

## Forest, biodiversity and rural and indigenous women's rights

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Forests are extremely diverse ecosystems on which many creatures depend, including human beings; for example, protecting forests helps ensure a supply of safe, clean water including for people living in large cities. Whether for direct or indirect use, people — and especially rural and indigenous women — rely on the functions forests provide and their associated biodiversity. Yet the world's forests are being destroyed at an alarming rate.

Rural and indigenous women, often heads of households,<sup>1</sup> are particularly dependent on free access to resources including fuelwood, medicinal plants, fodder, fruits, nuts and seeds (WRM, 2002). Furthermore, during conflicts and natural disasters, displaced rural people become even more reliant on freely available forest products and services,<sup>2</sup> and this again applies in particular to women. As a result, women are recognized as being more severely impacted by environmental degradation (Shiva, V. cited in Leach, M, 2004: 291).<sup>3</sup> In fact when rural women's access to forest resources is improved, their income increases and they are most likely to spend this income on their children's education, health care and feeding the household.<sup>4</sup> Women's access to forests and associated biodiversity therefore has a direct bearing on poverty alleviation and the well being of families.

Furthermore, when women's involvement in related governance processes is restricted this in itself serves to perpetuate the problem, since they are unable to improve associated decision-making systems. Land tenure is a critical example. Women often cultivate lands that they do not own, and gather resources from forests to which they lack titles. Even where there are land tenure policies in place, some patriarchal cultures will not consider women's land tenure rights,<sup>5</sup> thus leaving women and even families landless. At the same time there has been a growing realization that insecure tenure rights are a key cause of forest degradation as forest users have few incentives — and often lack legal status — to invest in managing and protecting forest resources that they do not own (A. White & A. Martin. 2002). Failing to tackle such causes of deforestation and forest degradation aggravates negative impacts on vulnerable groups, such as women and their children, who depend on forests for their livelihoods, thus increasing poverty. But many land policies and agrarian reform programs, whether they are redistributing land or reforming tenure rights, have overwhelmingly granted these rights to men, which in turn contributes to continuing discrimination against women.<sup>6</sup> Lastarria-Cornhiel (2009) affirms that one of the main characteristics found in land tenure reform and redistribution programs across the world is that they have tended to ignore gender.

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<sup>1</sup> Women's increasing responsibility in reproducing and maintaining the family has increased over the last decades because, among others, societies and resource-poor households become more economically vulnerable to global market forces (Lastarria-Cornhiel, 2009).

<sup>2</sup> Source <http://www.fao.org/gender/gender-home/gender-programme/gender-forests/en/>

<sup>3</sup> Source: <http://www.biblio.colpos.mx:8080/jspui/handle/10521/534?show=full>

<sup>4</sup> See Adedayo 2010, Blumberg 1991, Von Braun et al 1994, Hirschmann 1984 - See Lastarria-Cornhiel (2009).

<sup>5</sup> e.g. In countries like Albania or Kyrgyzstan, property rights in land and inheritance practices will conform to patrilineal custom, regardless of formal legislation that espouses gender equality of rights.

<sup>6</sup> In Mexico's *ejidos*, for example, only persons who have *ejidal* rights to land are considered *ejido* members with the right to vote on community issues. When women are denied equal property rights, they also experience reduced social, economic, and often political status.

Indeed, in spite of women's extensive traditional knowledge of forest management and sustainable resource use, they seldom have a voice in decision-making. Poor education and invisibility in public affairs, as a result of gender inequalities, often bar them from having a voice in decisions on land use and forest management (Sun *et al.* 2012), and from accessing new knowledge, technical capacity and other related educational opportunities. Thus men are more likely to be able to access and control resources and derive improved income, including by engaging in commercial activities.

These problems are compounded by escalating global demand for timber, other wood-based products and non-timber-forest-products (NTFP), and agricultural commodities grown in previously forested lands, including for use as biofuels. Current climate change policies are also focused on and impacting access to forests and biodiversity greatly.

In general, forests are increasingly considered a valuable global commodity and private companies, backed by governments, are rapidly ramping up related commercial activities. In addition to commercializing timber and non-timber-forest-products, they can now buy and sell the carbon stored in trees through the introduction of market-based mechanisms focusing on payment for environmental services (PES), which are deliberately intended to create new and profitable opportunities for and thus engage the private sector. These include schemes such as Reducing Emissions from Deforestation and Forest Degradation and enhancing forest carbon offsets (REDD+).<sup>7</sup>

Crucially, however, these schemes are based on the current UN definition of forests, which equates plantations with forests. This allows the conversion of real forests into monoculture plantations, including of alien tree species, oriented towards the global market, thus leading to further biodiversity loss, soil erosion, and depletion of water sources, and other social and ecological impacts<sup>8</sup>, again with disproportionate impacts on women. But it would be important to understand that forest resources are key for the survival of people who depend on them as opposed to industries seeking more profits from such resources.

In a vicious circle this commodification also exacerbates discrimination against women. Women often earn less, and own less, having fewer capital assets such as land, and fewer land and inheritance rights. They also have less opportunity to access education. As a result they are seldom engaged in negotiating deals or signing contracts, and this impacts directly on their ability to be involved in decisions about whether to accept the commodification of forest and biodiversity resources through projects such as PES and REDD+. Rather, it is men that are most likely to engage in these projects and benefit from them. In fact, a study conducted in three countries in the Congo Basin forest region, Cameroon, Central African Republic and the Democratic Republic of Congo, to ascertain the involvement of women in discussions or decision-making on climate change and REDD+ in these countries, revealed that women have had limited participation in discussions on issues of climate change in general, and for the most part have not been involved in discussions on REDD+. In fact, women's participation in government institutions, in general, was limited, and for the most part, gender concerns as a specific category was not evident<sup>9</sup>.

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<sup>7</sup> Further information on REDD/REDD+ see <http://www.redd-monitor.org/redd-an-introduction/>

<sup>8</sup> For further information regarding the social and environmental impacts of forest conversion into plantations read the report 'Potential Impacts of Tree Plantation Projects under the CDM - An African Case Study' by Karumbidza & Menne – see references below.

<sup>9</sup> Peach-Brown, C. 2011. Gender, Climate Change and REDD+ in the Congo Basin Forests of Central Africa. Environmental Studies, University of Prince Edward Island Charlottetown, PEI.

In addition, the increasingly prevalent use of individual property rights and denial of collective access to forest resources makes women even more vulnerable (Sun et al. 2012). Ownership of forests and the sale of forest products are largely under the control of men throughout the whole chain, and women's needs and concerns are neglected. They have little involvement in or influence over the way in which development activities are determined.

Furthermore, most rural women depend on subsistence farming, whereas privatization and market-oriented policies have tended to benefit larger farmers, increasing inequalities between them and smallholder producers (Bryceson and Jamal 1997 In Lastarria-Cornhiel, 2009). The relatively recent trend towards privatizing more and more land, including as part of a process of 'market-assisted land reform' has not given women legal and equal rights to land in rural areas (Lastarria-Cornhiel, 2009).

Communities in Africa and Latin America are increasingly being evicted from their ancestral lands, especially where property rights have not been clearly defined,<sup>10</sup> often to make way for extensive agroindustrial plants and plantations, as well as for carbon offsets projects (see Box 1 below). This is also known as land-grabbing.<sup>11</sup> Women, usually small-scale farmers who used to grow their own food, now see their food security undermined: they can't feed themselves and their families properly any more, and in some cases are forced to depend on food aid (see box 2 below). Other consequences may include women having no choice but to migrate to cities<sup>12</sup>, adding to the thousands of people living in poverty; many of those who migrate end up in prostitution or other low-paid jobs.

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<sup>10</sup> see for example Land-grabbing in Africa: A Review of the Impacts and possible Policy Responses, Kachika (2010)

<sup>11</sup> Ibid.

<sup>12</sup> El frente de la soja avanza: Inmensos monocultivos desplazan a los campesinos indígenas de la sabana chaqueña en Argentina <http://redaf.org.ar/noticias/?p=5577>

**Box 1. Chiapas, Mexico: From Living in the jungle to ‘existing’ in “little houses made of ticky-tacky...”**

In Chiapas, Mexico in 2011, indigenous communities from the Amador Hernandez region who have lived in the Lacandon jungle for generations, opposed the implementation of REDD+ projects in their territories –crucial for the California-Chiapas-Acre agreement. This agreement made during the Schwarzenegger administration between the states of California (US), Acre (Brazil) & Chiapas (Mexico) seeks REDD carbon credits generated for use as offsets in the Californian emissions trading scheme, set to have begun in 2012.

But the Amador Hernandez communities do not agree with their government plans and have been denied medical services and have suffered other consequences for not agreeing. The government in turn offer them a new “life” in ‘Santiago el Pinar’, one of the “Sustainable Rural Cities” set by the government for relocation, where these indigenous communities that have traditionally hold a close spiritual and cultural relationship with forests, will be living in prefabricated houses far from their ancestral lands thus interfering with their traditional ways of life, cultural values and livelihoods.

*The communiqué issued by the indigenous communities of the Amador Hernandez region can be read in full via <http://climate-connections.org/2011/09/05/communique-from-the-communities-of-the-amador-hernandez-region-montes-azules-lacandon-jungle/>.*

**Box 2. Ethiopia - Case Study** by Patricia Howard, researcher from the Wageningen University (Antonios, 2006)

In Tigray, Ethiopia - one of the poorest regions in the world – there is a highly significant correlation between extreme poverty and households where the head of the household is a woman. Belonging to such a household means one is 35% more likely to be poor, compared to a 8% in households led by a man. In addition, women heads of family often lack land ownership, and where they do own land, 70% of the women are obliged to rent the land out, losing close to 50% of the harvest, because they lack enough workers or working animals to help them with direct harvesting. Thus many households headed by women depend on food aid. Additionally in this area, there is limited access to forest and agricultural resources, which are also key for their livelihoods, because it is an area severely affected by soil erosion, deforestation, and overgrazing. Access has also been deteriorating, including because of physical delimitation with fences and monoculture plantations. Cultural prejudices also affect women in Tigray: there is a high divorce rate fragmenting agricultural activities as “getting a divorce and building a new family, especially for men, is a new way of accessing additional land.” Despite this situation, the Ethiopian government has recently been involved in providing access to extensive areas of land to foreign investors, causing further harm to its people (Oakland Institute, 2011).

**Conclusions and application to SDGs/post-2015**

Women play an important role in feeding their families and hence, in the reduction of poverty. Although both men and women have differentiated roles with respect to the sustainable use and conservation of forest resources, women’s roles are often ignored. Forest and land policies that are gender blind and do not take a rights-based approach will continue to marginalize women, both legally and socially, excluding them from decision-making and from benefitting from forest and land resources (Bandiaky-Badji, 2011).

Environmental issues impacting women and other related subjects, such as health, should not be considered separately. According to Sun et al. (2012), focusing on the interface between environment and health would offer a strategic opportunity to build on the strengths of forest-dependent women, mobilise support across sectors and political scales, and converge lay and professional knowledge for forest governance that takes women's interests and needs into account. In addition, if women's land rights are improved this will progressively reduce discrimination against women, as they will have a formal right to voice an opinion about potential projects in their territories. To this end women's access to information and capacity-building must also be ensured, to enable them to participate in decisions regarding the sustainable use and management of resources, such as forests and associated biodiversity. This, of course, goes hand in hand with the need for governments to demand that companies implement consultation processes that are also gender sensitive, in advance of projects being implemented and before contracts are signed.

The current shift towards a 'Green Economy' which promotes an economy based on bio-products (bioeconomy) might not bring such rights and opportunities to women or rural peoples depending on the well-being of and access to forest and biodiversity resources; conversely, processes of privatization in a number of regions have shown that women are the most affected<sup>13</sup>, thus "the push for a bio-based economy comes with a call for market-based mechanisms for the financialization of the Earth's natural processes, re-branded as 'ecosystem services,' which also encourage land and water grabs" (ETC Group & H.Boell Foundation, 2012). Such emergent approach appears to be 'business as usual', socially and environmentally blind to the needs of women and rural peoples worldwide where unsustainable consumption patterns remain unaddressed, increased environmental pressures as more and more biomass will be required, and with the use of unknown and risky un-tested technologies that brings substantial profits to a few business-men.

A post-2015 sustainable development agenda must include goals that strive for women's empowerment, and facilitate the conditions needed to promote and ensure women's autonomy and self-determination, ensuring their opportunities for food sovereignty and lessening their vulnerability to market forces, including those that promote working conditions close to slavery, and that increase the gap between rich and poor. It is necessary to protect women's traditional knowledge, and to promote its application/adaptation in sustainable development more broadly, since this knowledge has permitted the sustainable use and conservation of natural resources over many centuries. Sustainable production and consumption is not a myth, people have already cultivated and protected lands over millennia. Returning to locally-based economies that reduce resource consumption throughout the whole chain can bring possibilities for reducing the world's hunger and meeting the so-'longed for' Millennium Development Goals. MDGs initially aimed at eliminating gender disparity in primary and secondary education failed to address quality of education or rights to education. The development of the SDGs and post-2015 agendas thus represent an important opportunity to ensure that this first step in women's empowerment really happens, and that specific, realistic and clear targets to that end are set.

The implementation of rights-based and people-centered projects that strengthen gender justice are critical to developing environmental and social benefits for all women and men.<sup>14</sup> "National subsidies for large-scale biomass and other unsustainable, risky investments should be replaced with public funding for sustainable and appropriate wind, solar and tidal energy. Government should stop subsidizing industrialized food production and instead offer

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<sup>13</sup> Ibid 9.

<sup>14</sup> See full [final women's major group statement for Rio+20](#)

effective support to small-scale farmers”<sup>15</sup> and other locally-based initiatives, especially those benefiting women. Funds need to be invested in programs that directly support alternative rights-based forms of forest conservation and restoration that are already known to work<sup>16</sup>. These include Indigenous territories and community conserved areas (ICCA’s) that can incorporate and ensure gender empowerment as depicted in the initiative of the box below (Box 3).

In IUCN/WEDO’s Forests and Gender report (2011) authors highlight that “taking a gender perspective in forestry has nothing to do with political correctness and everything to do with development and conservation effectiveness: an awareness of the power relations between men and women vis-à-vis forest resources can only help ensure that these resources are used sustainably and equitably for the benefit of current and future generations. If we ignore gender, there is no doubt that we will fail in our efforts to strengthen forests’ contribution to poverty reduction, biodiversity conservation and sustainable development” (Aguilar *et al.* 2011).

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<sup>15</sup> <http://globalforestcoalition.org/wp-content/uploads/2012/09/bioeconomy-flyer-ENG.pdf>

<sup>16</sup> Excerpt from the Women’s Caucus statement during UNFCCC-COP16 in Cancun, 2010.

**Box 3. Case Study – All Women’s Forest Protection Committee in Dengajhari village, Nayagarh (India); (Pathak, 2005)**

Dengajhari village is situated in Nayagarh district of Orissa. These forests were once dense, but they were plundered due to the setting-up of heavy industries and the pressure on the forest resources due to population explosion; women had to walk as far as 12 km daily to collect firewood for their hearths, and villagers began migrating for employment. Faced with an impending ecological disaster, many villages in Ranapur initiated forest protection and regulated use of resources within and around their villages. There were few open-access forests left, leading to consequent clashes between the protecting communities and the illegal users. Gradually, facilitated by some NGOs, various clusters came together to form a *parishad* (federation).

Dengajhari consists of 30 households dominated by the Kand tribe. Patrolling parties, all men, began to face serious threats from the timber mafia and villagers were demotivated and discouraged to protect forests. Additionally, time spent on patrolling started affecting the daily wages and to compensate for the loss men were often compelled to fell a tree. In the meantime Ranapur Federation, with the help of NGO Vasundhara, started convening monthly meetings of the women from the member villages. The objective was to elicit better participation of women in the decisions related to forest protection. Women from Dengajhari regularly participated in such meetings. After some deliberations, the women decided to take on the responsibility of forest protection.

Around the same time, on 26 October 1999, 200 people with 70 carts were seen entering the forest. The village men rushed to the forest department but received no help from them. All the village women gathered at the village temple, divided themselves into two groups, waited at the paths leading to the forest and besieged the offenders with spades and sharp weapons. The offenders, all men, were scared of retaliating because of social reasons. They feared that they could get charged with violence against women—that too, tribal women—which was legally a serious offence! The men ran off. Women then sent for members of the federation and forest officials. The felled timber was confiscated and sold by the villagers, and the money was deposited in the village fund. After this incident, women started patrolling the forests regularly.

Although all meetings about village protection are open to all villagers, women are the main decision-makers. In a state like Orissa, where women’s participation in decision-making is negligible, Dengajhari is among the few villages where even the monthly general body meetings of the Ranapur Federation are attended by women. The women have adopted the *thengapalli* practice for forest vigilance. Every day four women patrol the forest and by the evening the *thengas* or batons are placed in front of the houses that should take over patrolling the next day. The women’s committee has also laid down certain rules for collection of forest resources. The small population of the village, which makes for a high amount of transparency and visibility of each other’s activities, ensures that people abide by the rules.

As a result, Dengajhari itself protected about 80 ha of lush green forest and, if seen in association with protected forests of adjoining villages, the green patch is considerably larger, and possibly contains significant wildlife populations. Dengajhari is one village where the able support and intervention of the federation resulted in successfully thwarting external pressures. With that emerged a unique and powerful initiative by the women to become the caretakers of their forests.

### **Recommendations**

The Rio+20 negotiations finished with very little progress for women’s rights and rights of future generations in sustainable development. Strong commitments regarding **women’s rights to land, property and inheritance which will therefore limit access to resource use**, were lacking. Thus, sustainable development goals must include specific reference to the

implementation of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and women's rights, thus:

**Ensure** that CEDAW is implemented and enforced without delay if forest dependent women are to be empowered, and if women's rights are to be genuinely considered. Parties need to integrate the provisions of the Convention into national legislation, especially Articles, 3, 13, 14 and 15 (see boxes 4-7 below),<sup>17</sup> which - among others - refer to the right to access the same quality of education as men worldwide, enabling full and effective participation of women in the decision-making processes that affect them.

At the same time, gender issues should be streamlined in the United Nations Forum on Forests (UNFF) which has largely neglected gender issues.

Overall, Governments should ensure that they:

**Define** new goals for sustainable development (SDGs and others), and related legislation, that consider gender as a cross-cutting issue.

**Commit** to long-term actions on gender equality and women's rights and **Integrate** the gender dimension in social, environmental, and cultural indicators.

**Pay** particular attention to addressing the drivers of deforestation and forest degradation, such as consumption patterns and failed climate policies promoting false solutions to climate change, since these have a disproportionate impact on women<sup>18</sup>.

**Urgently prioritise** measures to halt resource grabbing (land grabbing, water-grabbing, minerals grabbing). Clearly — as noted earlier in this paper — the formal right to land influences women's rights to access natural resources. As a result, greater recognition of women's right to own land is paramount when it comes to halting land grabs and reducing poverty. Women constitute the majority of the world's poor, and are often heads of family, but without access to land and control over its use, they lack the means to generate food and income<sup>19</sup>.

**Keep** environmental services and forests out of carbon and other markets.

**Revise** and **redirect** perverse incentives that harm forests and biodiversity and destroy livelihoods (e.g. biofuels).

**Redefine** the FAO's definition of forests where forests are a holistic definition can include forest's complex processes and cycles that hold a high biodiversity of animal and plant species upon which many creatures and life forms depend on, including humans; Forests and biodiversity should not be considered as separate subjects in national and international

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<sup>17</sup> <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article3>

<sup>18</sup> During the last UN climate change negotiations, an important decision regarding gender balance was achieved: "*Promoting gender balance and improving the participation of women in UNFCCC negotiations and in the representation of Parties in bodies established pursuant to the Convention or the Kyoto Protocol.*" Full decision in

[http://www.wecf.eu/download/2012/december/gender\\_balance.pdf](http://www.wecf.eu/download/2012/december/gender_balance.pdf)

<sup>19</sup> Access to other productive resources such as water, irrigation systems, and forest products is also tied to land tenure (Meizen-Dick et al. 1997 in Lastarria-Cornhiel 2009).

legislation as both are inextricably linked and such division only serves the interests of big industries.

**Apply** moratoria and bans on deforestation in those areas where unsustainable forest and biodiversity use occurs, taking into account the needs and uses of local peoples who are dependent upon those resources for their livelihoods and wellbeing.

**Recognize** women's traditional knowledge and cultural values linked to forests, which have long proved to be effective in the conservation and stewardship of natural resources, as well as the right to fair and equitable distribution of benefits derived from this knowledge and/or the resources generated by the lands they tend (even if it is not formally theirs because of the lack of land tenure). **Incorporate** this knowledge into current forest policy and highlight its important role in forest conservation, protection and sustainable use.

**Reward** women for their biodiversity stewardship – especially regarding saving seeds and nurturing trees – through targeted and effective public governance measures – and recognise their work through awards and other measures that publicly highlight their efforts.

**Prioritise** biocultural approaches and initiatives such as Indigenous and local communities conserved territories (ICCAs) and the implementation of UNDRIPs in every decision-making step.

The Preamble of the Convention on Biological Diversity shows a commitment to gender equality by, *“Recognizing also: the vital role that women play in the conservation and sustainable use of biological diversity and affirming the need for the full participation of women at all levels of policy-making and implementation for biological diversity conservation.”* In addition, Aichi Target 14 makes a clear gender reference: *“By 2020, ecosystems that provide essential services, including services related to water, and contribute to health, livelihoods and well-being, are restored and safeguarded, taking into account the needs of women, indigenous and local communities, and the poor and vulnerable”*.

Hence, national-level interventions for sustainable development must recognize the different situations of women's role in forests in each country and design strategies to achieve gender equality and women's empowerment; country specific needs and realities need to be taken into account in international goals, for instance with the mainstreaming of gender into NBSAPs.

Women's access to a fair and equitable distribution of the benefits generated by their land should also be bolstered by the **ratification** and **effective implementation** of the Convention on Biological Diversity's Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS), and the enforcement of the United Nations Declarations on the Rights of Indigenous Peoples (UNDRIPs).

**Increase** women's participation, capacity building, and other empowering strategies that allow them to gain greater control and power, and a stronger voice in decision-making processes; they need to be given spaces of care work thus aid that could ensure women's participation in different processes and activities while their young are taken care of. Only then could women be aware of their rights, as well as being able to access qualitative

information in order for them to understand how any planned activities can affect or benefit them.

**Prioritise** small-scale, community-led initiatives that have proven to be effective for income generation, food and energy sovereignty and welfare (*'buen vivir'*) in general. A gender specific mechanism for improving women's contribution in sustainable forest management is desired.

**Secure** land tenure rights and retain free access and control to natural resources for the most vulnerable groups in society, including women and particularly Indigenous women.

**Improve** monitoring systems for foreign and local investment of the corporate sector and its social, economic and environmental impacts. Include and prioritise mechanisms for ensuring the Free, Prior and Informed Consent of rural and indigenous women and their communities.

**Box 4. Article 3**

*States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.*

**Box 5. Article 13**

*States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:*

- (a) The right to family benefits;*
- (b) The right to bank loans, mortgages and other forms of financial credit;*
- (c) The right to participate in recreational activities, sports and all aspects of cultural life.*

**Box 6. Article 14**

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

(a) To participate in the elaboration and implementation of development planning at all levels...

(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...

(f) To participate in all community activities...[and]

(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.

**Box 7. Article 15**

1. States Parties shall accord to women equality with men before the law.

2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

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