

PROGRESS TOWARDS THE SDG LAND RIGHTS COMMITMENTS

WHAT DID WE LEARN IN 2021?



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

Yet by 2020, Member States' ambitious commitments had not been followed with the necessary actions on the ground. [Our five-year review](#)¹ found some promising steps: some countries had localized these commitments into their national plans, allocated new resources, or advanced ambitious reforms. However, the majority had not prioritized land rights in their development agendas or undertaken significant action.

With only a few days to go before Member States reconvene for the 2022 High Level Political Forum, it is worth updating our review. What can we learn from the information submitted through the SDG reporting mechanisms in 2021? What have countries done to address their ambitious but critical cross-cutting commitments to ensure secure land rights for all, particularly for the poor, the vulnerable and the small producers, and to eradicate gender differences in these rights? This is the focus of our brief.

This assessment is particularly timely given that the 2021 High Level Political Forum reviewed progress towards SDG goals 1 and 2, and that the 2022 High Level Political Forum will review progress towards SDG 5. These are the three SDG goals which explicitly refer to land access and tenure rights.

WE ALL NEED TO DO OUR PART

Strengthening land rights is a complex and long-term endeavor — we want to acknowledge and highlight the steps that several countries have taken. As we do that, however, we must be unambiguously clear: the current rate of progress is utterly insufficient to close the tenure security gap by 2030. Reaching the SDG land rights targets will require strong political commitment and dedicated resources in all countries in order to enact concerted, deliberate and multi-sectorial efforts.

It is time for governments, development partners and civil society practitioners, experts and researchers to come together and pool their experience, expertise, resources and institutional reach. The post Covid-19 world we all hope for depends on whether people – everyone, everywhere – can count on secure land rights to protect their residences and their livelihoods.

¹ https://d3o3cb4w253x5q.cloudfront.net/media/documents/2020_9_sdg_5_years_later_1.pdf

In parallel, it is essential for countries to invest in the data infrastructure needed to diagnose the challenges in reaching the land rights targets, provide guidance to policy makers and decision-makers, track progress or lack thereof, and hold those vested with authority accountable. This requires agreement on what data to gather, how to gather it, from whom and for whom, and how to analyze it, report it and make it available, as well as resources and capacity for the data gathering, analysis and distribution.

It also requires shifts in the culture of the land rights sector so that we (a) make decisions based on data; (b) consider data that is centered on people rather than on farms, economic units, businesses or land plots; (c) acknowledge that data about the household head or provided only by the household head is insufficient and likely to be biased; and, (d) accept complementary sources of data that can fill important data gaps – including but not limited to global polls, research studies, and data collected from community based organizations or grassroots groups.

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

To address this need, the SDG Land Momentum Group and numerous partners are encouraging and supporting government and civil society organizations interested in leveraging the SDG land rights commitments through impactful and strategic reporting.²

To register for upcoming webinars describing the SDG Land Momentum Group's reporting work on land rights, please email info@landesa.org.

² Find more here <https://learn.landcoalition.org/en/learning-labs/how-to-report-on-sdg-land-targets-in-2021-introductory-session-for-government-partners/> and <https://learn.landcoalition.org/en/learning-labs/how-to-report-on-sdg-land-targets-in-2021-introductory-session-for-cso/>

BACKGROUND ON SOURCES

For the analysis that follows we have relied on two sources of publicly available information:

- » the 40 publicly available **Voluntary National Reviews (VNRs)**³ submitted to the 2021 High Level Political Forum by Afghanistan, Angola, Antigua and Barbuda, Azerbaijan, Bhutan, Bolivia, Cabo Verde, Chad, China, Colombia, Cuba, Cyprus, Czech Republic, Democratic People’s Republic of Korea, Denmark, Dominican Republic, Egypt, Germany, Indonesia, Iraq, Japan, Laos, Madagascar, Malaysia, Marshall Islands, Mexico, Namibia, Nicaragua, Niger, Norway, Paraguay, Qatar, San Marino, Sierra Leone, Spain, Sweden, Thailand, Tunisia, Uruguay, and Zimbabwe.
- » the **Global SDG Indicators Database**⁴ which contains annual entries for each SDG indicator for each country. At the time of this writing, the information publicly available in the database for the land rights indicators 1.4.2., 5.a.1 and 5.a.2 goes until 2019 and there is no information listed for indicator 5.a.2.

2021 VNRs AND REPORTING ON LAND TARGETS

The following section is an analysis carried out to assess what countries have reported on their SDG land rights commitments (targets 1.4, 2.3, and 5.a).

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

While most of the 40 VNRs we reviewed included comments around land, land access, land use or land rights, frequently these mentions were limited to descriptions of the country’s context, history or challenges.

Thus, to gauge the extent to which governments are moving toward fulfilling their SDG land rights commitments, we first screened for countries whose VNRs mentioned concrete actions such as a new or revised national strategy, legal or policy reforms, programmatic action, or similar measures.

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

Lastly, important as past actions might be, we look for actions that have taken place after the SDGs have been agreed upon and set in motion; that is, since 2015.

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

ANGOLA: reports adopting its Integrated Plan for the Acceleration of Family Agriculture and Fishing (PIAAPF) in 2020. Angola’s PIAAPF establishes “*guaranteeing land rights*” as a factor critical to its success and therefore seeks to simplify the process for registering land. Unfortunately, there is no indication in the VNR that the government prioritizes the inclusion of women and vulnerable groups.

Angola also reports that it is starting to revise its Basic Law of the Legal Regime of Land. However, the extent to which these revisions will advance the SDG land rights commitments is unclear: the VNR does not mention the type of changes being discussed nor the likelihood that they will be approved.

3 <https://sustainabledevelopment.un.org/vnrs/#keyword>
4 <https://unstats.un.org/sdgs/dataportal>

ANTIGUA AND BARBUDA: reports that the government recognizes that women have limited access to and control over land and is seeking new and innovative ways to address this through programs like land and housing and the provision of low-interest loans. However, the VNR does not provide specific information on these programs or what they have achieved to date.

AZERBAIJAN: reports providing housing for 2,505 martyrs' families and persons with disabilities between 2019 and 2020 as well as putting in place digital services that can help citizens obtain real-time information on property alienation, inheritance and other operations.

Its VNR also mentions a reduction of the tax burden of those involved in business activities deemed by the government as directly affected by the pandemic, and an increase in the social insurance fee of owners of agricultural land who were using it. Unfortunately, in the absence of more concrete information we are unable to determine whether these two measures result in net benefits and for whom.

CABO VERDE: reports enhancing its legal framework regarding the Land Registry as well as the functioning and data processing of the Property Information, Management and Transaction System. The VNR does not mention efforts to make them inclusive or gender sensitive.

CHINA: reports relocating more than 9.6 million people who chose to leave remote areas where it was hard to find a livelihood due to tough natural conditions, fragile ecosystems or frequent natural disasters.

China also reports issuing certificates to over 200 million farmers, extending by 30 years their current rights to contract land for agricultural production.

COLOMBIA reports:

- » Formalizing land for 33,500 small and medium farm families since 2016 in agreement with the Implementation Framework Plan of the Peace Agreement.
- » Regularizing and delivering 18,380 property titles to a large number of peasant families, of which 3,217 families are from indigenous communities and 1,262 families are from Black, Afro-Colombian, Raizales and Palenqueras communities.
- » Awarding 18,751 rural women with title to formerly vacant lots between 2018 and 2020.

CUBA: reports that its 2019 Constitution guarantees full equality of rights between men and women in economic, political, cultural, labor, social, family matters and in any other sphere, allowing women access to own or control land and other resources.

Cuba also reports that in line with its Housing Policy it granted houses to 44,566 families in 2019. It also granted land to 97,341 persons and gave usufruct rights to land to 275,762.

CYPRUS: reports adopting a National Action Plan for Equality between Men and Women (NAPD) (2019-2023) that calls upon all jointly responsible Ministries, public bodies, academic and research centres, non-governmental organisations, women's organisations, equality organisations, and local authorities to implement the actions and measures pertaining to their spheres of influence. It created the Office of the Commissioner for Gender Equality which is responsible for the development, implementation, and monitoring of policies for Gender Equality. While the plan is comprehensive, the VNR does not specify whether or through which mechanisms the plan will help close the gender gap in land rights.

EGYPT: reports investing in improving the conditions of those living in slums or resettling them in other housing projects, as well as an NGO-led project that has strengthened the livelihoods of 9,000 female farmers.

Egypt also reports launching electronic real estate registration services to make documentation services easy and convenient.

INDONESIA: reports that its poverty reduction strategy includes the implementation of agrarian reform and social forestry as a way to secure tenure rights to land.

LAOS: reports amending its Law on Land Use and Management in 2019, clearly stipulating the rights of Laos' citizens in land use, management and registration regardless of gender and ethnic origin.

Laos' VNR also mentions the government's efforts to issue land titles: between 2017 and 2018 it issued 160,655 certificates of tenure rights.

MALAYSIA: reports allocating Native Customary Rights to indigenous communities, particularly the Orand Asli.

MARSHALL ISLANDS: reports including in its national plans an objective to promote greater awareness of land rights and opportunities through awareness and partnership.

MEXICO: reports bringing agrarian institutions closer to rural and indigenous women so that they have legal and administrative services to access ownership of their lands.

NAMIBIA reports:

- » Focusing on addressing the shortage of housing, particularly for the ultra-low and low-income groups. Through a combination of efforts from the government, community-based organizations and public private partnerships, in the past 3 years 6,661 houses were built and 9,746 housing opportunities were created. Unfortunately, both figures are considerably below the goals included in Namibia's Development Plan.

- » Passing the Regulations for the operation of the Flexible Land Tenure Act (2012) in 2018 to specifically address the challenges of tenure insecurity in informal settlements by facilitating land ownership. The Flexible Land Tenure System is being piloted in 3 towns and, at the time of the VNR, 1,394 land titles had been handed to inhabitants of these informal settlements.
- » Signing an agreement with the Government of Germany to implement a new Inclusive and Sustainable Urban Development Project that among other aspects seeks to produce sustainably functioning neighborhoods with households that have secure tenure.
- » Creating an enabling environment by reviewing the Housing Policy and the Urban Land Policy.

PARAGUAY: reports providing lots in urban areas to over 20,000 families since 2013 and regularizing land tenure for over 3,000 families.

SAN MARINO: reports supporting households with loans to purchase subsidized housing.

SIERRA LEONE reports:

- » Providing legal advice and mediating on inheritance and property matters through its Legal Aid Board.
- » Reviewing the National Land Policy which among other things asks for: (a) inserting in all relevant legislation effective protection of women's rights to land; (b) enforcing existing laws and establishing a clear legislative framework to protect the rights of women in issues of access/inheritance to land and use of land-based resources; (c) enhancing and guaranteeing women's access to land and their security of tenure; (d) securing access/inheritance rights of women, especially unmarried daughters in accordance with law; and, (e) amending the Provinces Land Act Cap 122 to remove the discriminatory distinction between native and non-native citizens.
- » Being in the process of enacting the Land Commission Bill that would among other things, guarantee women's access and ownership of land.

THAILAND reports:

- » Being in the process of distributing land to 76,000 people.
- » Taking measures to develop housing for vulnerable groups and low-income earners through the National Housing Policy Committee, the Housing Development Strategy (2017-2039) and the Baan Mankong, Baan Toog Tua Thai and Baan Por Pieng Chonnabot projects.

TUNISIA: reports ratifying 10 land loans per year given to women developers for the acquisition and development of agricultural land, out of 90 land loans (11%).

ZIMBABWE: reports signing the Global Compensation Deed to resolve land issues. It also reports revising the National Gender Policy in 2017 and launching the National Gender Policy Implementation Strategy and Action Plan in 2019. The VNR does not mention whether and how the National Gender Policy will address the gender gap in land rights.

PROMISING YET INSUFFICIENT STEPS

While these are all promising steps, considerably more work is needed for these laws and strategies to translate into measurable changes on the ground, for the programs to reach the scale needed and, ultimately, to be able to measure progress over time. Worryingly, only some of these efforts have made explicit references to women and even fewer refer to indigenous peoples, ethnic minorities, IDPs or other vulnerable groups.

Unfortunately, the other countries who submitted VNRs in 2021 made no mention of actions to grant or protect land rights, or when they did report on land rights, their narratives were insufficient to determine whether those actions were taken after 2015 and serve to advance the SDG land commitments of secure land rights for all. These countries are: Afghanistan, Bhutan, Chad, the Czech Republic, the Democratic Republic of Korea, Denmark, the Dominican Republic, Germany, Iraq, Japan, Madagascar, Nicaragua, Niger, Qatar, Spain, Sweden and Uruguay.

MOVING FORWARD

It will be critical to know what steps governments have taken to grant and protect secure tenure rights for all, and especially for women, for small producers and for those who are poor or vulnerable:

- » What legal gaps in tenure rights have they addressed? How did they do it? Why was it important to address this policy gap?
- » How are they ensuring that these legal reforms translate into real change on the ground?
- » What programmatic actions have they started, expanded or adapted to close the gap in the tenure rights?
- » How many people among those targeted by the SDGs have benefited from these measures?
- » What else will they do to achieve their land rights commitment of secure tenure rights for all by 2030?

REPORTING ON LAND INDICATORS

The relevant outcome-based land rights indicators are SDG 1.4.2, which tracks progress towards ensuring secure tenure rights for all and SDG 5.a.1, which measures the gender gap in land rights for the agricultural population. Between 2015 and 2021, 23 countries reported on indicator 1.4.2 and 21 countries reported on indicator 5.a.1. Based on the 2021 VNRs and the SDG Indicators database, we conclude that:

- » **The available data signals very low levels of land rights documentation.**
Two thirds of the 23 countries who have ever reported on SDG indicator 1.4.2 indicate that the proportion of their adult population with legally recognized documents to prove they have rights to a plot of land is 25% or less.
- » **The scarcity of data prevents us from assessing progress over time.**
Only 7 countries have submitted data for more than one year. Of these, Ethiopia, Malawi and Nigeria report tenure rights numbers that appear to trend positively, while Peru shows no change, and Benin, Senegal, and Uganda's agricultural land rights indicators appear to trend in the wrong direction.
- » **The uptake for these indicators has been worryingly slow.**
While building the data infrastructure to report on the land rights indicators takes time, we would have expected to see considerably more traction for indicators that monitor progress on an issue that is foundational to several of the SDGs. According to the SDG Global Indicators Database only 12% of Member States have ever reported on the extent to which their constituencies have documents to prove their land rights, an even smaller 6% have ever reported the proportion of their constituents who feel tenure secure; and, only 13% have ever reported agricultural tenure security and the related gender gap.
- » **South Korea and Rwanda report high levels of tenure security.**
South Korea indicates that 100% of its adult population has legally recognized documents to prove their rights to land and that 96% of them feel tenure secure. Although lower, at 86% and 97%, respectively, the numbers reported by Rwanda are also remarkably high.
- » **Reports on perceptions of tenure security are noticeably higher.**
Malawi reports that 70% of its population perceives that their rights to land are secure and this percentage jumps to 88% or above for Benin, Burkina Faso, Cote d'Ivoire, Guinea-Bissau, Mali, Niger, the Republic of Korea, Rwanda, Senegal and Togo.

- » **In several countries the agricultural population lacks secure rights to land.**

More than half of the agricultural population in Albania, Benin, Burkina Faso, Cameroon, Cote d'Ivoire, Haiti, Malawi, Niger, Nigeria and Uganda, and at least three-fourth of the agricultural population in Guinea-Bissau, Nepal, Peru, Senegal and Togo lack secure rights to agricultural land.

- » **Among the agricultural population, there is a gender gap in who has secure land rights.**

This is the case for all but 4 of the 21 countries who reported on indicator 5.a.1. The gender gap is particularly stark in Benin, Burkina Faso, Cote d'Ivoire, Guinea-Bissau, Niger, Senegal and Togo.



THE SDG LAND MOMENTUM GROUP is a coalition of civil society and multi-lateral organisations geared towards monitoring the progress of the SDG land targets and conducting advocacy to meet the same end. Currently the secretariat of the group is coordinated by the International Land Coalition Secretariat. Members of the group include Asian NGO Coalition, GLTN, Huairou Commission, IPAR, IWGIA, Land Portal, Landesa, Natural Resources Institute - University of Greenwich, Oxfam, Rights and Resources, TMG Think Tank, Transparency International and World Resources Institute.

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