



**GENDERED LAND
CORRUPTION AND
THE SUSTAINABLE
DEVELOPMENT GOALS**

Transparency International is a global movement with one vision: a world in which government, business, civil society and the daily lives of people are free of corruption. With more than 100 chapters worldwide and an international secretariat in Berlin, we are leading the fight against corruption to turn this vision into reality.

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EXECUTIVE SUMMARY

Transparency International's experience shows clear links between the issues of land governance, women's rights, corruption and the United Nations' Sustainable Development Goals (SDGs). These links are especially prevalent in lower-income countries, where people's reliance on their land is greatest, and land governance and women's rights are often weak – as highlighted in our 2018 resource book *Women, Land and Corruption*.¹

This paper outlines our experience and argues that a holistic approach is needed – addressing all three issues – if the SDGs on land are to be achieved. It provides policymakers, practitioners and all stakeholders engaged in land governance with clear recommendations that will enable them to address corruption and gender inequality in relation to land issues as specific steps towards achieving the SDGs.

The SDGs provide an overarching framework for human progress, outlining specific targets for achievement by 2030. The role of land is crucial in delivering many of the 17 goals, including ending poverty and hunger, reducing inequality, providing decent work and achieving gender equality. While issues of corruption and gender feature in many of the SDG targets, they must also be considered specifically in relation to land if the goals are to be met. In households where land is a central asset, women's rights to land and resources are key not only to their own empowerment, but to increasing food security and reducing poverty.²

The goals are intended to steer policymaking and development funding. Each has several targets and, under these, a range of indicators. The indicators and their statistical data ensure accountability, allow progress to be monitored³ and guide how the goals will be achieved. Women's land rights, urban land and corruption are all included in the SDGs. In particular:

- **Goal 1: End poverty**
Ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as... ownership and control over land and other forms of property, inheritance, natural resources...
- **Goal 2: End hunger**
Double the agricultural productivity and incomes of small-scale food producers, in particular women... including through secure and equal access to land...

- **Goal 5: Achieve gender equality**
Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources.
- **Goal 11: Make cities inclusive, safe, resilient and sustainable**
Ensure access for all to adequate, safe and affordable housing and basic services, and upgrade slums.
- **Goal 16: Peace, justice and strong institutions**
Promote peaceful and inclusive societies... provide access to justice for all... Among others targets include substantially reducing corruption and bribery and developing effective, accountable and transparent institutions.

There are obvious overlaps between the corruption and governance indicators and the land SDGs – for example, those aimed at reducing bribery of public officials,⁴ increasing satisfaction with public services and increasing the accountability and transparency of institutions. However, there is a need to go beyond the existing targets, to ensure corruption is tackled throughout the goals related to land, including specific measures to address its effects on women. Programmes and policies aimed at achieving the SDGs on land will be implemented by officials entrusted with power. Measures to ensure transparency and accountability from these officials are needed to prevent manipulation and abuse of that power.

There are three key areas in which issues of corruption and gender are particularly relevant to the achievement of the land SDGs:

1. LAND ADMINISTRATION

Registration and documentation

Improving registration and documentation of land rights, especially those of women, is a key way in which governments can ensure equal rights to land and related services for women and men. Corrupt processes, including political corruption, bribery and extortion, keep people from registering or documenting their rights and increase informal land tenure by encouraging people to operate outside formal systems.

Inheritance

Inheritance is often the primary way in which land is acquired in places without prominent land markets. It is expressly mentioned under Goals 1 and 5 on poverty and gender equality. Corrupt officials and groups with vested interests can uphold cultural or customary constraints on inheritance, preventing women from inheriting land from their parents or husbands.

Dispute resolution

Where disputes over land occur – especially where the law is unclear or where formal law and customary law differ – dispute resolution systems can be particularly susceptible to bribery and sexual extortion. Reform to make these systems transparent and resistant to corruption will help achieve almost all the SDGs on gender and land.

2. LAND MANAGEMENT

Urban planning

Formalising the rights to tenure of those living in informal urban settlements can achieve the SDGs on urban land, especially the target for reducing the population living in slums or inadequate housing. A gender-sensitive approach will also help countries achieve targets for equal ownership and control over land and property. Programmes to formalise rights to tenure must be transparent and have in-built accountability mechanisms to prevent political and bureaucratic corruption, including state capture, cronyism, bribery and kickbacks.

Land distribution

Land distribution programmes give land to people who otherwise have none. When they benefit both women and men, these programmes can achieve several SDG targets, including equal control of land and property and equal inheritance rights. Legal reform to ensure land can be distributed in women's names will help achieve the target for legal frameworks (including customary law) that guarantee women's equal rights to land ownership and control.

Communal land

Programmes to give communities control over shared resources can specifically help achieve Goals 1 and 5 on poverty and gender equality, by giving women land rights and tenure. However, it is essential to prevent corruption from undermining the implementation of these programmes.

3. INVESTMENT MANAGEMENT

The legal context

A strong legal framework, ensuring transparency throughout the investment lifecycle, means the sale or lease of land to local and international investors can potentially help achieve the SDGs on poverty and gender equality. Land investments may also force countries to clarify their laws and rights to tenure, increasing the number of countries with a legal framework which guarantees women equal rights to land ownership. However, investments made in countries with weak governance are very vulnerable to corruption.⁵ Countries need robust legal frameworks and oversight mechanisms to ensure investments benefit local people.

Community consent

Transparent investment processes, based on free, informed and prior consent from affected local communities, are essential for women's land rights and achieving the SDGs. Consent processes must be fully inclusive of women, for example, through separate meetings for women and men, held at a time when women are available and ensuring women understand how they will benefit from participating.

ACHIEVING THE SDGs: KEY POLICY RECOMMENDATIONS

Full and equal land rights for women must be achieved if the land SDGs are to be met. Similarly, the drive for women's land rights will be more successful if it can harness the many initiatives designed to help deliver the SDGs. However, neither the SDGs nor women's land rights will be fully achieved unless corruption is tackled.

Ultimately, the SDGs on land, gender and corruption will only be met if they are approached in a holistic fashion, with reference to all three elements in this closely-linked trio of issues. Policymakers and practitioners need to act against corruption and gender inequality at every step towards the goals on land,⁶ with regional and international institutions taking the lead in mainstreaming issues of corruption and gender throughout land-related programmes.⁷ Land actors should collect and disaggregate data on land, gender and corruption to show exactly how corruption and gender bias undermine land governance and to monitor progress towards the land SDGs.

This understanding must shape policy and inform the design of robust programmes that deliver the SDGs without being weakened by corrupt acts or inequality.

Informed by the need for this holistic approach, key policy recommendations for achieving the SDGs on women, land and corruption are as follows:

Preventing corruption over land



Close legal loopholes that enable corruption

Ensure laws regulating land ownership are as simple and clear as possible, thereby minimising opportunities for corruption. Make co-ownership of household land the legal default for married and common-law couples. Single women should have the same land rights as couples or single men.

Ensure dispute resolution mechanisms are unbiased and accessible

Both the formal judiciary and alternative dispute resolution mechanisms should be accessible to women and free from bias, conflicts of interest and cultural pressures.

Build administrative capacity to support good land governance

Ensure that local administrations and traditional institutions have the knowledge and human and financial resources they need. Gender responsiveness should be mainstreamed in administrative structures and procedures.

Invest in comprehensive land distribution and registration programmes

Allocate sufficient resources to make land distribution and registration programmes free from corruption. Provide oversight mechanisms and monitor programmes via data collection.

Create transparency in land management and urban land planning

Ensure that community consultations are designed to address the existing discriminatory gender norms. Enable people to contest plans and find solutions with the help of affected communities.

Fulfilling women's land rights



Design land administration regulations that specifically protect women

Ensure registration or documentation forms include room for women to be included on spousal land titles. Pass and implement laws to protect the rights of wives and daughters to inherit.

Ensure programmes to document land proactively include women

Ensure women can participate freely in public consultations over land and receive land documents in their own names, whether in female- or male-headed households.

Increase women's access to information about land rights

Devise programmes that teach women about their land rights and how to claim them.

Promoting good governance and equality in land administration



Include corruption prevention and gender equality in land programme design

Train local and government actors specifically to tackle corruption and address women's needs. Hold separate community consultations for women and men and ensure women can attend. Train communities on women's inheritance rights and build corruption monitoring mechanisms into land programmes.

Address existing power structures when formalising collective tenure

When formalising community tenure, mitigate potential resistance from actors who previously controlled the land. Make programmes and policies clear, to reduce potential manipulation by established interests which could have a negative impact on women.

Promote transparent governance in communities receiving land rights

Ensure communities given tenure over collective land are governed transparently and fairly and that women have the capacity to take part. Nurture male champions in the community to promote governance that represents all interests.

Monitor large-scale land deals for integrity

Monitor land deals to ensure companies or vested interests are not unduly influencing the legal framework or engaged in corruption. Ensure penalties are legally enforced and access to justice.

Enshrine best practice in investment regulation

The laws regulating land investments should comply with international best practice, including requiring free, prior and informed consent from people affected. Deals should be transparent, widely publicised and require community consent, gained with women's full participation.

INTRODUCTION

The Sustainable Development Goals (SDGs) provide an overarching framework for human progress, outlining specific targets for achievement by 2030. The role of land is crucial in achieving many of the 17 goals, including ending poverty and hunger, reducing inequality, providing decent work and achieving gender equality. The goals came into effect in January 2016 and are intended to steer policymaking and development funding. Each has several targets and, under these, a range of indicators. The indicators and their statistical data ensure accountability, allow progress to be monitored⁸ and guide how the goals will be achieved.

Women's land rights are included in the SDGs under three goals, three targets and three indicators (see Annex 1). Urban land has its own specific goal with no gender element.⁹ The SDGs also have specific targets to reduce corruption in all its forms, and bribery specifically, under Goal 16. In particular:

- **Goal 1: End poverty**
Ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.
- **Goal 2: End hunger**
Double the agricultural productivity and incomes of small-scale food producers, in particular women... including through secure and equal access to land, other productive resources and inputs.
- **Goal 5: Achieve gender equality**
Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources.
- **Goal 11: Make cities inclusive, safe, resilient and sustainable**
Ensure access for all to adequate, safe and affordable housing and basic services, and upgrade slums.

- **Goal 16: Peace, justice and strong institutions**
Promote peaceful and inclusive societies... provide access to justice for all and build effective, accountable and inclusive institutions at all levels. Targets include substantially reducing corruption and bribery and developing effective, accountable and transparent institutions. Further targets promote the rule of law and equal access to justice, inclusive decision-making and public access to information.

While issues of corruption and gender feature in many of the SDG targets, they must also be considered specifically in relation to land if the goals are to be achieved. Millions of the world's poorest people have no formal rights – or insecure rights at best – to the land on which they live and work. Securing land rights is crucial to reducing poverty, given people's reliance on land for food production and income generation particularly in lower-income countries. Women's rights to land are often less secure than men's, owing to the effects of gender on women's social roles and their opportunities to participate in decision making. Corruption in land governance and administration also affects women more than men and in different ways – including sexual extortion. This exacerbates gender differences by keeping women from equal, secure land rights.

In households where land is a central asset, women's rights to land and resources are key not only to empowering women, but also to increasing food security, reducing poverty and mitigating conflict.¹⁰ However, women's rights to both urban and rural land are often inadequately protected. Most customary



Participatory video project in Northern Ghana. © Gareth Benest.

tenure regimes around the world consider women's land rights secondary to those of men and, although many statutory land tenure systems accord women and men equal property rights, some still favour men. Even where equal legal rights exist, such laws are often poorly implemented or are considered secondary to customary land practices in practical terms.

Corruption over land makes land rights more insecure generally, but it affects women and men differently. Women often have less of a voice in their communities and in politics, fewer opportunities to exercise independent choice in their lives and little access to information.¹¹ Because women have less income to pay the bribes often needed to exercise their land rights and are vulnerable to sexual exploitation, corruption over land perpetuates existing power imbalances, gender inequality and discrimination.

The SDGs recognise these issues. However, Transparency International's experience shows that a holistic approach is needed, mainstreaming gender and corruption in all land initiatives, if the SDGs on land are to be achieved.

This paper demonstrates the clear links between the issues of land governance, women's rights, corruption and the SDGs – particularly in lower-income countries, where people's reliance on their land is greatest and land governance and women's rights are often weak. It provides policymakers, practitioners and all stakeholders engaged in land governance with recommendations that will enable them to address corruption and gender inequality in relation to land issues as specific steps towards achieving the SDGs.

GENDER BIAS: A BARRIER TO LAND RIGHTS

Land is the key asset for most of the world's poorest people, meaning security of tenure is linked to many development goals. For land rights to be secure, they must be:

- legitimate
- resilient
- durable
- exercisable
- enforceable

Legitimate rights are recognised in both formal and customary law and are socially accepted. For these rights to be resilient and durable, they must not be vulnerable to changes in personal, household or community status. Right holders must be able to exercise their rights independently. For rights to be enforceable, their holders must be aware of and able to use them, know where to go and what to do if they are challenged and have a say in decisions about their implementation.

Men and women experience insecurity over land tenure in different ways, meaning specific strategies are needed to address the problem. Although women's experiences of insecurity often have broad similarities, women are not a homogenous group and an individual woman's experience of insecurity over land can be influenced by many factors. Women's rights to land are often weaker than those of men in similar situations.¹² They are less likely to be protected under formal or customary law and are often more vulnerable to changes in context. For instance, women's rights to use or access land are often gained through their relationships, such as marriage, while men tend to have birth-rights to land. Women's rights are also often less durable than men's. They may only have the right to

use a piece of land during a marriage, while men often retain rights to land for life. Women often have more difficulty than men in exercising their rights. They are less likely to know the precise rights they have or where to go to enforce them. Cultural constraints mean they are less likely to have independent access to dispute resolution mechanisms.

Evidence shows that securing women's land rights can have a disproportionately positive effect on the whole community. Greater security of tenure for women leads to higher incomes, increased food production and better levels of education and child nutrition.¹³ Women who own land are less likely to experience domestic violence¹⁴ and women with strong property and inheritance rights earn higher incomes and have higher rates of individual savings.¹⁵



Corruption over land makes land rights more insecure generally, but it affects women and men differently. Women often have less of a voice in their communities and in politics, fewer opportunities to exercise independent choice in their lives and little access to information.

CASE STUDY: LEARNING ABOUT LAND RIGHTS IN PAPUA NEW GUINEA

Ludwina Landa and her husband completed payment for their property in Enga Province, Papua New Guinea together. While they were waiting to receive the land title, he died, but when the title was issued, it was granted illegally to someone else. Although Ludwina does not know why, it was probably through bribery of land officials – a common problem in Papua New Guinea, where the Lands Department is notorious for corruption.

Ludwina and her husband bought their property through a housing scheme run by the National Housing Corporation, which helps people who meet certain eligibility criteria to buy their own homes. However, only Ludwina's husband was officially registered for the scheme, making her highly vulnerable to corruption when she became a widow.

Although the Papuan Constitution guarantees women equal rights to land ownership, in daily life, men determine land use – even for land owned by the whole community, which is usually farmed by women. In traditional settings, women are considered inferior to men and lack land rights and freedom of choice. It is very hard for women to prove land ownership or usage rights, or to inherit land. Under customary law, only men inherit property – even in matrilineal societies, where land passes through the women's line, but goes to the men in that line. Widows like Ludwina are very vulnerable to abuse over land issues, including displacement, and can do little to recover their property. Papua New Guinea's judicial system is understaffed and overloaded, and prioritises high-profile prosecutions. Ordinary cases such as Ludwina's are often dealt with only after several years' persistent follow-up from a lawyer – who usually expects a bribe for giving the case priority.

Ludwina would not be facing this problem if she were a man. A man whose land title was threatened would have the support of brothers and tribesmen to fight off any eviction and confront housing officials and those offering bribes. Knowing men have this clan-based support, anyone wanting to obtain property corruptly is unlikely to target a household headed by

a man. However a woman is given to her husband's people when they pay her bride price, meaning her own menfolk are not obliged to help her as they would a brother.

Know Your Land Rights campaign

To help Papuan people obtain justice over land, Transparency International Papua New Guinea launched the three-year *Know Your Land Rights* campaign in 2013. With 85 per cent of the population rural and largely illiterate, the campaign was designed to empower people like Ludwina affected by land issues to act against corruption and make informed decisions.

Through live discussion events, panel debates broadcast by radio and events promoting Transparency International's Advocacy and Legal Advice Centre, the campaign raised awareness nationally of land regulations and administration. These mechanisms provide a firm legal basis for security of tenure, but they must be widely understood and properly implemented if they are to help deliver the SDGs – including women's land rights.

The campaign was well received, prompting many people to report cases of land corruption. In 2017, the minister for lands relaunched his department's Fraud Complaints Unit, established by Transparency International Papua New Guinea under his predecessor. The unit enables people to complain of fraudulent land dealing, including by officials. Transparency International works closely with the unit, referring the land-related complaints it receives for appropriate action. Ludwina's case was successfully referred and she will soon receive her rightful land title. However, during the campaign, less than 15 per cent of complainants were women and nearly all were struggling to find assistance. This reflects the lack of recognition of women's entitlement to land and women's lack of knowledge, confidence and opportunities to claim their rights. Addressing these social issues is the next vital step towards achieving the land SDGs.

Source: Transparency International Papua New Guinea

EQUALITY AND LAND RIGHTS BLOCKED BY CORRUPTION

One of the most significant challenges to achieving the SDGs on gender and land is corruption. Defined as “the abuse of entrusted power for private gain”,¹⁶ corruption exists in many forms, many of which are present in land governance and administration (see Annex 2).

Land corruption comprises illicit acts or abuses committed by those with power when performing their duties.¹⁷ It takes two main forms: political corruption and administrative or bureaucratic corruption.

Political corruption is “the manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision makers, who abuse their position to maintain their power, status and wealth.”¹⁸ It includes state capture – one of the most pervasive forms of corruption, where companies, institutions or powerful individuals illegally influence and shape a country’s policy, legal environment and economy to serve their own interests. Political corruption can occur when laws and policies are formulated, large-scale projects are undertaken, land re-zoning occurs or land is expropriated.¹⁹ It is generally institutional and hard to document as it often occurs in secret. There are three main challenges to governance through political corruption in the land sector:

- convoluted and non-transparent land tenure regimes
- low knowledge and application of existing rules by officials
- weak accountability mechanisms²⁰

Administrative or bureaucratic corruption is the “everyday abuse of entrusted power by low- and mid-level public officials in their interactions with ordinary citizens, who often are trying to access basic goods or services.”²¹ In relation to land, this can occur when people try to register property, acquire information or access government programmes.

Women are more vulnerable to land corruption on both levels. In terms of political corruption, women often have less social and physical access to people in positions of political power.²² Even when they are not facing active discrimination, women are often excluded traditionally and culturally from powerful social networks where decisions are made.²³ Women’s expected roles as caregivers also mean they have little time to establish

relationships with people who have political links. They are therefore less likely than men to benefit from political corruption, to be included in groups which can wield influence over the state to serve their own ends or to be able to monitor corruption that occurs.

Women and men also have different experiences of bureaucratic corruption and are affected differently by demands for bribes. The unequal division of paid and unpaid work and the likelihood that women will be paid less than men for the same work leave many women economically dependent on their spouses. Many are unable to control how their own earnings are spent.²⁴ This lack of access to money compared to men makes women less likely to be able to pay bribes.²⁵

Research shows that women and men often pay bribes for different reasons. A study in Ghana found that while men pay bribes to speed up transactions or increase their perception of security of tenure, women are more likely to pay bribes to prevent eviction.²⁶ For women, the bribe was tied to an immediate threat, rather than a long-term need.

Women are more likely to face extortion, as they are less likely than men to understand land administration processes or to know their rights.²⁷ They also face types of extortion men are less likely to face, such as demands for sexual favours. Though the extent of this problem is not recorded, in part because of stigma which prevents women from reporting it, studies in Ghana and Sierra Leone found that sexual extortion is a major form of corruption affecting women,²⁸ in particular those who are young, single or widowed.²⁹ These same women are the most vulnerable to losing or not gaining rights to the land they use.

Expected gender roles and existing cultural norms mean women are less likely than men to understand their land rights, and have less time and ability to pursue remedies to enforce them. They may also be stigmatised, intimidated or subject to violence if they speak out, creating even greater insecurity over their right to land.

CORRUPTION, GENDER AND LAND RIGHTS: LINKAGES WITH LAND SDGs

There are obvious overlaps between the corruption indicators and the land SDGs. Those aimed at reducing bribery of public officials clearly apply, as bribery of officials charged with land administration and management is a well-documented problem worldwide.³⁰ The Goal 16 indicator aimed at increasing satisfaction with public services can be applied directly to people's experience of land-related services. Targets aimed at increasing the accountability and transparency of institutions and at promoting the rule of law and access to justice are all key to securing rights to land.

However, there is a need to go beyond the existing targets to ensure corruption is tackled throughout the goals related to land, including specific measures to address its effects on women. Programmes and policies aimed at achieving the SDGs on land will be implemented by officials entrusted with power. Clear measures to ensure transparency and accountability from officials throughout these programmes are needed to prevent manipulation and the abuse of that power.

There are three key areas in which addressing issues of corruption and gender are particularly important to the achievement of the land-related SDGs:

- land administration – including registration and documentation, inheritance and dispute resolution
- land management – including urban planning, land distribution and management of communal resources such as forests and pasture
- management of land-based investments – especially large-scale projects

By understanding exactly how corruption and gender bias can undermine these aspects of land governance, policymakers and other stakeholders can design robust programmes that can deliver the land SDGs without being weakened by corrupt acts or inequality.

1. LAND ADMINISTRATION

Land administration is “the process of determining, recording and disseminating information about ownership, value and use of land and its associated resources.”³¹ Because it includes both documentation and adjudication procedures, land administration is the

process through which ordinary people are most likely to interact with the government over land.

Registration and documentation

Improving the registration or documentation of land rights is a key way in which governments can meet multiple SDG targets. Documenting and registering land on which people already have informal rights helps people gain ownership and control over land³² and secure their rights to that land.³³ Registration also reduces the number of people living in informal settlements³⁴ and, when carried out in a gender-sensitive way, can increase the proportion of women with secure rights to land.³⁵ Ensuring that both women and men have information about these processes helps meet targets for public access to information.³⁶

However, different forms of corruption can keep people from registering or documenting their land and increase the informality of land tenure by encouraging people to operate outside formal systems as follows:

- Political corruption, in particular state capture, may occur when powerful politicians or groups shape the law or policy. The type of land registration system instituted, for instance, may affect how easy it is for elites to falsify claims to land.³⁷ Women are especially vulnerable to this kind of corruption in land governance because they are usually excluded from the powerful groups that influence policy.
- Governance issues may also make it difficult for women to gain rights to land that would be documented in a land administration programme. Plural, incomplete or overlapping legal and policy

frameworks may mean that formal law protects a right that customary law does not, or that formal laws are complex and hard to understand. These systems are easily manipulated to exclude women from land ownership, with the situation exacerbated by cultural bias against women who own property. In Uganda, for instance, the 1998 Land Act established co-ownership rights between spouses in a version passed by parliament. However, this provision was omitted from the final text of the act, reportedly due to an administrative oversight.³⁸

- Bribery, kickbacks, speed money and extortion are the most common forms of bureaucratic corruption in registration processes. Officials may see an opportunity for self-enrichment when they are providing direct services, especially when the legal framework is unclear, oversight is weak or cultural norms prevent women from accessing administrative facilities. In 2013, one in five people around the world reported that they had paid a bribe for land services.³⁹ Demands for bribes can make land administration services inaccessible to already marginalised people, particularly women, owing to their relative economic insecurity.

Inheritance

Inheritance is often the primary way in which land is acquired in countries and areas without vibrant land markets. The SDGs seek to address this in the targets on equal access for women and men to economic resources and land.^{40,41} However, corruption often prevents women from fulfilling their right to inherit land and property:

- Cultural, customary and even formal constraints often keep women from inheriting from their parents or their husbands. Women seeking to exercise their rights to inherit may encounter local officials upholding cultural norms rather than the formal law.
- Often not listed as official heirs, women may be forced through corruption to renounce their rights entirely under pressure from family members and officials. This has been documented worldwide: in France,⁴² across Latin America,⁴³ in Burkina Faso, India,⁴⁴ Israel, Turkey,⁴⁵ Tunisia⁴⁶ and many other countries.

Dispute resolution

Disputes over land are common, especially in situations where the law is unclear or where formal and customary law differ. Reform of dispute resolution systems to make them less susceptible to corruption would contribute to almost all the SDGs relating to gender and land, including increasing security of tenure⁴⁷ and achieving equal rights to land ownership for women.⁴⁸ Corruption can impede access to dispute resolution in both formal judicial systems and in alternative or customary adjudication systems:

- Judicial corruption is a widespread issue, ranging from a judge manipulating evidence towards a particular outcome or speeding up resolution of a case, to police or prosecutors tampering with evidence for bribes or kickbacks.⁴⁹ One study found that in a third of countries surveyed, more than 10 per cent of respondents who had interacted with the judicial system had paid a bribe to obtain a “fair” outcome.⁵⁰
- State capture can also cause judicial corruption, where the interests of an elite group shape the judiciary’s function. Judges may rule in favour of these elites, irrespective of evidence or the law.⁵¹ This was the case when land seizures were challenged in Zimbabwe, undermining confidence in the judiciary.⁵² Judicial corruption is a particular problem for women, who often cannot afford to pay bribes to influence rulings.



Research shows that women and men often pay bribes for different reasons. A study in Ghana found that while men pay bribes to speed up transactions or increase their perception of security of tenure, women are more likely to pay bribes to prevent eviction. For women, the bribe was tied to an immediate threat, rather than a long-term need.

- Gender discrimination means women are less likely than men to be able to access the legal system they prefer, especially the formal legal system, which is often difficult to engage with, both in terms of physical access and cost. Women may not know where to go and may be culturally constrained from going alone or travelling long distances.⁵³ A study in Rwanda found that women and vulnerable groups were not likely to access local dispute resolution mechanisms owing to fear of mistreatment or violence from their community, ignorance of the law, perception of bias, lack of time and lack of an advocate.⁵⁴ People with more wealth, power and social access can choose the most advantageous forum available to resolve land disputes. A study in Ghana found that when land rights were violated, the preferred method for dispute resolution was a lawyer or legal advice organisation. Those who could not pay for this resolved disputes through traditional leaders – who were also a leading threat to people’s security of tenure.⁵⁵
- Local actors, such as the head of an extended family, are the most common arbiters in land disputes involving women, owing to the barriers preventing women from accessing other mechanisms. These actors are highly likely to be corrupt. They may overtly favour one party, demand a bribe or be more likely to apply discriminatory customary law, either because they do not know the formal law or are biased in favour of customary law.⁵⁶ In Uganda, a study showed that traditional courts asked men for bribes to win cases.⁵⁷ Women’s relative economic insecurity means they are less able to pay bribes than men and may be asked for alternatives, such as sexual favours.⁵⁸



Participatory video project in Northern Ghana. © Gareth Benest.

CASE STUDY: FIGHTING THE STATE OVER LAND GRABBING IN GEORGIA

Outside the small village of Didi Lilo, near Georgia’s capital Tbilisi, scavenger birds scour piles of stinking refuse. Parents keep their children indoors because the birds are so aggressive and the smell so noxious.

For generations, a group of 17 local tenant farmers grew wheat on this land, about the size of 18 football pitches. It helped them survive when food was scarce following the collapse of the Soviet Union and during civil unrest. “We milled flour and baked bread and used the grain to feed our chickens and livestock,” says Marine Tsopurishvili, one of the villagers. “It helped us survive as there was no other work around.” When the rights to the land came up for auction in 2006, the 17 farmers joined forces to buy it. But four years later when they tried to register the land on a new electronic cadastral map, they found it listed as state property.

During a fallow year, when the land was uncultivated, local authorities erected fences and rubbish started pouring in. In response, the villagers began a campaign to regain their land. They wrote letters and produced evidence of their ownership, but were continually ignored so they took the case to court. During proceedings, representatives from the Public Registry, Tbilisi City Hall, the Ministry of the Economy and the landfill contractor all argued that because the land was not registered as belonging to the villagers on the electronic map, it was state property. Through a ruling that undermines many of the SDGs – including those on land rights, corruption and access to justice – the villagers lost their case.

Without the land, the former farmers are forced to rely on jobs in the city. In 2014, they reported their story to Transparency International Georgia’s Advocacy and Legal Advice Centre. The centre offers legal support to citizens seeking redress for corruption. Recognising the authorities were acting in bad faith, Transparency International took the case to the administrative court, adopting a different legal approach from the villagers’ previous lawyer.

Defying state collusion to take land

In court, state representatives claimed that at the time of registering their ownership of the land, the villagers had not used the electronic cadastral map and that the paper version showed no overlap between the landfill area and the villagers’ land. However, Georgian law states that property rights may not be restricted on the grounds that the cadastral map was registered on paper. The villagers had done everything correctly; they had registered the land, and provided relevant information clearly defining its location. The state claimed that the plot overlapped with state land, but refused to provide maps to prove this. In court, Transparency International Georgia argued that the state bodies had acted in agreement to seize the land from its rightful owners, intentionally, illegally and without compensation.

After three years, in March 2017, Tbilisi City Court finally recognised the villagers’ ownership rights. The court report argues that the Public Registry should not have registered the land as state property, as it already stored documents proving the land belonged to the villagers.

With Transparency International’s support, the villagers will seek compensation, including the market value of the land and damages. As the land is now unfit for agriculture, they cannot return to farming. The state is likely to offer new land as compensation, but it will be important to monitor its distribution among women and men. Georgia’s constitution provides equal property rights, but men usually feel more entitled to inheritance and women can be unaware of their rights within marriage. Government campaigns seek to address these issues, but more must be done to meet the SDGs and secure women’s right to land.

The villagers’ experience shows that delivery of the land SDGs requires not just a strong legal framework, but also transparent oversight mechanisms and processes to ensure the laws governing land rights are fully and fairly enforced.

*Source: Transparency International Georgia
https://www.transparency.org/news/feature/land_rights_in_georgia_the_stench_of_corruption*

2. LAND MANAGEMENT AND GOVERNANCE

Land management refers to the process of managing the use and development of land resources.⁵⁹ It includes urban planning, land distribution and management of communal land.

Urban planning

Millions of poor people live in informal urban settlements with insecure tenure. Formalising these rights would help achieve the SDGs on urban land – reducing the proportion of the urban population living in slums, informal settlements or inadequate housing⁶⁰ – by reducing the number of city dwellers with insecure tenure. Taking a gender-sensitive approach would also help countries achieve goals on poverty and gender equality, including ensuring that all women and men have equal rights to economic resources, inheritance and ownership and control over land.⁶¹ However urban planning processes are vulnerable to both political and bureaucratic land corruption:

- State capture can enable elites to manipulate urban planning at the national level. Programmes may be structured to benefit friends, associates or companies, excluding the poor and landless. State capture, nepotism and cronyism mean that processes to formulate urban planning policies often exclude those most affected by them. Social norms can mean women are more likely than men to be excluded from these processes.
- Bureaucratic corruption occurs when policies are manipulated by officials to favour people of their choice. This can be for bribes or kickbacks, because of embezzlement or to reflect a relationship of patronage between bureaucrats and certain urban dwellers. Bureaucrats and politicians have huge discretionary power, making urban planning highly susceptible to corruption as there are many opportunities to privilege some claims over others.⁶²

Land distribution

Land distribution programmes, both urban and rural, give land to people who otherwise do not have any. When they benefit both women and men, they can achieve several SDG targets and indicators, including equal rights for men and women to economic resources and equal land rights (specifically over agricultural land and informal urban settlements).⁶³ Similarly, reforming laws to ensure land is distributed in women's names increases the number of countries with

a legal framework, which guarantees women's equal rights to land ownership.⁶⁴ However corruption can undermine the implementation of these programmes and prevent the intended beneficiaries from achieving any gain:

- Political corruption can distort land distribution programmes in the form of both state capture and patronage. Programmes may be designed to benefit the local elite or to target only certain geographical areas so as to benefit the constituents of certain politicians.⁶⁵ Women may be excluded through programme design – for example, when heads of household, who tend to be men, are the only recipients of land titles.
- Bureaucratic corruption can involve clientelism, patronage and nepotism, where land is distributed to cronies or other non-legitimate beneficiaries. In Afghanistan, for example, there are allegations that much of the land in a large land distribution scheme for returning refugees has been grabbed by local elites. The only way to obtain a plot is said to be through a bribe or being related to someone influential.⁶⁶ Land officials may not understand a programme or may be inadequately compensated, causing them to use programmes for self-enrichment via embezzlement or extortion. They can ask people for bribes in exchange for being identified as a beneficiary or for more or better land, preventing those most in need from accessing the programme. Even where there is not outright bribery, officials may engage in fraud by falsifying records to meet quotas.⁶⁷

Communal land

Programmes to give communities control over shared land can improve documentation of communal land rights, in line with SDG targets to reduce poverty.⁶⁸ They can also potentially increase equal rights over economic resources and increase the number of countries with a legal framework which guarantees women's equal rights to land ownership, supporting the goals on gender equality.^{69,70} However corruption often undermines these programmes:

- Local government actors may resist implementing such programmes, especially when they have distributed benefits from the land to their networks and do not want to give them up or when they are engaged in embezzlement of resources. Overlapping governance structures can create opportunities for manipulation.

- Inadequate communal governance may mean that even if a community has tenure, local people as a whole do not benefit. There may be elite capture, where only pre-existing elites are given governance roles. Women's rights and needs – including their uses of land – may not be considered in the governance structure and there may be no provision to ensure they benefit from increased local control. Women may be excluded from the governing group. A project to strengthen women's rights to communal land in Peru, for instance, found that social norms and procedural barriers kept women from participating in governance. Women were often not considered “qualified” community members because they were not considered as head of the household or because only one vote was allowed per family.⁷¹

3. INVESTMENT MANAGEMENT

When carried out well and transparently, the sale or lease of land to local and international investors may increase the number of people with secure tenure and economic rights, supporting the SDGs aimed at poverty reduction and gender equality.⁷²

The legal context

Land investments may increase the number of countries with a legal framework which guarantees women's equal rights to land ownership, in line with the goal on gender equality,⁷³ by forcing countries to clarify their laws and rights to tenure. However many large land investments take place in countries with weak governance, making them highly vulnerable to corruption.⁷⁴ Land investments are often made by large multinational companies in a non-transparent fashion, meaning corruption can occur at many points in the investment lifecycle:

- Government actors may manipulate laws and policies at the start of an investment process, such as those on expropriation, to make land available to investors at low prices or to help investors avoid complying with regulations in exchange for kickbacks.⁷⁵
- State capture may mean land being used by communities is identified as state-owned or free for investment. Corruption can enable the acquisition of land in ways which harm local communities.⁷⁶ Land may be acquired through state expropriation without community consultation or through bypassing established regulations governing expropriation.

Community consent

With free, prior and informed consent from all sections of affected communities, land investments have the potential to benefit all local people, if contracts are implemented transparently. However corrupt contracting processes may occur even where investors engage with local communities to buy or lease their land:

- The principles of free, prior and informed consent may not be followed when contracts are negotiated and signed, allowing elites to capture the negotiations. This can lead to contracts which primarily benefit the elites and their networks. Often excluded from negotiations, women can be affected disproportionately, with their rights and interests in land left unaddressed. They can be excluded from the benefits of an investment, such as payments, and from compensation for loss of access to the land for uses often specific to women, such as subsistence farming and gathering natural resources.⁷⁷
- Local elites may capture the process of distributing benefits from investment. This process is vulnerable to the same forms of corruption as land distribution programmes. Individuals may use bribery or speed money to ensure they benefit first or most. Those distributing the benefits may engage in embezzlement, extortion, cronyism or nepotism. Social norms and customary rules often exclude women from participating in investment monitoring and from accessing the future economic benefits of such projects. Women's lack of involvement in decision-making and lack of recognition as rights-holders needing compensation mean they are likely to lose more and benefit less than men from large-scale land investment.

CASE STUDY: FROM GRASSROOTS TO PARLIAMENT – DELIVERING THE LAND SDGS IN ZIMBABWE

When biofuel company Green Fuel arrived in Chisumbanje in 2008, it promised work, schools, clinics and roads in return for land to grow sugar cane. But the company soon breached its designated boundaries, encroaching on community-owned land essential to local livelihoods. “We lived good lives in the past. We didn’t know poverty,” says farmer Memory Dube. “We paid school fees with earnings from cotton and were able to do annual budgets. But all that changed with Green Fuel. Our lives were turned upside-down. We were told we couldn’t go to our lands in the valley any more.”

At first, Memory and her neighbours resisted, planting almost 20 hectares of maize at night. The company let it grow until it was ready for harvest. Then it ploughed the crop down. “Our food used to be locally produced,” says Memory. “We picked fresh fruit along the river until the company closed it off and spoiled it with dirty water. We no longer have gardens and we lack basic nutrition, compromising our health.”

When local people protested against the land grab, the government rejected their complaints. After experiencing beating and arrests they now live in fear of violence and intimidation. None of the company’s pledges was fulfilled. Instead, people were given half-hectare plots as compensation, regardless of how much land they had lost or their family size. None of these plots were given to women, exposing many to further trauma through sexual exploitation. “The headman said if I wanted a plot, I must have sex with him,” explains Catherine Mozorodze. “I had to agree because we are poor and landless. When I refused to have sex indefinitely, he threw me out of his village. Many women traded sex for land, but can’t talk about it or they’ll be kicked out too.”

A complex interplay of women, land and corruption entrenches Zimbabwe’s gendered land inequalities and creates new ones. Patriarchal structures mean land ownership is traditionally a male privilege and it is difficult for women to speak out about land rights. In the cities, housing cooperatives created by political parties serve as vehicles for patronage over land, but are more accessible to men. Women who do enrol are often swindled, either through the double allocation of

plots or by being given plots in non-designated areas. Bribery, the main form of petty corruption, also has a disproportionate impact on women. Compared to men, most lack money to pay bribes, forcing them to trade sex in exchange for access to land.

A two-pronged approach to land issues

By working at both grassroots and national levels, Transparency International Zimbabwe aims to eradicate land inequalities based on gender. In Chisumbanje, it helped residents lobby the government, which eventually formed a ministerial committee to investigate. Community members testified over their experiences of displacement, hunger and aggression. However, Green Fuel has powerful allies in government. The case is ongoing, but with Transparency International’s support, the residents are not giving up.

To support communities like Chisumbanje, Transparency International Zimbabwe has made two documentaries on urban and rural land corruption. The films raise these previously little known issues, allowing women and communities denied their land rights to tell their stories. In 2016, they were shown at a Transparency International workshop for 36 Zimbabwean parliamentarians to address the impact of land corruption on women. Through the documentaries and presentations highlighting policy, legal and institutional gaps that fuel land corruption, the workshop aimed to help Zimbabwe’s parliament pass laws that will safeguard women’s land rights. Attendees agreed an action plan with Transparency International, including training more MPs in gendered corruption, research on its impact, and a gendered review of anti-corruption laws.

By taking this two-pronged approach, at local and national level, Transparency International is working towards a regulatory framework that will help achieve the SDGs by delivering women’s land rights. In Chisumbanje, this would mean a return to self-sufficiency and freedom for women like Catherine from demands for sex so they can farm the land.

Source: Transparency International Zimbabwe. Video documentaries on land corruption: Women, Land and Corruption in Chisumbanje, <https://www.youtube.com/watch?v=2EA7x4s7rMU&t=136s> Urban Land Corruption, <https://www.youtube.com/watch?v=bcQC1shUUd0>

HARNESSING AND ACHIEVING THE SDGs: KEY POLICY RECOMMENDATIONS

Full and equal land rights for women must be achieved if the SDGs are to be met. Similarly, the drive for women's land rights will be more successful if it can harness the many initiatives designed to help deliver the SDGs. However neither the SDGs nor women's land rights can be fully achieved unless corruption is addressed. The SDGs on land, gender and corruption will only be met if they are approached in a holistic fashion, with reference to all three elements in this closely-linked trio of issues.

To enable the goals to bring about real change for women and men affected by land corruption, policymakers and practitioners need to act against corruption and gender inequality at every step towards the goals on land.⁷⁸ Issues of corruption and gender must be mainstreamed throughout land-related programmes.⁷⁹

Regional and international institutions should take the lead in implementing this holistic approach. For example, the African Union's Land Policy Initiative (LPI)⁸⁰ produced the Framework and Guidelines on Land Policy in Africa, and is now helping African Union member states develop, implement and evaluate policies. However while the guidelines mention corruption, tackling it is not a key priority. The LPI needs to commit to helping all member states prioritise solving the problem of corruption, gender and land in order to achieve the SDGs.

One of the main tools for delivering the SDGs is data collection and monitoring. Policymakers and stakeholders should collect specific data on corruption, gender and land rights. This includes data on bribery and extortion related to land services, on large-scale land deals and on public perceptions of land laws, administrators and dispute resolution mechanisms. All data should be disaggregated to show how gender discrimination and corruption prevent women from having equal access to land and to inform the design of projects to prevent corruption and deliver women's land rights.

Bearing in mind the need for this holistic approach, key policy recommendations for achieving the SDGs on women, land and corruption are as follows:

PREVENTING CORRUPTION OVER LAND

Close legal loopholes that enable corruption

Reform legal and policy frameworks related to land to make laws and procedures regulating land ownership as simple and clear as possible. This minimises opportunities for state capture and bureaucratic corruption. Pass and fully implement laws that make co-ownership of household land the default property regime for married couples or those living in consensual unions. Single women should have the same land rights as couples or single men.

Ensure dispute resolution mechanisms are unbiased and accessible

Both the formal judiciary and alternative dispute resolution mechanisms must be socially, economically and physically accessible to both women and men. All dispute resolution mechanisms should be free from conflicts of interests and should offer women neutral dispute resolution, free from cultural or social pressures. Ensure women have culturally sensitive support to access justice mechanisms, that competent counsel is available and that judgments are enforced.

Build administrative capacity to support good land governance

Ensure that local administration and traditional institutions have the knowledge and resources they need. This includes adequate monetary support, which helps reduce bribery and embezzlement, and understanding of the law and the benefits of secure tenure for both women and men. Gender responsiveness should be mainstreamed in administrative structures and procedures.

Invest in comprehensive land distribution and registration programmes

Allocate enough people and funds to make land distribution and registration programmes free from corruption. Provide oversight mechanisms and ensure staff are adequately paid. Monitor the process through data collection on who receives land, what type of land and whether it is being used. Investigate queries and gaps in the data.

Create transparency in land management and urban land planning

Ensure that community consultation addresses the needs of women and encourages their participation—for example, through separate meetings for women and specific messaging relevant to their interests. Put mechanisms in place to allow people to contest plans and for solutions to be found with the help of affected communities.

FULFILLING WOMEN'S LAND RIGHTS

Design land administration regulations that specifically protect women

Ensure registration or documentation forms have room for two or more names so women can be included on spousal land titles. Pass and implement laws to protect the rights of wives and daughters to inherit. Monitor the incidence of women renouncing their land rights and investigate when this occurs often. Put measures in place to reduce renunciation, such as mandating that inheritance takes place before renunciation or that judges must proactively enquire into it.

Ensure programmes to document land specifically include women

This includes providing for both women-headed households and women in male-headed households to receive land documents in their own names. Ensure that women can participate freely in public consultations over land.

Increase women's access to information about land rights

Devise programmes that teach women about their land rights and how to claim them.

PROMOTING GOVERNANCE AND EQUALITY IN LAND ADMINISTRATION

Include corruption prevention and gender equality in land project design

Train local and government actors specifically to tackle potential corruption and address women's needs. Ensure community consultations are carried out at a time of day when women are available and that separate meetings are held for women and men. Women also need to understand why they should be consulted and how they will benefit from participating. Where needed, land projects should include community training in the importance of women's inheritance rights and activities that promote cultural adaptation away from male-only inheritance. Build corruption monitoring mechanisms into land administration.

Address existing power structures when formalising collective tenure

Mitigate potential resistance from actors who previously had oversight over the land when formalising community tenure. Keep programmes and policies clear to reduce potential manipulation by established interests.

Promote transparent governance in communities receiving land rights

Ensure communities given tenure over collective land are governed transparently and fairly. Enable women to take part in governance by building their knowledge, awareness and confidence to engage in public processes and by working with men. Identify male champions in the community who understand the benefits of a governance body that represents all interests in the community.

Monitor large-scale land deals for integrity

When large-scale land deals are being considered, monitor to ensure companies or vested interests are not unduly influencing the legal framework or engaged in corruption. Ensure penalties are mandated by law and are enforced.

Enshrine best practice in investment regulation

The laws regulating land investments should comply with international best practice, including requiring free, prior and informed consent from the people affected. Transparency in land deals between the government and the private sector favours the protection of communities' interests. Deals should be widely publicised, allow adequate time for public comment and require community consent. Consent must be gained in ways sensitive to gender, allowing for women's full participation in the process.



Political corruption, in particular state capture, may occur when powerful politicians or groups shape the law or policy. The type of land registration system instituted, for instance, may affect how easy it is for elites to falsify claims to land. Women are especially vulnerable to this kind of corruption in land governance because they are usually excluded from the powerful groups that influence policy.

ANNEX 1

SUSTAINABLE DEVELOPMENT GOALS ON GENDER, LAND AND CORRUPTION

Goal 1: End poverty in all its forms everywhere

- Target 1.4: By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.
 - Indicator 1.4.2: Proportion of total adult population with secure tenure rights to land, with legally recognized documentation and who perceive their rights to land as secure, by sex and by type of tenure.

Goal 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture

- Target 2.3: By 2030, double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, other productive resources and inputs, knowledge, financial services, markets and opportunities for value addition and non-farm employment.

Goal 5: Achieve gender equality and empower all women and girls

- Target 5.a: Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.
 - Indicator 5.a.1: (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex;

and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure.

- Indicator 5.a.2: Proportion of countries where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control.

Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable

- Target 11.1: By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums.
 - Indicator 11.1.1: Proportion of urban population living in slums, informal settlements, or inadequate housing.

Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

- Target 16.5: Substantially reduce corruption and bribery in all their forms.
 - Indicator 16.5.1: Proportion of persons who had at least one contact with a public official and who paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months.
 - Indicator 16.5.2: Proportion of businesses that had at least one contact with a public official and that paid a bribe to a public official, or were asked for a bribe by those public officials, during the previous 12 months.
- Target 16.6: Develop effective, accountable and transparent institutions at all levels.
 - Indicator 16.6.1: Primary government expenditures as a proportion of original approved budget.

- Indicator 16.6.2: Proportion of the population satisfied with their last experience of public services.
- Target 16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all.
- Target 16.7: Ensure responsive, inclusive, participatory and representative decision-making at all levels.
 - Indicator 16.7.1: Proportions of positions (by sex, age, persons with disabilities and population groups) in public institutions (national and local legislatures, public service, and judiciary) compared to national distributions.
 - Indicator 16.7.2: Proportion of population who believe decision-making is inclusive and responsive, by sex, age, disability and population group.
- Target 16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.

ANNEX 2

COMMON FORMS OF CORRUPTION

Bribery is the act of offering someone money, services or other inducements to persuade them to do something in return.

A kickback is a form of bribe referring to an illegal secret payment made as a return for a favour or service rendered.

Speed money is paid to quicken processes caused by bureaucratic delays and shortages of resources. It normally occurs in offices where licences, permits, inspection certificates and clearance documents are processed.

Extortion is the unlawful demand or receipt of property, money or sensitive information through the use of force or threat.

Embezzlement is the misappropriation of property or funds legally entrusted to someone in their formal position as an agent or guardian. It also includes the diversion of property, funds, securities or any other thing of value entrusted to public officials by virtue of their position.

Fraud is the offence of intentionally deceiving someone in order to gain an unfair or illegal advantage.

Patronage refers to the support or sponsorship by a patron (a wealthy or influential guardian). Patronage is used, for instance, to make appointments to government jobs, facilitate promotions, confer favours and distribute contracts for work. Patronage transgresses the boundaries of political influence and violates the principles of merit and competition because providers of patronage (patrons) and receivers (clients) form a network to bypass existing lawful systems through which access to various resources is obtained.

Cronyism/clientelism refers to the favourable treatment of friends and associates in the distribution of resources and positions, regardless of their objective qualifications.

Nepotism is a form of favouritism that involves family relationships.

State capture is a situation where powerful individuals, institutions, companies or groups within or outside a country use corruption to shape a nation's policies, legal environment and economy to benefit their own private interests.

Adapted from Monitoring Corruption and Anti-Corruption in the Sustainable Development Goals https://www.transparency.org/whatwedo/publication/monitoring_corruption_and_anti_corruption_in_the_sustainable_development_go; <https://www.transparency.org/glossary/term/fraud>

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