



## Women's rights to land and communal forest tenure: A way forward for research and policy agenda in Latin America



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### ABSTRACT

In this synthesis paper, the authors of this Special Section contribute towards a collective research and policy agenda on rural and indigenous women's forest and land rights in Latin America. Based on the key lessons from the empirical evidence, we map out a way forward for the research agenda and suggest a few key institutional and policy priorities for rural Latin America.

### Background

The aim of this synthesis piece is to draw common insights from the diverse case studies presented in this Special Section on Latin American women's access and tenure rights in communal forests, including indigenous territories, as well as in rural farmland. Agrarian land distribution in Latin America is the most unequal in the world. One estimate suggests that 1% of farms occupy more than half of all productive land, while 80% of agricultural activities are carried out on small family farms pushed to vulnerable areas that constitute only 13% of the land (Oxfam, 2016).<sup>2</sup> The overall gender disparity between rights and actual rural land ownership between men and women continues to be vast in Latin America (Deere & León de Leal, 2000). Despite the legal reforms in the region, rural and indigenous women continue to have limited access and property rights to forests and agriculture land (Bose, in this issue).

According to the latest censuses of the Latin American countries, it is estimated that there were about 42 million indigenous people in Latin America (Oxfam, 2016). Bolivia, Guatemala, Peru, and Brazil have the largest indigenous populations. For centuries, the indigenous populations have been the guardians of their indigenous territories that are

often rich in natural resources and biodiversity (Oxfam, 2016). In recent years indigenous social movements have managed various declarative and legal achievements in several Latin American countries. Despite this success, the pressure to extract subsoil resources and timber from indigenous territories is threatening the tenure rights and livelihoods of indigenous populations.

For many groups, including peasant, indigenous, and Afro-descendant communities, and especially for women, non-timber forest products from communal forests and farmland are key sources of their livelihood (Neumann & Hirsch, 2000; Shillington, 2002). Yet, in many regions of Latin America, informal and formal tenure rights are threatened by large-scale displacement, deforestation, monoculture plantations, land grabs and extractive industries like mining and oil extraction. In recent years, an increasing number of conflicts have led to a human rights crisis in Latin American countries. Overcoming this crisis requires addressing existing gaps in a bundle of tenure rights, including the gender gap. As per an FAO report, women own only between 10 and 30% of land in rural areas of Mexico, Paraguay, Nicaragua and Honduras (Borras, Franco, Kay, & Spoor, 2014). The report further states that women tend to have farms that are significantly smaller (than men) and often with poor soil quality. The gender disparity in property rights

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<sup>2</sup> For variations among and within countries see Borras et al., 2014.

is complex and goes beyond land ownership. Even those women who own land often fail to have access to credits, markets and technical assistance.

In light of these gender disparities, Goal 5 of the Sustainable Development Goals (SDGs) aims to “achieve gender equity and empower all women and girls.” This goal includes equal rights to economic resources, ownership and control of land and other property, and other aspects that directly challenge current relations of power through women's access to and control over assets. That is, it aims to address structural and material dimensions of gender disparities.

The Goal's targets include full and effective participation for women and equal opportunities for leadership in multiple spheres. SDG 5 also targets structural and cultural changes that would support greater women's participation outside the household through “the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate.” These goals coincide directly with the arenas in which we found important gender disparities, challenges and sometimes pushback against change. In the next part of this paper, we discuss key policy priorities related to women's rights to communal forests, agrarian land and resources in rural and indigenous territories of Latin America.

### Perspective from the case studies in Latin America

Our empirical evidence is focused on certain geographical locations that are inhabited by marginal populations in rural areas and in some context indigenous territories. Below five research studies are from Colombia, Nicaragua, Mexico, Brazil and Bolivia.

#### Colombia

In 2016, the President of Colombia was awarded the Nobel Peace Prize for pursuing a deal to end 52 years of conflict—the longest running war in the Americas—with the Revolutionary Armed Forces of Colombia, or FARC. Yet, Colombia continues to face post-conflict environmental and social challenges. The deforestation rate is considered to be on the rise after the FARC ended control of forests. It is roughly estimated that this armed conflict has given rise to over 3,000,000 internally displaced people of whom almost 50% are women. The Global Gender Gap Report suggests that in Colombia gender inequality is relatively high, ranking only #39 in overall ranking which is low compared to many other countries within the region like Nicaragua's position at #10 and Bolivia's #23 rank (World Economic Forum, 2016). Moreover, the report indicates that unlike Bolivia, which is number one in global ranking for the women-in-parliament indicator, Colombia ranks at only 77 with a 0.25 female-to-male ratio. This indicator of women-in-parliament may not directly tell anything about women's land access legislation. Nevertheless, such indicators are indicative to what extent at national level women's political participation is promoted.

Colombia's legal reforms to deal with issues of gender inequity are progressive, at least on paper. The government has ratified major international treaties on women's human rights, and also developed regulatory frameworks that guarantee the rights of women, including the 2012 Public Policy Guidelines on gender equity. The local government of Cauca state of Colombia, as shown by Bose (in this issue) has begun implementing formal joint allocation and joint titling of family farms. The study shows that women in rural areas, often poor and illiterate, are for the first time receiving legal formal property rights. However, due to the local community culture, women continue to have the same traditional roles on farms. This is because a majority of them has no opportunity to develop marketing skills and little or no exposure to market opportunities thereby relying on male family members. Female headed households often use land title rights to make independent decisions and to choose agro-forestry coffee farming. The term female

headed household is often misleading because the intra-household power relations are more complex—both in households with a husband present and those where there is not (Bose & van Dijk, 2013). Bose (in this issue) explains that joint land titling is a step forward, but not enough to assure indigenous and marginal women's empowerment. It does not guarantee women's empowerment without support for economic entrepreneurship in rural Colombia.

As indicated above, Colombia is one of the Latin American countries with extreme inequality in access to land. In a personal conversation (E-mail) with the first author, Omaira Bolaños shared her work experience from Colombia (personal communication, March 06, 2017). Bolaños explained that almost 64% of rural families do not have tenure rights. According to her, the current context of peace building may represent an opportunity to close that gap. Securing women's land rights would be an essential step to address the very source of profound inequality that led to more than 50 years of internal conflict. Rural women represent 47.14% of the total rural population, one of the groups most affected among the seven million internally displaced people (Minsalud, 2015).

Bolaños explains that during the past three decades, rural women have advocated for the recognition of their rights, which prompted the creation of Law 731/2002. In the National Development Plan's consultation (NDP 2014–2018), the rural women's platform National Roundtable for Political Advocacy led an active campaign to secure the government's commitment to establish an integrated public policy on rural women's rights. The NDP includes provisions on the mechanism to advance a State policy and the creation of a National Office for Rural Women. Currently, the women's platform, as well as national indigenous and afro-descendant organizations, are working together on a policy guideline for rural women's access to land (Mendoza & Mora, 2015). According to Bolaños, closing the gap in women's tenure rights requires the government to enforce the creation of the integrated public policy on rural women's rights, the regulation of law 731, integration of rural women's inputs on access to land, and safeguarding the different perspectives and rights of ethnic groups regarding land tenure.

Ethnicity in Colombia is closely associated with poverty and exclusion of vulnerable populations—such as women from the Afro-Colombian and indigenous communities. This is despite policy efforts that seek to acknowledge the unique land challenge faced by this group. To streamline and focus on effective implementation of laws protecting women's rights to land is one of the ways to improve the status of women and diversity in Colombia. The considerable gap between policy and practice needs to be lessened through capacity building on gender dimensions within land administration bodies.

#### Nicaragua

It is notable that Nicaragua has a high ranking on the World Economic Forum's gender gap index, still within the top 10 as of 2016 (6th in 2014, when Evans et al. conducted their field work, in this issue). This is largely due to national policy that requires 50% representation of women in national and municipal elections, which has led to substantial gender parity in elected offices around the country and in national ministries. This is an important gender-responsive policy reform yet there is little evidence to date that this is leading to more fundamental changes for the rights of women or has provided women representatives with voice to express their own interests or opportunities for empowerment. This could occur over time, but there is also concern that a change in government administration might lead to policy reversal. The policy has also not been applied in indigenous territories. Although it has probably been part of the context generating pressure to take women's participation more seriously, this policy would need to be complemented with a better understanding of inequality processes, especially in rural communities.

Change at the grassroots will require “profound cultural sensitivity, long term engagement and greater awareness of gender relations” by all

actors engaging with indigenous communities (Evans et al., in this issue). There is a strong current among indigenous communities in the North Caribbean Coast Autonomous Region, or RACCN, that defends a discourse suggesting that differentiated gender roles do not necessarily lead to women's subordination. The evidence suggests otherwise. The study found that "Women suffer sanctions not just for the act of stepping out of pre-defined social boundaries but also for the specific, legitimate concerns they raise about community leadership and governance. Hence gender becomes a smokescreen that helps hide the lack of accountability of community leaders."

The research also found important evidence that women are more likely to control the income from forest-related activities in which they also control or participate in sales. This emphasizes the importance of control over assets. In collective territories, women's direct control over land and resources is often mitigated through household relations and through specific community norms regarding group membership, marriage and inheritance rights. It is therefore important to review such norms and to use a clear gendered strategy in processes of granting or recognizing community land rights.

Women's participation in the public sphere was intimately linked to dynamics in the private sphere that either facilitated or obstructed a woman's ability to engage in activities or take on leadership roles outside the home. These are directly related to household responsibilities, the possibility of sharing or delegating those responsibilities and a husband's willingness to support his wife's public engagement. Hence change requires not only institutional conditions to ease women's workload but also working with men's sensibilities, attitudes and behavior. This would require working not only at the household of family level but also at the communal level, including engaging specifically with men to analyze the disadvantages of traditional male roles to create a communal sense of *buen vivir*.

The research also found, however, that gender is only one issue among many regarding community governance, and that supporting women's participation, representation and leadership in the community sphere requires a foundation of broader governance conditions—particularly conditions of openness to broad participation for both men and women. That is, more top-down or highly competitive and conflictive governance conditions that inhibit participation more generally are unlikely to provide the conditions for greater women's participation.

## Mexico

Mexico faces considerable challenges when it comes to SDG #5, to "achieve gender equity and empower all women and girls". For the first time in the country's history, the Plan Nacional de Desarrollo 2013–2018 (National Development Plan) has made gender equality one of the three guiding principles of national policy, affecting all areas of public administration and social life. In practical terms, this means that government programs must actively promote women's access to decision-making and ensure their opportunities for personal development and empowerment.

In terms of elected posts, the country has made significant advances: 42.5% of all legislators in the lower house are women. This is an historical record that places the country in the 19th position in the world. However, the presidential seat has never been occupied by a woman, the country has had only seven female state governors, and only 7.4% of all mayors in the country are women. While we were writing this article, the National Indigenous Congress (NIC) nominated María de Jesús Patricio Martínez, a healer renowned for preserving traditional indigenous medicine, as a candidate for the presidency. If the NIC gathers sufficient signatures to ratify her nomination, she will become the first indigenous woman ever to run for president in Mexico.

The Oaxaca case study from Mexico (Vázquez-García & Ortega-Ortega, in this issue) illustrates the importance of women's environmental knowledge for effective natural resource governance. Joint

titling is a clear step towards both gender equality and sustainability in natural resource management due to its gender-inclusive dimension. Vázquez-García and Ortega-Ortega show that women's access to agricultural and forest lands remains a challenge for Mexico's public policy. By 2011, only 14.3% of titled lands were in the hands of women, compared to 85.7% in the hands of men (Costa & Velasco, 2012). In order to change these disparities and advance in goal #5, joint titling for land must be implemented, like in Colombia, Costa Rica, Guatemala and Nicaragua. The enforcement of joint titling strengthens the idea that both men and women can publicly represent family interests and have the ability to manage its patrimony. In case of separation or divorce, women do not lose access to the most important assets of the family. If the couple remains together, joint titling helps prevent unilateral decisions regarding property (Deere & León de Leal, 2000). At the local level, adopting joint titling also means that women can participate in community assemblies and elected posts. Their views regarding natural resources can be accounted for in natural management plans.

Radel, Schmook, Haenn, and Green (in this issue) highlight PROSPERA, Mexico's flagship program for poverty reduction that has persisted since 1997. First named PROGRESA, then OPORTUNIDADES, and now PROSPERA, the program was designed as a convenient political solution—cost-effective in addressing poverty without altering the political-economic status quo (Hall, 2008)—and so far has survived four presidents, who each adjusted the program to his political agenda. The program's neoliberal philosophy, undergirding all conditional cash transfer programs, remains unaltered, with a discourse of personal responsibility positioning individuals' actions (such as a failure to invest adequately in education or health) as the cause of their poverty. Conditional cash transfer programs are one of the most popular anti-poverty policies worldwide (Piperata, McSweeney, & Murrieta, 2016). These programs combine monetary and capabilities approaches, with the goal of building specific forms of human capital for improved inclusion in the labor market. Direct cash payments allow poor families to meet pressing needs, like food, while program rules ('conditionalities') lead families to undertake various human capital investments, like in children's health and education.

Radel et al. (in this issue) detail the program's mixed effects in the small-scale farming system in Calakmul, Mexico. The economic and political spaces created by the gender-targeted cash transfers allow recipient women and their families to support their semi-subsistence production, with potential additional effects on gendered distributions of farming assets, decision-making, labor, and income. The authors found that program-enrolled households were more likely to cultivate maize, and also to harvest more, than households without support. An elaborate system of surveillance ensured that recipients follow program rules, with monitoring of school attendance, medical checkups and nutritional status (Olvera, Schmook, Radel, & Nazar, 2017).

Critics of conditional cash transfer programs acknowledge that the popularity of these programs rests on their ability to generate positive results (Marshall & Hill, 2015) and on the ability of recipients to use these programs to meet their own material and political needs (Garmany, 2017). Nonetheless, these programs fail to address the structural and relational nature of poverty. In Mexico, school attendance and use of health care services have improved, especially for children (Fernald, Gertler, & Neufeld, 2008), but poverty reduction itself has remained elusive; on the contrary, poverty levels in Mexico are increasing (Boltvinik & Damián, 2016). For many people in the countryside, better education has not served as a vehicle out of poverty, as Mexico's economic growth has not provided enough and sufficiently paid jobs.

## Brazilian Amazon

Inequality in Latin America is closely linked with the challenge of land rights of the vulnerable populations in the region. Historical

structural issues and persistently unequal land distribution have led to various social conflicts and displacements, and to the establishment of the Landless Workers' Movement in Brazil in 1970. According to Oxfam's recent report (2016:14):

'there is a regressive trend for redistribution policy in Brazil. Under Dilma Rousseff's government (2011–15), the distribution of land for agrarian reform was drastically reduced. During her tenure, an average of approximately 25,000 families were resettled each year, compared with an average of 76,700 during the previous two Lula administrations (2003–10). Small-scale farmers fear that this trend will become even worse under the current government of Michel Temer, whose first actions included dissolving the Ministry of Agrarian Development, and withdrawing resources from the emblematic programs for food procurement and strengthening family farming.'

What does this mean for women? It is estimated that Brazilian women work small areas, an average area of 25 ha as compared with 60 ha for men (Salcedo, De La O Campos, & Guzmán, 2014). Moreover, in Brazil, deforestation and plantations of monoculture such as eucalyptus, oil palm, soybean and sugarcane are estimated to occupy about six million hectares. Expansion of deforestation for logging and commodity production has resulted in displacements of local populations and murders of indigenous leaders resisting deforestation, timber extraction, large-scale infrastructural projects and agro-industry plantations and mining in the Amazon region.

Small farms suffer from degradation due to land and labor constraints, as well as a lack of support for shifting to more sustainable practices. The degradation of Amazonian forested areas for use in productive activities such as agriculture or pasture may reduce the family's food security and income. These problems create changes in the household as both men and women enter the labor market or leave the family property to work with ranching or in the city; in other cases, women assume the role of head of household due to migration by men to work outside of the property. Moreover, deforestation and reduction or loss of land contributes to decreased access to raw materials, reduction of biodiversity, and difficulty in accessing land management rights.

The study by Mello and Schmink (in this issue) highlights the role of Brazilian Amazon women in collective microenterprises that help them to overcome some of these constraints. Women's collective microenterprises typically emphasized material improvements for women and their families, but also aimed to enhance women's self-confidence and social visibility, political awareness, and environmental knowledge. The multi-faceted impacts of women's increased empowerment due to their participation in these collective enterprises have the potential to improve their knowledge of forest management and the economic benefits of forest use, and contribute to the sustainability of their family livelihood strategies.

Research findings showed that economic empowerment of rural women through participation in collective microenterprises was a potential mechanism to support more sustainable practices of land use management in Amazonia. Enhanced income and confidence gave women a greater voice in household decisions, while training and experience gained through collective microenterprise participation enhanced women's awareness of the environment and related technical skills. It improved practices to manage resources; gave greater access to family land and resources; and influenced greater decision-making power over family land use. Environmental and technical knowledge improved women's interventions, such as measures to address soil nutrient needs and maintenance of forests, as well as the interaction between plants, and plants and animals, succession stages, the threat of biodiversity decline and the impact of these changes on community conditions. Women learned how intensive slashing and burning of areas for agricultural production or establishing pasture caused erosion and resulted in unproductive areas of their property, and how the

biodiversity of animals, plants, and water, all resources used by their families, was affected.

These collective microenterprises succeeded, often with support from church-based or NGO groups, despite the lack of public policies attuned to their particular characteristics and potential. The prospect of scaling up support for these promising small-scale women-led initiatives presented challenges, however, given their continued "invisibility," their hybrid nature that encouraged informality, and their lack of experience in dealing with larger commercial markets. Women reported being excluded from receiving benefits from regional development programs, either because policies prioritized the agribusiness model, leading to land problems and deforestation, or because the programs prioritized men—providing them training, credit, and infrastructure not generally available to women. Public policies are needed in the Brazilian Amazon to support women's collective microenterprises by providing flexibility in accessing technical assistance and credit lines appropriate to enable women's enterprises to learn and grow at their own pace.

## Bolivia

In Bolivia, more than 40% of people identify themselves as Indigenous peoples or Afro-descendants (Census, 2012). Indigenous political parties have received power for political engagement to bring their agendas into mainstream state reforms. Yet, for indigenous women in Bolivia, the wage gap is much wider than for indigenous men or non-indigenous women; Bolivian indigenous women earn about 60% less than non-indigenous women for the same type of jobs (World Bank, 2015). Moreover, Quechua indigenous women are 28% less likely to complete secondary school than a non-indigenous Bolivian woman. Among people living in 144 indigenous communities, about 29% speak one or more of about 33 indigenous languages recognized as per the 2009 Bolivian Constitution. Legal and illegal constitutes a major threat to indigenous lands, and is one of the important drivers in Bolivia for migration, poverty, displacements and conflict.

Lastarria-Cornhiel, Villaseñor, Barahona, and Orti (in this issue) highlight the Isoso area that is situated in the tropical dry forest of the 'Gran Chaco Americano' ecoregion in Bolivia's eastern lowlands. It is the continent's second most extensive forested region (after Amazonia) that provides the indigenous Guaraní communities with food, medicine, fuel, building materials and water sources. The study examined the drivers of change in Isoso's indigenous institutions and how these were affecting gender norms and productive practices, providing new opportunities as well as risks for women. They argued that the discussion is relevant to debates surrounding gender and natural resource management, decision-making, and women's participation in indigenous governance.

The suggestions for Isoso, a customary tenure society, were based on the impacts of increasing commercialization of its production (both crop and livestock) and its economy. The increasing use of land and natural resources for cash-crop production and livestock raising may result in changes in the land tenure system. Specifically, there is the possibility that common property (land in particular) will gradually become privatized, in practice if not legally. As land becomes an asset and factor of production, who will end up owning the land and other natural resources when they become privatized? Since agricultural parcels in Isoso were allotted to men, and cattle and cash-crop production were controlled by men in the household, there was the very real possibility that as land becomes privatized, it would become the exclusive property of men. Women might retain some use rights, particularly for subsistence agricultural use, but they might lose control rights over land and other natural resources, a tendency observed in other customary societies. These two developments, land privatization and women's loss of land rights, need to be recognized and discussed at the local level to avoid conflicts, as well as the impact of renting land and sharecropping. Women need to be involved in these discussions and

in decision-making to ensure that their needs for agricultural land and other resources are not overlooked and that their rights to these resources are protected.

The other empirical case study about Quechua women, presented by Bose (in this issue), reflects the role of lack of access to family farms due to market opportunities for quinoa and kañawa, hardy crops in the Lake Titicaca region, Bolivia. The study findings indicate that Quechua indigenous women were losing ground when the demand for these two hardy crops cultivated by them in their home gardens soared in the international market. These traditional foods became commodities, and women's lack of land tenure rights pushed them away from making decisions about their choice to market these products. Banks and local investors were unable to provide support to the collective action of women to improve the value chain of quinoa and kañawa by making cakes and cookies. One of the primary reasons was lack of collective or individual land rights. In many instances the land demarcation was informal; therefore, women's groups were unable to formalize any entrepreneurial activities related to their harvest from family farms.

On the other hand, most domestic activities by women such as tending the house, cultivating the land for household consumption, and taking care of children have no monetary value and are taken for granted. When women become involved in non-traditional productive activities, few men are willing to take on some household chores; other women in the family and the community generally step in to fulfill household responsibilities. There is the possibility, therefore, that family welfare, particularly that of children, may experience a decline when women engage in income-producing activities. For example, a number of studies in other countries have shown that women's involvement in microenterprises has resulted in reduced school attendance by their children, particularly girl children who assume domestic duties. This issue should be discussed, and possible solutions explored. One suggestion would be for the Isoso governing body, Capitanía del Alto y Bajo Isoso (CABI), to begin a cash transfer program similar to the ones implemented in Mexico and Brazil.

### **Research and policy agenda: closing the gender gap in rural farm and forest rights and assets**

Based on research findings from the case studies presented, we propose below a few key directions for a future research and policy agenda in Latin America.

Closing the gender gap in access to and control of natural resources is one important way to address social inequity and poverty. Each country within Latin America has unique social values, cultures and institutional mechanisms. It is important to identify how these values, cultures, and institutional mechanisms play a role in women's social and economic empowerment, including entrepreneurship. To address the existing gender gaps regarding land and natural resource assets, a research and policy agenda with a focus on the identification of the socio-cultural aspects that condition and limit women's entrepreneurship is essential. In addition, identifying and implementing processes that can facilitate social change should be central to such agenda.

#### *Participatory governance monitoring*

Adaptive collaborative management (ACM) approaches have been used to improve the participation of women in a variety of natural resource management contexts. Participatory governance monitoring, in particular, can be an effective strategy for opening spaces for women to engage in a meaningful and structured way in discussions about community governance. Activities such as a tallying who speaks in a meeting or makes a proposal—and then discussing the results at the end of the meeting—or forming a mixed-gender monitoring committee to monitor and discuss issues that are important to the community, can create roles for women and more structured spaces for their input.

Monitoring governance processes can help catalyze discussion about

the barriers to women's participation and encourage change. The process of building governance monitoring tools—whereby community members and leaders determine monitoring questions and then validate them with community monitoring committees—can be an invaluable process. In Nicaragua, local stakeholders decided what it meant to be a good leader, have a strong community organization and involve women in a meaningful way. At the community level, that debate became a lively discussion and reflection during the monitoring sessions, which created unique spaces for defining, or at least discussing, what leaders are supposed to be doing, and what was the relationship between leaders and community members, particularly women.

Participatory governance monitoring may require ongoing facilitation by outside partners for a long period of time, as it is rare for communities to continue monitoring without the support and input from an assisting organization. Leaders can be resistant to “being monitored”, since their activities may come under unwelcome scrutiny. In some cases, women leaders in Nicaragua who were active in the monitoring committees were ostracized for taking on these roles, and pressured by spouses or leaders to resign. These situations highlight the complicated interaction between women's public and private lives, and the challenges that women face who wish to express their opinions or take on a position of authority.

#### *Enterprise development and cash transfer programs*

In addition to women's participation in community natural resource governance, women's access to the benefits from national policy and programs for productive and sustainable natural resource use must increase across Latin America. Women's collective microenterprises in the Brazilian Amazon have developed largely with NGO support, since government programs have not been accessible to them. In Mexico, only 2.6% of local authorities in rural communities (ejidos) are women. As a direct result, only 18% of the demand for financial support from government programs designed to support rural women's productive activities is covered (Costa & Velasco, 2012). In order to achieve SDG #5 and make effective for rural women the spirit of policies such as Mexico's new National Development Plan, more financial resources must be channeled to women's activities. This means forcibly widening the definition of financeable activities in agricultural and forest lands. To the present day, forest policy has only supported male-dominated activities, i.e. the commercial exploitation of timber, to the detriment of female-dominated ones, i.e. trade of non-timber forest products. Women's productive activities have to become visible in order to promote their economic empowerment. Project information and income generating opportunities should be available for both men and women equally. Conservation efforts must value the resources used by both genders and make women's needs visible.

In the context of customary tenure societies, local organizations play a central role in women's access to productive projects and their benefits. In Bolivia's Isoso area, the women's organization, Central Intercomunal de Mujeres del Isoso (CIMCI), has achieved a number of positive changes such as gaining representation for women within the base community organization and on CABI's executive council. This does not mean, however, that women are equal to men in Isoso's communities. The recent decision by some communities to decide assembly decisions by vote and to limit each family to one vote should be examined carefully: the most likely outcome is that the male head will decide the vote for his household. In addition, women in their daily life have fewer opportunities to improve their lives than men because of less education, lack of Spanish language skills, and less mobility. In this sense, the productive projects sponsored by CIMCI would seem to contain contradictory elements. On the one hand, these activities are based on women's traditional reproductive tasks and are an extension of them: cooking and processing food. On the other hand, the women's objectives of working independently and earning incomes are potentially empowering objectives that may result in women's questioning of

the gender division of labor and demanding a stronger position within the communities and CABI.

Across Latin America, numerous national governments have implemented conditional cash transfer programs to alleviate poverty, including in rural areas. More recently, some countries outside Latin America (e.g. South Africa) are beginning to experiment with cash transfers to the poor, without conditionalities, often conceived as a “basic income” approach to poverty reduction (Ferguson, 2015; Hanlon, Barrientos, & Hulme, 2013), and this approach may spread. The impacts of these programs, with or without conditionalities, extend beyond specified program goals, potentially to include impacts on gender gaps in land and natural resources, and vary not only with program design and management (e.g., whether or not they employ gender-targeting for transfers, specification of participant inclusion criteria, choice and enforcement of conditionalities), but also based on the context of implementation and the gendered social position of recipients. The comprehensive impacts of these programs in the context of small-scale farming systems and natural-resource-dependent livelihoods, with significant and persisting gender gaps, have not been sufficiently examined.

To improve the outcomes of conditional cash transfer and basic income programs we need to know where, why, and under what circumstances programs produce desirable outcomes (or not). Therefore, we need more empirical research on the effects of cash transfers and basic income provision in different rural spaces, with those effects measured for different individuals within households. To enhance desirable outcomes, we also need a more nuanced understanding of how poverty-alleviation interventions reshape people's relations with the state, but also relations within families, communities (Navarro Olmedo, Haenn, Schmook, & Radel, 2016), and with nature and the land. As programs such as Mexico's PROSPERA increasingly articulate explicit goals of women's productive inclusion (Presidencia de la República, 2015), deeper understandings of cash transfer impacts on gender relations, land use, and human-environment relations are all critical.

#### *Joint titling—is it a fair solution?*

Many countries in Latin America have endorsed international instruments that promote women's property rights. In some parts of Colombia joint titling has been granted to many rural small holders, giving equal rights to both men and women. Yet, joint titling does not lead to empowerment of women without entrepreneurial investment and accessibility to the market (Bose, in this issue). Likewise, the lack of secured collective and individual rights to commons land makes women comparatively more vulnerable than their male counterparts (Bose, in this issue). Joint titling is a new phenomenon and demands better understanding about its approach and implementation vis-à-vis local cultural and social dynamics. Bose (in this issue) argues that joint titling is a fair solution, but not an end in itself. In both small-scale farming households in Colombia with joint titling rights and indigenous Quechua communities in Bolivia where women do not have land rights, women face challenges due to a lack of access to labor, investment, and other resources. Research in other parts of the world shows that sometimes, just as important as access to land, is access to the resources essential for the use of that land (see Whitehead & Tsikata, 2003).

Analysis of land rights for women in Latin America requires more open and richer frameworks. These include updated data from diverse communities and a more critical approach to existing data on forest and land tenure. Such studies, we suggest, would provide a grounding for comparative analysis, and comparative empirical findings on gendered property relations. A linear focus on tenure rights for land and forest, for example, as the magic bullet that will transform women's status and wellbeing, could be a mistaken approach. Equally important on the research and policy agenda is facilitating the way women's and indigenous peoples' movements and rural activism are challenging the traditional notions of gender and social diversity in the Latin American

countries.

#### **Conclusions**

This synthesis paper explores the potential progress in the last two decades promoting legal reforms for gender equality regarding forestland and farmland in Latin American countries. At the international level, a women's bill of rights through the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) played a significant role in Latin American countries (Shirley, 2016). The 1993 Vienna Conference on Human Rights provided a platform for Latin American women to promote women's rights as human rights (Friedman, 2010). It has led to the reform of inheritance laws in favour of gender equality. In this context, there is a need to highlight the broader policy implications rather than limit focus to women's position in joint titling and access to communal forests and individual land rights. Through the establishments of such international frameworks and agreements, governments need to commit to the recognition of women's equal rights to property, inheritance, customary rights to forest land, and overall protection under the constitution.

The governments of Bolivia, Colombia, Nicaragua, Mexico and Brazil have in various ways introduced legislative reforms and plans at the national level for addressing land tenure and access rights of women in rural and indigenous territories. It is evident that the successes and failures of women's ownership and access rights vary widely across the countries and within each country. These case studies have also shown that within countries, women in different indigenous and rural groups may experience different sets of rights. The legislations promoting women's land rights are not an end. There is a need to create an environment to ensure implementation of those legislative reforms support rural and indigenous communities.

There is a need for further research to analyze the concrete impact in improving women's ownership of land and forest collectively, at the household and individual level in rural and indigenous communities. Bose and van Dijk (2013) in their workshop report on ‘Gendered access to forests and small farms in Latin America’ proposes gender and women's perspective for: (i) comparative studies on a larger scale (state legislation, legal framework, gender and forests related to social movements), (ii) women's rights in collective areas, (iii) access and use of non-timber forest products and local markets, (iv) knowledge transfer, (v) climate change—adaptation and forest management and human rights, (vi) changes in landscape as a result of megaprojects, and effects on nutritional patterns, and (vii) political participation and gender dynamics in land and forest management. One of the research priorities to better understand women's forest and land tenure in Latin America would be to use interdisciplinary science and mix research methodologies that cross-cuts issues such as ecological and climate change, economic and trade development, and social diversity dimensions.

Based on our analysis in this synthesis paper and the underlying empirical evidence, we highlight that the disparity in land distribution impacts rural and indigenous women in Latin America. A way forward to overcome this trend and to create equitable land tenure is to ensure all development activities address the issues of women in its implementation. The issue of free, prior, and informed consent (FPIC) is on the political agenda in many countries in Latin America. The FPIC aims to establish bottom-up participation and consultation with local communities prior to any development activities. The principles of FPIC will be effective when women are included in the decision-making of community governance bodies negotiating on land agreements. Moreover, the consultation outcomes that protect women's rights to lands need to be recognized and respected by the respective governments.

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