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USAID's Collective Action to Reduce Gender-Based Violence (CARE-GBV)

Foundational Elements for Gender-Based Violence Programming in Development

SECTION 3.5. SECTOR-SPECIFIC PROGRAM ELEMENTS

Addressing GBV through Land and Property Rights Programs

Analytical Services IV Indefinite Delivery Indefinite Quantity (IDIQ)
Contract No. 7200AA19/D00006/7200AA20F0001 I

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ACRONYMS AND ABBREVIATIONS

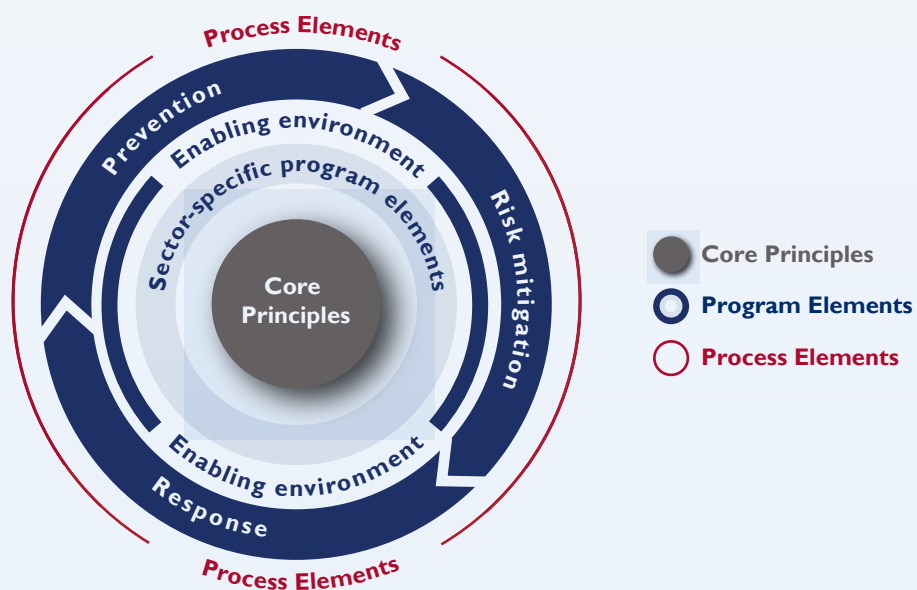
CARE-GBV	Collective Action to Reduce Gender-Based Violence
CWDG	Community watchdog group
DRC	Democratic Republic of Congo
GBV	Gender-based violence
IFDP	Innovation and Training for Development and Peace
IPV	Intimate partner violence
RISE	Resilient, Inclusive, and Sustainable Environments
USAID	United States Agency for International Development
WfWI	Women for Women International

Introduction

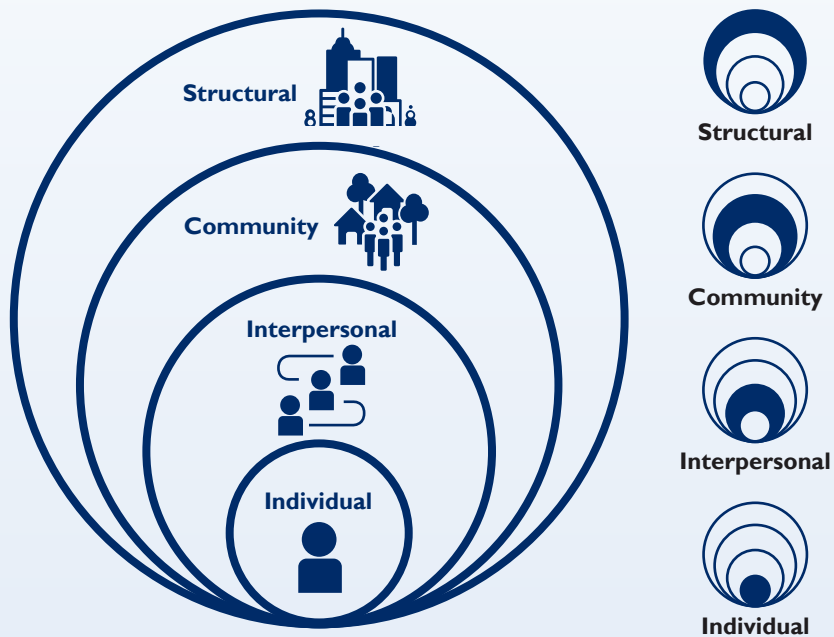
This document describes why USAID’s land and property rights programs should integrate programming to address gender-based violence (GBV) and details specific strategies for doing so. Program examples are provided to illustrate how the strategies can be incorporated into programs in crisis and conflict settings, and links to tools and resources are provided for additional information.

This document is part of the *Foundational Elements for Gender-Based Violence Programming in Development*, which include core principles, program elements (prevention, risk mitigation, response, enabling environment), and process elements. Ideally, readers will familiarize themselves with these sections of the *Foundational Elements* before reading this brief. At a minimum, readers should be familiar with the following sections before reviewing this brief:

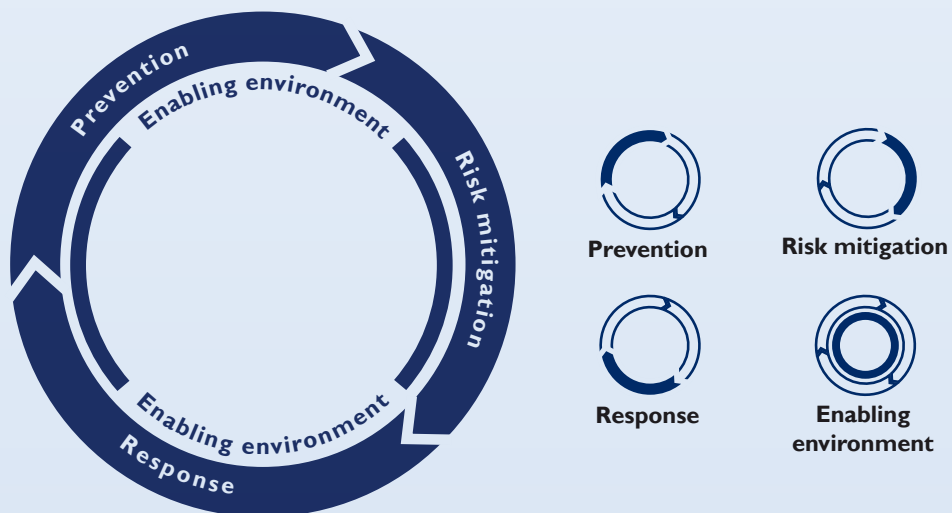
- Section 1.0. Introduction
- Section 3.2. Program Elements: Risk Mitigation
- Section 4.0. Process Elements:
 - Values, Organizational Culture, and Leadership (Program Example: A Framework for Safeguarding Program Participants)
 - Strategic Planning and Design (Gender Analysis and Referral Network Mapping)



The strategies described in this brief are organized by levels of the socio-ecological model: individual, interpersonal, community, and structural. Effective GBV interventions typically include strategies that address multiple levels of the socio-ecological model.



Each strategy is also labeled as prevention, risk mitigation, response, or enabling environment.



Why the Land and Property Rights Sector Should Address GBV

The rights of people and communities to securely own and use land and property (see Box 1) are essential for sustainable development, preventing conflict, and promoting gender equality (TetraTech 2013). However, the ability of women—and other marginalized people (see Box 2)—to access, own, and control land and associated resources is significantly constrained in many parts of the world. Inequitable and discriminatory land and property laws, practices, and social norms sustain gender inequality, the underlying cause of GBV. Moreover, denial of people’s rights to own or inherit land because of their sex, sexual orientation, gender identity or gender expression is itself a form of GBV (Bessa and Malasha 2020).

Therefore, strengthening land tenure, resource governance, and property rights, especially for women, is critical for eliminating GBV and is pivotal to USAID’s development objectives of eradicating poverty, promoting democracy and human rights, and achieving gender equality (USAID 2016) (Figure 1).

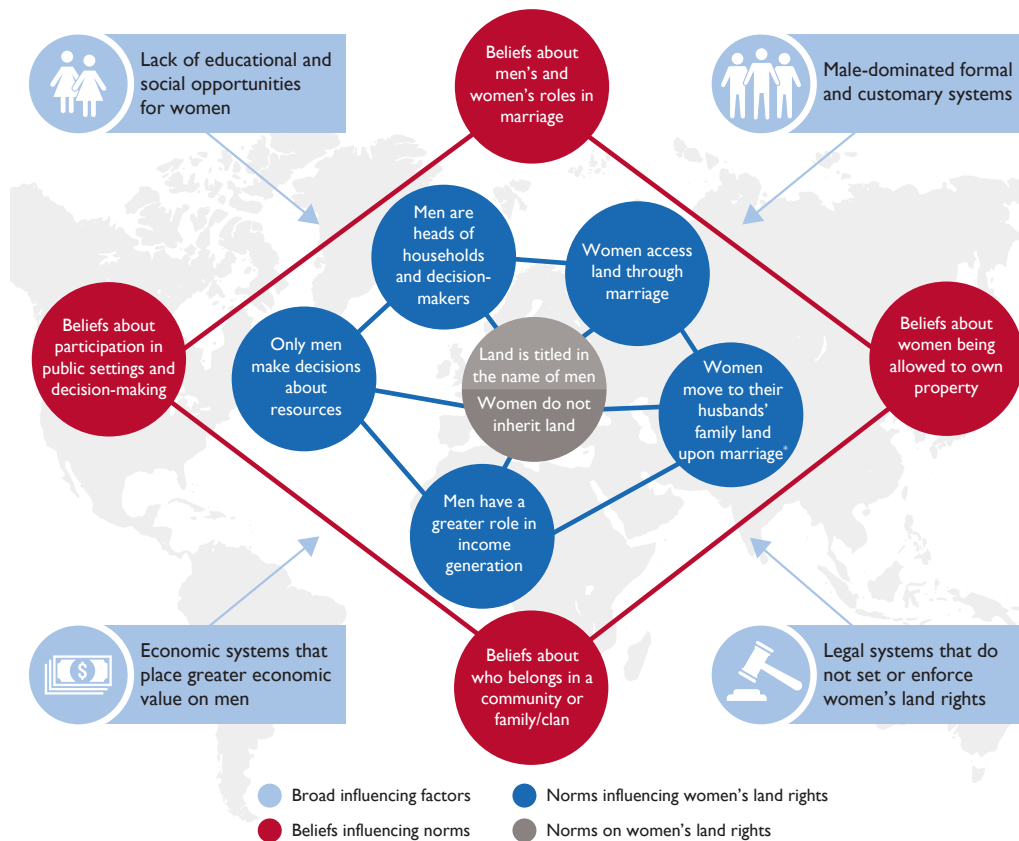
Lack of secure land tenure and property rights is associated with GBV in a range of ways. Families and households without secure land tenure are more likely to experience financial and food insecurity, which are risk factors for sexual violence; intimate partner violence (IPV); trafficking; and child, early, and forced marriage and unions (Hilliard et al. 2016; Gibbs, Duvvury, and Scriver 2017). In settings where formal or customary laws and social norms preclude women from independently owning or inheriting land, families may force their daughters to marry to provide the family with access to land for income generation and food security (Glinks, Sexton, and Meyers 2015). GBV in the form of physical, psychological, sexual, and economic violence is sometimes perpetrated against women who are divorced, older, or widowed to evict them from their land or property (Daley et al. 2013, Izumi 2007).

Box 1: Defining Land Tenure and Property Rights

Land tenure: The relationship (whether defined under formal law or under customary law) that individuals and groups hold with respect to land. Land tenure rules define the ways in which property rights to land are allocated, transferred, used, or managed in a particular society.

Property rights: The rights individuals, groups, and the state hold with respect to specific land, resources, and other assets, and in relation to each other; there is some overlap between the concepts of land tenure and property rights (TetraTech 2013).

Figure 1: Gender norms and women's land rights (Lowery 2021)



Women who securely own land or property have a place to live, assets to support economic activity, and reduced dependence on men, which may enable them to escape abusive relationships (USAID n.d.). In some settings, women's sole or joint land and property ownership has increased their agency and economic status within families and challenged inequitable gender norms, leading to lower rates of IPV (Boudreaux 2018; Grabe, Grose, and Dutt 2014). However, in other countries, interventions to strengthen women's land ownership have been associated with higher levels of household conflict and increased IPV (Bessa and Malasha 2020). This points to the need for careful design and monitoring of programs that seek to strengthen women's land tenure, resource governance, and property rights (Boudreaux 2018).

Activities to strengthen land tenure may contribute to other gender-based harms. Women claiming rights to land and property from male family members have experienced violence, ostracism, and abandonment by their families, and in extreme cases, physical violence leading to death as a form of reprisal (Deo 2021, United Nations Human Settlements Programme 2018). Data collected by USAID partners in land documentation programming in Zambia have shown that women can experience physical and psychological violence when they ask for their names to be added to land title certificates or when they try to develop land that is held in their name (Bessa and Malasha 2020). Psychological violence can include fear by intimidation, threats, and abuse and isolation from family and community ties and supports. Further, women seeking to claim their land rights may be sexually exploited by authorities responsible for land documentation, registration, and administration processes (Castañeda Camey et al. 2020).

GBV is used as a tactic in conflict over land and property rights. Power struggles for control over resources, including land and property, are among the major drivers of GBV (FAO 2010). For example, sexual violence is used to silence women land rights defenders (Global Witness 2020). Appropriation or compulsory acquisition of land and property can lead to GBV, with sexual and other violence perpetrated in disputes over land, resources, and property (United Nations General Assembly 2015b) (see Section 3.5. Sector-Specific Program Elements: Crisis and Conflict). GBV is also associated with other aspects of land use, such as agriculture and use of natural resources including water, fisheries, and forests. (For more information on GBV related to land use and resource management, see Section 3.5. Sector-Specific Program Elements: Water Security, Sanitation, and Hygiene; Agriculture; Energy and Infrastructure; and Environment and Natural Resource Management).

Given that secure land tenure is a cornerstone of economic growth, safe and effective land and property rights systems are essential for sustained self-reliance and resilience (USAID n.d.). Addressing GBV within USAID land tenure, resource governance, and property rights programming will help ensure that land, property, and associated assets equally benefit all citizens. This, in turn, has positive spillover effects into economic development, natural resource management, resilience to shocks, and improved democracy and human rights by giving underserved groups greater voice and power in decision-making related to land.

Box 2: Intersecting discrimination and marginalization create land-related GBV risks

Lesbian, gay, bisexual, transgender, queer, and intersex people, and those of other diverse sexual orientations and gender identities (LGBTQI+), and other marginalized people experience discrimination accessing housing, leading to disproportionate rates of homelessness (United Nations General Assembly 2015a), which in turn, increases exposure to violence and exploitation. Additionally, Indigenous women and girls are commonly subjected to rape, forced prostitution, and exploitation in the contexts of occupation of Indigenous land. They may also face state-sanctioned violence, especially when they are defending their lands, territories, and resources against extractive and exploitative industries (International Union for Conservation of Nature 2020) (see Section 3.5. Sector-Specific Program Elements: Environment and Natural Resource Management).

How the Land and Property Rights Sector Can Address GBV

The following strategies can assist USAID staff who program land activities to prevent and respond to GBV and build safer, more inclusive land governance and administration systems. The strategies address discriminatory legal and policy frameworks; inequitable governance systems; lack of education, awareness, or information; and harmful social and gender norms linked to denial of women's land and property rights and related forms of GBV. Requiring the active and meaningful participation of women and other marginalized groups is cross cutting and recommended for all strategies, in line with core principles that should underpin all activities, as discussed in Section 3.4. Program Elements: Enabling Environment: Invest in Women's Rights Organizations.

Strategy #1: Collect and analyze context-specific information about GBV and land, property rights, and resource governance to inform program design, monitor for unintended consequences, and build evidence and good practice



Program elements:
prevention, risk mitigation,
response, enabling
environment



Levels of socio-ecological model:
individual, interpersonal, community,
structural

The multidimensional relationship between GBV and land is contextual and culture specific (Boudreaux 2018, Castañeda Camey et al. 2020). Practitioners must have a sound understanding of the unique intersections between GBV and land to design effective interventions and mitigate and manage GBV risks associated with land and property rights, such as inadvertently increasing GBV through tenure-strengthening activities. Strategies for generating information about GBV and land include:

- Invest in formative research about GBV and land tenure, property rights, and resource governance. The goal is to support the design and implementation of effective GBV prevention, mitigation, and response strategies within land interventions and ensure that USAID programming avoids inadvertently harming women, other marginalized people, or their families (USAID 2018). Conduct a gender analysis at the project or activity level (per ADS 205) and engage community and government stakeholders to identify barriers to advancing women's property rights (see Section 4.0. Process Elements: Strategic Planning and Design).
- Collect GBV monitoring data throughout implementation to enable real-time analysis of the impacts of interventions on GBV, including unintended consequences such as increased violence due to tenure-strengthening activities (USAID 2018) (see Section 4.0. Process Elements: Iterative and Responsive Decision-Making).
- Support impact evaluations to identify effective interventions for preventing, mitigating, and responding to land- and property-related GBV to improve program design and learning.

Strategy #2: Empower women and other marginalized people to exercise their rights to protection from land- and property-related GBV



Program elements:
prevention, response,
enabling environment



Levels of socio-ecological model:
individual, community, structural

USAID programs can empower women and other marginalized people with information and resources to enable them to claim their rights to land and property, protect against GBV, and take action when their rights are violated (see Section 3.1. Program Elements: Prevention: Empowerment of Women). Strategies to support empowerment include:

- Require and support the meaningful participation of women and other underrepresented groups in local land governance bodies, and in land mapping, demarcation, and documentation processes.
- Deliver public information campaigns and training to build knowledge about legal rights, protections, and remedies for violations of land and property rights, and about GBV. Information campaigns should provide information on the harms caused by GBV. They should also work with those who are disproportionately economically, socially, and geographically marginalized.
- Support advocacy campaigns to address women's land rights issues and concerns.
- Fund local women's organizations or legal services to provide legal education, advice, and aid to those affected by land- and property-related GBV (Casabonne, Arango, and Stanley 2019) (see Section 3.4. Program Elements, Enabling Environment: Invest in Women's Rights Organizations).
- Develop and publicize referral pathways to help women navigate legal aspects of land and property rights violations and access GBV-related support and services (see Section 4.0. Process Elements: Strategic Planning and Decision-Making).
- Include women and women-led organizations in economic development opportunities so that women can maximize benefits of land and property ownership.

Strategy #3: Implement norms-shifting interventions to support women's access to and control over land and property and to prevent GBV



Program elements:
prevention



Levels of socio-ecological model:
community

An essential component to eradicating GBV and promoting women's rights to land and property is to implement norms-shifting interventions. These activities should address harmful and inequitable norms, transform them, and work with the community to establish new protective norms that support gender equality, women's equal access to and control over land and property, and zero tolerance for GBV (TetraTech 2013) (see Section 3.1. Program Elements, Prevention:

Transformed Attitudes, Beliefs, and Norms). USAID programs can implement the following strategies to shift social norms related to land tenure, property rights, and resource governance:

- Work with men and boys to challenge and shift gendered beliefs, attitudes, and norms that contribute to GBV by denying women and girls equitable access to resources, agency, and decision-making.
- Facilitate community-wide structured dialogue about GBV; gender equality; and rights to safety, dignity, and fairness for all community members. These fora can help to foster norms and attitudes that encourage healthy, gender-equitable and nonviolent behaviors, while providing support for survivors and building accountability for perpetrators (Read-Hamilton and Marsh 2016).
- Implement social and behavior change campaigns designed to work with the reference groups¹ to shift social norms that are a barrier to women's ownership, access, and control over land and that sustain GBV.
- Support community-mobilization and broader diffusion activities to reach a wider audience to foster gender-equitable social norms and behaviors that uphold women's land and property rights and protect against GBV (Jewkes 2017).

Strategy #4: Engage community and traditional leaders as champions for gender equality, women's land rights, and GBV prevention and response



Program elements:
enabling environment



Levels of socio-ecological model:
community, structural

Community and traditional leaders are custodians of customary laws and practices, including those pertaining to land and property ownership, access, and use, and by extension, to GBV (GBV AOR Helpdesk 2020). Community and traditional leaders are, therefore, in a powerful position to promote gender-equitable land governance, rules, and processes; resolve community disputes in relation to land and property rights; and implement sanctions against those perpetrating GBV (GBV AOR Helpdesk 2020). Strategies for engaging with traditional and community leaders to promote women's land rights and more effective protection of women, girls, and other marginalized groups include:

- Train leaders in gender equality, women's land rights, and gender-responsive customary land governance and administration practices, including decision-making and mediation in dispute resolution (GBV AOR Helpdesk 2020). In addition to providing land rights-specific training for leaders, identify opportunities for incorporating women's land rights into other training and educational resources for leaders across a range of thematic areas, such as climate change and natural resource management (Bessa and Malasha 2020). Organize peer learning, exchange visits, and mentoring on good practices in gender-responsive dispute resolution for community and traditional leaders (IDLO 2020).

¹ Reference groups are the people and groups who influence an individual's behavior. For more information, see CARE-GBV. 2021. *How to Identify and Advance Equitable Social Norms*. Washington, D.C.: USAID. https://makingcents.com/wp-content/uploads/2020/11/CARE-GBV-01-How-to-note-Social-Norms_508-compliant.pdf.

- Facilitate dialogues among community and traditional leaders, women, and other community members about women’s rights to own and use land and on land-related GBV (IDLO 2020).
- Produce and disseminate simplified guides on statutory laws relevant to women’s land tenure and property rights.
- Lead workshops on harmonizing customary laws with statutory laws to uphold women’s land and property rights and their protection from GBV (IDLO 2020).

Strategy #5: Undertake capacity-building related to GBV with partners, stakeholders, and communities



Program elements:
prevention, risk mitigation,
response



Levels of socio-ecological model:
individual, interpersonal, community,
structural

GBV is commonly a hidden issue, promoted by attitudes, norms, and practices that maintain silence and victim-blaming. Implementing partners, other stakeholders, and community members participating in USAID programming on land tenure, property rights, and resource governance may have had limited opportunity to build knowledge and understanding about GBV, including the intersections between GBV and land. They may also lack knowledge, confidence, and skills to safely integrate GBV prevention, mitigation, and response into land tenure, property rights, and resource governance program activities in line with good practice. Strategies for building partner, stakeholder, and community capacity on GBV include:

- Sensitize partner staff and stakeholders—including traditional leaders, private-sector actors, members of land committees, and formal and informal authorities—on land-related GBV to build their knowledge and positive perceptions, attitudes, and behaviors toward gender equality, women’s land rights, and GBV (Bessa and Malasha 2020).
- Require that partners develop and implement a gender-empowerment strategy that includes capacity-building for all staff on gender-empowerment principles and GBV.
- Train partner staff on how to safely integrate GBV into land programming, including ethical and safe data collection on GBV and survivor-centered response and referral in land documentation processes (Bessa and Malasha 2020). Provide technical support to incorporate GBV mitigation and response activities and indicators into land programming. Support partners in developing and implementing community-based GBV reporting, monitoring, and accountability mechanisms in land programming and to establish referral pathways for survivors of land- and property-related GBV.
- Provide training to partners on social and gender norms, including on measurement of norms, norms-shifting program strategies, and good practice for monitoring norm change within land tenure, property rights, and resource governance programs (see Section 3.1. Program Elements: Prevention: Transformed Attitudes, Beliefs, and Norms).

Strategy #6: Engage government officials at the national, provincial, and local levels to prevent and respond to GBV linked to women's land and property rights



Program elements:
enabling environment



Levels of socio-ecological model:
community, structural

Use the following strategies to work with government officials at different levels to integrate GBV prevention, mitigation, and response into formal land administration systems and practices (strategy #5 describes working with customary governance officials):

- Sensitize officials about land- and property-related GBV, including sexual exploitation and abuse within land administration systems and services (Casabonne, Arango, and Stanley 2019).
- Facilitate coordination between gender and land ministries to strengthen collaboration and gender-sensitive practices, including establishment of GBV referral pathways for survivors who disclose experiences of violence to those working in land administration systems and services (see Section 4.0. Process Elements: Strategic Planning and Design).
- Encourage gender quotas, and support gender and GBV focal points in land administration bodies.
- Encourage participation of women officials in land mapping, demarcation, and documentation processes.
- Ensure that land- and property-related dispute resolution mechanisms are in place, include female members, and are accessible to women. Take into consideration the potential for women to have lower rates of literacy and time and mobility constraints, and account for social norms that inhibit them from pursuing justice.
- Support development and implementation of strategies to safeguard against sexual exploitation, abuse, and harassment within land administration systems, processes, and services. Examples include implementing codes of conduct, increasing the number of women in land administration service delivery roles, and ensuring that women workers and service users do not have to be in unsafe environments, such as closed offices.

Strategy #7: Strengthen gender-equitable and inclusive legal and policy frameworks to promote secure land rights and protect against GBV



Program elements:
enabling environment



Levels of socio-ecological model:
structural

Gender- and GBV-responsive and inclusive legal and policy frameworks are vital for preventing land- and property-related GBV, enabling women and other marginalized groups to claim their land rights, and shifting harmful and inequitable gender norms and dynamics (Glinski, Sexton, and Meyers 2015). Programs should advocate for, and support the development of, gender-equitable, inclusive, and GBV-responsive land and property laws and policies (including laws related to inheritance and divorce) (Salcedo-La Vina 2020) (see Section 3.4. Program Elements: Enabling Environment: Supporting and Implementing Laws and Policies). Strategies for doing this include:

- Support review, reform, and implementation of relevant legislation so it enables women and other marginalized peoples' ownership and control over land and protects against GBV by, for example, providing statutory rights to ownership and reducing the risk of land dispossession (Casabonne, Arango, and Stanley 2019). This work should include:
 - Repealing discriminatory provisions in marriage, family, and inheritance laws that exclude women and girls from inheriting land or land entitlement upon divorce or that discriminate against women property holders in legal administration or decision-making (UN Habitat 2018).
 - Ensuring recognition of women as co-owners in their individual capacity, not only as a member of a household or family that is deemed as the rights holder (Caron 2022).
 - Ensuring laws related to land and property enable women to enter contracts to purchase, rent, or use property in their own names and not require co-signature by a male relative.
 - Reflecting Indigenous peoples' rights to their lands and legal protections where denial of rights or conflict over land is linked to GBV.
- Identify opportunities for supporting regulatory reforms that can be enacted by local governments to achieve immediate impacts and benefits. For example, decrees that secure women's equal access to land titling can be implemented in shorter time frames than legislative reform.
- Provide technical support (such as through trained gender advisors, implementing partner staff, or national-level experts) to incorporate GBV prevention, mitigation, and response into land use and land management policy documents and plans. Support efforts to implement these strategies.

Program Examples

Example #1: Securing Land Rights and Ending Gender Exclusion

As part of USAID's Resilient, Inclusive, and Sustainable Environments (RISE) Challenge, [Trócaire](#) partnered with Land Equity Movement of Uganda and Soroti Catholic Diocese Integrated Development Organization to implement the [Securing Land Rights and Ending Gender Exclusion Project](#) in Uganda. In eastern Uganda, approximately 80 percent of women report experiencing physical or psychological violence when claiming their land rights, and only 8 percent of men (USAID 2020) believe it is wrong to commit violence against women. With RISE funding, the partners integrated SASA!

a proven methodology that addresses power imbalances between men and women to prevent and respond to GBV, while improving land tenure and property rights in Uganda. They trained faith-based leaders and partner staff to promote positive social norms that support women's rights to access and control land and to live free from GBV. The partners also helped women better document their land rights by developing and training traditional leaders to use an alternative dispute-resolution mechanism that takes into consideration the rights of women.

Example #2: Promoting Women's Rights and Improving Access to Land and GBV Services

In another RISE Challenge project, Women for Women International (WfWI), partnered with Innovation and Training for Development and Peace (IFDP) to promote women's rights and improve women's access to land and GBV referral systems in the Democratic Republic of Congo (DRC) (AgriLinks 2021). In the DRC, women experience high levels of GBV and low levels of land ownership. For the past 15 years, WfWI has worked to improve the lives of more than 100,000 women in the Congolese

province of South Kivu by addressing the drivers of GBV and gender inequity at the community level. With RISE funding, WfWI and IFDP adapted their promising GBV interventions and applied them to land rights and access, which is an area where women are particularly at risk. This project engaged men in shifting social norms, training change agents to prevent GBV, and expanding women's land rights, thereby boosting their economic security.

Example #3: Community Watchdog Groups to Prevent and Respond to Land-Related GBV

GROOTS-Kenya implemented a women and property rights program in response to growing community concerns that women were having their property stolen and being disinherited, particularly in households affected by HIV. The program established community watchdog groups (CWDGs) composed of volunteer women and men, including community health workers, traditional leaders, trained paralegals, and government stakeholders. The CWDGs monitor women's disinheritance, mediate land disputes, refer unresolved cases to formal adjudication mechanisms, and raise awareness of women's rights (including women's land tenure and property rights) and GBV.

Anecdotal evidence suggests that the program catalyzed a broader reduction in GBV across the community due to:

- Improved community awareness of women's rights and GBV through education in community meetings
- Improved community-level mechanisms for reporting GBV
- Comprehensive response to reported cases of GBV
- Perpetrators fearing legal or other consequences for GBV (Hilliard et al. 2016)

Tools and Resources

- Advancing Learning and Innovation on Gender Norms (ALIGN) Platform. n.d. “The Social Norms Learning Collaborative.” Accessed July 7, 2022. <https://www.alignplatform.org/learning-collaborative>.
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The goal of the Collective Action to Reduce Gender-Based Violence (CARE-GBV) activity is to strengthen USAID’s collective prevention and response, or “collective action” in gender-based violence (GBV) development programming across USAID. For more information about CARE-GBV, click [here](#).

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