Information Concerning Implementation of the Gender Action Plan Submitted to the Gender Secretariat of the United Nations Framework Convention on Climate Change

Submitted by Landesa, the Global Initiative for Economic, Social and Cultural Rights (GIESCR), Espaço Feminista, and GROOTS Kenya

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This joint submission is respectfully submitted by Landesa, the Global Initiative on Economic, Social and Cultural Rights (GIESCR), Espaço Feminista, and GROOTS Kenya to the UNFCCC Gender Secretariat in response to the Secretariat’s request for areas for improvement and further work to be undertaken in subsequent gender action plans, following the June 2019 SB50 gender workshop in Bonn, Germany. We focus our recommendations on Priority Area C: coherence, Activity C.3 under the current Gender Action Plan (GAP): “Share information on efforts made to support the implementation of activities to enhance synergies with other United Nations entities and processes, paying particular attention to the 2030 Agenda for Sustainable Development.”

Landesa, in close collaboration with named partners, is currently exploring synergistic implementation efforts that link climate change agendas, the Sustainable Development Goals (SDGs), and human rights norms and standards, building on previous work. In relation to Activity C.3, during the June 2019 workshop, participants agreed that the principle of Activity C.3 “was valuable but that it needed to be further elaborated and strengthened.” Our experience suggests that strengthening gender-equitable land rights is a powerful foundational step to simultaneously advance States’ parties commitments under three interlinked global agendas: climate change, SDGs, and human rights norms and standards. This submission provides examples that seek to further elaborate efforts to achieve Activity C.3, to demonstrate the relationship between these examples, C.3, and other Priority Areas and Activities under the GAP, and to provide information on current and potential methods to strengthen this activity.

Gender-equitable land rights are central to the climate change agenda, to integrating climate change frameworks with the SDGs and human rights norms, and can catalyze gender-responsive action in all three realms.

States have human rights obligations linked to climate change, derived from legally binding commitments under international human rights treaties as well as the UNFCCC Paris Agreement, which calls upon Parties to respect, promote and consider their respective human rights obligations when taking climate action. Likewise, the 2030 Agenda is grounded in human rights principles and content and demonstrates the interlinkages between climate change, sustainable development, and human rights. The goal of the SDGs is to “leave no one behind,” and to “reach first those who are furthest behind,” and to accomplish these goals in
fulfillment of international human rights norms. Achieving these common and interdependent goals requires judicious use of resources across these agendas.

Yet gendered considerations in these global arenas are often overlooked or inadequately resourced. The voices of women and gender minorities are woefully underrepresented in most decision-making spaces, but inclusivity (in fulfillment of shared principles of global agendas) in global and national decision-making spaces on climate change is exacerbated by women’s exclusion from decision-making spaces related to land and natural resources at the national level. This lack of representation is especially acute within land governance agencies, community-level councils, and traditional justice mechanisms.

Centering land rights in the context of global agendas is crucial for overcoming gendered inequalities and for “leaving no one behind.” In many places worldwide, women and girls make up the majority of those depending either directly or partially on smallholder agriculture for livelihoods and subsistence; land is their most crucial asset, but women continue to face barriers to their land and inheritance rights in more than half the world’s countries, under formal or customary law. Women who reside in rural areas and depend on land are also experiencing multiple and intersecting forms of discrimination, and rural women experience the most extreme forms of marginalization and poverty. These women carry an increased burden of care and domestic work relative to women in more urban areas, and are less likely to gain access to and participate in government services and programs.

Landesa, GIESCR, GROOTS Kenya, and Espaço Feminista work to secure gender-equitable rights to land and natural resources as a foundational element for climate action, achieving the SDGs, and fulfilling human rights. Land is increasingly recognized as an “ecosystem” undergirding all of the SDGs, spanning gender equality, climate change and its impacts (including land degradation and biodiversity loss), poverty, food security, institutional capacity, sustainable cities, and decent work; and the SDGs make explicit mention of women’s land rights under commitments related to ending poverty (Goal 1), ending hunger (Goal 2) and empowering women (Goal 5). The connection between climate change and land management, land tenure, and land rights, including the rights of indigenous peoples, is explicit in the United Nations Convention to Combat Desertification (UNCCD), and in the recently adopted United Nations Declaration on the rights of peasants and other people working in rural areas. And within human rights precedent, the CEDAW Committee has declared women’s rights to land and natural resources to be “fundamental human rights,” and land is increasingly a key human rights mandate to governments.

Secure rights to land are often a precondition, allowing women to realize their human rights to an economic livelihood, equality, adequate living conditions, housing, education, health, freedom from violence, and participation in decision-making. And rights to land, especially for women, are increasingly being recognized within and linked to human rights, and recognized for their contribution to climate action and sustainable development. When land
governance and management upholds gender-equitable rights to land, other beneficial outcomes result:

- **Mitigation and adaptation of climate change**: Emerging evidence suggests that when women hold secure rights to land, efforts to tackle climate change are more successful. Women, especially rural women, should be included and empowered in policy-making and implementation of polices that link infrastructure, land management, and climate change.

- **Political efficacy**: Research shows that the more influence women hold over land, the more they will be involved in local-level decision making. And rights to land are likely to contribute to women’s influence more broadly—greater levels of assets correlate with greater levels of political involvement; when women have greater economic power, including via control over land, they will also have greater political power.

- **Increased influence for women in household decision-making**: When women have secure rights, they enjoy enhanced intra-household bargaining and decision-making power, which in turn can lead to better outcomes for the family as a whole and greater freedom to participate in government or development initiatives.

- **Increased household income**: Women with land rights contribute a greater proportion of income to the household and exercise greater control over agricultural income. Extending equal land rights to women can benefit them and their families by increasing the amount and varying the sources of their income.

- **Improved food security**: When women own a larger share of the household’s farmland, families allocate a larger proportion of their household budget to food. This impact goes beyond individuals and households: all women and girls worldwide require food security and sustainability, whether they live in rural areas or urban, and whether or not their primary livelihood is agriculture. Strengthening gender-equal rights for the smallholder farmers, who produce a third of the global food supply, is a key route to achieve equity, help migration occur sustainably and maintain peace and social stability, and provide food for everyone.

- **Increased agricultural productivity**: Secure land rights generally have been shown to increase agricultural productivity—which contributes to increased incomes at the household level as well as greater economic growth and food security. Securing land tenure for women specifically is now especially crucial as increased concentration and commodification of land causes men (predominantly) to migrate for work, leaving women to work the land with fewer resources and inadequate authority to make decisions.

- **Subsidies, programs, credit**: Having proof of rights to land is often a prerequisite for access to government and development programs, including agricultural extension, training, and contracting or cooperative arrangements, yet women often lack this proof. Securing women’s rights to land creates more gender-equal links to these services, and in turn creates better access to markets for women and girls via these links.
- **Education:** When women in the household have land rights, children have higher levels of educational attainment.\(^{36}\)
- **Health:** Securing women’s land rights results in improved household nutrition; the odds that a child is severely underweight are reduced by half if the mother owns land. Land rights also result in a reduced incidence of HIV; women with greater economic strength and status gained from land rights are better able to negotiate safe sex with husbands, less vulnerable to transactional sex for survival, less vulnerable to violence, and better able to cope with the costs of disease within the family if it does occur.\(^{37}\)

**Vertical coordination of efforts at international, national, and local levels can significantly contribute to coherence and other GAP Priority Areas.**

A wide variety of stakeholders—government, civil society, and the private sector—must be engaged and coordinated to implement the GAP. And integration with other global agendas bolsters efforts for gender-responsive action and supports a more participatory and inclusive approach to amplify the voices, presence, and power of marginalized groups in national, regional, and global spaces. Informal comments at the June workshop from civil society and delegates recognized that effectiveness and conservation of scarce resources requires knowledge-sharing and collaboration across delegations to the Rio Conventions, human rights treaty-monitoring bodies, and national level actors implementing the SDGs. This kind of national-level coordination is essential for policy coherence and for implementation of all global agendas, but it will require significant support.

Civil society actors can and do play an important role in this vertical coordination between global, national, and local levels to achieve global agendas, in line with suggestions for improvement from the June workshop related to vertical coordination and better inclusion of and visibility for the work of actors at the national and grassroots levels.\(^{38}\) Civil society can also play a key role in achieving GAP Activity C.3, focused on synergies with the 2030 Agenda for Sustainable Development, by supporting more inclusive and participatory efforts on data gathering, empowering grassroots women to leverage global agendas, and supporting implementation and capacity development in collaboration with government actors. In turn, these efforts can be reported at the global level and packaged for replication in additional countries. Implementation work conducted by organizations named in this submission related to this integrated “co-implementation” approach includes the following activities (ongoing and planned), including examples from Myanmar, Brazil, Kenya, and Tanzania:

**Myanmar:** Landesa will be supporting efforts to jointly implement climate change frameworks, human rights norms, and the SDGs in Myanmar via capacity development tailored to the Myanmar National Human Rights Commission (MNHRC) and other Myanmar government and civil society partners. National Human Rights Institutions (NHRIs)—of which the MNHRC is one—are uniquely placed to support integrated implementation of climate change frameworks, the SDGs, and human rights norms and standards. Landesa is currently exploring global agenda integration work with the MNHRC to assess their role in promoting
greater inclusivity in global agenda implementation, as well as playing a national-level coordination role across agendas. NHRIs are independent State institutions, established by constitutional or legislative authority, mandated to ensure national compliance with international human rights commitments.\textsuperscript{39} The Paris Principles establish NHRIs’ mandate;\textsuperscript{40} they include a wide range of functions implicating the 2030 Agenda for Sustainable Development which could also be integrated with climate action at the national level:\textsuperscript{41} monitoring and reporting, advising the government on human rights issues, cooperating with national, regional and international bodies, and building knowledge on human rights.\textsuperscript{42}

Awareness-raising conducted by or in collaboration with NHRIs could tie to implementation of the GAP under Priority area B: gender balance, participation, and women’s leadership, by leveraging NHRIs’ engagement in human rights education at national and local levels.\textsuperscript{43} Human rights education is a core NHRI mandate.\textsuperscript{44} SDG Target 4.7 calls for human rights education to promote attitudes, beliefs, behavior, and skills for inclusive development and human rights fulfillment.\textsuperscript{45} In addition to build capacity for government officials and civil society on human rights norms, NHRIs often conduct human rights education in remote and marginalized communities, where addressing issues of inequality (especially gendered inequalities) requires significant shifts in social norms.\textsuperscript{46} When NHRIs are equipped with integrated information about climate change, the SDGs, and human rights, they can influence and support needed social and behavior change to achieve shared goals. Providing capacity development to NHRIs to support integrated implementation of global agendas could also meet multiple needs identified during the June GAP workshop related to gender-responsive implementation—identifying national and local-level beneficiaries, stakeholders, and responsible actors for implementing the GAP.\textsuperscript{47}

**Brazil:** In Brazil, Espaço Feminista has developed a local-level model for global agenda implementation. They are aiding groups of women to use data to advocate and partner with policy makers to change and implement policies in line with the SDGs. Espaço Feminista began developing this model in 2011, recognizing women and communities as agents of change and sustainable development. They are now applying the model to strengthen women’s land rights: collecting data to monitor the SDGs and empowering grassroots women to use that data to lobby local, regional, and national government officials for changes in policies that hinder women’s rights to land, and for implementation of policies that favor them. They are building alliances with government and other stakeholders, and empowering women and communities in the process. Just this month (August 15, 2019), land rights were regularized in the municipality of Bonito, benefitting 35,000 people who had lacked tenure security for decades; because of Espaço Feminista’s partnership and advocacy with the government and communities, women will be given equal rights to this land.\textsuperscript{48} Espaço Feminista plans to replicate this model within and outside Brazil to strengthen women’s land rights locally and globally, by identifying and sharing lessons and good practices. This model could be adapted and piloted in Brazil to more specifically link climate change agendas and human rights mechanisms and obligations with SDG implementation.
Kenya: In Kenya, GROOTS Kenya is a grassroots organization engaged in SDG implementation to promote gender equality, engage and empower grassroots women. GROOTS Kenya has been active in closing the data and gender equality gaps, bringing government officials to local areas to understand land issues and build rapport with rural communities. For GROOTS Kenya, the SDGs’ inclusion of land was crucial. They were already collecting data on what impacts women most: land, agriculture, education, water, and health. The SDGs created new political will and provided a framework to reconstruct their tools, aligning with land-related indicators under SDGs 1 and 5. They have now digitized data, and collect individual-level data to include women and identify any perceived threats to women’s land tenure. They have seen huge gains; when they used data to inform government officials that women were walking 12 kilometers for water, the government set up water kiosks. GROOTS Kenya is also well-placed to play a key role in an inclusive and integrated approach to implementing global agendas at the national and local levels. Landesa, GIESCR, and GROOTS Kenya are currently exploring work to document efforts to implement human rights mandates in Kenya, including an analysis of implementation of CEDAW’s General Recommendation No. 37 on gender-related impacts of climate change, and to report on the results of this work in global venues.

Tanzania: Landesa is supporting efforts to localize and implement the SDGs in Tanzania, working with a multi-stakeholder sub-committee within the Mainstreaming Gender Macro-Group. This includes engaging with government and civil society organizations to advance legal and policy changes to strengthen women’s land rights in line with Tanzania’s commitments under the global agendas, encouraging and supporting reporting on progress toward women’s land rights under the SDGs, and enhancing stakeholders’ access to data to diagnose and track progress on women’s land rights.51

Conclusion and Recommendations

These efforts are presented as examples to support the work of the Secretariat in integrating a gender-responsive approach across the work of the UNFCCC constituted bodies and to support States parties in fulfilling their obligations under the UNFCCC. Work to integrate climate action at the national level with efforts to achieve the SDGs and fulfill human rights obligations will strengthen efforts under the UNFCCC and lead to greater impact and more sustainable results. We recommend that the Secretariat:

- Promote the efforts described above and similar efforts
- Promote the role of coherence with the SDGs and human rights frameworks for achieving gender-responsive climate action
- Encourage States’ Parties delegations to the UNFCCC to engage and collaborate with national level entities responsible for SDG and human rights implementation, as well as with delegations and actors responsible for implementation of the two other Rio Conventions, and to include information on efforts for integrated implementation of global agendas into their reporting under the UNFCCC
• Collaborate with civil society actors and States Parties to hold coherence activities (starting with workshops) at both national and global levels across climate change frameworks, the SDGS, and human rights norms and standards

1 Landesa is an international nonprofit organization dedicated to securing gender-responsive land rights for rural people living in poverty. Landesa has worked in over 50 countries and has contributed to over 110 million families gaining legal land rights, using a combination of robust research, collaborative law and policy design, dedicated advocacy, and tailored evidence-based interventions, www.landesa.org

2 GIESCR is a non-governmental organisation that believes transformative change to end endemic problems of social and economic injustice is possible only through a human rights lens. https://www.giescr.org/who-we-are

3 Espaço Feminista is a Brazilian-based feminist organization that works from local to global levels to empower women, combat gendered inequalities, realize and enforce women’s rights, increase women’s participation in political spaces with a view toward gender parity, and realize the rights of all people to nature. http://espacoamissions.org/en/who-we-are/

4 GROOTS Kenya is a national movement of grassroots women-led community-based groups (CBOs) and self-help groups (SHGs) in Kenya. https://grootskenya.org/


11 CSW 63 Draft Agreed Conclusions at 15(f) Ensure that women and girls who experience multiple and intersecting forms of discrimination enjoy equal access to social protection, public services and sustainable infrastructure to eradicate poverty and reduce inequalities; (E/CN.6/2019/3, para 43, (f))


19 CEDAW Committee, General Recommendation No. 34 on the rights of rural women (2016), UN Doc. CEDAW/C/GC/34, ¶ 56.
20 The recently adopted UN Declaration on the Rights of Peasants and other people working in rural areas, as well as the forthcoming General Comment on the right to access land from the Committee for Economic, Social and Cultural Rights are also recent examples of the groundswell of developments on land as a human right.
22 The Human Rights Committee has produced an overview of international bodies’ statements establishing the links between land rights and human rights in the ICCPR, ICESCR, and CEDAW and other instruments, see HR/Pub/13/04 at 5-8 and HR/PUB/15/5/Add.1 at 11-14, and E/2014/86 at http://www.ohchr.org/Documents/Publications/Land_HR-StandardsApplications.pdf. See also, CESCR Committee, General Comment No. 4 on the right to adequate housing (art.11(1)), at para.8(e) recognizes “access to land as an entitlement.” General Comment No. 16 on the equal right of men and women to the enjoyment of all economic, social and cultural rights (art. 3 of the covenant), at II(C)(28) “requires that women have a right to own, use or otherwise control housing, land and property on an equal basis with men, and to access necessary resources to do so.” For an overview of the CESCR Committee’s recognition of land as a human right, see Minority Rights Group International, Moving towards a right to Land: The Committee on Economic, Social and Cultural Rights’ Treatment of Land Rights as Human Rights. (2015), at 3-4, available at: http://minorityrights.org/wp-content/uploads/2015/10/MRG_Rep_LandRights_Oct15.pdf
See also CEDAW Committee, General Recommendation No. 21 (13th sess., 1994) Equality in marriage and family relations, para. 26 – calling for the equal ownership of property as crucial for women’s equality and livelihoods, and para. 27 – calling on states to ensure that land allocation and reform programs redistribute land to women on an equal basis with men, regardless of marital status.
25 IFPRI at v.
31 FAO at 11.
33 Id.
34 FAO at 141.
35 Id.
37 Id.
38 Informal workshop report, supra note 7, at pg. 16.
43 Priority area B: gender balance, participation and women’s leadership. Activity B.4. “Cooperate in, promote, facilitate, develop and implement formal and non-formal education and training programmes focused on climate change at all levels, targeting women and youth in particular at the national, regional and local levels, including the exchange or secondment of personnel to train experts.”
44 GANHRI at 14.
45 Target 4.7 - By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture’s contribution to sustainable development.”
46 Jensen at 3.
47 Informal workshop report, supra note 7, at para 19: “Participants considered activities under priority area D to be valuable and expressed support for retaining this area of focus. However, the current activities are too limited in scope and should be extended to better reflect the principle of supporting implementation at the national level. In particular, participants identified the need to specify beneficiaries, stakeholders, and responsible actors in implementing gender-responsive climate action.”


52 Activity C.3 Deliverable: “Promotion of efforts.” FCCC/CP/2017/11/Add.1 at pg 17.

53 The Office of the High Commissioner on Human Rights has developed a body of work on coherence with climate change frameworks, and has established a liaison office between the OHCHR and the UNFCCC. See e.g., Integrating Human Rights at the UNFCCC, available at: https://www.ohchr.org/EN/Issues/HRAndClimateChange/Pages/UNFCCC.aspx

54 Suggestion for improvement on Activity C.3 from informal workshop report, pg 11: “Identifying a vehicle or way through which other work on gender and climate change, by treaty bodies or other UN-agencies, can be more visible under the UNFCCC.”