

The International Federation of Surveyors (FIG) publication n. 24 “Guidelines on Women's Access to Land”: still relevant after 20 years

Francesca MARZATICO, New Zealand; Marisa BALAS, Mozambique

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SUMMARY

This paper aims to discuss the preliminary findings of the International Federation of Surveyors (FIG) Publication 24’s initial review done by students from the School of Surveying at the University of Otago. The review started with a compilation of country profiles that briefly described the land tenure and land administration system in some countries, highlighting the main socio-cultural and legal challenges women face in accessing land. The initial review of the Publication 24 took those profiles as a reference and assessed the usefulness of the publication in addressing the challenges women face to access land and land tenure security in different countries and contexts. Challenges and lessons learned during the preparation of the assessment and of the initial review permit to outline a way forward for a more inclusive revision of Publication 24 that takes into account different realities around the globe. With a comprehensive revision such as this being proposed, the authors believe it is possible to develop effective and user-friendly guidelines that can assist surveyors and land professionals in their efforts to support women’s access to land all-over the world.

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1. INTRODUCTION

Access to land and land tenure security is important for sustainable development (Ali et al., 2014; Daley & Englert, 2010; Kameri-Mbote, 2008; Odeny, 2013; Singirankabo & Ertsen, 2020; Williamson et al., 2010; Yngstrom, 2002). As pressure over land increases women find themselves in a more vulnerable position, more exposed to climate change shocks, and less able to fight against hunger and poverty (Balas et al., 2022; Mabikke, 2016). Hence, women’s access to land has become prominent in several international and local efforts (Agarwal, 2018; Doss & Meinzen-Dick, 2020; Nhamo et al., 2018; Unger et al., 2023), including the Agenda 2030 and its Sustainable Development Goals (SDGs).

Access to land and land tenure security is also a very important issue for land professionals and for the International Federation of Surveyors (FIG). Land surveyors make a huge contribution to the efforts countries are taking to improve women’s land rights (WLRs), being it through participating in systematic land registration programs and campaigns, providing capacity building or even technical assistance to legal reforms and institutional capacity programs.

In 2001, FIG launched a publication containing Guidelines on Women’s Access to Land (hereinafter “Publication 24” or “the Publication”) aiming to create awareness and provide support for surveyors and land professionals in that regard (Komjathy & Nichols, 2001). The publication raises awareness on the importance of gender in land administration, development and management while recognizing the central role that women play in sustainable development. Although still very relevant, the publication was written over 20 years ago and it needs to be revised considering current global and local contexts, new knowledge in the field, and the need to align efforts from different stakeholders, conventions, instruments, and agendas.

The FIG Commission 7 Working Group (WG) on WLRs is leading the process for the revision of these guidelines. In collaboration with the School of Surveying at the University of Otago, a methodology for the initial review of the publication was developed, as part of an assignment for the School of Surveying’s Advanced Land Tenure paper (SURV456/556). The initial review was performed by a group of fifteen students and comprised two tasks: (i) brief research project to describe women’s access to land challenges in a country of choice, to increase their awareness on the theme; (ii) assessment of Publication 24, using the findings from their country profiles and evaluating whether the publication is useful in addressing the challenges. This resulted in a report with proposed recommendations for the revision of Publication 24, a summary of which is presented in this article.

The initial review indicated that the publication is still relevant but needs to be updated. It also indicated that more countries need to be analysed to ensure that the revised version of

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Publication 24 includes recommendations that support the work of land professionals in different parts of the globe.

2. THE ROLE OF LAND PROFESSIONALS IN ADDRESSING WOMEN'S LAND RIGHTS

Surveyors and other land professionals play a crucial role in enhancing land governance in society and in supporting legal reforms.

On one end they work closely with community and individuals, implementing the law and at the same time thereby understanding communities and individuals' needs and challenges. In this respect land professionals play a crucial role in advancing WLRs by advocating for legal reforms, actively participating in community sensitization initiatives towards gender-equitable land rights, actively providing expertise to create land cadastres that consider land rights of all including vulnerable people, thus creating a more equitable and just land administration system. While helping formalizing land rights by accurately mapping and documenting land parcels, land professionals can ensure that women's land rights are clearly identified and legally recognized. When women's land rights are legally recognised, women's security of tenure increases and conversely the risk of dispossession through encroachment or land grabbing decreases (Andersson Djurfeldt, 2020). Women with legalised rights and security of tenure are better equipped to defend their land rights and to seek legal protection, access to resources associated with the land, achieve economic empowerment, as they can use the land as collateral for loans, participate in agricultural activities, and make long-term investments (Agarwal, 2018; Andersson Djurfeldt, 2020).

Surveyors and other land professionals are also important to supporting legal reforms as they contribute their expertise to shape policies and regulations that specifically address and protect women's land rights. These professionals also help countries adopting land management information systems that are gender-friendly and help create land cadastres with gender-disaggregated data related to land ownership, use, and access, to help addressing gender disparities in land rights (Balas et al., 2024).

Surveyors and other land professionals engage in capacity-building initiatives to empower women with knowledge about their land rights. They also help creating awareness within the communities and households about the importance of documentation and legal processes related to land ownership, respecting women's land rights. By fostering community support and understanding, surveyors contribute to creating an environment where women can exercise their land rights without facing discrimination or resistance.

Furthermore, land professionals actively engage with different organizations to address systemic challenges and advocate for gender-inclusive land policies. FIG has a close cooperation with United Nations relevant bodies, the World Bank, and its sister associations and has been globally recognized as the leading international non-governmental organization on geospatial information and the management of “land”, the “sea” and the “built” environment. It supports international collaboration among its members to provide solutions, including for

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overcoming gender inequality in land access and tenure security, and to translate the sustainable development agenda into action (FIG, n.d.).

3. SUMMARY OF FIG PUBLICATION 24

Publication 24 was commissioned by FIG and published in 2001. It focuses on the principles of equitable gender inclusion in land administration, emphasizing the importance of addressing gender issues in land-related development projects. The publication highlights that failure to consider the rights of all citizens, particularly women, can lead to more poverty, conflict and inequities, affecting vulnerable members of society. The publication also emphasizes the need for gender inclusivity in land reform and administration projects. Such projects impact on agriculture, sustainable development, and human rights. It stresses that access to land is crucial for addressing demographic, economic, and social changes in urban and rural communities, and highlights the risks faced by marginalized groups. It also underlines the importance of investing in women as an underutilized resource, particularly in the context of urbanization trends. Additionally, it discusses the role of women in agriculture and the potential risks of exclusion that they face in programs such as land titling and property rights formalization. The document advocates for a revised land tenure policy framework explicitly addressing women's access to land and emphasizes the role of surveyors and land professionals in promoting gender-inclusive land policies.

The publication aims to provide background information to surveyors and land professionals on why gender issues matter in development projects and offers guidelines to ensure that land administration protects the rights of all stakeholders, including women. It is organized into the following sections:

3.1. Importance of Access to Land

This section discusses the significance of access to land, emphasizing its role as a source of wealth, social status, and power, and how essential land is for shelter, food, economic activities, and employment opportunities, playing a crucial role in both rural and urban settings.

The text delves into women's access to land in societies following customary rules, noting limitations in direct access through purchase or inheritance. Women often have use rights as community members, wives, mothers, sisters, or daughters, but these may lack sufficient security when traditional family structures dissolve, exposing women and their children to increased economic and social risks. The text stresses that having laws granting women equal access is essential, but for these rights to be effective, community support is crucial.

This section ends highlighting the fact that equitable access to land is not solely about the quantity of rights allocated; it must also be enforceable, secure against seizure, and effective in providing access to other resources. Therefore, the support of legal, customary, and family institutions is deemed fundamental for preserving and improving women's access to land.

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3.2. Why is Gender an Issue in Land Reform and Land Administration Reform

This section explores the gender-related challenges in land reform and land administration. It acknowledges a historical perspective where men were traditionally considered sufficient participants in such programs, assuming that women and children would benefit as dependents. However, as poverty and landlessness increase, there is a growing recognition that development projects need to address women's priorities and concerns separately.

The text highlights the disparity between women's significant role in agricultural labour and the low percentage of women's land ownership globally. The text emphasizes the importance of recognizing women's access to land and natural resources in statutory and customary contexts. With reference to the latter, the publication warns about the potential negative consequences on women's access to land of disregarding customary rights, providing examples of land titling exercises and land tenure reforms that are not women-friendly.

Overall, the section emphasizes the evolving perspective on gender issues in land reform and administration, acknowledging the need for a more inclusive approach that addresses the specific challenges faced by women in various contexts.

3.3. Summary of the Major Concerns

This section summarizes the major concerns related to women's access to land and resources, as well as the challenges arising from changing socio-economic conditions, including: (i) Lack of access and control over productive resources and services; (ii) Over- and underemployment of rural women; (iii) Persistent inequalities between men and women; (iv) Exclusion from decision- and policymaking; (v) Legal environments favoring men's rights.

The section also highlights the main challenges concerning the context in which gender inequality exists: (i) Changing socio-economic conditions; (ii) Urban and peri-urban migration; (iii) Divorce and changes in inheritance patterns. Additionally, the section presents concerns specific to urban women seeking acceptable housing: (i) Difficulty in obtaining formal land registration; (ii) Challenges with bureaucracy; (iii) Discriminating land use regulations.

3.4. Monitoring and Evaluating the Land Situation of Women

This section emphasizes the importance of establishing a measurement system to evaluate women's access to land in various programs, policies, or projects. It suggests a need for a set of indicators to describe the situation before, during, and after interventions such as new laws or titling projects, measuring access to land in discrete measurements at intervals. Indicators for measuring access to land that include both documentation and legislation are also mentioned. Other indicators include physical occupation, the exercise of rights, and *de facto* measures like the head of the household, primary food provider, community acceptance of rights, and financial and labour contributions. Social status and decision-making power are identified as more subjective and complex indicators. These indicators aim to capture various dimensions of women's access to land, including legal rights, social status, economic contributions, and participation in land-related transactions and markets.

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3.5. The Role of International, National, and Non-Governmental Organizations

This section outlines the roles of international, national, and non-governmental organizations in promoting equitable gender inclusion in the context of land reform and privatization projects. Key responsibilities include: (i) Establishment of mechanisms for gender discussions; (ii) Advocacy for legal revisions; (iii) Identification and encouragement of legal changes; (iv) Enforcement and monitoring of implementation; (v) Promotion of women's involvement; (vi) support to international declarations; (vii) Integration of international principles; (viii) collection of gender-disaggregated data; (ix) Constitutional recognition of women's rights; (x) Development of modern property and land laws; (xi) Integration of gender perspective in all future projects and programs, in alignment with international standards; (xii) Women's participation in decisions about land.

3.6. Recommended Guidelines for Surveyors in Land Administration Projects

This section provides guidelines for surveyors and other land professionals involved in land administration projects and agencies to address gender considerations, with the aim to empower the aforementioned professionals to contribute to gender-inclusive land administration. The guidelines cover various aspects related to the work of surveyors and other land professionals in four main themes: land administration procedures, removing barriers to access to information, increasing awareness, and working with the local customary community.

3.7. Publication 24 Conclusions

The text concludes that the quest for equitable access to land for women is not only a matter of social justice but also a strategic imperative for fostering economic growth, sustainable development, and improved societal well-being. Surveyors and other land professionals, as key stakeholders in land administration, have a pivotal role to play in promoting inclusive practices that contribute to the broader goals of societies worldwide.

4. INITIAL REVISION OF PUBLICATION 24

An initial revision of Publication 24 was undertaken by 15 students at the University of Otago School of Surveying's Advanced Land Tenure paper (SURV456/556) as part of their course's assignments.

The assignment was divided into two parts. An initial part involved an individual research project on women's access to land in a country of their choice. Students researched women's access to land challenges in the following countries: Afghanistan, China, Kenya, Kiribati, Malaysia, Nepal, India, North Korea, Pakistan, Sierra Leone, Somalia, Syria, Tanzania, East Timor, United Arab Emirates. This aimed at increasing students' awareness on the main socio-cultural and legal challenges that women face in accessing land in different countries and contexts.

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The second part of the assignment entailed a group work in which students assessed the usefulness of Publication 24 in addressing the challenges women face when accessing land, considering the findings from their country profiles.

The methodological approach used was the same for all the groups and included detailed instructions on how to conduct the review. Students were divided in three groups. All groups had to follow the same instructions and had to produce a report with proposed recommendations for the revision of Publication 24. Leading questions were provided to the groups conducting the review to ensure consistency in the exercise and comparability of the findings. The reporting format was also provided to ensure consistency of the information provided ant to be able to immediately compare findings.

The students' reports highlighted strengths and weaknesses of the Publication 24, quality of evidence and research, limitations and bias of the publication and provided recommendations for its revision. Findings from this initial review are summarised in the following sections. These findings were first presented to FIG WG on Women's Access to Land and later discussed during the Commission 7 2023 annual meeting in Deventer, the Netherlands, in a special session dedicated to WLRs.

4.1. Summary of findings

All groups agreed that one of the main strengths of Publication 24 is to highlight issues around women's access to land and the importance of addressing them. They stressed how the publication "build[s] awareness around the issues women face in accessing land" (Bichan et al., 2023) and emphasize[s] the importance of developing a better understanding of the situation [for women]" (Komjathy & Nichols, 2001 in Bloomfield et al., 2023). In this respect the Publication 24 achieves one of its proposed aims (Bloomfield et al., 2023). For young surveyors, the publication represents an eye opener on issues of which "they [might] have been otherwise unaware of" (Bichan et al, 2023). This is especially true for those coming from countries like New Zealand where women are not discriminated in accessing land and natural resources.

Another important element underlined by the students is that Publication 24 focuses on women's and developing countries' perspectives (Bichan et al., 2023), highlighting that "women's access to land is limited by social norms, customs and legislation" (Bichan et al., 2023) and stressing the importance of the work of surveyors as agents of change and advocates for women's land rights. To this end, surveyors and other land professionals have to "be aware of the issues that prevent women from accessing land" (Bichan et al., 2023), to be able to make a positive change in women's lives by influencing changes in countries' land tenure and administration systems "to ensure that women are able to participate in decision making processes" (Bichan et al., 2023).

Students also stressed that, the Publication is in line with the goals of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and that, in spite of lack of links with the SDGs (Bloomfield et al., 2023) it aligns with SDG 5 "that recognises the importance of land tenure security for women" (Bichan et al., 2023).

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The assessment also highlighted that the Publication is too lengthy and convoluted in places. Furthermore, the narrative focuses too much on the “why” at the expenses of the “how” (Chen et al., 2023), making the publication more difficult to engage with. In particular, while emphasizing the importance of women’s access to land, Publication 24 provides “very little information” or “examples” on how surveyors can contribute to improving women’s access to land (Bichan et al., 2023), or on actions that surveyors can undertake to gain local knowledge (Bloomfield et al., 2023), in spite of recommending surveyors “to be aware of the tenure systems in place, consult with indigenous women, and take steps to ensure that these can participate in land administration processes” (Bichan et al., 2023). Additionally, it has been noted that Publication 24 puts very little emphasis on rural and indigenous women “despite it being the main focus of the publication” (Bichan et al., 2023) and it does not provide concrete guidance on how to achieve its goals, in particular to allow indigenous and rural women’s access to land.

The assessment highlighted the limited focus of the publication and its regional bias. In fact Publication 24 mainly focuses on Africa Eastern Europe and Central Asia (Chen et al., 2023), it lacks a wide breadth of case studies and examples from different countries and contexts (Bloomfield et al., 2023). Moreover, the strong focus of Publication 24 on rural development projects limit effectively its applicability to rural areas, and does not take into account challenges for women accessing land in urban areas (Bichan et al., 2023).

The absence of reference to recent global initiatives on land rights and women’s access to land limits the publication’s relevance and requires a reflection on the global initiatives and their relevance to the work of surveyors and land professionals (Bloomfield et al., 2023).

Several students noted that the statistics used are “too ambiguous” (Bloomfield et al., 2023) and “do not seem to realistically represent the countries' populations” (Bichan et al., 2023). Lack of reference to the sources of such statistics contributes to their lack of credibility (Bloomfield et al., 2023).

Lastly the students highlighted that there seem to be little contribution from surveyors and land professionals to the Publication 24.

4.2. Initial recommendations for revision

In general students found that “there is a need for more structured guidance to address gender bias and enhance women’s access to land and tenure security” (Chen et al., 2023) and that the Publication 24 needs to be written in a way provides effective support to those surveyors and land professionals who would like to engage with communities and learn more about the local context in which they operate. The reports provide some recommendations to strengthen the Publication. Such recommendations are summarised below.

Update the document and use reliable statistics. Technological advancements and many aspects of land administration have changed over the past 22 years (Bichan et al., 2023). New global initiatives on inclusive land governance and women access to land have been developed and implemented. Lessons learned from such initiatives should be incorporated in Publication

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24. In order to increase the Publication 24 credibility referenced statistics from reliable sources have to be included.

Make the Publication user friendly. The style of the Publication is convoluted at times, and some “sections do not relate to each other in a meaningful way, which can make the publication difficult to follow” (Bichan et al., 2023). To make the document more accessible and reader-friendly it is important to simplify its style and reduce the length of some of the sections. Some of the content of the guidelines can be moved out in a white paper and it can also be further elaborated in the field guides.

Shift the focus from regional experiences to a global perspective. The publication’s current regional focus does not allow for gathering a global perspective on the challenges that women face in accessing land and on actions that can be undertaken to mitigate such challenges. A focus on global perspective, including lessons learned from around the world will increase the publication credibility and effectiveness.

Incorporate more real-world examples by using more case-studies. Land administration is context-specific. As such the publication has to include examples from different countries and contexts around the world. Case studies and successful stories from around the globe (Bloomfield et al, 2023) will help guiding surveyors and other land professionals in their work. Such stories can be incorporated in the field guides.

Elaborate on the role of surveyors and other land professionals, by providing more details on the actions that surveyors and land professionals can undertake to support women access to land and to mitigate harms to women (Bichan et al., 2023).

Highlight the importance of female professionals. Bloomfield et al. (2023) mention that a research conducted by Rede Ba Rai (2019) in East-Timor revealed that women were more at ease interacting with female surveyors. Increasing women’s access to the profession will increase women’s participation in land-related projects and activities and will enhance women’s agency.

Make reference to the SDGs. In particular make reference to Goal 1.4 and indicator 1.4.2; goal 5.a and indicators 5.a.1 and 5.a.2 and ways to support the collection of data to measure these goals’ achievements.

Revise indicators. The use of SMART (specific, measurable, achievable, relevant, and time-bound) indicators will further enhance the effectiveness of the Guidelines. Such indicators should link directly to the SDGs ones and should be used by surveyors and land professionals to measure the impact of their actions. This would also provide evidence of the effectiveness of the Publication 24.

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5. CONCLUSION AND A WAY FORWARD

Publication 24 is a useful document for surveyors and land professionals who want to support women's access to land around the world. Although outdated, it is still a relevant document and it represents a good "starting point to educate professionals on the importance of their work and the implications that it may have on women in developing countries" (Bichan et al., 2023). The document needs to be updated with the most recent research, initiatives and technological advancements and a direct link with the SDGs has to be made. A more inclusive approach in reviewing Publication 24 is needed in order to capture challenges and lessons learned on women's access to land around the world and the preparation of country case studies will be crucial to document these. Such an inclusive approach calls for a deeper involvement of surveyors and land professionals in the review process especially in the preparation of field guides and of the lessons learned.

In order to finalise the review of the publication several steps are needed. A questionnaire will be sent to surveyors and land professionals through the FIG and FIG partners' network in order to identify global challenges and solutions to women's access to land. Such questionnaires will also help capture lessons learned on how surveyors and land professionals have made a difference in women's access to land around the world. Online and in-person workshops and write-shops will be held in order to discuss specific sections of the publication with experts, surveyors and land professionals and other relevant actors. Field guides and country profiles will be prepared to provide surveyors and land professionals with effective examples on how to help women accessing their lands rights.

The revision will be coordinated by the FIG working group on WLR in collaboration with the University of Otago and other partners of the working group.

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AUTHOR CONTRIBUTIONS

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BIOGRAPHICAL NOTES

Francesca Marzatico - MRSNZ, PhD (Naples), MAST – DEA (Salamanca), LLM (Hons)(Naples), LLB-Grado (Hons)(Salamanca) is lecturer in Land Tenure and Land Administration at the School of Surveying, University of Otago. Francesca has worked for over 20 years in post-conflict and countries in transition on human rights, natural resources governance, indigenous people's land rights for several United Nations agencies, multilateral development banks and non-governmental organisations, in Europe, Africa, Asia and the Pacific. Her research focuses on inclusive access to land. Francesca obtained her Laurea (LLM) in Law in 2000 and her PhD in Philosophy of Human Rights and Fundamental Freedoms in 2004 from the University of Naples "Federico II". Francesca is an active member of the International Federation of Surveyors, Commission 7 Working Group on Women's Land Rights.

Marisa Balas is a PhD candidate at Universidade Aberta, in Lisbon, in the field of Social Sustainability and Development. She has been engaged in the land reform in Mozambique for the past 10 years, being responsible for designing and coordinating the implementation of the Land Information Administration System (LIMS/SiGIT). Marisa is active in the International Federation of Surveyors, chair of the Commission 7 Working Group on Women's Land Rights, and member of the SDGs Task Force.

CONTACTS

Dr Francesca Marzatico

Lecturer

University of Otago

New Zealand

Tel: +64 3 479 5095

Email: francesca.marzatico@otago.ac.nz

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Web site: <https://www.otago.ac.nz/surveying/people/otago839709.html>

Marisa Balas

Universidade Aberta

PhD Candidate

MOZAMBIQUE

Email: marisa.balas@gmail.com

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