

**Information Concerning SBI 61 on Gender and Climate Change
for the Lima Work Programme on Gender
Mandate: Table 4, D.5, Annex to 3/CP.25**

Submitted by Landesa

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This submission is respectfully submitted by Landesa,ⁱ a leading international land tenure organization dedicated to securing gender-equitable land rights for people living in poverty in rural areas, with experience in over 50 countries. The submission is in response to the request to share experiences of engaging women's groups and national women and gender institutions in the process of developing, implementing and updating climate policies, plans, strategies and action, as appropriate, at all levels.

Gender-equitable land rights are central to the climate change agenda, to integrating climate change frameworks with the Sustainable Development Goals (SDGs) and human rights norms and can support and accelerate gender-responsive action in all three realms. Focusing on land rights in the context of global agendas is crucial for overcoming gendered inequalities and for "leaving no one behind." Landesa works to secure gender-equitable rights to land as a foundational element for climate action, achieving the SDGs, and fulfilling human rights. 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;ⁱⁱ 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.ⁱⁱⁱ

Examples of vertical coordination of efforts at international, national, and local levels to significantly contribute to GAP Priority Areas

Civil society actors can and do play an important role in vertical coordination between global, national, and local levels to achieve global agendas. Civil society can also play a key role, focused on synergies with the 2030 Agenda for Sustainable Development, by supporting more inclusive efforts on data gathering and supporting implementation and capacity development in collaboration with government actors.

Over the past several years, Landesa has extended and strengthened our collaborative efforts with multiple partners to protect and enhance women's land rights as a foundational aspect of climate action,^{iv} achieving the SDGs,^v and fulfilling human rights.^{vi} Our efforts and those of our partners have contributed to the significant and exciting progress in these agendas over the last three years: the three land-specific SDG indicators have agreed-upon global methodologies and create a mandate for governments to collect data; 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 there is growing recognition of gender-

equitable rights to land as a central and crucial component of human rights fulfillment, and land as a stand-alone right is increasingly a key human rights mandate to governments.^{vii}

Below are examples from our work and the work of our partner organizations at national levels, including examples from Tanzania, Liberia, Brazil, and Kenya.

Tanzania: At the national level, for example, National Human Rights Institutions (NHRIs) 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 Tanzania's NHRI (see examples below), to assess their role particularly in awareness raising for 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.^{viii} The Paris Principles establish NHRIs' mandate;^{ix} 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:^x monitoring and reporting, advising the government on human rights issues, cooperating with national, regional and international bodies, and building knowledge on human rights.^{xi}

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.^{xii} Human rights education is a core NHRI mandate.^{xiii} SDG Target 4.7 calls for HRE to promote attitudes, beliefs, behavior, and skills for inclusive development and human rights fulfillment.^{xiv} In addition to build capacity for government officials and civil society on human rights norms, NHRIs often conduct HRE in remote and marginalized communities, where addressing issues of inequality (especially gendered inequalities) requires significant shifts in social norms.^{xv} 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.^{xvi}

Liberia: In late 2020, Landesa was invited by the Liberian Environmental Protection Agency to offer recommendations to the country's Nationally Determined Contributions (NDC) revision process. Landesa offered comments and recommendations that discussed the challenges and opportunities that can be leveraged by implementing land tenure policy, particularly women's land rights, as a strategy for climate adaptation and mitigation, sustainable land management, livelihood security, and women's empowerment. Through land tenure reform (including cross-sectoral policy coherence and coordinated land use planning) Liberia's revised NDC could bolster support for legal implementation efforts that advance climate adaptation and mitigation goals. Landesa's recommendations amplified the results of research on Liberian women's use of wetlands and participation in community forest governance described below.

Recently, Landesa partnered with the Liberia Land Authority (LLA) and local civil society organizations to conduct research on gendered aspects of wetlands use and community forest governance. The passage of the Land Rights Act (LRA) in 2018 presents an opportunity for renewed effort to protect wetlands and forests in Liberia. At the request of the LLA, Landesa partnered with LLA staff to examine women's use of wetlands in urban and peri-urban areas to

ensure proactive land use planning that balances the goals of livelihood security and biodiversity conservation. This research provided the LLA and Landesa with information and recommendations relevant to the development of a comprehensive national Land Use and Management Policy. The report and accompanying legal analysis helped clarify the statutory basis for wetlands ownership in Liberia, including in customary communities under the LRA, and provide recommendations to the LLA for supporting sustainable livelihood activities in wetlands areas. The report also highlights the importance of coordinated land use planning efforts from the national level to the community level to achieve environmental and socio-economic co-benefits.

Landesa also partnered with the LLA and the Liberian organization Foundation for Community Initiatives (FCI) to research levels of women's participation in community forest governance bodies and apply relevant lessons to regulations development for LRA implementation. The report provides a set of clear, in-depth recommendations based on learnings from primary qualitative research conducted on forest governance structures at four case study sites in three counties of Liberia.

Research findings suggest that there are general issues within community forestry governance structures related to accountability, compliance by companies doing business with community forest communities, and concerns about the implementation of the LRA in communities. Women-specific findings suggest that women's participation is impacted by poor representation, low awareness, limited education, traditional norms, issues with mobility and access to meetings, low accountability and trust in governance structures, and exclusion of women's priorities. These findings also suggest that community forest governance may not be achieving anticipated benefits in terms of community management of forest resources for sustainability – particularly for women.

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. 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 include climate change agendas and human rights mechanisms and obligations.

Kenya: In Kenya, GROOTS Kenya is a grassroots organization engaged in SDG implementation to promote gender equality and engaged and empower local women.^{xvii} GROOTS 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, 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 are now digitizing data, and collecting 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.^{xviii} GROOTS 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.

Over the next year, implementation work related to this integrated “co-implementation” approach will include the following activities:

- Supporting efforts to jointly implement climate change frameworks, human rights norms, and the SDGs in Tanzania via capacity development tailored to the Commission for Human Rights and Good Governance (CHRAGG – Tanzania’s NHRI) and other Tanzanian government and civil society partners;
- Support for government and civil society partners in implementing Concluding Observations and General Comments and Recommendations from treaty-monitoring bodies (including CEDAW General Recommendation No. 37 on gender-related dimensions of disaster risk reduction in the context of climate change^{xix}), with a focus on Kenya;
- Supporting efforts to localize and implement the SDGs in Tanzania, working with a multi-stakeholder sub-committee within the Mainstreaming Gender Macro-Group, to help them implement the strategy and action plan they had developed last year;
- 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;
- Enhancing stakeholders’ access to data to diagnose and track progress on women’s land rights;
- Encouraging and supporting reporting on progress toward women’s land rights under the SDGs.

Conclusion and Recommendations

These efforts are presented as examples to support the work of 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 LWPG:

- Promote the efforts described above and similar efforts.^{xx}
- Promote the role of coherence with human rights frameworks for achieving gender-responsive climate action.^{xxi}
- 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.^{xxii}
- 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.

ⁱ 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

ⁱⁱ FAO (2017). *The future of food and agriculture: trends and challenges*, at 102-103, hereinafter “FAO,” available at: <http://www.fao.org/3/a-i6583e.pdf>

ⁱⁱⁱ Landesa, *The Law of the Land: Women’s Rights to Land*, available at: <https://www.landesa.org/resources/property-not-poverty/>

^{iv} Landesa (2017). *Women as Agents of Climate Change Action – Women’s Land Rights in Customary Settings are a Key Mitigation and Adaptation Strategy*, available at: <https://www.landesa.org/blog-women-agents-climate-change-action-womens-land-rights-customary-settings-key-mitigation-adaptation-strategy/>

^v See, e.g., Accelerating Effective Implementation of SDGs through interlinkages and gender-sensitive, people-centered land governance and just land reform, A side event at the High Level Political Forum “Transformation towards sustainable and resilient societies” (July 2018), available at: <https://www.landcoalition.org/en/event/accelerating-effective-implementation-sdgs-through-interlinkages-and-gender-sensitive-people>

^{vi} CEDAW Committee, General Recommendation No. 34 on the rights of rural women (2016), UN Doc. CEDAW/C/GC/34, hereinafter CEDAW GR 34, available at: http://tbinternet.ohchr.org/Treaties/CEDAW/SharedDocuments/1_Global/INT_CEDAW_GEC_7933_E.pdf

^{vii} E.g., the CEDAW Committee has declared women’s rights to land to be “a fundamental human right.” CEDAW GR 34, at para 56.

^{viii} UN Office of the High Commissioner for Human Rights (2016). *National Mechanisms for Reporting and Follow-up: A Practical Guide to Effective State Engagement with International Human Rights Mechanisms*, HR/PUB/16/1, at 3, hereinafter “OHCHR,” available at: https://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf

^{ix} UN Commission on Human Rights (1993). *National institutions for the promotion and protection of human rights*, E/CN.4/RES/1993/55, hereinafter “Paris Principles,” available at:

<https://www.ohchr.org/en/professionalinterest/pages/statusofnationalinstitutions.aspx>

^x Steven L. B. Jensen, et al. (2015), *Realizing Rights Through the Sustainable Development Goals: The Role of National Human Rights Institutions*, Danish Institute for Human Rights and Center For Economic and Social Rights, at 3, hereinafter “Jensen,” available at: https://www.humanrights.dk/files/media/dokumenter/udgivelser/research/nhri_briefingpaper_may2015.pdf

^{xi} Filskov, Nadja. *National Human Rights Institutions engaging with the Sustainable Development Goals (SDGs)*, GANHRI, 2017, at 5, hereinafter “GANHRI,” available at:

https://nhri.ohchr.org/EN/News/Documents/GANHRI_NHRIs%20engaging%20with%20the%20SDGs.pdf

^{xii} 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.”

^{xiii} GANHRI at 14.

^{xiv} “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.”

^{xv} Jensen at 3.

^{xvi} Informal workshop report, *supra* note 2, 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.”

^{xvii} GROOTS Kenya, <http://grootskenya.org/>

^{xviii} Women Deliver (2018). *Grassroots participation is the key to closing the data and gender gaps*, available at:

<https://womensdeliver.org/2018/grassroots-participation-is-the-key-to-closing-the-data-and-gender-gaps/>

^{xix} CEDAW Committee, General Recommendation No. 37 on gender-related dimensions of disaster risk reduction in the context of climate change (2018), UN Doc. CEDAW/C/GC/37, available at:

https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/CEDAW_C_GC_37_8642_E.pdf

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

^{xxi} 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>

^{xxii} 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.”