

Module 11 /// Innovative Activity Profile 3

Tajikistan: Land Rights and Economic Security for Rural Women in Postconflict Areas¹

Tajikistan remains one of the poorest former Soviet Union countries due to its brutal civil war of 1992–1997. Tajik women were disproportionately affected by rising poverty, especially in rural areas. It is estimated that the war created 25,000 widows; about 35 percent of female-headed households live in areas where fighting was most intense (Anderlini 2006). Due to male losses during the war and because of rampant unemployment in the countryside, most men have left their homes looking for work in other countries, thus women have become predominant in rural Tajikistan.

What is innovative?

The establishment of the Coordination Council (CC) was instrumental in mainstreaming gender issues in the process of land reform. Close cooperation of the UNIFEM team with the CC on all levels brought tangible results and positive effects on women's welfare.

As a result of the war, women started to lose their rights to land and access to water, especially in conflict areas. A number of development agencies working with the women in rural Tajikistan expressed deep concern over the growing inequality of women and their limited access to land and property. One of the most effective efforts in this field was Land Rights and Economic Security for Rural Women in Post-Conflict Tajikistan, a project of the United Nations Development Fund for Women (UNIFEM). UNIFEM sought to alleviate extreme

¹ This Innovative Activity Profile was prepared by Irina Akimushkina (Consultant) and reviewed by Sagipa Jusaeva (UNIFEM), Katuscia Fara (IFAD), and Catherine Ragasa (Consultant). This Innovative Activity Profile is based mainly on UNIFEM 2006a.

poverty and enhance women's empowerment by focusing on land rights for rural women in postconflict Tajikistan.

Project Description

In 2003, UNIFEM's regional office began implementing the project in the context of land reforms launched in Tajikistan in 1992. This project built on the experiences, successes, and lessons learned from previous UNIFEM projects, which gave UNIFEM a comparative advantage in working with rural women in postconflict environments. In addition, it was based on the experience of other societies in transition from the Soviet models of agricultural production. One of the major challenges of this project was the predominant number of women in Tajikistan who have lost their rights to land during the post-Soviet era. The project's focus on women's rights complemented the government's land reform efforts and privatization of 225 collective farms over the four-year period 2002–2005. To ensure women's economic rights and security in the context of land reform in Tajikistan, the project aimed to do the following:

- Enable the protection of women's land rights in Tajikistan by building the government's and communities' capacities for providing information, collective action, self-help, and economic advancement.
- Advocate for policy, legal, and other changes toward engendering the implementation and monitoring of land reform in Tajikistan.
- Create and/or support information mechanisms through which rural women and men are better able to protect and ensure their economic rights and livelihoods.

Gender Strategy

The project's gender strategy was grounded in the findings of a series of in-depth field assessments. Policy and legal analyses formed the baseline for project interventions and predetermined the necessity for applying a comprehensive approach of working at the policy, institutional, and grassroots levels (Sabates-Wheeler 2002). The project's gender strategies and activities were grouped as gender mainstreaming, transformative,

and targeted project approaches (see Module Overview).

The project commenced in 2003 with a gender review of policy and legal frameworks for the changes in legislation that would allow for the addressing of human rights concerns within the land reform process in Tajikistan. The realization of the project started with the transformative approach that sought to make amendments to the Land Code of the Republic of Tajikistan, which guarantees women equal rights to land.

Transformative approach

Policy level activities within the UNIFEM project have been marked by the successful establishment of the Coordination Council (CC), chaired by the deputy prime minister of Tajikistan, the major function of which is to support the process of engendering current policies and legislation regulating land reform. To date, this is the only existing mechanism on the policy level in Tajikistan where decision-making representatives from governmental agencies and public sector can discuss the gender aspects of land reform.

In 2005, the CC emphasized increasing the effectiveness and coordination of international organizations working in the area of land and agrarian reform. The project prepared a matrix containing information on the international community working with land reform in Tajikistan. The work of the CC resulted in significant achievements at policy and legislative level. Following the CC decision, the group of experts teamed with UNIFEM experts from the Kyrgyz Republic (who had already worked on this issue there) to make a gender analysis and recommended 11 additions and changes to the Land Code. Those that pertain to women's rights included the following:

- Article 17, Clause A: The amended article states that all members of family, including women, will receive a land use certificate. Earlier, if a head of a family got the land use certificate, neither the women nor their kids got documents certifying their rights for land shares with this family.
- Articles 67–69: These articles were deleted from the Land Code. These articles stated that former collective land should be distributed among permanent and full members of

kolkhozy (collective farms). Women who were on maternity leave or were not members of a certain kolkhoz were excluded from the land distribution process.

Furthermore, amendments on women's access to land were incorporated into the state program Principal Directions of the State Policy on Providing Equal Rights and Opportunities for Men and Women in the Republic of Tajikistan for the Period 2001–2010, and these amendments were approved by the government and signed by the president of Tajikistan. These important changes at the policy and legislative levels formed a solid ground for the project and its partners to advocate on women's human rights at the institutional and community levels. The change in the law that made all members of a family, including women, eligible to receive a land use certificate was widely publicized during the reorganization meetings, and this resulted in an increase in the number of women that received officially registered land plots.

Mainstreaming gender perspectives

At the next stage after the changes at the policy and legislative levels, the project focused on mainstreaming gender—in particular women's rights to land during the restructuring of the state collective farms—through monitoring, partnerships, and information campaigns. The project team worked toward strengthening the capacities of the Women's Committee (WC) and the State Land Committee (SLC) to monitor the observance of this process. WCs were established during Soviet times as NGOs that addressed multiple women's issues at the local level. After the collapse of the Soviet system, they were reorganized and played a key role in ensuring support from the local authorities for all of UNIFEM's project initiatives. SLCs were created during the land reform and were in charge of accelerating land privatization in Tajikistan.

Monitoring. A monitoring group comprised of representatives of the WC and the SLC and the civil society was on front line of farm restructuring in 16 pilot districts to ensure the transparent and fair distribution of land. The representatives of the local branches of WC and NGOs in Sogd and Khalton provinces (areas

severely affected by the war) joined the monitoring visit by bringing in special expertise on women's human rights issues.

The project staff and partner organizations worked out mechanisms for monitoring land reforms from a gender perspective, including gender-sensitive indicators, responsible agencies, and periodic reporting by monitoring group members. Members of the monitoring group undertook more than 70 missions to different districts. Monitoring was accompanied by dialogues with local governments and peasants on a number of issues related to procedures for distributing land allotments and getting certificates, the procedures for forming dehqan farms (private farms or household plots), the problems of dealing with debts, and access to markets and credit.

Partnerships. Following the adoption of the amendments to the Land Code in Tajikistan, and based on findings from their monitoring visits, the Coordination Council recommended that the State Statistics Agency work on improving gender-sensitive statistics related to agriculture and farm development. The partnership efforts between the project and the agency resulted in the desegregation by sex of Format 1 on agricultural development, effective January 2005. District-level statistical departments collect data using this format.

Information campaigns. Information campaigns were an essential part of the gender mainstreaming strategy of this project. They aimed to increase awareness among the general public, including rural women, about women's human rights in general and women's property rights in particular. Local mass media were actively involved in the campaign. In the course of project implementation the support was provided to the production of 7 television shows and 12 radio programs broadcast at a local radio stations. In 2005, the project, in close cooperation with the WC, prepared a series of television documentaries featuring stories of real rural women from various regions of Tajikistan.

To increase knowledge of gender issues, the project produced several manuals that were widely distributed among the rural population: *Women's*

Land Rights: Questions and Answers, Women's Land Rights in the Course of Land Reform in the Republic of Tajikistan, and Using Human Rights Treaties to Protect Rural Women's Right to Land in Tajikistan. These manuals served to increase awareness and understanding by rural women of issues surrounding land use, management of farms, rent, property and inheritance. The project also produced two leaflets featuring basic facts on land reform and advice on land ownership and household establishment issues. These leaflets were also widely distributed among rural women.

Targeted project approach

At the grassroots level, the project focused on increasing the knowledge of rural women on the principles and procedures of the decollectivization process so that they would be better prepared for the farm reorganization meetings. This was done through scheduled legal consultations provided at 16 district pilot branches of the WC and through the nationwide information campaign. At the district level, the project facilitated the formation of district task forces comprised of the representatives of the District Women's Committee and a legal advisor. The task forces were responsible for disseminating information on land reform among rural women and providing legal consultative support on the issues of land reforms and decollectivization, particularly the registration of women as owners of land and other issues related to women's human rights. At the farm level, the information was disseminated through the United Nations Development Programme, which supported jamoat (rural village government) resource centers. According to the project strategy, the resource centers closest to rural inhabitants served as an intermediary link between rural women and the district task forces.

The project also mobilized women for collective actions to increase their access to land and other economic resources and financial services. The project subcontracted two local NGOs (Bonuvon in Vakhdat district and AHR in the Sogd region). The NGOs applied a social mobilization approach by advocating the principles and advantages of joint self-help initiatives in the respective communities. The self-help groups, comprised of 15 members, represented the most vulnerable members of the villages. United in the self-help groups, rural women received training on such

topics as teambuilding, women's human rights to land, fundraising, and microcredit activities.

Benefits and Impacts

The results of the project have been very impressive. At the policy level, significant changes were made to the Land Code, ensuring the legal bases for the observation of rural women's land rights. Gender monitoring done at all levels in the framework of this project for the first time in Tajikistan resulted in increased women's knowledge not only about their access to land but their knowledge about human rights. With the responsiveness of and support from local government, rural women became more active in claiming their human rights in cases of domestic violence. The success of the project is evidenced by the following measurable impacts:

- A total of 4,127 people received legal assistance and advice, with women constituting 99 percent of the applicants. Among them, 909 women were heads of households, 432 were widows, and 217 were women who live in civic marriage and were wives of migrant labors.
- More than 500 women were assisted to become heads of dekhkan farms; the resulting increase of women heads of dekhkan farms was from 2 percent in 2000 to 13 percent in 2006.
- One hundred forty-one women applicants received certificates for their plots of land. Analyses show that 90 percent of applications were positively solved.
- Until November 30, 2005, district task forces organized more than 400 meetings and consultations in villages and jamoats.
- The project supported a mechanism for the systematic flow of information about land reform and women rights through district task forces in 16 pilot districts and by building partnerships with 78 jamoat resource centers.
- Nearly 100 articles were published in local newspapers in 16 districts with district task force announcements, analytical materials, and reports on best practices in their local environment.

- All women participants in self-help groups in the Jabbor-Rasulovski district received microcredits to start their own businesses.

The above impacts attest to the project's achievements and contribution to the decrease of the overall poverty level in the country from 80 percent in 2003 to 64 percent in 2005 (UNIFEM 2006b).

Lessons Learned and Issues for Wider Applicability

From the beginning, the UNIFEM project was challenged to find the right strategy for convincing government officials that Tajik women face multiple problems in getting access to land in rural areas. To resolve this problem, the UNIFEM team made an innovative proposal to the government of Tajikistan to establish the Coordination Council (CC). The CC proved to be an important mechanism for coordinating the efforts of all actors involved in land reform to mainstream gender issues. Several lessons have been learned:

- The fruitful cooperation among all the partners—especially the CC monitoring mechanism led by the State Land Committee and the network of local NGOs—contributed to the achievements on ensuring women's rights to land.
- Using a wide national network of the partners, UNIFEM was able to reach remote regions of the country.
- The partnership of women's committees with local governments was also critical for the understanding of gender equality and women human rights issues in rural areas.
- The direct linkages between policy- and grassroots-level activities proved strategically correct and demonstrated to national partners and government structures how the adopted law can be practically enforced.
- The UNIFEM publication on using human rights treaties provided an important analytical source about many women's human rights issues, including their rights to land, and it helped disseminate basic land rights information.
- Land reform processes, despite the fact that they have been taking place for several years,

are not fully known or well understood by the authorities and communities at the local level. The project partners should therefore continue the work on sensitizing and motivating local governments and government officials from relevant ministries to fully observe the principles of gender equality in their practical work on land reform.

- One of the challenges of the project is the low level of knowledge among rural women about land management issues in Tajikistan. After getting land, the women often face the problem of using it effectively. There is a need for the women heads of dekhan farms in education programs on land management and agricultural extension services, among others. It is critical for the future success in promoting women's land rights to continue building capacity through training government officials on gender issues and women's rights.

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