

**Land governance** : It is the process by which decisions are made regarding the access to and use of land, the manner in which those decisions are implemented and the way that conflicting interests in land are reconciled.

**Land Actors** : Range of formal and informal organizations and institutions are involved, these include government, private and non-government actors.

### What does land governance include ?

**Land tenure:** Securing and transferring rights in land and natural resources.

**Land value:** Valuation and taxation of land and properties.

**Land use:** Planning and control of the use of land and natural resources.

**Land development:** Implementing utilities, infrastructure, construction planning, and schemes for renewal and change of existing land use.

### How does the good land governance benefit the society ?

Support of governance and the rule of law

Alleviation of poverty

Security of tenure

Support for formal land markets

Security for credit

Support for land and property taxation

Protection of state lands

Management of land disputes

Improvement of land-use planning and implementation

Improvement of infrastructure for human settlements



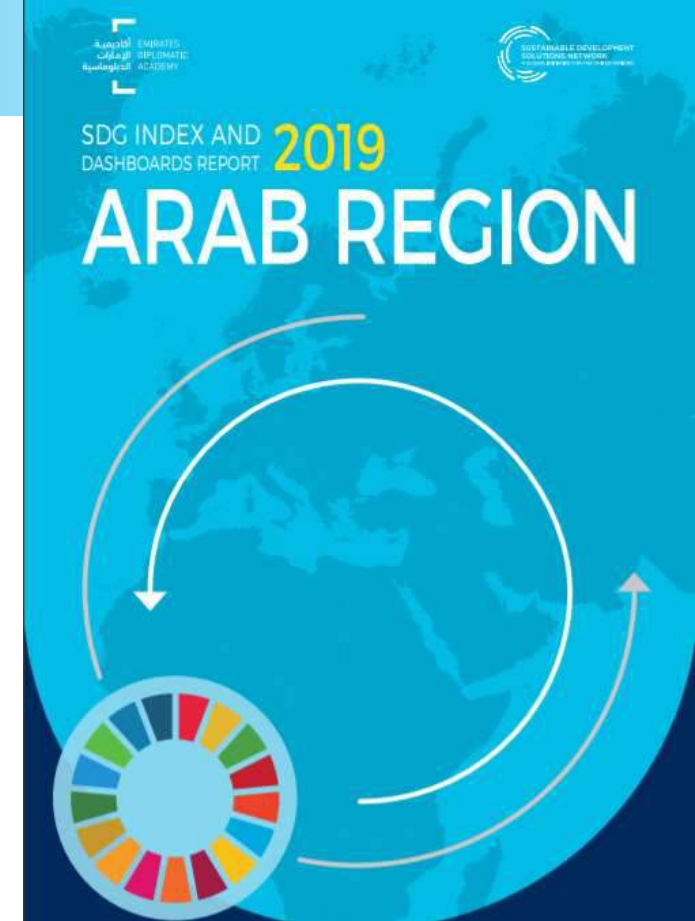
# The Arab region is facing critical challenges:

## Overall

- Weak overall governance, instability and conflicts, economic decline;
- Migration, mass displacement;
- Gender and Inequality
- High level of un-organised urbanisation;
- High population growth rates;
- Desertification and water scarcity;
- Youth unemployment and radicalization.
- Disconnect from global processes (VGGTs, SDGs, etc.) and lack of functioning regional umbrella institution (LAS, ESCWA/ECA, etc.) and donor focus only recently started.

## Land-specific

- Region has on average a delay of 20 years in land governance;
- Land right and Gender inequality
- Haphazard progress on land registration (with few countries advancing);
- Outdated land administration systems, stiffened by bureaucracy and corruption;
- Mass HLP rights violations, aggravating decades of politics of exclusion and use of land rights to secure political support;
- Lack of data;
- Capacities exist on some technical aspects, but in silos and outdated.



# Transparency and accountability

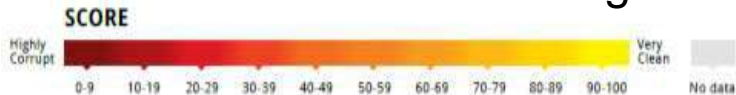
The Corruption Perceptions Index ranks 180 countries and territories by their perceived levels of public sector corruption, according to experts and business people

## CORRUPTION PERCEPTIONS INDEX 2019

MIDDLE EAST & NORTH AFRICA

39/100

AVERAGE SCORE



SCORE	COUNTRY/TERRITORY	RANK
71	United Arab Emirates	21
62	Qatar	30
60	Israel	35
53	Saudi Arabia	51
52	Oman	56
48	Jordan	60
43	Tunisia	74
42	Bahrain	77
41	Morocco	80
40	Kuwait	85
35	Algeria	106
35	Egypt	106
28	Lebanon	137
26	Iran	146
20	Iraq	162
18	Libya	168
15	Yemen	177
13	Syria	178

Palestine is not included in this year's CPI, as it has not been rated by the minimum three sources required.

In the Middle East and North Africa, the most bribe-prone institutions are reported to be those handling procedures related to buying, selling, inheriting or renting land. (TI Global Corruption Barometer Report 2009)

#cpi2019

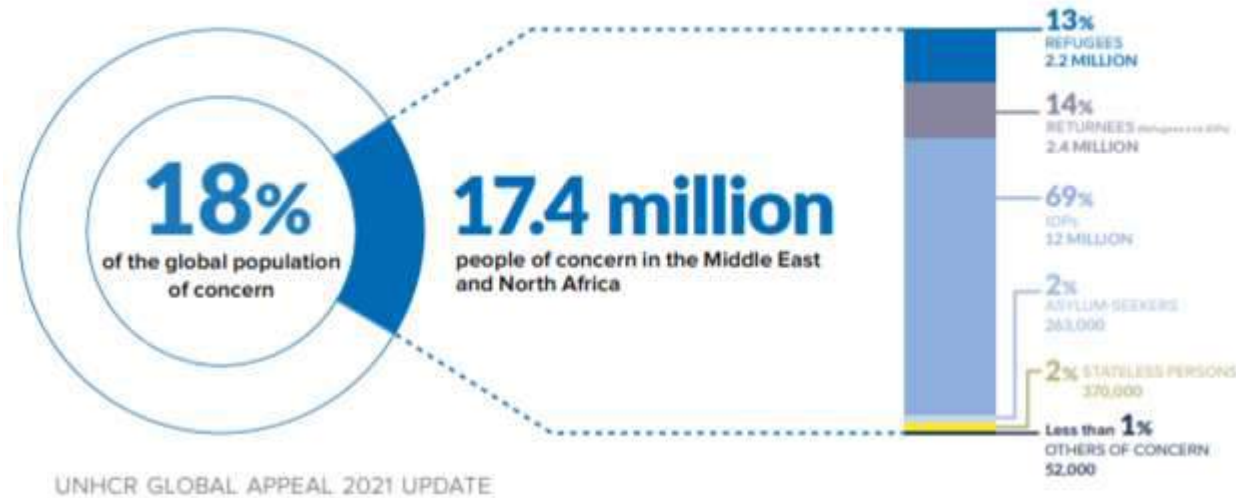
[www.transparency.org/cpi](http://www.transparency.org/cpi)

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# Migration, mass displacement

## 2021 PLANNING FIGURES FOR PEOPLE OF CONCERN in the Middle East and North Africa



Nine years after the Arab Spring, the region is still struggling to ensure political participation of its citizens and to tackle profound governance challenges.



In 2018, the Middle East and North Africa continued to see some of the most severe and protracted refugee crises in the world. As per data of 02 March 2021, 278,177 Libyans are currently internally displaced, 43,624 registered refugees and asylumseeker and 604,965 returned IDPs. “UNHCR, 2021 Libya operational update report”



# Climate vulnerability

Maghreb	Mashreq	Gulf countries	Least developed countries
Overall a hotter drier region Temperature increase of up to 5° C	Overall a hotter drier region Higher temperatures in both summer and winter	Relatively uniform warming Possible increase in summer precipitation, but highly uncertain and localized	Changes in river flows Variable changes in wetness and aridity, with areas nearer the tropics becoming wetter
Decrease in precipitation, fewer rainy days More droughts, especially in summer Overall increase in aridity, with 20% less rainfall	Generally drier, especially in the rainy (winter) season Rainfall drop below growth threshold for some areas Seawater intrusion and salinization, particularly in Egypt	More severe rainfalls Seawater intrusion	More severe rainfalls
Seawater intrusion			

Source: Adapted from Verner, Dorte, Adaptation to a Changing Climate in the Arab Countries, MENA Development Report (World Bank 2012.)

Climate Impact	Land Governance Issue	Human Rights Implicated
<b>Sea-Level Rise</b> Flooding Storm surges  Erosion Salination of land/water	Loss of land Impact on drinking water Damage to coastal infrastructure and buildings Loss of arable land	Self-determination [ICCPR; ICESCR, 1] Water [CEDAW, 14, ICRC 24] Adequate housing [ICESCR, 12] Property [UDHR, 17]
<b>Temperature increase</b> Drought  Reduced water supply	Food and water insecurity Impact on agriculture, forestry and fisheries Depletion of agricultural soils	Life [ICCPR, 6] Means of subsistence [ICESCR, 1] Adequate standard of living [ICESCR, 12]
<b>Extreme weather events</b>  Cyclones, floods, Storm surges Landslides	Displacement  Contaminated water Damage to infrastructure Damage to arable lands Property damage	Life [ICCPR, 6]  Water [CEDAW, 14, ICRC 24] Means of subsistence [ICESCR, 1] Adequate standard of living [ICESCR, 12] Property [UDHR, 17]

The Sustainable Development Goals (SDGs), the Paris Agreement on Climate Change and the Sendai Framework on Disaster Risk Reduction (DRR) highlight that for development to be sustainable it must be resilient to growing risks from both climate change and natural disasters. This is of critical importance in the Arab region, already the world’s most water-scarce, food-import dependent region, with growing impacts from climate change (particularly droughts) creating even greater forms of social vulnerability.

## Why women's access to land and housing is important

Social and economic development and food security;

Realisation of human rights;

Women empowerment and participation;  
Protection of women from violence and health hazards;

Stabilizing societies in crisis and conflict;



# Approaches and recommendations to improve land governance

- Scaling up grassroots land projects
- Transparency
- Evaluation framework to support the continuum of land rights
- Measuring land governance
- Show the linkage between the improvement of land governance and the achievement of the SDGs
- Conduct Land tools need assessment, in order to see the needs in the land governance tools, and then develop them.
- Testing the gender evaluation criteria into existing and future land tools, indicators and training programmes
- Link the core content of training and capacity development to the broader objective of responsible land governance
- Increase the space for grassroots and civil society organizations, including international NGOs, to engage with governments and GLTN partners on the topic of land tools, both at the global and country level
- Help governments improve governance by developing human resources and institutional capacity.
- Promote the Global framework:
  - ❖ the Voluntary Guidelines on Responsible Governance of Tenure as a pro-poor, gender responsive tool to achieve secure land rights for all.
  - ❖ The Land Policy Initiative supported by the African Union, the United Nations Economic Commission for Africa and the African Development Bank, uses the land governance approach in its framework and guidelines.
  - ❖ Promote the Land Governance Assessment Framework to assist governments to identify shortcomings in land governance.



# Good to read!



# The Arab Land Initiative



Established in 2016 as a multi stakeholder platform facilitated by the Global Land Tool Network, UN-Habitat and the World Bank.

Shared **vision**: “All the people in the Arab countries enjoy equal and affordable access to land, peace, stability and economic growth, to be achieved with good land policies and transparent, efficient and affordable land administration systems”.

Key partners: Arab Union of Surveyors, Dubai Land Department, League of Arab States, Urban Training and Studies Institute, UN-ESCWA, BMZ, GIZ, FAO, Dutch Kadaster, NELGA/IAV Hassan II, Habitat International Coalition, International Real Estate Federation (FIABCI), International Land Coalition, Jordan Department of Land and Survey, Lebanon Real Estate Directorate, University of East London, ENSAA, Norwegian Refugee Council, LANDac.

# How to engage / priorities for joint action:



- Promote **collaboration and coordination**;
- Develop and share **knowledge**;
- Develop **capacities** of individuals and organisations;
- **Support** the implementation of existing land-related programmes and interventions in selected countries using fit-for-purpose land tools and approaches\*.

\*including support to UN-Habitat country offices (Sudan, Iraq, Palestine, Syria, Lebanon + exploring Yemen, Saudi Arabia, Jordan, Libya) and partners' initiatives (Dutch Kadaste, LANDac, ILC, NELGA, GIZ, ...)



# THE SECOND ARAB LAND CONFERENCE

A successful Arab Land Conference took place in Dubai, UAE in February 2018 and in Cairo in February 2021, consolidating the Initiative and the priority areas of work.

Dubai Declaration on Land Governance in Arab States



## Main themes:



- Land and conflict;
- Women's land rights;
- Land rights of displaced people, migrants and vulnerable groups (HLP rights);
- Land, natural resources and climate change;
- Fit for purpose land administration;
- Monitoring of data related to land and land tenure security; Land, environment and climate change;
- Land-related policies, laws and regulations;
- Management of public land and land-based investments
- Land and affordable housing

# COUNTRY LEVEL INTERVENTIONS

## Strengthening Land Management for Peaceful Co-Existence in Darfur, Sudan

The project contributes to peace and stabilization in Darfur by addressing land-related conflicts, a key challenge in the Darfur context. The project maps 50 villages to identify the areas where returnees (and IDPs) can settle without creating conflicts with the host communities and infringing on agricultural areas and other land uses.



## Social tenure and house rehabilitation to support the return of Yazidis in Sinjar

The objective of the project was to support the return of the Yazidi community to their houses by providing tenure security and housing reconstruction.







## Milestones

- ✓ Establishment and connecting land experts and initiatives
- ✓ first Arab Land Conference (UAE2018),
- ✓ Key champions and resources mobilized;
- ✓ 9 partnerships agreements with partners from the region;
- ✓ 17 pieces of research ongoing under the research innovation fund; and much more!

Second Arab Land Conference, held in Cairo-Egypt (In person and virtual)

# Stream of Work



## Ongoing work:

- Coordination, Catalytic activities, Twinning arrangements
  - Research, Capacity development events, Expert group meetings and knowledge sharing events around 10 streams of work
1. **Land and Conflict**, Arab Group for the Protection of Nature, Jordan
  2. **Monitoring Land Governance and Land Tenure Security**, Rasheed Transparency International, Jordan
  3. **Land, Women Empowerment and Socio-Economic Development**, the Union of Agricultural Work Committees, Palestine
  4. **Capacity development on land governance in the Arab region**, Urban Training and Studies Institute, Egypt
  5. **Land, Natural Resources and Climate Change**, Lebanese Center for Policy Studies, Lebanon
  6. **Fit for purpose land administration**, the Regional Center for Remote Sensing of North African States, Tunisia
  7. **Baseline study on land related legal and policy frameworks**, Consultancy done by Diab Razi
  8. **The role of land professionals in Land Governance**, Istidama-Sudan & AUS
  9. **The role of the civil society in land governance**, The International Youth Council of Yemen
  10. **The role of private sector in land governance**

# What's next?



## UPCOMING EVENTS

- 16-17<sup>TH</sup> MARCH 2021, EXPERT GROUP MEETING ON LAND AND CONFLICT-LEAD BY THE Arab Group for the Protection of Nature

## WAY FORWARD



- WORKING ON THE SUCCESSFUL IMPLEMENTATION OF ONGOING WORK
- SUPPORT AND CONNECT THE ONGOING WORK BY PARTNERS AND OTHER INITIATIVES
- ESTABLISHMENT OF A MASTER COURSE ON LAND GOVERNANCE WITHIN THE LEBANESE UNIVERSITY, IN COORDINATION WITH GIZ, NELGA, ETC.
- SET-UP TWINNING ARRANGEMENTS
- CONTINUE INITIATING CATALYTIC ACTIVITIES AND ACTIONS AT COUNTRY LEVEL
- WORK ON THE FINANCIAL SUSTAINABILITY OF THE INITIATIVE





# Monitoring Land Governance and Land Tenure Security in the Arab Region

MONITORING AND REPORTING ON LAND IN REGIONAL AND GLOBAL DEVELOPMENT AGENDA.

**Everlyne Nairesiae and Clinton Omusula**  
**Global Land Indicators Initiative (GLII)**

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[www.gltn.net/](http://www.gltn.net/) [www.unhabitat.org](http://www.unhabitat.org)

09 – 11 March 2021, Virtual Training



# LAND AND THE SDGS



- **SDGs – 17 goals, 169 targets – 200+ indicators**
- **2030 Agenda** contains land-related targets and indicators
  - **Land in SDGs 1, 2, 5, 11 and 15.**
- **9 Targets and 12 indicators related to land**
  - **Not explicitly mention in SDG16 – though land is key to peace and stability.**
    - Targets – **1.4** (Indicator -1.4.2 on tenure security) - **Tier II**
    - Target **2.3** (Indicators - 2.3.1 and 2.3.2 - small scale food producers' farmers/pastoralist/forest enterprise by size, income – disaggregated by sex and indigenous status) – **Tier II**
    - Target **2.4** (Indicator – 2.4.1 – proportion of agricultural area under sustainable production) – **Tier II**
    - Target **5.a** (indicators- 5.a.1 – securing women's agricultural land (**Tier II**), and 5.a.2 – national legal frameworks on securing women's land including customary laws – **Tier 11**)
    - Target **11.1** ( Indicators -11.1.1)- urban population living in slums/access to adequate housing – **Tier 1**)
    - Target **11.3** (indicator- 11.3.1) – land consumption rate to population growth – **Tier II**)
    - Target **11.7** (indicator -11.7.1) share of built-up areas of cities with open spaces for public use – **Tier II**)
    - Target **15.1** (indicators 15.1.1, 15.1.2) – proportion of forest areas; protected sites, biodiversity – **Tier 1**)
    - **Target 15.3** (indicator -15.3.1) – towards land degradation neutrality by 2030 – **Tier 1**)

FACILITATED BY:

# SDGS - THE CLASSIFICATION OF LAND TENURE INDICATORS

Tier classification of SDGs Indicators by the **IAEG-SDG** as of **17 July 2020**

Tier Classification Criteria/Definitions:

**Tier I:** *Indicator is conceptually clear, has an internationally established methodology and standards are available, and data are regularly produced by countries for at least 50 per cent of countries and of the population in every region where the indicator is relevant.*

**Tier II:** *Indicator is conceptually clear, has an internationally established methodology and standards are available, but data are not regularly produced by countries.*

**Tier III:** *No internationally established methodology or standards are yet available for the indicator, but methodology/standards are being (or will be) developed or tested.*

**NB:** *As of the 51st UN Statistical Commission (UNSC), the global indicator framework does not contain any Tier III indicators)*



# THE LAND TENURE INDICATORS – SDG 1 & 5

## **SDG-1. End poverty in all its forms everywhere**

**Target 1.4:** By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance

**Indicator -1.4.2** *Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure – Tier II*

- Indicator 1.4.2 - Co-custodianship – UN-Habitat and World Bank; Supporting partners - FAO, UNSD, UN Women, UNEP, and IFA

## **SDG -5. Achieve gender equality and empower all women and girls**

**Target 5.a:** Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.

**Indicator 5.a.1:** (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure – Tier II

**Indicator 5.a.2:** Proportion of countries where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control – Tier II

- Indicators 5.a.1 and 5.a.2 – FAO as custodian agencies; supported by UN Women, UNSD, UNEP, ; World Bank, and UN-Habitat

# VOLUNTARY GUIDELINES ON THE RESPONSIBLE GOVERNANCE OF TENURE OF LAND, FISHERIES AND FORESTS (VGGTS)

**The VGGTs provide guidelines on land governance in the following contexts:**

1. Legal recognition and allocation of tenure rights and duties
2. Transfers and other changes to tenure rights and duties
3. Administration of tenure
4. Responses to climate change and emergencies

# VOLUNTARY GUIDELINES ON THE RESPONSIBLE GOVERNANCE OF TENURE OF LAND, FISHERIES AND FORESTS (VGGTS)

In their promotion, Implementation, Monitoring and Evaluation. The VGGTs provide States with the responsibility to:

1. **Recognize and respect all legitimate tenure right holders and their rights.** They should take reasonable measures to identify, record and respect legitimate tenure right holders and their rights.
2. **Safeguard legitimate tenure rights against threats and infringements.** They should protect tenure right holders against the arbitrary loss of their tenure rights, including forced evictions that are inconsistent with their existing obligations under national and international law.
3. **Promote and facilitate the enjoyment of legitimate tenure rights.** They should take active measures to promote and facilitate the full realization of tenure rights or the making of transactions with the rights, such as ensuring that services are accessible to all.
4. **Provide access to justice to deal with infringements of legitimate tenure rights.** They should provide effective and accessible means to everyone, through judicial authorities or other approaches, to resolve disputes over tenure rights; and to provide affordable and prompt enforcement of outcomes. States should provide prompt, just compensation where tenure rights are taken for public purposes.
5. **Prevent tenure disputes, violent conflicts and corruption.** They should take active measures to prevent tenure disputes from arising and from escalating into violent conflicts. They should endeavour to prevent corruption in all forms, at all levels, and in all settings.

# LAND IN THE NEW URBAN AGENDA (NUA)

- **Land is at the core of the New Urban Agenda** The role of land is well captured in the NUA with social, ecological and economic functions of land being well articulated as follows:
- **Land as a cross-cutting resource-** it is the foundation for three levers of the urban agenda: urban planning and design, urban economy and municipal finance and urban legislation.
- **Land is at the centre of rural-urban linkages -** The inter-dependence of urban and rural areas economically, socially and environmentally prove to be relevant and critical as cities continue to expand.
- Land and its relation to **gender and grassroots-** In relation to women and girls, their insecurity of tenure reflects the gender disparities in development policies, land policies and land administration.
- **Land and human rights in an urban setting-** Access to, use of and control over land directly affect the enjoyment of a wide range of human rights. E.g., right to adequate housing.
- **Land and Housing-** Access to land has been identified as one of the main obstacles for the poor to access adequate housing and for cities to improve urban living conditions.



# FRAMEWORKS AND GUIDELINES ON LAND POLICY IN AFRICA

An initiative of the African Union (AU), African Development Bank (AfDB) and Economic Commission for Africa (ECA) endorsed in 2009.

## **1. Recognizes the Centrality of Land in Development through:**

- Demonstrating AU commitment to land policy development.
- Advocating for Integration of land issues into decision making processes.
- Acknowledging the legitimacy of indigenous land rights systems
- Advocating for Strengthening the land rights of women

## **2. Calls for Mainstreaming Land in Poverty Reduction Programmes**

## **3. Aims at Making Agriculture an Engine of Growth for Africa.**

**4. Enhancing Land Management for Other Uses e.g.,** manufacturing, mining, energy development, the development of physical infrastructure in the rural areas, the management of sustainable urbanization, and tourism.

## **5. Protecting Natural Resources and Ecosystems.**

## **6. Developing Effective Land Administration Systems.**

## **7. Developing Effective Land Administration Systems.**

# FRAMEWORKS AND GUIDELINES ON LAND POLICY IN AFRICA

In tracking progress in land policy development, regional consultations conducted suggest that there have been **few significant national experiences on the continent, with respect to the efficient and systematic tracking of progress in land policy development and implementation.**

**For effective tracking of land policy development and implementation, the F&G note the need for :**

- 1. Adequate data** to ensure effective tracking of progress in land policy development.
- 2. Building partnership for tracking.** Monitoring and assessing the effects of land policy on livelihoods, economic growth and sustainable use of natural resources require the active collaboration of different institutions, with each playing a specific role.

# FRAMEWORKS AND GUIDELINES ON LAND POLICY IN AFRICA

## Challenges Related to Tracking:

**The problem of methodology-** The main challenge to the tracking of land policy development and implementation relates to methodology. The identified elements are:

- a) **Stakeholder agreement on what should be tracked-** i.e., the need for a clear and common understanding amongst all stakeholders, of the major elements of policy that should be tracked.
- b) **Defining the parameters that should be tracked-** i.e., identifying at a very early stage, a number of crucial questions regarding policy development and implementation for which the government (and other involved stakeholders) need clear answers.
- c) **Defining participatory and measurable indicators-** the design of measurable indicators which can be used to gauge progress or lack thereof
- d) **The need for external backstopping-** i.e., it is important to anticipate any resistance which may be encountered from internal stakeholders.
- e) **Effective capacity building programmes-** This is critical for the sustainability of tracking systems.

# GLII IN SUPPORT OF MONITORING LAND GOVERNANCE IN REGIONAL AND GLOBAL DEVELOPMENT AGENDA:

## GLII's main objective:

Develop a common framework for tracking progress on land issues through:

1. **Coordinating, convening and facilitating dialogues** between land governance and data communities on land monitoring and best practices;
2. **Developing nationally applicable and globally comparable land indicators** and data protocols for land monitoring;
3. **Raising awareness and facilitating capacity strengthening** for land and statistical institutions in land data generation including gender disaggregated data, analysis and reporting, and uptake of new data technologies.
4. **Promoting the use of evidence-based approach to land monitoring and impact measurement** of tenure security measures policy influencing; and use of open land data repositories.
5. **Research and knowledge management** on land monitoring and emerging trends for learning and decision-making.



# WHY LAND INDICATORS?

- There is need for a **common framework, understanding and capacity building to track progress on critical land governance issues globally.**
- Promoting **nexus between global, regional and country and project levels** is critical to ending poverty/sustaining development.
- Promote **convergence of global, regional and country initiatives** towards the 2030 agenda for Sustainable Development, VGGT, Africa Union Framework and Guidelines on Land Policy (F&G), Land Observatories requiring a common monitoring and reporting framework.
- **Nationally applicable and globally comparable indicators** and methodology for **comparable, sex disaggregated data across countries and over time.**

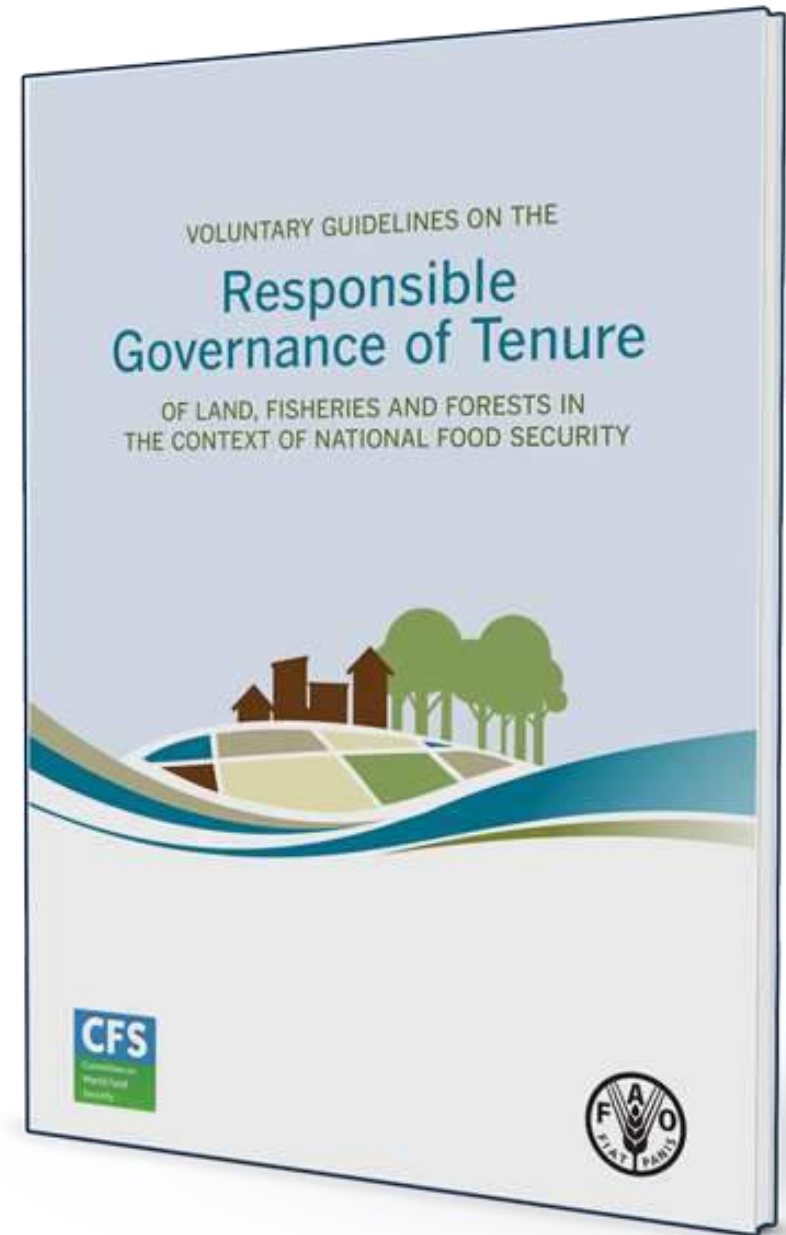


# IMPROVING LAND TENURE SECURITY TO END POVERTY



Global Recognition of the Importance of Land  
Rights for Sustainable Development Goals

# The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)





# Outline

- What are the VGGTs
- Aim, objectives and principles of the VGGTs
- Structure of VGGTs - 4 pillars
- Conclusion



# 1. What are the Voluntary Guidelines?


**Set of recommended Principles and Practices** on how to govern the rights and duties associated with land, fisheries and forests, in an equitable and responsible way. 

VGGT represent the **first global consensus on universally applicable standards** for the recognition, recording and protection of tenure rights. 

They were **officially endorsed by the Committee on World Food Security in May 2012** and all member states made a strong commitment to implement them. 

# 1. What are the Voluntary Guidelines?

- International instrument to improve governance of tenure of land, fisheries and forests.
- Set out principles and internationally accepted standards for practices for the responsible governance of tenure.
- Voluntary and not legally binding.
- Soft law, which is often better suited for technical matters and best practices, such as governance of tenure.

Importantly, the guidelines are **Voluntary**, so they only apply if a country, or individuals or groups within a country, agree to follow them. 

They are **not legally binding** Internationally considered as '**Soft Law**' 

They **do not replace Laws and Treaties**, nor do they reduce existing obligations under laws or treaties. 

# 1. What are the Voluntary Guidelines?

**Set of principles and internationally accepted good practices to tackle land and NR governance issues**

**Instrument to foster the dialogue among different stakeholders**

Valuable tool:

Advocacy

Awareness raising

Legal assistance

Development of capacities (people / CS, governments)

Policy dialogue

Foster responsible governance of tenure

RAIs (Responsible Agricultural Investment Principles):

- Similar structure, but ...
- Focus on businesses
- Focus on Investment

## 2. Aim, objectives and principles

Overarching goals: **achieve food security for all** and support the **realization of the right to food**.

VGGTs promote secure tenure rights and equitable access to land, fisheries and forests as a means of eradicating hunger and poverty, supporting sustainable development and enhancing the environment.

Address the problems of weak governance of tenure and growing pressure on natural resources, with a particular emphasis on the vulnerable and marginalized.

## 2. Aim, objectives and principles

### 5 general principles & 10 implementation principles

The general principles summarize the basic elements of responsible governance of tenure. They are directed in the first instance to states, and encourage them to:

1. Recognize and respect all legitimate tenure rights holders and their rights.
2. Safeguard legitimate tenure rights.
3. Promote and facilitate the enjoyment of legitimate tenure rights.
4. Provide access to justice.
5. Prevent tenure disputes, conflicts and corruption.

The VGGT are built on the general principles together with ten implementation principles

1. Human dignity
2. Non-discrimination
3. Equity and justice
4. Gender equality
5. Holistic and sustainable approaches
6. Consultation and participation
7. Rule of law
8. Transparency
9. Accountability
10. Continuous improvement



### 3. Structure of the VGGTs

- 4 pillars
  - VGGT – the principles
  - Promotion
    - Global recognition and promotion
    - Huge (all) number of countries
  - Implementation
    - MSPs
    - Liberia, Malawi, Mauritania, Senegal, Sierra Leone, Tanzania, Mongolia
  - Monitoring and Evaluation

# 3. Structure of the VGGTs

<b>1</b>	<b>Preliminary</b>	<b>1</b>
1.	Objectives	1
2.	Nature and scope	2
<b>2</b>	<b>General matters</b>	<b>3</b>
3.	Guiding principles of responsible tenure governance	3
3A.	General principles	3
3B.	Principles of implementation	4
4.	Rights and responsibilities related to tenure	6
5.	Policy, legal and organizational frameworks related to tenure	7
6.	Delivery of services	9
<b>3</b>	<b>Legal recognition and allocation of tenure rights and duties</b>	<b>11</b>
7.	Safeguards	11
8.	Public land, fisheries and forests	12
9.	Indigenous peoples and other communities with customary tenure systems	14
10.	Informal tenure	16
<b>4</b>	<b>Transfers and other changes to tenure rights and duties</b>	<b>19</b>
11.	Markets	19
12.	Investments	20
13.	Land consolidation and other readjustment approaches	23
14.	Restitution	25
15.	Redistributive reforms	25
16.	Expropriation and compensation	27
<b>5</b>	<b>Administration of tenure</b>	<b>29</b>
17.	Records of tenure rights	29
18.	Valuation	30
19.	Taxation	31
20.	Regulated spatial planning	32
21.	Resolution of disputes over tenure rights	33
22.	Transboundary matters	33
<b>6</b>	<b>Responses to climate change and emergencies</b>	<b>35</b>
23.	Climate change	35
24.	Natural disasters	36
25.	Conflicts in respect to tenure of land, fisheries and forests	37
<b>7</b>	<b>Promotion, implementation, monitoring and evaluation</b>	<b>39</b>

## The principles

19 sections, numerous articles, representing guidelines / good practices.

# 3. Structure of the VGGTs

## Some examples of principles

- 4.10 States should welcome and facilitate the participation of users of land, fisheries and forests in order to be fully involved in a participatory process of tenure governance, inter alia, formulation and implementation of policy and law and decisions on territorial development, as appropriate to the roles of State and non-state actors, and in line with national law and legislation.
- 5.7 States should define and publicize opportunities for civil society, private sector and academia to contribute to developing and implementing policy, legal and organizational frameworks as appropriate.
- 9.1 State and non-state actors should acknowledge that land, fisheries and forests have social, cultural, spiritual, economic, environmental and political value to indigenous peoples and other communities with customary tenure systems.
- 9.2 Indigenous peoples and other communities with customary tenure systems that exercise self-governance of land, fisheries and forests should promote and provide equitable, secure and sustainable rights to those resources, with special attention to the provision of equitable access for women. Effective participation of all members, men, women and youth, in decisions regarding their tenure systems should be promoted through their local or traditional institutions, including in the case of collective tenure systems. Where necessary, communities should be assisted to increase the capacity of their members to participate fully in decision-making and governance of their tenure systems.

# 3. Structure of the VGGTs

<b>1</b>	<b>Preliminary</b>	<b>1</b>
1.	Objectives	1
2.	Nature and scope	2
<b>2</b>	<b>General matters</b>	<b>3</b>
3.	Guiding principles of responsible tenure governance	3
3A.	General principles	3
3B.	Principles of implementation	4
4.	Rights and responsibilities related to tenure	6
5.	Policy, legal and organizational frameworks related to tenure	7
6.	Delivery of services	9
<b>3</b>	<b>Legal recognition and allocation of tenure rights and duties</b>	<b>11</b>
7.	Safeguards	11
8.	Public land, fisheries and forests	12
9.	Indigenous peoples and other communities with customary tenure systems	14
10.	Informal tenure	16
<b>4</b>	<b>Transfers and other changes to tenure rights and duties</b>	<b>19</b>
11.	Markets	19
12.	Investments	20
13.	Land consolidation and other readjustment approaches	23
14.	Restitution	25
15.	Redistributive reforms	25
16.	Expropriation and compensation	27
<b>5</b>	<b>Administration of tenure</b>	<b>29</b>
17.	Records of tenure rights	29
18.	Valuation	30
19.	Taxation	31
20.	Regulated spatial planning	32
21.	Resolution of disputes over tenure rights	33
22.	Transboundary matters	33
<b>6</b>	<b>Responses to climate change and emergencies</b>	<b>35</b>
23.	Climate change	35
24.	Natural disasters	36
25.	Disasters in respect to tenure of land, fisheries and forests	37
<b>7</b>	<b>Promotion, implementation, monitoring and evaluation</b>	<b>39</b>

## Monitoring and Evaluation

- Very little has been done
- Reflection within CFS / CSM – framing document by FIAN
- Reasons:
  - Lack of capacity – HR / methodologies / data
  - Legitimacy – institutional (who to monitor?) / soft law

## 4. Conclusion

- VGGT - Recognised and legitimate
- Umbrella framework regarding land governance
- Principles and articles as basis for monitoring land governance



<b>Training on “Monitoring Land Governance and Land Tenure Security in the Arab Region” (North Africa sub-region)</b>		
<b>Day 2 – Wednesday 10<sup>th</sup> March (10 am – 3 pm, Amman time)</b>		
10:00 – 10:10	<ul style="list-style-type: none"> <li>Recap of day 1 and agenda setting (5 min)</li> <li>Comments and reflections from participants on day one (5 min)</li> </ul>	Hana Al Araj (Rasheed TI-JO) All
10:10 – 11:30	<ul style="list-style-type: none"> <li>Globally approved methodology for monitoring land tenure indicators in the SDGs (1 hour) <ul style="list-style-type: none"> <li>✓ The role of the IAEG-SDGs;</li> <li>✓ Measuring individuals rights to land – an integrated approach to data collection and reporting on SDG indicators 1.4.2 and 5.a.1;</li> <li>✓ Measuring Indicator 5.a.2 – progressive legal frameworks (including customary laws) that promote and guarantee gender equality in land rights.</li> </ul> </li> <li>Moderated Discussion (20 min)</li> </ul>	Clinton Omusula (GLTN/UN-Habitat) Everlyne Nairesiae (GLTN/UN-Habitat)  Matha Osorio (FAO) Carlos Esteban Cabrera (FAO) All
11:30 – 11:40	Break (10 min)	
MODULE 2. TOOL BOX		
11:40 – 12:20	<ul style="list-style-type: none"> <li>PRIndex: global survey, focused on property rights, perceptions of tenure security (30 min) <ul style="list-style-type: none"> <li>✓ Introduction to PRIndex survey and resulting data: how can it be used</li> <li>✓ How PRIndex monitors the SDGs and VGGTs</li> </ul> </li> <li>Small discussion / Q&amp;A (10 min)</li> </ul>	Shahd Mustafa (GLA) Facilitated by Hana Al Araj (Rasheed TI-JO)
12:20 – 12:50	<ul style="list-style-type: none"> <li>Land Matrix: focused on LSLA, investments (20 min) <ul style="list-style-type: none"> <li>✓ In-depth training on Land Matrix, tool to monitor LSLA and additional variables</li> <li>✓ How Land Matrix monitors the VGGTs</li> </ul> </li> <li>Small discussion / Q&amp;A (10 min)</li> </ul>	Ward Anseeuw (ILC / Land Matrix) Facilitated by Hana Al Araj (Rasheed TI-JO)

12:50 – 13:30	<ul style="list-style-type: none"> <li>• LANDex: centralizer of initiatives, people-centered, diverse sources <b>(30 min)</b> <ul style="list-style-type: none"> <li>✓ In-depth training on tool for people-centered land monitoring; overview of data ecosystem</li> </ul> </li> </ul> <p>How LANDex monitors the SDGs and VGGTs: example countries</p>	Eva Hershaw (ILC)
	Small discussion / Q&A <b>(10 min)</b>	Facilitated by Hana Al Araj (Rasheed TI-JO)
13:30 – 13:40	<b>Break (10 min)</b>	
13:40 – 14:20	<ul style="list-style-type: none"> <li>• GLII: harmonized land indicators and related tools <b>(30 min)</b> <ul style="list-style-type: none"> <li>✓ In-depth training on GLII toolbox for global land governance monitoring</li> <li>✓ How GLII contributes to monitoring of SDGs and VGGTs</li> </ul> </li> </ul>	Everlyne Nairesiae (GLTN/UN-Habitat)
	Small discussion / Q&A <b>(10 min)</b>	Facilitated by Hana Al Araj (Rasheed TI-JO)
14:20 – 15:00	<ul style="list-style-type: none"> <li>• MELA: Addressing Land Issues and Challenges in Africa <b>(30 min)</b> <ul style="list-style-type: none"> <li>✓ In-depth training on MELA, its objectives, result areas and outputs</li> <li>✓ How MELA contribute to SDGs and VGGTs</li> </ul> </li> </ul>	Hosaena Ghebru (IFPRI)
	Small discussion / Q&A <b>(10 min)</b>	Facilitated by Hana Al Araj (Rasheed TI-JO)
	Closing of the day and reflections	Hana Al Araj (Rasheed TI-JO)

# الاراضي العربية مبادرة **Arab Land Initiative**

*by Ombretta Tempra and El Habib Benmokhtar, UN-Habitat, Global Land Tool Network  
Secretariat*

Training Event “Monitoring Land Governance and Land Tenure Security in the Arab region”,  
**(North Africa sub-region)**

*9<sup>th</sup> of December 2021*

**Land governance** : It is the process by which decisions are made regarding the access to and use of land, the manner in which those decisions are implemented and the way that conflicting interests in land are reconciled.

**Land Actors** : Range of formal and informal organizations and institutions are involved, these include government, private and non-government actors.

### What does land governance include ?

**Land tenure:** Securing and transferring rights in land and natural resources.

**Land value:** Valuation and taxation of land and properties.

**Land use:** Planning and control of the use of land and natural resources.

**Land development:** Implementing utilities, infrastructure, construction planning, and schemes for renewal and change of existing land use.

### How does the good land governance benefit the society ?

Support of governance and the rule of law

Alleviation of poverty

Security of tenure

Support for formal land markets

Security for credit

Support for land and property taxation

Protection of state lands

Management of land disputes

Improvement of land-use planning and implementation

Improvement of infrastructure for human settlements



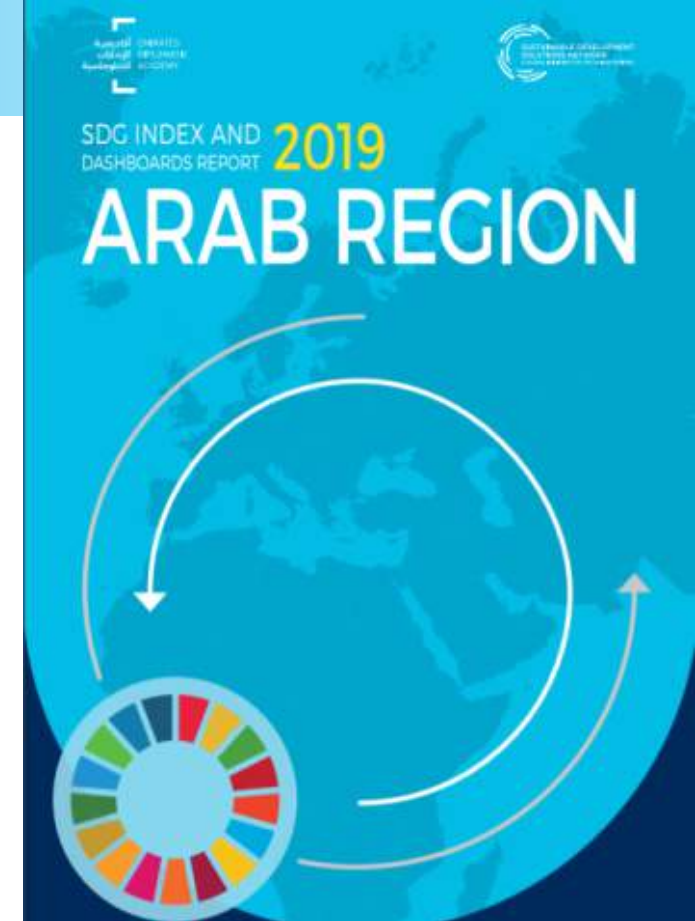
# The Arab region is facing critical challenges:

## Overall

- § Weak overall governance, instability and conflicts, economic decline;
- § Migration, mass displacement;
- § Gender and Inequality
- § High level of un-organised urbanisation;
- § High population growth rates;
- § Desertification and water scarcity;
- § Youth unemployment and radicalization.
- § Disconnect from global processes (VGGTs, SDGs, etc.) and lack of functioning regional umbrella institution (LAS, ESCWA/ECA, etc.) and donor focus only recently started.

## Land-specific

- § Region has on average a delay of 20 years in land governance;
- § Land right and Gender inequality
- § Haphazard progress on land registration (with few countries advancing);
- § Outdated land administration systems, stiffened by bureaucracy and corruption;
- § Mass HLP rights violations, aggravating decades of politics of exclusion and use of land rights to secure political support;
- § Lack of data;
- § Capacities exist on some technical aspects, but in silos and outdated.





# Transparency and accountability

The Corruption Perceptions Index ranks 180 countries and territories by their perceived levels of public sector corruption, according to experts and business people

## CORRUPTION PERCEPTIONS INDEX 2019

### MIDDLE EAST & NORTH AFRICA

# 39/100

AVERAGE SCORE



SCORE	COUNTRY/TERRITORY	RANK
71	United Arab Emirates	21
62	Qatar	30
60	Israel	35
53	Saudi Arabia	51
52	Oman	56
48	Jordan	60
43	Tunisia	74
42	Bahrain	77
41	Morocco	80
40	Kuwait	85
35	Algeria	106
35	Egypt	106
28	Lebanon	137
26	Iran	146
20	Iraq	162
18	Libya	168
15	Yemen	177
13	Syria	178

Palestine is not included in this year's CPI, as it has not been rated by the minimum three sources required.

In the Middle East and North Africa, the most bribe-prone institutions are reported to be those handling procedures related to buying, selling, inheriting or renting land. (TI Global Corruption Barometer Report 2009)

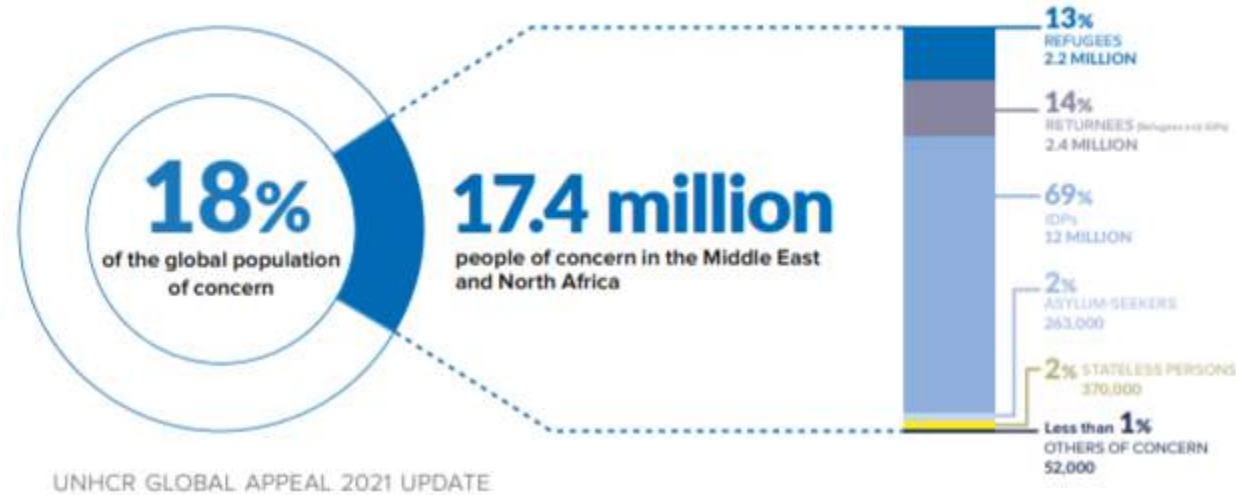
#cpi2019

[www.transparency.org/cpi](http://www.transparency.org/cpi)

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# Migration, mass displacement

2021 PLANNING FIGURES FOR PEOPLE OF CONCERN  
in the Middle East and North Africa



Nine years after the Arab Spring, the region is still struggling to ensure political participation of its citizens and to tackle profound governance



In 2018, the Middle East and North Africa continued to see some of the most severe and protracted refugee crises in the world. As per data of 02 March 2021, 278,177 Libyans are currently internally displaced, 43,624 registered refugees and asylumseeker and 604,965 returned IDPs. “UNHCR, 2021 Libya operational update report”

# Climate vulnerability

Maghreb	Mashreq	Gulf countries	Least developed countries
Overall a hotter drier region Temperature increase of up to 5° C	Overall a hotter drier region Higher temperatures in both summer and winter	Relatively uniform warming Possible increase in summer precipitation, but highly uncertain and localized	Changes in river flows Variable changes in wetness and aridity, with areas nearer the tropics becoming wetter
Decrease in precipitation, fewer rainy days	Generally drier, especially in the rainy (winter) season	More severe rainfalls	More severe rainfalls
More droughts, especially in summer	Rainfall drop below growth threshold for some areas	Seawater intrusion	
Overall increase in aridity, with 20% less rainfall	Seawater intrusion and salinization, particularly in Egypt		
Seawater intrusion			

Source: Adapted from Verner, Dorte, Adaptation to a Changing Climate in the Arab Countries, MENA Development Report (World Bank 2012.)

Climate impact	Land Governance Issue	Human Rights Implicated
<b>Sea-Level Rise</b> Flooding Storm surges  Erosion Salination of land/water	Loss of land Impact on drinking water Damage to coastal infrastructure and buildings Loss of arable land	Self-determination [ICCPR; ICESCR, 1] Water [CEDAW, 14, ICRC 24] Adequate housing [ICESCR, 12] Property [UDHR, 17]
<b>Temperature increase</b> Drought  Reduced water supply	Food and water insecurity Impact on agriculture, forestry and fisheries. Depletion of agricultural soils	Life [ICCPR, 6] Means of subsistence [ICESCR, 1] Adequate standard of living [ICESCR, 12]
<b>Extreme weather events</b>  Cyclones, floods, Storm surges Landslides	Displacement  Contaminated water Damage to infrastructure Damage to arable lands Property damage	Life [ICCPR, 6]  Water [CEDAW, 14, ICRC 24] Means of subsistence [ICESCR, 1] Adequate standard of living [ICESCR, 12] Property [UDHR, 17]

The Sustainable Development Goals (SDGs), the Paris Agreement on Climate Change and the Sendai Framework on Disaster Risk Reduction (DRR) highlight that for development to be sustainable it must be resilient to growing risks from both climate change and natural disasters. This is of critical importance in the Arab region, already the world’s most water-scarce, food-import dependent region, with growing impacts from climate change (particularly droughts) creating even greater forms of social vulnerability.



## Why women's access to land and housing is important

Social and economic development and food security;

Realisation of human rights;

Women empowerment and participation;  
Protection of women from violence and health hazards;

Stabilizing societies in crisis and conflict;



# Approaches and recommendations to improve land

- Scaling up grassroots land projects
- Transparency
- Evaluation framework to support the continuum of land rights
- Measuring land governance
- Show the linkage between the improvement of land governance and the achievement of the SDGs
- Conduct Land tools need assessment, in order to see the needs in the land governance tools, and then develop them.
- Testing the gender evaluation criteria into existing and future land tools, indicators and training programmes
- Link the core content of training and capacity development to the broader objective of responsible land governance
- Increase the space for grassroots and civil society organizations, including international NGOs, to engage with governments and GLTN partners on the topic of land tools, both at the global and country level
- Help governments improve governance by developing human resources and institutional capacity.
- Promote the Global framework:
  - v the Voluntary Guidelines on Responsible Governance of Tenure as a pro-poor, gender responsive tool to achieve secure land rights for all.
  - v The Land Policy Initiative supported by the African Union, the United Nations Economic Commission for Africa and the African Development Bank, uses the land governance approach in its framework and guidelines.
  - v Promote the Land Governance Assessment Framework to assist governments to identify shortcomings in land governance.



# Good to read!



# The Arab Land Initiative



Established in 2016 as a multi stakeholder platform facilitated by the Global Land Tool Network, UN-Habitat and the World Bank.

Shared **vision**: “All the people in the Arab countries enjoy equal and affordable access to land, peace, stability and economic growth, to be achieved with good land policies and transparent, efficient and affordable land administration systems”.

Key partners: Arab Union of Surveyors, Dubai Land Department, League of Arab States, Urban Training and Studies Institute, UN-ESCWA, BMZ, GIZ, FAO, Dutch Kadaster, NELGA/IAV Hassan II, Habitat International Coalition, International Real Estate Federation (FIABCI), International Land Coalition, Jordan Department of Land and Survey, Lebanon Real Estate Directorate, University of East London, ENSAA, Norwegian Refugee Council, LANDac.

# How to engage / priorities for joint action:



- Ø Promote **collaboration and coordination**;
- Ø Develop and share **knowledge**;
- Ø Develop **capacities** of individuals and organisations;
- Ø **Support** the implementation of existing land-related programmes and interventions in selected countries using fit-for-purpose land tools and approaches\*.

\*including support to UN-Habitat country offices (Sudan, Iraq, Palestine, Syria, Lebanon + exploring Yemen, Saudi Arabia, Jordan, Libya) and partners' initiatives (Dutch Kadaste, LANDac, ILC, NELGA, GIZ, ...)



# THE SECOND ARAB LAND

A successful Arab Land Conference took place in Dubai, UAE in February 2018 and in Cairo in February 2021, consolidating the Initiative and the priority areas of work.

Dubai Declaration on Land Governance in Arab States



## Main themes:



- § Land and conflict;
- § Women's land rights;
- § Land rights of displaced people, migrants and vulnerable groups (HLP rights);
- § Land, natural resources and climate change;
- § Fit for purpose land administration;
- § Monitoring of data related to land and land tenure security; Land, environment and climate change;
- § Land-related policies, laws and regulations;
- § Management of public land and land-based investments
- § Land and affordable housing



# COUNTRY LEVEL INTERVENTIONS

## Strengthening Land Management for Peaceful Co-Existence in Darfur, Sudan

The project contributes to peace and stabilization in Darfur by addressing land-related conflicts, a key challenge in the Darfur context. The project maps 50 villages to identify the areas where returnees (and IDPs) can settle without creating conflicts with the host communities and infringing on agricultural areas and other land uses.



## Social tenure and house rehabilitation to support the return of Yazidis in Sinjar

The objective of the project was to support the return of the Yazidi community to their houses by providing tenure security and housing reconstruction.





## Milestones

- ü Establishment and connecting land experts and initiatives
- ü first Arab Land Conference (UAE2018),
- ü Key champions and resources mobilized;
- ü 9 partnerships agreements with partners from the region;
- ü 17 pieces of research ongoing under the research innovation fund; and much more!

Second Arab Land Conference, held in Cairo-Egypt (In person and virtual)

# Stream of Work



## Ongoing work:

- Coordination, Catalytic activities, Twinning arrangements
  - Research, Capacity development events, Expert group meetings and knowledge sharing events around 10 streams of work
1. **Land and Conflict**, Arab Group for the Protection of Nature, Jordan
  2. **Monitoring Land Governance and Land Tenure Security**, Rasheed Transparency International, Jordan
  3. **Land, Women Empowerment and Socio-Economic Development**, the Union of Agricultural Work Committees, Palestine
  4. **Capacity development on land governance in the Arab region**, Urban Training and Studies Institute, Egypt
  5. **Land, Natural Resources and Climate Change**, Lebanese Center for Policy Studies, Lebanon
  6. **Fit for purpose land administration**, the Regional Center for Remote Sensing of North African States, Tunisia
  7. **Baseline study on land related legal and policy frameworks**, Consultancy done by Diab Razi
  8. **The role of land professionals in Land Governance**, Istadama-Sudan & AUS
  9. **The role of the civil society in land governance**, The International Youth Council of Yemen
  10. **The role of private sector in land governance**

# What's next?



## UPCOMING EVENTS

- § 16-17<sup>TH</sup> MARCH 2021, EXPERT GROUP MEETING ON LAND AND CONFLICT-LEAD BY THE Arab Group for the Protection of Nature

## WAY FORWARD



- § WORKING ON THE SUCCESSFUL IMPLEMENTATION OF ONGOING WORK
- § SUPPORT AND CONNECT THE ONGOING WORK BY PARTNERS AND OTHER INITIATIVES
- § ESTABLISHMENT OF A MASTER COURSE ON LAND GOVERNANCE WITHIN THE LEBANESE UNIVERSITY, IN COORDINATION WITH GIZ, NELGA, ETC.
- § SET-UP TWINNING ARRANGEMENTS
- § CONTINUE INITIATING CATALYTIC ACTIVITIES AND ACTIONS AT COUNTRY LEVEL
- § WORK ON THE FINANCIAL SUSTAINABILITY OF THE INITIATIVE







# Monitoring Land Governance and Land Tenure Security in the Arab Region

GLII HARMONIZED INDICATORS AND RELATED TOOLS

**Everlyne Nairesiae and Clinton Omusula**

**Global Land Indicators Initiative (GLII)**

Email: [Everlyne.Nairesiae@un.org](mailto:Everlyne.Nairesiae@un.org) / [Clinton.Omusula@un.org](mailto:Clinton.Omusula@un.org)

[www.gltn.net/](http://www.gltn.net/) [www.unhabitat.org](http://www.unhabitat.org)

09-11 March 2020, Virtual Training

# THE GLOBAL LAND INDICATORS INITIATIVE (GLII)

- **A global multi-stakeholder platform** for development of land indicators and tools for monitoring, evaluation and reporting on land tenure and governance issues.
- **Founded in 2012- hosted and facilitated by GLTN at UN Habitat**
- **Mission:** Make **global scale monitoring of land governance a reality**
  - Aligned to –**VGGTs, SDGs, NUA; and AU-F&G, Agenda2063; Land Observatories**
- **Mandate:**
  - **Coordinate, convene and facilitate dialogues** between land and data communities,
  - Develop **globally comparable and nationally applicable land indicators**, methodology, tools, guidelines and protocols for comparable land data,
  - **Awareness and advocacy** on land governance **monitoring and impact evaluation, and reporting** at all levels,
  - Facilitate access to **technical support for capacity strengthening in land governance monitoring and impact measurement** including gender disaggregated data, new data tools, guidelines and reporting mechanisms,
  - **Research and knowledge management** – papers, assessments and studies on land governance monitoring and evaluation.
  - **Going beyond data to reporting on land governance progress and trends-** national, regional and global.

## Land indicators categorized into four categories

### ***Land tenure Security***

1. % of men and women with legally documented rights
2. % of men and men with perceiving their land tenure as free from eviction/dispossession
3. Legal protection of rights and use derived from plurality of tenure regimes.
4. Equal rights of women and men – to own, inherit, transact
5. Indigenous people and community groups with claims over land; % of land utilized, legal recognition/evidence of their rights.

### ***Land Administration***

1. Time and cost of conducting land transaction
2. Land information is available and accessible to public
3. User access to and use of land admin services by sex
4. Land tax amount collected as a % of the total government revenue
5. Proportion of land areas with rights holders in cooperated in national cadasters/land information system.

## Land indicators categorized into four categories

### **Land and Conflict**

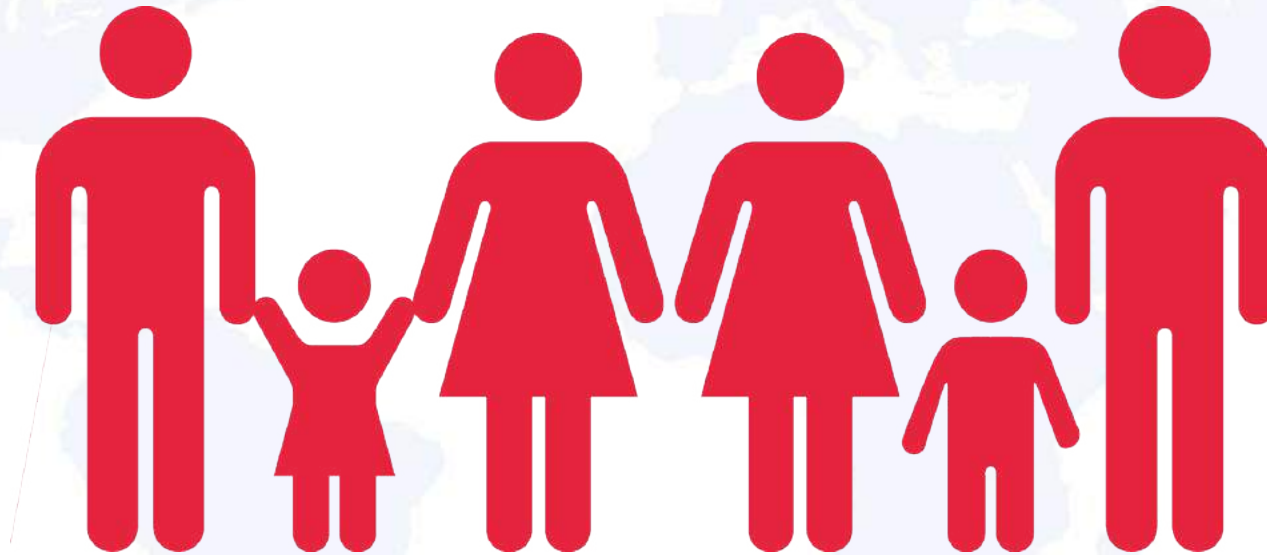
1. Men, women, IP- who have experienced conflict/dispute – by sex, type of tenure and conflict/dispute
2. Availability and accessibility to dispute resolution mechanism, affordable for women and men.
3. Effectiveness of mechanism - # of cases reported by year and had conflict/dispute resolved.

### **Sustainable Land Use and Management**

1. National change in aggregate land use sustainability measured by change in
  - i) land cover/land-use change;
  - iii) soil organic carbon change
2. Proportion of rural and urban administrative areas/ units whose land use change/development are governed by sustainable land-use plans including interests of the local land users and landowners.



# IMPROVING LAND TENURE SECURITY TO END POVERTY



Global Recognition of the Importance of  
Land Rights for Sustainable Development  
Goals



# PROGRESS MADE IN MONITORING - 1.4.2 AND 5.A.1; AND RELATED TOOLS

## Tools for monitoring land tenure and governance issues

***Guide for Measuring Individuals' Rights to Land***; An Integrated Approach to Data Collection for SDG Indicators 1.4.2 and 5.a.1 – jointly developed by custodian agencies (WB, FAO and UN-Habitat) Link- <https://gltn.net/2019/08/27/measuring-individuals-rights-to-land/>

## Tools for impact evaluation of land tenure and governance interventions linked to the SDGs -GLTN, UN-Habitat and IFAD

–***Guidelines for Impact Evaluation of Land Tenure and Governance Interventions***) \*Several global trainings conducted jointly with IFAD Link <https://gltn.net/download/guidelines-for-impact-evaluation-of-land-tenure-and-governance-interventions-2/>

–***Guide for Integrating Impact Evaluation into Programming***: A step-by-step guide to establishing evaluations for implementers of land tenure and governance interventions.

## Gender, Data and Women's Land Rights

- ***Developed a guidance tool on quality women's land rights data and statistics-by GLTN & UN Women*** (under publication)

- ***Module for Measuring women's land rights in fragile states*** – focus on Somalia (work in progress)

**Established partnership and initiate process for development of the **Global Land Governance Report**** – GLTN, UN-Habitat, FAO and ILC; with contribution/support of GDWGL.

# COUNTRY LEVEL ACTION – FOR MONITORING LAND TENURE INDICATORS 1.4.2 AND 5.A.1

## Capacity Strengthening – monitoring SDGs Land Tenure Indicators and reporting:

- o **Dissemination of the joint module for SDGs 1.4.2, 5.a.1** – training for NSOs and Land Administration Officers - Kenya, Rwanda, Tunisia done in 2020; pending Iraq due to Covid-19.
  - o Local consultants hired to support local action in data assessment, the integration of the joint module in relevant upcoming national surveys.
  - o Translation of the joint module – available in French and English; other languages – Spanish, Arabic and Russian under finalization.

## Integration of the joint module in relevant national surveys and global initiatives – LSMS, Labor Force Surveys ..... Key questions integrated into DHS (wave 7/8) surveys; and questionnaires of the 50x2030 Initiative, with potential to reach 50 countries.

**Arab region/ under Arab Land Initiative led by GLTN** – training scheduled for 14th – 16th Dec 2020 – to reach government institutions, the civil society and other relevant sectors in Syria, Iraq, Jordan, Egypt, Palestine, Saudi Arabia, Yemen, the United Arab Emirates, Bahrain, Qatar, Kuwait, Oman and Lebanon are invited.

Involvement by all custodian agencies – WB, FAO, and UN-Habitat – **covering indicators 1.4.2, 5.a.1 and 5.a.2; ILC and other partners.**

**Current training on Land Monitoring in Arab Region – Focus on North Africa**

# KEY ACHIEVEMENTS ON INDICATORS – 1.4.2, 5.A.1 AND 5.A.2

## Indicator 1.4.2 (UN-Habitat and World Bank)

- o Approx. 15 NSO collected these data through HH surveys in 2020 (WAEMU survey, LSMS, LFS) most in Africa,
- o DHS data (wave 7/8) are available for about 20 - 30 countries – some overlap with WAEMU/LSMS; and
- o About 50 other countries reported complete admin data – administrative data needed for 1.4.2
- o Estimated No. of countries reporting on 1.4.2 by end of 2021 – **70 countries.**

## Indicator 5.a.1 (FAO)

- o 10 countries have provided relevant data for this indicator via FAO
- o More countries expected in 2021 – linked to the joint module with indicator 1.4.2; UN Women and FAO collaboration in gender statistics; and the global 50X2030 initiative.

## SDG Indicator 5.a.2 (FAO)

- o **34 countries reached** and reported to UNSD with support of FAO
- o **15 countries reported in 2020** – Colombia, Sweden, Portugal, Nicaragua, Serbia, Uruguay, Italia, Switzerland, Slovakia, Uzbekistan, Belarus, Surinam, Qatar, Pakistan and Jordan.
- o **More countries** – receiving support to report on this indicator.

**UN-Habitat - leading work on SDG11; and contribute to SDG 15.3.1 led by UNCCD** via Science Policy Interface (SPI).

# LESSONS LEARNT

1. **Building on existing, relevant national surveys to integrate essential questions/joint module; and on structures for administrative data and reporting on land indicators** – highly potential to yield sustainable results.
2. **Supporting actual data collection field activities is resource demanding** (finance and human) – burden to countries
  1. **Country data/statistics agencies embracing online technical assistance.**
3. **Globally approved methodologies available and accessible** – e.g. joint module for indicators 1.4.2 and 5.a.1; and 5.a.2; other land related indicators remain key resources accessible to partners.
4. **Closer collaboration between custodians** – country level support, coordination foster synergies and complementarity.
5. **Political good will by governments/country level partners** to deliver data on land/SDGs – is key
6. Joint efforts in the development of the **Global Land Governance Report.**
7. **Impact of Covid-19** - expected to affect country level data processes in data collection, and financing priorities.

# GLII AREAS OF WORK FOR THE FUTURE

- 1. Strengthen collaboration towards Tier 1 for SDGs Land Indicators** – invest more in targeted country level capacity development for NSOs for integration of the joint module in upcoming surveys including censuses, national surveys etc; support compilation of administrative data; and integration of GIS data in statistics.
- 2. Targeted sessions on impact evaluation of land tenure and governance interventions** – for Governments, donors and private sector partners.
- 3. National, Regional and Global Reporting:**
  - Development of Global Land Governance Report** (on-going) (joint effort by GLTN, UN-Habitat, FAO, ILC), close collaboration/inputs from GDWGL.
  - Capacity development for countries/Governments to address land issues including data in their Voluntary National Reviews** for policy decisions and reporting at UNHLP – via trainings and country specific technical support.
- 4. Develop tools and approaches to monitoring land tenure and governance issues in fragile states**– linking this SDG 1.4.2 and related efforts.
- 5. Continue research and knowledge management** – land monitoring and impact measurement; gender dynamics and cross sector-linkages.



# Monitoring Land Governance and Land Tenure Security in the Arab Region

MONITORING AND REPORTING ON LAND IN REGIONAL AND GLOBAL DEVELOPMENT AGENDA.

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# LAND AND THE SDGS



- **SDGs – 17 goals, 169 targets – 200+ indicators**
- **2030 Agenda** contains land-related targets and indicators
  - **Land in SDGs 1, 2, 5, 11 and 15.**
- **9 Targets and 12 indicators related to land**
  - **Not explicitly mention in SDG16 – though land is key to peace and stability.**
    - Targets – **1.4** (Indicator -1.4.2 on tenure security) - **Tier II**
    - Target **2.3** (Indicators - 2.3.1 and 2.3.2 - small scale food producers' farmers/pastoralist/forest enterprise by size, income – disaggregated by sex and indigenous status) – **Tier II**
    - Target **2.4** (Indicator – 2.4.1 – proportion of agricultural area under sustainable production) – **Tier II**
    - Target **5.a** (indicators- 5.a.1 – securing women's agricultural land (**Tier II**), and 5.a.2 – national legal frameworks on securing women's land including customary laws – **Tier II**)
    - Target **11.1** ( Indicators -11.1.1)- urban population living in slums/access to adequate housing – **Tier I**
    - Target **11.3** (indicator- 11.3.1) – land consumption rate to population growth – **Tier II**
    - Target **11.7** (indicator -11.7.1) share of built-up areas of cities with open spaces for public use – **Tier II**
    - Target **15.1** (indicators 15.1.1, 15.1.2) – proportion of forest areas; protected sites, biodiversity – **Tier I**
    - **Target 15.3** (indicator -15.3.1) – towards land degradation neutrality by 2030 – **Tier I**

FACILITATED BY:

# SDGS - THE CLASSIFICATION OF LAND TENURE INDICATORS

Tier classification of SDGs Indicators by the **IAEG-SDG** as of **17 July 2020**

Tier Classification Criteria/Definitions:

**Tier I:** *Indicator is conceptually clear, has an internationally established methodology and standards are available, and data are regularly produced by countries for at least 50 per cent of countries and of the population in every region where the indicator is relevant.*

**Tier II:** *Indicator is conceptually clear, has an internationally established methodology and standards are available, but data are not regularly produced by countries.*

**Tier III:** *No internationally established methodology or standards are yet available for the indicator, but methodology/standards are being (or will be) developed or tested.*

**NB:** *As of the 51st UN Statistical Commission (UNSC), the global indicator framework does not contain any Tier III indicators)*

# THE LAND TENURE INDICATORS – SDG 1 & 5

## **SDG-1. End poverty in all its forms everywhere**

**Target 1.4:** By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance

**Indicator -1.4.2** *Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure – Tier II*

- Indicator 1.4.2 - Co-custodianship – UN-Habitat and World Bank; Supporting partners - FAO, UNSD, UN Women, UNEP, and IFA

## **SDG -5. Achieve gender equality and empower all women and girls**

**Target 5.a:** Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.

**Indicator 5.a.1:** (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure – Tier II

**Indicator 5.a.2:** Proportion of countries where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control – Tier II

- Indicators 5.a.1 and 5.a.2 – FAO as custodian agencies; supported by UN Women, UNSD, UNEP, ; World Bank, and UN-Habitat

# VOLUNTARY GUIDELINES ON THE RESPONSIBLE GOVERNANCE OF TENURE OF LAND, FISHERIES AND FORESTS (VGGTS)

**The VGGTs provide guidelines on land governance in the following contexts:**

1. Legal recognition and allocation of tenure rights and duties
2. Transfers and other changes to tenure rights and duties
3. Administration of tenure
4. Responses to climate change and emergencies



# VOLUNTARY GUIDELINES ON THE RESPONSIBLE GOVERNANCE OF TENURE OF LAND, FISHERIES AND FORESTS (VGGTS)

In their promotion, Implementation, Monitoring and Evaluation. The VGGTs provide States with the responsibility to:

1. **Recognize and respect all legitimate tenure right holders and their rights.** They should take reasonable measures to identify, record and respect legitimate tenure right holders and their rights.
2. **Safeguard legitimate tenure rights against threats and infringements.** They should protect tenure right holders against the arbitrary loss of their tenure rights, including forced evictions that are inconsistent with their existing obligations under national and international law.
3. **Promote and facilitate the enjoyment of legitimate tenure rights.** They should take active measures to promote and facilitate the full realization of tenure rights or the making of transactions with the rights, such as ensuring that services are accessible to all.
4. **Provide access to justice to deal with infringements of legitimate tenure rights.** They should provide effective and accessible means to everyone, through judicial authorities or other approaches, to resolve disputes over tenure rights; and to provide affordable and prompt enforcement of outcomes. States should provide prompt, just compensation where tenure rights are taken for public purposes.
5. **Prevent tenure disputes, violent conflicts and corruption.** They should take active measures to prevent tenure disputes from arising and from escalating into violent conflicts. They should endeavour to prevent corruption in all forms, at all levels, and in all settings.

# LAND IN THE NEW URBAN AGENDA (NUA)

- **Land is at the core of the New Urban Agenda** The role of land is well captured in the NUA with social, ecological and economic functions of land being well articulated as follows:
- **Land as a cross-cutting resource-** it is the foundation for three levers of the urban agenda: urban planning and design, urban economy and municipal finance and urban legislation.
- **Land is at the centre of rural-urban linkages** - The inter-dependence of urban and rural areas economically, socially and environmentally prove to be relevant and critical as cities continue to expand.
- Land and its relation to **gender and grassroots-** In relation to women and girls, their insecurity of tenure reflects the gender disparities in development policies, land policies and land administration.
- **Land and human rights in an urban setting-**Access to, use of and control over land directly affect the enjoyment of a wide range of human rights. E.g., right to adequate housing.
- **Land and Housing-** Access to land has been identified as one of the main obstacles for the poor to access adequate housing and for cities to improve urban living conditions.

# FRAMEWORKS AND GUIDELINES ON LAND POLICY IN AFRICA

An initiative of the African Union (AU), African Development Bank (AfDB) and Economic Commission for Africa (ECA) endorsed in 2009.

## **1. Recognizes the Centrality of Land in Development through:**

- Demonstrating AU commitment to land policy development.
- Advocating for Integration of land issues into decision making processes.
- Acknowledging the legitimacy of indigenous land rights systems
- Advocating for Strengthening the land rights of women

## **2. Calls for Mainstreaming Land in Poverty Reduction Programmes**

## **3. Aims at Making Agriculture an Engine of Growth for Africa.**

**4. Enhancing Land Management for Other Uses e.g.,** manufacturing, mining, energy development, the development of physical infrastructure in the rural areas, the management of sustainable urbanization, and tourism.

## **5. Protecting Natural Resources and Ecosystems.**

## **6. Developing Effective Land Administration Systems.**

## **7. Developing Effective Land Administration Systems.**

# FRAMEWORKS AND GUIDELINES ON LAND POLICY IN AFRICA

In tracking progress in land policy development, regional consultations conducted suggest that there have been **few significant national experiences on the continent, with respect to the efficient and systematic tracking of progress in land policy development and implementation.**

**For effective tracking of land policy development and implementation, the F&G note the need for :**

- 1. Adequate data** to ensure effective tracking of progress in land policy development.
- 2. Building partnership for tracking.** Monitoring and assessing the effects of land policy on livelihoods, economic growth and sustainable use of natural resources require the active collaboration of different institutions, with each playing a specific role.

# FRAMEWORKS AND GUIDELINES ON LAND POLICY IN AFRICA

## Challenges Related to Tracking:

**The problem of methodology-**The main challenge to the tracking of land policy development and implementation relates to methodology. The identified elements are:

- a) **Stakeholder agreement on what should be tracked-** i.e., the need for a clear and common understanding amongst all stakeholders, of the major elements of policy that should be tracked.
- b) **Defining the parameters that should be tracked-** i.e., identifying at a very early stage, a number of crucial questions regarding policy development and implementation for which the government (and other involved stakeholders) need clear answers.
- c) **Defining participatory and measurable indicators-**the design of measurable indicators which can be used to gauge progress or lack thereof
- d) **The need for external backstopping-** i.e., it is important to anticipate any resistance which may be encountered from internal stakeholders.
- e) **Effective capacity building programmes-** This is critical for the sustainability of tracking systems.



# GLII IN SUPPORT OF MONITORING LAND GOVERNANCE IN REGIONAL AND GLOBAL DEVELOPMENT AGENDA:

## GLII's main objective:

Develop a common framework for tracking progress on land issues through:

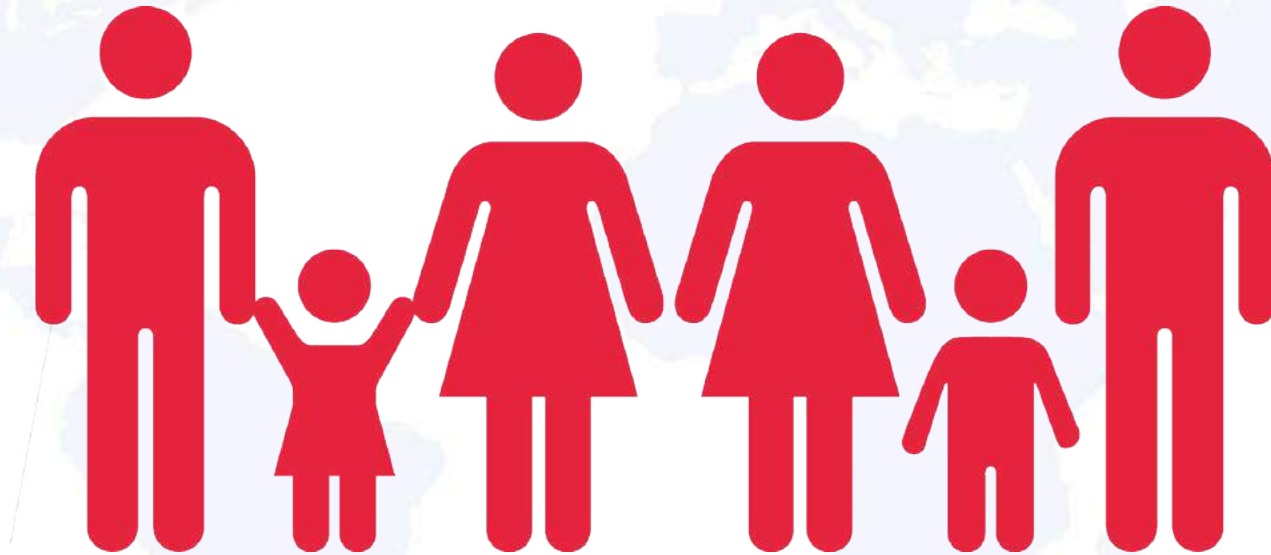
1. **Coordinating, convening and facilitating dialogues** between land governance and data communities on land monitoring and best practices;
2. **Developing nationally applicable and global-ly comparable land indicators** and data protocols for land monitoring;
3. **Raising awareness and facilitating capacity strengthening** for land and statistical institutions in land data generation including gender disaggregated data, analysis and reporting, and uptake of new data technologies.
4. **Promoting the use of evidence-based approach to land monitoring and impact measurement** of tenure security measures policy influencing; and use of open land data repositories.
5. **Research and knowledge management** on land monitoring and emerging trends for learning and decision-making.

# WHY LAND INDICATORS?

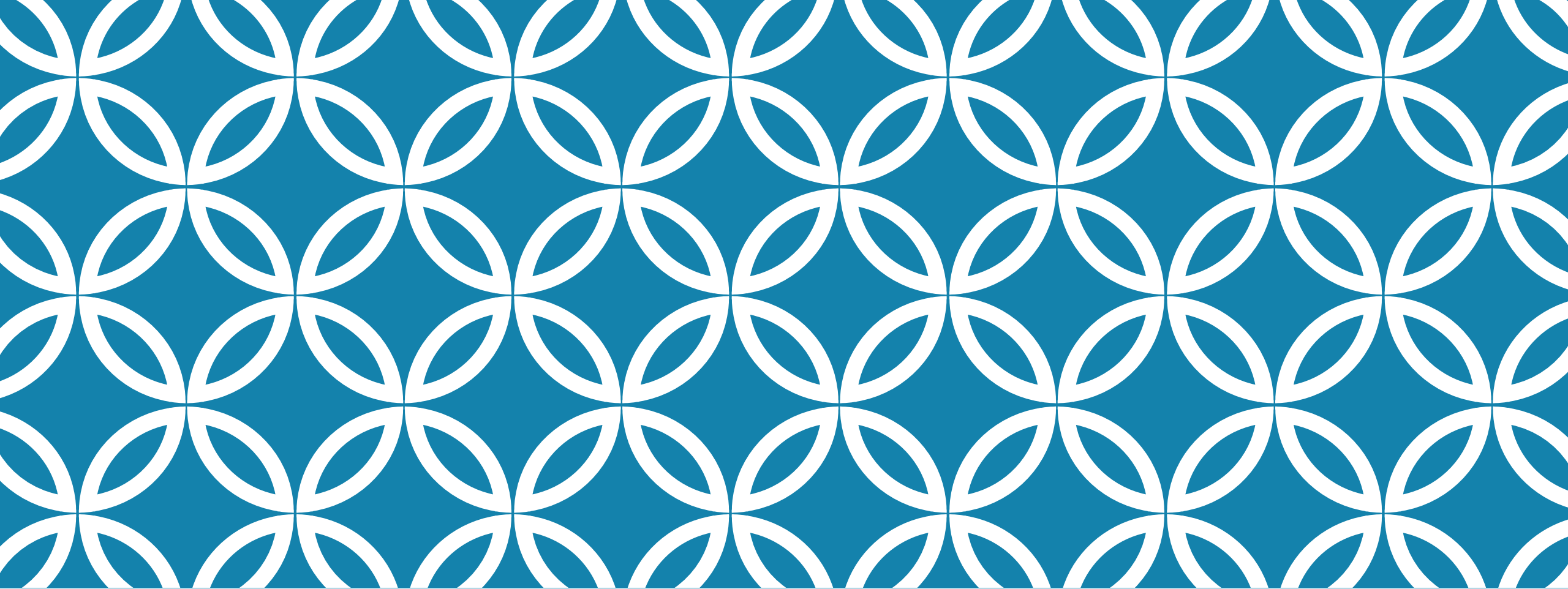
- There is need for a **common framework, understanding and capacity building to track progress on critical land governance issues globally.**
- Promoting **nexus between global, regional and country and project levels** is critical to ending poverty/sustaining development.
- Promote **convergence of global, regional and country initiatives** towards the 2030 agenda for Sustainable Development, VGGT, Africa Union Framework and Guidelines on Land Policy (F&G), Land Observatories requiring a common monitoring and reporting framework.
- **Nationally applicable and globally comparable indicators** and methodology for **comparable, sex disaggregated data across countries and over time.**



# IMPROVING LAND TENURE SECURITY TO END POVERTY



Global Recognition of the Importance of  
Land Rights for Sustainable Development  
Goals



# HARMONIZING DATA COLLECTION FOR INDICATORS 1.4.2 AND 5.A.1

March 2021

# OUTLINE

1. Why harmonize Indicators 1.4.2 & 5.a.1?
2. Data collection strategies for the joint module
3. The joint module for collecting data for indicators 1.4.2 & 5.a.1
4. Conclusions



# SDG INDICATOR 1.4.2 AND 5.A.1

## INDICATOR 1.4.2

Proportion of total adult population with secure tenure rights to land, with:

- (1) **legally recognized documentation** and
- (2) who **perceive their rights** to land as secure, **by sex** and by type of tenure

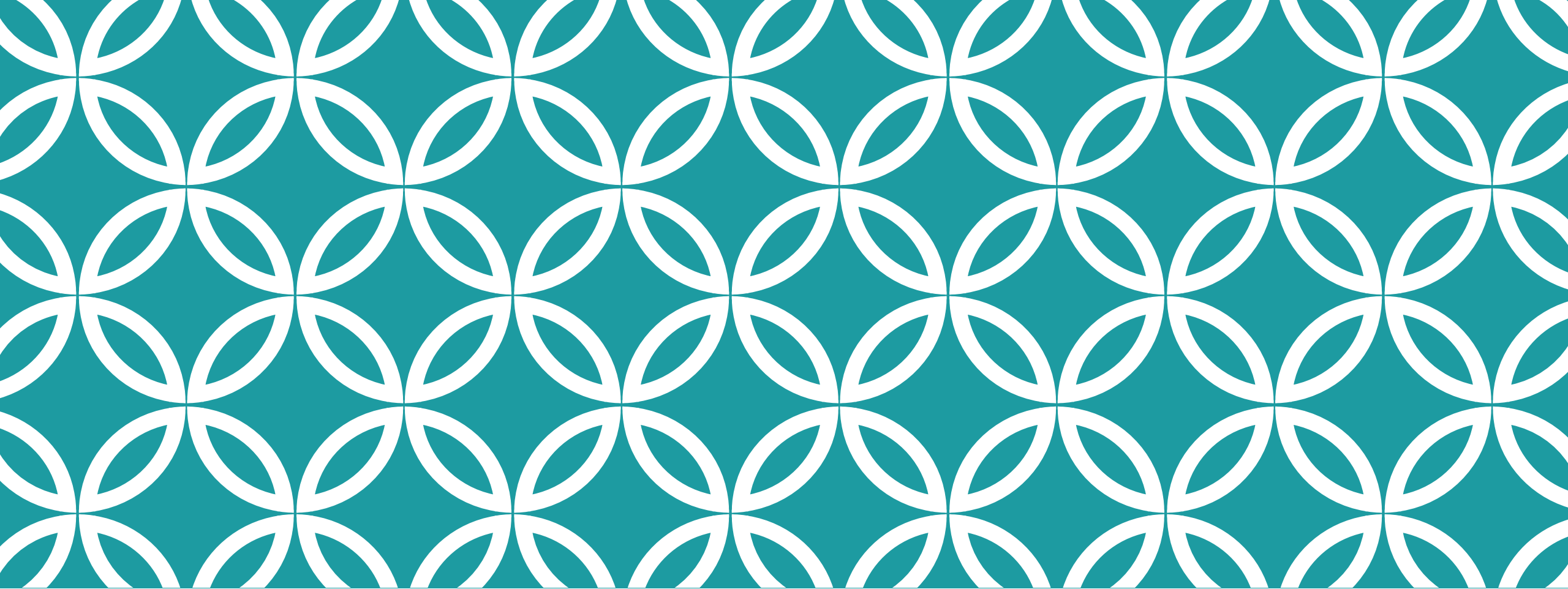
## INDICATOR 5.a.1

### SUB-INDICATOR 5.a.1 (a)

Proportion of total agricultural population **with ownership or secure rights** over agricultural land *by sex*;

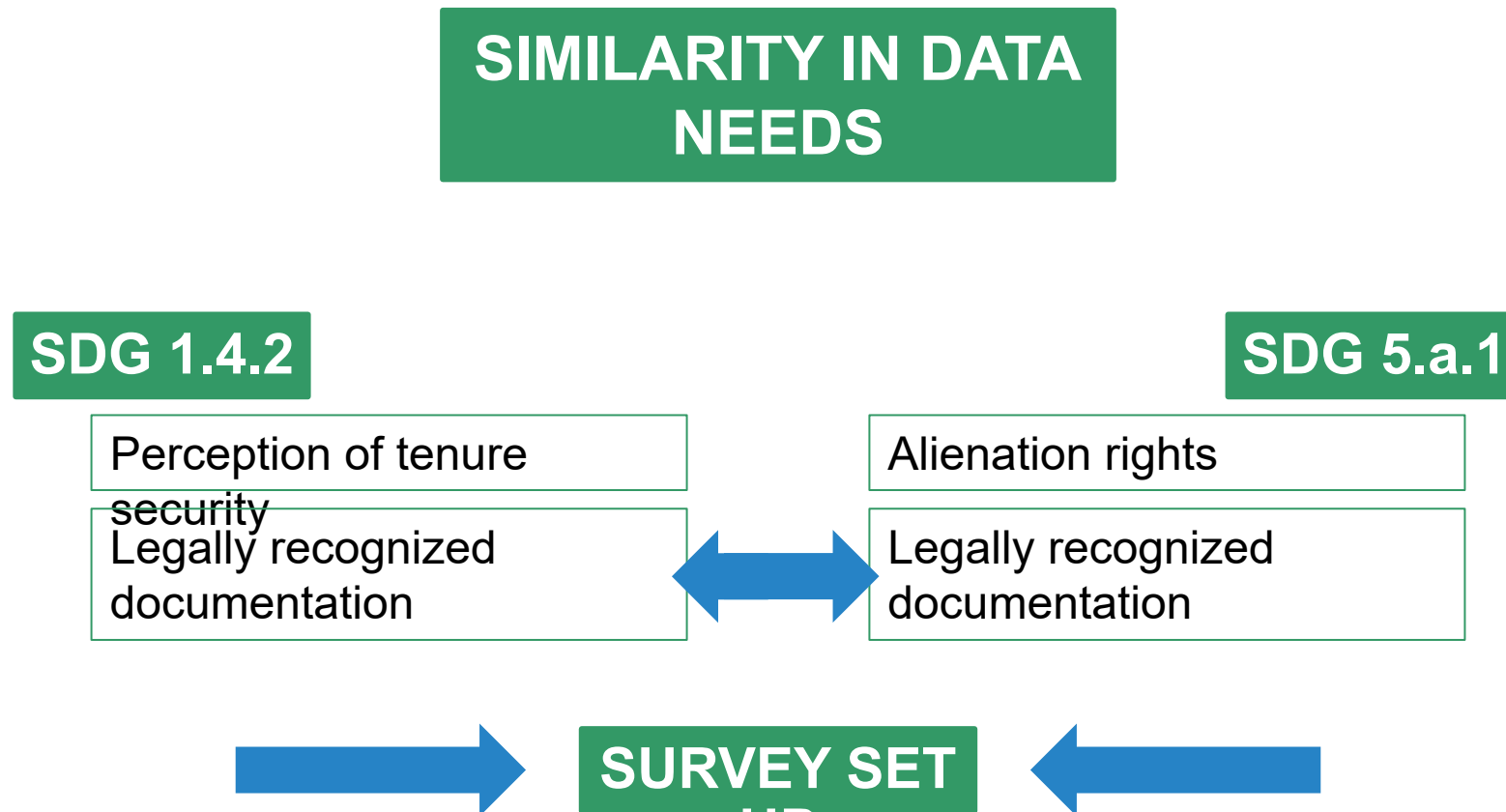
### SUB-INDICATOR 5.a.1 (b)

“Share of **women among owners** or rights-bearers of agricultural land, *by type of tenure*”



# 1. WHY HARMONIZE INDICATORS 1.4.2 & 5.A.1?

# 1. WHY HARMONIZE? (1/3)



# 1. WHY HARMONIZE? (2/3)

The two indicators present some **similarities as well as differences**. Both of them deal with land and individual rights and they promote sex-disaggregated data. However, the **differences** between the two are non-negligible:

The two indicators look at different **types of**

**Indicator 1.4.2**  
all types of land (i.e. residential, business, etc.)

**Indicator 5.a.1**  
agricultural land

The two indicators look at different **populations**

**Indicator 1.4.2**  
whole adult population in the country

**Indicator 5.a.1**  
agricultural population

The two indicators differ in the span of land tenure rights

**Indicator 1.4.2**  
looks at *legally recognized* documents and the *perceptions* on tenure security

**Indicator 5.a.1**  
looks at the 'de facto' tenure rights by considering both *legal documentation* and *alienation rights*. A holder is an individual presenting **at least one** of the previous

# 1. WHY HARMONIZE? (3/3)

Indicator 5.a.1 and 1.4.2 together provide the unique opportunity to disentangle the whole range of land

In Summary, while **5.a.1** combines legal documentation with de facto alienation rights thus providing a global measure of tenure rights over agricultural land, **1.4.2** specifically monitors penetration of legal documentation and perception of security to land rights from a broader perspective, as it looks at all types of land and at the whole adult population.



**FAO, UN-HABITAT and the World Bank** are collaborating to **align concepts**, definitions and data collection tools, to facilitate countries in the collection and generation of these indicators. In particular, a **common 'land tenure module'** has been developed with the aim of generating the data for calculating both indicator 5.a.1 and 1.4.2.



# HARMONIZATION

- o Custodian agencies, in collaboration with GLII and GDWGL, sought to **harmonize definitions and data collection tools** to facilitate simultaneous monitoring of SDGs 14.2 and 5.a.1

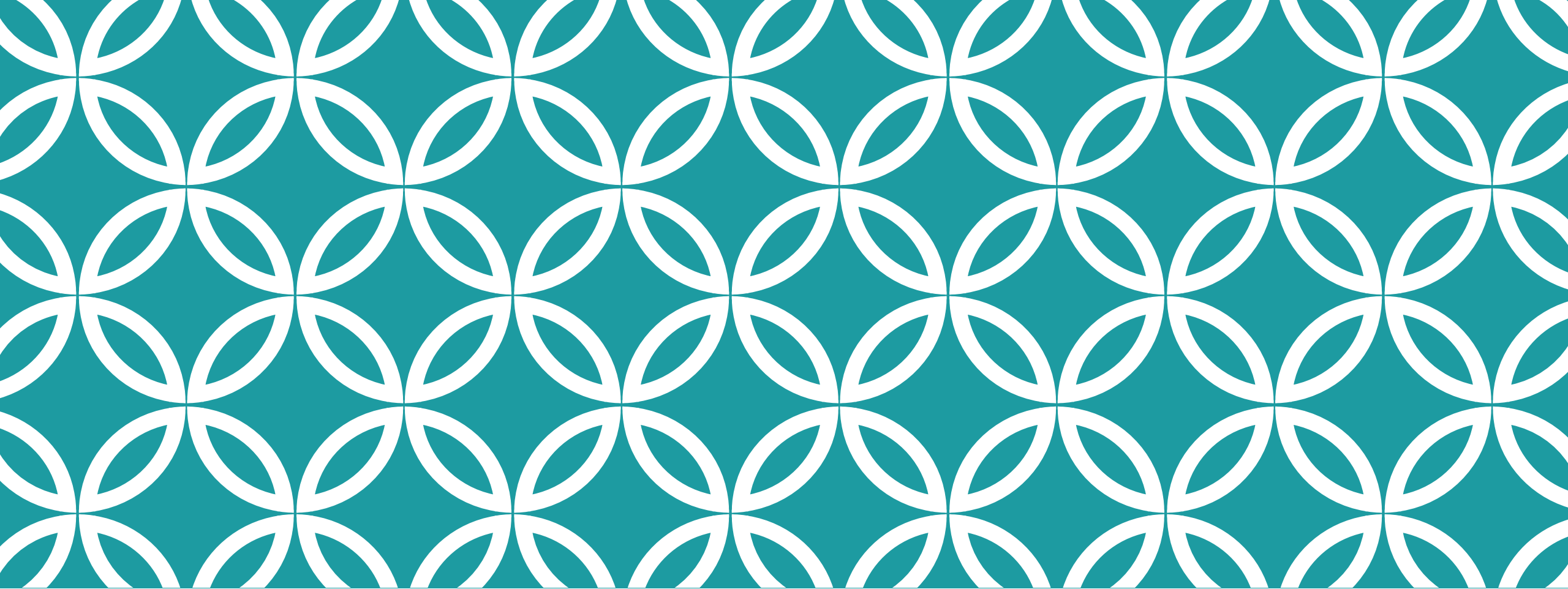
§ guided by work of the [UN EDGE](#) Project/World Bank collaboration and the [LSMS+](#) program

- o Guidance note available [online](#) (LSMS website: [worldbank.org/lsm](http://worldbank.org/lsm))
  - Available in 5 UN Languages : **English, Spanish, Russian, Arabic, and French**

## Measuring Individuals' Rights to Land

An Integrated Approach to Data Collection for  
SDG Indicators 1.4.2 and 5.a.1





## 2. DATA COLLECTION STRATEGIES FOR THE JOINT MODULE



## 2. DATA COLLECTION STRATEGIES FOR THE JOINT MODULE (1/10)

### DATA SOURCES

Designed for **integration** in  
existing

**National Household Surveys**

Agricultural Surveys?

Population Censuses?

## 2. DATA COLLECTION STRATEGIES FOR THE JOINT MODULE (2/10)

### DECISION POINTS



## 2. DATA COLLECTION STRATEGIES (3/10)

### Respondent

**two key decisions** to be made in selecting who to interview within the selected household:

**Who should report this information?**

**On how many individuals should information be collected?**

There are **three different strategies** that could be adopted:

#### **One proxy respondent**

*Normally the most knowledgeable household member, is interviewed to collect information on all the household members*

#### **Self-respondent approach applied to all members**

*Each adult member of the household is interviewed on his/her ownership/tenure rights to land*

#### **Self-respondent approach applied to one (or more) member(s)**

*One or more randomly selected adult household members are interviewed on his/her ownership /tenure rights to land*



## 2. DATA COLLECTION STRATEGIES (4/10)

The Evidence and Data For Gender Equality (EDGE) **project field tests** by UNSD and UN Women helped to understand which of these strategies is more effective and more relevant to the purpose of examining rights over land from a gender perspective

In particular, it was found that:



**Proxy-reported data decrease estimates** of both reported and documented ownership of agricultural land.

The Ugandan 2014 field test found that **underestimation is greater for men than for women:**

- For reported ownership -15% for men, -10% for women
- For documented ownership -7% for men and -2% for women

## 2. DATA COLLECTION STRATEGIES (5/10)

Considering these findings, it is **recommended**:

**TO EMPLOY SELF-RESPONDENT APPROACH**  
Interview adult household members about **their own status**

Due to budget constraints and time limitations, it may be possible to interview only **one adult member per household**.

However, if a country wants to study intra-household dynamics of the 5.a.1 and 1.4.2 estimates, it may decide to collect information about each household member or a subset or randomly selected adult members

## 2. DATA COLLECTION STRATEGIES

(6/10)

Self-Respondent: Selecting individuals within a

Once a household has been selected, either all individuals or one randomly selected individual should be interviewed about their own status.

The second case requires a **procedure that randomly identifies a subject within the household** in a way that he or she is representative of the target population.

The procedure should be:

- | Effective in selecting a representative sample of the population of interest
- | Easy to implement

There are various **methods** that could be applied to this task, but the most popular and recommended methods are:

Randomization via

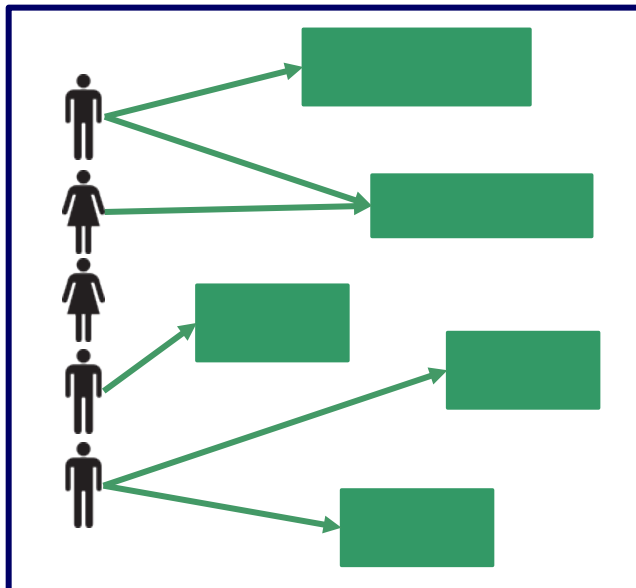
CAPT  
The Kish method

The birth date method

## 2. DATA COLLECTION STRATEGIES (7/10)

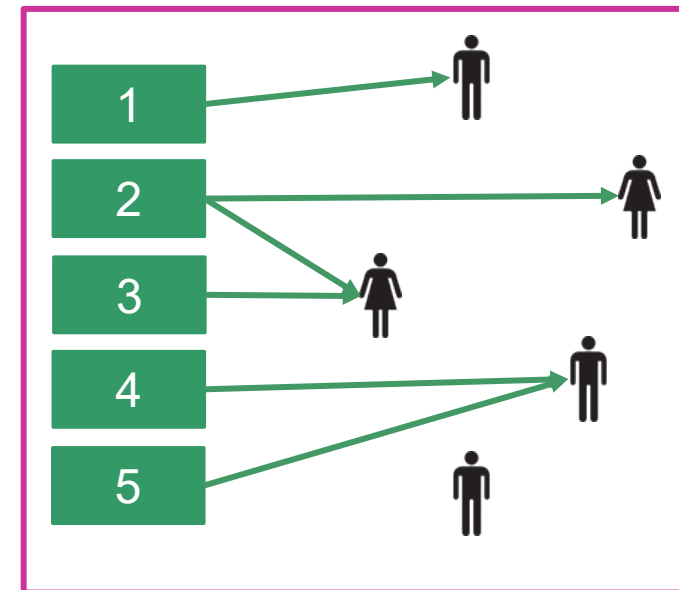
### LEVEL OF DATA COLLECTION

**AT THE  
INDIVIDUAL  
LEVEL**



or

**AT THE  
PARCEL  
LEVEL**



## 2. DATA COLLECTION STRATEGIES (8/10)

### AT THE INDIVIDUAL

This approach is recommended if:

the survey can collect the **bare minimum** set of questions on the ownership of/or tenure rights over land

or

the inclusion of a roster of parcels goes beyond the scope of the survey

In such case, individual level questions should be asked through an individual questionnaire/module administered to a randomly selected adult household member or all household members



## 2. DATA COLLECTION STRATEGIES (9/10)

### AT THE PARCEL

There are **two reasons** why countries may opt to collect information at the parcel rather than the individual level:

The country implements a **nationally representative survey that already collects a roster of parcels** (e.g. the LSMS-ISA surveys) to which the questions on ownership or tenure rights can be appended

The country wants to go **beyond the data strictly needed for the computation of the indicator** and collect a broader set of information in order to carry out a comprehensive analysis of women's and men's ownership, rights and control of land. Collecting such information, including on the characteristics of land, should be done at the parcel level

## 2. DATA COLLECTION STRATEGIES

(10/10)

### Customization

Is one of the most delicate aspects to take into account when dealing with global level indicators. There are **two key principles** that must be balanced:

Ensure  
**comparability** of  
results across

To achieve comparability it is fundamental to strictly comply with the indicator's protocol – ie., cover all the required data items and collect data through the appropriate means and from the correct respondents.

**Adapt** to the  
characteristics and  
needs of the **specific  
context**

- In many cases, a literal **translation** is not the best one. Particular care should be put in translating the concepts of tenure rights, right to sell and bequeath.
- The list of legally recognized **titles and certificates** that protect use rights over land is highly country specific. Often certificates have a specific name in each country, therefore it is important to map the proposed list to the documents used in the country. In some cases a document is specific to the country therefore it has to be added to



### 3. THE JOINT MODULE FOR COLLECTING DATA FOR INDICATORS 1.4.2 AND 5.A.1

### 3. THE JOINT MODULE (1/25)

Due to various survey designs in which this module could be integrated,

**5 versions** of the module have been designed.

The optimal module selection is based on the following:

| **Respondent selection**: self-respondent (recommended)/ proxy respondent

| **Level of data collection**: parcel level / individual level

| **Parcel roster presence**: a roster of parcel is already present in the survey / or not

# 3. THE JOINT MODULE (2/25)

Based on those, countries can choose from the following 5 versions:

VERSION

**Parcel** level data, **self respondent** approach, **no parcel level roster** elsewhere, assumes **separate household member roster** with sex.

VERSION

**Parcel** level data, **self respondent** approach, assumes **parcel roster elsewhere** which can be fed forward to either (a) the interview of one randomly selected individual or (b) the interviews of all adult household members, assumes **separate household member roster** sex.

VERSION

**Individual** level data, **self respondent** approach, **not reported at parcel level.**

VERSION

**Parcel** level data, **proxy respondent** acceptable, **no parcel level roster** elsewhere, assumes **separate household member roster** with sex.

VERSION

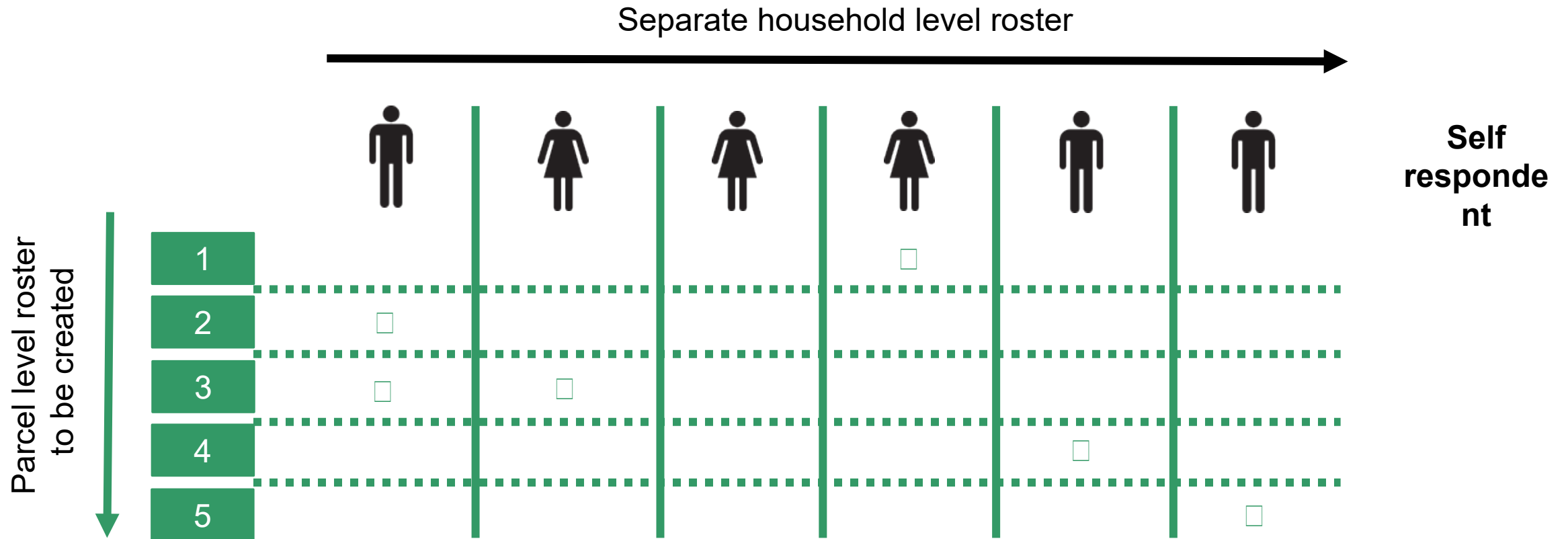
**Individual** level data, **proxy respondent** approach, **not reported at parcel level.**



# 3. THE JOINT MODULE (3/25)

## VERSION

**Parcel** level data, **self respondent** approach, **no parcel level roster** elsewhere, assumes **separate household member roster** with sex.

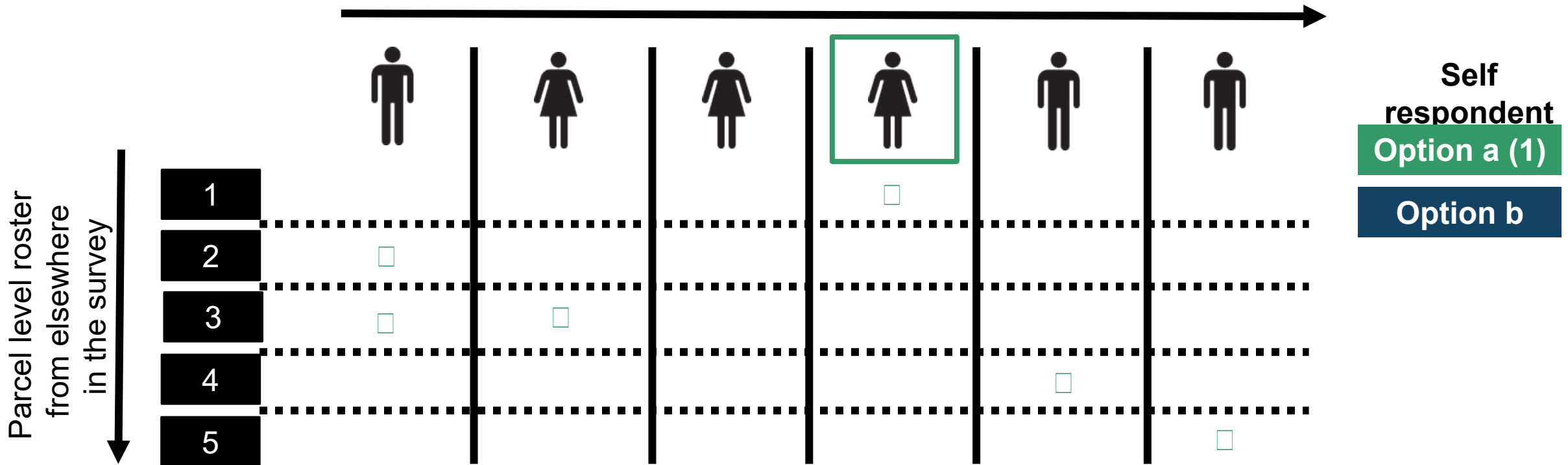


# 3. THE JOINT MODULE (4/25)

## VERSION

**Parcel** level data, **self respondent** approach, assumes **parcel roster elsewhere** which can be fed forward to either (a) the interview of one randomly selected individual or (b) the interviews of all adult household members, assumes **separate household member roster** with sex.

Separate household level roster



# 3. THE JOINT MODULE (5/25)

## VERSION

Individual level data,  
**self respondent**  
approach,  
**not reported at parcel**  
level.

Self  
respondent

Any agricultural land



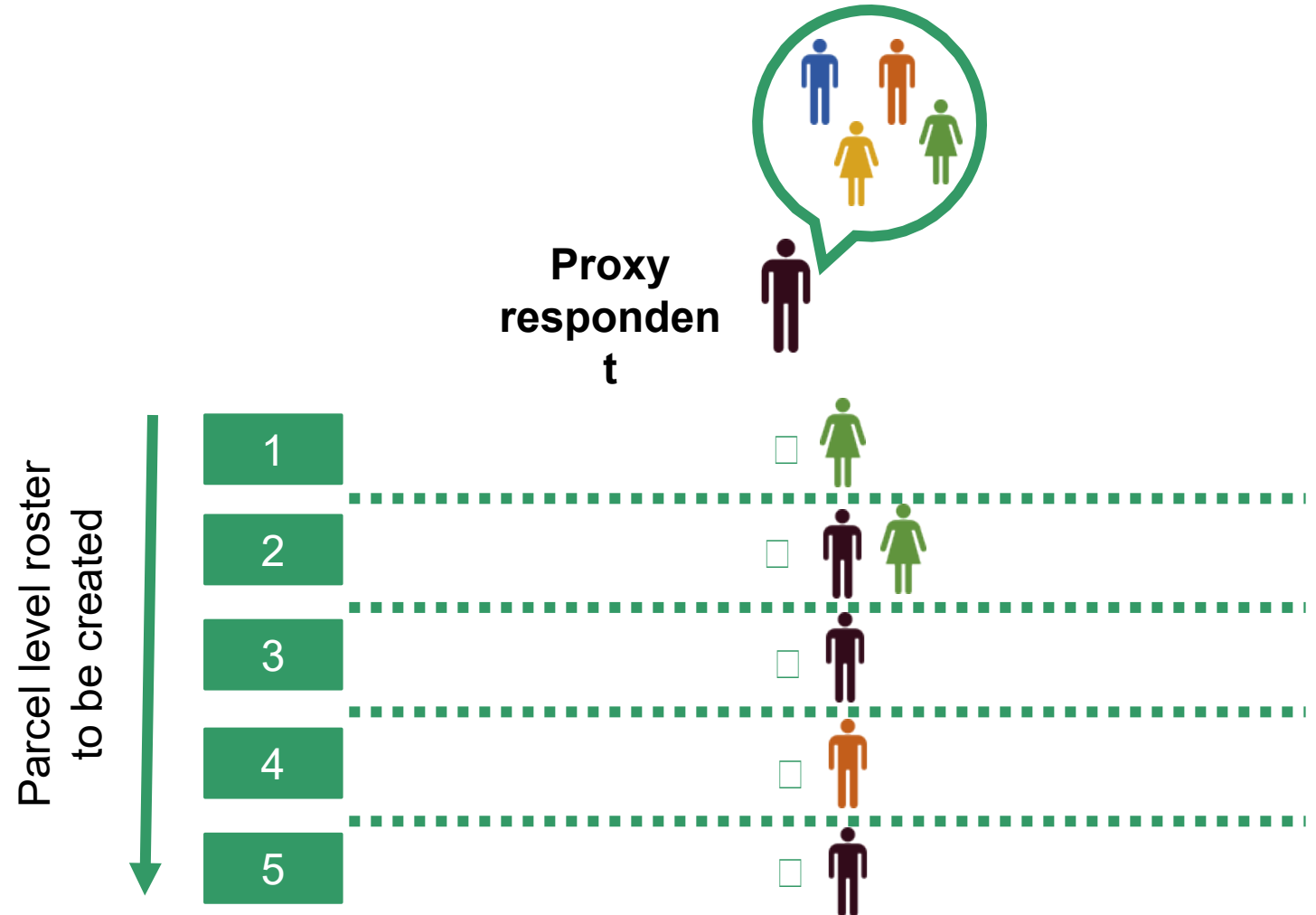
Any other land



### 3. THE JOINT MODULE (6/25)

#### VERSION

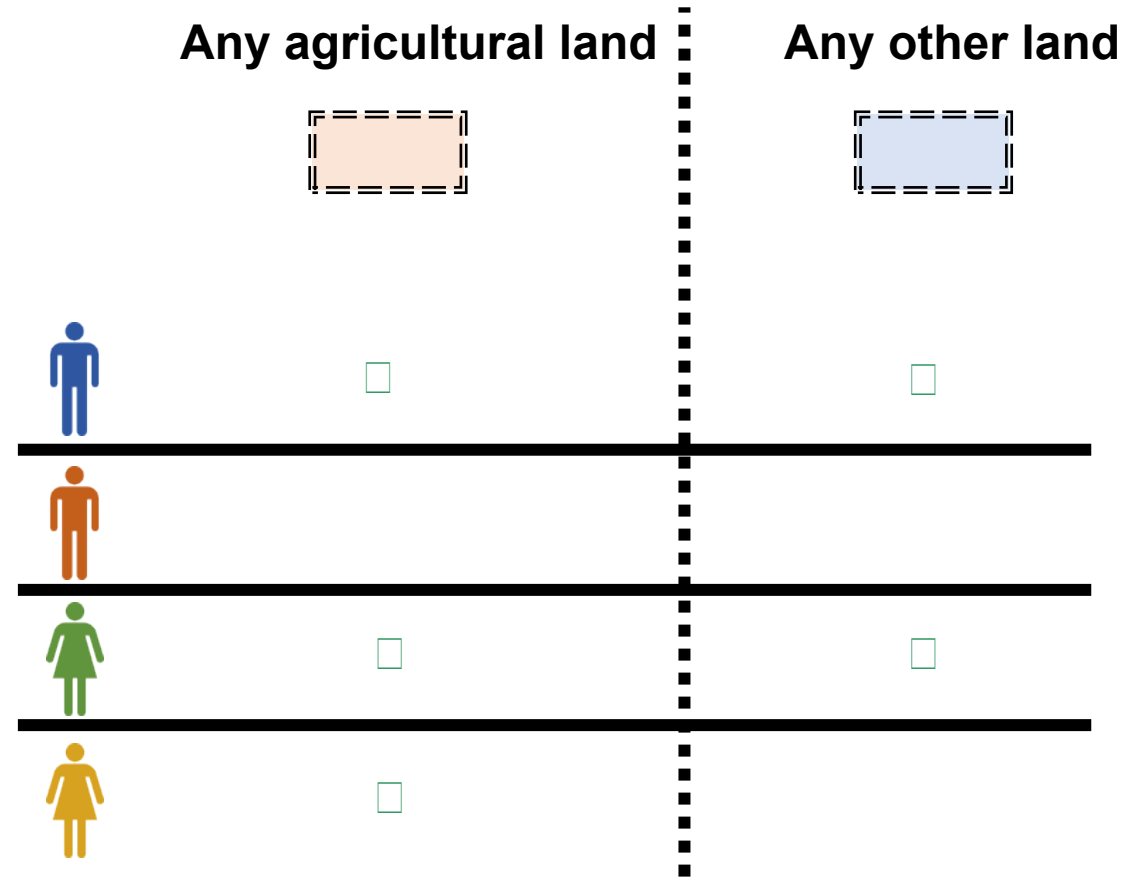
**Parcel level data,**  
**proxy respondent acceptable, no**  
**parcel level roster elsewhere,**  
**assumes separate household**  
**member roster with sex.**



### 3. THE JOINT MODULE (7/25)

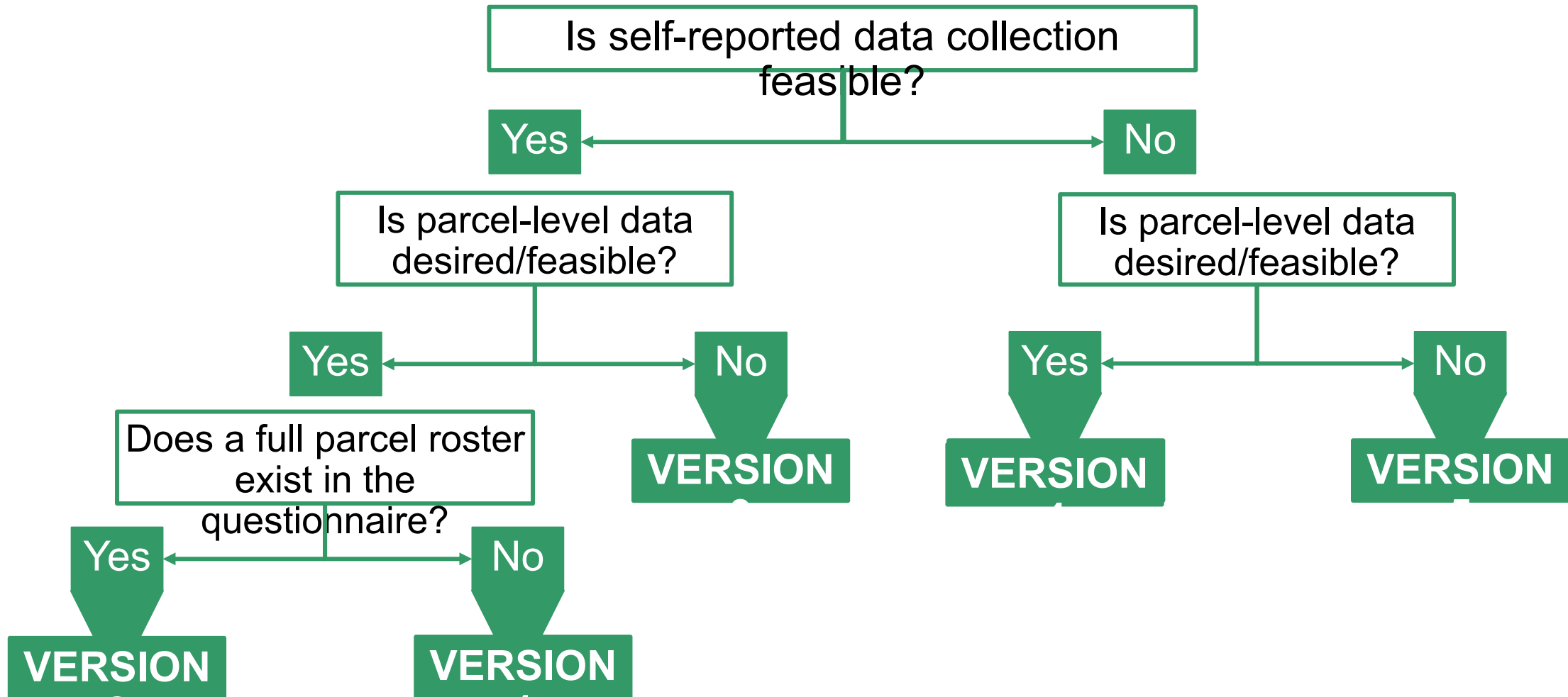
#### VERSION

Individual level data,  
proxy respondent  
approach,  
not reported at parcel  
level.





### 3. THE JOINT MODULE (8/25)



### 3. THE JOINT MODULE (9/25)

## TWO EXAMPLES OF THE COMMON LAND

### VERSION 1

- | **Parcel** level data,
- | **Self respondent** approach,
- | **No parcel level roster** elsewhere,
- | Assumes **separate household member roster** with sex.

COLOUR CODES	SDG 1.4.2	Both 1.4.2 & 5.a.1	Analytic al purpose s only
	SDG 5.a.1		
Blue	✓		
Green		✓	
Orange			✓
Yellow			✓
Pink			✓
Grey			✓
White			✓

Q0. Do you own or hold use rights to any parcel of land, either alone or jointly with someone else, irrespective of whether the parcel is used by your or another household, and irrespective of the use of the parcel (including dwelling plot, agricultural, pastoral, forest and business/commercial plots)?

YES...1

NO.....2 >> END OF QUESTIONS

7

ENUMERATOR: AFTER CREATING THE ROSTER OF PARCELS, GO THROUGH THE ENTIRE MODULE ONE PARCEL AT A TIME.

PARCEL ID	1, PARCEL NAME	2, What is the area of this [PARCEL]?		3, How was this [PARCEL] acquired?	4, Under which tenure system is this [PARCEL]?	5, What is the primary current use of this [PARCEL]?	6, Is there a document for this [PARCEL] issued by the Land Registry/Cadastral Agency, such as a title deed, certificate of ownership, certificate of hereditary acquisition, lease or rental contract?	7, What type of documents are there for this [PARCEL], and is your name listed on any of the documents as owner or right use holder?						8, Do you have the right to sell this [PARCEL], either alone or jointly with someone else?	9, Do you have the right to bequeath this [PARCEL], either alone or jointly with someone else?	10, On a scale from 1 to 5, where 1 is not at all likely and 5 is extremely likely, how likely are you to involuntarily lose ownership or use rights to this [PARCEL] in the next 5 years?
	Please tell me about each parcel for which <b>you</b> currently own or hold use rights for, either alone or with someone else. Please describe or give me the name of each parcel, starting with the parcel you reside on, if applicable.	CODES FOR UNIT:  ACRE.....1 HECTARE.....2 SQUARE METERS...3 OTHER (SPECIFY)..4		GRANTED BY CUSTOMARY/ COMMUNITY AUTHORITIES.....1 ALLOCATED BY GOVERNMENT.....2 ALLOCATED BY FAMILY MEMBER...3 INHERITED BY THE DEATH OF A FAMILY MEMBER...4 PURCHASED.....5 RENTED IN, SHORT-TERM (< 3 YEARS).....6 >> 5 RENTED IN, LONG-TERM.....7 SHARECROPPED IN...8 >> 5 BORROWED FOR FREE.....9 BRIDE PRICE.....10 GIFT FROM NON-HOUSEHOLD MEMBER.....11 MOVED IN WITHOUT PERMISSION...12 >> NEXT PARCEL OTHER (SPECIFY)..13	CUSTOMARY.....1 FREEHOLD.....2 LEASEHOLD.....3 STATE.....4 COMMUNITY/GROUP RIGHT.....5 COOPERATIVES...6 OTHER (SPECIFY)...7	RESIDENTIAL...1 AGRICULTURAL..2 PASTORAL.....3 FOREST.....4 BUSINESS/ COMMERCIAL..5 DON'T KNOW...6 OTHER (SPECIFY)...7	YES...1 NO....2 >> 8	LIST UP TO 3, SHOW PHOTO AID  CODES FOR DOCUMENT TYPE: CODES FOR NAME LISTED? TITLE DEED.....1 YES.....1 CERTIFICATE OF CUSTOMARY OWNERSHIP...2 NO.....2 CERTIFICATE OF OCCUPANCY...3 DON'T KNOW..98 CERTIFICATE OF HEREDITARY ACQUISITION LISTED IN REGISTRY....4 REFUSAL....99 SURVEY PLAN.....5 RENTAL CONTRACT, REGISTERED.....6 LEASE, REGISTERED.....7 OTHER (SPECIFY).....8						YES.....1 NO.....2 DON'T KNOW..98 REFUSAL....99	YES.....1 NO.....2 DON'T KNOW..98 REFUSAL....99	NOT AT ALL LIKELY...1 SLIGHTLY LIKELY...2 MODERATELY LIKELY...3 VERY LIKELY.....4 EXTREMELY LIKELY...5
		a. b.						DOCUMENT #1 DOCUMENT #2 DOCUMENT #3								
		FARMER ESTIMATION GPS MEASURE						DOC. TYPE NAME LISTED? DOC. TYPE NAME LISTED? DOC. TYPE NAME LISTED?								
		AREA	UNIT	AREA IN ACRES												
1		_____ . _____		_____ . _____												
2		_____ . _____		_____ . _____												
3		_____ . _____		_____ . _____												
4		_____ . _____		_____ . _____												
5		_____ . _____		_____ . _____												

Q0. Do you own or hold use rights to any parcel of land, either alone or jointly with someone else, irrespective of whether the parcel is used by your or another household, and irrespective of the use of the parcel (including dwelling plot, agricultural, pastoral, forest and business/commercial plots)?

YES...1

NO....2 >> END OF QUESTIONS

ENUMERATOR: AFTER CREATING THE ROSTER OF PARCELS, GO THROUGH THE ENTIRE MODULE ONE PARCEL AT A TIME.

COLOUR CODES	SDG 1.4.2	Both 1.4.2 & 5.a.1	Analytic al purpose s only
	SDG 5.a.1		

PARCEL ID	1, PARCEL NAME  Please tell me about each parcel for which <b>you</b> currently own or hold use rights for, either alone or with someone else. Please describe or give me the name of each parcel, starting with the parcel you reside on, if applicable.	2, What is the area of this [PARCEL]?  <u>CODES FOR UNIT:</u>  ACRE.....1 HECTARE.....2 SQUARE METERS....3 OTHER (SPECIFY) ..4		3, How was this [PARCEL] acquired?  GRANTED BY CUSTOMARY/ COMMUNITY AUTHORITIES....1 ALLOCATED BY GOVERNMENT.....2 ALLOCATED BY FAMILY MEMBER...3 INHERITED BY THE DEATH OF A FAMILY MEMBER..4 PURCHASED.....5 RENTED IN, SHORT-TERM ( < 3 YEARS) .....6 >> 5 RENTED IN, LONG-TERM.....7 SHARECROPPED IN ...8 >> 5 BORROWED FOR FREE.....9 BRIDE PRICE.....10 GIFT FROM NON-HOUSEHOLD MEMBER.....11 MOVED IN WITHOUT PERMISSION....12 >> NEXT PARCEL OTHER (SPECIFY) ..13	4, Under which tenure system is this [PARCEL]?  CUSTOMARY.....1 FREEHOLD.....2 LEASEHOLD.....3 STATE.....4 COMMUNITY/GROUP RIGHT.....5 COOPERATIVES...6 OTHER (SPECIFY) ...7	5, What is the prim current use of th [PARCEL]?  RESIDENTIAL.. AGRICULTURAL.. PASTORAL..... FOREST..... BUSINESS/ COMMERCIAL.. DON'T KNOW... OTHER (SPECIFY) ..			
		a.							
		b.							
		FARMER ESTIMATION		GPS MEASURE					
		AREA	UNIT	AREA IN ACRES					

1		— — — — . — — —		— — — — . — — —		
2		— — — — . — — —		— — — — . — — —		





Q0. Do you own or hold use rights to any parcel of land, either alone or jointly with someone else, irrespective of whether the parcel is used by your or another household, and irrespective of the use of the parcel (including dwelling plot, agricultural, pastoral, forest and business/commercial plots)?

YES...1

NO...2 >> END OF QUESTIONS

1

ENUMERATOR: AFTER CREATING THE ROSTER OF PARCELS, GO THROUGH THE ENTIRE MODULE ONE PARCEL AT A TIME.

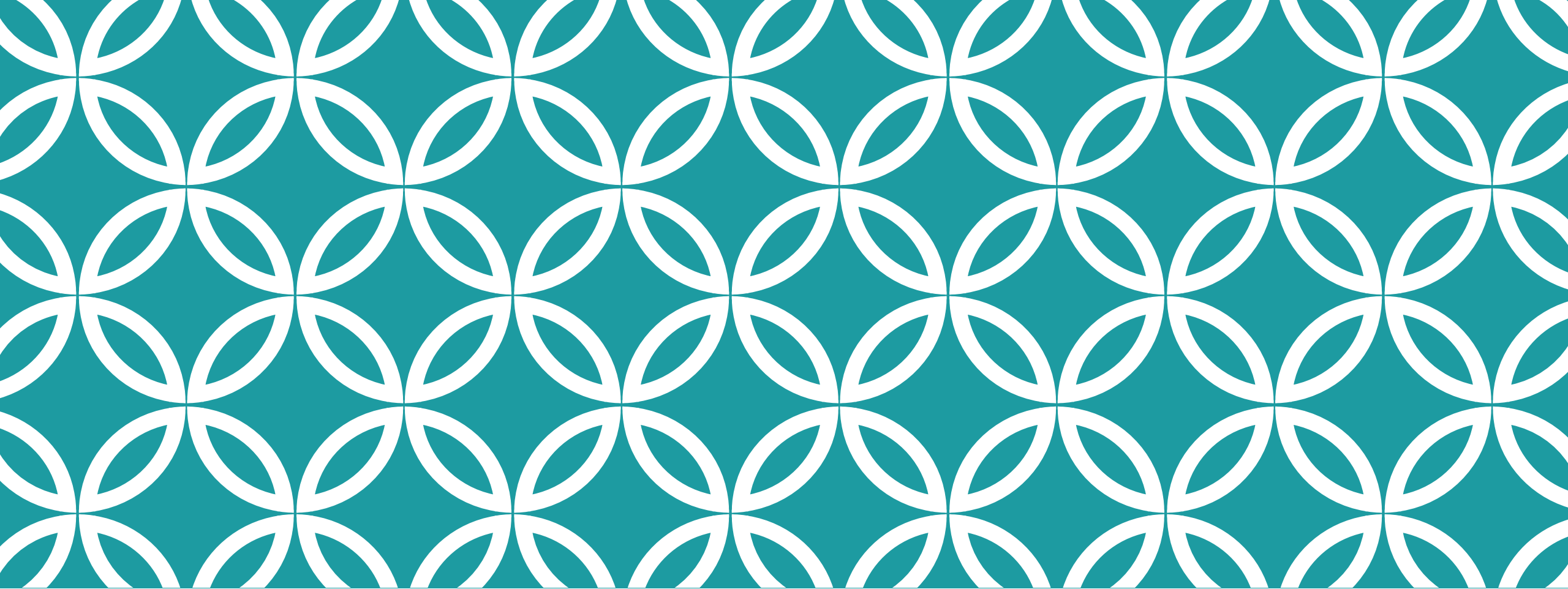
COLOUR CODES	SDG 1.4.2	Both 1.4.2 & 5.a.1	Analytic al purpose s only
	SDG 5.a.1		

PARCEL ID	1, PARCEL NAME  Please tell me about each parcel for which <b>you</b> currently own or hold use rights for, either alone or with someone else. Please describe or give me the name of each parcel, starting with the parcel you reside on, if applicable.	2, What is the area of this [PARCEL]?  <u>CODES FOR UNIT:</u>  ACRE.....1 HECTARE.....2 SQUARE METERS...3 OTHER (SPECIFY) ..4		3, How was this [PARCEL] acquired?  GRANTED BY CUSTOMARY/ COMMUNITY AUTHORITIES....1 ALLOCATED BY GOVERNMENT.....2 ALLOCATED BY FAMILY MEMBER...3 INHERITED BY THE DEATH OF A FAMILY MEMBER..4 PURCHASED.....5 RENTED IN, SHORT-TERM ( < 3 YEARS) .....6 >> 5 RENTED IN, LONG-TERM.....7 SHARECROPPED IN ...8 >> 5 BORROWED FOR FREE.....9 BRIDE PRICE.....10 GIFT FROM NON-HOUSEHOLD MEMBER.....11 MOVED IN WITHOUT PERMISSION....12 >> NEXT PARCEL OTHER (SPECIFY) ..13	4, Under which tenure system is this [PARCEL]?  CUSTOMARY.....1 FREEHOLD.....2 LEASEHOLD.....3 STATE.....4 COMMUNITY/GROUP RIGHT.....5 COOPERATIVES...6 OTHER (SPECIFY) ...7	5, What is the prim current use of th [PARCEL]?  RESIDENTIAL.. AGRICULTURAL.. PASTORAL..... FOREST..... BUSINESS/ COMMERCIAL.. DON'T KNOW... OTHER (SPECIFY) ..			
		a.							
		b.							
		FARMER ESTIMATION		GPS MEASURE					
		AREA	UNIT	AREA IN ACRES					

1	Parcel name 1	2	1	2	4	2
2						



COLOUR CODES		SDG 1.4.2	SDG 5.a.1	Both 1.4.2 & 5.a.1	Analytical purposes only								
5, What is the primary current use of this [PARCEL]?	6, Is there a document for this [PARCEL] issued by the Land Registry/Cadastral Agency, such as a title deed, certificate of ownership, certificate of hereditary acquisition, lease or rental contract?	7, What type of documents are there for this [PARCEL], and is your name listed on any of the documents as owner or right use holder?  LIST UP TO 3, SHOW PHOTO AID  <div><div><u>CODES FOR DOCUMENT TYPE:</u> TITLE DEED.....1 CERTIFICATE OF CUSTOMARY OWNERSHIP....2 CERTIFICATE OF OCCUPANCY..3 CERTIFICATE OF HEREDITARY ACQUISITION LISTED IN REGISTRY.....4 SURVEY PLAN.....5 RENTAL CONTRACT, REGISTERED.....6 LEASE, REGISTERED.....7 OTHER (SPECIFY).....8</div><div><u>CODES FOR NAME LISTED?</u> YES.....1 NO.....2 DONT'KNOW..98 REFUSAL....99</div></div>		8, Do you have the right to sell this [PARCEL], either alone or jointly with someone else?	9, Do you have the right to bequeath this [PARCEL], either alone or jointly with someone else?	10, On a scale from 1 to 5, where 1 is not at all likely and 5 is extremely likely, how likely are you to involuntarily lose ownership or use rights to this [PARCEL] in the next 5 years?							
RESIDENTIAL...1 AGRICULTURAL..2 PASTORAL.....3 FOREST.....4 BUSINESS/ COMMERCIAL..5 DON'T KNOW....6 OTHER (SPECIFY)...7	YES...1 NO....2 >> 8			YES.....1 NO.....2 DONT'KNOW..98 REFUSAL....99	YES.....1 NO.....2 DONT'KNOW..98 REFUSAL....99	NOT AT ALL LIKELY..1 SLIGHTLY LIKELY....2 MODERATELY LIKELY..3 VERY LIKELY.....4 EXTREMELY LIKELY...5							
		DOCUMENT #1		DOCUMENT #2		DOCUMENT #3							
		DOC. TYPE		NAME LISTED?		DOC. TYPE		NAME LISTED?		DOC. TYPE		NAME LISTED?	
1	1	4	1					1	1	2			



## 5. CONCLUSIONS



# 5. CONCLUSIONS

## NEXT STEPS FOR COUNTRY



Identify the most **appropriate data collection vehicle** for collecting the required data for 1.4.2 and 5.a.1, and plan for in advance for the inclusion of the modules/questions

Request **assistance** to FAO/UN Habitat/World Bank **if needed**

**Adapt the standard protocol** to national specificities

To be used at the:

**National level**

and

**Global level**

THANK YOU!



# Gender and Land Rights

## SDG Indicator on legal women's land rights



March 2021.



# SDG Agenda and Indicator 5.a.2



## **SDG 5: Achieve Gender Equality and Empower All Women and Girls**

- 5.1 End all forms of discrimination against all women and girls everywhere
- 5.2 Eliminate all forms of violence against all women and girls
- 5.3 Eliminate all harmful practices
- 5.4 Recognize and value unpaid care and domestic work
- 5.5 Ensure women's full and effective participation and equal opportunities for leadership
- 5.6 Ensure universal access to sexual and reproductive health and reproductive rights
- 5.a Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws**
- 5.b Enhance the use of enabling technology, in particular information and communications technology
- 5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and empowerment



## Indicator 5.a.1: Statistical Indicator

- (a) Proportion of total agricultural population with *ownership* or *secure rights* over *agricultural* land, by sex;
- and (b) share of women among *owners* or *rights bearers* of *agricultural* land, type of tenure.

## Indicator 5.a.2: Legal Indicator

- Percentage of countries where the *legal framework* (including *customary law*) guarantees women's equal rights to land *ownership and/or control*.

## **CUSTODIAN AGENCY**

- **Produced the methodology**
- **Provides technical support to countries**
- **Strengthen national capacities**
- **Quality check of the data**
- **Global reporting**

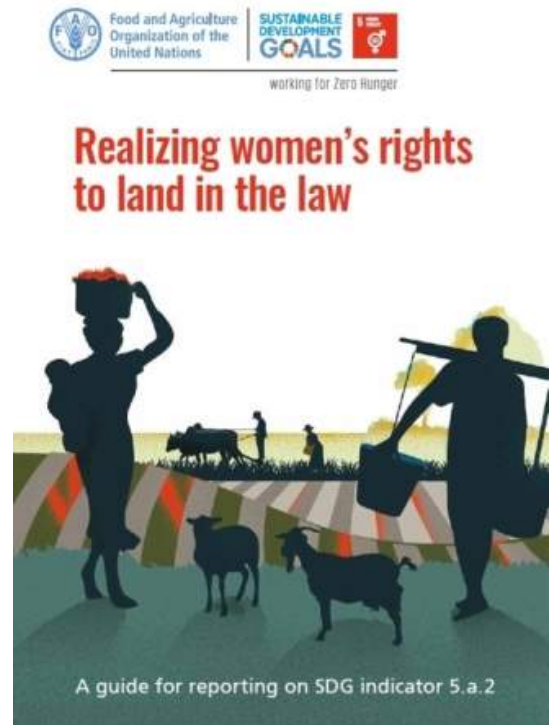


## **COUNTRIES**

- **Responsible for reporting**
- **Identification of a responsible national entity**
- **Assessment of the policy and legal framework and computation of results**
- **Communicate results to FAO**

# Six proxies for computing SDG Indicator 5.a.2

- **Proxy A:** Joint registration of land compulsory or encouraged through economic incentives
- **Proxy B:** spousal consent requirement for land transactions
- **Proxy C:** Women's and girls' equal inheritance rights
- **Proxy D:** allocation of financial resources to increase women's ownership and control over land
- **Proxy E:** In legal systems that recognise customary land tenure, the legal and policy framework explicitly protect the land rights of women
- **Proxy F:** Quotas for women's participation in land management and administration institutions



**Proxy A:** *Is joint registration of land compulsory or encouraged through economic incentives?*



Joint registration

Compulsory

Encouraged through economic incentives)

For married couples

Both married and unmarried

For married couples

Both married and unmarried

1

2

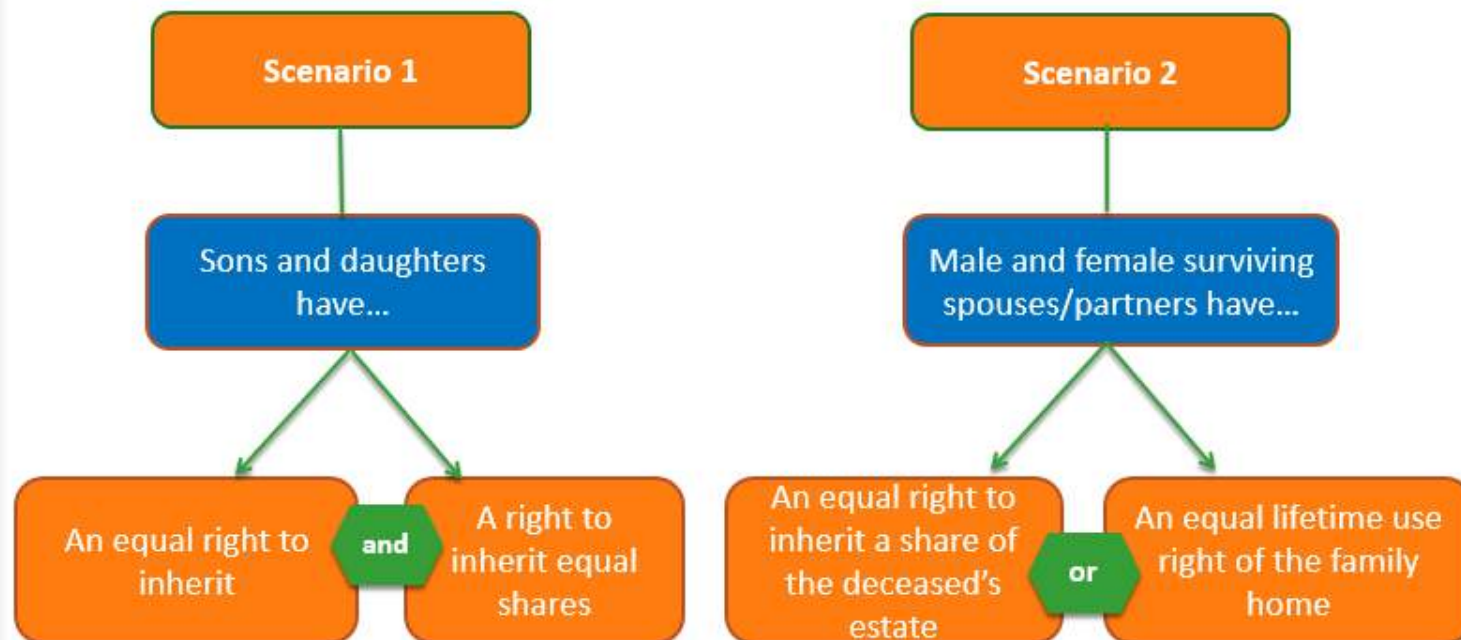
3

4

Proxy B: Does the legal and policy framework require spousal consent for land transactions?



**Proxy C:** *Does the legal and policy framework support women and girls' equal inheritance rights?*





**Proxy D:** *Does the legal and policy framework provide for the allocation of financial resources to increase women's ownership and control of land?*

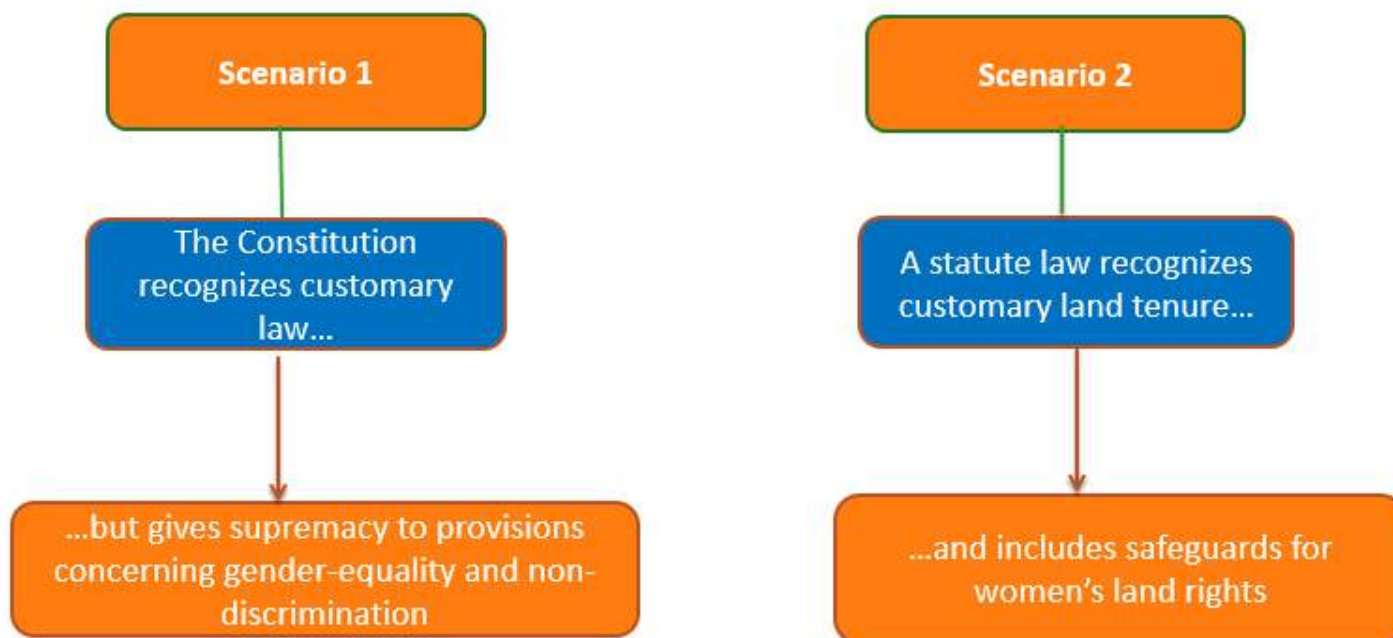


Financial resources  
are allocated...



for the purpose of increasing women's ownership  
and control over land

**Proxy E:** *In the legal system that recognize customary land tenure, does the law explicitly protect the land rights of women?*



**Proxy F:** *Does the legal and policy framework mandate women's participation in land management and administration institutions?*



A quota for women's participation...



is established by legal provisions and implementing legislation  
in land management and administrative institutions

# Monitoring and Reporting Process



- Legal assessment requires about 20 working days

National Legal Expert:

Identify and collect all relevant sources of policies and laws

Screen all relevant documents collected to assess if the proxy is present in the legal and policy framework following the guidelines

Fill the questionnaire stating where the proxies have been found.

Validate and communicate results to FAO

Quality check by FAO

## SDG indicator 5.a.2 country results (n=34)

■ Band 1 ■ Band 2 ■ Band 3 ■ Band 4 ■ Band 5 ■ Band 6

Band 1: No evidence of guarantees of gender equality in the land ownership and/or control in the legal framework.

- None of the proxies are present in the primary or primary and secondary legislation

Band 2: Very low levels of guarantees of gender equality in land ownership and/or control in the legal framework.

- One of the proxies present in primary or primary and secondary legislation

Band 3: Low levels of guarantees of gender equality in land ownership and/or control in the legal framework

- Two of the proxies present in primary or primary and secondary legislation

Band 4: Medium levels of gender equality guarantees in land ownership and/or control in the legal framework

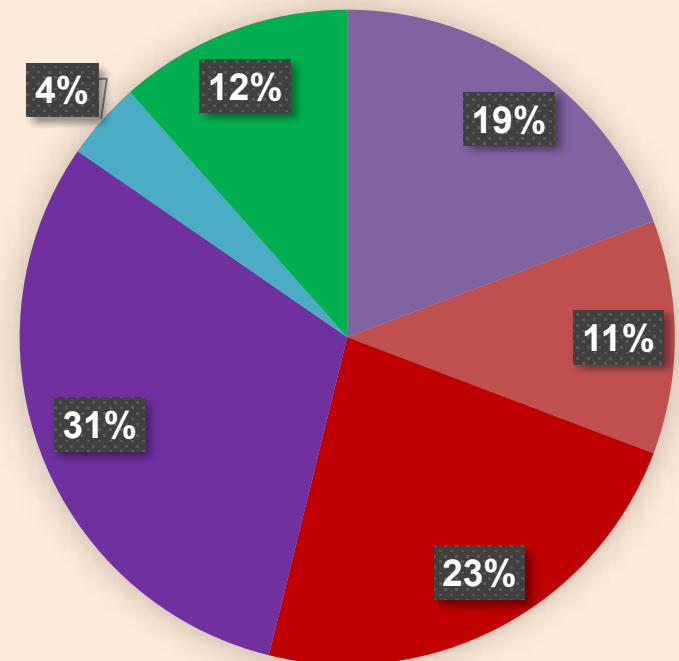
- Three of the proxies are present in primary legislation or primary and secondary legislation

Band 5: High levels of gender equality guarantees in land ownership and/or control in the legal framework

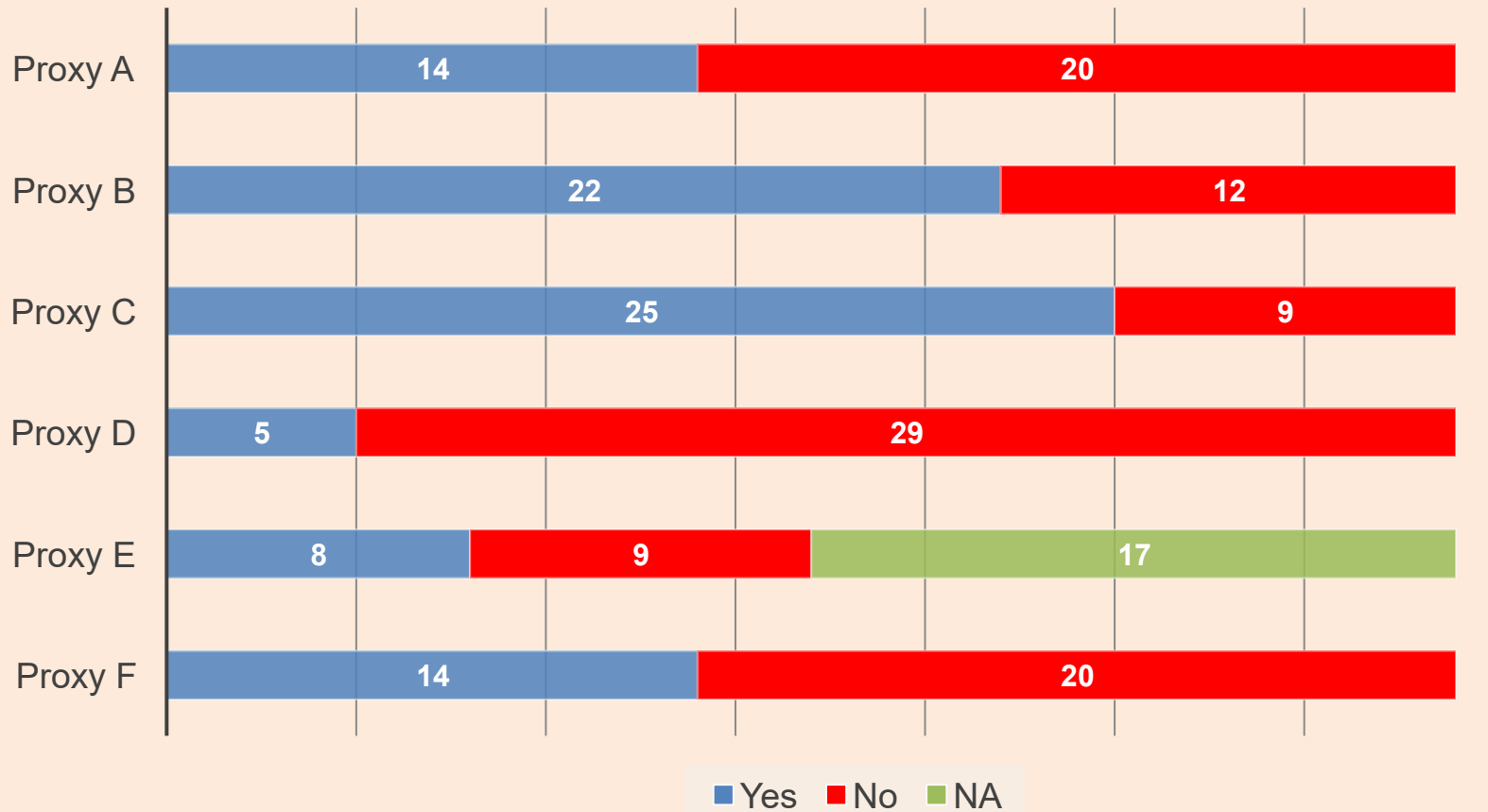
- Four or five of the proxies are present in primary legislation or primary and secondary legislation (Depending if CL applicable)

Band 6: Very high levels of gender equality guarantees in land ownership and/or control in the legal framework

- Five or six proxies are present in primary legislation or primary and secondary legislation



## Country results per proxy (n=34)





# IN-COUNTRIES' ON-GOING PROCESSES

## AFRICA

- Rwanda
- Kenya
- Zimbabwe
- Tanzania
- Malawi
- Liberia
- Ghana
- **Niger**
- Madagascar
- Sierra Leone
- Chad
- Mali
- Senegal
- Bénin
- Burkina Faso
- Gabon
- São Tomé and Príncipe
- Togo

## Caucasus and Balkans

- Albania
- Armenia
- Azerbaijan
- Georgia
- Montenegro
- North Macedonia
- Bosnia and Herzegovina

## Asia

- Mongolia
- Pakistan
- Vietnam
- Myanmar
- China

## Latin America:

- Argentina
- Bolivia
- Chile
- Dominican Republic
- Peru
- Paraguay
- Costa Rica
- Guatemala
- Honduras
- Mexico

## 15 Countries submit reported in 2020

Colombia  
Sweden  
Portugal  
Nicaragua  
Serbia  
Uruguay  
Italia  
Switzerland  
Slovakia  
Uzbekistan  
Belarus  
Surinam  
Qatar  
Pakistan  
Jordan

# Result-oriented Capacity Development Program

20 countries targeted, with about 40 participants: 20 focal points from the national responsible institution and twenty selected national legal experts

- On-line collaborative training: Participants will develop a common understanding of the indicator and detailed insights of the assessment and reporting methodology and process
- Provision of tailored technical assistance to the legal experts for facilitating country's report on SDG Indicator 5.a.2.



# Result-oriented Capacity Development Program

Africa	Asia	RNE	Europe	RLC (tbd)
Ethiopia	India	Kuwait	Turkey	St. Vincent and Grenadines
Nigeria	Samoa	Yemen	Kazakhstan	Guyana
Zambia	Philippines			St. Kitts and Nevis
South Africa	Cambodia			Jamaica
Namibia	Indonesia			
	Marshall Islands			
	Thailand			
	Fiji			
	Lao PDR			
	Maldives			
	Papua Guinea			
	Bhutan			



**THANK YOU!**





# Prindex

Measuring global perceptions  
of land and property rights

A joint initiative of:



Supported by:



OMIDYAR NETWORK





Prindex

# Prindex as a Land Monitoring Tool

Rasheed Transparency International Jordan,  
March 10, 2021



# Overview



# Main objective of Prindex

to develop a nationally representative, globally comparative dataset, available to all, with an approach and methodology that can be adapted to different contexts in countries & groups.



# Challenges in North Africa

- Lack of information and lack of documentation
- Limited civil society interaction
- Obstructed implementation of law, reliance on traditions and social norms
- Limited access of women to land
- Policy revision and impact evaluation
- Refugees and Foreign workers

# What do we want to achieve with this data?

1. Influence change in design of national policies & programmes related to land & property.
2. Monitor land governance.
3. Help to monitor impact of these policies & programmes as intermediary measure of success.
4. Contribute to tracking the SDGs (1.4.2 and 5.a.1), VGGT & other key development indicators.



# Why Do Perceptions Data Matter?

- Perceptions drive behavior
- Perceptions provide demand-side indicator of property rights security not available from administrative data
- Identify vulnerable groups
- Understand citizens' reasons for insecurity
- Compare different policy approaches over time



# METHODOLOGY

- 140 countries
- 96% of the Global population
- Data weighted by age, gender, urban/rural based on latest census
- Collected 2018-2019

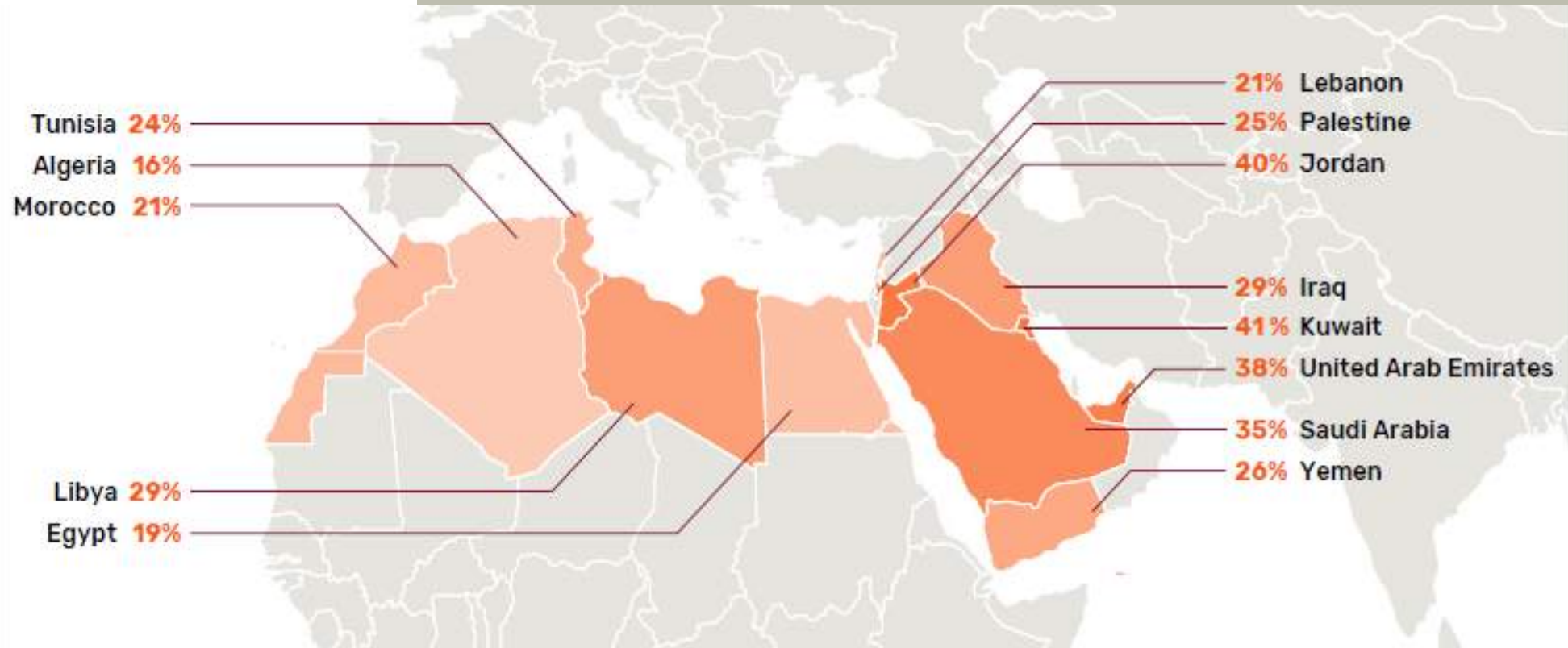
## Tenure Security Metric

*“In the next five years, how likely or unlikely is it that you could lose the right to use this property, or part of this property, against your will?”*

- **Very unlikely**
- **Unlikely**
- **Somewhat likely**
- **Very likely**



More than  
**1 in 4 adults** feel insecure about  
their land or property rights in the  
Arab region

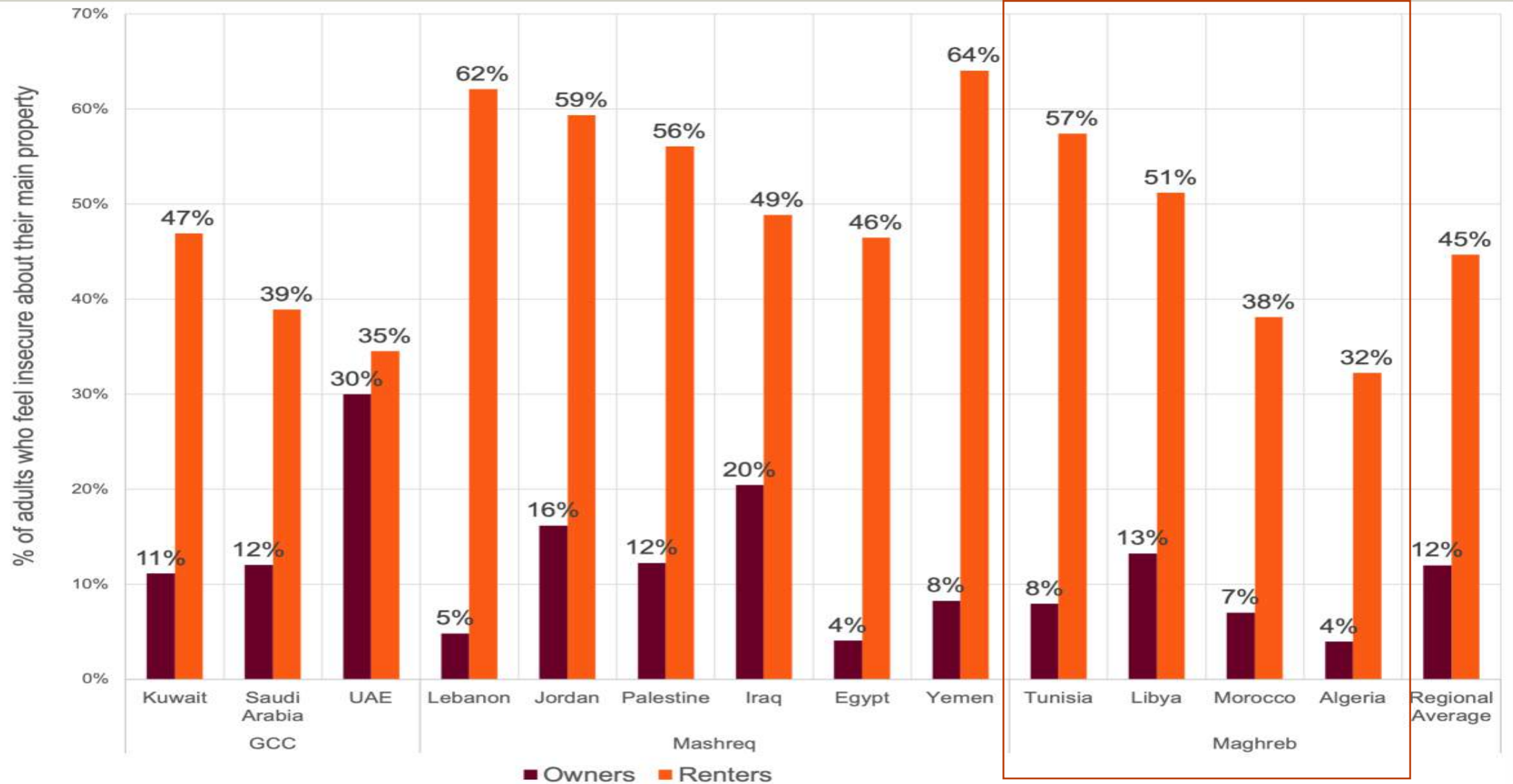


Perceived tenure insecurity - A global dataset: [Prindex.net](https://prindex.net)

# Key findings

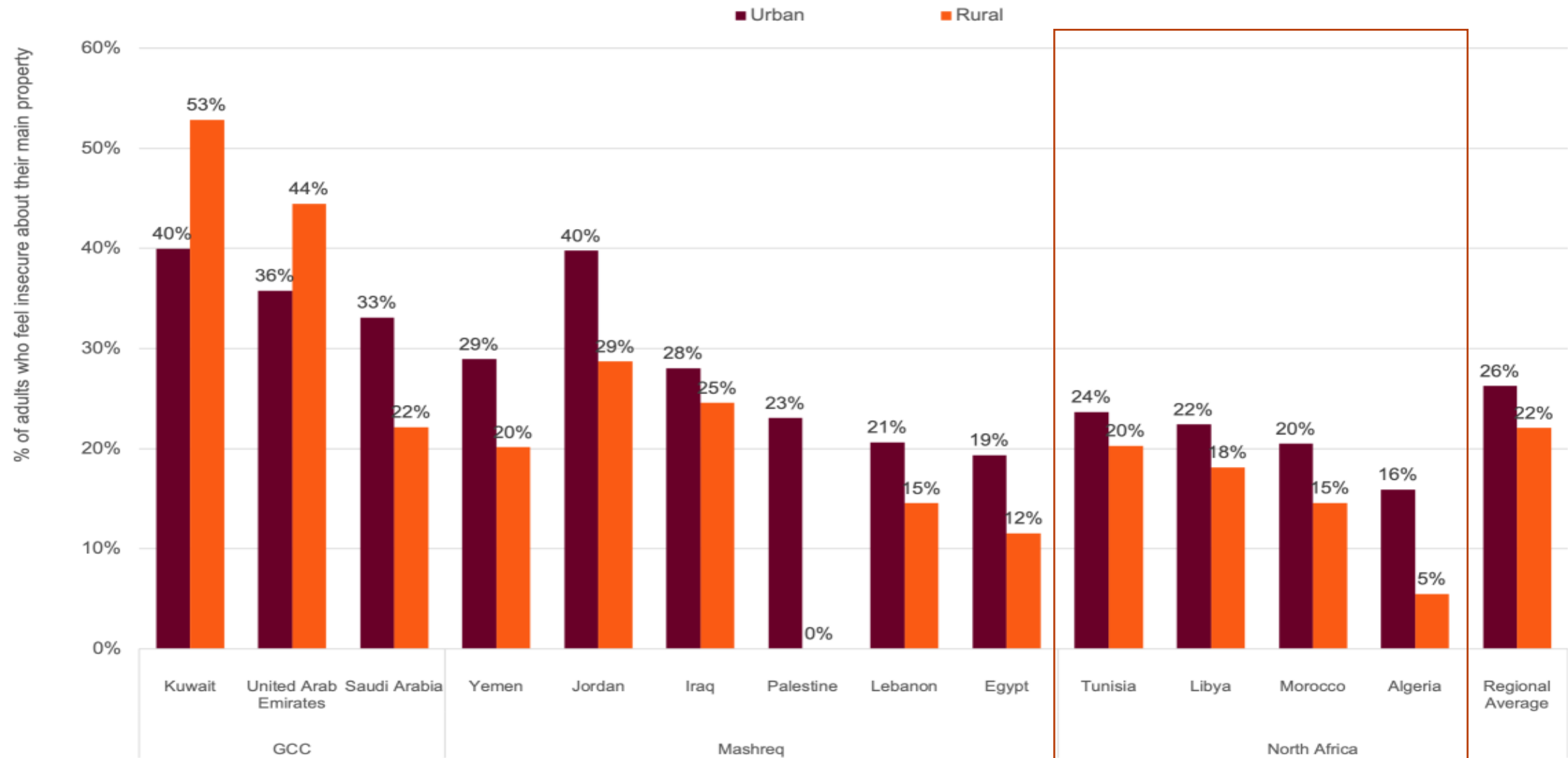


# Who Renter or Owner?

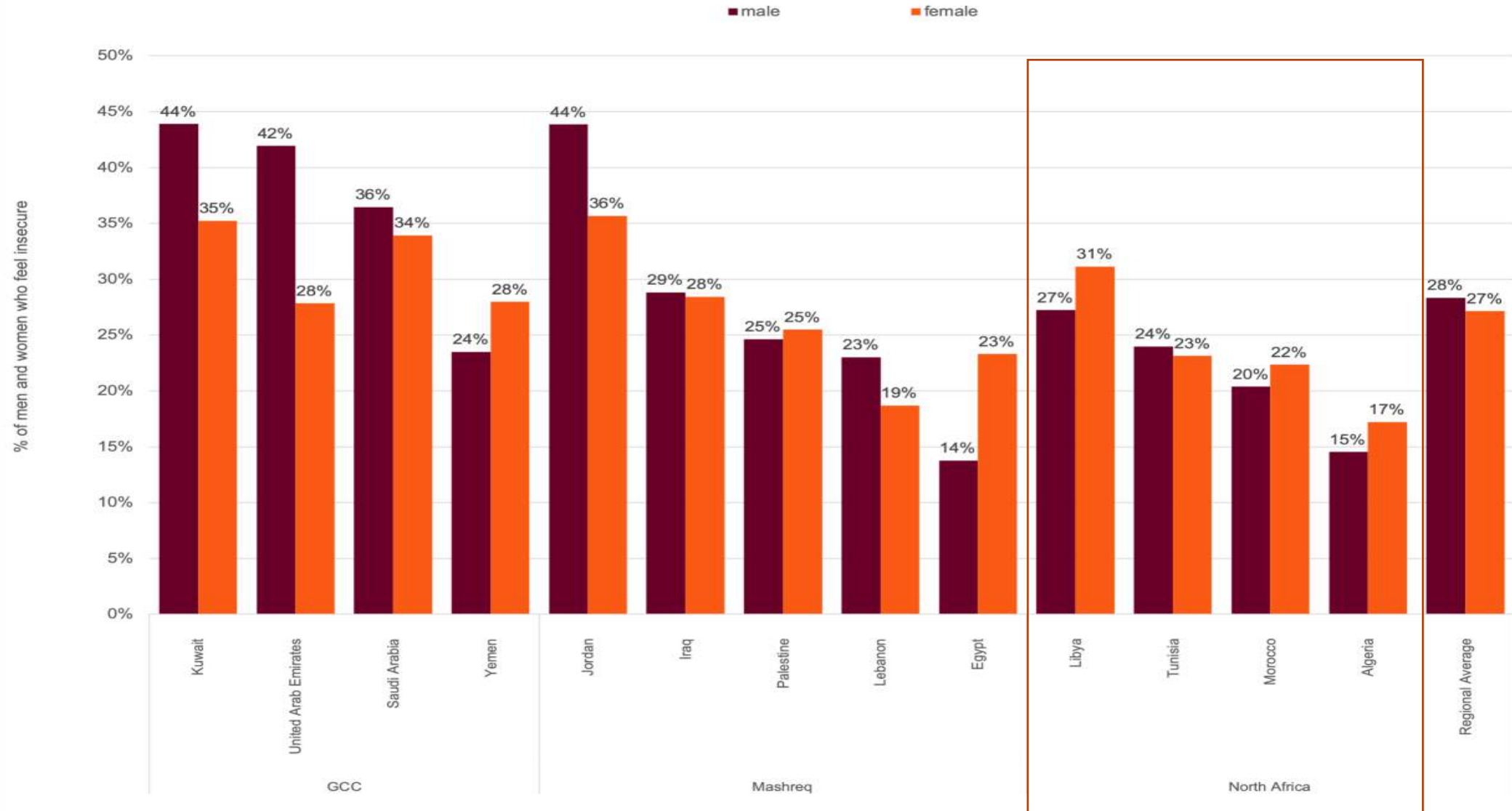




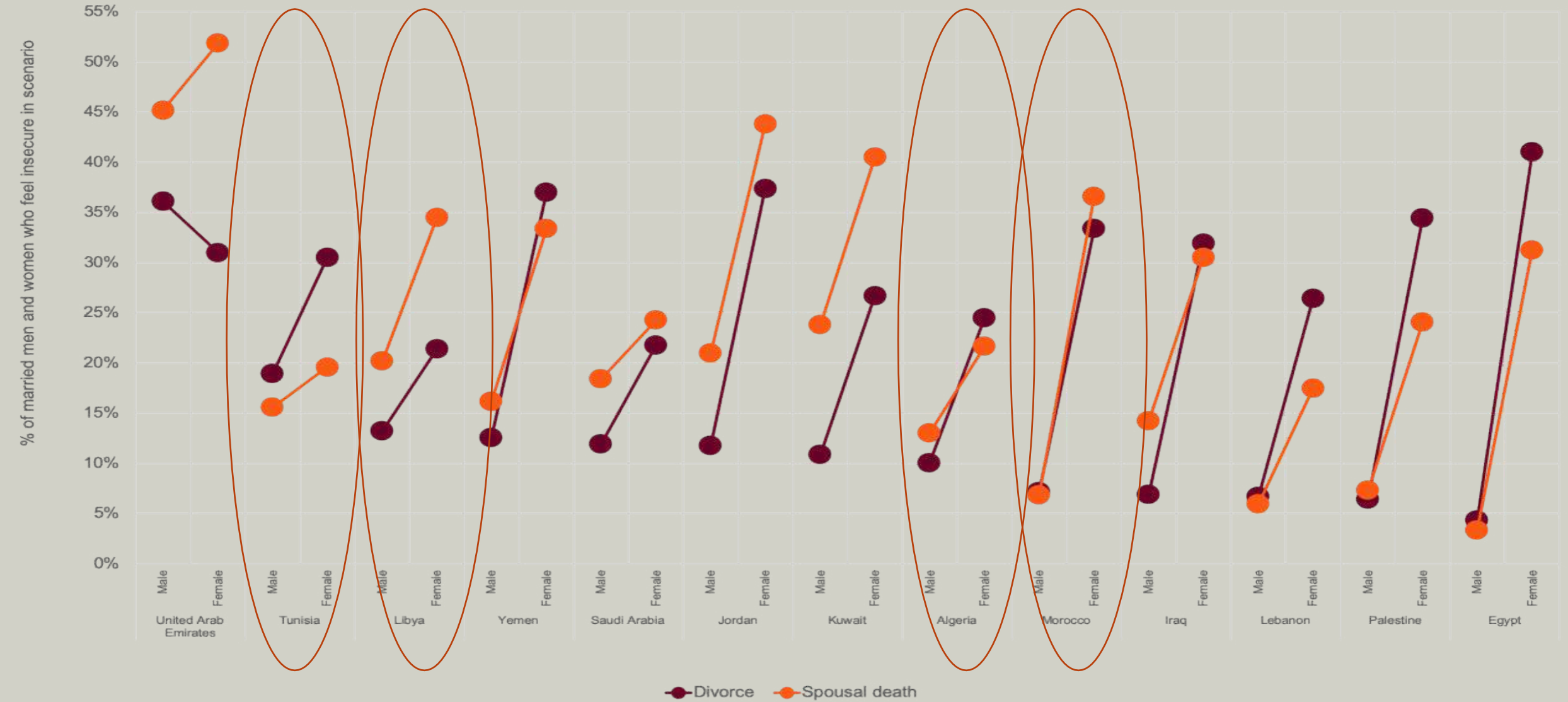
# Who Urban or Rural?



# Equal Tenure Rights?

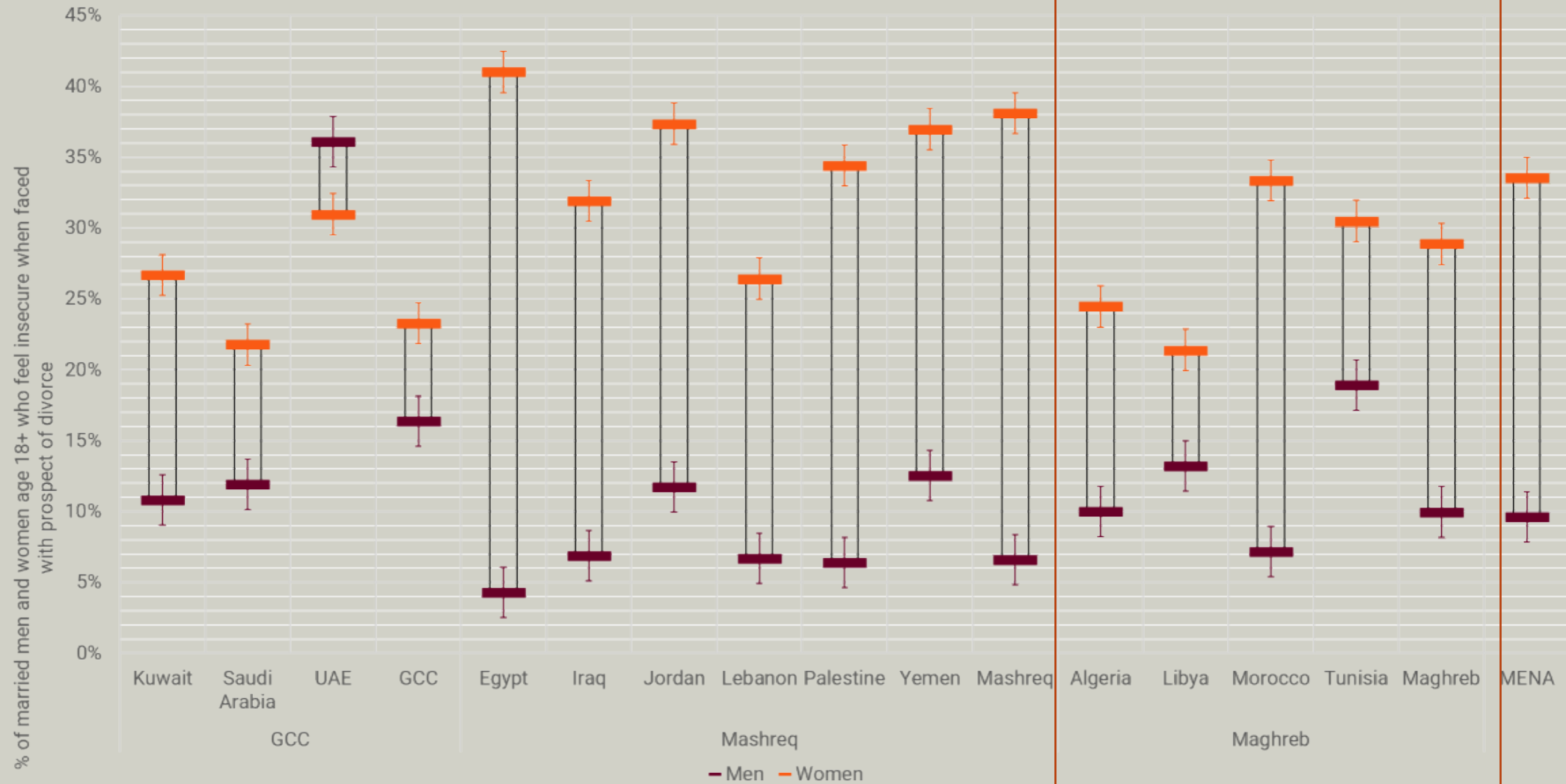


# Insecurity in case of spousal death or divorce

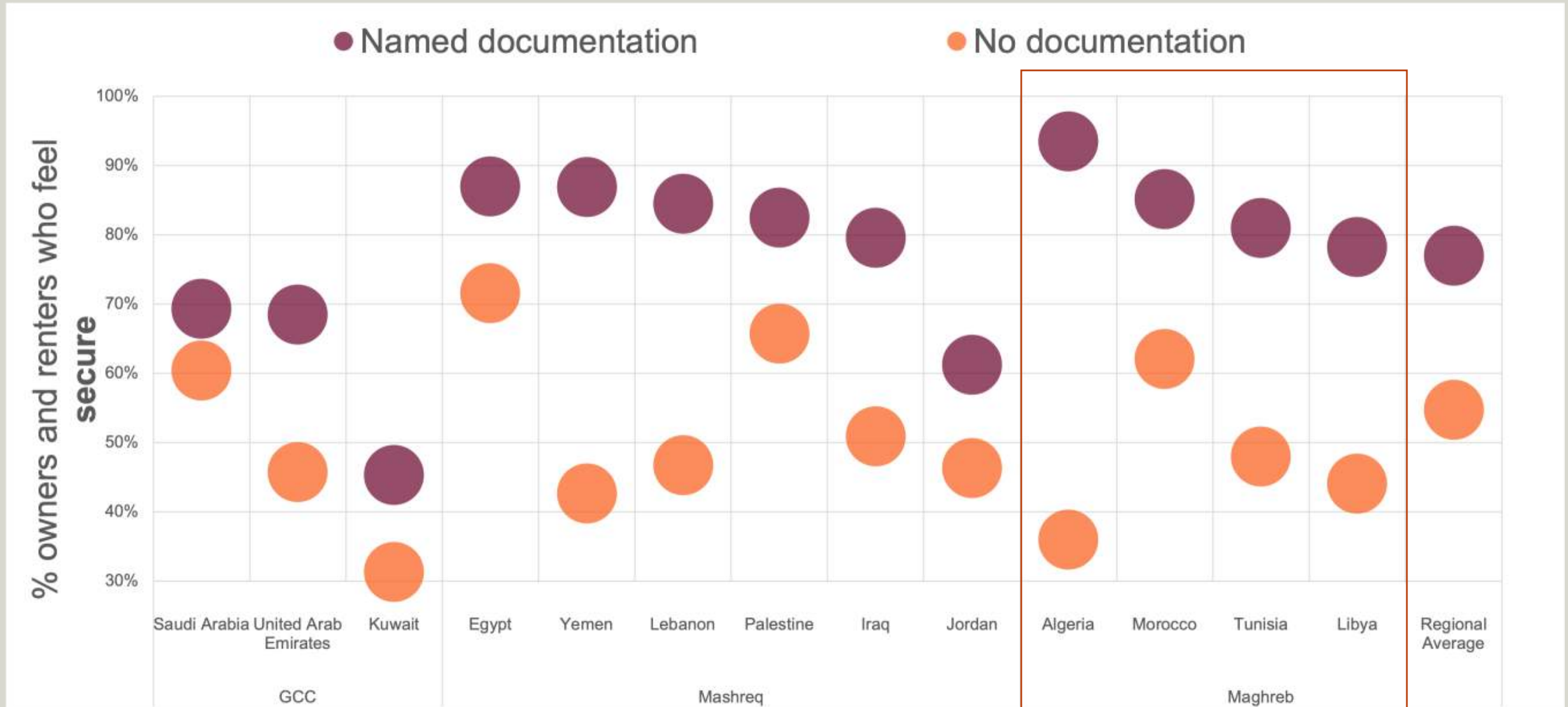




# Insecurity in case of divorce



# How Much Does Documentation Matter?

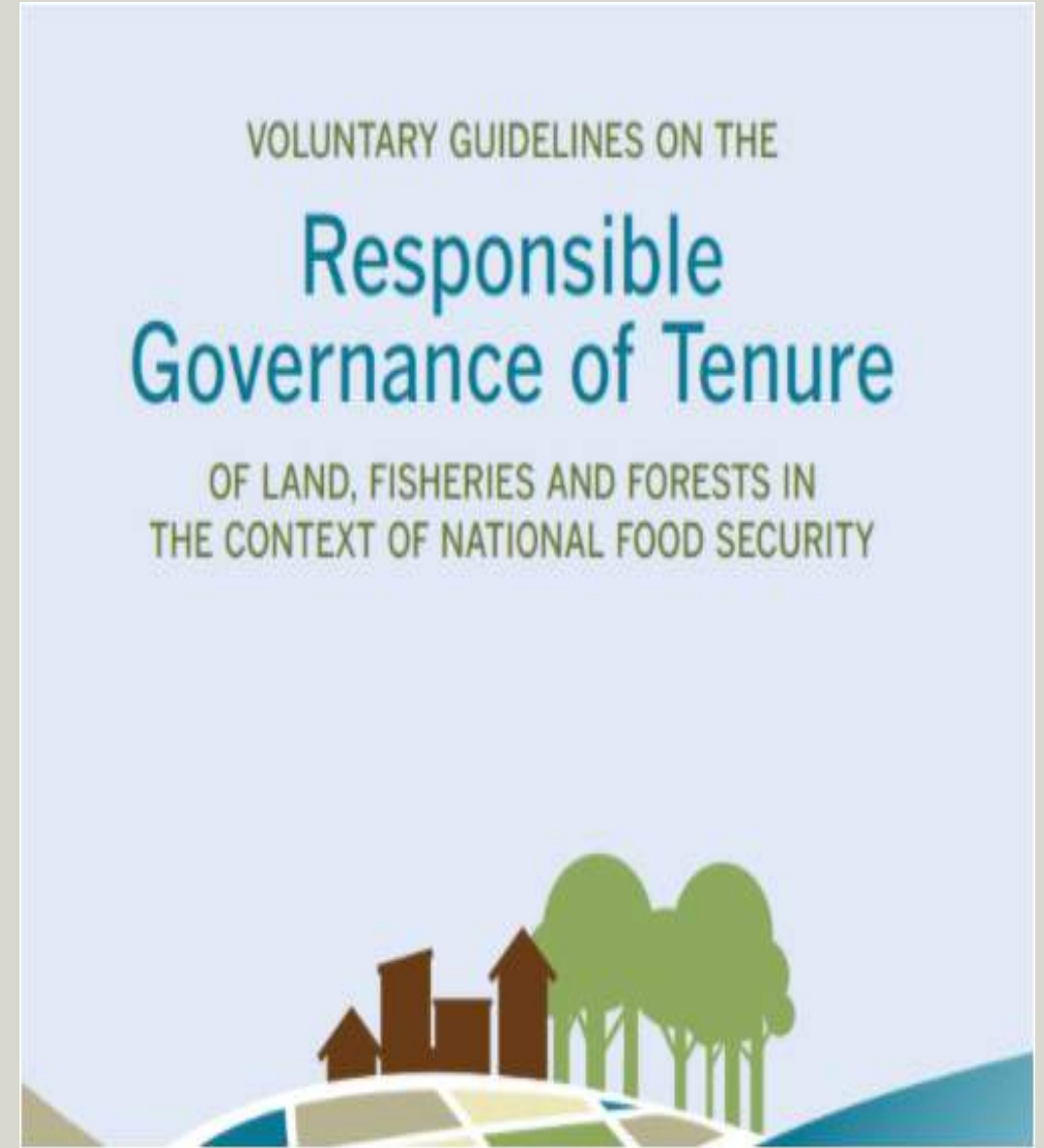


# **Why Reasons for feeling insecure**

- The owner or renter may ask you to leave
- Lack of money or other resources
- Disagreements with family or relatives
- Death of a household member

# Implementing the VGGT General Principles

- Human Dignity
- Non-Discrimination
- Equity and Justice
- Gender Equality
- Continuous improvement
- Monitoring of implementation through Prindex data



# Sustainable Development Goals



# Prindex and SDGs: Prindex data can be used for indicators of land-related SDGs

- 1.4.2 : The proportion of the adult population who **perceive their tenure rights** as legally secure, regardless of whether these rights are documented.
- 5.a.1: (a) Proportion of total agricultural population with ownership or **secure rights** over agricultural land, by sex; (b) share of women among owners or rights-bearers of agricultural land, by type of tenure.
- 11.1 : The human settlements goal measures the proportion of people living in households who do not meet one of the five following housing conditions: (1) access to improved water; (2) access to improved sanitation facilities; (3) sufficient-living area (not overcrowded); (4) durable housing; (5) and **security of tenure**.



# Next steps

- Cross-country comparison and deep dives
- Regional partnerships and outreach
- Thematic research:
  - Fragility, conflict and violence
  - Youth issues
  - Further gender analysis
  - Customary tenure
  - Financial issues





# Prindex

Measuring global perceptions  
of land and property rights

## Prindex.net

Data support and questions: [info@prindex.net](mailto:info@prindex.net)

Photo Credits

Flickr/ Global Landscapes Forum

Flickr/ CIFOR

Flickr/ CIFOR

Flickr/ Asian Development Bank



# The Global Land Governance Index

*for People-Centred Data*

Eva Hershaw, *land monitoring and data specialist, ILC*  
Ward Anseeuw, *lead technical specialist, ILC-CIRAD*

Arab Land Monitoring Initiative in North Africa  
March 9-11, 2021

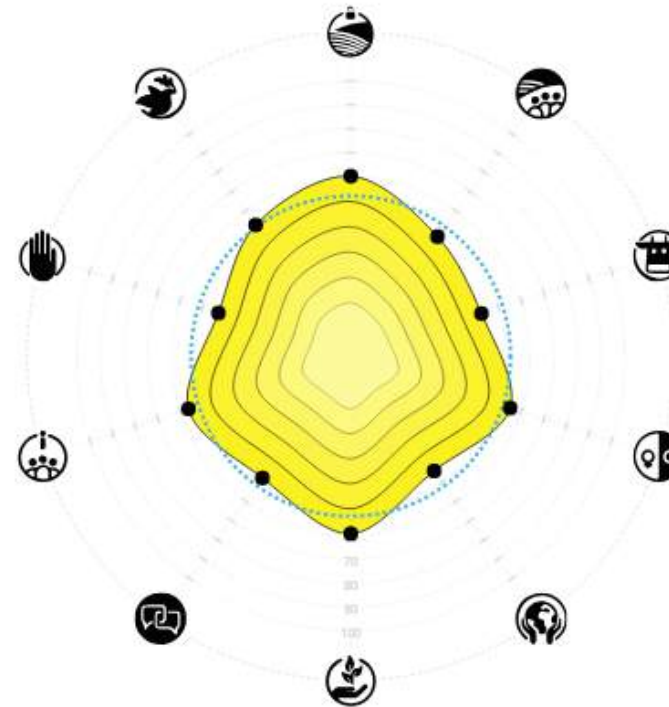
# GLOBAL INDEX

## GLOBAL LAND GOVERNANCE INDEX

52

GLOBAL SCORE

Average of global indicator scores, set on a scale of 0-100.



● GLOBAL AVERAGE PER COMMITMENT    ..... GLOBAL LAND GOVERNANCE INDEX

SHARE CHART





THE GLOBAL  
LAND GOVERNANCE INDEX  
THAT PUTS

PEOPLE

AT THE CENTER OF LAND DATA  
DEMOCRATIZING LAND MONITORING AND  
BUILDING A DATA ECOSYSTEM WHERE  
ALL VOICES CAN BE HEARD

# LANDex

## PRESENTATION OVERVIEW

- WHY LANDex and WITH WHAT OBJECTIVES
- INDICATORS and METHODOLOGIES
- OUTCOMES and PRODUCTS



# LANDex AS CONCEPT

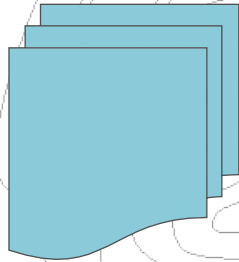
A TOOLBOX THAT

- RESPONDS TO NEED FOR PEOPLE-CENTRED DATA
- SHEDS LIGHT ON AND WITH UNDERREPRESENTED POPULATIONS ON KEY ISSUES OF LAND GOVERNANCE
- FILLS EXISTING GAPS IN DATA, COMPLEMENTS EXISTING DATA, BUILDS A LAND DATA ECOSYSTEM
- PROVIDES TOOL TO COLLECT STANDARDIZED DATA ON FUNDAMENTAL ISSUES OF LAND GOVERNANCE
- MAKES DATA GENERATION AND USE ACCESSIBLE VIA ONLINE PLATFORM

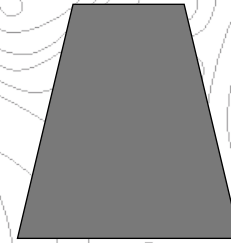
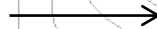
# THE ROAD TO LANDex



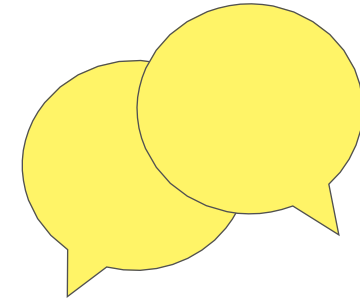
The Concept



Survey and Review  
of Existing Indicators



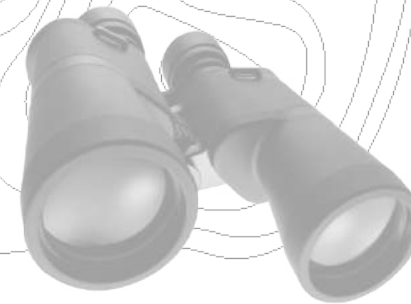
“Shortlist” of  
Indicators by  
Commitment



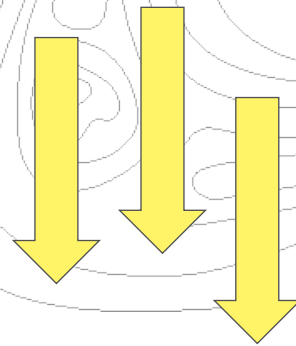
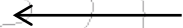
Regional and  
Global  
Consultations



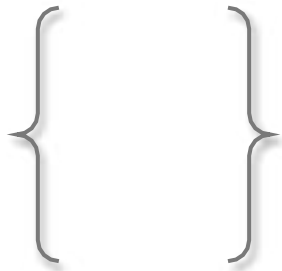
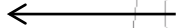
Retained  
Indicators



Identify Existing  
Methodologies

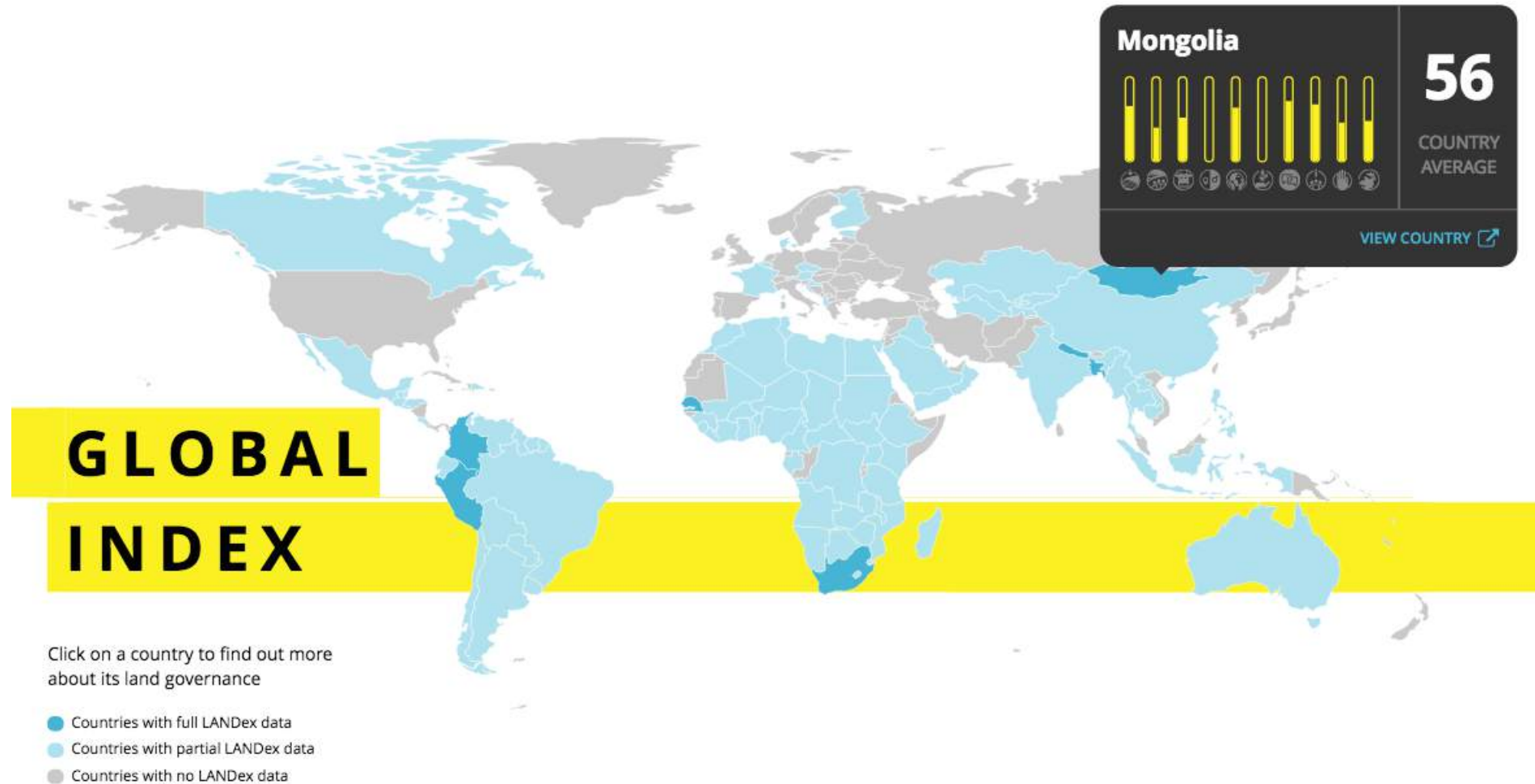


Pilot Full Toolset



Expand, Review  
and Adapt

# THE RESULT



# OBJECTIVES

## PART I: SCOPE AND PARTNERSHIPS

- Contribute to and go beyond the SDGs, VGGTs and other global development frameworks
- Draw on existing initiatives, a wealth of information, informants and data
- Reduce fragmentation among initiatives, provide a centralizing toolbox

# OBJECTIVES

## PART II: NEW DATA AND NEW USES

- Build a data ecosystem, through promotion of diverse data sources
  - *National Statistics Offices (NSOs)*
  - *Government Bodies*
  - *Research Institutions*
  - *Civil Society*
  - *People-Based*
- Using existing data in new, innovative ways
- Disaggregating wherever possible, highlighting complexities of land governance

# OBJECTIVES

## PART III: LEAVE ROOM FOR CUSTOMIZATION

- Create a tool that is adaptable to local contexts
- “Core” indicators retained in consultation
  - *These use standardized methodologies, generate comparable data*
- Flexible “non-core” indicators, country or regionally specific
  - *These are geographically bound, not comparable*



# COLLABORATIONS

## AN OVERVIEW

1	2	3	4	5	6	7	8	9	10
Mixed: GLRI–	WRF, WAW and LANDex	Land Mark	FAO-LAT (5.a.2)	Indigenous Navigator	LANDex– UNCCD	ActionAid VGGT Toolkit	LGAF	ActionAid VGGT Toolkit	LANDex-ISHR
LANDex– PRIndex (1.4.2)	WRF, WAW and LANDex	Land Mark	FAO (5.a.1)	Land Mark	GLII	LGAF	Mixed: LGAF, Trocaire, Transparency Int'l	LANDex – Land Matrix	LANDex- CINEP
LANDex– PRIndex (1.4.2)	Land Gini – Oxfam	LANDex– PRIndex (1.4.2)	LANDex– PRIndex (1.4.2)	LANDex– PRIndex (1.4.2)	RRi	ActionAid VGGT Toolkit	Transparency International	ActionAid VGGT Toolkit	Defend the Defenders Coalition
	LANDex			Land Mark				LANDex – Land Matrix	

# ALIGNMENT

## MONITORING BROADER FRAMEWORKS

- 22 LANDex Indicators Correspond to SDGs
- 19 LANDex Indicators Correspond to VGGTs
- 7 LANDex Indicators Correspond to Land Matrix
- 7 LANDex Indicators Correspond to GLII-GLTN
- 13 LANDex Indicators Correspond to MELA

# ALIGNMENT: SDGs

1	2	3	4	5	6	7	8	9	10
A	A	A	A	A	A	A	A	A	A
B	B	B	B	B	B	B	B	B.1	B
C	C.1	C	C	C.1	C	C	C	B.2	C
	C.2			C.2				C	

6	SDG 1
3	SDG 2
2	SDG 5
1	SDG 6
1	SDG 9

1	SDG 10
3	SDG 13
2	SDG 15
6	SDG 16
2	SDG 17

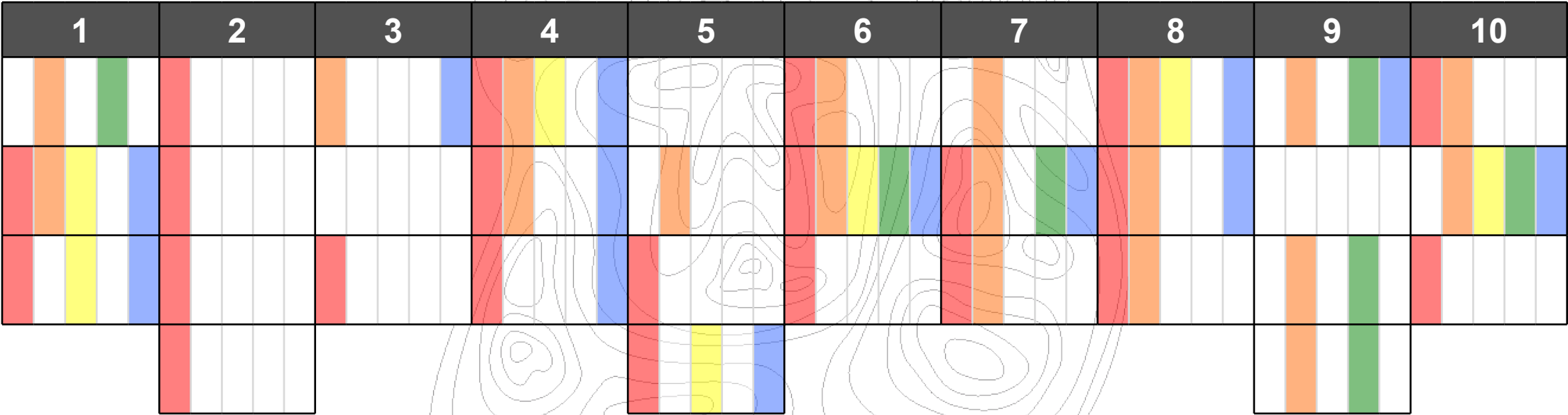
# IDENT: VGGIS

	4	5	6	7	
	4.6 5.4		20.1 / 20.5 23.1 24.1	4.1 5.7	
	7.4	9.5	13.6	5.5 15.4 / 15.6 16.8	
				9.7	

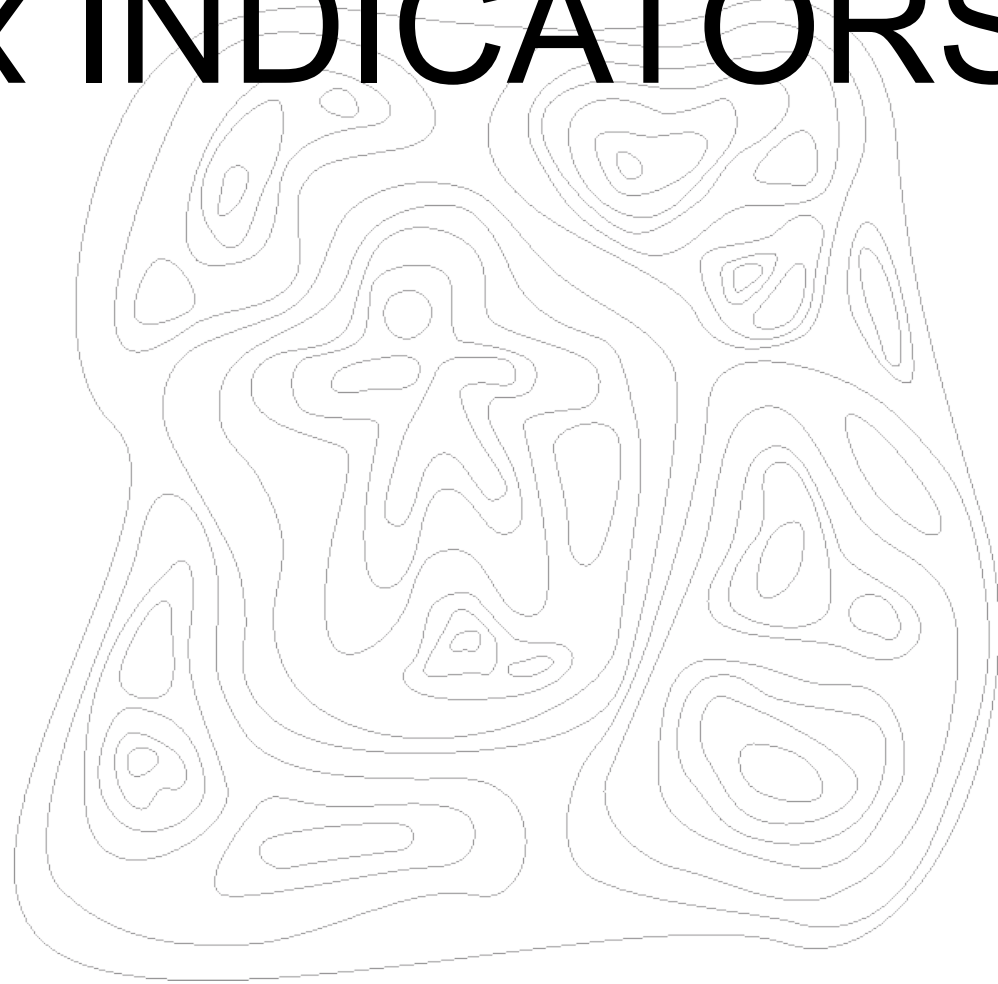
12.14

# ALIGNMENT: ALL

17	SDGs
19	VGGTs
7	GLII
7	Land Matrix
13	MELA



# LANDex INDICATORS





# A BROAD APPROACH

COVERING ILC'S 10 COMMITMENTS

## OUR GOAL: PEOPLE CENTRED LAND GOVERNANCE

ILC's membership has defined 10 commitments to jointly realise this goal:



1. Secure Tenure Rights



2. Strong Small-Scale Farming Systems



3. Diverse Tenure Systems



4. Equal land rights for women



5. Secure territorial rights for Indigenous Peoples



6. Locally-managed ecosystems



7. Inclusive decision-making



8. Transparent and accessible information



9. Effective actions against land grabbing



10. Protected land rights defenders

# LEVELS OF INDICATORS

THREE INDICATOR LEVELS, PER 10 COMMITMENTS OF ILC

1	2	3	4	5	6	7	8	9	10
A	A	A	A	A	A	A	A	A	A
B	B	B	B	B	B	B	B	B.1	B
C	C.1	C	C	C.1	C	C	C	B.2	C
	C.2			C.2				C	

A = Legal

B = Implementation

C = Outcome, Results, Impact

# TYPE OF METHODOLOGY

FOUR KINDS OF METHODOLOGY, DETERMINED BY INDICATOR

1	2	3	4	5	6	7	8	9	10
A	A	A	A	A	A	A	A	A	A
B	B	B	B	B	B	B	B	B.1	B
C	C.1	C	C	C.1	C	C	C	B.2	C
	C.2			C.2				C	

17	PEOPLE-BASED ASSESSMENTS
9	CALCULATION
6	SURVEY-BASED INDICATOR
1	JOINT DATABASE

# PEOPLE-BASED ASSESSMENT

17 LANDex INDICATORS REQUIRE A PEOPLE BASED ASSESSMENT

1	2	3	4	5	6	7	8	9	10
A	A	A	A	A	A	A	A	A	A
B	B	B	B	B	B	B	B	B.1	B
C	C.1	C	C	C.1	C	C	C	B.2	C
	C.2			C.2				C	

17

PEOPLE-BASED ASSESSMENTS

# EXAMPLE

**Q1: Rural land use plans and changes in these plans – including rezoning – are based on public input and burden sharing**

☐ **0: Public input is not sought in preparing and amending land use plans.**

☐ **1: Public input is sought in preparing and amending land use plans but comments are not reflected in the finalization of land use plans.**

☒ **2: Public input is sought in preparing and amending rural land use plans (including rezoning) but decisions are arrived at in a non-transparent process.**

☐ **3: Public input is sought in preparing and amending rural land use plans (including rezoning) and relevant decisions are arrived at in a transparent and public process.**

**Reference:**

# PEOPLE-BASED ASSESSMENT

## EXAMPLE 4A (5.A.2)

- LEGAL AND INSTITUTIONAL FRAMEWORK REGARDING LAND, IN PLACE AT NATIONAL LEVEL, IS GENDER-RESPONSIVE

Nepal		
Respondent	Sector	Score
1	Civil Society	60.11
2	Non-Governmental Org.	57.14
3	Research Institute	80.25
4A		<b>65.83</b>



# CALCULATION INDICATORS

NINE LANDex INDICATORS REQUIRE A PEOPLE BASED ASSESSMENT

1	2	3	4	5	6	7	8	9	10
A	A	A	A	A	A	A	A	A	A
B	B	B	B	B	B	B	B	B.1	B
C	C.1	C	C	C.1	C	C	C	B.2	C
	C.2			C.2				C	

9	CALCULATION
---	-------------

# CALCULATION INDICATORS

## EXAMPLE 2C.2

- PRODUCTIVITY GAP
- CALCULATED PER CROP AS  $(Y_a - Y_p) / Y_p = PG$

Nepal				
Crop	Rice	Fish	Vegetables	2C.2
Yp	2.73	3.60	12.80	54.62
Ya	11.00	10.00	17.00	
PG	75.18	64	24.70	
Source	Agricultural Development Strategy (2014), Ministry of Agricultural Development: <a href="#">Link</a>			

# EXISTING DATA

EQUITABLE LAND DISTRIBUTION, BY SIZE (GINI FOR LAND)

Country	Source, Year	Year of Data	Gini
Jordan	FAO, 2010	1997	0.81
Tunisia	FAO, 2010	1994	0.69
Morocco	FAO, 2010	1996	0.62
Egypt	Anríquez and Bonomi, 2008	2000	0.38
Libya	FAO, 1990	1987	0.75
Senegal	FAO, 2010	1998	0.50

# SURVEY-BASED INDICATORS

SIX LANDex INDICATORS USE SURVEY DATA

1	2	3	4	5	6	7	8	9	10
A	A	A	A	A	A	A	A	A	A
B	B	B	B	B	B	B	B	B.1	B
C	C.1	C	C	C.1	C	C	C	B.2	C
	C.2			C.2				C	

6

SURVEY-BASED INDICATOR

# SURVEY-BASED INDICATORS

## EXAMPLE: 1B, 1C AND 4C

- MEN AND WOMEN WITH LEGALLY RECOGNIZED DOCUMENTATION OR EVIDENCE OF SECURE RIGHTS TO LAND, BY TENURE AND SEX
- MEN AND WOMEN WHO PERCEIVE THEIR RIGHTS TO LAND ARE PROTECTED AGAINST DISPOSSESSION OR EVICTION, BY TYPE OF TENURE

					Doc	Secure	Women
Country	Total Respondents	Rural Respondents	Who have any document	Who feel secure	1B	1C	4C
Libya	1,000	96	79	69	82.29	71.88	
Women	445.92	42.21	34.72	25.33			60.09
Source	PRIndex, 2020						

# CONSOLIDATED INDICATOR

ONE LANdEx INDICATOR IS BUILT ON CONSOLIDATED DATA FROM EACH COUNTRY

1	2	3	4	5	6	7	8	9	10
A	A	A	A	A	A	A	A	A	A
B	B	B	B	B	B	B	B	B.1	B
C	C.1	C	C	C.1	C	C	C	B.2	C
	C.2			C.2				C	

1	CONSOLIDATED DATASET
---	----------------------



# EXAMPLE

## COMMON TEMPLATE

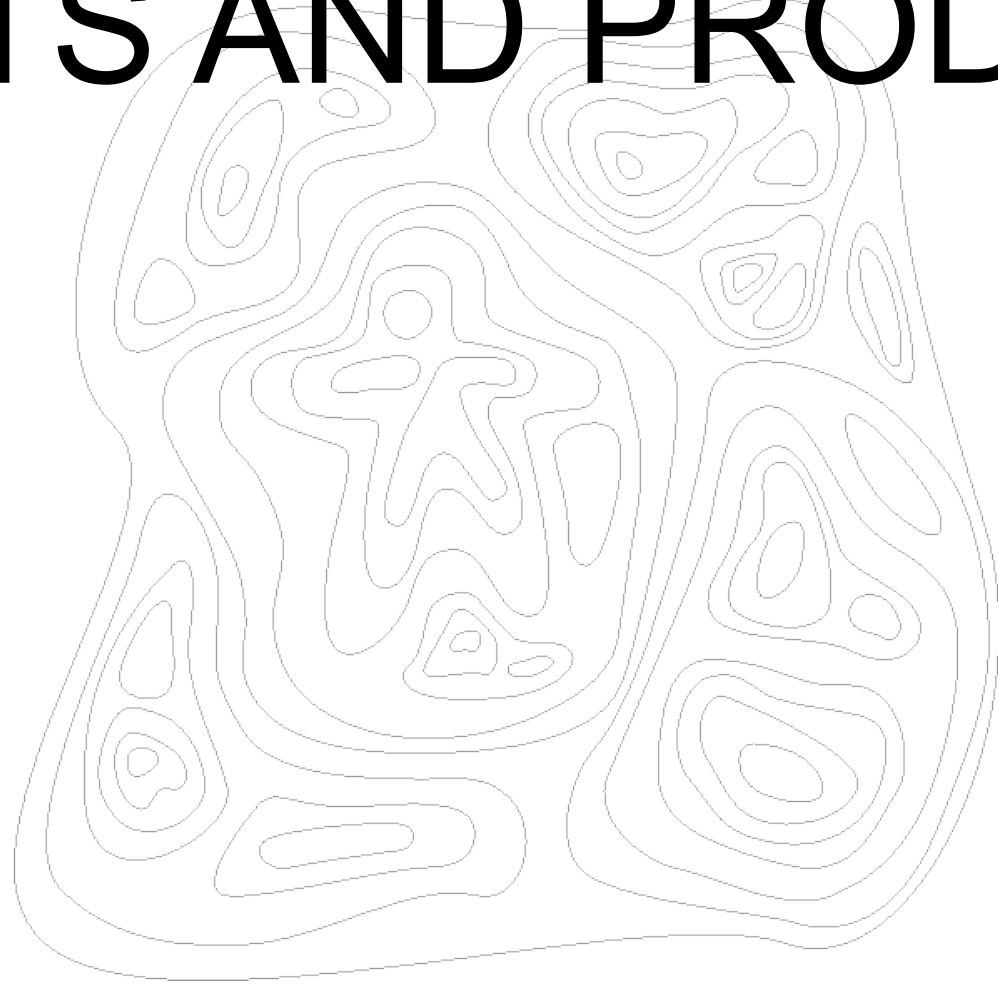
Global sources  
(GW or FLD)

Regional data  
sources  
(ACHR)

Local data  
collectors  
(NHRI, CSO)

R	S	T	U	V	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH
Additional notes regarding location (free text)	Type of attack (primary)	Type of attack (additional 1)	Type of attack (additional 2)	Type of attack (additional 3)	Type of attack (additional 4)	Other types of attack (free text)	Number of individuals affected	D-ID	Membership in a community (free text; insert name of community)	Membership in an organization (free text, insert name of organization)	Type of affiliation	What did the LED protect? (primary)	What did the LED protect? (additional 1)	What did the LED protect? (additional 2)	What did the LED protect? (additional 3)	Related sector
												environment in general				
												air				
												biodiversity				
												climate				
												fisheries				
												food sovereignty				
												forest				
												soil				
												territory				
												water				
												wildlife				

# RESULTS AND PRODUCTS



# RESULTS IN NEPAL

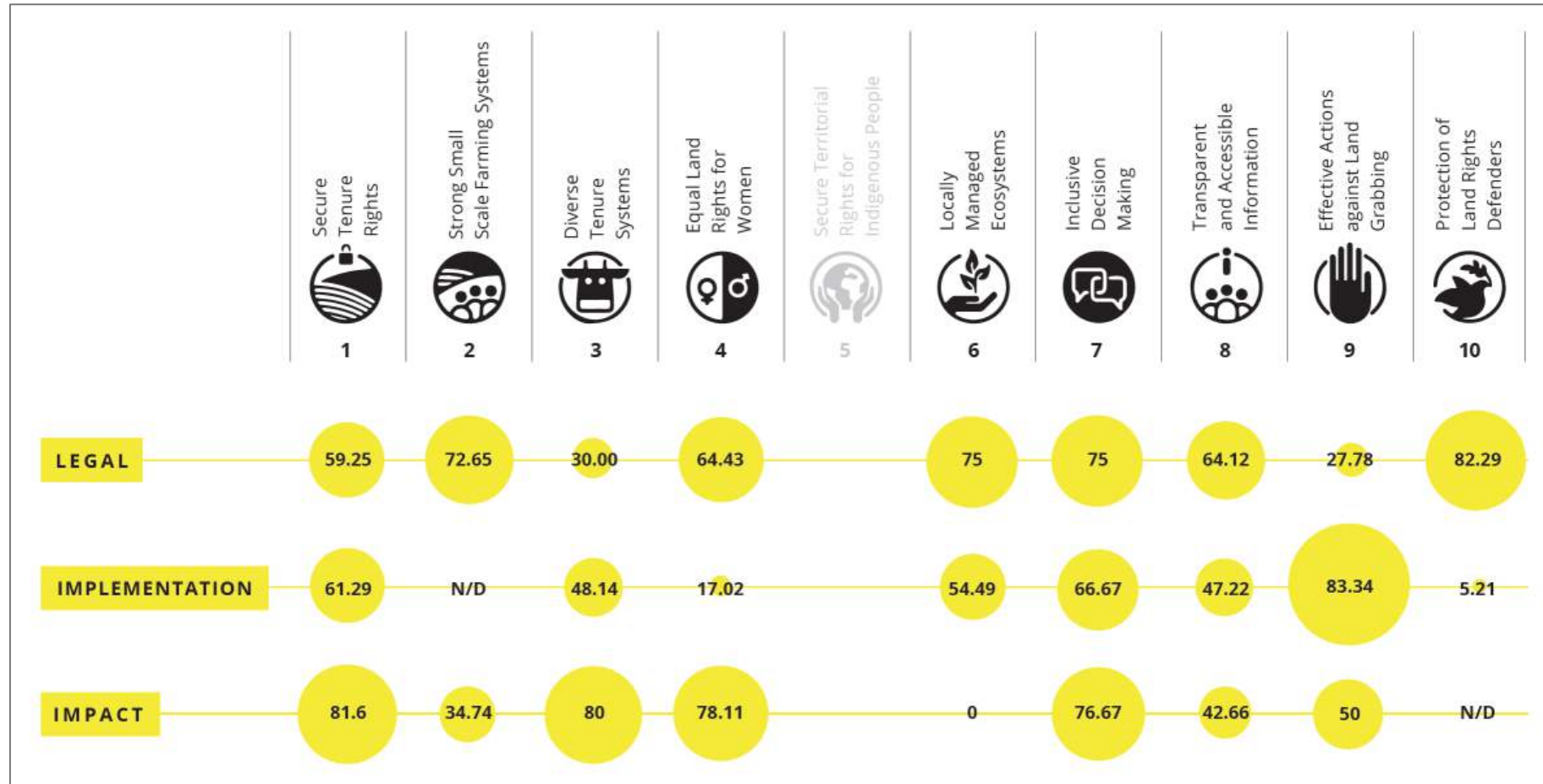
## FULL LANDex DATASET

1	2	3	4	5	6	7	8	9	10
53	58	6	66	40	100	79	69	54	86
96	46	44	N/A	17	N/A	33	76	N/A	54
82	49	86	79	N/A	32	72	N/A	53	N/A
	45			0				N/A	



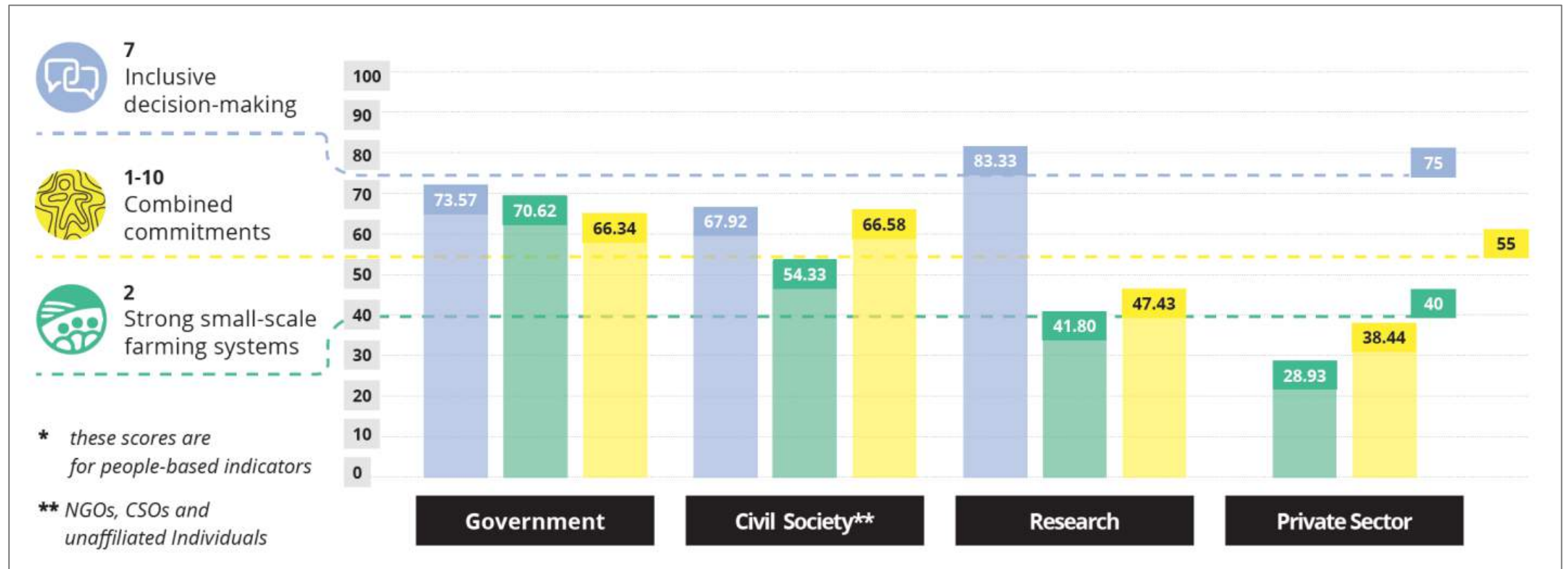
# COUNTRY PROFILES

BY INDICATOR LEVEL IN SENEGAL



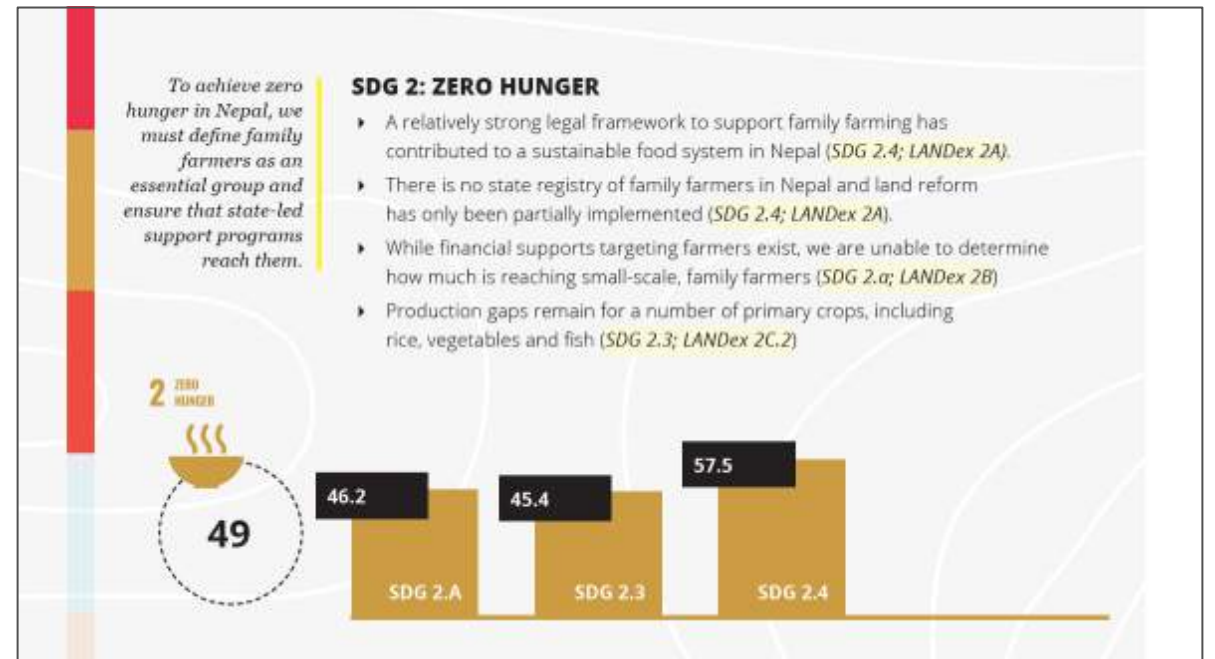
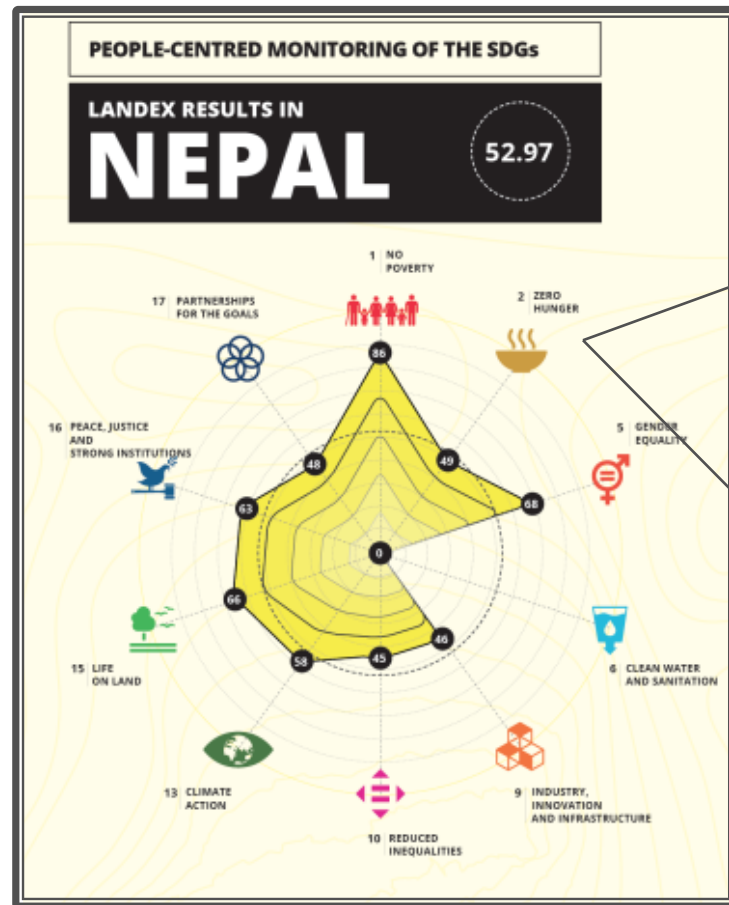
# COUNTRY PROFILES

BY RESPONDENT SECTOR IN MONGOLIA



# LAND IN THE SDGs

## MAPPING LANDex DATA ONTO SDG TARGETS AND GOALS

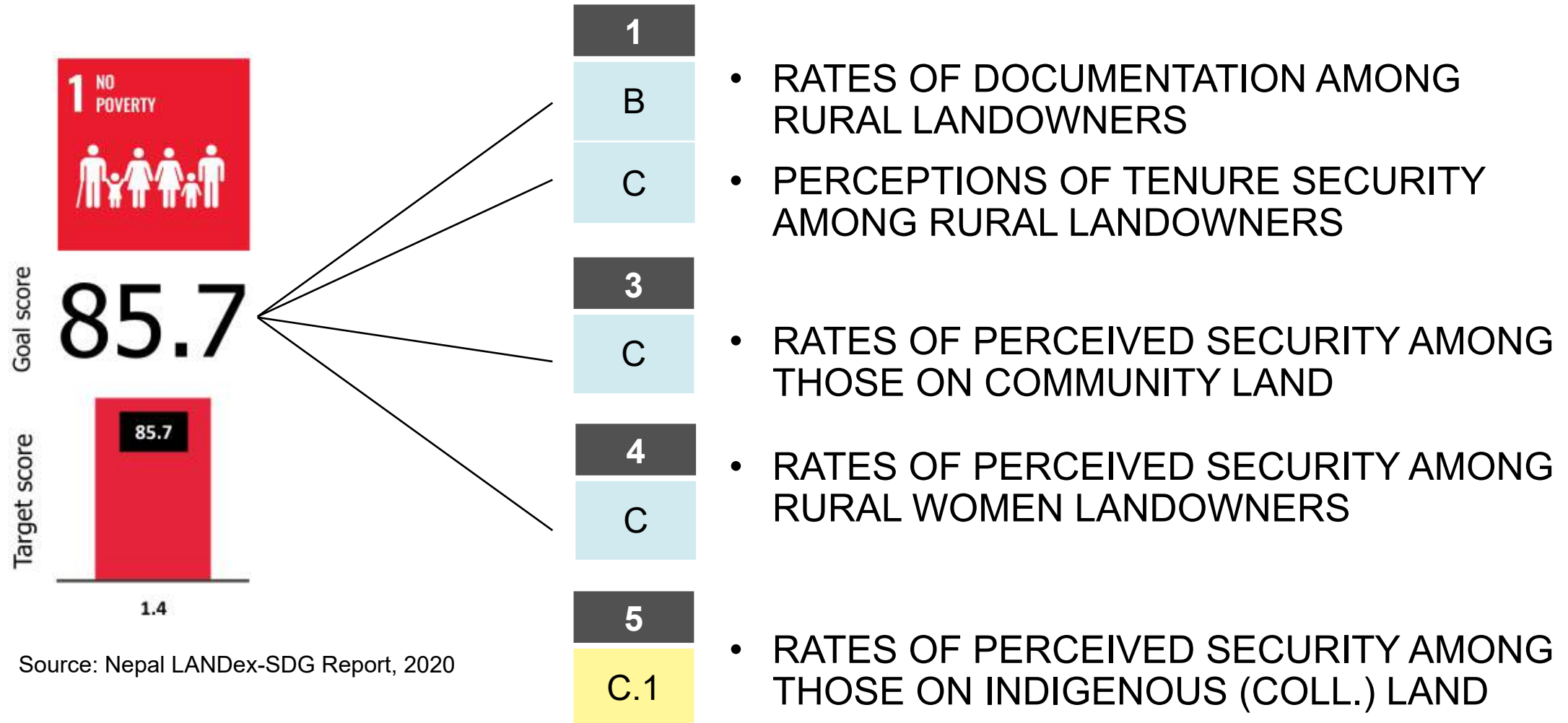


Source: Nepal LANDex-SDG Report, 2021



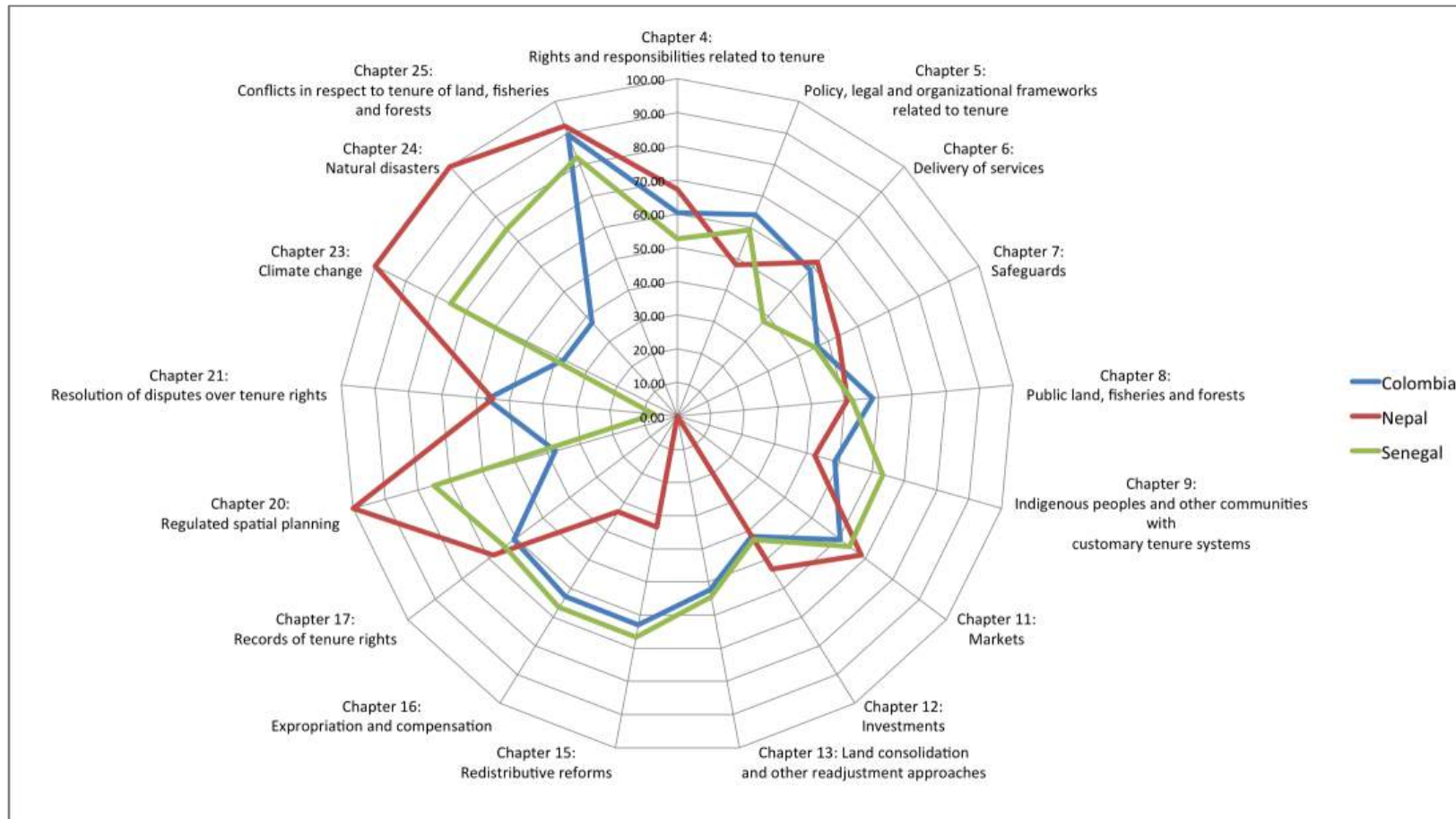
# SDG 1.4

ENSURE THAT ALL MEN AND WOMEN [...] HAVE CONTROL OVER LAND



# LANDex AND THE VGGTs

## CHAPTERS AND ARTICLES



# 2021

LOOKING AHEAD

- Expand SDG and VGGT Reporting with LANDex data
- VNR reporting at High-Level Political Forum (HLPF)
- Opportunities for LANDex implementation in EMENA
- Global Land Forum (GLF) in Jordan, March 2022

# THANK YOU

FOR MORE INFORMATION VISIT  
[www.landexglobal.org](http://www.landexglobal.org)

Contacts:

Ward Anseeuw: [w.anseeuw@landcoalition.org](mailto:w.anseeuw@landcoalition.org)

Eva Hershaw: [e.hershaw@landcoalition.org](mailto:e.hershaw@landcoalition.org)



**LAND MATRIX**  
[www.landmatrix.org](http://www.landmatrix.org)



[www.landmatrix.org](http://www.landmatrix.org)

# The Land Matrix



**LAND MATRIX**

## Outline

- i) Introduction to the Land Matrix
- ii) Indicators, variables and potential for VGGT monitoring





# Section I

## Introduction to the Land Matrix

# The Land Matrix

An open online tool to collect, visualise and provide information about large-scale land acquisitions (LSLA)

The **Land Matrix Initiative (LMI)** is a global and independent land monitoring initiative with two objectives:

- Promote transparency, debate and open data on LSLA
- Make decision-making over land and investment informed by evidence, inclusive and equitable as well as respectful of the rights of traditional land users, correcting information asymmetries and power imbalances that negatively influence decisions over land

The LMI was set up to respond to the lack of data on LSLA

# The Land Matrix Data and Database

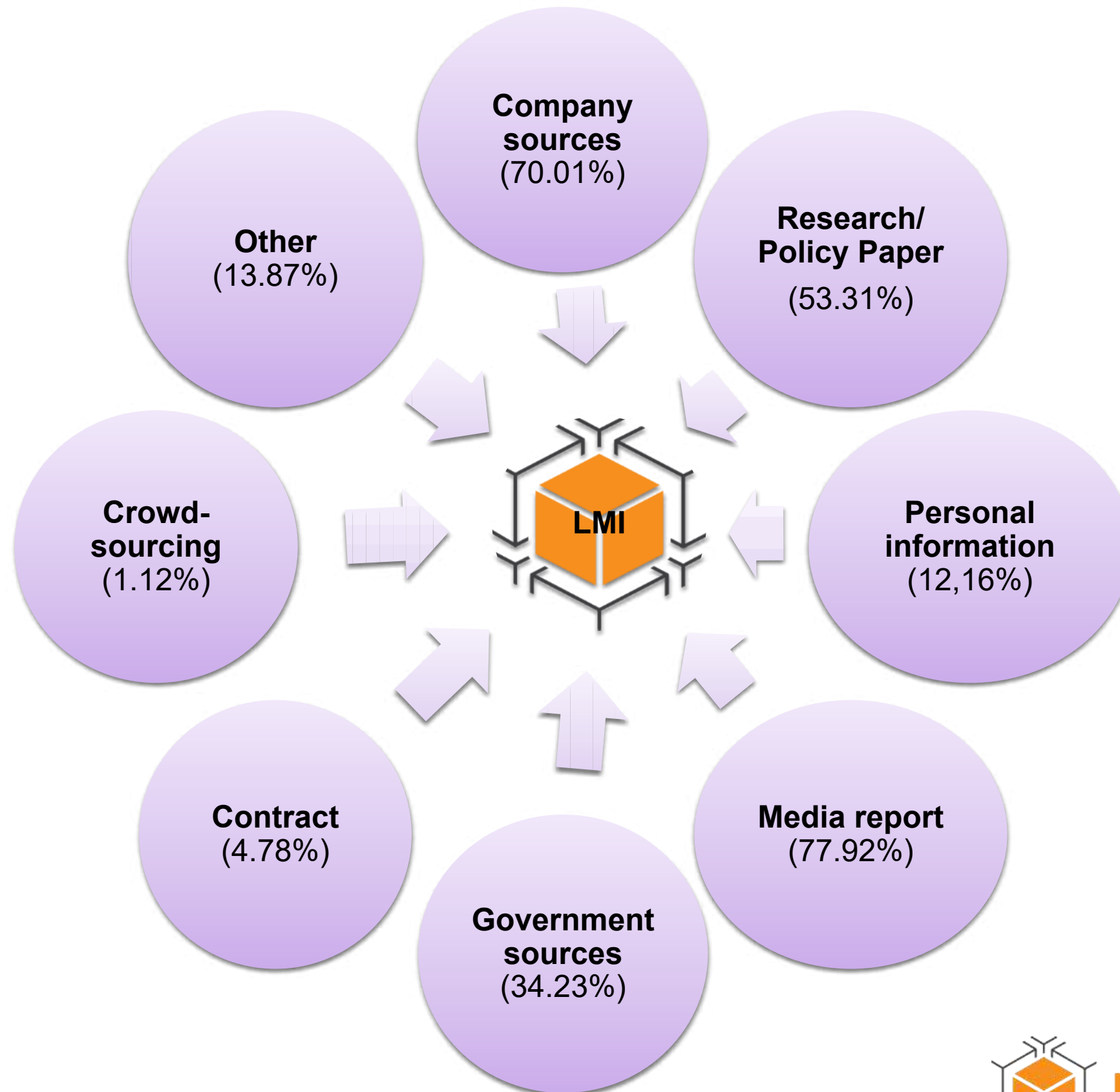
## The Land Matrix..

- Records intended, concluded or failed land acquisitions (land acquired by purchase, lease or concession)
- In low- and middle-income countries
- For agricultural production, forestry, carbon trading, industry, renewable energy production, conservation and tourism – mining deals and forest concessions are now re-included

## Land deals in the database..

- Entail a transfer of rights to use, control or ownership of land through sale, lease or concession
- Have been initiated since 2000
- Cover an area of 200 hectares or more
- Imply the potential conversion of land from smallholder production, local community use or important ecosystem service provision to commercial use

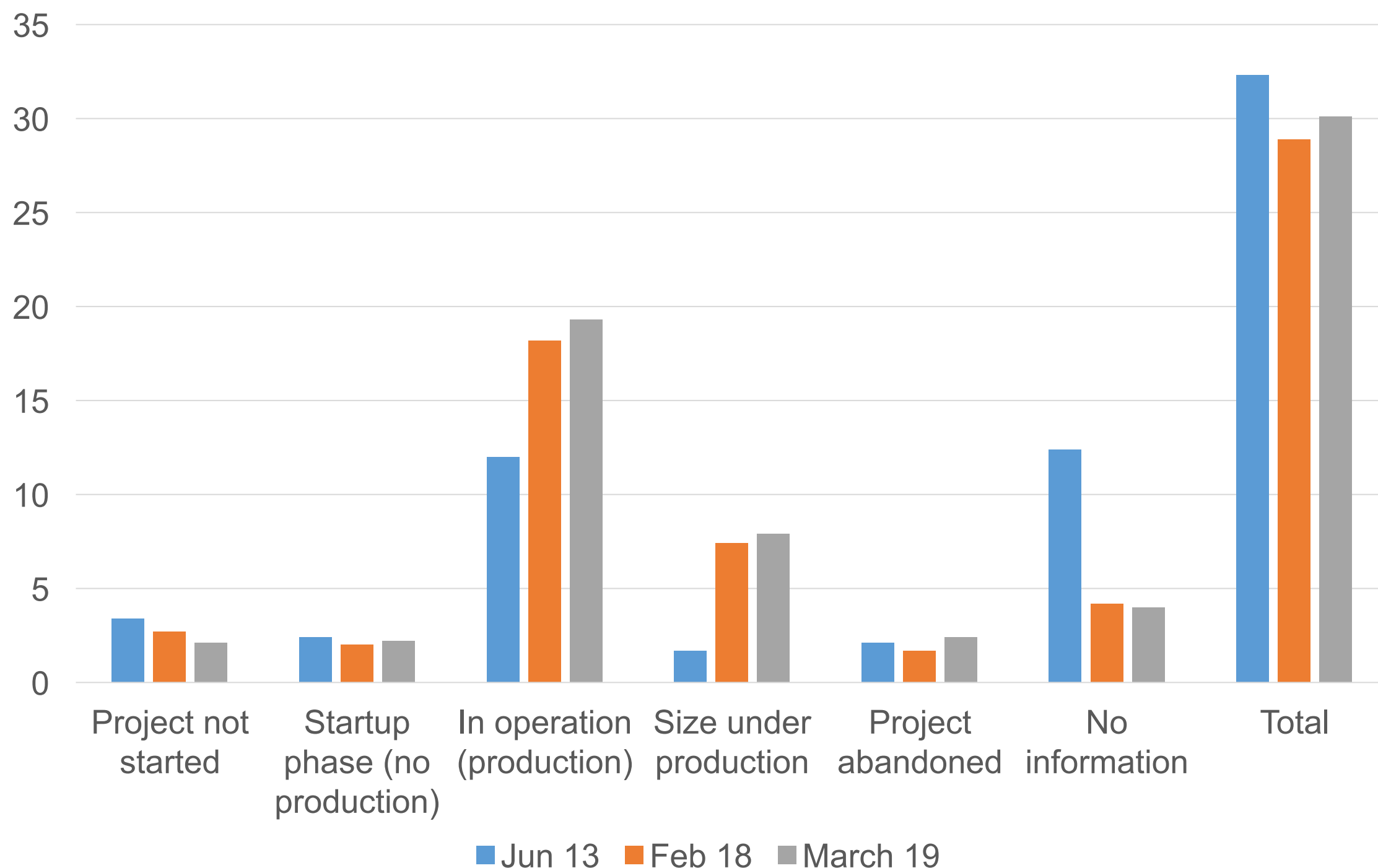
# Database sources



# Some LM data variables

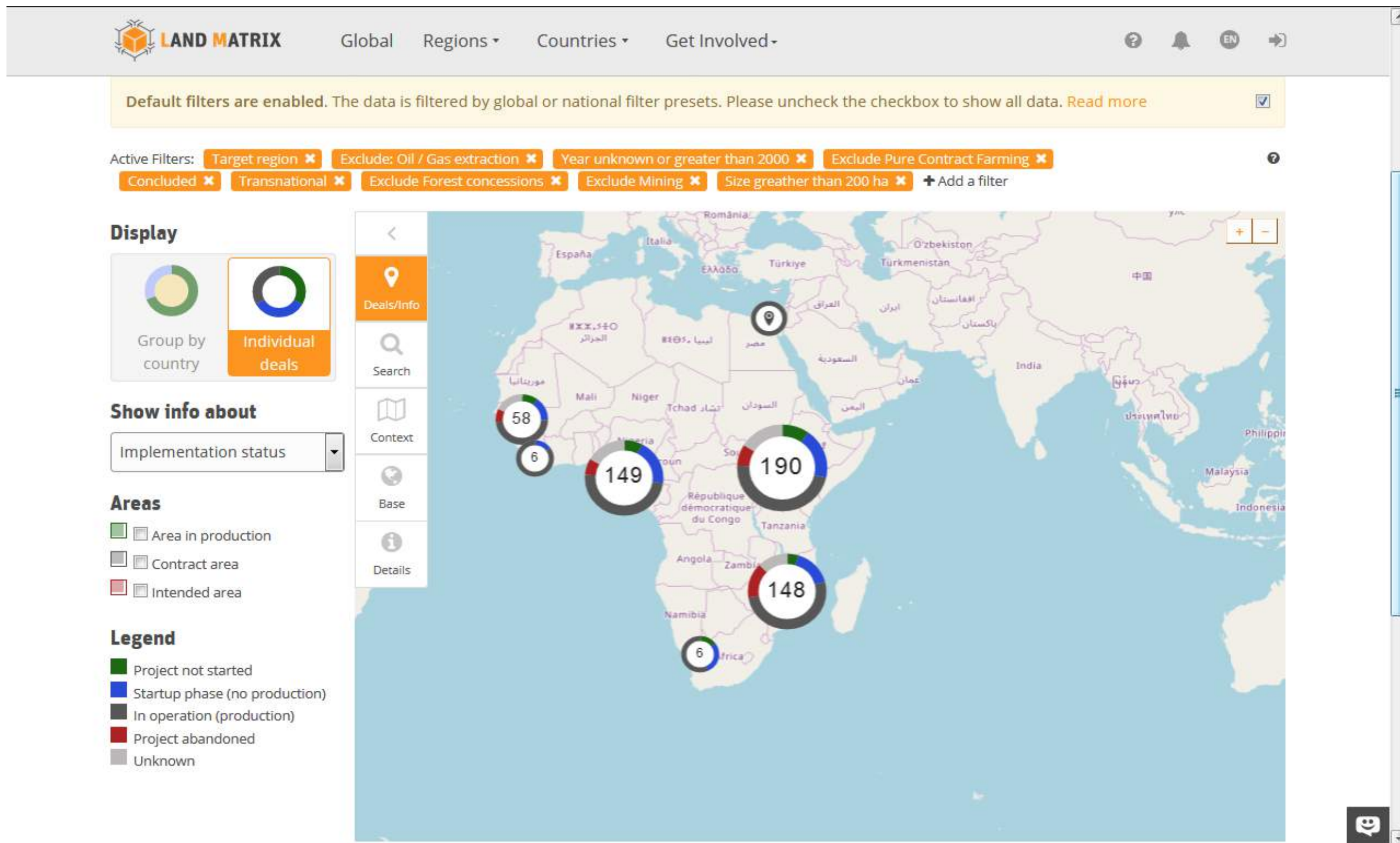
- Spatial location (location, coordinates)
- General information (land area information, status)
- Employment (local and foreign)
- Investor information (country, type, name)
- Investment process (FPIC, consultations, displacements)
- Local communities (compensation, benefits, consent)
- Former use (former land owner and use)
- Production info (crop, animal, mineral information, use of produce)
- Water usage (water rights)
- Gender implications
- etc

# Transnational deals for agriculture (in million ha)





# Interactive Map



# Improved investor data and visualisation



LAND MATRIX

Global

Regions ▾

Countries ▾

Stay informed

Get involved

FAQ

Christof Althoff  
Administrator



Investor info

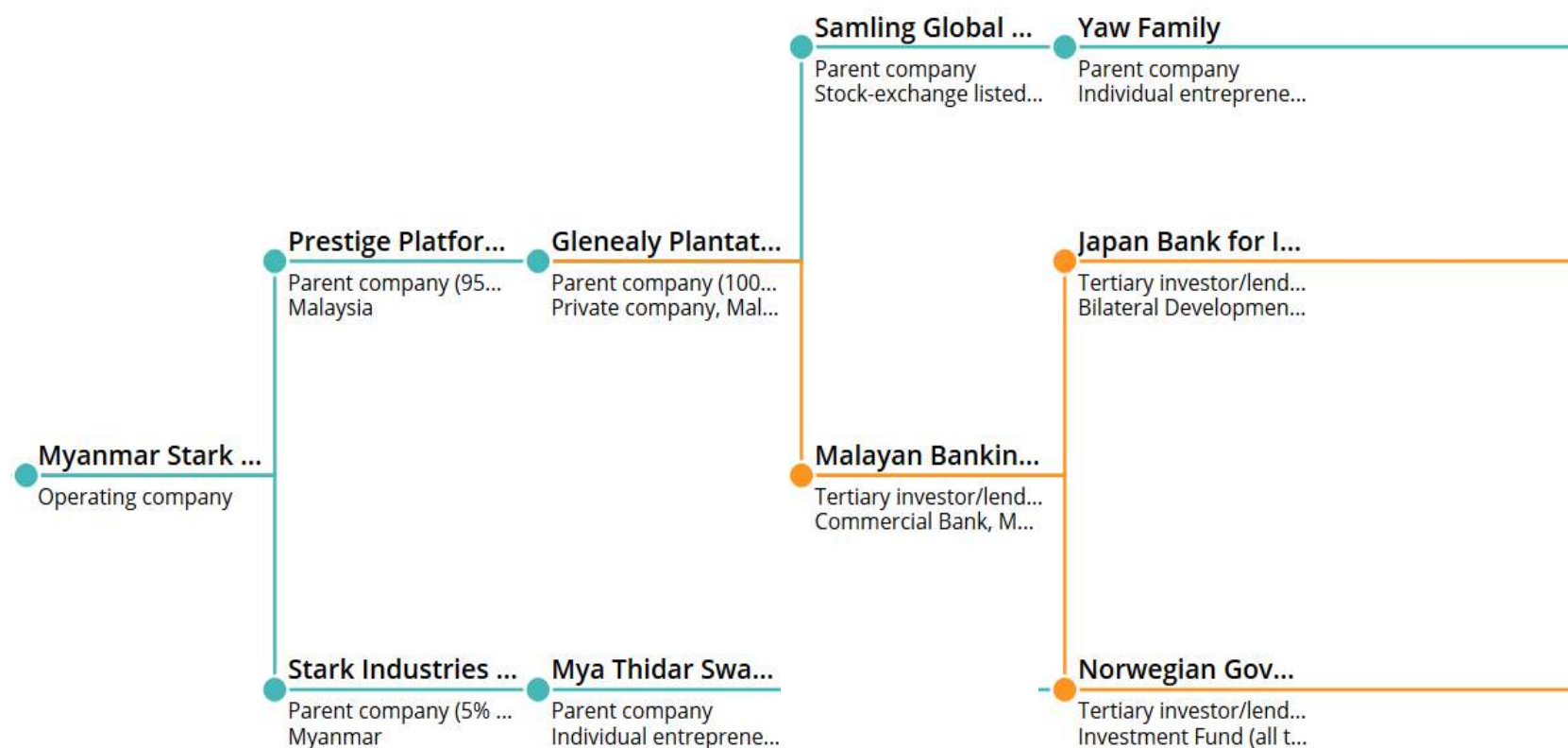


## Operating company

Operating company

Myanmar Stark Prestige Plantation Co Ltd. (#39641)

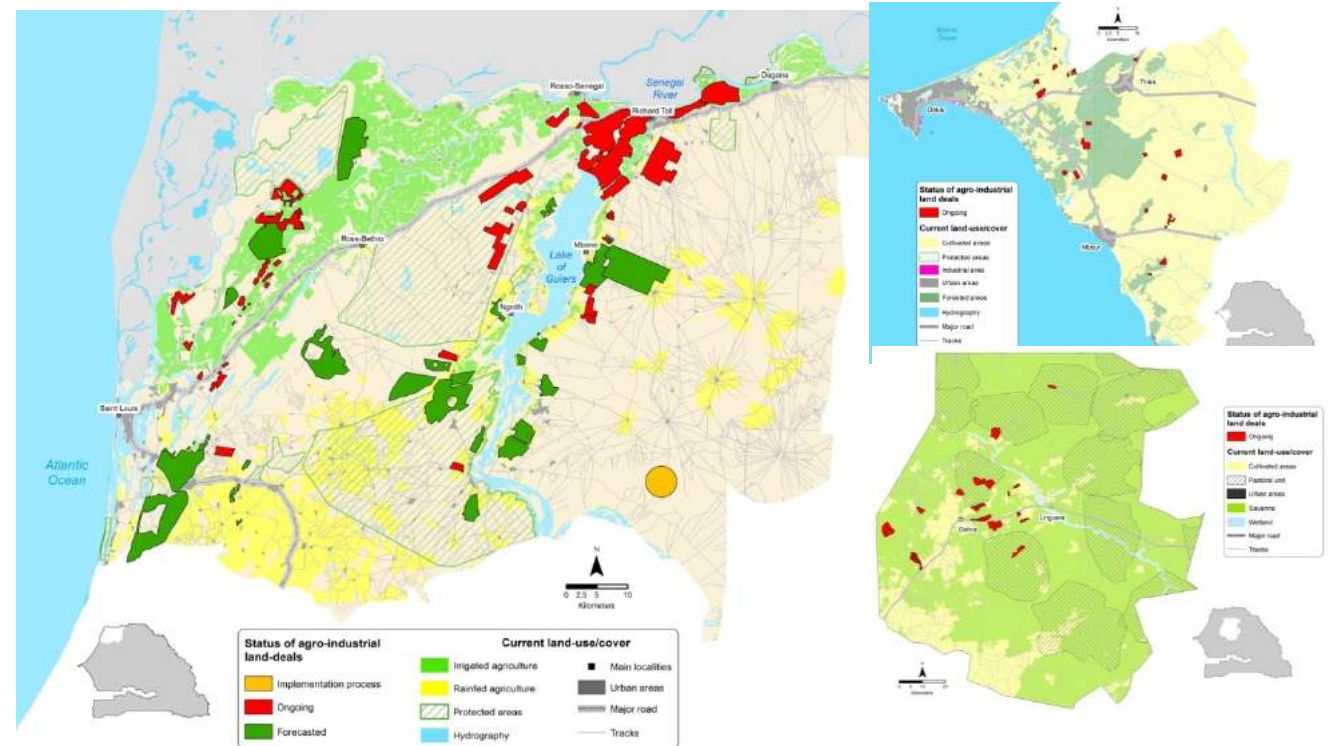
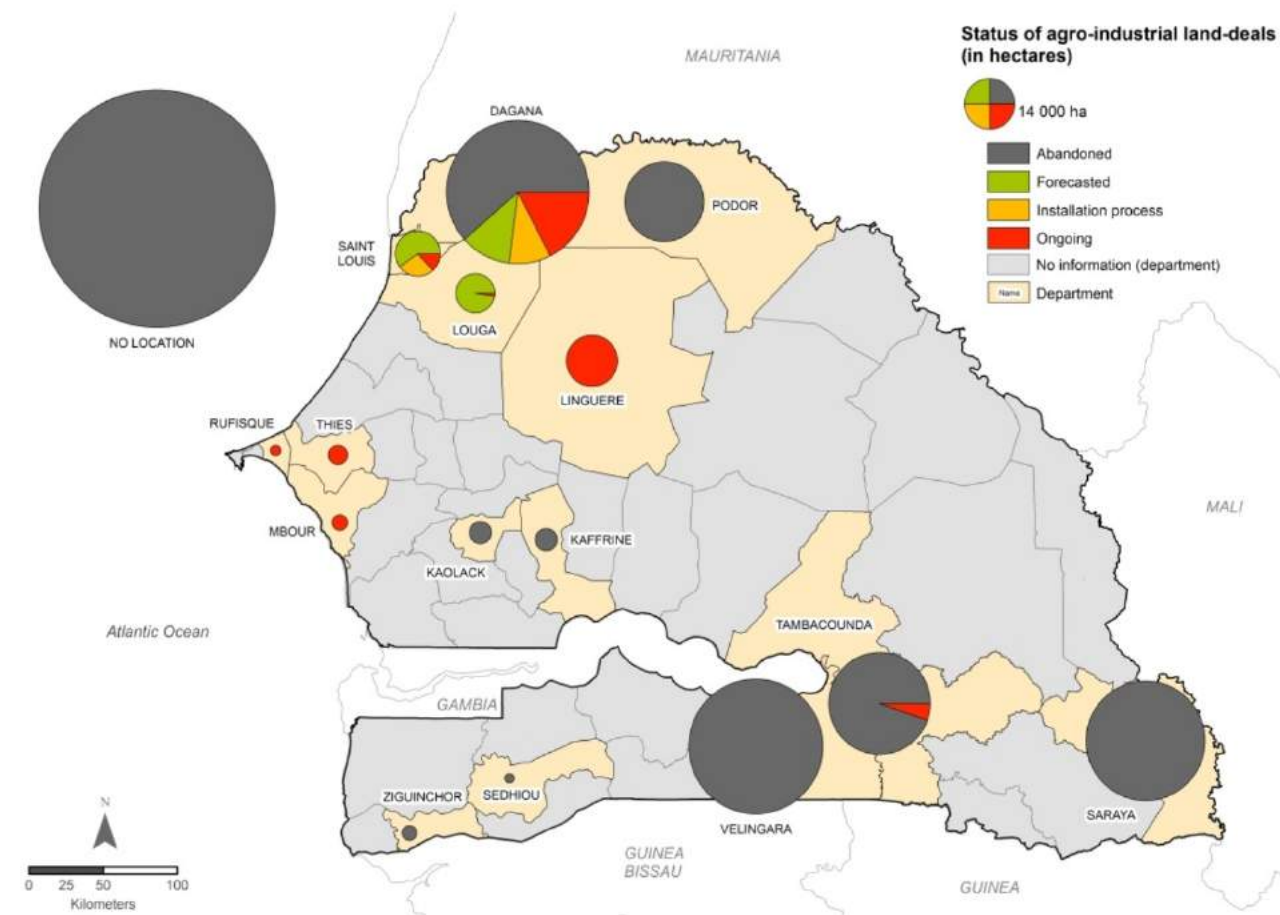
Network of parent companies and tertiary investors/lenders. Please click the node next to a company to get more details.



LAND MATRIX



# DATA – Geo-referenced data



- Existence of detailed data
- Focus on agricultural sector, also mining and forestry
- International transactions / domestic investments
- Focus on GIS data – project and territorial dynamics
- Alignment with VGGTs, integration of indicators
- Integration with other land monitoring initiatives



# Improved spatial data and visualisation

DEAL #1205

Target country  
Contract area

Ethiopia



Comment on location

Jikao and Itang districts, Coordinates and map of contract area in ilc research paper. Annex 5

# Expanded deal history



Global Regions ▾ Countries ▾ Get Involved ▾

? 🔔 EN ➔

Location

General Info

## Land area

Intended size (in ha)	54,000
Size under contract (leased or purchased area, in ha)	[2010] 44000
	[2015] 23500
Size in operation (production, in ha)	[2015] 10000
	[2016] 12000
Comment on Land area	44,000 ha (after relinquishing 10,000 ha to communities, which Addax Bioenergy decided it did not require)-- only 30 000ha have been relinquished by the company to date. Other sources say: 2 phases, each 10,000ha, total 20,000ha; 15,500ha according to ESHIA. Grain and other data sources state 57 000 hectares. Commercial farms in Africa report states 15 000 hectares. 10000ha have sugarcane pivots, 2000ha are currently used for a farmer development program-- rice, the rest of the land is being used by the local farmers for food security. Sunbird company website states: "The estate leases 23,500 Ha of land from the Government of Sierra Leone for the production of sugarcane and cassava. Currently 10,000 Ha to be developed under sugarcane that is forecast to produce 900,000 MT for the production of ethanol and power. The company is currently developing an additional 2,000 Ha of cassava production as a secondary feedstock." Size reduced from 44 000ha to 23 500ha- the difference was relinquished during the downscale in 2014/2015.

## Intention of investment

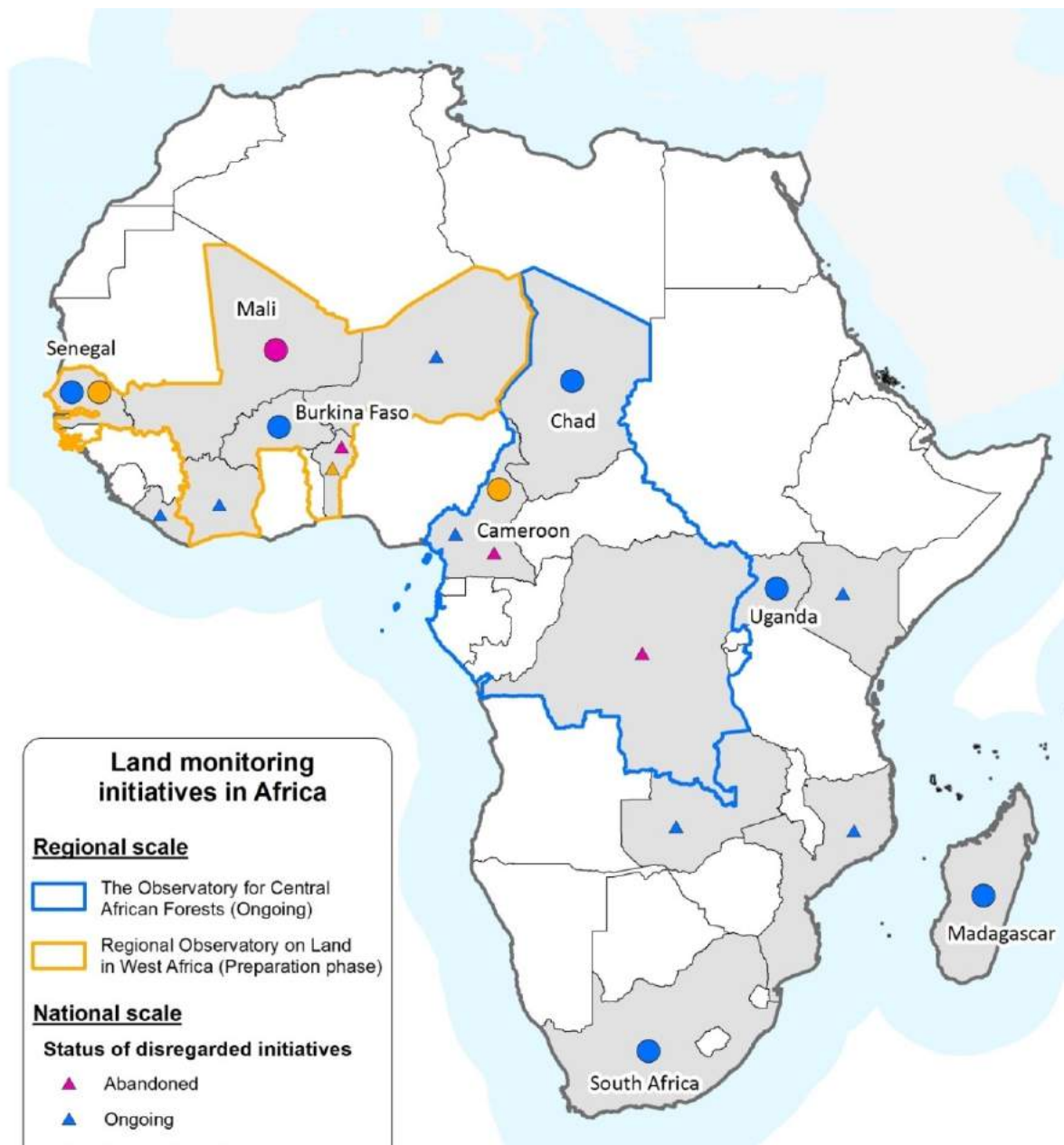
Intention of the investment	Biofuels, Food crops, Renewable Energy
Comment on Intention of investment	Sugarcane, cassava and napier Grass (biomass). The company is looking to expand the crops produced in 2018.

## Nature of the deal

Nature of the deal	Lease
Comment on Nature of the deal	The land lease contract (between the company and the Chiefdom Council) can be reviewed after seven years. This was due to happen in 2016- still awaiting.



# National Land Observatories established



- Argentina
- Cameroon
- Philippines
- Senegal
- Uganda

... have a look at the NLO pages on [landmatrix.org](http://landmatrix.org)





# Section V2

## Indicators, variables and potential for VGGT monitoring

# Objectives

## Global initiatives

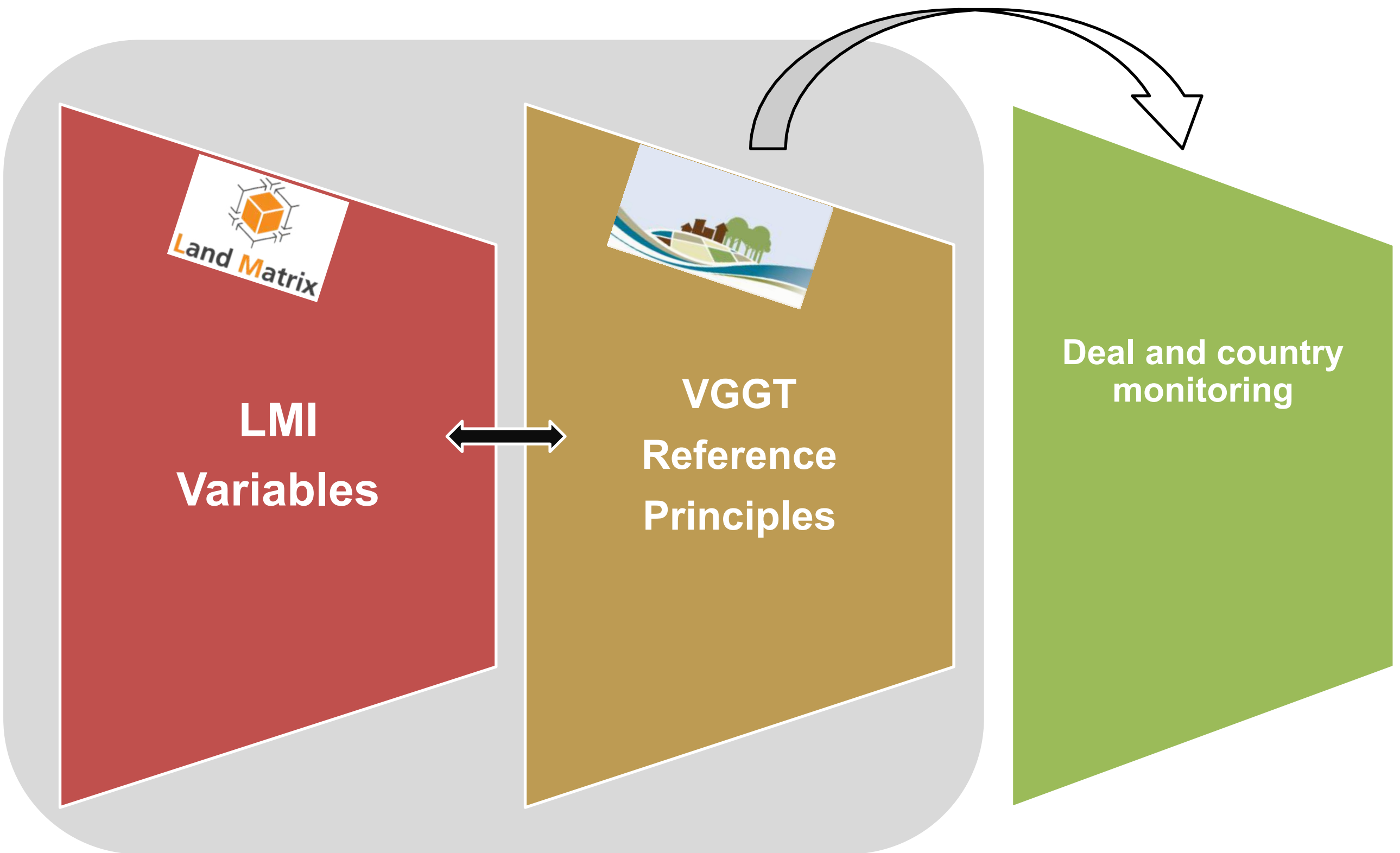
- FAO : VGGTs (principles, no monitoring)
- Land Matrix Initiative: global platform with overlapping monitoring objectives.

## Potential/hypothesis

The monitoring processes already initiated by LMI could be extended to monitoring principles of the VGGTs.



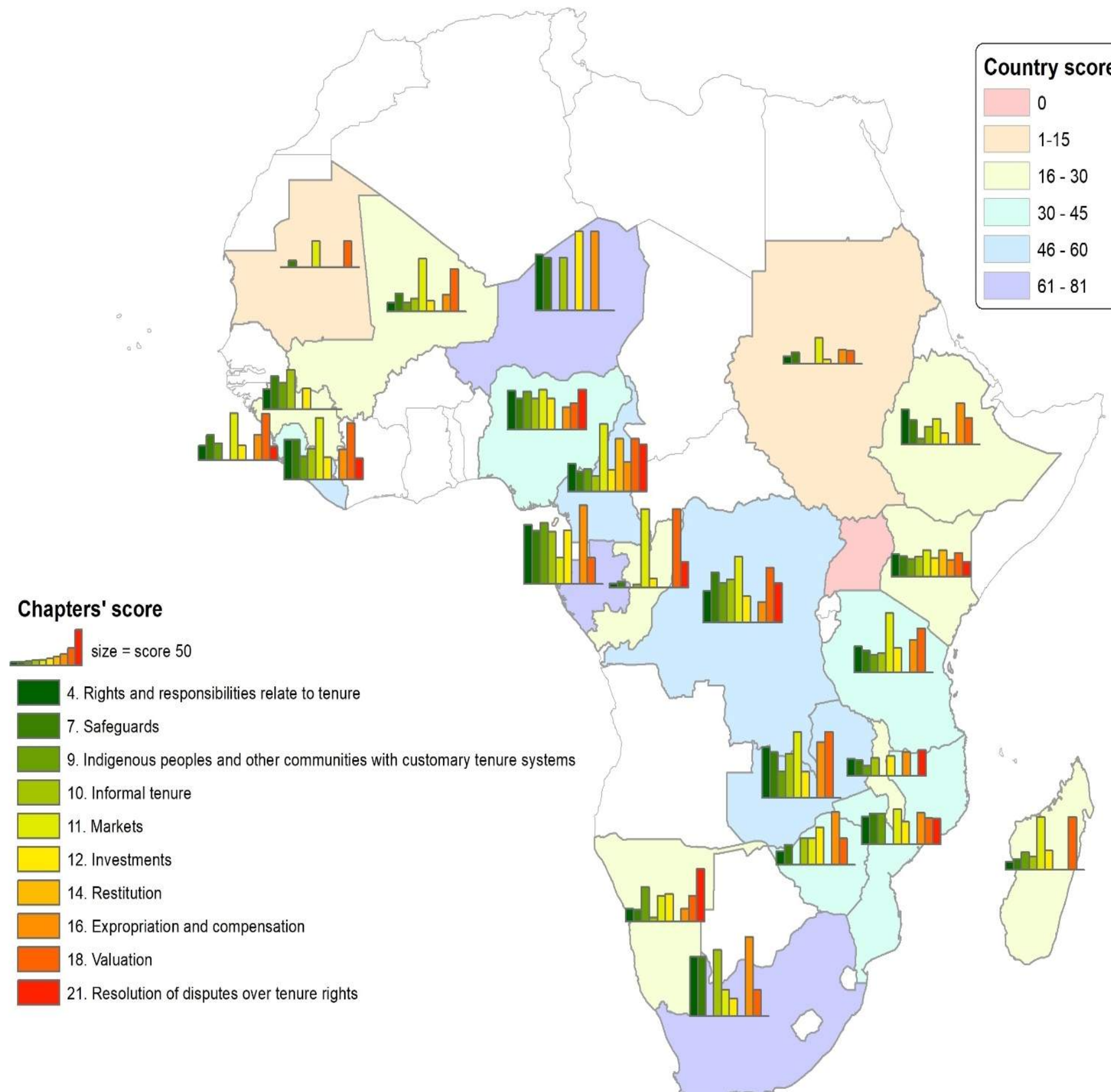
# Methodology



# Methodology

		Status of community land tenure	Displacement	Consultation of local community	Community reaction	Promised compensation	Received compensation	Presence of land conflicts	Organisations and actions taken	Contract farming	Promised benefits	Materialized benefits	Negative impacts for local community	Gender related info	Purchase price	Leasing fees	Actors involved in the nego/admission process	# variables
VGGT articles	4.5	1	1	1	1													4
	4.9				1	1	1	1	1									5
	7.3			1	1													2
	7.6	1	1		1													3
	9.9			1														1
	10.6	1	1		1													3
	11.4														1	1		2
	12.2									1	1	1						3
	12.4																1	1
	12.7			1														1
	12.9			1														1
	12.11			1										1				2
	12.12												1					1
	14.4								1									1
	16.3					1	1											2
	16.9		1				1											2
	18.5						1								1	1		3
	21.1								1									1
	21.6							1	1									2

# VGGT monitoring





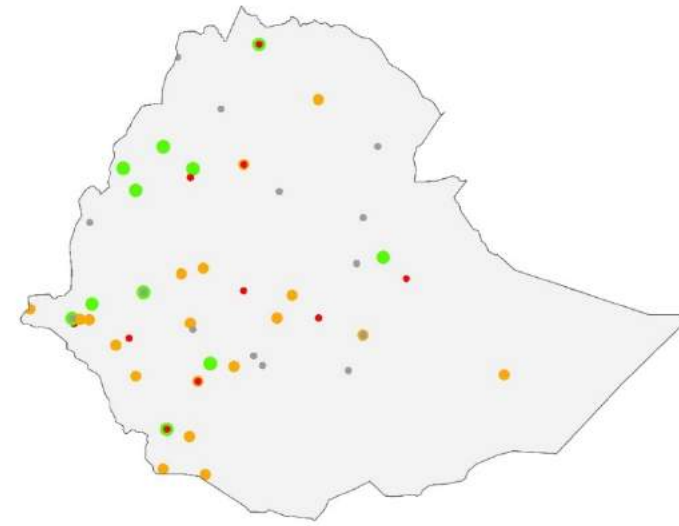
# ETHIOPIA

Country score

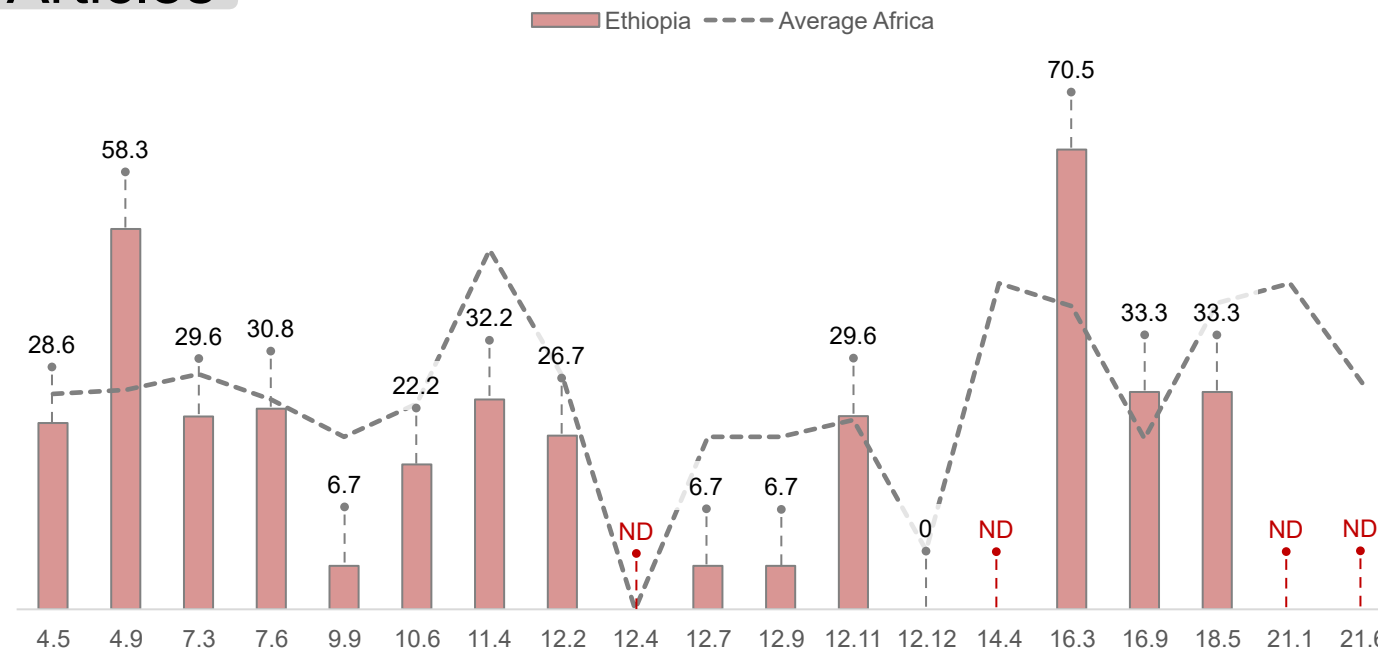
**29.2**



■ Score 0  
■ Score 1-50  
■ Score 51-100  
■ Score ND



## Articles



## Chapter S





# To conclude

## Open data on LSLA

- Not sufficient data for Arab States
- Please contribute
- Available for use and monitoring
- Based on LandMatrix, based on VGGTs, based on any indicator ... with a focus on LSLA



**Thank you for listening!**  
Questions/Comments/Suggestions

Website: [www.landmatrix.org](http://www.landmatrix.org)

Twitter: [@Land\\_Matrix](https://twitter.com/Land_Matrix)

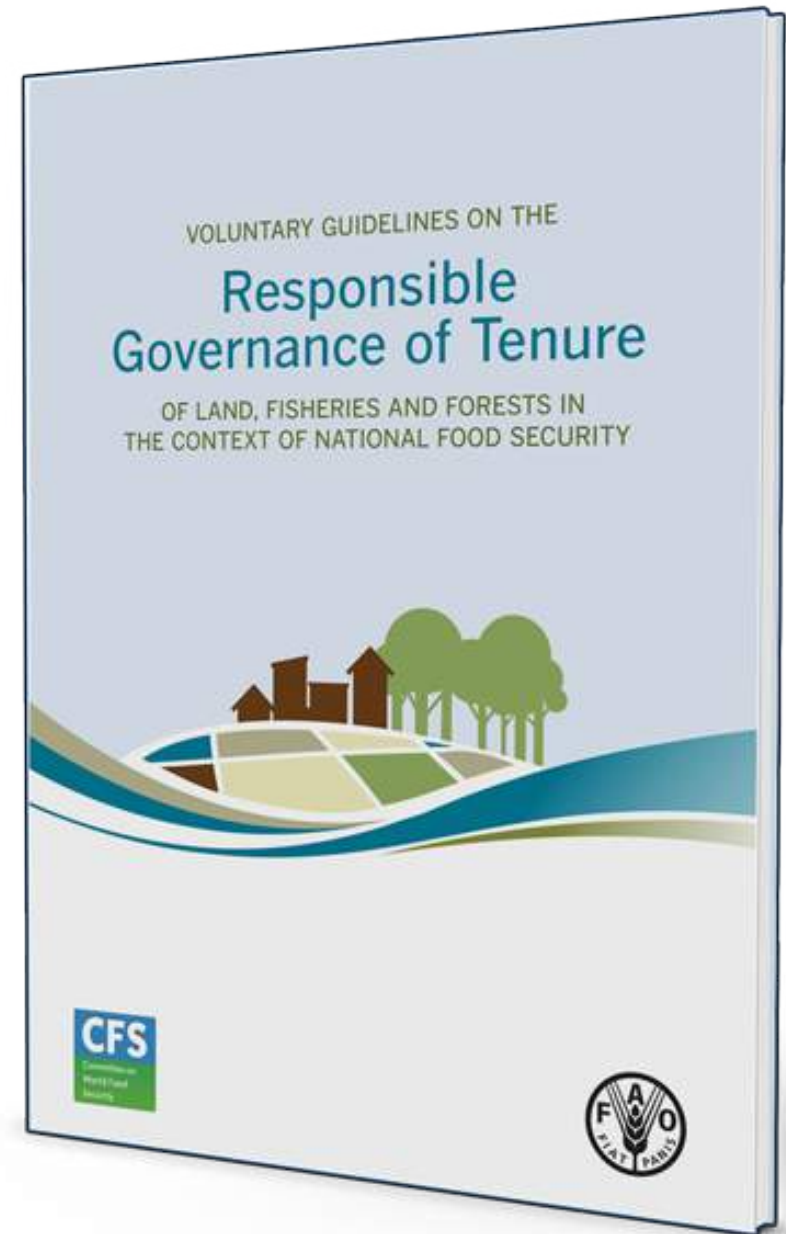
FB: [Land\\_Matrix](https://www.facebook.com/Land_Matrix)



#### Donors



# The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)




# Outline


- What are the VGGTs
- Aim, objectives and principles of the VGGTs
- Structure of VGGTs - 4 pillars
- Conclusion

# 1. What are the Voluntary Guidelines?

Set of recommended Principles and Practices on how to govern the rights and duties associated with land, fisheries and forests, in an equitable and responsible way.



VGGT represent the first global consensus on universally applicable standards for the recognition, recording and protection of tenure rights.





They were officially endorsed by the Committee on World Food Security in May 2012 and all member states made a strong commitment to implement them.



# 1. What are the Voluntary Guidelines?

- International instrument to improve governance of tenure of land, fisheries and forests.
- Set out principles and internationally accepted standards for practices for the responsible governance of tenure.
- Voluntary and not legally binding.
- Soft law, which is often better suited for technical matters and best practices, such as governance of tenure.

Importantly, the guidelines are **Voluntary**, so they only apply if a country, or individuals or groups within a country, agree to follow them. 

They are **not legally binding** Internationally considered as '**Soft Law**' 

They **do not replace Laws and Treaties**, nor do they reduce existing obligations under laws or treaties. 



# 1. What are the Voluntary Guidelines?

**Set of principles and internationally accepted good practices to tackle land and NR governance issues**

**Instrument to foster the dialogue among different stakeholders**

Valuable tool:

Advocacy

Awareness raising

Legal assistance

Development of capacities (people / CS, governments)

Policy dialogue

Foster responsible governance of tenure

RAIs (Responsible Agricultural Investment Principles):

- Similar structure, but ...
- Focus on businesses
- Focus on Investment

## 2. Aim, objectives and principles

Overarching goals: **achieve food security for all** and support the **realization of the right to food**.

VGGTs promote secure tenure rights and equitable access to land, fisheries and forests as a means of eradicating hunger and poverty, supporting sustainable development and enhancing the environment.

Address the problems of weak governance of tenure and growing pressure on natural resources, with a particular emphasis on the vulnerable and marginalized.

## 2. Aim, objectives and principles

### 5 general principles & 10 implementation principles

The general principles summarize the basic elements of responsible governance of tenure. They are directed in the first instance to states, and encourage them to:

1. Recognize and respect all legitimate tenure rights holders and their rights.
2. Safeguard legitimate tenure rights.
3. Promote and facilitate the enjoyment of legitimate tenure rights.
4. Provide access to justice.
5. Prevent tenure disputes, conflicts and corruption.

The VGGT are built on the general principles together with ten implementation principles

1. Human dignity
2. Non-discrimination
3. Equity and justice
4. Gender equality
5. Holistic and sustainable approaches
6. Consultation and participation
7. Rule of law
8. Transparency
9. Accountability
10. Continuous improvement

### 3. Structure of the VGGTs

- 4 pillars
  - VGGT – the principles
  - Promotion
    - o Global recognition and promotion
    - o Huge (all) number of countries
  - Implementation
    - o MSPs
    - o Liberia, Malawi, Mauritania, Senegal, Sierra Leone, Tanzania, Mongolia
  - Monitoring and Evaluation

# 3. Structure of the VGGTs

<b>1</b>	<b>Preliminary</b>	<b>1</b>
1.	Objectives	1
2.	Nature and scope	2
<b>2</b>	<b>General matters</b>	<b>3</b>
3.	Guiding principles of responsible tenure governance	3
3A	General principles	3
3B	Principles of implementation	4
4.	Rights and responsibilities related to tenure	6
5.	Policy, legal and organizational frameworks related to tenure	7
6.	Delivery of services	9
<b>3</b>	<b>Legal recognition and allocation of tenure rights and duties</b>	<b>11</b>
7.	Safeguards	11
8.	Public land, fisheries and forests	12
9.	Indigenous peoples and other communities with customary tenure systems	14
10.	Informal tenure	16
<b>4</b>	<b>Transfers and other changes to tenure rights and duties</b>	<b>19</b>
11.	Markets	19
12.	Investments	20
13.	Land consolidation and other readjustment approaches	23
14.	Restitution	25
15.	Redistributive reforms	25
16.	Expropriation and compensation	27
<b>5</b>	<b>Administration of tenure</b>	<b>29</b>
17.	Records of tenure rights	29
18.	Valuation	30
19.	Taxation	31
20.	Regulated spatial planning	32
21.	Resolution of disputes over tenure rights	33
22.	Transboundary matters	33
<b>6</b>	<b>Responses to climate change and emergencies</b>	<b>35</b>
23.	Climate change	35
24.	Natural disasters	36
25.	Conflicts in respect to tenure of land, fisheries and forests	37
<b>7</b>	<b>Promotion, implementation, monitoring and evaluation</b>	<b>39</b>

## The principles

19 sections, numerous articles, representing guidelines / good practices.



# 3. Structure of the VGGTs

## Some examples of principles

- 4.10 States should welcome and facilitate the participation of users of land, fisheries and forests in order to be fully involved in a participatory process of tenure governance, inter alia, formulation and implementation of policy and law and decisions on territorial development, as appropriate to the roles of State and non-state actors, and in line with national law and legislation.
- 5.7 States should define and publicize opportunities for civil society, private sector and academia to contribute to developing and implementing policy, legal and organizational frameworks as appropriate.
- 9.1 State and non-state actors should acknowledge that land, fisheries and forests have social, cultural, spiritual, economic, environmental and political value to indigenous peoples and other communities with customary tenure systems.
- 9.2 Indigenous peoples and other communities with customary tenure systems that exercise self-governance of land, fisheries and forests should promote and provide equitable, secure and sustainable rights to those resources, with special attention to the provision of equitable access for women. Effective participation of all members, men, women and youth, in decisions regarding their tenure systems should be promoted through their local or traditional institutions, including in the case of collective tenure systems. Where necessary, communities should be assisted to increase the capacity of their members to participate fully in decision-making and governance of their tenure systems.



# 3. Structure of the VGGTs

<b>1</b>	<b>Preliminary</b>	<b>1</b>
1.	Objectives	1
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<b>7</b>	<b>Promotion, implementation, monitoring and evaluation</b>	<b>39</b>

## Monitoring and Evaluation

- Very little has been done
- Reflection within CFS / CSM – framing document by FIAN
- Reasons:
  - Lack of capacity – HR / methodologies / data
  - Legitimacy – institutional (who to monitor?) / soft law

## 4. Conclusion


- VGGT - Recognised and legitimate
- Umbrella framework regarding land governance
- Principles and articles as basis for monitoring land governance

# Monitoring of Land Governance and Tenure Security in the Arab Region

09-11 March 2021

Everlyne Nairesiae and Clinton Omusula.

The Global Land Tool Network  
Land, Housing and Shelter Section  
UN-Habitat





**Recognition of the importance of land rights in achieving sustainable development outcomes provides impetus to ensure collection of sex disaggregated data and reporting on comparable land indicators at local to global level for planning and policy decisions. No one and no place should be left behind!!**

**WE ALL HAVE ROLE TO PLAY!!  
Governments taking the lead**

# Guided Discussion:

**Question 1:** What land data initiative(s) does your organization/institution implement? What have been your achievements/milestones to date and Who are your partners/collaborators in data effort?

**Question 2:** What challenges have you encountered in your land data efforts? What have you done to address these challenges? Were there any gender specific challenges and how did you address them?

**Question 3:** What regional and global commitments/ frameworks have you used/ applied to inform/support your land data initiative(s) and how you have applied them?

**Question 4:** Following this training and lessons learnt, what potential areas of improvement could you/ your organization/institution benefit from? What areas/topics do you need more information/technical support on?

**Question 5:** How do you plan to implement lessons learnt from this training? What support will you require to implement your plan? Do you see your/institutional role in supporting your country to report on land tenure indicators in the SDGs?





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# Monitoring of the Land Governance and Tenure Security- Role of Stakeholders.

09-11 March 2021

Everlyne Nairesiae and Clinton Omusula.

The Global Land Tool Network  
Land, Housing and Shelter Section  
UN-Habitat



# Outline

- Role of Member States in Monitoring the Land Agenda.
- Role of National Statistics Offices & Land Registries and Cadaster Systems.
- Role of CSOs, International Organizations and Private Sector
- Role of UN Regional Commissions.
- Role of Custodian Agencies- UN Habitat Country Support in Monitoring of Land Tenure Security.



# Role of Member States in Monitoring the Land Agenda.

- **Political good will to deliver data on land/SDGs** – Critical for success of monitoring the land agenda.
- **Strengthen the capacity of national institutions in their statistical systems (Ministries, NSOs, Land registries and cadastre systems)**-To adopt global methodologies and collect data according to the Fundamental Principles of Official Statistics and provide data and metadata for global reporting.
- **Localizing/ nationalizing the SDGs and integrating their monitoring and implementation in National Development Agenda.**
- **Upgrading of Land Information Systems**- digitizing existing records and process of future recording of land rights (including disaggregation levels)for ease of data retrieval and analysis for reporting on administrative data.
- **Leveraging the data produced at country level** as evidence to inform land governance reform policies for sustainable development.
- **Regular reporting on country level progress** in monitoring and implementation of the SDGs in regional and global forums e.g., UNHLPF.



# Role of National Statistics Offices (NSOs).

- **Adopting and integrating the globally approved methodologies for SDGs monitoring in national data collection efforts for reporting.**
- **Contextualizing the disaggregation levels**- beyond the disaggregation levels provided for in global methodologies to respond to national priorities and needs. e.g., by region, urban/ rural, persons with disabilities etc.
- **Mapping of existing initiatives** e.g., relevant surveys, institutional frameworks that can be leveraged for data collection and compilation to enable reporting.
- **Regular data collection and reporting on land-related indicators**: facilitate, as appropriate, the appropriate vehicle for data collection, metadata development and transmission process to the custodian agencies for global reporting.
- **Developing national metadata** (definitions, disaggregation levels, data collection considerations etc.) on SDG indicators to accompany the data reports .



# Role of Land Registries and Cadastre Systems.

- **Facilitate issuance of relevant documentation** to strengthen tenure systems and improve land tenure security.
- **Adopting the recommended disaggregation levels** (gender, tenure type, land use etc.) in data management to facilitate reporting on land-related indicators.
- **Providing complementary tools** e.g., survey maps on land size, land use, land value and land consumption to support decision making as regards land governance.
- **Continuous update of information** in their databases for accurate and reliable monitoring.
- **Promoting and adopting open data policies** for transparency in monitoring of land transactions.



# Role of CSOs, International Organizations and Private Sector

- **Advocacy** – to create and enhance awareness at sub-national, national and regional level on land governance monitoring and related benefits.
- **Provide complementary data**- To create a fuller picture of the issues on land governance at national and regional level that will complement official data in informing policy decisions.
- **Innovation**- Provide innovative ideas and solutions to support the implementation of monitoring of land governance as well as facilitating citizen access to participation in monitoring processes.





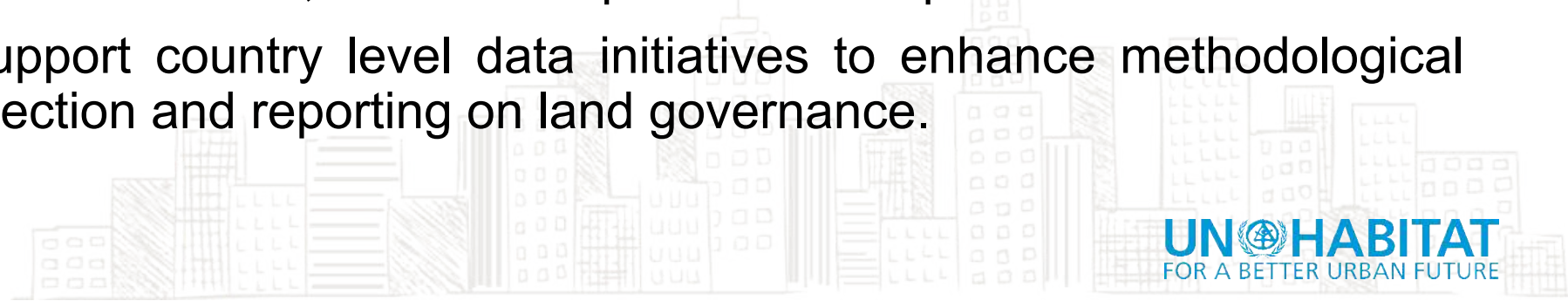
# Role of UN Regional Commissions

## United Nations Economic and Social Commission for Western Asia (UNESCWA)

- **Liaison/ Coordination**-Acts as a regional focal point for the Statistics Division of the United Nations Department of Economic and Social Affairs (DESA), other organizations and member States.
- **Development of regional indicators (including on land governance)**-Strives to improve the production and dissemination of high quality socioeconomic statistics and indicators in the Arab region.
- **Regional Capacity Development**-it provides member States with support to strengthen their national statistical systems to improve data availability for reporting and policy information on regional and global priorities.
- **Tackling development issues in a new interdisciplinary way that addresses both national and regional challenges, especially linked to the effects of conflict.**

# Role of Custodian Agencies

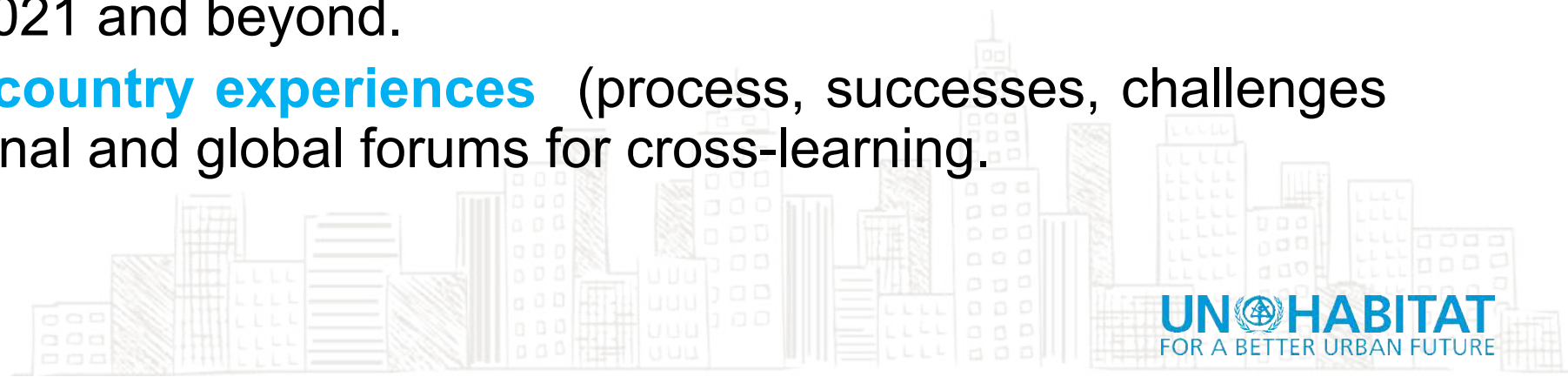
- **Develop and disseminate internationally agreed standards and methodologies** for data collection and reporting.
- **Provide technical capacity support to responsible national institutions** (NSOs, land registries and cadasters) in understanding of developed methodologies and their application.
- **Provide support to responsible national institutions in integrating global methodologies** in national data structures for data collection/ compilation and reporting. E.g. Through customization of surveys for appropriate data collection.
- **Support compilation of regional estimates and aggregates-** for cross-learning within the region and provide data and accompanying metadata to UNSD.
- **Targeted sessions on impact evaluation of land tenure and governance interventions** – for Governments, donors and private sector partners.
- **Fundraising-** To support country level data initiatives to enhance methodological integration, data collection and reporting on land governance.



# UN Habitat Country Support in Monitoring the Land Agenda

**Ongoing collaboration with FAO and National Statistics Offices and Land Registries** in Kenya, Rwanda, Tunisia and Iraq to collect data and report on SDG indicators 1.4.2 and 5.a.1.

- **Virtual /Online technical training** on the joint methodology and its adoption for data collection to report on the indicators.
- **Technical and financial support in mining of existing data –from NSO and Land registry databases** to report on SDG Indicators 1.4.2 and 5.a.1 (in the wake of the Covid-19 pandemic).
- **Supporting integration of joint module questions** in upcoming surveys in 2021 and beyond.
- **Sharing of country experiences** (process, successes, challenges etc.) in regional and global forums for cross-learning.





Through multilateral partnerships and prioritization of land governance issues, there is renewed hope in efficient monitoring of land governance for evidence-based policy decisions.

**WE ALL HAVE ROLE TO PLAY!  
GOVERNMENTS TAKING THE LEAD.**





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# “Monitoring Land Governance and Land Tenure Security in the Arab Region”

## NRC LIBYA

### Presenters

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# Ø Outline

- § Historical events of significance.
- § Challenges and current situation.
- § Data available.
- § Needs.
- § Implications.

# Historical events of significance:

- § (Redistribution policies) Law no 4 of 1978: who occupies the property owns it.
- § Public burning of all property records/land registries 1986.
- § 1988: Socialist Real Estate Register was established but only about 50% of all property was registered.
- § The suspension of the Real Estate Registration Authority (RRA) 2011.
- § Law no16 of 2015: cancelled some of the real estate laws issued during the Gadhafi period with no clear way on how to implement it.

## Challenges and current situation

- § Practice is to conclude the property sale contract without registering it.
- § No legal pathway to register the transfer of ownership after suspension of the RRA.  
In practice, sale is executed and documents notarized by a Public Notary.
- § Limited steps was taken by Local governments/ international NGOs to address the HLP issues.
- § Expected legal disputes over who has the rightful ownership.
- § Migrants, asylum seekers and refugees in Libya also face insecure tenure and inadequate housing conditions with no legal recourse.

## Data available on land and properties

- § Since 2011, zero registration of properties with the component authority.
- § High Committee for the Compensation of Properties seized under Law 4/1978. Between 2006/ 2015 the compensation committee received more than 25k request, only 3728 has been processed.

# Needs

- § Urgently reactivate the registration of property with the component authority.
- § Addressing the implications of law no. 4 more effectively.
- § Call for help from international actors with similar experience.
- § Strengthening the capacity of the alternative dispute resolution.

# Implications

- § The suspension of the registration process. The ownership title does not legally move to the buyer.
- § Means of balancing competing property rights between previous owners and current owner/occupants and other parties affected by Law 4/1978
- § Uncertain future.





NORWEGIAN  
REFUGEE COUNCIL

# **Towards a coordinated effort of land governance monitoring**

# Some starting points

- Numerous monitoring initiatives
- What to do:
  - Unification / coordination????
  - Standardisation / specification
- 3 options:
  - Toolbox
  - Centraliser of data
  - Specific data initiatives/generators

 Towards a multi-layer approach

# What do we have?

## Official data

- SDGs / VGGTs / ....
  - Global / regional frameworks
  - Priority, on-going, but data not always readily available
- 

## Data centralising & generating initiatives

- Broader coverage in scope/methodologies & data sources
  - On-going, existing data available - Global coverage for certain indicators; partial for other indicators
  - PRIndex, LANDex, Land Matrix, etc
- 

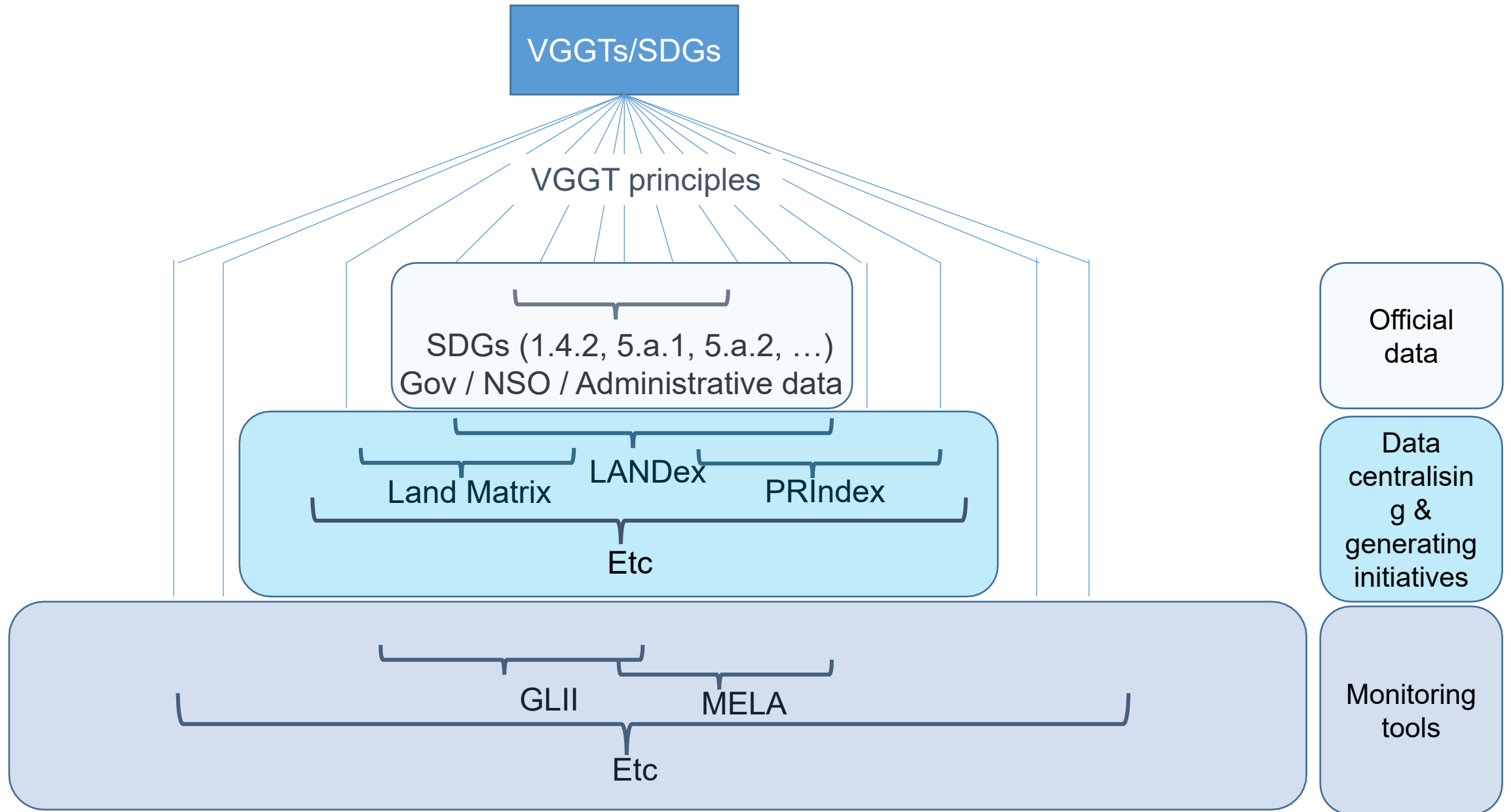
## Monitoring tools & toolboxes

- Broadening coverage in scope/methodologies
- Data to be generated – coverage of certain countries
- GLII, MELA, etc.

# A multi-layer approach

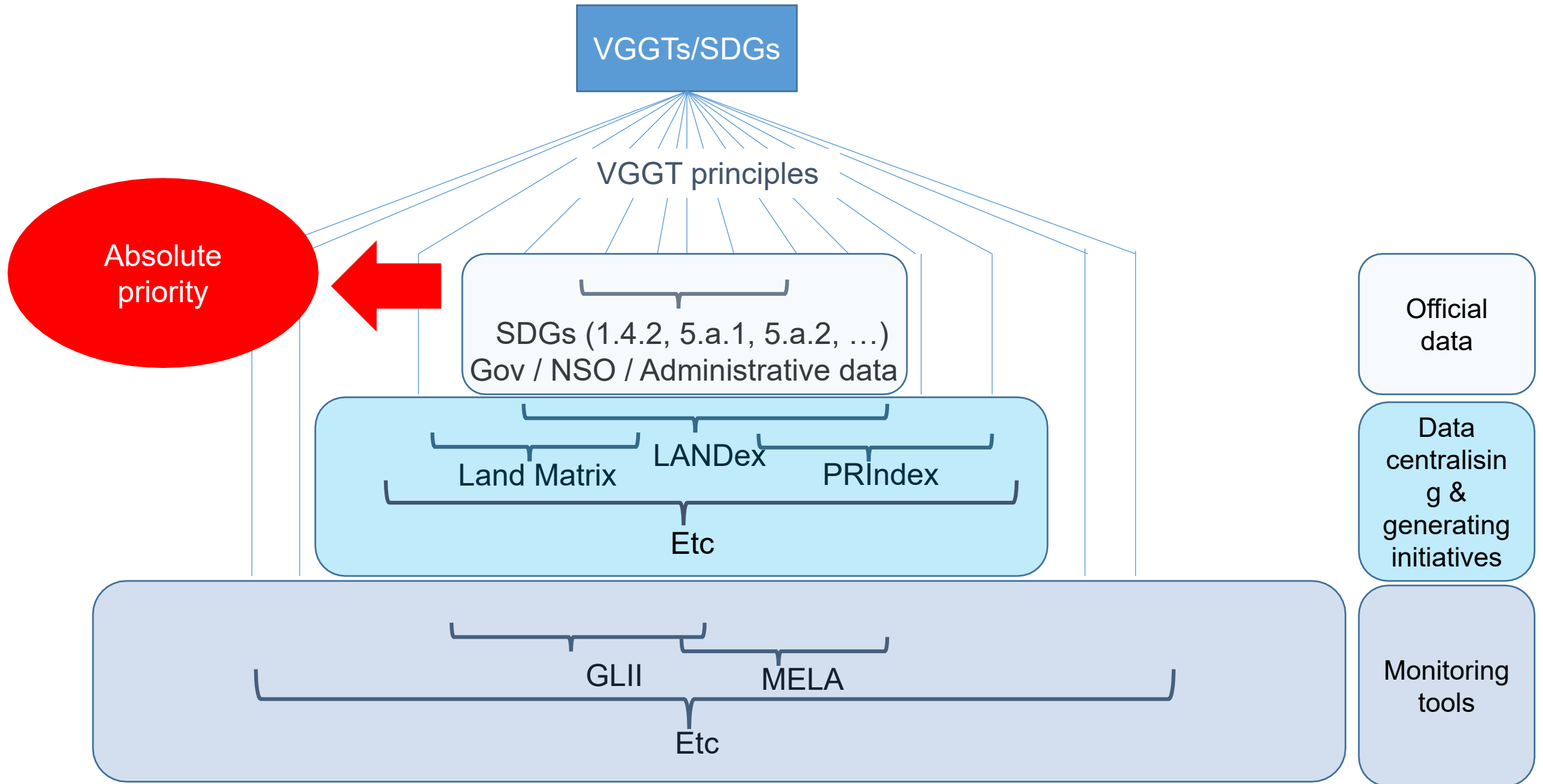
- Based on existing tools, indicators, methodologies
- Combining data centralising/generating initiatives with tool boxes ...
- ....which allows for
  - Data!
  - Ecosystems of data / sources / methodologies / actors
  - Broad coverage of global frameworks
  - Development of country specific tools
  - National conceptualisation and ownership

# A multi-layer approach

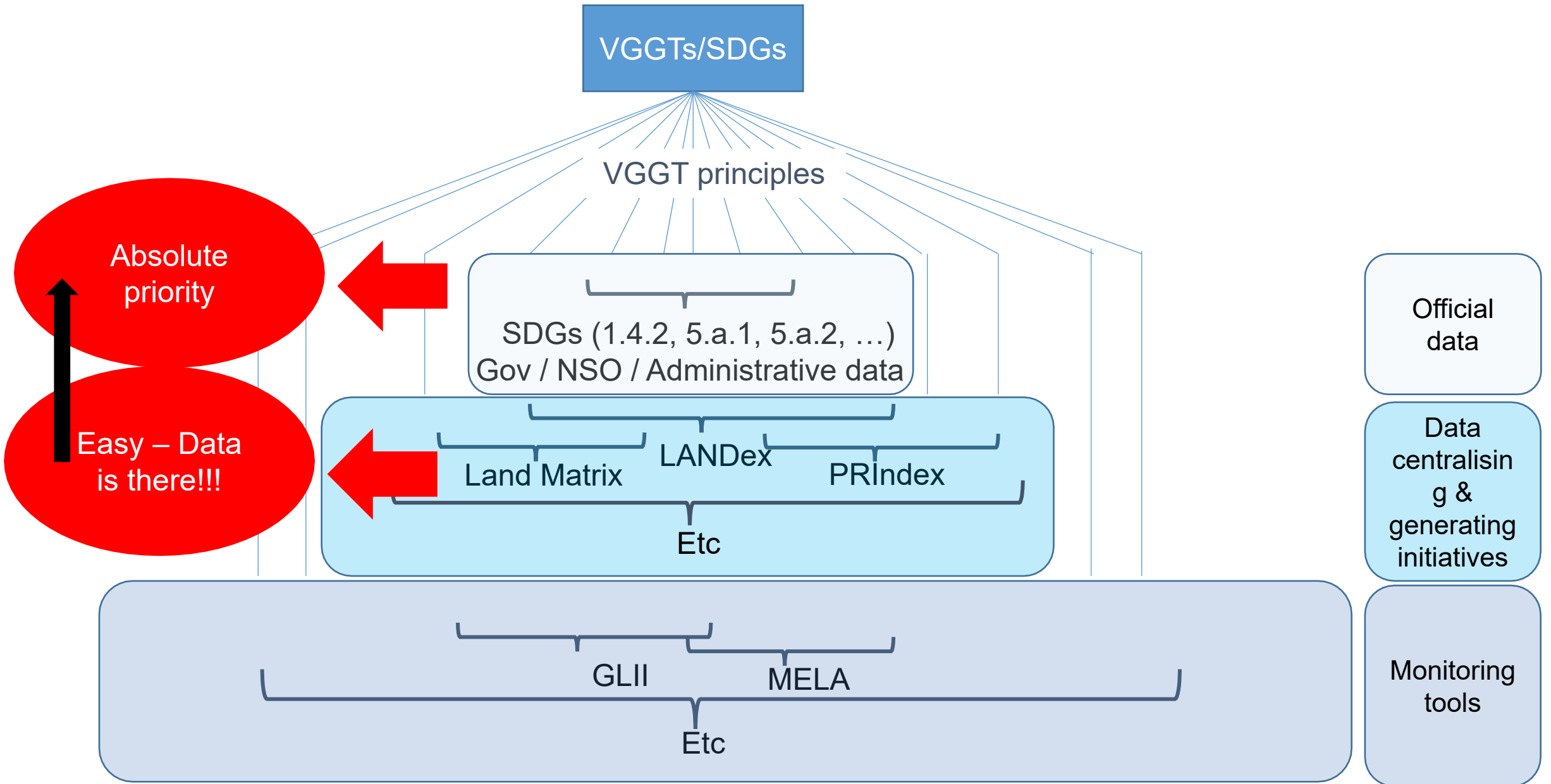




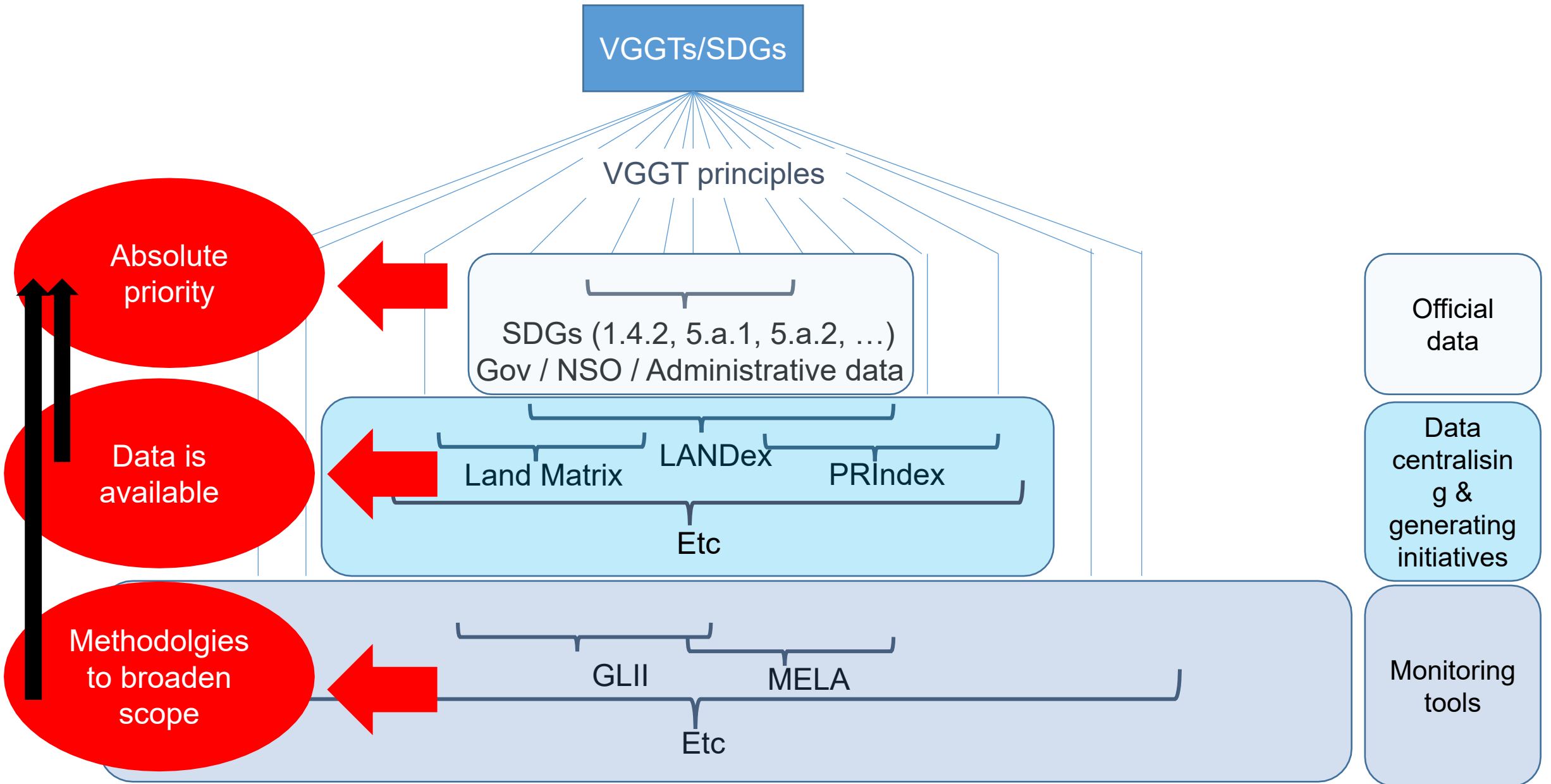
# A multi-layer approach



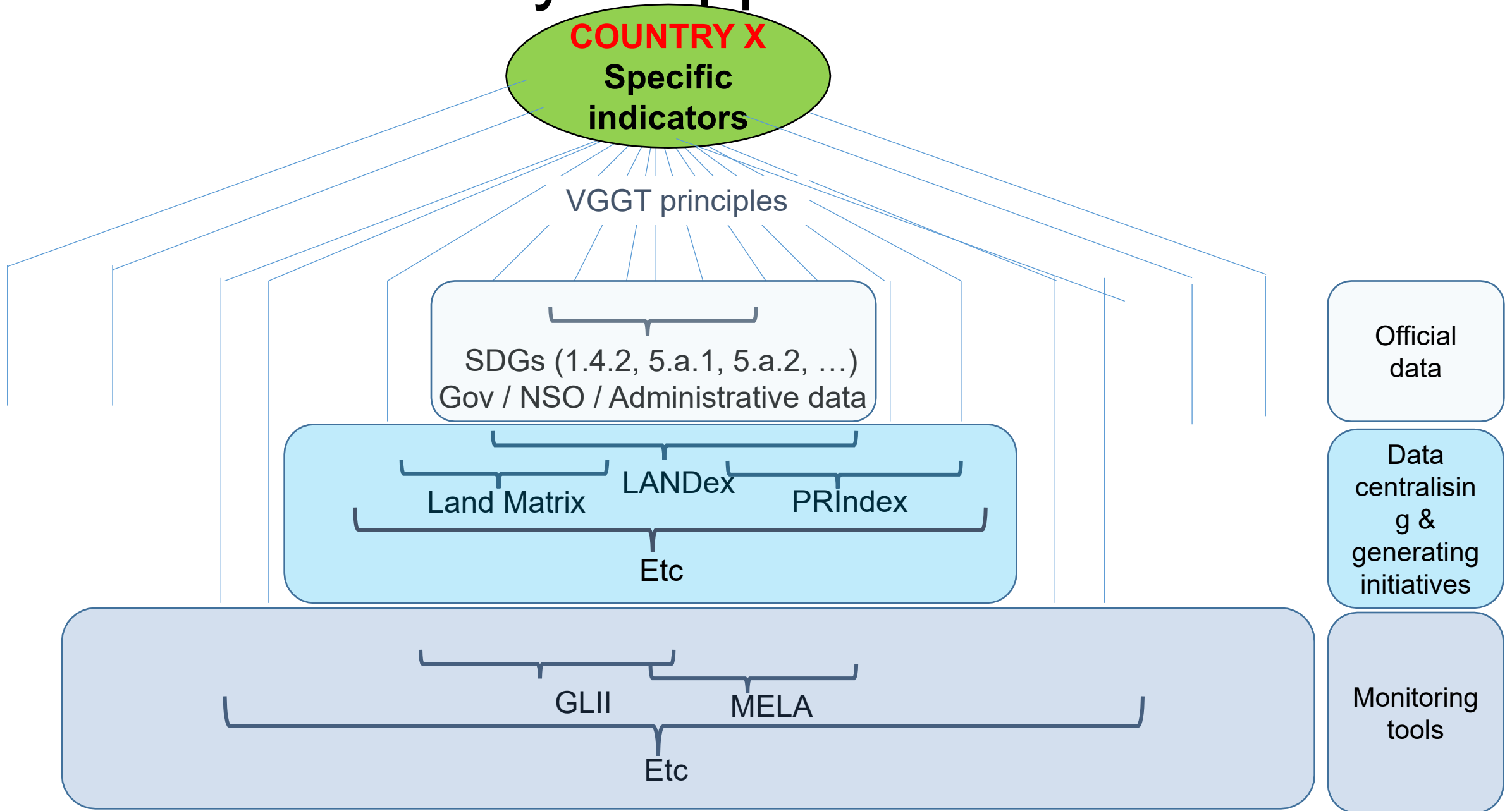
# A multi-layer approach



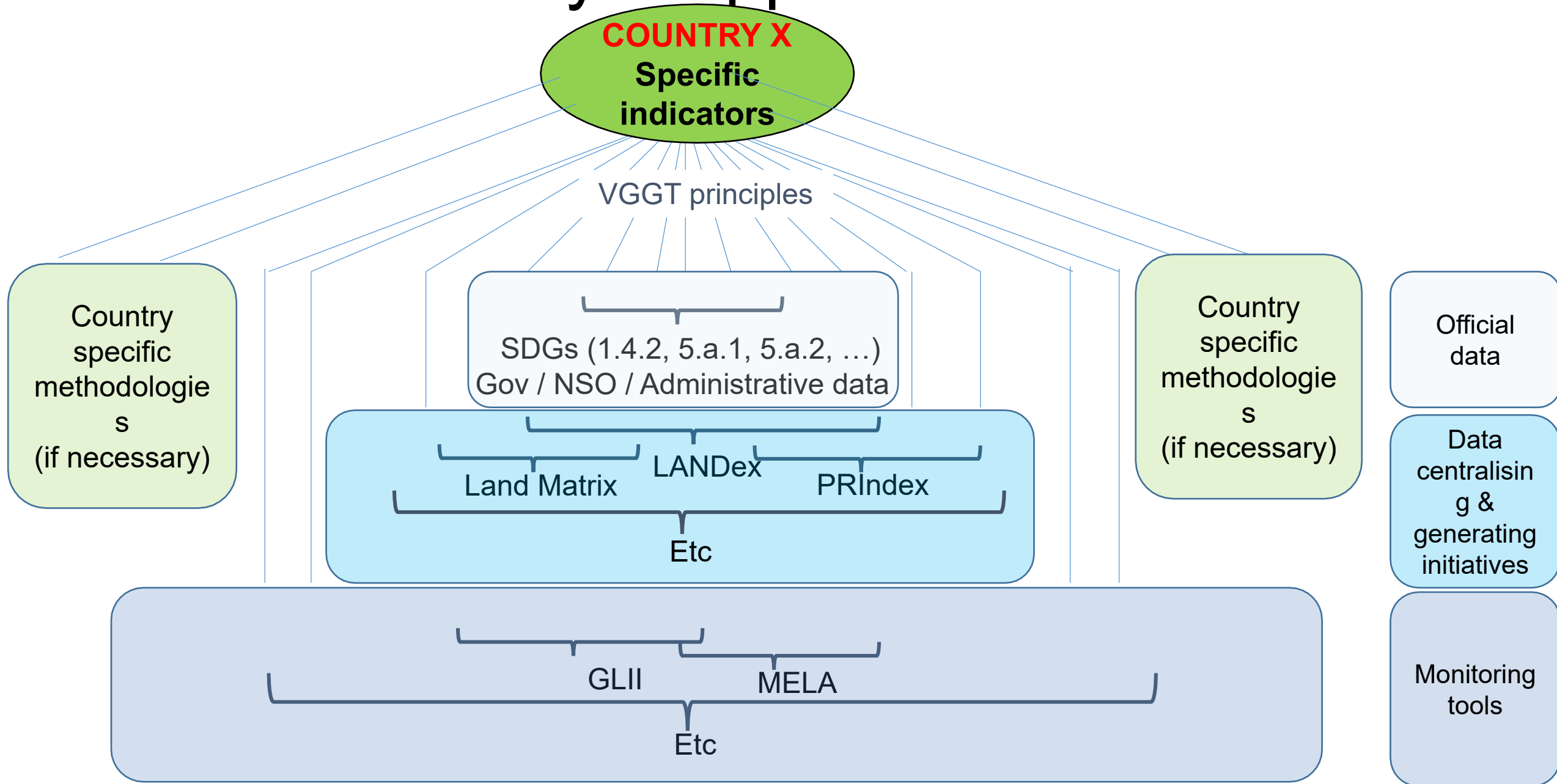
# A multi-layer approach



# A multi-layer approach



# A multi-layer approach



# Indicator coverage - theoretical

Example: SDG implemented / VGGT coverage

	LANDe x	SDG	Land Matrix	GLII	MELA	PRInd ex*	VGGT coverage
Principles covered	43	21	22	11	23		55
Areas covered	18	15	12	9	12		21
% principles covered (161)	27	13	14	7	14		34
% areas covered (23)	78	65	52	39	52		91

\* Assessment of alignment still to be done



# Some coordinated efforts

Can be – geographic / thematic

- Country level: land observatories (Senegal, Laos, Argentina, ....)
- Regional level: regional land monitoring initiative of Cambodia
- Global level:
  - Global Land Governance Report
  - Global Land Observatory



Coordinated ≠ full  
standardisation

# Conclusion

- 1) Development of a **multi-layer monitoring approach**
- 2) ....broad POTENTIAL coverage, allowing for standardisation (regional/global) and specification (country)
- 3) ....by assuring broad alignment and possibility of integration of number of indicators/monitoring initiatives.

# “Informally” Secure and Governed

---

Monitoring Land Governance and Land Tenure Security in the Arab Region – North Africa Sub-Region  
Rasheed for Integrity and Transparency



Safiya EL GHMARI

Amman, March 2021



# **“Informally” Secure and Governed**

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**Monitoring Land Governance and Land Tenure Security in the Arab Region – North Africa Sub-Region**  
Rasheed for Integrity and Transparency

Safiya EL GHMARI

Amman, March 2021

# Outline

- General Tenure Framework in Morocco
- SDGs in Morocco : Assessment & Trends
- Urban Informality : What if ?

“Land as a lever for sustainable development  
and social inclusion”

2019, CESE



# General Tenure Framework in Morocco

## Pluralistic System

“Colonial legislation therefore rules out the solution of the eminent domain of the sultan on all the lands of the kingdom and opts for a pluralist system. Moroccan land tenure will include both State Domain, Melk property, registered private property, habous land and finally collective land.” Nejib Bouderbala, 1999

## Obsolete legal texts

Indeed, the dahir governing the public domain of the State dates from **July 1, 1914** and that of the private domain, from **January 13, 1916**. Concerning the forest domain, it is a dahir of **October 10, 1917**, and for collective lands, it is that of **April 20, 1919**.

## Decree n° 2-18-181 du 2 rabii II 1440 – February 2019

Electronic management of land registration operations and related services.

# General Tenure Framework in Morocco

The Land Conservation Agency's information assets mainly consist of:

- **6,500,000** land titles at the end of 2020;
- **2034** topographic maps;
- **72** million hectares in ortho-images and ortho-photos;

# SDG Assessment - Morocco

## ▼ CURRENT ASSESSMENT – SDG DASHBOARD



■ Major challenges ■ Significant challenges ■ Challenges remain ■ SDG achieved ■ Information unavailable

# SDG Trends - Morocco

## ▼ SDG TRENDS



↓ Decreasing   → Stagnating   ↗ Moderately improving   ↑ On track or maintaining SDG achievement   ● Information unavailable

# Urban Informality

What if ?



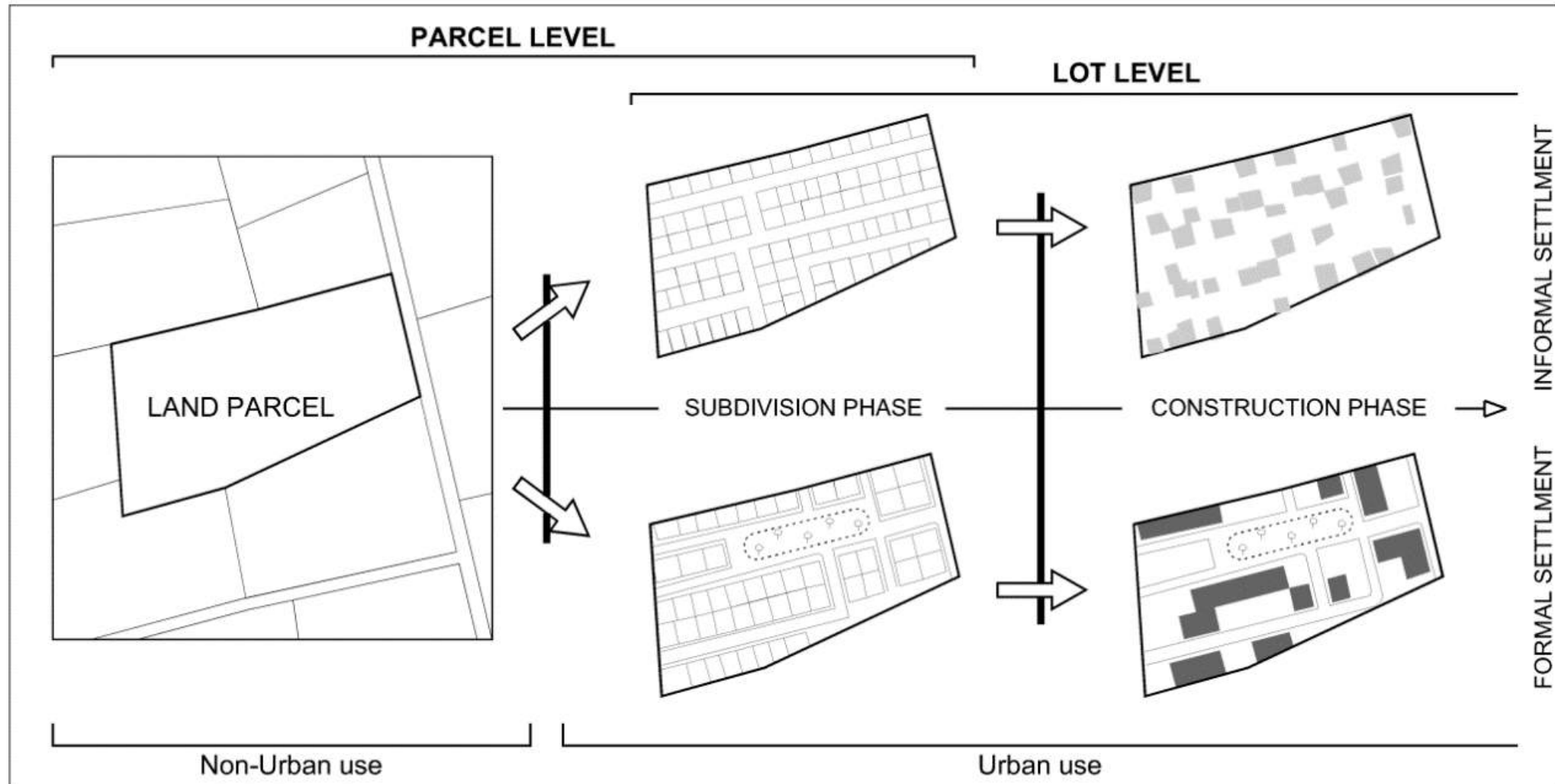
# Urban Informality

- § **Urban Informality**: the manifestation of informal processes in the urban environment.
- § **Informal Settlements**: dwellings that are not formally approved, slums and shanty towns. (Habitat insalubre, non réglementaire et bidons villes)
- § **Informal settlements** are characterized by rapid, unstructured **expansion**, **poorly constructed buildings**, and **destruction** of the local **ecosystem**. (Mason, Baltsavias, et Bishop 1997)
- § **Informal settlements** (often called "**squatter settlements**" or "**shanty towns**") may be defined as **dense** settlements comprising **communities** housed in **self-constructed shelters** under conditions of **informal** or **traditional** land tenure (Hindson & McCarthy, 1994).
- § UN-Habitat (2015), described it as the residential areas with one or more of the following characteristics: **1) Insecurity of tenure vis-à-vis the land use and/or the dwelling structures. The occupants are squatters living in informal rented or owned sheds/structures**; **2) Lack of basic facilities, services, and city infrastructure**; and **3) Non-compliance with urban planning building regulations. standards and is often situated within a geographically hazardous area.**





# Informal Processes



**Source:** Younous LAHBOUB, « DEVELOPPEMENT URBAIN DURABLE POUR LES PETITES VILLES DES PAYS EN DEVELOPPEMENT: Apport de modélisation de l'extension urbaine, Application à la ville de Kasba Tadla au Maroc »

# **Informality** *Land Governance*



Order **WITHOUT** Planning  
Building **WITHOUT** Architects  
Governance **WITHOUT**  
Bureaucrats  
Access **WITHOUT** Ownership

Undoing Property, by Ananya Roy



Property is, thus, a construction that regularly conceals its genesis.



# FONCIER ET CORRUPTION

À TRAVERS LA PLANIFICATION ET LA GESTION URBAINE:  
SYSTÈME FONCIER ET POUVOIRS LOCAUX AU MAROC

Présenté par :RYADI Habiba

11 Mars 2021

# PLAN

## Introduction

1. **Complexité du foncier au Maroc**
2. **Cartographie des risques potentiels de corruption dans le secteur de l'urbanisme et de l'immobilier**
3. **Processus de la planification Urbaine**
4. **Anomalies au niveau juridique et réglementaire**
5. **Dysfonctionnements en amont**
6. **Dysfonctionnements au cœur du processus**
7. **Dysfonctionnements partiellement corrigés**

## Conclusion - recommandations



# INTRODUCTION

La problématique liée à la transparence dans le domaine du foncier

- Urbanisme : 7 % du PIB
- Foncier : terrain ou construction
- Investissement sûr , facile, rémunérateur, Rente
- Valorisation du foncier : investissement ou affectation potentielle
- Autorisations / connivences diverses

# Complexité du Foncier au Maroc

## Statuts différents

Melk (avec ou sans titre de moulkiya)

Collectif

Guich

Habous

Domaines public de l'Etat

Domaine forestier

Domaine privé de l'Etat

Réforme agraire

**NB :** La majorité de textes de loi datent du début XX siècle



## Régimes différents

\* Régime de l'immatriculation foncière : Immatriculé (15%) /Non immatriculé (85%)

\* Régime titre Khalifien : au Nord, titres attaquables, plan non rattachés à une référence , n'est plus en vigueur , mais ..

\* Régime traditionnel : Moulkiya : absence de publicité, difficulté de crédits, multitude de litiges...



Multiplicité des acteurs

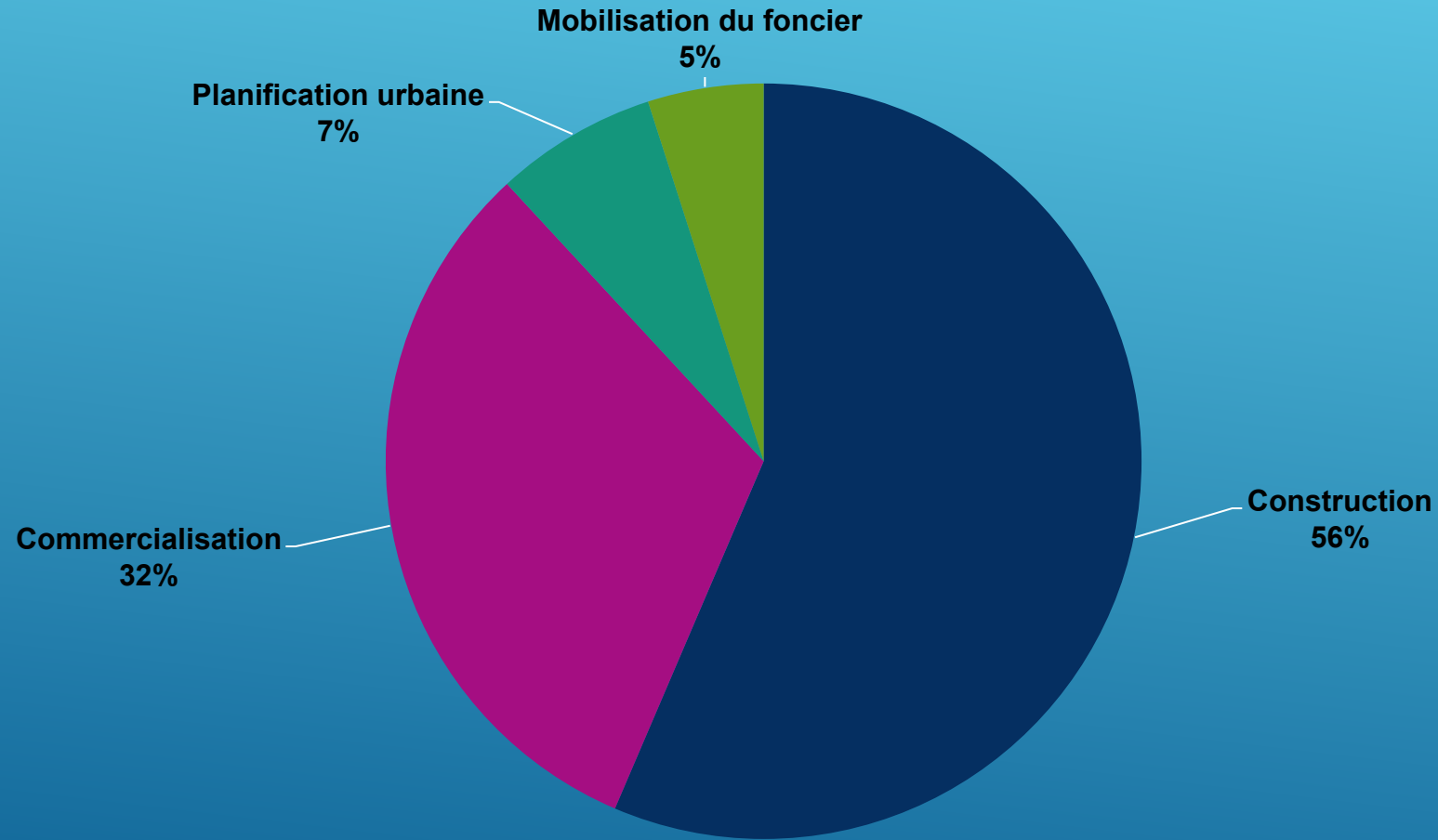
## Dualité dans le cadre légal et administratif

Droits de propriété traditionnels et modernes



Indivision

# CARTOGRAPHIE DES RISQUES POTENTIELS DE CORRUPTION DANS LE SECTEUR DE L'URBANISME ET DE L'IMMOBILIER

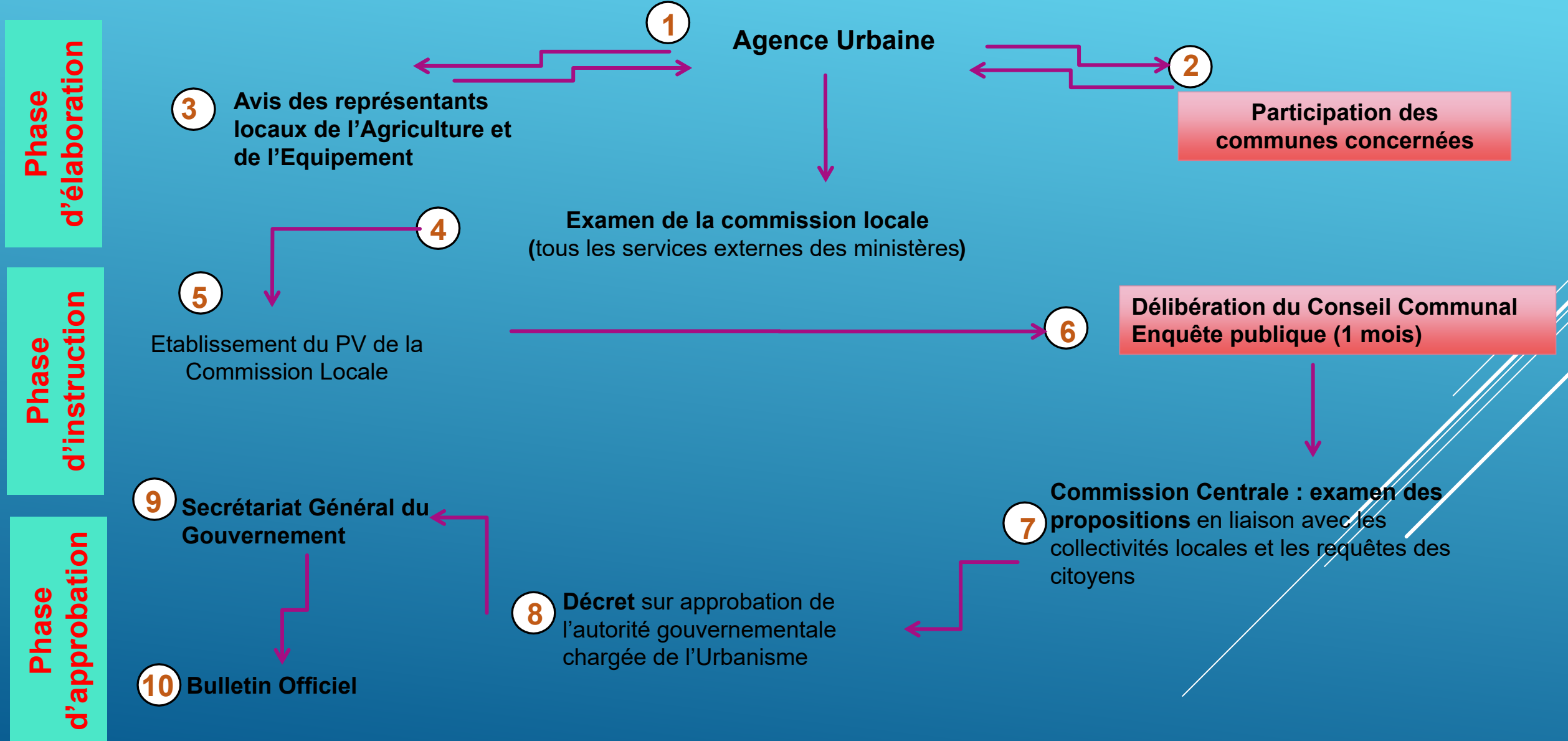


Source : Etude du MATNUHPV - mai 2019

# PROCESSUS DE LA PLANIFICATION URBAINE



# ETAPES D'ÉLABORATION DU P.A.



# ANOMALIES AU NIVEAU JURIDIQUE ET RÉGLEMENTAIRE

- ü Insuffisance d'application des lois en vigueur. Des documents importants tels que le SNAT et les SRAT restent sans effet - Non application de la hiérarchisation des documents d'urbanisme;
- ü La loi est faite pour être détournée : dérogations, plans sectoriels .
- ü Limites de voies de recours lors des phases de préparation des documents particulièrement pour les petits pétitionnaires ;
- ü Deux grands dysfonctionnements dans les textes juridiques régissant l'urbanisme :
  - Ø Des dispositions contenues dans les textes juridiques qui sont mises en veilleuse ;
  - Ø Des dispositions juridiques mal rédigées ouvrant la voie à des interprétations diverses.
- ü Blocage (par les élus) de l'adoption des lois 42-00 et 42-07 constituant le projet de code de l'urbanisme.



# DYSFONCTIONNEMENTS EN AMONT

## Problèmes de vision et de conception des documents

- Écarts des documents d'urbanisme qui ne répondent pas aux besoins des habitants, notamment l'offre en espaces publics et de loisirs et en transports.
- Faible valorisation des terrains destinés par les plans d'aménagement aux équipements publics (près de 20%)
- Les PA de certaines villes ont été obsolètes durant plusieurs années et quasi absence des élus dans l'instruction des dossiers.
- La construction en hauteur est peu adoptée pour atténuer l'étalement des villes.
- Pas de vision du foncier public sur le long terme. La réserve de l'Etat s'amenuise car le foncier public est cédé, sans concurrence, à des prix préférentiels.

## Iniquité foncière

- La justice foncière suppose un passage de l'économie de rente à l'économie productive avec un rôle de régulation qui n'est pas joué par les dépositaires du foncier public et de l'urbanisme.
- La contribution aux infrastructures et aux équipements est inéquitable : favoritisme des grands promoteurs qui bénéficient des réserves foncières publiques à des prix préférentiels.
- L'extension des périmètres urbains est faite souvent dans des objectifs de surenchérissenent et de spéculations foncières.
- L'adoption des documents d'urbanisme comporte un haut risque de corruption puisqu'elle a un fort impact sur l'enrichissement ou l'appauvrissement des propriétaires fonciers.
- Le mitage des parcelles et la non mise en œuvre du remembrement foncier pour des aménagements cohérents sont des sources de corruption et d'iniquité foncière.

# DYSFONCTIONNEMENTS AU CŒUR DU PROCESSUS

## Malversations liées aux marchés d'étude

- Les orientations préconisées par les concepteurs des documents d'urbanisme lorsqu'elles ne vont pas dans le sens de l'intérêt des lobbys risquent de faire allonger les délais d'approbation, ce qui nécessite l'allègement des procédures d'élaboration et d'approbation.
- La validation des orientations des documents d'urbanisme obéit souvent à des considérations personnelles des acteurs locaux.
- Les montants relativement dérisoires de passation des marchés d'étude des PA et des SDAU ouvrent la porte aux malversations entre cabinets d'étude et propriétaires fonciers aux lobbys et leurs intermédiaires ;
- Les procédures de l'élaboration des documents d'urbanisme ne sont pas indépendantes des influences des notables qui sont généralement les élus locaux.

## Procédures de gestion

- Règne de l'impunité et pouvoir discrétionnaire élevé des décideurs.
- Insuffisance de la mise en œuvre de la décentralisation et du rôle de régulation à jouer par les dépositaires institutionnels
- Les AU et l'urbanisme relèvent du gouvernement central mais l'approbation des documents d'urbanisme est fortement influencée par les walis et gouverneurs.
- Les délais d'instruction des dossiers sont très longs avec les remarques des membres des commission en cascades ;
- Absence des concepteurs, architectes et ingénieurs, dans les commissions d'instruction des dossiers de demande d'autorisation de construire et de lotir.
- Les acteurs intervenant dans le processus d'octroi des autorisations sont trop nombreux ;

# DYSFONCTIONNEMENTS PARTIELLEMENT CORRIGÉS

## Pratique de la dérogation

- contournement de la loi en diluant les responsabilités et remettent en cause les principes du développement urbain durable
- La dérogation s'est invitée en raison du contexte du déficit en logements social et en raison de PA non adaptés.
- Les dérogations ne sont pas toujours justifiées; la dérogation est plutôt politique que technique.
- La dérogation concernait 50% des dossiers en 2012 selon la cour des comptes, estimant que la transgression d'une règle juridique ouvre la voie à toute sorte de violation
- A présent, la dérogation tend à être remplacée par le recours aux plans sectoriels

## Faible dématérialisation des procédures

- Certains services de l'Administration sont accessibles via les portails Web : consultation des PA en vigueur, Note de renseignement, requêtes..., Cependant,
- la digitalisation n'élimine pas la grande corruption dans l'élaboration et l'approbation des documents d'urbanisme
- L'absence de concertation dans l'élaboration des processus de digitalisation limite les avantages de la dématérialisation et réduit la prévention du phénomène de la corruption

# CONCLUSION

Conflit d'intérêts

Mauvaise  
communication  
lors de  
l'enquête  
publique

Favoritisme  
entre les  
propriétaires  
des terrains

Délit d'initié

**Enrichissement  
illicite**

# RECOMMANDATIONS

- *la nécessité de respecter la loi, notamment la hiérarchie des documents d'urbanisme en renforçant les effets du SNAT, des SRAT et des SDAU ;*
- *la révision du mode de passation des marchés d'étude des documents d'urbanisme en focalisant la compétition sur la compétence des équipes et la probité de leurs membres, et non sur les prix qui doivent être arrêtés par l'administration ;*
- *Mobiliser le foncier public pour réguler le marché foncier en favorisant l'économie productive ;*
- *Promulgation des codes de l'urbanisme et de la construction pour engager la décentralisation de la gestion de l'urbanisme, et ce dans le sens d'une réduction des délais et la simplification des procédures;*
- *Elaboration et promulgation d'un texte juridique relatif à la gestion du domaine communal ;*
- *Supprimer tout pouvoir discrétionnaire pour recourir exclusivement aux dispositions légales et réduire au maximum les zones d'opacité ;*
- *Mise en œuvre des dispositions visant la lutte contre la fraude et la malversation ;*
- *Privilégier la dématérialisation des procédures ;*
- *Encourager les initiatives visant l'équité foncière dans la conception des documents d'urbanisme, la réalisation des infrastructures et des équipements, ainsi que dans la cession des terrains publics aux investisseurs privés.*
- *Prévoir un partage approprié de la plus-value foncière des terrains intégrés par les documents d'urbanisme aux périmètres urbains.*

**MERCI**





# ***La sécurité foncière En Tunisie***

**Ms. Samira Ouadday – INS**

# Plan

1. Historique du foncier en Tunisie
2. Existant en termes de statistiques sur les droits fonciers
3. Qualité des données disponibles
4. Tunisie pays pilote: Adoption du module commun du foncier

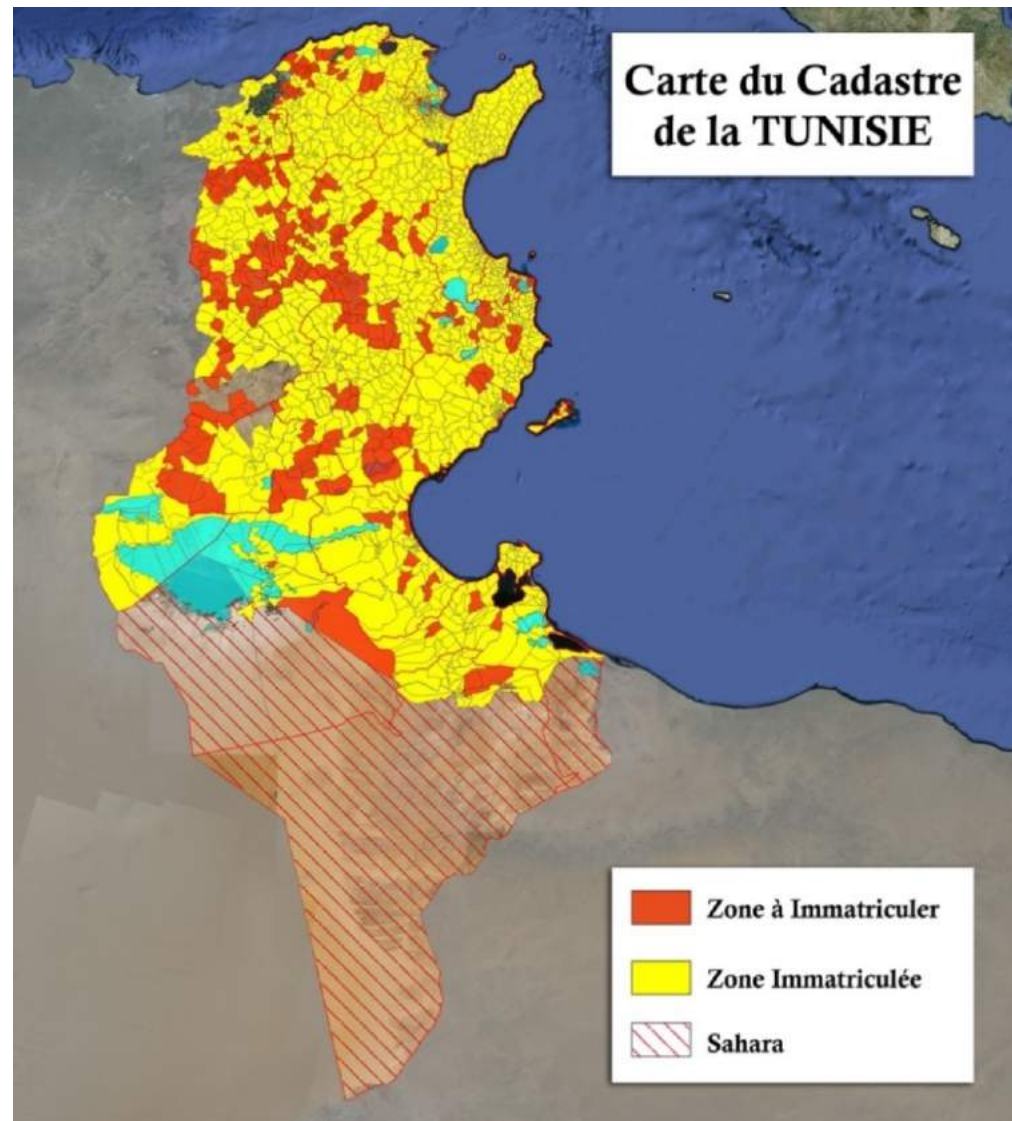
# Gouvernance foncière: Historique(1)

- Avant le protectorat , le régime foncier de la Tunisie était régi par le **droit musulman**
  - Ø plusieurs tenures foncières traditionnelles
- Avec l'arrivée du protectorat (1881)
  - Ø Introduction du **droit positif** et l'établissement du code de la propriété foncière

# Gouvernance foncière: Historique(2)

- Après l'indépendance:
  - Ø Instauration de la propriété foncière individuelle et l'immatriculation **obligatoire**
  - Ø les **objectifs**: unifier le système des droits fonciers, mettre fin aux régimes des terres en indivision et des habous, dynamiser le marché foncier,...
- Résultats:
  - Ø le cadastre tunisien couvre **85 %** des surfaces immatriculables
  - Ø Persistance du régime musulman au niveau de quelques terres: les terres collectives, Hbous,...

# Gouvernance foncière: Etat Actuel



# Statistiques sur les droits fonciers

- Actuellement le système Statistique Tunisien est **dépourvu** de données précises permettant d'évaluer la sécurité foncière (ODD) en Tunisie
- Enquêtes auprès des ménages : données **limitées**
  - Ø Enquête par grappes à indicateurs multiples (MICS)
  - Ø Enquête Nationale sur le Budget, la Consommation et le Niveau de vie des ménages



# Enquête par grappes à indicateurs multiples (MICS)

HC14. Est-ce que vous ou quelqu'un d'autre vivant dans ce ménage est propriétaire de ce logement ? Si "Non", demander : Louez-vous ce logement de quelqu'un d'autre qui ne vit pas dans ce ménage/ou c'est un logement gratuit ?	PROPRIETAIRE _____ 1 LOCATAIRE _____ 2 A TITRE GRACIEUX, PROPRIETE DE L'ETAT _____ 3 A TITRE GRACIEUX PROPRIETE FAMILIALE _____ 4 AUTRE (préciser) _____ 5
HC15. Est-ce qu'un membre de ce ménage a de la terre qui peut être utilisée pour l'agriculture?	OUI _____ 1 NON _____ 2
HC16. Combien d'hectares de terres agricoles les membres de votre ménage possèdent-ils ? Si moins d'un hectare, enregistrer '00'.	HECTARES _____ 95 OU PLUS _____ 95 NSP _____ 98
HC17. Est-ce que ce ménage possède du bétail, des troupeaux, d'autres animaux de ferme ou de la volaille ?	OUI _____ 1 NON _____ 2
HC18. Combien d'animaux suivants votre ménage possède-t-il ? [A] Vaches laitières ou taureaux ? [B] Autre bétail ? [C] Chevaux, ânes ou mules ? [D] Chèvres ? [E] Moutons ? [F] Poules ou volaille ? Si Non, enregistrer '00' Si 95 ou plus	VACHES LAITIERES OU TAUREAUX.... _____ AUTRE BETAIL..... _____ CHEVAUX, ANES, MULES ..... _____ CHEVRES ..... _____ MOUTONS ..... _____ POULES OU VOLAILLES ..... _____

- Une question sur la propriété du logement visité
- Une autre sur la possession de terres agricoles

# Enquête par grappes à indicateurs multiples (MICS)

## Evaluation des données de l'Enquête

- Les questions posées permettent seulement d'identifier la **proportion de la population agricole**
- Enquête **non périodique**: Dernier passage en 2018, celui d'avant en 2011
- Les données collectées sont **limitées** ne permettent pas :
  - Ø le calcul de l'indicateur 5.a.1 et l'indicateur 1.4.2
  - Ø le suivi des progrès accomplis pour les deux

# Enquête Nationale sur le Budget, la Consommation et le Niveau de vie des ménages

استمارة النوع الاجتماعي

<p>1 العدد الرتبى للفرد الذي تم إختياره:</p>	
<p>2 هل تشتغل؟</p> <p>1- نعم، عمل منتظم</p> <p>2- نعم، عمل غير منتظم</p> <p>3- لا، أعمال منزلية</p> <p>4- لا، تلميذة أو طالبة</p> <p>5- لا، حالة أخرى</p>	<p>9 إن كانت الأسرة مالكة للمسكن الذي تقطن فيه، هل هو على ملك؟</p> <p>1- المستجوبة</p> <p>2- الزوج</p> <p>3- ملكية مشتركة</p> <p>4- آخر ذكر</p> <p>5- آخر أنثى</p>
<p>3 العمل بأجر</p> <p>4 الأعمال المنزلية</p> <p>5 أعمال أخرى</p>	<p>10 هل تملك المستجوبة أرضاً أو عقاراً؟</p> <p>1- نعم</p> <p>2- لا (&lt; 12 م)</p>
<p>6 بالنسبة للعمل الذي تقومين به، هل تتقاضين أجراً نقدياً أو عينياً أو لا تتقاضين شيئاً؟</p> <p>1- أجراً نقدياً</p> <p>2- أجراً نقدياً وعينياً</p> <p>3- أجراً عينياً</p> <p>4- لا أتقاضى شيئاً (&lt; 9 م)</p>	<p>11 إن نعم، هل تتحكم في إيراد أو ناتج هذا العقار أو هذه الأرض؟</p> <p>1- نعم كلياً</p> <p>2- نعم جزئياً</p> <p>3- لا</p>

- Module genre
- Les questions posées permettent d'Identifier :
  - Si les « femmes » dans le ménage possèdent des terres ou des immobiliers
  - Si la propriétaire Contrôle les revenus ou la production de sa propriété ou de son terrain

## Evaluation des données de l'Enquête

- Des statistiques qui donnent une idée sur la disparité **genre** pour la possession des biens immobiliers en général
  - Enquête **quinquennal périodique**
- Ø Les questions posées ne permettent pas le calcul de l'indicateur 1.4.2 et l'indicateur 5.a.1

# Données de Source Administrative

- Régime foncier **hybride**
- Immatriculation foncière **pas totalement obligatoire**
- Le Système d'Immatriculation Foncière moderne, **technologie de pointe**
  - Ø **Mais** ne couvre pas la totalité du territoire
  - Ø Bases de données **ne permettent pas de** cerner toute la population propriétaire disposant d'une documentation légalement reconnue

# Collecte de données pour la mesure de la sécurité foncière

- **Projet pilote**
- **En collaboration** avec l'ONU-Habitat
- Adoption du **Module Commun** pour la collecte des données sur la sécurité foncière
- **Intégration** du module au niveau de l'une des enquêtes de l'INS



# Adoption du «Module Commun du Foncier»

## Les étapes réalisées:

- Analyse approfondie du régime foncier Tunisien;
- Choix de l'enquête à laquelle le module sera intégré ;
- Arrêter la version du module appropriée en fonction des caractéristiques de l'enquête choisie,
- Adapter les questions du module choisi au contexte tunisien.

# Adoption du «Module Commun du Foncier»

En pratique:

- Fixer les différents types de régimes fonciers en Tunisie ;
- Choix de l'enquête Population et Emploi pour tester le questionnaire
- Version 5 du module,
- Traduction(langue arabe) et adaptation du questionnaire au contexte tunisien.

### المسح التجريبي حول حياة الأراضي لدى الأسر

السؤال 0 : هل تستغل أو تمتلك أو تتصرف أو تتحوز شخصيا أو أحد أفراد أسرته على قطعة أرض بصفة فردية أو بالمشراكة مع أشخاص آخرين، سواء كانت الأرض تحت تصرف أسرته أو تصرف أسرة أخرى، وأي كانت صفة الأرض (معدة للسكنى، تجارية، فلاحية، غابية أو مرعى)؟

2-2- نهضة الاستجواب

قائمة أفراد الأسرة والإرصادات الديمغرافية				الأراضي الفلاحية				الأراضي الغير فلاحية								
بالنسبة لعام 2006 وما قبلها (15 سنة نما فوق)	الإسم واللقب	الجنس	تاريخ الولادة	الحالة المدنية	هل تمتلك أو وثيقة قانونية لأحدى هذه الأراضي الفلاحية التي تمتلكها بصلة قرينة أو تتحوّل بالشراكة مع أشخاص آخرين؟	هل لديك الحق في توريث الحصص التي تمتلكها أو تتصرف فيها لأحدى هذه الأراضي الفلاحية؟	هل يوجد إسمك على الوثيقة؟	هل تمتلك أو وثيقة قانونية لأحدى هذه الأراضي الغير الفلاحية التي تمتلكها بصلة قرينة أو تتحوّل بالشراكة مع أشخاص آخرين؟	هل يوجد إسمك على الوثيقة؟	هل لديك الحق في توريث الحصص التي تمتلكها أو تتصرف فيها لأحدى هذه الأراضي الغير الفلاحية التي تمتلكها بصلة قرينة أو تتحوّل بالشراكة مع أشخاص آخرين؟	هل يوجد إسمك على الوثيقة؟	(أعطي الإجابة للأراضي الثلاثة الأتري)				
												الأرض الأولى	الأرض الثانية	الأرض الثالثة		
1-	2-	ذكر	1- أعزب 2- متزوج 3- أرمل 4- مطلق	1- نعم 2- لا ع 12	1- نعم 2- لا ع 9	1- نعم 2- لا ع 9	1- نعم 2- لا ع 9	1- نعم 2- لا ع 15	1- نعم 2- لا ع 15	1- نعم 2- لا ع 15	1- نعم 2- لا ع 15	الأرض الأولى	الأرض الثانية	الأرض الثالثة		
01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17

# Adoption du «Module Commun du Foncier»

## Actuellement:

- Le test du questionnaire est en cours
- On prévoit de tester sur 500 – 600 ménages
  - Ø 4 gouvernorats
  - Ø 4 équipes pour la collecte
- Feedback du terrain:
  - Ø Des réticences de la part de certains ménages (si l'individu cible répond au questionnement)
- Premiers résultats: dans 4 semaines

شكرا على المتابعة

**MERCI POUR VOTRE ATTENTION  
THANK YOU FOR YOUR  
ATTENTION**

# Land governance and land tenure security in Morocco

March 11, 2021



# Multiple stakeholders

- Differences in land status:
  - Habous
  - Domaines
  - Collective land
  - Eaux et Forêts
  - ...
- Differences in legal references
- Differences in governing body:
  - Ministry of Finance
  - Ministry of Habous and Islamic Affairs
  - Ministry of Agriculture
  - ...

# SDGs

- Availability of data?
- Indicator 1.4.2: proportion of total adult population with secure tenure rights to land, with legally recognized documentation and who perceive their rights to land as secure, by sex and by type of tenure
- Indicator 5.a.1:
  - (a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex
  - (b) share of women among owners or rights-bearers of agricultural land, by type of tenure
  - land titles owned by women: 0.04% (2014)
- Indicator 5.a.2: proportion of countries where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control:
  - restricted resources and entitlements – women access to land 0.5%

# Challenges

- Governance
- Distribution of Government-owned land: criteria of beneficiaries, prices, process?
- Urban planning
- Inheritance: fragmentation and discrimination

# Accomplishments

- Perceived tenure security: 68.2%
- Land registration: continuous progress

# حوكمة الأراضي الرعوية في السودان –التحديات والفرص من منظور معلوماتي

مهندس.مستشار.صلاح أبو كشوه  
مركز حوكمة الأرض (إستدامة)  
مارس، 2021



معاً للقضاء على الفساد  
TOGETHER TO END CORRUPTION



Land and Environmental C

# طبيعة مربى الماشية في السودان

## تصنيف بطبيعة الرعي

- الرعاة المستقرون: يمارسون الزراعة ويربون الماشية عليها.
- الرعاة شبه الراحلون: يحتفظون ببعض الماشية في الدار، وبعضها يسير.
- الرعاة الراحلون: يرحلون بالكلية ولا يستقرون إلا في الدامرة ولفترات قصيرة ما بين المخرف والمصيف.

## تصنيف بطبيعة الماشية

- الأباله: تربية الإبل
- البقارة: تربية الأبقار
- الغنامة: تربية الغنم (ضأن ومعز)
- غالبا ما يخلط الأباله والبقارة مع قطعانهم شيئا من الغنم لسرعة تداوله في السوق.

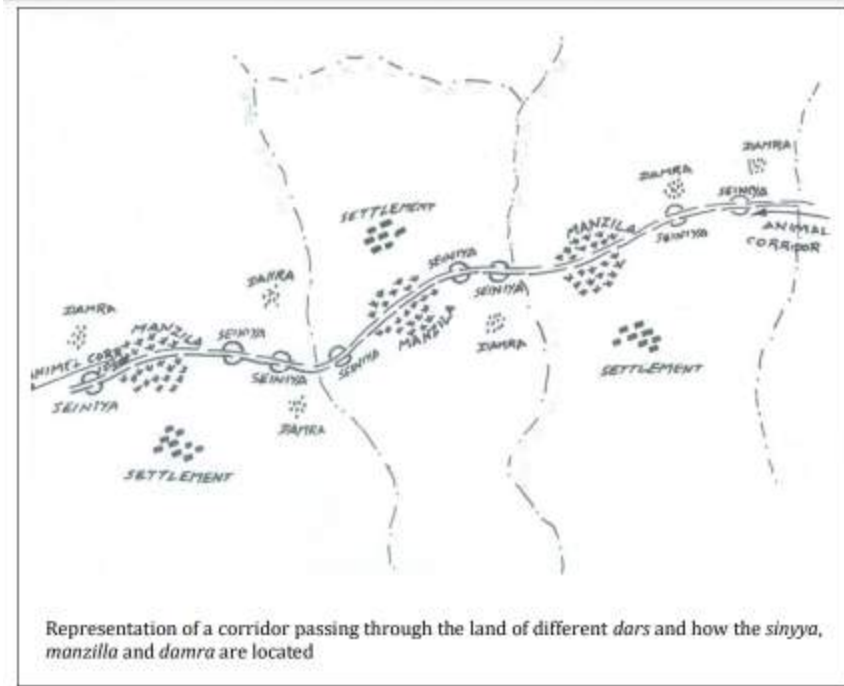


# الأرض للجميع والقطيع لي

- القطيع الحيواني مملوك لأفراد او عائلات، بينما الارض والمرعى ملك مشاع وبالتالي تنمية القطيع مسؤولية الراعي، وتدهور الارض ليس هناك من ساءل عنه.
- التوجه نحو المزارع المغلقة يلقي بعبء الحفاظ على الموارد على الراعي و يجعله مسئولا عن تصرفاته في الرعي المتجاوز.



# المرحال/ المسار transhumance routes



- يلتزمه الرعاة سنويا ولا يحددون عنه، خاصة المراحل الرئيسي. بينما تتغير المراحل الفرعية بحسب كمية الأمطار والتغيرات التي تحدث على الأرض والعلاقة مع المزارعين والأمن والسلامة.

يتم التحرك بناء على وسائل اتصال بأصحاب الأرض المحليين قبل وقت كاف، ومتوقع، لإنذار المزارعين بقدوم الماشية. يتم التحرك بناء على وسائل اتصال بأصحاب الأرض المحليين قبل وقت كاف، ومتوقع، لإنذار المزارعين بقدوم الماشية.

# مكونات الأرض في المرحال

- المرعى Range
- الماء السطحي
- الغابة : الطلح والكتر والسيال *Acacia*  
(*seyal/melifera/tortilis*)
- السهل والجبل
- النهر
- السوق
- الدامرة والدار
- المنازل



# دور أراضي المرحال والمراعي

- تساهم المراعي بحوالي 80% من العلف لقطيع الماشية في السودان.
- تلعب دوراً هاماً في الحفاظ على التربة وتجديدها وتخصيبها.
- تحافظ على التنوع البيئي والنباتي.



# نزاعات المرعى والمرحال

- على الرغم من عدم امتلاكهم للأرض بصورة رسمية، يتحكم الرعاة في مناطق مسارهم باتفاق المجتمعات القاطنة.
- هنالك طرق للحوكمة في مناطق المرحال تجمع ما بين الساكنين والراجلين.
- طبيعة النزاعات:
  - نزاعات مع المزارعين على الأرض
  - نزاعات مع السكان حول مصادر المياه والمرعى المحيط بها
  - فض النزاعات يتم بالطرق التقليدية
- مشاكل استخدام حق حيازة الأراضي كعناصر لبداية القتال.
- مشاكل مصادرة الأراضي وحرمان الرعاة من استخدامها.



# إقتصاديات المرحال والمرعى

- أم دورور: أسواق تجمع ما بين المزارع والراحل، وهي مناطق معروفة ولها مواقع مكانية وجغرافية تخدمها، وتساهم في تحسين الاسواق المحلية والتنمية الاقتصادية





# حقوق المرعي

- تعترف القوانين في السودان في حالات نزع الاراضي وتغيير استخدامها بحق المرعى والتخطيط للمجتمعات المحلية، ويتطلب الامر تعويض الخسائر منه.
- حقوق الاستخدام في المرعى هي حقوق عامة ولكنها محصورة لعشائر أو مجموعات سكانية معروفة ومتوارثة عبر الاجيال.
- بعض الارض متعاراف على ملكيتها بالحاكورة وهي محصورة الاستخدام لقبيلة محددة ولا يسمح باستخدامها للغير إلا بناء على اتفاق مسبق يحدد طبيعة ومدة الاستخدام

# علاقات الارض والمرعى

- يسمح للراعي باطلاق ماشيته في متبقي المزارع في فترة محددة (غالبا بعد فبراير) ويطلب من المزارعين بترحيل كل محصولهم قبل هذه الفترة لمنازلهم والمخازن. وما تبقى يصبح متاحاً.
- هنالك علاقة تكاملية بين المزارع والراعي



# أثر قوانين الأرض على المرعى

- من خلال قانون 1970 للراضي غير المسجلة استطاع المزارعون تسجيل اراضي كبيرة في الزراعة الآلية ولم يتمكن الرعاة من تسجيل المرعى
- حل الادارة الاهلية في 1971 ولم يضع لها بديلا وبالتالي ازدادت نزاعات الأرض والمرعى.
- تمويل أنشطة المراعي ترك للمستوى المحلي (دون الاقليم) وينقصه التمويل

# التحديات العامة

- الضعف الكبير في تعريف ملكية وحقوق الارض في المراعي والمياه.
- عدم تصنيف الملكية بالنوع
- قوانين المراعي غير مجازة في الولايات.
- مشاريع الزراعة الالية أضرت بمساحات المرعى والعلف، واغلقت مسارات الرعي. مثل مزرعة كنانة.
- كمثال: تأثرت مراعي كنانة ورفاعة بمصنع كنانة، ومراعي البقارة بمشروعات البترول في كردفان.

# التحديات المرتبطة بالمعلومات والمتابعة والتقييم

- تقوم استدامة بدراسة قوانين الاراضي وأوضاع المرأة والأرض العرفية: ضعف المعلومات الحديثة، صعوبة الوصول للمعلومات، المعلومات غير مصنفة بالنوع الاجتماعي؟

## • الخطوات للحل:

- بناء شبكة معرفية في مجال حوكمة الارض، نقل تجربة الدول الأخرى (هولندا، أي تي سي جامعة تونتا، جامعة اوترخت، شبكة الشركاء مثل رشيد ...)

- من خلال إشراك عدد من المختصين السودانيين نتوقع ان يقوموا بالمبادرة في مجال الحوكمة ....
- هناك حاجة لدورات أكثر تفصيلا في منهجيات المتابعة والتقييم، منهجيات الحوكمة، منهجيات فض المنازعات..
- من خلال التعاون بين استدامة والشبكة الدولية هناك مشاريع قائمة، ومع شبكة حوكمة الارض في هولندا، وكذا هناك مشروع يجري اعداده مع برندكس لدراسة مؤشرات حيابة الأراضي في السودان.
- نتطلع للتعاون مع شركاء آخرين مثل NELGA, ILC,



# توصيات

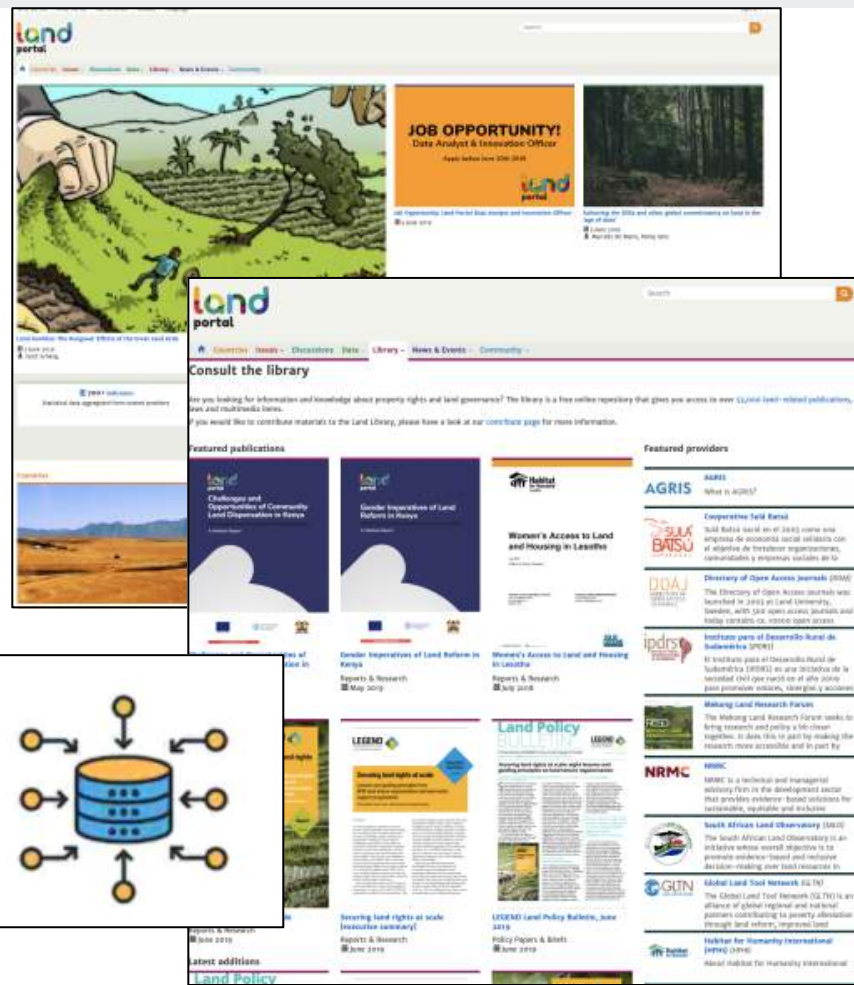
- إصدار قانون خاص بأراضي المراعي والمسارات.
- تقنين أرض المسارات.
- تنمية المسار.
- تنمية المرعى بزيادة كثافة النبات.
- توفير احقية قانونية لموارد المياه وتقنينها.
- التعاون مع شركاء آخرين مثل NELGA, ILC, GLII



[www.landportal.org](http://www.landportal.org)

# What is the Land Portal?

- Started as partnership project in 2009
- Our mission is to build an **information ecosystem** for land governance that supports better informed decision and policy making at national and international levels.
- Increasing access to land data from over 1,600 different sources
- 60% researchers and practitioners from global South using the Land Portal database





***Data is of value** when it is delivered into  
the hands of the **right people** in the **right**  
**context***

# How do we work?

1. **Aggregate data:** publications, statistical indicators, spatial layers
2. **Promote knowledge exchange:** platform open to all, webinars, online discussions
3. **Open Metadata + Open Access Resources**
  - Interoperability of libraries, through:



## A. Advice & capacity building

- Trainings, tutorials, partnerships (NELGA, talks with universities in MENA region)

## B. Enriching metadata

## C. Enriching standards

Picture source:  
[Surety Systems](#)

# Measuring land tenure matters



- Continued momentum & focus on data:
  - VGGT on the global level and the AU F&G at the regional level
  - Land indicators in the **SDGs**
- Increased investment in data collection & monitoring
- Prime opportunity to **measure impact**
- Crucial moment for the land sector to work together
- Opportunity to include **open data** in debate: **Open data** can be of service to these goals.



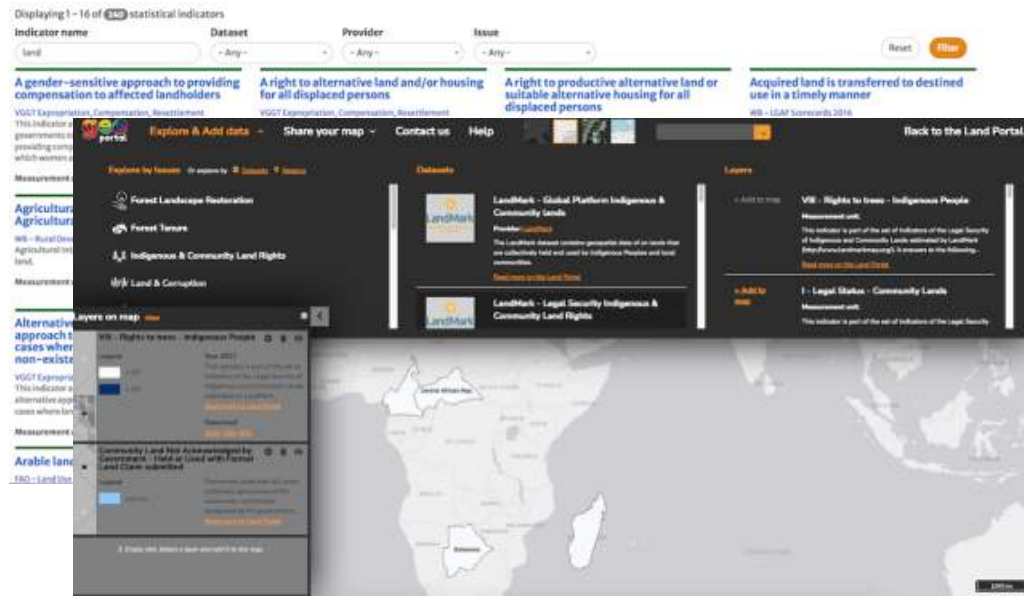
# How Land Portal contributes to land governance monitoring

We do not collect / 'produce' data, but we aggregate knowledge that helps with monitoring:

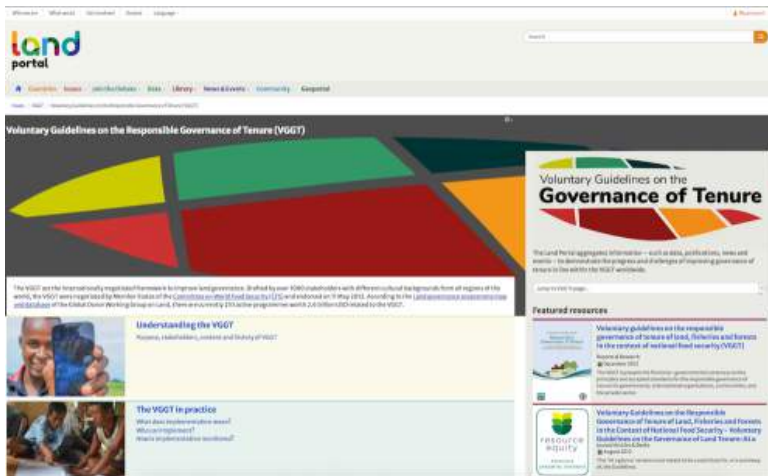
1. Land Library - publications as data
2. Statistical datasets - 725 indicators
3. Spatial datasets - 20 layers

## Statistical Data (indicators)

Explore our collection of open land data from around the world using a range of different statistical indicators to access datasets and filter results. All the data can be downloaded freely for use offline.



# Land Portal and the Land Monitoring portfolio



- Openly sharing info on the VGGTs: who's doing what where
- Information remains disperse and has not been tracked according to open data standards

- Platform launched in September 2017 together with the Global Land Tool Network (GLTN), with support from the Omidyar Network.
- Aim: make information related to the land indicators in the SDGs widely available.

<https://landportal.org/land-monitoring>

# Land Portal and the SDGs

## 5 Goals, 8 Targets & 12 Indicators

The platform covers:

- 1.4.2 on land tenure security including perception of tenure rights;
- 2.3.1 and 2.3.2 on smallholder farmers, what they earn and how much they produce;
- 2.4.1 on agriculture area;
- 5.a.1 on ownership and share of land rights of women;
- 5.a.2 on legal frameworks for women's land rights;
- 11.1.1, 11.3.1 and 11.7.1 relating to sustainable urban tenure and open spaces; and
- 15.1.1, 15.1.2 and 15.3.1 relating to forest areas, biodiversity and degraded lands.

	1.4.2
	2.3.1
	2.3.2
	2.4.1
	5.a.1
	5.a.2
	11.1.1
	11.3.1
	11.7.1
	15.1.1
	15.1.2
	15.2.1
	15.3.1

# Data at the country level



- Land governance briefs on **36 countries**  
- displaying the data we aggregate
- **A network of researchers and practitioners** prepare and peer-review
- Ca. 8 country portfolios from the Arab Region in 2021

The screenshot shows the 'land portal' website. The header includes navigation links: 'Who we are', 'What we do', 'Get involved', 'Donate', and 'Language'. Below the header is a search bar and a navigation menu with links: 'Countries', 'Issues', 'Join the debate', 'Data', 'Library', 'News &amp; Events', 'Community', and 'Geportal'. The main content area is titled 'Ghana - Context and Land Governance'. It includes a byline 'By Anne Hennings, peer-reviewed by Gordon Crawford, Coventry University' and a paragraph about Ghana's history and economy. A large image of a cocoa tree with orange pods is featured. To the right, there are two sections of indicators: 'Socio-economic indicators' and 'Land-related indicators', each with a 'Browse all' link. The 'Socio-economic indicators' section lists: Land Area (22,754,000 ha), GNI Index (-43.5), GDP/Capita (4,211.9 USD), Total population (29,767,108), and Urban population (56.1 %). The 'Land-related indicators' section lists: Agricultural land (69 %), Perceived tenure security (61.9 %), Primary forests (195,000 ha), Women owning land (3.3 %), and Area in deals (1,489,000 ha). At the bottom of the indicators section is a 'Share this page' link.