



# Scoping Paper on the Readiness of National Statistical Offices (NSOs) to Report on SDG Indicator 1.4.2 in Eight Asian Countries (A Summary Report)<sup>1</sup>

## BACKGROUND AND CONTEXT

In 2015, Member States of the United Nations committed to the implementation of the Sustainable Development Goals (SDGs) within a timeframe of 15 years by endorsing the 2030 Agenda for Sustainable Development as adopted by the General Assembly under UN Resolution 70/1. The SDGs build on the earlier Millennium Development Goals (MDGs: 2000-2015) and aim to go further to end all forms of poverty, fight inequalities, and tackle climate change. The SDGs consist of 17 broad goals, 169 specific targets, and 230 approved indicators.

To achieve the SDG goals and targets, UN Resolution 70/1 called for a revitalized Global Partnership bringing together Governments, the private sector, civil society, the UN System, and other actors.

### Land tenure security under the SDGs

Secure rights to land, property and other assets is seen by the SDGs as a cornerstone in reducing global poverty. This is expressed under Goal 1 and Target 1.4.

**SDG GOAL 1:** “End poverty in all its forms everywhere.”

**SDG TARGET 1.4:** “By 2030, ensure that **all men and women, in particular the poor and vulnerable, have equal rights to economic resources**, as well as access to basic services,

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**ownership and control over land and other forms of property, inheritance, natural resources**, appropriate new technology and financial services, including microfinance.”

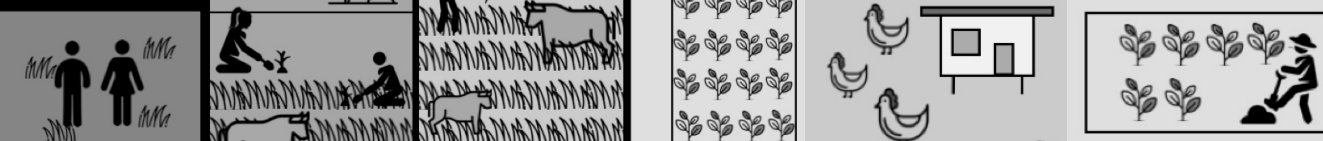
Secure rights to land and property especially for poor and vulnerable women and men is seen as a critical element in fighting poverty and social exclusion by ensuring rights to economic resources. Land tenure security is seen as essential to ensure shelter and to enable people and families to access needed services. Thus, SDG Indicator 1.4.2 was launched to provide a globally comparable basis to measure tenure security over land.

**SDG INDICATOR 1.4.2: “Proportion of total adult population with secure rights to land, with legally recognized documentation and who perceive their rights to land as secure, by sex and by type of tenure”**

Secure land rights are also reflected in other SDGs and associated targets:

- Under Goal 2 – “Zero Hunger” – Target 2.3 seeks to “double the agricultural productivity and incomes of small-scale food producers, in particular women, indigenous peoples, family farmers, pastoralists and fishers, including through secure and equal access to land, (and) other productive resources.” This is particularly relevant to Asia as it is home to 70 percent of the world’s indigenous peoples, and accounts for an estimated 87 percent of the world’s small farms that depend on household labor and cover less than two hectares of land. Asia also accounts for 2/3 of people experiencing hunger and poverty globally.
- Under Goal 5 – “Gender Equality and Women’s Empowerment” – Target 5a states: “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 particularly seeks to monitor women’s ownership of agricultural land.
- Under Goal 11 – “Sustainable Cities and Communities” – Target 11.1 states: “By 2030, ensure access for all to adequate, safe and affordable housing and basic services, and upgrade slums.” Indicator 11.1.1 seeks to monitor the proportion of urban populations living in slums, informal settlements, or inadequate housing.

Indicator 1.4.2 is key to monitoring country progress in the achievement of secure land and property rights as an enabling condition for poverty reduction. The data collected for SDG indicator 1.4.2 will likewise be directly relevant to other SDG targets – in particular, to SDG Targets 2.3, 5.a.1 and 11.1.1, as cited above.



## Meaning of land tenure security

*Land tenure* is defined as “the relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to land and related resources” (FAO, 2002). Tenure systems determine who can use which resources, for how long, and under what conditions.

Tenure rights can be held **individually, jointly, or collectively** which means that ownership and control can be attributed to an individual, a couple, or a group respectively (GLTN, 2017). When tenure rights are held jointly or collectively, tenure rights are distributed among recognized rights holders based on applicable tenure systems. Control over land and resources held jointly and collectively are thus exercised in the context of negotiation and consensus among recognized rights holders. For example, when land is jointly owned by a husband and wife, the husband and wife negotiate control over the land based on applicable laws and local customs.

A key element of tenure security is the protection and *enforcement of rights*. On this matter, the central State is the main enforcer of rights. The enforcement of rights is also implemented by communities and customary institutions. On this point, it is asserted therefore that it is important to document informal rights where people exercise tenure rights even in the absence of legal recognition.

There are three main types of security of tenure. First, *legal* tenure security refers to tenure protection backed up by State authority. Secondly, *de facto* tenure security refers to the actual control of land and property, regardless of legal status. Thirdly, *perceived* tenure security relates to the subjective perception of an individual, couple or community that they will not lose their land rights through forced eviction (GLTN, 2017).

According to the custodian agencies of SDG indicator 1.4.2, land rights may be considered secure when the following conditions are met: (1) *there is legally-recognized documentation*; and, (2) *there is a perception of the security of tenure*. Both are necessary to provide a full measurement of tenure security (Kumar, et al., 2017).

Legally-recognized documentation refers to recording and publication of information on the nature and location of land, rights and rights holders in a form that is recognized by government, and is therefore official.

Perception of the security of tenure, on the other hand, refers to the assessment of an individual, a couple or a community of the likelihood of involuntary loss of land regardless of the legal



## Box 1: Some reflections on SDG Target 1.4 and SDG Indicator 1.4.2

**On SDG Target 1.4:** *By 2030, ensure that **all men and women**, in particular the poor and 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.*

- It is noted that there are 11 years to go (since this paper was published in 2019) towards the achievement of the SDGs including target 1.4.
- On the phrase, “all men and women” – this denotes that property is seen as a universal right as enshrined in the Universal Declaration of Human Rights, that no one shall be arbitrarily deprived of property.
- On the descriptor, “equal,” in the phrase, “have **equal rights**,” what must be clarified is what constitutes equal rights. Are land tenure rights considered equal when **equity** is achieved wherein all persons are provided a fair share in the distribution of land and related resources? Or are land tenure rights already considered equal when there are **equal opportunities** to access land tenure rights through market or other mechanisms even if such mechanisms do not necessarily lead to an equitable distribution of land and related resources?
- On the phrase, “economic resource,” is land solely considered as an economic resource? It has been recognized that land tenure rights are essential to the enjoyment of other rights—shelter, food and livelihood, water, space and movement, health, access to basic services, personal security, right to shelter and assistance in cases of disaster, and in some situations, citizenship and the enjoyment of political rights. In the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), it has been recognized that indigenous peoples have a special relationship with their land and therefore, land is intrinsically linked to their cultural rights.
- In the phrase, “ownership and control over land and other forms of property, inheritance, natural resources,” it must be highlighted that ownership and control of land is exercised in varied forms: individually, jointly, communally, etc. It must be examined as well if such land rights are enforced through the State, communities, or other mechanisms.

**On SDG Indicator 1.4.2:** *“Proportion of total adult population with **secure rights** to land, with **legally recognized documentation** and who **perceive** their rights to land as secure, by **sex** and by **type of tenure**”*

- On the phrase, “secure rights to land,” what conditions are considered to provide secure rights to land? The different types of tenure security must be taken into account in measuring the security of tenure: legal, *de facto*, and perceived.
- On the descriptor, “legally-recognized,” in the phrase, “with legally-recognized documentation,” does this imply that only legal rights over land are to be considered secure? How should the phenomenon of *de facto* land rights enjoyed and enforced by communities and their institutions be considered? Does this behoove States to recognize *de facto* rights and afford unrecognized land rights holders with legal recognition?

### **On SDG Target 1.4 and SDG Indicator 1.4.2**

- Tenure security over land must be seen within the broader societal context wherein threats to the enjoyment of tenure rights are now more than ever taking on many forms – land disputes, development aggression, State expropriation, armed conflict, natural disasters, climate change, etc. As such, it must be emphasized that *perception* of security of tenure is a crucial indicator – i.e., how secure do people really feel about their tenure over their land?
- The data required in SDG indicator 1.4.2 should be disaggregated by sex and by type of tenure. This indicates that women’s land rights should be examined in terms of how land rights are distributed within the household, even if men, women or the couple jointly are recognized as having legal ownership of land; and if men, women or the couple exercise **equal** decision-making and control rights over land. Likewise, the data should show the different types of land tenure, while giving due recognition to the diversity of tenure systems that exist within a country.



status. A perception of tenure is deemed secure when: (a) the landholder *does not report fear of involuntary loss of the land within the next five years* due to, for example, intra-family, community or natural threats; and, (b) the landholder reports having the *right to bequeath (inherit) the land*.

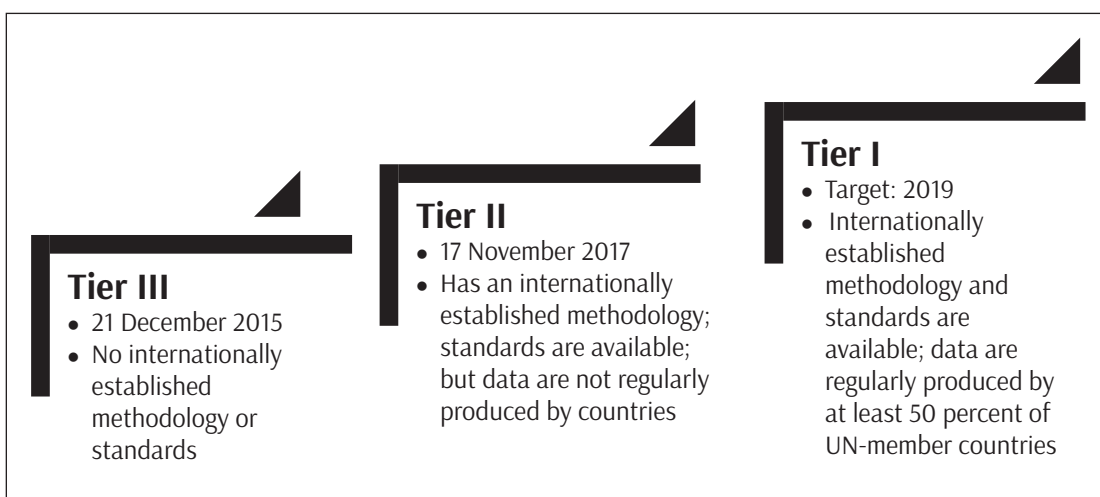
### Key monitoring institutions

In 2015, the United Nations Statistical Commission created the Inter-Agency and Expert Group on SDG Indicators (IAEG-SDGs) composed of Member States and including regional and international agencies as observers. The IAEG-SDGs was tasked to develop and implement the global indicator framework for the Goals and targets of the 2030 Agenda.

All SDG indicators are classified into three *Tiers* according to the availability of suitable data sources and methodologies for data collection and analysis, and the extent to which countries are able to track progress against the indicator.

Initially, the IAEG-SDG classified Indicator 1.4.2 under *Tier III*, meaning that no internationally established methodology or standards are yet available for the indicator, but that the methodology is still being developed and baseline data is being compiled. In November 2017, Indicator 1.4.2 was upgraded to *Tier II* status, meaning that the Indicator is conceptually clear,

**Figure 1. Three Tiers of SDG Indicator 1.4.2**



has an internationally established methodology and standards are available, but data are not regularly produced by countries. Based on UN policy, all indicators need to be at *Tier I* by 2020, meaning that data are regularly produced by at least 50 percent of UN-member countries.



At the global level, UN-Habitat and the World Bank are the custodian agencies for SDG Indicator 1.4.2, and they are tasked to develop the methodology for monitoring this indicator. They have joined forces with the Food and Agriculture Organization (FAO) of the UN, which is the custodian for Indicator 5.a.1. It may be noted that SDG Indicators 1.4.2 and 5.a.1 largely overlap.<sup>2</sup>

In the process of methodological refinement of indicators, it is required by the UN that National Statistical Systems be engaged (UNSD, 2017). At country level, National Statistical Offices (NSOs) are tasked to lead in the collection of data requirements of national governments, including data on land. NSOs are also tasked to report on country progress in the achievement of the SDGs. As such, there is need for capacity-strengthening for NSOs and land agencies in data collection, analysis, and reporting.

## INTRODUCTION TO THE STUDY

### Objectives

This scoping study aims to contribute towards the refinement of methodologies for the collection of, and reporting on land data in line with SDG Indicator 1.4.2. The study has three specific objectives:

1. to examine the **NSO institutions and systems** for gathering land data and reporting on SDG Indicator 1.4.2 under SDG Goal 1, Target 1.4;
2. to document the **availability and quality of land data** with NSOs on SDG Indicator 1.4.2; and,
3. to explore possible **linkages between the NSOs and CSOs** for strengthening land monitoring, particularly on SDG Indicator 1.4.2.

### Process and Methodology

This regional summary paper summarizes the findings of eight country scoping studies on NSOs conducted between March and September 2018. These studies were carried out by civil society organizations (CSOs) in Bangladesh, Cambodia, India, Indonesia, Kyrgyzstan, Nepal, Pakistan, and the Philippines.

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<sup>2</sup> While Indicator 1.4.2 measures tenure security on all types of land, Indicator 5.a.1 focuses on agricultural land for women, as this is seen as a key input in low and middle-income countries where poverty reduction strategies are frequently based on the agriculture sector.