

Concept Note
Land and the Quest for Gender-Equitable, Sustainable Peace:
A Feminist Roadmap for Sustainable Peace Project Workshop
Bogota, Colombia
December 15 – December 19, 2019

Introduction

This workshop is intended to explore the dynamics of land reform processes in relation to gender-equitable, sustainable peace. It derives from the observation that many peace processes, peacebuilding reforms, and postwar National Action Plans on 1325 include land reform as a goal -- however, questions remain about what approach to land reform is most appropriate in terms of attaining gender-equitable sustainable peace, how it might facilitate or constrain exploitative land investment projects, and how its implementation might undermine or reinforce inequalities and marginalizations. Furthermore, with/in the context of the imminent threats of climate change, achieving gender-equitable sustainable peace requires consideration of how different land tenure and land use systems might be more conducive to climate resilience and the exercise of local knowledge and local control. The workshop is meant to bring together a range of regional perspectives on these issues, as well as various theories and debates around the political, economic and technical questions implicated in postwar land reform processes, with the goal of producing knowledge that can help support activist struggles, as well as help shape more progressive land policy that contributes to sustainable peacebuilding.

Background and guiding questions

A recent qualitative study demonstrated that there is a significant link between post-war agreements that include provisions for land reform, and the durability of peace agreements.¹ The prevalence of land reform initiatives in processes of post-war peacebuilding indicate that there is an assumption that land reform is crucial for many states emerging from conflict. Yet, legal ambiguity, legal pluralism, and weak implementation of the law, along with exclusionary legal rules and contested processes of land recovery and return, are all problems that might be faced within post-conflict land reform. In former and current settler colonies emerging from conflict, for example, the question of land reform is often rooted in questions of restitution and redistribution.

It is widely acknowledged that unless gender is part of the land reform process, preexisting gender inequality will limit the ability of women to benefit from land reforms, and in turn, the processes of land reforms will further entrench gender inequality. While there is general agreement about the problems this poses for land reform processes, the ways of addressing it differ across different contexts. Furthermore, gender inequality intersects with other structural inequalities, such as age, ethnicity, lineage, and class. As such, it is insufficient to address the role of gender in land reform without also considering how different means of land reform might offer opportunities to some groups while excluding others.

Overall, the workshop seeks to tease out the key issues encompassed by the question:

How does post-war land reform function to contribute to or diminish gender-equitable sustainable peacebuilding?

We envisage the workshop as structured around four key areas:

- 1) The relationship of land reform policies to inequalities and climate change
 - What kinds of land tenure and land use lessen inequalities rather than deepen them?
 - What kinds of land reform policies best enable people to use land in ways that support livelihoods?
 - What marginalities are (re)produced with when tenure is formalized? What opportunities to challenge marginality open up when tenure is formalized?
 - What tenure regimes and land use practices would be most effective in slowing climate disruption and enabling people to thrive despite it?

¹ Eric Keels and T David Mason, "Seeds of Peace? Land Reform and Civil War Recurrence Following Negotiated Settlements," *Cooperation and Conflict*, January 17, 2018, 001083671775020, <https://doi.org/10.1177/0010836717750201>.

- How might different land tenure and land use systems be more conducive to the exercise of local knowledge and local control?

2) The *implementation* of land reform policies

- What are the challenges related to *implementing* gender-equitable land reforms, and how can they be addressed?

3) The *drivers* of land reform

- In what ways does postwar foreign investment influence land reform?
- Why do postwar states seek to recognize land rights?
- How might understanding the global politics of land reform be crucial for gender-equitable sustainable peace?

4) The *meaning* of land

- What are the pros and cons of conceptualizing land in terms of “rights” -- individual, collective, customary -- what would be alternative ways that would be meaningful and recognizable to legal systems? How are debates about women’s land rights limited when we implicitly link “rights” with ownership rights?
- What are the different conceptions of land and territory? How do they underlie different beliefs re land tenure systems, land rights, and land use? What are their implications (strengths and weaknesses) in relation to gender-equitable sustainable peace?
- What are the strategic implications of recent legal decisions granting legal rights to nature (e.g., in, Bangladesh, Bolivia, Ecuador, India) and biocultural rights to communities (e.g., in Colombia)?

Workshop Location and Context

The workshop will be held in Bogota, Colombia. Although the workshop will explore multiple regional perspectives, the Colombian case brings an opportunity to explore in detail the impacts of transitional justice schemes related to land administration, regulation, and reform. Land concentration and land grabbing have been considered both causes and consequences of Colombia’s last five decades of armed conflict. Land restitution regulation has been passed to redress land abandonment and dispossession, and an “integral rural reform” (reforma rural integral) has been included as one of the Colombian state’s main commitments in the peace agreement signed with the FARC in 2016. Both have land tenure formalization as one of their main objectives, and they have included a gender perspective aiming at guaranteeing women’s rights to land. However, implementation has been challenging at the judicial and public policy levels, and there are concerns about the side-effects of the formalization of land tenure, as it can facilitate the commodification of land, spur exploitative land investment projects, contribute to further deforestation, and spur more conflicts among rural populations. Moreover, the social mobilization around land rights and the defense of the environment has proven dangerous. Human rights defenders associated with these issues, including many women activists, have been threatened, targeted and killed; according to Colombia’s Ombudsman, 486 human rights defenders and social leaders have been assassinated in the country since 2016.²

This workshop is part of the Consortium on Gender, Security and Human Rights’ **Feminist Roadmap for Sustainable Peace (FRSP) project**. The FRSP starts with the perception that postwar transitions and the sustainability of peace itself are often undermined by transnational political economic actors and processes. Its goal is to provide: forward-looking expert knowledge of those processes; analyses of their impacts on gender relations and other structural inequalities underlying armed conflicts; and recommendations for how to engage and modify those processes to be more supportive of the societal transformations critical to building gender-equitable, sustainable peace. Topics addressed in the FRSP include, *inter alia*: the economic recovery policy prescriptions of international financial institutions; natural resource management and extraction; agricultural practices; land rights, land tenure systems, and large scale land acquisition and land grabbing; infrastructure reconstruction; and environmental and climate breakdown.

² <https://www.semana.com/nacion/articulo/defendamos-la-paz-convoca-marcha-por-los-lideres-sociales-el-26-de-julio/624449>