



INDICATOR 5.a.1: WOMEN'S AND MEN'S LAND RIGHTS



Food and Agriculture
Organization of the
United Nations



OUTLINE

1. Introduction
2. Sub-indicators 5.a.1 part A and 5.a.1 part B
3. Definition of key terms and concepts used in indicator 5.a.1
4. Proxy conditions for indicator 5.a.1
5. Data collection strategies
6. Harmonization with SDG indicator 1.4.2
7. Conclusions



1. INTRODUCTION



1. INTRODUCTION (1/8)

EDGE guidelines focus
on **asset ownership**
from a gender
perspective

EDGE
recommendations
provided the basis for

Indicator 5.a.1,
which focuses on
tenure rights
over **agricultural
land**

1. INTRODUCTION (2/8)

The takeaways from the EDGE guidelines that are particularly relevant for SDG 5.a.1 are:

Conceptualization of Ownership/possession

As a bundle of rights:

- | **Reported ownership/possession**
- | **Documented ownership/possession**
- | **Alienation rights** (right to sell, right to bequeath)

Ownership/possession should be measured as the **strongest set of rights** in a given country.

Respondent Rules for Data Collection

Proposed respondent rules for data collection:

- | **Proxy reporting problematic**
- | NSOs encouraged to collect **self reported**, not proxy data

Data Collection Strategies

Possibility of different data collection strategies:

- | **Individual level** questions / **parcel level** questions
- | **1** randomly selected person / **more** than one person

1. INTRODUCTION (3/8)



GOAL 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

1. INTRODUCTION (4/8)

Target 5.A emphasizes gender equality on:

Economic resources

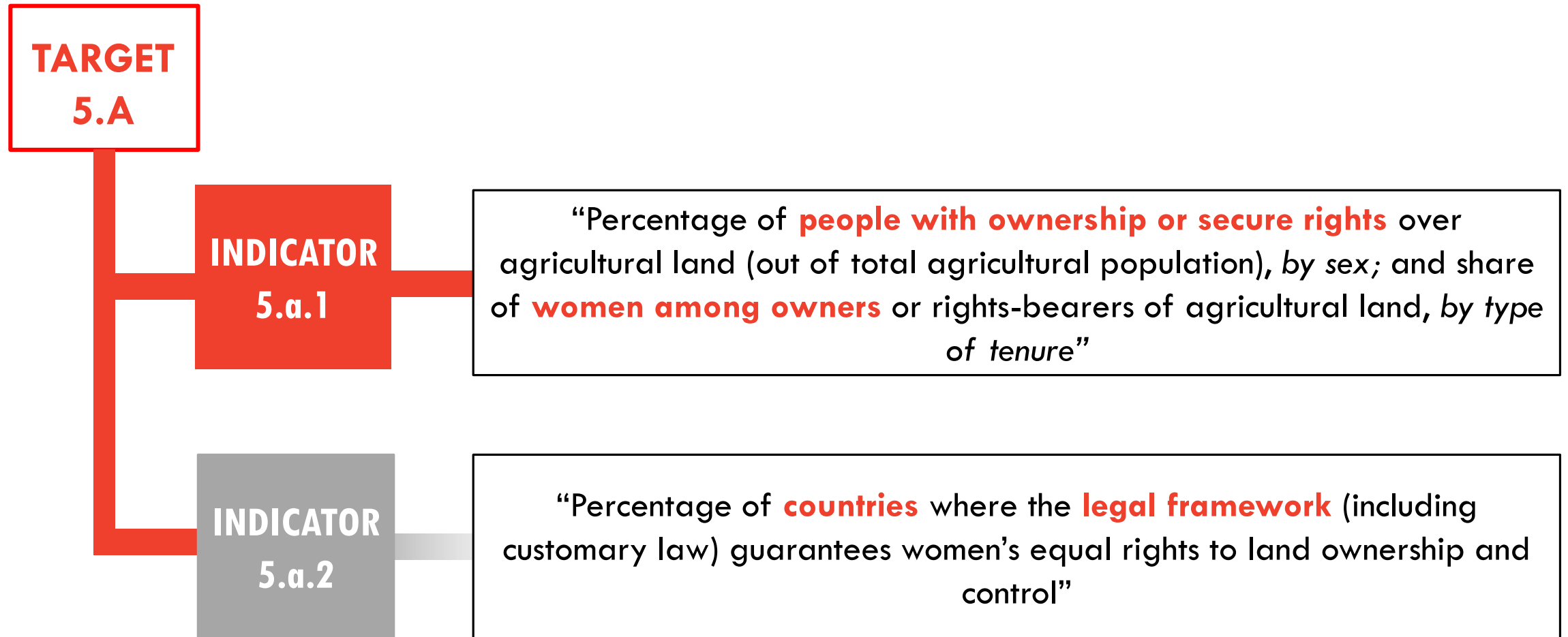
Access to ownership and control over land and other forms of property

This is crucial because:

Equality between women and men in access to resources is a **human right**

- **Long lasting inequalities** in the distribution of economic and financial resources positioned **women at a disadvantage** relative to men in their ability to participate in, contribute to and benefit from broader processes of development
- However, **women** farmers, entrepreneurs and workers can be **as productive as men** when given access to the same productive resources and services as men

1. INTRODUCTION (5/8)



1. INTRODUCTION (6/8)

The analysis of the legal framework helps identifying causes and bottlenecks.

Sex disaggregated **data** (SDD) on tenure rights **disclose** the actual **situation** of women's legal security in relation to agricultural land.

National Statistical Offices should **collaborate** with the overseeing body tasked with the monitoring of legal framework to **help determine whether or not** special measures should be discontinued, adjusted or prolonged to better address the disparities.



1. INTRODUCTION (7/8)

INDICATOR 5.a.1

Indicator 5.a.1 has been **officially endorsed** by the 47th Session of the UN Statistical Commission in March 2016

Custodianship

FAO
UNSD and UNWOMEN as contributing agencies

Methodological work

Led by the Evidence and Data for Gender Equality (EDGE) project, a joint initiative of UNSD and UN Women, in collaboration with the Asian Development Bank, FAO and WB.

Classification

Initially classified as Tier III indicator. Thanks to the considerable methodological work undertaken and to the finalization of a data collection protocol, 5.a.1 has been **upgraded to the Tier II group at the 5th IAEG-SDG (March, 2017)**

1. INTRODUCTION (8/8)

In the context of target 5.A, indicator 5.a.1 is important because:

**AGRICULTURAL
LAND**

is a **key input** in developing countries, where poverty reduction and development strategies are frequently based on the agricultural sector.

**GENDER
EQUALITY**

As discussed, women could **increase their productivity** and empowerment if they had **more access to productive resources**, particularly **land**. **Robust empirical evidence is needed** to monitor the gap and track the progress.



2. INDICATOR 5.A.1 AND ITS SUB-INDICATORS

2. INDICATOR 5.A.1 AND ITS SUB-INDICATORS (1/7)

INDICATOR 5.a.1

SUB-INDICATOR 5.a.1 (a)

Percentage of **people with ownership or secure rights** over agricultural land (out of total agricultural population), *by sex*;

measures how **prevalent** ownership / tenure rights over ag land is in the reference population (ag population), **by sex**

SUB-INDICATOR 5.a.1 (b)

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

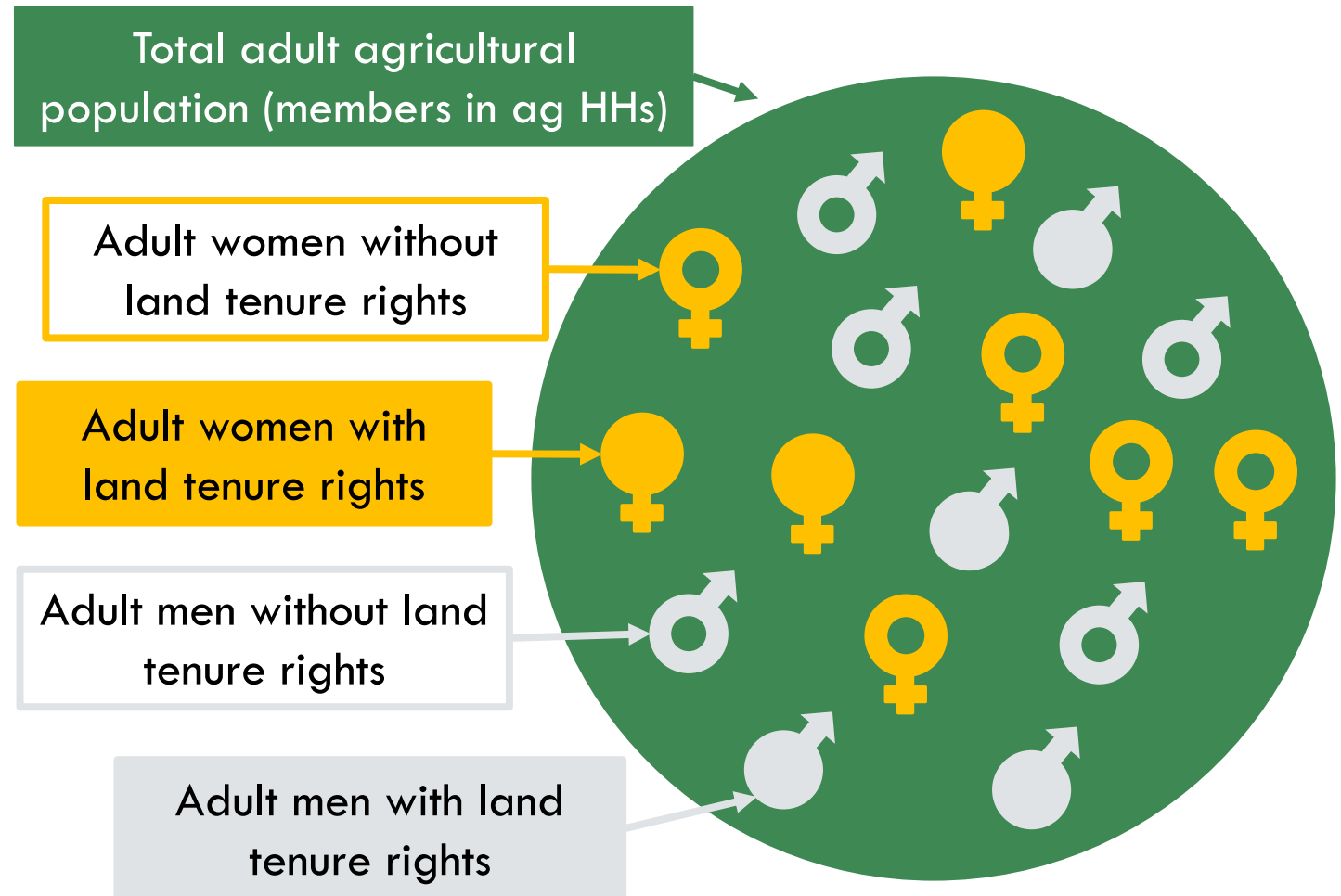
allows to monitor the **share of women** in ag households **with ownership or tenure rights** over agricultural land over the total individuals with ownership / tenure rights

2. INDICATOR 5.A.1 AND ITS SUB-INDICATORS (2/7)

The data which are necessary to calculate both sub-indicators are

total adult agricultural population (= adult members in agricultural households), by sex

the number of adult individuals with ownership or tenure rights over agricultural land, by sex



2. INDICATOR 5.A.1 AND ITS SUB-INDICATORS (4/7)

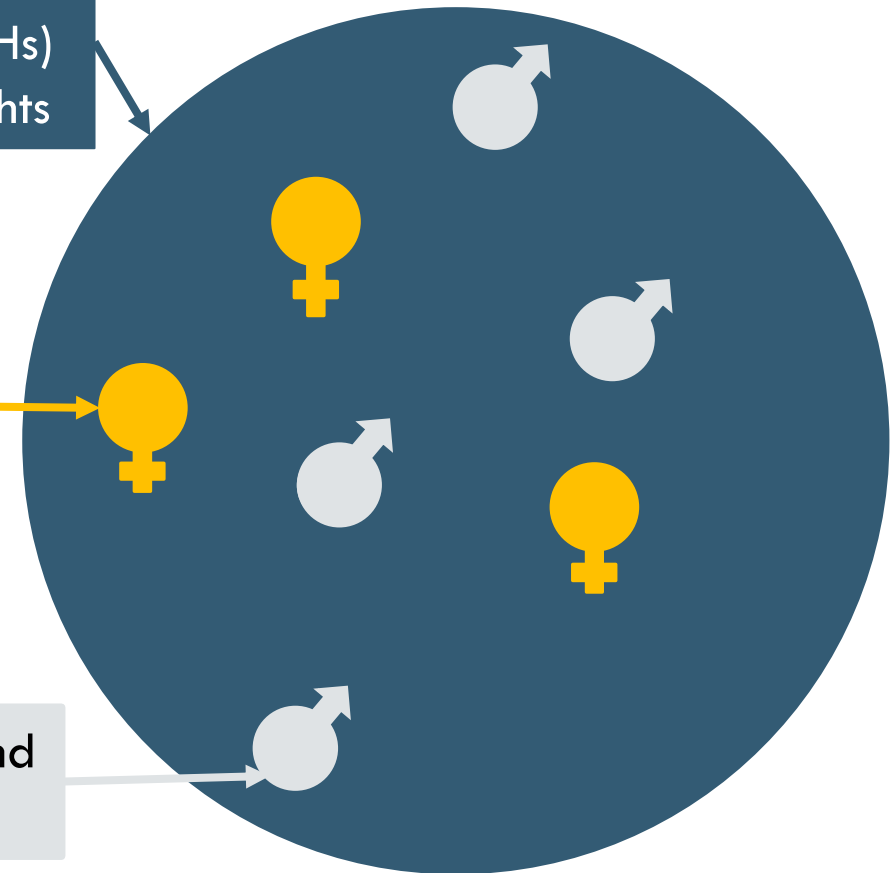
Sub-indicator b

$$\frac{\# \text{ women with ownership or secure rights over agricultural land}}{\text{Total people with ownership or secure rights over agricultural land}}$$

Total adult agricultural population (in ag HHs) with land tenure rights

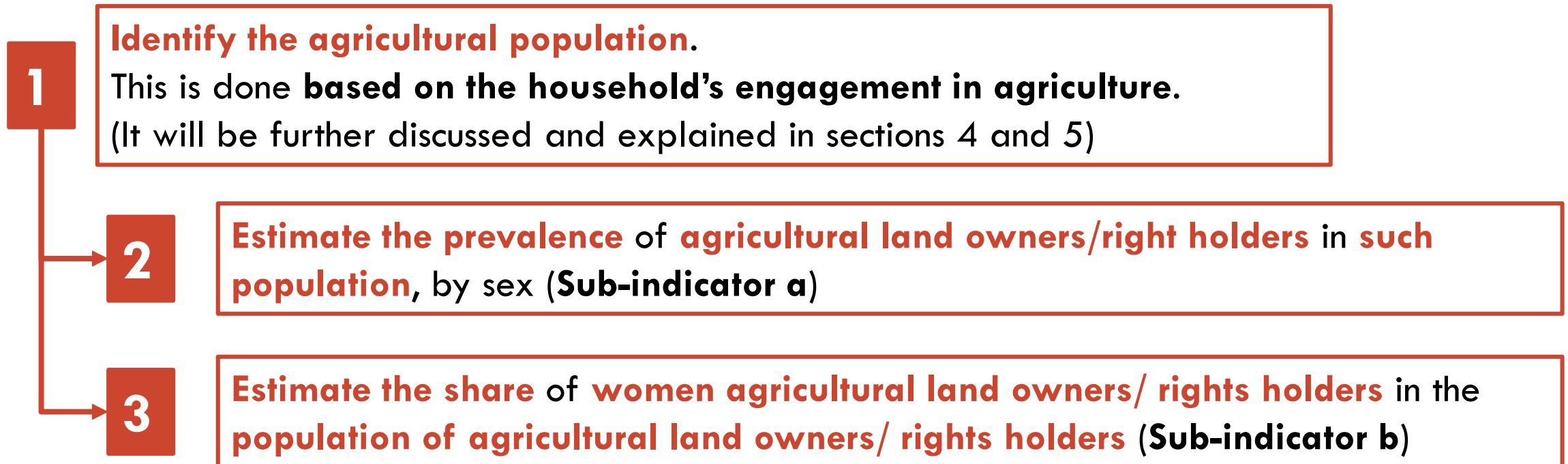
Adult women with land tenure rights

Adult men with land tenure rights



2. INDICATOR 5.A.1: SUB-INDICATORS A AND B (5/7)

Thus, the **logical order** that should be followed in order to estimate indicator 5.a.1 is the following:



2. INDICATOR 5.A.1: SUB-INDICATORS A AND B (6/7)

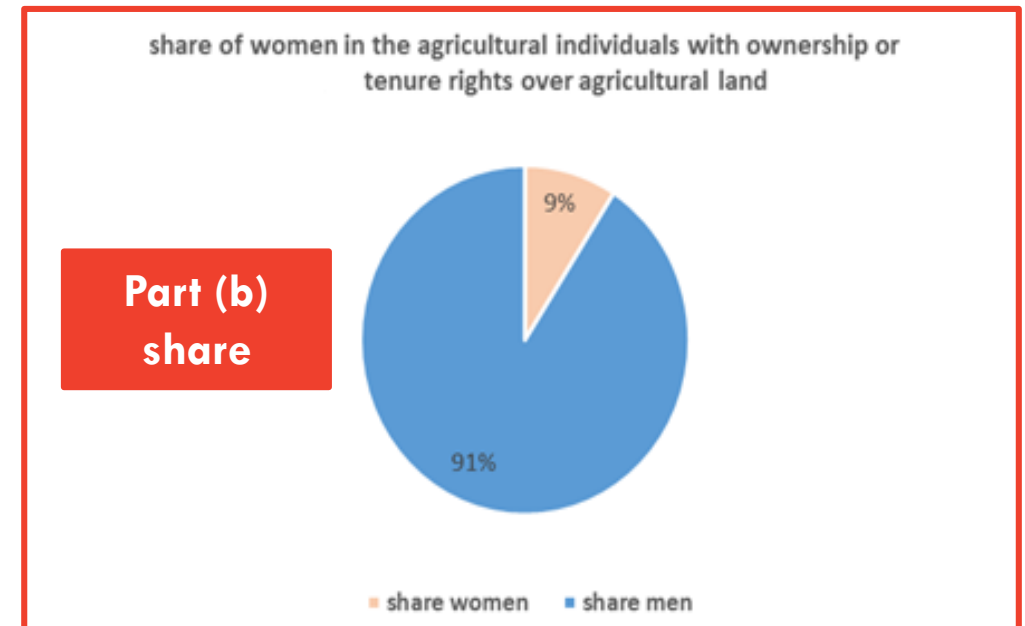
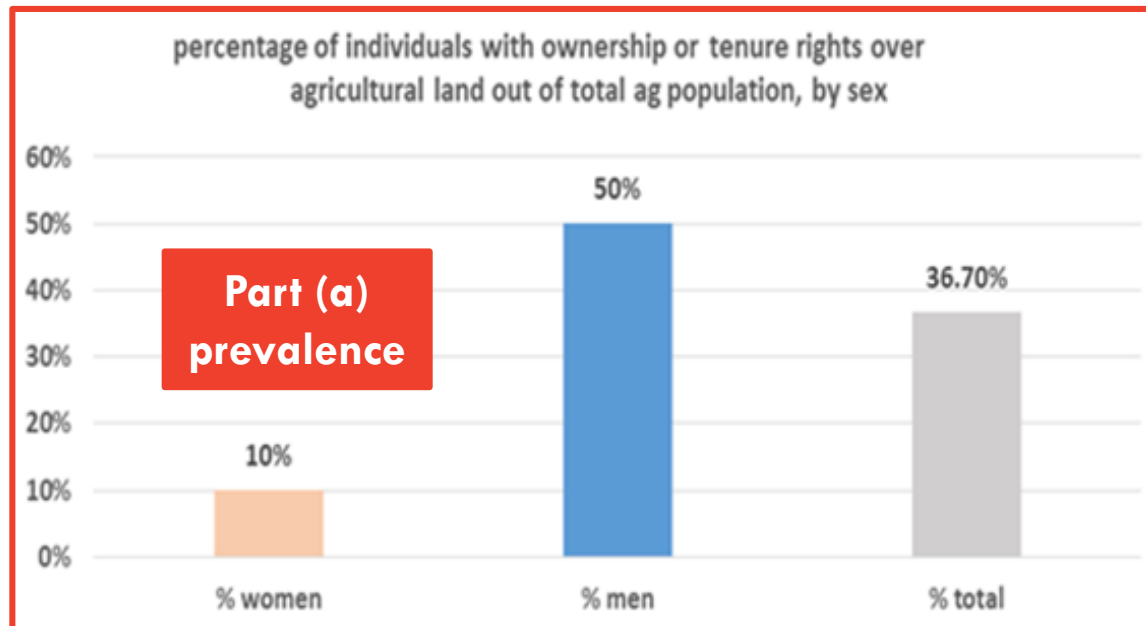
Why does the indicator focus on agricultural households?

Since Indicator 5.a.1 focuses on tenure rights over agricultural land (crop land, meadows and pastures) the reference population (denominator) of 5.a.1 has to be **the population whose livelihood is linked to agricultural land – ie., agricultural households.**

Indeed, the indicator helps monitoring the **deprivation status** of this population and the gender inequalities within this population.

2. INDICATOR 5.A.1 AND ITS SUB-INDICATORS (7/7)

	male	female	total
Adult individuals in ag population (in ag HHs) with ownership / tenure rights over agricultural land	100	10	110
Adult individuals in agricultural population (in ag HHs)	200	100	300





3. KEY TERMS AND CONCEPTS



3. KEY TERMS AND CONCEPTS (1/12)

In order to monitor indicator 5.a.1, it is essential that we develop a common understanding of the meaning of the terms used.

AGRICULTURAL LAND

ADULT AGRICULTURAL POPULATION

LAND OWNERSHIP

LAND TENURE RIGHTS

3. KEY TERMS AND CONCEPTS (2/12)

AGRICULTURAL LAND

Defining the term agricultural land is crucial for indicator 5.a.1 because it is the focus of the indicator.

As mentioned earlier, **agricultural land is a key economic input in low and low-middle income countries**, where economic development and poverty reduction strategies are frequently linked to agriculture

For this reason, agricultural land is the asset for which the gap between men and women is evaluated by Indicator 5.a.1

3. KEY TERMS AND CONCEPTS (3/12)

The 2020 World Census of Agriculture proposed an **internationally agreed land use classification**, according to which there are **nine basic land use classes (LU1-LU9)** and agricultural land is a subset (LU1-LU5).

LU1	LAND UNDER TEMPORARY CROPS	ARABLE LAND	CROPLAND	AGRICULTURAL LAND	LAND USED FOR AGRICULTURE
LU2	LAND UNDER TEMPORARY MEADOWS AND PASTURES				
LU3	LAND TEMPORARILY FALLOW				
LU4	LAND UNDER PERMANENT CROPS				
LU5	LAND UNDER PERMANENT MEADOWS AND PASTURES				
LU6	LAND UNDER FARM BUILDING AND FARMYARDS				
LU7	FOREST AND OTHER WOODED LAND				
LU8	AREA USED FOR AQUACULTURE				
LU9	OTHER AREA NOT ELSEWHERE CLASSIFIED				

The definition of agricultural land for **indicator 5.a.1** is taken from this framework, thus it focuses on the **first 5 classes**.

An exception can be made for farmyards, if they are considered to have an important role on the household economy and food security

Note: LU1 and LU4 includes greenhouses and land in family gardens

3. KEY TERMS AND CONCEPTS (4/12)

Land use class	Definition	Reference period
LU1 – Land under temporary crops	All land used for crops with a less than one year growing cycle . Temporary crops comprise all crops that need to be sown or planted after each harvest for new production (e.g. cereals)	Less than 1 year growing cycle
LU2 – Land under temporary meadows and pastures	Land that has been cultivated for less than five years with herbaceous or forage crops for mowing or pasture.	Less than 5 years
LU3 – Land temporarily fallow	Arable land that is kept at rest for at least one agricultural year because of crop rotation or the impossibility of planting new crops. If the land remains fallow for more than five years, it is no longer considered temporarily fallow. It does not include land that is not cultivated at the time of the survey but will be before the end of the agricultural year, because such land falls under temporary crops.	More than 1 year, but less than 5
LU4 – Land under permanent crops	Land that is cultivated with long term crops that do not need to be replaced every year, such as fruits, nuts and types of stimulant crops	More than 1 year growing cycle
LU5 – Land under permanent meadows and pastures	Land that is cultivated with herbaceous forage crops or is left as wild prairie or grazing land for more than 5 years .	More than 5 years

3. KEY TERMS AND CONCEPTS (5/12)

ADULT AGRICULTURAL POPULATION

Since Indicator 5.a.1 focuses on tenure rights over agricultural land (crop land, meadows and pastures) the reference population (denominator) of 5.a.1 is given by **the population whose livelihood is linked to agricultural land – i.e.,**

adult individuals living in agricultural households

3. KEY TERMS AND CONCEPTS (6/12)

A household is considered **agricultural** if:

It has operated land for agricultural purposes or held/tended livestock over the past 12 months, regardless of the final purpose

Why such a long reference period?

Agricultural work is irregular and seasonal. There is a risk of excluding households engaged in agriculture if we adopt a short reference period and data are collected off season

Why 'regardless of the final purpose'?

agricultural work is sometimes practiced only or mainly for own consumption, therefore with little or no cash income, and so may not be perceived as an economic activity *strictu sensu*.

Why not HHs involved in forestry, logging, fishing?

Engagement in forestry and logging and fishing and aquaculture is not considered because the focus of the indicator is on agricultural land

3. KEY TERMS AND CONCEPTS (7/12)

Once a household has been classified as 'agricultural', all the adult members are eligible of being asked about their tenure rights over agricultural land.

A **household perspective** is necessary because:

- the **individual's** livelihood **cannot be completely detached** from the livelihood of the other household members
- from the **gender perspective**, **women** often do not consider themselves as involved in agriculture, whereas in fact they **provide substantive support to the household's agricultural activities**
- for households operating land or raising livestock, **land is an important assets for all the members** and protect them in case the household dissolves

3. KEY TERMS AND CONCEPTS (8/12)

In view of this, in the context of indicator 5.a.1, an **individual** is part of the reference population if the following **two conditions** are met:

The individual
is an adult
(≥ 18 years)



The individual belongs to a household that has operated land for agricultural purposes or held/tended livestock over the past 12 months, regardless of the final purpose

4. KEY TERMS AND CONCEPTS (9/12)

Thus, agricultural households will be identified through the following questions:

Question	
Q1	<p>Did this household operate any land ⁽¹⁾ for agricultural purposes in the last 12 months? ⁽²⁾</p> <p>1. Yes</p> <p>2. No</p> <p style="text-align: right;">(→ Q3)</p>
Q2	<p>Was farming performed as... (tick all that applies)</p> <p>1. For use / consumption of the household</p> <p>2. For profit / trade</p> <p>3. Wage work for others</p>
Q3	<p>Did this household raise or tend any livestock (eg., cattle, goats, etc.) in the last 12 months?</p> <p>1. Yes</p> <p>2. No</p> <p style="text-align: right;">(questions end)</p>
Q4	<p>Was raising/tending livestock performed as... (tick all that applies)</p> <p>1. For use / consumption of the household</p> <p>2. For profit / trade</p> <p>3. Wage work for others</p>

(1) Including orchards and kitchen gardens

(2) Alternative phrasings:

- Did this household **farm** any land for agricultural purposes in the last 12 months?
- Did this household **use** any land for agricultural purposes in the last 12 months?
- Did this household operate any land **to produce crops** in the last 12 months?
- Did this household **farm** any land **to produce crops** in the last 12 months?
- Did this household **use** any land **to produce crops** in the last 12 months?

4. KEY TERMS AND CONCEPTS (10/12)

A household is **defined as agricultural household** if:

And
/or

1. it has operated land over the past 12 months for agricultural purposes either for own consumption or trade, or both (Q1 = yes, Q2 = 'own consumption' or 'trade')
2. it has raised livestock over the past 12 months either for own consumption or trade, or both (Q3 = yes, Q4 = 'own consumption' or 'trade')

A household **is not an agricultural household** if:

or

1. it did not operated land and it did not raise livestock
2. its members operated land or raised livestock only as wage laborers.
In such a case they are laborers of an enterprise, therefore they should not be considered as deprived simply because they don't own the assets of the enterprise.

4. KEY TERMS AND CONCEPTS (11/12)

LAND OWNERSHIP

is a legally recognized right to acquire, to use and to transfer land. In private property systems, this is akin to a freehold tenure.

Indicator 5.a.1 aims to monitor the gender balance in ownership and tenure rights over agricultural land.

It is **challenging** to **define and operationalize** ownership and land tenure rights in a way that provides reliable and comparable figures across countries.

As suggested by the EDGE guidelines, the concept of land ownership should be **extended** and be defined as **bundle of rights**.

4. KEY TERMS AND CONCEPTS (12/12)

Thus, in some contexts, it is more appropriate to look at the broader concept of:

LAND TENURE RIGHTS

For instance, in systems **where land is owned by the State**, the term land ownership is commonly used to indicate possession of the **rights most akin to ownership in a private property system**, such as *long term leases, occupancy, tenancy or use rights granted by the State*, often for several decades, and that are transferrable

In the context of indicator. 5.a.1, and following the EDGE recommendations, whenever legal ownership is non-existent or not relevant, **land tenure rights** are proxied by **alienation rights**, i.e. the **right to sell** and the **right to bequeath the land**



4. PROXY CONDITIONS FOR INDICATOR 5.A.1

4. PROXY CONDITIONS FOR INDICATOR 5.A.1 (1/7)

EDGE project considered and screened proxy conditions which may indicate that an individual can claim ownership or tenure rights over agricultural land

The **seven country field tests** informed the methodology to monitor Indicator 5.a.1. In particular, the tests demonstrated the following:

The need to consider as **owners or holders of land tenure rights** only the individuals who are linked to the agricultural land by **an objective right over it**, including both formal legal possession and alienation rights.

The need to **combine different proxies**, as no single proxy is universally valid

4. PROXY CONDITIONS FOR INDICATOR 5.A.1 (2/7)

Based upon the **conclusions of the EDGE project**, and in order to generate a **globally valid indicator**, FAO recommends the use of **three proxy conditions**:



The three proxy conditions are **not mutually exclusive**, therefore it could be possible that one individual has one or more of the above mentioned rights at the same time.

The presence of **one of the three proxies is sufficient** to define a person as owner or holder of tenure rights over agricultural land.

The indicator does not measure communal rights to land.

4. PROXY CONDITIONS FOR INDICATOR 5.A.1 (3/7)

Proxy

The proxy indicates:

Thus, an individual in an agricultural household is considered an owner or rights holder if:

**LEGALLY
RECOGNIZED
DOCUMENT**

The availability of a legally recognized document

His/her name is on a document that testifies tenure rights over agricultural land

RIGHT TO SELL

The ability of an individual to permanently transfer the asset in question in return for cash or in-kind benefits.

S/he has the right to sell agricultural land

**RIGHT TO
BEQUEATH**

The ability of an individual to pass on the asset in question to another person(s) after his or her death, by written will, oral will (if recognized by the country) or intestate succession

S/he has the right to bequeath agricultural land

4. PROXY CONDITIONS FOR INDICATOR 5.A.1 (4/7)

For what concerns **land tenure rights supported by legally recognized documents**,

An individual is legally entitled if his or her name appears on the legally recognized document as owner or holder. Such document can be used by the individual to claim ownership, property or use rights before the law

As these **can vary across countries**, each country will customize the list according to the local context.

Given the differences between legal systems across countries, it is **not possible to clearly define an exhaustive list** of legally recognized documents that allow claiming ownership, property or use rights before the law.

However, depending on the national legal framework, the **documents listed** in the next slide may be considered as legally recognized.

4. PROXY CONDITIONS FOR INDICATOR 5.A.1 (5/7)

Title deed

A written or printed instrument that effects a legal disposition

Certificate of occupancy or land certificate

A certified copy of an entry in a land title system that provides proof of the ownership and encumbrances on the land

Legally recognized purchase agreement

A contract between a seller and a buyer to dispose of land

Legally recognized will/certificate of hereditary acquisition

A certificate that provides proof of the land having been received through inheritance

Certificate of customary tenure

An official State document recognizing a particular person as a rightful owner or holder of the land on the basis of customary law. It can be used as proof of legal right over the land. These certificates include, among others, certificate of customary ownership and customary use

Certificate of perpetual/long term lease or rental agreements

A contractual agreement between a landlord and a tenant for the tenancy of land. A lease or tenancy agreement is the contractual document used to create a leasehold interest or tenancy

Certificate issued for adverse possession or prescription

A certificate indicating that the adverse possessor (a trespasser or squatter) acquires the land after a prescribed statutory period

4. PROXY CONDITIONS FOR INDICATOR 5.A.1 (6/7)

Why legally recognized documents alone are insufficient

Especially in **low and middle income countries** and from the **gender perspective**, focusing on legally recognized documents is not sufficient to analyze the complexity of rights related to land.
Why?

In some countries, there is **low penetration of legally recognized documents**, nonetheless **individuals still hold rights** over land, for instance they can sell, give away or bequeath their land

The **penetration of legally recognized documents is diverse across regions and countries**, therefore relying only on the availability of such documents does not provide a robust and universally valid measure of land tenure rights

For these reasons, there is a need to consider **additional characteristics which can indicate land ownership or tenure rights**, ie., right to sell and the right to bequeath

4. PROXY CONDITIONS FOR INDICATOR 5.A.1 (7/7)

Why is reported ownership not used?

As highlighted in the EDGE guidelines, **reported ownership** refers to the person(s) who considers him or herself to be an owner of the asset in question, irrespective of whether his or her name is listed as an owner on an ownership document for the asset. Thus, it measures people's self-perceptions about their ownership status.

It is a **key concept for understanding the empowerment effects of asset ownership from a gender perspective** since we expect the benefits and behaviors related to asset ownership to be influenced by people's perceptions of what they believe themselves to own.

However, it cannot be objectively verified and it is not necessarily linked to objective rights over land

Indicator 5.a.1 is a global indicator, and thus for **comparability** issues, reported ownership **cannot** be used in this context