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Land rights in the Post-2015 Agenda

Why?

The transformative potential of the Post-2015 development agenda/SDGs will depend on the extent to which they are able to address the structural factors that entrench continued poverty, gender inequality, exclusion, conflict, food insecurity and environmental degradation, among other issues.

Secure and equitable access to productive assets has been flagged as an important area for possible targets and indicators in some key reports on the Post-2015 Agenda and by several Member States of the Open Working Group on the SDGs. Many organisations have called for the inclusion of land rights in recognition that they are fundamental to poverty eradication and promoting equality. Secure and equitable access to land, property and natural resources is cross-cutting in most of the proposed goals and is critical to:

- » **Leave no one behind** by reducing poverty and exclusion.
- » **Respect earth's life support systems** by enabling the role of tenure rights holders in ecosystem management and supporting them with the means and incentives to carry out this responsibility.
- » **Create resilient societies to secure livelihoods across generations**, thus promoting sustainable management, democratic and peaceful societies, and a conducive environment for inclusive economic growth.

Target

The Global Land Indicator Initiative (GLII)¹, which convened a diversity of experts from government, multi-lateral, civil society and professional bodies has proposed a target for tenure:

Increase by XX% the number of women and the number of men [, indigenous peoples and local communities,] who have secure tenure of land, property and natural resources that support their well-being and livelihoods

1 <http://goo.gl/FqYbqq>. To know more about ILC Member submissions to the Post-2015 debate visit <http://www.landcoalition.org/global-initiatives/regional-and-global-policy/land-rights-post-2015-agenda>

2 We support the work of GLII to call for inclusion of land rights in the SDGs, but we also see a need to advance a consistent but more detailed version of this proposal to make explicit the need for the land rights of communities and indigenous peoples to be taken into account.

We have added in square brackets an essential consideration that we believe should be more explicit in this target: that governance of tenure frequently occurs at the community level, and this should be strengthened rather than fragmented, not least for the 370 million Indigenous Peoples for whom international instruments recognize distinct rights.²

This target, with our proposed addition, is capable of capturing a wide array of concerns related to land rights in rural and urban settings, including the need to ensure greater gender equality, considering individual and collective rights, and ensuring a transformative agenda reaches those most reliant on land-based resources. It also captures the broad consensus reached through the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests, and the Framework and Guidelines for Land Policy in Africa.

Consistent with the cross-cutting nature of land rights, this target contributes to several goals, in particular poverty eradication, gender equality, sustainable agriculture and food security, inclusive growth, and ecosystem management.

Land-related indicators for the Post-2015 Agenda

In order to achieve progress towards the target, clear and measurable indicators must be identified that can be regularly, broadly and consistently reported on in a cost-effective manner by all countries. The following two priority indicators have been proposed under GLII:

1 Percentage of women and percentage of men with tenure that is legally secure and documented

2 Percentage of women and percentage of men who perceive their tenure is secure

These indicators provide a means of understanding the change in distribution and experience over time at the individual, household and community level, disaggregated by gender. They recognize the importance of legal reforms and the need for rights to be documented and defensible by law. The second indicator on perception also acknowledges other factors affecting tenure security, including the extent to which the law is enforced and the actual control land users can exercise over their resources.

Considering the transformative aspirations of the Post-2015 Agenda, we propose two additional indicators under the proposed target that reflect the critical importance of community tenure in building strong, sustainable and prosperous local societies and recognize the diversity of tenure systems.

3 Area of land legally recognized under the tenure of indigenous peoples and local communities.

4 Extent to which the national legal framework recognizes and protects land tenure rights and uses derived through a plurality of tenure regimes, in line with international standards.

Measuring the indicators

Minimum data requirements for these indicators can be collected annually from a combination of sources. Administrative and census data, global tenure databases, and expert opinion provide a basis for Indicators 1, 3 and 4. Indicator 2 can be measured additionally through household surveys, and sample opinion surveys. More accurate data can be achieved for all through their systematic integration into household surveys. Participatory methods are recommended to complement the measurement of all the indicators, in particular Indicators 3 and 4.

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This brief has been prepared by the Rights and Resources Initiative (RRI), Oxfam International, and the Secretariat of the International Land Coalition (ILC), including with inputs provided by RRI partners and by 29 ILC members, collected through an ILC membership-wide survey carried out in February 2014.