



## Speaking Points LJG

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62<sup>nd</sup> Commission on the Status of Women

**Challenges and opportunities in achieving gender equality and the empowerment of rural women and girls**

**Multi-Stakeholder Forum**

New York, 25 January 2018

### **Panel 1: Ensuring rural women's land rights and tenure security and strengthening food security and nutrition for rural women and girls**

PROPOSED QUESTIONS FOR DISCUSSION (see concept note and discussion guide):

- ❖ *What legal and policy reforms have resulted in rural women's equal access to, control over and ownership of land and other productive resources?*
- ❖ *How can government and other actors work with communities to address discriminatory customary laws and practices that curtail women's land and inheritance rights?*
- ❖ *What are examples of national policies that have increased rural women's and girls' access to food and nutrition of adequate quality and quantity?*
- ❖ *What are examples of effective partnerships and multi-stakeholder practices that have strengthened rural women's and girls' voice, leadership and participation and facilitated dialogue with rural women's and civil society organizations?*

## **SPEAKING POINTS:**

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**Allow me to briefly share some insights regarding the situation in Switzerland first:**

- Even though the Swiss legislation treats men and women equally, traditionally farms and farmland were owned and inherited by male relatives. However, we have noted that there is now a slight increase in the number of female farm managers in the last couple of years. The large majority of women associated with agriculture in Switzerland are married. Despite the fact that these women invest in the farm through their workforce, personal incomes, savings and inheritance, most of them are **not legal co-owners of the farm**. In focus group interviews it became apparent, that not all women are aware of the legal consequences of their lacking ownership. The need for legal information and clarification was further identified in the Swiss Government's report on "Women in Agriculture" from 2016, as well as the need to ensure insurance cover for women farmers without a salary.
- Therefore, among its priorities, the Swiss Government is seeking to increase **women farmers' awareness about their rights** in the further development of its agricultural policy.

**Let me now turn to our development cooperation, where Switzerland lays considerable importance on the realization of equal rights and access to land and other productive resources.**

- We consider it as one of the critical steps for achieving gender equality for rural women and girls and fulfilling our commitment to 'leave no one behind'. We are convinced that a **gender-responsive land policy framework** creates an enabling environment for improved access to land and strengthened land tenure security for

women and girls, as policies signal priorities and guide subsequent legislation and resource allocation.

- The Voluntary Guidelines on the Responsible Governance on Tenure of land, fisheries and forest (VGGT), setting international standards for state and non-state actors, defines gender equality in tenure rights and equal access to land independent of marital status as one of ten basic principles and requires removing all forms of discriminations. **Switzerland was actively involved in the elaboration of the Voluntary Guidelines** and now supports partner governments in adaptation of their national policies and legislation. Switzerland also delivers land reform processes in accordance with the Guidelines (for example in Myanmar, Mozambique, Niger and the IGAD region – Intergovernmental Authority on Development for Somalia, Ethiopia, Sudan, South Sudan, Uganda, Kenya, Djibouti and Eritrea, currently suspended).
- Legal frameworks governing women’s land rights are pluralistic and overlapping with different, often contradicting systems and practices. The gap between statutory laws and customary or traditional laws is a significant challenge for rural women’s equal access to land in many parts of the world. In our experience, women’s rights to land can be considerably strengthened when land laws and policies are founded in right-based approaches and are anchored in women’s rights frameworks, in particular the CEDAW.
- Our development policy actions are, inter alia, focused on **harmonizing statutory and customary laws and practices on land and inheritance rights**, using participatory multi-stakeholder approaches at all levels. We have learnt that in order to design effective intervention strategies, it was critical to understand the different rights to use, control and own land and how the gender and power dynamics influenced the practice and distribution of these different rights. This effort is in line with SDG [Indicator 5.a.2](#) that measures the ‘Proportion of countries where the legal framework (including customary law) guarantees women’s equal rights to land ownership and/or control.’

- In a number of countries (Niger, Myanmar), we work with community-level regulatory bodies, for example to strengthen the capacities of Communal Tenure Commissions. These commissions are mandated to recognize tenure rights and certify customary claims, as well as sales and loans contracts. Sensitizing the members of the regulatory bodies and developing the capacities of women members are important steps to recognize and protect women's rights to use, control and own land.
- Other measures at community level include **promoting land titling, joint ownership between husband and wife** (or between partners irrespective of marital status) and **communal land use** (Burundi, Benin, Mali, Niger, Myanmar).
- Finally, we also aim to ensure **women's participation in decision-making of land governance policies and natural resource management**, including through enforcing the use of affirmative actions to ensure their effective participation in key decision making bodies and their representation in senior leadership positions.

*What are examples of national policies that have increased rural women's and girls' access to food and nutrition of adequate quality and quantity?*

- In order to improve food security and nutrition, much greater investment in agriculture and food systems are needed. Switzerland led negotiations to draw up *Principles for Responsible Investment in Agriculture and Food Systems* which were adopted by the Committee on World Food Security in October 2014, following a collaborative process in which all relevant actors had been involved. This voluntary instrument includes gender equality and women's empowerment, which responsible investment in agriculture and food systems can foster to a great extent. Switzerland is committed to promote responsible investments which improve food security and contribute towards wider realization of the right to adequate food for all women and men in the context of national food security.

*What are examples of effective partnerships and multi-stakeholder practices that have strengthened rural women's and girls' voice, leadership and participation and facilitated dialogue with rural women's and civil society organizations?*

- Switzerland considers multi-stakeholder partnerships and dialogue as a **precondition for an effective implementation of gender-responsive land policies** and tenure security for women. The dialogue with grass roots CSO's is particularly valuable as they have in-depth knowledge of implementation practices and gaps. Bridging the gap between statutory and customary laws and practices is an area where we aim to build a solid dialogue with civil society organizations (CSO), smallholder farmers, minority groups, and traditional and religious authorities, who are in a position to influence changes.
- We support international networks **implementing gender-responsive tools, doing advocacy work or campaigns** and, more broadly, supporting women's capacities and participation in the agricultural sector, such as the International Land Coalition (ILC), whose secretariat is hosted by IFAD. Another interesting example is the collaboration with the Africa Land Policy Center, which raises awareness on the African Union's 30% target for documented land rights for women by 2025 in order to garner political support and fosters partnerships to facilitate implementation of the AU commitments related to land issues and challenges (AU Declaration on Land Issues and Challenges in Africa).
- On the **national level**, we highly value the representation of rural women's and girls' opinion and perspectives which is ensured through the Swiss civil society for rural women and women in agriculture (<https://www.landfrauen.ch>). It appoints members to important national organization such as the "Advisory commission for Agriculture", which advises the federal council – our government. It also appoints a member to the steering committee of the most important Swiss farmers' union (<https://www.sbv-usp.ch/en/>).