



LEARNING ABOUT **5** **a.2** INDICATOR

SDG Indicator 5.a.2 – Ensuring women’s legal rights to land ownership and/or control

Lesson: Assessing Proxy D

Text-only version

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Food and Agriculture
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Assessing Proxy D

This lesson describes the assessment process for Proxy D, focusing on the key requirements to be considered in analysing the provisions of a national legal and policy framework.

Learning objectives

At the end of this lesson, you will be able to:

- explain why Proxy D is important in monitoring Indicator 5.a.2;
- understand the features that a provision must have to satisfy the threshold for Proxy D.

Rationale of Proxy D

Does the legal and policy framework provide for the allocation of financial resources to increase women's ownership and control over land?

Proxy D is one of the six proxies identified to assess progress under Indicator 5.a.2 – Percentage of countries where **the legal framework** (including customary law) **guarantees women's equal rights to land** ownership and/or control.



Why is government allocation of financial resources important to "guarantee women's equal rights to land ownership and/or control"?

Let's answer this question by beginning with the case of Maria.

Story of Maria

"My name is Maria and I am the owner of this farm. I recently came back to the area from the city and bought this plot of land, taking advantage of a government fund. I am very proud of it, because I managed to buy it with my savings."

In Maria's country, the government recently passed a law establishing a fund to support women's ownership of land in rural areas. Under the legislation, the government will use the funds to purchase rural lands, which are subsequently resold at a reduced price to citizens who are economically disadvantaged. The law requires that priority must be given to rural women.



Why are women's and girls' equal inheritance rights important to "guarantee women's equal rights to land ownership and/or control"?

Due to historical and ongoing discrimination, **women face an unequal burden in accessing the rural property market.**

Some states – like the one in which Maria lives – are allocating financial resources to support women's ownership and control over land, often in the form of credits and loans.

Public credit systems, with flexible eligibility criteria, help to overcome the difficulties that women face when seeking a loan from private institutions. Unlike private institutions, public credit systems do not usually require possession of property or proof of formal income as a condition for obtaining a loan.

The assessment for Proxy D aims to identify provisions that allocate financial resources for the purpose of increasing women's ownership and control over land.

Assessment for Proxy D

We are back in Abena's office, the national legal expert in charge of performing the Indicator 5.a.2 assessment. She is now conducting the assessment for Proxy D, checking if there are provisions in her country's legal and policy framework that allocate financial resources to increase women's ownership and control over land.

Key requirements for the provisions

To determine if Proxy D is present, Abena should check that the provision(s) has the following features:

Explicit nature

The provision **must refer to a specific budgetary commitment**, funding allocation or the establishment of a fund **to increase women's ownership and control over land.**

Generic provisions such as for example, references to "facilitating women's acquisition of land" or "resolving historical injustices around land", without reference to a specific funding commitment, are not sufficient.

Scope

The funding allocation, fund or budgetary commitment **must satisfy the following conditions:**

1. women must be the sole or principle beneficiaries;
2. the provision must include, as its stated objective, an increase in women's land ownership or control.

Assessment for Proxy D

Abena is analysing the provisions...

REGULATION 1992

Art. 1: "The purpose of this Regulation is to create a fund to acquire land in favour of rural women, which will allow, in addition to improving the quality of life of the family nucleus, the access to financial resources, giving priority to those women heads of family, of low economic resources."

Art. 2: "This Fund will have as objectives: (1) Finance the acquisition of properties in the rural sector, with the objective of establishing a land bank, to be awarded as a sale with mortgage guarantee and with a gender approach, to the poor women in the rural sector, taking into account their special state of economic vulnerability. (2) Promote the empowerment of women in the rural sector by becoming owners of a means of production that guarantees the economic and food sovereignty of women and their families. (3) Strengthen and expand the rural productive system, thereby contributing to the efforts to reduce poverty and extreme poverty that are especially expressed in the countryside."

Conclusion:

This provision satisfies the threshold for Proxy D. It explicitly establishes a fund that is aimed at improving women's access to land and financial resources. The law specifies that the objectives of the fund include providing financial support for rural land acquisition, with the goal of establishing a Land Bank, with lands earmarked for women.

Example: provision

Is Proxy D present or not in the following provisions?

Provision 1

Law constituting a Fund for Rural Women, Art. 67: "A Fund for Rural Women is created as a special account of the Ministry of Agriculture and Rural Development, which should be oriented to support plans, programmes and projects of rural activities that allow the incorporation and consolidation of rural women and its organizations within the economic and social policy of the country.

Taking into account the origin of the resources destined for the operation of the fund, these should also be assigned for the dissemination and training on access to credit, promotion and formation of plans, programmes and projects in favour of the rural women, as well as, for their

technical, commercial and managerial assistance. Likewise, the Fund may finance or grant incentives, guarantees, support and compensation that rural women require."

Proxy D is not present. Although the Fund for the Promotion of Rural Women fits the Proxy criteria of 1) allocated funding and 2) targeting (rural) women, it does not fit the third requirement of the Proxy. This is because the Fund is not specifically aimed at facilitating or increasing women's control and/or ownership of land.

Provision 2

Policy on Promotion of Gender Equality (2009): "The Women's Affairs Department is mandated to facilitate mainstreaming of Gender Issues in the development process. [...] Following the 1995 Fourth World Conference on Women, the need to empower women for their advancement in all spheres of development was identified. The need for sufficient financial and human resources for the advancement of women was said to be a major priority. As a way of empowering women's NGOs, CBOs and Groups, the Government allocates funds to the Women's Affairs Department annually in order to assist the organizations.

The Department offers assistance to women's organizations and groups that are promoting gender issues, particularly on the areas of concern which were adopted during the 1995 UN World Conference in Beijing. Thus;

- Women and Poverty, including Economic Empowerment
- Women in Power and Decision-Making [...]

Funding will be more inclined towards income generating projects.

Projects geared towards addressing gender related issues, including research and capacity-building.

Projects that are geared towards addressing the six critical areas of concern."

Provision D is not present. This is a general policy statement on government's financial support to women NGOs or organizations for the purpose of tackling issues concerning women's empowerment, education, training, violence and human rights. There is no reference to increasing women's ownership and control over land.

Summary

Proxy D verifies the existence in a country's legal and policy framework of provisions that allocate financial resources for the purpose of increasing women's ownership and control over land.

To make the assessment for Proxy D, a national legal expert needs to analyse his/her country's legal and policy framework, and verify the existence or not of provisions that refer to a specific budgetary commitment, funding allocation or the establishment of a fund to increase women's ownership and control over land.