

Gender and Land Governance: The new Guidance Sheet

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One of a series, the new guidance sheet on **Gender and Land Governance** supports SDC staff in ensuring that gender is taken into account transversally in this domain. It outlines key issues regarding land governance, and how these can be integrated into the design, implementation, monitoring and evaluation of cooperation strategies and program interventions.

Who owns and can use the lands? Who decides? Who and where do women and men participate in decision-making about the different priorities for land use (food, income, biodiversity, etc.)? These are some of the questions addressed in this guidance sheet. In this article, we discuss how gender is relevant in land governance and what the key issues are in program work, this by presenting a concrete case and context, the First Female Farmers' Forum in Myanmar

A practical example: The First Female Farmers' Forum in Myanmar



Credit: Catriona Knapman

In July 2016, Myanmar hosted its first Female Farmer's Forum, organized by the Land Core Group¹ (LCG), an organisation and network of different local and international organisations and experts concerned with land governance and related natural resource management in Myanmar. The forum was funded by the Livelihoods and Food Security Trust Fund (LIFT)² to which SDC in Myanmar³ is a contributing member. The following article is based on an LCG Policy Brief inspired by the Forum. While it focuses on a Myanmar case, it highlights well important global trends

in Gender and Land Governance, as also detailed in the SDC Gender and Land Governance guidance sheet.

The Forum involved multi-stakeholder participation and 34 women representing 16 farmers' networks and community organizations from different regions, backgrounds, status, ethnicity and religion. The forum drew on previous research and experience of the LCG and its members on *'How women and men access, use, and claim land in Myanmar's current political and economic transition'*.

The Forum addressed four key issues, namely i) Discriminatory Customs; ii) Gender in Laws and Policies; iii) Biases in Implementation and Institutions; and iv) Barriers to Training and Support.

1 Discriminatory Customs: Farm worker vs. farmer

The Forum participants highlighted that culture in particular dictated women's roles, responsibilities, behaviours and attitudes in the home and field. For many of Myanmar's ethnic groups, customary practices ensure land inheritance to male children, and grant access to land for women through their husbands. Rural women are responsible for a number of key farming tasks representing over 47% of the labour force, in addition to related household responsibilities not least of which is assuring their family's food security. Despite these, women in Myanmar are mostly considered and in turn self-describe themselves as farm workers instead

"Our tribe is still practicing customary inheritance law. According to that law daughters have no right to inherit property, including lands. It doesn't matter how much lands their parents own... Even though daughters are doing lots of work, from domestic chores to farm labour in the field, those women have no rights to inherit any property, including lands... All of benefit goes to sons."

Woman Farmer, Kayah State

¹ www.lcgmyanmar.org

² <http://www.lift-fund.org/>

³ <https://www.eda.admin.ch/deza/en/home/countries/mekong/myanmar.html>

of farmers as the land they farm is legally by in large owned by their husbands, or other male family members.

2 Gender in Laws and Policies: Married = Dependent

In Myanmar, a married woman is listed as a 'dependent' on her national ID card while the land registration Form 7 records the head of the household, by default predominantly men. This undermines women in Myanmar married or not, single or widowed. The situation becomes more precarious in case of spousal abuse or other rights violations, whereby the woman's legal standing is compromised from the outset. Myanmar has ratified the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), and several laws and policies are being reviewed or developed to be more gender inclusive, however majority of the legal framework remains outdated.



Credit: Catriona Knapman

LCG consultations with women farmers on National Land Use Policy

3 Biases in Implementation & Institutions: Representing farmers, whose business is it?

In Myanmar it is the General Administration Department (GAD) and State Land and Records Department (SLRD) who are responsible with all matters related to land registration and tenure. In these offices, like in most public institutions, majority of staff, managers, and decision makers are men. Women farmers making inquiries, submitting requests or filing cases are often challenged, dismissed or even intimidated. Until women are better represented in these departments, and until their male counterparts are not capacitated and empowered to be more gender sensitive, women, in particular women farmers will continue to be underserved and discriminated.

"The township administrative office laughed at me when they were told that I was chosen to be the representative for farmers. The selection committee including the township land administrators disagreed with the decision. I lost that day, but when they chose a business man as the farmer representative, I pointed out that a business man cannot stand up for farmers. Then I became the farmer representative."

Woman Farmer, Yangon division

4 Barriers to Training and Support: Leaders in Training

Access to information, training and extension services for women farmers is improving in Myanmar with government, donors and local and international organisation support. When such services do not analyse, target and adapt to the family and work demands of women farmers, they in turn are restricted from development opportunities, and remain ill informed, low skilled and underperforming. This in turn significantly limits their prospects to better assure their families' livelihood and lead their communities in socio-economic and political development.



Credit: Catriona Knapman

Considering women represent almost 50% of the population and farming workforce, it is in every family's, community's and government's best interests that women farmers are included and supported to meet their full potential.

Only when both men and women are knowledgeable, skilled and informed in both service and leadership positions, can we look forward to more robust land governance, inclusive economic growth and sustainable environment and climate management.

5 Forum Recommendations

The Myanmar Women's Farmer Forum summarized five key priorities moving forward:

- Revise registration procedures to promote women's tenure
- Include 30% women in Farmland Administration Bodies at all levels
- Include women in land governance bodies
- Provide women targeted training
- Conduct research on women's land use across the country

In conclusion, when addressing the important issue of gender and land governance, it is crucial to analyse the gender and power analysis along the, four key dimensions outlined in the Gender and Land Governance Guidance Sheet, namely i) what is the bundle of rights; ii) who are the rights holders; iii) who recognizes rights; and iv) how are land rights governed.

[read the guidance sheet](#)