



Gendered impacts of commercial pressures on land



Our Mission

A global alliance of civil society and intergovernmental organisations working together to promote secure and equitable access to and control over land for poor women and men through advocacy, dialogue, knowledge sharing and capacity building.

Our Vision

Secure and equitable access to and control over land reduces poverty and contributes to identity, dignity and inclusion.



CIRAD works with the whole range of developing countries to generate and pass on new knowledge, support agricultural development and fuel the debate on the main global issues concerning agriculture.

CIRAD is a targeted research organization, and bases its operations on development needs, from field to laboratory and from a local to a global scale.



Mokoro is a not-for-profit organisation which has carried out more than 550 assignments for governments, international development organisations and NGOs since its establishment in 1982. Mokoro has special strengths in the sectors of land and natural resource management, evaluation, institutional development, and aid management and aid effectiveness. Mokoro's clients include Irish Aid, DFID, Danida, Sida, the World Bank and the FAO, among others. Dr Elizabeth Daley is a Mokoro Consultant with 15 years' technical, practical and policy experience working on land, natural resource management and gender issues. She is an academically-published international expert on women's land rights, with extensive country experience in East Africa.

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Foreword

The International Land Coalition (ILC) was established by civil society and multilateral organisations who were convinced that secure access to land and natural resources is central to the ability of women and men to get out of, and stay out of, hunger and poverty.

In 2008, at the same time as the food price crisis pushed the number of hungry over the one billion mark, members of ILC launched a global research project to better understand the implications of the growing wave of international large-scale investments in land. Small-scale producers have always faced competition for the land on which their livelihoods depend. It is evident, however, that changes in demand for food, energy and natural resources, alongside liberalisation of trade regimes, are making the competition for land increasingly global and increasingly unequal.

Starting with a scoping study by ILC member Agter, the Commercial Pressures on Land research project has brought together more than 30 partners, ranging from NGOs in affected regions whose perspectives and voices are closest to the most affected land users, to international research institutes whose contribution provides a global analysis on selected key themes. The study process enabled organisations with little previous experience in undertaking such research projects, but with much to contribute, to participate in the global study and have their voices heard. Support to the planning and writing of each study was provided by ILC member CIRAD.

ILC believes that in an era of increasingly globalised land use and governance, it is more important than ever that the voices and interests of all stakeholders – and in particular local land users – are represented in the search for solutions to achieve equitable and secure access to land.

This report is one of the 28 being published as a part of the global study. The full list of studies, and information on other initiatives by ILC relating to Commercial Pressures on Land, is available for download on the International Land Coalition website at www.landcoalition.org/cplstudies.

I extend my thanks to all organisations that have been a part of this unique research project. We will continue to work for opportunities for these studies, and the diverse perspectives they represent, to contribute to informed decision-making. The implications of choices on how land and natural resources should be used, and for whom, are stark. In an increasingly resource-constrained and polarised world, choices made today on land tenure and ownership will shape the economies, societies and opportunities of tomorrow's generations, and thus need to be carefully considered.

Madiodio Niasse

Director, International Land Coalition Secretariat

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Acronyms

AfDB	African Development Bank
AU	African Union
BMZ	Bundesministerium für wirtschaftliche Zusammen-arbeit und Entwick- lung ¹
CAF	Corporate Agriculture Farming
CDS	College of Development Studies, Nepal
CPL	Commercial Pressures on Land
CSO	Civil Society Organization
EDC	Ethiopia Development Consultancy
FAO	Food and Agriculture Organization
FDI	Foreign Direct Investment
FEMACT	Feminist Activist Coalition, Tanzania
FIAN	FoodFirst Information and Action Network
IDLO	International Development Law Organization
IFAD	International Fund for Agricultural Development
IFPRI	International Food Policy Research Institute
ILC	International Land Coalition
IIED	International Institute for Environment and Development
KLA	Kenya Land Alliance
LEMU	Land and Equity Movement, Uganda
NGO	Non-governmental Organization
OBC	Otterllo Business Cooperation
SEZ	Special Economic Zone
SCOPE	Society for Conservation and Protection of Environment
TNC	Transnational Corporation
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development

¹ The German Federal Ministry for Economic Cooperation and Development

UNECA United Nations Economic Commission for Africa
ZLA Zambia Land Alliance

Executive summary

The International Land Coalition's (ILC) 'Commercial Pressures on Land Initiative' aims to support the efforts of ILC members and other stakeholders to influence global, regional and national processes on land to enable secure and equitable access to land for poor *women* and men in the face of increasing commercial demand for land. The present paper forms part of its Global Study, and contains a careful and focused analysis of the gendered impacts of commercial pressures on land (CPL), and especially the impacts on women. The paper is based on a review of the literature on CPL to date and an analysis of the Global Study's country case studies from a gender perspective.

Across Africa, Latin America and Asia, land is a key productive and reproductive resource for the vast majority of rural women. Yet in the present global context of increasing CPL, women are both likely to be affected differently to men by large-scale land deals and disproportionately more likely to be negatively affected than men because they are generally vulnerable as a group. This vulnerability is four-fold.

- First, it arises through the constraints and systemic discrimination women generally face in relation to their access to, ownership of, and control of land, including the level of legal protection of their land rights.
- Second, women's vulnerability arises through the systemic discrimination they generally face in socio-cultural and political relations, most particularly in relation to their role in decision-making, and their ability to exercise freely both 'voice' and 'choice' in decisions that affect their lives and livelihoods.
- Third, women's vulnerability also arises through the more general state of their relative (cash) income poverty vis-à-vis men.
- Fourth, and not least, it arises through women's general physical vulnerability vis-à-vis men, as manifested in direct gender-based and sexual violence against women.

At present there is a notable lack of specific information about – or indeed attention to – gender issues within the wider literature on CPL. Yet, despite the limitations of the current literature, the ILC Global Study includes numerous case studies that provide up-to-date information on the gendered impacts of CPL. This information is analyzed in the present paper and key findings from case studies of Pakistan, Ethiopia, Zambia, Rwanda, Nepal, the Philippines, Benin and India are summarized.

The paper concludes:

1. that women (and women's non-governmental organizations (NGOs) and civil society organizations (CSOs) need to organize actively and strategically at all levels to get gender issues around CPL on the table at the outset of ILC and partners' forthcoming dialogue process on large-scale land acquisitions;
2. that the gendered impacts of CPL need to be seriously addressed within this process in relation to all four aspects of women's vulnerability; and
3. that gender issues must not be subsumed within the broader debate on CPL.

1 Introduction

Objective of the study

This gender study forms part of the International Land Coalition's 'Commercial Pressures on Land Initiative' Global Study. As stated by the International Land Coalition (ILC), the goal of this initiative is to

support the efforts of ILC members and other stakeholders to influence global, regional and national processes on land to enable secure and equitable access to land for poor *women* and men in the face of increasing commercial demand for land (ILC 2010a, emphasis added).

The Global Study includes numerous thematic, paradigmatic, regional and country case study reports (ILC 2010b); the objective of the present gender study is therefore to complement and support this work with a careful and focused analysis of the gendered impacts of commercial pressures on land (CPL), especially the impacts on women. The study highlights the different risks and opportunities posed by CPL specifically for women based on the assumption that women are disproportionately affected by CPL – because, even though women as a group are not homogenous, they are generally vulnerable as a group.

The gender study describes and analyzes the problems and issues for women that are raised by CPL, and then considers the policy and strategic implications for the ongoing international initiatives to provide a regulatory framework for investments in land and agriculture. It outlines what is needed to enable these regulatory initiatives to become an opportunity to enhance equitable access to resources for women, including what such frameworks or guidelines should incorporate or consider if they are to ensure that commercial land acquisition and investment generate positive outcomes for women. This includes consideration throughout the paper of the impacts of CPL on women from a range of drivers, such as food and biofuels production, timber extraction, tourism, land speculation, commercial and industrial development and special economic zones.²

² See also Zoomers (2010) on seven new processes stimulating "radical changes in landownership and land use": "off-shore farming – [foreign direct investment] FDI in food production"; "FDI in non-agricultural commodities and biofuels"; "development of protected areas, nature reserves, ecotourism and hideaways"; "SEZs, large-scale infrastructure works, urban extensions"; "large-scale tourist complexes"; "retirement and residential migration"; and "land purchases by migrants in their countries of origin".

Available information on gender differences is drawn out from among the other studies within the Global Study, especially the country case studies, and the wider literature on CPL and large-scale land acquisition and investment is reviewed. Supplementary data on gender issues from the country case studies has also been obtained through a series of interactions with the study authors. Conclusions about the ongoing policy initiatives from a gender perspective are then drawn and key strategic issues for ILC going forwards are discussed.

Defining commercial pressures on land

Although commercial pressures on land were defined during the ILC scoping exercise for the Global Study mainly in relation to processes of land concentration (Merlet et al 2009, 6-7), smallholders in developing countries have also been subject to increasing pressures of land privatization in recent years. This paper therefore assumes that commercial pressures relate to both processes of land concentration and land privatization on the basis that the motivation for both processes is economic gain (or 'rent' – see Ibid). Land concentration is mainly driven by market pressures whereby generally poorer holders of legal/formal rights to land sell or lease their land to people who are generally wealthier than them, enabling the concentration of land ownership and rights into the hands of those few with the resources to invest in land development on a larger scale. It also occurs where local land markets have developed to enable similar trade in informally or 'customarily' held land rights. Land privatization, on the other hand, is where legal/formal rights are limited and 'customary' land owners and users become vulnerable to dispossession as other bodies (both corporate and individual) accumulate legal/formal rights over their land through various means.

Although land privatization is more often considered as a land tenure issue, in relation to the legal status of land rights, in the present global context it is also an issue of commercial pressures because recent land tenure reforms in many countries have been influenced by desires to facilitate greater levels of large-scale domestic and foreign investment in 'customary' lands and many of the recent large-scale land deals have involved "close partnerships (or collusion) between foreign investors and the national governments that rule over the lands in question" (Borras and Franco 2010, 509). As Borras and Franco assert,

governments in Latin America, Africa, and Asia have been brokering international biofuel-related agreements and facilitating land deals to enable [transnational corporations] TNCs to gain access to land needed to produce biofuel feedstocks for export. In many cases, the land in question is

formally classified as state-owned public land and leased by the state to corporate biofuels producers (Ibid).

Land privatization goes beyond biofuels, however, as

transnational and national economic actors from various business sectors (oil and auto, mining and forestry, food and chemical, bioenergy, etc.) are eagerly acquiring (or declaring their intention to acquire) large swaths of land on which to build, maintain, or extend large-scale extractive and agri-industrial enterprises (Ibid, 508).

It is not only farm land that is subject to these commercial pressures (whether arable land (rain-fed and irrigated), riverine plots, swamps, etc.), but also common property resources (such as grazing lands, forests, wetlands and foreshores), urban lands, and protected ecologically-sensitive areas.³

Structure of the study

This paper is structured in two main parts. The first main part discusses the gendered impacts of CPL, commencing with a background section setting out the context of contemporary commercial land pressures and the relevance – indeed imperative – of a gender analysis. The wider literature on CPL and large-scale land acquisition and investment is then reviewed from a gender perspective. This is done primarily on a source by source rather than thematic or issue basis, so as to illustrate the limited overall attention given to gendered impacts in the literature on CPL to date. A section discussing some of the findings from ILC's Global Study follows, with available information on gendered impacts drawn out from 8 of the 17 country case studies. The second main part of the paper addresses the policy and strategic implications that arise from all this. It begins by discussing the development of regulations and guidelines for large-scale land acquisition, making some suggestions about how these might promote more positive outcomes for women. This is followed by a concluding section exploring the strategic implications of the gender study for ILC, with a particular emphasis on identifying effective ways for women's CSOs and NGOs to engage with other partners within the overall set of national and international dialogues and initiatives around CPL, in order to ensure that gender issues are not marginalized and that women's concerns are fully and constructively addressed.

³ See Neilsen (2009) for just one recent example of a biofuels investment in Ethiopia involving the purchase of agricultural land, virgin forestland and communal grazing land running into a protected wildlife sanctuary.

2 Gendered impacts of commercial pressures on land

Background

Importance of land to women

In Sub-Saharan Africa, agriculture accounts for approximately 21 per cent of the continent's GDP and women contribute 60-80 per cent of the labour used to produce food both for household consumption and for sale. Estimates of women's contribution to the production of food crops range from 30 per cent in the Sudan to 80 per cent in the Congo, while their proportion of the economically active labour force in agriculture ranges from 48 per cent in Burkina Faso to 73 per cent in the Congo and 80 per cent in the traditional sector in the Sudan (Wandia 2009).⁴

Conversely, in most Latin American countries, the primary responsibility of rural women, at least in normative terms, is "the provision of domestic labor", yet in one detailed household survey some 68 to 90% of rural women interviewees

participated in agricultural and livestock production, with the mean amount of time dedicated to field work (depending on the country) ranging from 2.2 to 6 hours per day...from 46 to 69 per cent of the women interviewed also tended a kitchen garden (Deere 2005, 18).

Rural women in Latin America have increasingly been moving out of such unpaid "invisible" family farming roles and becoming "visible participants in agro-export production" (Ibid, 28). However, the majority of those rural Latin American women who also undertake wage labor or self-employment activities are now "concentrated in non-agricultural activities...(Bolivia and Brazil being the exception)", with rates of rural women employed in non-agricultural activities ranging from 57% in Paraguay to 92% in the Dominican Republic and Panama (Ibid, 13).

⁴ Original statistics from the FAO paper 'Women, Agriculture and Rural Development: A Synthesis Report of the Africa Region' (1995), cited at the top of webpage <http://www.fao.org/docrep/X0250E/x0250e03.htm>.

In Asia, important economic transformations have been similarly taking place with the rapid development of non-farm livelihoods, yet the image of “peasant women standing knee-deep in water planting rice” remains compelling (Mooij 2000, 213) and “women constitute 90% of the rice cultivation work force in South-Eastern Asia” (Action-Aid 2010b, 3). In Afghanistan, “in some of the poorest and remotest areas of the mountain provinces of Bamiyan, Badakhshan and Nooristan, women are in charge of 100% of the agricultural and breeding activities” (Ibid, 3).

In South Asia, agriculture is

either a primary or important supplementary source of income for the bulk of the rural population...in India, in 1987-88, 85 per cent of rural female workers...were employed in agriculture and allied activities such as forestry and fishing...[.]...it would be realistic to expect that for a significant majority of persons in rural South Asia, for a considerable time to come, viable livelihood systems are likely to need access to at least some land. For rural women this appears even more necessary (Agarwal 1994, 25, 27).

Systemic gender discrimination

Despite their tremendous contribution to agriculture and family food security, women across the world face systemic gender discrimination in terms of their access to, ownership of and control of land and the income that arises from its productive use. In Guatemala, for example, “women hold only 3 percent of snow pea production contracts but contribute more than one-third of total field labor and virtually all processing labor” (World Bank 2010, Q.2). Similarly, among South African sugar farming contracts, “women held less than half (30 of 70) of the contracts despite providing the majority of the labor on 60 to 70 percent of the contracted plots” (Schneider and Gugerty 2010, 2).

Although the statistics on actual land ownership are limited, the available data clearly illustrate the systemic discrimination women face. For example, a 2005 study of Brazil, Mexico, Nicaragua, Paraguay and Peru found that “the percentage of individual landowners who are female ranges from 11 per cent in Brazil to 27 per cent in Paraguay” (Deere 2005, 47; c.f. Rossi and Lambrou 2008, 5). In Thailand in 2003, following decades of formal land registration efforts, only 27% of a total of 5.8 million registered land holders were women, while in the India the figure was only 11% of nearly 120 million land holders in 2000-2001. In Botswana in 2004, 35% of 50,690 formal land owners were women, compared to 20% of 4,901,837 formal land owners in Tanzania in 2002-2003 and 9% of 437,036 formal land owners in Senegal in 1998-1999.⁵

⁵ Asian and African land ownership statistics taken from the ‘FAO Gender and Land Rights Database’ (<http://www.fao.org/gender/landrights>) on 28 June 2010. See also data and discussion in Action-Aid (2010b).

Women also face systemic discrimination as farmers, “receiving less extension training, access to fewer loans for farm development, product development and marketing right across the board” (Tandon 2010). In Dominica in 2009, for example, only 4 of over 150 greenhouses distributed to farmers went to women (Ibid). Across the world “women are more vulnerable to shocks and less well positioned to respond to them”, and they “usually enjoy fewer rights and protections under both customary and statutory legal systems than men” (World Bank 2010, Q.3).

Women’s access to, ownership of and control of land is relevant not only to their role in agricultural production – whether food production for the household or market, or cash crop production (including biofuels) for the market – but also to their housing quality and security and to their broader livelihoods and family food security through livestock-keeping, possibilities for small-scale enterprise development and employment, and access to water, fuelwood and other common property resources. Moreover, the discrimination faced by women in relation to productive resources is only symptomatic of broader gender discrimination worldwide, whereby gender is uniquely the most central axis of differentiation and discrimination across all societies. Thus, although women face other forms of discrimination throughout the world (on grounds of race, class, age, etc.), these are everywhere added on top of the underlying gender discrimination.

Women’s four-fold vulnerability

In the present global context of increasing CPL, women are both likely to be affected differently to men and disproportionately more likely to be negatively affected than men because they are generally vulnerable as a group. This vulnerability is four-fold. First, it arises through the constraints and systemic discrimination women generally face in relation to their access to, ownership of, and control of land, including the level of legal protection of their land rights. At the extreme, in countries such as Burkina Faso, “there are statutory laws preventing women from holding rights to land independently of their husbands or male relatives” (Rossi and Lambrou 2008, 7), while in Pakistan, the Constitution gives women the legal right to own property but

customary practices dictate what women are allowed to own and...generally in all the four provinces of Pakistan, women do not inherit property and widows customarily lose their right to inheritance if they re-marry outside the family of the deceased husband even though the law prescribes a prompt division of the deceased’s assets and the widow’s right to her share.⁶

The discrimination faced by women in relation to property rights is therefore both de jure and de facto, and complex to address. De facto discrimination is particularly widespread, occurring in cases where women have achieved de jure rights (on paper) but these are

⁶ Pers. comm. Tanveer Arif, Society for Conservation and Protection of Environment (SCOPE), Pakistan, 14 June 2010.

not fully enforced or implemented, or where they have had longstanding 'customary' rights which cease to be practiced during periods of rapid social, political and economic change and contestation. There is thus widespread recognition of "the generally limited effectiveness of formal legislation regarding property rights" (Lastarria-Cornhiel 2006, 5), and that "the law alone does not suffice" (Daley and Englert et al 2008, 167 et passim; c.f. Agarwal 1994; Englert and Daley 2008; Meinzen-Dick et al 1997; Razavi 2003; Whitehead and Tsikata 2003). In one recent case, Swaziland's Supreme Court even overturned a High Court ruling that had granted married women the right to register property as individuals in their own names – suggesting that for every "two steps forward" there is "one step back" (IRIN News 2010).

Second, women's vulnerability arises through the systemic discrimination they generally face in socio-cultural and political relations, most particularly in relation to their role in decision-making, and their ability to freely exercise both 'voice' and 'choice' in decisions that affect their lives and livelihoods. During a period in the late 1980s in Kenya, for example, when Maasai group ranches were being sub-divided by members, only widows among women "as the executors of their deceased husbands' shares in the group ranch" were permitted to attend – though not publicly address – ranch members' meetings (Mwangi 2005, 33). As a result, and "lacking a forum to articulate their preferences", women as a group "disengaged from the process. Rules created to exclude women had a cultural basis, which they were neither ready nor equipped to challenge" (Ibid, 37). Yet even where women are more involved in key institutions they are often not in leadership roles, as in Zimbabwe, for example, where women represent 75% of the Zimbabwe Farmers Union members but only 5% of the managers (Action-Aid 2010b, 7).

As these cases thus illustrate, one of the main manifestations of gendered power relations across the globe is women's lack of political participation at all levels of government and society, and this has important implications for the development of regulatory frameworks and guidelines around large-scale land acquisition and investment. For example, where such guidelines refer to 'free, prior and informed consent', such as those of de Schutter (UN 2009) and the International Food Policy Research Institute (IFPRI) (Von Braun and Meinzen-Dick 2009), the question to be asked – if women's voices and choices are not heard and they do not participate politically – is 'whose consent'? As Nhantumbo and Salomão have observed in Mozambique, any community consultations that take place on proposed land deals currently "tend to be gender biased. Despite being the majority of the workforce in rural lands, women are rarely involved in the consultation processes and they almost never sign the respective reports/documents" (2010, 35).

Third, women's vulnerability also arises through the more general state of their relative (cash) income poverty vis-à-vis men. Although it is not always easy to separate women's relative income poverty from the discrimination they face in relation both to productive resources and to participation in decision-making (both of which contribute to poverty), it is nonetheless a different dimension of their vulnerability. Relative income poverty affects women's ability to participate in the market, which is important in the context of

increasing CPL and processes of land commoditization because markets privilege those who have the money to buy land (e.g. Daley 2008). However, it is also related to the generally lower cash wages women receive relative to men worldwide for any paid work they do, which is important with regard to the gender distribution of any benefits from large-scale land deals that might arise from increased wage employment.

Fourth, and not least, it arises through women's general physical vulnerability vis-à-vis men, as manifested in direct gender-based and sexual violence against women. For example, in Kenya, women who are widowed by HIV/AIDS become "exposed to increased sexual exploitation and violence" and "in some traditions, inheritance is intertwined with such practices as 'widow inheritance' and sexual 'cleansing'" (Kenya Land Alliance (KLA) 2004, 10-11; c.f. Francis et al 2005, 14-15). Again, although poverty, including through systemic discrimination in land ownership, is an established contributor to gender-based violence, particularly within families whose economic aspirations are not met (Francis et al 2005), women's physical vulnerability is nevertheless a distinct aspect of their overall vulnerability. Francis et al claim that half of all Kenyan women have experienced violence since they were 15 and "one in four in the twelve months prior to being interviewed (three in ten in the case of currently married women)" (Ibid, 22-23). In one area of Kenya, "the 'disciplining' of wives was described as if it were an elemental component of local culture. A typical view expressed by a Bungoma man was that 'a woman must be beaten by the man to instill respect and a sense of discipline'" (Ibid, 23). Gender-based and sexual violence against women also manifests itself through commercial sex work, which young girls and women are drawn into through poverty, while poor married women may be vulnerable to having to exchange sex outside marriage for food or money in order to meet their family's food needs (Ibid, 27). All of these examples illustrate the highly women-specific nature of this aspect of vulnerability.

Gender-based violence is directly linked to women's experience of land loss through "property grabbing" (Izumi 2007), and in some cases of large-scale land acquisition and investment, women and men in the same community are therefore likely to experience their vulnerability to, and occurrence of, land loss very differently.

Other vulnerabilities

Nonetheless, women as a group are not homogenous and their experience of CPL will differ according to their status and position in their families, clans, communities and societies; their relative wealth and age; their marital status; and their education level. Some of the vulnerabilities women face are, of course, also faced by other vulnerable social groups – indigenous and tribal peoples, chronically poor and food-insecure people, disabled people, orphans, etc. Women in other vulnerable social groups therefore face double (or even multiple forms of) discrimination, first as women and then as members of, for example, a vulnerable indigenous group. Particular vulnerable groups vary according to the particularities of different socio-economic, political, historical and environmental situations and circumstances, and the impact of CPL on all vulnerable

people is of utmost concern. However, it remains the case that across all developing countries and all different socio-economic, political, historical and environmental situations and circumstances, half the population – women – is generally vulnerable as a group. This makes it imperative to analyze carefully the gendered impacts of contemporary CPL, and especially the impacts on women.

Gender blindness in the CPL literature

At present there is a notable lack of specific information about – or indeed attention to – gender issues within the wider literature on CPL, with one expert on the subject referring to the current situation as one of “overwhelming gender blindness”.⁷ Another expert describes how it is “very difficult to get gender-disaggregated data on the ‘land grab’...beyond general statements, reliable data is just difficult to get hold of”.⁸ Studies and reports that look directly, however briefly, at the gendered impacts of CPL are still very limited, while those that focus exclusively on gender are virtually non-existent. The majority of the literature on CPL instead barely even mentions gender issues, and “where women appear at all tends to come in discussion of the impacts of land grabbing or biofuels on ‘the poor’, on ‘marginalised groups such as pastoralists or indigenous people’, in discussion of ‘empty/vacant land’, or of the vulnerability of people without title.”⁹

This may be due to the relative ‘newness’ of the current wave of CPL, which has only sprung to widespread international attention with the sudden food price rises of late 2007 and early 2008 and their impacts in the developing world, which were particularly devastating for women (see Action-Aid 2010a, 12-19; 2010b, 17-24; Economist 2009; GRAIN 2008; Merlet et al 2009, 3-4; Tandon 2010; Von Braun and Meinzen-Dick 2009; Zoomers 2010). There is indeed a noticeable “growing trend towards a new form of international land-grabbing” (Daley and Englert 2010, 96). However, while attention has focused on the many land deals being made over the past few years, actual land use changes on the ground are often slower to follow through. Even where contracts are already signed, as with many biofuels investments, investors will usually expand production in the allocated land area only gradually from an initial nursery and small plantation. This can make it difficult to see the actual gendered impacts of these land use changes on the ground.¹⁰ For example, in the case of the International Institute for Environment and Development’s (IIED) recent research on the land access impacts of biofuels investments in Tanzania and Mozambique (Sulle and Nelson 2009; Nhantumbo and Salomão 2010), it was not possible to see precise impacts on women during the field research

⁷ Pers. comm. Robin Palmer, Mokoro Ltd, England, 25 May 2010.

⁸ Pers. comm. Lorenzo Cotula, IIED, Scotland, 15 June 2010. See also Bending’s comments about the general limitations of land sector indicators and monitoring data on gender issues (2010, 30-33).

⁹ Pers. comm. Robin Palmer, op.cit.

¹⁰ Pers. comm. Lorenzo Cotula, IIED, Scotland, 6 July 2010.

because the actual land use changes were so far behind the signing of the land deals with the investment promotion agencies at national level.¹¹

Distinctiveness of the current situation

Despite the newness of the current phenomenon of CPL, it is merely the latest manifestation of commercial land pressures that have a long history throughout the developing world (Daley and Englert 2010). What makes the current situation distinct, however, is that

the pace of changes...the magnitude of the phenomena...is truly impressive...massive investments make large changes in technical production systems possible. The ways that these new systems are set up are connected to the investors' interests. While legal systems are still in an awkward situation in relation to local social systems and do not take into account populations' true interests, they allow appropriation on a much larger scale than in the past (Merlet et al 2009, 8; c.f. Cotula 2011).

Thus, the scale of current land acquisitions far outstrips those of the colonial period in many developing countries, where large-scale land investments were often one-offs and linked at least partially into local development and settlement schemes, as well as to the production of trading commodities that were at least notionally intended to generate some local economic development. Nonetheless, "the intense involvement of governments in the process rather than mainly private corporations, as was the case during the rise in foreign direct investment and land-grabbing...in the late 1980s and 1990s" suggests that the current phenomenon has more in common with the colonial period investments than with the more recent structural adjustment and 'free market' period investments (Daley and Englert 2010, 97). This has potentially important gendered implications, given the well-documented impacts of previous large-scale rural development schemes on women, as described below.

The role of foreign investment is itself a further continuity between the current phenomenon and the past, even though new types of investors, such as private equity firms and sovereign wealth funds, are now joining the more traditional multinational or transnational corporations (c.f. Tandon 2010). Data from IFPRI on foreign land acquisition for food production in developing countries worldwide between 2006 and 2009 suggests that

at minimum 8.85 million ha of land were acquired by governments and investors from rich food-importing countries in known land/food production deals, and that in total some 15-20 million ha of land may have been subject to transactions or talks about possible transactions during this period...this data relates only to land for food production and does not

¹¹ Pers. comm. Lorenzo Cotula, IIED, Scotland, 6 July 2010.

include land that has been given over to bio-fuels in the same period (Daley and Englert 2010, 97; c.f. Economist 2009, 65; and see Cotula et al 2008; Merlet et al 2009, 12; Cotula 2011).

Meanwhile, data on all reported land deals, for all productive (and speculative) purposes and involving both foreign and domestic investors (including governments), are now being collected by ILC and its partners through a 'Matrix and Monitoring Initiative' as part of the overall Commercial Pressures on Land Initiative (ILC 2010b). This will be a valuable resource for all those interested in tracking individual land deals and monitoring the scale of land acquisitions in developing countries, and may also be able to guide the targeting of specific research on the gendered impacts of CPL.

Risks vs. opportunities

One of the major issues in relation to CPL – and a key aspect of ILC's Global Study – is that of weighing the relative risks and opportunities posed by the phenomenon (Merlet et al 2009, 3; c.f. Von Braun and Meinzen-Dick 2009). For example, Cotula et al argue that while increased investment as a result of land acquisition may bring macro-level benefits and thus some improvement to livelihoods in rural areas, the land acquisition itself may also result in critical land loss by local people, especially because "many countries do not have in place legal or procedural mechanisms to protect local rights and take account of local interests, livelihoods and welfare" (2009, 5-7). This is particularly relevant to the situation for women, who, as already observed, are relatively disadvantaged in terms of legal protection of their land rights and the lower wages they receive for their paid work vis-à-vis men. However, this does not necessarily preclude women from benefitting from large-scale land deals, should they be undertaken in a gender-sensitive way, and it is thus important to note both the opportunities and risks that might arise for women as well as drawing attention to the real disadvantages that specific cases of large-scale land acquisition have already caused them.

Lessons from history

History confirms that large-scale rural development schemes involving technical change and new farming systems or practices often negatively impact on women. In Sri Lanka, for example, the Mahaweli irrigation resettlement scheme had by the 1980s transformed a bilateral inheritance system, in which Sinhalese women had independent rights to own and control land, into one where only one nominated heir (usually male) was allowed and the vast majority of household plots were registered in the sole name of the husband as household head (Agarwal 1994, 290). In the Gambia, beginning in the 1940s, rice production schemes involving land registration, contract farming, and new varieties of rice have seen women lose access to (and time for) their own swampland rice cultivation, while their access to land and cash income under the new schemes was not guaranteed; by the 1980s women were resisting by forcing men to pay them in cash or kind to secure their labor in swampland rice production. At the same time, the terms of their household relations were being renegotiated because of the upheavals to longstanding divisions of

labor and control of income that the technical changes had caused (Carney 1988; Dey 1981; Watts 1993). Similarly, on the Mwea irrigated rice scheme in Kenya, women's longstanding access to land was undermined and transformed by the household-based nature of the scheme (Hanger and Moris 1973). At Wad al Abbas in Northern Sudan it was the introduction of an irrigated cotton and sorghum development scheme in 1954 that restricted women's land rights and their abilities to secure their own land and livelihoods as more hired (male) labor was required; in return, the most unpleasant and lowest paid cotton-picking work was institutionalized as female work, providing little more than 'pocket money' for mainly poorer women, and contributing to growing seclusion of local women from public life (Bernal 1988; 1999). Even in more recent studies of large-scale agricultural projects involving contract farming in sub-Saharan Africa, the dominant finding remains that "women are generally not involved in contracting with agro-industrial firms and are disadvantaged in contract schemes" (Schneider and Gugerty 2010, 1-2).

In contrast, Latin America's technological changes in agriculture have led to a major expansion of women's waged work in non-traditional agro-export production. Where women had not previously undertaken wage employment, they have had to overcome serious male opposition to them working outside the home. As Deere explains, this has

required them to challenge notions of machismo regarding male control of women's mobility and sexuality. Husbands fear that if they allow their wives to work alongside other men it might challenge their fidelity, or that their daughters will be sexually exploited by other men. Women's wage work also challenges the notion of the male breadwinner, the material basis of male authority and household headship. Men fear that if their wives work it will appear that they are incapable of maintaining their family; they also fear that their wives might earn more than they, changing household power dynamics. Not surprisingly, in most regions the employment of female household heads has generally been more socially acceptable initially than the employment of wives (2005, 37-39).

Detailed studies in Latin America document both the benefits and problems posed for women through such employment. In the Mexican tomato sector, for example, young women workers gained greater freedom of movement and greater autonomy in choices about consumption and marriage partners. However, for already married women, most needed their husband's permission to work and their domestic responsibilities did not reduce, giving them a 'double-day'. For these women the main benefit of working was greater decision-making power over household expenditure and the possibility of opting out of their marriages (Ibid, 38). Another Mexican study found that, although women's work in strawberry packing houses was initially viewed as "tantamount to prostitution", over several decades it has become more acceptable and has increased the options available to young women, in that

[w]hile marriage and motherhood is still the main goal of most of the young female wage workers, they are choosing to postpone this and subsequently have fewer children. And some are able to save from their wage earnings to start a small business or to purchase land or a house, enhancing both their alternatives to marriage and their potential economic autonomy as wives (Ibid, 38-39).

As non-traditional agro-export production increased in Chile, women were initially incorporated into the workforce as unpaid family labor and they lost land previously available for their kitchen gardens to fruit groves. Then, as economic conditions worsened, many families were forced to sell their fruit groves and women ended up among the landless wage labor force (Ibid, 45). In the central Guatemalan highlands, when vegetable production for export began in the early 1980s, many young, single women began working as seasonal wage-workers during harvesting. However, many married women began working as unpaid family labor year round under their husbands' control. These latter women lost access to 'customarily-held' land for kitchen gardens and to crops they had previously been responsible for marketing, the income from which "was generally considered a woman's own to dispose of" and had allowed their greater participation in household decision-making (Ibid, 45).

Regardless of the potential impact of large-scale land acquisition and investment on employment patterns and broader gender relations, history also warns us about the potential direct impacts of CPL on women's rights to land. The earlier examples from Africa and Asia illustrate the potential loss of rights women have faced in large-scale rural development schemes, but there has also been substantial documentation of problems faced by women during classic land titling programs, whereby 'household' land has typically been titled to the male 'household head' (e.g. Berry 1993; Coldham 1978; Davison 1987; Mackenzie 1990). Even in places where women's rights on 'customary' lands are very secure and well-established, for example in areas of Malawi practicing matrilineal-matrilocal land tenure, historical experience of land allocation, leasing and titling has recorded 'household' land in the names of the men (Peters 2010, 181-186). Similarly, in matrilineal communities in Sri Lanka undergoing land privatization, "the title deeds granted to individual households are typically in male names", as a result of "male bias" whereby male officials consider women incapable of coming "to our offices to fill out papers" (Agarwal 1994, 290). In Latin America, the "gender asset gap in land" has been "related to male preference in inheritance, male privilege in marriage, and male bias in community and state programs of land distribution, as well as gender bias in the land market" (Deere 2005, 47).

In sum, history warns that any change in land relations is likely to be affected by systemic gender discrimination and that there is no a priori reason to assume that CPL-induced changes will be any different. We should therefore be very wary of any claims made about the benefits that will follow for women, such as through increased wage employment, from this or that particular large-scale investment requiring commercial land

acquisition of previously 'customarily-held' or common property land, given the importance of land to women, the fluidity of their land rights and the lack of overall legal protection for them.

Gender issues in the literature on commercial pressures on land

Lack of detailed material on gender

Within the specific, and by now fairly extensive, literature on the contemporary wave of CPL, there is, as already observed, "overwhelming gender blindness". Where gender-specific issues are mentioned, this tends to be done briefly and in a generalistic way, even if some of the complexity is nonetheless drawn out.¹² To best illustrate this, and thus highlight the limited attention given to gendered impacts in the wider literature on CPL to date, it is helpful to review this literature on a primarily source-by-source, rather than thematic or issue, basis. The following extract from Spieldoch and Murphy (2009, 47) provides an instructive opening illustration of some of the risks and opportunities for women as a result of large-scale agricultural investments, and is the only section in a much longer and broader document (Kugelman and Levenstein 2009) to focus exclusively on gender issues.

As the majority of the world's food producers (and food providers), women face particular challenges related to land-use choices. They generally have customary rights to land, but they seldom have formal legal rights. Women are commonly discriminated against in both formal and customary systems of land tenure. Their ability to claim legal rights and participate in institutions and political activities is often curtailed, making their rights vulnerable to abuse. Women are typically small-scale producers, and as such they lack independent resources or collateral with which to secure credit. If the government or the community appropriates their land, then their lack of formal rights denies them legal recourse. One result is that they might end up working on other farms (or in commodity processing factories) for money for wages and/or food. Or, they might secure some other form of employment to provide food for their families and to make ends meet when traditional means have failed. To be clear, new investment in agriculture can provide, and has provided, employment opportunities for women. Yet too often the jobs are temporary, low-paid, and insecure. Women working in agriculture are vulnerable to sexual abuse and forced pregnancy

¹² Pers. comm. Lorenzo Cotula, IIED, Scotland, 6 July 2010; Pers. comm. Sabine Pallas, ILC, Italy, 24 June 2010.

tests. They also face the double burden of working outside of the home while still being expected to prepare meals for their families. In some cases, because policymakers do not take women's economic activities into account, new investment undermines viable businesses headed by women. ActionAid's 2008 report on biofuels, "Food, Farmers, and Fuel," illustrates the pitfalls of not undertaking gender analyses of potential investments. For instance, when the government of Ghana granted land to a Norwegian firm for biofuels feedstock production, women producers in the region objected that this land was already planted with shea trees – and that the fruit from the trees was providing them with an important source of income (Spielfoch and Murphy 2009, 47).

The latter example from Action-Aid from Ghana is cited several times throughout the document, and is its only specific example of a tangible impact from a large-scale land deal on women (Kugelman and Levenstein 2009). Yet it is exactly this kind of specific detail about the gendered impacts of CPL – in all their manifestations and for all drivers – that needs to be researched so as to enable appropriate and carefully designed measures to be recommended, both in general and for specific cases, that will mitigate detrimental impacts on women and maximize potential benefits for them.¹³

The World Bank on women, biofuels and CPL

The World Bank's recent *Gender in Agriculture Sourcebook*, a valuable resource and a first of its kind (c.f. Action-Aid 2010b, 24), says almost nothing about the gendered impact of CPL, and devotes only one of the thirteen points in its website's 'Frequently Asked Questions' to the gendered impact of biofuel-related CPL (World Bank, 2010, Q.8).¹⁴ In this, we are told that among small-scale farmers, women, and particularly women in female-headed households, will struggle to acquire the resources needed to produce biofuels, and that all women may suffer from the potential loss of biodiversity and edible wild plant species as large-scale mono-culture cropping spreads. It also explains that increased pressures on marginalized land "might result in the displacement of women's agricultural activities towards lands that are even more marginal, thus decreasing household food security" (World Bank 2010, Q.8).

While these are all valid and important points, there are no details – no examples or case studies – on which to build a nuanced understanding of the nature and extent of the gendered impact of increased biofuels production and to start to work out appropriate

¹³ It is also the case that more detailed research and documentation is needed on the more general impacts of CPL too, hence this is part of the rationale behind the ILC Global Study. Pers. comm. Sabine Pallas, op.cit.

¹⁴ The *Sourcebook* itself was published in 2009, after CPL came to major international attention with the sudden global food crisis of late 2007 and early 2008. The *Sourcebook* is a very comprehensive resource, containing many useful examples of efforts to incorporate women into agriculture and generate more benefits for them, and it is thus surprising that issues around CPL did not emerge more during its research and production.

policies and mechanisms for ensuring small-scale women farmers are as able to benefit from any opportunities offered as small-scale male farmers. Instead, the Bank simply asserts the value of supporting decentralized production, local use of the energy produced, and the establishment of co-operative producer groups – all important suggestions to ensure pro-poor outcomes, but with a lack of any detail on how to structure and implement such measures in an appropriately gender-sensitive way.

However, other relevant information on the gendered impacts of CPL can be elicited from other parts of the 'Frequently Asked Questions'. The recognition, for example, that women and girls are disadvantaged by water and forest degradation, which forces them to walk further alone to access water or fuelwood and increases "not only their workloads but their vulnerability to gender-based violence" (Ibid, Q.6), is only one step away from acknowledging that these issues require specific attention in any analysis of proposed large-scale land deals. As the Bank's example from Nepal suggests, "where women perform 82 percent of the firewood collection, extensive deforestation increases the time they take to complete this task by 75 percent per load of firewood, which translates to an additional 1.13 hours each day collecting firewood" (Ibid, Q.7). Large-scale land deals requiring the introduction of extensive mono-cropping, as for biofuel or food production, or which are geared towards timber extraction, must therefore be individually assessed for the gendered impact this will have on women's day to day reproductive burdens.

The World Bank on gender issues in infrastructure investments

Similarly, where large-scale land deals involve major infrastructure investments, communities need to apply a gendered lens in considering what real value the proposed investments might have for them. Research has shown that, with respect to rural infrastructure, men and women have different priorities and needs in terms of type and location of infrastructure, and that women's ability to participate in decision-making within their households and communities is systemically constrained, not only because of their heavy workloads which limit their time for such participation, but also because of socio-cultural norms that in some cases keep women out of the public sphere. Indeed, "the time poverty between men and women is the single most important economic factor that justifies integrating gender equity into rural infrastructure policies, program, and projects" (World Bank 2010, Q.10). Therefore, infrastructure developments linked to large-scale land deals will be more beneficial for women if they contribute to savings of women's time and labor, and this must be considered alongside the infrastructural needs of the investor.

Issues from other drivers of CPL – urban areas and mining

While most of the literature on CPL addresses agricultural land, specific gendered impacts also arise from other drivers of land pressures. For example, issues similar to those raised by the World Bank above are also relevant in urban areas. CPL can lead to massive unplanned urban growth, land speculation and the loss of agricultural land to housing

construction and industry, contributing to river pollution and waste management issues, as the carrying capacity of urban services, such as water supply and sewerage systems, are exceeded. This places particular burdens on women if they are responsible for ensuring their family's water supply (Shrestha 2011). ILC's case study from the Kathmandu Valley in Nepal illustrates this situation, wherein excavation and deforestation over the past four years have depleted the trees (lapsi, bamboo and utis) and drinking water sources, as well as water harvesting ponds and the availability of graze and browse for livestock (Ibid).

Mining, another driver of CPL, similarly impacts on water reserves. Mining companies in Sierra Leone have had to create artificial reservoirs as part of their operations. In some areas inhabited by the Mende people, this has impacted on women's longstanding participation in shallow-water fishing, which was an important part of their social role, with their fishing activities and responsibilities linked to rites of passage. The change has therefore affected the dynamics of local gender relations and proved detrimental to women by reducing their access to common property water resources from which they previously benefited (Akiwumi 2006).

The United Nations on CPL, women and bioenergy

A recent United Nations (UN) policy paper on 'Foreign Land Purchases for Agriculture' (UN 2010) makes not a single mention of either women or gender in its entirety. However, with respect to CPL from biofuels production and increased use of modern bioenergy, another UN report does raise a number of important gender issues (UN-ENERGY 2007). The latter takes the view that there is tremendous potential for bioenergy to impact on poverty reduction at the household level in developing countries, for example by easing the burdens of cooking and heating that fall predominantly on women (Ibid, 20-21). Thus, converting land to biofuels production in itself could be beneficial for women – if they are able to access the resulting biofuels and these are not all exported or priced out of domestic reach. However, the report also highlights general health and safety issues in biofuels production, which would fall disproportionately on women if they comprised the bulk of the labor force in large-scale biofuels investments. On the other hand, this would need to be offset against the potential benefits to women in terms of earning cash incomes that they might then control from this kind of work, as an alternative to working as unpaid labor on family farms.

It is clear, however, that the main issues of concern around biofuels production are more focused in this UN report on the potential negative impacts for the poor in general. For example, the report notes that:

to date, consumption of domestically produced liquid biofuels has always depended on government support, but additional measures may be necessary for small-scale farmers if they are to be included in medium- or large-scale biofuel crop production. This support can be in the form of policies supporting decentralised production, local use of the energy pro-

duced, and organization of cooperatives or other forms of participation (Ibid, 9).

These suggestions echo those of the World Bank above, and are similarly lacking in substantive analysis of how such measures could be realized in appropriate and gender-sensitive ways in different contexts. For example, the UN report provides an outline of a project in the Philippines where a new, locally manufactured cooking stove fuelled by plant oils as well as kerosene has been tested and introduced onto the market. The stove is claimed to offer health benefits and time savings to women, and the project also provided initial financing for a local coconut oil production cooperative involving some 400 families which sells oil for the stoves (Ibid, 23). Unfortunately, however, there is a missed opportunity in the documenting of this example, as there is no explanation of which family members are actually producing the oil and/or whether they are getting any cash income from this work, thereby making it hard to assess the overall benefits to women from the project.

The Food and Agriculture Organization on women and biofuels

Another source on biofuels produced for the Food and Agriculture Organization (FAO), and one of the few items in the wider CPL literature that claims to focus solely on gender issues, is similarly lacking in specific details, case studies and examples, which could help to clarify the gendered impacts and consequent policy implications (Rossi and Lambrou 2008). Nonetheless, the FAO report is more comprehensive in its analysis of gender issues than the more general literature on biofuels, such as Clancy's analysis of biofuels, which includes just over a page on gender but limits itself by the narrow (and flawed) claim that gender issues are only two-fold, "in terms of access and control over household assets and in terms of income-generating opportunities for women within biofuels programmes, either as growers of biofuel feedstocks or as employees in a biofuels agribusiness" (2008, 422).

Rossi and Lambrou draw attention to the likelihood of gender-differentiation in the risks of liquid biofuel production that reflect men and women's different roles and responsibilities and the existing gender inequalities between them (2008, 4). For example, they note the importance of marginal lands to women, of which in India the majority are common property resources that are an integral part of the livelihoods of the rural poor, providing food, fodder, fuelwood, building materials, etc. (Ibid, 6). Like the World Bank, they highlight the potential risks to women from environmental and natural resource degradation that may result from large-scale acquisition of marginal lands, through the loss of their biodiversity knowledge and skills and the availability of edible wild plants and water and fuelwood resources that women have responsibility for harvesting to meet their household needs, and which affects women through their relative poverty vis-à-vis men in general and their lower resilience to shocks (Ibid, 9-12). As for employment opportunities from expanding liquid biofuels production, Rossi and Lambrou suggest

that the introduction of more technology on sugarcane plantations might present women with more job opportunities, as the heavy cutting work (currently 'men's work') is mechanized (see more below on this point), and they note that women workers are often preferred in plantation agriculture for being more "docile and dependent". Yet, despite these potential opportunities and preferences for women's labor, there are specific health implications for women in biofuels production. For example, in Malaysia, women, who make up half the plantation workforce, are often recruited to spray chemicals on crops without proper training or safety equipment (Ibid, 13-14).

In a similar vein, a recent FoodFirst Information and Action Network (FIAN) study of CPL from a human rights perspective, which barely touches on gender as a specific axis of discrimination, records a case of particular dangers for women in a large-scale investment by the American-owned Dominion Farms Ltd in the Yala Swamp wetlands on the North-Eastern shore of Lake Victoria in Kenya:

In the rice fields, women can be seen armed with sticks to chase away the birds which prey on the cereal. According to villagers, they have to stand in the mud from dusk to dawn for a miserable pay and even remain there when the plantation is sprayed with pesticides. Neighbors suspect it is DDT as fowl and plants have died after the spraying (2010, 23).

The FIAN study also records reduced local access to water after the company fenced off the Yala river and canal water, which has affected fishing, subsistence agriculture and livestock-keeping activities that were important to local livelihoods, including activities of specific importance to poor women, who now "cannot harvest papyrus and sisal from the nearby swamp" (Ibid, 34).

CSO and NGO evidence on gender-based violence and HIV/AIDS

As the African feminist activist Mary Wandia (2009) has described:

The experience of many communities who have leased out land to investors is that they lose the land as well as the common resources on it, for leases that might be up to 50 years, with few overall benefits for the community. Women are not party to these negotiations and are not in a position to prevent land leases. Indigenous women's land rights are constantly being undermined as a result of displacements and evictions, intrusion of other actors on their lands, and assimilationist policies. Dispossession of indigenous lands is frequently an extremely violent process, which has included crimes of rape, murder and torture of women as a means to subjugate indigenous populations.

One women's NGO, the Tanzanian Feminist Activist Coalition (FEMACT), has documented a specific case involving violence against women in Loliondo, Northern Tanzania (FEMACT 2009a; 2009b). As reported in Daley and Englert (2010, 97),

a field force unit of the Tanzanian police together with private guards from the Otterllo Business Cooperation (OBC – owned by a member of the United Arab Emirates royal family) allegedly burnt houses and evicted villagers, destroyed property and raped a woman, all in an effort to chase villagers from land on which the OBC had bought hunting rights.

Another account of the same incident from the Ngoro Ngoro NGO network coordinator states that “over 300 homes were burnt down, 1,800 people were made homeless and over 100,000 livestock were left without water and pasture”, and also refers to the rape of a woman by the police (Tandon 2010). This case highlights the element of direct violence against individual women in gender discrimination, which means that women’s vulnerability to CPL is experienced very differently to men’s.

In general, when large-scale land deals take place in countries where non-transparent and corrupt practices are not uncommon, such as Ethiopia, Mozambique and Sudan,¹⁵ we can infer that the situation for poor and vulnerable women – who are often “women without men” (Daley 2005) – is likely to be particularly prone to violence. In cases such as that of Kenya, where widespread illegal land acquisition has taken place virtually systematically over the past 30 or so years (O’Brien 2011), and where gender-based violence is well-entrenched (as described above), women trying to protect their access to land are potentially vulnerable to predatory male officials, resulting in sexual and violent abuse.¹⁶ Even in less dramatic cases, vulnerable women in Rwanda, such as widows, are not infrequently targeted by male officials in this way when trying to defend their land at local level against encroachment by neighbors or appropriation by in-laws.¹⁷ Women are also often vulnerable to being taken less seriously than men by officials (e.g. Ikdhahl 2008). In the case of large-scale CPL, where there is much more at stake, it seems highly unlikely that similar risks would not at the least befall the most vulnerable women.

In addition to potential gender-based violence, HIV/AIDS also presents particular gender implications in relation to CPL. In Africa especially, women have been particularly hard hit by HIV/AIDS, both as carriers of the disease and as widows of men who have died from it (World Bank 2010, Q.9). In relation to large-scale land deals, women are particularly vulnerable to potential disease transmission as a result of significant in-migration of foreign, mostly single, male workers (c.f. Oxfam 2008, 33). This is particularly important given the well-documented and negative impacts on women’s land rights in general from the spread of HIV/AIDS (c.f. Action-Aid 2010b, 9-10). As such, any analysis of pro-

¹⁵ Pers. comm. Robin Palmer, op.cit.

¹⁶ No gender-specific research into illegal land-grabbing by elites has been carried out in Kenya as yet, although experts on the subject consider that there must be gender implications. Pers. comm. Odenda Lumumba, National Coordinator, KLA, 1 July 2010; Pers. comm. Erin O’Brien, Independent Consultant, South Africa, 24 June 2010.

¹⁷ Pers. obs. 2006-2008, especially around the capital, Kigali, where CPL were more intense than in rural areas and thus property rights violations against vulnerable women were more prevalent.

posed land deals must specifically address the issue of what employment might be generated, and where the required labor force will come from through this lens.

CSO and NGO evidence on population displacement and gendered livelihoods impacts

Other gender issues arising from CPL relate to population displacement caused by large-scale land deals, as well as the resultant impact on local livelihoods. As a recent Oxfam report on biofuels production in Africa highlights:

Investors into large scale commercial bioenergy plants will, in many instances, result in displacing people from land where they currently enjoy formal or informal usage rights. These individuals need to be identified and fairly and justly compensated, even if they do not have a legal right to the land or its resources. This will require extensive consultation and ideally a neutral 'honest broker' should be involved. Woman, children and the poor in general are the most likely groups to be impacted. Unless regulated current gender inequalities in land and agriculture are likely to be continued or intensified through biofuel expansion. Most governments are supportive of small scale outgrower type scheme[s] which they hope will provide development to rural communities. Outgrower schemes will require government controls to prevent unscrupulous operators from taking advantage of peasant farmers. It is also probable that woman and children may do the majority of the work in small scale or outgrower projects, whilst the men may benefit dis-proportionally from the cash income derived (2008, 1-2).

This latter point has particular implications for family food security, as the Oxfam report later makes clear: "a possible concern is a 'within family' gender discrimination where money from biofuels is diverted away from food provision to other less important purchases" (Ibid, 30). However, the report highlights – as a greater concern than the gendered impact – that in general "farmers may become locked into some form of contract preventing them from optimising their food/fuel mix" (Ibid, 30).

Potential loss of land rights is clearly a specific problem for women, given their disadvantaged initial position vis-à-vis men, and more so where 'customary' land tenure systems prevail and elite (male) interests have much to gain. For example, "where land is governed by a chief or traditional authority it is very likely that economic benefit to the traditional authority or community as a whole may overrule existing resource use rights enjoyed by individual members of the community (especially the poor)" (Ibid, 30). Moreover, because women's land rights are less secure than men's, this "creates an uneven playing field for men and women thereby creating divide in the socioeconomic benefits that can be derived from the biofuel industry" (Ibid, 31) – if it is developed in a way that involves support to small-scale farmers within a larger scheme.

The Oxfam report notes the barriers to women farmers in acquiring credit and inputs because of their lack of land ownership. Other concerns are that women would be squeezed onto more marginal land for food production, and that their stake in the household might decline if more household land is used for cash crop production, the income from which men are more likely to control (Ibid, 31). Further, in terms of women's labor, the Oxfam report notes that certain types of employment within large-scale agricultural investments, such as in labor-intensive sugarcane harvesting, are likely to remain male dominated, although women may be employed for lower pay for less physically demanding tasks, placing additional pressure on their abilities to maintain their 'family' food farms at the same time (Ibid, 31-32, but see also the unusual Rwandan sugarcane case, below). Thus we see many of the same issues arising for women with regard to the current expansion of biofuels through large-scale land deals as we have seen historically and more generally within large-scale rural development schemes, as described above.

A recent Action-Aid report also highlights the erosion of women's livelihoods that results from the direct impacts of biofuels investments:

[In Ghana] decisions were made without the consultation of local communities, which in several cases were deprived of their land being classified as "marginal", despite women use them for the cultivation of the Karite nut trees [sic], an important source of income for the local population in the rainy season. Similar problems were registered in Senegal where women are being deprived of land considered marginal but serving instead as sources of wood and forest products, besides generating additional income or food (2010b, 28).

Action-Aid (2010a, 23) also recorded the voices of women farmers in Mozambique who have lost their land to investments in jatropha plantations, and these speak for themselves:

What we want is to get our farms back, because that is what our livelihood is dependent on...we are dying of hunger and there is nothing that we have that is actually our own.

I don't have a farm, I don't have a garden, because the only land that I have has been destroyed...We grew maize, groundnuts, beans, pumpkins, watermelons...I have given up: I am staying helplessly, because we don't have anything to eat. We are just suffering with hunger, because even if I go to look for another farm, they will just destroy it again.

Similarly a woman farmer in Tanzania claims that,

[i]t is the woman who is affected most because she is the main producer of food for the household. The woman is feeding the household. We normally used to go there [to the former community land on which the biofuel company is now growing jatropha] for farming and collecting firewood.

Now we cannot go there anymore. They are prohibiting it. Now I have to go to another forest [to collect firewood]. This is a little bit far away. I would have to leave here now at ten o'clock and would be back at two o'clock. It is heavy. It is now harder work for me to go as compared to the other area. Because of this I can spend less time on my farm because the work time has been reduced (Ibid, 25).

CSO and NGO recognition of the importance of gender issues to policy-making

The Oxfam report cited above observes that most of these potential problems for women are widely acknowledged yet are still overlooked in policy design. This is because the wide recognition across the board of the importance of addressing gender issues has not yet translated into concrete action.¹⁸ Oxfam therefore argues that “the most urgent step in the light of an emerging biofuel industry that is reliant on agriculture is to strengthen property rights, assets ownership and access to credit services, technology and marketing channels for women” (2008, 32).

This point serves as a useful reminder that it is difficult to separate analysis of the gendered impacts of CPL from broader debates about the relative importance of smallholder agriculture to food security (c.f. Borras and Franco 2010). In response to calls by influential economists such as Paul Collier for an end to smallholder agriculture (c.f. Collier 2008), thereby partly justifying the growing scale of international land deals and the corporatization of farming, developing country feminist activists like Mary Wandia (2009) have underlined the importance of secure land rights for women in the search for global food security. As Daley and Englert explain, “instead of replacing smallholders with large-scale commercial farming, their rights need to be strengthened, and those of female farmers in particular” (2010, 96). This is something that has also been emphasized in Action-Aid’s international ‘Hunger Free Women’ campaign (Nafula 2008; Palmer 2009, 8; and see comprehensive discussion in Action-Aid 2010b).

Activist recognition of the importance of women’s involvement in decision-making

According to Nidhi Tandon (2010), however, the major issue for small farmers, and particularly women, is that they “have no say in the political and trade decisions around their lands”. In Tanzania, for example, encroachment from large-scale investments has intensified on Maasai pastoral lands in the north since around 1984. Initially 10,000 hectares were put aside to grow barley for beer production, but land is being leased out increasingly for “tourism development, conservation, gem mining, or farming”. As a result,

the village councils face a daunting task trying to reclaim lands, or negotiating use rights for their local herders and farmers. The Maasai spiritual

¹⁸ Pers. comm. Sabine Pallas, op.cit.

leaders – the Laibon – are almost entirely excluded from any engagement on behalf of their communities. And the women, needless to say, are voiceless in these matters (Ibid).

Wandia similarly draws attention to the important point that,

women are under-represented in decision making and therefore in the administration and management of land and other productive resources. Women are under-represented in decision-making organs for land administration at all levels. Thus their concerns are often not taken on board and they have limited influence over the policy-making processes (2009).

However, there are exceptions to this chronic under-representation of women, as in Rwanda where there is a constitutional requirement for 30% of decision-making posts to be occupied by women. This

ensures that two out of the five members of literally thousands of local land committees across the country are women, as well as on local government (umudugudu and cell) management committees and among the Abunzi. With this number of women in positions of authority, there is scope for women to advocate for their fellow women; they are not merely token women leaders but members of the community who have a solid understanding of the circumstances facing their mothers, sisters and daughters (Daley et al 2010, 146).

In other cases, though, mandatory representation means little in practice, as with the Indian *panchayats*, which are composed of men and women in equal numbers but where some women members are sent by their husbands to represent the husband's opinion rather than their own.¹⁹

Wandia argues that "small scale farmers, largely women, must be at the centre of agricultural development in Africa taking in to account the fact that they are the major producers and in recognition of the fact that a majority of the African population lives in rural areas" (2009). To this end, she calls for the new African Union (AU), African Development Bank (AfDB) and United Nations Economic Commission for Africa (UNECA) 'Land Policy Framework and Guidelines', which contain only brief and general sections on gender and women's land rights, to more comprehensively address women's rights. This must include improved representation of women in decision-making bodies relating to land and due recognition of women's role in agriculture through affirmative action programs to provide women with rural support services and tenure security (Ibid). However, although the former would help to ensure that women's concerns are addressed in decisions relating to large-scale land acquisition for investment purposes, it would not necessarily mean that detrimental land deals would not still proceed. Wandia

¹⁹ Pers. comm. Sabine Pallas, op.cit.

therefore reiterates recommendations on gender issues that were made to the task force preparing the new 'Land Policy Framework and Guidelines', and urges that they be treated more comprehensively during implementation; one of these is that "strict procedures and guidelines should be followed to ensure that land transfers do not deprive communities of common resources. They should be sensitive to gender differentiation in land uses and fully protect women's rights" (Ibid).

These are all the same sorts of considerations that now need to be brought to bear on the regulatory frameworks and guidelines that are emerging within the current international initiatives and dialogues around CPL, discussed below.

Findings from the Global Study

Gender issues within the Global Study

The ILC Global Study, and particularly its country case studies, has provided a timely opportunity to address some of the gaps in the current literature on CPL. The case studies are global in scope, cover a wide range of drivers and are all based on recent research from the field. The individual case studies were not specifically designed to address gender, as the ILC Global Study primarily intended to do this through the present gender study, and as a result, in many of the case studies gender aspects are less pronounced than the broader impacts of CPL on vulnerable communities as a whole. Nonetheless, through careful reading and a process of discussion with the authors of some of these studies, it has been possible to elicit some specific examples of the gendered impacts of CPL to help in developing suggestions for the ongoing policy initiatives from a gender perspective, and to identify the key strategic implications for ILC going forwards. The gendered impacts of CPL are analyzed in eight different countries below.

Pakistan – Concerns around large-scale commercial farming promotion in relation to all four aspects of women's vulnerability

In Pakistan, agriculture is the mainstay of the economy and is especially vital to the poor (Arif forthcoming). Poverty (and by implication class) has been the central concern in the local response to CPL and, in particular, to the Government's Corporate Agriculture Farming (CAF) policy to date (see Box 1).

Box 1: Corporate agriculture farming in Pakistan

Over the past few years, the Government of Pakistan has increasingly committed itself to the promotion of large-scale land leases and sales involving both provincial governments and local and foreign companies (particularly from the Gulf States), in order to boost agricultural productivity and export revenues. This strategy of 'Corporate Agriculture Farming' is subject to intense debate between its proponents and opponents within Pakistani society but is nonetheless proceeding apace. Although there is a lack of overall transparency with regard to specific deals, reports suggest that Gulf States have "acquired more than 150,000 hectares of land in Balochistan near Mirani Dam to begin mechanized farming", that "Kijani Energy Canada has already bought large tracts of land, 200,000 acres in District Tharparkar for Jatropa cultivation", and that the Government of Pakistan plans "to offer about 700,000 acres of land to potential investors probably from Saudi Arabia and the United Arab Emirates".

See Arif (forthcoming), "Corporate Agriculture Farming (CAF) Policy in Pakistan: A Case Study in Perspective of Commercial Pressure on Land (CPL)". Society for Conservation and Protection of Environment (SCOPE) contribution to ILC Collaborative Research Project on Commercial Pressures on Land, Rome.

SCOPE finds in its case study on the impact of the CAF policy that

[t]he main constraints facing the poor include: inadequate access to productive resources, particularly agricultural land and credit; illiteracy and poor skill levels; weak rural infrastructure; inefficient technical support services; and poor organization and empowerment. In respect of women, a major constraint on policy-makers and practitioners alike is the perception in Pakistan, and in similar Islamic countries, that 'gender-sensitive development' is a foreign, western construct that is not relevant or meaningful to their local societies and cultures. The isolation of women causes women and girls to bear a disproportionately high share of the burden of poverty due to their low social status, negligible endowment of land and productive assets, and limited access to social services and economic options (Arif forthcoming).

The SCOPE case study reveals several gendered impacts of CPL in Pakistan. First, land ownership in Pakistan continues "to be governed by customary laws that excluded women"; although women work in agriculture on family farms, they have not been recorded on "revenue records as tenants and therefore could not receive land" under earlier land reforms.²⁰ Furthermore, "the process of requesting land ownership has always been arduous and lopsided against the economically disadvantaged peasant women".²¹

²⁰ Pers. comm. Tanveer Arif, op. cit.

²¹ Ibid.

Pakistan's Constitution provides for non-discrimination under its Article 38 (a) and grants women the legal right to own property, but such cases are rare and women's inheritance is in practice constrained (as described above). Therefore, because families are male-headed and men traditionally own the land, even if CAF increases the overall family income through the commercialization of agriculture, "it is difficult to say that women will get some great benefit as individuals".²²

Second, there are strong divisions of labor in current farming practices. Women undertake many labor-intensive tasks such as sowing, reaping, weeding and the application of fertilizers and pesticides, whereas men are generally responsible for technical or mechanical work and for most of the decision-making, including, for example, on the purchase of farming inputs and seeds and the selection of pesticides. Given that women's work is generally considered as unskilled labor, and that "CAF is supposed to be mechanized to [a] large extent, which will only employ either skilled labour or little labour", this is likely to result in agricultural unemployment, particularly for women.²³ Despite more serious health and safety risks to women's agricultural work, as they are often responsible for the application of pesticides without adequate protection, women's wages are generally half those of men in Pakistan.²⁴ Thus, even if such work might give women the chance to obtain wage employment outside the home, and cash income to control themselves – important to both married women and those living in very poor female-headed households with little 'family' land – this would have associated costs.

Third, most of the land currently being targeted for acquisition by outside investors in Pakistan under CAF is in areas of the country that already experience water scarcity (Arif forthcoming). This is of particular concern for rural women who are responsible for

fetching water from dug wells, canals or hand pumps, and household water management...these resources usually are accessible under customary rights which prevail unless some legal provision overrides them... [However,] since women are responsible for grazing animals, fetching water and collection of fodder and fuel wood, CAF will drastically reduce their access to land, and benefits, as farms will be cordoned off by erection of physical boundaries.²⁵

In addition, changes in land-use towards more intensive commercial agriculture are likely to require greater use of groundwater for irrigation. Both these factors will have a negative impact on women living in areas affected by CPL, requiring them to travel further to obtain fresh water supplies that were previously accessible under 'customary rights'.

²² Ibid.

²³ Ibid.

²⁴ Ibid.

²⁵ Pers. comm. Tanveer Arif, op.cit.

Fourth, women have so far not been, and are unlikely to be, consulted or given any say in decisions about land use changes under the CAF policy. In Pakistan, in

the name of cultural, customary, religious and traditions values and practices, women are extremely marginalized to the extent that they never come in front to demand their due rights, in other words they have accepted the fact that male members of the family are responsible for certain things like dealing with the outer world, bread earning, doing business etc.²⁶

They thus lack 'voice' in these processes, and although many CSOs in Pakistan have female representation and "strong gender mainstreaming program components", there are, to date, no specific women's groups opposing CAF and lobbying on CPL issues.²⁷

Finally, the potential for in-migration of outsiders to meet the skilled labor requirements of investments under CAF might be "a source of discomfort for young women" in the local area.²⁸ There might also be increased domestic violence if male farmers become disempowered through losing their land or livelihoods. The likely impacts on women of CPL in Pakistan therefore touch on all four aspects of their vulnerability discussed previously.

Ethiopia – Tangible gains and losses from agricultural development on common property resources

In contrast to the Pakistan case, where activists are concerned about the future impacts of large-scale land deals currently being promoted at national level, Karuturi Global Ltd's Bechera Agricultural Development Project in the Bako Plains area of Ethiopia's Oromiya Regional State is already well underway (see Box 2), with visible gendered impacts.

Among Fisseha's sample survey carried out among the communities living in the project area for the ILC Global Study, 11% of respondents claimed to have family members employed in the project, ranging from 0% in one Kebele studied to 20% in another (Fisseha 2011). Apart from 30 Indians, only some of the 50 Ethiopians employed as supervisors, technicians and drivers are from the local area, including some women. However, most of the 500 seasonal workers employed by the project come from the local area and the average breakdown of the workforce by gender is about 30% male and 70% female, depending on the type of agricultural activity and the time of year. For example, ox ploughing and sowing are mainly men's tasks, while weeding and harvesting are mainly women's tasks.²⁹

²⁶ Ibid.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Pers. comm. Messele Fisseha, Equatorial Development Consultancy, Ethiopia, 14 June 2010.

On the other hand, the Bechera Agricultural Development Project has reduced local people's access to important housing construction materials, which were previously gathered in the formerly common property wetlands of the Bako Plains that are now leased to Karuturi Global Ltd. Local men and women must now walk further to obtain the reeds and grasses that are collected annually to renew their roofs. These wetlands were also of vital importance to livestock grazing, a local livelihood activity in which women and children typically play a much greater part than men, and from which women produce butter for sale for cash income that they use to meet their household expenses.³⁰ Moreover, none of Fisseha's sample survey respondents reported receiving any cash (or other) compensation for the loss of their common property grazing lands, despite their high dependency on these lands for their livelihoods (Fisseha 2011).

Box 2: The Bechera Agricultural Development Project in Ethiopia

The 35,000-hectare Bako Plains in Ethiopia is an environmentally sensitive area of common property grazing land in Oromiya Regional State, one of two Ethiopian regional states proving particularly attractive to foreign corporate investors seeking to grow food crops for export. Although mainly used for grazing, there are isolated areas of the Plains used by local people for cultivating teff, niger seed and sorghum during the dry season – teff being an important staple food of most people in the area. The Bechera Agricultural Development Project is a farm owned by an Indian company, Karuturi Global Ltd., which leased 10,700 hectares from Oromiya State for 30 years in 2008. About 4,000 hectares have so far been cultivated for maize and a palm tree nursery, and small field trials are being carried out (on 1.5 hectares) for rice, bottle guard, beetle guard, banana, pepper and different maize varieties.

See Fisseha, 2011, A Case Study of the Bechera Agricultural Development Project, Ethiopia. EDC Contribution to ILC Collaborative Research Project on Commercial Pressures on Land, Rome

Local people also reported that roads previously used to gain access to rivers and other local watering points have been blocked by the project and that they have to walk further than before to fetch water (Fisseha 2011). Families in the project area have mainly relied on access to local pond and river water to meet all their needs for themselves and their livestock, and it is their access to the ponds in the wetlands that is no longer assured since the land was leased for the project (Ibid). Community members and local government officials reported that the project was not allowing local people to graze livestock even on the stubble of its farmed land, nor had it demarcated any livestock corridors to allow for local access to watering points in the wetlands; instead one deep well had been dug for the local community to use but it was not functioning (Ibid). Although limited

³⁰ Ibid; Fisseha 2011.

access to water and grazing impacts both men and women, “fetching water... is mainly a business of female members of the family”, and thus the “female members of the family are most affected” by this restriction to water access.³¹

A major issue that emerges from Fisseha’s case study, in addition to the above described directly observed positive and negative impacts on women, is that of the overall lack of consultation and communication between the local people and the Bechera Agricultural Development Project. However, even had there been more consultation, this would most likely have been only with men, and women’s voices would not have been heard. This is inferred by the researcher’s experiences with the survey; although some women did participate in community discussions, the researchers “had to talk to the community representatives to invite women for the discussion” and they found it “difficult to involve women in such discussions”.³² As Fisseha goes on to describe:

Awareness creation will help also the community members to consider women as equally entitled to participate in economic and social aspects...In short, it is important to empower women so that their voices are heard. We, however, think that this is not an easy job. To bring women to places of public discussion itself is not an easy job. If activities which could expose women to voice for their wellbeing and interest start, they can increase in time and make them be heard bit by bit.³³

In relation to the four-fold analysis of women’s vulnerability discussed above, ILC’s Ethiopian case study therefore clearly shows evidence of specific gendered impacts affecting women from CPL in terms of their access to important common property resources (negative), their relative poverty (potentially positive because of local employment creation, but hard to assess for women in the area overall), and the socio-cultural obstacles that block their ‘voice’ and ‘choice’ (negative).

Zambia – Dispossession from mission land for jatropha cultivation affects women more because of food provisioning responsibilities

The Zambia Land Alliance’s case study focuses on the impacts of CPL as experienced by local communities living on and around the Macha Mission in Zambia’s Choma District in the south of the country (see Box 3). Dispossession and loss of land that had been informally cultivated and grazed by local families for many years, to make way for a jatropha farm and other investments have been the main impacts of CPL in the area (Milimo et al 2011). This has led to reductions in livestock numbers, overgrazing in surrounding areas, and hunger among affected families. Other impacts of the investment

³¹ Pers. comm. Messele Fisseha, op.cit.

³² Ibid.

³³ Ibid.

include the blocking of access routes to a clinic and school, below-market compensation for lost fields, and very low wages for laborers who work on the jatropa farm (Ibid).

Box 3: Jatropha cultivation on mission land in Zambia

In 2005 the Brethren in Christ Church at Macha Mission in Choma District of Zambia's Southern Province decided to lease part of the 3,003 hectares of land they had held on title deed since 1906 to a foreign investor running an organization called Linknet; he was leased land for 35 years and has cultivated a jatropa farm and constructed an airstrip. However, to make way for the investor, some 248 families have been dispossessed of land they had long been using to cultivate crops and graze animals, and five of these families also lost their homes.

See Milimo et al, 2011, Social Impacts of Land Commercialization in Zambia: a Case Study of Macha Mission Land in Choma District. ZLA Contribution to ILC Collaborative Research Project on Commercial Pressures on Land, Rome

Although the study did not single out specific gendered impacts, the cases and testimonies of some of the women informants illustrate some of their experiences with CPL.

Mrs. B. Case No. 2 is a 55 year old woman who lives with twelve (12) children and grand children...the late head of the household was a former employee of the Mission and was given the land by the Mission..."One day we just saw a bull-dozer ploughing through our field without consulting us. When we asked them what they were doing they said 'this is LINKNET land and not yours.'...They planted jatropa and prevented us from growing anything on the land we had been using for many, many years...We used to grow our own maize, sweet potatoes and vegetables for consumption. Now we have to buy all these...We used to produce 30 90 kg bags of maize; now we do not grow anything. Inzala yanjila mu ng'anda yesu (Hunger has entered our household)...We have no relish. We even buy pumpkin leaves which we used to grow on our own...We consume one and half 20 kg bags of mealie meal every week which we have to buy...We have now become marketeers who have to buy and sell vegetables in order to raise money" (Milimo et al 2011).

Mrs. D. Case No. 4 The interviewee was a 35 years old and married woman with 3 children..."The mission told us to move from where we had built our houses...We had built a big shop near the market but they forced us to demolish it. We lost a lot of money used to construct the shop" (Ibid).

Ms E. Case No. 5 is a single, 29 year old lady who was displaced and moved to another village where she asked for and obtained some land..."These Jatropha people came," so she started her story, "saying they bought the land and wanted to put a sewage on our land and forced us to shift...We had 38 goats, 30 chickens when we were forced to shift. But now have 20 goats and less than 30 chickens

scattered in 3 homes because of shortage of grazing land where we are now. It is also not easy to manage the goats and the chickens because of being scattered and the number continues to go down. The people who are keeping our goats keep telling us stories that one of the goats is sick or has died or has produced a pre-mature baby which later died etc...I sell kapenta and phones at the market. When I was at my former home it used to take me about 20 minutes walking to the market and I used to make about ZMK300,000 (US\$60.00) per day when I sell a lot. Now I walk for one and half hours to come to the market and make about ZMK70,000 (US\$14.00) per day if I sell something" (Ibid).

Mrs. I. Case No. 9 is a woman who lost all her farming land, thus losing her sources of both food and income. She keeps fourteen (14) grand children who solely depend on her for their livelihood. She has put a small house of hers on rent and obtains ZMK80,000 (US\$16.00) per month from the rent. It is this money [on] which the whole big household depends (Ibid).

It is clear that women's experiences with CPL in Zambia have been negative overall. In terms of the four-fold analysis of vulnerability, the impacts for Zambian women in this case most clearly relate to their insecure land tenure arising from their 'customary' use of lands formally titled to the Mission, and to their relative poverty because they must now seek out new ways of raising cash incomes to buy food – that they used to grow on Mission land – to meet their domestic responsibilities. While both these impacts affect men in the dispossessed families as well, the impacts for women are greater because of the core responsibility for food provisioning that befalls Zambian women (Crehan 1997,155-167; c.f. Boserup 1989).

Rwanda – Opportunities from commercial sugarcane production in Kigali's marshlands

Although the marshlands, which lie at the bottom of the river valleys running between Rwanda's 'thousand hills', have long been state-owned land, they have in practice been widely used by local people for cultivation. In many cases they are used year-round, but are most important during the dry season, "when parcels on the hillside become less or unproductive" (Veldman and Lankhorst 2011). Rwanda's 2005 Organic Land Law formally mandated state ownership and management of marshlands on behalf of the Rwandan people, and since then the Rwandan government has increased its efforts to lease these lands out to individual and cooperative farmers, and commercial enterprises, so as to stimulate more intensive and commercialized agricultural and livestock production and generate local cash incomes through employment and to meet growing domestic demand for food, particularly around the capital city, Kigali, where the urban population is growing rapidly (Ibid). RCN Justice & Démocratie in Rwanda focused their ILC case study on the local impact of marshland development in areas around Kigali, which have been leased to Uganda's Madhvani Group for sugarcane production since 1997 (see Box

4). From this research it is possible to elicit a number of specific gendered impacts of CPL in Rwanda.

Box 4: The Madhvani Group and sugarcane production around Kigali

In 1997, the Government of Rwanda leased the bulk of the Nyacyonga and Nyabarongo marshes outside Rwanda's capital city, Kigali, some 3,100 hectares, to the Ugandan-owned Madhvani Group for a period of 50 years. At the same time, the Kabuye Sugar Works – originally established by a Chinese company in 1976, run by the Rwandan government from 1978, and originally fed by sugarcane grown on only 550 hectares in the Nyabarongo valley – was sold to Madhvani. The leased land area has only gradually come under sugarcane production. Of the leased area, only 2,035 hectares is suitable for cultivation, with the remainder being either infertile or waterlogged, and only around 1,000 hectares is currently directly exploited by Madhvani. There was considerable resistance from local people to the expansion of Madhvani's sugarcane production at the start, including through the infliction of damage to crops. Although marshlands are now formally classified as 'private state land' under Rwandan law, in some areas the local population had been cultivating them for generations and the Rwandan Government had to intervene to ask them to vacate for Madhvani's plantations.

See Veldman and Lankhorst, 2011, Socio-economic impact of commercial exploitation of Rwandan marshes – A case study of sugar cane production in rural Kigali. RCN Contribution to ILC Collaborative Research Project on Commercial Pressures on Land, Rome

First, concerning employment effects, which are important in this case because of the limitations to mechanized sugarcane production in the Rwandan terrain, the RCN researchers found that, although it was not possible to obtain data on the number of women formally employed by the Madhvani Group, some 65 to 70% of all the 4,000 to 5,000 casual laborers who work daily for the Group, mainly in planting and maintenance work, are women.³⁴

These women's family situations vary considerably; "some have husbands who are employed in the mines or in construction or who till their own fields on the hill. Others have husbands without an occupation or are on their own as young girls or single mothers" (Veldman and Lankhorst 2011). This difference in family situation is critical to the level of benefits that the women casual laborers obtain from their work in sugarcane production for Madhvani. In Rwanda, women and men receive the same wages for the same work as casual laborers. However, Madhvani's wages are lower than those

³⁴ Pers. comm. Marco Lankhorst, Coordonnateur de Programme, RCN Justice & Démocratie – Rwanda, 2 July 2010; Veldman and Lankhorst 2011).

paid by sugarcane outgrowers to the 2,000 to 3,000 casual laborers they hire daily in the same area and lower still than those that can be earned by men in rice cooperatives or in local mining and construction work. Although Madhvani's pay is better during the cutting season when the labor is more exhausting, and young women also participate in this work "in considerable numbers",³⁵ there was general agreement among respondents "that working in the field for Madhvani or for outgrowers is the worst of the different options" available in the Nyabarongo and Nyacyongo valleys, as the wages for sugarcane production work are widely considered as insufficient to support a family (Veldman and Lankhorst 2011). Moreover, while almost all casual laborers have some land, at least around their houses, on which they grow beans and sorghum for their own consumption, very few of those interviewed by the researchers generated surpluses for sale on the market anymore. As the researchers explain,

The fact that they did not bring their crops to the market anymore was, in fact, one of the arguments our respondents frequently advanced to explain why they considered that their situation had deteriorated...[However] it is important to understand that not all laborers are affected in the same way. Some have more land on the hills than others, some have a partner who works and others don't. Both factors influence the number of days laborers work for Madhvani and the time and possibility they have to cultivate crops themselves.³⁶

Second, some 320 of the 1,100 outgrowers supplying Madhvani's factory with sugarcane are women. However, some 940 of the 1,100 are small-scale farmers, cultivating on less than one hectare of land, and of the remainder only 15 to 20 could be classed as large-scale farmers. Although the RCN researchers obtained "no hard data on this matter, it appears to us that outgrowers running bigger operations are predominantly men" (Veldman and Lankhorst 2011). Outgrowers are better off than casual laborers on average, because they hire laborers to farm for them, as noted above, and this applies to the women as well as the men – "they are better dressed and live in bigger houses" (Ibid).

There has been a growing policy drive in Rwanda in recent years to encourage small-scale farmers to form cooperatives, and many of the outgrowers around Kigali are undoubtedly members of cooperative groups. In addition, the Rwandan government has a very proactive approach to gender equality, which has entailed strong official encouragement at local level for women to form cooperative groups and apply for leases to farm commercially in the marshlands.³⁷ In the case of cooperatives producing sugarcane, however, the RCN case study found that the outgrowers "live and work in a situation of strong dependency on Madhvani", who does not guarantee the purchase of harvests in

³⁵ Veldman and Lankhorst 2011; Pers. obs., Rwanda, 2006-2009; Pers. comm. Marco Lankhorst, op.cit.

³⁶ Pers. comm. Marco Lankhorst, op.cit.; Veldman and Lankhorst 2010,.

³⁷ Pers. obs. Rwanda, 2006-2009.

advance (Veldman and Lankhorst 2011). Thus, although the opportunities are there for Rwandan women to engage in commercialized agriculture, both as outgrowers and casual laborers, the reality remains that wages are relatively low and profits uncertain because of the monopoly situation of the Madhvani Group and its control of the sole processing factory in the country.

Third, there has been a direct impact from the leasing of marshlands to Madhvani that was experienced as dispossession because of local people's longstanding use of the marshlands for cultivation and grazing and because no direct compensation was paid for their land at the time (Ibid). This was particularly a problem for women, given their responsibility for family food production in Rwanda. As the RCN researchers found, for example, "quite a number of somewhat older women (at least 8 respondents) told us that when they got married their husband's family gave a parcel of land on the hill and one in the marshes" (Ibid).

Finally, diets have also become reportedly less varied due to the loss of marshland farms that were previously used for food production, and many of the married women interviewed by the RCN researchers insisted that it was impossible for the husband and wife to not both undertake wage work if they were now to "afford to pay for education for their children, health care and occasionally buy a chicken or a goat" (Ibid). Thus, in the Rwandan case overall, any gains to women from wage work and business opportunities must be weighed against the negative impacts in terms of reduced access to land and increased overall poverty.

Nepal – Urban land speculation positively transforming livelihoods and gender relations

CDS's research on CPL in Nepal's Kathmandu Valley contains detailed analysis of many of the urbanization- and land speculation-related drivers of land market development in Nepal (see Box 5). The impacts on women from these processes of change are both negative and positive. On the negative side, even though the interim constitution provides for equal property rights, women still lack 'voice' in property issues and decision-making within the household, as men are generally the household heads and women can only advise on what to do (Shrestha 2011). There is even "an old proverb that specifically excludes women from any decision making process", which remains relevant to Nepalese practices.³⁸

³⁸ Pers. comm. Roshana Poudyal, CDS, Nepal, 4 July 2010.

Box 5: Commercial land speculation in the Kathmandu Valley

The highly urbanized Kathmandu Valley in Nepal has introduced growing commercial land pressures into the surrounding agricultural lands, displacing poorer land users and transforming livelihoods, as land speculation has become an increasingly popular income-earning activity. Demand for housing is increasing with urban expansion – in part the result of internal migration during years of civil war and insurgency – and a fast-growing housing and real estate sector has emerged, comprising companies and individuals engaging in construction, real estate broking, and plot delimiting and allocation. Land prices are spiraling and environmental impacts are taking their toll. The local Jyapu people who have long farmed the Valley have been forced to adapt their livelihoods, as farm incomes have fallen relative to the costs of living in the rapidly urbanizing area. The existing planning system and governance structure in Nepal does not recognize the Kathmandu Valley as a single entity, making it impossible to enforce development control tools across urban and rural areas. The main institutions of governance lie at local level, and until Nepal completes its ongoing constitutional changes it will be difficult for higher layers of government – whether Valley-wide or national/federal – to bring any kind of order to the continuing land speculation and urbanization process.

See Shrestha 2011, The land development boom in Kathmandu Valley. CDS Contribution to ILC Collaborative Research Project on Commercial Pressures on Land

Women also face economic discrimination in Nepal, with the CDS researchers observing that men are paid twice the wages that women are paid for agricultural wage labor in the Kathmandu Valley (Shrestha 2011). There is a notable scarcity of labor and high out-migration of male workers for work overseas, but for the women left behind whose farms have succumbed to the CPL generated by the massive urbanization and land development and speculation in the Valley, there are limited alternatives to this low-paid wage labor, which is mainly through seasonal work on small-scale vegetable farms rather than through any kind of regular work on large-scale commercial farms as these latter do not yet exist in the Valley (Ibid).

Furthermore, the farming that takes place in the Valley now relies on intensive use of chemical inputs to boost productivity, with particular health impacts for women (Ibid). This is because, as livelihoods have transformed and men have migrated outwards for work or taken up other economic activities, “the burden of agricultural farming” is left to women and “women alone have to do all the work related with farming such as plowing, mulching, fertilizer and pesticide spraying etc.”.³⁹

³⁹ Pers. comm. Roshana Poudyal, op.cit.

On the positive side, however, the CDS researchers found much evidence of things starting to change in terms of both women's political participation and their participation in the growing land market. For example, some women from the rural areas are acting as land brokers in the Kathmandu Valley, and many families have become rich "due to the investment in land a couple of years ago initiated with suggestions from their wives".⁴⁰

With expanding knowledge and increasing awareness, women's role in the land market has been rising...directly and indirectly...[many] are now found to be working as land brokers directly trading land and earning huge commissions in return. Additionally, they have also become investors in land buying and selling them thereby earning hefty profit from the transactions. There are no restrictions by law in selling and buying land, mortgaging and loans etc; the question is their confidence and emergence of profession.⁴¹

Indirectly women are also involved in the land market with men, for example "women are often visionary and plan for the future, mitigating risks and amenities that could hamper the family prosperity. As such, women often encourage asset-holding thoughts in men."⁴² On balance, however, the CDS researchers found that it is mainly urban women who are participating in the urban land market.⁴³

In relation to political participation there are also positive signs of change as a result of CPL in the Kathmandu Valley. The interim constitution makes provision for one-third of all political positions to be reserved for women, and user groups for planning and management of local development activities have seen particularly effective involvement of women, especially around community forestry and agriculture and livestock production.⁴⁴ Informally, women have increasingly formed local community groups and take more part in decision-making at village level over the planning and development of community infrastructure projects, speaking more freely and showing more awareness of their rights and needs. There are also "many women NGOs now actively working to secure the rights of women in the male dominated society", and many women leaders are being born at grassroots level through the increasing expansion of community forest user groups.⁴⁵ Within the urban areas of the Valley, however, it seems clear that the greater positive impact on women is through the transformation of their livelihoods and their increasing participation in the urban land market. For example, the local Jyapu women "have lessened their farming activities...some of them have bought land outside

⁴⁰ Ibid.

⁴¹ Ibid.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

the city area and have started farming, restaurant business, poultry farming etc but in core city area majority have gone for renting houses."⁴⁶

In terms of the four-fold analysis of women's vulnerability outlined above, the Nepal case study clearly illustrates the gendered impacts of CPL in relation to women's relative poverty (mixed, with poorly paid wage labor opportunities contrasting with livelihoods transformations and increased opportunities to make money in the land market) and in relation to women's socio-cultural and political participation (probably positive on balance). In relation to their ownership of, access to and control of land, the impact is also mixed as farm land sales have negatively affected poorer women through land loss, while opportunities to make money through land speculation and through the construction and renting out of houses have offered other women alternatives to farming.

Philippines – Foreshores enclosure affects women's fishing and coastal livelihoods activities

ILC's Philippines case studies, prepared by NGOs for Fisheries Reform, draw particular attention to the effects of the enclosure of common property resources as a result of CPL (see Box 6). The main drivers of land use change in the two coastal areas studied, Real and Calatagan municipalities, are tourism and commercial aquaculture development (fish ponds and shrimp farming), linked to overall urbanization and commercial development along the coast. As a result, common property foreshores have been encroached by private development, and mangrove areas have dramatically shrunk in size (Ablola n.p. a, n.p. b). The gendered impacts of CPL are similar in both areas, and are indicative of the likely impacts on women from CPL in similar situations worldwide.

Box 6: Tourism and aquaculture-related foreshores enclosure in the Philippines

In the municipality of Real, Quezon, the long coastline has become subject to reclamation and enclosure by private interests, jeopardizing the longstanding open access to the foreshores that has been of vital importance to the livelihoods of local fisherfolks. CPL along the coastline have contributed to an increase in commercial (licensed) fishpond development and consequent decline in mangrove forests, as they are converted to these other land uses, with similar negative impacts on local livelihoods. The development of tourism through beach resorts has also served to privatize the foreshores, as tourist hotels fence off private beach areas. Similarly, in Calatagan, in the Batangas province, the process of transformation of a predominantly agricultural and fisheries based coastal area into a municipality with modern eco-tourism and agro-industries has not been without problems. Foreshores in Calatagan that have long been used as routes to fishing grounds, docking areas for

⁴⁶ Ibid.

fishing boats, and recreational areas for local people are slowly being enclosed for private and commercial beach resort development. As in Real, mangrove forests are also being converted for commercial aquaculture developments in shrimp farming, jeopardizing local people's livelihoods.

See Ablola, n.p. a, *Dis-Accumulation of Public Spaces – The Case of Real, Quezon*, and Ablola, n.p. b, *Commercialization of Municipal Foreshore Lands – Denaturing of Calatagan*. NGOs for Fisheries Reform Contributions to ILC Collaborative Research Project on Commercial Pressures on Land, Rome

In Real, Quezon, both men and women fisherfolk use the foreshores for livelihood activities – men for accessing fishing grounds and to dock their boats, and women for seaweed and fish drying. In Real municipality, 11 of the 17 villages are coastal, with around a fifth of all households engaging in fishing-related activities and two-fifths engaging in farming.⁴⁷ Though men are more involved in fishing, women take part in both capture fishing and aquaculture (fish ponds).⁴⁸ Despite a lack of statistics on the actual gender distribution of labor in the fisheries sector, the NGOs for Fisheries Reform researchers report that:

In terms of capture fishing, there are some women who assist in the actual fishing, those who clean up and mend nets and those who market the fish catch of their male counterparts. In terms of aquaculture, women are involved in the preparation of food during the preparatory phase of fishpond development and women are also involved in the marketing produced from aquaculture.⁴⁹

As well as cleaning and mending the fishing nets on the foreshores, women in Real also rely on them for the collection of edible seashells.⁵⁰

The impact of CPL on women in relation to mangrove depletion through commercial aquaculture development in Real is greater than the impact on men. The NGOs for Fisheries Reform researchers found that, “women fisherfolks used the mangroves more often than men fisherfolks. Women fisherfolks usually utilize mangroves to gather leaves to make medicine for stomach aches. They also utilized mangroves for household consumption purposes as firewood and charcoal.”⁵¹

In the case of Calatagan, in Batangas, the development of tourist resorts, including land reclamation, has hindered the access of women seaweed farmers to the foreshores for

⁴⁷ Pers. comm. Dennis F. Calvan, NGOs for Fisheries Reform, Philippines, 1 July 2010.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Ibid.

seedling development, while the suspected release of waste chlorinated water from the resorts has also been killing off the seaweed itself (Ablola n.p. b). As the NGOs for Fisheries Reform researchers observe, “women plant and harvest seaweeds while their children assist them...they are affected by the restrictions to access their traditional area for seaweed drying due to the resort development”.⁵² They are also, as in Real, more affected by limitations on their access to the foreshores for fish drying. Women fisherfolk in Calatagan further report that they now need to look for additional sources of cash income to support their families because men’s fish catches are dwindling because of increased commercialization of the coastal area.⁵³ On the other hand, the growth in tourist resorts has created some seasonal employment opportunities for women who reside in the Calatagan municipality, albeit menial, low-paid work for only a couple of months each year.⁵⁴

Commercial pressures on the mangroves around Calatagan arise mainly from the commercial development of shrimp ponds. In the village of Tanagan, for example, shrimp ponds owned by just one investor – Vergara – occupy almost the entire land of the local community, from the former mangrove forests out to the ‘public’ land of the foreshores (Ablola n.p. b). Vergara employs local people in his shrimp ponds for about 10 months per year, but these are mostly men.⁵⁵ Both men and women have been affected by the conversion of the mangroves to shrimp ponds in different ways, as the NGOs for Fisheries Reform researchers note:

Men fisherfolks rely on mangroves for juvenile fish, which in turn they use for their backyard fishponds. Women, on the other hand, use mangroves to gather edible seashells and fish. Some of the women fisherfolks are also involved in backyard charcoal production (which is illegal).⁵⁶

It is clear from both Philippines case studies that CPL on foreshores has distinct gendered impacts. For women, however, the impacts are relatively more severe because of their greater reliance on coastal mangrove forests to meet household consumption needs (for food and fuel) and their greater physical reliance on the foreshores land itself for seaweed farming and for drying fish and seaweed before marketing. In terms of the four-fold analysis of vulnerability, the main negative impacts for women relate to their access to resources and their relative poverty. On the other hand, in terms of their socio-cultural and political participation, women fisherfolks in the Philippines are “well represented not only on issues at the local level but also at the national level”, and women leaders of the

⁵² Pers. comm. Dennis F. Calvan, op. cit.

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ Pers. comm.. Dennis F. Calvan, op. cit..

⁵⁶ Ibid.

people's organization SAMMACA, in Calatagan, are members of a national federation of fisherfolks organization called Women of Fisherfolk Movement.⁵⁷

Benin – Socio-cultural obstacles block benefits to women from increasing commercial and industrial development

In contrast to the situation in the Philippines, women in the coastal Sèmè-Podj Commune in Benin have seen less gender-specific impacts of CPL because of their greater economic dependence on men in general, and their more restricted socio-cultural position. In the Sèmè-Podj Commune, CPL and associated livelihoods changes through the development of tourism, industry and large-scale commerce and enterprise (see Box 7) are mainly bringing employment benefits for local men and migrant women workers from countries such as Togo and Nigeria.⁵⁸ Meanwhile, the majority of local women are housewives, who undertake only small-scale trading activities. The possibilities for local women to be employed in tourism and industry are weakened by male preferences – the vast majority of local women live in polygamous marriages under the control of their husbands who are generally not ready to authorize their wives to work in these sectors. Instead, husbands prefer their wives to concentrate on food production, and the wives do not even control the income from the sale of crops they have harvested.⁵⁹

Box 7: The expansion of commercial development on the Benin coast

The Sèmè-Podj Commune in Benin, located on the Benin coast between southwestern Nigeria and the two large cities in Benin (Cotonou and Porto-Novo), has in recent years seen increasing CPL and its accompanying population growth in the surrounding areas, putting pressure on the settled areas of Sèmè-Podj Commune, and increasing developments in tourism, industry and large-scale commerce and enterprise. Socio-economically the Commune is therefore both urbanizing and industrializing, resulting in land use changes away from its former predominantly agricultural focus.

See Dossou, 2011, *Pression commerciale sur la littoral béninois: cas de la Commune de Sèmè-Podj* (Commercial pressure on the Benin coast: the case of Sèmè-Podj Commune) VADID Contribution to ILC Collaborative Research Project on Commercial Pressures on Land, Rome

Women's dependence on their husbands, in the great majority of families in Sèmè-Podj, means that the impact of CPL on household poverty is not generally gender-

⁵⁷ Ibid.

⁵⁸ Pers. comm. Paulin Doussou, VADID ONG, Benin, 30 June 2010.

⁵⁹ Ibid.

differentiated.⁶⁰ However, in cases where husbands sell their farms and look for work elsewhere, there is a negative impact on the women left behind, as they struggle to feed their families without land and often do not receive regular remittances from their husbands.⁶¹ Furthermore, in the case of female-headed households, without land, these survive through agricultural wage labor or small-scale petty trade. Most widows remarry because of the prevalence of levirate (brother-in-law) marriage within the local culture, so it is only older widows who struggle alone, and most of these also receive help with their daily needs from their children.⁶²

In terms of their access to productive resources, women in Benin gained equal inheritance rights (as sisters and as widows) under reforms to the Family Code enacted on August 24 2004; these reforms also abolished levirate marriage and marked a major step forward in general for women's rights in Benin. However, in practice very few women inherit land, and instead they gain access to farmland through their husbands. The challenges of legal reform implementation are huge, and substantial sensitization and capacity building work are needed for real changes to take place on the ground.⁶³

In Benin, it is thus women's socio-cultural and political vulnerability that mediates the impacts of CPL. In the few cases of "women without men" (Daley 2005), CPL have undoubtedly worsened their situation of relative poverty vis-à-vis men, but as most women live in male-headed households, the poverty impacts of CPL are not necessarily markedly gender-differentiated. It is also likely that the presence of large numbers of migrant women working in tourism and industry in the local area, combined with the tendency to polygamous marriage, could lead to an increase in the spread of HIV/AIDS, as well other sexually transmitted diseases, to local women.

India – Special economic zones disrupting livelihoods while generating empowerment effects through adversity

ILC's case study of the Polepally Special Economic Zone (SEZ) in the Mahabubnagar District in Andhra Pradesh, some 80 kilometers from the city of Hyderabad, highlights a number of relevant gender-differentiated impacts from CPL in relation to SEZs (see Box 8). Traditionally men migrated for work and women undertook farming in Polepally, thus the loss of their land to the SEZ has been a major problem. People in lower castes lost more land than those in higher castes and the poorest people became even poorer (Rawat et al n.p. b). The community opposed Arvind Pharma, the main company in the SEZ, from the outset and resistance was led by lower caste (*Dalit*) women "who were

⁶⁰ Pers. comm.. Paulin Doussou, op. cit.

⁶¹ Ibid.

⁶² Ibid.

⁶³ Ibid.

strong and stood against every odd situation, managing their families and movement” (Ibid).

The overall impacts of the establishment of Polepally SEZ on the local community have been tremendous (Rawat et al n.p. c). Only 3% of survey respondents in the ILC case study reported having got work in the SEZ, yet “the affected villages have permanently lost more than a thousand acres which was the source of food security and livelihoods for the villagers” (Ibid). The resultant “food shortages are severe for women” and threaten three core indicators of food security, namely “adequate quantity, timely availability and also quality” (Ibid). Women are responsible for adequate food provision within their families, and before the SEZ was established, farming was a profitable way of life – even for the landless who worked as wage laborers for households with land (Ibid).

One affected woman told the researchers that “they are now forced to buy jowar from [the] market which they never imagined as they were selling the jowar to others till they lost land to the SEZ” (Ibid). Other gendered impacts include increased

strain and friction at home. Poverty, indebtedness and unemployment [have] forced women to undertake more work and struggle hard for making both ends meet. Women in Gundlagadd Thanda where 27 males died have more women headed families. They are under great pressures to support the family and play new roles of financial manager of the house. There is increased violence on women due to growing frustration with the happenings not going in favor of the affected households (Ibid).

Box 8: Special economic zones in India

India’s Special Economic Zone (SEZ) Act came into law in 2005. In contrast to China, where SEZs are state-owned, they are owned and operated by private parties in India and can be established on demand at the request of investors. They are subject to major subsidies with regard to taxation, while the State provides electricity at low or no cost, makes no restrictions on the use of groundwater and takes responsibility for access roads to nearby cities or facilities such as ports. 571 proposals for new SEZs have been approved since the passing of the 2005 SEZ Act, of whom 348 SEZs have been notified and 105 are already operational and exporting goods and services. Although landowners receive some compensations for land lost to SEZs, hundreds of thousands (even millions) of rural people face dispossession and eviction, and most are unlikely to have the skills to take up employment in the industries created. Unsurprisingly, there has been substantial resistance to and protests against the establishment of SEZs across many Indian states.

See Rawat et al, n. p. a, Special Economic Zones (SEZ) in India and Land Acquisition: An Overview. Social Development Foundation Contribution to ILC Collaborative Research Project on Commercial Pressures on Land, Rome

The impacts of CPL from the establishment of the Polepally SEZ can be seen further in the individual cases of some of the affected women. For example, Yadamma, a 70-year old woman, recalls how previously

she, along with her children, turned the barren land into fertile land. And each one in the community was doing the same...They had wells in their field, fruit plants and all varieties of vegetables...In her last stage of life, she is not able to believe the fact that she lost her land. She says, 'I have lost my economic freedom with the acquisition of land. I used to save money and spend on my family particularly children and grand children'...She feels guilty now for not having money and being depended on children. She says, 'Its almost like death for me, my self respect is totally gone, some times I cannot face them...I am feeling as if I am aged and depended on my family' (Rawat et al n.p. b).

Other women joined or led the resistance against the SEZ and found their 'voice' in the process, thereby becoming empowered to engage politically through adversity. For example, Mogulamma, who is widowed, and raising children alone, says

she finds it very hard to survive, she says there is no alternative left for her. Even the companies in SEZ are not giving any work initially, they called for mud work but after the construction of Aurabindo Pharma, they threw all the women of her age out, now only young girls, that too who are literates and some tribal woman are allowed to work in SEZ Company...Some how, she learnt to speak in front of public after joining the movement, she never thought that she would learn [to face] all these...people...The struggle for Polepally gave her tremendous strength and voice to speak. She is optimistic about life and feels that one day the land will come back to her (Ibid).

Laxamma, a woman who stood in local political elections against the SEZ, noted that poor women in Polepally had "no option but to organize" (Ibid). Chandi, "a 65-year old very active, wise, brave woman...is the only women who contested the assembly elections" (Ibid). She explained how

the entire community was shocked when they heard about the proposal for land grabbing. They did not know anything about the companies as none of them were literates... 'All these lands were now fertile lands, generations of our hard work, our dreams and future was in this land' says Chandi...With our own hands, with blood and sweat we brought to this level, when we started getting some food grains and felt happy that our land turned fertile, these companies took them...SEZs occupied not only lands but our lives. Our culture has changed, relationships were damaged totally, men and women became more alcoholic, many men died suddenly, women became widows. We women have lost our regular jobs, became daily coolies in our own lands. Some of us are not fed by our chil-

dren...The situation in all the houses seems to be identical with helplessness and psychological disorder. Every relationship has become burdened...Many of our children became very selfish; they are not able to manage themselves, not able to feed old and relatives. We are also seeing their helplessness (Ibid).

In summary, however, while it is encouraging that these women have found their political voices through adversity, it is apparent from the case study evidence from Polepally that the acquisition of land for the establishment of SEZs has overall had very serious negative impacts on women in terms of both access to productive resources and relative poverty.

Summary of key findings

A summary of key findings from these eight country case studies is presented in Table 1.

Table 1: Summary of case study findings

Country	Main drivers of CPL	Main lands affected	Main aspects of women's vulnerability affected
Pakistan	Commercial Agriculture (Food for Export)	Customary Land – People's Farms and Grazing Land	Productive Resources (negative), Participation in Decision-Making (negative), Relative Income Poverty (negative), Physical (negative)
Ethiopia	Commercial Agriculture (Biofuels)	Common Property – Wetlands	Productive Resources (negative), Participation in Decision-Making (negative), Relative Income Poverty (mixed/potentially positive)
Zambia	Biofuels (Jatropha)	Mission Land – Informal Farms	Productive Resources (negative), Relative Income Poverty (negative)
Rwanda	Commercial Agriculture (Sugarcane)	Private State Land – Informal Farms	Productive Resources (mixed), Relative Income Poverty (mixed/potentially positive)
Nepal	Urbanization, Construction and Land Speculation	Customary Land – People's Farms	Productive Resources (mixed), Participation in Decision-Making (positive), Relative Income Poverty (mixed/potentially positive)
Philippines	Tourism and Aquaculture	Common Property – Foreshores and Mangroves	Productive Resources (negative), Participation in Decision-Making (positive), Relative Income Poverty (negative)
Benin	Tourism, Industry and Commerce	Customary Land – People's Farms	Productive Resources (mixed), Physical (negative)
India	Special Economic Zones (SEZs)	People's Farms	Productive Resources (negative), Participation in Decision-Making (positive), Relative Income Poverty (negative)

The case studies gathered during the course of the ILC Global Study have clearly provided valuable information on the impacts of CPL on women, as documented and brought together in the present paper. Collectively they make a significant contribution

to the wider CPL literature, providing many details that have been lacking to date, and justifying the inclusion of gender issues from the outset in the terms of reference for any future studies of CPL.

Two sets of issues remain to be addressed as a result of the foregoing discussion and analysis of the gendered impacts of CPL, from both the wider literature and the Global Study's case studies. The first concerns the specific policy implications and recommendations arising, particularly in connection with the ongoing international initiatives around land and agriculture. The second concerns the wider strategic issues that need to be discussed and debated by ILC and its members going forwards.

3 Policy and strategic implications

Development of regulations and guidelines

Rationale for the current initiatives on land and agriculture⁶⁴

There have already been a number of international initiatives to provide a regulatory framework for large-scale investments in land and agriculture in developing countries. These include IFPRI's five 'Key elements for a code of conduct for foreign land acquisition' (April 2009 – Von Braun and Meinzen-Dick 2009); the 'Six basic principles' to guide the 'purchase and leasing of large areas of land in developing countries' by BMZ⁶⁵ (August 2009 – BMZ 2009); the 11 'Minimum Human Rights Principles Applicable to Large-Scale Land Acquisitions or Leases' by Olivier de Schutter, UN Special Rapporteur on the Right to Food (December 2009 – UN 2009); the seven 'Principles for Responsible Agricultural Investment that Respects Rights, Livelihoods and Resources' by the FAO, the International Fund for Agricultural Development (IFAD), the UN Conference on Trade and Development (UNCTAD) and the World Bank (January 2010 – FAO et al 2010); and the FAO-led 'Voluntary Guidelines on Responsible Governance of Land and other Natural Resources', which are still under development and extend well beyond the issue of CPL.

As Borras and Franco have observed, a key rationale for the proposal of these types of regulations and guidelines is that large-scale land acquisitions and investments offer tremendous opportunities for rural development if only the risks can be mitigated so as to create a 'win-win' situation (2010, 511, 513-515). IFPRI's proposed solution, for example, is a 'code of conduct' to ensure transparency in negotiations, respect for existing land

⁶⁴ The ILC Global Study includes a comprehensive review of a number of important company commitment instruments that have been developed for the voluntary regulation of international investments through the private sector, including commodity specific instruments, corporate social responsibility instruments and financial sector specific instruments (Heri et al 2011). However, the present gender study has within its scope to deal only with the broader initiatives of the big international development organizations on land and agriculture, and a gender analysis of company commitment instruments remains to be separately carried out.

⁶⁵ BMZ (Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung) is the German Federal Ministry for Economic Cooperation and Development

rights (including 'customary' and common property rights), sharing of benefits, environmental sustainability and respect for national trade policies (Von Braun and Meinzen Dick 2009, 3-4). However, as emerged in discussions at ILC Council's Special Session on 'Roles of ILC members and the coalition in responding to commercial pressures on land' in December 2009, there is still much debate over all this, including among representatives of the large international development organizations involved in the initiatives themselves. Moreover, it is not yet clear whether any kind of international initiatives to create a regulatory framework for large-scale land deals in developing countries will be effective in practice (ILC 2010d).

Among those putting forward the various proposals and principals, there is a divergence between the 'code of conduct' approach of IFPRI and the 'human rights' approach of the UN Special Rapporteur (Borras and Franco 2010, 522). Moreover, it may even be the case that

any effort to link high standards of business practice with ethical behavior in (trans)national land deals is unlikely to produce truly pro-poor outcomes if the primary aim of the land transfer is not categorically to protect and advance the land-access and property interests of working poor people (Ibid, 510).

This then poses a real dilemma for ILC and its members, and particularly for civil society activists, in deciding how (or indeed whether) to engage with the ongoing international initiatives, when the perspectives of those taking part as to the potential value of large-scale land deals to local development, and the potential opportunities for poor people to gain, may be highly divergent. The dilemma is even more acute for women's groups, who also have to decide how to engage with other civil society groups within the broader coalition. These key strategic issues are discussed further below, after first considering, from a gender perspective, the minimum requirements to enable these international initiatives to become an opportunity to enhance equitable access to resources for women.

The current situation

It must be stated at the outset that so far the various international initiatives contain little at all from a gender perspective. De Schutter's 11 principles, for example, only mention the word 'gender' once, under Principle 9, whereby the impact assessments to be conducted before negotiations over large-scale land acquisitions are completed are to include data on "local employment and incomes, disaggregated by gender" (UN 2009, 18). In the same document's preamble, on the rights of land users and of indigenous peoples, it is noted that it "is also important to recognize other use rights on land such as grazing and gathering wood, which are often critical sources of livelihood, especially for women" (Ibid, 11). This is the sole extent of de Schutter's gender analysis.

The six basic principles of BMZ mention impacts of CPL on women slightly more often, and propose that agricultural investments "be guided by the needs and priorities of the

local population and be gender sensitive”, but the attention to gender appears cursory and lacks any detailed analysis (BMZ 2009, 9). FAO, IFAD, UNCTAD and the World Bank Group’s seven principles include a few more mentions of specific impacts on or issues arising from CPL for women. Under Principle 6 on social sustainability they call for a common understanding among all stakeholders on a range of issues including gender (FAO et al 2010, 17). Under Principle 4 on consultation and participation, women are included as a vulnerable group who need to be protected by governments through the provision of adequate mechanisms for decision-making about proposed projects (Ibid, 11). Women are also generally included throughout this document as a vulnerable group who face potential loss of land and access to common property resources, while the potential for women to work as jatropa collectors is singled out in one example as a possible benefit for women, which might enable them to boost their cash incomes (Ibid, 7).

Although many of the issues around the international initiatives in general were discussed at the recent ILC Council Special Session mentioned above, the report of this meeting suggests that gender issues were not specifically addressed (ILC 2010d). As a result of the Special Session, ILC is now actively expanding the dialogue on large-scale land acquisitions (ILC 2010c). Despite much debate at the meeting over how viable and enforceable different kinds of regulatory frameworks may prove to be, and over the role of civil society in enforcing accountability, there appears to be a consensus that some practical measures can and should be developed and supported (ILC 2010d). Among these, tools and procedures have been identified as particularly important, and it was suggested at the Special Session that these could “be developed to facilitate the recognition of customary rights, structuring of contracts with investors, and facilitating negotiation with investors” (Ibid, 4).⁶⁶

It seems clear therefore that there is an opportunity here to address gender issues across the board through the development of such tools and procedures. On the other hand, local contexts also need to be considered; where there is entrenched socio-cultural and political discrimination against women, and where they do not participate fully in decision-making, there is a risk that poorly-designed and over-simplistic ‘gender-sensitive’ tools could be seen as harbingers of unwelcome foreign norms and end up being discarded as inappropriate to the local context. This was a point made in the Pakistan case study (above) and it cannot be ignored. Nevertheless, it is worth noting that the struggle for gender equality has a long history and that women’s rights have almost always been considered alien and inappropriate wherever and whenever the battle for them has begun.

⁶⁶ See also the recent IIED publication, *‘Making the Most of Agricultural Investment’* (Vermeulen and Cotula 2010); Pers. comm. Lorenzo Cotula, IIED, Scotland, 6 July 2010.

The requirement for pragmatism in addressing women's four-fold vulnerability

To a certain extent, much of what is needed is a good dose of pragmatism (Daley and Englert 2010). Tools and procedures must be locally appropriate and not over-generalized if they are to be of any value to women. They must also address all four aspects of women's vulnerability in relation to the impacts on them of CPL. By taking each of these four aspects in turn, it is possible to identify examples and suggestions of the sorts of measures that will need to be included in the various regulations and guidelines being developed within the international initiatives around land and agriculture. Furthermore, much of what such regulations or guidelines should incorporate or consider from a perspective of ensuring positive outcomes for women from large-scale land acquisitions will include things that will benefit other poor, vulnerable and relatively powerless people too.

Productive resources

First, women are more vulnerable as a group than men because of the constraints and systemic discrimination they generally face in relation to their access to, ownership of and control of land, including the level of legal protection of their land rights. Measures to support their land rights therefore make sense, but this is also beneficial for all people with weak land rights, including all indigenous peoples and communities relying on land tenure practices based around 'customary' rights and common property resources. The International Development Law Organization's (IDLO) 'Community Land Titling Initiative' is an example of a program which is working to support 'customary' community land rights as a way of protecting them against the encroachments of large-scale land deals, by giving communities legal titles that would help ensure proper compensation for any future land loss and contribute to the legal establishment of a coherent 'community' that can negotiate with outside investors. As Rachel Knight (2010a) asserts, this sort of initiative is a very practical way of implementing Principle 1 of the FAO, IFAD, UNCTAD and World Bank Group's seven principles, by first recognizing existing 'customary' land claims and then claiming and protecting them so as to ensure that they are respected. In her presentation at the World Bank's recent 'Conference on Land Policy and Administration', Knight elaborated the community titling approach that IDLO supports in Liberia, Uganda and Mozambique, and highlighted as a key question the need to "facilitate the protection of the land rights of women and vulnerable groups during community land titling efforts and support communities to establish systems that will ensure that the rights of vulnerable individuals are enforced" (Knight 2010b).

In Uganda, for example, IDLO works with the Land and Equity Movement (LEMU), which already has longstanding experience, and some success, in working with 'customary' leaders and institutions to support women's land rights by drawing on established norms (Adoko and Levine 2008; LEMU 2008). Although there remains substantial debate among women's activists as to either the validity or effectiveness of LEMU's approach to working

with 'customary' institutions, on balance it is a pragmatic strategy worth continued pursuit (Daley and Englert 2010, 98-100).⁶⁷ As Daley and Englert have recently argued,

strategies to support and promote women's land rights must be suited and responsive to the situation on the ground. Where existing customary institutions can be used as a vehicle for this, why not use them? Equally, where existing customary institutions have become weakened, why not pursue alternative strategies...taking a hard-line and principled position on the merits of a particular approach is likely to be less effective than taking a positive, pragmatic approach which looks at the situation on the ground as it is and asking "what now can we do to maximise the gains for women"? In sum, this is about "evidence-based policy-making" in the first instance, and then identifying what works best to achieve the desired result (2010, 99).

This debate aside, it is important to secure land tenure and customize land registration and titling more generally to support women's interests and help mitigate the potential losses from CPL. For example, Tandon (2010) notes a case "where women have taken deliberate measures to register land and secure the commons" in West Bengal, where a group called SRREOSHI has

made lands available to women's groups, giving them due entitlement. Along with the entitlement, the land is cultivated by the groups to secure their nutrition and livelihood. This has relieved pressure to search for other livelihood income such as stone-crushing or street work and given them the confidence to participate more vocally in their communities.

Similarly, she reports on an IFAD supported project in the Gambia, the Lowlands Agricultural Development Program, which has helped 22,000 women become landowners as individuals (Ibid, and see also World Bank (2009, 153-165) for other innovative examples).

A further reason to support women's land rights in relation to the impacts of CPL is that this is likely to enable them to obtain higher wages in any employment generated by large-scale land investments. As Clancy puts it, "when women have no alternative (their labour is not needed for harvesting crops on their own land) they will work for lower wage rates than men. However, ownership of land alters the bargaining power for women and they can demand higher wage rates if that is the case" (2008, 426). Owning their own land is also likely to increase the possibilities for women to participate in "global value chains" (Ibid, 426) through contract farming or similar arrangements with large-scale investors, as shown in the Rwandan case (above).

⁶⁷ See also Flintan (2010) and Peters (2010) who similarly advocate for the value of working with 'customary' institutions in Ethiopia and Malawi, respectively.

Participation in decision-making

Second, women's vulnerability arises through the systemic discrimination they generally face in socio-cultural and political relations, most particularly in relation to their role in decision-making and their ability to freely exercise both 'voice' and 'choice' in decisions that affect their lives and livelihoods. Yet measures to support women's increasing levels of participation and decision-making during consultations on individual proposals for large-scale land deals will also assist in improving the overall level of community engagement and consultation. As with the case of the Polepally SEZ in India (above), the threat of land loss can actually be a trigger for women's empowerment and political engagement within their communities, whereby some women come to exercise leadership on behalf of all vulnerable people.

In other countries, there are more socio-cultural and political obstacles to women's engagement, and in some countries women are very secluded in the domestic arena.⁶⁸ This was the case in both Pakistan and Benin (described above) and also in Ethiopia (above), where ILC's researchers found it very difficult to involve women in their research. In Ethiopia the researchers suggest that in order to boost women's participation in community consultations on proposed large-scale land deals, "it is advisable to particularly request the involvement of women in the discussion in the letters written from the Woreda office to the Kebele Administration. It would take time and effort to bring women to such public gatherings in similar communities".⁶⁹

In such cases, as Flintan argues with respect to her own work in Ethiopia, measures to support women might involve working through existing women-only forums, whether 'customary' or government-sponsored, to develop and strengthen channels of interaction between these and other community-level political institutions (2010, 168-169). However, consultation-strengthening measures also need to be supported by broader gender sensitization and capacity building. In the Cenepa River area of Peru, for example, where there are strong commercial land pressures from the expansion of extractive oil and mining concessions, FENAM, a local CSO, uses specialized training workshops to develop women's leadership capacity and political participation to overcome longstanding marginalization and exclusion (Durand 2011). In the Benin case (above), the researchers argued that in order to protect women from losing their land if their men sell it off in the face of CPL without their wives' consent, substantial sensitization among men will be needed as well as capacity building for women to know how to legally claim their land rights and manage their land, along with the intervention of local authorities to prevent sales of land needed for family farming.⁷⁰

68 See Agarwal (2002, 26), however, for some examples of where women have successfully challenged the practice of seclusion in India through the formation of women's groups.

69 Pers. comm. Messele Fisseha, op.cit.

70 Pers. comm. Paulin Doussou, op.cit.

Relative income poverty

Third, women's vulnerability also arises through the more general state of relative (cash) income poverty of women vis-à-vis men, and thus measures to support and protect poor people also make sense from a gender perspective. For such measures to be especially beneficial to women, however, they need to recognize and support women's specific concerns. For example in the Philippines case (discussed above), NGOs for Fisheries Reform actively promotes the recognition of women's contribution to the fisheries sector and the establishment of 'women-managed areas' of the coast, which are primarily used and managed by women fisherfolks.⁷¹ Companies themselves can also be encouraged to look for ways to make it easier for women to benefit from employment opportunities presented by large-scale land investments. In Thailand, for example, Cargill has pioneered efforts to support its women workers by introducing more family-friendly working practices such as reassigning pregnant women to non-physically taxing work that does not require overtime, providing assistance with school fees for employees' children, and permitting leaves of absence without pay to deal with family emergencies and harvesting (World Bank 2009, 350-352).

Physical vulnerability

Finally, in terms of women's general physical vulnerability vis-à-vis men, as manifested in direct gender-based and sexual violence against women, Cargill has also taken innovative measures in Thailand by introducing a free bus service to and from work. Many women "lived far from the plant and were concerned about their safety travelling alone, particularly at night", so this measure was greatly appreciated (Ibid, 351). Moreover, "sexual harassment was prohibited in company policies that were widely disseminated, and in interviews women indicated that there were far fewer problems than they had experienced in other companies" (Ibid, 351). These are the sorts of specific measures that would help support women to gain benefits from employment opportunities offered in commercial industry or agricultural processing arising out of CPL.

On the other hand, as Francis et al (2005) found in Kenya, increasing general poverty combined with livelihoods shifts in favor of women, that is, which strengthen women's economic position within the household, have often been associated with increased levels of violence against women (c.f. Pottier 1996). As such, there is a danger to women if tools and procedures to facilitate greater benefits for women from large-scale land deals do so at the expense of equitable development for women and men. Thus, to parallel the argument made by Daley and Englert with respect to the pursuit of women's land rights, it is vital to

be very clear about our day to day goals (our tactics) within the bigger picture (our strategy) – a more gender equitable society which includes

⁷¹ Pers. comm. Dennis F. Calvan, op.cit.

recognising that sustainable positive social change must be of mutual benefit to all, and, importantly, must not alienate men (2010, 103).

Directing future research

To help guide such equitable development through large-scale land deals, that is, to increase the possibilities for achieving sustainable benefits from CPL for both women and men, it is necessary to base on solid evidence the gender-sensitive tools, procedures and measures that must now be integrated into the scope of work of the various international initiatives. This makes it important to get gender consistently included on the agenda of all future research projects on large-scale land deals, and to avoid gender fatigue by consistently emphasizing the imperative to do so. The forthcoming ILC database within the Matrix and Monitoring Initiative can aid this process by tracking which land deals have been subject to research on gendered impacts and thus ensure that knowledge gaps are made explicit in the public domain. Furthermore, the gender review and analysis of eight country case studies within the ILC Global Study contained in the present paper has drawn attention to the sorts of issues and impacts that all new research must take on board.

Much research will still be subject to time and resource constraints, which can make it challenging to conduct proper in-depth research incorporating gender issues if the research's main focus lies elsewhere. This was the case with the IIED's recent research on the impacts of large-scale land deals in Tanzania and Mozambique discussed above, as the research focus in those cases was on relations between large-scale investors and local communities as a whole.⁷² It should, however, be possible to elaborate a gender research tool – a checklist of issues for women – which could be incorporated within the developing regulatory frameworks and which all researchers of large-scale land deals could be encouraged to use in their research by way of best practice.⁷³

Problems remaining for women with the regulatory approach

Nevertheless, and despite the value of incorporating many of the gender-sensitive – or more accurately, 'women-friendly' – measures just discussed, the potential problems with the whole regulatory approach to managing CPL through mitigating risks and maximizing opportunities from large-scale land deals still have some significance from a gender perspective. Borrás and Franco highlight a number of concerns with the regulatory approach in general (2010, 515-521), and among these three stand out as being particularly relevant to women.

⁷² Pers. comm. Lorenzo Cotula, IIED, Scotland, 6 July 2010.

⁷³ See World Bank (2005) for a similar sort of best practice tool with respect to land administration projects (c.f. Palmer 2005).

First, with respect to their emphasis on improving the utilization of so-called 'reserve agricultural lands', the regulatory approach of the international initiatives threatens the very fluid and non-formal rights that many women have to the productive resources on such 'marginal' lands, as well as those of other vulnerable groups such as pastoralists and indigenous people (Ibid, 517). Second, the international initiatives tend to see formal property rights as part of the solution to risk mitigation, without due acknowledgement of all the issues that are raised by processes of property rights formalization for women in particular (as noted above). Neither are legally protected land rights a sufficient guarantee against dispossession (Ibid, 518). Third, the emphasis within the international initiatives on involving local communities in negotiations and decision-making leaves unaddressed many of the long-standing concerns of feminist activists about the dynamics of both gender and power relations at the local level. As Daley and Holey have previously argued,

feminists and women lawyers have taken the lead in making a case for the role of central (national) governments in maintaining and protecting the rights of women and the chronically poor through constitutional and legal provisions that proscribe discrimination, and particularly discrimination that takes place under 'customary' law...there is an important role for central governments as providers of policy that protects the rights of the poor (2005, 35; c.f. Tsikata 2003; Whitehead and Tsikata 2003; Woodhouse 2003, 1718).

This raises a key strategic issue for civil society activists concerned about CPL, and particularly for the women's groups among them, as developed below.

Strategic implications for ILC

Empowering women's voices and increasing their confidence

As Tandon (2010) relates in the case of a Maasai woman from northern Tanzania, where Maasai pastoral lands are under threat from large-scale investments in land:

When asked what it is that the women really need, Kooya does not hesitate, 'We need our voices to be heard at different levels, by our own government but also by networks of women around the world who will support us. We are being marginalised by our government but also by the men in our communities – and yet we women are the majority in our communities. We need a big movement to hold government accountable.

Indeed, Tandon goes on to argue that "technological and financial solutions" to the problems and risks to women farmers from CPL and large-scale land deals are secondary, and that "the core solutions lie in building alliances, supporting dialogue and solidarity across local and international borders and enabling women to determine their choices, their priorities, their ways of 'doing and being' to hold local governments accountable" (Ibid). In particular, she calls for support for women to articulate and take action on key issues in food security such as resisting pressures on land and forests needed for food production, building capacity to negotiate with big investment interests, and building solidarity to protect 'global' and 'national' public goods such as water needed for domestic use, local energy supplies and indigenous biodiversity knowledge (Ibid).

The politics of 'women' within the bigger picture

"As Sikor and Lund have most recently reminded us, 'access and property' are clearly questions of 'power and authority'" (Daley and Englert 2010, 97; c.f. Sikor and Lund 2009). It is therefore unsurprising that contemporary CPL are giving rise to challenge and contestation on the part of all those who fear that they are coming off worse from the process. Important questions emerge about how to address the gender impacts of CPL within the overall debate on CPL, and about how CSOs and NGOs, and women's organizations in particular, should respond strategically to the phenomenon.

There are important parallels with, and lessons to be learned from, the experience of women's NGOs during the 1990s land tenure reform debates in Tanzania, where women's groups were split between those who wanted to line up alongside the rest of civil society to tackle broader 'class' issues as a united front, and those who wanted to advocate for women's issues directly so as to ensure they were not marginalized within the broader struggle (Tsikata 2003). Whether and how women (or men) benefit from, or are negatively affected by, individual land deals depends on their socio-economic position and status; thus many of the issues for particular women are of course also those that affect the poor and disadvantaged generally. However, it remains the case, as the

present study has shown, that in the current global context of increasing commercial land pressures, women as a group are both likely to be affected differently to men as well as disproportionately more likely to be negatively affected than them because they are generally vulnerable as a group.

It could be argued that women's rights are an integral part of broader 'human rights' approaches to CPL. Yet the relevant literature on this has very little to say on gender (e.g. FIAN 2010; UN 2009). The strategic implication of this is that women have to fight their own battle and cannot rely on basic 'human rights' approaches to address their gender-specific concerns about CPL, as these do not have the systemic discrimination against women at the fore. Thus, while "there certainly are topics which ask for a more global perspective and consequent rapidity of national action...this can – and should – be done in ways that leave open the question of 'whose rights' are being protected at the local level" (Daley and Englert 2010, 96).

This point may transcend gender to influence how organizations that represent other oppressed or marginalized groups (such as pastoralists or indigenous peoples) choose to lobby policy-makers and engage in the dialogues and debates over the ongoing international initiatives around land and agriculture. In essence, the question is whether interest groups should be willing to subsume their own specific issues and concerns within the greater concern for solidarity with the general rights of 'communities' vis-à-vis investors, and for 'local people' vis-à-vis outsiders, or whether they should stand firm in advocating for the specific issues of concern to the people they represent? This is a key strategic issue, which must be addressed by ILC and its various member organizations so as to ensure their most effective participation in the dialogues and debates. For women's organizations, working to ensure positive outcomes for women despite the substantive systemic gender discrimination and the four-fold vulnerability they face, it will be especially important not to subsume gender issues 'for the greater good', when those issues could most effectively be addressed if they are specifically put on the table at the outset.

There is already some danger of the opposite happening. For example, the Concept Note on ILC and partners' multi-stakeholder dialogue on 'Large-Scale Land Acquisitions and their Alternatives' does not specifically name women's groups as among the stakeholder groups that would be invited to join the Convening Committee (ILC 2010c, 2); they must now clearly be added. It is also imperative that this dialogue process takes forward and specifically addresses the various issues that have been raised in this gender study, building on the solid evidence base of gendered impacts generated by the Global Study's comprehensive case studies, and engaging constructively and very seriously in the development of gender-sensitive tools and procedures within the various regulations and guidelines.

The need for a broader coalition

With reference to agriculture and women's systemic structural disadvantage therein, the World Bank has observed that "advocacy and interest groups have not been strong enough to fight for the causes of gender equality" (2010, Q.11). The Bank goes on to claim that political will and political leadership in addressing gender concerns "is most likely to come from women decision makers and policy makers, and many developing countries lack this important advantage" (Ibid, Q.11). This suggests that activists concerned about the impact of CPL on women must not just focus on specific policies around CPL, such as the development of gender-sensitive tools and procedures, but must also remember to cast their net more widely and ensure coordinated action with the whole range of women's groups within civil society who are working to achieve improvements in women's representation and participation in decision-making at all levels of governance.

In sum, women now need to actively and strategically organize at all levels to get gender issues around CPL on the table of ILC and partners' dialogue process at the outset, the gendered impacts of CPL in relation to all four aspects of women's vulnerability need to be seriously addressed within this process, and gender issues must not be subsumed within the broader debate.

In the words of two of the women interviewed for ILC's case study of the Polepally SEZ:

Land is our life, symbol of pride, matter of self confidence, gives identity in the community, we women feel comfortable in working our own fields, our children, spouses respects us but now, the situation is different (Rawat et al n.p. b).

Well, for those in power, land is an economic resource for profiteering. They can sell the land to big companies and earn billions of rupees. It has never been recognized [as] the rural social structure and the lives and livelihoods of people. Mere compensation will not answer the health, environment, social, cultural life of people. Especially rural women, they are producers, cultivators, laborers. Their life is attached more to the land and related activities. Losing land is [a] great loss for them, their life totally changes, here the culture of companies doesn't suit them and they are not used to work formally, under the bosses (Ibid).

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This report is part of a wider initiative on Commercial Pressures on Land (CPL). If you would like further information on the initiative and on the collaborating partners, please contact the Secretariat of the International Land Coalition or visit www.landcoalition.org/cpl

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