



LEARNING ABOUT
5 a.1
INDICATOR

SDG Indicator 5.a.1 - Equal tenure rights for women on agricultural land

Lesson: Definitions

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Food and Agriculture
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working for Zero Hunger

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Definitions

This lesson defines the key terms used in the phrasing of Indicator 5.a.1, including "agricultural land", "agricultural population" and "land ownership and land tenure rights". An understanding of these is an important foundation for precursor of effective data collection.

Learning objectives

At the end of this lesson, you will be able to:

- describe the variety of legally recognized documents existing in countries;
- define the key terms used in the phrasing of Indicator 5.a.1;
- know the three proxies adopted for measuring the 5.a.1 Indicator.

Defining the key terms used in Indicator 5.a.1

In order to monitor this indicator it is essential that we develop a common understanding of the meaning of the terms used. Let's consider the wording of the two sub-indicators of 5.a.1.

Sub indicator a:	Percentage of people with ownership or secure rights over agricultural land (out of total agricultural population), by sex .
Sub indicator b:	Share of women among owners or rights-bearers of agricultural land.

The terms which we will now consider in more detail are:

- ✓ agricultural land
- ✓ agricultural population
- ✓ land ownership
- ✓ rights over land

What is agricultural land?

Defining the term agricultural land is crucial for Indicator 5.a.1 because it is the **focus** of the indicator. As you have seen, agricultural land is a key input in developing countries, where **economic development** a **poverty reduction** strategies are necessarily **linked to agriculture**. For this reason it is the **asset** for which the **gap** between men and women is **evaluated** by Indicator 5.a.1.

 "In my country land tenure rights are low."

"But what do you really mean by that? What land are you talking about? Is it residential land? Is it agricultural land? I need more information!" 

In addition, for policy-making, it is **critical to know** on **what type of land** tenure rights are low and gender disparity is high.

WCA 2020 land use classification

Under the framework of WCA 2020, an **internationally agreed land use classification** has been proposed, which is in line and harmonized with the SEEA framework. According to the land use classification, there are **nine basic land use classes** (LU1-LU9) and agricultural land is a subset.



Learn more about the WCA2020 framework

www.fao.org/3/a-i4913e.pdf

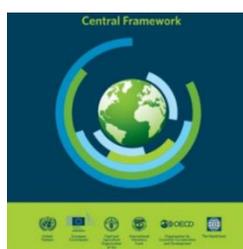
The SEEA Framework

The **System of Environmental-Economic Accounting (SEEA)** contains the **internationally agreed standard** concepts, definitions, classifications, accounting rules and tables for producing internationally comparable statistics on the environment and its relationship with the economy.

The SEEA is a **system for organizing statistical data**. It does not propose any single headline indicator, but rather it has many different purposes and generates a wide range of statistics and indicators with many different potential analytical applications. Development of the SEEA was begun in the early 1990s, but it has been revised a number of times, with the most recent version adopted by the UN Statistical Commission in 2012. The revised SEEA consists of three parts:

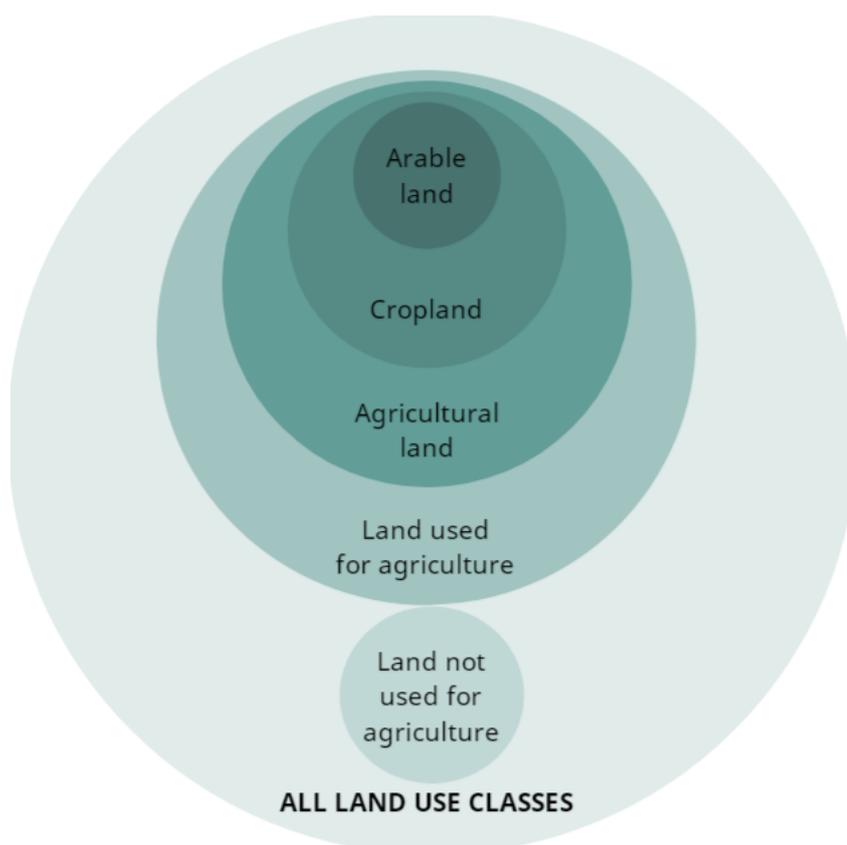
1. The **Central Framework**, which was adopted by the UN Statistical Commission as the first international standard for environmental-economic accounting;
2. Experimental Ecosystem Accounting and Applications;
3. Extensions of the SEEA.

Subsystems elaborate on specific resources or sectors, including: Energy, Water, Fisheries, **Land and Ecosystems**, and Agriculture. These subsystems provide further details on specific topics and try to build bridges between the accounting community and the community of experts in each specific subject area.



Central Framework

<https://unstats.un.org/unsd/envaccounting/seea.asp>



Arable land	Land under temporary crops (LU1) Land under temporary meadows and pastures (LU2) Land temporarily fallow (LU3)
Cropland	Land under permanent crops (LU4)
Agricultural land	Land under permanent meadows and pastures (LU5)
Land used for agriculture	Land under farm buildings and farmyards (LU6)
Land not used for agriculture	Forest and other wooded land (LU7) Area used for aquaculture, including inland and coastal waters if part of the holding (LU8) Other area not classified elsewhere (LU9)

Agricultural land or land used for agriculture?

Since Indicator 5.a.1 focuses on agricultural land, it **excludes** all the forms of land that are not considered "agricultural", including **land under farm buildings and farmyards**.

- ✓ Land under temporary crops (LU1)
- Land under temporary meadows and pastures (LU2)

Land temporarily fallow (LU3)
Land under permanent crops (LU4)
Land under permanent meadows and pastures (LU5)

✗ Land under farm buildings and farmyards (LU6)
Forest and other wooded land (LU7)
Area used for aquaculture, including inland and coastal waters if part of the holding (LU8)
Other area not classified elsewhere (LU9)



Why farm buildings and farmyards are excluded

Land under farm buildings and farmyards are not part of agricultural land. Including farmyards could **introduce a bias** in the indicator.

This is due to the fact that **farmyards** are **more frequently managed by women** who may also have some rights over them; however, farmyards are normally **very small** and they are devoted to **agricultural activities of secondary importance** (in terms of amount of production and value).

Therefore, their inclusion in the indicator might **mask the actual difference** between men and women, giving the impression that the gender gap is not particularly large.

The temporal dimension

In addition to the type of land use, the **temporal dimension** is important in determining different uses of agricultural land; as we can see, land is divided into categories, with **temporary or permanent use** on this basis.

Let's consider in more detail the **meaning of the different agricultural land uses**, as well as their **temporal reference periods**.

What is land under temporary crops (LU1)?

Land under temporary crops is **defined** as "all **land used for crops** with a **less than one-year growing cycle**". Temporary crops comprise all **crops that need to be sown or planted after each harvest** for new production (e.g. cereals).

Reference period for land under temporary crop cultivation: **1 year growing cycle**.



WCA2020: Programme, concepts and definitions (see pp, 165-169)

www.fao.org/3/a-i4913e.pdf

What is land under temporary meadows and pastures (LU2)?

Land under temporary meadows and pastures is land that has been cultivated for **less than five years** with **herbaceous or forage crops for mowing or pasture**.

Reference period for land under temporary meadows and pastures: **Less than 5 years.**

What is land temporarily fallow (LU3)?

Arable land is described as temporarily fallow when it is kept **at rest for at least one agricultural year** because of crop rotation or the impossibility of planting new crops.

This **does not include** land that it is **not cultivated at the time of the survey**, but **will be** sowed and planted **before the end of the agricultural year**, because such land falls under temporary crops. If the land **remains fallow** for a period **longer than five years**, it is no longer considered temporarily fallow; its **land use classification will change** to land under permanent meadows and pastures, forest or other wooded land, or even unutilized land.

Reference period for land temporarily fallow: **At least 1 year and not more than 5 years.**

What is land under permanent crops (LU4)?

Land under permanent crops is **cultivated with long-term crops** that **do not need to be replanted every year**, such as fruits, nuts and some types of stimulant crops.

Reference period for land under permanent crops: **More than 1 year growing cycle.**

What is land under permanent meadows and pastures (LU5)?

The final form of agricultural land use, land under permanent meadows and pastures, is when land is cultivated with **herbaceous forage crops**, or is **left as wild prairie or grazing land** for **more than 5 years**.

Reference period for land under permanent meadows and pastures: **5 years or more.**

Example

Suppose you interview a farmer, Ramesh. He practises crop rotation on his holding, and a part of it has been left fallow for the past 3 years. How would you define this land?

Ramesh's land has been left fallow for less than 5 years, therefore it would be defined as "Land temporarily fallow"

The denominator: agricultural households

As you saw in Lesson 1, Indicator 5.a.1 uses "**agricultural population**" as the denominator, **instead of the total population**. For the purposes of indicator 5.a.1, we focus on households that practice agriculture for own use/consumption or for profit/trade. Therefore, the denominator corresponds to all the adult individuals living in those households. The individual's livelihood cannot be completely detached from the livelihood of the **other household members**, hence the need for a **household-level perspective**.

For various reasons, it is **not always easy to identify** individuals engaged in agriculture:

- ✓ **Irregular and seasonal**

Agricultural work is **highly irregular** and **seasonal**. As a result there is a **risk of excluding** individuals engaged in agriculture if the interview is conducted **off-season**, or in a **period when they are not working**.

- ✓ **Perception as non-economic activity**

Agricultural work may take a lot of an individual's time, so it could be the **main activity**, but not necessarily the **main source of income**.

- ✓ **Multiple income sources**

Agricultural work is often practised **only or mainly for self-consumption**, therefore generating **little or no cash income**, and so may not be perceived as an economic activity.

Defining the adult agricultural population

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

- ① is an **adult** (aged 18 years or older)

- ② 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.

The adoption of a **household perspective** is particularly important from the gender perspective, because in many agricultural households, women often consider themselves as "not involved in agriculture", whereas in fact they provide **substantive support** to the household's **agricultural activities**. Moreover, agricultural land is a crucial asset for all household members of an agricultural household.

Example

Which of these people should be considered as members of agricultural households?

- Farming was Tazelekwew's main activity over the past 12 months.
- Xiang raised sheep in his spare time; his spouse spent most of her time farming.
- Which of these people should be considered as members of agricultural households?
- Najma did not practice farming or livestock in the past 12 months, but it was her spouse's main activity.
- Yuni did not practise farming nor livestock, nor did anybody in her household.

Yuni is not a member of the agricultural population and neither she, nor other members of her households practiced farming as their main activity. Tazelekwew, Najma and Xiang are all members of the agricultural population as either they or their spouse practiced farming.

What are ownership and land tenure rights?

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

For this reason, the proportion of women with ownership or rights over agricultural land is **compared with** the proportion of men with ownership or rights over agricultural land.

However, as we will see, it is **challenging to define** and operationalize **ownership and land tenure rights** in a way that provides **reliable and comparable** figures across countries.

Land ownership and land tenure rights

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

However, 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 which are **transferrable**. In this context, it is more appropriate to use the broader term **land tenure rights**.

Land tenure rights supported by legally recognized documents

This refers to the existence of a **legally recognized document, that** an individual can use to **claim ownership, property or use rights** before the law. As these can vary across countries, **each country will customize this 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 ownership, property or use rights to be claimed before the law. However, depending on the national legal framework, the **following documents may be considered as legally recognized**:

Title deed	⇒	A written or printed instrument that effects a legal disposition.
Certificate of occupancy or land certificate	⇒	A certified copy of an entry in a land title system, which provides proof of the ownership and of encumbrances on the land at that time.
Legally recognized purchase agreement	⇒	A contract between a seller and a buyer to dispose of land.
Legally recognized will/certificate of hereditary acquisition	⇒	A certificate that provides proof of the land having been received through inheritance.
Certificate of customary tenure	⇒	An official state document recognizing a particular person as a rightful owner or holder of the land on the basis of customary law. This can be used as proof of legal right over the land. These certificates include, among others, certificates of customary ownership and customary use.

Certificate of perpetual/long-term lease ⇒ A contractual agreement between a landlord and a tenant for the tenancy of land. A lease or tenancy agreement is the contractual document used to create a leasehold interest or tenancy.

Certificate issued for adverse possession or prescription ⇒ A certificate indicating that the adverse possessor (a trespasser or squatter) acquires the land after a prescribed statutory period.

Why legally recognized documents alone are insufficient

From the gender perspective, focusing on legally recognized documents is not sufficient to analyse the complexity of rights related to land, especially in developing countries. There are **two main factors limiting the applicability** of legally recognized documents:

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

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

For these reasons there is a need to **consider additional characteristics that can indicate land ownership** or tenure rights. Exactly which characteristics are appropriate to use is a question addressed by the Evidence and Data for Gender Equality (EDGE) project.

Introduction to the EDGE project

The **Evidence and Data for Gender Equality project** is a joint initiative executed by the UN Statistics Division and UN Women in collaboration with FAO, the World Bank, Asian Development Bank, the Organisation for Economic Co-operation and Development (OECD) and National Statistical Offices. The initiative seeks to improve the integration of gender issues into the regular production of official statistics for informing better evidence-based policies.

A key focus of the project has been the **development of methodological guidelines on measuring asset ownership** and entrepreneurship from a gender perspective. To develop these guidelines, the EDGE project **consolidated technical inputs** over a multi-year process from a **wide range of stakeholders**, including national statistical offices, regional and international agencies, and researchers with expertise in gender analysis, asset ownership and entrepreneurship. The

methodology was then tested in seven countries: Georgia, Maldives, Mexico, Mongolia, Philippines, South Africa and Uganda.

The **EDGE project** has made an **enormously contribution to the methodology of Indicator 5.a.1**. The materials presented in this course reflect the recommendations developed through the project. One aspect of the EDGE project was to **consider alternative proxy conditions** which may indicate that a man or a woman can claim ownership or tenure over agricultural land.

EDGE project field tests

Seven country field tests were conducted under the framework of the EDGE project. The **results** of these tests **demonstrated**:

Reported ownership (whether a person considers them self an owner) **fails to capture differences** between women and men's respective objective tenure rights over agricultural land.

The need to consider as "owners" or "holders of land tenure rights" only 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.

Based on the analysis of the seven EDGE pilot countries, the project concluded that **combining the proxies of legal possession and alienation rights** provides the **most robust measure of ownership** that is **comparable across countries** with **diverse** prevalence of documentation.

Proxy conditions for Indicator 5.a.1

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: availability of legally recognized documents **or** the **right to sell**, **or** the **right to bequeath land**. The latter two may be present even in contexts where land tenure rights are not legally documented.

Alienation is defined as the **ability to transfer a given asset during lifetime or after death**. The **rights to sell and to bequeath** are considered as **objective facts that carry legal force**, as opposed to a simple self-reported declaration of tenure rights over land.

Right to sell

Right to bequeath

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:

- **a written will**
- **an oral will** (if recognized by the country) or
- **intestate** succession

It is important to note that 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.

A definition of land ownership

In summary, **Indicator 5.a.1** relies on **three proxy conditions**:

Presence of documented land tenure rights | Right to sell | Right to bequeath

Therefore, Indicator 5.a.1 considers as owners or holders of land tenure rights all the individuals in the reference population (agricultural population) who:

- Are listed as **owners** or **holders** on a certificate that testifies tenure rights over agricultural land
- Have the **right to sell** agricultural land
- Have the **right to bequeath** agricultural land

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.

Why is reported ownership not used?

Although reported ownership (whether a person considers themselves an owner) is a useful concept for understanding people's behaviour and decision-making, it can be interpreted differently by different individuals, and thus **does not allow for meaningful comparisons** of land ownership, by sex.

Should people who are occupying land be included?

No, the indicator excludes all the people holding land under any form of non-legal possession, such as those occupying the land without any permission.

Example

Some examples of an individual "owner" or "holder" of tenure rights over agricultural land?

- S/he has a certificate of perpetual lease issued in his/her name.
- S/he has no document, but can pass on the agricultural land after his/her death.
- S/he has a purchase agreement in his/her name.

An individual is considered to own or have tenure rights over agricultural land if they have a certificate of perpetual lease or a purchase agreement in their name or can bequeath the land after their death. Communal land and land occupied without permission and no transfer rights is not considered ownership or tenure rights.

Summary

Agricultural land is defined using the WCA 2020 land classification framework. It **includes land temporarily under crops, meadows and pastures or fallow, land under permanent crops or meadows and pastures**. It does not include land under farm buildings and farmyards, forest or wooded land, land used for aquaculture or inland or coastal waters or other land not classified elsewhere.

It is not always easy to identify individuals engaged in agriculture due to irregular or seasonal work, and the fact that it may not be the main income-generating activity.

An individual is defined as being part of the agricultural population if they are an **adult** (18 years or older) and belong to a **household** that has **operated land for agricultural purposes** or held/tended **livestock** over the **past 12 months**, regardless of the final purpose. These activities must have been done for own use/consumption and/or for profit/trade, not solely as wage work for others.

It is challenging to define and operationalize ownership and land tenure rights, as land ownership systems and ownership documents vary across countries.

An individual is legally entitled if their **name appears on a legally recognized document** as owner or holder, for example title deed, certificate of occupancy, legal purchase agreement or certificate of tenure.

In many countries penetration of legally recognized documents is poor.

The EDGE project guidelines recommended considering alternative proxy conditions which indicate a person can claim ownership or tenure. They concluded that in addition to the name on a legally recognized document, two additional proxy conditions were the **right to sell** and to **bequeath** land (alienation rights).