

Case studies of

Women's experiences negotiating land use for agricultural production

Timor-Leste



Acknowledgements

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About TOMAK

TOMAK (*To'os ba Moris Di'ak* or Farming for Prosperity) is a 5-10 year agricultural livelihoods program funded by the Australian Government in Timor-Leste. Its goal is to ensure rural households live more prosperous and sustainable lives. TOMAK will achieve this through parallel and linked interventions that aim to:

- Establish a foundation of food security and good nutrition for targeted rural households;
- Build their capacity to confidently and ably engage in profitable agricultural markets.

The primary target area comprises select *suku* (villages) in three municipalities – Baucau, Bobonaro and Viqueque.

TOMAK is committed to understanding and addressing the gender and social norms that impact women's ability to improve their economic opportunities through agricultural market systems. The program aims to ensure that women's contribution and achievements in the sector are recognised alongside men's, and that their voices are heard in the decisions that affect their lives and livelihoods.

For more information please go to: www.tomak.org

About Rede ba Rai

Rede Ba Rai (the Timor-Leste Land Network), is an advocacy network comprised of 24 members including local, national and international NGOs. Started in 2001, Rede ba Rai works on land issues across the country and is administered through a secretariat. Key activities include raising public awareness of the land law and rights, research, policy analysis, land case dispute management, and advocacy.

Collaboration between TOMAK, Rede ba Rai and women leaders

In 2017, TOMAK, Rede ba Rai, Organizaçãun Haburas Moris (OHM) and the Viqueque Women's Association formed a collaboration to document the experiences of women in negotiating land use agreements for agricultural production through a series of case studies, with the intent that the case studies could provide important learnings for other women wishing to increase their land access or considering similar arrangements.

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Executive Summary

Secure access to land is fundamentally important to agricultural livelihoods and is one of the most significant agricultural advantages farmers can have. Clear links have been established between strengthened land rights for women and reduced poverty, increased household wellbeing, food security, women's economic empowerment, as well as resilience in the face of climate change and other disasters. An International Finance Corporation study in India also points to the fact that women who own land and/or property may be less likely to be the victims of domestic violence than women who do not.¹ Strengthening women's rights to land is necessary to increasing women's equality and broader community resilience.

Despite the importance of women's land rights to broader wellbeing and resilience, across the world, women face many threats to their land rights. In Timor-Leste some significant progress has been made in embedding equality of land ownership in law. However, like most places in the world, women's mobility, security, advancement and voice are influenced by a range of highly patriarchal social norms which act to constrain women's power, decision making and voice on issues which affect their day-to-day life. These same norms constrain women's access to land and control over land within their households, families, communities, and more broadly within the nation.

In TOMAK's Gender Equality and Social Inclusion Analysis (GESIA), Timorese women repeatedly expressed their desire to have better access to land for agricultural production. They saw this as a pathway to both feeding their families and increasing their incomes. Some women had thought

¹ Panda, P., & Agarwal, B. (2005). Marital violence, human development and women's property status in India. *World development*, 33(5), 823-850.

about negotiating access to land, but many more had never considered this as an option.²

Toward this end, TOMAK and Rede Ba Rai established a research partnership to explore the experiences of women's groups in negotiating access to agricultural land through land use agreements. The research team examined 12 case studies across three municipalities (Viqueque, Baucau and Bobonaro) where women's groups had been successful in negotiating access to land. Particular areas of interest included how women were able to negotiate improved access, the terms and fairness of the agreements entered into, and the benefits and challenges they faced. The overarching objective of the research and its subsequent dissemination with women, communities and other stakeholders was to help inform and strengthen future agricultural land use agreements for women.

The case studies captured through this research show that there is precedent for these types of land use agreements and that women are interested in entering into land use agreements in order to expand their agricultural production for both consumption and sale. Such agreements have the potential to increase income opportunities for women (and men) that may not have otherwise been possible. Nonetheless, this research suggests that land use agreements remain a largely underutilised option for expanding and diversifying agricultural production, and for supporting the economic empowerment of women. More could be done to promote this as an option for both women and men, including sharing stories of women and groups that have managed to successfully negotiate access to land.

The cases examined highlight the importance of familial and clan relationships in accessing land, as all but one group accessed land through a group member or family member. Most of the groups had familial connections and attributed the success of their group, in part, to these connections. The cases also reinforce research which suggests that while women are disadvantaged in land inheritance and decision making over land, customary land systems in many instances are highly flexible to new approaches.

This research shows that the overwhelming majority of land use agreements are oral agreements. The evidence collected suggests that these agreements are seen as robust and secure by group members and landowners alike and that the involvement of community leaders as witnesses greatly bolsters the perceived legitimacy and strength of the agreements. Nonetheless, legal analysis shows us that these oral agreements might not hold up if they were to be challenged in court. Knowledge about land law, provisions relating to equal property rights and new land registration programmes were almost non-existent. Significant work needs to be undertaken to inform women and men of their rights under new laws and to consider opportunities for strengthening the legality of these agreements (for example through written agreements).

During workshops, community leaders demonstrated great willingness to be involved in facilitating land access for women and agreed that having a set of guidelines for rural communities, which would outline a process for negotiating land use agreements would help to ensure that these agreements are equitable, fair and supported by relevant laws in Timor-Leste.

This research revealed that negotiating land access as a group (often with men) supports women in many different ways. More information is still required about if and how women negotiate land access as individuals and the challenges they may face in doing so. Further research in this area would enable relevant stakeholders and organisations to better support women in considering such agreements as a way to improve their land access and increase their economic opportunities from agricultural production. Greater understanding of these pathways would also support recognition of women as professional farmers and entrepreneurs and contribute to increasing the status and recognition of rural women over time.

2 *ibid.*

Overall Recommendations

1. Support women to explore and pursue more secure land use agreements as part of helping them to develop their livelihoods. Among other things, this might include providing legal support, developing guidelines, providing training and information on land use agreements, negotiation and land rights, and encouraging the use of written as opposed to oral agreements.
2. Improve men and women's knowledge of land rights, specifically ensuring their knowledge about equality of property rights, land registration processes and their skills to secure and negotiate improved access to land through land use agreements.
3. Encourage community leaders and government officials to promote gender-equitable land ownership and use. Innovative land use arrangements which facilitate women's access to land should be showcased in order to raise awareness with communities that increasing women's access to and control over land and other resources is likely to have a positive impact on agricultural productivity, income, family welfare, and household food security.
4. Encourage joint decision-making over land resources within families and communities at all times.
5. Investigate mechanisms which make unused community or state land available to women for agricultural purposes.
6. Share this report widely with the Timor-Leste Government especially the Ministry of Agriculture and Fisheries (MAF), the Secretary of State for Equality and Inclusion (SEII), The Ministry of Tourism, Commerce and Industry (MTCI), the National Directorate of Land, Property and Cadastral Services (DNTPSC), Ministry of Justice (MoJ), as well as with development actors, women's organisations, land groups, and other relevant stakeholders, and seek additional feedback and analysis in order to promote uptake of the recommendations.

Future Research

Further research is needed to:

- Produce more rigorous analysis of the long-term stability of these land use agreements, particularly in light of changes to land law under Law 13/2017 and land registration processes;
- Examine whether individual women enter into land use agreements, and what barriers they face in doing so;
- Develop a nuanced understanding of the barriers facing women in inheriting and claiming ownership of land;
- Develop a more nuanced understanding of the negotiation processes and tactics that women commonly use in order to access land;
- Seek to better understand the advantages and disadvantages of the women's group model, document how different members benefit, share labour and resolve conflicts within the group.



Introduction

Secure access to land is fundamentally important to agricultural livelihoods and is one of the most significant agricultural advantages farmers can have. Secure access to adequate land is a key factor in determining the opportunities a person has throughout their life. Over 90% of the population of Timor-Leste is involved in some form of agricultural activity.³ With the vast majority of the population depending directly on land for agricultural livelihoods, and scant social security systems, land is one of the most important safety nets for Timorese communities.

It is estimated that 97% of rural land in Timor-Leste is managed according to local norms and customs and has never been alienated from customary governance structures and institutions.⁴ These customary institutions provide robust local mechanisms of regulating land use, as well as ensuring local identity, cultural resilience and social cohesion.

Clear links have been established between strengthened land rights for women and reduced poverty, increased household wellbeing, food security, women's economic empowerment, as well as resilience

3 Ministry of Finance 2015 Census data

4 Nixon, 2009 'Contracts, Land Tenure and Rural Development in Timor-Leste' Justice for the Poor Briefing Note, Volume 3, Issue 3, November 2009. World Bank: Dili, page 3; Nixon 2005 'Non-customary Primary Industry Land Survey: Landholdings and Management Considerations' USAID/ARD Inc.

in the face of HIV/AIDS, climate change and other disasters.⁵ An International Finance Corporation study in India also points to the fact that women who own land and/or property may be less likely to be the victims of domestic violence than women who do not.⁶ Strengthening women's rights to land is necessary to increasing women's equality and broader community resilience.

According to the TOMAK Gender Equality and Social Inclusion Analysis:

*"Men accumulate more and have more diversity in their assets than women. Men mostly own land... [however] some women are able to negotiate use of land with the landowners. The security of property rights remains a critical determinant in a woman's willingness to engage and increase their time and financial investment in agricultural production compared to non-agricultural based livelihoods."*⁷

Despite the importance of women's land rights to broader wellbeing and resilience, across the world, women face many threats to their land rights: legal rules, regulations and procedures often treat men and women differently in terms of rights to land; land registration processes often do not ensure that women's rights are legally documented and in fact often act to weaken rather than strengthen women's land rights; patriarchal societal norms often do not recognise the rights of women or some categories of women to have or control land and frequently women's access to land depends on their relationships with men (fathers, uncles, husbands and brothers); some legal or customary norms do not allow certain categories of women to keep their land (for example widows, married-out daughters, divorced women). As well as these particular threats to women's land rights, women also face a whole series of general threats to their land rights as members of the broader community, for example: forced evictions (which disproportionately affect women's rights and wellbeing); a broader lack of tenure security for customary land (which weakens both rural men and women's land rights); and a lack of access to justice and other support services. These challenges are compounded by complex patriarchal social norms which constrain women's voice on key issues at the individual, household, family, community, national and international levels.

In Timor-Leste some significant progress has been made in embedding equality of land ownership in law. The constitution specifically guarantees gender equality (Articles 16 and 17) which means that the rights to private property (also enshrined in the Constitution, Article 54) apply equally to men and women. Recently approved land legislation in Timor-Leste also lays down some basic guarantees of equality for women.⁸ More broadly, progress has been made in popularising ideas around gender equality, highlighting the issue of domestic violence and in ensuring women's voice at the national level by the introduction of a parliamentary quota system.

However, like most places in the world, women's mobility, security, advancement and voice are influenced by a range of highly patriarchal social norms which act to constrain women's power, decision making and voice on issues which affect their day-to-day life. These same norms act to constrain women's access to land and control over land within their households, families, communities, and

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- 5 Meinzen-Dick, Quisumbing, Doss and Theis, 2019 Women's land rights as a pathway to poverty reduction: Framework and review of available evidence, *Agricultural Systems* (172), pp.72-82; World Bank, 2009, *Gender in Agriculture Sourcebook*. Washington DC: World Bank, FAO, IFAD. Available at: <https://openknowledge.worldbank.org/bitstream/handle/10986/6603/461620PUB0Box3101OFFICIAL0USE0ONLY1.pdf?sequence=1&isAllowed=y>; Allendorf, K., 2007 Do Women's Land Rights Promote Empowerment and Child Health in Nepal? *World Development* 35(11) pp.1975-1988; Menon, J.A. 2014 Inter-linkages Between Culture and Gender in HIV transmission in Zambia. *Medical Journal of Zambia* 41(2). Pp100-106; Sanjak, J. (2016). Women's land rights as a foundation for food security. *Appropriate Technology*, 43(2), 45; Agarwal, B., & Herring, R. (2014). Food security, productivity and gender inequality. *Handbook of food, politics and society*; Mishra, K., & Sam, A. G. (2016). Does women's land ownership promote their empowerment? Empirical evidence from Nepal. *World Development*, 78, 360-371; and Springer, Cham; Collantes, V., Kloos, K., Henry, P., Mboya, A., Mor, T., & Metternicht, G. (2018). Moving towards a twin-agenda: Gender equality and land degradation neutrality. *Environmental science & policy*, 89, 247-253.
- 6 Panda, P., & Agarwal, B. (2005). Marital violence, human development and women's property status in India. *World development*, 33(5), 823-850.
- 7 TOMAK, 2017. *Gender Equality and Social Inclusion Analysis*
- 8 Rejime Espesial Definisaun Titularidade Nain ba Rai (Lei 13/2017), Lei Espropriaun ba Utilidade Publika (Lei 8/2017) no Kodigu Sivil (Lei 10/2011).

more broadly within the nation.

In TOMAK's Gender Equality and Social Inclusion Analysis (GESIA), Timorese women repeatedly expressed their desire to have better access to land for agricultural production. They saw this as a pathway to both feeding their families and improving their income. Some women had thought about negotiating improved access to land, but many more had never considered this as an option.⁹ This was evident from the surprised reaction many women had when hearing of women who had been successful in negotiating land access. While some felt this could be an option for them, other women were sceptical that this would be acceptable to men in their communities.

Obtaining secure access to land underpins women's ability to generate an income and feed their families. Research conducted by The Asia Foundation found that women respondents in Dili (the capital of Timor-Leste) were more economically vulnerable and dependent on their husbands (or other male relatives) than those in rural areas because they had less access to land. The same study found that women whose land access came through their husband's family were also vulnerable, particularly if the couple separated, if the woman was widowed or had never married.¹⁰

It is critical that progress is made on improving women's access to and control over land and that activism advocating land justice for women in Timor-Leste continues to build momentum. This will come in part by challenging existing inheritance practices and norms that favour one gender over another. However, waiting on land ownership changes is not enough. It is also important to strengthen options and mechanisms for women to access land for agricultural production in their communities. Ideally, these options should be fair and secure, allowing women to invest and grow their small business activities year on year without fear of eviction or exploitation.

Toward this end, TOMAK and Rede Ba Rai established a research partnership to explore the experiences of women and women's groups in negotiating land use agreements. Particular areas of interest included how women were able to negotiate improved access, the terms and fairness of the agreements entered into, and the benefits and challenges they faced. The overarching objective of the research and its subsequent dissemination with women, communities and other stakeholders was to help inform and strengthen future agricultural land use agreements for women.

This introduction presents the overarching objectives of the research, discusses the methodology and limitations of the study and outlines some key definitions relevant to the report. The second section of the report presents summaries of the 12 case studies examined. The third section presents the key findings of the research, including a gender and legal analysis. The fourth and final section presents the conclusions and recommendations of the research. A useful table providing a quick summary of the 12 case studies can be found on page 15.

Understanding Customary Land in Timor-Leste

Before delving into this report, it is important to introduce and clarify some key concepts relating to customary land in Timor-Leste. As mentioned above, well over 90% of rural land in Timor-Leste is understood to be governed by customary institutions.¹¹ Customary land cannot be separated from the customs, rituals and spirituality that make up the local world view, therefore when we try to understand customary land we must try to understand it as part of this overall local way of life or 'world view'. In Timor-Leste society is organised based around origin groups or clans. These groups have a range of names: in Tetun they are often referred to as *lisan*, *uma lisan* or *uma knua*. These groups are held together by complex networks of marriage, local histories and alliances. While some people think of customary land in simplistic ways such as 'communal land', actually land is managed

9 *ibid.*

10 The Asia Foundation. 2015. *Beyond Fragility and Inequity: Women's Experiences of the Economic Dimensions of Domestic Violence in Timor-Leste*, p42.

11 Nixon, 2009 'Contracts, Land Tenure and Rural Development in Timor-Leste' Justice for the Poor Briefing Note, Volume 3, Issue 3, November 2009. World Bank: Dili, page 3; Nixon 2005 'Non-customary Primary Industry Land Survey: Landholdings and Management Considerations' USAID/ARD Inc.

by each group through complex customs and institutions. Customary land includes many different types of land, for example any particular community might have: communal grazing land; individually owned house plots and home gardens; individually or family owned fields or rice paddies; forest land which might be used individually, communally or be still 'unopened'.¹² In many parts of Timor-Leste ideas of individual western-style ownership rights where the land can be alienated permanently from the clan do not apply.¹³

Timor-Leste is inhabited by many different ethno-linguistic groups, each with their own unique cultures, rituals and governance institutions. Timor-Leste also has a complex colonial history. As a result, land relations look very different in different parts of the country. Some communities have been left relatively untouched by Indonesian occupation or Portuguese colonialism whereas others have been relocated multiple times by displacement and transmigration programmes. Frequently, attempts by researchers and report writers to make these complex ideas more accessible, have gone too far, providing generalisations of customary land that make it seem like there is more similarity than there really is. This is dangerous because it can lead policy makers to adopt policies and laws which are based only on one understanding of customary land and which will not be easily adapted in other places.¹⁴

Women's access to and control over land plays out against the backdrop of customary marriage relationships. The marriage systems in Timor-Leste are generally described as:

- **Kaben-sai** (lit. marrying out) is a patrilineal system where a woman marries out of her own clan/family and into her husband's family. In a *kaben-sai* community the children are usually seen as being part of the father's clan and land is passed through the male lineage from fathers and uncles to sons and nephews with women acquiring land through their husbands. This can leave unmarried, divorced or widowed women in particularly vulnerable situations. Most parts of Timor-Leste are *kaben-sai* (see exceptions below).
- **Kaben-tama** (lit. marrying-in) is a matrilineal system where the man marries into his wife's clan or family. In a *kaben-tama* system the children are usually seen as being part of the mother's clan and land is passed through the female lineage. *Kaben-tama* systems can be found amongst some Tetum Terik clans of the south coast, the Bunak of Covalima and Bobonaro and the Galolen speakers of Manatuto). Unfortunately, it is common for people to mistakenly refer to *kaben-tama* cultures as 'matriarchal' or for people to assume that women have more rights in these areas. This is not the case. In *kaben-tama* cultures, decision-making and control of assets rests with the men in the woman's clan. Both systems, as with society in most countries in the world, are highly patriarchal.¹⁵

Flexibility is a hallmark of customary land governance in Timor-Leste.¹⁶ While in patrilineal areas women predominantly marry out and are expected to access land through their husband's family there are many examples of other socially negotiated scenarios. Similarly, while in matrilineal areas men predominantly marry out and are expected to access land through their wife's family, in practice there are many different arrangements in place. New norms and flows of capital around land are also changing things and making it more possible for land to be bought and sold outside of the customary system (particularly in urban and peri-urban areas).

This research includes case studies amongst both patrilineal and matrilineal areas.

12 Fitzpatrick, D., Barnes, S., McWilliam, A., 2008. Policy Notes on Customary Land in Timor-Leste. Dili.

13 Cryan, M., 2019 Customary Land Policy in Timor-Leste Since Independence (2002-2017). Tahan and Oxfam Timor-Leste: Dili.

14 *ibid.*

15 Cryan, M., 2020. A literature review of women's land rights in Timor-Leste. Unpublished manuscript: Dili.

16 Myat Thu, P., Scott, S., Van Niel, K., 2007 Gendered access to customary land in East Timor. *GeoJournal* 69 pp.239-255; Fitzpatrick, D., Barnes, S., McWilliam, A., 2012. Property and social resilience in times of conflict: land, custom and law in East Timor. Routledge.

Key definitions relevant to this report	
Landowner	For the purposes of this report the term 'landowner' is used to refer to the person with whom the group negotiated in order to gain access to the land. The report makes no claim as to the legitimacy or validity of this person's ownership of the land. More broadly, it should be noted that the term ' <i>rai na'in</i> ' (landowner) in Tetun is subject to many complex spiritual and legal understandings. ¹⁷
Land use agreements	Land use agreements are agreements made (either orally or in writing) which allow a person or group to lease or use land belonging to another person or group for a particular purpose. The agreements vary in terms and duration and can include short- or long-term leases, temporary gifts of land as well as profit sharing arrangements.
Patrilineal	Patriliney refers to a system where identity, family name and/or property pass through the male lineage from fathers and uncles to sons and nephews. This is different to the term patriarchy which refers to a system where men hold power although the two can be closely connected.
Matrilineal	Matriliney refers to a system where identity, family name and/or property pass through the female lineage from mothers and aunts to daughters and nieces. This is different to the term matriarchy which refers to a system where women hold power. Many matrilineal systems are highly patriarchal.

Methodology

The objective of the study was to document case studies of women's attempts to negotiate land use agreements for agricultural production (including both the process and outcomes of these negotiations). The methodology was entirely qualitative with a focus on face-to-face interviews with individuals and representatives from the groups. Respondents were primarily female but, in some cases, male group members or husbands were also involved.



Figure 1: Map showing case study sites in Bobonaro, Viqueque and Baucau.

17 Cryan, M., 2019. Property, State Land and Lisan: Assembling the Land and the State in Post-Independence Timor-Leste. PhD Thesis. Australia National University: Canberra.

A call out for possible case studies was done across key stakeholders including the Rede Ba Rai network, women’s organisations and networks, the Ministry of Agriculture and Fisheries (MAF), agriculture partners and NGOs in rural areas. A list of all potential case studies was prepared. A basic screening process was used to assess whether case studies met the key criteria of being a land negotiation process led by a woman and/or a group of women. As a result of this process, 12 case studies were selected for further investigation. These were then investigated by members of Rede ba Rai and TOMAK with the assistance of local WOs in three municipalities - Bobonaro, Baucau and Viqueque (see map on following page). Field researchers then prepared the information collected as case study narratives, which were then verified with the original interviewee(s) to ensure their veracity.

The 12 case study groups are listed in Table 2. On average, the groups had 14 members. Most groups were mixed groups, with only one group being entirely made up of women. All but one of the groups were led by women. In total, 65% of the members were women and 35% men. The groups produced a range of agricultural produce, including maize, rice, and vegetables. Two of the groups were also engaged in livestock production. Most groups had accessed a relatively small amount of land (less than 1 hectare) within two of the groups accessing larger tracts of land (3-hectares and 4-hectares respectively).



Figure 2 (left): Group members from APAM, Suku Manapan/Mea, Bobonaro. **Figure 3 (right):** Group members from Sae Heun, Suku Ilatlaun/Tunu Eru, Bobonaro.

After preliminary data collection, the case studies from each municipality were then analysed by local stakeholders at a workshop that also involved the primary interviewee(s). Stakeholders included other women’s organisations, municipal government staff, *xefe suku*, MAF representatives and other development partners. The analysis, ideas and observations of this group as they reflected on the land use agreement were documented and have been used in the preparation of this report.

A breakdown of participants across all activities is presented in Table 1 below.

Table 1: Research participants by activity

Activity	Female	Male	Total
Background meetings with NGOs, local leaders and group coordinators to generate basic understanding of case studies	27	32	59
FGDs and with group members and landowners (3 municipalities)	22	14	36
Validation workshops (3 municipalities)	30	19	49
Total	79	65	144

Following the workshops, a gender analysis was undertaken by TOMAK and a legal analysis was undertaken by Rede ba Rai of the 12 case studies. The legal analysis was carried out by a land lawyer who reviewed the cases against relevant laws and regulations in Timor-Leste, including: (i) the Civil

Code; (ii) the Law on the Special Regime for the Definition of Ownership of Immovable Property (the Land Law); and (iii) other relevant legislation governing land use agreements for agricultural production for which there is judicial relevance and consequences in terms of a contractual and/or an agreement between parties.

Table 2: Overview of the case studies

	Group name	Men	Women	Total	Type of agriculture activity	Land area (ha)	Status of land acquired	Relationship to landowner	Oral or written agreement	Conditions of agreement
1	Grupu APAM	4	6	10	Vegetables	1.5 ha	Privately held land	Group member	Written	Land used at no cost
2	Grupu MAGA	5	7	12	Maize and rice	0.5 ha	Privately held land	Group member	Oral	Land used at no cost
					Market	0.5 ha	Privately held land	Familial	Oral	Landowner willing to gift land
3	Grupu Haburas Moris	10	5	15	Chickens and vegetables	1 ha	Privately held land	Familial	Oral	Land used at no cost
4	Grupu Sae Heun	4	19	23	Vegetables	0.5 ha	Privately held land	Familial	Oral	Land gifted at no cost
5	Grupu Feto Unida Kbiit Laek	0	10	10	Vegetables	0.5 ha	Privately held land	Familial	Oral	Land used at no cost
					Rice	0.5 ha	Privately held land	Group member	Oral	Land used at no cost
6	Grupu Feto Sadeira	2	14	16	Vegetables	+/- 0.5 ha	Privately held land	Group member	Oral	Land used at no cost
7	Grupu Feto Uai-Kailake	6	5	11	Livestock, rice and vegetables	1 ha	Privately held land	Familial	Oral	\$150 per year, or the equivalent amount in rice
8	To'os Na'in Kraras	5	10	15	Maize, rice and vegetables	0.5 ha	Privately held land	Group member	Oral	Land used at no cost
9	Grupu Fahi Lain	6	6	12	Maize and vegetables	+/- 0.5 ha	Complex ¹⁸	None	Oral	Permission to use until needed for another purpose
10	Grupu Fini ba Moris	5	10	15	Vegetables	3 ha	Privately held land	Group member	Oral	Land used at no cost
11	Grupu Quinta Lesadere	6	5	11	Maize and vegetables	4 ha	Privately held land	Group member	Oral	Land used at no cost
12	Grupu Haburas	5	7	12	Maize and vegetables	1 ha	Privately held land	Group member	Oral	Land used at no cost

18 This group uses 'unused' land that they refer to as 'rai estadu' (T. state land) but that is also recognised as land belonging to another cultural group. There are many complexities relating to definitions of state land in Timor-Leste. See discussion in the following sections.

Limitations and Directions for Future Research

The information presented in this report is based on the stories told by an individual or individuals from the various groups, and is therefore limited to their side of the story. Some of this information has not been rigorously verified by other parties and sources involved in the same negotiations. Where possible, landlords were interviewed but in large, the perspectives of landowners were not collected.

The research team did not verify the land status or ownership discussed in relation to any particular case study but rather used the information supplied by the interviewees as key to the land use agreement they had made. It is possible that some interviewees' understanding of a situation does not reflect the reality of land ownership for the land in question. An example of this might include the common confusion between state and community-owned land (see discussion in following section). Further research detailing the histories and ownership status of the land parcels in question, and in particular an examination of the effects of land registration would yield stronger conclusions about the strength and stability of the groups' land access.

A mixture of focus group discussions and interviews were carried out but most methods engaged with more than one person. As a result it is possible that individuals and groups focused on positive aspects and successes and did not feel comfortable talking to researchers about tension or conflict related to their land use agreement or within their group. While efforts were taken to mitigate this, such as trying to speak to group members individually and on multiple occasions, this should be considered as a possibility given that no groups reported any tension in their land use agreement. Further research should focus on the broader advantages and disadvantages of working in a group and examine negotiation processes, profit sharing arrangements and division of labour within the group.

This research focused on the 12 case studies listed and so cannot speak to the broader challenges facing women seeking to access land. All 12 cases were 'successful', in that they had managed to successfully negotiate access to land and were (at the time the research was carried out) still using that land. It is likely that there are many more examples of unsuccessful attempts to access land. Further research is needed to understand these dynamics.

Due to its design (as a multi-sited case study) and other constraints, this research did not have sufficient time or resources to develop deep analyses of the local land governance institutions or land histories in each location. As such we cannot make broad statements about how the experiences in these particular locations link to broader understandings of land in the particular locations.

Detailed demographic information of the women and men involved in each of the groups was not specifically collected. Therefore, it is not possible to provide much reflection on how specific characteristics of the women, such as age, marital status or socio-economic factors play into why and how a group is established in the first place and the agency a group has to then negotiate land use.



Case Studies

Case 1: APAM	
Established: 2013	<p>APAM is a mixed group with a total of 10 members (four men and six women) who work together to produce mung beans, peanuts, rosella and honey. The group was established in 2013 with support from a local women's NGO called OHM. The group initially negotiated access to 1.5 hectares of land that belonged to one of the group members. The landowner is happy for the group to continue using the land as long as it is actively used for agricultural purposes. Group members support each other by sharing labour (gotong royong). At harvest time crops are shared and each member sells their own share of the produce. The success of the group has led members to embark on other initiatives (for example two female members work together on a separate piece of land to grow peanuts and mung beans).</p> <p>In 2015, the group negotiated a written contract, which allowed them to get access funding from MAF for a grant to build a storage centre. Of the 12 case studies APAM is the only group which has a written agreement. The group expressed faith in their agreement with the land owner and stated that if problems arose they were sure they would .</p>
Location: Suku Manapa, Kailaku, Bobonaro	
Ethnolinguistic group: Kemak	
Members: 10 Women: 6, Men: 4	
Products: Rosella tea, marmalade, honey, peanuts, mung beans	

Case 2: MAGA	
Established: 2013	<p>The members of MAGA live in suku Tapo-Memo, very close to the Indonesian border. The members of the group are mostly related and have a long history of working together in rice, maize and vegetable production. They have access to a 0.5-hectare plot of land which is owned by one of the group members. The group shares produce from the field equally and each member sells their own share of the produce. Over the years the group has received support from the Asia Pacific Support Collective and women's NGO Fokupers.</p> <p>The group has been very active in advocating for a public marketplace. They took it upon themselves to negotiate access to land for a marketplace from a local landowner (who lives across the border in Indonesia). The landowner has stated that he is willing to donate his land. Having ensured the willingness of the landowner, the group are now lobbying the state to build the market.</p> <p>The group is very proud of their activities and has plans to cultivate other crops in the future. However, they also face a number of disadvantages, including long distances from their fields to the market, and the low price of rice.</p>
Location: Suku Tapo Memo, Maliana, Bobonaro	
Ethnolinguistic group: Bunak	
Members: 12 Women: 7, Men: 5	
Products: Maize, rice	

Case 3: Haburas Moris	
Established: 2015	<p>Established in 2015, Haburas Moris is involved in poultry and horticulture production. Chickens and produce are sold at the Maliana market. The group uses land left to one of the female members by her parents. The group supported the female member to negotiate access to the land with her siblings. Her siblings have agreed (verbally) that she may use the land for agricultural purposes and that when the department of land and property come to register the land that the land should be jointly registered in her name and the name of her husband. The agreement between the woman and her siblings is verbal, as is the land-use agreement between her and the other group members.</p> <p>Group members are all from the same extended family. Work is shared between men and women with men being responsible for selling the chickens at the market and women being responsible for managing the money and dividing money amongst the members.</p> <p>Between 2015 and 2017 (when this research was carried out) the group had generated over \$2000 selling chickens. Profits are divided equally, with the group member who owns the land receiving no additional profit.</p>
Location: Kurluli, Suku Ritabou, Maliana, Bobonaro	
Ethnolinguistic group: Bunak	
Members: 15 Women: 5, Men: 10	
Products: Chickens, cassava, maize, other vegetables	

Case 4: Sae Heun	
Established: 2015	<p>Based in Marobo and established in 2015, the Sae Heun group produces tomato, eggplants, onions and chillies. The group negotiated access to 0.5 hectares of land from the father of one of the female group members. The father receives no profit and the group shares their profits equally. The father being too old to work the land wanted his daughter and her husband to have a livelihood and was happy to gift the land for as long as they would like to use it, but he would not sell the land and cautioned them that the land belonged to the ancestors and that the names of the ancestors could not be lost. The agreement is verbal.</p> <p>The members of the group sell produce in the Market in Bobonaro and Maliana and sometimes even in Dili. Each harvest they can make between \$300 and \$400 selling onions and between \$150 and \$280 selling tomatoes.</p>
Location: Aldeia Tunu Eru, Suku Ilatlaun, Bobonaro	
Ethnolinguistic group: Kemak	
Members: 23 Women: 19, Men: 4	
Products: Tomatoes, eggplant, onions, chillies	

Case 5: Unida Kbiit Laek	
Established: 2017	<p>Established in 2017, Unida Kbi'it La'ek is the only group studied which does not include any men. The group negotiated access to 0.5 ha of private land from a landowner who is the father of one of the group members and another area of rice paddy which belongs to one of the members (the wife of the ex-xefe <i>suku</i>). MAF extension workers and community leaders acted as witnesses to the agreement. The landowner receives no payment but the group shares some of the produce with the owner as a sign of respect, even though the use of the land was given as a gift. The agreement is verbal.</p> <p>The land is used to grow rice and vegetables. The group makes \$100-200 each year. The group was also successful in applying for and receiving a grant of \$1,500 support from MAF, which they intend to use to buy seeds.</p> <p>The group faces a number of challenges: part of their land is very close to the river and frequently floods, the market is far away, and they have received little technical support and training relating to their horticultural activities. Looking forwards they hope to receive more training and to add more members (especially younger women) to their group.</p>
Location: Aldeia Kaikassalari, Suku Tekinomata, Laga, Baucau	
Ethnolinguistic group: Makasae	
Members: 10 Women: 10, Men: None	
Products: Rice, spinach, bitter gourd, beans, tomatoes, eggplant	

Case 6: Sadeira	
Established: 2017	<p>Established in 2017, this group is involved in horticulture and raising livestock. The group carries out its activities on land belonging to the brother of the leader of the group. The landowner agreed to allow the group to use the land as it was otherwise unused, and he also became a member of the group. The landowner does not receive anything in return for the land. All profits are divided equally between group members.</p> <p>Their agreement is verbal, with members of the group saying that they have no written agreement and that their agreement is regulated by <i>lisan</i> (customary norms). Members of the group expressed faith that there would be no problems over the land.</p> <p>The women group members report keeping their income but consulting with their husband for its use.</p> <p>The group has received support from Caritas.</p>
Location: Suku Lavateri, Baucau	
Ethnolinguistic group: Makasae	
Members: 16 Women: 14, Men: 2	
Products: Spinach, beans, peanuts, tomatoes, potatoes, pumpkin, bananas	

Case 7: Uai-Kailake	
Established: 2015	<p>The Uai-Kailake group has been involved in horticulture and livestock raising since 2015. The group negotiated to rent 1 hectare of land from a male landowner who has some familial ties to some of the group members. The group rents the land for \$150 per year. The landowner has agreed that if the group cannot pay the annual rent, they can pay the equivalent amount in rice. The agreement is verbal but traditional leaders (<i>lianain</i>) acted as witnesses to the agreement.</p> <p>The members of this group are from Viqueque. Their involvement in the group has enabled them to access land in Suku Ualili</p> <p>Every year the group makes approximately \$1000. The profits are shared equally amongst members of the group and money is put aside to pay the rent to the landowner.</p> <p>The group has received training from World Vision about how to grow potatoes but would like further training on how to make and use organic fertiliser. The group is also supported by the village leaders and Caritas and have received a small amount of seed and livestock from MAF.</p>
Location: Leda-Tame, Suku Uailili, Baucau	
Ethnolinguistic group: Uaimua	
Members: 11 Women: 5, Men: 6	
Products: Livestock, spinach, bitter gourd, onions, tomatoes, other vegetables	

Case 8: To'os Na'in Kraras

Established: 2017	<p>Established in 2017, the group mainly grows maize, rice and mung beans using 0.5 hectare of privately-owned land. The land is owned by the husband of one of the group members. The group has long-term permission to use the land based on a verbal agreement.</p> <p>Group members are all from the same family network. The group began working together to increase food production for their family and works together to strengthen their community relationships as well as to generate income. All profits are shared equally between members.</p> <p>The group has received some training from NGOs on the production of organic fertiliser but would like more training about agricultural methods and support in accessing seeds. In the future they plan to raise livestock.</p>
Location: Aldeia Baha-Bunak, Suku Uma Ki'ik	
Ethnolinguistic group: Tetum Terik	
Members: 15 Women: 10, Men: 5	
Products: Maize, rice, beans, other vegetables	

Case 9: Fahi Lain-Uma Tolu

Established: 2016	<p>Established in 2016, the group is involved in mixed horticulture production on 0.5 ha of unused land which the group and local leaders refer to as '<i>rai estadu</i>' (state land).</p> <p>Land histories in Uma Tolu are complicated. According to local histories most of the people of suku Uma Tolu are originally from Lacluta. During the Indonesian period they were forced off their land and forced to settle on land belonging to the people of Dilor, and so neither men nor women are seen as having a customary right to own land in this area. Eventually a new suku was created in this area called suku Uma-Tolu.</p> <p>In 2016 the group began cultivating an area of land that was unused. Their income from these activities over a 2-year period was \$526. In the future they hope to sell produce to the school feeding programme.</p> <p>The group began cultivation before asking for permission to use the land. Local authorities later gave them permission to use this land as long as they understood that it was '<i>rai estadu</i>' and that in the future the state might need to use it for some the benefit of the population then they would have to return the land. It is important to note here that definitions of state land in Timor-Leste are highly complex and that many people in Timor-Leste use the term '<i>rai estadu</i>' to refer to land that could potentially be claimed as belonging to the community, with little or no knowledge of whether the land is legally considered state land (see discussion in section below).</p>
Location: Uma Tolu, Lacluta, Viqueque	
Ethnolinguistic group: Tetum Terik	
Members: 12 Women: 6, Men: 6	
Products: Maize, bananas, cassava, beans, taro, eggplant	

Case 10: Fini ba Moris	
Established: 2015	<p>The Fini ba Moris group was established in 2015. The group works together to produce maize, rice and cassava. The group also produces coconut oil. The land is privately owned and was offered to the group by the group coordinator's husband via verbal agreement. The land used by the group is three hectares of a larger 50-hectare block that is currently unused due to a broken irrigation system. Previous to the agreement, the 3-hectare plot of land was unused because the irrigation system no longer functioned.</p> <p>All profits are split equally between group members. The total income from agriculture has been small at around \$165 per year but the remaining crops are consumed.</p> <p>Going forwards they would like to expand to grow beans and rice and they would like training from the Ministry of Agriculture about growing rice.</p>
Location: Suku Ossurua, Viqueque	
Ethnolinguistic group: Makasae	
Members: 15 Women: 10, Men: 5	
Products: Maize, bananas, cassava, taro, coconut oil	

Case 11: Quinta Lesadere	
Established: 2016	<p>The group was established in 2016 for the purpose of horticulture production and livestock rearing. In suku Vessoru there are large areas of previously irrigated agricultural land that are currently unused due to the irrigation system being broken.</p> <p>The group approached a male landowner to ask if he would grant them access to some of his unused land. He agreed and gave the group permission to use 4 hectares of land on the condition that they would return it as soon as the landowner needed it himself. He also joined the group. The landowner receives no payment and the agreement is verbal.</p> <p>Couples are involved in the group activities and the group income is approximately \$2000 per year. Profits are shared equally amongst group members.</p> <p>The main challenge that the group faces is access to water as they must carry water over 100 metres from the river to water their crops.</p>
Location: Suku Vessoru, Watu-Lari, Viqueque	
Ethnolinguistic group: Naueti	
Members: 11 Women: 5, Men: 6	
Products: Peanuts, beans, other vegetables	

Case 12: Haburas - Afaloicai	
Established: 2012	<p>The Haburas Afaloicai group was established by women in 2012 for the purpose of agriculture, horticulture and livestock production with the aim of increasing the household economy of group members. Private land of 1 hectare was offered to the group by the coordinator's husband. The land use agreement is verbal, and the group does not pay for the land.</p> <p>The group shares the profit and the production equally. The coordinator of the group is the former xefe suku. The group received a nutrition award from President for their work in food security and promoting nutrition. Couples as well as individual women have now become involved.</p> <p>Going forwards they would like to find a way to dig a well and have water closer to their fields.</p>
Location: Suku Afaloicai, Uato-Carbau, Viqueque	
Ethnolinguistic group: Naueti	
Members: 12 Women: 7, Men: 5	
Products: Maize, peanuts, bananas, papaya, rice, other vegetables	



Results

General Findings

This section summarises the findings from the 12 case studies. Similarities and differences are highlighted and collective information is used to paint a picture of more common practices.

Gaining Access to Land

In all of the cases examined, women negotiated land use as part of a group. In some cases, these groups pre-existed the effort to gain improved access to land. In other cases, they were formed specifically for this purpose. Land agreements negotiated by a group were perceived to be safer and more genuine by both those negotiating access and the landowners. As one group member in Baucau stated:

“Our group and the landowner are pleased with the agreement. We are optimistic that everything will be fine. Our group is known in the community as being active and successful and the landowner has always supported our group even before this agreement.”

A number of case studies demonstrate that land use agreements via agricultural groups can act as a mechanism for rural men and women who otherwise do not have access to family land to access land for agricultural purposes. For the members of the Uai-Kailake group who had moved from Viqueque to live in suku Ualili and therefore had no access to family land, their involvement in the group enabled them to access agricultural land. Similarly, for Grupu Fahi Lain who had weak customary rights to land in their suku, membership of the group enabled them to access unused community/state land.

Overall, landowners seemed to decide whether to enter into a land use agreement based on a

variety of considerations, weighing up: potential profit, cost to themselves, as well as cultural and social benefits. Landowners seemed to take pride in the fact that they were supporting other local community members and their own family to increase their livelihoods and wellbeing. In 8 of the cases the landowner was also a member of the group and in 5 of the cases the landowner was a close family member of group members. In some cases the familial relationship was very close (for example a father or sibling of a group member) but in others the relationship was more distant. Across all cases, these familial connections were seen as a major asset and one of the fundamental reasons for the success of the land negotiation. These case studies highlight the strength and importance of clan and family connections in rural Timor-Leste.

In most cases the land that the group negotiated access to was previously vacant or unused and so the donation of the land was not a significant burden on landowners. Further research is needed to examine how these opportunities shift in areas where there is a greater level of land pressure and/or where land has a higher value (due to urbanisation, increased land acquisition or high value crops such as coffee).

Land Status

In all but one case the land accessed by the groups was land that was considered (by those interviewed) to belong to a particular individual or family, meaning that it was land that had been opened previously and was understood to belong to someone rather than unopened land, communal land or state land. In these cases negotiations were done directly with that person or family rather than with any broader customary institution, although local community leaders were often called upon to witness land use agreements (see below). This fits with other studies of customary land systems which suggests that within broader customary areas there are some highly individualised understandings of land.

Interestingly, in a number of cases groups had attempted to buy land from the landowner but were unable to. For example in the Sae Heun case a father passed land on to his daughter and her husband because he wanted them to have a livelihood and was happy to gift the land for as long as they would like to use it, but he would not sell the land and cautioned them that the land belonged to the ancestors and that the names of the ancestors could not be lost. This story suggests that the father saw their role more as custodians of the land rather than 'freehold owners'. These narratives illustrate the complexity of customary land arrangements in Timor-Leste and that western understandings of freehold title are not always applicable to rural Timor-Leste. This story also suggests that success in accessing land for agriculture is closely related to one's familial and clan connections.

The one exception to this typology is the Fahi Lain group from suku Uma Tolu in Viqueque. As discussed above, the population of suku Uma Tolu (and the members of this group) are originally from Lacluta but were forcibly relocated onto land culturally belonging to the people of Dilor. Despite long-term residence, men and women of this suku do not have strong customary rights to the land that they live on. In this complex, post-conflict scenario the Fahi Lain group 'occupied' unused land in their community and began growing crops.¹⁹ They have since been given permission to use the land which is often referred to by community leaders as '*rai estado*' (T. state land) until such time as the land is needed by the state for another purpose. Understandings of community land and state land in Timor-Leste are highly complex. Terms which are commonly used by communities are very different to the understandings embedded in the law. These differences cause significant levels of confusion at both the community level and national level.

19 The term 'occupied' often has a negative connotation that comes from the notion of 'illegal occupation'. The term has been kept here as it is the term that was used by communities in this case but it should be understood that in cases such as this community members frequently do not consider themselves as having done anything 'wrong' or 'illegal'.

State Land: A potential source of underutilised land?

The Fahi Lain case suggests to us that across Timor-Leste there may be large tracts of under-utilised state land which could be converted and used by women and women's groups for agricultural purposes. However Timor-Leste land histories are complex and caution should be taken with this assumption.

Across Timor-Leste, land is generally perceived as belonging to particular customary groups. Within and between these groups boundaries are not static. Migration and shifting agreements between clans have been constant elements of customary arrangements.

The idea of a broader category of 'state land' was first introduced to Timor-Leste by Portuguese colonial state and later by the Indonesian state. During the Portuguese colonial era large areas of land were taken forcibly from customary communities in order to develop coffee plantations.

The Indonesian occupation (1975-1999) had a particularly significant impact on land and livelihoods in Timor-Leste. In an attempt to pacify the population the Indonesian military moved whole communities down into lowland coastal areas and areas closer to roads. By doing this they displaced whole communities and moved them onto the customary land of other communities. This process is often referred to as '*translokasi*'. Women and men in these communities often have highly vulnerable land rights.

During the occupation the Indonesian state also extended a major transmigration project (known as *transmigrasi*) to Timor-Leste. This project took land from rural communities and granted it to farmers from other parts of the Indonesian archipelago. While most of these farmers left Timor-Leste in 1999 the status of this land is complex with claims being made by the state that it is '*rai estadu*', claims being made by the original customary owners that the land belongs to them and frequently claims being made by more recent occupiers (some who occupied land in the 1970s and 80s and some more recently in 1999) that they have use rights to the land. These use rights are variously negotiated with the state and/or with the original customary owners of the land.

Understandings of state land are further conflated and confused with understandings of local and state governance. *Xefe suku* are technically representatives of the state, but they are also representatives of their community. Some *xefe suku* are simultaneously customary leaders within a particular community. *Xefe suku* themselves use an array of different language to refer to land within their *suku* often referring to customary land under their purview as customary leaders as 'state land'.

These complex histories mean that labels of 'state land' or 'customary land' used by either communities or state officials should not be understood as clear, static definitions of the status of a particular piece of land but rather as contested claims depending on the particular history of the land and the objectives and identities of the group in question.

In order to resolve land ownership issues in Timor-Leste, the Special Regime for the Definition of Land Ownership (Law 13/2017) lays down a series of complex processes and a hierarchy of rights.

- Article 9.1 establishes that all land owned by the Portuguese state (or administered by the Portuguese state until 7 December 1975) and all land owned by the Indonesian state (or administered by the Indonesian state until 19 October 1999) will belong to the Timor-Leste state. However this is qualified by Article 9.2 which states that these rights will not prejudice community property rights or long-term informal rights. This means that when a community has a strong and valid customary land claim, against the state, the state will only win if it is currently using the land for public purposes.
- Article 9.1 establishes that all land owned by foreigners under previous regimes will be forfeit to the state.
- Article 9.4 establishes that all empty land without a known owner will revert to the state.

- Article 2 establishes “informal property rights” (long-term property rights which are undocumented but have all the characteristics of property rights) and Article 3 establishes that these informal rights are amongst the strongest of rights recognised by the law (on an equal footing with full freehold rights).
- Articles 19-22 establish the concept of “special adverse possession” which provides limited protections to those living on land prior to the 31st December 1998, however, Article 20.2 weakens this protection by stating that it does not apply to those who occupied land as a result of forced displacement during the Indonesian era. Instead these cases will be resolved on a case-by-case basis (Article 75).
- Article 27 establishes the concept of community property which is a full freehold property right belonging to a particular community.

From an analysis of these articles we can see that whether land is considered to be “community property” or “state land” will depend on what types of land are considered “empty and unowned land”. There is a risk that the state will put forward a definition that all land that is not currently being cultivated or used by an individual or family is considered empty land without an owner this type of definition will mean that large amounts of customary land will be redefined as state land.

Crucially, the land registration process (see below) regulates all of these claims, and in order to avail of any of these rights all landowners must submit land claims during the systematic land registration process. If a landowner or community does not submit a claim to a piece of land within the appropriate time period this land will be considered as empty land without an owner. Communities and local state actors have little or no understanding of these rules and the state has yet to implement the land law in full. Further dissemination of the land law is needed to ensure that communities understand the landownership options available to them.

Given these complex definitions and histories, it is important that we do not promote simplistic definitions of state land and community land. Nuanced analysis is needed before producing guides or policies about how under-utilised state land could be given to women and women’s groups for agricultural purposes and/or how negotiations between groups and customary landowning communities could be supported.

Since 2008 the government of Timor-Leste has been pursuing land registration processes which would (in conjunction with a land ownership law) attribute titles to all land in Timor-Leste. The process for land registration is established in The Special Regime on the Definition of Land Ownership (Law 13/2017). According to the law the government will implement a systematic registration process overseen by the Department of Land and Property. Under this process land and property officials will collect claims to land in particular ‘collection areas’ during a defined period of time. During this collection process all people will be free to submit claims to land that they feel they own. Once claims collection has been finalised maps of all claims will be published and a period of verification will be allowed where those who have not yet submitted claims may submit them. After this period no further claims will be allowed.

Under this process land which is not claimed will be deemed “land without a known owner” (Article 9.4, Law 13/2017) and will revert to the state. Land parcels which are disputed will be resolved according to the hierarchy of rights laid down in Law 13/2017. Obviously, this process will have significant impact on land tenure security in Timor-Leste, on the rights of the landowners in these cases and by extension the security of the land use agreements entered into with these groups. Further research which examines whether or not landowners had registered their lands and whether or not these claims were disputed could shed more light on the security of the land use agreements examined in this research.

Terms of the Land Use Agreements

The terms of the land use agreements varied. In most cases land was made available to the groups via long-term, informal loans. In one case land was leased to the group (the Uai Kailake women's group leased land for a yearly rental payment of \$150). In two cases, as a result of group negotiations, land was gifted from landowners to close family members who were group members (Sae Heun and Haburas Moris) but it was understood that these gifts were to the family members in question (rather than the group at large).

In general, land use arrangements appeared to be fair and measured. In many of the cases a high degree of generosity was shown by landlords. In 10 of the cases land was given for free with no profit or payment received by the landowner. Frequently these arrangements were justified by landowners wanting to see their own families and to a wider extent their communities derive benefit from group agricultural work. One group in Bobonaro had entered into discussions with a landowner who, according to the group members, the xefe suku and traditional leaders, was willing to gift his land for the purpose of building a local marketplace for women to use, understanding that he would lose all future ownership claims to this land. In the case of another group from Bobonaro, the landowner was elderly and wanted people to use his land, so he was loaning it out to the group at no cost for as long as they wanted. The landowner was of the opinion that women could not own land, but he was also adamant that both women and men need to be able to access land and benefit from its production.

Fairness During the Negotiation Process

In general, respondents did not raise any difficulties regarding the negotiation process and no incidents of intimidation or unfair treatment were reported. All groups stated they had involved other parties and witnesses while negotiating the agreement, usually the xefe suku or other community leaders, highlighting the significant importance of these actors in legitimising agreements at the community level. Groups said that they would turn to these parties and involve them again if any dispute arose, although all groups expressed confidence that their landowner would continue to work with them to address any issues. This suggests that the family structures, on which most of these agreements rely, are robust mechanisms for building trust amongst parties.

A number of groups and landowners also stated that having the backing of an NGO or the Ministry of Agriculture and Fisheries (MAF) helped the group to be perceived as more legitimate amongst the community and with the landowner.

While conflict was not observed amongst the 12 case studies examined, potentially, conflict could arise in three main areas: (1) the distribution of profit and benefits, (2) investments in the land, and (3) continuation of the agreement. For groups who are engaged in informal and unwritten profit sharing or lease arrangements, and/or groups accessing land for free through family members, there is a risk that landowners may re-evaluate their desired share of the profits, particularly if they perceive the group to be succeeding financially. For groups using land belonging to a particular group member where this member is not receiving any additional payment for the land there is a risk that the group member could change their mind about desired profit sharing arrangements at any time. Similarly there is the potential for the landowning group member to wield more power over other members, do less work or request adhoc payments. Many of the groups are investing in the land, by buying equipment, fencing, planting of trees or irrigation on the basis that they have long-term land use agreements with the landowners. If the landowner was to take back this land conflict might arise over compensation for the improvements.

The majority of the groups reported no (or very limited) understanding of the Land Law at the time of the agreement. Some felt that the negotiation process and the agreement made would have been more secure if they had this information at the time, although others were undecided on this. All respondents said they would like to know more about the Land Law because land issues are complex and can create tension within and between families.

The majority of the stakeholders, but in particular local government and community leaders who are often witnesses in such negotiations, felt they could better support interested parties to reach fair agreements if they had access to and an understanding of the land law and guidelines for negotiating fair land use agreements. One xefe suku in Bobonaro stated that he would like to assist women's groups in accessing state land or abandoned land in his suku. Although he had never considered doing so before being involved in this research, he now believes he could play a role in helping women and groups negotiate fair access to land. He stated that additional information and/or guidelines would be very useful for him in this regard. The same xefe suku also noted that behind domestic violence cases, resolving community land issues took up most of his time. These reflections highlight the importance of providing additional information and guidance to assist community leaders in supporting fair and secure land use agreements, and to mitigate against potential conflicts.

Security of Land Access and Durability of the Agreements

Only one of the 12 case studies had a formal written agreement (the remainder being verbal agreements).

In the absence of written contracts, the robustness of these verbal agreements depend on social norms, including: (i) who had witnessed or supported the agreement; (ii) the landowner's connection to the group; and (iii) the level of 'good will' that the groups had towards each other.

The familial relations guaranteeing most of the cases meant that groups felt highly secure in their arrangements. One group member explained:

"We feel very secure in this group. Even if the landowner was to leave the group this would not affect us because we are all from the same family. Even though we don't have a written agreement, even though we only spoke briefly about the land, for us, as sisters, this [agreement] is secure." (Member of Haburas Moris Group)

While written agreements are best practice, verbal agreements (particularly those with witnesses) were deemed sufficient by most groups, given their connection to the landowner and the size of land they were accessing (between 1 and 2 hectares). Some respondents even stated that pursuing a written contract might be considered disrespectful, as a person's word and promise should be enough to bind them. This last point should be taken into consideration when developing guidelines around land-use agreements.

What the Law says on Oral Versus Written Agreements

In general, agreements and contracts between two parties do not necessarily need to be written in order to be considered valid under the law (Article 210, Civil Code). However, there are particular types of agreements that must be written down in particular ways and formats in order to be considered valid, this includes the sale of property (Article 809, Civil Code), leasehold agreements (Article 1016, Civil Code) and the gift of property (Article 881, Civil Code).

The cases examined in this study fall into a number of categories: leasehold agreements which involve the payment of rent and/or profit sharing arrangements (for example, cases 7) and loans (Cases 2, 3, 4, 5, 6, 8, 11 and 12).

A leasehold agreement is a simple contractual agreement between a landowner and tenant which states how much the tenant will pay for the land, for how long, and outlines any other key parts to their agreement (for example profit sharing arrangements, agreements on who will be responsible for improvements to the property etc). Leasehold agreements must be written or run the risk of being found null and void (Article 1016).

A loan is a gratuitous contract where one party gives the other land to use on the condition that it be returned to him/her (Article 1049, Civil Code). In a loan agreement, the borrower does not have the same rights as in a leasehold agreement, nor does the lender have the same rights as a lessor (see for example Article 1053-1054, Civil Code). Under the civil code a borrower is not entitled to make improvements to the land (Article 1058, Civil Code).

Profit and Benefits from the Land Use Agreements

Most of the case studies examined involved a relatively small amount of land (less than 1 hectare). Only two cases involved land of more than 1 hectare and both of these cases were in unused irrigation areas where the irrigation had failed due to problems with maintenance (Quinta Lesadere group had an agreement to use 4 hectares and Grupu Fini ba Moris had an agreement to use 3 hectares).

Profits derived from activities on the land ranged from \$165 per year to \$2000 per year with most groups using agricultural produce for consumption as well as for sale (see table 3 below). Land size did not necessarily link directly with additional profit. The examples of minimum profit (\$165 per year) and maximum profit (\$2000) came from the cases with most access to land (3 hectares and 4 hectares respectively). Evidence also showed some groups making larger amounts of money (\$1000 per year) from very small areas of land (less than half a hectare). In some cases overall profits were difficult to gauge because the group split crops and each member was responsible for the sale of their own produce.

Table 3: Overview of land size, profits and profit sharing arrangements

	Group name	Type of agricultural activity	Land size (Ha)	Profits	Profit sharing within group
1	Grupu APAM	Horticulture	1.5 ha	Overall profit unknown because crops were shared and each member was responsible for selling their own produce	Crops shared equally amongst members
2	Grupu MAGA	Horticulture	0.5 ha	Unknown	Profits shared equally amongst members
3	Grupu Haburas Moris	Horticulture and L.vestock	1 ha	Approximately \$1000 per year plus vegetables for consumption	Profits shared equally amongst members
4	Grupu Sae Heun	Horticulture	0.5 ha	\$450-\$680 per harvest plus vegetables for consumption	Profits shared equally amongst members
5	Grupu Feto Unida Kbiit Laek	Horticulture	1 ha ((two separate plots)	\$100-200 per year, plus vegetables for consumption	Profits shared equally amongst members
6	Grupu Feto Sadeira	Horticultue	+/- 0.5 ha	Unknown	Profits shared equally amongst members
7	Grupu Feto Uai-Kailake	Horticulture and livestock	1 ha	Approximately \$1000 per year plus vegetables for consumption	Profits shared equally amongst members
8	To'os Na'in Kraras	Horticulture	0.5 ha	La hatene	Profits shared equally amongst members
9	Grupu Fahi Lain	Horticulture	+/- 0.5 ha	Had just begun activities and in a 1.5 year period had made \$526	Profits shared equally amongst members
10	Grupu Fini ba Moris	Horticulture	3 ha	\$165 per year but most vegetables for consumption	Profits shared equally amongst members
11	Grupu Quinta Lesadere	Horticulture	4 ha	Approximately \$2000 per year	Profits shared equally amongst members
12	Grupu Haburas	Horticulture	1 ha	Unknown	Profits shared equally amongst members

Women saw themselves as benefiting from these arrangements in different ways. Being able to look after their families, buy household necessities and send children to school were the most commonly mentioned benefits. However women also spoke about the need to be independent. The secretary of the Unida Kbi'it La'ek group in Baucau explained the range of benefits that she felt:

"We [established our group] because, firstly, we want to be able to provide for our families. Secondly, we want our children to go to school. Thirdly, we want to be able to buy household necessities. Fourth because we want to be able to work for ourselves and not be ordered around by other people and finally because we want to be financially independent on not to depend on handouts from other people." (Secretary of the Unida Kbiit Laek Group, Baucau)

The leader of Grupu Fahi Lain in Viqueque explained that the group helped members to become more independent:

"Our group was established because there were so many men and women who do not have work. These days some women are used to only working at home and depend on men. We need to come together in groups, especially young women who are recently married to know how to work and to improve our families situations. Women can't only depend on men. If a husband dies, women must be able to work to look after her children." (Coordinator of Fahi Lain Group, Viqueque)

The groups also faced a number of challenges in generating profit from their activities. A number of groups mentioned distance to market as a problem. Some rice producing groups felt that the price of rice was very low. Another group had signed a contract and provided produce to a client but had not been paid for the produce. A range of policy and programme solutions could be implemented to support groups in these activities, including: increased accessibility to market, training on contracts and negotiation, and legal or advocacy support for groups facing problems with clients or buyers. In addition, all groups asked for more technical support, including: training about composting and organic fertiliser, training about horticultural methods and the raising of animals, and funding to buy seeds and other equipment.

Gender Analysis of the Case Studies

This section presents a gender analysis of the 12 cases. Similarities and differences are highlighted, whilst collective analysis paints a picture of common practices, gender dynamics, and issues relating to women's empowerment.

Gendered Access to Land

While this study did not specifically seek to understand the complex cultural practices around land inheritance in each of the case study sites, during our research, a number of themes emerged. The cases demonstrated a range of inheritance practices. Members of some groups presented strict interpretations of patrilineal inheritance where women could not have ownership rights to land. Other groups highlighted extreme flexibility in inheritance practices. One group member explained that in his area men and women had the same rights to use the land but that no one could own land because land belonged to the ancestors. Other group members explained the difference between cultural norms and the realities facing families:

"In our family women do not have rights to own land, only men. According to our culture women can have rights to use land but only men can own the land. Our culture does not allow it, but if while our parents are alive, they share land to their daughters (as well as their sons) then we [women] can access land." (Member of Unida Kbiit Laek Group)

That this is an acceptable practice shows traditional pathways already exist for reallocation of resources more equally. These anecdotes echo findings from academic literature documenting the flexibility of customary arrangements.²⁰

In several case studies, landowners recognised that women needed access to land for their livelihoods

20 Myat Thu, P., Scott, S., and Van Niel, KP. 2007. Gendered access to customary land in East Timor. *GeoJournal* 69:239–255; and Fitzpatrick, D., McWilliam, A. and Barnes, S. 2012. *Property and Social Resilience in times of conflict: land, custom and law in East Timor*. Routledge

and were willing to loan their land to women. That being said it is clear across all case studies that the women were highly dependent on the good faith of the landowner.

Group members and community leaders had very little knowledge of equality provisions regarding land inheritance and property ownership in the constitution or other land laws.

This research reinforced the fact that, whether living in matrilineal communities or patrilineal communities, women face a range of difficulties in making their voices heard at the community, extended family, and even household level and that decision making over land is highly gendered.

In one patrilineal community, a woman explained:

"Kemak culture does not give opportunities to women to own land, but our families give us some land so that we can plant vegetables to sustain our families. If our husbands have not paid the brideprice, then often our parents will allow him to live with us and to have some land (but he does not become the owner). Automatically men are the ones who take all the decisions. Even though they ask our opinions, often we choose to be quiet to avoid a problem." (Group Member, Bobonaro)

In a matrilineal area, a woman explained:

"In Bunak culture, women are the owners of inherited land because we use the kaben-tama (marrying in) system. When a man marries a woman, he leaves his land and goes to his wife's land. Even though the woman's family are the landowners the man has the right to use land... About decision-making in the household, men make the decisions because they are the fathers of the family and they are responsible for the household. We women share our opinions and give ideas. In our uma lisan (spiritual house) the uncles and the heads of the houses make decisions (but they also consult with us women, especially about how to put money together)." (Group Member, Bobonaro)

These quotes highlight the complexity and flexibility of customary land norms and show us why it is important that organisations working in the agriculture sector develop nuanced understandings of the locations we work in. However, they also highlight the extent to which women are subject to the decisions of men (whether husbands, brothers or uncles) and how difficult it can be for women to speak out against the decisions of their male relatives.

Women and Land Use Agreements

The women leading the groups were 30-55 years old, with no younger women acting as leaders. Most were married and had older children, most also had a husband and or male family member who was supportive of them at some level. This suggests that women who have established their social standing or credibility in their family and/or community are more likely to have the necessary confidence and support to consider taking a risk, such as forming a group, exploring land use agreements and applying for funding from the government. Further demographic information of the women and men involved in each of the groups was not specifically collected. Therefore, it is not possible to provide much reflection on how specific characteristics of the women, such as age, marital status or socio-economic factors play into why and how a group is established in the first place and the subsequent agency that the group then has to negotiate access to land.

In the success stories examined, land use agreements provided significant opportunities for women (and men) to access productive land that they would not have otherwise had access to, and thus increased their options for agricultural production. The case studies show that women's negotiation of land use for agricultural production can result in productive outcomes and can also create inspiring examples for other women. However, further research into why negotiations may not be initiated in the first place, or why such efforts might break down along the way could also be useful.

When beginning this research, we intended to collect case studies involving both individual women as well as groups of women accessing land through land use agreements but were unable to find any

cases of individual women accessing land through land use agreements. While this finding is anecdotal, it suggests that individual women farmers are not as likely to engage in land use agreements. The field work did not explore why other women farmers do not enter into land use agreements, but participants explored this issue more during the stakeholder workshops, and identified four often concurrent reasons that might explain this trend:

- **Limited need** – Women’s need for access to land resources may be sufficiently accommodated within their family’s and/or husband’s ownership of land. Land might be farmed jointly, with both husband and wife benefiting, regardless of her limited control over the land. This type of access can change over a woman’s lifetime, and women in this situation are often still dependent on the landowner’s (usually a family member) willingness to grant access to them. These arrangements are also based on the overarching assumption that all women marry and thus can access land through marriage, leaving women who do not marry, women who divorce or are widowed in particularly vulnerable situations. Research suggests that when land comes under pressure or the value of land increases women in these socially negotiated arrangements can lose out.²¹ Significantly more research is needed to test these theories and to develop a nuanced understanding of how different types of women access land within and outside of their families.
- **Pursuit of other economic opportunities** – Having limited or no land ownership from birth may naturally steer women towards less land-dependent economic activities, such as weaving, pig raising or the operation of small kiosks. These activities might also be regarded as lower economic risk for women, compared to expanding agricultural production by using the land of others. Expectations of women’s roles within the household also change across a woman’s lifetime.
- **Lack of known precedent** – Formal land use agreements are not common practice for farmers, either male or female, so women may not consider the opportunity to access other people’s land or unused state or community land, given there are few examples of this being done by others.
- **Limited status** – Women’s perceived low social status systematically excludes them and reinforces social perceptions that land is men’s business. Opening up negotiations for improving a woman’s access to land would require considerable confidence on her part, and an ability to manage any negative repercussions resulting from doing so, particularly in patrilocal situations where a woman is living with her husband’s family and her only option is to negotiate with her in-law’s rather than her own family. Group-based land negotiation seems to be one strategy for overcoming this.

Reflecting on these reasons, it is possible to deduce that even if the economic need and knowledge about the options of land use negotiation is known to a woman, that factors related to her own confidence and social status in her family and or community may still be a barrier to a woman taking up such an option.

The findings and recommendations from this report might be applicable to both women and men who have been left vulnerable and landless by any dominant land inheritance as well as those left landless by displacement and/or state evictions.

Negotiating Land Use as a Group

The advantages and disadvantages of group-based activities for promoting women’s empowerment are well-documented globally. Group based activities often provide women with a way to step outside their expected roles as a group rather than as an individual, thus reducing levels of personal risk. Being part of a group allows women to feel more confident and supported by their peers to take risks and try something new. Collective bargaining power may also support women during negotiations.

Almost all groups identified ‘increased security’ as an added advantage of working together as a group, explaining that they rarely felt threatened walking to and from their fields because they would travel in a group.

21 Cryan, M. 2015. Dispossession and impoverishment in Timor-Leste: Potential impacts of the Suai Supply Base. SSGM Discussion Papers, Australia National University.

“As women our security is better because our fields are close and we always walk together in a group” (Group Member from Unida Kbiit Laek)

Disadvantages and financial risks to all members can come when a group, its finances and resources are poorly managed leading to members losing profit or their investments. This breakdown in group dynamics can bring further social stress as conflict spills into families and the wider community. As with any group, women's groups are also susceptible to unequal power dynamics that can lead to some members manipulating and dominating other members of the group or using the group for their own personal gain.

In all the case studies, women respondents agreed that at least for now, the advantages of working as a group seemed to far outweigh any problems they had or could face as a group in the future. In almost all the cases, being a member or leader of a group often provided women with the extra confidence they needed to consider and initiate the land use negotiations. Other group members and the group's overall purpose provided additional justification to negotiate land use, and added a sense of legitimacy to the eventual agreement.

In most cases, the group had existed in advance of the land negotiation, although in some cases the group was formed specifically for the purpose of accessing the land. All groups in this research were self-defined as women's groups, even if they included male members, mainly because the groups' existence had been driven by women and/or the group was coordinated by a woman. Only one group's membership was entirely made up of women, with the other groups including both men and women. Most of the groups were made up of family members or close neighbours, and many of the groups had specifically included more vulnerable community members including widows, young couples and the elderly.

The diverse nature of the memberships of the groups allows the benefits of being in a group to be spread further throughout communities. There was a strong sense that economic and social benefits were of equal importance to the group. In some cases, the groups were formed to promote cross generational harmony, while for others, being part of a group lifted their social standing and status within their families and communities. For many women, being in a group allowed them to be taken seriously and they felt the success of a group would likely facilitate future opportunities for them.

A number of case studies highlighted examples of women building up others at the same time as they changed things for themselves. In five of the 12 case studies, the group was negotiating to use land owned by a relative of one or more of the group members. While the land could potentially have been negotiated for her own individual use, the women interviewed preferred to negotiate use of the land as a group and take the same share of the profits as everyone else in the group.

One group in Bobonaro had negotiated to use land belonging to the husbands of two group members in order to plant mung beans, rosella and peanuts. The group members whose family owned the land received no more profit or compensation than any other member in the group. As their wives were directly involved in the group using the land, the men had provided the land as a loan (without any rent charged) rather than negotiating a separate share in the profits. This kind of arrangement is highly advantageous for the remaining group members who are not related to the landowner, as they gain access to land at no cost while being able to share equally in any income from the group's production.

Other Benefits from Group Membership

Interviews with women respondents revealed a range of other benefits arising from collectively organised land use. One group from Viqueque reported that working as a group provided women with a sense of safety in walking to, and working on, land that is further away from their homes.

The same group was also using a small amount of their profit as savings for the group and to enable emergency loans for its members. The group decided what to do with the savings together, with a long-term verbal lease agreement providing them with the sense of security required to do this. Members saw the group as a way of strengthening the socio-cultural ties within and across families of

different ages, and making sure young couples are encouraged to farm.

Women's empowerment can both lead to, and result from, women's attempts to negotiate improved land access. Women respondents in Baucau shared how their group had been set up through a women's organisation two years before and described the changes that had occurred for the group since then. Group members stated that while they had initially found it hard to speak up and voice their ideas, ongoing training and support had helped build their confidence and enabled them to explore more income-earning opportunities as a group. When reflecting back on their journey, group members noted their pride in the group's achievements, such as working together and growing and selling produce. They also mentioned the increases in status or respect that they feel both in their own families and the wider community. Undertaking successful negotiations and the resulting land use agreement was a particular point of pride for this group.



Conclusions and Recommendations

The case studies captured through this research show that there is precedent for women to enter into land use agreements in order to expand their agricultural production for both consumption and sale. These agreements have the potential to increase income opportunities for women (and men) that may not have otherwise been possible. A clear example of this is the group from Viqueque who negotiated use of unused land to grow vegetables, and were then able to sell this produce to the school feeding program. Nonetheless, this research suggests that land use agreements remain a largely underutilised option for expanding and diversifying agricultural production, and for supporting the economic empowerment of women. More could be done to promote this as an option for both women and men, including sharing stories of women and groups that have managed to successfully negotiate access to land.

The cases examined highlight the importance of familial and clan relationships in accessing land, as all but one group accessed land through a group or family member. The cases also reinforce research which suggests that while women are disadvantaged in land inheritance and decision making over land, customary land systems in many instances are highly flexible to new approaches.

This research shows that the overwhelming majority of land use agreements are oral agreements. The evidence collected suggests that these agreements are seen as robust and secure by group members and landowners alike and that the involvement of community leaders as witnesses greatly bolsters the perceived legitimacy and strength of the agreements. Nonetheless, knowledge about land law, provisions relating to equal property rights and new land registration programmes were almost non-existent. Significant work needs to be undertaken to inform women and men of their rights under new laws and to consider opportunities for strengthening the legality of these agreements (for example

through written agreements).

During workshops, community leaders demonstrated great willingness to be involved in facilitating land access for women and agreed that having a set of guidelines for rural communities, which would outline a process for negotiating land use agreements would help to ensure that these agreements are equitable, fair and supported by relevant laws in Timor-Leste.

This research revealed that negotiating land access as a group supports women in many different ways. More information is still required about if and how women negotiate land access as individuals and the challenges they may face in doing so. Further research in this area would enable relevant stakeholders and organisations to better support women in considering such agreements as a way to improve their land access and increase their economic opportunities from agricultural production. Greater understanding of these pathways would also support recognition of women as professional farmers and entrepreneurs and contribute to growing the status of rural women over time.

The case study collection process, subsequent stakeholder consultations, and final dissemination of the findings presented in this report have also presented an opportunity to raise awareness about disparities in men and women's land ownership and utilisation in Timor-Leste. The researchers hope that by increasing awareness and promoting ongoing discussion of these issues, landowners and community leaders may continue to recognise and address gender disadvantage in how assets and resources are allocated and controlled at both the household and community levels.

Overall Recommendations

1. Support women to explore and pursue more secure land use agreements as part of helping them to develop their livelihoods. Among other things, this might include providing legal support, developing guidelines, providing training and information on land use agreements, negotiation and land rights, and encouraging the use of written as opposed to oral agreements.
2. Improve men and women's knowledge of land rights, specifically ensuring their knowledge about equality of property rights, land registration processes and their skills to secure and negotiate improved access to land through land use agreements.
3. Encourage community leaders and government officials to promote gender-equitable land ownership and use. Innovative land use arrangements which facilitate women's access to land should be showcased in order to raise awareness with communities that increasing women's access to and control over land and other resources is likely to have a positive impact on agricultural productivity, income, family welfare, and household food security.
4. Encourage joint decision-making over land resources within families and communities at all times.
5. Investigate mechanisms which make unused community or state land available to women for agricultural purposes.
6. Share this report widely with the Timor-Leste Government especially the Ministry of Agriculture and Fisheries (MAF), the Secretary of State for Equality and Inclusion (SEII), The Ministry of Tourism, Commerce and Industry (MTCI), the National Directorate of Land, Property and Cadastral Services (DNTPSC), Ministry of Justice (MoJ), as well as with development actors, women's organisations, land groups, and other relevant stakeholders, and seek additional feedback and analysis in order to promote uptake of the recommendations.

Future Research

Future is needed to:

- Produce more rigorous analysis of the long-term stability of these land use agreements, particularly in light of changes to land law under Law 13/2017 and land registration processes;

- Examine the barriers preventing individual women from entering into land use agreements,
- Develop a nuanced understanding of the barriers facing women in inheriting and claiming ownership of land;
- Develop a more nuanced understanding of the negotiation processes and tactics that women commonly use in order to access land;
- Seek to better understand the advantages and disadvantages of the women's group model and document how different members benefit, especially more vulnerable members.

Secure access to land is fundamentally important to agricultural livelihoods and is one of the most significant agricultural advantages farmers can have. Clear links have been established between strengthened land rights for women and reduced poverty, increased household wellbeing, food security, women's economic empowerment, as well as resilience in the face of climate change and other disasters.

In order to better understand the pathways women use to access land, TOMAK and Rede Ba Rai established a research partnership to explore the experiences of women and women's groups in negotiating land use agreements. Particular areas of interest included how women were able to negotiate improved access, the terms and fairness of the agreements entered into, and the benefits and challenges they faced. The overarching objective of the research and its subsequent dissemination with women, communities and other stakeholders was to help inform and strengthen future agricultural land use agreements for women

The case studies captured through this research show that there is precedent for these types of land use agreements and that women are interested in entering into land use agreements in order to expand their agricultural production for both consumption and sale. Such agreements have the potential to increase income opportunities for women (and men) that may not have otherwise been possible.

