How to monitor and promote policy changes on governance of tenure

How to monitor governance of tenure of land, fisheries and forests?

Text-only version

Food and Agriculture Organization of the United Nations

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In this lesson

LEARNING OBJECTIVES

At the end of the lesson, learners should be able to understand how to decide what approach to use for a monitoring initiative.

INTRODUCTION

A monitoring initiative can advance the work of an organization, especially in terms of generating evidence-based advocacy. However, a series of questions on **how to monitor** specific issues of concern with respect to the governance of tenure should be asked to determine the most appropriate monitoring approach.

There is no single monitoring approach to conduct a monitoring initiative. Different organizations may use quantitative, qualitative, participatory or a combination of approaches for data collection and/or developing indicators, using various methodologies.

Choosing a monitoring approach depends on **the objectives of the initiative**. A serious consideration of these objectives can help narrow your choices about:

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Whether you are going to use indicators.
Whether your organization can undertake the monitoring proposed.
The degree to which you want different types of stakeholders involved in your initiative.

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Different monitoring approaches and the Voluntary Guidelines

In accordance with the Voluntary Guidelines on the Responsible Governance of tenure (VGGT), governments have the responsibility for the utilization, monitoring and evaluation of the Guidelines. But states are also encouraged to set up multi-stakeholder platforms and frameworks to collaborate on the utilization of the Guidelines, and to be active in monitoring and evaluating utilization and impact in their respective jurisdictions.
Data gathered through different approaches and initiatives could thereby **be shared among stakeholders** to provide a holistic report on governance of tenure in and across particular jurisdictions.

USING INDICATORS

Are you going to use indicators?

The monitoring approach that an organization selects may depend on the use of indicators for monitoring and analysis.

DEFINITION

Indicators are typically used as a way of **assessing success or compliance against predefined objectives** or norms.

Alternatively, we may define indicators as a way of assessing reality on a particular issue, because the goals, norms and issues we set out to assess are often stated in quite an abstract way, and are not something that can be measured directly.

IN DEPTH: CRITERIA FOR WHAT MAKES A GOOD INDICATOR

In general, for monitoring initiatives in the development sector, it has become common to have indicators that respond to the technical and political criteria of **SMART** and **SPICED**.

SMART criteria for indicators are focused on technical issues and tend to assume a top-down, expert-led approach.

Specifi**c** --- **M**easurable --- **A**ccurate -- **R**ealistic --- **T**imely

SPICED criteria reflect the fact that indicator development is inherently **political**. Different stakeholders will have different perspectives and interests with regard to the relevance of any given data source as an indicator.

Subjective **–** **P**articipatory **-** **I**nterpreted and communicable **–** **C**ross-checked and compared **-** **E**mpowering **-** **D**iverse and disaggregated

Drawing from both SMART (technical) and SPICED (political) criteria, elements of what makes a good indicator for a monitoring initiative can be evaluated based on these dimensions:

- **Relevance**
- **Achievability**
- **Design**
- **Process**

Each of these dimensions is not a unique concept, but includes a series of further specific characteristics.

We will review them in detail, providing tips and examples to help distinguish if an indicator is **relevant**, **achievable**, **effectively designed** and **can be used by different stakeholders**.

➲ Relevance

An indicator is likely to be of **relevance** to a monitoring initiative if it responds to the following characteristics:

Simple relevance	Does the indicator have a logical connection to the issue to be indicated? ⓘ It is worth checking that every proposed indicator actually measures the issue of concern. *For example*: The prevalence of land disputes may be a simple indicator of **tenure security**, but it cannot be assumed as an indicator of the **implementation of a land registration programme**.
Comprehensive relevance	Does the indicator or set of indicators reflect all significant aspects? ⓘ It is necessary to assess the extent to which an indicator is able to cover at least the most important aspects of the issue in a balanced way. *For example*: The objective of inclusive policy development could be assessed with an indicator such as **the number of policy consultations held before policy approval**, but this indicator reflects only one aspect of the issue.
Specific relevance	Is the indicator specific enough to capture dimensions of gender, age, race or other dimensions that may be relevant? ⓘ An indicator that does not take into account the level of **specificity** needed for assessing circumstances may not be relevant for your monitoring initiative.
Temporal relevance	Does the indicator refer to a relevant moment or period of time? ⓘ The data used by an indicator need to be relevant for **the time period you want to measure**.

➲ Achievability

Achievability has two further dimensions. If you can answer yes to the following questions, your indicator is likely to be **achievable** in your proposed monitoring initiative.

Data availability and collectability	Does relevant data of sufficient quality already exist and can it be collected within a realistic timeframe at an acceptable cost to allow for the assessment of the indicator? ⓘ **Achievability** is a key issue that must be weighed against the need to maximize the **relevance of indicators**. Data availability and ease of data collection often lead to a bias towards policy inputs and implementation outputs which can be easier to assess. They sometimes lead to compromises in which indicators may be chosen despite questionable relevance. The need for achievability may mean that it may be better to select a few good indicators on a particular issue that is both **relevant** and **achievable**.
Manageability	Is your monitoring and data system actually measurable? Can your indicator be easily understood and can data be collected for it? Are there sufficient numbers of an indicator to be examined periodically? ⓘ The aims of a monitoring initiative are achievable if the data system actually **can get operationalized**. In such cases, the parameters of the initiative need to be clearly defined to ensure that: • indicators and ways of collecting the data are easily understood and used; and • sufficient numbers of meaningful indicators can be looked at periodically and carefully instead of large numbers of indicators that may be beyond the resources of the initiative.

Design

If you can answer yes to the following questions, it is likely your **indicator's design** has been **effectively conducted**.

Comparability	Does the indicator allow comparisons over time and (if needed) between places? **Achievability** is a key issue that must be weighed against the need to maximize the **relevance of indicators**. **Comparability problems can be acute between countries** in which their relevance and meaning may be different, such as when nationally specific terms are used or when populations sizes may differ. *For example:* This indicator can be fine for short-term comparisons over time. It can be meaningless to make comparisons between countries with vastly different population sizes.
Measurability	Is the indicator well defined so that different users will always interpret it in the same way? All terms in a selected indicator, including adequate, efficient, accessible and secure, are not precise and must be carefully defined so that the indicator can be used in the same way to produce data that allows for meaningful comparisons. Consider this indicator: Most expropriated landowners receive compensation within one year. At closer analysis, do you think you have all the information to answer these questions? *What counts as expropriation?* *What counts as compensation?* *Who counts as a landowner?* *When does "one year" begin?* This highlights the fact that the type of short statement that is typically presented as an indicator should really only be an indicator summary, with

	the proper indicator including careful definitions and guidance material.
Triangulation	Do indicators reflect different viewpoints or data sources to improve reliability and expose bias? ⓘ Consider that any data source, from census results to qualitative assessments, may be biased in some way. This may result from the methodology used or the perspective of the people who are providers of information. This does not mean that all data is bad, but a more representative view may be presented by including different data sources and stakeholder viewpoints. This allows for cross-checking and comparison, or **triangulation**.
Clarity	Is the indicator presented and interpreted so as to be understandable to all who have a stake in its use? ⓘ Inclusive processes of indicator development and use depend on the possibility of presenting and interpreting or explaining indicators in a way that does not rely on language which may exclude key stakeholders from having a say in the development or assessment process. A clear indicator should be as clear as possible to all stakeholders: Vulnerable people, Policy-makers, Civil society

Process

Finally, a good indicator for a monitoring initiative can be evaluated based on participation.

Participation	Are your indicators developed through a participatory, multistakeholder, gender-balanced and representative process? ⓘ Indicators are usually developed in a top-down, expert-led way. But they can also be developed through a participatory process that brings together different stakeholders. A participatory process should bring together: ‣ Those formally charged with designing and implementing policy as well as those whom the policy is intended to serve.

- Women and men.
- Representatives of relevant marginalized groups and all key stakeholders.

Such inclusion may be politically difficult, but monitoring can be a way of strengthening advocacy allowing marginalized voices to be heard, building multistakeholder ownership and promoting empowerment.

SOME TYPES OF INDICATORS

There are different types of indicators. They may be more or less complex or use different methodologies. For example, indicators may be identified based on:

- **Complexity**

Indicators in this category may include:

Aggregate/summary indicators - Such indicators concentrate information into a **single figure**. For example: **Gross domestic product**

Composite/integrated indicators - Such indicators draw from or **reflect interaction between different areas** such as environmental, social and economic dimensions. For example, **Human development index**

- **What is being measured**

On this basis, we can identify, among others:

Quantitative indicators - Such indicators include information presented as numerical figures, percentages or ratios to **measure quantities** or amounts.

Qualitative indicators- Such indicators tend to measure **people's judgments** or perceptions about a subject.

- **Methodologies used**

These indicators may include:

Indicators based on quantification - This category includes indicators that make a particular issue measurable by directly using **information derived from reality**.

Indicators based on scoring - These indicators use a **matrix** whereby a certain value is assigned by users to a situation or an example.

Example: What is monitoring?

In the methodology used by Transparency International's Global Corruption Barometer, this is one of the questions presented to people surveyed for data collection:

Q1. Over the past two years, how has the level of corruption in this country changed?

1. Decreased a lot.
2. Decreased a little.
3. Stayed the same.
4. Increased a little.
5. Increased a lot.

Based on this question, the indicator that will be used to monitor perception on change of corruption uses a scoring method. To measure change in corruption, the indicator assigns values to perceptions of change and users are invited to make an assessment by choosing a value from one to five.

TO USE OR NOT TO USE INDICATORS

Indicators are needed in some monitoring initiatives, but not in others. The Ibrahim Index of African Governance, 22 indicators have been identified to measure abstract concepts. In other cases, no indicator is identified, but concrete and measurable data is used (see example Land Matrix or Monitoring using human rights conventions).

Examples

IBRAHIM INDEX OF AFRICAN GOVERNANCE

The **Mo Ibrahim Foundation (www.moibrahimfoundation.org)** uses the **Ibrahim Index of African Governance**, which measures the governance performance in African countries across four dimensions (categories):

1. **Participation and human rights**
2. **Human development**
3. **Safety and rule of law**
4. **Sustainable economic opportunity**

In the Ibrahim Index of African Governance, indicators are used to measure concepts that cannot be measured directly.

For example: Human development can be understood to mean per capita income, education and life expectancy, as defined by **UNDP'shuman development index (HDI)** (**http://hdr.undp.org/en/content/human-development-index-hdi**) but can also be defined to include other measures of welfare that may not be included in the HDI. In order to identify concrete things that can be measured with respect to human development, the Ibrahim Index of African Governance has identified a **list of 22 indicators** to measure progress on human development in a specific African country. The list of indicators includes:

- Nine indicators measuring welfare
- Seven indicators measuring education
- Six indicators measuring health

THE LAND MATRIX

Land Matrix **www.landmatrix.org/en** is a global and independent monitoring initiative on large-scale land acquisitions. Trends in such acquisitions are being tracked over time and data have been presented effectively in various forms. In the Land Matrix initiative, **no indicator has been defined**, but there is a clear profile of what has to be observed. **Why?**

Because Land Matrix partners are focused on assessing something that is concrete and measurable (i.e. **large land deals**[1]). They are able to present data as it is, and not as an indicator for something more abstract. Nonetheless, data on large-scale land acquisitions collected by the Land Matrix could still be used for indicators. Data on large-scale land acquisitions could be used, for example, for indicators on "equitable access to land" or "concentration of land ownership".

MONITORING USING HUMAN RIGHTS CONVENTIONS

Similarly to the Land Matrix initiative, the monitoring of human rights conventions through reporting by states and parallel reporting by civil societies organizations (CSOs) **does not typically involve explicit or**

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[1] **Large land deals**: In the Global Observatory of the Land Matrix, a deal is referred to as an intended, concluded or failed attempt to acquire land through purchase, lease or concession that meets the criteria defined below. The Global Observatory of the Land Matrix includes deals that are made for agricultural production, timber extraction, carbon trading, industry, renewable energy production, conservation and tourism. Deals:
- entail a transfer of rights to use, control or ownership of land through sale, lease or concession;
- have been initiated since the year 2000;
- cover an area of 200 hectares or more;
- imply the potential conversion of land from smallholder production, local community use or important ecosystem service provision to commercial use. (Source: **www.landmatrix.org/en/about**)

fixed indicators. Instead, reports usually present evidence that can readily be understood as relevant to assessing compliance with the convention.

The Committee on the Elimination of Discrimination against Women (CEDAW) is an example of a human rights convention, but there are many other human rights conventions such as the **International Covenant on Economic, Social and Cultural Rights (IESCR**)
www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx

To summarize, if you have to decide whether or not to use indicators in a monitoring initiative, consider the following questions:

When a monitoring initiative is focused on measuring progress on a predefined abstract goal or issue, are indicators used?	➲	In this case, an indicator **may not** be acquired.
When a monitoring initiative is focused on assessing progress on something that is predefined, concrete and measurable, are indicators used?	➲	In this case, an indicator is **generally used**.

MORE INFORMATION ON INDICATORS

IN DEPTH: DEVELOPING A MONITORING INITIATIVE USING INDICATORS

While some monitoring initiatives using indicators start off through expert-led development, especially with respect to establishing baselines and measures, it is possible for your initiative to:

① **Identify indicators based on relevance, achievability, design and process**

Elements of what makes a good indicator for a monitoring initiative can be evaluated based on these dimensions: **Achievability, Process, Relevance, Design**
Each of these dimensions includes a series of further specific characteristics which have already been extensively covered in the "***In depth***" section "W**hat makes a good indicator"**.

② **Make a baseline**

A **baseline** provides the current situation of the issue that will be measured by your indicator or set of indicators. Monitoring against it can demonstrate a positive or negative change over time. In some cases, where data sources exists, it may be possible to retroactively define a **baseline**, or if no data sources exist, it may be possible to obtain a base measure retroactively against which changes can be observed over time.

For example: To establish a baseline pertaining to local governance one might ask a number of people: "Compared to three years ago, do you feel more or less involved in local decision-making? "

A clear tendency among respondents towards an answer of more or towards an answer of less provides a valid indication that:

Prevalence of more	Prevalence of less
↓	↓
Change has occurred	**Change has not occurred**

When it is impossible to establish any sense of change retroactively, establish a **measure of where things are now**. This measure will at least allow for the assessment of change in the future.

↘ ③ Explain your indicator to users

Finally, to meet the criteria for selecting an indicator and to set the baseline as indicated earlier, it is likely that much more information will need to be provided to those who will carry out the assessment and to those who need to interpret monitoring results. Well-developed indicator systems often provide quite extensive guidance on methodology and interpretation. Users, therefore, need information on three main topics for indicators:

- **Rationale -** There needs to be a **clear statement of the norm**, **question or goal that the indicator is designed** to assess, and an explanation of the relevance of the indicator to it. Guidance should also comment critically on the limitations of the indicator. It should be made clear exactly what the indicator indicates and what it does not.
- **Definition -** An **exact statement** of the indicator is needed, and this will probably need to be accompanied by further explanations. The definition may need to describe the units of measurement to be used and the time period to refer to. It should specify requirements for data disaggregation (i.e. by gender, gender of household head, income group, type of land, etc.). **Key terms** in the **indicator should be defined** whenever it is possible that different users could interpret them differently. Often it may be necessary to give examples to make the meaning of these terms clear.

- ↘ **Methodology -** The methodology should indicate the **data sources that can be used to assess the indicator**, or it should describe, in detail, the procedure followed to gather and analyse data, so that different users will gather data in a comparable way. It is possible that alternative methodologies may be suggested. There may be an overlap between defining an indicator and specifying how data is to be collected, as the exact meaning of an indicator is given in practice by the method used to get data.

DECIDING ON YOUR MONITORING APPROACH

Can your organization undertake the monitoring proposed?

Organizations and individuals can make different choices on the approach used for their monitoring initiatives, including whether or not they are using indicators. This is because there is varied interest, capacity and requirements for comparability, geographical scope and data.

Some monitoring initiatives are top-down. In general, top-down monitoring is undertaken by governments or intergovernmental organizations (IGOs). While other initiatives follow bottom-up approaches, for example, in bottom-up monitoring, local communities contribute to record their own data with the help of technical expertise provided by civil society organizations (CSOs).

PARTICIPATORY MONITORING INITIATIVES

To what degree do you want stakeholders involved in your monitoring initiative?

A final issue to consider when deciding your monitoring approach is the level of involvement of different stakeholders.

Monitoring initiatives can include a **participatory dimension**, where **local people** generate and, to varying degrees, **are empowered by their own numbers**. In such situations, the monitoring initiative is also seen as a productive opportunity for multistakeholder dialogue and the empowerment of local communities.

Example

In Ponto do Maduro, Recife people were being threatened with eviction. Huairou Commission members from Brazil, Espaço Feminista along with local grassroots women leaders, initiated an assessment using the Global Land Tool Network's (GLTN's) Gender Evaluation Criteria (GEC) tool to establish dialogue and relationship building with the local government. In 2010, the state government of Pernambuco (where Recife is located) announced that it would cease plans to evict residents of the community in favour of regularizing the settlement.

A local committee was created for monitoring the process. It included Fundação Joaquim Nabuco, a federal research foundation (FUNDAJ), Secretaria do Patrimonio da União (SPU) and the State of Pernambuco Housing Company (CEHAB). The leadership role of local grassroots women leaders in the monitoring process was integral to the achievement of positive and concrete results.

What was the result?

As a participatory tool, the GEC helped to build partnerships between various organizations. The GEC helped to raise awareness of rights among women residents and enabled them to take collective action for their rights to be recognized. Forty percent of the titles for the area have already been issued.

Source: Huairou Commission: **https://huairou.org/victory-land-title-Espaco-Feminista-recife-brazil-land-titles-5-decades-grassroots**

Examples

Example: The background

Now, you can review the topics covered in this lesson by following the experience of Maricel and Kamal.

The background	Maricel works for an NGO promoting legal recognition of subsistence fisherfolk to guarantee their access to fishing in local waters, as defined in the Fisheries Code. When the post-disaster reconstruction policies had failed to account for the resource use and access rights of fisherfolk, her organization decided to develop a monitoring initiative to address this issue.

In the second lesson of this course, Maricel and her colleague Kamal have verified that their organization has the interest, resources and capacity to undertake a monitoring initiative and they have discussed the focus issue of their monitoring. Now, Maricel is deciding on the monitoring approach she is going to use for her monitoring initiative.

Deciding on your monitoring approach

Given that her organization is interested in monitoring specific issues related to the access of local fisherfolk to local waters in the post-disaster situation, in order to request additional government support for the implementation of the Fisheries Code, she has been searching for relevant data about the access of fisherfolk to municipal fishing waters.

What is the result of Maricel's research?

"I have found all of the information on the Web site of the National Statistics Institute. Data is easily available, it is ready for consultation and can be freely downloaded. Extensive guidance on methodology and data interpretation is also provided." - - Maricel

"This data was collected during the last national census, which was conducted about eight years ago and is based on fishefolk whose access right have officially been recognized on government registries. It does not take into account access rights that have not been registered."

Do you think this information is reliable? - - Kemal

While data have been collected and are available publicly, that information was last updated eight years ago and may be out of touch with the current situation and access needs of the communities she serves. Moreover, the government only collects information based on fisherfolk whose access rights have officially been recognized on government registries. According to Maricel's community records, the number of fisherfolk accessing municipal waters for fishing have been historically greater, and continue to be so.

"Unfortunately, existing official data is out of date and unreliable in terms of giving an accurate picture for advocacy efforts. A different approach will have to be selected for our monitoring initiative..." Kemal

"Yes, Kamal, I agree that this data is not reliable... I think the best approach would be to use our organization's capacity to collect data directly from the communities"...Maricel

At this point, Maricel and Kamal will have to decide whether they are going to use indicators, or whether they will use and present data as it is. In this case again, Maricel and Kamal will be able to select the most adequate monitoring approach on the basis of the objectives of their organization and of the monitoring initiative they are conducting.

"As the objective of our organization's monitoring initiative is to undertake evidence-based advocacy in order to request additional government support in the implementation of access and use rights of the Fisheries Code, I think that indicators would help measure to what degree implementation has met with success so far." - - Marciel

"Yes, given our organization's objective, instead of simply presenting data it will be better to base our monitoring initiative on indicators."- - Kemal

Recap

As we have reviewed in this brief example, Maricel has been able to define her monitoring approach, deciding that:

- ⇉ Her organization will not rely on available but inadequate data, but will directly collect data from the communities.
- ⇉ She will use data to feed into her indicator set to show the degree to which the Fishery Code has been implemented in relation to the access and use rights of fisherfolk to municipal fishing waters.

Accordingly, based on the objectives of your monitoring initiative, similar research to measure availability, relevance and collectability of data can help you narrow your choices about the following issues:

- whether you are going to use indicators;
- whether there is capacity for new data collection; and
- to what degree you want different types of stakeholders involved in your initiative.

SUMMARY

Indicators are typically used as a way of assessing success or compliance against predefined objectives or norms. Alternatively, indicators may be defined as a way of assessing reality on a particular issue.

Selecting a monitoring approach depends on the objectives of the monitoring initiative. Based on the objectives and capacities, different types of organizations undertake different monitoring initiatives. They will have the interest and capacity to be involved in different areas and have different requirements for comparability, geographical scope and data.

Deciding on the most adequate monitoring approach may depend also on the choice of whether or not to use indicators. There are many criteria to define a good indicator. For monitoring initiatives in the development sector, it has become common to have indicators that respond to the criteria of SMART and/or SPICED. Then, drawing from both SMART and SPICED criteria, elements of what makes a good indicator for a monitoring initiative can be evaluated based on these dimensions:

- relevance
- achievability
- design
- process.

Once indicators have been identified, it is possible for a monitoring initiative to make a baseline and to explain indicators to users.