

5 May, 2023

**Submission of views and information regarding the programme of work
on Article 8(j) and related provisions**

International Land Coalition

Re: Submissions of information on the status of the data and information, operationalization, review, and update of the four traditional knowledge indicators, specific to indicator (b) Trends in land-use change and land tenure in the traditional territories of indigenous and local communities.

The International Land Coalition (ILC) would like to call attention to the centrality of land, land tenure and land use in the recently adopted Kunming-Montreal Global Biodiversity Framework (GBF). Land is a crucial, central and cross-cutting element, presently explicitly and implicitly in a number of the GBF Targets and previously recognized, including through an explicit land tenure indicator, in the Aichi Biodiversity Targets. It is also a critical indicator for Traditional Knowledge, as the preservation of traditional knowledge is inextricably linked to the preservation of traditional lifestyles relevant for the conservation and sustainable use of biological diversity, which in turn is linked to the land, territories and resources associated with the traditional knowledge. In spite of the cross-cutting importance of tenure security there is not, however, currently any mandatory or headline indicator on land, land tenure or land use in the draft GBF monitoring framework, which represents an important gap that could undermine our ability to monitor the Targets. During negotiations of the monitoring framework, it was suggested that adding a land indicator would be too burdensome, but we believe otherwise. In fact, the Sustainable Development Goals (SDGs) provide well-established land tenure indicators with established methodologies, communities of practice and available data. While we recognize that these indicators have important gaps in data related to the land tenure of Indigenous Peoples and local communities, there are ample data sources that could provide this data and allow the indicator to be operationalized and contextualized for the GBF. Custodians of SDG indicators, including the World Bank and FAO, are supportive of this approach. International partners, including the Global Land Observatory (GLO) hosted by FAO, the International Fund for Agricultural Development (IFAD), and data providers LandMark, Prindex, LANDex, the Indigenous Navigator, the Rights and Resources Initiative and others, are already working towards a more inclusive land tenure indicator.

ILC has been working for the better part of the last six years to monitor trends in land governance and tenure, for diverse types of tenure, by sex, and to identify the data sources – official and complementary – available to support the monitoring of such trends. We feel well placed to guide Article 8(j) on these discussions and remain available for any follow-up technical support or development that might be needed.

1. The Kunming-Montreal Global Biodiversity Framework (GBF) explicitly recognizes the fundamental role that land plays in the protection of biodiversity. In decision 15/4, the Conference of the Parties points to the IPBES global assessment report, which considers land use

change as one of the top five direct drivers with the largest global impact on biodiversity. Land and territories are explicitly mentioned in a number of GBF Targets:

- a. Target 1, calling for participatory land use change that respects the rights of Indigenous people and local communities (IPLCs)
- b. Target 2, calling for the restoration of degraded territories
- c. Target 3, calling for the area-based conservation measures that respect the rights of Indigenous Peoples and local communities, including over their traditional territories
- d. Target 10, calling for areas under agriculture to be managed sustainably
- e. Target 11, calling for a restoration and maintenance of soil health
- f. Target 22, calling for participation, access to justice and decision-making by IPLCs, respecting their rights over lands, territories, resources, and traditional knowledge
- g. Target 23, calling for gender equity, including recognizing women's equal rights and access to land and natural resources

Land tenure – the relationship that farmers, Indigenous peoples, local and other traditional communities have to the land they live, work and depend on – underpins a number of the GBF Targets and will be central to Parties' ability to realize them.

2. There is not, however, any headline indicator in the GBF monitoring framework that addresses questions of land tenure. Of the 23 Targets established by the GBF, only 17 have been assigned headline indicators that will be reported on by parties. Notably, Targets 22 and 23, with explicit mention of IPLC lands and territories, as well as the land rights of women, have no headline indicators. This represents a major gap in the monitoring framework as it stands and a disconnect between Target concepts and language and the ability of the GBF to monitor progress towards the objectives outlined there.
3. While Parties did not retain a land tenure indicator in the first selection of headline indicators, Parties did renew their commitment to the joint programme of work on the links between biological and cultural diversity, further highlighting the links between Indigenous Peoples and local communities and their role as stewards of land, territories and natural resources that underpin the conservation and protection of biodiversity. The Working Group on Article 8(j) has an important opportunity to review, update and, most importantly, demonstrate the operationalization of the land tenure indicator for reconsideration by Parties.
4. The land tenure indicator considered for inclusion in the GBF framework is a component of the compound indicator originally adopted in decision XIII/28, retained in the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets:

Trends in land-use change and land tenure in the traditional territories of indigenous and local communities. (decision X/43)

Together with the generic indicator above, covering land use change and land tenure, decision XIII/28 identified two specific indicators that would be used for implementation:

- a. (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.*
 - b. 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.*
5. Both of the land tenure indicators identified to monitor the Aichi Targets and considered for the GBF monitoring framework are established SDG indicators. The first – SDG indicator 5.a.1 – measures the proportion of women with control over agricultural land. The second, focused on legally recognized documentation and perceptions of tenure security, corresponds to SDG indicator 1.4.2. Both indicators are conceptually clear, have an internationally established methodology and are considered Tier II indicators in the SDG framework, indicating that several Parties have already collected and published data for SDG indicator 1.4.2 (see: Annex II below).
6. The relevance of a broad land tenure indicator to the GBF – captured by 1.4.2 and focused on documentation and perceptions of tenure security, disaggregated by sex and type of tenure – was further reinforced in the expert workshop on the monitoring framework for the post-2020 GBF in Bonn. In an [expert assessment of proposed GBF indicators](#), the land tenure indicator¹ was given a ranking of 1-2, where the highest possible ranking of 1 represented "broad support for inclusion as a headline indicator and meets the assessment criteria (methods, data available, etc)." In addition, the land tenure indicator was considered to imply low capacity building needs among implementing parties. Most notably, when the expert group assessed the indicator for linkages to other GBF goals, Targets and sections, it concluded that the land tenure indicator was relevant to "All." The expert assessment further advanced the case for a land tenure indicator aligned to SDG 1.4.2 as a headline indicator for Target 22, relevant to and underpinning the overall advancement of the goals outlined in the GBF.
7. While SDG 1.4.2 is a well-established indicator with a clear, globally established methodology and available data, the indicator does have limitations that are important to consider. The indicator uses the entire population as its counting unit and includes two sub-indicators, one on the rates of legally recognized documentation among the adult population and another on the rates of perceived tenure security. Furthermore, this data should be disaggregated according to sex and by type of tenure. In officially reported data on indicator 1.4.2 we see that data is often disaggregated in a way that allows for an appreciation of the differences between men and women. However, none of the data reported for indicator 1.4.2 can be disaggregated according to type of tenure, making it impossible to understand the tenure situation of Indigenous Peoples

¹ SDG 1.4.2: Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation, and (b) who perceive their rights to land as secure, by sex and type of tenure

or local communities, which are of particular interest to the program of work for Article 8(j). Custodians of indicator 1.4.2 have further confirmed that it will be difficult for the indicator to meaningfully capture these populations as the indicator methodology, relying on census and survey data, does not include representative samples from these groups and communities.

8. The limitations to SDG 1.4.2 data do not detract from the fact that this is a well-established, internationally recognized indicator on land tenure with a clear, reproducible methodology and with available data. Instead, it underlines the opportunity to develop a contextualized 1.4.2 that would suit the needs and priorities of the GBF. Such an indicator could integrate official data sources and complementary, third-party and community-led data sources with a focus on Indigenous peoples and local communities.
9. A contextualized, IPLC-specific land tenure indicator will necessarily rely on diverse data sources, including community-based data and information systems supported by the GBF in [decision 15/5](#), which explicitly invites Parties and relevant organizations to support community-based monitoring and information systems and citizen science and their contributions to the implementation of the monitoring framework for the Kunming-Montreal Global Biodiversity Framework.
10. Support for citizen-generated and complementary data sources has been building globally, as such data sources are recognized as important and necessary in order to build inclusive, representative and timely datasets that are able to monitor important development frameworks, such as the GBF and the SDGs, among others. Last week, the [Hangzhou Declaration](#) endorsed at the UN World Data Forum underscored intentions to expand collaboration with more parts of the data ecosystem through a recently launched programme on citizen-generated data. In March, 2023, the report of the 54th UN Statistical Commission welcomed activities of the UN Statistical Division on citizen-generated data (CGD), including the establishment of a Collaborative on Citizen data. ILC will contribute to the development of this collaborative and hopes that the proposed indicator on land tenure could be further advanced in these and other contexts.
11. There are a number of datasets that could contribute to an IPLC-specific land tenure indicator. Apart from official data, which could provide a basis for rates of documentation and perceptions of tenure security among rural populations, we have identified a number of other datasets that could contribute to both aspects of 1.4.2, on (a) legally recognized documentation and on (b) perceived tenure security. On the first component – (a) – we know that LandMark², which ILC co-hosts, as well as IFAD, which hosts ILC, RRI and Prindex, all collect data on rural, community and Indigenous Peoples tenure as measured by formal and informal documentation. On the second component – (b) – Prindex measures rates of rural perceptions of tenure security but that additional datasets could provide proxies for perceived security amongst IP and LC

² See more in LandMark section in Annex I and at www.landmarkmaps.com

populations, namely incidents taking place on IP land from the Indigenous Navigator, attacks on IPs and LC and individuals from the ALLIED data working group, co-led by ILC, among others. A preliminary estimation of where this data is available is included below in Annex II, below. A deeper analysis of all potential data sources can be elaborated if relevant.

A more inclusive land indicator, based on diverse, community- citizen-generated data initiatives could lend further legitimacy to such an indicator and could further incentivize cross-sectoral cooperation in reporting on land tenure at the national level.

12. In practice, there are a number of important actors that are already generating data on land tenure of IPs and LCs using diverse sources within the data ecosystem. Custodians of key SDG land indicators – the World Bank, FAO and UN-Habitat, among others – are working with governments to improve their monitoring and reporting on land tenure for diverse populations and support development of contextualized versions of these indicators – 1.4.2, 5.a.1 – that could better capture the realities of Indigenous Peoples as well as local communities. The Global Land Observatory (GLO), hosted by FAO and co-led by the International Land Coalition (ILC) and CIRAD, has been working to support development of a land tenure indicator that would capture the reality of IPs and LCs. Likewise, a number of data collection initiatives, including LandMark, Prindex, LANDex and others, are already working together to promote generation and use of the kind of data needed in order to establish global measures of land tenure documentation and security for IP and LCs.
13. In this process, ILC is in a great position to act as a technical support provider and facilitator with diverse data partners and actors who could contribute to the operationalization and implementation of a land tenure indicator if this is retained by the programme of work overseen by Article 8(j).

Annex I: Additional Datasets and Partnerships

The section below highlights LandMark, a data initiative co-hosted by ILC, that could contribute significant data to a land tenure indicator such as the one described above, as well as the Global Land Observatory (GLO), which is an ILC co-led initiative that brings together diverse stakeholders to promote key land indicators and make data for these indicators more visible. A non-exhaustive list of other possible sources of land tenure data are listed in the table in Annex II.

LandMark

As co-hosts of LandMark (together with the WRI), we would like to also draw attention to LandMark as a global geospatial data set that currently accounts for 12.9% of the world's land. LandMark is in the process of being revitalized with the expectation that it will scale up its land cover while adding new and improved data layers within the next year. In March, 2023 LandMark underwent a governance review process, which is currently being implemented. The renewed structure will be in place later this year.

LandMark is the first online, interactive global platform to provide maps and other critical information on lands that are collectively held and used by Indigenous Peoples and local communities. LandMark provides several categories of data to show the land tenure situation for Indigenous Peoples and communities, as well as potential pressures on their lands, changes in land cover over time, and their contributions to protecting the environment.

The following categories of data are currently available on LandMark:

- Indigenous and Community Land Maps are the boundaries of lands held or used by Indigenous Peoples and communities, including lands that are formally acknowledged by the government and those that are held under customary tenure arrangements. Clicking on the boundaries in the interactive map provides additional information about the lands.
- Percent of Country Held by Indigenous Peoples and Communities are national-level data that represent the amount of land held or used by Indigenous Peoples and communities as a percentage of the country's total land area, categorized by whether these lands are acknowledged by the government or not.
- Indicators of the Legal Security of Indigenous Lands are national-level data that provide a snapshot of the legal security of indigenous lands based on a review of national land and resource rights laws for each country.
- Indicators of the Legal Security of Community Lands are national-level data that provide a snapshot of the legal security of community lands based on a review of national land and resource rights laws for each country.

- Assets are a group of data layers that represent the contributions and importance of Indigenous Peoples and communities to protecting the environment. Maps in this category are global in coverage and include: 1) Intact forest landscapes; 2) Aboveground live woody biomass density (i.e., carbon stored in trees); 3) and soil organic carbon (i.e., carbon stored in the soil).
- Pressures are a group of data layers that depict the threats to indigenous and community lands from natural resource concessions (i.e., land grants to the private sector to extract natural resources) and infrastructure development. Data in this category include: 1) Mining concessions; 2) Oil palm concessions; 3) Managed forest concessions (i.e., timber extraction); and 4) Major dams. Maps of concessions are available only for select countries where data are available, while the map of major dams is global in coverage.

Global Land Observatory (GLO)

The Global Land Observatory (GLO) is a recent collaboration between ILC, FAO, UN-Habitat/GLTN and CIRAD that will bring together technical land data experts, UN agencies, SDG custodians and key research and advocacy facilities and related data initiatives.

The objectives of the GLO are to generate and make available data, evidence and analyses on the status of land tenure and governance issues, as a reference point for policy makers, IGOs, civil society, private sector, academia, linking global with country commitments in the frameworks of the SDGs, the VGGTs, and the New Urban Agenda (NUA).

More specifically, the GLO aims at documenting and analyzing land tenure and governance, and related trends, with the objective:

- Inform/document the state of land tenure, land rights and land governance globally, providing data and evidence on these issues at national and local levels, and allowing for disaggregation according to gender, tenure, and population groups such as Indigenous Peoples and Local Communities and the more marginalized.
- Scale up and strengthen collaboration of land data and monitoring initiatives and foster a community of practice around data and evidence on land tenure and governance. The GLO will strengthen existing and leverage monitoring initiatives through better collaboration, synergies and complementarity.
- Elevate the discourse and build awareness at the highest political level on the importance of land - in particular for land tenure of IPLC communities - for sustainable development and for addressing other global challenges (such as climate change, biodiversity, growing inequalities, ...) and thus, in achieving the land and other, land-related SDGs – for all and all tenure systems.
- Scale up policy engagement with regards land tenure and governance and its monitoring, in particular for land tenure of IPLC communities, by providing the broader land community solid, accessible and recognised evidence, enabling tracking of key trends and

monitoring overall progress of key issues of land governance at local, national and global levels. This should allow the broad land community to keep track of countries' progress against relevant SDGs, VGGT implementation and other relevant land-related commitments and frameworks.

To achieve the SDGs in general, and in particular to effectively contribute to advancing on key issues of the land tenure and governance for all and for all tenure systems, including collective IP&LC land rights, it requires strategic positioning and broad buy-in by stakeholders across the land community and the various policy levels.

The fundamental added value of GLO is its ability to bring together diverse actors – including UN agencies and SDG custodians, research bodies and civil society organizations – around the common land data collection and indicators, jointly documenting the state of tenure and governance with elevated visibility and impact, while assuring it covers all tenure systems – even those who are often less covered by statistics such as land tenure of IPLC communities.

Annex II: Availability of Diverse Data Sources to Contribute to the Operationalization of a Land Tenure Indicator

| | Country | Land tenure reported through SDG 1.4.2 ³ | Complementary land tenure data available Prindex ⁴ | CGD or other sub-national data on land tenure ⁵ | Measure of IPLC land tenure in hectares ⁶ |
|----|------------------------|---|---|--|--|
| 1 | Afghanistan | x | x | | x |
| 2 | Albania | x | x | | |
| 3 | Algeria | | x | | x |
| 4 | Angola | | | | |
| 5 | Argentina | | x | | x |
| 6 | Armenia | x | x | | |
| 7 | Australia | | x | | x |
| 8 | Austria | | x | | |
| 9 | Azerbaijan | | x | | |
| 10 | Bangladesh | | x | x | x |
| 11 | Belarus | | x | | |
| 12 | Belgium | x | x | | |
| 13 | Benin | x | x | | x |
| 14 | Bolivia | | x | x | x |
| 15 | Bosnia and Herzegovina | | x | | |
| 16 | Botswana | | x | | x |
| 17 | Brazil | | x | | x |
| 18 | Bulgaria | | x | | |

³ Data available via UNSD data portal: <https://unstats.un.org/sdgs/dataportal>

⁴ Data available online, Prindex and LANDex collected in 2018 and 2019, next round of data collection 2023-2024: <https://www.prindex.net/data/> and <https://www.landexglobal.org/>

⁵ Data available via various initiatives, including ILC members (*Observatorio de Territorios Étnicos y Campesinos*), Indigenous Navigator: <https://indigenousnavigator.org/>

⁶ Data available on IPLC lands documented and recognized by authorities via LandMark: <https://www.landmarkmap.org/>

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|----|----------------------|---|---|---|---|
| 19 | Burkina Faso | x | x | | x |
| 20 | Burundi | x | | | x |
| 21 | Cambodia | | x | | x |
| 22 | Cameroon | x | x | x | x |
| 23 | Canada | | x | | x |
| 24 | Cape Verde | | | | x |
| 25 | Central African Rep. | | | | x |
| 26 | Chad | | x | | x |
| 27 | Chile | | x | | x |
| 28 | China | | x | | x |
| 29 | Colombia | | x | x | x |
| 30 | Comoros | | x | | x |
| 31 | Congo (Republic) | | x | | x |
| 32 | Costa Rica | x | x | | x |
| 33 | Croatia | | x | | |
| 34 | Cyprus | | x | | |
| 35 | Côte d'Ivoire | x | x | | x |
| 36 | Denmark | | x | | |
| 37 | Dominican Republic | | x | | |
| 38 | Ecuador | | x | | x |
| 39 | Egypt | | x | | x |
| 40 | El Salvador | | x | | x |
| 41 | Eritrea | | | | x |

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|----|---------------|---|---|---|---|
| 42 | Estonia | | x | | |
| 43 | Eswatini | | x | | |
| 44 | Ethiopia | x | x | | x |
| 45 | Fiji | | | | x |
| 46 | Finland | | x | x | |
| 47 | France | | x | | |
| 48 | Gabon | | x | | x |
| 49 | Gambia | | x | | x |
| 50 | Georgia | | x | | |
| 51 | Germany | | x | | |
| 52 | Ghana | | x | | x |
| 53 | Greece | | x | | |
| 54 | Greenland | | | | x |
| 55 | Guatemala | | x | | x |
| 56 | Guinea | x | x | | x |
| 57 | Guinea-Bissau | x | | | x |
| 58 | Guyana | | | | x |
| 59 | Honduras | | x | | x |
| 60 | Hungary | | x | | |
| 61 | India | | x | x | x |
| 62 | Indonesia | x | x | | x |
| 63 | Iran | | x | | x |
| 64 | Iraq | | x | | x |

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|----|------------------|---|---|---|---|
| 65 | Ireland | | x | | |
| 66 | Israel | | x | | |
| 67 | Italy | | x | | |
| 68 | Japan | | x | | x |
| 69 | Jordan | | x | | |
| 70 | Kazakhstan | | x | | x |
| 71 | Kenya | | x | x | x |
| 72 | Kiribati | | | | x |
| 73 | Korea (Republic) | x | x | | x |
| 74 | Kosovo | | x | | |
| 75 | Kuwait | | x | | |
| 76 | Kyrgyzstan | | x | | x |
| 77 | Lao | | x | | x |
| 78 | Latvia | | x | | |
| 79 | Lebanon | | x | | |
| 80 | Lesotho | x | | | x |
| 81 | Liberia | | x | | |
| 82 | Libya | | x | | x |
| 83 | Lithuania | | x | | |
| 84 | Luxembourg | | x | | |
| 85 | Madagascar | | x | | |
| 86 | Malawi | x | x | | x |
| 87 | Malaysia | | x | | x |

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|-----|------------------|---|---|---|---|
| 88 | Mali | x | x | | x |
| 89 | Malta | | x | | |
| 90 | Marshall Islands | | | | x |
| 91 | Mauritania | | x | | x |
| 92 | Mauritius | | x | | x |
| 93 | Micronesia | | | | x |
| 94 | Mexico | | x | | x |
| 95 | Moldova | | x | | |
| 96 | Mongolia | x | x | | x |
| 97 | Montenegro | | x | | |
| 98 | Morocco | | x | | x |
| 99 | Mozambique | x | x | | x |
| 100 | Myanmar | | x | | x |
| 101 | Namibia | | x | | |
| 102 | Nauru | | | | x |
| 103 | Nepal | | x | x | x |
| 104 | Netherlands | x | x | | |
| 105 | New Zealand | x | x | | x |
| 106 | Nicaragua | | x | | x |
| 107 | Niger | x | x | | x |
| 108 | Nigeria | x | x | | x |
| 109 | North Macedonia | | x | | |
| 110 | Northern Cyprus | | x | | |

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|-----|--------------------|---|---|---|---|
| 111 | Norway | | x | x | |
| 112 | Pakistan | x | x | | x |
| 113 | Palau | | | | |
| 114 | Palestine | | x | | |
| 115 | Panama | | x | | x |
| 116 | Paraguay | | x | | x |
| 117 | Papua New Guinea | | | | x |
| 118 | Peru | | x | x | x |
| 119 | Philippines | | x | x | x |
| 120 | Poland | | x | | |
| 121 | Portugal | | x | | |
| 122 | Romania | | x | | |
| 123 | Russian Federation | | x | | |
| 124 | Rwanda | x | x | | x |
| 125 | Samoa | | | | x |
| 126 | Saudi Arabia | | x | | |
| 127 | Senegal | x | x | | x |
| 128 | Serbia | | x | | |
| 129 | Sierra Leone | | x | | |
| 130 | Singapore | | x | | |
| 131 | Slovakia | | x | | |
| 132 | Slovenia | | x | | |
| 133 | Solomon Islands | | | | x |

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|-----|----------------------------|---|---|---|---|
| 134 | Somalia | | | | x |
| 135 | South Africa | x | x | | x |
| 136 | South Sudan | | | | |
| 137 | Spain | | x | | |
| 138 | Sri Lanka | | x | | x |
| 139 | Sudan | | | | x |
| 140 | Suriname | | | x | x |
| 141 | Swaziland | | | | x |
| 142 | Sweden | x | x | | |
| 143 | Switzerland | | x | | |
| 144 | Taiwan (Province of China) | | x | | x |
| 145 | Tajikistan | | x | | |
| 146 | Tanzania | x | x | x | x |
| 147 | Thailand | | x | | x |
| 148 | Timor Leste | | | | x |
| 149 | Togo | x | x | | x |
| 150 | Tonga | | | | x |
| 151 | Tunisia | | x | | x |
| 152 | Turkey | | x | | |
| 153 | Turkmenistan | | x | | x |
| 154 | Tuvalu | | | | x |
| 155 | Uganda | x | x | | x |
| 156 | Ukraine | | x | | |

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|-----|--------------------------|---|---|--|---|
| 157 | United Arab Emirates | | x | | |
| 158 | United Kingdom | | x | | |
| 159 | United States of America | | x | | x |
| 160 | Uruguay | | x | | |
| 161 | Uzbekistan | | x | | |
| 162 | Vanuatu | | | | x |
| 163 | Venezuela | | x | | x |
| 164 | Viet Nam | | x | | x |
| 165 | Yemen | | x | | |
| 166 | Zambia | x | x | | x |
| 167 | Zimbabwe | x | x | | x |