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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Human rights bodies and mechanisms

Final study of the Human Rights Council Advisory Committee on rural women and the right to food

Summary

The present study examines the right to food of rural women by underlining the international legal framework applicable to rural women, analysing the patterns of discrimination harming them, proposing strategies and policies for their legal protection and emphasizing good practices. The study has a special focus on female-headed households and temporary or seasonal workers.

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I. Introduction

1. Rural women are women residing and/or working in predominantly agricultural, coastal and forest areas. This definition includes women engaged in paid or unpaid work, in regular or seasonal activities, on or off the farm, in food preparation, in the management of the household, in childcare or other activities, in home-based and natural resources-based industries.¹ The study on discrimination in the context of the right to food (A/HRC/16/40) identified rural women as a group suffering from discrimination. It found that:

The intersection between women's rights and the right to food provides a rich overview of a number of interrelated dimensions of discrimination against women related to access to land, property and markets, which are inextricably linked to access to education, employment, health care and political participation. On a global scale, although women cultivate more than 50 per cent of all food grown, they account for 70 per cent of the world's hungry and are disproportionately affected by malnutrition, poverty and food insecurity. Governments are not living up to their international commitments to protect women from discrimination, as the gap between de jure equality and de facto discrimination continues to persist and resist change (para. 29).

2. The Human Rights Council, in its resolution 16/27 of 25 March 2011, requested the Advisory Committee to undertake a comprehensive study on the right to food of rural women, including patterns of discrimination, strategies and policies for their legal protection and best practices, with a special focus on female-headed households and temporary and seasonal workers.

3. In its recommendation 7/4 of 12 August 2011, the Advisory Committee assigned the preparation of the study on rural women and the right to food to the drafting group on the right to food comprising José Bengoa Cabello, Chinsung Chung, Latif Hüseyinov, Jean Ziegler (until August 2012) and Mona Zulficar.² At the eighth session of the Committee, the drafting group presented a concept note for the study. As requested by the Council in its resolution 19/7 of 22 March 2012, the Office of the United Nations High Commissioner on Human Rights collected the views and comments of all Member States, all relevant United Nations agencies and programmes, in particular Food and Agriculture Organization of the United Nations (FAO), and all other relevant stakeholders, so that the Advisory Committee could take them into account in the preparation of the preliminary study.

4. Views and comments on the concept note were received from the following States: Belgium, Colombia, Cuba, Greece, Indonesia, Namibia, Qatar, Paraguay and the Philippines; national human rights institutions (the National Human Rights Commission of India and the National Centre for Human Rights Jordan); NGOs such as Caritas Internationalis, the Comisión Colombiana de Justicia, the International Federation for Human Rights, and the Mouvement mondial des mères. Submissions were also received from the World Food Programme (WFP), the Food and Agriculture Organization of the United Nations (FAO), the International Organization for Migration (IOM) and the World Trade Organization (WTO).

¹ This definition is based upon the submission by the Philippines of 24 May 2012.

² The drafting group on the right to food would like to thank Ioana Cismas and Ivona Truscan from the Geneva Academy of International Humanitarian Law and Human Rights for their important contribution during the drafting of the present study.

5. The drafting group took these contributions into account in the preparation of the preliminary study, which it presented during the ninth session of the Advisory Committee. The oral comments of various stakeholders and the fruitful discussions among the members of the Committee further shaped the study and made possible its conclusion in the present form.

6. The study examines the international legal framework protecting the right to food of rural women, followed by the identification of patterns of discrimination that impede rural women's full enjoyment of this right. Strategies and policies to address the identified forms of discrimination are discussed, and several good practices are highlighted. The study provides a special focus on female-headed households and temporary and seasonal workers.

II. The international legal framework applicable to rural women

7. Any analysis on the enjoyment of the right to food of rural women must start with the acknowledgement of the principles of universality and interdependence of human rights. In addition to this legal imperative, empirical evidence shows that the realization of the right to food of rural women is intrinsically linked to a number of other human rights. Among these are the rights to education (including vocational training), to health care, to water and sanitation, to housing, to decent work, to property and to resources and technology for food production, to credit and other financial services, to economic and social benefits and protection (including protection in case of disasters), to information access to justice, political representation and participation and indeed the general prohibition on non-discrimination.

8. A key instrument in the analysis of the right to food of rural women is the International Covenant on Economic, Social and Cultural Rights (ICESCR). In its article 11 the Covenant provides explicit recognition of the right to food under its two dimensions: the right to adequate food as a component of the right to an adequate standard of living (para.1), and the right to be free from hunger (para. 2). Additionally, in the framework of international cooperation to achieve freedom from hunger, States need to adopt measures to improve not only the methods of production, conservation, distribution of food and reforming the agrarian systems, but also to ensure the equitable distribution of world food supplies in relation to need.

9. The protection of the right to food is reinforced by article 2 of the Covenant which provides for the prohibition of discrimination, including on the ground of sex, and for the equal enjoyment of the rights enshrined in the Covenant by women and men. The Committee on Economic, Social and Cultural Rights articulated in its general comment No. 12 that the measures adopted by Governments have to reflect a particular attention to the need to prevent discrimination in access to food or resources for food.³ In the words of the Committee, States need to ensure "guarantees of full and equal access to economic, resources, particularly for women, including the right to inheritance and the ownership of the land and other property, credit, natural resources and appropriate technology; measures to respect and protect self-employment and work which provides a remuneration ensuring a decent living for wage earners and their families [...]; maintaining registries on rights in land (including forests)".⁴

³ Committee on Economic, Social and Cultural Rights, general comment No. 12; see E/C.12/1999/5 of 12 May 1999.

⁴ Ibid., para 26.

10. The right to food requires that women have physical and economic access at all times to adequate food or means for its procurement.⁵ All resources to ensure food, including water, firewood, or livestock, need to be physically accessible for rural women. They also need to dispose of economic accessibility, individually and at household level. This means that rural women need to have the means for the acquisition of food through purchase, inheritance, production or work. Thus, they should be able to have access to income-generating sources, such as employment that ensure decent wages for decent living, credit or loans, property and inheritance rights; access to production services, such as land, tools, technology, seeds, or production certificates; and access to produced goods and their markets.

11. Specific State obligations in relation to the right to food exist at three levels. First, the obligation to *respect* requires States not to take actions that would impair the access to food of women, either by “arbitrarily taking away people’s right to food or by making it difficult for them to gain access to food”.⁶ All exclusions or restrictions based on gender suffered by rural women in their access to resources for ensuring their right to food constitute violations of this obligation. Second, the obligation to *protect* requires State actions that prevent private actors from depriving women of their access to food.⁷ By allowing practices within families that prevent rural women from accessing resources, States are failing to protect their right to food. Third, the obligation to *fulfil* has two dimensions. The obligation to *facilitate* means that States have to take positive actions to strengthen women’s access to and utilization of resources and to other means of ensuring their livelihood.⁸ The absence of legislation ensuring property and inheritance rights for women and the lack of services such as employment or credit underlines the failure of States to comply with their obligation to facilitate. In situations where women are unable to realize their right to food for reasons beyond their control, States are under the obligation to *provide* food directly.⁹

12. A second key instrument for the legal protection of the right to food of rural women is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Article 14 emphasizes the prohibition of discrimination against women in rural areas and the equal enjoyment by women and men alike of the right to participate and benefit from rural development. It contains a list of specific rights upon which the livelihood of rural women is strongly dependent and that shall be ensured by States:

- (a) To participate in the elaboration and implementation of development planning at all levels;
- (b) To have access to adequate health care facilities, including information, counselling and services in family planning;
- (c) To benefit directly from social security programmes;
- (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
- (e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;

⁵ Ibid., para 7.

⁶ J. Ziegler, C. Golay, C. Mahon, S.A. Way, *The Fight for the Right to Food. Lessons Learned*, Palgrave Macmillan, 2011, p. 19.

⁷ CESCR, general comment No. 12, para 15.

⁸ Ibid.

⁹ Ibid.

- (f) To participate in all community activities;
- (g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
- (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications (art.14, para. 2).

13. The Convention entails further State obligations that are of great relevance for the condition of rural women. As such, States must take all necessary steps to modify and abolish discriminatory laws, customs and practices, as well as change skewed, bigoted and stereotypical gender roles.¹⁰

14. The change of gender relations in the public sphere needs to be complemented by efforts in the private sphere. The Convention stresses that the legal capacity of women is identical to that of men and prescribes the right of women to conclude contracts and administer property, not least during marriage.¹¹ As such, States have an obligation to ensure the same rights for both spouses in respect to ownership, acquisition, management, administration, enjoyment and disposition of property.¹² Other international instruments reinforce these provisions. Article 23, paragraph 4, of the International Covenant on Civil and Political Rights (ICCPR) provides for States' obligation to take steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution, and article 5(e) (vi) of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) provides for women's right to inherit. Moreover, in the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security adopted in May 2012 by the Committee on World Food Security, States undertook to "remove and prohibit all forms of discrimination related to tenure rights, including those resulting from change of marital status, lack of legal capacity, and lack of access to economic resources" (para. 4.6).

15. The Convention on the Rights of Persons with Disabilities (CRPD) provides for the equal access of persons with disabilities, in particular women and children with disabilities and older persons with disabilities, to social protection programs and poverty reduction programs.¹³ Of relevance is also article 25(c), which stipulates that health-care services need to be located as close as possible to people's own communities, including in rural areas.

16. Under the Convention on the Rights of the Child (CRC), States are bound to take measures to combat disease and malnutrition, including in the framework of primary healthcare and through the provision of adequate nutritious food and clean drinking water.¹⁴ The provisions of CRC may carry great significance for female-headed household and seasonal workers. For instance, the Convention requires States to assist parents and others responsible for the care of the child, and in case of need, to provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.¹⁵ The right to education the cornerstone of human and economic development of girl children is devoted particular protection in article 28.

¹⁰ CEDAW, arts. 2 (f) and 5 (b).

¹¹ *Ibid.*, arts. 15 and 16 (c).

¹² *Ibid.*, art. 16 (h).

¹³ CRPD, article 28, para. 2 (a).

¹⁴ CRC, art. 24, para. 2 (c).

¹⁵ *Ibid.*, art. 27, para. 3.

17. The Convention on the Rights of Migrant Workers and Members of Their Families (CMW) provides entitlements for rural women to access education and vocation training as well as protection against the use of misleading information related to migration, trafficking, or unfavourable conditions of employment and remuneration.

18. Not least, the protection framework applicable to rural women comprises a series of equality provisions to be found in Conventions of the International Labour Organization (ILO). Of these, the two fundamental ILO Conventions, those on Equal Remuneration (No. 110) and on Discrimination (No. 111) should be mentioned here.

19. The integration of these identified human rights safeguards into comprehensive legislative and policy instruments is necessary in order to achieve the full realization of the right to food of rural women. States may find guidance in the updated version of the United Nations Comprehensive Framework for Action to draw up food and nutrition security policies.¹⁶ Certainly, the Millennium Development Goals (MDGs) and in particular those aiming at eradicating extreme poverty and hunger, promoting universal education, gender equality and women empowerment, at reducing child mortality and improving maternal health, may result in better livelihoods for rural women. States should nonetheless be mindful that following such initiatives does not relieve them from the obligations undertaken under human rights treaties. Voluntary schemes may be seen as temporary benchmarks on the path towards the compulsory full realization of the right to food of every human being, including rural women.

III. Patterns of discrimination against rural women

20. A human rights approach requires the identification of vulnerable groups. The same human rights approach, however, recognizes that vulnerability is not a given attribute explainable by the sex of a person, but that vulnerability is a social construct.¹⁷ More often than not, patterns of discrimination, de jure and de facto, stemming either from the action or inaction of the State or the family, are responsible for this vulnerability. The established fact that women across the world, and especially in Africa, Asia and South America, are more likely to go hungry than men finds its roots in patterns of discrimination.¹⁸

21. A number of treaty bodies and United Nations initiatives have joined the pioneer academics who have long advocated the need to take an intersectional approach to discrimination.¹⁹ Kimberle Crenshaw's work has exposed the "single-axis framework" that has been dominant in anti-discrimination law, which in her example, blinded the analysis, since it excluded black women's experiences not as women, or as black people, but as black women.²⁰ There is an increasing recognition today of the importance of addressing

¹⁶ High Level Task Force on the Global Food Security Crisis, Updated Comprehensive Framework for Action, September 2010.

¹⁷ M. B. Anderson, "Understanding the Disaster-development Continuum", 2 *Focus on Gender* 1 (1994); A.R. Quisumbing, "Male-Female Differences in Agricultural Productivity: Methodological Issues and Empirical Evidence", 24 *World Development* 10 (1996).

¹⁸ FAO, *The State of Food and Agriculture 2010–2011: Women in Agriculture. Closing the gender gap for development*, Rome, 2011; K. Hansen-Kuhn, *Women and Food Crises: How US Food Aid Policies Can Better Support their Struggles*, Discussion Paper, ActionAid USA.

¹⁹ See CERD, general recommendation No. 25; A/55/18, annex V; CEDAW, General Recommendation No. 18; Beijing Declaration and Platform for Action, 1995, <http://www.un.org/womenwatch/daw/beijing/pdf/BDPfA%20E.pdf> and in the Outcome Document of the twenty-third special session of the General Assembly "Women 2000: Gender, Equality, Development and Peace for the Twenty-First Century".

²⁰ K. Crenshaw, "Demarginalizing the intersection of race and sex: A black feminist critique of

discrimination based on gender, race, socio-economic position, disability, age, not separately, but as a compound of any such two or more characteristics.²¹

22. The topic of the report compels the adoption of an intersectional approach since it involves two categories (rural–urban) and gender; combined, these categories reveal experiences that are not necessarily shared by urban women, or by men in rural areas, but are discriminatory experiences specific to rural women. Moreover, the discrimination against the two particular groups on which the report focuses, i.e. female-headed households and temporary seasonal workers, can be fully grasped only in an intersectional framework.

A. Access, control and ownership of land and water resources by rural women

23. Based on an international comparison of census data, a 2010 report estimates that at global level less than 20 per cent of land is owned by women.²² In North Africa and West Asia fewer than 5 per cent of land-holders are women, while the figure for Sub-Saharan Africa reaches a meager 15 per cent.²³ An estimation cited by UN-Women puts the ownership of property by women worldwide less than 2 per cent of all property.²⁴ The access, control and ownership of land and water resources by rural women are influenced by a number of factors, some related to the specificities of rurality, others affecting women more broadly.

1. Nature of the rights recognized to women in respect of land

24. Concern arises in cases where women have access to land and resources based not on property or ownership rights, but on user rights, while control rests with the senior men in the community. In the absence of relevant assets, women may also lack decision-making powers in the household and the community.²⁵ As a direct consequence, women also own fewer and smaller animals. Women have the care of the animals and of the trade of the resulting products, while the decisions on the income and expenses belong to the male-head of household.²⁶ The lack of land-ownership rights also impacts the possibility of women to access credit. With no stable income, women have difficulties in nourishing their children.²⁷

25. Certain customs recognize women's ownership rights but only in community with the male head of household, with his approval, or signature. For instance, in Indonesia, although land is co-owned by spouses, it is often registered only on the name of the male head of the household. This situation is mainly due to the fact that authorities and

antidiscrimination doctrine, feminist theory and antiracist politics", University of Chicago Legal Forum (1989), pp. 139–140 and 149 ff.

²¹ In its resolution 2002/50 of 23 April 2002, the Commission on Human Rights states "the importance of examining the intersection of multiple forms of discrimination".

²² FAO, *Gender and Land Rights*, Economic and Social Perspectives Policy Brief. No.8, March 2012.

²³ Ibid.

²⁴ UN-Women, *Facts and Figures on Gender and Climate Change*, available at www.unifem.org/partnerships/climate_change/facts_figures.html?#1.

²⁵ UN-Women, FAO, IFAD, WFP, Expert Group Meeting, *Enabling Rural Women's Economic Empowerment: Institutions, Opportunities and Participation*, Submission by Catherine Hill, EGM/RW/2011/BP.1, September 2011, p. 11.

²⁶ Commission on the Status of Women, Report of the Secretary-General, *The Empowerment of Rural Women and Their Role in Poverty and Hunger Eradication, Development and Challenges* (E/CN.6/2012/3), 9 December 2011, para 25 (hereafter CSW Report).

²⁷ OECD, *Gender Inequality and the MDGs: What are the Missing Dimensions?*, September 2010.

communities do not adequately involve women in the land-registration process. Moreover, often women lack information concerning the options for land registration.²⁸

26. Even in cases where women can register land in their name, the enjoyment of the property rights may be set back by the lack of alignment of the marriage legislation with the norms on land registration. Under certain customs, land is not transferrable from one village to another. As a consequence, women who marry men from other villages than their own may have to relinquish their lot of land or pay a fine.²⁹ In addition to the proof of registration of the land, ownership is also tested against conclusive evidence. This test frustrates women's exercise of ownership rights because, despite the formal recognition, the decision-making and control of land usually rests with the man head of household.³⁰ Although titling individualizes the right to land, it also has the negative effect of excluding those rural residents who previously had user land rights through customary law.

2. Structure of communities and formal law in rural areas

27. Rural areas are perceived as spaces with a low density of population separated by distance from urbanized areas, and endowed with social traditions and cultures.³¹ As holders and users of traditions and customs, rural residents may be more inclined to enforce these customs prior to formal law. Even in cases where domestic legislation provides for women's rights, the prevalence of certain customs may weaken the enjoyment of those rights.³²

28. The World Bank's *Gender in Agriculture Sourcebook* points out that formal law has a weaker enforcement power than customs and traditions in rural areas.³³ The perception is that formal law answers predominantly to urban problems and provides for urban solutions.³⁴ The predominance of local sources of authority has consequences on the realization of women's rights in rural areas in the sense that it may deprive women of the capacity to claim their rights and to challenge those sources of authority.³⁵ As custom is a specificity of the rural environment, abolishing customs may not necessarily result in an enhanced cohabitation of gender equality with cultural traditions.³⁶ The economic empowerment of women may only happen through a change in the gender relations at all levels and institutions, including the household and, importantly, with the active participation and representation of women.³⁷ Therefore, the provision of information to women about their right to food and concerning their right to access courts to challenge discrimination is of paramount importance.

²⁸ J. Brown, "Rural Women's Land Rights in Java, Indonesia: Strengthened by Family Law, but Weakened by Land Registration", 12 *Pacific Rim Law and Policy Journal* (2003), pp. 643–646.

²⁹ M.H. Nguyen "Rural Women's Property Rights in Vietnam: Weakened by Macroeconomic Reforms", 13 *New England Journal of International and Comparative Law* (2006), p. 132.

³⁰ J. Brown, note 28 above, p. 643.

³¹ L.R. Pruitt, (2008) "Gender, Geography and Rural Justice", 23 *Berkeley Journal of Gender Law and Justice* (2008), pp. 4–7.

³² M. R. Vargas, L.R. Pruitt (2012), "CEDAW and Rural Development: Empowering Women with Law from the Top Down, Activism from Bottom Up", 41 *University of Baltimore Law Review*, p. (2012), pp. 278.

³³ World Bank, *Gender in Agriculture Sourcebook*, 2009, p. 127.

³⁴ Commission on the Status of Women (CSW), report of the Secretary-General, "The empowerment of rural women and their role in poverty and hunger eradication, development and challenges" (E/CN.6/2012/3), 9 December 2011, para. 30.

³⁵ CSW Report, para 30.

³⁶ World Bank, *Gender in Agriculture Sourcebook*, WB, see note 33 above; *Sourcebook*, p. 130.

³⁷ Report of the Special Rapporteur on the right to food (A/58/330), para 23.

³⁸ UN-Women, note 25 above, p. 11.

3. Structure of the household and power relations

29. The analysis of the access to resources by rural women needs to take into consideration the composition of the household, whether nuclear or joint family systems (as in the case of polygamous or extended households) and the power relations within.

30. Skewed gender roles tend to favour the traditional supremacy of the husband in rural households. At the level of the household, such patriarchal valuation translates into a greater power for men in the control of land and water resources, in deciding the allocation of the household budget and influencing the distribution of food within the family (see section D below).

31. In polygamous households, there may be inequalities in the distribution of resources among wives. Unfavoured wives and their children may suffer severe forms of discrimination, resulting in heavier domestic workloads and poorer access to education along with poorer access to nutrition and healthcare.³⁸ Additionally, in polygamous households, the succession to the male head of household fragments land parcels and titles.³⁹

32. Single women in extended family households may face higher degrees of poverty and lack of access to resources, including land, even though the household may otherwise have a good livelihood security.⁴⁰

4. Global pressure on women's rights to land and water resources

33. The Special Rapporteur on the right to food pointed out that the privatization of local markets where women sell their produce as a way to increase the income of their households, together with the pursuit of land by private actors and the current emphasis on biofuels, endanger women's food security and livelihoods.⁴¹

34. Some studies show that the openness of markets and trade liberalization may contribute to the economic empowerment of rural women.⁴² Nevertheless, in order to ensure the presence of rural women and their products on the market, they need to have their resources protected, such as land, and producer status regulated.

35. Large-scale land acquisitions and leases for the production of sugarcane and maize for biofuels reverse the use of agricultural land for food production.⁴³ Many of the traditional occupations of rural women, such as handicrafts, gathering fruit and other foodstuff, fishing, hunting or finding water are dependent on access to land, water and other resources. For instance, in its concluding observations to Togo, the CEDAW Committee requested the State party to ensure that "land lease contracts with foreign companies do not result in forced eviction and internal displacement or the increased food insecurity and poverty of local populations, including women and girls, and that the company concerned and/or the State party provide the affected communities with adequate compensation and

³⁸ V.J. Bolt, K. Bird, see notes 21 and 32 above, p. 16.

³⁹ L. Pruitt (2009), "Migration, development, and the promises of cedaw for rural women", 30 *Michigan Journal of International Law*, (2009) p. 739.

⁴⁰ R. Holmes, N. Jones, "Putting the Social Back into Social Protection. A Framework for Understanding the Linkages between Economic and Social Risks for Poverty Reduction", Background Note, Overseas Development Institute, 2009, p. 6.

⁴¹ Report of the Special Rapporteur on the right to food (A/65/281), 11 August 2010.

⁴² As cited in the submission by WTO, 30 April 2012.

⁴³ UN-Women, FAO, IFAD, WFP, Report of the Expert Group Meeting, *Enabling Rural Women's Economic Empowerment: Institutions, Opportunities and Participation*, EGM/RW/2011/Report, September 2011, para 38.

alternative land".⁴⁴ The pursuit of land and water as commodities are particularly problematic for women belonging to indigenous communities for whom the environment and the land are essential elements with a strong cultural value.⁴⁵

B. Insufficient or discriminatory access to financial services, markets and employment

1. Credit and other financial services

36. Frequently, practical factors, such as limited financial skills due to lack of education and training, limited time, mobility, transport services, lack of control over land or livestock that could serve as guarantees, as well as institutional practices blended with socioeconomic and cultural barriers obstruct rural women's access to credit.⁴⁶ In turn, the lack of loans stifles the entrepreneurship potential of rural women, as they lack the means to invest in technology, production materials and infrastructure. In particular storage facilities are relevant for income generation when perishable foodstuffs are produced and to store food products for food-insecure times or famine.

37. It has been observed that most rural financial programmes have been designed for male heads of households as clients, thus omitting to recognize women as productive agents with their own financial needs and constraints.⁴⁷ The confinement of women in the private space in certain countries limits their participation in agricultural or financial training and their ability to benefit from working with extension agents, or veterinarians.⁴⁸

38. Research indicates that women prefer programmes that help them build savings, insure against risks, and borrow without the risk of losing their assets. However, financial institutions often rely on biased practices that do not offer women tailored financial products. Institutions may not fund activities run by women, may not accept women guarantors, or may grant smaller credits to women than to men for similar activities.⁴⁹

39. In addition, among financial institutions there is also the assumption that women may rely on the male head of household to obtain the funds they need. This assumption does not take into consideration the different models for composition of families, such as the polygamous households⁵⁰ or family dynamics that may be harmful for women and result in domestic violence.

40. For this reason, it is not sufficient to design financial programmes addressing poor households, but it is important to make women direct beneficiaries. This would have the effect of strengthening the position of women in the household and enhance their control over resources and decision-making capacity. Thus, financial services can improve rural women's condition if they address the constraints of rural women and if they enhance women's productive capacity⁵¹ with a focus on the creation of women's cooperatives and self-help groups.

⁴⁴ CEDAW, concluding observations, Togo (CEDAW/C/TGO/CO/6-7), 2012, para. 37(e).

⁴⁵ CSW Report, para 11.

⁴⁶ *Ibid.*, para. 31.

⁴⁷ FAO, D. Fletschner, L. Kenney, Rural Women's Access to Financial Services. Credit, Savings and Insurance, ESA Working Paper No.11-07, March 2011, p. 2.

⁴⁸ *Ibid.*, p. 4.

⁴⁹ *Ibid.*, p. 6.

⁵⁰ *Ibid.*, p. 7.

⁵¹ *Ibid.*, p. 12.

2. Markets

41. The market represents a social space that connects rural and urban areas. They provide income and support products for rural households, food resources for urban residents and taxes for local administrations. Markets must be accessible for women both as vendors and as consumers.

42. The vast majority of market vendors are women. In countries in the Pacific region, 80–90 per cent of market vendors are women. Yet, market spaces rarely offer vendors access to sanitation services or cooking facilities despite paying market day fees. Most women who travel long distances and spend several days at the market site lack adequate housing. These conditions increase the risk of women falling victims to harassment, extortion, sexual violence or ill-health. This situation is exacerbated for pregnant and nursing market vendors.⁵²

43. Where women have limited access to travel to urban markets they would commonly use the local markets to sell their produce. The privatization of such markets may, thus, restrict women's access to markets. As consumers, rural women may face higher prices for urban products because of distance, fuel costs and poor infrastructure. Therefore, rural women are more frequently faced with higher prices for consumer goods, and lower prices for produce goods.⁵³

3. Employment

44. In rural areas, there is a clearly gendered division of labour. Rural women are more likely to be involved in informal work, which is usually part-time, seasonal and low-paid. When compared to their female peers from urban areas, they do not enjoy rights as pregnant women (paid maternity leave). Additionally, rural women rarely have work contracts and they constantly fear dismissal. Overtime work, sexual harassment, verbal and physical abuse combined with unsafe working conditions due to exposure to hazardous pesticides and other substances often characterize rural women's employment conditions.⁵⁴

45. Research shows that the employment of rural women in off-farm related jobs reduces their dependency on agriculture and provides them the assets to cope with economic or environmental shocks.⁵⁵ However, opportunities for women's off-farm employment are often scarce.

46. Income security is internally linked with social security benefits, access to essential services, education, and labour market participation. In the absence of a stable income, rural women cannot access these social benefits schemes. Studies in Latin America indicate that irrespective of household headship, more women are living below the poverty line, which is mainly due to the exclusion of women from the lucrative work force.⁵⁶

C. Poor or discriminatory access to education, information, health care and justice

47. As has been affirmed previously (para. 7 above) other human rights serve as collaterals for the realization of the right to food of rural women. Conversely, poor or

⁵² UN-Women, *Safer Spaces and Better Markets in the Pacific Islands*, 27 April 2012.

⁵³ UN-Women, note 25 above, p. 22.

⁵⁴ *Ibid.*, p. 16.

⁵⁵ *Ibid.*, p. 13.

⁵⁶ R. Holmes, N. Jones, note 40 above, p. 6.

discriminatory access to an array of rights, including, but not exclusively, to education, information, health care and justice stifles rural women's capacity to feed themselves and their families in dignity.

48. Registration of girls in schools is only a first step to ensuring gender equality in access to education. Several factors undermine the quality of education of girl children in rural areas. First, the withdrawal of girls from school is an adjustment method to economic or environmental shocks in the absence of other resources to alleviate the coping process. Second, schools in rural areas in certain regions are unsafe, unhygienic or lack sanitation facilities altogether. This favours dropout, in particular that of adolescent girls.⁵⁷ Third, the early marriage of girls confines their perspectives to the traditional role of women and limits their access to education.⁵⁸ Fourth, classes maintain the traditional roles assigned to girls and women.⁵⁹ The United Nations report on the progress made in achieving the Millennium Development Goals points out that very slow progress has been made to overcome the challenges in the axis poverty-malnutrition-limited access to education.⁶⁰

49. Education is strongly connected to the capacity to access information. Illiteracy disempowers rural women in a variety of areas and forms. For instance, the consequence of illiteracy for rural women is lack of access to credit facilities and employment and meagre participation in decision-making processes.⁶¹ Rural women's limited access to education and information has also negatively impacted on their capacity to organize.⁶² Although rural residents may be able to organize within a village, distances, lack of infrastructure or the costs of transport as well as the social norms informing relationships among villages contribute to difficulties in organizing across villages.⁶³ For this reason, the provision of Convention on the Elimination All Forms of Discrimination against Women regarding the organization of women's self-groups and cooperatives is one of the essential factors to achieve the empowerment of rural women.

50. In the absence of adequate health-care facilities in rural areas, both rural women and men face restrictions in terms of access to health care. Their mobility is often hampered by lack of physical or economic access to transport. Women have a need, however, for family planning and childbirth assistance and, in this context, lack of access represents a greater burden. With difficulties to access health workers, rural women rely on traditional knowledge and medicinal plants together with native food varieties and practices for their sustenance and health care.⁶⁴ At times, this may have harmful effects on their health condition and that of their children. For example, a report of UN-Women indicates that in rural villages in Cambodia, women diagnosed with HIV know very little about the treatment and have difficulties in accessing information about their rights. Discrimination from the local communities further isolates these women. As many women are infected by their husbands, they become widows or have to care for a sick spouse while unwell themselves.⁶⁵ Access to adequate nutrition is essential for pregnant and breastfeeding mothers living with HIV. Yet, HIV treatment may require up to half of a household's annual income, leaving numerous families in poverty.⁶⁶

⁵⁷ UNICEF, Water, Environment and Sanitation, <http://www.unicef.org/india/wes.html>.

⁵⁸ UN-Women, note 25 above, p. 11.

⁵⁹ CEDAW, Concluding Observations, Uzbekistan (CEDAW/C/UZB/CO/4), 2010, para 31.

⁶⁰ UN Millennium Development Goals Report, 2011.

⁶¹ CEDAW, concluding observations, Togo (CEDAW/C/TGO/CO/6-7), 2012, para. 36.

⁶² Submission by Colombia, 7 May 2012.

⁶³ M. R. Vargas, L.R. Pruitt, note 32 above, p. 279.

⁶⁴ CSW Report, para. 10.

⁶⁵ UN-Women, *Building Skills, Finding Voices : HIV-Positive Women in Cambodia*, 5 April 2012.

⁶⁶ Submission by Caritas Internationalis, not dated.

51. An obstacle to the realization of the right to food of rural women is their poor access to justice. The main barriers faced by women concern the substance of law, institutional elements and cultural aspects.⁶⁷ Discriminatory land, property or inheritance laws fall in the first category; lack of information on legislation intended to protect the rights of women, high costs of legal counsel and of transport from the rural to the urban areas belong to the second; stigma and stereotypes in the case of domestic violence or inheritance disputes, for example, belong to the third category of obstacles hampering the access to justice of rural women.⁶⁸

D. The gendered role of women in society and the family

52. Rural women do not form a homogenous group. Their roles and needs vary culturally and geographically. The common thread is that most rural women are unpaid family workers or self-employed in the low-paid sale of products in local markets. They have limited opportunities and time to become involved in the remunerated labour market.

53. Due to the lack of remuneration or low pay, women's work is perceived as being less valuable.⁶⁹ A higher value is often attributed to the activities of men and boys. This construction results not least from the image of men as "protectors" in case of armed conflict. Such gendered roles relegate rural women to being "helpers" of the male head of household in Guatemala⁷⁰ or "farmers' wives" in Sri Lanka.⁷¹ A 2003 report provides an example of the dire consequence of the gendered roles for women's right to food. In Bangladesh, custom required that women and girls ate last, which also meant that they ate less than men and boys.⁷² This situation was reflected in the higher rates of women and girls suffering of malnutrition and stunting.⁷³

54. Rural women carry a heavy triple burden.⁷⁴ Globally, they produce about half of the world's food.⁷⁵ They cultivate food crops, manage livestock, grow vegetables in home gardens, fish and harvest from the forest and control small animals.⁷⁶ Women and girls are responsible for the household, for gathering fuel and carrying water to prepare meals or for agricultural purposes. A study showed that in one year women in Africa carried over 80 tons of fuel, water and farm produce for a distance of one kilometre, while men carried only one eighth of that.⁷⁷ The care of children, sick adults, orphans or the elderly is commonly the responsibility of women.⁷⁸

55. Problems with rural women's work arise from the fact that agricultural work is not placed in the framework of decent work as stated in the ICESCR and does not conform to the labour rights and standards promoted in the ILO conventions. The lack of access to decent work is a major cause of poverty, especially in the case of women in the rural areas.

⁶⁷ V. Popescu, General Recommendation on Women's Access to Justice, CEDAW at its 30th anniversary, 2012.

⁶⁸ Ibid.

⁶⁹ Report of the Special Rapporteur on the right to food (A/58/330), para 21.

⁷⁰ Labour Code of Guatemala, art. 139.

⁷¹ FAO, Rural women and food security in Asia and Pacific: Prospects and paradoxes, 2005, p. 22.

⁷² Report of the Special Rapporteur on the right to food (A/58/330), 28 August 2003, para 20.

⁷³ Ibid.

⁷⁴ CSW Report, para 6.

⁷⁵ FAO, Climate Change, Biofuels and Land, <ftp://ftp.fao.org/nr/HLCinfo/Land-Infosheet-En.pdf>.

⁷⁶ WB, *supra* note 33, 2008, p. 137.

⁷⁷ FAO, Women, Agriculture and Food Security, www.fao.org/worldfoodsummit/english/fsheets/women.pdf

⁷⁸ CSW Report, para 8.

Being denied property and inheritance rights, with limited capacity to engage in contracts and trade, and little availability of resources to be exchanged, work and the capacity to produce goods remain the main asset rural women have to support themselves and their families and households.⁷⁹ Although being the main asset, the agricultural work of women is not yet conducive of economic empowerment because of its lack of recognition in institutional and legislative frameworks.

56. The agricultural roles of women have changed as a consequence of migration.⁸⁰ The out-migration of men may augment rural women's workload. At the same time, women who migrate and who build households in urban areas maintain the perception that they belong to larger families in the rural areas and often send remittances.⁸¹

E. Case study: female-headed households

57. Female-headed households vary in structure. They can be female-maintained households, female-led, mother-centred, lone-mother or male-absent households. As to composition, this type of households may include single parents living alone with children, or grandmother-headed households.⁸² Several factors contribute to the formation of female-headed households, such as age differences between male and female at marriage, gender-differentiated life-expectancy, land and property ownership, family and divorce legislation⁸³ as well as male and female infidelity, male alcohol abuse, intra-family violence, migration, armed conflicts, or rape taking place during such conflicts leaving girls and women rejected by their families.⁸⁴ Moreover, historical, demographic and socio-economic factors have also influenced the formation of women-headed households. For instance in Kenya, colonial powers outsourced male labourers from colonial villages for European plantations and estates. The development of infrastructure in the colonies and military conscription also demanded the migration of men out of their households.⁸⁵

58. Based on women's headship, two categories of households are known. De jure female-headed households establish women as the legal and customary heads and the absence of a male partner on a permanent basis. This category includes households headed by widows, unmarried, separated, or divorced women. De facto female-headed households refer to either the situation where the reported head of the household is the woman whose husband is also present, or where the reported head is the woman in the absence of the husband.⁸⁶

59. These definitions also suppose limitations. The definitions assume that the husband is the main breadwinner and head of household. The definitions of women-headed households are based on the absence of a male partner, either temporarily as in the case of de facto women-headed households, or on a permanent basis as in the case of de jure women-headed households. These distinctions fail to take into consideration functions such as provision and management of resources that distinguish heads of households irrespective

⁷⁹ UN-Women, note 25 above, p.11.

⁸⁰ Ibid., p. 7.

⁸¹ K. Datta, C. McIlwaine, "Empowered leaders? Perspectives on women heading households in Latin America and Southern Africa", 8 *Gender and Development* (2000), p. 45.

⁸² Ibid., p. 40.

⁸³ S. Chant, "Households, Gender and Rural-Urban Migration: Reflections on Linkages and Considerations for Policy" 10 *Environment and Urbanization* (1998), p. 15.

⁸⁴ K. Datta, C. McIlwaine, *supra* note 81, p. 42.

⁸⁵ M.H. Clark, "Woman-headed Households and Poverty: Insights from Kenya", 10 *Chicago Journals* (1984), pp. 341-342.

⁸⁶ Submission by FAO, not dated.

of gender,⁸⁷ and the composition of households. In joint family systems where several generations live together or in households where the husband's kinship assumes the control of resources in his absence, it is more difficult to establish the actual household headship.

60. Widow heads of household are identified as particularly vulnerable to poverty.⁸⁸ They have fewer productive assets, less savings and they are less likely to have pension income for which reason they depend on the support of their sons.⁸⁹ Single mothers tend to bear the responsibility of caring for the family dependants which severely diminishes their income. Although unmarried mothers in Peru live in precarious conditions due to unequal power relations and resource allocation within the household, these women have been excluded from cash-transfer programmes because the overall economic condition of the household the women belonged to exceeded the income threshold.⁹⁰ Female-headed households have a higher rate of dependency than households headed by men.⁹¹

61. When determining the costs of household maintenance, the calculus should not only focus on the number of dependants, but it should also take into consideration small economies of scale as larger households may produce more goods at lower costs.⁹² In addition, studies comparing the economic condition of female-headed households with that of male-headed households disregard the investigation of the relative welfare of women in male-headed households and conversely, of men in female-headed households.⁹³

62. While rural women are more numerous than men among the population living in poverty, this may, in turn, not always lead to the situation that female-headed households are poorer than male-headed households. A study conducted by FAO in 20 countries indicates that the condition of poverty of rural women is passed on to the household.⁹⁴ Further research indicates that results depend on a number of factors, such as the domestic context, the type of female-headed household, the choice and use of equivalence scales and the consideration for the economies of scale.⁹⁵

63. The factors that determine women's precarious condition contribute to their vulnerability to poverty because women lack the means to cope with risks.⁹⁶ The poverty status of households usually varies over time. However, there are also situations where the status of poverty of certain households is permanent.⁹⁷

64. The Committee on the Rights of the Child recommended that female-headed households be ensured adequate availability and accessibility to welfare programs, alternative care facilities and early child-care services.⁹⁸ The standard of living of female-headed households can be improved by allowing women access to employment, housing,

⁸⁷ Ibid.

⁸⁸ World Bank, *Engendering Development through Gender equality in Rights, Resources and Voice*, 2001.

⁸⁹ S. Klasen, T. Lechtenfeld, F. Povel, *What About the Women? Female Headship, Poverty and Vulnerability in Thailand and Vietnam*, 2011, p. 7.

⁹⁰ R. Holmes, N. Jones, note 40 above, p. 6.

⁹¹ S. Chant, note 83 above, p. 14.

⁹² S. Klasen et al, note 89 above, p. 7.

⁹³ WB, note 88 above, 2001.

⁹⁴ FAO, *The State of Food Insecurity in the World*, 2010, pp. 2223.

⁹⁵ S. Klasen, T. Lechtenfeld, F. Povel, see note 81 above, p. 6; S. Chant, *Female Household Headship and the Feminization of Poverty: Facts, Fictions and Forward Strategies*, New Working Paper Series 9, LSE Gender Institute.

⁹⁶ Ibid., p. 9.

⁹⁷ *The Chronic Poverty Report 2004/05*, Institute for Development Policy and Management, University of Manchester.

⁹⁸ CRC, concluding observations, Palau (CRC/C/15/Add.149), 2001, para. 38.

food, potable water, sanitary services and electricity.⁹⁹ Zero-hunger programmes can contribute to the reduction of poverty and hunger among such households provided that human rights principles of non-discrimination, transparency, participation and accountability are integrated.¹⁰⁰ For female-heads of households who are employed, extended maternity leaves, counselling, financial support should be provided.¹⁰¹ In addition, stigmatization and discrimination against single mothers must be addressed.¹⁰² Rural communities may view divorced or separated women as deviant and deny their rights.¹⁰³ This means that female-headed households lack the support of both the State and the community.

65. Displaced females heading households require access to public specialized facilities. Social housing should be made available in areas from which they fled or in the areas where they currently reside¹⁰⁴ until durable solutions to the question of landlessness are implemented.¹⁰⁵

66. The Special Rapporteur on violence against women, its causes and consequences recommends support schemes for female-headed households through the allocation of funds for vocational training, adult literacy, credit plans, creation of incentives for their employment, and assistance with health care and subsidies for housing.¹⁰⁶

F. Case study: temporary or seasonal workers

67. Rural women may need to take up temporary work, often depending on the season; otherwise they remain unemployed or underemployed for long periods of time.¹⁰⁷ In the view of the IOM, women's decision to migrate, while based on reasons related to food security, escaping traditional gender roles, unsatisfying family relationships and gender-based violence and discrimination, covers an increasing urban demand for domestic workers, health, child and elder care, the agriculture, garment and entertainment industries.¹⁰⁸ Due to their low level of qualifications and skills, rural women can only opt for low-skilled employment in the above sectors.

68. The types of jobs they would carry out are found in the sectors of domestic work, nursing, as sex workers, employees in export-oriented garment factories in urban areas and non-traditional export agriculture. Regarding the quality of jobs in terms of human rights

⁹⁹ CRC, concluding observations, Nicaragua (CRC/C/NIC/CO/4), 2010, para 69; Zambia (CRC/C/15/Add.206), 2003, para. 55; Trinidad and Tobago (CRC/C/TTO/CO/2), 2006, para 58; Report of the Representative of the Secretary-General on the human rights of internally displaced persons, visit to Iraq (A/HRC/16/43/Add.1), 2011, para 70.

¹⁰⁰ Special Rapporteur on the right to food (A/HRC/13/33/Add.5), para 83 (f).

¹⁰¹ CRC, concluding observations, Uruguay, (CRC/C/URY/CO/2), 2007, para 39.

¹⁰² CRC, concluding observations, Tunisia (CRC/C(TUN/CO/3), 2010, para 44.

¹⁰³ UN-Women, FAO, IFAD, WFP, Report of the Expert Group Meeting, *Enabling Rural Women's Economic Empowerment: Institutions, Opportunities and Participation* (EGM/RW/2011/Report), September 2011, para 37. See also: K. Datta, C. McIlwaine, *supra* note 81, p. 41.

¹⁰⁴ Report of the Representative to the Secretary-General on the human rights of internally displaced persons, mission to Croatia (E/CN.4/2006/71/Add.3), 2005, p. 2.

¹⁰⁵ Report of the Representative to the Secretary-General on the human rights of internally displaced persons, mission to Sri Lanka (A/HRC/8/6/Add.4), 2008, para 85.

¹⁰⁶ Report of the Special Rapporteur on violence against women, mission to Mexico (E/CN.4/2006/61/Add.4), 2006, para. 69(c)(v).

¹⁰⁷ FAO, IFAD, ILO, (2010) *Gender Dimensions of Agricultural and Rural Employment: Differentiated Pathways out of Poverty, Status, Trends and Gaps*, Rome.

¹⁰⁸ Submission by IOM.

protections, there is a marked absence of freedom of association and collective bargaining, which are often associated with forced labour, discrimination and harassment.¹⁰⁹

69. Temporary and seasonal workers are in many countries ineligible for paid parental leave.¹¹⁰ In New Zealand, rural women together with Maori, Pacific, and other minority women face difficulties in accessing child care and parental leave.

70. Social security systems based on individual contributions do not provide adequate social security for women involved in informal employment, or who are unable to contribute sufficiently to the system, such as seasonal or temporary workers.¹¹¹ Rural women employed in the garment sector in the Lao People's Democratic Republic represent 80 per cent of the workers and they face poor working conditions and discrimination. Women in Laos are more likely to be involved in temporary and seasonal employment, which provides little job security.¹¹²

71. In Spain, the intensive farming of strawberries relies almost entirely on a seasonal workforce. The recruitment of workers takes place in the country of origin and it is based on criteria such as marital status, motherhood and commitment to return at the end of the contract. The Spanish legal framework offers very little protection to seasonal workers. Days not worked are not paid and union representation of these workers is almost impossible. This situation exposes women to discriminatory recruitment practices and disrespect for labour rights while maintaining them in the host country in a condition of dependency on their employers, which increases the risks of abuse.¹¹³

72. Climate change and disasters may also constitute factors inducing migration. These factors may aggravate social problems and augment the pressure on gender roles and status of women.¹¹⁴

IV. Strategies and policies for the legal protection of rural women

73. All strategies and policies need to recognize at the outset that:

(a) Rural women and men have specific requirements in carrying out their livelihoods, roles and responsibilities;

(b) Participatory processes involving equally rural women and men are required in the design of all projects;

(c) Rural women are productive agents and active actors in rural development, agriculture, local and national economies, and contributors to food security and social wellbeing; and

(d) Rural women are a diverse group by age, religion, ethnicity, socio-economic status, marital status, or geographic residence.

74. The primary consideration for increasing the protection of women through strategies and policies which promote de jure and de facto equality is of a legal nature, flowing from states' human rights obligations under international law. There is a legal imperative to treat

¹⁰⁹ UN-Women, *Enabling rural women's economic empowerment*, note 25 above, p. 15.

¹¹⁰ CEDAW, Concluding Observations, New Zealand (CEDAW/C/NZL/CO/6), 2007, para. 36.

¹¹¹ CESCR, Concluding Observations, Chile (E/C.12/1/Add.105), 2004, para. 20.

¹¹² CEDAW, concluding observations, Lao People's Democratic Republic (CEDAW/C/LAO/CO/7), 2009, para 35.

¹¹³ Submission by the International Federation for Human Rights.

¹¹⁴ Submission by IOM.

rural women as equal to rural men, to women and men in general. This requires that States acknowledge the multiple patterns of discrimination faced by rural women and that targeted action be undertaken.

75. In parallel to the legal obligations, research attests that addressing inequality between men and women in access to productive resources is beneficial for economic growth and development. A 2011 study by FAO suggests that if rural women had equal access with men to productive resources, they could increase yields on their farms by 20 to 30 per cent, thereby reducing the toll of people going hungry by 100 to 150 million. Women would thus contribute to both food security and economic growth.¹¹⁵ The Special Rapporteur on the right to food proclaims gender equality and women's empowerment as the "secret weapon against hunger".¹¹⁶

76. Strategies and policies for the protection of rural women should be directed towards:

(a) Ratification of international law instruments which have been referred to in part II of the Study to offer protection to the rights of women in rural areas and/or the elimination of reservations made thereon;

(b) The transposition of international law provisions addressing the rights of women in rural areas into national legislation. This may require reform of existing laws but also the passing of new legislation. Both should address traditions or social customs, the effect of which is discriminatory against rural women, including through affirmative action policies;

(c) Adequate international cooperation and foreign aid policies for rural women. Currently this is happening only marginally. For instance, Organization for Economic Cooperation and Development estimates show that in recent years only 5 per cent of aid directed to the agricultural sector specifically focused on gender equality.¹¹⁷ Moreover, in the context of an increasingly liberalized trade in agricultural products, governmental strategies and policies should be designed to specifically protect women's access to food and to enhance their capacity and entitlement to purchase food;

(d) Equal access to and control of land and other rural productive resources. National laws and policies have to guarantee women's right to land and property rights. Legislation needs to promote changes, including in customary law, to provide for the registration of land in women's names and the consent of women to the modification of the land rights. Contract-farming schemes that favour women as contractors could be encouraged to offset the generalized practice whereby buyers contract almost always men.¹¹⁸ National instruments also need to recognize and support women in processes of adaptation and mitigation of climate change and disaster risk reduction by protecting resources of water, food, energy, livelihoods and health;

(e) The establishment of financial services responsive to women's needs and concerns, and which address women as direct beneficiaries. Safety-net mechanisms and the emergency food reserves may constitute strategies to address rural women's food insecurity due to high prices of commodities.¹¹⁹ Encouragement of bank loans in women's names

¹¹⁵ FAO, *The State of Food and Agriculture 2010–2011: Women in Agriculture. Closing the Gender Gap for Development*, Rome, 2011. See also FAO, *Gender Equality*, available at www.fao.org/docrep/014/am859e/am859e10.pdf.

¹¹⁶ O. de Schutter, "Our secret weapon against hunger: gender equality and women's empowerment", *Gender Network*, 2012.

¹¹⁷ OECD, *The Development Co-operation Report*, 2011.

¹¹⁸ O. de Schutter, note 119 above.

¹¹⁹ CSW Report, para. 18.

facilitates their direct access to financial resources and enhances the visibility of their specific needs as financial actors. This also contributes to the financial security of women, creates further ties within the household, and reduces the rates of divorce and abandonment of women,¹²⁰

(f) Economic policies that ensure decent work and employment for rural women, including temporary and seasonal workers, in both formal and informal economy. These policies should provide decent wages, food and nutrition security, improved living conditions, social protection, collective bargaining, and freedom of association. Non-agriculture employment opportunities should be developed in the rural infrastructure, health, education, and finance sectors as well as in insurance services, rural industry or shops.¹²¹ These should be complemented by social protection mechanisms, including child-care facilities, health insurance and pensions in order to alleviate women's household work and allow them to take up employment;¹²²

(g) Targeted educational programs and information campaigns on nutrition, family planning, financial services and policies aimed at ensuring women's representation, participation in decision-making and association in agricultural cooperatives. Access to and information concerning fertilizers, pesticides, seeds, vaccination for the livestock, storage facilities and technology which is appropriate to the needs and activities performed by women, but also to the requirements of their physical capacity and use needs to be provided to rural women;¹²³

(h) The promotion of technologies designed to meet women's needs, which can increase productivity and shorten physically demanding labour, therefore helping relieve women in their heavy burdens.¹²⁴ Policy makers need to acknowledge that rural women's knowledge, needs, interests and constraints in developing crop varieties, or breeding livestock differ from those of men. Alternative sources of cooking fuels shorten preparation, increase storage time of foods and decrease the need for daily firewood collection. Reducing the use of cook stoves alimanted by firewood is an important aspect for the improvement of women's health condition;¹²⁵

(i) Monitoring and evaluation. Data needs to be collected regarding the distribution of resources within the household taking into account its decision-making structure and composition.

V. Good practices

Legislation

77. Rwanda reformed its legislation concerning inheritance and land tenure with pronounced protection for gender equality. The enactment of these new legislative acts was supported by the participation of women in local government following the constitutional provision that at least 30 per cent of all decision-making representatives must be women.¹²⁶

¹²⁰ Ibid., para 32.

¹²¹ UN-Women, note 25 above, p. 12.

¹²² Submission by Colombia.

¹²³ Submission by IOM.

¹²⁴ T. Paris et al, "Assessing the impact of participatory research in rice breeding on women farmers", 44 *Experimental Agriculture* 1, 2008, 92–112; T. Paris and T.T. Chi, "The Impact of row seeder technology on women labor", 9 *Gender, Technology and Development* 2, 2005, 158–183.

¹²⁵ UN-Women, "Green cook stoves improving women's lives in Ghana", 25 April 2012.

¹²⁶ Ibid., p. 17.

Political commitments

78. At regional level, the African Union Declaration on Food Security in Africa (2003) contains the commitment of African States to allocate a minimum of 10 per cent of their national budgets to agricultural development.¹²⁷

79. Men Engage Alliance is a global alliance of NGOs and United Nations agencies that encourages men's and boys' participation to achieve gender equality.

Household improvements

80. An organization of women farmers in Nepal established a local facility for the storage of approximately 80 varieties of rice. In India, the National Human Rights Commission decided to strengthen local administration in order to facilitate the availability of food grains, especially in remote and least-developed rural areas.¹²⁸

81. In South Africa, the Solar Electric Light Fund was created in collaboration with rural women to establish micro-credit programmes to support the sale of solar home systems. A cooperative of rural women was organized in order to manage the loans and the maintenance of the system.¹²⁹

82. In Kenya, Mali and Malawi, ceramic stoves were introduced to reduce the time women spend on collecting firewood. However, reports also show that women's lack of cash and their husbands' unwillingness to contribute to innovative systems of energy use hindered women's access to such developments.¹³⁰

Financial services

83. In Bangladesh, Grameen Bank makes long-term loans for land and housing conditional on their registration in the women's name, while BRAC Income Generation for Vulnerable Groups Development provides women with incentives to build savings for investment and protection against crises.

84. The Al Tadamun Microfinance Foundation in Egypt provides group-guaranteed microfinance exclusively for women. In December 2010, it had in excess of 103,600 active borrowers and a portfolio of US\$ 14 million.

85. In Uzbekistan, the Women's Committee supported by UN-Women developed a series of trainings through a network of self-help groups for women in rural areas to strengthen their capacity on how to access economic opportunities, develop business and money management skills and an understanding of credit systems. To complement this initiative, the Micro-Credit Bank together with the Government of Uzbekistan as a major shareholder provided micro-credits to the rural women's self-help groups at a much lower annual interest rate than the standard rates. Since 2010 when the initiative was launched, almost 200 women have started business initiatives which enhanced their livelihood, self-esteem and status as decision-makers in their villages.¹³¹

86. UN-Women runs a programme for strengthening the economic livelihood opportunities for low-income and HIV-positive women in Cambodia. It also raised a Fund for Gender Equality, which has provided small grants to almost 1,300 women to help them start a small business.

¹²⁷ CSW Report, para. 20.

¹²⁸ Submission by the National Human Rights Commission in India.

¹²⁹ UN-Women, note 25 above, p. 24.

¹³⁰ Ibid.

¹³¹ UN-Women, *Rural Women in Uzbekistan Unite to Learn Business Skills and Generate Livelihoods*, 31 May 2012.

Information and communication services

87. In India, several village councils have computerized databases to improve the access of rural women to administrative data and information about government programmes and schemes.¹³²

88. Ekgaon Technologies created a platform of mobile banking through short text messages that enabled rural women in Tamil Nadu, India to access banking information and services from national banks.¹³³ A similar system was used in Ghana to provide access to health workers. As a result, the rate of maternal mortality decreased in the villages where the short text messaging system was implemented.¹³⁴

89. A project led by an NGO in Ecuador has trained more than 300 women in rural areas on the use of computer-based technologies. This project has provided girl children with the possibility to access distance learning programmes and enhanced the capacity of women leaders to engage with public authorities by the submission of projects for sewerage, housing and drinking water.¹³⁵

Public services

90. In Tajikistan and Moldova, the delivery of public services has been reformed. The members of local administration come together in a “service hall” where they provide services to the population on matters concerning access to education, health care, social protection, civic registration, passports, and land rights. The meetings between the population and the administration take place once a week. This system removes the bureaucratic burden frustrating the access of the population to public services.¹³⁶

Markets

91. To improve markets in the Solomon Islands, UN-Women developed a partnership to improve markets with Governments and organizations of market vendors in the Pacific region. The sites of markets enlarged with the construction of kitchens, toilets, showers and safe low-cost places for women and their children to sleep. The complex was complemented with a learning and handicraft centre where may learn new skills to diversify their trade and increase their income.¹³⁷

VI. Conclusions

92. While certain advances are noticeable, the interests, concerns and needs of rural women deserve heightened attention. Patterns of discrimination persist and prevent women from realizing their rights. This study has emphasized that the legal framework to remove these precise patterns of discrimination affecting rural women exists and that States are bound to respect it. To do so, States have to actively address de facto and de jure discrimination against rural women by employing a number of comprehensive strategies and pursuing good practices. The Advisory Committee illustrated some of these in the present study. The Committee recommends that States, in cooperation with international organizations and non-governmental organizations,

¹³² CSW Report, para. 33.

¹³³ Ibid.

¹³⁴ UN-Women, *supra* note 25, p. 23.

¹³⁵ UN-Women, *ICT Training Open Windows of Opportunity for Rural Women*, 26 April 2012.

¹³⁶ UN-Women, *One-Stop-Shop Service Delivery in Tajikistan*, 11 April 2012.

¹³⁷ UN-Women, *Safer Spaces and Better Markets in the Pacific Islands*, 27 April 2012.

take up a mix of such strategies and good practices. The aim should be to improve the realization of the right to food of rural women and to take measures to address discrimination both in the public and the private spheres against rural women and women in general.
