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Land Rights Indicators in the Post-2015 SDGs

Recommendations for Inter-Agency Expert Group & Other Policymakers

The success of the Post-2015 sustainable development goals (SDGs) will depend on the adoption of indicators that allow measuring progress towards targets and provide helpful information to policymakers.

In preparation for the March 3-6 discussions, the UN Statistical Commission compiled recommendations from the UN system. We applaud the inclusion of land rights indicators to track progress toward targets 1.4 and 5.a. We support the growing consensus on this subject, and we reaffirm the fundamental importance of [secure and equitable land rights](#) for the achievement of the SDGs.

As member states move towards the next inter-governmental negotiations, we propose two indicators that we believe are fundamental to achieving 'the future we want'. We confirm that these indicators are meaningful, universal, and feasible, and that they capture fundamental realities affecting key stakeholders at the heart of the SDGs.

Priority land rights indicator

Combining suggestions from UN Women, IFAD¹, UNEP², and the Sustainable Development Solutions Network (SDSN), we propose the following land indicator to monitor land rights in the next 15 years. This indicator is fundamental and should be prioritized, as it provides the most basic information on this subject. It is based on what has been proposed by [SDSN](#) and consistent with recommendations from the [Global Land Indicators Initiative](#). While recommending it to be placed under the Target 1.4, this indicator can also track progress toward targets under Goals 2, 5, 10, 11, and 15.³

1

Percentage of women, men, indigenous peoples, and local communities (IPLCs) with secure rights to land, property, and natural resources, measured by

- percentage with legally documented or recognized evidence of tenure⁴, and
- percentage who perceive their rights are recognized and protected

This land rights indicator can be defined as follows:

- (number of women with legally documented or recognized evidence of tenure / number of women) x 100, and similarly for men, and IPLCs.
- (number of women who perceive their rights are recognized and protected / number of women) x 100, and similarly for men (with overview where appropriate also at IPLCs' level).

A complementary area indicator on common land

Considering the transformative aspirations of the Post-2015 Agenda, we also support a second complementary indicator under Target 2.3 and 15c that tracks progress on a critical aspect of tenure: common lands.⁵

2

Proportion (area) of common land under the tenure of indigenous peoples and local communities that is legally recognized, secured, documented, and protected, and that guarantees equitable access and use to women and men (UNEP)

It is fundamental to mention explicitly women, men, indigenous peoples and local communities

Strengthening land rights for women, indigenous peoples and local communities goes hand in hand with the realization of development objectives related to poverty alleviation, food security, advancing women's empowerment, and environmental stewardship.

Firstly, land-related indicators that explicitly distinguish between “the percentage of women” and “the percentage of men” have a built-in safety guard to ensure that this ambitious development agenda does not leave women behind, unintentionally exacerbating the gender asset gap and undermining governments' ability to meet the globally agreed upon goals. Alternative wording such as “proportion of the population” or “percentage of households” leaves the door open to prioritizing men over women.

The explicit inclusion of “indigenous peoples and local communities” ensures that this agenda recognizes and protects their land rights, in line with globally agreed upon recommendations such as those from the [Voluntary Guidelines on the Responsible Governance of Tenure](#), Convention on Biological Diversity (CBD) and Rio+20. Likewise, an area indicator on common lands capture an important piece of information that is critical for those who have rights over collective tenure, and can make the picture of worldwide trends in land tenure more comprehensive.

The land rights indicators are meaningful

There is no perfect indicator, but as recognized and proposed by SDSN, documentation and perceptions provide fundamental and complementary information on tenure security. In addition, they both highlight outcomes and on-the-ground realities.⁶ The legal recognition of tenure is important,⁷ but not always sufficient to fully guarantee that rights to land are experienced in practice. Field experience around the world suggests that for these rights to be secure, they must be backed by effective, inclusive and gender-responsive systems of land administration and justice.

By tracking the extent to which these rights are documented (**sub-indicator 1a**), we allow governments to demonstrate that they are taking steps to formally grant the rights. The expression “legally documented or recognized evidence of tenure” is broad enough to consider different forms and systems of tenure, which in some countries may necessarily be expressed at the individual level, while in others may also include community-based and collective customary forms.

By tracking individuals' perceptions of their own tenure security (**sub-indicator 1b**), we summarize in one measure the economic, social, and political risks affecting individuals, their households, and their communities as they perceive them. Individuals may face different kinds of threats to their land rights. Examples of these threats include the possibility of losing land due to adverse economic circumstances, to conflict in their communities, to large scale land acquisitions, or as it is often the case for women, to intra-family dynamics such as losing a husband.

Indicator 1 therefore measures the tenure security of all women and men, as well as the collective tenure of the communities - by looking for administrative data indicating which IPLCs have registered rights over common lands under relevant national frameworks. Comparing these results provides critically important information, as one can determine whether members of these communities are less secure – due to factors affecting the entire community or only some of its members – and, importantly, whether women in these communities are as secure as the men. By tracking progress in recognition of common lands under the tenure of indigenous peoples and local communities (**indicator 2**), we recognize and protect an important dimension of tenure arrangements that are expressed and held in common, including forests, rangelands, wetlands, and dry-lands.

The land rights indicators are universal

By using the number of women (or men) as the denominator in **indicator 1 a** and **1b**, we ensure that the indicator is based on the entire population. It is important to note that alternative formulations - such as focusing on those who are heads of households, landowners, or legally married for example – will unintentionally limit the indicators' coverage and obscure gender disparities. Where appropriate, this indicator should also get *complementary* information on the number of IPLCs that have their tenure legally recognized and documented.

Similarly, by using a numerator that goes beyond ownership, these indicators can help guarantee and protect the rights of women and men who access land through a number of group or individually held tenure arrangements whose nature and prevalence can vary across the globe. Owning land may not be feasible in certain settings and may not be affordable for many. The indicator we propose can capture, for example, the tenure security of those whose claims are based on long-term contractual use rights, rental agreements, or community-managed resources.

Likewise, an indicator on common lands under the tenure of IPLCs is universally applicable, as collective tenure is widespread across countries, and applies to a wide range of land users, including pastoralists, indigenous peoples, fisher folk, hunter-gatherers, and others accessing common-pool resources.

The land rights indicators are feasible

As conveyed by the [Transformative Agenda for Official Statistics](#), national statistical systems will need to take short, medium and long-term actions in order to strengthen their capacity and close important data gaps. The transformative agenda calls for improved administrative data, for expanded household surveys, and for the collection of data at the lowest possible level. On tenure, this means collecting data at the individual level and, where appropriate, data on rights held collectively by indigenous peoples and local communities.

We fully support the goal of strengthening countries' administrative capacity to gather, generate and make available land tenure data. In order to enable the production of **sub-indicator 1a** for women and men, countries would need to have data on their entire territory and that data would have to contain unique individuals' identifiers.⁸ For IPLCs, it also requires that collective rights are recognized and documented in administrative records. While this is already taking place in many countries, in others these are long term efforts that, unfortunately, do not align with the more immediate demand for data required to track the post-2015 agenda and must therefore be supplemented with other sources of data.

In the medium term, nationally representative household surveys can be used to calculate **sub-indicator 1a** for women and men. A number of countries have piloted similar efforts through the Living Standards Measurement Study-Integrated Surveys on Agriculture (LSMS-ISA). In these surveys, households provide information on all their members and all their plots of land. For each plot of land, they are asked if they have documents, what type of documents and, often, whose names are included in the documents. The list of documents to consider varies by country.

These household surveys will need to be adjusted to **(1)** ensure that the survey asks about all the plots the household uses, not only plots that the household owns; **(2)** allow each country to determine the set of documents with legal validity; **(3)** ensure the survey identifies all those who are listed in the documents (that it accounts for all the persons, not only the first person named, and that it gathers data that identifies the person not just his or her gender, see endnote 7; and, **(4)** ensures that the survey asks about rights to access and use common lands and natural resources. As mentioned above, administrative data should be used to complement this information by tracking the number of indigenous peoples and local communities whose collective tenure is legally recognized and documented.

Sub-indicator 1b is about women and men's perceptions of their own tenure security and therefore needs to be collected through nationally representative individual surveys. In recent years, researchers from a number of institutions that include but are not limited to IFPRI, NORC at the University of Chicago, UN Habitat and Landesa have tested the type of questions that could be used to elicit women and men's perceptions of tenure security. Considerable progress has been made on how to gather this data, but only a small number of projects and organizations collect it regularly. Where appropriate, these data should be also aggregated at IPLCs' level, to have an overview of the percentage of members who perceive their tenure over common land secure.

For **indicator 2** on common land, relevant spatial information can be retrieved through administrative data that track domains and spatial units under relevant legal frameworks; and can be supported by GIS information, which is a widespread and mobile technology. Data can also be complemented with information from community-based monitoring systems and validated by experts' and peer groups.⁹ Such an indicator is achievable in a cost-effective way in all countries, is measurable over time, and allows for incremental measurements. It can use internationally agreed definitions and standards, such as those developed through the Voluntary Guideline on the Governance of Tenure.

A feasible tool to start tracking rights to land in the Post-2015 agenda: Global Polls

While building countries' capacity to collect data for **sub-indicators 1a** and **1b** and **indicator 2** will take some time, global polls can be a cost-effective and timely tool to create a robust baseline, to guide policy makers, to at least track progress using individual, sex-disaggregated data on land tenure security (**sub-indicator 1a** and **1b**). In addition, by testing questions in different contexts, they can help refine survey modules before their adoption by national statistical agencies.

In fact, this is precisely the approach that has been successfully pioneered by the World Bank and by FAO to address essential global data needs on financial inclusion (*Global Findex*) and access to food (*Voices of the Hungry*), respectively, in a timely and cost-effective manner.

In a period of less than two years and with funding from the Bill and Melinda Gates Foundation, Global Findex gathered, analyzed and released data on how individuals save, borrow, make payments and manage risk, based on interviews with more than 150,000 nationally representative and randomly selected adults in 148 economies, covering over 97% of the world's adult population.

More recently, FAO's *Voices of the Hungry* relies on global polls to create and maintain the first nationally representative database on individuals' access to food. The database covers more than 150 countries, will be updated annually and will inform national and international policy making, in addition to help monitor the Scaling Up Nutrition movement, the SDGs, and other international commitments.

Recommended disaggregation

Indicator 1 should always be disaggregated by gender, and can also distinguish between tenure arrangements, urban and rural populations, those living on communal land, and vulnerable populations. **Indicator 2** should explicitly track common lands whose tenure is legally recognized, secured, documented, and protected, but also whose regulations guarantee equitable access and use to women and men.

We should not be deterred by the current limitations on available data

We propose indicators for which data collection is feasible and cost effective, and for which even greater progress can be made in an incremental manner. Our belief is that we should strive to measure what is critical, even if it requires additional efforts in data collection. The development of the post-2015 framework provides an opportunity to push the data and evidence base forward, rather than having the available data control the framing of priorities.

There are good precedents for this. Only a few years ago, the data on poverty was limited, inconsistent, not representative and not easily available. Yet this did not stop visionary leaders from establishing high level objectives that served as a visible call to action with more focus, accountability, and improved processes for gathering evidence and measuring progress. Today we have good data on poverty and know the world has made considerable progress.

Data are not an end in itself. They allow policy makers to take more informed and effective decisions to promote change. We encourage governments to take this historic opportunity to measure and improve the livelihoods of the poorest and most marginalized women and men in the world.

Information and contact

This technical briefing has been prepared by Action Aid International, Forest Peoples Program, Habitat for Humanity International, Huairou Commission, the International Work Group for Indigenous Affairs (IWGIA), the International Union for Conservation of Nature (IUCN), Landesa, Oxfam International, the Rights and Resources Initiative (RRI) and the Secretariat of the International Land Coalition.

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This briefing is also endorsed by

- AAP, Aide et Action pour la Paix, DRC
- ADHD, Autopromotion rurale pour un Développement Humain Durable, Togo
- ALRD, Association for Land Reform and Development, Bangladesh
- APDH, Association pour la Paix et les Droits de l'Homme, Burundi
- CEPES, Centro Peruano de Estudios Sociales, Peru
- Cicodev, Senegal
- CSRC, Community Self-Reliance Center, Nepal
- CTV, Centro Terra Viva, Mozambique
- FIANTSO, Madagascar
- Fundapaz, Fundación Para el Desarrollo en Justicia y Paz, Argentina
- FUNDE, Fundación nacional para el Desarrollo, Ecuador
- MACOFA, Mau Community Forest Association, Kenya
- RDF, Rural Development Fund, Kyrgyz Republic
- SDF, Social Development Foundation, India
- SER, Servicios Educativos Rurales, Peru
- SONIA for a Just New World, Italy
- ULA, Uganda Land Alliance
- Xavier Science Foundation, Philippines

Endnotes

- 1 See UN Statistical Commission's "List of Proposed Preliminary Indicators".
- 2 According to the UN Statistical Commission's "Background Information to the List of Proposed Preliminary Indicators," UN agencies suggested 6 options for tracking progress on land and property under target 5.a. To keep the list of indicators manageable, the UN Statistics agency chose the indicator that had been listed first. The indicator proposed by UNEP reads "Percentage of women, men, indigenous peoples and local communities with legally recognized evidence of land tenure, and percentage of them who perceive their land rights are secure."
- 3 The indicators can help track progress towards targets 1.4, 2.3, 5.a, 10.2, 11.1, and 15.a.
- 4 We have framed the indicators around "tenure security" but they could also be framed around "secure land rights."
- 5 Tenure arrangements that are expressed and held in common, including forests, rangelands, wetlands, and dry-lands under the collective tenure of indigenous peoples and local communities, including pastoralists, fisher folk, hunter-gatherers, and others accessing common-pool resources.
- 6 We acknowledge that the wording of the indicators we propose is not entirely consistent with the draft language of the targets, which currently range from "ownership and control over land" (goal 1) to "secure and equal access to land" (goal 2) and "access to ownership and control" (goal 5). These differences can be easily reconciled, improving the effectiveness of the agenda, with a few small tweaks. [Here](#) is an example proposed by Landesa.
- 7 Stakeholders interested in comparative information on statutory regimes governing women and men's rights to land can resort to [Women, Business and the Law](#), a database maintained by the World Bank that includes data on constitutional rights, rights granted by land and resource related laws, and those affected by family law. The database summarizes information from over 130 countries on questions related to inheritance rights, required consent for transactions, and legal administration of the property during the marriage, among others. While information on the legal infrastructure is important, we prioritize outcome indicators that capture how people actually experience their rights. For indicators legislative frameworks that can be used for the Post-2015 Agenda, see for example those prioritized by [GLII](#).
- 8 Please note that because indicator 1 is based on the *number* of women who have documented rights to land, the data must include an individual id. Otherwise, a woman who owns several plots of land, for example, will be counted multiple times.
- 9 With regard to indigenous and community land rights, RRI maintains a database of statutory regimes as well as area data on legal recognition of community tenure. In addition, an ongoing initiative to establish a Global Baseline on indigenous and community land rights is gathering data from the world on the extent of legal recognition of land rights of indigenous peoples and local communities.