

Commission on the Status of Women
Fifty-eighth session

**Emerging issues, trends and new approaches to issues affecting the situation of women or
equality between women and men**

“Women’s access to productive resources”

Thursday, 13 March 2014, 3-6pm

ISSUES PAPER

I. Introduction

In accordance with its methods of work (ECOSOC resolution 2006/9), the Commission on the Status of Women identifies an emerging issue requiring increased attention for consideration, taking into account developments at the global and regional levels, as well as planned activities within the United Nations. At its fifty-eighth session, the Commission will consider “Women’s access to productive resources” as the emerging issue. The emerging issue will be discussed within the context of efforts to achieve sustainable and resilient cities; expand rural progress and development; and mobilize international resources and support.

II. Background

Throughout the world, gender inequality in access to and control over productive resources, such as land, natural resources, credit, technology and other means of production, is closely related to women’s poverty and economic and social exclusion. While challenges to the effective enjoyment of women’s economic rights are complex and often context-specific, there are also many shared obstacles, including inadequate legal standards and/or their ineffective implementation at all levels, as well as discriminatory attitudes and practices. In order to ensure that women enjoy their rights in practice, a broad conceptualization of rights and access to productive resources is needed that is pro-poor, sustainable, gender-responsive and inclusive of both urban and rural areas. This approach should be consistent with international human rights standards and the human rights-based approach to development.

The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) provides a comprehensive framework for the guarantee of women’s full rights to economic and social benefits. Article 14 specifically addresses the situation of rural women, stipulating that “States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right to have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes.”

The Beijing Platform for Action (BPfA) affirms women’s equal rights, opportunities and access to resources. It recognizes persisting legal and customary barriers to ownership of or access to

land, natural resources, capital, credit, technology and other means of production. It stresses that women can increase their production, marketing and income when they gain access to and control over productive resources. The International Conference on Population and Development (Cairo, 1994) also called on Governments to promote and strengthen women's access to productive resources, including their ability to own land and inherit property.

Furthermore, the Habitat Agenda emphasizes women's equal access to land, housing and property as a guiding principle. The rights of women to access productive resources were also recognized in the outcome document of the United Nations Conference on Sustainable Development (Rio+20), which highlighted that gender equality and women's empowerment are important for sustainable development, and reaffirmed State commitments to ensure women's equal rights, access and opportunities for participation and leadership in the economy, society and political decision-making.¹

Today, many Governments around the world recognize the importance of secure land tenure in helping to promote long-term sustainable agriculture. For instance, the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security², adopted in 2012 by the Committee on World Food Security, calls upon States "to ensure that women and men enjoy the same rights in the newly recognized tenure rights, and that those rights are reflected in records".

The Voluntary Guidelines further invite States "to monitor the outcome of allocation programmes, including the gender-differentiated impacts on food security and poverty eradication as well as their impacts on social, economic and environmental objectives, and introduce corrective measures as required". These are the first international level guidelines on the governance of land, negotiated by States. They recognize the principle of gender equality calling upon States to "ensure that women and girls have equal tenure rights and access to land, fisheries and forests independent of their civil and marital status," and provide guidance on various aspects of the governance of tenure with reference to the principle of gender equality.

III. Critical issues

Women's full access to and control over productive resources has been linked to improved food security and nutrition, household welfare, sustainable livelihoods and inclusive economic growth. Research by the UN Food and Agriculture Organization (FAO) revealed that closing the gender gap in access to and use of productive resources and services would unlock the productivity potential of rural women and substantially increase agricultural outputs in the developing world by 2.5–4 percent, on average, with higher gains in countries where women are more involved in agriculture and where the gender gap is wider.³ The same report also highlighted that when women control additional income, they spend more than men on food, health, clothing and education for their children. This has positive implications for immediate

¹ See resolution A/RES/66/288, The future we want.

http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/66/288&Lang=E

² <http://www.fao.org/nr/tenure/voluntary-guidelines/en/>

³ FAO, 2011. The State of Food and Agriculture 2010/2011, Women in agriculture: closing the gender gap for development. Rome. Accessed here on 2/3/2014: <http://www.fao.org/docrep/013/i2050e/i2050e.pdf>

well-being, as well as long-term human capital formation and economic growth through improved health, nutrition and education outcomes. However, whether or not women live in urban or rural areas, deeply rooted structural constraints continue to prevent them from gaining access to productive resources, thus leading to their greater poverty and exclusion⁴.

a) Access to land

Landlessness is a global phenomenon that disproportionately affects women. The rights of women to own, use, access, control, transfer, inherit and otherwise take decisions about land are recognized within a wide body of national, regional and international legal frameworks. These frameworks also encompass women's rights to secure land tenure and to meaningfully participate in all stages of the development of land law, policy and programmes, including assessment and analysis, programme planning and design, budgeting and financing, implementation and monitoring and evaluation.

Nevertheless, discriminatory policies, laws, traditions and customs persist at the country level and continue to prevent women's access to, ownership and control of key resources, including the income arising from cultivation and other use of land. Despite the fact that global data indicate that women have equal property ownership rights in 115 countries and equal inheritance rights in 93 countries, gender disparities in land holdings exist in all regions.⁵ FAO research on gender disparities in land holdings between women and men in sub-Saharan Africa show a diverse range in women's land holdings, varying from less than 5 percent in Mali, to over 30 percent of holdings in countries such as Botswana, Cape Verde and Malawi.⁶

Not only do women have less access to land than men, but they are also often restricted to so-called secondary land rights, meaning that they hold these rights through male family members, and thus risk losing these entitlements in case of divorce, widowhood or the migration of the male relative. Frequently, women have only user rights, mediated by men, and those rights remain highly precarious.⁷

Large-scale acquisitions of land by foreign and domestic investors have increased due to various factors such as the growing demand for food, flowers, biofuel, timber and other raw materials, the development of extractive industries, industrial development and tourism. Even apart from large-scale acquisitions of land, poor women in urban and rural areas often do not have reliable access to land, secure land tenure or customary land rights. Therefore, such land deals may exacerbate women's low access to and ownership of land.

Access to land is a cross-cutting issue that strongly influences efforts to achieve the Millennium Development Goals (MDGs). For instance, land ownership is closely tied to efforts to achieve Goal 1 on eradicating extreme poverty and hunger due to the link between food security and

⁴ United Nations (2009), World Survey on the Role of Women in Development: Women's control over economic resources and access to financial resources, including microfinance.

⁵ UN-Women (2011), Progress of the World's Women 2011-12: In Pursuit of Justice.

⁶ FAO, The State of Food and Agriculture 2010-2011, (Rome, 2011), <http://www.fao.org/docrep/013/i2050e/i2050e00.htm>

⁷ FAO (2010), Gender and Land Rights.

access to and utilization of land. In terms of achieving Goal 3 to promote gender equality and women's empowerment, women's access to and use of land, property and inheritance rights are important indicators of women's empowerment and human development. Considering that landlessness compromises food production and income at the household level, which limits access to food of good nutritious value and quality health care, access to land has a direct impact on MDG 4 to reduce child mortality, MDG 5 to improve maternal health and MDG 6 to combat HIV, malaria and tuberculosis.

Indeed, evidence suggests that countries where women lack land ownership rights or access to credit have on average 60 percent and 85 percent more malnourished children, respectively.⁸ There is also broad recognition that women's rights to inheritance and property are crucial factors in reducing women's vulnerability to violence and HIV, as well as for empowering women to cope with the social and economic impact of the HIV/AIDS epidemic at the household level.⁹ Research has also evidenced links between land ownership and lower levels of both physical and psychological violence.¹⁰

A number of UN organizations and development partners have extensively addressed women's land rights in various policy forums. The Office of the High Commissioner for Human Rights (OHCHR) and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) organized an expert group meeting in 2012 to share experiences and knowledge on women's land rights, which led to the production of a handbook on "Realizing Women's Rights to Land and Other Productive Resources".¹¹ The handbook provides detailed guidance for law and policy makers, as well as civil society organizations and other stakeholders, to support the adoption and effective implementation of laws, policies and programmes to successfully respect, protect and fulfill women's rights to land. The Global Land Tool Network hosted by UN Habitat is an alliance of global regional and national partners contributing to poverty alleviation through land reform, improved land management and security of tenure, particularly through the development and dissemination of pro-poor and gender-sensitive land tools. Various countries have put in place measures for joint titling to address gender discrimination in land ownership.

Various efforts have been made by the international community to support the enactment and implementation of gender-sensitive legislation, including encouraging the judicial systems to be more accessible and responsive to women's rights to land, and providing legal aid to women seeking to claim their land rights. However, progress in effectively enforcing women's rights to land ownership has been very slow. There is a need to build Government capacity at local and national levels to strengthen existing laws and policies, introduce new reforms and strengthen implementation.

⁸ OECD Development Centre (2010); and Ministry of Foreign Affairs of the Netherlands (2011). Women's economic empowerment to foster food security: case studies from developing countries.

⁹ UNDP, *Voices and Visions: The Asia Pacific Court of Women on HIV, Inheritance and Property Rights* (2008) cited in: OHCHR-UN Women (2013), *Realizing Women's Rights to Land and Other Productive Resources*

¹⁰ Pradeep Panda and Bina Agarwal, "Marital violence, human development and women's property status in India", *World Development*, vol. 33, No. 5 (2005)

¹¹ <http://www.unwomen.org/~media/Headquarters/Attachments/Sections/Library/Publications/2013/11/OHCHR-UNWomen-land-rights-handbook-WEB%20pdf.pdf>

The cross-sectoral relevance of land for the enjoyment of women's human rights in various other areas such as their right to food, housing, health and employment is undeniable. For instance, women's right to land is inextricably linked to their access to, use and control over other productive resources such as finance, housing, property, water, fisheries, and livestock, as discussed below. Access to irrigation is also closely related to women's land rights.

b) Access to finance

Women's lack of access to finance and credit continues to inhibit women's participation in various aspects of economic activity. Strengthening the financial sector in developing countries and making it gender-responsive must remain a central building block in women's economic empowerment, and should include the concept of 'inclusive finance', which encompasses universal access, at a reasonable cost, to a wide range of financial services, provided by a diversity of sound institutions. Such financial services include savings accounts, loans, insurance, payments, pension plans and remittance facilities that can help people generate income, build assets, manage cash flows, invest in opportunities and strengthen resilience to setbacks.

Recent advances in computer technology, automated teller machines (ATMs) and mobile banking have made financial service delivery less dependent on expensive infrastructure and have facilitated reach to rural and remote areas. In Brazil, India, Kenya, the Philippines and South Africa, financial institutions have reached rural women customers at a low cost by providing their services through post offices, petrol stations and stores.¹² In Kenya, M-Pesa, the SMS mobile banking system, has expanded access to financial services to millions of people, particularly women in rural areas who otherwise would have never had such opportunities. M-Pesa is now the most developed mobile banking system in the developing world.¹³ Expanding women's access to financial services opens up opportunities for new business creation and the expansion of existing women-owned businesses.

In addition to the practical use of financial services, there is also a very strong business case for ensuring women's access to financial services. Like their male counterparts, women are also involved in a range of entrepreneurial activities, in both urban and rural areas. However, women tend to be overrepresented in micro, small and medium-sized businesses, given their domestic responsibilities, lack of mobility, limited financial skills and lack of credit history and collateral. There is therefore a need to create a more conducive environment for the financial inclusion of women through creative lending solutions for women who may not necessarily possess land titles as collateral.

¹² World Bank, 2008, World Development Report 2008: Agriculture for Development. The International Bank for Reconstruction and Development: Washington, D.C.

¹³ Jack, William; Ray, Adam and Suri, Tavneet, (2013), Transaction Networks: Evidence from Mobile Money in Kenya, American Economic Review, 103, issue 3, p. 356-61.

c) Access to other productive resources

Land and financial resources are of foremost importance for poor rural women, but technology, seeds and fertilizer, livestock and fisheries, irrigation, marketing opportunities and off-farm employment are also essential.

Although women represent approximately two-thirds of the estimated 400 million poor livestock keepers, female farmers have smaller livestock holdings than men in all countries for which data are available.¹⁴ Significant gender gaps exist in terms of access to innovations and agricultural technologies, machines and tools, fertilizers, improved plant varieties, animal breeds and irrigation. Women's access to agricultural extension services also remains low for both men and women in developing countries. The most comprehensive study currently available conducted by FAO in 1988-89 showed that just 5 percent of all extension services were directed at women.¹⁵ More recent research confirms that women are less likely to access resources, which may contribute to their being bypassed by extension service providers.¹⁶

Unequal distribution among men and women of unpaid work in agriculture and unpaid care work also contributes to women's lower access to productive resources due to their inability to engage in paid employment and build assets with their income. On average, an adult woman is the person fetching and carrying water in 63 percent of rural households in sub-Saharan Africa, spending about an hour a day on the task, as is the case in Benin.¹⁷ There is a real need to increase investments in labour-saving technologies and infrastructure, as well as in child care services, to allow women more time to engage in productive activities and paid labour opportunities, education and training, which in turn will help to address their lower access to productive resources.

d) Building resilience to address poverty and vulnerability to shocks and crises in urban and rural areas

Women's full access to productive resources can be jeopardized in the context of shocks and crises such as those caused by conflicts, natural disasters, climate risks and financial and economic crises. While economic, social and environmental shocks are not always preventable, proper planning is paramount to mitigating the degree of destruction and devastation.

Women living in both poor urban and rural communities are consistently identified as one of the groups most vulnerable to economic, social and environmental shocks. Women's lack of opportunities to build assets, their social marginalization, lack of mobility and exclusion from decision-making processes increase their vulnerabilities.

¹⁴ <http://www.fao.org/sofa/gender/key-facts/en/>

¹⁵ As cited in FAO, *The State of Food and Agriculture 2010-2011*, (Rome, 2011), <http://www.fao.org/docrep/013/i2050e/i2050e00.htm>

¹⁶ Ibid FAO, citing Meinzen-Dick, et al, 2010.

¹⁷ United Nations (2010), op. cit.

Resilience is the ability of women, men, children, communities and institutions to prepare for and respond rapidly and adequately to shocks, crises and stress. Building resilience in both urban and rural areas requires addressing the underlying causes of vulnerability, mainly food insecurity, economic shocks, crises, wars and environmental degradation. It is essential to ensure that the most vulnerable are reached and that resilience gains are safeguarded in case of emergencies. Sustaining inclusive economic progress and reducing risks and vulnerabilities for human resilience are mutually synergistic, given that greater resilience leads to greater ability to respond to shocks¹⁸.

For women, building resilience to economic, social, or environmental shocks is inextricably related to access to productive resources, especially access and control over land, access to finance, education, access to entrepreneurial opportunities, and the ability to accumulate and build assets, which are generally used to cope with such shocks.¹⁹ It is therefore imperative to ensure that the progress already achieved is sustained and protected against risks of reversals.²⁰

Evidence also shows that urbanization has put tremendous stress on resources in urban areas, and decreased the quality of life for many already living in poor conditions, the majority of which are women.²¹ Specific actions are therefore needed to increase women's access to and control over productive resources in urban environments to serve as accelerators for development. The promotion of sustainable and resilient cities could only be realized through forward looking urban planning and development, where women have access to affordable housing, water, sanitation, decent work, sustainable energy and broad based social protection measures to empower them to be active players in generating economic prosperity. However, this can only be achieved if women and men have equal access to productive resources.

Increasing women's access to and control over productive resources requires specific policy and legislative actions to eliminate discriminatory legislation and practices, and enhance women's access to justice. Political will and leadership are needed to prioritize such action and ensure implementation through resource allocation in Government budgets; however, the participation of civil society and other stakeholders on advocacy efforts to achieve legislative change is also necessary. There needs to be an increased focus in terms of domestic resource mobilization, although evidence shows that this remains a challenge for least developed countries given the narrowness of their tax base, and the weakness of their domestic tax collection and policies, which in turn make domestic resources mobilization an even greater challenge for many of them.²²

When domestic resources fall short, the international community must step up its efforts to support countries, especially low-income countries, to mobilize more resources. In addition to

¹⁸ <https://www.unfpa.org/webdav/site/global/shared/executive-board/2014/JMB%20theme%20%20FINAL.docx>.

¹⁹ Tongruksawattana, Songporne; Waibel, Hermann; and Schmidt, Erich (2010), How Do Rural Households Cope With Shocks? Evidence from Northeast Thailand. Proceedings of the German Development Economics Conference, Hannover 2010, No. 53

²⁰ http://www.undp.org/content/dam/undp/library/Poverty%20Reduction/Inclusive%20development/Towards%20Human%20Resilience/Towards_SustainingMDGProgress_Overview.pdf

²¹ UN-OHRLLS, 2011. "National Report on the Implementation of the Brussels Programme of Action for the Decade 2001-2010: Synthesis Report".

²² Ibid.

current development assistance, support must be provided for Government initiatives to promote women's access to productive resources, legislative change and implementation of new laws to make productive resources more accessible to women.

IV. Format and outcome of the interactive discussion

The discussion on the emerging issue will be launched by introductory presentations of 7 to 8 minutes by four panelists to provide overviews on the current status and expectations. Representatives of Member States and non-governmental organizations will be encouraged to share their expectations, proposals and perspectives on how to promote women's access to productive resources. Interventions from the floor will be limited to three minutes. The panel discussion will also be available via live webcast.

V. Issues for consideration in the interactive discussion

The Commission has the opportunity to discuss women's access to productive resources, within the context of efforts to achieve sustainable and resilient cities; expand rural progress and development; and mobilize international resources and support.

The following issues could be considered:

- Which policies have proven successful in helping to create an enabling environment for women to access, own, control, and manage productive resources?
- What specific steps are needed to ensure that women in urban areas have access to productive resources such as finance, credit and land, to facilitate their contributions to building sustainable and resilient cities?
- What measures have been successful in increasing rural women's access to productive resources, especially land, tenure, credit and financial services? What good practices in the area of land reform have effectively resulted in increasing women's access and control over land?
- What good practices exist in enhancing women's access to finance to generate income, build assets, manage cash flows, invest in opportunities and strengthen resilience to setbacks?
- What is the role of the international community in promoting women's access to productive resources?