Prindex

WORKING PAPER

Land indicators and the land rights agenda in sub-Saharan Africa's development challenges

Insights and issues from Prindex survey results

December 2022

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1. Introduction

Africa faced intensified development challenges in 2022, with a mixed outlook for the decade to come. The COVID-19 pandemic and its global economic consequences, followed by the Ukraine War, have plunged some areas of the continent into crisis and intensified development challenges across many others. This is creating widespread concern for social welfare in Africa in 2022. In several countries, these shocks have exacerbated vulnerabilities to food insecurity and poverty, inadequate shelter and services, environmental degradation, conflict and weak governance. A rapidly expanding population of young people is further raising demands and expectations for stable livelihoods, political representation and environmental services. At the same time, the consequences of global climate change – most significantly in the African context, rising temperatures, shorter rainy seasons and more variable weather events – are having increasing negative impacts on the continent.

Land issue considerations need to be placed at the heart of how these development challenges are responded to in a resilient and democratic fashion. A renewed focus on solving issues related to housing, property and land for agriculture and environmental management on the African continent in the post-pandemic moment has the potential to shift the continent onto a more resilient, equitable and sustainable trajectory (Holland, Masuda, Robinson, 2022). And, as the IPCC's Sixth Assessment Report describes, it is increasingly urgent that solutions to land issues be fully aligned to support climate-smart actions, as many parts of Africa are among the most affected by climate change (IPCC, 2022).

Africa remains an agriculture-oriented region even as it is rapidly urbanizing. Many families send workers to the city but still rely on the village for food security. Climate change, food price increases and public health disruptions put this system at risk. Access to land for the poor and middle classes in both the rural and urban settings is a critical structural factor to enable resilient adaptation to climate (Deininger, 2003). When citizens control housing, land, and natural resources and feel secure about their rights to them, they invest in improving their homes, farms, and small businesses. They deepen their civic ties and become socially committed to the wellbeing of their neighborhoods and local environment. When citizens feel insecure about housing, land, and natural resources, the negative social and environmental consequences ripple throughout society, contributing to underinvestment, underemployment, inequality, instability, and environmental deterioration.

This post-pandemic moment of policy reflection creates an opportunity to support vulnerable populations' resilience and prosperity. Land access, land tenure security and land reform are critical areas to address in an improved policy environment to take advantage of new opportunities to truly 'Build Back Better.'

In spite of the obvious significance of land to address Africa's development challenges, current data on basic land indicators and land-related issues are rare. Many data remain siloed and inaccessible. Measuring security of tenure offers a simple metric which summarizes the prevalence of land problems in a society because at the heart of land-related questions is the issue of security and stability. Data on security of tenure can be gathered using methods of public opinion polling. It is thus a useful source of information and provides a comparable, repeatable understanding of the land situation. These indicators have the potential to elicit commitments on targets to help hold governments and their development partners accountable for progress (Prindex, 2020).

This report provides a brief overview of the role that secure land rights can play in furthering solutions to some of Africa's biggest development challenges in a climate-smart manner, and highlights the importance of widespread, actionable indicators in helping to define and monitor clear goals for progress on land rights, and create transparent systems for holding authorities accountable for delivering this progress.

2. The Prindex global survey and methodology

Using Prindex data of citizens' perceptions of land tenure security in the region collected in 2019 just before the outbreak of the COVID-19 pandemic, helps to provide an understanding of the state of land issues in Africa. This understanding is valuable to outline an agenda for the housing, property rights and land sector (HPL) in sub-Saharan Africa to contribute to solutions to the compounding development challenges of the moment.

2.1 The Prindex global survey

In 2018 and 2019 the land and property rights index ("Prindex"), a joint initiative between ODI and Global Land Alliance (GLA), carried out nationally representative surveys of adults in 140 countries in collaboration with the Gallup World Poll. Survey samples are representative of the national adult population as a whole and allow for disaggregation by sex, tenure type, and location (rural/urban). This approach means that owners, renters, or other adult occupants of a surveyed residence are included, and that women have an equal probability of selection as men. Sub-groups vulnerable to insecurity, such as migrant and foreign workers, internally displaced people (IDPs) and refugees, are likely captured in the data in proportion to their prevalence in the general population. However, the surveys do not specifically target these groups or any others.

The survey's core question asks randomly selected adults how likely it is that they could lose the rights to their home or other property against their will within the next five years. Those who perceive this as 'likely' or 'very likely' are classified as insecure, while those who responded with 'unlikely' or 'very unlikely' are classified as secure. The result is the world's first global measure of land and property rights that is fully comparable between countries. All Prindex datasets are open access and available for download from prindex.net/data.

2.2 Methodology

This data used in this report come from 34 countries in sub-Saharan Africa, in which Prindex collected data in 2018 and 2019.[1] The main characteristics of the national samples used in this paper are shown in **Table 1** below. For ease of presentation and analysis, these countries are grouped into four sub-regions:

- **East Africa:** Comoros, Ethiopia, Kenya, Madagascar, Mauritius, Rwanda, Tanzania, Uganda;
- **Central Africa:** Cameroon, Chad, Gabon, Republic of Congo;
- **Southern Africa:** Botswana, Eswatini, Malawi, Mozambique, Namibia, South Africa, Zambia, Zimbabwe;
- **West Africa:** Benin, Burkina Faso, Côte d'Ivoire, Gambia, Ghana, Guinea, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone, and Togo.

1 For logistical and security reasons, Prindex was unable to collect data in several sub-Saharan African countries, including: Sudan, Eritrea, Djibouti, Somalia, South Sudan, Central African Republic, Democratic Republic of the Congo, Angola, and Burundi.

BOX 1: A BRIEF NOTE ON PRINDEX'S METHODOLOGY

There are few perception surveys that consider the property rights of individuals within a household. Most only consider the (typically male) head of household, often overlooking the use and access rights of women. Unlike such surveys, Prindex randomly selects 18+ adults within a household as part of a nationally representative sample. In line with Sustainable Development Goal (SDG) targets 1.4.2 and 5.a.1, this allows us to assess the perceived tenure rights of owners, renters, and importantly women, in informal tenure arrangements. The survey also includes questions to identify individual, household and property characteristics associated with perceived security. These include tenure classification, age, marital status, income, household size, educational attainment, urbanicity and whether land is attached to a property or not.

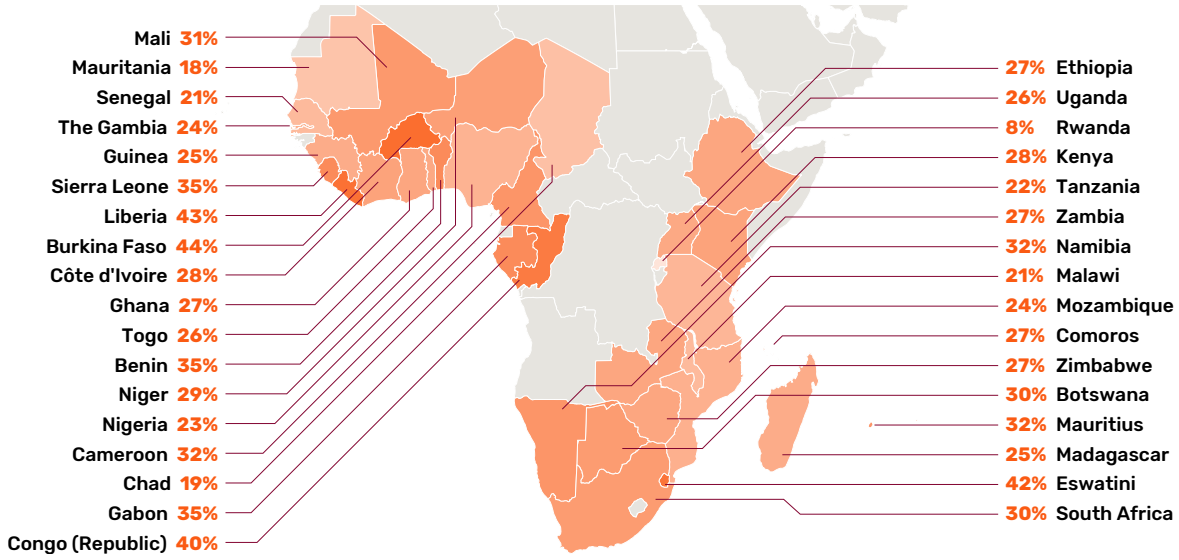
Prindex is unique in that it offers an internationally comparable measure of perceived tenure security using a consistent set of survey instruments across countries. Questionnaires were localised to ensure that they could be understood unambiguously. In this paper, we have chosen to present results using descriptive cross-tabulations, as they are easy to denote graphically and lend themselves to clear and interpretable infographics. Where relevant, an asterisk (*) next to a number denotes that the difference observed is statistically significant at the 90% confidence level. However, the descriptive statistics are in no way an attempt to prove causation.

2.3 Land rights are insecure in Africa

Land tenure insecurity is a problem hiding in plain sight in Africa, impacting the entire spectrum of human development in the continent, with an average of a quarter of adults in the sampled countries expressing a perception of insecurity. Of a total adult (18+) population of approximately 465 million people in the 34 sub-Saharan African countries surveyed, more than 121 million (26%) consider it likely or very likely that they will lose their land or property against their will in the next five years. Within certain countries and sub-regions, and among certain groups, insecurity is even higher.

Figure 1, below, shows the average levels of insecurity in each country surveyed. Nearly all countries in the region have levels of insecurity higher than the global average of 20%.

FIGURE 1: AVERAGE LEVELS OF TENURE INSECURITY IN THE AFRICAN REGION BY COUNTRY



3. Land is at the heart of Africa's development challenges

The following sections spotlight the critical role of secure land rights in addressing six key development challenges facing the Sub-Saharan Africa in 2022:

1. Poverty and food security;
2. Population growth, and the 'youth bulge;'
3. Urban expansion and peri-urban informality;
4. Deforestation and degradation of critical environmental services;
5. Governance and conflict;
6. Women's rights.

3.1 Poverty and food security

The current food crisis is not new – more frequent extreme weather events, conflict and economic shocks, have all contributed to food insecurity and rising prices. But the invasion of Ukraine and the COVID-19 pandemic have intensified these vulnerabilities.

As in other parts of the world, food insecurity has skyrocketed in Africa in 2022. It is estimated by the Global Report of Food Crises 2022 Mid-Year Update that 20 percent of Africans are experiencing hunger and 140 million people in Africa face acute food insecurity (GNAFC, 2022). The Horn of Africa is experiencing a prolonged drought, contributing to a hunger crisis. In many other countries grain prices increases due to reduction in supply from Russia and Ukraine have put staple foods out of the reach of ordinary people.

Given rising food insecurity and threats to the resource base, governments and international development organizations, today more than ever, have reasons to consider structural policy reforms with the potential to accelerate the food production systems in Africa and sustainably maintain them. In this context of accelerating food prices under climate change in Africa, a population projected to be around 2.2 billion by 2050 and an increase in fertility rates and life expectancy across the demographic spectrum, the continent needs to create the conditions to transform its agricultural sector in order to feed itself (IPCC, 2020; United Nations, 2019; Van Ittersum *et al*., 2016).

The most promising strategy for agriculture is based on expansion of productivity by small farms and secure access to forests and rangelands to support environmental services underlying productivity.

Sub-Saharan Africa's population is still predominantly (59%) rural and agricultural, and 82% of extreme poverty in Sub-Saharan Africa is rural. Although the roots of poverty are complex, a lack of agricultural productivity and susceptibility to shocks are major factors. Evidence maps a strong, positive link between secure land access, food production and food security (Muraoka, Jin and Jayne, 2018; Nnaji, Ratna and Renwick, 2022). This is because secure land tenure creates incentives for operators to invest in agricultural productivity and resilience via improvements in soil fertility, infrastructure, and technology. With secure lands, farmers, entrepreneurs, banks, and local businesses feel safer investing in agriculture, and can focus on finding localized strategies to improve their production without worrying about losing their land (Prindex, 2020). The African Development Bank's (AfDB) Feed Africa reiterates this point, noting that "Security of land tenure and good governance remain major challenges across the continent. Most African countries have basic land tenure laws that are incomplete and poorly enforced, deterring private investment" (AFDB, 2019: 4).

Today a quarter of Africa's rural population on average in the surveyed countries reports a perception of insecurity about land rights, significantly higher than the global average of 16%. This is often due to a lack of clarity around the way rights are allocated and protected between traditional and statutory legal systems. The most acute rural land rights insecurity in the survey data is found in Burkina Faso, where rural insecurity reaches 40%, compared to a more typical (for the region) urban insecurity rate of 26%.

Responding to this situation of weak land rights, a new wave of legislation recognizing traditional, customary rights and reconciling traditional and statutory tenure is starting to gain momentum in places like Tanzania, Ghana, Uganda, and Mozambique, and major reforms to clarify land rights have been enacted in others like Ethiopia, Rwanda and Tanzania. Many more countries have tenure reforms in the works.

Data can help to drive these changes to improve security of housing, land and resources by creating transparency, targets for reform implementation and agreeing on commitments for progress. With better data, politicians could be invited to report regularly on progress with land rights to their constituencies. Donors could make new assistance contingent on measurable progress. Additional national and sub-national research studies and pilots could help policymakers to understand the relationships between tenure insecurity, tenure risks and agricultural production for agri-businesses across countries in Africa and attempt to estimate the true economic and productivity costs of insecure land rights. Supporting policy reform efforts and land rights advocacy with transparent data and understanding the factors that constrict and support food production systems – land related and others – can help reduce food insecurity in sub-Saharan Africa.

3.2 Population growth and the 'youth bulge'

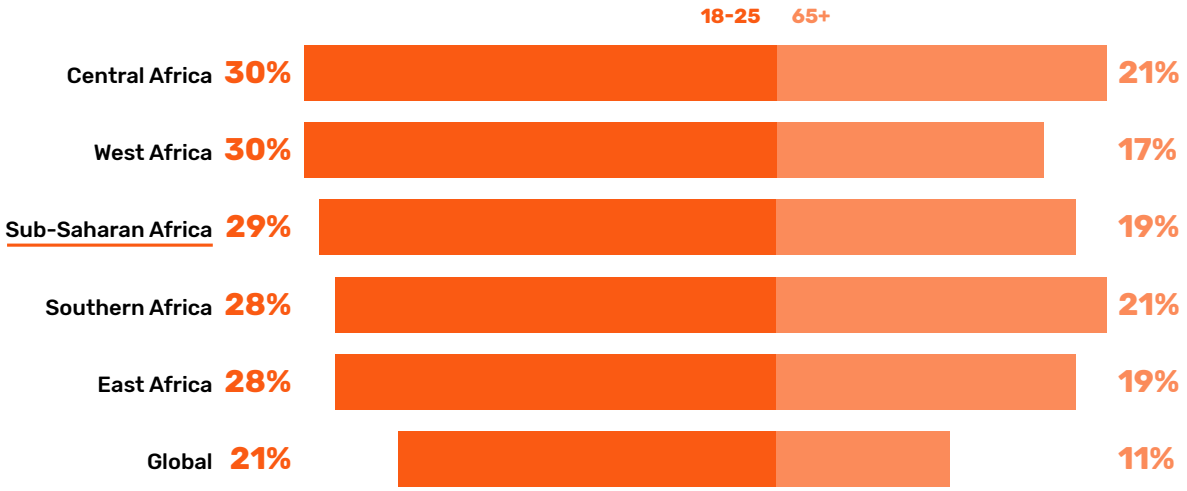
Fast population growth, especially among youth, is a second pressing development challenge for Africa. Almost 60% of Africa's population in 2022 is under the age of 25, making Africa the world's youngest continent. By 2050, the population of Africa is expected to double to more than 2.6 billion (at which point 2 out of every 5 children in the world will be born in Africa). Over the next decade 10-12 million young Africans will enter the labor force each year, creating a 'youth bulge' in the workforce with demands and expectations for housing, land and natural resources (World Bank and AFDB, 2018).

If the expanding youth demographic can access secure housing, land and natural resources, this group has a much stronger likelihood of becoming highly economically productive and socially stable, with its members spending their most productive years contributing to the continent's growth - generating improved social conditions through the 'youth dividend'. Without secure land access, however, these years may be much less productive and the 'youth dividend' may not be realized.

Providing access to and security for land for this young population represents a major development challenge. Correlated with other spatial and socioeconomic factors such as low income and education levels, age is strongly associated with perceived tenure insecurity, globally and in sub-Saharan Africa. Young people are more likely to live in rental accommodation or suffer from financial hardship, contributing to levels of insecurity that are considerably higher than those of older generations.[2]

As in other regions, young adults in Africa are the most insecure age group, as seen in the chart below. As the region has a relatively young population, enhancing tenure rights among young people could bring significant economic benefits, for example, by encouraging investment in agriculture.

FIGURE 2: PERCENT OF RESPONDENTS WHO FEEL INSECURE, BY AGE GROUP AND SUB-REGION



2 The 2018/19 pilot round of the Prindex survey asked owners in 31 countries about their method of acquisition. This showed that respondents in sub-Saharan Africa were more likely to have acquired their land or property through inheritance rather than purchase. For example, 54% of owners in Malawi inherited land and property through their families and only 18% purchased their land, compared to the United Kingdom, where 13% acquired land by inheritance and 69% of owners bought their property privately.

Accessing secure land remains difficult for younger generations. As reported by The International Fund for Agricultural Development (IFAD): "In sub-Saharan Africa, around 1 in 3 adults is the sole owner of a plot of land, while this is true of fewer than 1 in 10 young people" (IFAD, 2019: 33). High land prices, land degradation, and opaque land markets are making land acquisition challenging for youth who want to invest in agriculture. As is the case in most governing bodies, young Africans are not present at the table when political decisions are made.

Despite this clear link between youth and the long-term security of the continent, few data are available to measure the trends or to show the results of policy interventions in different national and sub-national settings. Research has examined the concerns of youth coming to age in this era of climate change, and almost no data exists to help policy makers understand this population's barriers to productive use of land. As highlighted in the conclusion of the 2019 IFAD report, the authors noted that: "Because there is a lack of evidence, most of the discourse on rural youth is not rooted in empirically substantiated facts. Many of the claims being made in the youth literature are not supported by the available evidence" (IFAD, 2019: 272).

If governments, international development organizations and global donors were able to access data on how youth are currently accessing land for productive uses and the barriers they face when trying to do so, these actors would be better able to initiate transformational land management strategies and inclusive legislation. Better data on land rights for youth could help close the gap in understanding the linkages between land, financial resources and food production in rural areas improves, and between land access, income and economic growth in urban areas in order to set policies which can prepare to harness the youth bulge and the youth dividend for sustainable growth.

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3.3 Urban expansion and peri-urban informality

Africa's cities are the fastest growing in the world, creating high demand for land for housing, business and transportation. Africa's urban areas currently hold roughly 472 million people. That number is expected to double over the next 25 years as more people migrate to cities from the countryside. The largest cities are growing as fast as 4% annually, and many secondary cities are growing at the same rate or faster. In comparison with other global regions, Africa's cities are crowded, disconnected, and costly (World Bank, 2017). Land access and security is at the heart of the urban policy reform agenda. From a policy standpoint, the structural problems affecting African cities are institutional, and regulatory constraints often misallocate land and labor, fragment physical development, and limit productivity. Across Africa, 60% of the urban population is packed into slums — much higher than the 34% seen elsewhere (United Nations, 2015). Rationalizing land use and upgrading these informal settlements so that residents can invest in their human and physical capital and support urban services and infrastructure are key processes to enable Africa's cities to become drivers of development through positive economic spillovers.

Failure to keep up with the demand for secure land creates economic and social costs. Recent attempts to access secure lands within urban areas have led to social unrest (as seen in Bujumbura, Burundi); lack of affordable and respectable housing for vulnerable groups and youth (as in Dakar, Senegal); an increase in crime in the inner cities (seen acutely in Lagos, Nigeria); and climate impacted communities (seen in Saint-Louis, Senegal), to name a few examples.

3.3.1 Peri-urban areas: frontiers of hope and conflict

The large bands of mixed residential and agricultural areas surrounding most African cities are the key arenas for urban development needed for this desired process of equitable, rapid growth and absorption of young people, but most are developing in precarious manner at present as new arrivals seek the affordability and accessibility of informal housing and livelihoods. Researcher Vanessa Watson notes that: "Around African cities, peri-urban areas have been growing very rapidly as poor urban dwellers look for a foothold in the cities and towns where land is more easily available, where they can escape the costs and threats of urban land regulations, and where there is a possibility of combining urban and rural livelihoods. These are the areas usually earmarked for development by new urban extension projects" (Watson, 2013: 228).

Urban expansion into these peri-urban zone is insecure for many residents. Complex land conflicts among rural mayors, traditional authorities, city mayors, and the government create vulnerable circumstances for residents with little voice or power in the political system (Ahani and Dadashpoor, 2021). The tensions and power dynamics among these stakeholders and the regulatory gate-keeping functions they control in the absence of transparent information systems put formal land market opportunities out of reach for most residents.

BOX 2: PERI-URBAN LANDS - BATTLEGROUNDS BETWEEN CITIES AND RURAL AUTHORITIES UNDER THE UMBRELLA OF DECENTRALIZATION

The relationship between cities and rural authorities is becoming more fraught under the process of decentralization, even as studies demonstrate that decentralization is a good opportunity for rural areas across Africa (Pesche, Losch and Imbernon, 2016 :23). Before the 1990s, African governments focused on modernizing their capitals, secondary cities, and coastal cities across the continent. City mayors had the power to extend their territories and to develop new housing and project development without strong resistance from rural authorities. Since the 1990s, with the introduction of a decentralization approach adopted by almost all African nations, governments are dividing their budgets and powers between the capital and big cities, secondary cities, and rural areas (Chauveau *et al.*, 2006).

With the improvement of democracy and organization of more transparent and fair local elections, a younger generation is participating in elections across many countries in the continent (UNECA, 2017). In peri-urban areas, a new generation of young and dynamic rural leaders, male and female both, are confronting the powerful cities' mayors and their housing development projects. This clash between urban and rural authorities is incentivizing both urban and rural officials to co-develop, co-create and co-manage rural-urban partnerships and work toward a more integrated development approach in peri-urban areas.

The political economy of urban and peri-urban land developers create opportunities for informal land developers, land prospectors and quasi-criminal land mafias to operate informal markets. For most peri-urban residents, the easiest way to obtain a piece of land is through these informal markets. Buyers and sellers use a variety of social arrangements (small papers, witnesses, validation by neighbors, etc.) to complete land transactions, but the security of these rights is often weak and the pattern of land development chaotic from the point of view of efficient transportation, provision of social goods and public health. Whether Africa's urban development will lead to expanding poverty traps or hubs of growth depends in a large part on how these new urban zones evolve.

Regularization and upgrading of peri-urban areas is still often complex and costly. In many French-speaking African countries (Mali, Senegal, Burkina Faso, Cote d'Ivoire, Togo), to reclassify a parcel from the national domain to full land title "Titre foncier", developers need to go through several steps that end up with the validation and signature of President of the Republic. Developers who obtain such reclassifications expect to recoup their investments by increasing the price of the subdivided parcels (Adam, 2020), pricing out many peri-urban residents.

New approaches to regularization like community-led organization and fit-for-purpose land administration techniques hold a lot of promise to deliver cheaper, easier alternative pathways to legal recognition and better services. The benefits of early action to anticipate and resolve peri-urban land problems are great and costs of inaction on peri-urban land rights over time is high (Locke and Henley, 2016).

BOX 3: COASTAL AREAS IN URBAN WEST AFRICA: SECURITY FOR CLIMATE IMPACTED COMMUNITIES

A third of the population of West African countries lives along the coast, in the region's largest and most economically important cities (56% of the coastal countries' GDP comes from these coastal areas) (Worldbank, 2019). Climate scientists agree that coastal erosion and flooding will increase over the years, with West African coastlines receding between 1 and 3 meters per year. The populations located along these coastlines are facing major financial and economic impacts (cities, ports, fisheries, and other infrastructures) and environmental degradation due to climate change, threatening livelihoods, particularly fishing communities. Many coastal communities in Africa are losing their homes and lands because of the impacts of sea level rise, flooding, and coastal erosion. Governments and municipalities in these areas need to find secure and affordable lands for the current and future climate impacted communities.

Many coastal communities, particularly fishers, do not hold legal land titles, making it more complicated for governments and local communities to help with relocation and resettlement. Cities, rural communes, local communities, and governments need to start the process of identifying people and communities living along the coast, particularly the fishing communities, in order to effectively identify all those currently or likely to be impacted by climate related disasters. In Lagos, Nigeria, for example, sea level rise will increase erosion and inundation, posing serious risks to infrastructure, industries, and the lives and livelihoods of an estimated 6 million people along the coast (Pelling and al, 2018:13). City planners and disaster risk managers need to anticipate and adopt new strategies of securing land in other places more resilient to reduce the level of poverty that can appear because of the coastal erosion risks (Longueville *et al.,* 2020).

3.3.2 Urban land insecurity

The insecurity of urban land rights can be benchmarked by the Prindex surveys. Prindex findings reveal substantial insecurity among urban dwellers in most countries. This insecurity is most prevalent among renters, followed by those staying with permission on a family member's property. The Prindex dataset finds that around 18% of people living in the region are renters.[3] Many countries in the region have laws that provide varying degrees of protection for tenants against eviction, but in practice these rules can be poorly unenforced.

Around the world, renters are much more likely to feel insecure than owners. Prindex data reveals an insecurity gap between the two groups of 21% in sub-Saharan Africa. The gap between owners and renters ranges from only a few percentage points in Mauritius to 40% in Niger, Senegal and Zimbabwe. Prindex data show that renters in the region are not significantly more or less likely to be male than female, and no more or less likely to be single than married. The primary reasons for insecurity stated by renters are external (the owner may ask them to leave) or financial issues.

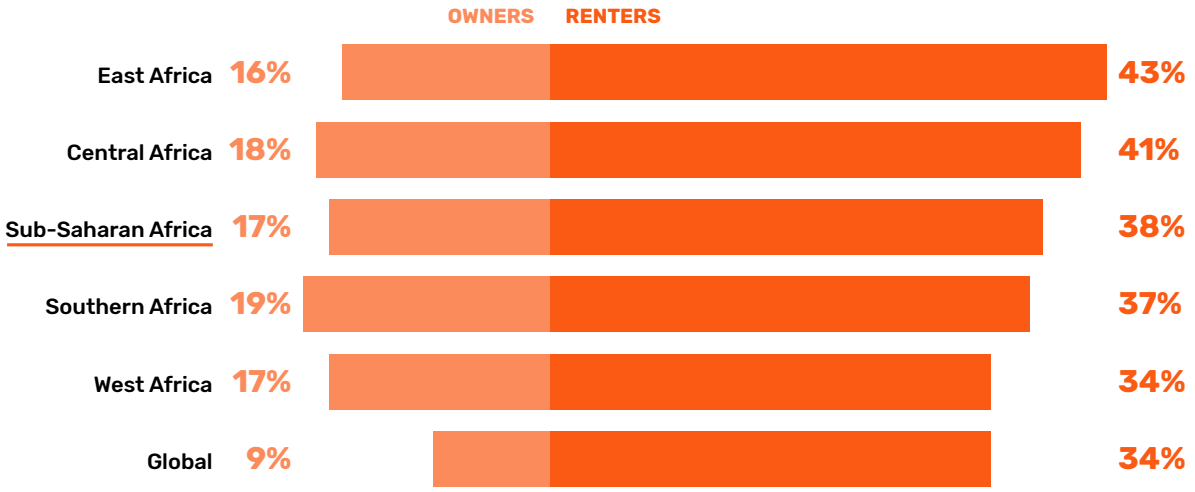
3.3.3 Land rights for inclusive urbanization: opportunities for using data to drive change

As African cities rapidly expand, data on secure and accessible land rights - particularly for slums and peri-urban areas - could become the score card for tracking the success of policies and programs aimed at these areas, and holding politicians and donors accountable for results.

Additional research could help to understand in greater depth the linkages between social and political power dynamics and informal land markets in peri-urban areas, asking under what conditions it is possible to find win-win opportunities that satisfy both rural communities and urban developers. An identification and examination of some successful cases of inclusive and well-planned urban expansion could help provide a model for rapidly expanding urban areas to follow.

Many of the inter-linked processes between urbanization and the ecological capacity of African cities remain poorly understood. This is especially true for coastal cities. Additional research studies could focus on the economic impacts of coastal erosion and sea level rise, exploring whether impacted households have opportunities to secure land elsewhere, particularly the fishing communities who have lost their land and houses. It would be valuable to assess the contribution of tenure security to the resilience of citizens in both the community of origin and the new destination in the face of coastal land loss and relocation.

FIGURE 3: RATES OF INSECURITY AMONG URBAN ADULTS BY TENURE TYPE



3 Renters include the whole range of types of agreement; short or long term, written or verbal, direct or indirect, formal and informal.

3.4 Deforestation and degradation of critical environmental services

Forests cover more than 20% of the African continent (650m hectares) (Nair and Tieguhong, 2004). Forests across Africa support the lifeways of hundreds of millions of people across thousands of distinct ethnic groups, including agricultural, hunting and gathering and pastoralist groups. These latter two sources of livelihoods are especially important to Indigenous Peoples (IPs) across Africa. Forests in the Congo Basin alone support the livelihoods of 75 million people across 150 distinct ethnic groups (WWF, 2022), a pattern replicated in forests and woodlands across Africa. Over recent years, growing evidence has documented the contribution of land and forests held under collective tenure, including by IPs, to climate change mitigation, natural resource conservation and increased resilience. Mounting evidence demonstrates that insecure land and forest tenure rights, as well as inadequate recognition of customary access, restricts the ability of people and communities to advance climate adaptation and mitigation (IPCC, 2018) and that tenure insecurity is a significant indirect driver of deforestation (Seymour *et al*., 2014).

3.4.1 Forest tenure

Forest tenure security encourages communities to invest in their land, forests and sustainable commercial activities. But more than 90% of Africa's forests are legally under state ownership while being occupied and used by communities, often with very little security of tenure; only 7.4% of forests in Africa are designated or owned by communities (RRI, 2018).[4] Countries such as Uganda, Republic of Congo, and Zambia possess relatively progressive legal frameworks establishing community forest rights, but with little implementation to date. Achieving sustainable forest outcomes for communities and forests in Africa calls for improving the legal recognition of forest communities and supporting their management of the forest domain through sustainable practices.

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In spite of the statutory designation as state-owned land across much of the continent, as much as 90% of Africa's rural population accesses land through customary institutions. These customary landholders number more than 630 million and growing (Alden Wily, 2021) and include people self-identifying as IPs. Collectively managed areas, which include forests, agricultural areas and fisheries, are often not recognized by governments despite the existence of, in many cases, customary and traditional governance systems that have functioned for centuries. This puts these lands and cultures at risk from external interests, a risk that accelerates with increasing investment in forested areas.

Community lands in Africa, and the forests they contain, hold vast amounts of carbon that are crucially important as a long-term sink for climate change mitigation (Frechette et al., 2018). Virtually all global pathways to a future safe from the effects of climate change include increased carbon sequestration from forest-based activities. As the stewards of so much forest land, communities in sub-Saharan Africa play

4 Until a few centuries ago, the lands and forests of Africa were the property of communities, held under customary tenure systems. These tenure systems assumed that ownership of property (e.g. land and forests) arose from the community itself, versus external legal recognition, and constantly evolved to meet the needs of the community. Land use systems by these communities took the form of a diversity of traditional management and governance regimes. During the colonial period, forest ownership and administration was centralized across most of Africa (Larson and Springer 2016), based on European models of state-management and control of natural resources as well as philosophical orientations of individualism. This served the colonial state's ambitions to exploit resources for the benefit of the colonial powers, and effectively constrained rights to forests for many communities through the post-independence period (Blomley 2013; Barrow *et al.*, 2016).

a significant role in facilitating this outcome, and there is growing evidence that community forest management and other forms of community-based tenure can, under certain conditions, maintain and build on the contributions of these forests to climate change mitigation and other ecosystem benefits. For communities economically dependent on forests who also possess strong rights, long-term conservation of those forests would help assure continued economic benefits. Recognizing and documenting community rights may allow communities to access donor and government funds for climate change mitigation (Byamugisha, 2013), and a longer planning horizon can incentivize sustainable management (Alden Wily, 2004). Global programs (such as REDD+) are increasingly promoting expanded recognition of their rights.

BOX 4: APPROACHES TO COMMUNITY FOREST MANAGEMENT IN TANZANIA

Tanzania is approximately 55% forested, with all land and forests as property of the state. In the late 1990s, forest governance was partially decentralized, with the 1998 Tanzanian Forest Policy and Forest Act No. 14 (2002) establishing two types of participatory forest ownership/management for communities:

- **Community-based forest management**, where villages establish a village land forest reserve (VLFR) on village land (24.6m ha), retain full proceeds from forest management and are not obligated to share management responsibilities with external actors.
- **Joint forest management**, which involves village governments co-managing government forest reserves (19.6m ha) in conjunction with central or district government offices. Communities retain more limited control and benefits and outcomes are decidedly more mixed or negative than community-based forest management.

By 2012, approximately 2285 villages and 23.3% of forests in the country were officially managed under these two forms of management. The remaining (vast majority) of forests are under the control of authorities, and as a result, outside interests have contributed to widespread deforestation by obtaining permits from districts to harvest village lands. Kenya's experience shows solid gains in environmental outcomes, with findings (Hajjar *et al*., 2021) reporting 27 of 42 case studies showing positive environmental and food security outcomes.

3.4.2 Land rights for forest communities: opportunities for using data to drive change

Despite a growing recognition of the conservation and livelihood benefits of collective tenure, the data gaps of where these lands are and who rightfully owns them is a major obstacle to the rapid scaling of investment, action and policymaking needed to secure these rights. As areas occupied by IPs and local communities (IPLC) are increasingly threatened, the need to clarify rights becomes more urgent.

Monitoring the security of forest rights could help to target resources and ensure progress from policy and funding commitments to recognize community rights to forests. Geospatial technology and survey methods such as Prindex could help address the needs for monitoring and fill key knowledge gaps in the urgent discussions around effective approaches to protecting forest areas and supporting the people who actively manage and depend on these ecosystems.

3.5 Governance and conflict

The fifth major development challenge facing Africa with a strong linkage to land tenure is the phenomenon of poor governance and propensity for conflict. Good governance leads to peace, stability and economic development, but in many African states, the upheavals of colonization, independence and rule by post-colonial elites have resulted in weak social contracts between states and societies. The development of inclusive institutions would be benefitted by land policy reforms that enable political and societal actors to mitigate the powers of long-time rulers and elite groups, and to broaden rule-based participation in governance (Crocker, 2019).

Because of land's value as a primary productive asset, a source of natural resource wealth, and a locus for economic activity, it is a primary concern for governance and cause of conflict. Land tenure insecurity is thus both a cause and an effect of governance problems and potentially a driver of conflict.

Land can be central to violent conflict (Locke, Langdown, and Domingo, 2021). Over the period 2000-2015, land was an element in over half of violent conflicts (Bruce, 2017), and "where there is conflict, land and natural resources issues are often found among the root causes or as major contributing factors" (EU and UN, 2012: 13). UN Habitat (2018; VIII) notes that, in the coming decades, "land is likely to become even more important as a factor in conflicts".

The challenges discussed above, including climate change, population growth and the "youth bulge", migration, urbanization and rising food insecurity are all likely to intensify competition over land. Land-related conflicts are often localized in nature but have the potential to spill over to national or even regional conflicts. For example, farmer-herder conflicts in the Sahel and Horn of Africa (over land and related resources, such as water) cross international borders just as the pastoralists themselves do (Kratli and Toulmin, 2020; Dafinger and Pelican, 2006). In Eastern DRC, local conflicts fed into and drove provincial, national and even regional conflicts (Pottek *et al*., 2016).

3.5.1 Governance for change

Institutions and governance play a significant role in determining the rules about how land is used, controlled and accessed, and in how those rules are enforced and adjudicated when there are disputes. Inadequate land administration systems, legal pluralism across conflicting ownership or tenure regimes, and overburdened or untrusted justice systems can undermine tenure security, leading to competing claims and unresolved disputes that exacerbate underlying tensions. Even in countries where there appears to be a uniform policy of state land ownership, such as Ethiopia, customary systems have endured and even grown in influence, affecting the way that land is accessed and controlled (Lavers, 2018).

Climate change can act as a threat multiplier, increasing the frequency of trigger events related to natural disasters that can lead to conflict, exacerbating stresses such as lack of income, food insecurity, and increasing competition for agricultural and grazing land (Locke, Langdown, and Domingo, 2021). For example, farmer-herder conflicts in the Sahel region — while they are not directly driven by climate — are being accentuated by the increasing incidence of droughts and floods in the region, combined with other factors like population growth, the availability of small arms and ineffective local justice mechanisms (International Crisis Group, 2018). A Swedish International Development Agency study (2018) found that societies that already have a history of conflict run a high risk of worsened conflict in the face of climate-related stress.

BOX 5: COLONIAL LEGACIES AND CONFLICT

Land-related violent conflict can have its roots in longstanding structural discrepancies and inequalities in land distribution, control and access, contributing to deep-seated grievances. Structural inequalities in the use, access and control of land can arise from colonial legacies or major dispossessions by conquest, consolidated by centralized land allocation systems and perpetuated by a landed elite with the incentives and ability to suppress rebellion (Bruce, 2017).

In Ituri, in the Democratic Republic of the Congo, inequalities of land distribution and access among and between communities, predating the arrival of the Belgian colonialists, have created long standing disputes, seen to be one of the causes of the near decade-long conflict that triggered massive population displacement and resulted in the deaths of more than 50,000 people (Huggins, 2010). Colonial power exacerbated these inequalities and tensions by restricting the movement of some communities, intervening in the local customary administrative structures and providing more material and political support to some communities than others (ibid.).

BOX 6: LAND-RELATED CONFLICT IN KENYA AROUND ELECTIONS

Violence intensified in the period during and after the elections in Kenya in 2007, and to a lesser degree in 2011 around the 2013 elections. Since British colonial rule, the allocation of land in Kenya has been highly centralized, meaning that political elites have had the power to allocate land to followers while undermining the land rights of challengers (Manji, 2013; Klaus and Mitchell, 2015). This played a part in the violence associated with the 2007 elections, in which over 1,500 people were killed during post-election violence and nearly 700,000 displaced (Klaus and Mitchell, 2015).

A change in the institutional and governance framework in 2013 — devolution of budgetary and legislative authority to 47 counties — exacerbated local tensions in some counties, setting the scene for persistent violence, albeit at a lower level than that experienced in 2007. Devolution heightened political competition around the election of the county governor in Marsabit county, with land being a "question of life and death to many" (Scott-Villiers, 2017; 258). Many residents believed that if "they [their ethnic group] did not have the governorship, they would lose control over their land" (ibid.), which had implications for their economic and social standing and thus represented a loss of relative power.

3.5.2 Conflict over land: opportunities for using data to drive change

A better understanding of the relationships between violence and perceptions of tenure security can help develop targeted policies and interventions that safeguard and strengthen tenure security during and after conflict and minimize land-related disputes that can escalate into wider conflict. Additional research on how factors such as the length of conflict, causes (e.g. expropriation vs. family disputes) and spillover effects into non-conflict areas, impact tenure security would help further fill knowledge gaps. Recognizing and addressing the triggers of perceived insecurity can also help governments build trust in post-conflict settings, a critical element in promoting peace and stability, given the social and economic significance of land and housing in conflict and fragile settings (Locke, Langdown, and Domingo, 2021).

3.6 Women's land tenure and rights

It is well-established that when women's land rights are secure, a wide array of human development outcomes are improved including improvement in children's nutrition and school attendance, reductions in household violence, and improvement in household income (Landesa, 2015). In nearly all cases in sub-Saharan Africa, legal and constitutional provisions at country-level recognize the equity and equality between men and women both in accessing and controlling land and property.

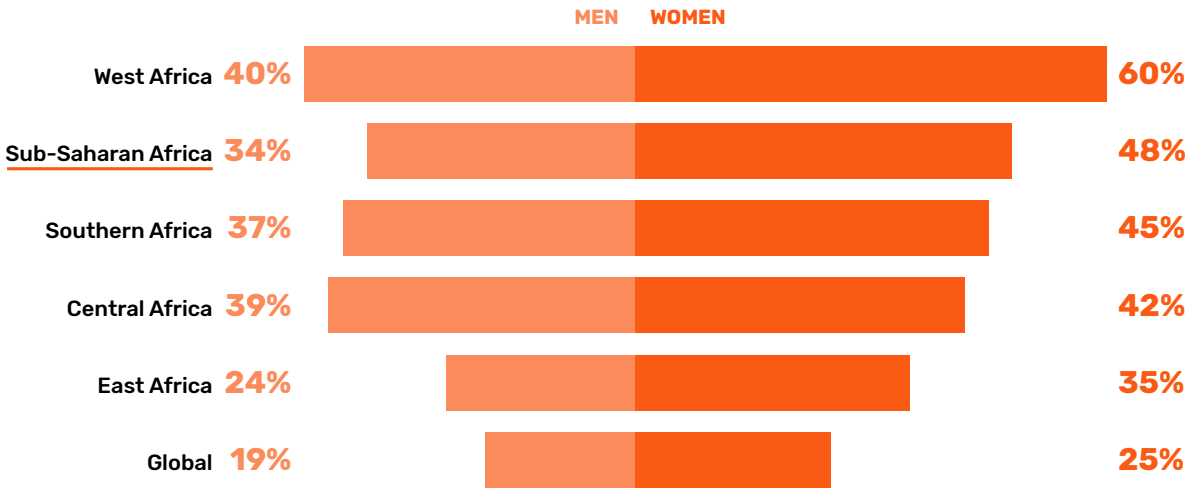
But in practice, women still face significant challenges in exercising their rights because of patriarchal traditions and customs, at the household and community level. Prindex data show that across the region, rates of ownership are lower for women than for men, especially in certain sub-regions (in most countries in Southern Africa, women own their property at equal or even higher rates than men, while in most West African countries, men are much more likely to be property owners than women). Even when women do own land, female-headed plot sizes are often smaller (World Bank, 2011), less productive (Quisumbing *et al.*, 1999) or not as valuable (Deere and Doss, 2006). Women are also less likely to have formal property rights documentation. Women are more likely than men to live in family-owned property or to have answered "other" when asked about their tenure status. Women's insecurity depends also on whether they are owners or renters - a higher proportion of female renters than male renters feel insecure in sub-Saharan Africa.

3.6.1 Gender and land tenure: a complex story

Despite this apparent inequality in ownership, the Prindex data show that overall, the gap between men and women in terms of rates of perceived insecurity is surprisingly small in sub-Saharan Africa – at both the regional and national levels there is little or no difference in perceived insecurity between the genders, with some countries showing higher rates of insecurity for men and other countries showing higher rates for women.

Digging in deeper, however, survey data show that the gender gap is much wider for married respondents – a particularly large proportion of married women feel insecure in parts of sub-Saharan Africa compared to married men – and for women living in cities or towns, who are more insecure than men in urban areas in most countries in the region (Senegal and Zambia are two exceptions, where urban men are more insecure than urban women).

FIGURE 4: PERCEIVED RATES OF INSECURITY IN THE EVENT OF LOSS OF A SPOUSE



To further explore gender issues that may affect perceptions of insecurity, Prindex asked men and women whether they would feel insecure in the case of divorce or the death of a spouse. Nearly half of all women in sub-Saharan Africa fear losing their home in the event of the death of their spouse – a far higher rate than most other regions. Women in West Africa feel particularly vulnerable, whereas the gap is much lower in Central Africa, suggesting more gender parity in property rights.

This gap is further illustrated by the different reasons for insecurity cited by women and men. Men, for instance, are more likely to say that the government or companies are likely to seize their land or property – which are considered 'external' sources of insecurity. For married women, on the other hand, 'internal' sources of insecurity are more common, particularly when faced with spousal death or divorce. These differences may be closely related to prevalent methods of land acquisition. Where women are more likely to acquire land and property through marriage, they may be at a greater risk of 'internal' sources of insecurity from within their family or community. Additional data collected for 31 countries surveyed in 2018 highlights that in most African countries, the share of women who inherited land or property from family is particularly low compared to men. In Benin, for example, just 27% of female owners inherited their property from family compared to 65% of male owners. One exception, however, is Malawi, where a higher proportion of female members of households had inherited land (57%) than male members (52%).

Women and girls without secure land rights tend to experience poverty more harshly and lose access to other assets and opportunities more frequently than men do. Their relative vulnerability to internal sources of tenure insecurity supports the long-held view that intra-household dynamics are key and must form a core focus for policy interventions around land and property rights. Women may be able to turn to the law to uphold their statutory rights – but only if they are fully aware of their rights under law. Providing legal support to women or improving their understanding of what their rights are, and how to exert them, can help reduce threats to those rights. In many ways, recognition by the community itself can be more important than that of public authorities for ensuring women's secure tenure. This can be achieved, with patience, by dismantling gender-discriminatory institutions that affect the day-to-day denial of women's rights. Raising awareness among young men or village elders and promoting male champions of women's land and property rights in communities can be important steps in this regard.

3.6.2 Women's rights: opportunities to use data to drive change

More in-depth national, sub-national, and subregional data and research work could help to identify and target measures that can counteract gender disparities. It is important to understand what inequities (e.g. access to education, marital status or income level) have the greatest impacts on women's access to property, what socially constructed stereotypes and divisions of labor impact women's access to land, and what economic, social, and educational resources could support women's participation in decision-making. A legal analysis of specific legal changes that could help narrow these gaps would be helpful, as well as a study of measures that could increase women's visibility as co-owners and co-signatories on contracts and titles. Understanding how violence against women contributes to the exclusion of women from family properties or ownership of real estate would be an important step toward decreasing both women's exclusion and gender-based violence, particularly if women's ownership of resources reduces the risk of violence against them.

Recent research also suggests that informal or secondary spouses are another often overlooked group of vulnerable women whose property rights tend to be very weak and poorly recognized (Global Land Alliance, 2022). As this discussion deepens, it could be crucial to incorporate these understandings into future land programming to protect this group from loss of home and resources.

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4. Conclusion

This report highlights the role of secure and inclusive land rights in addressing some of the most salient, urgent and impactful development challenges facing the societies of sub-Saharan Africa at the current time. Insecure property rights across the region contribute to foregone investment and productivity, social vulnerability, instability and environmental degradation. Land rights will play a critical role in the medium term outcomes for food security, urbanization, the youth dividend, sustainability of forests as well as the quality of governance and vulnerability to social conflict and gender equality. Monitoring and benchmarking of land rights security and other indicators like documentation, conflicts and land use can help policymakers and civil society to develop and implement equitable and sustainable solutions over time.

The report centers attention on the role of secure, accessible land rights for all as a major contributor to solutions for several of Africa's most important development challenges and seeks to consolidate a thematic agenda for land rights strengthening in six key areas: food security, urbanization, responding to the youth bulge, managing forests, preventing conflict and achieving gender equality.

Tenure insecurity is a real threat to human capital, democracy, and economic development.

Tenure security can be improved through recognition of existing rights, protection of vulnerable groups, re-imagining of state sponsored investment projects, and better data to link land, food and climate. The interlinked and globalized impacts of the COVID-19 pandemic, climate change, the Ukraine war and the ongoing food crisis have had ripple effects on health, economics, finances and food security, particularly in developing countries. In this 'Building Back Better' context, practitioners and stakeholders have an opportunity to recalibrate and adopt ambitious targets, building on local communities' experiences and traditions of managing lands. Governments and international development organizations, today more than ever, have an opportunity to urgently focus on finding structural policy strategies for the land administration process that can unlock the potential to accelerate food production systems in Africa.

Land data are essential for tracking progress and holding actors accountable.

Actionable data that can be used to create realistic targets and lock in political and financial commitments for progress on securing land rights is one of the keys to improving the advocacy, policy and research processes to transform land rights in Africa. Data represent a foundational element to help land activists and their allies in governments, private sector, the development assistance community and academia to drive change, and bring about the sustained, transformational action at local, national and continental scale necessary to face these acute development challenges and support the aspirations of hundreds of millions of Africans to achieve healthy, prosperous and peaceful lives for themselves and their children.

Annex

Table A: Sample characteristics of Prindex national surveys in sub-Saharan African countries, 2018-2019

Country	Total Surveyed	Gender		Location		Tenure Type			
		Male	Female	Urban	Rural	Owner/ Joint owner	Renter	Family member owns	Other
Benin	969	584	385	286	683	242	110	495	122
Botswana	1009	371	638	880	129	334	172	431	72
Burkina Faso	1260	574	686	283	977	693	70	454	43
Cameroon	1496	782	714	741	755	355	365	512	264
Chad	1043	687	356	721	322	525	82	307	129
Comoros	998	375	623	762	236	473	119	352	54
Congo (Republic)	1000	551	449	975	25	324	279	305	92
Côte d'Ivoire	1170	658	512	584	586	161	477	249	283
Eswatini	1047	433	614	390	657	357	141	512	37
Ethiopia	1043	452	591	385	658	381	257	389	16
Gabon	1001	472	529	924	77	359	322	286	34
Gambia	1030	446	584	762	268	374	112	477	67
Ghana	1455	619	836	671	784	301	412	622	120
Guinea	1039	572	467	698	341	517	129	355	38
Kenya	1993	926	1067	537	1456	671	594	472	256
Liberia	959	459	500	455	504	400	154	293	112
Madagascar	1193	606	587	296	897	581	277	252	83
Malawi	1001	459	542	130	871	610	137	155	99
Mali	1057	578	479	898	159	518	147	345	47
Mauritania	1026	551	475	971	55	257	182	504	83
Mauritius	1000	476	524	945	55	664	57	255	24
Mozambique	1436	717	719	487	949	872	79	396	89
Namibia	998	471	527	431	567	273	144	401	180
Niger	1464	719	745	258	1206	454	54	783	173
Nigeria	2913	1634	1279	1155	1758	744	959	781	429
Rwanda	968	456	512	168	800	578	167	156	67
Senegal	1012	469	543	448	564	228	44	671	69
Sierra Leone	1027	460	567	903	124	365	164	449	49
South Africa	1012	366	646	795	217	271	171	486	84
Tanzania	4021	2161	1860	1046	2972	1932	677	1008	404
Togo	1027	590	437	782	245	289	291	400	47
Uganda	1978	990	988	329	1649	1084	275	404	215
Zambia	1011	506	505	394	617	455	71	331	154
Zimbabwe	1005	444	561	434	571	386	182	321	116
Total	**43,661**	**21,614**	**22,047**	**20,924**	**22,734**	**17,028**	**7,873**	**14,609**	**4,151**

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