

Improving Tenure Security for Smallholder Farmers in Select Areas of Lao PDR



Woman working on farm in Laongnam district, Saravan province
 Photo @ Village Focus International

In Lao PDR [Laos], 65% of the population lives in rural areas that depend on agriculture and forest resources for survival and income. While the country's steep economic growth has relied heavily on natural resources, benefits of this economic prosperity have been limited in rural areas due to a lack of land ownership recognition.¹ In Laos, rural families

cannot invest in land to improve their livelihood due to constraints on gaining land tenure. The goal of the project is to promote tenure security improvement for rural farmers, especially women and marginalized groups, at the village level by integrating collective and rotational agriculture practices as well as forest registration into local and national land use planning and management.

¹ United Nations Population Division's World Urbanization Prospects: 2018 Revision

Secure Access to Land and Resources (SALaR) project is conceptualized with a view of uplifting the plight of rural small holder farmers towards improved land and natural resource conservation through improved land use planning and mapping of land tenure characteristics in customary land context. It is a GTLN initiative and funded by the Germany's Federal Ministry of Economic Cooperation and Development (BMZ) through the UN-Habitat. SALaR is being implemented in three countries of Uganda, Philippines and LAOS.

16 VILLAGES

8,765 PEOPLE

15,000 HECTARES

1,533 ETHNIC HOUSEHOLDS

4,281 WOMEN

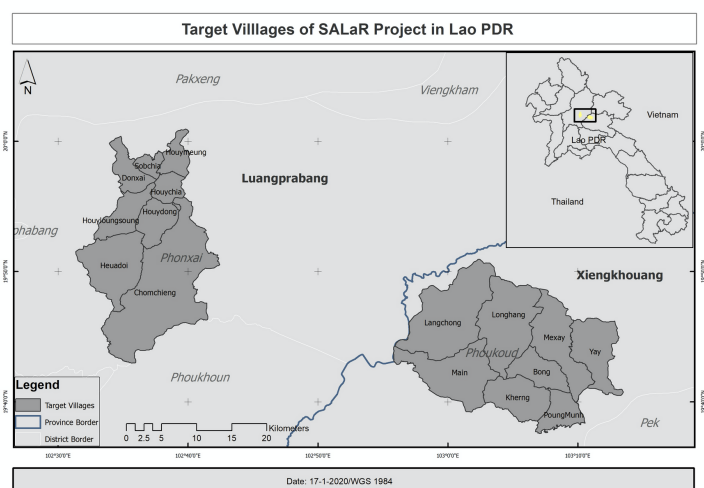
TWO DISTRICTS

THREE YEARS

ITSSF selected 16 villages in Phonxai District of Luang Prabang Province and Phoukoud District of Xieng Khouang Province as locations to implement this pilot project. These 16 villages are among the more than 200 under TABI's target in the North of Laos that have pre-existing village land use plan - an essential pre-requisite for successful implementation of ITSSF.

Phonxai is a mountainous district, in which the majority of the population (including the target villages) is of Khmu ethnicity. Khmu people commonly observe their traditional practice of swidden agriculture, collect non-timber forest products for food and income, and live at lower elevations along rivers and streams.

In contrast, only the extreme western portion of Phoukoud has similar characteristics to Phonxai. The ethnic Lao and Hmong villages of the western portion of Phoukoud are able to earn a good income from the sale of large livestock, leaving them better off than those in Phonxai. The Lao villages also have paddy land which provides a surplus of rice for most families, leaving little need for swidden cultivation.



Traditions and Challenges of Tenure Security in Laos

Globally, lack of secure land and natural resource tenure exacerbates poverty and food insecurity, and has contributed to social instability and conflict. When land rights are insecure, investment, productivity, and yields fall. Access to land security and natural resource tenure is a neglected issue essential to economic development, food security and poverty reduction in the developing world. In Laos, the ITSSF team has observed that improving tenure security has its own unique challenges.

Population Growth in Communal Lands

Population growth is creating pressure on communal lands throughout Laos. Families are fragmenting communal land and expanding farms into the forest to compensate for the increased population. These practices impact food sufficiency and diminish potential area for grazing, leading to land and boundary conflicts.

Lack of Land Rights in Mountainous Regions

While current law has made some progressive development on recognition of customary land rights, including forest areas, gaps remain in the official procedure for such recognition. Government programs on land registration and titling have been limited in urban areas, and little attention has been paid to customary land rights recognition as an interim solution. This leaves the majority of Lao people, especially those in rural mountainous areas with land rights insecurity.

Cultural barriers hinders women in land management decisions

In cultural practices in rural areas of Laos, men are considered the head of household. They make the decisions on land allocation and usage more than women. Therefore, women depends on the men to develop structures of use and ownership in the land.



Women taking care of children
at home in Luang Namtha province
Photo @ Village Focus International

Project Objectives and Interventions

Objective One: Customization and Creation of Land Tools for Laos

In order to successfully address the unique tenure security challenges existing in Laos, ITSSF identified the needs for capacity building and tool development. The project adopted GLTN's pre-existing land tools, the Social Tenure Domain Model (STDM), and customized it to fit within the Lao context and in line with government's existing system.

Project teams first conducted field visits in two villages in the Phonxai district to identify the key issues related to land tenure security in the project sites. ITSSF engaged with focus groups comprising of village elders, village heads, women, youth, and other villagers. Major challenges identified in the project sites were found in the shifting cultivation areas and in the communal land and forest. These types of land have only customary right to use; with no land documents issued. Additionally, shifting cultivation zones are under customary tenure management where many households have further partitioned and reserved individual plots without proper documentation or physical demarcation.

Consequently, conflicts caused by failure to recognize customary land rights and expansion of farming into forests have increased in the target area, but village mediation committees are unable to enforce decisions. STDM was selected as a primary land tool due to its strengths in ability to adapt it to different context and recording of overlapping claims on land including the social tenure relationship. Three existing land tools will be integrated such as Collective Agriculture Land Management (CALM), Participatory Forest and Agriculture Land Use Planning, Allocation and Management (PFALUPAM), and Forest Management Framework.

Social Tenure Domain Model (STDM)

STDM will be the primary tool used by ITSSF. STDM is a pro-poor land administration tool developed by GLTN facilitated by UN-Habitat that works to bridge the gaps in the conventional land administration systems that disregard the inclusion of customary and informal tenure from the formal registration process. In this project, STDM will be adopted in the context of shifting cultivation areas of selected villages to document land use and land holding at the household level.

Participatory Forest and Agriculture Land Use Planning, Allocation and Management (PFALUPAM)

PFALUPAM has already been used in the target villages in the past by TABI. PFALUPAM collects clear data at the village level delineating land use, land cover, tree cover, and non-forest products. Under the project, the team will only review existing information on the villages.

Forest Management Framework

Forest Management Framework was developed by the Center for People and Forests (RECOFTC) to support the land and forest development plan in the target villages.

Collective Agriculture Land Management (CALM)

CALM is the primary tool used for collective land registration and management created by Department of Agricultural Land Management supported by the Mekong Regional Land Governance Project (MRLG).

Objective Two: Capacity Building

ITSSF's second objective includes the training and implementation of STDM with local actors from government at central to district levels, community representatives and other key project partners. The capacity development and training plan has been developed based on the capacity needs assessment surveyed in Xieng Khouang and Luang Prabang provinces from December 2018 to January 2019.

Capacity development program includes a series of workshop starting from the Training of Trainers (ToT) which was conducted towards the end of March 2019 in Xieng Khouang province on the STDM application and CALM guidelines. A total of 38 participants from government departments including members of the provincial and district offices of DALaM and MoNRE and project partners such as GIZ, MRLG, CDE, and TABI participated in the training event. These training sessions will be supplemented by refresher courses for the government officials who will then provide the trainings to the communities.

Implementation of STDM tool will be used to collect land use data in an effort to identify individualized land plots within the bigger plots of communal land. This will ensure land is protected at the individual level. This data will then be used to develop land use management in collaboration with community members. Additionally, this data will be used in the development of land use databases for each of the 16 villages. The databases will be established at the district level with the District Agriculture and Forestry Office for ease of access to communities. For instance, the communities could visit the data centres when they want to solve issues that might arise on their land such as land boundaries uncertainty. Community and local government staff will be trained to mediate land problems and conflicts.

"Conflicts caused by failure to recognize customary land rights and expansion of farming into forests have increased in the target area, but village mediation committees are unable to enforce decisions."



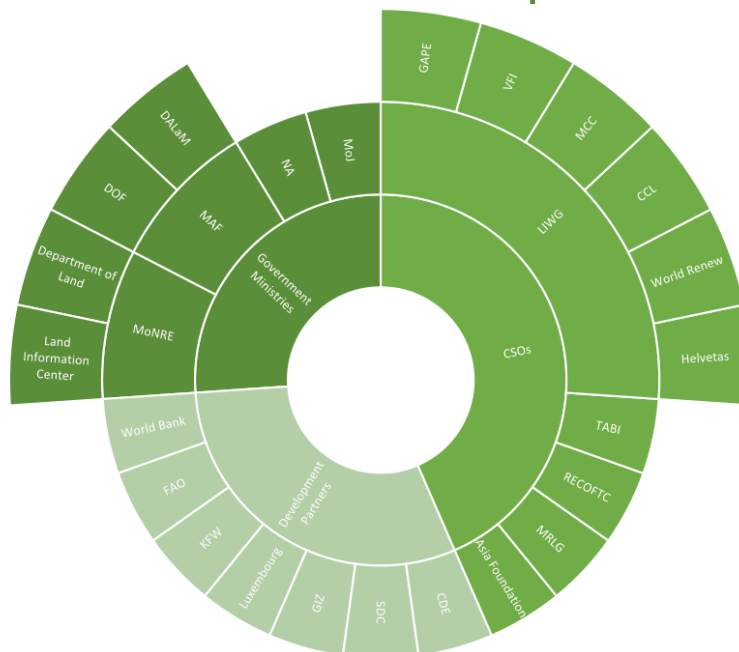
Vegetable garden
Photo @ Village Focus International

Objective Three: Awareness, Dialogue, and Policy Advocacy on Land Tenure

The final objective of ITSSF is to create long term policy influence and awareness on the unconventional land tenure types and the use of STDM. This will be done through multi-stakeholder workshops and through collaboration with the National Assembly (NA) and the Ministry of Justice (MoJ) to ensure land tenure policies are created and enforced.

Most land tenure workshops will invite a mixture of the government, NGOs/CSOs, and development partners identified as stakeholders. These meetings will be hosted by LIWG, Land Sub-sector Working Group, and the Provincial Platform among other similar coalitions. The goal of these workshops and meetings is to improve awareness among stakeholders on land tenure and strategies to improve land and natural resource tenure security for poor women, men, and vulnerable groups.

Stakeholder Map



Next steps

The project plan to implement the project activities as follows:

1. Develop the tools to work with the government system such as STDM to link with family land book, CALM model to be agreed on the process, support documents and tools for the field work
2. Conduct trainings for community members on the STDM participatory processes.
3. Participatory land demarcation and setting up land information system at the district level.
4. Implement the collective agriculture land management plan
5. Training the village land committee on conflict mediation
6. Finalize the land tools and documentation of best practices and policy brief
7. Sharing the results in the stakeholders' workshop

Contact Information

Village Focus International,
PO Box 4697, Ban Phonsavan Tai, Unit 14, House #207,
Sisattanak District, Vientiane, Lao PDR
Tel: +856 (0) 21 312519
rickr@villagefocus.org
hongthong@villagefocus.org
www.villagefocus.org