



HOUSING AND LAND RIGHTS NETWORK

Habitat International Coalition

SDG Land Indicators:

In Pursuit of Normative Integrity and Policy Coherence with the UN System-wide Approach

Habitat International Coalition's Housing and Land Rights Network welcomes the SDGs and their performance indicators as a complement to development efforts that uphold the integrity of the UN Charter and the UN System built on three purposeful pillars: (1) peace and security, (2) progressive development and (3) human rights. We hail the integrated approach of the longer-term positioning of the UN Development System (UNDS), which seeks to harmonize short-term emergency and humanitarian relief with the longer-term, institution-building development approaches within the framework of human rights, with their preventive and remedial dimensions.¹

Meanwhile, we note that fully 11 out of 17 SDGs variously involve land and its administration, enabling the defragmentation of UN approaches to land through the UNDS. The transversal issue of land poses a particular challenge—and opportunity—to harmonize methods and fill normative and operational gaps in alignment with prevailing norms, as well as recent and ongoing standard setting related to land.

The evolving normative framework on land combines both policy *commitments* and legal *obligations* of UN Member States, as well as peremptory norms that apply to States, in general, including non-Member States. The current UN norms are comprised of standing *commitments* expressed in the Committee on World Food Security (CFS) Tenure Guidelines (2012) and Framework for Action in Protracted Crises (2015), as well as certain principled *commitments* of 2016 New Urban Agenda (NUA). Above these are State *obligations* embodied in treaty law and its authoritative interpretation such as the [CEDaW General recommendation No. 34](#) on the rights of rural women, and [CESCR General Comment No. 24](#) on States' economic, social and cultural rights *obligations* in the context of business practices. The implementation, monitoring and evaluation of the SDGs coincide also with ongoing normative development in the form of the UN Declaration on Peasant Rights and CESCR's articulation of a CESCR General Comment on the human rights and corresponding state *obligations* related to land under the International Covenant on Economic, Social and Cultural Rights. In UN operations, the later drafts of the forthcoming [Guidance Note on Land and Conflict](#) also have aligned with the Charter and its central pillars.

Capturing existing norms and standards should form the first step in developing performance indicators for States implementing and monitoring the SDGs. To maintain the integrity of the UN System, priority lies with the States' *obligations*, which convey methodological advantages in that they already:

- Have *legal effect* and are *binding* in nature;
- Require periodic reporting against performance criteria, including indicators;
- Provide *what to do* with an implementation formula: Respect / Protect / Fulfill (promote, facilitate and assist);
- Provide *how to do it* through the over-riding implementation principles of the first three Articles of the human rights Covenants: Self-determination, Nondiscrimination, Gender equality, Rule of law, Maximum of available resources, Continuous improvement, International cooperation and assistance, as well as Treaty Body guidance;
- Apply to all spheres of government and organs of the state;
- Require the State to regulate non-State actors accordingly; and
- Enjoin individual, collective, domestic and extraterritorial dimensions.

In particular, the already-existing treaty-bound reporting obligations and related indicators do not require reinvention or further negotiation. However, the SDG indicators could go far in complementing the UN Human Rights System by (1) providing greater specificity in implementation techniques based on proven technical good practice and (2) filling any gaps in the treaty-monitoring practice so far. One of these gaps is a perennial shortcoming of statistical data in State reporting under treaty against structural, process and outcome indicators.

Meanwhile, the CESCR State reporting and review system requires States to report every five years on the cases of, and persons affected by forced eviction in their jurisdiction.² Reciprocally, this performance indicator fills a gap in the reporting method under SDG 11, without a Target or indicator corresponding to this treaty-based standard. Likewise, the specific actions required of the State to ensure women’s access to, and control of land and productive natural resources under [CEDaW recommendation No. 34](#) also remain without reference or reflection in SDG 5.a indicators.

That gap prevails despite guidance for developing such indicators that long precede the SDGs.³ Correspondingly, some Treaty Bodies and specialized UN organizations have analyzed the link between the obligations under their treaties and the SDGs.⁴ Particularly useful also is the new, online [Human Rights Index](#) that aligns the SDGs to standing recommendations and observations on State human rights treaty performance as they relate to each SDG.

We are concerned that the efforts of the Human Rights System to align with the SDGs are not sufficiently reciprocated by the SDG-related processes at New York, in the specialized UN organizations as custodians of the Goals, the High-level Political Forum (HLPF), or in the UN Statistical Commission. This concern is heightened also after 20 years of the Habitat Agenda without its custodian agency’s General Assembly-assigned implementation or monitoring its commitments,⁵ or reporting on progress. Habitat III proceeded without evaluative reporting on—or acknowledgment of—the foregoing commitments. Correspondingly, the Habitat III outcome also remained weak on the “Review and Follow-up” of the NUA (paras. 161–69).

We are concerned also with the present static nature of SDG indicators already developed, mostly omitting to measure process and outcome (change/progress). Added to this is the already-demonstrated weakness of the HLPF methods and Voluntary National Review contents in relating to the Targets and indicators, let alone corresponding State obligations. Notable is the absence of parallel reporting, which is well-established in the UN Human Rights System, the principal locus of monitoring and reporting experience within the UN System.

Promising, however, is the prospect of developing SDG indicators on land to fill gaps between certain promises of [A/RES/70/1](#) and the (voluntary) Goals or Targets. For example, the resolution claims to address factors giving rise to violence, insecurity and injustice such as corruption, illicit financial flows and obstacles to the full realization of the right of self-determination of peoples living under colonial and foreign occupation (para. 35). The gap left by no corresponding Goal or Target could be partially filled with responsive land indicators that reflect corresponding treaty-bound *obligations* and peremptory norms in the wider UN System.

Our vision seeks “integral” operationalization of the 2030 Agenda in ways that repair the long-standing fractured treatment of land in the UNDS by supporting and encouraging States to meet their human rights treaty obligations related to land. Corresponding indicators are still needed for land-relevant SDGs, especially Goal 1, indicator 1.4.2 (tenure security), indicators for Target 5.a (women’s access to, and control of land and productive resources), Goal 11 (human settlements) and Goal 15 (life on land). While the SDG processes attract the lion’s share of global political attention and other resources, the UN Human Rights System endures marginalization, including serial budget cuts, hampering its capacity and indispensable role within the System at monitoring state obligations. We join with others in the UN System and global civil society affirming that, however welcome and important, [the SDGs are not enough](#) without the needed system-wide pooling of assets and normative integrity. On the question of land, we propose these and other contributions toward that remedial end.

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¹ See, for example, [recommendations of the International Team of Advisors](#) (pp., 2, 4–5), [UNDG key messages for Workshop 5](#) (13 April 2016), and the Quadrennial review of the longer-term positioning of the UN Development System (e.g., Reports of the Secretary-General, [2016](#), para. 9; [2017](#), paras. 2, 14).

² E/C.12/2008/2, *op. cit.*, para. 54.

³ See, for example, [HRI/GEN/2/Rev.6](#), [HRI/MC/2008/3](#), [E/C.12/2008/2](#) and [Human Rights Indicators: A Guide to Measurement and Implementation](#).

⁴ E.g., [OHCHR](#), [CEDaW](#), [CRC](#), [UNICEF](#) and [UN Women](#).

⁵ Including its non-implementation of the General Assembly’s directive to establish a Habitat Agenda Task Manager System. See Declaration on Cities and Other Human Settlements in the New Millennium, [A/RES/S-25/2](#), 16 August 2001, para. 66.