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WITH GENDER IN MIND: FOREST TENURE POLICY, LEGAL REFORM AND GOVERNMENT ADMINISTRATION

Unless *women have equal standing in all laws governing indigenous lands, their communities stand on fragile ground. For many indigenous peoples, it is the women who are the food producers and who manage their customary lands and forests. Safeguarding their rights will cement the rights of their communities to collectively own the lands and forests they have protected and depended on for generations.*

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GENERATING MOMENTUM FOR CHANGE: FOREST TENURE LAWS AND POLICIES

Whether the motivation to reform forest tenure policies and laws in a gender-responsive way comes from local-level community needs, global or national government agendas, donors or CSOs, a central element of reform is the development of well-crafted policies and laws as part of an overall forest tenure regulatory framework. While many countries have forest policies, and increasingly ones that recognize forest tenure as a key requirement for improving forests, the issue of gender equality is not given importance. In many countries, forest sector laws and policies are either altogether silent on this issue or provide a simple statement calling for attention to women's needs. National laws and regulations on the rights of IPLC women to inheritance, community membership, community-level governance and community-level dispute resolution are routinely unjust and not close to meeting the requirements of international law and related standards (RRI 2017).

One cannot assume that things will be better when newly designed forest policies are implemented. Gender blindness is a pervasive problem, be it among forest sector policy makers or government staff. It is not a problem limited to one small domain of the government law-making or administrative system –it is widespread from the central level to local offices. Ensuring gender integration in all forest tenure laws and policies needs to be a central component of the overall forest tenure regulatory framework (see Figure 13). Other critical dimensions of the regulatory framework such as supportive government services for recording tenure rights will enable the policy and legal core to be implemented.

Any program to address gender equality will have to consider whether existing forest policies and laws are clear and coherent when it comes to equality



Figure 13. Key components of gender-responsive forest tenure regulatory framework.
Source: Adapted from World Bank (2019a).

between women and men, and that gender equality is integrated across all provisions. The VGGT calls upon governments to create and maintain policies and laws that permit the responsible governance of tenure that includes gender principles (FAO 2012). In addition, any additional policies, laws and procedures should be developed through a participatory process in which civil society, private sector and academia can contribute to realization of the government's stated objectives.

Typically, when existing forest policies are updated, an important window of opportunity appears to reconsider how gender can be addressed. This then forms the basis for legal and regulatory reform. Drawing upon the overall tenure assessment carried out under the *Analyze* step set out earlier, it is possible to identify the level of gender equality recognition in existing policy and laws: minimal, improved or good (Figure 14). Based on this, a detailed review of the existing enabling legal framework and related regulations (including bylaws) can be carried out with a gender lens. Thereafter, a sequential plan of action that aims to create fundamental changes at key nodes of the forest regulatory system can be followed up by gradual and consistent ways of building capacity, strengthening knowledge systems, and ensuring real enforcement where it matters. Importantly, decisions as to strategic points of engagement and collaborative partners need to be made. As is obvious, this whole process is no small task but produces enduring shifts in social equity.

Why different countries adopt divergent approaches toward gender equality cannot be explained simply. For example, in one region such as South Asia, a small country facing considerable poverty such as Nepal has a relatively strong set of protections for women and men in the forest sector, compared to a large, more developed country such as India, where the latest Draft National Forest Policy does not mention gender or women at all (Bose 2018). In many countries, affirmative legal changes may have been achieved but then implementation remains weak for a host of reasons. Take the case of Uganda, where some key steps have already been taken because the Forestry Policy,

Forestry Act and the Forestry Plan all address gender and women's specific needs (Mukasa et al. 2016). In the end, though, the results are not strong because implementation is weak, and cultural norms, beliefs and practices continue to be obstacles to equal participation and benefit sharing (Banana et al. 2013; Mukasa et al. 2016; Monterroso et al. 2019).

Typically, it has been significant mobilizations for social justice or women's rights by forestry federations and networks or by parliamentarians that have led to positive changes in the policy and law. For instance, in the case of Indonesia, gender mainstreaming gained momentum during the introduction of Gender-Responsive Budgeting by the Minister of Finance in 2009 as well as mobilizations by local organizations around REDD+ policies and activities (Arwida et al. 2017). The Ministry of Environment and Forests reinvigorated the Gender Working Group in 2012, began gender-responsive budgeting, organized training on awareness about gender equality and increased the capacity to carry out gender analysis. This mobilization often works through multistakeholder consultative platforms for policy development, be it for a forest sector policy or a gender strategy for the forest sector. The uptake of this work also depends on whether the forestry ministry is receptive to such calls for change. There need to be influential agents of change within the ministry itself, be they women or men. Building up effective momentum to achieve the aspired changes in the forest tenure policy and legal framework requires a coordinated and consistent push by parliamentarians, forest sector federations, NGOs, CSOs, donor agencies and private sector groups to create alliances and strengthen the authority of key women and men champions.

Often, the first step in creating gender-responsive transformations in forest tenure lies in the national forest policy (sometimes called forest strategy). It establishes a long-term vision for the forest sector that not only includes aspirations and objectives but also sets out what types of actions are needed to attain that vision over a specified time period. Most importantly, this national forest policy needs to be put into action

by the government's forestry agency at its highest level and inform its daily practice. The forest policy covers fundamental principles (such as multidimensional goals, gender equality, poverty reduction, devolution orientation, good governance principles and so on) that inform the overarching legal, policy and institutional frameworks. It also covers the different categories of productive and conservation forest use, the condition of forest health across landscapes, forest industry (including locally owned forest-based enterprises), biodiversity concerns, forest and land tenure, community forestry, financing and investment, and PES. In other words, it covers the entire gamut of concerns within the forestry sector, all of which need to be seen through a gendered lens. In this way, a gender-responsive, multidimensional and holistic approach to forest policy can be developed.

Forest policies can only be gender-responsive if the conditions for multistakeholder dialogues give explicit attention to participatory inclusivity in terms of women, indigenous peoples and marginalized communities (FAO 2010, 2020b; see also Bandiaky-Badji 2011 on Senegal). In this way, gender equality principles will become integrated across the full range of themes that are present in any well-designed forest policy. That is they will be evidence based, linked to national and global development agendas (such as SDGs), negotiate compromises across diverse interests, be cross-sectoral in approach, consider the portfolio of tenure and governance regimes, be socially inclusive, be planned for the long term and be adaptable to emerging needs. Through a carefully considered dialogue, a gender-responsive policy that promotes sustainable forest management across all forest types within the national territory can be negotiated and agreed to. Preliminary consultations in different regions of the country can build up the picture from the ground level. This can include women-only meetings and other modes of strengthening contributions to the policy dialogue. In parallel, an evidence base needs to be prepared on the relationship between gender and forest tenure to inform policy-making. Various guides are available on

how to carry out policy engagement and policy influence (see ODI n.d.).

When it comes to forest tenure, depending on the national commitment to different degrees of devolution, gender-responsive forest tenure arrangements will either be promulgated solely through policy measures, or through enabling legal frameworks that offer a stronger set of protections. In the case of India, the older joint forest management (JFM), a form of devolved management, was put into action through the 1988 National Forest Policy, whereas the 2006 Forest Rights Act mobilized a stronger set of individual and community tenure rights for 'tribal' (*adivasi*) communities and OTFD. While the FRA has a much more gender-sensitive commitment than JFM, it is the actual particulars of how gender intersects with other social axes that need policy attention (see Elias et al. 2020). The chances of that type of reflection, however, appears to be receding in India as the most recent draft of the new National Forest Policy has become more interested in industrial forestry and does not mention women's or gendered forest rights or the importance of gender fairness (Bose 2018; Warriar 2018). Where national forest policy addresses pro-poor forest tenure issues, women's concerns automatically come into play because they are typically marginalized and receive fewer high-value benefits from devolved tenure systems (Hobley 2007; Miller et al. 2020). Even where policies are being developed for program-specific purposes, such as REDD+, the involvement of women decision makers requires very careful preparatory work. Given the limited number of women at senior levels of forestry agencies, the chances of women becoming influential members of REDD+ working groups is slim (Pham et al. 2016).

Once a national forest policy has been finalized, the task of reforming forest tenure legal frameworks can be taken up. While each country has very specific processes, promoting gender-responsive transformation of law can include a number of different activities at the national or subnational level (Figure 15).

Figure 14. Three stages of gender-responsive forest tenure policy, law and administration.

<p>LEVEL</p> <p>1</p> <p>MINIMAL</p> <p>★</p>	<p>Constitution does not refer to issue of non-discrimination between women and men.</p>	<p>Forest sector laws, policies and strategic plans related to forest tenure do not address gender issues.</p>	<p>Government does not refer to importance of addressing gender issues within its administrative system.</p>	<p>No office in forest ministry to support gender equality.</p>
<p>LEVEL</p> <p>2</p> <p>IMPROVED</p> <p>★★</p>	<p>Constitution establishes principle of non-discrimination between women and men.</p>	<p>Forest sector laws, policies and strategic plans related to forest tenure broadly state importance of equity in a gender neutral way but there are no specific stipulations set out regarding how this is to be addressed in terms of governance, use rights, management and benefits.</p>	<p>Government underscores importance of gender equality within its administrative system but does not spell out how this is to be put into practice.</p>	<p>A gender focal point in the forest ministry is appointed but with little support from leadership.</p>
<p>LEVEL</p> <p>3</p> <p>GOOD</p> <p>★★★</p>	<p>Constitution establishes principle of gender equality and women's empowerment.</p>	<p>Forest sector laws (and other relevant sectoral laws such as on land and finance), policies and strategic plans related to tenure clearly articulate how gender equality is to be achieved in governance, use rights, management and benefits; clear guidelines and provisions are established.</p>	<p>Government not only recognizes importance of gender equality within its administrative system but also sets out protocols to be followed by senior and junior personnel, and assigns human and financial resources.</p>	<p>A gender focal point in the forest ministry is actively supported by leadership and provided funds to initiate mainstreaming and project activities.</p>

LEVEL OF GENDER EQUALITY RECOGNITION

No recognition of need to train forest sector staff on gender dimensions of forest tenure in policy and law.	No reference to gender equality concepts within forest sector.	Little evidence of women leadership within the forest sector.	Little evidence of women's engagement in forest tenure policy- and law-making process.	No stipulations for women's role in forest tenure decision-making institutions at national or local levels.
Preliminary training of forest sector staff on gender dimensions of forest tenure in policy and law.	Limited dissemination of gender equality concepts across forest sector.	Some women appointed to leadership positions who are not influential within the forest sector.	Some women play an active role in forest tenure policy- and law-making process.	Stipulations set out need for 30% women's representation in forest tenure decision-making institutions at national or local levels.
Good, targeted and consistent training of senior, junior and local-level forest sector staff (including enforcement personnel) at different governance levels on gender dimensions of forest policy and law including implementation.	Good dissemination of gender equality concepts across all departments of forest sector that allows for long-term adoption and institutionalization of gender mainstreaming practice.	A number of women are appointed to influential leadership positions within the forest sector at different governance levels.	A number of dynamic women play a leading role in forest tenure policy- and law-making process at different governance levels.	Stipulations set out need for 50% women's representation in forest tenure decision-making institutions at national or local levels.

A number of laws (such as forestry, land, inheritance), including the Constitution, will need to undergo a gender and tenure review to put them on a stronger footing (see Figure 16 for a list). Such a review needs to consider whether laws and associated operational regulations governing community-based forest lands cover all the necessary tenure elements in order for an effective and fair system of forest community-based management to be set up (ClientEarth 2019, 2020; see also Larson and Pulhin 2012). Whether a new law

is being drafted, or an existing law is being revised, a participatory process can foster the development of a law that is not only integrated but covers the perspectives of all involved in the governance of forest tenure arrangements that are inevitably polycentric in nature (see Armitage 2008; Meinzen-Dick et al. 2020). Where national law is not sufficiently strong on gender and forest tenure issues, such as for REDD+ implementation, international law can be leveraged to strengthen them (Silverman 2015).

ILLUSTRATIVE INTERVENTIONS

Creating a set of knowledge products and guides to show how to promote gender equality in legislative work on forestry issues.

Building linkages to gender equality advocates outside formal channels through sustained engagement.

Preparing a statement by those submitting draft laws to the parliaments or subnational governments on their gender implications which then becomes a mandatory part of the first legislative reading.

Training parliamentarians and law makers to ensure they know how to integrate gender into all dimensions of their work.

Developing participatory dialogues on the VGGT gender principles as part of a legal assessment against VGGT guidelines as they relate to the forest sector with relevant government agencies, parliamentary members, legal experts, NGOs/CSOs, academics and experts, and donors (FAO 2016c).

Working with the legal department staff in order to integrate a gender perspective into the legislation sent to Parliament from the executive branch.

Creating reward and recognition mechanisms for those working to improve gender equality provisions within the forest sector and other related legislation.

Ensuring there is dedicated gender equality infrastructure such as a parliamentary or ministry committee on gender equality or a women's parliamentary caucus.

Developing a theory of change for gender equality focused legislative assistance.

Reducing the obstacles for women parliamentarians or law-makers carrying out their roles ("substantive representation") rather than focusing on just quotas for women ("descriptive representation") while also building their understanding of gender and forest tenure issues.

Including a gender expert in the legislative department who then 'gender proofs' the draft laws.

Figure 15. Interventions to support gender-responsive review of laws related to forest tenure at the national or subnational level of government.

Source: Adapted from UNDP (2018)

Figure 16. Legislative best practices to secure the forest tenure rights of Indigenous and rural women.

Source: Keene and Ginsburg (2018).

National Constitution

- Non-discrimination and equal protection regarding gender
- Prohibit discrimination against children
- Recognize customary laws/practices to the extent that they comply with the constitution
- Do not provide exemptions for constitutional compliance
- Self-executing human rights treaties
- Equality within family and marriage
- Guarantee inheritance rights
- Affirm women's equal legal capacity
- Affirm economic rights related to property, rural land and natural resources

Laws regulating community lands and forests

- Prohibit gender-based discrimination with respect to land and forests
- Render discriminatory customary practices void
- General affirmation of women's land, forest and property rights
- Gender-inclusive land allocation, titling, and certification processes, including women-headed households
- Recognize women's right to economic empowerment
- Recognize women's community-level membership rights
- Recognize women's equal inheritance rights at a community level
- Right to substantively participate in community-based decision-making processes
- Recognize women's rights to participate in community land negotiation, acquisition and redistribution processes
- Recognize women's rights to hold positions within community-level leadership and dispute resolution bodies
- Recognize women's right to bring land/forest disputes before community-level forums and other forums

Civil codes, family codes, and laws on succession, marriage and domestic violence

- Recognize women's equal, civil, familial and economic rights
- Equal protection for girls
- Prohibit domestic violence, including economic violence, against all women
- Recognize women's legal capacity
- Recognize women's equal property rights
- Spousal consent required to dispose of marital/jointly held, used, or possessed property

SECTION 2.1

FURTHER READING

ClientEarth. 2020. *Toolkit for Enabling Laws on Community Forestry*. London: ClientEarth.

Keene S and Ginsburg C. 2018. *Legislative Best Practices for Securing Women's Rights to Community Lands*. Washington, DC: Rights and Resources Initiative (RRI).



GRASSROOTS INSPIRING CHANGE

Gender and community forestry guidelines in Nepal


QUESTION FOR REFLECTION

How can policies promoting gender equality developed by forestry federations or grassroots groups influence government regulations?

In Nepal, it was the gender equality rules first set up by the Federation of Community Forestry User Groups, Nepal (FECOFUN) that were later adopted by the Community Forestry Guidelines issued under the 1993 Forest Act. During the drafting of the FECOFUN Constitution in 1995, after a defiant and protracted struggle by a group of women for 33 days, FECOFUN finally voted that 50% of its executive committee members at the national, district and local level had to be women (Chapagain 2012). In addition, a woman had to occupy one of each of the key office-bearer positions for Chairperson or Vice Chairperson, as well as Secretary or Treasury. The aim was that such forms of gender equality will lead to women's autonomy, and that, at a fundamental level, it would challenge the stereotypic idea of male leadership.

This was a landmark decision with significant impact because FECOFUN's 19,300 or so community forestry user groups (CFUGs) across the country cover some 40% of Nepal's population. FECOFUN was initiated in July 1995 from the vision that CFUGs should be connected together to learn from each other and to strengthen their role in the forestry policy-making process. This multi-tiered federation is a social movement organization that was galvanized by Nepal's democracy activism in the 1990s (Ojha et al. 2007) and is now the largest civil society organization in the country (Paudel et al. 2010). Since its beginning in 1995, two women have been elected chairpersons of the national federation, one of whom was a founding member (RECOFTC 2018b, c). With gender equality central to its mission, women's membership in CFUG executive committees today stands at 35% moving closer toward its 50% goal.

Soon after, in the mid-2000, the Nepal government with the encouragement of donors began to forge a "Gender and Social Inclusion" (GESI) strategy for the forest sector (Jhaveri 2013). Some important developments led to this gender strategy: first, the Ninth Five-Year Plan (1997-2002), saw a shift from the earlier WID approach to a GAD framework. Second, the World Bank together with UK's Department for International Development prepared a comprehensive Gender and Social Exclusion Assessment across government sectors in 2006. As such, in 2003 the forest sector gender work began on preparing a GESI strategy as well as a Gender, Poverty, and Social Equity monitoring framework. After these were completed in 2007, the earlier Community Forestry Guidelines under the 1993 Forest Act were amended in 2009: now, instead of the earlier requirement that 30% of CFUG executive committee members be women, it required 50% be women members (Paudel et al. 2010). In addition,



both women and men in a household could become CFUG members and therefore participate in general assembly meetings. The taskforce that prepared these guidelines included members from FECOFUN and HIMAWANTI (a women's natural resource NGO) and involved widespread grassroots consultations through FECOFUN channels. Another important feature of Nepal's CFUGs is that there are over a thousand women-only CFUGs.

The positive multiplier effects of the gender equality principles in the Community Forestry Guidelines can be seen in the first local government elections in 20 years that took place from May to September 2017 after the country moved to a federalist model. Numerous women

who had engaged with community forestry ran and won seats having attained greater confidence and sense of vision (FECOFUN and RRI 2018). For example, Manju Malashi who was treasurer of FECOFUN's National Secretariat was elected mayor of Silgudi municipality in Doti district, and Kamala Basnet, a FECOFUN central committee member, was elected deputy mayor of Bhimeshwor municipality in Dolakha district. Some 41% of all local, elected government positions are now occupied by women. Since FECOFUN's inception, therefore, it has been spearheading women's active engagement in decision making, first in community forests and now in local government.

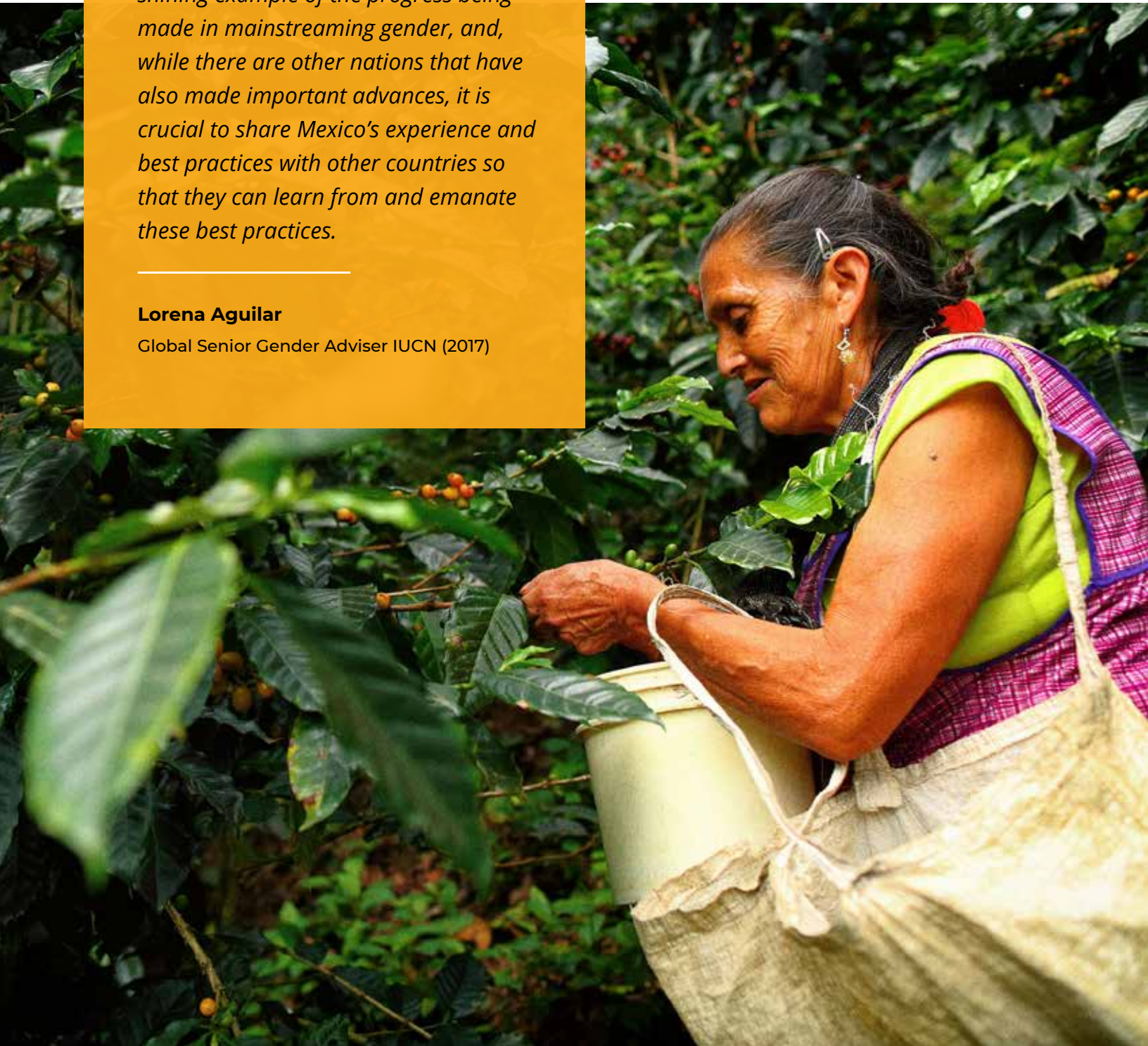
LESSONS

An influential and effective national forestry organization or federation with representation that reaches across the country and strong gender equality principles built into its Constitution creates the grounds for the government to adopt the same gender principles in forest tenure.

I always like to say: “One cannot walk far with just one leg.” What I mean by this is that we, both women and men, need to know, equally, in what way and how to protect our forests. Mexico is a shining example of the progress being made in mainstreaming gender, and, while there are other nations that have also made important advances, it is crucial to share Mexico’s experience and best practices with other countries so that they can learn from and emanate these best practices.

Lorena Aguilar

Global Senior Gender Adviser IUCN (2017)



BUILDING FORWARD: GENDER RESPONSIVENESS IN GOVERNMENT AGENCIES

Achieving gender responsiveness on forest tenure in government agencies is an ongoing and substantial undertaking. It includes a number of key dimensions such as: building a national mechanism for women's affairs; supporting a gender focal point in the forest ministry; increasing numbers of women forestry professionals, providing staff guidance on work process and capacity building; maintaining gender-differentiated tenure records; and creating a gender-disaggregated database for monitoring forest tenure. Guidance on each of these dimensions is provided below. Launching parallel initiatives in these dimensions helps to change the overall culture of government service delivery and illuminates why and how gender equality matters in the forestry world. The most frequent obstacles for improving government implementation and service delivery for forest tenure reform are inadequate budgets and insufficient skilled personnel (Arwida et al. 2017; Coleman 2019).

At the core, the pervasive problem of lack of women in leadership or decision-making positions within government forestry agencies is still common-place although there are small signs of positive changes. For example, in Nepal, Radha Wagle became the first female joint secretary at the Ministry of Forests and Environment as well as head of the REDD+ Implementation Centre in 2015 (World Bank 2019b). She is working on strengthening the Gender and Social Inclusion Strategy that was developed in Nepal in the 1990s, particularly by creating codes of conduct for implementation at the district and local levels. A number of approaches can be set in motion for improving gender-transformative approaches to forest tenure within government agencies (Figure 17).

GENDER-RESPONSIVE ACTIONS

Figure 17. Changing the culture of government administration on forest tenure in a gender-responsive direction.

Ensuring equal salaries, benefits and opportunities for women and men staff so as to provide incentives to competently carry out responsibilities.

Cultivating inspirational leadership that supports gender equality at the senior levels of departments and offices in order to guide staff on priorities for gender issues.

Giving priority to those staff working at the local level on gender-responsive institutional development, local forest planning, extension support, and enforcement.

Developing a gender (and social inclusion) strategy or action plan and associated monitoring framework.

Building participatory gender-sensitive work processes that provide step-by-step guidance suited to the specific needs of the unit or office.

Engaging in regular activities for capacity development so that interactions serve to internalize how gender equality can be achieved and new ideas shared.

Developing mechanisms for regular consultation and validation of policy decisions with civil society groups, forestry federations and gender experts who are promoting gender equality.



NATIONAL MECHANISM FOR WOMEN'S AFFAIRS

While hardly discussed within the work on the forest sector, the national mechanism for women's affairs (NMWA) is an important player within national governments. It aims to provide policy advocacy support throughout the government so that a consistent and fair approach toward women's and men's needs can be forged. Typically, NMWA is a central coordinating unit within the government. At the Fourth International Women's Conference in Beijing, the role of what were then called "national women's machinery" came into focus. Given that women's ministries were not well-placed to catalyze gender mainstreaming across the government on their own (because they were poorly resourced or not influential enough), another institutional mechanism was needed. National women's machinery was later re-named NMWA. NMWAs typically take up a range of initiatives: gender-responsive budgeting, legal reforms based on global mandates, targeted measures to end gender discrimination, promotion of the use of gender-disaggregated data and gender-responsive research, support for monitoring and evaluation of gender equality goals, and identification of lessons and good practices. Initially focused on women's needs, they have now re-oriented to transform gender relations across the government's policy and programmatic approaches. Together with women's organizations and forestry federations, they can exert considerable pressure to achieve the changes needed to support different dimensions of gender equality in forest tenure. Over time, NMWAs have changed to adjust to their circumstances, and hence there is tremendous diversity in their institutional location and form (Jahan 2010).

GENDER FOCAL POINT

The primary task for a gender focal point (or unit) is to activate the process of gender mainstreaming within any forest or sectoral office, department or ministry. They need to identify specific work arenas with the management through which to develop targeted activities in order to mainstream gender concerns. Their job is to catalyze rather than to carry out such projects themselves. As such, their main task is to

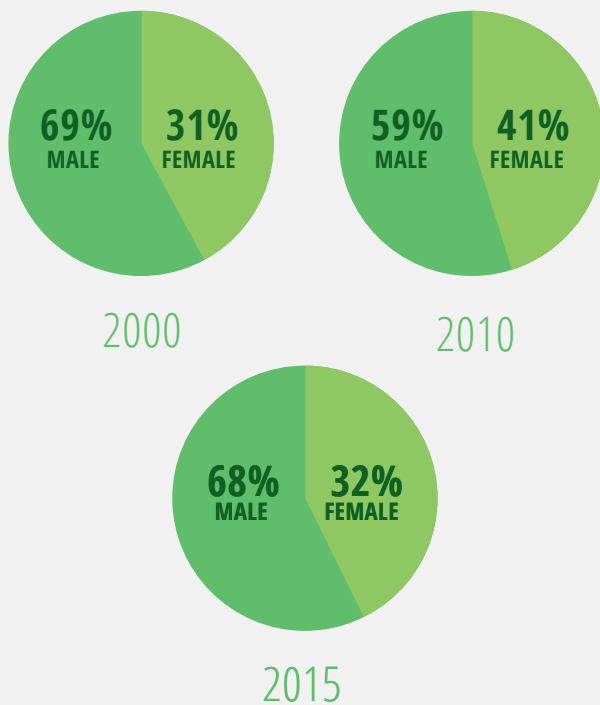
coordinate the development and implementation of a Gender Action Plan that can then pave the way for all forest government units. Together with this, an operations manual can provide clarity on how gender mainstreaming is to be carried out. It is typically useful to take a look at the forest sector's organizational structure, work procedures and overall work culture to determine what kind of approach is most effective for gender mainstreaming. At times, a centralized approach can work best, and in other cases, something more decentralized across many dispersed offices can be the right match for the organizational style. In addition, a communication strategy can be part of the Gender Action Plan. Earmarked funding support, a roster of gender consultants and building networks with supportive experts and CSOs/NGOs will bring dynamism into the work of the gender focal point.

Whether or not the gender focal point has to be a female is a question to consider in setting up this position. If it is a woman, the deputy person can be a male to ensure some gender balance in responsibilities. Additionally, rotating positions every two or three years helps to ensure there is enthusiasm and fresh thinking built into the responsibility. Not much research has been done on gender focal points in the forest sector. Some countries have noted they intend to hire a gender focal point but beyond that, there is little understanding of the realistic programming challenges faced by the position (see for example, FAO and RECOFTC 2016). Very often, junior under resourced people are appointed to such positions. There is slim evidence of what has worked or what the challenges are.

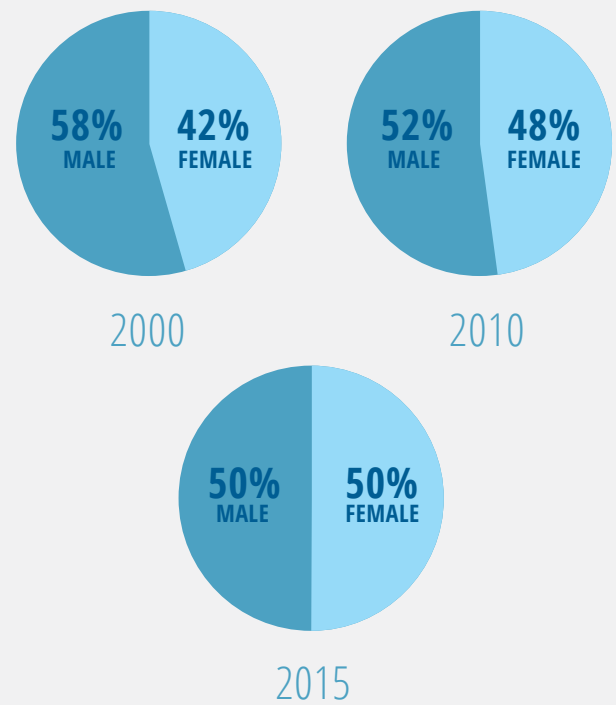
WOMEN FORESTRY PROFESSIONALS

The notion that only men can join the forestry profession is extremely prevalent. But that picture is rapidly changing, and as such, the stereotypic image of forestry professionals is morphing. One important source of data on this change is the FAO's Forest Resources Assessment. It receives information on employment in forestry and logging from 136 countries representing 91% of the world's forests. Within that, the latest data shows that 71% of the countries (representing 38% of world's forests) provide gender-

DOCTORAL



MASTER'S



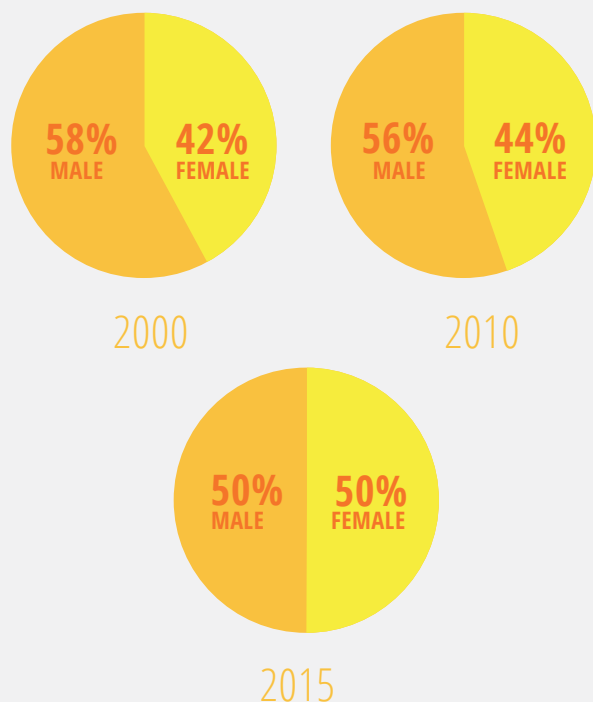
disaggregated data (FAO 2020a). This data shows that, in 2015, some 58% and 42% of a total of 3.88 million employees were male and female, respectively. Of course, it is not clear what percentage of these employees are senior level versus junior level, but at an aggregate level, the picture is definitely looking more balanced than expected. At the same time, data on graduates in forestry indicates that there is growing involvement of women, and gender parity is a goal that can be attained (FAO 2020a). Indeed, a granular picture emerges when the data over the period 2000 to 2015 is broken down into level of professional training (see Figure 18) (FAO 2020a). Except at the doctoral level, the overall trend appears to be more women being trained over time at the master's, bachelor's, and technical certificate/diploma level.

Beyond this data, there are many inspiring stories from different countries on the dynamic role of women forestry professionals. There are numerous pivots of change pointing to innovative thinking and action. In the

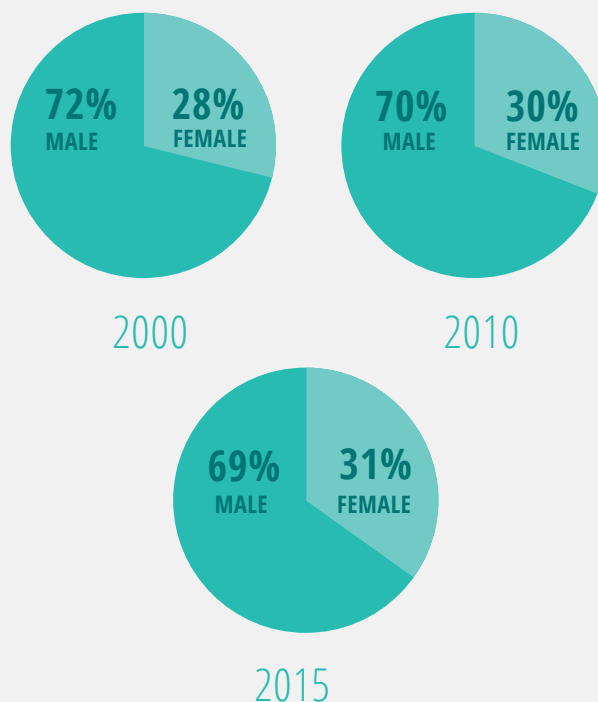
Guyana Forestry Commission, the entire Monitoring, Reporting and Verification system (MRVS) team for REDD+ is both led by and made up of highly motivated women (Bholanath 2019).¹¹ Today, some 45% of the Forestry Commission's workforce is made up of women, many in technical and managerial roles. In India's Tamil Nadu state, some 30% of those undergoing training for post of forester are women; there is much interest in women staff for positions requiring sensitive skills such as in tiger reserves (Bharadwaj 2017). In some Indian states, such as Haryana, a Women's Empowerment Cell has been set up (Haryana Forest Department n.d.).

Of particular note is how women foresters are building their collective influence. In Nepal, a group of women foresters formed the Female Foresters Network seeking to promote gender equality in forestry policy and practice.¹² Today, its 500 members from the government and non-profit sector are focused on changing the prevalent forms of hegemonic masculinity. Through such networks, women are able to challenge

BACHELOR'S



TECHNICAL CERTIFICATE/ DIPLOMA



TOTAL

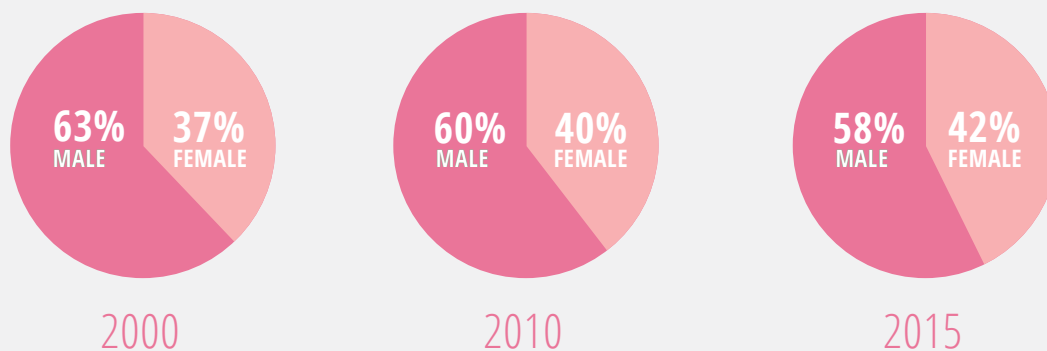


Figure 18. Proportion of female and male graduated forestry students, by education level, 2000–2015.

Source: FAO (2020a).

11 The reasons behind this are important: because the MRVS is critical to Guyana's green development strategy, it needed to ensure staff retention would not be a problem. Skilled men in the Forestry Commission were migrating abroad and women were quickly moving up in the organization. Additionally, this trend was supported by the increasing number of female students studying at the University of Guyana's Faculty of Forestry.

TYPE OF INTERVENTION

Figure 19. Interventions to guide staff work process and capacity building.

Provide tailored support for senior management in terms of how to integrate gender equality into policy development and administration, including providing gender briefs, as well as communication and media opportunities.

Create incentives for junior staff to become inspired by the vision of a gender-equal work force.

Provide gender training that is targeted to specific levels and responsibilities of staff that clearly specify how to respond to types of roles and scenarios.

Consider how the senior management can build strategic alliances with forestry federations, women's groups, farmer groups, indigenous groups, pastoralist groups, and legal experts in order to strengthen gender equality within relevant forest tenure policies and laws.

the prevailing paradigms for deeper and lasting change. Lastly, and importantly, while the Forests Dialogue has been running multistakeholder global engagements on various forest themes for 20 years, in 2020, two new women leaders from the forest industry were chosen to co-lead for the first time in its history (Santiago 2020). These represent the varied types of changes leading to women increasingly entering into and taking up leadership positions within the forestry profession.

STAFF WORK PROCESS GUIDANCE AND CAPACITY BUILDING

Without building gender equality across the staff work processes of forest administration, the gender focal points alone cannot achieve many positive changes.

At the core, the forest agency leadership has to set the vision and demonstrate clear actions to all levels of the forest administration. Creating a practical set of guidance on how staff will consider gender equality requirements within their work and performance will ensure that the culture of work is significantly changed within a reasonable space of time. It is not a question of initiating brand new endeavors but rather inculcating gender-sensitive thinking in all existing work processes and managerial tools (including performance appraisal). Particular attention to anticipating likely roadblocks or obstacles will help pave the way toward regularizing gender equality within administrative operations. A number of interventions that serve to build this change can be brought about by the leadership (see Figure 19).

¹² During a global teleconference organized by the network in May 2020, unknown men who were not registered disturbed the event through explicit and obscene sexual content framed in an abusive way (Giri and Dangal 2020). The harassment was reported to the authorities and a digital protest was launched that reached 64,000 people online.

GENDER-DIFFERENTIATED TENURE RECORDS

The VGGTs call on states to identify, record, maintain and publicize tenure rights in order to recognize and respect all legitimate tenure rights in a gender-sensitive manner. Tenure records are not needed in all places. As is well known, the formalization of title can be a mixed blessing for both women and men (Aggarwal and Freudenberger 2013). Informal systems tend to be better at adapting to changes, whereas formalization tends to fix borders and create more static systems. Formalization can bring greater interference from the state and control over decision-making systems that have been localized over a long period. New responsibilities and requirements imposed by the state can typically be complicated and onerous. In this sense, a careful assessment of the merits of recording need to be taken up early on by any community before commencing any recognition process that fixes boundaries in a detailed way.

If needed therefore, the next question is how to create a new system to record rights and also record rights for the first time (for a guide see: FAO 2017a). Alternatively, the question is how to improve an existing system of recording tenure rights (in which overlapping or conflicting rights can be documented) (for a guide see: FAO 2017b). Any system of recording tenure rights applies not only to private rights but also public, collective, communal, customary and informal rights. Additionally, records can be maintained for land tenure rights and also forest, fishery and water rights too. What is critical is for these independent data systems to be interlinked through an integrated system so that information can be shared (through geospatial systems) for the purposes of rights recognition and other uses, such as land-use planning.

To begin with, the titling process of demarcating and harmonizing boundaries needs to be carried out in a gender-responsive way. Consultations, for example, on customary rights need to be designed such that the inputs of women and men from different backgrounds form part of the process of identifying boundaries for both individually used and collectively used areas. Communication materials can be prepared that are tailored for women, so they understand the purpose

of the field-based participatory mapping work. When it comes to recording, the system of data management needs to be disaggregated based on gender. Attention needs to be given to recording female- or male-headed households, noting whether they are *de jure* divorced households, widowed or *de facto* monoparental. Where such records are held depends on many factors, including the level of decentralization of government. If there is devolution of tenure rights, and this take place together with government decentralization, then decentralized tenure record keeping at the local district level or village cluster level makes sense.

Additionally, the issues of accessibility and cost for the records will have gendered implications. Given the heavy work burdens and limited available time women have, any tenure record-keeping system will have to be convenient in order to be usable. Furthermore, any costs associated with these records will be considered against the benefits of such records; the benefits of titling and records are not always immediately obvious to many. A mobile office service that can be easily accessed by all can often be the most cost effective. A simplified approach makes the tenure recording system more socially inclusive. Deciding on which locally suitable technology best enables reductions in time and cost will be an important factor. Registry staff can include both women and men so that all feel they can comfortably both approach the office for service provision. Here, publications that serve to improve legal literacy for women and men can be very valuable. A sustainable system is one in which the benefits outweigh the costs in terms of time, money and other factors.

GENDER-DISAGGREGATED DATA AND MONITORING FOREST TENURE

For effective gender-responsive monitoring and evaluation, be it for implementation of policy and law or for projects, both qualitative and quantitative gender-disaggregated data are needed. The data provides empirical evidence on how gender-responsive forest tenure affects multiple types of change pathways and results. Yet, there remains a serious lack of such data, and therefore very patchy understanding of how gender equality transformations actually take place when it comes to forest tenure (FAO 2018c, 2019c).

OUTCOME ORIENTED INDICATORS

1

INDICATOR

Percentage of women and men from community/user group involved in boundary demarcation of forest area for tenure rights recognition

SOURCES OF VERIFICATION AND TOOL

- Focus groups
- Stakeholder interviews
- Project implementation staff
- Local forest office records

2

INDICATOR

Percentage of community forest user group members who are women and men

SOURCES OF VERIFICATION AND TOOL

- Committee meeting minutes
- Focus groups
- Local forest office records
- Program and project records

3

INDICATOR

Percentage of women and men actively participating in forest governance committees that create tenure rules (including bank account signatory roles)

SOURCES OF VERIFICATION AND TOOL

- Bank records
- Committee meeting minutes
- Interviews with stakeholders
- Local traditional authorities (such as village leader or local council leader)
- Program and project records

4

INDICATOR

Changes in perceptions of women and men regarding the importance of gender-equal tenure rules for achieving good forest management and benefit sharing

SOURCES OF VERIFICATION AND TOOL

- Focus groups
- Stakeholder interviews

5

INDICATOR

Capacity-building support for forest management methods (including silvicultural techniques) that recognize gendered differences

SOURCES OF VERIFICATION AND TOOL

- Project records
- Training records

6

INDICATOR

Percentage of women and men involved in forest monitoring and patrolling activities

SOURCES OF VERIFICATION AND TOOL

- Participatory monitoring
- Project records

Figure 20. Illustrative monitoring and evaluation indicators for gender and forest tenure.

Source: Adapted from World Bank, FAO and IFAD (2009).

IMPACT ORIENTED INDICATORS

7

INDICATOR

Change in time taken to collect fuelwood by women and men from forests before and after a baseline time

SOURCES OF VERIFICATION AND TOOL

- Participatory monitoring
- Project records

8

INDICATOR

Number of women and men with individual bank accounts into which cash benefits from forest product sales or payments for environmental services can be made

SOURCES OF VERIFICATION AND TOOL

- Interviews with stakeholders
- Focus group interviews

9

INDICATOR

Increase in annual income from forest resource cash flow for women and men over specified time period

SOURCES OF VERIFICATION AND TOOL

- Focus group interviews
- Program and project records

10

INDICATOR

Number of women and men who received business training for forest-based enterprises

SOURCES OF VERIFICATION AND TOOL

- Project records
- Training records

1

INDICATOR

Perception in level of food security due to secure forest access within specified time period after tenure rights clarified and recognized in a gender-equal way

SOURCES OF VERIFICATION AND TOOL

- Focus group interviews
- Program and project records

2

INDICATOR

Perception of sustainability in availability of forest resources for meeting a range of household needs (fuel, fodder, food, medicinal plants)

SOURCES OF VERIFICATION AND TOOL

- Focus group interviews
- Program and project records

3

INDICATOR

Number of conflicts involving women and men over forest access, use and management during a specified time period

SOURCES OF VERIFICATION AND TOOL

- Interviews with stakeholders (involved with conflict and not)
- Local traditional authorities (such as village leader or local council leader)
- Program and project records

4

INDICATOR

Perception of a 50% improvement in level of forest tenure security among women and men

SOURCES OF VERIFICATION AND TOOL

- Interviews with stakeholders
- Focus group interviews
- Program and project records

Crafting clear indicators to measure gender equality and women's empowerment that covers the breadth and depth of programs and projects in the forest sector is necessary to measure and improve performance of policies, laws or projects. Identifying gender data gaps helps in identifying which indicators best address need, population coverage and policy relevance. These indicators will be used in different ways: by institutions and offices with the mandate to implement and track devolved forestry institutions; by projects run by donors or NGO/CSOs; or by local-level forestry governance institutions. In the case of pilots, the gender-disaggregated data and indicators can help with design of the scaling up process. By becoming the data platform through which the adjustment of project activities can take place, the anticipated outcomes and impacts within targeted groups of women and men become more realizable.

The particular set of indicators will, of course, have to be tailored to the objectives but some illustrative guidance can be valuable for designing them (see Figure 20). While many indicators are quantitative, and are often structured to facilitate comparisons (nationally or globally) or are compatible with larger statistical data collection templates, they do not necessarily help project beneficiaries to reflect upon their own perceptions or the real changes they have gone through (Colfer et al. 2013). The data collection methodology, therefore, needs to be put together not only in a gender-responsive way (see Elias 2013; Doss and Kieran 2014), but also consider how the analysis will be used and by whom.

The results from such evaluation work can contribute to numerous types of monitoring activities (see World Vision 2020). They can help design gender action

plans for the forest sector. While there are initiatives to track gender equality such as the extent to which governments are meeting the SDGs (UN Women 2018a), more specific types of monitoring of global initiatives focused on tenure issues are also growing. Such data can also be part of tracking implementation of the VGGTs within the forest sector. Guidance and toolkits to support the monitoring of gender-sensitive implementation of the VGGTs are available (see Seufert and Suárez 2012; Action Aid 2017). Other kinds of monitoring tools to track the level of gender integration in forestry research have also been developed (CGIAR FTA 2019; Paez et al. 2019). Using the *Gender Equality in Research Scale*, for example, involves a self-assessment questionnaire to be used by project leaders or teams on an annual basis, and thereby reflect on how to better integrate gender in the research portfolio (CGIAR FTA 2019).

SECTION 2.2

FURTHER READING

[FAO] Food and Agriculture Organization. 2017. *Creating a system to record tenure rights and first registration*. Governance of Tenure Guide no. 9. Rome: FAO.

[FAO] Food and Agriculture Organization. 2017. *Improving ways to record tenure rights*. Governance of Tenure Guide no. 10. Rome: FAO.

Seufert P and Suárez S. 2012. *Monitoring the voluntary guidelines on the responsible governance of tenure of land fisheries and forests. A civil society perspective*. FAO Land Tenure Working Paper no. 22. Rome: FAO.

MEXICO'S SHINING EXAMPLE

Government steps toward empowering women in community-based forestry

QUESTION FOR REFLECTION

How can national forest agencies improve women's participation across multiple types of forestry programs?

Mexico's forestry commission, *Comisión Nacional Forestal* (CONAFOR), has launched various gender-responsive strategies that, in sum, are gradually changing the face of forestry. This has been motivated by the National Development Plan covering 2013–2018 that established the inclusion of gender as a cross-cutting principle that must be reflected in all of Mexico's laws, policies and programs in every sector and at every scale (Aguilar 2017).

The challenges have been typical ones: not only are about 80% of its collective forest landowners men (who benefit from various subsidies and supportive programs), but also governance structures are dominated by men (PROFOR 2017). Moreover, the forest

sector has been mainly focused on male-dominated timber production where women are less active. In response, CONAFOR has launched a range of gender-responsive initiatives that include (PROFOR 2017):

- Creating a gender unit in the main forest agency
- Launching a gender network that reaches all states
- Promoting a government institutional culture with a gender perspective (called gender transversality)
- Setting up a dedicated funding window for women
- Establishing Mexico's first female fire protection brigade.

The scale and sophistication of its approaches makes it a shining global example (Kristjanson et al. 2018). Moreover, even as new initiatives are being put into motion, lessons are being learned about how to design them. Take the case of "Productive Forestry Projects for Women" that was begun by CONAFOR in 2017 (Kristjanson et al. 2019). Of the 51 applications received, only 10 could be approved (with a total funding support of \$548,223). The remainder faced a range of problems: incomplete applications, lack of compliance with eligibility criteria, no accreditation of legal ownership of land, or failure to clarify how support would be applied. Furthermore, to apply, applicants had to contribute between 10 and 50% in cash or in kind to the project. The low percentage of women who have bank accounts and their weak access to financial services also posed a problem. Such learning has helped to finesse the next round of initiatives. These illustrate the structural issues impairing women's participation in the forest sector that are embedded in unequal access to assets that ultimately limit their ability to benefit and be empowered.

LESSONS

It takes a number of gender-responsive initiatives to change the overall prevailing culture and operation of the forest tenure regulatory framework for lasting change.