

THE WORLD BANK
LAND
CONFERENCE

13/05/2024

SOME PROGRESS; MUCH TO BE DONE

Assessments from the Global Land Observatory



Key messages

1. Progress at national, regional and global policy level
2. Little progress in practice
3. Tenure security still a distant reality for many
4. Towards more concentration and less accountability
5. The land SDGs lagging behind



1. Progress at national, regional and global *policy* level



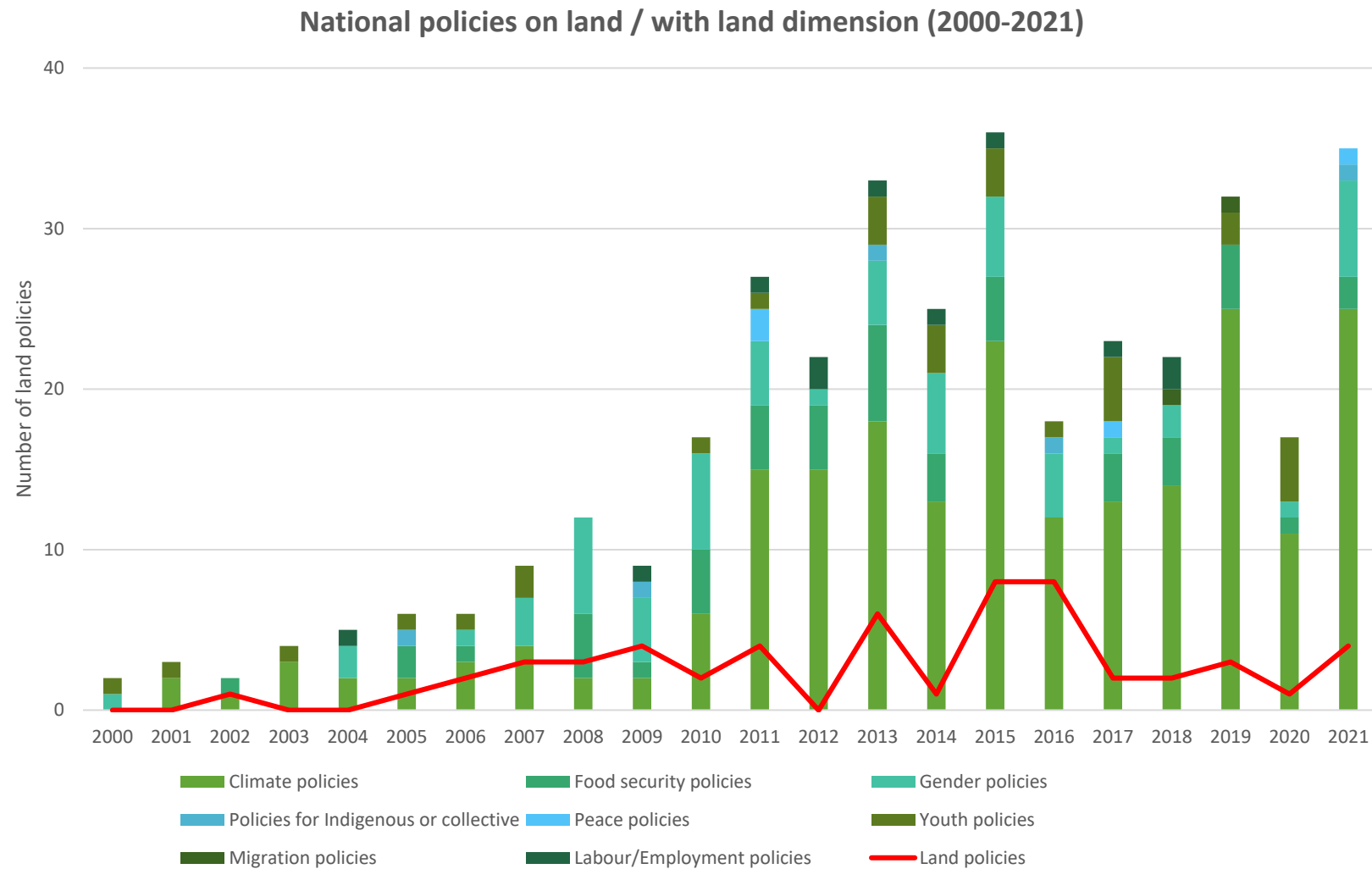
Over the last 15 years, about 25% of countries engaged in land policy/legal reforms; 50% (26 countries) in Africa

COUNTRY	YEAR	LAW
Benin	2017	Loi n° 2017-15 modifiant et compl. la Loi n° 2013-01
Burkina Faso	2009	Loi 034/2009
Botswana	2015 & 2022	Land Policy & Tribal Land Act (Amendment of August 2018 Act)
Burundi	2011	Loi n° 1/13 du 9 août 2011 portant révision du code foncier du Burundi
Congo	2018	Loi n° 21-2018 du 13 juin 2018 fixant les règles d'occupation et d'acquisition des terres et terrains
DRC	2021	Document de politique foncière nationale
Gabon	2012	Loi n°3/2012 du 13 août 2012 portant ratification de l'ordonnance n°5/2012 du 13 février 2012 fixant le régime de la propriété foncière
Ghana	2020	Land act
Ivory Coast	2017 & 2019	Déclaration de politique foncière rurale de la Cote d'Ivoire & Loi 2019-868 du 14/10/2019 modifiant la loi 98-750 du 23/12/1998 relative au domaine foncier rural
Kenya	2009 2016 2017	National Land Policy Community Land Act National Land Use Policy
Lesotho	2010	Land Act
Liberia	2013 2018	Land Rights Policy Land Rights Act

COUNTRY	YEAR	LAW
Madagascar	2022	Loi n° 2022 – 013 portant refonte des règles fixant le régime juridique de la propriété foncière privée non titrée
Malawi	2016 2018	Land Act & Customary Land Act Customary Land Regulations
Mali	2020	Ordonnance n°2020-014/PT-RM du 24 décembre 2020 portant Loi domaniale et foncière
Namibia	2012	Flexible Land Tenure Act
Niger	2021	Politique foncière rurale du Niger
Rwanda	2013 2019	Organic Law n° 03/2013/OL of 16/06/2013 Repealing Organic Law n° 08/2005 of 14/07/2005 Determining the Use and Management of Land in Rwanda & Law n°43/2013 of 16/06/2013 43/2013 Governing land in Rwanda - National Land Policy
Senegal	2016	Document de politique foncière (Draft)
Sierra Leone	2015 2022	National Land Policy Customary Land Rights Act & National Land Commission Act
South Africa	2017	The National Land Reform Framework Bill
Tanzania	2016	National land policy (1995) Reviewed in 2016
Togo	2018	Loi n°2018-005 du 14 juin 2018 portant Code foncier et domaniale
Uganda	2013	National Land Policy
Zambia	2021	National Land Policy

Source: Gaarde & Essimi Biloa, 2024

Both national land policies and focus on land in other (sectoral) policies on the rise

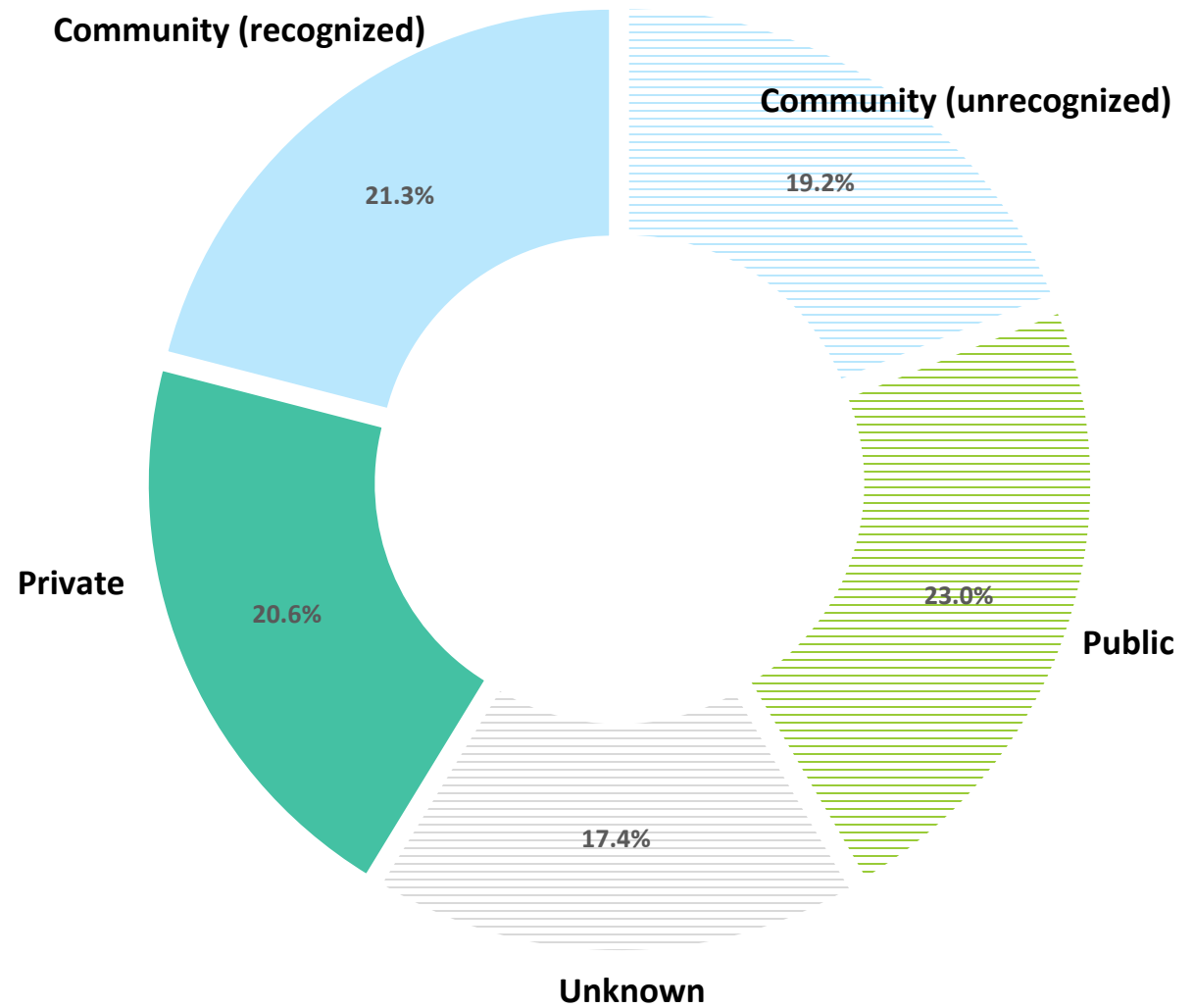


Source: Global Land Observatory, 2024

2. Little progress in practice



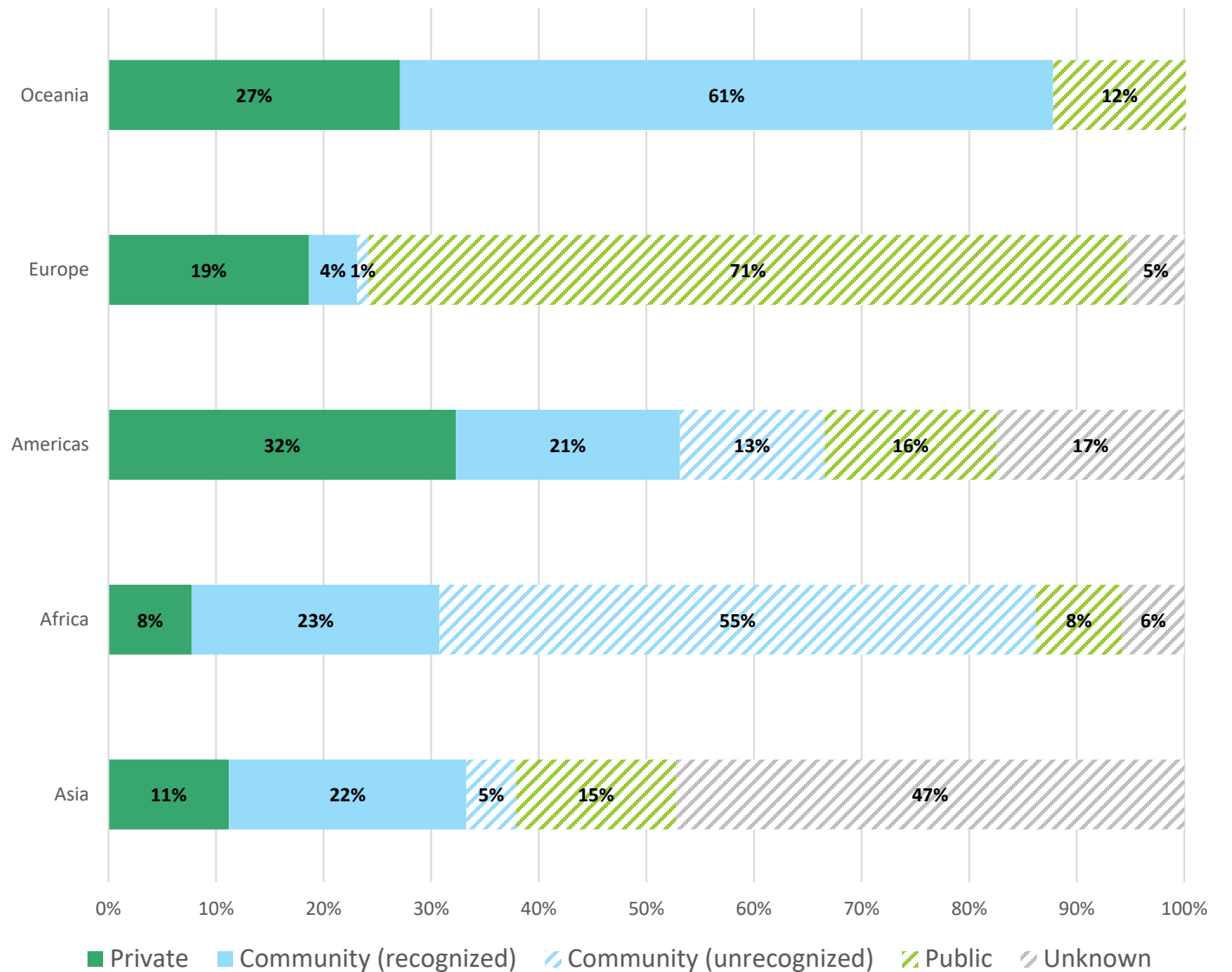
Most (?) lands in the world are still un-documented (and unrecognized)



Source: Global Land Observatory, 2024

Particularly in Africa, lands remain undocumented.

De jure rights mainly remain in the hands of the State (75% Europe+Russia, 70% Africa, 65% Asia, 45% LAC)



Source: Global Land Observatory, 2024



The VGGT compliance rate of large-scale land investments globally remains extremely low

Source: Land Matrix, forthcoming

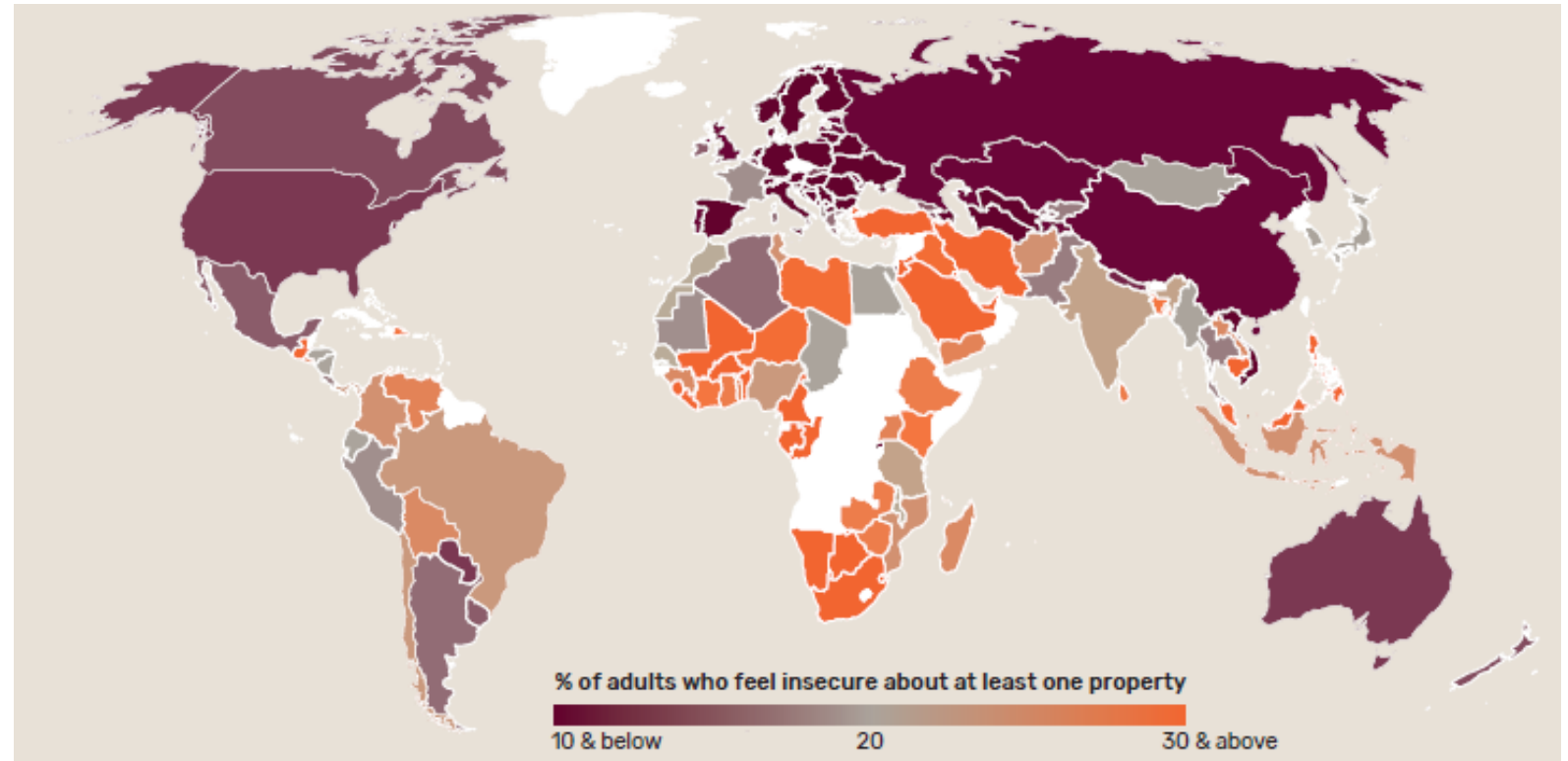
3. Tenure security still a distant reality for many



Nearly 1 in 5 adults consider it **likely or very likely** that they will be evicted from their land or property in the next five years (surveyed in 140 countries)

(Prindex, 2020)

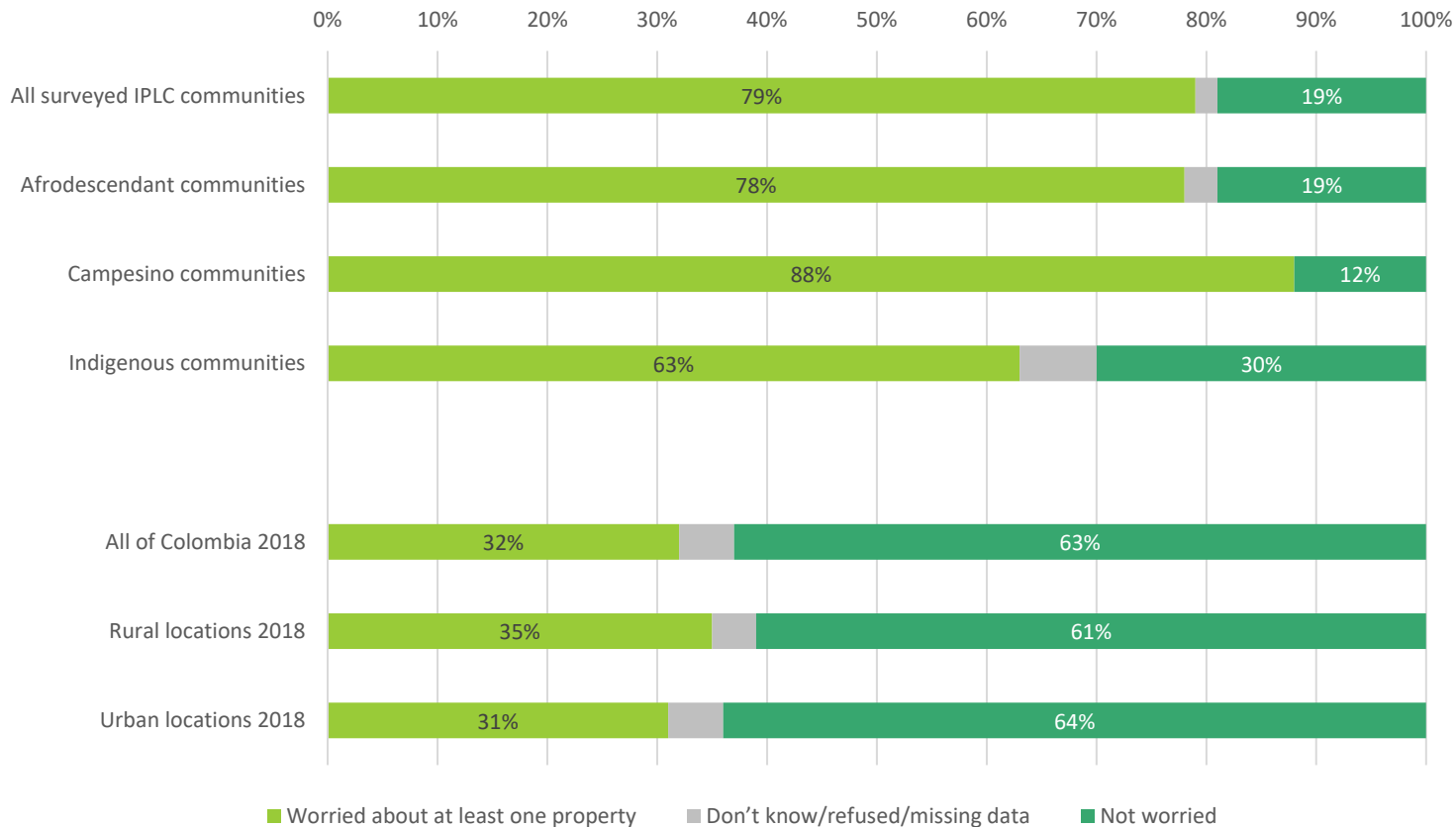
Global levels of perceived tenure insecurity* by country



Source: Prindex (2020)

Notes: *Perceived tenure insecurity as measured across all properties and plots of land that a respondent has rights to access or use, not just their 'main' property

Percentage of adults who are worried about at least one plot of land or property



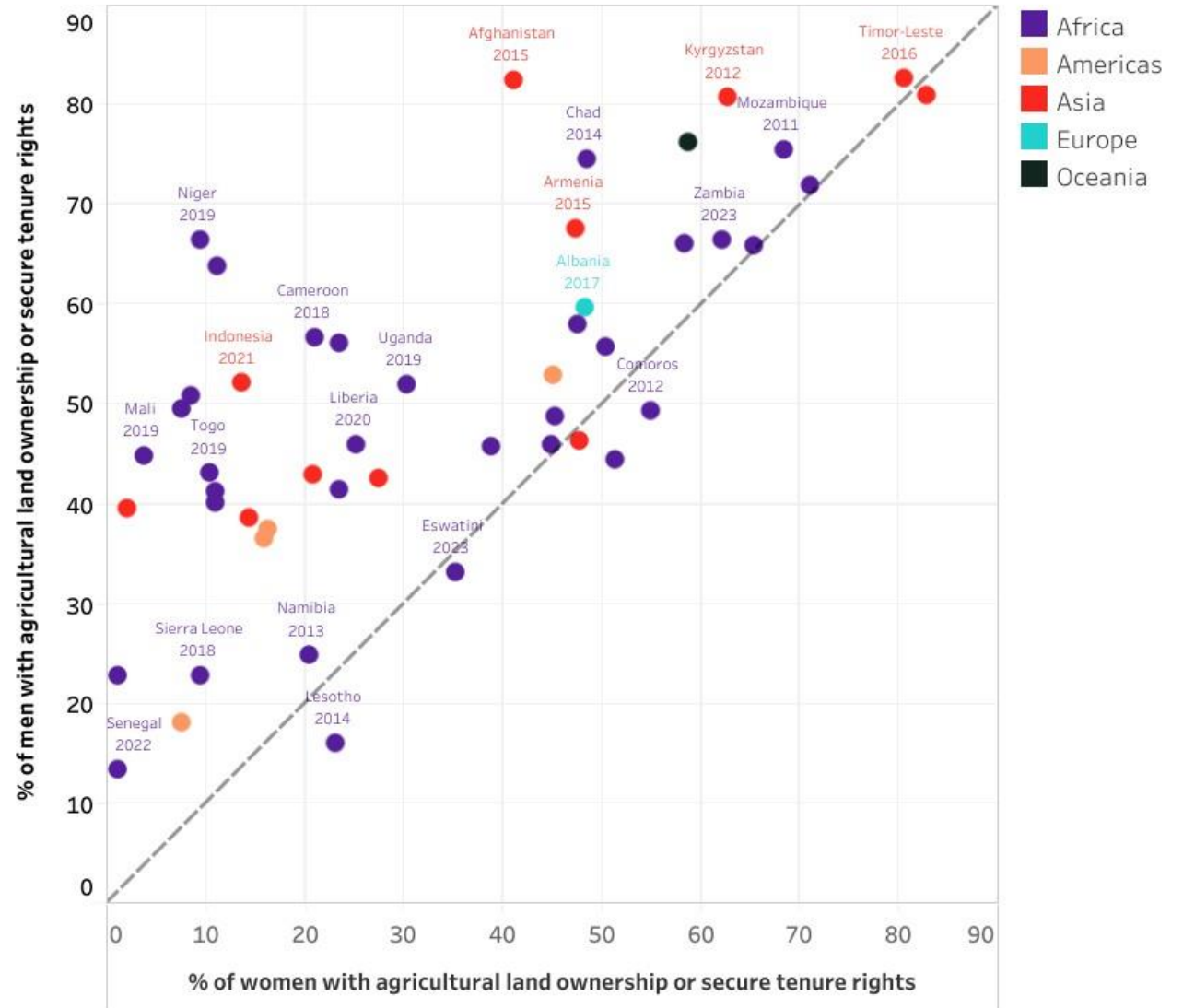
In Colombia, 79% of collective and customary landowners are worried about losing land (compared to 32% nationally)

Source: OTEC, Javeriana University, ILC and Prindex, forthcoming

SDG 5.a.1

In almost half of these countries, the share of men with ownership is at least twice that of women

Share of women and men in the adult agricultural population with ownership or secure tenure rights



Source: Slavchevska, Veldman, Boero, Gurbuzer, Macchioni Giaquinto, Park; forthcoming

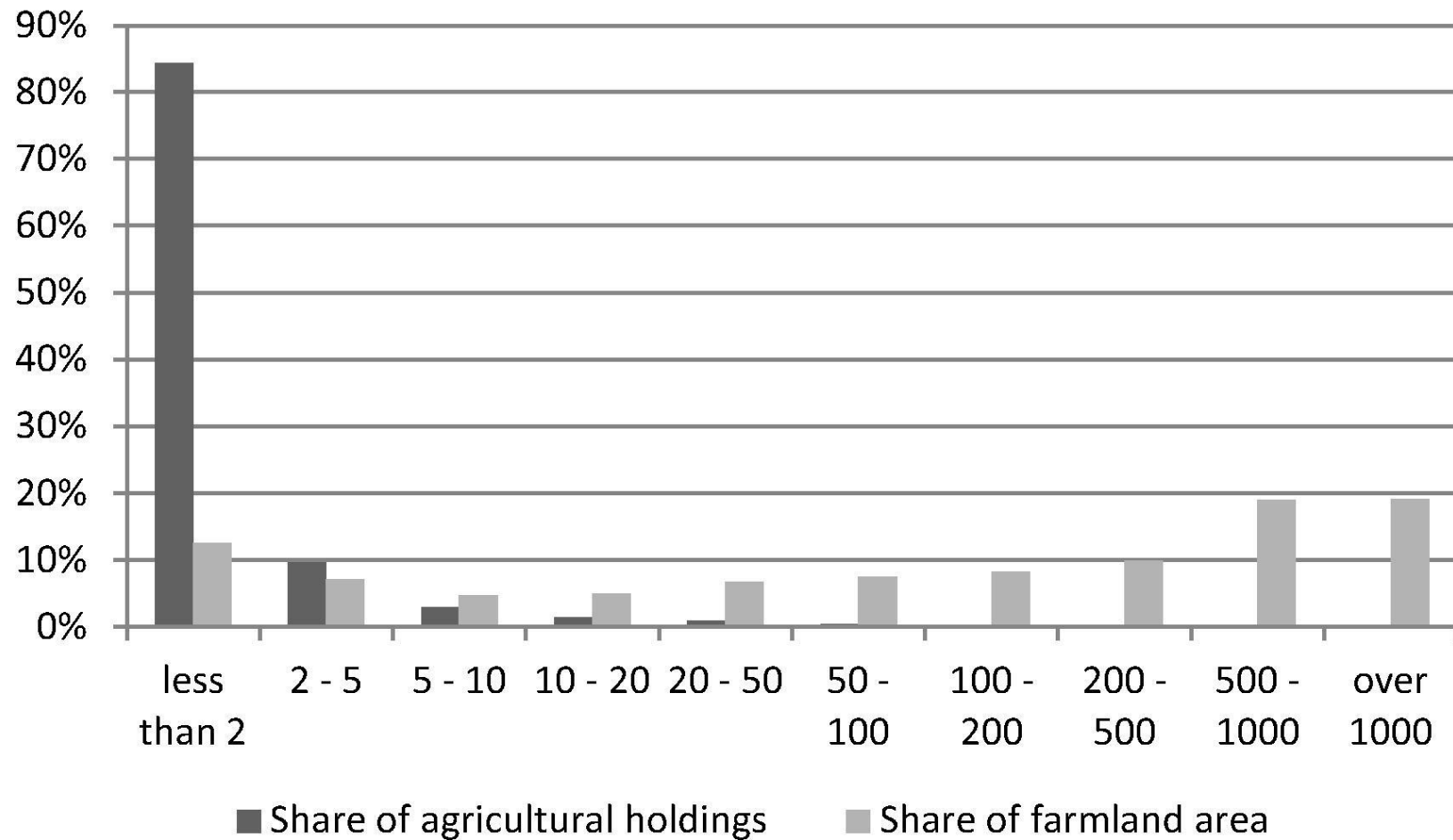
4. Towards more concentration and less accountability



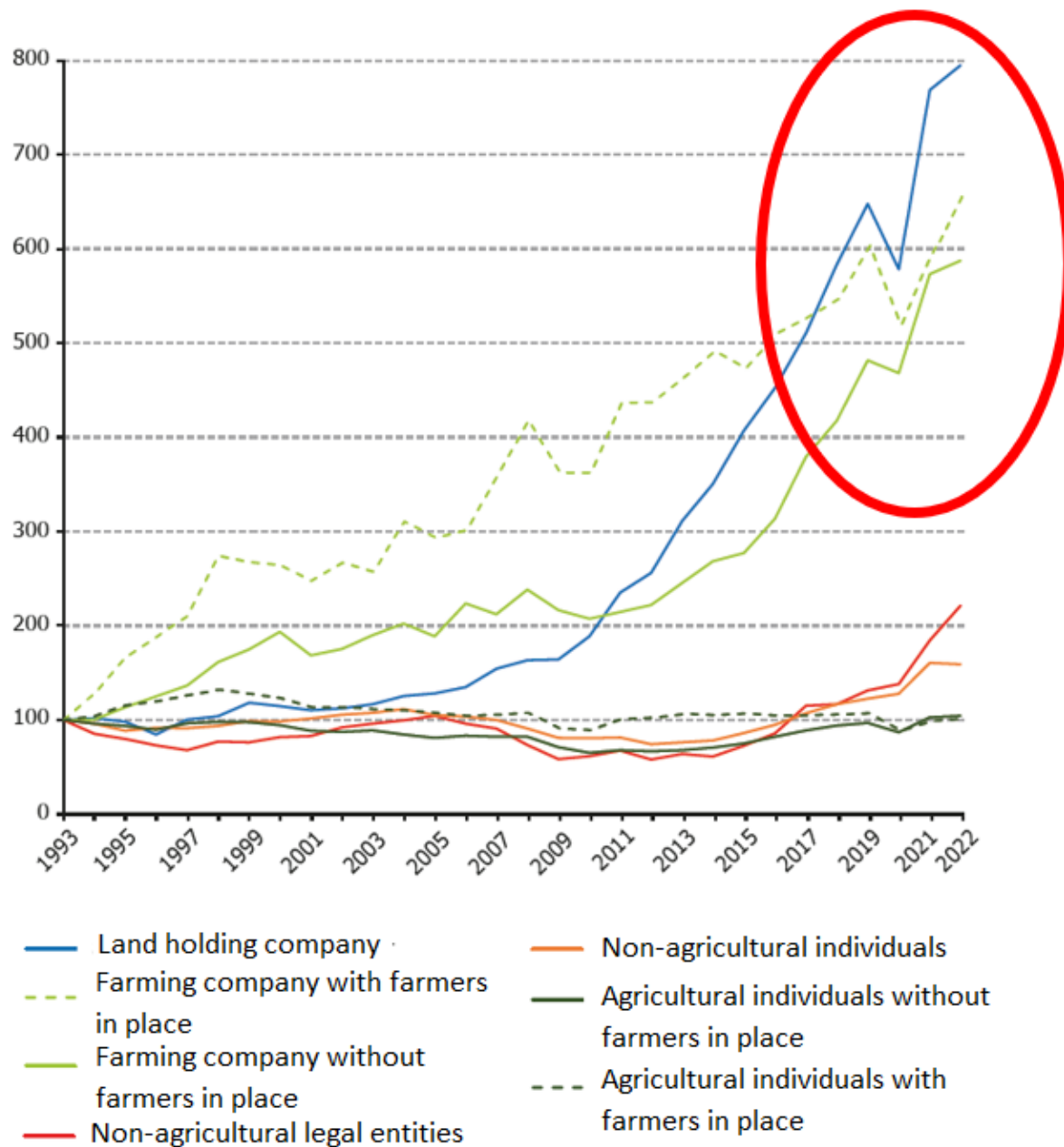
More and more unequal land patterns:

84% of farms are smaller than 2ha and operate about 12% of the land; the largest 1% of farms in the world operate more than 70% of the world's farmland

(Lowder, 2019; Lowder, et al., 2016)



Source: Lowder, Scoet, Raney, 2016



New land ownership and control dynamics (mainly through financial instruments and shareholding) are not accounted for

Number of land acquisitions by type of actors in France (1993-2022, base 100 in 1993)

Source: SAFER, forthcoming

5. The land SDGs lagging behind



Reporting to land SDGs 1.4.2, 5.a.1., 5.a.2.

Challenges:

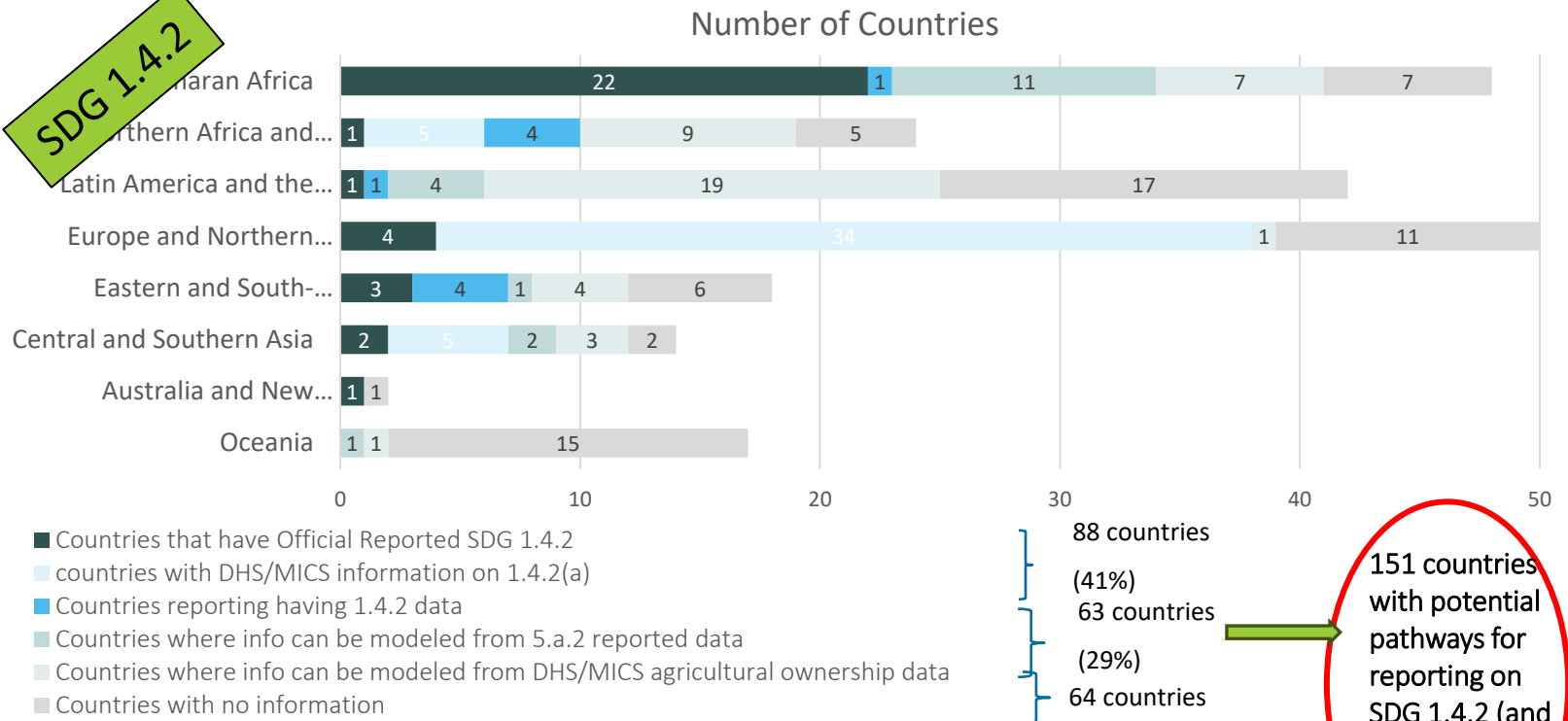
- Data constraints
- Financial and technical constraints
- Sensitive nature of data

Indicator	2020	2021	2022	2024
1.4.2 Proportion of total adult population with secure tenure rights to land				
(a) with legally recognized documentation		33	33	33
(b) who perceive their rights to land as secure		22	22	22
5.a.1(a) Proportion of total agricultural population with ownership or secure rights over agricultural land, by sex; and (b) share of women among owners or rights-bearers of agricultural land, by type of tenure	10	32	47	49
5.a.2 Proportion of countries where the legal framework (including customary law) guarantees women's equal rights to land ownership and/or control	16	36	52	79

Source: UN SDG database

There is significant (and recognized) potential to improve reporting

SDG 1.4.2

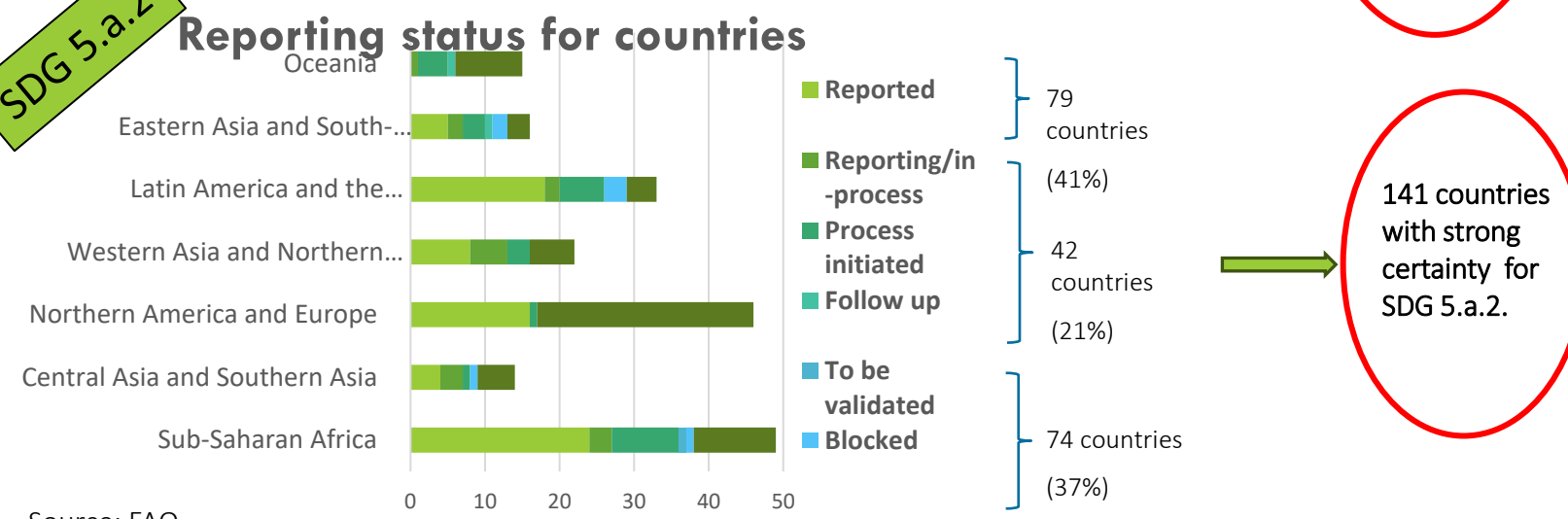


Source: UN-Habitat

88 countries (41%)
63 countries (29%)
64 countries (30%)

151 countries with potential pathways for reporting on SDG 1.4.2 (and by extension 5.a.1)

SDG 5.a.2



Source: FAO

79 countries (41%)
42 countries (21%)
74 countries (37%)

141 countries with strong certainty for SDG 5.a.2.



SOME PROGRESS; MUCH TO BE DONE

Thanks to all contributors

(GLO, RRI tenure tracker, PRIIndex, Land Matrix, Landex, 3 land SDGs,)



WORLD BANK LAND CONFERENCE

Tenure Rights for Equitable, Inclusive, and Just Climate Actions

MAY 13, 2024

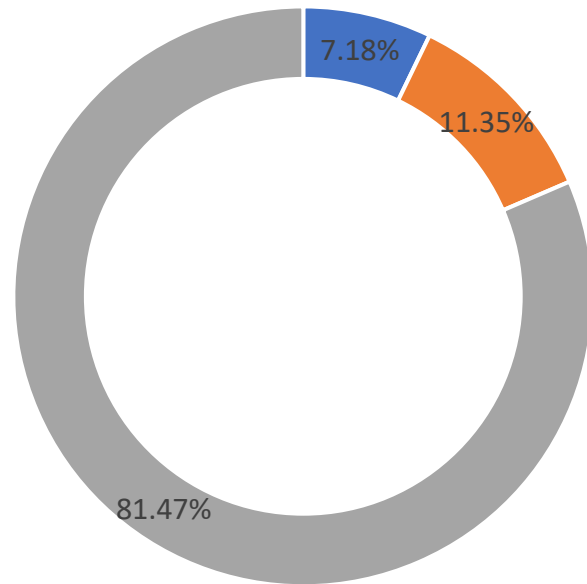
Dr. Solange Bandiaky Badji
President and Coordinator
Rights and Resources Initiative
rightsandresources.org



WHO OWNS THE WORLD'S LAND (2023)

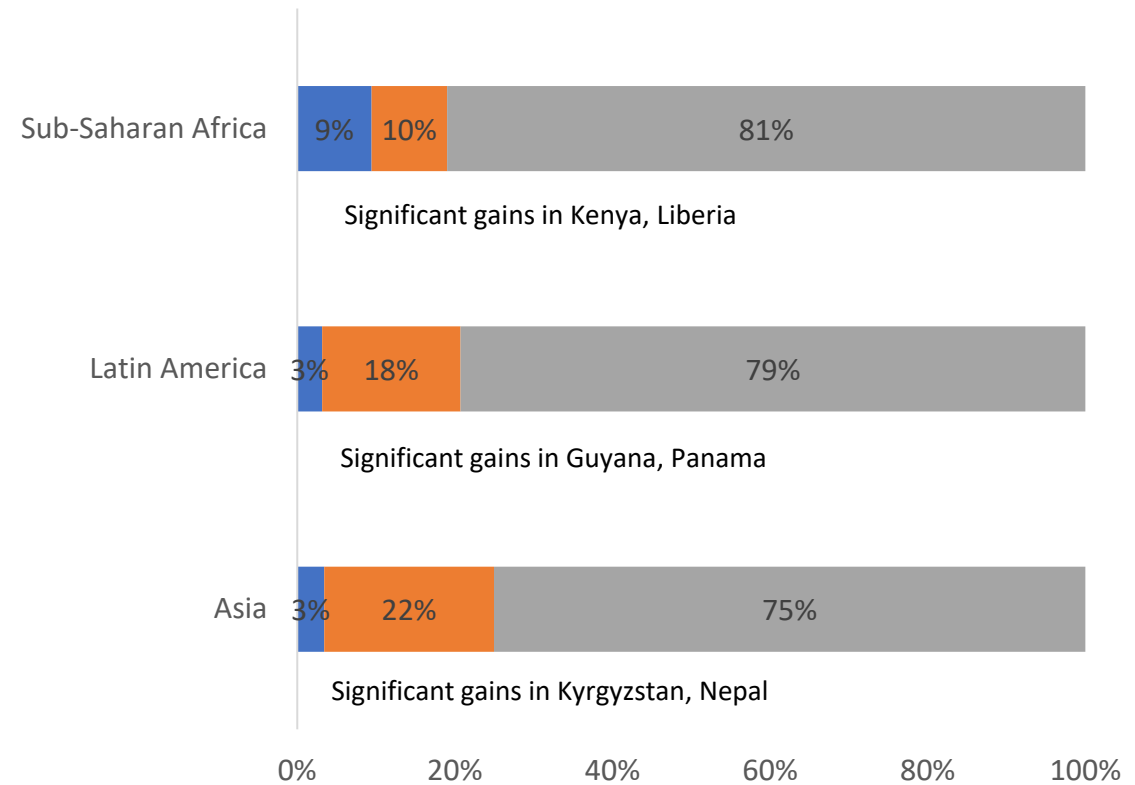


Global Status of Land Designated for and Owned by Indigenous Peoples, Afro-descendant Peoples, and Local Communities in 2020



- Area Designated for Indigenous Peoples, Afro-descendant Peoples, and Local Communities
- Area Owned by Indigenous Peoples, Afro-descendant Peoples, and Local Communities
- Area Owned by Governments, Private Individuals, or Firms

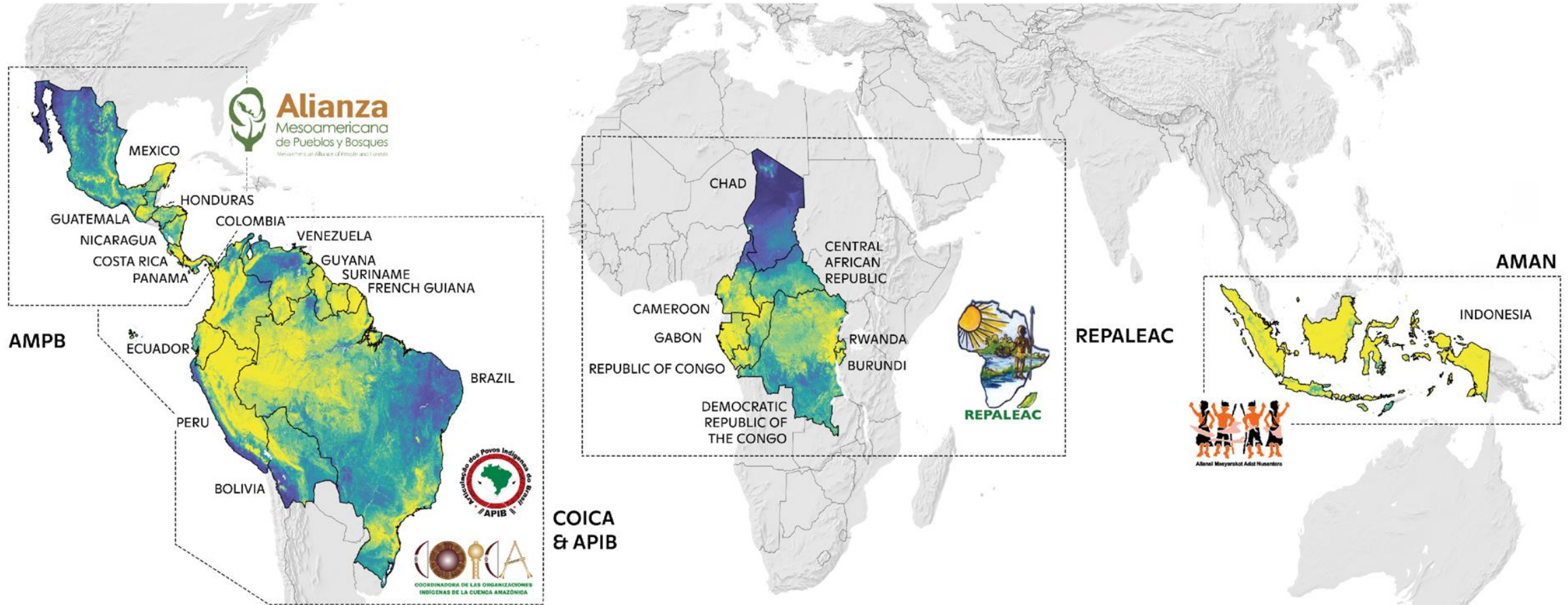
Land ownership by region, by percent of regional land



- Area Designated for Indigenous Peoples, Afro-Descendant Peoples, and Local Communities
- Area Owned by Indigenous Peoples, Afro-Descendant Peoples, and Local Communities
- Area Owned by Governments or Private Individuals

Community-Based Tenure Rights: A Natural Climate Solution

Total carbon stocks managed by the organizations of the Global Alliance of Territorial Communities in both legally recognized and unrecognized territories



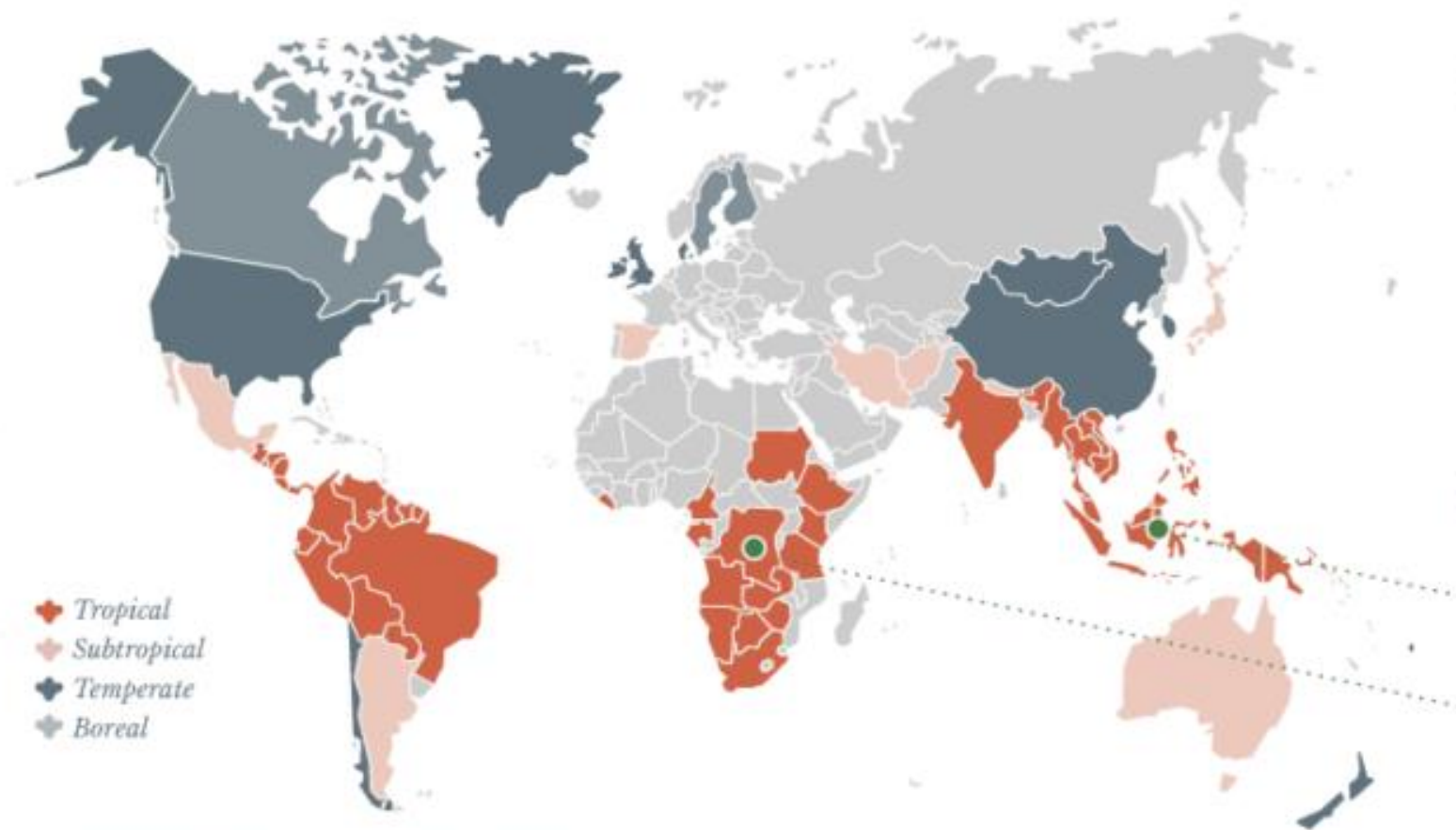
The GATC manages **253 Billion Tonnes Carbon** in biomass and soil, of which at least 131 BtC lie in territories without legal recognition. Even titled lands are subject to a multiplicity of threats.

Source: RRI, WCRC, RFUS (2021)

At least 293,061 million metric tons of carbon (MtC) are stored in the collective forestlands of Indigenous Peoples and local communities.

« This is equivalent to **33 times** global energy emissions in 2017 »

Map of 64 Countries Analyzed Across 4 Biomes (Tropical, Subtropical, Temperate, and Boreal Forests) *



At least 1/3 of community-managed carbon in the tropical and subtropical countries analyzed lies in forestlands where **Indigenous Peoples and local communities lack legal recognition of their tenure rights.**



Carbon storage in collective lands is far greater and more extensive than what can be assessed through **available data.** The full extent of lands held by indigenous and local communities is unknown. Thus, vast stores of carbon in carbon-rich countries **such as DRC and Indonesia** remain undocumented.

* Biomes based on FAO 2015 classifications

Funding Community Land Tenure

- Global climate funding committed to IPs, LCs, and ADPs averaged **US\$517 million per year** between 2020 and 2023, up **36 percent** over the preceding four years.
- This funding is critical to secure community land tenure which leads to:
 - Lower rates of deforestation
 - Climate mitigation
 - Protection of biodiversity
 - Sustainable livelihoods
 - Youth involvement
- In April, RRI and Rainforest Foundation Norway launched the **Path to Scale Dashboard** to bring more transparency to this climate funding
- Find it at: <https://dashboard.pathtoscale.org>





OPPORTUNITIES TO FORMALLY RECOGNIZE AND SCALE UP COMMUNITY TENURE RIGHTS

- **National land laws and policies**
 - At least **1,375 Mha of community lands in 49 countries have not yet been recognized** under national laws and regulations
 - Promoting and scaling up the legal implementation of existing legal frameworks -- **at least 260 Mha of community land in 19 countries**
- **Private-community partnerships and multi-stakeholder dialogues**
 - Create intentional spaces for private, public, civil society, and community stakeholders to share, negotiate, and co-design solutions;
 - Companies/investors should channel direct investment to secure rights, improve local livelihoods, and eliminate deforestation.
- **Support IP- and LC-led regranteeing mechanisms**
 - Represent a pathway to scaling **direct funding** arrangements with rightsholders to secure tenure rights and conserve/manage forests and rural landscapes.
 - Meso-American Territorial Fund, Nusantara (Indonesia), CLARIFI (global)

Principles for a Climate Resilient Future

Climate goals cannot be realized in the absence of justice, equity and the pursuit of rights-based approaches

To these ends, we must:

- Substantially increase land and forest areas under local ownership & stewardship
- Increase direct funding access & support for community actions, solutions & capacities
- Ensure effective community participation in all climate & conservation actions and decisions
- Prioritize bottom-up monitoring and downward accountability



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