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LAND GOVERNANCE INDEXES: OPPORTUNITIES TO ASSESS PROGRESS OF ADOPTION OF VGGT PRINCIPLES IN POLICY, LEGAL AND INSTITUTIONAL FRAMEWORK OF LAND GOVERNANCE

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Abstract

As the globally accepted principles guiding improvements in tenure security, the VGGT (FAO, 2012) have commonly been adopted at national level through ensuring that policy and legislation are in conformity with the guidelines. Despite adoption of VGGT principles in law, other factors such as political goodwill, public awareness of rights to land and financial support (or lack thereof) remain key components that may catalyze (or stall) the progress in improving tenure governance. To track the progress different countries are making towards realizing responsible governance of land, there is need for developing a set of quantifiable global ideals that each nation can work towards achieving. Having a set of globally accepted quantifiable standards could be the key to making tenure security a priority in a way that is easily understandable for governments and political leaders. This paper proposes introducing 7 Indexes as the main variables to analyze improvements in land governance.

Key Words:

Land Governance Indexes, Global Ideals



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1.0 Introduction

The Voluntary Guidelines on Governance of Tenure for Land, Fisheries and Forests (FAO, 2012) are a set of globally accepted principles developed with the intention of addressing the global challenges of hunger and poverty through improving tenure security. These guidelines seek to improve tenure governance by promoting adoption of internationally set practices and systems, improved policy, legal and institutional structures, strengthening capacity of implementing agencies and enhancing transparency and accountability. The guidelines acknowledge the centrality of tenure security in ensuring protection of vulnerable and marginalized people, realizing food security, and poverty eradication, and in promoting sustainable livelihoods, rural development, environmental protection and socio-economic development.

The VGGT are intended to promote responsible governance of tenure through adherence to the principles of: gender equality; equity and justice; human dignity and non-discrimination; transparency and accountability; rule of law; consultation and participation of those who have legitimate tenure rights; a holistic and sustainable approach; and continuous improvement. These principles have guided most legislative reform that has been undertaken in the land sectors in different countries. In Kenya, for instance, the Constitution enacted in 2010 has a chapter dedicated to Land and Environment (Government of Kenya, 2010). Article 60 of the Constitution of Kenya provides for land in Kenya to be held, used and managed in accordance with the principles of: equitable access; security of land rights; sustainable and productive management of land; transparency and cost-effectiveness in land administration; conservation and protection of ecologically sensitive areas; elimination of gender discrimination; and encouragement of alternative dispute resolution mechanisms. The land laws enacted after the promulgation of this Constitution (The Land Act, Land Registration Act, National Land Commission Act, Environment and Land Court Act and the Community Land Act) all adhere to these guiding principles. Notably, more legal and institutional reform in the land sector has taken place within the last 10 years than in any other similar period historically.

This impetus to improve land governance has been the trend since 1990 (Wily, 2011). This is in comparison to minimal reform being undertaken for most national land governance frameworks beyond the changes in tenure systems during the periods just after individual states acquired independence. The increase in measures to reform legal and institutional framework guiding land administration has been the case for several countries across Africa as well. There has been a lot of political changes in Sub-Saharan Africa that have led to widespread constitutional reform that included reform in land governance provisions. At least 32 (63%) of the 51 states that make up Sub-Saharan Africa have undertaken some form of land reform since



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1990 (Wily, 2011). Refocusing of global development agenda through the Millennium Development Goals, and from 2015 the Sustainable Development Goals may also have contributed to the increase in land reform in recent years. Policy, and legal changes in land governance continue to define the land reform agenda all over the continent.

Despite these advancements in the sector, formal registration of land interests remains the best way to ensure tenure security, the challenges in applying this at scale notwithstanding (Wily, 2011). Beyond enacting policies and legislation and establishing institutions, political goodwill, civic education for awareness of rights to land and financial support (or lack thereof) remain key components that may catalyze (or stall) the impact of these changes.

To track the impact of the progress different countries are making towards realizing responsible governance of land and land-based resources, there is need to **develop a set of quantifiable global ideals that each nation can work towards achieving**. Having a set of globally accepted quantifiable standards could be the key to making tenure security a priority **in a way that will be easily understandable for governments and political leaders who may not fully understand the tenure security issues**.

1.1 Initiatives working to develop global land indicators

Globally, various initiatives are already working to develop such quantifiable ideals. These include efforts from: the Inter-Agency Expert Group on Sustainable Development Goals Indicators (IAEG-SDG), the [Global Donor Working Group on Land](#), the World Bank ([Land Governance Assessment Framework](#)), the Global Land Tool Network ([Global Land Indicators Initiative, GLII](#)) and the [Global Property Rights Index \(PRIndex\)](#).

The IAEG-SDG was established to develop a monitoring framework for the [2030 Agenda for Sustainable Development](#) and support implementation of SDGs. Tenure issues are addressed under indicator 1.4.2 (Proportion of total adult population with secure tenure rights to land, with legally recognized documentation and who perceive their rights to land as secure, by sex and by type of tenure). On 12th November 2017, the 6th meeting of the IAEG-SDG reached a decision to reclassify tenure security Indicator 1.4.2 from Tier III to II in Manama, Kingdom of Bahrain. This marked the beginning of monitoring tenure security using comparable land indicators for globally comparable data.



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The methodology (Land Links, 2017) for monitoring this indicator was developed by a consultative process that engaged National Statistical Organizations (NSOs), National Land Agencies, data agencies, regional statistics and land organizations, Civil Society Organizations and International Non-Governmental Organizations, private sector, the Global Donor Working Group on Land, UN agencies, and other stakeholders. This approach gives equal value for legally documented tenure rights and perception of tenure security. The aim of this indicator is to ensure documentation of tenure rights and monitoring of policy decisions that will prioritize indigenous communities and informal urban settlements.

The formula(s) to monitor indicator 1.4.2 is:

$$\text{Part (A): } \frac{\text{People (Adult) with legally recognized documentation over land}}{\text{Total adult population}} \times 100$$

$$\text{Part (B): } \frac{\text{People (adult) who perceive their rights as secure}}{\text{Total adult population}} \times 100$$

Figure 1: Formula(s) to be used in monitoring indicator 1.4.2 (Source: <https://land-links.org/2017/11/iaeq-sdgs-upgrade-indicator-1-4-2-tier-ii-status/>)

The Global Donor Working Group on Land also set up an informal multi-stakeholder committee, the *Friends of the Custodians*, to help the World Bank, FAO and UN-Habitat reclassify this indicator from Tier II to Tier I by October 2018.

Since 2015 the Global Land Tool Network (GLTN) has been developing a set of indicators to track progress in efforts to improve tenure security under the Global Land Indicators Initiative (Global Land Tool Network). These *Global Land Indicators* will be used to monitor *progress* on the key aspects of land governance and land tenure security, and thereby ensure that all interventions working to improve land governance at the local, national or global level work towards a set of global ideals. Assessing the progress made can refocus efforts towards interventions that bring about more developments in improving land governance and tenure security, and consequently contribute to improved food security. This will in turn be the foundation for sustainable socio-economic development, especially among rural communities where livelihoods are directly linked to access to and use of land and land-based resources. The main objective of the Global Land Indicators is to enable the monitoring of performance in land administration and the frequency and resolution of land conflicts and disputes as factors that contribute to improve of land tenure security.



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The [Land Governance Assessment Framework \(LGAF\) \(World Bank\)](#) is a diagnostic tool developed by the World Bank to assess the state of land governance at the national or sub-national level. The assessment is carried out by local experts to gauge the quality of a country's land governance against a set of dimensions. A report detailing the findings of this assessment forms the basis of policy dialogue at the national or sub-national level. The LGAF assessment is undertaken with respect to key thematic areas that include: land tenure recognition; rights to forest and common lands & rural land use regulations; urban land use, planning and development; public land management; process of transferring land for private use; availability of land information; land valuation and taxation; dispute resolution; and institutional and policy frameworks. The variables under these thematic areas are graded from 'A' to 'D' and summarized in a scorecard format. The LGAF assessment also includes a policy assessment matrix giving the specific policy issues against the responsible agencies and a list of monitoring indicators. There has been interests to relaunch a leaner version of the LGAF in recent years as well. This assessment has been carried out in over 40 countries so far, with support from the World Bank.

The [Global Property Rights Index \(PRIndex\)](#) is a baseline, multi-national dataset and index on citizens' perceptions of property rights. PRIndex aims to provide the basis of the global agenda with respect to securing property rights and potentially contributing to the SDGs. So far, PRIndex has collected/is collecting data from at least 45 countries to give an account of people's perception of property rights. PRIndex (PRIndex) is implemented by the Global Land Alliance and the Overseas Development Institute (ODI) on behalf of the Omidyar Network and the UK Department for International Development (DfID). A Technical Advisory Group (TAG) of research experts on property rights gives direction on the design and methodology of surveys and analysis of data.

All these initiatives involve some form of qualitative information on the status of tenure rights and citizens' perception of security of tenure. More often only practitioners in the land sector can fully comprehend and appreciate this information and see the value in prioritizing efforts to improve the governance of tenure. The indexes system proposed in this paper will work to complement the existing initiatives (and any other national or sub-national evaluation of tenure security issues) by providing a means through which global land actors can bring more stakeholders (including governments and political leaders) on board the land agenda discussion by simplifying the information.



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2.0 Monitoring impact of VGGT adoption through quantitative analysis against a global standard

This paper proposes developing 7 indexes that will form the basis of tracking how adoption of the VGGT, and other reforms to improve governance of tenure are impacting tenure security globally. Each index aims to quantify, and thereby enable monitoring of progress of interventions towards improving tenure security in accordance with the provisions of the VGGT.

The calculation of these indexes will require statistical data from national statistics organizations, land administration and management agencies and other state agencies, and civil society organizations.

These indexes are intended to enable tracking of the progress being made as a result of the policy, legal and institutional changes in land governance against set global standards. Settling on a global standard for each index will require input from state agencies, civil society organization, INGOs, inter-governmental agencies, and UN agencies. The indexes can also refocus donors and development partners' financial and institutional support to national and sub-national agencies to include quantifiable components that can gauge the rate of improvement. Tracking of progress will require setting a time limit for achieving the set global standards. This can be through aligning to the [2030 Agenda for Sustainable Development \(United Nations\)](#) (e.g. setting a target of 65% for the global land registration index, and having developing nations commit to reaching this target by the year 2030). Provision can be made to be reviewing these global standards every 15 years.

In recent years there have been counter discussions on the relationship between good governance and development (Sundaram & Clark, 2015), and the need to directly advance development first and follow it up with promoting good governance as opposed to the vice versa. However, with growing interest in large-scale land acquisition for investments, it is important that the focus on responsible land governance equally prioritize the governance components, mainly how land is registered. Registration of tenure rights with a due process can ensure protection in the legal contexts within which acquisition takes place.

2.1 Land Governance Indexes

This paper proposes the following indexes to track the impact of adoption of VGGT principles in land governance as a means to improved tenure security:



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1. *Registration Index*

All states have a set of legally recognized documents (in most cases a title deed) to ascertain tenure rights. In the ideal scenario, all land within each state should be documented by the state and the tenure rights protected by law. However, in most countries, this is yet to be guaranteed and while tenure rights may be acknowledged, lack of legally recognized documentation often translates to lack of tenure security.

The proposed *Registration Index* will give the total area of land with legally recognized documentation as a fraction/ percentage of a country's total land area.

$$\text{Registration Index} = \frac{\text{Total land area with legally recognized documentation}}{\text{Total land area}} \times 100$$

Considering the different rules governing each category of land, the registration index for private, public and community land should be calculated separately. The formula would then be as follows:

$$\begin{aligned} &\text{Registration Index (public land)} \\ &= \frac{\text{Total public land area with legally recognized documentation}}{\text{Total public land area}^1} \times 100 \end{aligned}$$

Global standard: While the ideal for this index is to be at 100% (having all land documented and registered), developing nations would possibly rank below 50%. In this regard, determining a global ideal for this index to be achieved within a set period (e.g. by 2030) will have to factor this in. Working towards a global ideal or setting an achievable target for this index for developing nations to aspire to should also take into account the land governance challenges in the developing world and the lengthy nature of the process of registering community land. Additionally, it would be important to have separate indexes for public land, private land, and community land as additional statistics to accompany the overall registration index. The registration index for public, private and community land will also guide the national level interventions to improve land governance and can be used to analyze other governance issues such as protection of public land from land grab, or a state's political goodwill/ financial support for registration of community land. For example, the need to calculate a registration index for public land may inform the requirement to develop an inventory of public land, which will be a step towards protecting public land

¹ The total public land area in this case can be an informed estimate, or can be determined by use of GIS



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from potential land grabs. Similarly, the existence of a national electronic/digitized database of all land information in a country can give this information more accurately and in a timely manner.

2. Gender Index

The VGGT call for states to provide frameworks that are non-discriminatory (FAO, 2012) and promote social equity and gender equality. The *Gender Index* will give the percentage of female registered (private) land owners as a factor of the total landowners.

$$\text{Gender Index} = \frac{\text{No. of registered private landowners who are female}}{\text{No. of total registered private landowners}} \times 100$$

This formula can also be applied to the number of registered (private) land owners under the age of 35 reflect the youth aspect of land ownership (*Youth Index*).

In cases where titles can bear two names for purposes of co-ownership (e.g. in the case of matrimonial property or joint tenancy), the formula should factor this in by including a half of the total joint owners.

$$\text{Gender Index} = \frac{\frac{1}{2}(\text{joint owners}) + \text{No. of female registered private landowners}}{\text{No. of total registered private landowners}} \times 100$$

For community land, this index will only be applicable in countries where registration of community land includes a register of all adult members of the community. The formula in this case would count all female community members who are part of the register of members with claim to community land.

Global standard: For the gender index, the global ideal should factor in current realities of gender inequality as well as the globally accepted “two thirds” gender principle. In Kenya for instance, only 5% of the title deeds are held by women jointly with men, while only 1% of land titles are held by women exclusively (FIDA Kenya, 2017). While the global ideal could be 33%, a target for Kenya to achieve by the year 2030 may have to be lower than this.

3. Technical Personnel Index

Adoption of VGGT principles into law is only sufficient if it is supported by establishing the relevant institutional framework that will ensure effective implementation of the law. Additionally, (from experience) sensitization of communities on the provisions of the law is only impactful if the institutions to implement these laws are present at the community level to facilitate service delivery. The VGGT call for coordination of state agencies with local governments (FAO, 2012), and accessibility of services even in remote locations (FAO, 2012). Part 6 of the VGGT on service delivery calls upon States to ensure that



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implementing agencies and judicial authorities have the human capacity to implement policies and laws in a timely, effective and gender-sensitive manner. Furthermore, availability of services (and officers) determines how fast one can transact on land. The Technical Personnel Index aims to determine the number of government technical officers dealing with land (surveyors, valuers, planners, adjudication officers, etc.) per 1000 citizens.

$$\text{Technical Personnel Index} = \frac{\text{No. of technical land officers}}{\text{Total population}} \times 1000$$

This index can also guide interventions towards improving and decentralizing land services.

Global standard: The ideal that states should work towards for this index is best set at a continental or regional level, to take into account the institutional challenges being faced in the developing world in terms of technical capacity, as well as the low registration index which calls for a higher standard for developing nations.

4. *Transaction Index*

The VGGT call for states to implement policies and laws in a timely and effective manner (FAO, 2012), as well as recognize and facilitate fair and transparent sale and lease markets as a means of transfer of rights of use and ownership of land (FAO, 2012). Timely service delivery in the land sector remains a key indicator of efficiency in land administration. The *Transaction Index* aims to determine this average turnaround time, against a set global standard. The formula to arrive at this index is:

$$\text{Transaction Index} = \frac{\text{No. of days to transfer ownership of land}}{\text{Globally set no. of days to transfer ownership of land}}$$

A *Transaction Cost Index* would also be helpful in assessing the costs incurred when conducting basic land transactions such as transfer of title, against a set global ideal. The formula for this would be:

$$\text{Transaction Cost Index} = \frac{\text{Total costs paid to the state to transfer ownership of land}}{\text{Globally set cost to transfer ownership of land}}$$

Global standard: Calculation of this index will require collection of data from service seekers at land registries and other land governance institutions. The threshold of data to be collected to determine this average turnaround time will also have to be agreed upon globally (e.g. data from 1000 service seekers).



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a) Community Transaction Index

This index is similar to the Transaction Index, but gives special focus to community land registration, owing to the growing interest over large scale land acquisition for investments. With increased acquisition of communally owned land for investment purposes, there is a need to ensure protection of communities' tenure rights through registration of community land in line with the VGGT principles and other principles of sustainable development. Most community land is held under customary tenure systems. In this regard, the VGGT calls for the acknowledgement (FAO, 2012), recognition and protection of customary tenure systems (FAO, 2012), and the legitimacy of the associated tenure rights. Monitoring the speed at which countries are documenting and registering communal ownership of land is a good entry point to calling for states to support registration of community land and thereby ensure communities benefit in the event of large-scale land acquisition for investment.

$$\text{Community Transaction Index} = \frac{\text{Average time to register community land (months)}}{\text{Globally set time to register community land (months)}}$$

Global standard: Most community land registration frameworks were either developed or have been revised after the turn of the new millennium. The set global standard for this index should factor in the dynamics of community land that make registration a lengthy process such as community population, vastness of community land, and longer periods dedicated to a participatory land delimitation process that will more often include participation of all adults who are members of the community and consultation with neighbouring communities.

5. Legal Reform Index

Policy and legal reform are the main entry points through which states adopt the VGGT principles in their land governance structure. Changes in institutional arrangement of land administration and management is also best introduced through legal reform. The proposed *Legal Reform Index* will give a representation of how often states review the legal framework and instruments guiding land governance to be in line with VGGT provisions on policy, legal and organizational frameworks related to tenure (FAO, 2012).

Legal reform has characterized the land agenda for most developing nations in recent years more than past periods. The proposed formula to arrive at this index takes this reality into account and calculates this index against a time period beginning at the turn of the 21st century.

$$\text{Formula A; Legal Reform Index} = \frac{\text{No. of new policies, laws and amendments}}{\text{No. of years since 2000}}$$



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Alternatively, this index can also be calculated within 10-year blocks of time (2000-2010, 2010-2020 etc.). The formula for this approach would therefore be:

$$\text{Formula B; Legal Reform Index (2000 to 2010)} = \frac{\text{No. of new policies, laws, amendments}}{10}$$

Global standard: The legal reform index is best applicable in analysis as a factor of other indexes, i.e. if a state's registration index, gender index, transaction index and institutional index are closer to or higher than the global standard, the rate of reviewing legal framework guiding land governance will naturally be low. As such, it would be more practical to have the global standard for this index be set at a continental or regional level for states to work to achieve by the year 2030.

6. Financial Sustainability Index

The VGGT call for States to ensure that implementing agencies and judicial authorities have the financial capacity to implement policies and laws in a timely, effective and gender-sensitive manner. For this index, the objective will be to ascertain the fraction of total financial resources that a government has committed to land governance. This index can be useful in quantifying the political goodwill or government commitment to improving land governance.

The formula to arrive at this index would be:

$$FS\ Index = \frac{\text{Budget allocation to land governance within a FY}}{\text{Total budget for the financial year}} \times 100$$

Alternatively, this index can be calculated to determine the ratios of different sources of financial support dedicated to improving land governance. In this case, the formula would be:

$$FS\ Index = \frac{\text{Govt budget allocation to land governance within a FY}}{(\text{Govt} + \text{Donors})\ \text{financial support to land governance for the FY}} \times 100$$

Averages for electoral periods can be calculated and used as an advocacy tool when with successive governments to increase budgetary allocation to land governance.

Global standard: The global ideal for the financial sustainability index will have to be region specific to factor in different countries' journey to improved land governance. For instance, Africa where most



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countries have over the last decade or so been undergoing some form of legal or institutional reform may have to set a higher target percentage for this index, in comparison to Europe where land governance is experiencing fewer challenges.

7. *Tenure Typology Index*

This index will give the ratio of private land, community land or public land as a percentage of the total land mass. While the typology index for the private land and community land will mostly be used as baseline data for analysis of other land tenure issues, the public land index is the most important of the three. The public land index can be use as a guide for urban area development, to give a standard minimum of land that should be set aside for public utilities.

a) *Public Land Index*

The public land index is a percentage of land that is taken up by public utilities (schools, hospitals, parks, playgrounds and other public spaces) as a fraction of the total land within an urban area (city, town, municipality or urban area). For larger urban areas such as cities, the public land index will also have to take into account the population of the said city. The public land index can also guide the practice of land banking.

$$\text{Public Land Index} = \frac{\text{Acreage of public land within urban area}}{\text{Total acreage of urban area}} \times 100$$

Global standard: Setting a global ideal for the public land index would require analysis of the current town, city and municipality ratios for ideal situations, and factoring in the population growth rates for these urban areas. The [UN-Habitat](#) would be the ideal institution to guide development of the global ideal for the public land index.

2.2 Opportunities that the Land Governance Indexes present

Land reform in Africa and most of the developing world has largely been characterized by policy and legal reform. The process of monitoring whether policies and laws are being developed in accordance with the principles of the VGGT is a theoretical and qualitative exercise that can only measure outputs, rather than impact. The Land Governance Indexes can be the tools that enable monitoring to go beyond outputs to outcomes and impact on a level playing field. Adoption of this system in monitoring the impact of VGGT will enable us to answer the question: “*How has the inclusion of VGGT principles in policy, legal and organizational framework of land governance contributed to responsible governance of tenure?*”



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Additionally, aligning global land agenda to the Indexes and using this system to gauge the impact of the developments on tenure governance can improve the monitoring process by enabling direct comparison between states. This comparison of figures against different countries and against a set global standard could be the key to simplifying tenure security issues to the political leaders who make decisions on prioritizing or financially supporting land governance structures but lack an in-depth understanding of tenure issues. Simplifying tenure issues can also be helpful in giving the land reforms agenda more traction at a national level, and for the citizenry to hold respective governments accountable for their efforts towards improving land governance.

Beyond adoption of VGGT principles into policy, legal and organizational framework of land administration, the officers carrying out the land governance functions need to acknowledge, appreciate and apply these values in practice. The Indexes present an opportunity to assess whether these principles are guiding implementation of the law, and whether governments, state agencies, civil society organizations, INGOs, donor agencies, development partners and intergovernmental organizations need to revise their approach to improving land governance.



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An example of how the Indexes can help in checking accountability from states is using the Registration Index to gauge the progress a government is making to improve tenure security (by registering tenure rights). For instance, a government may report to have issued 100,000 Deeds in three years and compare this figure to a total of 50,000 Deeds issued in the ten years preceding the three-year period. While this is an improvement in terms of the number of secured parcels of land, it does not necessarily translate to twice the work being done in a shorter time period. In view of the realities of rapid subdivision, urbanization leading to increased informal settlement, and squatter issues, the number of titles may have doubled but the percentage of land that is registered may have gone up by a smaller ratio. The Registration Index will therefore guide civil societies in calling for accountability by checking to ensure registration of land is working towards securing a set continental or global standard, and in the long run having all land registered. This index will also be a measure of political goodwill and government commitment to achieving responsible land governance.

Despite tenure security being a key factor in ensuring food security and socio-economic development globally, education, food security, health and in some cases national security take priority when it comes to state budgetary allocations as well as donor and development partner contributions. In using only 7 indexes to gauge progress in improving tenure security globally, there is an opportunity to popularize the global land agenda by focusing only on the impact being targeted (e.g. improving tenure security by ensuring 60% of all land in the world is registered). With the rise of social media, structuring the messaging and using the *Communication for Development* (UNICEF) approach can further create opportunities to get

The Land Governance Indexes system can ensure all interventions in the land sector can be monitored in terms of contributing to improving either of the 7 indexes to achieve a quantifiable global standard. In Kenya for example, the set target for tree cover (to promote forest conservation) is 10% of the land area of Kenya. This provision is given in the Constitution of Kenya, 2010. This means that all efforts in this sector, whether led by the state, private entities or civil societies, can gauge their impact beyond policies and legislation enacted, by simply checking whether the whole country is improving towards this figure. Even at sub-national level (e.g. at the county level), an NGO working to create awareness among farmers on the opportunities in afforestation can assess their impact by calculating the increased forest area as a percentage of the total administrative unit that defines the scope of their work, and ultimately know whether their efforts are contributing to the national and global standard. Likewise, you do not need to be a practitioner in the health sector to understand what life expectancy of 65 years old for a country means. A change of this figure to 70 years old is easily comprehensible to all. The Land Governance Indexes present an opportunity to have this kind of quantifiable target to monitor the impact of interventions aimed at ensuring responsible governance of tenure rights.

youth and women more involved in land governance issues.



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2.3 Proposed structure of implementation

The calculation of each of the seven indexes proposed in this paper is heavily reliant on the availability of statistical data (population data and land information). While some statistics are readily available at NSOs (e.g. population data and land areas), some variables in the formulas to calculate other indexes will require collection of new data. The data to determine the variables needed to calculate the transaction index and community transaction index as well as the registration index for public land and community land will require conducting separate researches.

For this reason, states should consider having a state agency or state department dedicated to consolidating land data and land statistics. According to a capacity assessment (Land Links, 2017) conducted by GLII/GLTN and UN-Habitat on NSOs preparedness to report on Indicator 1.4.2, data collection and reporting at scale is feasible and needs to integrate essential questions in existing national survey conducted by NSOs, and to standardize data collection and reporting protocols for administrative data. Data collection during national censuses will have to factor in the variables needed to calculate the Land Governance Indexes.

Communication of land governance issues is another key entry point for the Indexes to guide all efforts towards achieving responsible governance of tenure. Part of the application of the indexes system will be to use it in all communication and discussions on land governance issues at national, regional, continental and global level. This will ensure that all stakeholders, including political leaders and the citizenry who lack an in-depth understanding of tenure issues can be part of the conversation by relating improvements in land governance to a set of globally accepted quantifiable goals.



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3.0 Proposed Steps towards operationalizing Land Governance Indexes

The Land Governance Indexes are intended to ensure all interventions towards achieving responsible land governance are contributing to a set global standard. This paper proposes testing of these 7 indexes under a pilot phase to determine the practicality of using them to gauge impact of aligning a nation's land governance framework to the VGGT. This will involve collecting data and calculating the indexes for at least 3 states which have adopted the VGGT in policy and law but have different tenure systems and rules from each other. The results of this pilot phase should inform the next steps that will improve these indexes before validation and implementation of the system, after which the 7 indexes can be approved as the main tools for measuring impact of the VGGT, beyond inclusion of the main principles in policy, legal and institutional framework of land governance. Additionally, the indexes system can also be the tool to gauge all interventions towards reforming land governance, whether at the global, continental, regional, national or sub-national level.



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Pilot phase to test viability of using the Land Governance Indexes to assess the impact of having VGGT principles in policy and legal framework (at least 3 countries).

Finalization of the Land Governance Indexes system to measure progress of adopting VGGT principles into policy, legal and institutional framework, and other interventions towards improving of land tenure governance.

Global ratification/ formalization of Land Governance Indexes system to be adopted by states, support data collection, and commitment by States to achieve a continental or global target for each index by 2030.

Breakdown of global targets for Land Governance Indexes for adoption and monitoring progress of uptake of Land Governance Indexes system at continental, regional and national level.

Development of implementation framework to support collection of data required to calculate Land Governance Indexes (Global partners, development partners, donor agencies, regional and continental development agencies, UN specialized agencies and INGOs).

To operationalize these Land Governance Indexes, this paper proposes taking advantage of the existing inter-agency working groups working on the global land agenda and introducing this at the next of such global expert group meetings. These working groups include: The Steering Committee of the VGGT, the Inter-Agency Expert Group on Sustainable Development Goals Indicators, Global Donor Working Group on Land (and Friends of the Custodians), Global Land Indicators Initiative (currently led by the Global Land Tool Network), and the Land Governance Assessment Framework (under the World Bank).



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4.0 Conclusion

While adoption of VGGT principles in policy, legal and institutional changes in land governance gives the foundation for responsible governance of tenure, the Land Governance indexes can be the tool to gauge the progress being made because of having the VGGT guide the land reform process.

Current initiatives working to develop global land indicators involve extensive analysis of tenure security issues. The Land Governance Indexes can be a way to simplify this information for political leadership, ordinary citizens and any other stakeholders who are beneficiaries of these changes but often lack the technical capacity to understand tenure issues as well as the policy-makers or policy-implementers do.

The Land Governance Indexes present tenure issues in an easily measurable way and will enable assessment of the advancements resulting from interventions to improving tenure security, with the intention of achieving a set global standard. The summary of the assessment into figures representing the impact of land governance interventions can also inform donor focus on specific land governance issues.

While tenure systems and tenure rules vary from state to state, the Land Governance Indexes will enable direct comparison between countries and potentially bring to the fore other interventions that can ensure responsible land governance beyond policy and legal reform.

The main task for the Land Governance Indexes is the global formalization of the system (global, continental, regional and national commitment to achieving set standards). Once this is done, the institutional framework will not necessarily require establishment of new state agencies but can make use of existing state agencies that are mandated to collect this data (state ministries, commissions or departments in charge of land, national statistic organizations, and sub-national governing bodies).



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5.0 Annexes

Annex I: Global Land Indicators (As formulated at 27 April 2015):

A. Land Tenure Security

1. **Documented land rights:** Percentage of women and men with legally recognized documentation or evidence of secure rights to land.
2. **Perceived tenure security:** Percentage of women and men who perceive their rights to land are protected against dispossession or eviction.
3. **Tenure security under a plurality of tenure regimes:** Level of legal recognition and protection of land rights and uses derived through statutory and customary forms of tenure.
4. **Equal rights of women:** Level to which women and men have equal rights to land, including rights to use, control, own, inherit and transact these rights.
5. **Indigenous land rights:** Proportion of indigenous and community groups with claims to land, and percentage of land areas claimed and utilized by them that have legally recognized documentation or evidence of secure rights to land

B. Land Conflicts and Disputes

6. **Availability of dispute resolution mechanisms:** Percentage of women and men, indigenous and local communities that have access to effective dispute resolution mechanisms
7. **Frequency of land disputes and conflicts:** Percentage of women and men, Indigenous People and local communities who have experienced land, housing or property disputes or conflict in the past X years
8. **Land dispute resolution effectiveness:** Percentage of women and men, indigenous and local communities who reported a conflict or dispute in the past X years that have had the conflict or dispute resolved.
 - An additional indicator has been suggested: Percentage of all cases tried by national courts that concern land disputes.

C. Land administration services

9. **Land administration efficiency:** Range of times and costs to conduct land transaction
10. **Transparency of land information:** Level to which land information is available for public access
11. **Land administration availability:** Level to which all users, including women and vulnerable groups, have equal access to land administration services
12. **Mobilization of land-based taxes:** Government tax derived from land-based sources as a percentage of total government revenue



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13. **Land area mapped:** Proportion of national land areas with rights holders identified that is incorporated into cadastral maps / land information systems.⁶
14. In addition, formulation of additional specific potential indicators was suggested at the EGM,⁷ so as to address:
 - Land administration capacity: e.g. average number of transactions conducted (or concluded) per week (or per month, per year) as a percentage of the total number of processes pending (for a defined set of types of transaction)
 - Land administration accuracy: e.g. extent to which government provides protection or reimbursement for losses incurred by the mistakes caused by official land agencies
 - Affirmative action: extent of affirmative action to promote land access and tenure security of identified vulnerable groups.

D. Sustainable land use

(14) Aggregate national changes in land use sustainability: Changes in the geographical extent of sustainable land use, measured by: i) land cover/land-use change; ii) land productivity change; and iii) soil organic carbon change.

15. **Progress in sustainable land-use planning:** Proportions of rural and urban administrative districts or units in which land-use change and land development are governed by sustainable land-use plans that take account of the rights and interests of the local land users and land owners.



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