

STATEMENT OF THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

62ND SESSION OF THE UNITED NATIONS COMMISSION ON THE STATUS OF WOMEN

Priority theme: Challenges and opportunities in achieving gender equality and
the empowerment of rural women and girls

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Delivered by Irene Khan, Director-General, IDLO

Madam President,
Excellencies,
Distinguished Delegates,

I am honored to address the Commission on behalf of the International Development Law Organization, the only intergovernmental organization exclusively devoted to advancing the rule of law and access to justice.

The rule of law is an essential enabler of the 2030 Agenda for Sustainable Development. SDG 16 on access to justice, effective institutions and inclusive societies is key to the realization of SDG 5 on gender equality.

As a field-based global organization, many of IDLO's programs are in some of the poorest and most insecure parts of the world. Many of the people with whom and for whom we work are rural women. We see them as agents of change – contributing to the agricultural economy, playing a vital role in preserving the precious natural resources of our planet and facilitating in many other ways the achievement of sustainable development.

We welcome the attention of the Commission to the situation of rural women and girls, and the report of the Secretary-General, and endorse its findings and recommendations. They underline the need to reinforce political commitment and give renewed attention to removing the deep-seated gender inequalities – underpinned by law and custom – that deprive many rural women from equal access to land, undermine their food security, trap them in poverty, hinder their access to health, education or water, subject them to sexual and gender-based violence, and deprive them from justice to claim their rights.

The 2030 Agenda for Sustainable Development is committed to leaving no one behind. **Rural women and girls are often the furthest behind.** There are many good recommendations in front of the Commission.

Allow me to highlight four key points, based on IDLO's experience:

Firstly, securing land rights is among the most effective means of empowering rural women. Agriculture is the most important employment sector for women. Furthermore, land is not only an economic asset, it is also a social asset crucial for cultural identity,

political influence and social status. Land helps to enhance women's negotiating power and reduces their vulnerability to gender-based violence. Yet, in 102 countries of the world women do not have the same rights to land as men.

Even where laws and policies are formally equal, they tend to be blind to the structural barriers faced by women. For instance, land titling and registration programs often have strict identification, payment and documentary requirements that rural women cannot fulfil because they do not have the funds or access to records or the time, knowledge or awareness and information to engage with the process.

Experience shows that land rights programs for women are more successful when they are implemented as part of a coordinated holistic and multidisciplinary approach that also tackles discrimination in labor laws, family laws, and social protection policies, and takes into account not simply the formal law but also the social, structural and financial impediments that women face in claiming their rights.

Secondly, more attention must be given to the informal and customary justice systems which often determine the rights of rural women and girls. Customary land tenure systems in many parts of the world are founded upon patrilineal patterns of transmission that exclude women and girls from owning or accessing individual and clan lands. Furthermore, over 80% of disputes in the developing world, including disputes relating to land, are resolved through informal dispute resolution mechanisms. These are often the only accessible and affordable mechanism to which rural women turn to seek justice. Unfortunately, customary or informal justice mechanisms are frequently biased against women and exclude them from decision making processes. Our field experience shows that it is essential to engage with these customary systems of justice to protect and enhance the rights of rural women and girls and reduce their exposure to harmful traditional practices.

Thirdly, the best laws and policies will not make a difference if women themselves are not empowered and able to access to justice and claim their rights. Legal empowerment strategies – including legal awareness, legal education, paralegal support and legal aid – play a critical role in this process. Our field experience as well as research shows that women who are aware of their rights are more able to effectively participate in decision-making processes relating to land, natural resources, water management, agriculture and other governance systems – and benefit from them.

My fourth and final point is that the full power of human rights must be harnessed to deliver the Sustainable Development Goals for women and girls. Article 14 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is the only provision in an international human rights treaty that specifically pertains to rural women. CEDAW General Recommendation 34 on The Rights of Rural Women has laid out a roadmap for a comprehensive response to fulfill the rights of rural women. The synergies between the human rights obligations and the Sustainable Development Goals should be exploited to build a strong legal and policy framework to improve the lives of rural women.

Equality – that we are all equal in the eyes of the law, equally protected by the law and equally accountable to it – is a core principle of the rule of law. We must all work together to make that real for rural women and girls.

Thank you.

The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.