

YEARS LATER

PROGRESS TOWARDS THE SDG LAND RIGHTS COMMITMENTS

WHAT CAN WE LEARN FROM THE
2020 **VOLUNTARY NATIONAL REVIEWS**
(**VNRs**) AND THE **SDG INDICATORS'**
GLOBAL DATABASE?



KEY CONTRIBUTORS

INTERNATIONAL
LAND
COALITION



In 2015 we celebrated world leaders' recognition of the foundational and strategic role that secure land rights for all –women and men, regardless of ethnicity, religion, place of residence, or civil, economic, social, or political status—must play to achieve a world free of poverty, hunger and systemic gender discrimination.

*Five years after the SDGs were set in motion and a third of the way into their implementation timeframe, it is important to assess how far we have come: what have countries done to address their ambitious but critical cross-cutting commitments to ensure secure land rights for all, particularly for the poor, the vulnerable and the small producers, and to eradicate gender differences in these rights? **This assessment is particularly timely given that the 2020 High Level Political Forum reviewed progress toward SDGs 1, 2, 5 and 15 all dealing directly with land and land rights.***

WHAT WE FIND IS HOPEFUL BUT ALSO GIVES PAUSE

There are indeed countries that have advanced their SDG land rights commitments. Some have undertaken thoughtful planning or allocated new resources, while others have augmented or strengthened land rights in an inclusive way. A few have even introduced ambitious reforms, extending secure access to land to people who had been landless or had no land rights at all.

However, our review suggests that most countries have yet to prioritize land rights in their national development agendas and most have not undertaken significant action. Even those who have acted decisively have a long way to go before their new laws, policies and strategies are fully implemented, or their programs reach the necessary scale and do so in a socially inclusive and gender responsive way.

Reaching the SDG land rights targets will require strong political commitment in all countries, backed by dedicated resources, to enact concerted, deliberate and multi-sectoral efforts. Up to now, countries have sometimes been distracted by other competing priorities, especially under a global pandemic, limited by lack of capacity or by the belief that land rights problems are too difficult to resolve. It is now time for governments, development partners, and civil society practitioners, experts and researchers to come together and pool their experience, expertise, resources and institutional reach.

The post-Covid 19 world we all hope for depends on whether people – everyone, everywhere – can count on secure land rights to protect their residences and their livelihoods.

In parallel, it is essential for countries to invest in the data infrastructure needed to diagnose the challenges in reaching the targets, provide guidance to policy makers and decision-makers, track progress or lack thereof, and hold those vested with authority accountable. This requires agreement on what data to gather, how to gather it, from whom and for whom, and how to analyze it, report it and make it available, as well as resources and capacity for the data gathering, analysis and distribution. But it also requires shifts in the culture of the land rights sector so that we (a) make decisions based on data; (b) consider data that is centered on people rather than on farms, economic units, businesses or land plots; (c) acknowledge that data about the household head or provided only by the household head is insufficient and likely to be biased; and, (d) accept complementary sources of data that can fill important data gaps – including but not limited to global polls, research studies, and data collected from community based organizations or grassroots groups.

Finally, the highly visible and powerful platform provided by the SDGs only works if it catalyzes action. It has to provide governments with incentives to act, it has to offer effective advocacy levers to civil society organizations and it has to help the broad array of stakeholders working on land rights remain strategically aligned. This requires clear and accessible information on what countries have done – what we should celebrate – as well as on what countries could and should be doing to fulfill their SDG land rights commitments. Such reporting must come from governments, civil society and community-based groups around the world.

To address this need, the Land and SDG Momentum Group and numerous partners have designed and are piloting an effort to encourage, support and leverage impactful reporting on the SDG land rights commitments.

The following sections provide a detailed description of the analysis we have carried out to assess what progress countries have made toward their SDG land rights commitments (targets 1.4, 2.3, and 5.a) and the indicators that track these commitments (1.4.2, 5.a.1 and 5.a.2).

BACKGROUND ON SOURCES

For our analysis, we have relied on two sources of publicly available information:

- 42 of the 47 **Voluntary National Reviews (VNRs)** submitted for the 2020 High Level Political Forum by Argentina, Armenia, Austria, Bangladesh, Benin, Brunei Darussalam, Bulgaria, Burundi, Comoros, Congo (DRC), Costa Rica, Ecuador, Estonia, Finland, Gambia, Georgia, Honduras, India, Kenya, Kyrgyzstan, Liberia, Malawi, Micronesia, Morocco, Mozambique, Nepal, Niger, Nigeria, Panama, Papua New Guinea, Peru, R. of Moldova, R. of North Macedonia, Samoa, Seychelles, Slovenia, Solomon Islands, Trinidad & Tobago, Uganda, Ukraine, Uzbekistan and Zambia¹.
- The **Global SDG Indicators Database** which contains annual entries for each SDG indicator for each country. At the time of this writing, the information publicly available in the database goes until 2019.

¹ Due to resource constraints, our review was limited to countries who had reports available in English, French or Spanish and therefore does not include the VNRs submitted by Libya, Russia or Syria. We have not reviewed VNRs from Barbados and Saint Vincent and the Grenadines who appear to have submitted one but whose VNRs have not been posted on the SDG site.

WHAT STEPS HAVE COUNTRIES TAKEN TO ADDRESS THEIR SDG LAND RIGHTS COMMITMENTS?

While the vast majority of the VNRs included comments around land, land access, land use or land rights, frequently these mentions were limited to descriptions of the country's context, history or challenges. Thus, to gauge the extent to which governments are moving toward fulfilling their SDG land rights commitments, we first screened for ***countries whose VNRs mentioned concrete actions such as a new or revised national strategy, legal or policy reforms, programmatic action, or similar measures.***

Yet, not all land-related actions align with the spirit of the SDG commitments. We further narrowed our focus to ***land-related actions that attempt to ensure secure land rights for all, in particular the poor, the vulnerable and the small producers; or eradicate gender differences in land rights; or could help achieve land degradation neutrality.***

Lastly, important as past actions might be, we look for ***actions that have taken place after the SDGs have been agreed upon and set in motion; that is, within the past five years.***

Several countries have taken decisive action to strengthen land rights in an inclusive way. In particular, we want to recognize:

BANGLADESH

reports several programs to ensure that families have documented rights to land and that these documents include both husbands' and wives' names. The results mentioned include:

- Over a million beneficiaries, of which almost 700,000 are women, through the project "My House My Farm."
- Over 180,000 families who benefited from the rehabilitation of coastal areas through the Shelter Home Project.
- Over 6,000 landless families who were allocated government land through the development of sandy land.
- Over 140,000 families have been rehabilitated on the embankment of rivers.
- 190 cluster-villages have been built to rehabilitate

- Over 8,000 families who were victims of disaster and natural calamities benefitted under the Cluster Village Project.

Bangladesh also reports implementing an electronic system to handle mutations which should reduce the time and number of visits it takes to update who owns the land and would help keep records up to date.

ECUADOR

reports that the National Council for the Equality of Peoples and Nationalities approved an agenda to:

- Ensure indigenous peoples' inalienable ownership of community lands and control over the management of their territories; and,
- Legalize Afro-Ecuadorian People's land.

Ecuador also reports issuing 70,359 titles to small and medium sized farmers to develop agro-productive projects, allocating land to 192 beneficiaries and titling 17,840 hectares in favor of communities, peoples and nationalities.

GEORGIA

who reports providing long-term housing to 41,000 IDP families.

Georgia also reports initiating a land registration reform and its corresponding awareness raising campaign. By registering their land, people will be able to transact it, use it as collateral or sell it. It is worth noting that while registration reform will strengthen current landowners' rights, it is intended to stimulate the land market and address the high level of land fragmentation in order to increase agricultural performance. It is unclear whether in the long term, after the expected land consolidation, this will result in more or fewer adults with secure land rights.

LIBERIA

who reports that in 2018 it passed the Land Rights Act, thereby providing a unique opportunity for promoting access to land rights and land tenure security, allowing women, youth and customary communities to become owners of their land and beneficiaries of the proceeds, as well as reducing land-related disputes. The Land Rights Act seeks to harmonize customary and statutory land tenure systems; ensure inclusive governance of land resources; establish mechanisms to address land issues including land/property disputes, border/boundary disputes, and concession related tensions; decentralize land services; improve the land information management system; and survey and map concessions of land.

Liberia also reports establishing a Gender Unit on Land issues at the Liberia Land Authority.

MOROCCO

reported adopting in 2019, three laws relating to collective land known as "Soulaliyates," establishing among other things the right of Soulaliyate women to the exploitation of this agricultural land. While Moroccan land law applies to women and men without discrimination, inheritance law and customs can result in discrimination. This was the case for women on Soulaliyate lands and the challenge that Law 62.17 seeks to address by giving women their right of access to this type of land.

MOZAMBIQUE

who reports a massive registration and legalization of land use rights (DUATs). By 2019, it had issued 1.36 million DUATs of the 5 million it seeks to issue by 2024. The VNR states that "gender is one of the criteria used in the selection of processes handled and registered in the DUATs since 2017."

ZAMBIA

who reports making progress in formalizing informal settlements by issuing occupancy licenses in urban and peri-urban areas to over 50,000 households.

Zambia also reports currently implementing a Systematic Land Titling Project to issue title deeds in peri-urban areas which were previously excluded. The target for this project is 5.2 million titles by 2022.

While these are all promising steps, considerably more work is needed for these laws and strategies to translate into changes on the ground, for the programs to reach the scale needed and ultimately, to fulfill the commitment of not leaving anyone behind. It is worth noting, for instance that only some of these efforts have made explicit references to women and even fewer refer to indigenous peoples, ethnic minorities, internally displaced peoples or other vulnerable groups.

Among the countries who submitted VNRs in 2020, there are several more that report taking land-related actions. Unfortunately, based on the narrative they submitted we are unable to determine whether those actions were taken after 2015 or whether they have served to advance the SDG land commitments of secure land rights for all. These countries include Comoros, Democratic Republic of Congo, Kenya, Papua New Guinea, Republic of Macedonia, Solomon Island and Uganda.

WHAT PROGRESS HAS BEEN MADE SO FAR?

The relevant outcome-based land rights indicators are:

- **SDG 1.4.2**, which tracks progress towards ensuring secure tenure rights for all, and
- **SDG 5.A.1**, which measures the gender gap in land rights for the agricultural population.

BASED ON THE 2020 VNRs AND THE SDG INDICATORS DATABASE, WE CONCLUDE THAT:

- **THERE HAS BEEN VERY LIMITED UPTAKE FOR THESE INDICATORS. IN THE PERIOD 2016-2019, THERE IS NOT ONE ENTRY FOR 1.4.2 AND, OVER THE YEARS, ONLY 10 COUNTRIES HAVE REPORTED ON 5.A.1.**

We acknowledge that most countries do not have this data and that generating it will require important adjustments to their national surveys. While these changes are set in motion, some countries could benefit from adopting results from Prindex's global poll, particularly for SDG 1.4.2.

- **THERE HAS BEEN NO REPORTING ON PERCEPTIONS OF TENURE SECURITY.**

This is a worrisome finding because perceptions of tenure security were included as a practical way to summarize the combined impact of laws and policies, the performance of administrative, judicial and enforcing institutions, and the power dynamics and social and cultural norms that shape how people experience land rights in practice.

■ **ONLY SEVEN OF THE COUNTRIES WHO SUBMITTED VNRs THIS YEAR REPORTED FIGURES THAT COULD BE PROXIES FOR THE PERCENTAGE OF ADULTS WHO HAVE DOCUMENTS TO PROVE RIGHTS TO LAND (INDICATOR 1.4.2.A)².**

Some of these proxies deviate from the spirit of the indicator. For instance, Georgia reported “% of landowners with registered land” leaving unanswered what happens to those who do not own land. Nepal reported “households with tangible assets in women’s names,” therefore including assets other than land in the data, ignoring the possibility that in other households men could have documented rights, and failing to consider tenure arrangements other than ownership that could be backed by a document.

■ **THE NUMBERS REPORTED VARY WIDELY,**

with Finland reporting that 100% of the adults in the country have documents in their names proving their rights to land, all the way to Niger, at the other extreme, where only 4.5% of the adult population has land documents.

The figures submitted by the other five countries are: Nepal 26%, Peru 34%, Uganda 36%, Benin 43% and Georgia 60%.

■ **IN SEVERAL COUNTRIES THE AGRICULTURAL POPULATION LACKS SECURE RIGHTS TO LAND.**

More than half of the agricultural population in Malawi, Nepal, Niger, Nigeria and Uganda lack secure rights to agricultural land and this number climbs to over 85% for Peru.

■ **THE GENDER GAP IN SECURE LAND RIGHTS AMONG THE AGRICULTURAL POPULATION IS STARK**

in countries like Nigeria (30% vs 60%), Peru (8% vs 19%), Uganda (31% vs 49%) and Tanzania (49% vs 61%).

Lastly **SDG 5.A.2** tracks the extent to which countries’ legal frameworks guarantee women’s equal rights to land ownership or control. *No country had reported on 5.a.2 before 2020* and among the countries who submitted VNRs this year, the five who mentioned indicator 5.a.2 did not provide sufficient information to fully assess their responses.

2 These countries are Benin, Georgia, Finland, Nepal, Niger, Peru and Uganda.

SUSTAINABLE DEVELOPMENT GOALS

If you want to *learn about training opportunities* on how to report on SDG Land targets organised by the SDG Land Momentum Group, please email Diana Fletschner at dianaf@landesa.org and Rukshana Nanayakkara at r.nanayakkara@landcoalition.org

For questions or suggestions regarding this brief, please contact Diana Fletschner at dianaf@landesa.org

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THE SDG LAND MOMENTUM GROUP is a coalition of civil society and multi-lateral organisations geared towards monitoring the progress of the SDG land targets and conducting advocacy to meet the same end. Currently the secretariat of the group is coordinated by the International Land Coalition Secretariat. Members of the group include, Oxfam, Rights and Resources, World Resources Institute, ILC, Initiative Prospective agricole et rurale (IPAR), Transparency International, Huairou Commission, Land Portal, Asian NGO Coalition, Landesa, Töpfer-Müller-Gaßner (TMG) Think Tank, Global Land Tool Network (GLTN) and International Work Group for Indigenous Affairs (IWGIA).
