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Enokwenw, O., Garner, E., Karanja, A. 2024. Women's Land Rights in Bangladesh – Securing Women's Resource Rights through Gender Transformative Approaches. Global Initiative for Gender Transformative Approaches for Securing Women's Resource Rights (WRR). Center for International Forestry Research (CIFOR) and World Agroforestry (ICRAF), Bogor and Nairobi.

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## ABOUT THE INITIATIVE

### SECURING WOMEN'S RESOURCE RIGHTS THROUGH GENDER TRANSFORMATIVE APPROACHES

In 2020, the International Fund for Agricultural Development (IFAD) invited a consortium of the Center for International Forestry Research and World Agroforestry (CIFOR-ICRAF), the International Food Policy Research Institute (IFPRI) and the Alliance of Bioversity International and the International Center for Tropical Agriculture (CIAT) to work with selected IFAD projects to promote and strengthen women's land rights through the integration of gender transformative approaches (GTAs) in rural development interventions by improving policies, tools and practices.

<https://www.cifor-icraf.org/wlr>

[https://www.ifad.org/en/gender\\_transformative\\_approaches](https://www.ifad.org/en/gender_transformative_approaches)

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# ACRONYMS

<b>ALRD</b>	Association for Land Reform and Development
<b>BBS</b>	Bangladesh Bureau of Statistics
<b>BIHS</b>	Bangladesh Integrated Household Survey
<b>CDSP</b>	Char Development and Settlement Project
<b>CHT</b>	Chittagong Hill Tracts
<b>CLO</b>	Certificate of Ownership
<b>DLR</b>	Department of Land Registration
<b>DC</b>	Deputy Commissioner
<b>DLMS</b>	Digital Land Management System
<b>DLRS</b>	Directorate of Land Record and Survey
<b>GTA</b>	Gender Transformative Approach
<b>LAB</b>	Land Appeals Board
<b>LDT</b>	Land Development Tax
<b>LRB</b>	Land Reform Board
<b>MoL</b>	Ministry of Land
<b>MLJP</b>	Ministry of Law, Justice and Parliamentary Affairs
<b>UP</b>	Union Parish
<b>UPPR</b>	Urban Partnerships for Poverty Reduction
<b>SDG</b>	Sustainable Development Goals

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# INTRODUCTION

The People's Republic of Bangladesh is situated strategically for furthering the global achievement of Sustainable Development Goals (SDGs), including SDG5, Gender Equality. One of the areas for supporting this global initiative is in the area of women's land rights. Land rights are a key area for achievement of development goals, however, women's legal rights to land do not always ensure their ability to control, access, and use this land in the same way as men due to cultural and social norms. The government of Bangladesh has demonstrated the importance of land in its strategic objectives and policy priorities, including in its programs facilitating the distribution of public (khas) land and the requirement of this land to include the names of both husbands and wives on the title. However, as is true across the globe, women in Bangladesh still face barriers to the recognition, realization, and enforcement of their land rights.

The following analysis of relevant social and legal contexts in Bangladesh reviews existing literature to identify the current institutional and regulatory framework, tenure interventions and barriers to the recognition of women's land tenure rights, as well as the access to mechanisms to resolve land conflict and to reinforce women's rights. This analysis reviews secondary data to identify and contextualize the opportunity for Gender Transformative Approaches (GTAs) to reinforce women's land rights in Bangladesh.

## WOMEN'S LAND RIGHTS IN BANGLADESH

### COUNTRY CONTEXT OF LAND AND GENDER EQUALITY

Bangladesh is among the most densely populated countries in the world with a population of over 171 million (1,277.59 people per square km)<sup>1</sup>, with a population density increasing by 6.4% between 2015 and 2021 (World Bank 2021). Of this land, 77.3% is agricultural land, with an average .05 hectares of arable land per person (World Bank, 2021)<sup>2</sup>. Previous reports put the average farm size at smaller than 0.1 hectares, which often does not result in adequate incomes, and the amount of land available for cultivation is declining (USAID 2010 citing World Bank 2009).

About 52% of Bangladesh's workforce is in agriculture, with 33.49% of men and 18.38% of women employed in the sector. Related, 63.11% of all households are farming households (i.e., cultivating .05 acres of land or more) and 68.63% of household heads possess legal documents of agricultural land (BBS, 2019). Inheritance is the main pathway to land ownership in Bangladesh, with the majority of land passing from the husband's family (54% of all land acquired); only 3 percent of land acquired is khas land (Solotaroff et al., 2019 citing BIHS, 2015 data). According to the latest estimates available from the Bangladesh Bureau of Statistics (BBS, 2019), 32.04% of women household members in Bangladesh possess ownership of land, which is higher among Muslim women (34.26%) and lower among women of Hindu and other religions (11.64%).<sup>3</sup> Titling and

registration of land ownership were done on secured lands, but less than 10% of agricultural land titles were held by women (FAO, 2010).

According to the Global Gender Gap Report (WEF 2023), Bangladesh is the best-performing country in the Southern Asia region and contributes to driving the region's rising score in gender parity. Bangladesh ranked 59th out of the 146 countries (scoring .722 between 0 and 1) on gender parity, up from 71st the year before. The score is aggregated across four dimensions, all of which Bangladesh has increased from the year before by one to three rankings: i) Economic participation and opportunity (rank 139th, up from 141st), ii) Educational attainment (rank 122nd, up from 123rd), iii) Health and survival (rank 126th, up from 129th), and iv) Political empowerment (rank 7th, up from 9th) (WEF, 2023). Bangladesh ranks among the top countries in terms of Political Empowerment as one of the few with a parity score in this dimension above 50% (55.25), and one of only two countries where women have held the highest political position in the country for a higher number of years than men (WEF 2023, p. 14). However, the shares of women in ministerial and parliamentary positions are relatively low (WEF 2023, p. 30).

According to the Demographic and Health Surveys (DHS), almost 60% of women participated in making major decisions in the household in 2018, and over 70% participated in decisions about visits to family, relatives, and

1 There are discrepancies in the public statistics on Bangladesh. For example, according to IFAD (2022), the population was 164 million and the population density was 1,115.4 people per square km. According to CIA (2022), the population was about 165.65 million.  
2 According to FAOSTAT, the percentage of land use dedicated to agriculture in 2021 was closer to 90% (FAOSTAT, n.d.).  
3 According to Kiernan et al. (2015) based on the Bangladesh Integrated Household Survey (BIHS) 2011-2012: women's ownership of land in terms of area is only 10% and joint ownership is 2%; among landowners, 22.7% are women and 77.3% are men; 8.5% of women in Bangladesh own land, while 52.3% of men do. According to estimates from the 2015 BIHS, this may have increased with 12.1% of rural women have sole or joint ownership of agricultural land (Solotaroff et al. 2019).















friends (74.5%), making major household purchases (71.8%), and their own health care (76.4%) (World Bank, 2023). While women are participating more in decision making in the household and in public, most women still experience prevalent cultural and socio-economic conditions that create structural discriminations (Tanjeela & Rutherford, 2018), such as opportunity for employment, access to and control over resources, and property rights (ILO, 2021; Ferdous, 2019; Sourav, 2015).

This case study on Bangladesh unpacks the land governance arrangements based on existing regulatory frameworks that influence women's access to land and resources. It further highlights land titling and registration as the primary land tenure interventions that recognise women land rights. Lastly, it discusses existing barriers and gaps that affect the recognition of women land rights, as well as the current land disputes and mechanisms for access to justice used by women in Bangladesh.



Table 1: **Socio-Economic Characteristics of Bangladesh**

SOCIO-ECONOMIC CHARACTERISTICS OF BANGLADESH		
 Area <sup>2</sup> (2018) 148,460 Sq km	 Population <sup>1</sup> (2022) 171 Million	 Population density <sup>1</sup> (2021) 1,278 people/km <sup>2</sup> of land area
 Rural population <sup>1</sup> (2022) 60.3%	 Women (15-49) engaged in decision-making <sup>4</sup> (2018) 59.4%	 Gender inequality index (2016) 31.8%
 Labour force in agriculture <sup>3</sup> (2019) 52%	 Proportion of female employment in agricultural sector <sup>3</sup> (2019) 18.4%	 Poverty headcount ratio at \$2.15 a day <sup>1</sup> (2022) 9.6%
 Agriculture as a % of GDP <sup>2</sup> (2022) 11.2%	 Political administration <sup>2</sup> Capital is Dhaka with 8 divisions: Barishal, Chattogram, Dhaka, Khulna, Mymensingh, Rajshahi, Rangpur, Sylhet. With a parliamentary system of government	 Ethnicity <sup>2</sup> (2011) At least 98% are Bengali, about 1.2% other tribal groups

**Source:** <sup>1</sup>World Bank Group-Indicators (World Bank, 2023), <sup>2</sup>World Factbook Indicators databases (CIA 2021), <sup>3</sup>Bangladesh Bureau of Statistics (BBS 2019), <sup>4</sup>World Bank Gender Portal (World Bank, 2023)

# CHARACTERIZATION OF THE LAND TENURE SYSTEM IN BANGLADESH

Prevailing land tenure systems in Bangladesh are “broad-based”, where “several different and parallel tenure systems exist” creating a mixture of formal and informal rules and regulations (Akhter and Mohiuddin, 2014, p. 15). The primary tenure systems include:



**Common law freehold tenure** where landholders have exclusive land ownership for a limitless period. As of 2005, it is estimated that 69% of farmland ownership in Bangladesh was currently common law freeholds (LANDac, 2012). Freeholds can be registered as ‘individual freeholds’ (ownership in perpetuity) or ‘delayed freeholds’ in which the title deed is granted on the completion of payments or when developments have been completed and proven (Akhter & Mohiuddin, 2014, p. 15).



**Leasehold tenure** entails issuing leases to persons on agricultural land (private or public land) for a determined period of time based on cash or sharecropping arrangements. Cash arrangements are permanent leases for ninety-nine years, mainly on *khas* land distribution or settlement. Temporary leasing agreements were predominantly between one to ten years on public or private properties. Sharecropping (also known as *barga*) arrangements are admissible under the 1984 Land Reform Ordinance through a Sharecropper Contract Agreement (between the sharecropper and the landowner for at least five years. One-third of the crop yield is shared between the landowner and sharecropper. The leftover is distributed based on the costs incurred by both parties (The Land Reforms Ordinance, 1984).



The **customary tenure system** has generally been referred to as a system belonging to a collective or group. For example, Islamic tenure systems tend to regulate land resources belonging to Islamic communities and restrict sales or rentals.

Of the tenure systems, the freehold and leasehold tenure are the main systems practiced by people with statutory rules and regulations.

In 1972, the Government of Bangladesh introduced a number of significant changes in the land tenure system through Article 13 of the 1972 Constitution (amended, 2011). In this, it established that private individuals, entities (Cooperatives), or the State has ownership and usufruct rights to land (1972 Constitution, amended, 2011). Moni and Sumaiya (2013, p. 5) outline the following forms of ownership assumed under Article 13:



**Private ownership** where individuals directly own land through purchase, inheritance, receiving as a gift, or acquire land through a settlement negotiation.



**Cooperative ownership** is vested in a cooperative, communities or religious groups on behalf of their members within such limits as may be prescribed by law; and



**State ownership** is usually on unoccupied public (or *khas*) land legally owned by the Government, public agencies, or government-owned corporations reserved for distribution to landless and most vulnerable households for a 99-year period.

Other forms of public land are the Waqf (or trustee) land<sup>4</sup> - the permanent endowment by a Muslim of any of his property for charity or religious purposes - and the debottar land<sup>5</sup> - the permanent endowment by a Hindu individual of his property for religious or charitable purposes.

- 4 For a debottar land, no writing is needed for creation, but when the will indicates that part or all of a property is for a gift, it must be presented in a written document and signed by at least two witnesses. This process does not require a religious ceremony or formation of trust. Except that such a property has been set aside for a specified purpose related to public religious charity.
- 5 For a debottar land, no writing is needed for creation, but when the will indicates that part or all of a property is for a gift, it must be presented in a written document and signed by at least two witnesses. This process does not require a religious ceremony or formation of trust. Except that such a property has been set aside for a specified purpose related to public religious charity.

# 1. Institutional and regulatory framework

Internationally, Bangladesh has ratified the Universal Declaration of Human Rights of 1948 as well as the UN Convention on all Forms of Discrimination Against Women (CEDAW) (Moni and Sumaiya, 2013).

There are several policies over the history of Bangladesh that regulate khas land, or public land (Box 1). According to Barkat et al. (2000, p. 3), these include: Bengal Regulation XI 1825, Alluvion Act 1868, Government Estates Manual 1919, Bengal Crown Estates Manual 1932, East Bengal Acquisition and Tenancy Act 1950, The Bangladesh State Acquisition and Tenancy (Fourth Amendment) Order 1972 (PO 135), Bangladesh Landholding Limitation Order 1972 (Bengal PO 98), President's Order LXI 1975, Land Reform Action Programme 1987, and Agriculture Khas Land Management and Settlement Policy 1997. The State Acquisition and Tenancy Act (1950) is recognized as establishing the distribution of government owned land to lease to individuals, which includes agricultural land as well as non-

agricultural land and water bodies (Sarker et al., 2021).

Khas land includes three categories: non-agricultural, agricultural and water-bodies. It is legally reserved for distribution to landless households, with distinct priority groups, including widowed or divorced women with working sons, and families without homestead for agricultural land (Howes, 2003, p. 5). In 1995, the government issued the Non-Agricultural Khas Land Settlement Policy, providing guidelines for the management and settlement of khas land in urban areas (Herrera, 2016., p. 9). The 1997 Agricultural Khas Land Management and Distribution policy, was amended in a policy, published July 2022, states that the maximum of 0.33 acres in plain areas and 0.50 acres in coastal areas per family can be settled by landless people; prior to the amendment, the maximum was 1.5 acres in coastal char areas.



## EVOLUTION OF LAND TENURE REFORMS IN BANGLADESH

In 1793, the British East India Company made a land settlement to the Zamindar (hereditary landlords) with a fixed amount of tax. A settlement was made by 'The East India Company' in 1793 and was known as a "permanent settlement". In this system, a settlement had to pay land revenue from the settlement. The land revenue was generally paid either by product or in cash. The system continued with some form of changes until the abolition of the Zamindari system by the State Acquisition & Tenancy Act of 1950 (onward, referred to as SAT Act). The 1950 Act had two primary objectives: (a) to abolish all intermediate rent receiving interests on both agricultural and non-agricultural lands, and (b) to put a limit (ceiling) on cultivated lands at 33.3 acres per family or 3.3 acres per member of the family. Based on the extensivity and a limit on homestead land of 3.3 acres per family. The state acquired land above these limits and redistributed it to bona fide cultivators of less than 3 acres. The SAT Act was later amended in 1962 by the then military regime, raising the limit to 125 acres per family.

After abolishing the feudal Zamindari system in 1950, the Government enacted a law to settle landless families by issuing them with Government Khas land (Alam, 2004. Tech Rept No 16). Since independence (1971), settlement of khas land has had priority in the government policy with a significant shift in land settlement from land revenue collection to land reform. Before 1972, policies favoured collecting more land revenue. However, the policies of post-1972 were to rehabilitate rivers that eroded landless families, check rural poverty, and bring the Char land under cultivation for more agricultural production. After independence, other significant legal reforms, such as protecting women against family violence, have been undertaken. However, marriage, divorce, and economic rights have remained largely untouched and are guided by personal laws based on religion and custom.

*Source: Jabbar, 1978*

The Land Reform Ordinance of 1984 reformed laws relating to land tenure, land holdings and land transfers to maximise production and build better relationships between landowners and bargadars<sup>5</sup> (sharecroppers). Under this ordinance, individual access to land is legally binding under sharecropper rights as the only acceptable form of tenancy contract (Table 2). According to the Land Reform Ordinance (Art. [6]1984), agricultural households are guaranteed their right to land with provisions for anti- eviction.

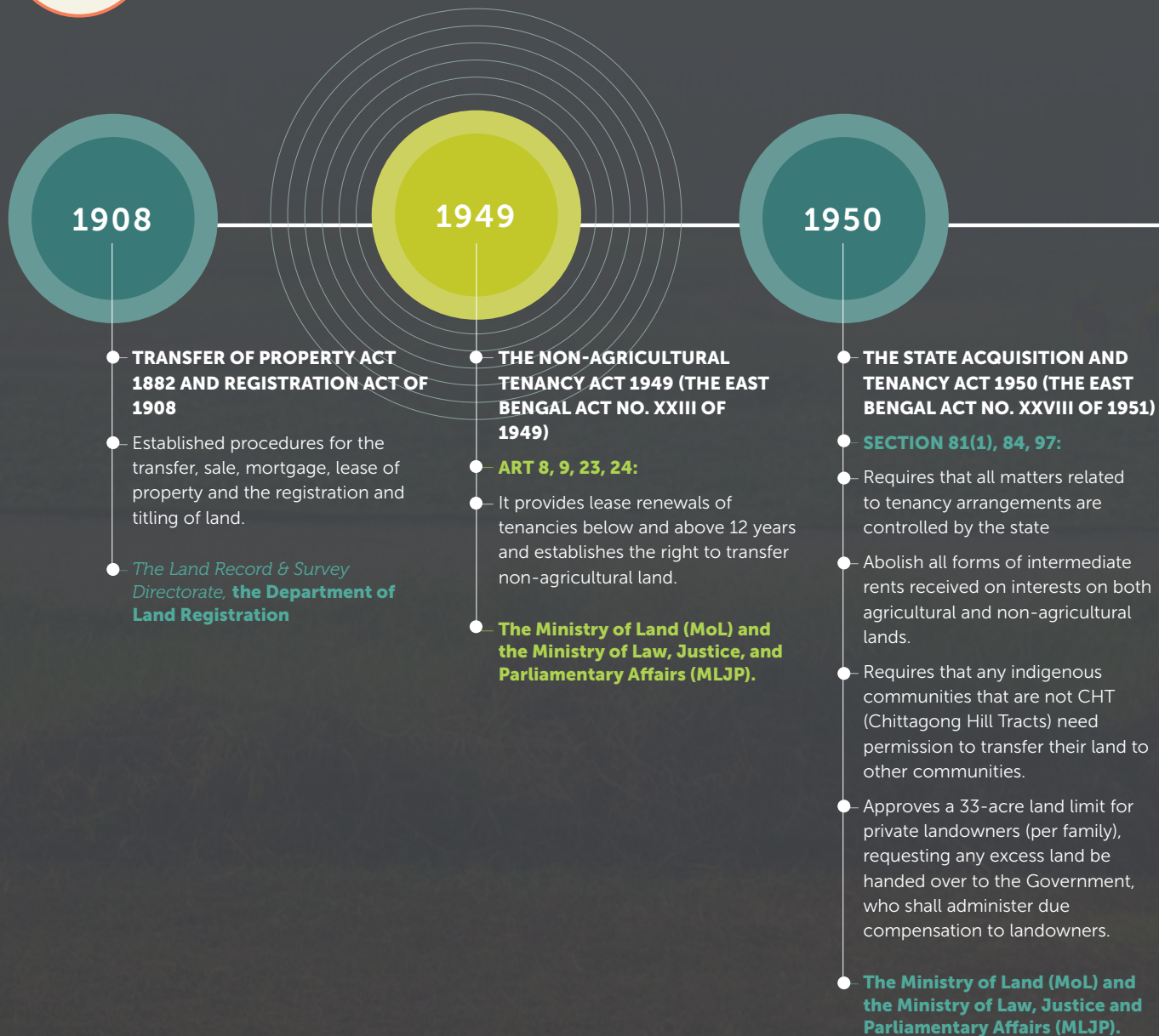
The law further provides tenure security to sharecroppers by recognizing contracts with landowners while allowing the termination of such contracts only through the execution of an order (Art. 9 & 11). With the creation of the Land Reform Board following Act No. 23(1989), the implementation of land reform programmes and land legislation was led by the Ministry of Land through the Coordination Council for Land Reform.

<sup>6</sup> A bargadar is a person who cultivates the land with a condition of delivering a share of produce to the landowner.





Table 2. Key regulations in the analysis of women's land rights in Bangladesh





1972

● **THE 1972 CONSTITUTION (AMENDED, 2011)**

● **ART 13, 19(3), 27, 28, 42, 152:**

- Establishes land ownership to private, cooperative and the state. Alternatively, state entities provide for the emancipation of peasants and workers from all forms of exploitation. It further guarantees equal opportunity and ensures the equal participation of women in all spheres of national life.
- Confirms all citizens to be equal before the law, with equal protection and recognizes women's equal rights with men while creating special provisions that favour women or children and advance any backward section of citizens.
- Lastly, guarantee the equality of every citizen to 'hold, acquire, transfer, and dispose of the property'.
- Establishes that issues around inheritance, marriage, and divorce that affect people's lives should be governed by personal laws determined by their religion and custom.
- Land ownership is vested to private or state entities and establishes three main tenure systems:
- Common law freehold (government land, Khas, Waqf, and Debottar).
- Leasehold (temporary or permanent lease agreements) for public and private properties.
- Customary tenure (customary land) for collective use
- **The Ministry of Land, Ministry of Forest & Environment, Department of Waqf for religious purposes, the Land Reform Board**

1980s

● **THE 1984 LAND REFORMS ORDINANCE (ORDINANCE NO. X OF 1984)**

● **ART 6, 9, 11:**

- Guarantees agricultural households' right to their homestead land through an anti-eviction provision for those already occupying farmlands.
- Provides sharecroppers (*bargadars*) options to negotiate with landowners for improved tenure security.
- Establishes the right to terminate contracts for sharecroppers by owners, except via the execution of an order.
- **LAND REFORM BOARD ACT NO.23 OF 1989**
- Ensures the establishment of a Land Reform Board to implement the land reform programme and just land legislation.
- **The Ministry of Land, through the Coordination Council for Land Reform**

1997

● **AGRICULTURAL KHAS LAND MANAGEMENT AND DISTRIBUTION**

- Establishes the management and settlement of agricultural lands, including for three tier committees (national, district, and Upazilla).
- Provides for joint ownership of spouses; distribution programs (i.e., CDSP) prioritize widows and put women's names first on titles.
- **Ministry of Land**
- **THE NATIONAL WOMEN DEVELOPMENT POLICY (AMENDED 2004 AND 2008)**
- **ART 16, 17, 25:**
- Not recognising any discriminatory law or not allowing growth of any discriminatory social custom
- Recognise women's rights to wealth and resources earned through income, succession, loan/credit, land, and market management.
- **Ministry of Women and Children Affairs**

**Source:** Based on the review of the Constitution of the People's Republic of Bangladesh, 1972; The State Acquisition and Tenancy Act 1950; The Non-agricultural Tenancy Act 1949; Transfer of Property Act 1882 and Registration Act of 1908.

The Constitution (Art. 19[3], 28[2], 27, 28, 42[1]1972) notes the equality of women and men within the public domain and recognizes that “every citizen can acquire, hold, transfer, or dispose of the property” (Bangladesh’s Constitution, 2011). The Constitution further states the need to protect men and women equally with special provisions favouring women or children (Sourav, 2015).

The National Women Development Policy (2011) further stresses that women and men have equal rights to make contracts in their names, such as those related to credit, real estate, and other commercial transactions to level existing inequalities (Art. 16, 25) (Ministry of Women and Children Affairs, 2011). However, there has been criticism of the National Women Development policy, claiming both that it violates religious laws and that it does not recognize equal rights to land or other natural resources, only that of a woman’s right to control her own property (Moni and Sumaiya, 2013).

Several policies related to land and gender provide the context for women’s rights and tenure security in Bangladesh. Rights and entitlements for women are recognized within the formal laws enshrined in the 1972 Constitution. The 1997 Agricultural *Khas* Land Management and Distribution policy, provides for joint ownership for spouses; the Char Development and Settlement Project (CDSP), which oversees titling of *khas* land in char areas, provides that the woman’s name is written first (Moni & Sumaiya, 2013). Together, these actions established *khas*<sup>6</sup> (government owned) land, joint titling of spouses, and regulations with greater security to households under tenancy arrangements. Despite formal legislation, women still experience barriers to accessing land, such as enforcement of legislation, transparency of the land registration process, conflicts over land - particularly between settlers and customary landowners -, violence and harassment (Masum, 2017; Sourav, 2015; Islam et al., 2015).

In Bangladesh, customs greatly shape women’s land ownership and “personal laws” (codified religious text) formally regulate inheritance. The Constitution officially recognizes personal laws (Art. 152) to regulate people’s lives concerning inheritance, marriage, and divorce based on religion and custom. These religious laws are usually complemented by decisions conferred by the Supreme Court of Bangladesh and the High Court Division of Bangladesh (Moni & Sumaiya, 2013). Personal laws can mitigate some of the direct benefits of the national laws for women where sons and daughters receive unequal amounts or brothers of the deceased male may inherit property over wives and daughters, if the deceased did not have any sons. The Prime Minister has even called for laws to replace the words ‘son’ and ‘daughter’ with “child’ so that gender no longer limits equal distribution of parents property in inheritance (Dhaka Tribune, 2019).

Under Muslim law (Muslim Family Laws Ordinance, 1961), women and men inherit different portions of each other’s property upon the death of the other. A wife receives a fixed one-eighth share if her husband dies with children and a quarter if there are no children. On the other hand, the husband inherits one-fourth upon his wife’s death (Hatcher et al., 2005; Khan et al., 2016). A girl child who is an only child, gets half of the parent’s property, but if the parents have other daughters, they jointly get two-thirds. Daughters also tend to get half of the shares compared to that of sons (Art. 2 of the Muslim Personal Law Application Act, 1937; Moni & Sumaiya, 2013; OECD, 2019).

Under the Christian Personal Law (The Christian Succession Act of 1925), all property matters with the exception of inheritance, fall under civil law. This allows women to exert control and make decisions over the property (Hatcher et al., 2005). The Christian Succession Act further provides equal inheritance between sons and daughters.

Under the Hindu Personal Law (Hindu Women’s Right to Property Act [1937]), both married and unmarried women are allowed to inherit property. In 1943, the term “property” in the Hindu Women’s Rights to Property Act (1937) was amended to include agricultural land. The law applies where a Hindu male dies intestate leaving a widow, including those who are in polygamous marriages, to inherit the same share as a son (Hatcher et al., 2005).

Inheritance of *khas* land follows the personal laws just as other property. However, the title is non-transferable and only direct heirs as determined by the personal laws can formally have their names on the title. For example, the wife of a son who inherits *khas* land cannot have their name added to their husband’s title.

Under customary laws, women’s land ownership is usually determined by whether they come from matrilineal or patrilineal<sup>7</sup> communities. While patrilineal practices, where inheritance and land transfer follow the male lineage, dominate (Parveen, 2007; Pedersen et al., 2012), there are matrilineal communities. Women inherit property in the matrilineal communities of Garo, Khasi and Marma; however, it is male family members who control the property (Moni and Sumaiya 2013, 8). In the patrilineal communities Santal and Oraon, women rely on their husbands and other male relatives to access land (Besra, 2014). A woman cannot claim her share of the family property except if offered to her because ultimate decisions around using such resources are made by men, with women providing labour as needed by the household (Besra, 2014).

Regulating and administering land rights and interests are based on customary law that makes provision for controlling, using, and managing land and other resources coordinated by Chittagong Hill Tracts (CHT)<sup>8</sup> institutions (Roy, 2000). Tribal people<sup>9</sup>, mainly reside in the CHT and

7 Government Khas land is public land distributed to landless families for ninety-nine years. It is considered “surplus land” that violates the land ceiling law stipulated by the state (LANDac, 2014). In other cases, the Khas land was “owned by the state during colonial and Pakistani rule, and has also seen as Alluvial land, Land without owner, surplus/unused land or acquired land for the public interest, Auctioned land”.

8 Matrilineal refers to cultures where kinship and property are traced through female lines (e.g., mothers pass property to daughters). Patrilineal is where they are traced through male lines (e.g., fathers to sons).

9 The Chittagong Hills Tract (CHT) comprises of three districts of 5,093 square miles within Bangladesh’s national territory that is traditionally inhabited by thirteen ethnic groups. The area has a history of movement for autonomy within Bangladesh. (Mohsin, 2022)

10 The Government of Bangladesh has discouraged the use of the term “indigenous” (Al Jazeera 2022) and government documents refer to “tribals” (Act 12 of 1995; CHT Regulation (1900). There is reference to “indigenous peoples” in SAT Act (1950) (Ahmed, 2016; GV South Asia 2022; Netra News 2022).



include more than 27 groups, roughly 1.5% of Bangladesh's population (USAID, 2010).

A separate legal regime recognizes both the customary and formal laws in the CHT region (LANDac, 2012). The recognition of small forests, grazing, and water commons in the CHT provided traditional leaders with an opportunity to recognize statutory laws within customary laws and practices (Roy, 2000). Outside the CHT, the State Acquisition and Tenancy Act of Bangladesh (Art. [81,84,97]1950) instructs that other communities need permission to transfer their land to others and allow collective property rights, especially for grazing, water, and forest commons. In the Chota Nagpur Tenancy Act of 1908, transferring tribal lands to non-tribals is impossible without the permission

of the deputy commissioner (FAO, Gender and Land Rights Database).

The Transfer of Property Act 1882 and Registration Act of 1908 had established guidelines for the transfer, sale, mortgage, and lease of property and the registration and titling of land. Tenancy arrangements for the leasehold tenure system were enshrined. Above 12 years was established for lease renewals on all agricultural and non-agricultural land while putting a 33-acre ceiling on private landowners and transferring the surplus to the Government (Moni & Sumaiya, 2013). The ceiling of acquiring agricultural land was further limited to 20 acres per family by the Land Reforms Ordinance of 1984 (Masum, 2017).





## 2. Land registration and titling: Objectives and process

This Section unpacks land tenure interventions in Bangladesh that recognize women’s land rights. It broadly discusses land registration and titling as the primary interventions to secure women’s land rights (see Table 3).

Table 3. Type of tenure interventions in Bangladesh that recognize women’s land/tenure rights.

LAND REGISTRATION	LAND TITLING
<p><b>GOAL</b> To formalize rights mainly in agricultural lands by registering plots in public registries to allow landholders to enforce their rights.</p>	<p><b>GOAL</b> To formalize ownership rights in agricultural land for all types of land tenure for the issue of a title deed.</p> <p>The goal is to motivate women (particularly in rural and peri-urban areas) to benefit from titling registration processes- make interventions more inclusive, i.e., through joint titling.</p>
<p><b>SCALE</b> Plot</p>	<p><b>SCALE</b> Plot</p>
<p><b>RIGHTS-HOLDER(S)</b></p> <ul style="list-style-type: none"> <li>• Household</li> <li>• Individual (leasing arrangements for cash and sharecropping)</li> </ul>	<p><b>RIGHTS-HOLDER(S)</b></p> <ul style="list-style-type: none"> <li>• Household</li> <li>• Married couples (joint title)</li> <li>• Individuals</li> <li>• Collective (cooperative society, communities, or religious groups)</li> </ul>

Households and individuals access land through tenancy arrangements, leasing, and sharecropping for leasehold tenure. Holders of a permanent lease (for 99 years) and temporary lease (from one to ten years) are issued with a lease agreement contract (lease titles). The permanent lease agreement is commonly referred to as *Khas* lease title as it is mainly issued for those under the *Khas* land (LANDac, 2012). *Khas* land settlement policy is considered gender-sensitive and provides over 50% of the settled land to women beneficiaries (MoWR, 1998). For *khas* land, the Land Management Manual of 1990 set forth the procedures for “the identification, distribution and settlement of available *khas* land” (Sarker et al., 2021, p. 35).

The settlement and registration of *Khas* land includes the following process: (1) information dissemination meeting; (2) identification of *Khas* land through the plot-to-plot survey; (3) information publication and field hearing for landless selection; settlement case initiation with the formal allotment proposal; (4) approval of District committee; (5) *Kabuliyat* signing (consent or agreement to lease); (6) Government fees realization; (7) *Kabuliyat* registration; (8) *Khatiyon* (Records of Rights, for identifying land) preparation and possession handover. Estate Officers under different ministries and departments coordinate *khas* land distribution. Rights formalization and registration follow different tenure systems and are thus coordinated by the Land Record and Survey Directorate under the Department of Land Registration.

Tenants under sharecropping arrangements are issued the Sharecropper Contract Agreement. Over the years, rural communities have witnessed increased fixed-rent tenancy and medium-term leasing arrangements while sharecropper tenancy has declined. The Ministry of Land (MoL) and the Ministry of Law, Justice, and Parliamentary Affairs (MLJP)

are charged with implementing procedures related to the transfer, sale, mortgage, and lease of property and for the registration and titling of land, as outlined in the Transfer of Property Act and the Registration Act. The Revenue officer is charged with updating land records according to the handover deed or land transfer deed in cases related to land transfer (LANDac, 2012).

The Government introduced a new law called the ‘Village Improvement Act’ to reduce settlements in unwanted areas in rural Bangladesh, as well as to reduce agricultural lands being converted for other uses (LANDac, 2016). For urban and peri-urban households, access to land through tenancy arrangements is primarily verbal because of the registration process is seen as “burdensome and expensive” (Shafi and Payne, 2007). Box 2 describes the titling and registration of property process.

The Government has recognized a gap in land management coordination by the Ministry of Land and land registration by the Law Ministry (Masum, 2017). As such, in 2015 there was a decision to develop a database and to use appropriate technologies for the coordination and issuing of Certificates of Land Ownership (CLO). CLO is the only recognized document following land ownership registration (LANDac, 2016). Record certificates are issued upon the completion of cadastral surveys and the mapping of individual plots of land.



## PERI-URBAN AND URBAN CONTEXT OF THE LAND REGISTRATION PROCEDURE IN BANGLADESH

Most urban and peri-urban residents have access to land by squatting on public land or illegal market processes, which hardly follow the formal land registration formality. Bangladesh has many people living in the slums under very harsh conditions. In cases where residents had occupied the land for a long time, some are still evicted as demanded by government policies or vulnerable to landlords who remove them from their buildings. Formal-sector transactions are burdensome, and expensive registration requirements impede this registration process. Buying land around the city of Dhaka by an individual or entity (either domestic or foreign) can cost up to 10% of the property's value for registration for 245 days, requiring eight different procedures. The procedures include (1) verifying the record of rights from the Land Office (also known as the Land Revenue Office); (2) conversion into the current survey of property titles created before the last cadastral survey; (3) obtaining inspection for this conversion (mandatory only on some properties); (4) obtaining a non-encumbrance certificate from the appropriate sub-registration office (such as the Municipal Deed Registration Office); (5) preparing the deed and paying the stamp duty; (6) paying capital gains tax, registration fee, VAT, and other taxes; (7) applying for registration at the relevant sub-registration office; and (8) registering the change in ownership at the Land Office.

*Source: Shafi & Payne, 2007*

Land transactions and records often require lengthy procedures, including conducting surveys, demarcations, record writing, attestations, and hearings. In some cases, the verification process to confirm the actual landowner does not occur (Khan et al., 2009). The online-based management system, which allows landowners to enter their registration details, were an essential feature of the Digital Land Management System (DLMS) (Talukder et al., 2014) that ended in June 2017 (Masum, 2017). As of 2017, the Government had digitalized about 65 lakh bhumis khatians (Ahmed, 2017) and about 18,500 map sheets, which were entered in the Digital Land Management project before it ended in June 2017 (Masum, 2017). The efforts to digitize the land management system have continued, as have complaints that the old registration and record management systems allows for "manipulation and corrupt practices" (Rahman, 2022).

In communally owned land, like the case of the CHT region, collective rights are established under Regulation 1 of 1900 (also known as the CHT Manual)<sup>10</sup> (Roy, 2000). Collective rights are commonly shared rights, and customary practices govern land allocation, management, and use modalities. The process involves identifying and demarcating common lands such as grazing and forest land. Individual households are restricted to areas such as houses and their immediate surroundings (for agricultural or domestic purposes). Although a formal lease or title deed is not a required document, such property is recognized once registered in the communally owned land administration, and revenue can later be collected by the mauza headman or woman (Roy, 2000).

11 In the principal regulatory instrument in the Chittagong Hill Tracts, it is essential to emphasize that "the Manual is not a declaratory instrument but merely regulatory law that seeks to regulate already existing rights" (Roy, 2000).



## 2.1 LAND REFORM: CHAR DEVELOPMENT AND SETTLEMENT PROJECT (CDSP)

The Ministry of Land has primarily coordinated the implementation of the land policy reforms through the Coordination Council for Land Reform. One major land reform plan is the Char Development and Settlement Project (CDSP).

The CDSP project began in 1994 through a Bangladeshi-Dutch development effort to create areas for people mostly affected by erosion (Wilde, 2000) and is currently in phase IV with additional financing (2011-2024). The Char areas are predominantly low-lying coastal zones that have recently been accreted from the sea. The population that resides on this land are largely poor (Wilde, 2000). The CDSP interventions have therefore aimed at providing land security to landless households (Wilde, 2000).

Consistent with the 1997 Policy, land title documents bear both spouses' names with the wife's name first. Wives are legally entitled to 50% of the land and will receive 100% of the land in the case of a husband's death, divorce or abandonment (Shahiduzzaman, 2017). Mutual consent from both spouses is also legally required during the land sale or as collateral for credit (Shamsuddoha, 2016).

During the CDSP-I (1994-1999), about 4500 landless families were settled in the three Chars of Noakhali District. Of these families, 10% of settler households were female-headed and initiated the individual settlement of 900 settlers households, with the cooperative lease reported in the CDSP-I project completion report (MoWR, 1998). In CDSP-II (2000-2005), 6848 families were planned to be settled in the different Char districts of Noakhali, Chittagong and Feni with emphasis on settling identified vulnerable populations (i.e., landless labourers, destitute women, small tenants, and very small landowners and fisherfolk) (CDSP II Progress Report, No. 12, 2005). By June 2005, 83% of the original settlement target had been achieved; the remaining 17% was not achieved because of shrimp land declaration, civil court cases, lack of proper planning and monitoring from the Project Co-ordinator's office and the local administration (CDSP II Progress Report, No. 12, 2005). However, a part of the remaining 17% was still expected to be achieved by September 2005, as noted in the CDSP II Progress Report (No. 12, 2005).

Under CDSP III, between 2010 and 2011, approximately 8950 hearings for landless families were conducted. About 8945 landless families were selected and 8142 settlement cases were initiated. The District Committee approved 7755 lists of landless families, and 6185 individual record certificates (Khaitan) were distributed (CDSP III Final progress report, 2011; CDSP III Report No. 4, 2009). The goal of CDSP IV (2011-2022) is to curb poverty, especially for poor households living on newly emerged coastal islands locally known as 'Char' resulting from the deposition of sediment coming from those mighty rivers. They are seeking ways to better their living conditions by providing official land titles to strengthen the bargaining position of the settlers. One of the activities is to provide the settlers with a legal title to land for 28,000 households (CDSP IV Partial Supervision Report, 2020).

According to the supervision report of December 2020, 336 landless families had been selected in Subarnachar, boundary demarcation activities were launched by the Directorate of Land Records and Survey in Urir char, and plot-to-plot surveys were progressing. More significantly, women account for 50% of the beneficiaries, and this phase will continue CDSP's strategy of supporting women's and men's land rights through joint titling.

Close monitoring activities of the CDSP (phase I-IV) indicate that land titling already contributes to improving the livelihoods of char settlers. Legal security of land documents stimulates investments, and many women are now eligible to apply for bank loans using title as mortgage (Shamsuddoha, 2016). However, challenges have been noted across separate phases, which affect the distribution of landless families, particularly female-headed households that are part of the targeted beneficiaries. For example, the khas land settlement process remains complex and time-consuming. The existing record management system in the Union land office makes it difficult to identify the khas land for settlement. Additionally, traditional gendered norms and beliefs, especially among men, have proven to be deeply rooted, rigid and resistant to change (Besra, 2014; Sourav, 2015).



## 2.2 LAND MANAGEMENT ADMINISTRATIVE STRUCTURE

Bangladesh's current land management administrative structure is based on three areas of expertise: record keeping, registration, and settlement (Islam et al., 2015). The core functions of land administration and management in Bangladesh are maintained by various departments under the Ministry of Law, Justice, and Parliamentary Affairs and Ministry of Land. The Ministry of Law, Justice,

and Parliamentary Affairs only issues property transfers (LANDac, 2016). The Department of Land Registration (DLR) in the Ministry of Law, Justice and Parliamentary Affairs is responsible for noting land conflicts that may arise through sale, inheritance or other forms of transfer and collecting the Immovable Property Transfer Tax (LANDac, 2016).

### The Ministry of Land has *four* divisions

INCLUDING LAND ADMINISTRATION, LAND APPEAL BOARD, LAND REFORM BOARD, AND DIRECTORATE OF LAND RECORD & SURVEY (DLRS) (LANDac, 2016; Masum, 2017):

1

#### LAND ADMINISTRATION

The Land Administration division is responsible for record-keeping and updating, protecting public land-water bodies, and Khas and waterbody management. It also deals with land tax issues and collection, land transfers and land acquisition for the public interest. It leases out public land and water body for a limited number of years, oversees the implementation of the sharecropping law, and identifies alluvial or diluvial land.

2

#### LAND APPEAL BOARD

The Land Appeals Board (LAB) (Art 24 of 1989) resolves land issues already judged by the assistant commissioners (AC for land cases), additional deputy commissioners (ADC for revenue-related issues) and Assistant Commissioner (for revenue). The LAB remains the last mediator for *khas* land, recording rights, demarcating plots, and collecting taxes when land administrators cannot resolve it at the district or sub-district levels. Once the LAB has decided, individuals can carry such a case to the judge's court (under the Ministry of Law, Justice, and Parliamentary Affairs) as the beginning of judicial procedures.

3

#### LAND REFORM BOARD

The Land Reform Board (Act 23 of 1989) monitors implementation processes of land reforms. It also oversees the management and distribution of khas land, ensuring maps and land records are up-to-date, follow-up the collection of Land Development Tax (LDT) and implementing land reforms tenancy arrangements (Masum, 2017). Accordingly, the board can provide suggestions on improving the laws and hand them over to the Ministry of Land.

4

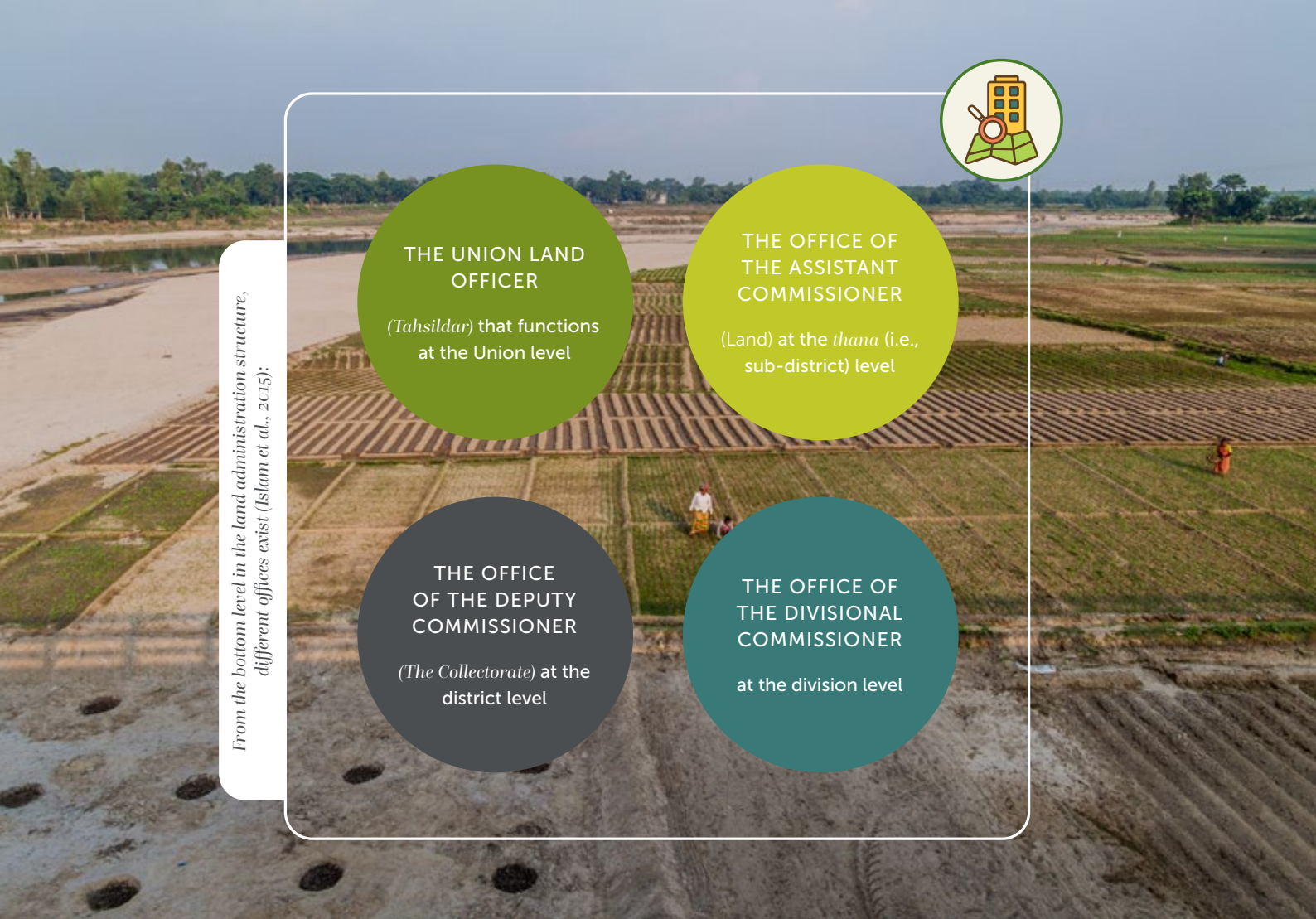
#### DIRECTORATE OF LAND RECORD & SURVEY (DLRS)

The DLRS conducts cadastral surveys for demarcating lands and supports developing mouza (revenue village) maps to identify individual plots of land and Khaitan (individual land record certificates). The DLRS can only develop new maps and records but has no mandate of revising those maps.



The Coordination Council for Land Reform, created by the Land Ministry Department, is formally responsible for implementing land reform legislation and makes recommendations to the Government on any aspects related to land. The Coordination Council for Land Reform further contributed to the implementation phase of The Local Government Election Act passed in 1997 also introduced the Land Reforms Action Programme (LRAP) to reduce gender gaps and strengthen women's empowerment in rural communities (Sourav, 2015). It also supported microcredit schemes and capacity development

programmes to support women. Although the LRAP was an excellent opportunity to strengthen women's land rights, only 40% of the available land was shared out and eventually, the LRAP gradually lost its momentum (Sourav, 2015). Its inability to identify suitable public land, the lack of reliable maps, the considerable number of corrupted land deeds and the low level of technical support and capacity made it challenging for women and landless farmers to secure their land rights (Sourav, 2015; Akhter & Mohiuddin, 2014).



From the bottom level in the land administration structure, different offices exist (Islam et al., 2015):

**THE UNION LAND OFFICER**  
(*Tahsildar*) that functions at the Union level

**THE OFFICE OF THE ASSISTANT COMMISSIONER**  
(Land) at the *thana* (i.e., sub-district) level

**THE OFFICE OF THE DEPUTY COMMISSIONER**  
(*The Collectorate*) at the district level

**THE OFFICE OF THE DIVISIONAL COMMISSIONER**  
at the division level

Community administrative structure also exists in the CHT region where the central Government and traditional institutions both make decisions regarding land in the CHT region (Roy, 2000). The central Government operates through its district and subdistrict offices. For example, the Deputy Commissioner (DC) acts as the chief executive official of the CHT at the district level (established in Section 7 of Regulation 1 of 1900) (Roy, 2000). While government institutions are recognized in these regions, traditional institutions perform administrative roles (LANDac, 2012;

Roy, 2000). Traditional authority guiding natural resources, including land and revenue management, rests with the traditional village heads or chiefs (*karbaris*). The role of the village heads is carried out together with the headmen responsible for several villages (*mauza*) and paramount chiefs or chiefs of revenue circles (*rajas*). Women have also been appointed as 'Headmen' in the CTH region (Moni & Sumaiya, 2013), partly due to capacity building and support offered by the Association for Land Reform Development (ALRD).

## 2.3 WOMEN'S POLITICAL REPRESENTATION AND PARTICIPATION IN LAND REGISTRATION AND TITLING PROCESS

In 1997, the government established quotas in parliament and other local political levels to increase women's participation (Ferdous, 2019). At the community-level under this policy, women's election to local government under the quota has played a key role in settling land disputes and titling deeds in women's names, while NGOs and civil society operations have been created to lease lands to women (Daley et al., 2013). However, harassment and gender-based violence perpetrated on women who engage in political events make women less willing to engage in the public space, which have for long been perceived as spaces reserved for men (ILO, 2021).

The Constitution of Bangladesh recognizes women's equality and further makes special provisions that favour women's representation and participation in national and community, but not within the household (private sphere) (Art. 13[3], 28[2], 29[3]1972) (Ferdous, 2019 citing Chowdhury, 2004). For example, at the parliament level, the Constitutional 15th Amendment on June 30, 2011 increased the number of seats reserved for women to 50 (Ferdous, 2019). Women were elected to an additional 19 in 2014, which meant that women held 69 (19.71%) of the parliamentary seats (Ferdous, 2019). In rural areas, local government is divided into four tiers: i) Gram Parishad, ii)



Union Parishad, iii) Upazila Parishad and iv) Zila Parishad (FAO Gender and Land Rights Database). In urban areas, local government institutions include: i) Municipalities, where three seats are reserved for women, and ii) City Corporations where reserved seats correspond to population (FAO Gender and Land Rights Database).

Structural challenges related to the revised Local Government Act 2009, particularly in Union Parishad, have affected women's participation in councils (Banu, 2013). The Local Government Election Act passed in 1997 also introduced the Land Reforms Action Programme (LRAP) and reserved a quota of one-third of seats for women in union councils to solidify their political participation at the grassroots level. The establishment of the LRAP has resulted in at least thirteen thousand women being elected at the Local Government's lowest level (Daley et al., 2013). This inclusion of women in political positions has meant women playing critical roles in local arbitration and land disputes.

An ILO (2021) research conducted within selected countries, including Bangladesh's ethnic minority and tribal groups (North-Bengal, Central North, North-East, and South-East-CHT regions), focused on tribal women's participation and representation in decision-making institutions. These institutions were mainly traditional tribal peoples' organizations, local government institutions and national parliament. The study showed that on average, 15-24% of organizations of tribal peoples at the local and national levels have three seats reserved for tribal women at the executive committee level, as well as the secretary position (ILO, 2021). Groups have also been established to empower women of CHT and led to the creation of the Parbatya

Chattogram Mahila Samity (CHT Women's Association) and the Pahari Mohila Shromik Kalyan Forum (Hill Women Worker Welfare Forum). Although progress has been achieved, this study noted that land rights and financial independence enjoyed mainly by men in some tribal communities continue to affect women's empowerment.

Earlier reports from the CDSP II activities showed that during the project cycle, the average attendance rate for women was 60% higher than that of men (CDSP II Progress Report No. 12, 2005). CDSP III indicated that the project supported women's groups (widows, abandoned women and wives of migrants) to establish themselves as community leaders. These female leaders are increasingly invited to join Union Parishad (UP), resulting in increased decision-making power, land ownership, and improved economic and social status. Women's participation in field level institutions (FLIs) is also encouraged, with examples of women-led infrastructure groups as well. Women have been the prime minister and leader of the opposition party at the same time; however, the percentage of women members in parliament remain "insignificant" with few other women in prominent positions (Chowdhury, 2009). Despite progress, barriers to women's representation and participation in decision-making forums continue to exist. These barriers include: patriarchal norms within religious systems, low level of education among women and girls, and financial dependence on men at national and local scales (Ferdous, 2019). Without increased gender awareness, legal and policy reforms alone "will not bring about desired change and establish women's rights over land" (Chakraborty and Rahman, 2016, p. 6). These barriers are further discussed in Section 1.3.3

## 2.4 OUTCOMES OF LAND REGISTRATION AND TITLING REGARDING WOMEN'S RECOGNITION OF RIGHTS AND IMPROVED TENURE SECURITY

The different land projects and programmes highlighted in Section 1.2.1 and women's participation and representation at the national and local levels have diverse outcomes for the recognition of women's rights. For example, ensuring that women's names appear on the titles on land, as wives, widows and deserted women receive priority in the khas land settlement.

Reviewing the CDSP project has found that the outcome of this process has strengthened some women's ability to make decisions around the land, particularly within the family (Shamsuddoha, 2016). Throughout the phases, the project's overall impact toward gender equality has included increased access to financial institutions as women's secure land tenure makes them eligible (CDSP IV, 2020), increased income from women's own income generating activities, recognition of women as farmers, not just farmers' wives (CDSP-II, 2001), increased leadership skills and participation (CDSP III, 2009; CDSP II, 2001).

In other areas of Bangladesh, the achievement of women's land rights has been partly attributed to civil society organizations (CSOs) and NGOs. They stimulated public



dialogues on land reforms, with ownership of land emerging as an essential factor in achieving women's empowerment (Box 3). About 300 NGOs have continued to rally together to support issues affecting farmers and landless people and formed the Association for Land Reform and Development (ALRD) (Masum, 2017). Together with member organizations, their focus has primarily been on land rights and rights to food and livelihood security.





## INTERVENTIONS AIMED AT SUPPORTING LANDLESS PEASANTS TO SECURE LAND RIGHTS IN BEEL KURALIA, BANGLADESH

Over the past two decades, about 1,500 landless peasant families have struggled to retain their 473.23 acres (191.59 ha) of *khas* (State-owned) land at Beel Kuralia, a rural community in Barisal Division. By 1987, the Government of Bangladesh adopted the Khas Land Management and Distribution Policy and prioritized landless peasants. The policy further allowed spouses to jointly own land while supporting primarily widows and abandoned women in distributing *Khas* land. In Beel Kuralia, the outcome was 182 women having *khas* land registered in their name. Most families were able to provide their own food and were relieved from being victims of land-grabbing. However, on May 2, 1993, many of these families became victims of brutal land evictions and looting, with homes set on fire and perpetrators accused of being protected by the police. The attacks were further probed by groups of journalists coordinated by a national NGO, the Association for Land Reform and Development. The findings indicated that landless people were tortured and killed, and their houses destroyed in most cases. The outcome was massive attention directly towards the plight of landless people in the communities, stirring room for formal discussions by local political leaders. One of the outcomes of political leaders was to lead press conferences and dialogues at the national and local levels with publications in the *Bhumibarta* journal. Others fought through legal aid organizations to fight systemic corruption that had failed to hold the local land administration and local elites to account using court processes. This fight resulted in the birth of landless leader groups in Beel Kuralia, finding ways to build their capacity and skills via workshops and training organized by the Association for Land Reform and Development. It also resulted in them being considered within Khas Land Management and Distribution Policy as beneficiaries, with the ability to retain their land. Some have indicated that the successful implementation of the Khas Land Management and Distribution Policy for women's empowerment can be considered as efforts made by landless women's movements. Many of these women leaders have gone ahead to champion causes on land settlement and mediation processes, become active in the fight against gender-based violence and participating in local and national government politics.

*Source: Office of the United Nations High Commissioner for Human Rights (OHCHR) and UN Women (UN Women & OHCHR, 2013).*






# 3. Barriers and constraints to the recognition of women's land tenure rights in Bangladesh

With substantial progress in women's land rights through formal and customary land regulations, several barriers hinder women's land rights in Bangladesh (Table 4). Previous research has found that "challenge of ensuring equal land rights for women [in Bangladesh] lay beyond just a legal or administrative issue" (Bonhishikha, 2022, p. 2). The barriers (outlined in Table 4) are implementation gaps, contradictions from statutory and customary laws and practices, and barriers related to social norms about land.



Table 4: Barriers to the recognition of women's land rights in Bangladesh

Issues	Barrier/constraining factor	Reference
 <p><b>LEGAL BARRIERS EMERGING FROM IMPLEMENTATION GAPS, LACK OF AWARENESS, AND ENFORCEMENT</b></p>	The land titling and registration process has complex bureaucratic procedures and is time-consuming. This causes women to work predominantly on unregistered lands, which comes with no compensation.	Sourav, 2015; Akhter & Mohiuddin, 2014; Shafi and Payne, 2007; Moni & Sumaiya, 2013
	The lack of a digital system to preserve land records hinders women's land rights registration, coupled with the request for bribes by officials.	Masum, 2017; Sourav, 2015; Islam et al., 2015.
	Limited efforts by the Government to reduce the high number of informal settlements in areas where forced evictions are prevalent.	Akhter & Mohiuddin, 2014;
	Limited financial and technical resources affect the Government's role in identifying suitable public land; creating reliable maps, especially with the growth in informal settlements, is challenging for women to secure land rights.	Sourav, 2015; Akhter & Mohiuddin, 2014
 <p><b>OVERLAPPING AND CONTRADICTIONARY LEGAL SYSTEMS</b></p>	The lack of a uniform Family Code that would apply to everyone irrespective of religion, ethnicity, caste, and marital status affects tenure security.	Moni & Sumaiya, 2013; Parveen, 2007; Sourav, 2015; Darley et al., 2013
	Religious laws (Hindu, Islamic, and Christian Personal Laws) regulate land through inheritance and marriage. Resources belonging to Islamic communities cannot be sold or rented.	Akhter & Mohiuddin, 2014; USAID, 2010
 <p><b>SOCIAL NORMS ABOUT LAND ARE RELATED TO PRACTICES OF RECOGNITION AND EXERCISE OF RIGHTS</b></p>	Women may renounce their right to legal ownership in exchange for keeping in favour with male relatives, such as the right to visit their natal homes.	Sourav, 2015; Moni & Sumaiya, 2013; Masum, 2017
	Customary laws and norms reinforce men's ownership and authority over land, discriminating against women who may have usufruct rights.	Sourav, 2015; Parveen, 2007; Pedersen et al., 2012

### 3.1 IMPLEMENTATION GAPS

Policymaking on land is still very centralized and directed by the Ministry of Land (Masum, 2017). Land management does not fall within the Government's top priority when considering the budget (Hossain, 2015), despite the contribution of land tax to the annual budget (Masum, 2017). Land policy implementation is constrained with no precise coordination and division of roles between and within ministries (Masum, 2017). The East Bengal State Acquisition and Tenancy Act of 1991 and later amendments in 1994 caused great confusion in implementation of the land policy and later ambiguity resulting in increased litigation (Mohiuddin, 2008).

Additionally, registration is inaccessible to most people, particularly in rural communities, due to the cost and division between ministries. For example, departments responsible for gathering information on surveying and land for registration are coordinated by separate ministries, which complicates the registration process (Islam et al., 2015). The entire land survey process, including the preparation and upgrade of land records and maintenance of all related data for each parcel of land, is manual, laborious, and time-intensive (Herrera, 2016). They result in inefficiency in the land administration and management processes (Masum, 2017; Islam et al., 2015).

The complex bureaucratic procedures directly affect women's land titling and registration process, particularly for poor women (Alam et al., 2020; Herrera, 2016; Sourav, 2015). The lack of a digital system and reliable maps hinders the LRAP's ability to identify suitable public land. It further makes it difficult to trace corrupted land deeds, it puts a strain on the staff with an already low level of technical support and capacity, and ultimately, increases the difficulty for women and landless farmers to secure their land rights (Masum, 2017; Moni & Sumaiya, 2013). As such, women are less likely to register their land due to the bureaucracy. Lack of knowledge of customary laws and the roles/responsibilities of various local land administration structures further constrain women from exercising their rights to land (ILO, 2021).

One result is that women mostly work on unregistered lands. The lack of registration reinforces insecurity, as the land is ineligible for insurance or government compensation in the event of a flood or other losses (Moni & Sumaiya, 2013). Crops cultivated for income and subsistence needs are regularly lost due to floods and erosion. The challenges in bureaucracy also result in a request for bribes by intermediaries to aid them in the land registration process (Alam et al., 2020).

These gaps also create space for individual discretion and inadequate administrative systems within the different institutional levels, further impeding well-intended reforms in the future (Sourav, 2015; Moni & Sumaiya, 2013). In rural communities, Mohiuddin (2008) emphasized that nepotism,

clientelism, and favouritism could easily be applied to land issues as access in many cases is based on kinship under customary law.

Weak land policies and the lack of comprehensive knowledge of the regulatory framework among administrators, further increases tenure insecurity for women (Akhter & Mohiuddin, 2014). Women, in particular, may face disproportionate insecurity in their land holding for "various social and political reasons", as Sourav (2015, p. 8) reports that khas land distribution to establish women's rights are essential as government officials may use musclemen to evict women from their property.

Additionally, while women may have increased access to microcredit, the provision of mainstream credit and finance continues to disproportionately hinder women's transactions (Alliance for Financial Inclusion, 2017). In addition to high illiteracy rates, a study by Eusuf et al. (2017) explored the role of the Central Bank, commercial banks, and Women Chambers in providing financial support to women-led SMEs (Eusuf et al., 2017). Their study finds that some banks believe that businesses operated by women are less diversified, and therefore not viable enough for banks to support (Eusuf et al., 2017). The lack of financial capital, in addition to the cultural norms, can limit women's independent purchase of land (Sourav 2015, p. 8). That said, CDSP (2020) reports that banks like the Bangladesh Krishi Bank (Bangladesh Agriculture Bank), the Grameen Bank (Rural Bank), and all NGOs working across the CDSP areas have instituted policies that allow women with, and sometimes without, land titles to access their financial institutions.





## 3.2 CONTRADICTIONS AND INCONGRUENCES EMERGING FROM OVERLAPPING LEGAL SYSTEMS

Although Article 28[2] of the Constitution grants women equal rights with men “in all spheres of the State and of public life”, it does not extend this principle to the private sphere. Instead, personal laws based on religion and custom regulate inheritance, marriage, and divorce. In practice, these traditional rules do not always match with the constitutional provisions for gender equality (Moni & Sumaiya, 2013).

When it concerns property rights as prescribed by the statutory law, personal laws take precedence in these areas (Moni & Sumaiya, 2013). For instance, tenure systems following Islamic religious laws often regulate land resources that belong to Islamic communities and do not allow the sale or rental of land, which is one option for landless women’s access to land (Akhter & Mohiuddin, 2014). Despite the substantial inheritance rights provided in the Christian Personal Law, most women in the minority Bangladeshi Christian community (0.03%) “fail to exercise these rights” (Das, 2015, p. 160). Through ethnographic research mainly in the Gazipur area, Das (2015) demonstrates that women’s rights are usurped by the minority community’s reliance on governing familial matters locally (i.e., the personal laws) to assure a communal identity. In this case, social practices of patrilineal inheritance, reinforced by false information about women’s inheritance within the community, supersede the gender-equal laws. Instead, Christian patterns of inheritance interact with other cultural practices common in Bangladesh (e.g., Hindu marriage practices; virilocal practices where the wife leaving to live with husband’s family). As such, common practices, shaped by social norms and beliefs, diverge with legal statute, even the Personal Laws.



The 1972 Contract Law establishes the right for both women and men to have their names included on contracts related to credit, real estate, and other property and commercial transactions (Ministry of Women and Children Affairs, 2011). However, codified religious and customary practices constrain women from inheriting property. For example, Hindu women do not inherit any land and Muslim women are only entitled to inherit half of men (Sourav, 2015).

In the *khas* land distribution, the *khas* programme indicates that the land would be registered jointly in the names of both spouses. Female-headed households can get *khas* land only if the woman is widowed and women with daughters or without children are not entitled to such rights. When women are eligible for land, land ownership has been taken forcefully by their husbands, sons, or brothers due to unfavourable inheritance law and socio-cultural norms (Masum, 2017).

## 3.3 BARRIERS RESULTING FROM SOCIAL NORMS AND PRACTICES THAT LIMIT WOMEN’S RECOGNITION AND EXERCISE OF RIGHTS TO LAND

The significant challenges for women have been discrimination, social exclusion, structural marginalization, gender identity, and systemic oppression from patriarchal society (Besra, 2014; Solotaroff et al., 2019). Under religious and cultural norms, the patrilineal and patrilocal systems<sup>11</sup> practised in Bangladesh constrain women from inheriting and owning property. Inheriting land typically follows the male lineage (patrilineal) across all religions, which creates a barrier to women accessing land through hereditary rights (RDI, 2009; Jinnah, 2013) (Kahn 2013; Jinnah 2013; RDI 2009). Patrilineal customary inheritance law is built on the notion that women cannot be part of the ancestral lands, resulting in unequal power relations. In addition to legal barriers to inheritance, women may also experience familial pressure, sometimes in the forms of violence, to transfer inherited lands to male relatives (Sourav, 2015). Family

members have been identified as the most important and influential in encouraging disparity in rights and perpetuating issues of land disparities due to myths, cultural and religious practices. (Bonhishikha, 2022).

Even in places where matrilineal inheritance, where property is passed through women, is practiced or women are inheritors, women still face challenges to accessing land. Under traditional laws and customs, the ability of women to access land is often determined by their husbands and other male relatives. Parveen (2007) noted that the subordination of women’s rights is a consequence of the existing patriarchal system, which determines power relations and bargaining power within the household through marriage and inheritance (Parveen 2007). Family members may force women to relinquish succession rights

12 Patrilineal systems are those where inheritance patterns follow through male heirs. In patrilocal systems, it customary for women to relocate to the community and/or household of her husband.

for male family members “because (i) they fear they will be denied access to visit their ancestral homes; (ii) they have already been compensated at the time of their marriage by being provided gifts and that should suffice as enough; (iii) it is unfair to their brothers/cousins/uncles because accepting inheritance is perceived as ‘double income’- from fathers and from husbands; (iv) land disputes could result in women losing male guardian/s who represent a perceived sense of security” (Bonhishkha, 2022, p.4). This is compounded by the societal expectations for men to have land rights, expectations that a male lineage will preserve the family legacy, and that women are dependent on male relatives to take lead on inheritance and for knowledge of their land rights (Bonhishkha 2022).

Research with women landowners and fisherfolk in the Bagerhat district by Badabon Sangho (APWLD 2022), a women’s rights and women-led organization working to secure women’s land rights, has also found that violence against women is a barrier to claiming land ownership. Male family members deprive women of their right to inherit property by selling lands without their consent or sharing compensation. They also found that women are pressured to sell their land at lower prices than men when local land brokers actively provoke women to sell their lands, and that social status and dignity was lost due to loss of lands and waterbodies. By organizing weekly courtyard sessions, women shared land literacy, consulted on land abuses, and built ideas for further action to claiming their rights. Badabon Sangho also created a ‘household visit’ tool to assist women in legally claiming their lands. Through this work, they saw women speak more in public, visit with locally elected officials, and demand equal share to inheritance as well as improved land services.

Another barrier to rural women’s use of land, and therefore profiting from it and increasing economic independence, is the inability to access agricultural inputs, credit training, and capacity building programmes (Ferdous, 2019; Akhter & Mohiuddin, 2014). Living in poverty increases the difficulty for women and landless farmers to pursue land claims, resulting in “illegal occupancy” by land grabbers. Their ability



to occupy the *khas* land illegally is granted through false deeds and documents, as well as the use of coercive power (Mohiuddin, 2008).

Women landowners also recognize high risk of displacement and harassment due to public and private land investment (UN Women 2022). Similarly, women who run for public positions via elections are often victims of threats, primarily supporters of competing male candidates, resulting in a lack of motivation and confidence for women already distressed to participate in public events (ILO, 2021; Ferdous, 2019).

The quest for customary lands for economic development projects makes land conflicts more complex (Islam, 2013).





# 4. Access to justice and mechanisms to land dispute resolution in Bangladesh

A uniform system of settling land disputes in Bangladesh is not present. Hence, the Revenue Officer, the Civil Court, the Magistrate Court, the Village Court, or Municipal Board may resolve land disputes (Roy, 2000). The Land Appeals Board handles conflicts resulting from plot demarcation, taxation, changes in records, and final decisions in the *khas* land matters. Land titling disputes are handled under the Ministry of Land jurisdiction. However, some disputes are resolved by influential local leaders who form an informal dispute resolution body consisting of eight people called a *shalish*, led by influential local leaders. More than 80% of litigations either civil or criminal arise out of land related disputes, and in most civil and criminal land cases filed in the court system (Ali, 2020). Some are reported to be because of the poor registration system (Ali, 2020). The judiciary system often does not resolve the cases within a short period, hampering most Bangladeshi from defending their land rights through the formal system (Alam et al., 2020; LANDac, 2016).

Land disputes that commonly emerge are mostly related to giving *khas* land to households that were not eligible, people owning government-allocated land but who were not eligible, and influential local elites and political figures encroaching land occupied by landless people (Islam et al., 2015). For example, there are reports of competition between customary landowners in the CHT region and

those who move into the region (known as settlers) (Roy, 2000). In the CHT region, the Chittagong Hill Tracts Land Dispute Settlement Commission Act 2001 (Act 53) regulate land dispute settlements and rules guiding land settlement for local communities. The Act further highlights procedures in the creation of the commission, its membership formulation, and their roles and responsibilities towards land dispute resolution.

Slow conflict resolution processes coupled with weak resolution mechanisms increased the cost of settling cases and made the results of such lawsuits unpredictable (USAID, 2010). For alternative dispute resolution within communities to be considered, there is a need to reform the laws, structures, and accountability mechanisms and strengthen local and traditional conflict resolution bodies (USAID, 2010). All matters are resolved based on the customary laws; by the Rajas, headmen/women, and Karbaris. Cases that include family law and petty crimes at the village level are handled by the Karbari, at the mauza level by the headman/woman and to the Raja as the highest court of appeal (Roy, 2000). For a uniform and peaceful land dispute settlement system to be established, land laws need to be designed and shaped up to the satisfaction and confidence of the people (Islam et al., 2015).

## CONCLUSION

This socio-legal analysis includes an overview of the relevant context of Bangladesh, which has signed to international agreements of women's rights and includes in its constitution certain guarantees for women. It ranks very highly among countries for the participation of women in its government at multiple levels.

However, there are aspects where gender equality remains an issue. For example, both men and women report disempowerment due to group membership and speaking in public, and women face disproportionate barriers to mobility. Research in Bangladesh suggests that women's empowerment improves a wide range of nutritional outcomes. Increases in women's empowerment also helps people move out of poverty.

Bangladesh is a densely populated country making land a critical issue for regulation and for development. Laws over time have aimed to limit the maximum amount of land that someone can own and also the ways to distribute public lands to the landless. However, inheritance is the main way to acquire land, and in only 34% of households a woman owns land.

The 1997 Khas Distribution policy regulates the distribution of public lands to landless families with 99-year leases. While in all

other areas married couples receive .5 acres, couples receive 1.5 acres under the CDSP area. A recent amendment to the policy says that this will remain so until the CDSP project ends in 2024 and then distribution will decrease to .5 acres as well.

As mentioned before, married couples receive joint title ownership, where the husband and wife each own 50% of the land, and the woman's name is on the title first, meaning that if the husband dies, abandons or divorces, all land will go to her. Khas land also cannot be formally sold (although anecdotally there are still land transactions between households) and the inheritance must follow the personal law, which is codified religious text. Under Hindu and Muslim law, which the large majority follow, sons receive all or the majority the land, respectively.

While titling is a critical part of the land story in Bangladesh, it is not the whole story. Instead, official policies and regulation regarding inheritance interact with the social norms recognizing men as the primary land holder. Addressing the informal and informal spheres of influence from individual to systemic will support gender equality for and because of equality in tenure.

# REFERENCES

- Ahmed, Arif. (2016). *Rights of indigenous peoples in Bangladesh*. 09 August, 2106. The Daily Star. <https://www.thedailystar.net/law-our-rights/rights-indigenous-peoples-bangladesh-1266478>
- Ahmed, K. (2010). Defining 'Indigenous' in Bangladesh: International Law in Domestic Context. *International Journal on Minority and Group Rights*, 17(1), 47-73. <https://doi.org/10.1163/15718110X12595859744169>
- Ahmed, K. A. (2017, October). Digital land management: 65 lakh records scanned, indexed into computer. *Dhaka Tribune*. <https://www.dhakatribune.com/feature/tech/2017/10/07/digital-land-management-government>
- Akhter, M. & Mohiuddin, T. (2014). Land Tenure Security in Selected Countries: Synthesis Report. In *Report 2: Securing Land and Property Rights for All*.
- Alam, K. M., Ashfiqur Rahman, J. M., Tasnim, A., & Akhter, A. (2020). A Blockchain-based Land Title Management System for Bangladesh. *Journal of King Saud University - Computer and Information Sciences*, xxxx, 1-15. <https://doi.org/10.1016/j.jksuci.2020.10.011>
- Ali, A. (2020). Settlement of Land Disputes in Bangladesh: Legal Issues and Challenges. *Southeast University Journal of Law*, 01(01), 1-17. <https://doi.org/10.13140/RG.2.2.30030.08002>
- Alliance for Financial Inclusion. (2017). *Expanding Women's Financial Inclusion in Bangladesh Through MSME Finance Policies* (Issue 5).
- APWLD. (2022). *Empowering women to claim ownership over land and water bodies in Rampal and Sundarban areas*. Feminist Participatory Action research, Asia Pacific on Women, Law and Development (APWLD). Accessed 03 March 2024, < <https://apwld.org/wp-content/uploads/2022/02/Bangladesh-Land-FPAR-Empowering-women.pdf>>
- BBS. (2019). *Report on Agriculture and Rural Statistics: 2018*. Dhaka: Bangladesh Bureau of Statistics (BBS). Accessed 16 October 2023 <[https://bbs.portal.gov.bd/sites/default/files/files/bbs.portal.gov.bd/page/b343a8b4\\_956b\\_45ca\\_872f\\_4cf9b-2f1a6e0/2020-02-02-10-36-84ecf771aa4c2e480f-245fb79538ce14.pdf](https://bbs.portal.gov.bd/sites/default/files/files/bbs.portal.gov.bd/page/b343a8b4_956b_45ca_872f_4cf9b-2f1a6e0/2020-02-02-10-36-84ecf771aa4c2e480f-245fb79538ce14.pdf)>
- Bangladesh's Constitution. (2011). *Bangladesh's Constitution of 1972, Reinstated in 1986, with Amendments through 2011* (pp. 1-61).
- Banu, M. (2013). *Strengthen Local Government Towards Deepening Democracy* (Issue June). <http://www.mahilaparishad.org/about-bmp/>
- Barket, A., Zaman, S., & Raihan, S. (2000). *Distribution and Retention of Khas Land in Bangladesh*. Prepared for Association for Land Reform and Development (ALRD) by the Humand Development Research Centre (HDRC).
- Besra, L. (2014). Do Indigenous Women Have Right to Inherit Land? A Critical Review of Customary Practices of Land Inheritance with Reference to Gender Justice in Bangladesh. *International Journal of Social Science and Humanity*, 4(5), 1-5. <https://doi.org/10.7763/IJSSH.2014.V4.375>
- Bonhishikha. (2022). *Discussion on Ensuring Land Rights for Women in Bangladesh*. Workshop Report, 18 April 2022.
- CDSP-II. (2001). *Gender Technical Report 01*.
- CDSP II (2005). Progress Report No. 12. CHAR DEVELOPMENT AND SETTLEMENT PROJECT II. In *Progress Report No. 12*.
- CDSP III (2009). Report No. 4. *GENDER RELEVANT PROJECT INTERVENTIONS & IMPACT ON THE POSITION OF WOMEN* (Issue November).
- CDSP III (2011). Final progress report. *CDSP III Final-Progress Report no* (pp. 1-14).
- CDSP IV (2020). Partial Supervision Report. *Bangladesh Char Development and Settlement Project IV Partial Supervision Report*.
- Chakraborty, Eshani and Sheikh Hafizur Rahman. (2016). *Women's Right to Land in Bangladesh*. Strengthening Access to Land and Property Rights for all Citizens of Bangladesh.
- Chowdhury, Farah Deeba. (2009). Problems of Women's Participation in Bangladesh Politics. *The Round Table: The Commonwealth Journal of International Affairs*, 98(404): 555-567.
- CIA. 2021. *World Factbook: Bangladesh*. Accessed 11 December 2023, <<https://www.cia.gov/the-world-factbook/about/archives/2022/countries/bangladesh/>>
- Daley, E., Flower, C., Miggiano, L., & Pallas, S. (2013). Women's land rights and gender justice in land governance: Pillars in the promotion and protection of women's human rights in rural areas. In *International*



- Land Coalition. [https://s3.amazonaws.com/landesa\\_production/resource/2925/InternationalLandCoalition\\_womens-land-rights-gender-justice\\_2013.pdf?AWSAccessKeyId=AKIAICR3ICC22CMP7D-PA&Expires=1499011148&Signature=1yT9wrbXqadgWymT0SFO96jws4k%3D%0Ahttp://www.ohchr.org/Document](https://s3.amazonaws.com/landesa_production/resource/2925/InternationalLandCoalition_womens-land-rights-gender-justice_2013.pdf?AWSAccessKeyId=AKIAICR3ICC22CMP7D-PA&Expires=1499011148&Signature=1yT9wrbXqadgWymT0SFO96jws4k%3D%0Ahttp://www.ohchr.org/Document)
- Das, J. (2015). "Good laws, bad outcomes: Land rights and inheritance practices for Christian women in Bangladesh." *The Journal of Legal Pluralism and Unofficial Law*, 48(2): 159-185.
- Dhaka Tribune. (2019). "PM: Don't deprive women of their property rights." *Dhaka Tribune*, published 28 April 2019. <https://archive.dhakatribune.com/bangladesh/law-rights/2019/04/29/pm-don-t-deprive-women-of-their-property-rights>
- Eusuf, A. M., Shahan, M. A., Khaleque, A. M., & Rana, A. E. (2017). *The Shared Roles of the Central Bank, Commercial Banks and Women Chambers in Promoting Innovative Financing Models for Women - led SMEs* (Issue October).
- FAOSTAT. (n.d.). Bangladesh. Food and Agriculture Organization (FAO). Accessed, 16 October 2023. <<https://www.fao.org/faostat/en/#country/16>>.
- Ferdous, J. (2019). Representation of Women in Parliament of Bangladesh: Is it Hopeful? *Journal of Governance and Public Policy*, 6(2), 1–16. <https://doi.org/10.18196/jgpp.62111>
- GV South Asia. *Bangladesh government instructs TV channels not to use the word 'Indigenous' when referring to ethnic tribes*, 09 August, 2022. <https://globalvoices.org/2022/08/09/bangladesh-government-instructs-tv-channels-not-to-use-the-word-indigenous-when-referring-to-ethnic-tribes/>
- Hannay, L., & Scalise, E. (2014). *Improving Land Tenure Security for Women: A Starting with Women Approach* (Issue January).
- Hatcher, J., Maggiorano, L., Ferrer, C.-I. S., & Kropiwnicka, M. A. (2005). *Cultivating women's rights for access to land: Country analysis and recommendations for Afghanistan, Bangladesh, Burkina Faso, Ethiopia, Ghana, Guatemala, Malawi, Mozambique, Uganda and Viet Nam*.
- Hossain, M. (2015). *Improving Land Administration and Management in Bangladesh*.
- Howes, M. (2003). Land Policy and Administration. *Research Highlights*. CARE Bangladesh. Accessed, 11 December, 2023, < [https://www.carebangladesh.org/upload/files/Publication\\_7573995.pdf](https://www.carebangladesh.org/upload/files/Publication_7573995.pdf)>.
- ILO. (2021). *Exploring and Tackling Barriers to Indigenous Women's Participation and Organization: A study based on qualitative research in Bangladesh, the Plurinational State of Bolivia, Cameroon and Guatemala* (First Edit). International Labour Organization.
- Islam, A. (2013). The Land Tenure Dynamics in the Post-conflict Chittagong Hill Tracts (CHT), *Bangladesh Political Science Review*, 9(1), 1–9.
- Islam, S., Moula, G., & Islam, M. (2015). Land Rights, Land Disputes and Land Administration in Bangladesh—A Critical Study. *Beijing Law Review*, 06(03), 193–198. <https://doi.org/10.4236/blr.2015.63019>
- Jabbar, M. A. (1978). *Land reform in Bangladesh*.
- Jinnah, S. I. M. (2013). "Land and Property Rights of Women in Rural Bangladesh".
- Khan, I., Abdullah, F., Rahman, N. N., Nor, R. M., & Yusoff, M. Y. (2016). The right of women in property sharing in Bangladesh: Can the Islamic inheritance system eliminate discrimination? *SpringerPlus*, 5(1695), 1–9. <https://doi.org/10.1186/s40064-016-3347-2>
- Khan, S., Toacha, M., & Awal, A. M. (2009). Automated Digital Archive for Land Registration and Records. *International Technology Management Review*, 2(1), 50–65.
- Kieran, C., Sproule, K., Doss, C., Quisumbing, A., & Kim, S. M. (2015). Examining gender inequalities in land rights indicators in Asia. *Agricultural Economics (United Kingdom)*, 46(March), 119–138. <https://doi.org/10.1111/agec.12202>
- LANDac. (2012). *Food security and land governance fact-sheet*.
- LANDac. (2016). *Food security and land governance fact-sheet: Bangladesh*.
- Masum, F. (2017). Rural land management in Bangladesh: Problems and prospects. *Geomatics, Landmanagement and Landscape*, 4, 79–93. <https://doi.org/10.15576/GLL/2017.4.79>
- Ministry of Women and Children Affairs. (2011). *National Women Development Policy*.
- Mohiuddin, T. (2008). *Land Administration in Bangladesh: Mismanagement through Misfeasance*.

- Moni, R. J., & Sumaiya, T. (2013). *Scoping Study on Women and Land Rights in Bangladesh* (Issue October).
- MoWR. (1998). *CHAR DEVELOPMENT AND SETTLEMENT PROJECT: FINAL REPORT CDSP PHASE I*.
- Netra News. (2022). *Censoring the Indigenous*, August 1st 2022. <https://netra.news/2022/censoring-the-indigenous/>
- OECD. (2019). *Gender, Institutions and Development Database*. <https://oe.cd/ds/GIDDB2019>
- Pedersen, R. H., Spichiger, R., Aloba, S., & Kidoido, M. (2012). Land Tenure and Economic Activities in Uganda: A Literature Review. In *Danish Institute for International Studies, DIIS Working Paper 13* (Working Paper Series 13).
- RDI. (2009). Women's Inheritance Rights to Land and Property in South Asia: A Study of Afghanistan, Bangladesh, India, Nepal, Pakistan, and Sri Lanka. In *A Report by the Rural Development Institute (RDI) for the World Justice Project* (Issue December). [http://www.landesia.org/wp-content/uploads/WJF-Womens-Inheritance-Six-South-Asian-Countries.FINAL\\_12-15-09.pdf](http://www.landesia.org/wp-content/uploads/WJF-Womens-Inheritance-Six-South-Asian-Countries.FINAL_12-15-09.pdf)
- Roy, C. R. K. (2000). *Land Rights of the Indigenous Peoples of the Chittagong Hill Tracts, Bangladesh* (P. Small (ed.); Skive, Den). Centraltrykkeriet Skive A/S.
- Sarker, R., Bin Alam, S. & Sarwar, A. (2021). Landless people's access to Khas land in Bangladesh: Challenges and recommendations. *International Journal of Law* 7(4): 33-37.
- Shafi, S. A., & Payne, G. (2007). *Local Partnerships for Urban Poverty Alleviation: Land Tenure Security and Land Administration in Bangladesh*.
- Shamsuddoha. (2016). Char: Where Women Come First. In *Strengthening land rights for women: Inspiring examples of interventions supported by the Netherlands*.
- Solotaroff, J. L., Kotikula, A., Lonnberg, T., Ali, S., Pande, R. P., & Jahan, F. (2019). Voices to Choices: Bangladesh's Journey in Women's Economic Empowerment. In *International Development in Focus*. <http://hdl.handle.net/10986/30881>
- Sourav, R. I. (2015). Unjust Land Right of Women in Bangladesh. *International Research Journal of Interdisciplinary & Multidisciplinary Studies*, 1(III), 5-13.
- Talukder, S. K., Sakib, M. I. I., & Rahman, M. M. (2014). Digital land management system: A new initiative for Bangladesh. *International Conference on Electrical Engineering and Information and Communication Technology, ICEEICT 2014*, 1-6. <https://doi.org/10.1109/ICEE-ICT.2014.6919031>
- Tanjeela, M., & Rutherford, S. (2018). The Influence of Gender Relations on Women's Involvement and Experience in Climate Change Adaptation Programs in Bangladesh. *SAGE Open*, 8(4), 1-9. <https://doi.org/10.1177/2158244018812620>
- The Land Reforms Ordinance. (1984). *The Land Reforms Ordinance, 1984* (Vol. 1984, Issue X).
- UN Women. (2022). *Empowering women landowners in Bangladesh*. Published 11 April 2022. <https://untf.unwomen.org/en/stories/news/2022/04/empowering-women-landowners-in-bangladesh>
- UN Women and OHCHR. (2013). *Realizing Women's Rights to Land and Other Productive Resources*. <https://www.unwomen.org/en/digital-library/publications/2013/11/realizing-womens-right-to-land>
- USAID. (2010). *USAID Country Profile Property Rights and Resource Governance: Bangladesh*. Washington, D.C.: United States Agency for International Development (USAID). [https://www.land-links.org/wp-content/uploads/2016/09/USAID\\_Land\\_Tenure\\_Bangladesh\\_Profile.pdf](https://www.land-links.org/wp-content/uploads/2016/09/USAID_Land_Tenure_Bangladesh_Profile.pdf)
- World Bank. (n.d.). *Country Profile: Bangladesh*. Accessed, 16 October 2023, <<https://databank.worldbank.org/views/reports/reportwidget.aspx?ReportName=CountryProfile&Id=b450fd57&tbar=y&d-d=y&inf=n&zm=n&country=BGD>>.
- World Bank. (2009). 2009 World Development Indicators. Washington DC: The World Bank. <http://ddp-ext.worldbank.org/ext/DDPQQ/member.do?method=getMembers&userid=1&queryId=137> (accessed 12 May 2010).
- World Bank. (2021). *World Development Indicators Dashboard: Bangladesh*. Accessed 16 October 2023, <[https://data.worldbank.org/country/bangladesh?name\\_desc=false](https://data.worldbank.org/country/bangladesh?name_desc=false)>
- World Bank. (2023). *Gender Data Portal: Bangladesh*. Accessed 11 December 2023 < <https://genderdata.worldbank.org/countries/bangladesh/>>.
- WEF. (2023). *The Global Gender Gap Report 2023*. Geneva, Switzerland: World Economic Forum (WEF). [https://www3.weforum.org/docs/WEF\\_GGGR\\_2023.pdf](https://www3.weforum.org/docs/WEF_GGGR_2023.pdf)
- Wilde, K. de. (2000). *Koen de Wilde* (K. de Wilde (ed.); First edit). The University Press Limited.





## INITIATIVE CONSORTIUM



The Center for International Forestry Research (CIFOR) and World Agroforestry (ICRAF) envision a more equitable world where trees in all landscapes, from drylands to the humid tropics, enhance the environment and well-being for all. CIFOR and ICRAF are CGIAR Research Centers.



Climate change, biodiversity loss, environmental degradation, and malnutrition. These four interconnected global crises have put at stake the wellbeing of our planet for years. Fueled by COVID-19, their impact on agriculture, landscapes, biodiversity, and humans is now stronger than ever. Reversing this negative trend is a challenge, but also an opportunity for bold choices and integrated solutions. Established in 2019, the Alliance of Bioversity International and the International Center for Tropical Agriculture (CIAT) was created to address these four crises, maximizing impact for change at key points in the food system.



The International Food Policy Research Institute (IFPRI) provides research-based policy solutions to sustainably reduce poverty and end hunger and malnutrition in developing countries. Established in 1975, IFPRI currently has more than 600 employees working in over 50 countries. It is a research center of CGIAR, a worldwide partnership engaged in agricultural research for development.

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