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

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

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

<table>
<thead>
<tr>
<th>Conceptualization of Ownership/possession</th>
<th>Respondent Rules for Data Collection</th>
<th>Data Collection Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>As a bundle of rights:</td>
<td>Proposed respondent rules for data collection:</td>
<td>Possibility of different data collection strategies:</td>
</tr>
<tr>
<td><strong>Reported ownership/possession</strong></td>
<td><strong>Proxy reporting problematic</strong></td>
<td><strong>Individual level</strong> questions / <strong>parcel level</strong> questions</td>
</tr>
<tr>
<td><strong>Documented ownership/possession</strong></td>
<td><strong>NSOs encouraged to collect self reported, not proxy data</strong></td>
<td><strong>1 randomly selected person / more than one person</strong></td>
</tr>
<tr>
<td><strong>Alienation rights</strong> (right to sell, right to bequeath)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Ownership/possession should be measured as the **strongest set of rights** in a given country.
1. INTRODUCTION (3/8)

GOAL 5
Achieve gender equality and empower all women and girls

TARGET 5.2
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

TARGET 5.A
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)

TARGET 5.A

INDICATOR 5.a.1
“Percentage of people with ownership or secure rights over agricultural land (out of total agricultural population), by sex; and share of women among owners or rights-bearers of agricultural land, by type of tenure”

INDICATOR 5.a.2
“Percentage of countries where the legal framework (including customary law) guarantees women’s equal rights to land ownership and control”
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.
Indicator 5.a.1 has been officially endorsed by the 47th Session of the UN Statistical Commission in March 2016.

**INTRODUCTION (7/8)**

**INDICATOR 5.a.1**

- **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).
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)

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

- Total adult agricultural population (members in ag HHs), 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 (2/7)**

- **Total adult agricultural population (members in ag HHs)**
- **Adult women without land tenure rights**
- **Adult women with land tenure rights**
- **Adult men without land tenure rights**
- **Adult men with land tenure rights**
2. Indicator 5.A.1 and its sub-indicators (3/7)

**Sub-indicator a**

- **Women**
  - # of women with ownership or secure rights over agricultural land
  - Total female agricultural population (in ag HHs)

- **Men**
  - # of men with ownership or secure rights over agricultural land
  - Total male agricultural population (in ag HHs)

- Adult women without land tenure rights
- Adult women with land tenure rights
- Adult men without land tenure rights
- Adult men with land tenure rights

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# of women with ownership or secure rights over agricultural land

Total female agricultural population (in ag HHs)

# of men with ownership or secure rights over agricultural land

Total male agricultural population (in ag HHs)
2. Indicator 5.A.1 and its sub-indicators (4/7)

Sub-indicator b

\[
\text{# women with ownership or secure rights over agricultural land} \quad \frac{\text{Total people with ownership or secure rights over agricultural land}}{
\text{Total adult agricultural population (in ag HHs) with land tenure rights}}
\]

Adult women with land tenure rights

Adult men with land tenure rights
Thus, the **logical order** that should be followed in order to estimate indicator 5.a.1 is the following:

1. **Identify the agricultural population.**
   This is done **based on the household’s engagement in agriculture.**
   (It will be further discussed and explained in sections 4 and 5)

2. **Estimate the prevalence of agricultural land owners/right holders in such population, by sex** (Sub-indicator a)

3. **Estimate the share of women agricultural land owners/right holders in the population of agricultural land owners/right holders** (Sub-indicator b)
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 – i.e., 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)

<table>
<thead>
<tr>
<th>Adult individuals in ag population (in ag HHs) with ownership / tenure rights over agricultural land</th>
<th>male</th>
<th>female</th>
<th>total</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td>10</td>
<td>110</td>
<td></td>
</tr>
</tbody>
</table>

| Adult individuals in agricultural population (in ag HHs) | 200 | 100 | 300 |

Part (a) prevalence

Part (b) share
3. KEY TERMS AND CONCEPTS
In order to monitor indicator 5.a.1, it is essential that we develop a common understanding of the meaning of the terms used.

3. KEY TERMS AND CONCEPTS (1/12)

- AGRICULTURAL LAND
- ADULT AGRICULTURAL POPULATION
- LAND OWNERSHIP
- LAND TENURE RIGHTS
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.
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).

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

LU1  LAND UNDER TEMPORARY CROPS
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

An exception can be made for farmyards, if they are considered to have an important role on the household economy and food security.
### 3. Key Terms and Concepts (4/12)

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

<table>
<thead>
<tr>
<th>Question</th>
<th>1. Yes</th>
<th>2. No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q1 Did this household operate any <strong>land</strong> (1) for agricultural purposes in the last 12 months? (2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q2 Was farming performed as... (tick all that applies)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. For use / consumption of the household</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. For profit / trade</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Wage work for others</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Q3 Did this household raise or tend any <strong>livestock</strong> (eg., cattle, goats, etc.) in the last 12 months?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. No</td>
<td>(questions end)</td>
<td></td>
</tr>
<tr>
<td>Q4 Was raising/tending livestock performed as... (tick all that applies)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. For use / consumption of the household</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. For profit / trade</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Wage work for others</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

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’)

And / or

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:

1. it did not operated land and it did not raise livestock

or

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.
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.
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:

- **LEGAL DOCUMENT**
- **RIGHT TO SELL**
- **RIGHT TO BEQUEATH**

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)

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

- His/her name is on a document that testifies tenure rights over agricultural land
- S/he has the right to sell agricultural land
- S/he has the right to bequeath agricultural land

The proxy indicates:

- The availability of a legally recognized document
- The ability of an individual to permanently transfer the asset in question in return for cash or in-kind benefits.
- 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.
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)

<table>
<thead>
<tr>
<th>Proxy Condition</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title deed</td>
<td>A written or printed instrument that effects a legal disposition</td>
</tr>
<tr>
<td>Certificate of occupancy or land certificate</td>
<td>A certified copy of an entry in a land title system that provides proof of the ownership and encumbrances on the land</td>
</tr>
<tr>
<td>Legally recognized purchase agreement</td>
<td>A contract between a seller and a buyer to dispose of land</td>
</tr>
<tr>
<td>Legally recognized will/certificate of hereditary acquisition</td>
<td>A certificate that provides proof of the land having been received through inheritance</td>
</tr>
<tr>
<td>Certificate of customary tenure</td>
<td>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</td>
</tr>
<tr>
<td>Certificate of perpetual/long term lease or rental agreements</td>
<td>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</td>
</tr>
<tr>
<td>Certificate issued for adverse possession or prescription</td>
<td>A certificate indicating that the adverse possessor (a trespasser or squatter) acquires the land after a prescribed statutory period</td>
</tr>
</tbody>
</table>

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38
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. 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.

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.
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.