeting on the Development of Gender Statistics, February 2007 http://unstats.un.org/unsd/demographic/meetings/egm/genderstats06/Final%20report%20L3.pdf

A fresh (August 2007) list of documents on the Production of Gender Statistics, can be extracted at http://unstats.un.org/unsd/demographic/meetings/wshops/India%20Aug07/DOCLIST.htm.

UNECA is faced with severe shortcomings of national statistical systems in Africa. "To address the challenge of the general lack of gender disaggregated data in Africa, the United Nations Economic Commission for Africa (UNECA), has developed methodologies and tools to support the strengthening of National Statistical Systems to collect, utilize, disseminate gender disaggregated statistics as well as design gender disaggregated database. UNECA has also designed a Guidebook for mainstreaming gender perspectives and household production into national statistics, budgets and policies in Africa." http://www.oecd.org/dataoecd/32/39/38640915.pdf, and http://unstats.un.org/unsd/statcom/doc06/CoordinationFunction-ECA.pdf

It is clear that the ECA is already far in developing guidelines and programmes for the development of regional and national plans of action to generate gender-disaggregated statistics. This is where GLTN need to interact and act.

Efforts in this area could provide an opportunity for swift up-scaling of GLTN efforts, because these special fora are usually welcoming users' requests. Possible enhancements of basic data specifications could thereby potentially take on global dimensions. Even minor steps towards the GLTN goals of upgrading sex-disaggregated data related to land tenure will be substantial if implemented at a global scale.

9.2 The golden chance of coming Censuses of Population and Housing around 2010

Planning for the coming Census of Population and Housing
National censuses are conducted usually at 10 years interval around years ending with "0". The coming round of censuses will be taking place around year 2010, although each country follows its own schedule. Census dates for all countries can be found at: http://unstats.un.org/unsd/demographic/sources/census/censusdates.htm

In the UN statistical system preparations for 2010 have already been ongoing for some time. A new handbook for the census has been prepared through the UN statistical system, "Draft principles and recommendations for Population and Housing Censuses, revision 2" is available at http://unstats.un.org/unsd/demographic/meetings/egm/CensusEGM05/list_of_docs.htm

The relevance of the new global census operation for the GLTN objectives is based on potential synergy achieved through:

1. Access to new census mapping
In many countries new base maps will be produced to serve as a basis for delineation of administrative boundaries and enumeration areas for the next census. New base maps produced e.g., from satellite images or aerial photography will be valuable for multiple purposes, including work on upgrading tenure security. Improving the geographical frame of statistics will also improve the value of statistical data for users.
Kenya is one of the countries planning new image maps covering heavily settled areas (slum areas) for its census in 2009, see this and other new resources on census mapping at
http://unstats.un.org/unsd/demographic/meetings/egm/CensusMappingEGM07/list_of_docs.htm

2. Design of census questionnaires
Preparation of census questionnaires is usually performed in a dialogue with users of census data, and the GLTN national networks have an opportunity to suggest possible enhancements to the "Ownership" and "Tenure" topic of the Census of Housing questionnaire. Better targeted census questions will all other things equal provide more useful census data.

3. Supportive action of enumeration
Preparation of the census enumeration includes listings of households within each of the enumeration areas. In urban areas, permanent systems of locating places and households are called for. Naming of streets and numbering of houses would greatly enhance the census enumeration and reduce the uncertainties of identification of all households within each enumeration area. Therefore, establishment of address systems would serve both for improving the quality of the census operation, and facilitate location of persons for other purposes, such as for strengthening their tenure rights.

It can be seen that the above activities interface directly with the GLTN up-scaling strategy. In other words: GLTN may advance its agenda through other related activities, which will be implemented at a global scale.
More details on data classification and principles of census execution is available at
http://unstats.un.org/unsd/demographic/meetings/egm/CensusEGM05/list_of_docs.htm
(Draft principles and recommendations for Population and Housing Censuses, revision 2)

9.3 Synergy between Gendered Land Analysis and other participatory activities

A range of related initiatives on poverty reduction for the MDG, pro-poor land management and upgrading of slums are launched by different branches of the UN system and by other development agencies. Participatory approaches are common features of these programmes, whereby – if nothing else – the different project teams will end up meeting each other in the locations, where they work. In order to avoid confusion and participation fatigue in the working areas, an analysis of the possible synergy with other related initiatives is relevant. In this chapter a few examples will be mentioned, but in any particular country and environment, a prior inventory of planned and ongoing local participatory activities will need to be investigated.

At a general level have been found a few examples of relevant activities driven by the international development community in partnership with national governments; but many similar studies are likely to be encountered in any particular location:

1. Rapid Urban Sector Profiling for Sustainability (RUSPS) under the shelter for all programme,
http://www.unhabitat.org/content.asp?cid=4156&catid=525&typeid=24&subMenuId=0
"The Rapid Urban Sector Profiling for Sustainability (RUSPS) is an accelerated action-oriented assessment of urban conditions in a city. It entails undertaking a rapid analysis of the current urban situation in seven thematic areas with relevant stakeholders. The studies focus on priority needs; capacity gaps and looks at how existing institutions at local and national levels respond to urban issues. The goals of the studies are to develop urban

poverty reduction policies at local, national and regional levels, by assessing needs and possible response mechanisms and contribute to wider-ranging implementation of the Millennium Development Goals.
....
RUSPS will be implemented in over 30 countries worldwide, offering an opportunity for comparative regional analysis. The series of studies will provide a framework to support central and local authorities and urban actors, donors and external support agencies in their efforts to reduce urban poverty."

2. Localising the Millennium Development Goals,
The Localising the MDG is an activity within the Urban Management Programme of UN-Habitat:
http://www.unhabitat.org/content.asp?typeid=19&catid=374&cid=188
A guide has been developed for local authorities and partners:
http://www.unhabitat.org/pmss/getPage.asp?page=promoView&promo=2128
The guide shows some common areas of work with relation to the Gendered Land Analysis to be explored.

Other examples can readily be found on other initiatives in participatory gender mapping developed through the academic world, but it is unknown to what extent these methods have been implemented in the field.

Partnership and co-ordination
In order that the Gendered Land Analysis will have a chance of implementation at a large scale, GLTN will need to clarify the relation between the Gendered Land Analysis and other related activities, so as to ensure coordination and optimal use of resources, not least of the time contributed by local participants. GLTN does not control resources for upscaling, so achievements of the objectives will depend on GLTN abilities of introducing the gender agenda into the programmes conducted by governments, development agencies and local stakeholders.

"There are three major elements that have been identified. First, contexts – both the priorities and obstacles – must be better understood and shared among stakeholder in order to generate commensurate leadership, technical support and resources. Second, the partnerships between research institutions, development agencies, the State (and local governments); land professionals and community groups must be better coordinated in order that they develop systematic and innovative methodologies and frameworks." (GM p. 40)

Summary

Chapter 1 Introduction
The Global Land Tools Network was established in 2006 during the World Urban Forum, and one of the first documents prepared for the GLTN, the so-called Gender Mechanism 2006, outlines the overall ideas and strategies of developing gender land tools. The present background paper was commissioned by UN-HABITAT – GLTN as a follow up to the Gender Mechanism document with the objective of taking the gender mechanism a step further through gendering of land tools to strategies of large scale implementation.

Chapter Two: Components and structure of the Gender Mechanism, 2006
The paper provides an overview of the pre-selected 23 GLTN priority land tools, discusses their nature and how the existing land tools best can be applied in a global quest for strengthening women's land tenure security and access to land.
The priority land tools do not function on a stand-alone basis, but only serve their purpose, when integrated into appropriate participatory processes of building good governance of land adapted to the local context. As a consequence this paper strives at mapping out interconnected processes of land tool implementation designed to serve a gendered agenda.

It is argued that the GLTN concept of gendering land tools is about building gender-sensitive processes of upgrading land tenure security.

Chapter Three: Criteria for assessing gender responsiveness of land tools
Poor women depend on an enabling environment in order to get access land and take control of their land rights, be it in respect to necessary infrastructure, access to credit, or overcoming special barriers for women. The paper discusses how women can be empowered and how barriers can be lowered and overcome.
A wealth of studies and numerous cases on gender and land helped identify some common denominators for what has been proven to strengthen women's security of land, and what has resulted in erosion of their land rights.

On this basis the paper suggests ten criteria of gender sensitive good governance:
- Non-discriminatory laws and policies;
- Strengthening representation of women and their participation in land governance;
- Contextual strategies for improving tenure security with due respect for the roles of communities;
- Differentiated approaches for different segments of areas and tenure based on needs and tenure typology;
- Gradual improvements of tenure security through indirect and direct measures;
- Stemming the tide of illegal land development;
- Transparency of decisions on land, clarity of authority and simplicity of land administration;
- Priority to vulnerable groups, vulnerable land rights, common space and community land;
- Sustainability both in respect to financing and to human & technical capacity;
- Accessibility of local land offices, information and appeal (distance, costs) for the poor, in particular women.

Chapter 4: Criteria for Up-scaling Existing Land Tools
The paper links the priority land tools to their potential roles in systematic up-scaling of tenure-upgrading, and outlines the structure of the up-scaling process. Up-scaling is seen partly from the perspective of the status of land rights in the field, and partly from the governance perspective, while participatory processes interlink the two, as sketched in a flow diagram.

The basic principles of a gender sensitive up-scaling process build on the GLTN core values defined as "innovative, pro-poor, affordable, scalable and effective".

While it is possible to define general gender criteria for up-scaling of land tenure reform, all strategies will have to be tailored to their local context. This is why GLTN focus on the preparatory stages of tenure reform, which

can clarify the nature and extent of women's vulnerable land rights, so that they may better be defended. Moreover, the paper suggests a gradual upgrading approach, so as to strengthen the de-facto recognition of land tenure prior to formalisation of land rights: Tenure security can be improved in indirect and direct ways.

As a result the paper suggests the following key criteria for up-scaling of gendered land tools:
1. Establish local context prior to up-scaling
2. Mobilize local resources and include participatory and representative mechanisms in up-scaling
3. Develop partnership between grassroots' and land authorities
4. Strengthen tenure framework and capacity prior to full scale tenure reform
5. Create room for diverse forms of tenure arrangements
6. Safeguard common space, common resources and community land rights
7. Prepare early land use planning and spatial planning with allocation of land for low-cost housing
8. Prepare early cost studies and plans for sustainability in financing and organisation of land administration
9. Apply appropriate standards for documents (wills, deeds, etc.) and public land records
10. Implement public information standards in land governance and use ICT as far as possible.

A range of basic requirements need to be further developed e.g., in respect to building of awareness and capacity, documentation and information strategies, and not the least organization and management.

Women's land rights are often belonging to the weaker spectrum of rights, for which reason determination of tenure typology forms an important tool in protecting women's land rights.

During a stepwise reform process tenure security can be strengthened in indirect ways, whereby on one side chocks can be avoided, which could put at risk the rights of the most vulnerable stakeholders, in particular poor women, and on the other side land governance capacity be given a chance to develop over time.

CHAPTER 5: Up-scaling strategy of the Gender Mechanism
The Gender Mechanism differs from previous approaches to systematic up-scaling of land tenure reform through its emphasis on establishing gender disaggregated data, gendered land mapping, mapping out the tenure typology, differentiation according to context and advocating a more significant role of participatory processes. Better inventories and preparatory data on the de-facto social tenure situation may prevent later formalisation processes from extinguishing or depreciating women's land rights. Instead, a sound preparatory phase may contribute to empowerment of women in advance of decisive negotiations on land.

Grassroots organizations play a strategic role in up-scaling. A success criteria for grassroots' initiatives is their ability in building partnership with land authorities at different levels, just as government structures need to integrate community-based functions in formal land administration and management structures.

The paper outlines a gender-sensitive up-scaling process through five overall stages:

Stage 1. Establishing context and taking stock
Stage 2: Preparations of gender sensitive framework
Stage 3: Systematic upgrading of land tenure security through indirect measures
Stage 4: Systematic adjudication of rights and building sustainable land governance
Stage 5: Formalisation of rights and building land records /information systems

A key feature of the paper is an up-scaling diagram developed to illustrate how GLTN land tools, themes and phases form components of an up-scaling process. The stages outlined above are indicative only. Clearly, a strategy has to be designed to cater for local needs and constraints in due respect for critical time factors.

Many indirect steps of tenure upgrading are relatively affordable and simple in administrative terms. Through a gradual upgrading process, more time will be given for gradually strengthening the local capacity, whether at

grassroots level or in the local land authority. In this way, passing to the stage of formalisation will be like harvesting a crop, which has been growing for some time.

Irrespective of land tools, affordability depends on economy of scale. In land tenure clarification sporadic ad-hoc approaches have been found to be both less effective and much more expensive as systematic approaches. When dealing with land tenure, 'systematic' implies an area-by-area approach. Systematic area-by-area strategies link up with community land tools, such as e.g., systematic adjudication, a land tool suited for resolving complex land problems in a holistic manner.

Women often face difficulties of defending their land tenure rights held as social tenure, due to lack of legal documents, when their rights are challenged. Through systematic adjudication of rights, the legitimacy of a public hearing process can compensate for lack of individual documentation, when due attention is paid to the full continuum of land rights.

New scenarios of overcoming practical barriers open up thanks to new, empowering ICT technology (GPS, photo maps, communication, etc.), technical tools, which save cost/time in facilitating basic fact-finding, since they are also easy-to use. The paper argues that new types of photo-maps may play as instrumental a role in land tenure reform, as the mobile phone does in communication.

Community land tools
The key issues of land, poverty and gender are associated with protecting access to common land resources, common space, customary rights, and with the way these resources are managed. Common resources, whether state land or community land, are especially exposed to land-grabbing, and erosion of rights of the poor.

Consequently, it is suggested to identify the various forms of common land, and securing the communal domain and common rights *as a first priority* in a tenure reform. Hereby, it is stressed that the gendered processes have to define a sequence of activities to make sure that the most vulnerable land and weaker land rights (of the continuum of rights) rise to the top of the agenda.
The GLTN suggests up-scaling of successful strategies from community level to national level. The network has collected evidence of a number of grassroots initiatives, which have helped women in strengthening their bargaining position and their land rights.

These diverse initiatives of community action are grouped under the following headings:
a.) Collective action in cases of eminent threats of women's asset stripping, dis-inheritance, eviction, etc.
b.) Grassroots spearheading of local participation and watchdog functions
c.) Lobbying for better representation of women in local council, land boards, etc.
d.) Participatory mapping, enumeration and land use planning
e.) Micro credit initiatives

Reference is made to good examples of participatory approaches at community level such as e.g.,
- Community land delimitation and consultation in Mozambique
- GROOTS watchdog groups in Kenya
- FAO guidelines on "Participatory Land Delimitation – Experiences and Methodologies", 2007.

When initiating land tenure reforms, a Pandora box of dormant land conflicts will be opened. Any up-scaling efforts will thus depend on putting in place appropriate conflict resolution mechanisms.

CHAPTER 6: Activities of developing new large scale gendered land tools
A key challenge of strengthening women's land rights is bridging the vast gap between the principles of women's equal rights as found embedded in high level legal instruments, and their implementation. Shortcomings of implementation are usually not caused by lack of land tools, but by lack of political will.

An up-scaling diagram can be used for illustrating the overall flow of activities in land tenure upgrading. Hereby, possible gaps in the flow of activities relying on well known land tools will be exposed, and needs for new gendered land tools can be identified.

New development is called for, where the GLTN is setting new standards for the preparatory stage of land tenure reform. This is the case in respect to the following central topics:

1. Production and use of sex-disaggregate tenure data
2. Gendered Land Analysis with identification of land tenure typology and stakeholder analysis
3. Alternative land tenure models, which offer opportunities for women
4. Cost studies of land tool affordability
5. Models of partnership between grassroots organisations and local government
6. Appropriate documentation and information strategies for formalisation of land tenure
7. Potential use of ICT for empowerment of (poor) women in land tenure reform

Better inventories and preparatory data on the de-facto social tenure situation may prevent later formalisation processes from extinguishing or depreciating women's land rights.

CHAPTER 7: Development of Strategies for Unblocking Gender Disaggregated Data
Land tenure is defined as a relation between people and land. It follows that building social land tenure information requires interlinking data from the social domain with land data. Bridging these two types of data is a challenge in all efforts towards building better disaggregated land tenure data. When planning for better disaggregate land tenure data both the supply side and the user side must be addressed.

Poor environments are unfortunately often also data poor. The shortage of data and statistics on land tenure is general and not limited to sex-disaggregated data. Weighty arguments support the need for better land tenure data and for sex-disaggregated data for evidence based policies.

The barriers of accessing disaggregated data, tenure data and land information occur in varied forms:
- Knowledge barriers of where to find what information, and shortage of meta-data (data about data);
- Administrative and legal barriers in central and local government may close off public access;
- Formats of the data and lack of technical capacity to understand and use the data together with formal and informal fees may effectively hinder wider use of information.

Data collected by NGO's or private entities (consultants, researchers) may not be available in the public domain.

For women in particular barriers of administration and technology are severe. In order to put available data at good use, women groups need to upgrade their capacity. *Information is power*. GLTN might seek cooperating with professionals and networks with the capacity to work with this kind of technology.

In countries where infrastructure is weak, sources of data are also scarce and the most common source of statistics in the developing nations is the Census of population and housing. Census data is always sex-disaggregated, and include intra-household relations, as well as tenure relevant statistics on e.g., education, economic activity, emigration and ethnic groups.

Census data have a range of shortcomings including its decennial periodicity, but it is suggested here that census data (and other types of statistics) is underexploited for land tenure purposes. The paper points to the potential value of spatially disaggregated census data in combination with other available sources of information.

CHAPTER 8: Development of Strategies for Gendered Land Analysis
Gendered Land Analysis (GLA) has been introduced by GLTN as a necessary stage in developing women's security of tenure. Gendered land analysis is basically about deepening the understanding of the complex patterns of rights, stakeholders and governance in a particular territory. GLA maps out the vulnerable resources

and land rights of particular importance for women to serve as a basis for appropriate, targeted intervention. The paper develops the concept of Gendered Land Analysis in further detail.

A GLA explores the typology of land tenure in an area, delineate and classifying subareas within localities according to typology and other relevant attributes. A classification system has to be developed for each territory to reflect its variety of the land tenure forms, planning and socio-economic status by sub-area. The resulting *information on sub-areas* permits diversification, targeting and sequencing, rather than using a blanket approach for the whole territory.

An essential component of Gendered Land Analysis is an analysis of the various interests in the particular land area under analysis. The paper suggests grouping of stakeholders according to their roles and vested interests in the territory in question.

CHAPTER 9: Development of Synergy with Development Partners
Many global initiatives of improving gender statistics are undertaken by key international organizations like UN-agencies and OECD. GLTN may influence actors on the statistical scene, if qualified proposals are presented specifying needs for additional data fields depicting aspects of social tenure. Possible enhancements of basic data specifications could thereby potentially have a global impact. In other words: GLTN may advance its agenda through advocacy among other development activities implemented at a national or global scale.

The golden chance of coming Censuses of Population and Housing around 2010
Planning for the coming Census of Population and Housing is far advanced in the UN Statistical Department, as well as in many countries. The relevance of the new global census operation for the GLTN objectives is based on potential synergy achieved through:

1. Access to new census mapping produced, e.g. in the form of new photo maps
2. Design of census questionnaires concerning questions on 'Ownership' and 'Tenure'
3. Supportive activities related to census enumeration.

Preparation of census questionnaires is usually performed in a dialogue with users of census data. For this reason the GLTN national networks have a golden opportunity of suggesting possible enhancements to the 'Ownership' and 'Tenure' topics of the Census of Housing questionnaire. Better targeted census questions will - all other things equal - provide more useful census data. Access to new photo maps produced for the census constitutes a low cost solution to land information needed for e.g., Gendered Land Analysis. It can be seen that such census activities offers a unique chance for synergy with the GLTN up-scaling strategy.

Synergy between Gendered Land Analysis and other participatory activities
A range of related initiatives on poverty reduction for the MDG, pro-poor land management and upgrading of slums are launched by different branches of the UN system and by other development agencies.

Participatory approaches are common features of these programs. A few examples illustrate relevant activities carried out by the international development community in partnership with national governments; and many more cases are likely to be encountered in any particular location:

1. Rapid Urban Sector Profiling for Sustainability (RUSPS) under the shelter for all program,
2. Localizing the Millennium Development Goals, (an activity of the Urban Management Program, UN-HABITAT).

For Gendered Land Analysis to stand a chance of implementation at a large scale, GLTN will need to market the concept and seek partnerships with optimal use of available resources, including the time contributed by local participants.

Closing remarks

GLTN does not control resources for up-scaling, so achievements of the objectives will depend on GLTN abilities of introducing the gender agenda into programs conducted by governments, development agencies and local stakeholders.

Increasingly, ICT is becoming a democratic tool accessible beyond borders to the benefit of people, and technical knowledge is more widespread. An example of such development is found in Uganda, where the Uganda Land Alliance and ICT networks cooperate on improving governance of land with due regard to women's land rights. The GLTN can gain momentum in up-scaling, if appropriate new technology is put to good use.

It seems an up-hill struggle to work on large scale implementation of gendered strategies in the midst of conditions of disorder or a vacuum of governance, *if* good governance in general is considered a precondition for taking action in land tenure upgrading.

However, land questions can also be regarded as a key to resolving many other related difficulties. Taking a step forward in clarifying local land questions, advancing more equitable land tenure rights, local participatory planning, etc. would be a major contribution to improving overall governance.

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