

OVERVIEW OF LAND ISSUES IN LAO PDR

*MEKONG REGIONAL CSO EXPOSURE VISIT ON LAND
CONFLICT TRANSFORMATION IN MYANMAR*

VORASONE DENGKAYAPHICHITH
LAO LAND INFORMATION WORKING GROUP

Introduction to the LIWG

What is the LIWG?

- Network of mostly CSOs
- Works towards greater management and control by communities over their land, forests and natural resources
- Promotes awareness and understanding of the social, environmental and economic impacts of land-related projects
- Cooperates with communities, CS, Govt., NA, donors, DPs, private sector

Land key issues

- Since 1990s the forms of land lease and land concession were initiated
- Turning natural economy into commercial economy through recognition of long term land use right
- Investment in land is putting pressure on land
- Many people don't have formal recognition over their land – makes them vulnerable to losing land (e.g. investors)

Land key issues ...

- Unfair compensation/ resettlement
- Land conflicts
- Environmental and social impacts of investment
- Lack of awareness of laws and rights, makes it difficult for people to access
- Law enforcement is weak

Land key issues ...

- 8th NSEDP to be funded up to 55% by FDI
- Growing pressures on natural resources
- More and more communities affected; livelihoods altered and sometimes disrupted
- Increasing competing interests over land, forests, and water
- Changing society, changing environment
- Changing livelihoods
- Change is taking place at a rapid phase

Driver of land use issues

- Hydropower development
- Agro plantations
- Large scale and small scale
- Mining
- SEZ
- Urban developments
- Railway project

Some of the challenges

- Land Law being revised, still issues on expropriation, compensation, registration of lands with non-permanent uses, inclusion of grievance mechanism.
- The use of social media is not safe yet. A safe and easy accessible place to disseminate sensitive information remains to be found.
- “Turning Land into Capital” policy is not clear and a lot of gaps

Some of the challenges ...

- There are an increasing number of questions on land compensation, Free Prior and Informed Consent (FPIC), land concessions and contract farming. Yet, civil society also faces increasing control and intimidation. This makes it difficult for civil society to find its place and space.
- Different actors have different possibilities to influence the policy making process and its outcome.
- Stakeholders analysis

What is the current status of land related policies in Laos?

- Recently the Resolution of the Party's Central Committee on the Enhancement of Land Management and Development in New Period has been released to replace the National Land Policy (NLP)
- The Land Law, Forest Law and Water Law are also being revised.

What is the current status of land related policies in Laos?...

- China-Laos railway project -
- Lot of debates is going on...the debate is linked to increase concerns about compensation and the benefit of the railway project.

Key recommendations

- Right to choose
 - Defining clear principles for expropriation of land
- Recognition of customary land tenure rights
- Developing a policy on collective land titling
- Ensure Implementation and functioning grievance mechanisms

Solutions and the way forward

- There is a need of proper action to secure better livelihoods, protect the environment and to secure side-effect (cross-cutting issues)
- Need of cooperation and involvement of all stake holders to strengthening the legal enforcement

Solutions and the way forward

- Need to improve and secure safeguards
- If safeguards fail, risks are high
- Raising awareness
- So the laws are not ignored

Current strategy and Plan for networks engagement

- The LIWG's role is that of facilitator, connector and enabler, supporting the activities of its partners and members.
- LIWG members have identified the role of the LIWG as following:
 - Building a community of practice,
 - Influence on policies.
 - Be a network where land issues are discussed and shared both passively and pro-actively;
 - Act as a bridge and connector between the various organisations;

Current strategy and Plan for networks engagement...

- As a bridging organization on land issues e.g. the core role and responsibility of the network itself:
 - Strengthen expertise and capacity of members to implement land governance activities in the field;
 - Identify issues related to land governance;

Current strategy and Plan for networks engagement...

➤ **Information and communication**

- Members will receive updated information;
- Develop better spaces and/or channels for sharing information;
- Awareness raising on land legislation and policies
- Impact of current laws and policies on communities land tenure (case studies, newspaper articles, hotline, info from members from the field);

Current strategy and Plan for networks engagement...

- LIWG adopts a three-pillared approach of **connecting, mobilising** and **engaging** with partners to support and link their activities to land policies and strategies, ensure continuous knowledge development on land governance for smallholder farmers and create connections amongst members in relation to land governance.

ຂອບໃຈ **THANK YOU!**

VORASONE DENGKAYAPHICHITH, LIWVG COORDINATOR

VORASONE@LAOLANDINFO.ORG

WWW.LAOLANDINFO.ORG

info@laolandinfo.org

Three pillars of LIWG

I. **Connecting:** A shared understanding on land governance and land tenure security

-Develop Calendar, Booklets, CSO sharing, scoping visit, ws support members to attend training, core members meeting,..

II. **Mobilizing:** Mainstream grassroots implementation of land rights

- Disseminate calendar, dev. Booklets, thematic ws, support research, case study, ..

III. **Engaging:** Promote land governance at national through to local level, putting legislation and policies in practice, learning by doing, engaging directly with communities

-NA ws, LSSWG, org. sharing session, sharing DPs, land law advocacy, analysis documents, consultations with members on