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THE IGAD REGIONAL LAND MONITORING REPORT

March 2023

Acronyms and abbreviations

AU	African Union
CEDAW	Committee on the Elimination of Discrimination against Women
FAO	Food and Agriculture Organization of the United Nations
F&Gs	Framework and Guidelines on Land Policy in Africa
GLII	Global Land Indicators Initiative
IGAD	Intergovernmental Authority on Development
LGAF	Land Governance Assessment Frameworks
LIMS	Land Information Management System
MELA	Monitoring and Evaluation of Land in Africa
NLMCs	National Land Monitoring Coordinators
NLMWGs	National Land Monitoring Working Groups
RECs	Regional Economic Communities
SDGs	Sustainable Development Goals
ToRs	Terms of References
UN	United Nations
USD	United States Dollar
VGGTs	Voluntary Guidelines on the Responsible Governance of Tenure (VGGT)



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EXECUTIVE SUMMARY

Through the AU Declaration on Land Issues and Challenges (AU Declaration on Land), the Heads of State and Government resolved to take ownership of and lead land reform processes by strengthening institutions for effective land governance and allocating adequate budgetary resources for policy development, implementation and tracking of progress. The AU Declaration on Land also gives mandate to Regional Economic Communities (RECs) to provide technical guidance to the member countries, monitor land sectors' progress and promote regional land policy harmonization and women's land rights. The Framework and Guideline on Land Policy in Africa (F&G) outlines the key functions of and guiding principles to a monitoring and evaluation system for the development and implementation of land policies. Effective policy making and implementation requires information on whether governments are doing things right and whether they achieve the results intended. However, there have been few significant national experiences on the continent, with respect to the efficient and systematic tracking of progress in land policy development and implementation. Yet, a large gap exists between the recognized policy importance of land governance and national and regional capabilities to measure progress on this issue. Hence, the need for common land indicators is greater than ever because of the monitoring demands created by various global and continental commitments. There has also been an increasing demand for a common framework for the monitoring and evaluation of the IGAD Land Governance Business Plan 2020 – 2030. The IGAD regional land monitoring initiative has been designed to develop and implement a clear Regional Land Monitoring Framework to ensure that monitoring efforts of the IGAD Member States are harmonized, indicators are rationalized and common methodologies and approaches are agreed upon. The initiative has been driven by national coordinators and multi-agency experts while still being guided by a common regional framework and structure. The desk review process enabled the identification of a set of land indicators drawn from the Agenda 2030, Monitoring and Evaluation of Land in Africa (MELA) Framework, the VGGTs and other global initiatives such as the Land Governance Assessment Framework (LAGF) and the Global Land Indicators Initiative (GLII). These indicators were discussed and agreed with the IGAD Member States to form the basis for development of harmonized methodological approaches for data collection, analysis and reporting. Six thematic categories with 14 indicators were selected for performance measurement in the land sector based on the shared principles and priorities of Member States, likelihood of appropriate data being available within in limited time and budget, broad considerations on data sources and reasonable methodologies for data collection and assessment. The approach also required the nomination and contracting of the National Land Monitoring Coordinators (NLMCs) for all Member States who were tasked to lead the land monitoring activities at national level. Furthermore, National Land Monitoring Working Groups (NLMWGs) were established comprised of technical expertise from various national land institutions. Data collection was conducted mainly from existing national and international databases, administrative reports, reviewing existing policies and legal frameworks and institutional setups at different levels. Participatory data collection methods to gather quantitative and/or qualitative data that could sufficiently describe the selected indicators were not possible due to time and resource constraints. This has significantly impacted

the availability, accuracy and representativeness of the data collected across the Member States. Six Member States (Djibouti, Ethiopia, Kenya, South Sudan, Sudan and Uganda) compiled the available data and submitted the draft national land monitoring report for validation.

The results indicated that Member States have different issues and constraints regarding securing of rights over land closely linked to their history, development agendas, stages of economic growth and democratization, nature and sequencing of reforms to country circumstances and the level of investment capacity required to proactively deal with these issues and challenges. On policy development/reform thematic category, it was found that only Kenya and Uganda have a comprehensive land policy that meets the minimum requirements described in the F&Gs and the prototype national land policy. For the other Member States, national land policies are at various stages of development and currently issues related to land tenure, administration, and land governance are addressed in their Constitutions and other subsequent legislations. All Member States reported satisfactory consultation and meaningful participation involving a large number of citizens and land sector stakeholders from all levels of government, development partners and other Non-State Actors (NSAs) as well community members in the land policy development/review and constitutional review processes. However, quantifying the aspect of consultation, representation and participation proved to be difficult for all Member States mainly due to the lack of frameworks for measurement. There were four selected indicators focusing on equal land tenure security for all. The four indicators measure documented land rights, perceived tenure security levels to which women and men have equal rights in land and the extent to which the legal frameworks recognize women land rights. The results indicated that significantly small proportion of land was under the national cadastral maps in the member States. For most Member States, the disaggregated data on the proportion of women and men with legally recognized documentation or evidence of secure rights to land could not be retrieved as the land ownership data was not segregated at the point of collection. However, information from available sources showed higher gender gap between women and men in evidence of tenure rights to land in the Member States. The disparities in the proportion of land ownership was higher in Djibouti, Ethiopia and South Sudan. The assessment of the legal frameworks in supporting women's land rights by testing that framework against the globally accepted proxies indicated that there has been an increasing recognition of the importance of women's access to, use and control over productive resources including land. However, according to SDGs and AU, women land rights continue to trail men, despite the existence of policy and legal provisions.

Conflicts over land and related natural resources often have extensive negative effects on economic, social, spatial and ecological development. The land conflict and land dispute thematic category addressed two indicators on proportion of land cases to total court cases and percentage of women and men, that perceive to have access to effective dispute-resolution mechanisms. Limited data was available on the two indicators for all Member States. Anecdotal evidences from limited geographical areas in Ethiopia and South Sudan showed that 70 -80% of court cases were land disputes related to boundary, rent, divorce, inheritance and gifts. Kenya reported the lowest land cases (1.58%) even though there might be high likelihood that there are civil cases, some of which could be land related, but have not been segregated. The land administration services thematic category looked into service timelines , cost and the government revenue derived from

land-based transactions as a percentage of total government revenue. The average time for completing transaction ranges from 1 to 52 days while the cost varies from 3 (Uganda) to 124USD (Djibouti). The proportion of government revenue from the land services also vary ranging from 0.28 % (Uganda) to 15% (Urban cities in Ethiopia). The indicator selected for measuring the capacity of the land administration systems in Member States was the proportion of transactions concluded per year as the total of transactions submitted. Results showed that Member States can complete up to 99% (Djibouti) of the transactions submitted in urban centers.

Availability of land data and information on the selected land indicators was one of the biggest challenge in the land monitoring process in the region. Coordination gaps among land actors at various levels and among various sectors that intersect land inhibited achievement of expected national land monitoring outcomes. Hence, there is urgent need to adapt the nature and sequencing of reforms to country circumstance and identify challenges upfront to reach consensus on how to address them in a way that allows objective monitoring of progress overtime. It is believed that the established multi-stakeholder platforms at country level will build on the key recommendations of this initiative to monitor the extent to which recommendations are followed through on. IGAD will continue to focus on reviewing robust and fit for purpose methodologies for indicator tracking that enable data collection on land to be embedded in routine data collection by national statistical systems and feasible complementary methodologies for expert and stakeholder assessment of progress in land governance.

1. INTRODUCTION

The IGAD region comprises the countries of Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda. The region covers an area of about 5.2 million square kilometers with over 221.3 Million people who drive their livelihood primarily from semi-subsistence agriculture and pastoralism. Hence, land is a primary asset for survival and development in the region supporting these key economic activities for most rural population. Land is not only a source for livelihoods in the region but also a valuable economic asset. Therefore, mismanagement of land resources could result into loss of economic potential and jeopardize peace and security in the region. Insecurity of land tenure is a common phenomenon in most of the Member States of IGAD. Secure and equitable access to land for women, men, communities and businesses plays a critical role in the achievement of many key development goals. Land is central to the eradication of poverty and hunger, enables conditions for investment in farming, housing and commerce, as well as the long-term husbandry of resources. Equitable control of land assets is integral to the realization of gender equality, indigenous peoples' rights, peace and inclusive national development. The achievement of these outcomes and impacts depends upon the responsible governance of land resources and tenure rights, including through systems of recording, valuation and taxation, spatial planning and dispute resolution. Through the AU Declaration on Land Issues and Challenges, the Heads of State and Government resolved to take ownership of and lead land reform processes by strengthening institutions for effective land governance and allocating adequate budgetary resources for policy development, implementation and tracking of progress. The AU Declaration on Land also gives mandate to Regional Economic Communities (RECs) to provide technical guidance to the member countries, monitor land sectors' progress and promote regional land policy harmonization and women's land rights. There are also other international and regional instruments and policies that have been developed that provide roadmap to land governance in the IGAD region. These instruments also provide guidance on land policy formulation and implementation. However, tracking their progress of implementation remained critical challenge in the region.

Land monitoring is an important exercise with potential to gauge progress in land governance and inform on areas that need improvement as well as strategies to be employed to achieve good and sustainable land governance. Effective policy making and implementation requires information on whether governments are doing things right and whether they achieve the results intended. However, there have been few significant national experiences, with respect to the efficient and systematic tracking of progress in land policy development and implementation. Very many indicators have been proposed, piloted, and used in different contexts. Nonetheless, regionally comparable datasets on key land governance issues, that are context specific to the needs of the IGAD Member States have not been collated and harmonized. Where data is collected, indicator definitions and methodologies vary greatly. Harmonizing indicators is important for monitoring common goals and guidelines, creating comparable datasets for analysis, realizing synergies between monitoring efforts, focusing efforts to ensure key data gets collected and for raising monitoring capacities and standards by developing widely applicable monitoring tools. The need for common land indicators is greater than ever because of the monitoring demands created by the Agenda 2030, the Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) and

the Framework and Guidelines on Land Policy in Africa (F&Gs). There is also a demand for a common framework for the monitoring and evaluation of the IGAD Land Governance Business Plan 2020 - 2030. Therefore, the IGAD Land Monitoring Framework was developed to ensure that monitoring efforts of the IGAD Member States are harmonized, indicators are rationalized and common methodologies and approaches are agreed upon. This was aimed at contributing to the implementation of the AU Declaration on Land Issues and Challenges and enhancing knowledge in land policy development and implementation processes and outcomes as well as improved and sustained capacity in regular tracking and reporting of progresses made in land policy in IGAD Member States. Furthermore, facilitating tracking/review of progress achieved in delivering sound land policy and institutional reforms is one of the four objectives of the IGAD Land Governance 10-year Business Plan (2020-2030) and forms part of the IGAD 2016 Land Governance Strategy and the IGAD Land Governance Convergence Framework (2019). Hence, carrying out the regional land monitoring activities has been identified as an important milestone in tracking progress of the implementation of the AU Declaration on Land at country and regional levels.

Objectives

1.1.1. Main objective

The overall objective of the regional land monitoring initiative was to support IGAD Member States to track progress in land policy formulation and implementation in order to improve processes and outcomes of land reforms in accordance with the AU Declaration on Land Issues and Challenges in Africa.

1.1.2. Specific objectives

- 1) To gather regionally comparable data on land governance to enable regional benchmarking and serve as an evaluation and decision making tool for policy making at national and regional levels
- 2) To develop baseline database that will form the basis for future tracking of progress in implementing the AU Declaration on Land Issues and Challenges in Africa
- 3) To build and sustain the capacity of Member States to ensure regular tracking and reporting of progress made in land policy development and implementation in the IGAD region
- 4) To document and disseminate best practices in policy development and implementation to inform policy processes across the region

1.2. Limitations of the report

The IGAD land monitoring report builds on globally agreed indicators that respond to the Framework and Guidelines on Land Policy in Africa, The Agenda 2030 and the Voluntary Guidelines on responsible Governance of Tenure (VGGTs). The selected indicators for the regional land monitoring framework were mainly factored in the relevance and capacities of Member States to collect, analyze and report data on their land governance systems. Ideally, the country level land monitoring initiative should combine utilization of data from various data sources including relevant data held by administrative sources with reasonable coverage, availability and quality / reliability, comprehensive national surveys and expert opinion surveys on land and other methodologies specific to the IGAD regional data needs. However, the current reporting was solely through administrative data and reviewing other secondary data sources such as global databases. Such approach had limitation in reflecting the status of Member States in the identified land administration areas mainly due to availability, access and capacities for collecting data. The disaggregation of land data was a core factor to be considered in this assignment. However, despite the critical importance disaggregation offers for viewing dataset for various population segments (particularly men/women, age profile, urban/rural), the report critically lacks disaggregated data for majority of the indicators. In general,

- i) There was need to further collection of data from the lower level institutions in regards to several indicators since the data was scanty at the higher levels. Thus, the national reports only considered the available literatures at the higher level due to time and budget constraints.
- ii) The allocated funding was not sufficient for primary data collection and engaging all the relevant land institutions at country level. This has significantly affected the availability and accessibility of data for some indicators particularly in Member States where land information systems do not exist/centralized.
- iii) The land monitoring report was largely dependent on secondary (administrative) data collection methods. Since data are mostly kept at different levels of administration, accessing and compiling the information for several indicators was difficult due to the nature of land administration in the Member States.
- iv) Lack of survey information for some indicators especially perception related indicators. The report considered the available literatures from limited sources and geographical area which might not have statistical relevance and scope to be representative information for Member States.
- v) Lack of capacities and understanding of the land monitoring framework by the National Land Monitoring Working Group Members. The issue of monitoring land related indicators was new engagement for some of the NLMWG Members and understanding the concepts, rationale and methodologies described in the regional land monitoring framework had been a challenge. This largely reflected on the quality of the data collected and thus, the content and reliability of the final national reports.
- vi) Institutional challenges at national levels also largely limited the regional initiative. Land issues are not centralized and are found scattered in various institutions in most Member



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States. Hence, the lack of proper stakeholder assessment, engagement and coordination, overlapping mandates and competing interests among institutions affected the data collection processes. However, in some Member States, the NLMWG presented a timely platform to bring together land institutions and other stakeholders for a common purpose and enhanced national level collaborations.

2. METHODOLOGICAL APPROACHES

2.1. Desk review

The process for the land monitoring initiative in the IGAD region started by assessing the extent to which existing global assessment initiatives and data bases such as those operated by the World Bank (LGAF), UN Habitat's global Land Indicators, FAO's agricultural census data, International Land Coalition's LANDex, Prindex and the Land Portal could be utilized and adapted to provide data relevant to the harmonized regional land monitoring efforts coordinated by IGAD. Extensive desk reviews were made to identify a set of land indicators drawn from the Agenda 2030, Monitoring and Evaluation of Land in Africa (MELA) Framework, the VGGTs and other global initiatives such as the Land Governance Assessment Framework (World Bank). These indicators were discussed and agreed with expertise from Member States to form the basis for developing methodological approaches for data collection, analysis and reporting. Implementation action plan for the land monitoring initiatives was developed with considerations on key activities, stakeholders, disaggregation, data sources and methodologies for data collection and assessment.

2.2. Nomination of National Land Monitoring Coordinators (NLMCs)

The National Land Monitoring Coordinators were nominated by Member States to mainly oversee the implementation of the land monitoring activities at national level. A detailed Terms of Reference (ToRs) were developed to guide the roles and responsibilities of the NLMCs. The main roles and responsibilities were:

2.2.1. Developing robust methodologies for indicator tracking with a view to enabling gradual uptake of land indicators in relation to already available regional and global land monitoring frameworks

2.2.2. Mapping out and promoting in-country multi-stakeholder platforms at country level and initiate contacts with their representatives for triangulation of land administration data, review and reporting of country land data, complementary analysis and reporting and providing the necessary methodological guidance to the national working groups.

2.2.3. Reviewing country implementation plan (including the plan for country land monitoring inception and validation workshops), consultation with key land stakeholders and collection and analysis of data submission of draft and final reports as per the templates

2.2.4. Promoting harmonisation and alignment of existing databases and initiatives for land monitoring to establish national data sets.

2.2.5. Encourage further research and monitoring initiatives which gradually extend the depth of analysis and reporting of country level information and the level of country coverage, while deepening regional comparability of land data and promoting the race to the top of all IGAD Member States, hence leave no-one behind.

2.2.6. Operationalize land monitoring at country level based on the available information from the Land Monitoring Framework, review and analyze relevant documents and contextualize the guideline and the list of indicators into existing national initiatives.

To ensure that the monitoring and evaluation activities are conducted through independent expert opinion, the NLMCs were expected to be neutral during the whole process of implementation and refrain from trying to influence discussions or rankings of the land monitoring performance indicators.

2.3. Establishing National Land Monitoring Working Groups (NLMWGs)

The National Land Monitoring Working Groups were multi-stakeholder platforms that brought together land actors from key institutions in the Member States. They were expected to be balanced team drawn from key stakeholder groups such as Ministries of Agriculture, Ministries of Land/Urban Development, National Statistical Organizations, Cadaster, Civil Society Organizations working on land issues and with sound experience in land monitoring, representation from youth and women's group and members of the judiciary. However, countries were structured differently and each country considered its structure in nominating the experts. The NLMWGs comprised at least 5 experts and not more than 9 experts to ensure productivity and ease of engagements. The main roles of the working groups were to oversee and support the review of existing data sets in different institutions and rank their availability, contextualization of performance indicators, refining data sources, identifying and proposing measures to mitigate/address the data gaps and organizing inception and validation workshops.

2.4. Synthesizing land indicators

Over the past 10 years, there has been a lot of work on development of land indicators and as such a long list of indicators does exist in different institutions such as the Africa Land Policy Centre, the World Bank, UNFAO, UN-Habitat, International Land Coalition and Land Alliance Inc. A lot of research already exists regarding land monitoring. However, it was important to collate all this information in order to map out what already exists and the gaps for purposes of the IGAD region. Identifying feasible land indicators and monitoring mechanisms that will provide reporting for Agenda 2063, Agenda 2030 and the AU Framework and Guidelines on Land Policy in Africa as required in the AU Declaration on Land Issues and Challenges was critical. No set of indicators can be final and definitive, but must be developed and adjusted over time to fit the purposes for which they were developed to suit country and regional conditions, priorities and capabilities. The selected land indicators were limited to genuinely universal key land issues that are common to all the IGAD Member States. The key elements of the selection criteria for regional land indicators were:

- Be gender sensitive and responsive
- Address all tenure types (including the continuum of land rights)
- Promote urban-rural linkages

- Serves multiple purposes (economic growth, poverty eradication, food security, etc.)
- Address causes not only symptoms (a cause are the description of a problem i.e the origin of a problem which, if adequately addressed, will prevent a recurrence of that problem while a symptom is the manifestation or signs of the problem)
- Data source to cater for all land users and holders (not only land administration data)

It should be born in mind that the selected indicators have the following characteristics:

- They are relevant; it must fit the purpose for measuring.
- They are easy to understand; People must know what the indicator is saying including those that are not experts.
- They are reliable; the information that the indicator is providing must be trustworthy.
- They are based on accessible data; the information is available or can be gathered while there is still time to act.

Accordingly, six thematic categories were identified as key foundation for tracking immediate policy changes in land governance and from an important corresponding parts of the VGGT and F&Gs. The VGGT and F&Gs mainly formed the basis for selection of the regional land monitoring indicators. The selected indicators were revised to align with international best practice so that the indicators are of value in an international context although anchored in local realities and data needs. It was designed to help Member States select appropriate indicators for different monitoring contexts and to identify where there are gaps in coverage. The selected indicator categories were:

1. Policy development/reform
2. Land tenure security
3. Land conflicts and disputes
4. Land administration services
5. Capacity and accuracy of land administration systems
6. Sustainable land use

Under the six thematic categories, 14 indicators were proposed for performance measurement in the land sector based on the shared principles and priorities of Member States, likelihood of appropriate data being available within in limited time and budget, broad considerations on data sources and reasonable methodologies for data collection and assessment. These list of indicators went through a continuous process of revision and refinement to develop most relevant indicators and corresponding fit-for-purpose tools to measure them. Member States working groups were mandated to further define relevant data sources specific to their institutional capacities and capabilities and to propose feasible and robust methodologies for measurement and reporting linked to existing relevant global and continental initiatives.



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Indicator category	Indicators	Definition	Source of data	Data Collection methodology /Disaggregation
Policy development/Reform	A comprehensive national land policy exists	Presence/absence of national land policy that covers all elements of the land monitoring framework (includes existing legislations that meet the provisions of F&Gs and the AU Declaration on Land Issues and Challenges)- Reference to the Prototype National Land Policy document	Ministries responsible for lands and related institutions	Desk review, Administrative data
	The extent to which the policy formulation process is consultative, representative and participatory	To what extent participation is really meaningful in terms of the effect of stakeholder inputs on the final policies. Representative participation (i.e. gender, youth, elderly, regional balance, other disadvantaged groups, people with disabilities, indigenous communities) in terms of numbers of participants. The meaningfulness of participation can best be through assessment methodologies	Ministries responsible for lands and related institutions	Mini-surveys, Records of participants, expert and participatory assessment. Disaggregated by sex, age groups
Land tenure security	Proportion of national land areas with rights holders identified that is incorporated into cadastral maps / land information systems	Total land area captured under the cadastral maps against total land area (Total amount of land surveyed/Total amount of land)	National land agencies and institutions, National Land Survey Departments	Administrative data, National land information system, Land records in office dealing with land survey Disaggregated by land type/use



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	Proportion of women and men with legally recognized documentation or evidence of secure rights to land.	The proportion of men and women with legally recognized documentation (secure and undisputed as evidenced for example by a title deed)	National land agencies and institutions, Open source databases	Administrative data from national land agencies, meta evaluations disaggregated by sex, age groups, urban and rural,
	Percentage of women and men who perceive their rights to land are protected	The proportion of men and women who perceive their land rights are protected (both with titles and with no titles and disaggregated by urban/rural areas.	National census reports, Survey reports, Open source data	Opinion polls, Mini-surveys, Household surveys disaggregated by sex, age groups, urban and rural Household survey, desk review
	Level to which women and men have equal rights to land, including rights to use, control, own, inherit and transact these rights	The extent to which a country's legal framework supports women's land rights by testing that framework against the globally accepted proxies (CEDAW, FAO, SGDs Indicator 5.a2)	National land agencies and institutions, Open source databases	Administrative data, legislation and regulations, expert opinion and assessment, analytical and research reports,
Land conflicts and land disputes	Proportion of land cases to total court cases	The proportion of disputed land and property rights cases that have been resolved by courts/nationally recognized institutions t vis-a-vis the total that have been lodged.	Court records, National land agencies and institutions,	Participatory assessment, administrative data disaggregated by sex, age groups, urban and rural, types of stakeholders involved
	Percentage of women and men, that perceive to have access to effective dispute-resolution mechanisms	Proportion of women and men who perceive to have access to effective dispute resolution mechanism	Court records, National land agencies and institutions,	Opinion polls, expert and participatory assessment, administrative data disaggregated by sex, age groups, urban and rural, types of stakeholders involved



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Land administration services	Range of time required to conduct land transactions	The range of time involved for specified transactions of land (Mortgage/ transfer of ownership and leasing/subleasing charge) in days	National land agencies and institutions	Administrative data from land registries and other government agencies, expert assessment, The World Bank Doing Business (DB) survey, expert opinions
	Range of cost incurred to conduct land transactions	The range of costs involved for specified transactions of land (Mortgage charge/ transfer of ownership charge and leasing/subleasing charge)- in USD	National land agencies and institutions	Administrative data from land registries and other government agencies, expert assessment, The World Bank Doing Business (DB) survey, expert opinions
	Government revenue derived from land-based transactions as a percentage of total government revenue.	The proportion revenue collected from land related transactions to the total government revenue.	National land agencies and institutions	Administrative data from land registries and other government agencies, surveys/censuses.
Capacity of land administration systems	The proportion of transactions concluded per year as the total of transactions submitted	The proportion of completed transactions with the total number of submitted for a defined types of transactions	National land agencies and institutions	Administrative data from land registries and other government agencies disaggregated by transaction types, rural and urban land
Sustainable land use	Changes in the sustainable land use, measured by land cover	Changes in vegetation and biomass cover and thus captures changes in land use that involve the removal or degradation of forest and vegetation/ Proportions of different land cover/land-use classes unit of measure to be added to track the changes in square KMs. The time	National land agencies and institutions, special initiatives	Remote sensing, expert knowledge, interviews with land managers disaggregated by different land use types/classes



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		for this indicator covers 2011-2021 (10 years)		
	Proportions of rural and urban administrative units with sustainable land-use plans	The percentage of lowest level of planning units with sustainable land use plans prepared and approved that take account of the rights and interests of the local land users and landowners, women, youth and other vulnerable people	National agencies and institutions	land and Administrative data disaggregated by rural and urban, different land use types

Table 1: Detailed indicator information selected for the regional land monitoring framework

2.5. Conduct regional training on land monitoring framework

The regional training was conducted to expose members of the national land monitoring working groups (mainly the NLMCs, experts from the national statistics authorities and Directors responsible for Lands) to the regional land monitoring initiative and to validate the draft regional land monitoring framework. A total of 25 participants (5F,20M) from all Member states attended the training. The main objective of the regional training was to come to a common understanding on a scientifically based approach for collecting, integrating, analyzing and interpreting land indicator information. This is part of the changed implementation modality which encourages the use of internal capacities and enhanced knowledge sharing and learning among Member States. The extensive discussions and brainstorming enabled the validation of the draft Regional Land Monitoring Framework as a working guideline for the land monitoring activities in the region.



2.6. Data collection, analysis and report writing

The regular monitoring of progress and collecting the relevant data based on the agreed indicators had been the responsibility of the Ministries responsible for land in Member States undertaking the specific activities in collaboration with other stakeholders. For the IGAD regional land monitoring initiative, data collection was undertaken by the country teams starting October 2022. This process was led by the National Land Monitoring Coordinators with active support from the national working groups using the agreed methodologies and data management protocols in the Regional Land Monitoring Framework. The country working groups worked together to ensure that the data collected on all the indicators is gender responsive. The Land Governance Unit organized series of virtual progress update meetings throughout the data collection process to ensure that ambiguities were timely clarified, opportunities were seized to share experiences among Member States and to collectively learn from practical challenges encountered. In addition, technical backstopping missions were organized to Member States (Ethiopia, Sudan and Djibouti). This was mainly through the establishment of technical teams constituting experts from IGAD Secretariat, Member States and other stakeholders to provide on-site support for Member States during the process of data collection and analysis. The composition of the team was experts for Monitoring and Evaluation divisions, gender specialists, statisticians and land experts. The on-site capacity support was solely need based. Member states submitted request for support specifying the areas to be covered and IGAD Land Governance Unit mobilized expertise that responded to specific country needs. This allowed the provision of the required support to Member States who needed more technical back-up to catch up in land monitoring activities.

Member States were expected to conduct extensive assessment and review of available datasets (mainly administrative and secondary dataset) that enabled to measure the selected indicators. Accordingly, data collection was conducted mainly from existing national and international databases, administrative reports, reviewing existing policies and legal frameworks and institutional setups at different levels. Hence, participatory data collection methods to gather primary quantitative and/or qualitative data that could sufficiently describe the selected indicators was not possible due to time and resource constraints. This significantly impacted the availability, accuracy, timeliness and representativeness of the data collected across the Member States. Six Member States (Djibouti, Ethiopia, Kenya, South Sudan, Sudan and Uganda) compiled the available data and submitted the draft national land monitoring report for validation by end of November, 2022.

2.7. Technical validation of the draft national land monitoring reports

Following completion of the draft national reports, validation workshops were conducted in Djibouti, Ethiopia, Kenya, South Sudan, Sudan and Uganda between November 28 – December 20th, 2022. The workshops were conducted in a multi-stakeholder approach drawing together land data users from government agencies, civil society organizations and academia. A total of 132 participants (89M,43F) attended the national workshops. The validation workshops provided platform for endorsing the

information and the underlying analysis presented in the draft national land monitoring reports and ensured engagement of wide range of land actors. It also built national consensus and provided additional inputs from wide range of national stakeholders on the methodology, analysis and results of the draft land monitoring report and raised awareness of the national land actors on the set of land monitoring indicators and tools that enable collection and comparison of data and information. This also served as a dissemination platform for findings from the country land monitoring initiative.



Djibouti, November 28th, 2022



Kenya, November 30, 2022



Ethiopia, December 02nd, 2022



South Sudan, December 05th, 2022



Sudan, December 21st, 2022

3. FINDINGS AND ANALYSIS

3.1. Thematic category I: Policy Development/Reform

Under this thematic category, two indicators were selected for tracking progress on national land policies development and reform. These were the presence/absence of comprehensive national land policy and the extent to which the policy formulation processes were consultative, representative and participatory. The bench mark for measurement of these indicators were to assess the exiting legal frameworks in Member States if they meet the provisions of Framework and Guidelines on Land Policy in Africa, the AU Declaration on Land Issues and Challenges and the prototype national land policy document. According to the F&Gs, there are a number of considerations that should inform comprehensive land policy development. These include the fact that land policy development should be seen as a prerequisite for economic growth and sustainable human development, land is a highly sensitive political issue and as such the process of land policy development, implementation and evaluation, needs to be as inclusive and participatory as possible and national ownership in the development of land policy is critical for engendering broad grass roots endorsement which is more likely to lead to successful implementation. The Member States have different legal frameworks governing land as a consequence of their colonial history, diversity of cultural and religious norms, and endowment with natural resources.

Accordingly, its only Kenya and Uganda that reported to have comprehensive national land policies. Kenya has a comprehensive land policy in the name of Sessional Paper No. 3 of 2009 which is currently under review. The Policy provides an overall framework and defines the key measures required to address critical issues of land administration including, access to land, land use planning, restitution of historical injustices, environmental degradation, conflicts, unplanned proliferation of informal urban settlements, outdated legal framework, institutional framework and information management. The Uganda National Land Policy (NLP) was approved by Cabinet and published in February 2013. The goal of the NLP is to ensure efficient, equitable and optimal utilization and management of Uganda's land resources for poverty reduction, wealth creation, and overall socio-economic development. It also provides the framework for land tenure management and a land governance regime necessary for making progress and attaining growth. In both Member States, the drafting of the National Land Policies followed participatory processes with consultations, whose objective was to obtain stakeholder consensus. Kenya has guidelines for the public participation as developed by the Public Service Commission which offers general principles and guidance. Stakeholders' views and opinions were necessary to make conclusive decisions of what should be included in the Policy. There were six (6) sectoral thematic committees with 52.6 percent representation from public sector, 20.2 percent representation from private sector and 27.2 percent from civil society. Special interest groups consultative meetings were held targeting professional bodies, civil society organizations, government agencies concerned with regulation of land use and planning and government departments responsible for enforcement of law and maintenance of order and other major stakeholders.



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Memoranda and submissions were received from professional bodies, technical agencies, the academia and interested individuals. In terms of gender, 67 percent of the committee members were male while 33 percent were female. However, quantifying the aspect of consultation, representation and participation proved to be difficult for all Member States mainly due to the lack of frameworks for measurement.

Even though, the other Member States do not have a comprehensive land policy, issues related to land tenure, administration, and land governance, etc. are addressed in their Constitutions and other subsequent legislations of the Member States. For instance, Article 40 of the Federal Democratic Republic of Ethiopia constitutions enshrines governing provisions about ownership and administration of land. Both rural and urban land are under the ownership of the government and people of Ethiopia. The constitution of the Republic of South Sudan 2011 also constitutes different Articles regarding land related matters specifying roles and system of governance (Article 47), land ownership, land tenure system (Article 170), equal protection of the law without discrimination (Article 14), protects the Rights of women in regards to equal remuneration, representation quotas to 35% at all levels of government (Article 16), safeguards the environmental provisions (Article 41) and protection of wildlife and preservation of natural habitat of flora and fauna of South Sudan (Article 157). The provisions in the Land Act 2009 classifies land as public, community and private which is a direct translation of the constitution of the Republic of South Sudan. The Land Act 2009 regulates tenure and equally recognize rights to customary, public and private tenure. In Sudan, issues related to land are well addressed in the Transitional Constitution 2005 and constitutional document 2019 and strategies such as the 25-year comprehensive strategy. Like Kenya and Uganda, these Member States also reported satisfactory consultation and meaningful participation involving a large number of citizens and land sector stakeholders from all levels of government, development partners and other Non-State Actors (NSAs) as well community members in the constitutional review processes.

3.2. Thematic category II: Land Tenure Security

This thematic category has four selected indicators focusing on equal land tenure security for all. The four indicators measure documented land rights, perceived tenure security levels to which women and men have equal rights in land and the extent to which the legal frameworks recognize women land rights. However, the forms of tenure and types of legally recognized documentation may differ for each Member States as land tenure security is deeply rooted in any country's history and there is often a wide continuum of land rights. Table (2) showed the proportion of national land areas with rights holders identified that is incorporated into cadastral maps / land information systems. Cadastral maps are essentially descriptions of parcels of land with reference to rights in land and holders of these rights identified.

Cadastral maps are not in themselves a record of any right held but the formal record of rights is normally contained in one or more registers and these registers are supported by cadastral maps. The results showed that small proportion of land is under the national cadastral maps in the Member States. Djibouti has reported higher (95%) land areas under cadastral map in urban areas compared to rural areas. On the other hand, due to the effectiveness of the Rural Land Information System, higher proportion of rural land (45%) was registered in Ethiopia. Uganda, had 23.8% of land under the cadastral map covering all the 4 tenure systems (Mailo, Customary, Freehold and Leasehold). For most Member States, cadastral maps are generally regarded as an essential part of the land management infrastructure. It is believed that the creation and maintenance of multi-purpose digital cadastral maps greatly contributes to effective land administration processes.

The National Rural Land Information System (NRLAIS) is operationalized in 274 of Amhara, Oromia and SNNPR and registered about 18 million parcels. The urban cadaster however registered only 626,217 parcels out of the estimated 6 million parcels in 2500 urban centers of the country.



Member State	Proportion of Land under cadastral Map	Remark	Source of information
Djibouti	95 Urban	Data from urban centers of Djibouti and 5 towns in the interior.	
	5 Rural		
Ethiopia	10 in urban		National Rural Land Information System (NRLAIS)
	45 in rural areas		
Kenya	19.38	The total size of land that had been adjudicated/titled by November 2022	
Sudan	10	Cadastral information is well structured in digital format	
Uganda	23.8	Covering all the 4 tenure systems in Uganda (Mailo, Customary, Freehold and Leasehold)	Land Information System and CCO Database 2021

Table 2: The proportion of national land areas with rights holders identified that is incorporated into cadastral maps / land information systems.

Land, by virtue of being the main productive asset and means of wealth accumulation for majority of the communities, dominates the discourse on asset rights in the region. However, there is a significant gender gap between women and men in evidence of tenure rights to land in the Member States. The limited information on disparities in the proportion of land ownership showed higher gender gaps in Ethiopia, Djibouti and South Sudan (Table 3). Such evidence on gender inequities in asset ownership, particularly land, has in recent years helped move an extensive legal reform process to define and protect women's right to own, use, and transfer land and other assets (2011 ICRW Report). For most Member States, the disaggregated data on the proportion of women and men with legally recognized documentation or evidence of secure rights to land could not be retrieved as the land ownership data was not segregated at the point of collection. This is mainly due to manual recording and storage of most land documents and it was not possible to get the information during the assignment. In addition, in countries like Kenya, it is not a requirement under the current land registration laws to disclose gender/sex data to be part of the information on the title deeds.

Member State	Proportion of women and men with legally recognized documentation or evidence of secure rights to land		Remark	Source of information
	Men	Women		
Djibouti	67.4	32.6	2019	INSTAD
Ethiopia		18	It was 32.2% for both sexes in both urban and rural areas in the 2016	UN statistics database, 2016
South Sudan	82	18	Data from 5 States	State Ministries of Housing Lands and Public Utilities
Uganda	7.04	2.27	Considered adult population above 18 years	Land Information System and CCO Database 2021

Table 3: Proportion of women and men with legally recognized documentation or evidence of secure rights to land.

Data on the percentage of women and men who perceived their rights to land were protected was not available for Most Member States. This is because this type of information required carrying out a household survey which could not happen within the short timelines and limited funding resources allocated for this assignment. According to Prindex (2021), 72 and 75% men and women, respectively perceive their rights to land are protected in Ethiopia. The same report also indicated that more rural dwellers (79%) perceive that they have protected land rights than the urban dwellers (66%). In the National Five-Year Assessment Report (2014), 78% of men felt safe in urban areas regarding their property rights while 22% of women said they have title deeds in urban areas in Djibouti. The level to which women have equal rights to land with men, including rights to use, control, own, inherit and transact these rights are influenced by many factors which are related to marital status of women, their economic status, their agency on management and control of land and land based resources. Prindex 2020 in their global land tenure security perception report concluded that women's tenure insecurity often starts from within the household and community including fears of what may happen to them if their husband dies. Men are likely to worry about external threats like government taking land from community for public use or from land grabbing. Other factors that affect tenure insecurity are age, gender and tenure types. Young people and renters tend to feel more insecure than older people and land owners. The other important discourse in women land rights discussion has been the issue of users rights women have in rural communities and how 'ownership' is defined in such



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customary land tenure systems. This needs to be clearly elaborated in collection and analysis of data in the IGAD region where such practices and tenure systems are common.

The other indicator under this thematic category was the level to which women and men have equal rights to land, including rights to use, control, own, inherit and transact these rights. This was designed to measure the extent to which a country's legal framework supports women's land rights by testing available frameworks against the globally accepted proxies such as CEDAW, FAO and SDG indicator 5.a2. The CEDAW treaty has proved invaluable in opposing the effects of discrimination, which include violence, poverty, and lack of legal protections, along with the denial of inheritance, property rights, and access to credit. Table 4 presented the result of the analysis of the existing national legal frameworks by four Member States. Ethiopia and Kenya reported to have 5 proxies present in the Legal Framework of the countries out of the six required indicators by Committee on the Elimination of Discrimination against Women (CEDAW). The Sustainable Development Goal (SDG) 5 focuses on achieving gender equality and the empowerment of women and girls by 2030. In measuring the 6 proxies of FAO SDG 5 a2, the legal framework of South Sudan showed high levels of guarantee by fulfilling 4 proxies for gender equality. The review of various desktop documents including the legislative framework and few sectoral reports indicated that there has been an increasing recognition of the importance of women's access to, use and control over productive resources including land. This applies to both rural and urban settings. This has resulted in acquisition of more power and autonomy by women in their family settings as well as community level and further enhanced their economic and political relationships. In Kenya, The Community Land Act 2016, recognizes equality of all persons including equal treatment of applications for women and men and non-discrimination of any person based on gender, sex, disability, minority, culture or marital status for customary land.

The findings reveal that there exists policy and legal provisions for equity and equality as regards to women's and men's land rights and the limitations thereof. However, according to SDGs and AU, women land rights continue to trail men, despite the existence of policy and legal provisions. This is mainly due the fact that implementation of the legal provisions on land at national level towards women is ineffective. In addition, the patriarchy and the retrogressive/discriminatory cultural and practices at institutional and community level-including cultural norms continue to dominate legal provisions in most Member States. There is also low literacy/education levels and awareness among women that compounds their lack of knowledge and awareness of their rights and the inadequate women's participation and representation in land governance structures and decision-making among others.

Member State	Level to which women and men have equal rights to land	Remark	Source of information
Ethiopia	5	Five Proxies are present in the Legal Framework of the Country out of the six required indicators	Ethiopia Country Report on SDG indicator 5.a.2 (September 2022)
Kenya	5	Five Proxies are present in the Legal Framework of the Country out of the six required indicators.	
South Sudan	4	4 proxies available in the legal frameworks	Transitional Constitution 2011, Land Act 2009, Local Gov. Act 2009, A-ARCSS 2018
Sudan	4	Four proxies out of the five rights which presented are already included and inheritance right is governed by Sharia Law.	Sudan Constitution of 2019

Table 4: Level to which women and men have equal rights to land, including rights to use, control, own, inherit and transact these rights

3.3. Thematic category III: Land conflicts and land disputes

Conflicts over land and related natural resources often have extensive negative effects on economic, social, spatial and ecological development. This is particularly important for the IGAD region where land governance institutions are weak, opportunities for economic gain by illegal action are widespread and access to land for many citizens are limited. Hence, it is important to broaden the understanding of the complexity of causes that lead to land conflicts in order to provide for better-targeted ways of addressing such conflicts. This thematic category on land conflict and land disputes addressed two indicators: proportion of land cases to total court cases and percentage of women and men, that perceive to have access to effective dispute-resolution mechanisms. In most cases, land conflicts and disputes are handled by the national Courts of Judicature, Local Council Courts, customary institutions, Presidents Office-Land Directorate and Resident District/City Commissioners. The Courts of Judicature and Local Council Courts apply both the adversarial adjudication and alternative dispute resolution mechanisms in resolving the land conflicts and disputes, while the customary institutions, Civil Society Organizations, Civic and Religious leaders, Presidents Office, Land Desk and Resident District/City Commissioners apply alternative dispute resolution mechanisms specifically mediation to amicably resolve land conflicts and disputes. All land conflicts and disputes which are unsuccessfully handled through alternative dispute resolution mechanisms by the different platforms are referred to the Courts of Judicature for resolution through either ADR mechanisms or adjudication.

Table 5 below showed the proportion of disputed land and property rights cases that have been resolved by courts/nationally recognized institutions vis-a-vis the total cases that have been lodged. Actual data on land related disputes were difficult to get as some of the cases were not registered as land disputes. Higher land cases were reported in Ethiopia (70%) according to the data collected from 31 Woredas of the Amhara Regional States. Similarly, anecdotal evidence suggested that 60 -80 percent of court cases are related to land disputes related to boundary, rent, divorce, inheritance and gifts. Higher proportion of land related disputes were also reported in Juba, South Sudan. The fragmentation of the 10 states to the 28 and 32 states resulted into many internal boundary disputes between Counties and payams which hanged over and continued to feud land conflicts and disputes in South Sudan in addition to other land related disputes due to international boundaries (Kenya, Uganda), land grabbing and cattle raiding. On the other hand, an analysis of aggregate data from all courts and specifically from the courts that deal with land related cases (ELC, Rent Restriction Tribunal, Business Premises Rent Tribunal and National Environmental Tribunal) indicated much lesser proportion (1.58 %) of the filed total court cases were land related in 2021/2022 for Kenya. However, there is high likelihood that there are civil cases, some of which could be land related, but have not been segregated.

Member State	Proportion of land cases to total court cases	Remark	Source of information
Djibouti	8	Land disputes occur mainly in urban areas.	DDCF Annual Report
Ethiopia	70	Data from 31 Woredas of North Shewa Zone, Amhara Region (July 2013-June 2014)	LGAF Report, 2016
Kenya	1.58	Analysis of aggregate data from the all courts in 2021/2022	
South Sudan	80	Data from Juba, excluding other states	The Judiciary
Uganda	12.6	For FY 2020/21	National Courts of Judicature

Table 5: Proportion of land cases to total court cases

For most Member States data on the percentage of women and men that perceive to have access to effective dispute-resolution mechanisms was not reported. This was mainly due to the presence of diverse conflict resolution mechanisms making it difficult to collect and compile data in short time. For Djibouti, it was reported that more than 90% of women have no knowledge of the dispute resolution mechanism while 35% of men have some knowledge about the dispute resolution mechanisms. In Ethiopia, study conducted in 2017 in four selected Rural Kebeles of Wondo Genet Woreda, Sidama Zone with women farmers revealed that 48% women in the study reported that the Woreda Courts are accessible while customary institutions such as local elders and families were reported to be accessible by 85% of respondents. Kebele Land Administration Committee (KLAC) was the most accessible institution for dispute resolution for 91% of respondents. In 2021, 25% of the petitions submitted to the Council of Constitutional Inquiry (CCI) were by women while about 21% of the cases submitted to CCI are filed jointly by women and men.

3.4. Thematic category IV: Land administration services



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Land administration refers to the process of determining, recording and disseminating information about ownership, value and use of land and its associated resources. It can also include the determination of land rights and other attributes, surveying and describing these, their detailed documentation and the provision of relevant information for supporting land markets. Effective land administration is designed to meet the needs of people, their specific contexts and emerging issues within those contexts instead of simply implementing internal standards and approaches. This indicator category looked into service timelines and costs as provided in the existing service charters of the Member States for charges/mortgages, land transfer and sublease transactions. It also looked at the government revenue derived from land-based transactions as a percentage of total government revenue. The findings indicated that there were differences in the average time and cost for completing transactions related to three areas of land services (charges/mortgages, land transfer and sublease transactions) (Table 6 and Table 7). The average time for completing transaction ranges from 1 to 52 (Ethiopia) days while the cost varies from 3 (Uganda) to 124USD (Djibouti). In some Member States, the time and cost varied depending on the location (Urban Vs Rural for Ethiopia) and purpose of the land (agriculture Vs residence for Sudan). For example, according to the World Bank's Doing Business Report (2020), there were seven sequential procedures required to complete a transaction involving the transfer of rights of land-based property in Addis Ababa and the surrounding urban centers. Accordingly, it took an average of 52 days to complete the process under an ideal situation. The proportion of government revenue from the land services also varied ranging from 0.28 % (Uganda) to 15% in (Urban areas of Ethiopia) (Table 8). Some Member States have reported the transactions costs in terms of the percentage of the value of the land. This also ranged from 2.3 (Sudan) to 15% (Ethiopia).

The data showed that land administration issues and challenges are characterized by lack of coherent, harmonized and well-coordinated infrastructures necessary for the implementation of processes such as institutional arrangements, legal frameworks, land information systems, standards, and the management and dissemination of systems and technologies necessary for implementing these processes. Procedural requirements that increase the time and costs borne by investors without providing any perceivable public benefits or protection are excessive and are constraints to economic growth. Measuring incidence of bribes paid for land services, global corruption perception index and global control of corruption index provide insights on general governance capacity of South Sudan which may directly or indirectly reflect on provision of land administration services in the current times.

Member State	Range of time required to conduct land transactions (Days)	Remark	Source of information
Djibouti	3		
Ethiopia	52 (Urban centers)	Transfer of rights of land-based property in Addis Ababa and the surrounding urban centers	The World Bank's Doing Business (DB 2020)
	1 to 3 (Rural areas)	National Rural Land Information System (NRLAIS) is operational	
Kenya	3 -4	Existing service charter by the SDLPP	
South Sudan	7 -90	For transfer of ownership and leasing depending on availability of all supporting document	State Ministry of Lands, Housing and Public Utilities
Sudan	1-7	Days depends on type of ownership.	
Uganda	2 -16		

Table 6: Range of time required to conduct land transactions

Member State	Range of cost incurred to conduct land transactions (USD)	Remark	Source of information
Djibouti	124	For stamp and administrative fees	
Ethiopia	6% to 15% (Government tax) plus service charges		The World Bank's Doing Business, 2021
Kenya	4.2 - 8	Existing service charter by the SDLPP	
South Sudan	10 -20%	Value calculated as the sale of land and the share of the government	Financial Act 2022-23
Sudan	2.3 – 4 (%)	Depend on the type of ownership	
Uganda	3	Stamp duty is paid as per the assessed value of the property	

Table 7: Range of cost incurred to conduct land transactions

Member State	Government revenue derived from land-based transactions	Remark	Source of information
Djibouti	1		
Ethiopia	2% to 4% (Rural areas)	Data from Amhara, Oromia and SNNPR for the period between 2016/17 to 2020/21	Menberu et al., 2022 Richard and Menberu <i>et al.</i> , 2022
	6% to 15% (Urban centers)	lease revenues collected by Addis Ababa and Bahirdar city between the years 2018 to 2020	
Kenya	0.89	Revenue streams from land-based transactions comprise of Land Registration fee; Conveyance; Valuation fees; Land rent; Stamp Duty; Stand Premium; Land Adjudication Case fees; and other land revenues (among them physical planning and survey fees) for year 2020/21	Government of Kenya, 2022
Uganda	0.28		

Table 8: Government revenue derived from land-based transactions as a percentage of total government revenue.

3.5. Thematic category V: Capacity of land administration systems

Land Administration System is understood to mean all the infrastructure necessary for the implementation of processes such as: institutional arrangements, legal frameworks, land information systems, standards, and the management and dissemination of systems and technologies necessary for implementing these processes (Williamson *et al.*, 2010). Such system should ideally guarantee ownership and secure tenure, support the land and property tax systems, reduce land disputes and facilitate land reform among others. The indicator selected for measuring the capacity of the land administration systems was the proportion of transactions concluded per year as the total of transactions submitted. Table 9 showed that Member States could complete up to 99% (Djibouti) of the transactions submitted in urban centers. The transactions conducted in rural land was much higher than urban land for Ethiopia mainly due to the efficiency of the Rural Land Information System (NRLIS).

Member State	The proportion of transactions concluded per year as the total of transactions submitted (%)	Remark	Source of information
Djibouti	99	In Urban Centers	DDCF Report, 2021
Ethiopia	38 (Urban centers)		MoUI, 2022 NRLAIS, 2022
	95 (Rural areas)		
Kenya	95.37	Data received from 35 Stations (SDLPP)	
Sudan	4800	This indicator calculated as number due to undefined total number of submitted transactions.	
Uganda	83.6	For period running 2013 till 2021	

Table 9: The proportion of transactions concluded per year as the total of transactions submitted

3.6. Thematic category VI: Sustainable land use

Two indicators were proposed to measure land use change and land use plans even though they were not considered to comprehensively address all quantity and quality aspects of land use. The principal assumption for selection of land cover as core indicator was that changes in land cover/land use give a preliminary signal of the loss or degradation and restoration of land and soil quality. The change in sustainable land can be measured primarily through satellite and aerial photography based earth observation and remote sensing, although they also require validation at the national level using additional, ground based data sources. The time period proposed for measuring the land use change was for ten years from 2011 – 2021. The results from Ethiopia, Kenya, South Sudan and Uganda showed that there was significant change in land cover change across Member States (Table 10). Between the years 2010 to 2020, Ethiopia lost 269,000 ha of tree cover, equivalent to a 2.2% decrease in tree cover and emitted 124Mt of CO₂ according to the Global Forests Watch. However, the results could not conclusively suggest the causes of the land cover change.

Member State	Changes in the sustainable land use, measured by land cover (Ha)	Remark	Source of information
Ethiopia	269,000		www.globalforestwatch.org/dashboards/country/ETH/
Kenya	255,851		
South Sudan	2,800,000		www.globalforestwatch.org/dashboard/southsudan
Uganda	247,661		

Table 10: Changes in the sustainable land use, measured by land cover

Sustainable land use aims to integrate the management of fair distribution of land, water, and other environmental resources to meet human needs while ensuring the balance in the long-term sustainability ecosystem services, biodiversity and livelihood. The intention of this indicator is to measure the level to which Member States have approved sustainable land use plans at the lowest level of planning units. Urban administrative units in Ethiopia have higher proportion of land use plans. The results showed that sustainable land use plans remain the main challenge in the management and use of land and natural resources in Member States.

Member State	Proportions of rural and urban administrative units with sustainable land-use plans (%)	Remark	Source of information
Ethiopia	16 (Rural)	Those which implemented the Plans.	RLAUD report
	78 (Urban)	Those who have Structural Plans (Master Plans)	
Kenya	22.3	Counties with completed and approved Local Physical and Land Use Development Plans	State Department for Lands and Physical Planning and the National Land Commission, 2022
Uganda	15		NPPB

Table 11: Proportions of rural and urban administrative units with sustainable land-use plans

Challenges and Lessons learnt

Securing equitable access to land for all plays a critical role in the achievement of many key development goals. The achievement of these goals depends upon the responsible governance of land resources and tenure rights, including through systems of recording, valuation and taxation, spatial planning, and dispute resolution. Equally important is also recognizing the policy importance of land governance and ability to measure progress on these issues. Availability of land data and information on the selected land indicators was one of the biggest challenge in the land monitoring process in the region. Coordination gaps among land actors at various levels and among various sectors that intersect land inhibited achievement of expected national land monitoring outcomes. Other challenges include generating adequate data from the sets of indicators under land tenure security, conflicts and sustainable land use indicators due to time and resource constraints. There were limited the opportunities for the National Land Monitoring Working Group's ability to collect and analyze administrative data sets for these indicators as most of the information rightly sits at the different Ministries and at different levels (States, Counties, Regions) in the Member States. The timing of the assignment towards year ending also exerted immense pressure on the already busy schedules of some members of NLMWG. There was also a critical gap in the overall understanding of the assignment, methodologies and approaches for data collection and analysis among the NLMWGs which significantly undermined the processes undertaken, product and timely delivery of the assignment. Despite the regional land monitoring framework and guidelines, the indicator definitions, interpretations and methodologies were inconsistent and vary greatly among Member States while geographical and temporal coverage is also limited. Therefore, it is important to review and examine further the conceptual and methodological issues with the indicators raised by Member States for effective operationalization under their context while maintaining relevance to global databases. Developing long term strategic approaches for the regional land monitoring initiative can remedy such challenges in future engagements. The key requirements are to progress development of methodologies that enable data collection on land indicators to be embedded in routine data collection by national statistical systems and feasible complementary methodologies for expert and stakeholder assessment of progress in land governance at country and regional levels.

Enhancing multi-actor partnership arrangements for mainstreaming land monitoring and promoting platforms at country level for land monitoring, complementary analysis and reporting on land issues alongside what can be done within the SDG framework, the VGGTs and the AU Declaration on Land Issues and Challenges in Africa is critical. The country level land monitoring should feasibly happen in a collaborative mode amongst interested stakeholders through established partnership arrangement involving national land administration and statistical agencies. The overall emphasis is on maximizing /leveraging use of existing data sources and coordinate closely with agencies seeking to develop comparable data sources for the land sector. Integrating land monitoring into development initiatives will be important for harmonizing the land monitoring activities into development programs and

initiatives of IGAD, bilateral donors, continental initiatives (such as the African Union's Land Program and the Africa Land Policy Centre) and national governments. This will ensure the contribution of land monitoring for purposes of both the SDGs and longer term efforts to deepen stakeholder understanding and learning is conducted in the proposed form with defined standards and methodologies with the view of improving data quality and availability over the long-term.

The country level land monitoring initiative should combine utilization of data from various data sources including relevant data held by administrative sources with reasonable coverage, availability and quality / reliability. These include data from household surveys and other comprehensive national surveys gathered through integration of specialized land modules into existing /ongoing household surveys and expert assessments by linking with established global methodologies contextualized to the IGAD regional data needs. In addition, country level land monitoring should consider the following possibilities for participatory monitoring and evaluation exercises by projects and land governance initiatives within the country using agreed to methodologies and data approaches.

The disaggregation of land data is a core factor to be considered in future land monitoring assignments. Disaggregation offers the possibility of viewing a dataset for various population segments (men/women, age profile, social profile, wealth quintile etc.), geographical variances (rural /urban, city wise), by typologies of tenure (formal /informal, customary /statutory, permanent /temporary), and by classifying the data into various ways e.g., by type of land disputes, typology of dispute resolution mechanisms, typology of land use and users etc. The disaggregated picture can be viewed only when the data is designed to collect at that level of disaggregation and the sampling strategy is appropriately designed to allow for statistically valid sub-group analysis. The disaggregation possibilities can be worked out for a specific country requirement. Finally, Member States have different issues and constraints regarding securing of rights over land closely linked to their history, development agendas, stages of economic growth and democratization, nature and sequencing of reforms to country circumstances and the level of investment capacity necessary to proactively deal with these issues and challenges. Hence, there is urgent need to adapt the nature and sequencing of reforms to country circumstance and identify challenges upfront to reach consensus on how to address them in a way that allows objective monitoring of progress overtime. It is believed that the established multi-stakeholder platforms at country level will build on the key recommendations of this initiative to monitor the extent to which recommendations are followed through on. IGAD will continue to focus on reviewing robust and fit for purpose methodologies for indicator tracking that enable data collection on land indicators to be embedded in routine data collection by national statistical systems and feasible complementary methodologies for expert and stakeholder assessment of progress in land governance.