

# WOMEN PROPERTY RIGHTS PILOT INDEX

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# INTRODUCTION

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The right to own and enjoy property is a fundamental part of rights of people and referred to as an extension of human rights<sup>1</sup>. This right allows one to use their property, engage in lawful transactions related to the sale, purchase and mortgage of that property, and enjoy property to the exclusion of others. In this line of thought, the exclusive nature of the right to own private property requires respect, protection which affords the freedom of ownership.

In societies oriented towards development, private property is equity; that is to say, the legal ownership of private property creates collateral for the owner of the respective property<sup>2</sup>. As such, property is a key economic resource inextricably linked to access to, use of and control over other economic and productive resources<sup>3</sup>. Whereas, in agriculture based societies, rural and peri-urban areas, it is a key input for agricultural production; it can be used as collateral to access financial resources and extension services or join producer organizations. In both rural and urban areas, land/property can generate income directly, if rented or sold<sup>4</sup>. Other than being used as collateral for creating new businesses, land and property can be used also for further developing existing business and for activities that create and sustain wealth in a state<sup>5</sup>.

Further, the focus on land in both rural and urban settings, is an unequivocal acknowledgement that ownership of and/or control over land is critical for poverty reduction, food security, inclusiveness and overall sustainable development objectives<sup>6</sup>. As such, property rights in land are highly important for the functioning of societies. Stability and certainty of property rights form the foundation of financial and political security<sup>7</sup>.

Nonetheless, property rights are not normally stable or certain over the long term. Among the factors that affect private property rights stability and certainty are the lack of the independence of the judiciary, absence of the rule of law, political unrest, and civil war etc.<sup>8</sup>. As economies become more globalized or more localized; as environmental conditions evolve; as the ethnic and class compositions of societies change, the challenges of governing property rights also evolve constantly. These changes in human affairs find their reflections in property rights.<sup>9</sup> Rights to land and property are not equitably distributed to us all. This is especially true for women. Even while laws and policies are being passed around the world that strengthen women's equal rights to land and property, women in half of all countries still face significant obstacles to realizing those rights<sup>10</sup>.

Consequently, often times, women's economic independence is subject to (in)stability of property rights<sup>11</sup>. Persistent discriminatory social norms and practices are one of the strongest barriers standing between women and their rights. Weak implementation policies, insufficient capacity to enforce laws and a lack of political will further compound the problem. Poor access to legal services and a lack of understanding of laws by communities and households – and by women themselves – build an invisible but near impenetrable wall that stands between women and their land and property rights<sup>12</sup>. There is a direct relationship between women's right to land & property, economic empowerment, food security and poverty reduction<sup>13</sup>. Although findings show that women are as efficient as men in production when given access to the same productive resources, research findings reveals that many women farmers, entrepreneurs and workers across countries of all regions are less productive than men because they have more limited access to and control of economic resources<sup>14</sup>. Unequal gender distribution of economic and financial resources, position women at a disadvantage compared to men in their ability to participate in, contribute to and benefit from broader development processes<sup>15</sup>.

Women's land ownership and control has been linked to significant improvements in women's welfare, productivity, equality and empowerment. Ownership and/or control over land/property, especially in post-conflict and agricultural societies, is one of the few mechanisms in which women can guarantee their economic security and avoid falling into poverty, especially in the absence of safety nets and an inclusive and equitable labour market<sup>16</sup>. Ownership and secure land control contributes to empowering women, as it reduces women reliance on male partners and relatives, increases their bargaining power within the household, at the same time it improves their chances of accessing a wide variety of productive resources, including extension services and credit. The confidence gained from increased tenure security can further encourage women to undertake or expand their entrepreneurial activities, and to join producer organizations and/or cooperatives<sup>17</sup>. As such, women's right to land and property is also central to women's economic empowerment, given that land is a base for food production and income generation, as collateral for credit and as a means of holding savings for the future. In the urban and peri-urban setting, land and property rights are important not the least to get access to public utilities. Land is also a social asset that is essential for cultural identity, political power and participation in decision making. Women's ownership of property extends their capabilities, expands their negotiating power, and enhances their ability to address vulnerability<sup>18</sup>. It also serves as a critical factor of social protection against gender-based violence. As such women's equal right to land is also a human rights issue<sup>19</sup>. With the recognition of property rights and due process which affords it marketability, women can become a participants in the production cycle, which in return contributes to the economic growth of a state and finally raises the standard of living<sup>20</sup>. Accordingly, property changes into an incentive for the owner to engage in work which enhances and contributes to the economy. Private property rights are the hallmark of liberty<sup>21</sup>. Therefore, strengthening property rights for women goes hand in hand with the realization of development objectives related to poverty alleviation, food security, advancing women's empowerment, and environmental stewardship.<sup>22</sup>

Political stability and a sound legal environment encompassing the rule of law of a country, among other factors, are paramount to sustaining, protecting and developing a property rights system<sup>23</sup>. Where market oriented economies are weak or just emerging, one imperative of land policy is: make the exercise of property rights more secure. Where the gap between rich and poor, or between one ethnic group and another, or between those benefiting from patriarchal social and legal structures and those desiring gender equity, a third policy imperative is to improve the access to land by disadvantaged groups (the poor, women in some regions, ethnic groups, refugees)<sup>24</sup>. Therefore, successful governing of property rights is related to how people manage to balance three competing policy imperatives: 1) improve security by which land is held, 2) protect land and water resources, and 3) provide access to land by the disadvantaged<sup>25</sup>. In this regard, a gender approach to property rights can enable shifts in gender power relations, and assure that all people, regardless of sex, benefit from, and are empowered by, development policies and practices to improve people's rights to property<sup>26</sup>.

## METHODOLOGY

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To capture the multifarious aspects of women's property rights in Kosovo context that amount to development of the pilot women's property rights index, the following report has involved a combination of three methods: (1) desk review (2) survey questionnaire, and (4) focus group discussions with field experts. This report reviews the relevant current literature, analyses data processed from a survey conducted to assess women property rights in Kosovo (including CSOs, academia, media, judiciary, legislative, notary, economy, and bank sector) presents findings from focus group discussions. In this line, based on reviews from desk research, findings from survey, and focus groups - this pilot index on women property rights presents the approximate state/achievements in 4 areas/dimensions: (1) Legal Framework, (2) Legal and Political Environment, (3) Economic Environment, and (4) Equal Access.

A survey questionnaire has been conducted, in June 2019, to extrapolate the general situation regarding women property rights in Kosovo. In total, 28 indicators have been developed/adapted for four dimensions: 13 indicators for the dimension of (1) Legal Framework, 6 indicators for the dimension of (2) Legal and Political Environment, 3 indicators for the dimension of (3) Economic Environment, and 6 indicators for the dimensions of (4) Equal Access. The survey questionnaire has been administered to 39 participants representing CSOs, academia, media, judiciary, legislative, economy, and notary and bank sector. Findings from this individual assessment have been presented, and incorporated accordingly in this pilot index on women property rights. To gain an in-depth view and complement findings from the individual assessment survey, 7 focus groups discussions have been organized with field experts from CSOs, academia, media, judiciary, legislative, economy, and notary and bank sector. The discussion focused on assessment of indicators of four dimensions, key development, challenges and opportunities and priorities in the area of women property rights. Recommendations received during these focus group discussions have been carefully incorporated in the report.

## KOSOVO CONTEXT

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The legal framework in Kosovo in the area of gender equality is quite comprehensive. Affirmative measures contribute to a degree to gradually improve the state of women in Kosovo and eventually, to promote gender equality. Nonetheless, poor implementation of the legal framework and embedded gender stereotypes in the culture and not only perpetuate gender inequality in almost all domains. Subsequently, participation and meaningful engagement of women in decision-making processes remains rather limited. The majority of women in Kosovo perceive themselves largely unable to influence the decision-making processes that directly impact their lives, here including all decision-making processes in general, inclusive but not limited to the family, in their community, and public sphere. Women are surpassed by men in almost all areas of responsibility. Participation in labour market continues to be the lowest in Europe. Only 18.4% of women are active in the labour market, 12.3% of them employed<sup>27</sup>. Although women educational levels are similar to those of men, their participation in the economy of Kosovo is extremely low in contrast to neighbouring states<sup>28</sup>. Given the low levels of formalized capital that they can access their self-employment opportunities are limited<sup>29</sup>.

There is still a large gap regarding property ownership between men and women.<sup>30</sup> Moreover, informality in property matters remains a challenge, especially for women. The majority of women do not inherit or possess property of their own; control property investments or utilize their homes as a source of capital, which in turn partially contributes to a low level of economic engagement. Only 17% of women own properties<sup>31</sup>, only 18% of women own businesses<sup>32</sup>, and only 15% of women business owners have used commercial bank loans<sup>33</sup>. Research findings reveal that up to 88% of women entrepreneurs open businesses alone, unsupported by others, with more than half utilizing their own capital<sup>34</sup>.

Although, the Kosovo Constitution guarantees equal rights regarding inheritance and the Law on Inheritance that grants equal rights on inheritance to women and men, traditional customs give primacy to male over female descendants in matters of inheritance. According to the Endline National Survey on Property Rights in Kosovo (2019), 56% of population believe that cultural legacy of patriarchal society is one of the main obstacles preventing women to enjoy equal property rights<sup>35</sup>. Even though, four in five people believe that women should have equal rights to men<sup>36</sup>, practice shows that women who are married away from their parent's houses are expected to renounce their share of inheritance, whereas men who continue to live with parents that the right to succession of parents' property<sup>37</sup>. While no formal statistics on renunciation exist, and many women willingly renounce their inheritance rights, anecdotes abound regarding women who are excluded from inheritance as a result of coercion and subterfuge<sup>38</sup>. Hitherto, the renunciation of inheritance, as outlined in the inheritance law, does not guarantee a favourable position for women in regards to equal hereditary rights, as most women renounce their inheritance for such customary reasons<sup>39</sup>. This is further confirmed by the finding that 76.5 % of responded think that women in Kosovo do not demand their rights to inherit. This being for the fear of transferring property to the husband's family according to 43.7% of respondents<sup>40</sup>.

# CURRENT LEGAL FRAMEWORK IN KOSOVO ---

The legal framework regarding property rights as well as gender in Kosovo is rather modern and egalitarian. The following list of laws regulate the property and inheritance rights in Kosovo.

## *Constitution of the Republic of Kosovo*

In the basic provisions, the Republic of Kosovo ensures gender equality as a fundamental value for the democratic development of the society, providing equal opportunities for both female and male participation in the political, economic, social, cultural and other areas of societal life (Constitution, article 7, paragraph 2)

In this line, Article 46 [Protection of Property] states:

1. The right to own property is guaranteed.
2. Use of property is regulated by law in accordance with the public interest.
3. No one shall be arbitrarily deprived of property. *The Republic of Kosovo or a public authority of the Republic of Kosovo may expropriate property if such expropriation is authorized by law, is necessary or appropriate to the achievement of a public purpose or the promotion of the public interest, and is followed by the provision of immediate and adequate compensation to the person or persons whose property has been expropriated.*

## **International Instruments / Conventions applicable in Kosovo**

The Universal Declaration of Human Rights establishes the equality of men and women rights as a principle on which all people can enjoy fundamental rights and freedoms (preamble). Further, with respect to property rights, the Declaration states that: 1. Everyone has the right to ownership, whether individually or in association with others; 2. No one shall be arbitrarily deprived of his / her right of ownership. (Declaration, Article 17, emphasis added). While in Article 2, the Declaration establishes the prohibition of discrimination based on sex in enjoying the rights protected by statement.

The International Covenant on Civil and Political Rights obliges states to ensure equal rights for men and women to enjoy all economic, cultural, social, civil and political rights<sup>41</sup>.

The European Convention for the Protection of Human Rights (ECHR) is another international instrument, directly applicable in Kosovo. This Convention prohibits discrimination based on sex in enjoying rights. Moreover, it protects the right of every natural or legal person to have property. (see Article 1 of Protocol 1).

## **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)**

CEDAW - States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals. CEDAW requires spouses to be entitled to the same rights in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.

## Laws in force in Kosovo

Several laws and administrative measures intertwiningly regulate property rights, namely: The Law on Family, Law on Inheritance, Administrative Instruction on Special Measures for Registration of Joint Immovable Property on Behalf of Both Spouses, and National Strategy on Property Rights.

The Law on Family<sup>42</sup> regulates property relations of spouses. It states that property belonging to one spouse at the time of entering marriage remains separately owned. Property acquired through work during the course of the marriage is jointly owned. Under this law all persons are equal to inherit under the same conditions. Heirs may renounce their inheritance before a court, if not under coercion. A nonmarital cohabiting couple (a woman and a man) may inherit from each other as spouses, if the relationship has lasted at least 10 years, or 5 years where they have children.

The Administrative Instruction on Special Measures for Registration of Joint Immovable Property on Behalf of Both Spouses<sup>43</sup>. This administrative Instruction stimulates the registration of joint immovable properties on behalf of both spouses in the public register. With the aim of increasing the number of women registered as joint owners. The enforceability period of this normative act, initially one year, has been extended into 2019.

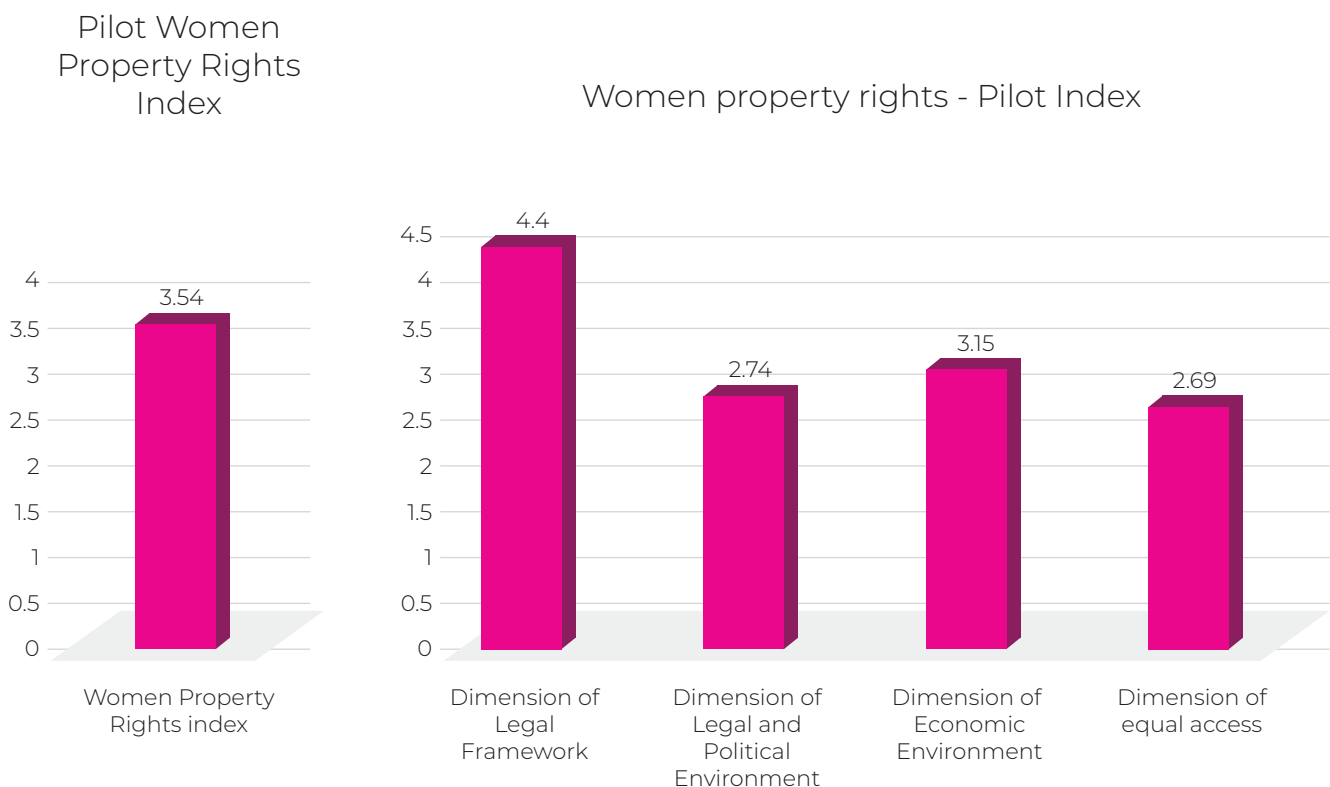
The National Strategy<sup>44</sup> on Property Rights provides a strategic vision for securing rights. It prioritizes and sequences interventions to clearly define property rights in law and to provide accessible, efficient and affordable mechanisms. It also proposes specific measures to address challenges faced by women<sup>45</sup>, include providing legal recognition of cohabiting relationships as marriages after five years or three years if there are children from the relationship. It also suggests introducing a safeguard for women heirs to be informed fully about their rights and the value of their portion of an estate if they intend to renounce before taking a final decision<sup>46</sup>.

The present legal frameworks creates challenges from women's property rights as there are inconsistencies in laws that are in force, leading to problems in practice. Such discrepancies include the differential application of the law and administrative strategies that allow the exclusion of women<sup>47</sup>; the different claims on resources that spouses have in legally registered marriages and 'factual' marriages and the lack of clarity with regard to the proper legal venue for uncontested cases of inheritance<sup>48</sup>; there is additional confusion as to whether uncontested inheritance cases can be processed by both the courts and notaries<sup>49</sup>; when legal processes regarding property ownership and transfer are used, the dominant issues in terms of the application of law pertaining to the inheritance law and the usage of the clause on renunciation<sup>50</sup>.

# RESULTS

## Country Score

The total country score for women property rights in Kosovo is extrapolated from findings of experts from focus group discussion and individual ratings of 39 experts from CSOs, academia, media, judiciary, legislative, notary, economy, and bank sector. The average value of the four dimensions defining this index totals at 3.54 (on a scale 1-7) (see figure 1). Individual score rating for four dimensions are presented in figure 2. In thin line the individuals score a4 areas/dimensions are : (1) Legal Framework – 4.42 , (2) Legal and Political Environment – 2.74, (3) Economic Environment – 3.15, and (4) Equal Access – 2.69.

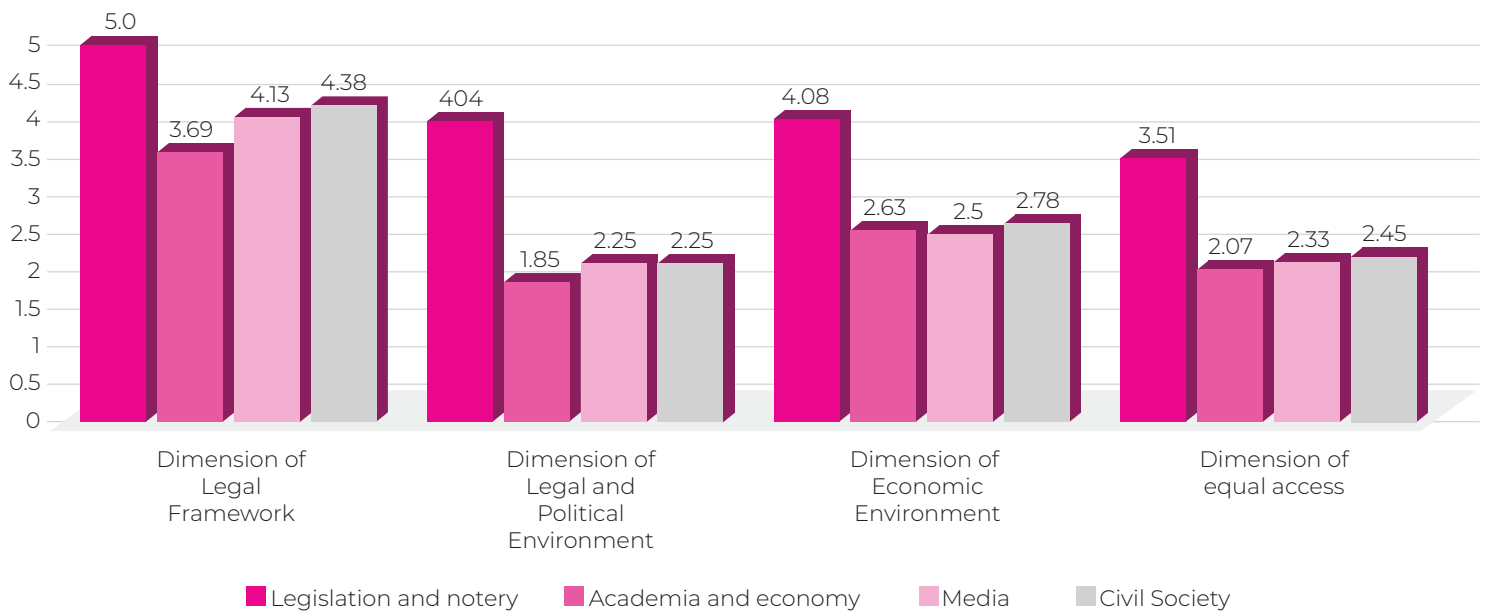


**Figure 1.** Country score for women property Rights – based on the pilot index scoring

**Figure 2.** Individual scores for four dimensions: Legal Framework, Legal and Political Environment, Economic Environment, and Equal Access.

The scores of different dimensions vary noticeably. While the dimensions of legal framework is ranked as the highest, the dimension of legal and political environment and dimension of equal assessed as the lowest. This is in line with findings worldwide that rights to land and property are not equitably distributed to us all. This is especially true for women also in Kosovo, due to persistent discriminatory social norms and practices being one of the strongest barriers standing between women and their rights as well as weak implementation policies, insufficient capacity to enforce laws and a lack of political that further compound the problem. Moreover, focus group discussions confirmed that assumption that in Kosovo also poor access to legal services and a lack of understanding of laws by communities and households – and by women themselves – build an invisible but near impenetrable wall that stands between women and their land & property rights<sup>51</sup>.

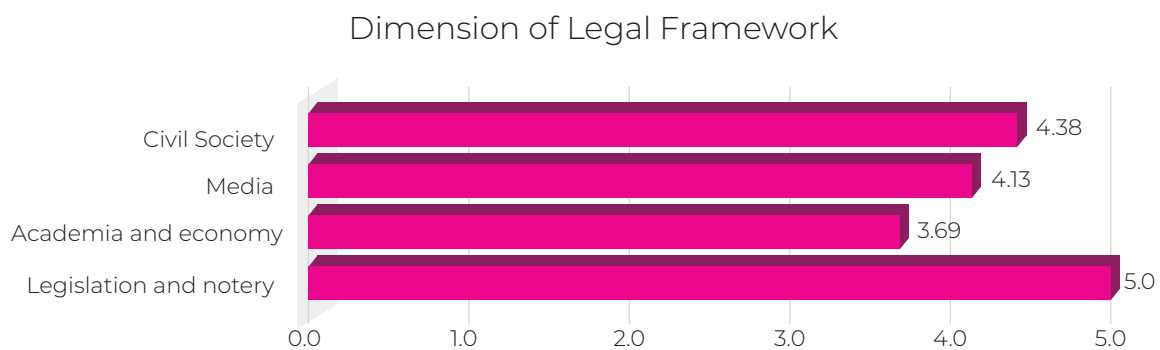
### Women property rights index according to expert groups



**Figure 3.** Differences in property rights dimensions ranking according to expert groups

In figure 3, the difference in ranking of different dimensions according to expert groups is presented. As clearly noted, the expert groups composed of legislation and notary have ranked the highest the dimensions of legal framework, followed by the civic society group. This difference in ranking can partly be explained by the fact that these two groups are more familiar with the dimension of legal framework. Overall, the legislation and notary, which come mainly from the public sector, hold most positive perceptions regarding all dimensions. While, academia and economy are the most skeptical group for all dimensions, followed by media and civil society. Civil society experts recognize the progress made, but remain much more critical compared to legislation and notary.

### Dimension of Legal Framework

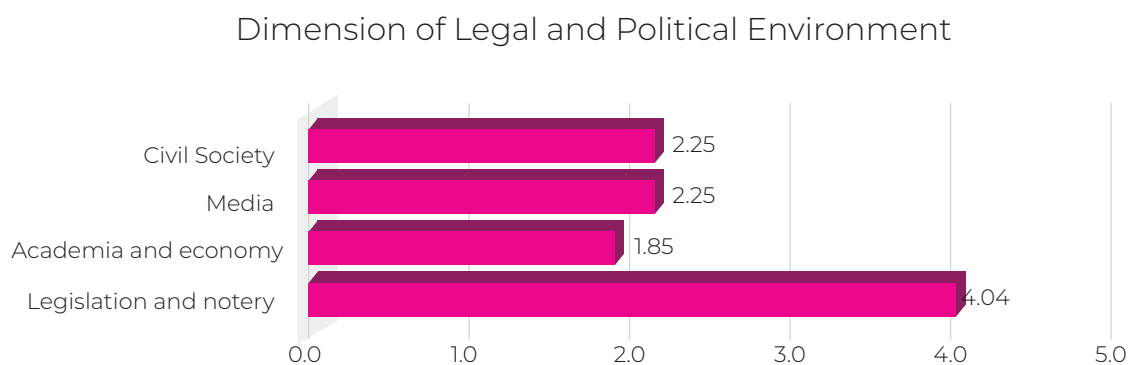


**Figure 4.** Score of dimensions of legal framework according to experts' groups.



This dimension is composed of thirteen indicators. The total rating score for the dimension of legal framework is 4.40. This being the highest score for all dimensions. Focus groups discussions with all experts confirm the belief that Kosovo stands well in terms of the legal framework, as it particularly has an advanced constitution and laws. However, according to participants while laws are in place and ensure equality between women and men, there are scarce policies that facilitate the proper implementation of these laws. Indicator 1: Property right is guaranteed by the Constitution and the use of property is regulated by law, in accordance with the public interest- is rated as the highest indicator in this dimension with 6.13. Experts recommend to divide the dimension of legal framework into indicators assessing the laws and indicators assessing policies- as it is often the case that laws are well in place, but policies are not adequate or are not properly implemented. This is noted also in the rating of the indicators by the experts who have rated the highest indicators concerning laws such as indicator 1, 5, 9, while they have rated the lowest indicators related to policies and strategies such as: indicator 7, 8, 11, and. 13. Findings from focus group discussions are in line with previous findings that point to the fact that the present legal frameworks creates challenges from women's property rights as there are inconsistencies in laws that are in force, leading to problems in practice. Such discrepancies include the differential application of the law and administrative strategies that allow the exclusion of women<sup>52</sup>; the different claims on resources that spouses have in legally registered marriages and 'factual' marriages and the lack of clarity with regard to the proper legal venue for uncontested cases of inheritance<sup>53</sup>; there is additional confusion as to whether uncontested inheritance cases can be processed by both the courts and notaries<sup>54</sup>; when legal processes regarding property ownership and transfer are used, the dominant issues in terms of the application of law pertaining to the inheritance law and the usage of the clause on renunciation<sup>55</sup>.

## Dimension of Legal and Political Environment



**Figure 5.** Score of dimensions of legal and political environment according to experts' groups.

This dimension is composed of six indicators. The overall score for this dimensions is 2.74. The dimension of the legal and political environment is rated as the second lowest of all dimensions. As confirmed by all focus group discussions, there are flaws regarding legal and political environment, particularly there are weak implementation policies, insufficient capacity to enforce laws and a lack of political that contribute to unequal property rights. Political in stability and a superficial legal environment encompassing the rule

of law of a country, among other factors, contribute to inadequacy to sustain, protect, and develop a property rights system, just for women and men. The exercise of property rights is not adequately secure, land and property by disadvantaged groups such as women is not easily accessible. In this regard, a gender approach to property rights can enable shifts in gender power relations. The highest rated indicator is indicator 3: The rule of law provides women with a judicial system that protects their property rights, including: justice, integrity, enforceability, speed and affordability of the judicial system, protection of private,- with only 3.23 out of a ranking system 1-7. While the lowest rated indicators are indicator 2; the judicial system in our country is independent of the political influence of government members, citizens or companies / businesses; and indicator 3: The judicial system implements contracts efficiently and quickly- which corresponds to the overall weak rule of law in the state.

### Dimension of Economic Environment

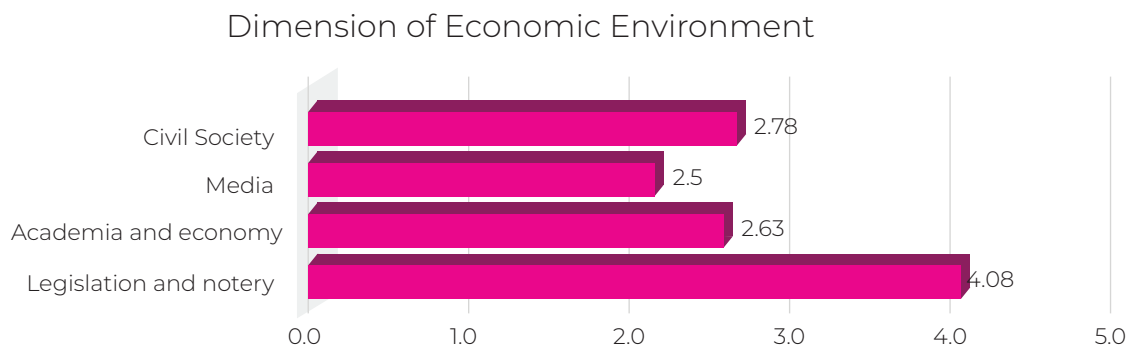


Figure 6. Score of dimensions of economic environment according to experts' groups.

This dimension is composed of three indicators. The overall score for this dimensions is 3.15. The dimension of economic environment is the second highest rated. However, there is still room for improvement as procedures to get loans in our country are still not easy for businesswomen. Moreover, experts note that there are challenges for women to get loans without collateral and property registration procedures are not that known to women and easy, although to some degree there are economic incentives for joint property registrations. Given that the majority of women do not inherit or possess property of their own; control property investments or utilize their homes as a source of capital, partially contributes to a low level of economic engagement. Only 17% of women own properties<sup>56</sup>, only 18% of women own businesses<sup>57</sup>. The challenged women faced in getting loans is confirmed by the research findings that shows that only 15% of women business owners have used commercial bank loans<sup>58</sup>. The highest rated indicators is indicator 3: Joint land registration is encouraged through economic incentives- 3.46.

### Dimensions of equal access

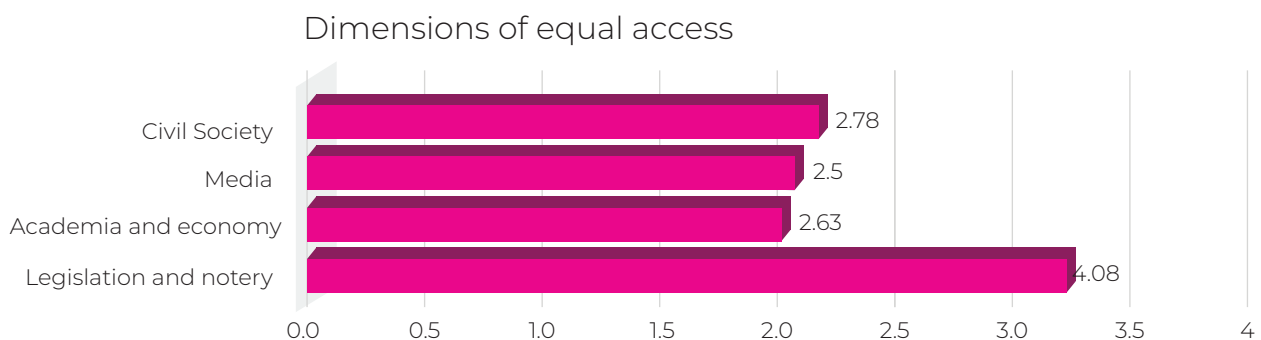


Figure 7. Score of dimensions of equal access according to experts' groups.

This dimension is composed of six indicators. The total rating score for the dimension of legal framework is 2.69. The dimension of equal access is the lowest rated dimension. The lowest rated indicator is indicator 4: Customary Law treats equally women and men in relation to property rights; and indicators 4 with 1.79; and Indicator 6 Cultural norms do not discriminate women in relation to property right and do not encourage them to renounce their inheritance with 2.03. Experts agree that entrenched gender stereotypes in the culture continue to perpetuate gender inequality in almost all domains, particularly when it comes to property rights. Expert focus groups discussion put emphasis on that land and property are not equitably distributed due persistent discriminatory social norms and customary practices. Moreover, experts agree that there is lack of understanding of laws and importance of property rights by communities and households – and by women. This is in line with findings from the Endline National Survey on Property Rights in Kosovo (2019), which stated that 56% of population believe that cultural legacy of patriarchal society is one of the main obstacles preventing women to enjoy equal property rights . Renunciation of inheritance is very common among women as pointed by experts as women are expected to renounce their share of inheritance, especially once they are married. This is also due to pressure that women experience by their families.

# RECOMMENDATIONS

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## **Women property rights index**

- Building on this pilot index, future version of the women property rights index ought to be divided in more dimensions. Particularly the legal framework dimension should be divided in 1) laws and 2) policies and measures.
- An additional indicator assessing incorporation of gender perspective in legal framework regarding property rights should be added.
- The equal access dimension should be divided in two dimensions: legal framework and customary rights and practices.
- A new dimensions on intellectual property rights should be added.
- The women property rights index or gender index should be incorporated in the country property rights index, once this index is developed.

## **Legal Framework**

- Adopt a gender approach for existing and new laws and policies in regards to property rights that can enable shifts in gender power relations, and assure that all people, regardless of sex, benefit from, and are empowered by, development policies and practices to improve people's rights to property. Promote gender-sensitive legislation, enforce existing legislation, make judicial systems more accessible and responsive to women, and provide legal aid to women seeking to claim their rights.
- Assess gaps in current legal framework. Ensure that new legislation provides for the amendment and/or removal of provisions contained in other areas of law, such as civil code, personal status, family law, property law, inheritance law, housing and/or land law that contradict the legislation adopted, so as to ensure a consistent legal framework that promotes women's human rights and gender equality.
- Propose policies and laws that are in line and embody the spirit of the Constitution of Kosovo regarding women's property rights. Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and empowerment of women with emphasis on property rights. In particular, Administrative Instructions for special measures for registration of the joint property on behalf of both spouse should reflect factual ownership of spouse/wife in the Property Certificate as co-owner and not to be implied that the property is a joint property.
- Strengthen implementation and collect and improve gender desegregated data collection to measure coverage, progress and policy outcomes effectively.
- Recognize full or partial community of property as the default marital property regime.
- Ensure the joint administration of marital property, particularly as related to immovable property, and ensure that clear consent requirements are in place for the transfer or sale of such property, requiring the informed written consent of spouses. The legal and policy framework should provide that the consent of both spouses is mandatory for the transfer of "common" or "joint" property, and the rules for determining such property do not depend on proof of financial contribution.
- Ensure that women in customary or de facto unions enjoy the same property and inheritance rights as women married under civil law.
- Notaries, when examining the inheritance, are to change their practice and in the capacity of counselors of parties should inform women on their rights, in particular when they are excluded from their joint property. During the examination of inheritance, the notaries should make sure that the property is equally divided and women are receiving their inheritance share. Furthermore, this matter should be reflected in the law so that the joint property share of women is divided from the inheritance share.

- Include temporary special measures where needed to ensure the meaningful participation of women in decision-making processes relevant to land & property and agriculture.
- Ensure that the situation of particularly marginalized or excluded women is adequately addressed through specialized programming and outreach, and through the adoption of temporary special measures. To this end, there should be a bottom-up assessment, informed by grass-roots perspectives, to identify who is marginalized with respect to access to, use of and control over land, and to develop specific protection measures for them – including temporary special measures.
- Create gender-sensitive and effective enforcement mechanisms, to ensure that women are able to claim their rights when they have been subjected to expropriation, forced eviction, disinheritance or property-grabbing. These enforcement systems should have all the human, financial, legal, technical and other resources needed to make them effective. Regarding expropriation, special measures calling for joint registration before the expropriation process should be introduced, to ensure equal treatment for men and women.
- Ensure women's equal access to loans and credits, and ensure temporary special measures when required, in order to enable women to gain access to land, property and other productive resources regardless of marital status.

### **Awareness-raising and Training**

- Provide for awareness campaigns (for example, via television, radio, print media, and the Internet) to inform the public about women's rights to access, use and control land, property and other productive resources, distributing such information in local languages. Ensure that such awareness campaigns effectively involve and reach as well marginalized women. Support community awareness-raising by civil society, including women's groups and non-governmental organizations.
- Discourage the practice of inheritance renunciation and educate women and men about the negative impact of this practice.
- Seek effective ways to bring coherence to formal, religious and customary systems, so as to advance gender equality and women's empowerment, particularly as related to access, use and control of land, property and other productive resources.
- Ensure that women and women's rights groups/collectives have full and accurate information about decision-making processes relevant to land and agriculture, and are able to benefit from capacity-building in this regard in order to ensure that their participation in decision-making is informed, active, meaningful and effective.
- Ensure that women benefit from targeted and accessible legal literacy campaigns and programmes in their language to help them understand their rights to access and control land, property and productive resources.
- Ensure that legal literacy programmes in general include a women's land and property rights component
- Ensure that legal professionals, including judges, prosecutors and lawyers, receive regular training on women's equal rights to land, property and other productive resources.
- Provide religious and customary justice authorities with training on women's rights, as well as other relevant support, in order for them to effectively protect women's rights within the scope of their jurisdiction and encourage fair decision-making about women's land rights. Encourage customary and religious leaders to raise awareness within their own communities about women's rights to land and other productive resources
- Promote customs and practices that favour women's access to, use and control of land, property and other productive resources.

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