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### **Note to File**

**Topic: Technical Consultation Meeting on Gender, Property Rights and Rural Livelihoods in the Era of AIDS at FAO**

**Date: 28-30 November 2007**

**To: Bruce Moore, Mike Taylor**

**From: Sabine Pallas**

***Circulation Coalitionstaff***

This note to file gives some information on the programme and participants of the meeting, presentations of interest to ILC; meetings held and contacts made, as well as issues raised during the meeting relevant for ILC follow-up.

#### **1. Background**

FAO-ESW organized this technical consultation meeting, inviting partners from the UN, NGOs, and research institutions involved in the topic, in order to take stock of existing knowledge and collectively define strategies for a way forward. Many agencies including FAO have in recent years have research and programming ongoing to secure women's property rights, but the complexity of social and legal institutions continues to hinder a real improvement. FAO thus convened this meeting:

- 1) To review available knowledge on linkages between gender, property rights, rural livelihoods and AIDS;
- 2) To discuss promising approaches and responses to this issue;
- 3) To discuss and agree on the way forward regarding the research, programming and advocacy to secure property rights for poor rural women in the era of AIDS.

#### **2. Programme and participants**

The programme was packed and consisted of two days of presentations with ensuing questions and answers sessions, as well as a day of working groups. Participants came from a variety of organizations, including UN, civil society groups and networks, as well as some representatives from grassroots organizations. There was a strong participation for the Africa region, both in terms of organizations focusing on Africa and based there. Though there were some presentations on the Asian context, the meeting focused almost entirely on Southeastern Africa in its content.<sup>1</sup> Closing the session, a number of ambassadors/FAO permanent representatives and donor representatives were invited to look at the results of technical consultation meeting. Attendance was fairly small, among those present were: Canada, Sweden, Norway, Uganda, Kenya, Netherlands, and EC.

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<sup>1</sup> There was no presence from Latin America and none from francophone Africa.

The meeting opened with a session on "Understanding Property Rights in the Era of AIDS: Some Key Research Findings", setting the institutional context and summarized the existing quantitative evidence on links between HIV/AIDS, vulnerability of women to loss of property rights. Day one presenters were: Paul Mathieu (FAO) – on concepts around land rights and some solutions (e.g. formalization of rights) as well as their limitations; Kaori Izumi (FAO) – on the context of rural poverty and HIV/AIDS in Sub-Saharan Africa; Nata Duvvury (ICRW) on research done in Uganda and South Africa on women's property rights and HIV/AIDS.; Birte Scholz (COHRE) on the urban and rural linkages between women's property and inheritance rights in Africa; and Chris MacIvor (Save the Children Mozambique) on research done on children's and women's disinheritance in Mozambique.

The next session entitled "Lessons from local-level programmes for addressing property rights with a special focus on women" started with a look at Training of the Judiciary and Para-Legal Training Programmes (Chris Tanner, FAO, on the training of the Mozambican judiciary; Anne Goldstein, International Association of Women Judges, on training Judges in their "Jurisprudence and Equality Programme"; and Nadia Rasheed (UNDP Global AIDS team) on the experience of the Regional Court on women's property rights and AIDS in South Asia.

This session continued on Day 2 with a focus on the Mobilization of Grassroots Groups Groups/Networks, with presentations by Everjoice Win (ActionAid International) on the Hunger Free campaign started in May 2007 and a focus on women's land rights, Jan Peterson (Huairou Commission) on the grassroots women's groups responses to AIDS, and Grace from GROOTS Kenya on grassroots research on children's loss of property in Kenya and the establishment of watchdog groups (with grassroots women, paralegals, traditional leaders, officials, etc.) that support orphans/widows to claim their land rights/inheritance in a context of inaccessibility of institutions.

The next session looked at Advocacy and Political Dialogue: Current Issues and the Way Forward, with contributions from Asa Jonsson (GLTN) on the gendered land tools mechanism, Joan Kagwanja (UNECA) on the development of Africa-wide land policy guidelines, Sara Norton-Staal (UNICEF) on the UN Technical Advisers Group on Gender and Human Rights in Southern and Eastern Africa, Craig Castro (Oxfam GB) and Maria Hartl and Harold Liversage (IFAD) on the respective work of their organization on the topic.

On Day 2, personal testimonies from two women living with HIV/AIDS and an AIDS orphan - all of whom have lost their property rights - were a pertinent reminder that behind the statistics and figures there are real people with complex lives, whose dignity should be the core of work done. Learning from their experiences, respecting their inclusion, involvement and primacy, as well as a recognition that resources and support are needed to help them speak out.

The presentations and short bios of the presenters as well as a report on the technical consultation will be made available to all participants in electronic format by FAO-ESW.

### **Day 2-3: Session on *Strategic Planning***

Many of the participants are working on same issue from a variety of angles – it is thus to pool collective knowledge and recommend on how to move forward. Working groups were formed around two major themes "Securing rights and livelihoods" and

"Legal frameworks and customary practices" to identify priority issues, concrete activities to be done, by whom and by when, identifying opportunities. The first working group identified the development of indicators as an emerging common interest, but stressed the importance of grassroots ownership of any research and, thus also, the need to strengthen the research capacity of grassroots organizations. Group 2 identified a lack of an evidence base, as well as examples of 'model laws' that can assist government in legislation and a strong need for consciousness raising to accompany the implementation of any legislation and policy. A more detailed note on working group 2 is available on request.

IFAD was present only for parts of the workshop and not there for Day 3 of working groups. Some of participants voiced their disappointment about this, especially considering the objective to discuss a way forward and potential partnership.

### 3. Presentations of particular interest to ILC:

- **Nata Duvvury (ICRW):** Research women's property rights and HIV/AIDS in Uganda and South Africa (countries selected because of national governments' commitment to gender quality and where women are disproportionately affected by HIV/AIDS. Key findings were that tenure security for women depends on their social status; that their 'own place' is key also to pass on to the next generation; that views on joint ownership of assets vary a lot according to context; and that property mitigates the impact of AIDS (there was no clear evidence for a prevention effect, though). Not much evidence of a prevention effect. No significant link between domestic violence and property.
- **Everjoice Win (ActionAid International):** AAI has started a new 'Hunger Free' campaign (running until 2011) with the objective of improving the resource access of the poor, especially women, in order to allow them to grow food and to strengthen accountability and regulatory frameworks (so corporations have to comply and businesses that block solutions to hunger are exposed). AAI works with partners and movements at country level, **specifically to secure women's land rights and actual access to land** (quantitatively and concretely – encourage country programmes to set objectives quantifiably). AAI also focuses on challenging and changing policy, legal, institutional frameworks (visible and invisible – ex. How are women able to access justice, what are beliefs, customary and cultural frameworks in operation – look at all sides, content, implementation of law and cultural beliefs), on strengthening and supporting rural and other women's movements and challenging neoliberal land reform and corporate abuse.
- **Jan Peterson (Huairou Commission):** HC is a new kind of entity to link up and bring to global level grassroots organizations (7 member networks, one of them being Women's Land Link Africa – WLLA), works with GLTN, HABITAT, and brings grassroots women to act globally. Networks formulate global policies and practices, but have developed campaigns that emerged from grassroots and that have worked on topics for knowledge exchange - grassroots at centre of campaign (decision-makers). Stressed the importance of grassroots groups should not ignore local government but working to influence it.
- **Craig Castro (Oxfam GB)** stressed that communicating existing evidence is a critical factor in influencing policy (not accumulating more evidence) and

gave an interesting example of a loose coalition – Working group on Climate Change and Development UK – dedicated to a common cause but without having discussions about common values, mission, etc., can function through accepting that there are a variety of solutions and agreeing to the importance of bringing a topic onto the agenda. *This is an interesting example that could be informative for ILC as well.* He also spoke about the Gender protocol of SADC which looks at productive resources and rights – it has not been signed off, but still offers potential for policy work. Oxfam international is starting agriculture campaign on national policy (investment, land access and other assets, labour, biofuels), IFIs – investment & adaptation, Private Sector (Agribusiness, biofuels, assets; value chains).

#### **4. Meetings/contacts made:**

**Jan Peterson (Chair of Huairou Commission) and Birte Scholz (COHRE):** on possible collaboration with HC and its members – specifically with WLLA in a regional context in Africa and with GROOTS Kenya. Agreed to put together a list of items to try out collaboration, most likely with Women's Land Link Africa on ILC Women's Access Project, to disseminate call for letters of interest, get HC grassroots networks involved, encourage their applications. Birte and Jan are signed up to DGroup and will thus be kept updated. Also discussed ILC participation in Grassroots Academy on Land in Uganda in February, as well as possibly in CSW in February in NY and/or CSD16 in May in NY.

##### **Next steps:**

- Check overlap of membership between WLLA and ILC.
- Discuss ideas for collaboration.

**Jan Peterson, Birte Scholz and Eliane Najros (DIMITRA project-FAO)** – discussion on networking and CSW/CSD, as above. DIMITRA – ILC should make an effort to contribute to the newsletter, which is distributed to NGOs, grassroots organisations and individuals throughout Africa (French and English.)

##### **Next steps:**

- Contribute article on ILC Women's Access project to next edition of DIMITRA NL (by December 15)

**Flavia Kyomukama (Uganda National alliance of women living with HIV)**– provided contact in order to get them in touch with MISR for the Eastern African small grants programme – would be good to have organizations working on HIV/AIDS and women's rights in there as well!

##### **Next steps:**

- Follow-up with Flavia and MISR

**Nata Duvvury (ICRW):** updated each other on progress with IDRC (ICRW still in application stage), discussed structure of implementing our project to get some inputs. Suggestions: Broader themes – use the expression of interest to refine the themes, but also have some agenda that should be joint between PLAAS, ILC, MISR - Challenges: Action research in academic institution – bridge that gap! Have a rigorous design to get an assessment of impact, might use different methods than to produce research journals; workshops should include some capacity-building on monitoring and evaluation!

ICRW working in Uganda with Associates for Development and EPRC – Economic Policy research Centre – Uganda (Makerere), in South Africa still looking for a partner (didn't work out with PLAAS – but can we still collaborate on this one?)

ICRW – HIV/AIDS and gender-based violence, build on qualitative research, verify quantitatively. In same areas as qualitative research. Get project up by March 2008 for 2 years, have raised some additional funds already.

**Next steps:**

- ICRW to share info on research already done with PLAAS and MISR, identify organizations (grassroots) in areas covered to see whether we can target them and encourage them to submit letters of interest (Nata will check whether she can share report that is not yet published).
- Explore a combined policy agenda that we can use evidence for.

**Everjoice Win/Magdalena Kropwinicka (AAI):** briefly shared info on Women's Access project, agreed to have a more detailed exchange via e-mail. There is good potential to collaborate with AAI on Hunger Free campaign, especially in the context of ILC's Women's Access Project in Eastern and Southern Africa.

**Next steps:**

- share more details with Magdalena and Everjoice, especially to explore working together on regulatory frameworks in the countries where we have members – check where there's overlap with members involved in the same things.

**Asa Jonsson** –about improving collaboration between ILC and GLTN, as well as possible links with IDRC project, specifically development of gender-sensitive tenure indicators (and gendered land tools process that has such opportunities to provide input).

**Next steps:**

- Explore opportunities for CSD16.

**Joan Kagwanja** – provided further contacts in AU, AfDB, UNECA with interest in gender and land for ILC's Women's Access Research project

**5. Issues raised during the meeting relevant for ILC follow-up:**

- Partnerships – there was some discussion on the scope, modalities for partnership between different institutions and organizations at different levels (government, UN, academics, civil society – both NGOs and CBOs), but unfortunately this was not taken up very much during the working groups.
- The full participation (or lack of it) on behalf of UN agencies in such meetings, especially in working groups sessions, is relevant to ILC, which has encountered similar problems – how can this be addressed for future meetings?
- Messages – difficulty of having a few clear messages that can be used internationally while respecting diversity of membership. No solutions, but suggestion to look at loose coalition like the Working group on Climate Change and Development UK (could also serve as an example for ILC)
- Another challenge regarding messages is how to produce a few clear messages on women's land rights, which is such a complex and context-specific topic.
- Larger land rights movements and the place women have in them - how to bring a women's rights agenda into those movements? Also valid for ILC membership – what is the place of gender equality on the work of members and partners and projects ILC supports?

- Bringing grassroots into programmes as decision-makers – how can we move towards this in ILC work? Not NGOs but grassroots. Valid question of accountability of our members to their constituencies.
- Watchdog groups- can these be linked up to work on indicators? They are doing a type of monitoring that could provide useful information but may not have the resources to link this up to info of other groups to use this at the national and regional or even global level! Can they be supported as part of LRI/Land Watch?
- HABITAT – grassroots groups part of GLTN, exciting opportunity! How should ILC engage concretely? Should put some focus (and resources) towards this.
- FAO is holding a regional workshop on interface between customary and statutory law in October 2008 (assuming this is in Eastern/Southern Africa, as it was mentioned by Chris Tanner, FAO Mozambique) – opportunity to link into this with Women’s Access Project
- Donors were invited to the last day of a workshop – though attendance was not great, good idea to be replicated!
- This meeting highlighted the importance of testimony in meetings. Less of the typical UN agency presentation, talking about concepts, policies and projects. Focus more on achievements (lessons learnt to replicate) and challenges (where to focus work in future) in agendas for future workshops.

#### **6. Other follow-up:**

1. Share papers and presentation, as well as workshop report with ILC membership as soon as it is made available by FAO
2. Send presentation on Zambia to Zambia Land Alliance/Joseph
3. Send presentation on South Asian women’s court to ALRD/Shamsul
4. Explore Sweden/SIDA as partner for women’s project!
5. Explore opportunities for linking up members with Oxfam
6. Check out the way the Working group on Climate Change and Development UK works as example for ILC
7. For ILC’s Women’s Access project, explore SADC Protocol as a concrete opportunity for engagement (and FAO regional conference October)