



MRLG
MEKONG REGION
LAND GOVERNANCE

Agro-Business Large Scale Land Acquisition in Myanmar: current situation and ways forward

Policy Dialogue with Ministry of Agriculture, Livestock and Irrigation (14.02.2017) and Upper House (Amyothar Hluttaw) and Lower house (Pyithu Hluttaw) of the Parliament (15.02.2017)

By U San Thein, Jean-Christophe Diepart, Céline Allaverdian and Aung Tin Moe

Nay Pyi Taw , 14 and 15 February 2017

Funded by:



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Swiss Agency for Development
and Cooperation SDC

Supported by:



Outline

- Introduction
- Agro-Business Large Scale Land Acquisition in the Mekong
- Agro-Business Large Scale Land Acquisition in Myanmar
- Land conflicts and the question of the return of land
- Recommendations



Introduction

- Brief presentation of MRLG
 - A regional project aiming to contribute to the design of appropriate land policies and practices in the Mekong Region supporting family farmers, so that they can be secure and make good decisions on land use and land management.
 - Based in Laos, funded by SDC and BMZ, first phase 2014-2018, second Phase 2018-2022.
 - With activities conducted in 4 countries (Cambodia, Laos, Myanmar, Vietnam), coordinated by national teams formed of a national facilitator and technical advisor (Aung Ting Moe and Celine Allaverdian in MMR)
 - Main instruments : Grant management and Learning & Alliances

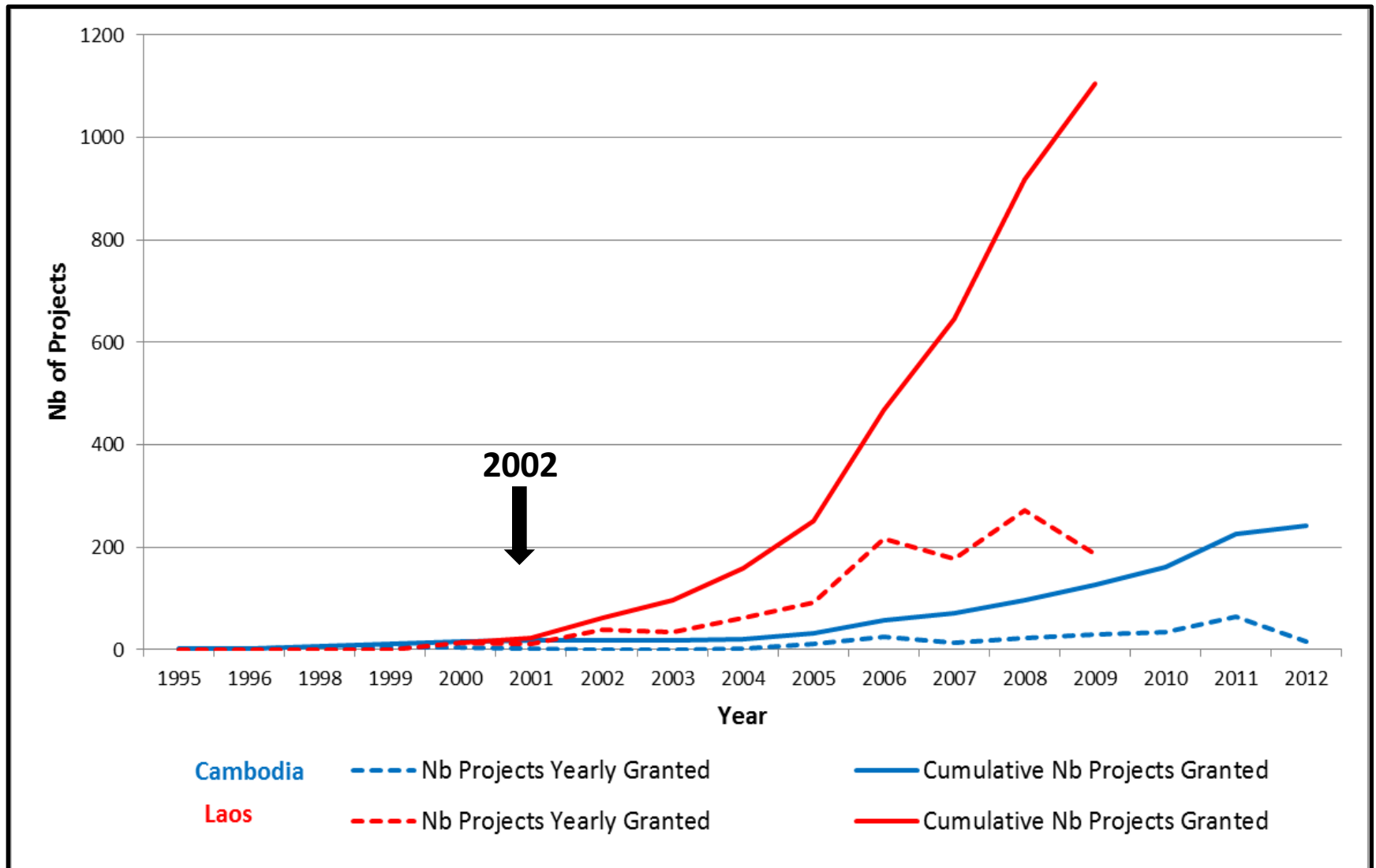
Introduction

Research-based Policy Dialogue on
Large Scale Land Acquisition and
Foreign Direct Investment in Land



Agro-Business large scale land acquisition in the Mekong

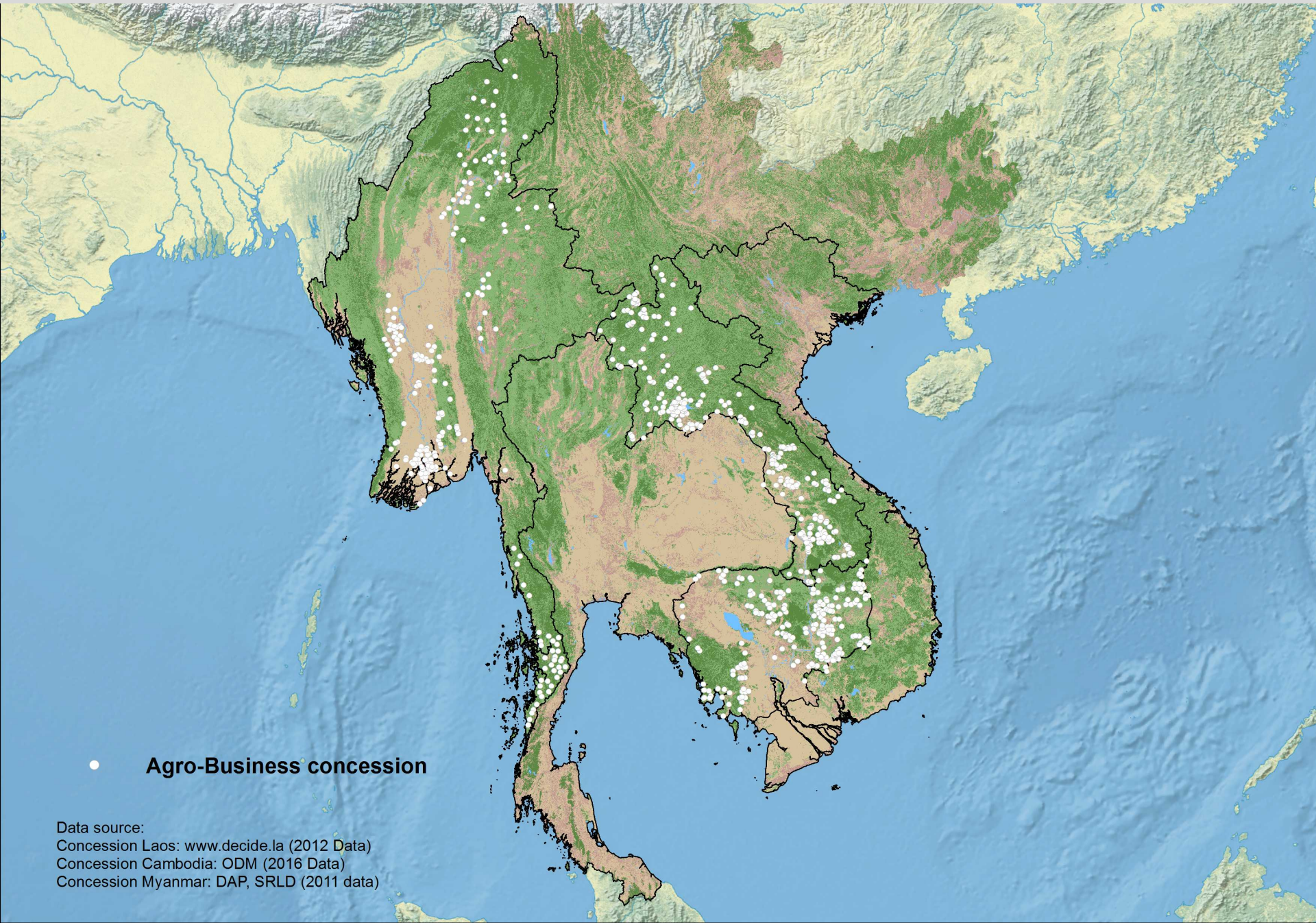
Source: Gironde et al, 2014



Agro-Business large scale land acquisition in the Mekong

- Rationale
 - Attract investment to develop agricultural production and productivities
 - Boost export
 - Generate State Revenue (taxes and royalties)
 - Create job in the small region where concessions are implemented
 - Allow competitive farmers to connect to large scale production schemes via a different contractual arrangement

Location of Large Scale Land Concessions



● **Agro-Business concession**

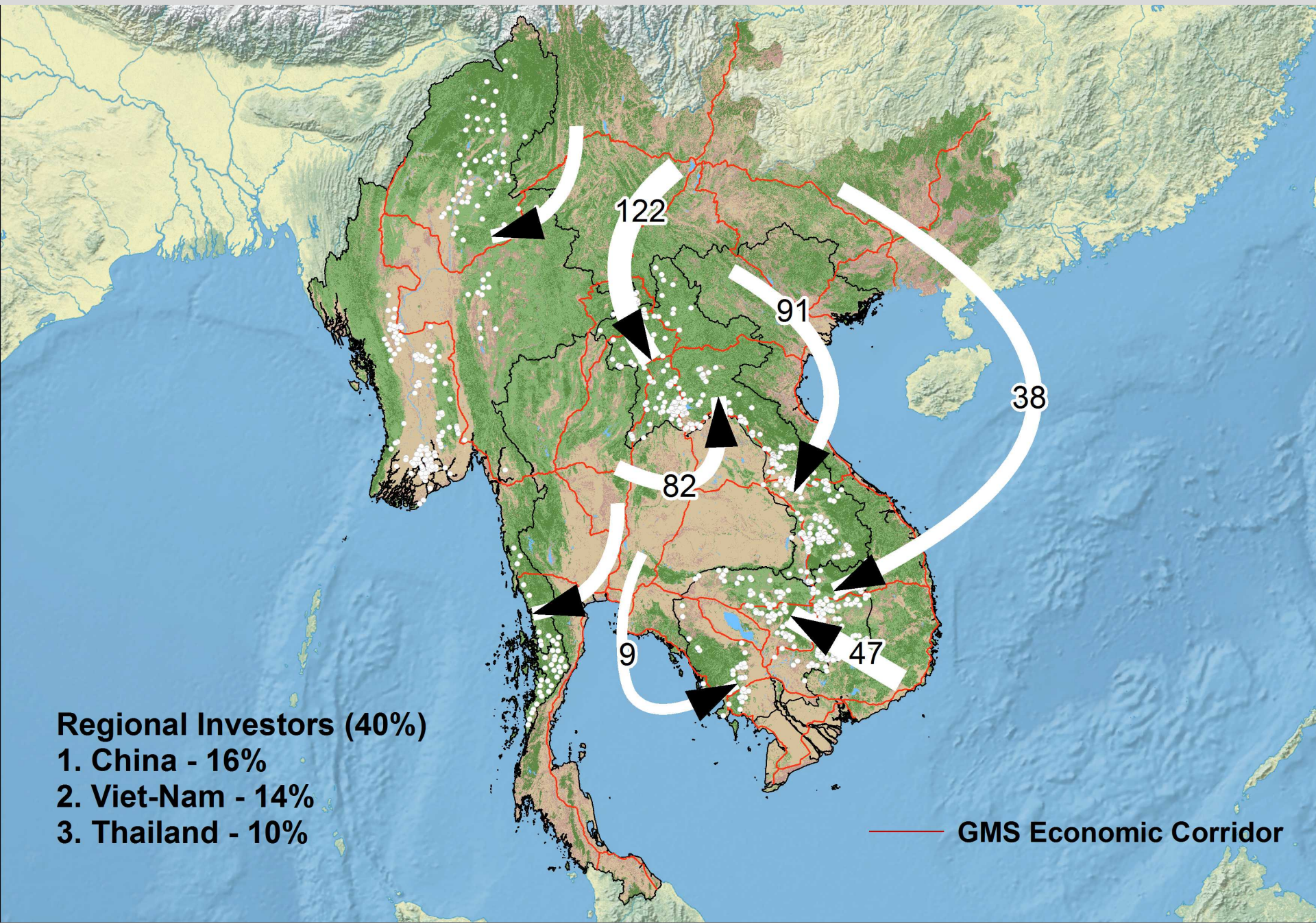
Data source:

Concession Laos: www.decide.la (2012 Data)

Concession Cambodia: ODM (2016 Data)

Concession Myanmar: DAP, SRLD (2011 data)

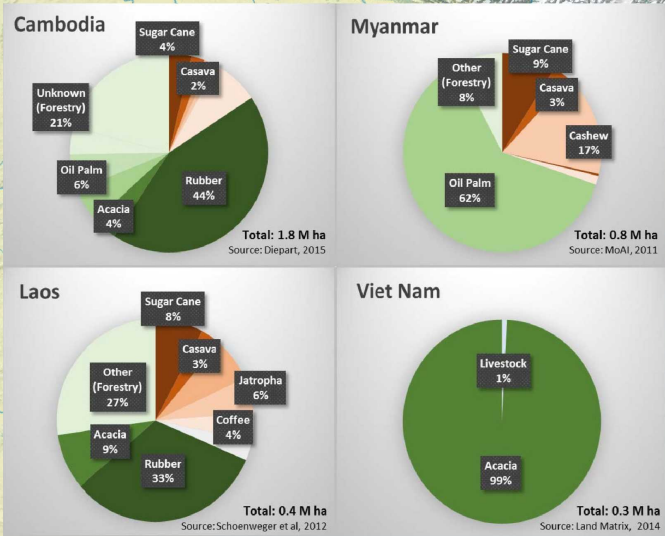
Regional dynamic of agro-industrial investments in land



Regional Investors (40%)
1. China - 16%
2. Viet-Nam - 14%
3. Thailand - 10%

— GMS Economic Corridor

Agro-industrial concessions in the Mekong Region



Clusters of investments

- 1 Chinese investments in rubber
- 2 Thai investments in oil palm
- 3 Chinese investments in rubber
- 4 Chinese investments in banana
- 5 Vietnamese investments in rubber
- 6 Thai investments in sugar cane
- 7 Thai investments in sugar cane
- 8 Thai & Vietnamese investments in coffee/cassava/rubber

• Concession

— GMS Economic Corridor

Background: www.naturalearthdata.com
Mapping: J.-C. Diepart, MRLG

0 250 500 1,000 km

Trajectories and Agrarian Structure

Myanmar

Pop. Density 84 p.km⁻²
Agric. Landless 30-50% ↑

Land area size (in 2016)

Smallholder 13 M. ha
AB Concession 1.4 M. ha

Sources: MoAI, 2016

Viet-Nam

Pop. Density 296 p.km⁻²
Agric. Landless 12 % ↑

Land area size (in 2013)

Smallholder 10M. ha
AB Concession 0.3 M. ha

Sources: Land matrix, 2013

Cambodia

Pop. Density 83 p.km⁻²
Agric. Landless 26 % ↑

Land area size (in 2012,)

Smallholder 3.1 M. ha
AB Concession 1.8 M. ha

Sources: Diepart 2015

Laos

Pop. Density 30 p.km⁻²
Agric. Landless ?

Land area size (in 2012)

Smallholder 1.1 M. ha
AB Concession 0.4 M. ha

Sources: Schönweger et al., 2012

Agro-Business large scale land acquisition in the Mekong

- Impact and consequences (Cambodia & Laos)
 - Deforestation
 - Lot of conflicts because of lack of recognition of customary tenure (eviction of upland farmers/ ethnic minorities)
 - Low return to national economy
 - Limited job opportunities for local communities
 - Slow or limited development of most concessions
 - Social dissatisfaction

→ Moratorium in Cambodia and Lao PDR on new land concessions since 2012 + re-evaluation of existing concessions

Agro-Business large scale land acquisition in Myanmar

- Database obtained at MoAI with detailed inventory of VFV Land allocated between 1992 and 2016

	VFV Land allotted	
	All cases	Only cases > 50 acres
Number of cases	8405	3603
Total area	3,968,3145 acres	3,875,964 acres
Mean	472	1,076
Std. Deviation	2,419	3,607
Minimum	0.03	50.03
Maximum	157,353	157,353

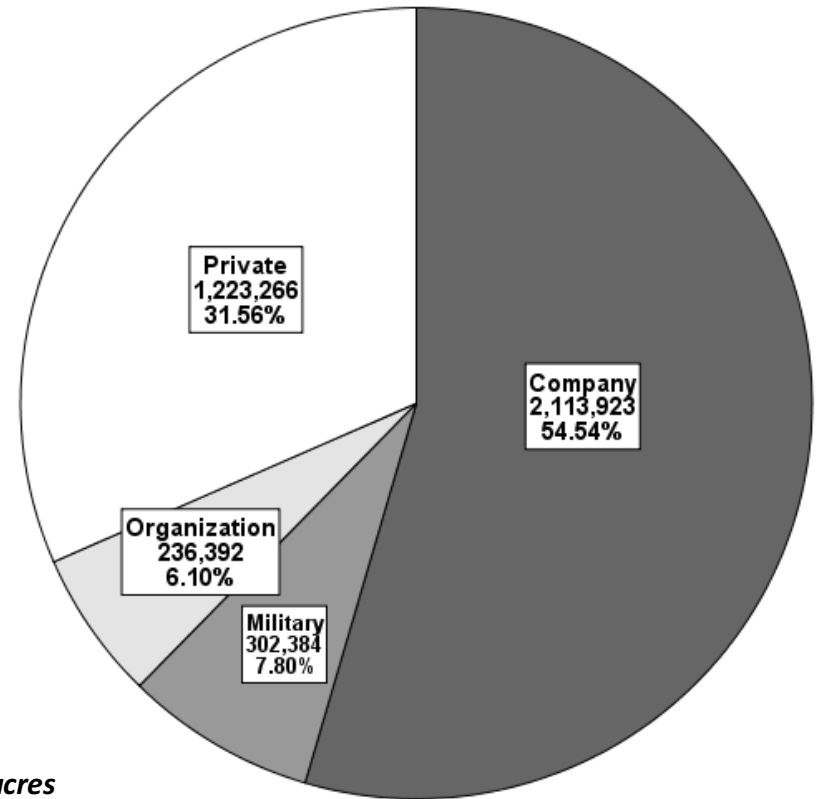
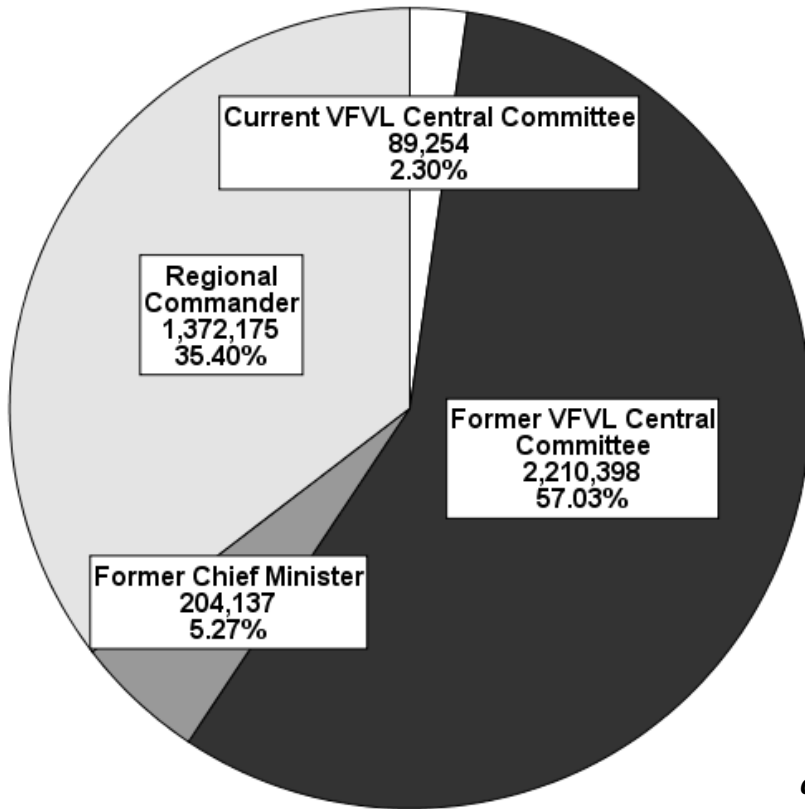
Sources: DAP & SLRD, MoAI (now DALMS, MoALI)

Agro-Business large scale land acquisition in Myanmar

	VFV Land allotted		
	Sum of area allotted	% of Total	Number of cases
<=50 acres	92,351	2%	4802
]50-500] acres	433,291	11%	2458
]500-5,000] acres	2,531,505	64%	1087
]5,000 – 50,000] acres	696,099	18%	56
+ 50,000 acres	215,069	5%	2

→ Very unequal distribution of VFV land allotted

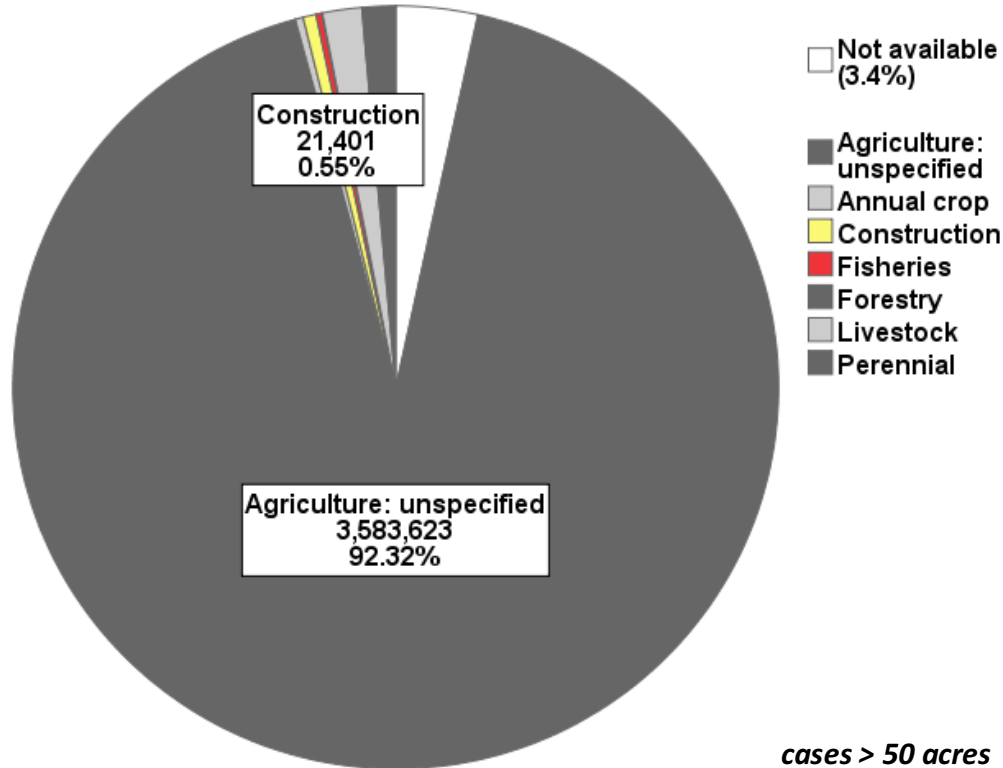
Agro-Business large scale land acquisition in Myanmar



cases > 50 acres

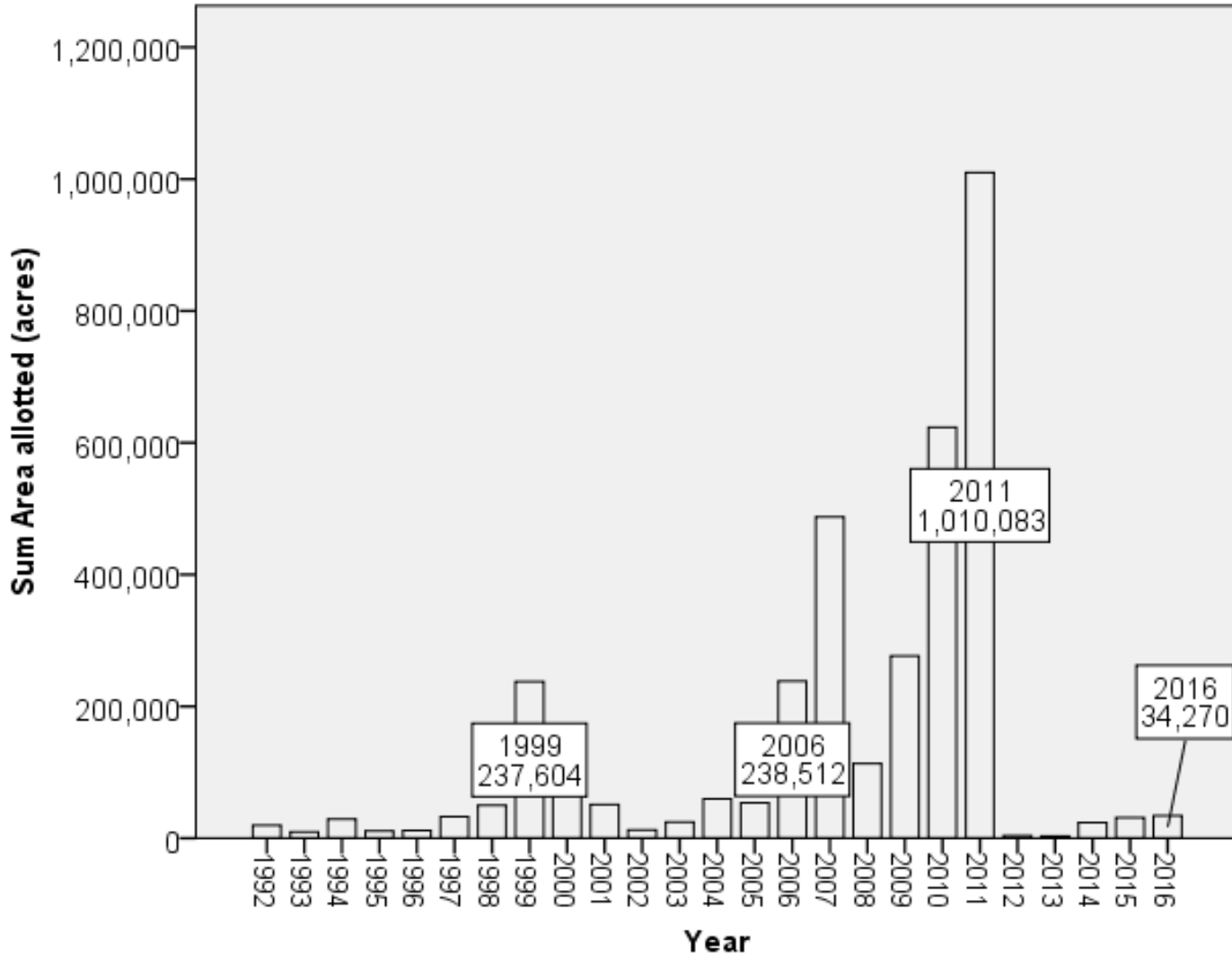
- Largest share allotted by Former VFV Central Committee
- Largest share allotted to companies

Agro-Business large scale land acquisition in Myanmar



→ Land allotted exclusively for agricultural or agro-forestry purposes

Agro-Business large scale land acquisition in Myanmar

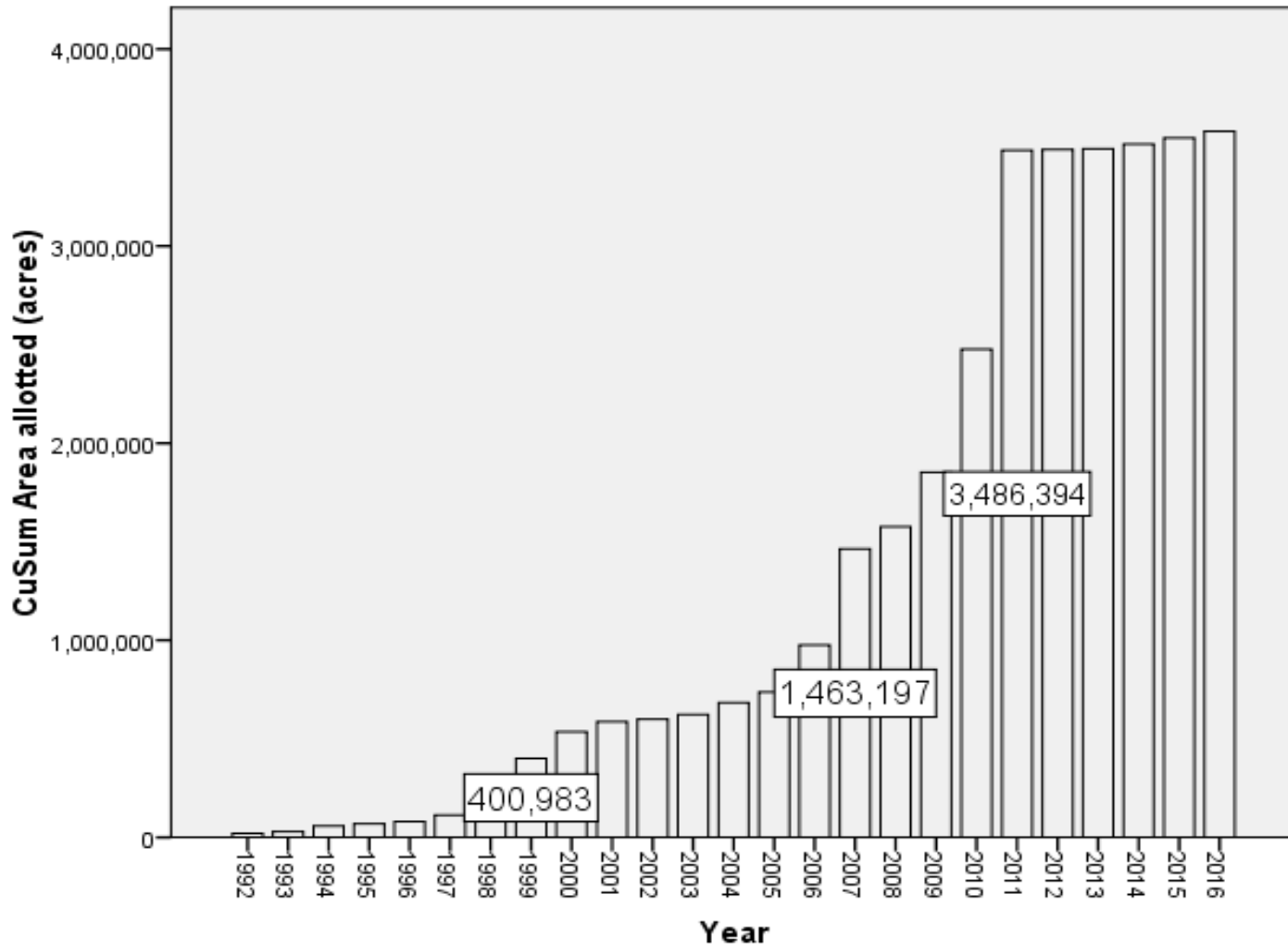


→ Acceleration of allotment between 2006 and 2011

→ Ceased in 2012 but started again since 2014

cases > 50 acres

Agro-Business large scale land acquisition in Myanmar



→ Acceleration of allotment between 2006 and 2011

cases > 50 acres

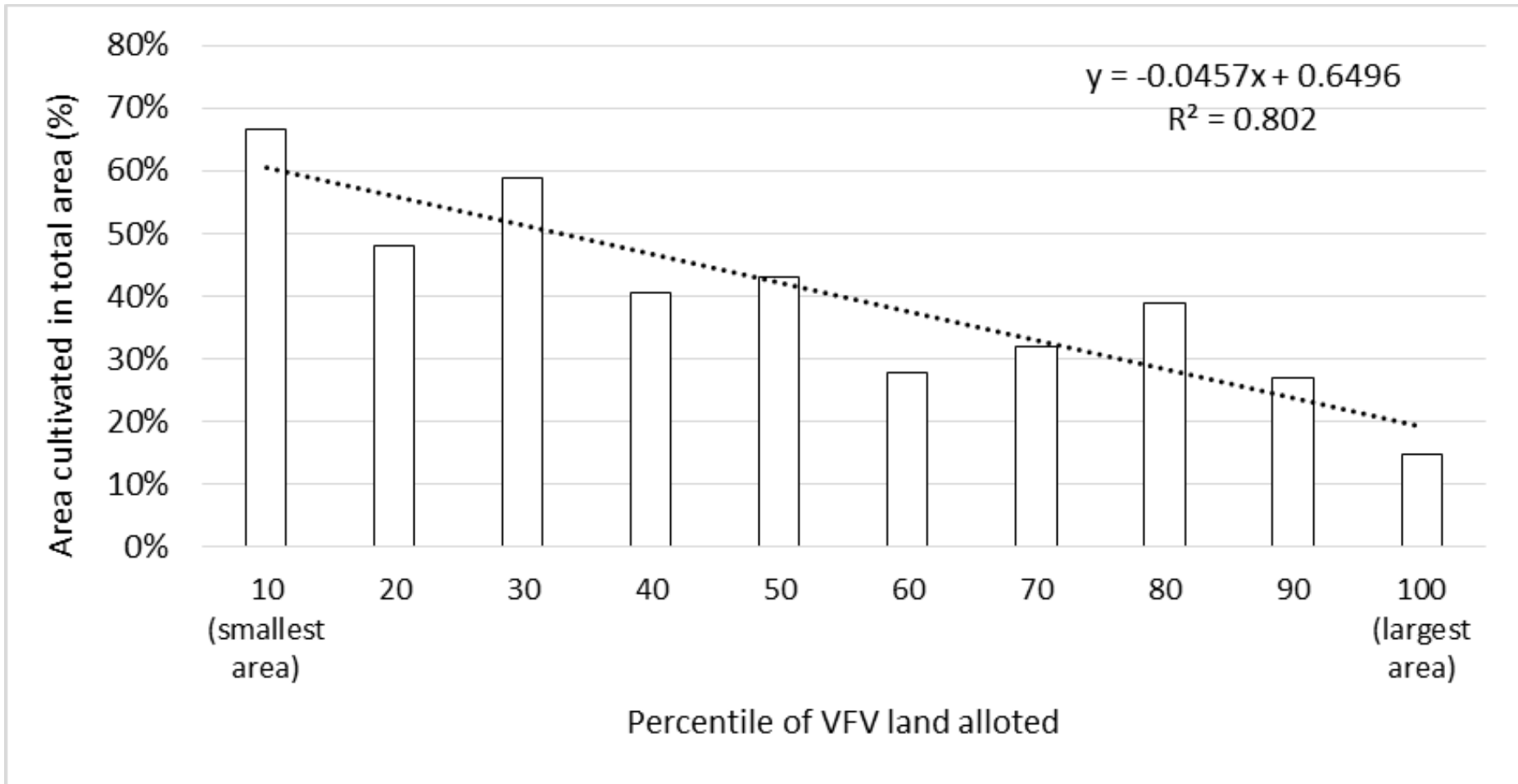
Agro-Business large scale land acquisition in Myanmar

	VFV Land allotted		
	Total area allotted	Total area planted	Total area idle
Sum of area in acres	3,875,964	577,147	3,298,818
Share of cultivated area in total	15%		

cases > 50 acres

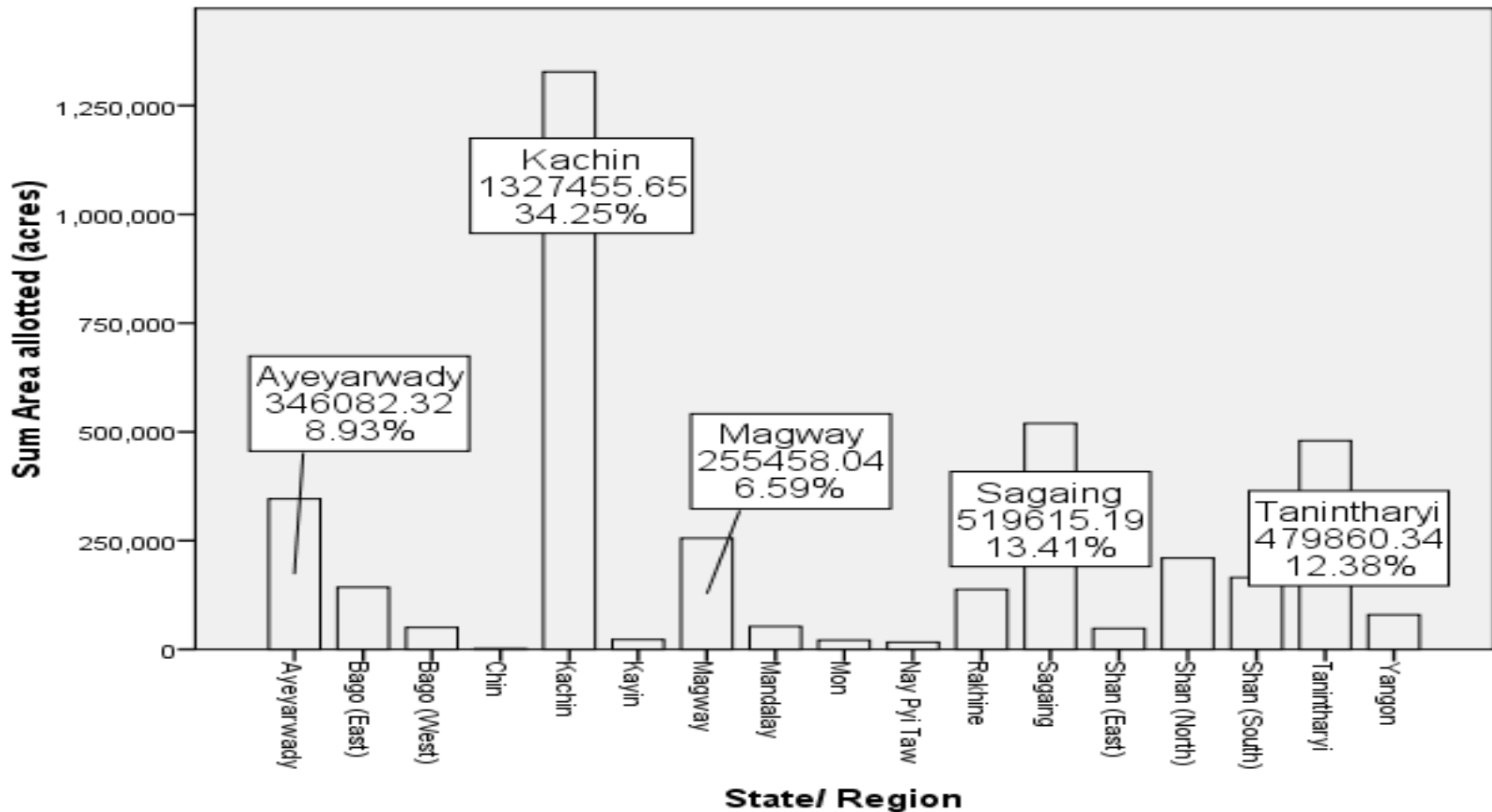
→ Area effectively cultivated is very limited

Agro-Business large scale land acquisition in Myanmar



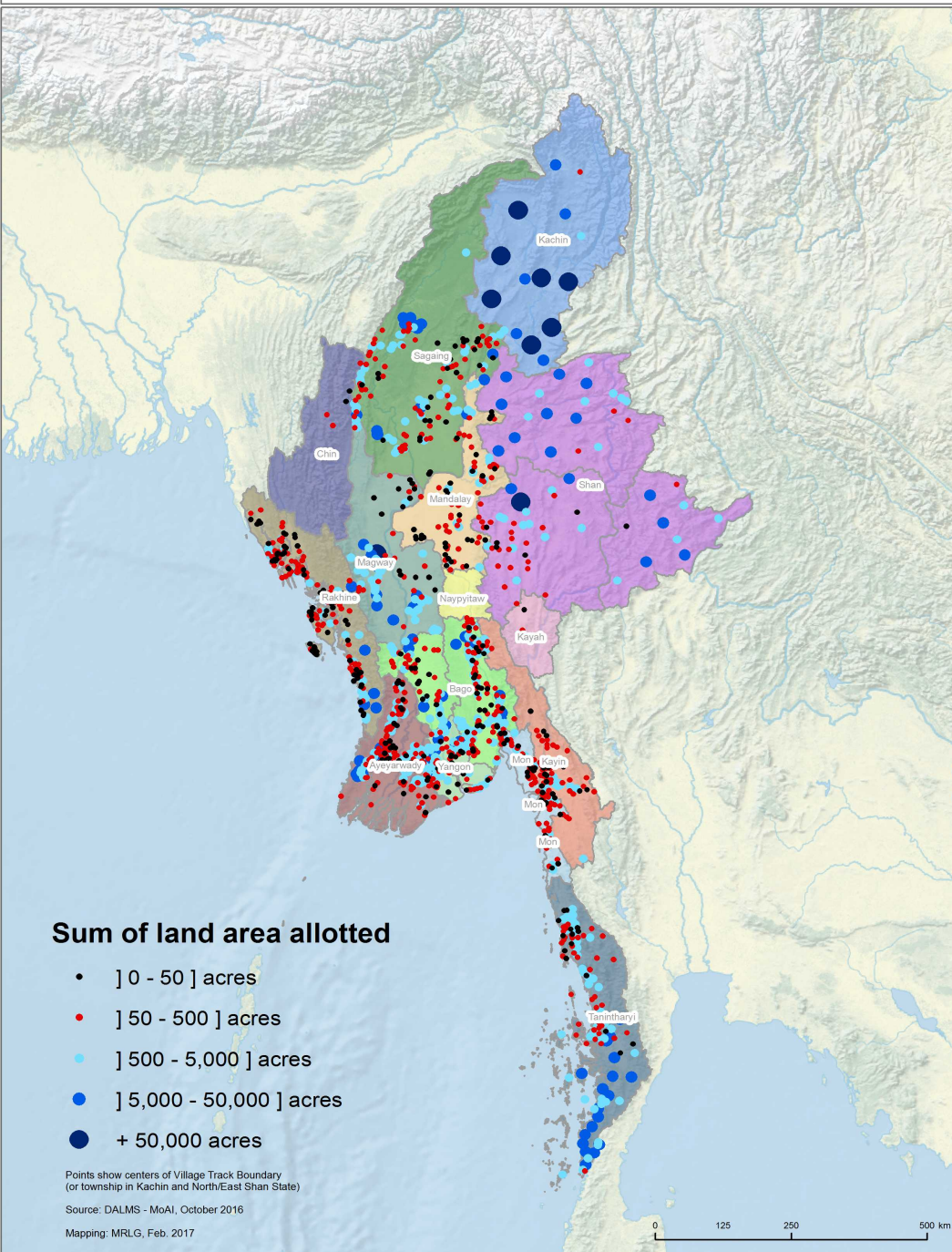
→ Small areas of VFV allotted are more effectively cultivated than large ones

Agro-Business large scale land acquisition in Myanmar



→ State-Region with largest area of VFF land allotted are: Kachin, Sagaing, Tanintharyi, Ayeyarwady and Magway

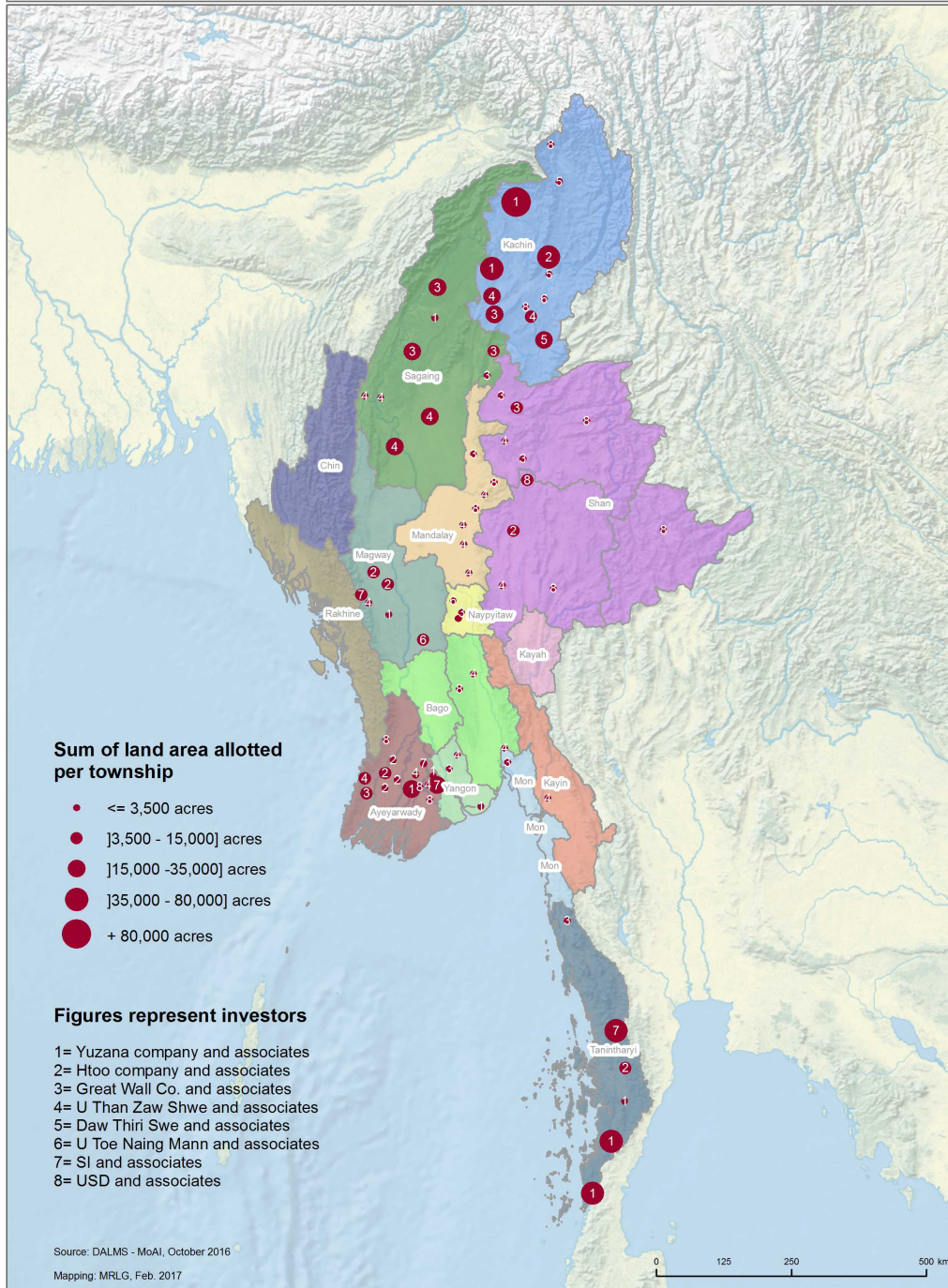
Vacant, Fallow and Virgin Land Allotted between 1991 and 2016 in Myanmar



→ Largest area allotted in peripheral areas

→ Partial or complete overlap with land claimed by local farmers under customary land tenure arrangements

Vacant, Fallow and Virgin Land Allotted to key investors 1992-2016



→ Top investors have been allotted VFV land in several Region/State

1= Yuzana company

2= Htoo company

3= Great Wall Co.

4= U Than Zaw Shwe

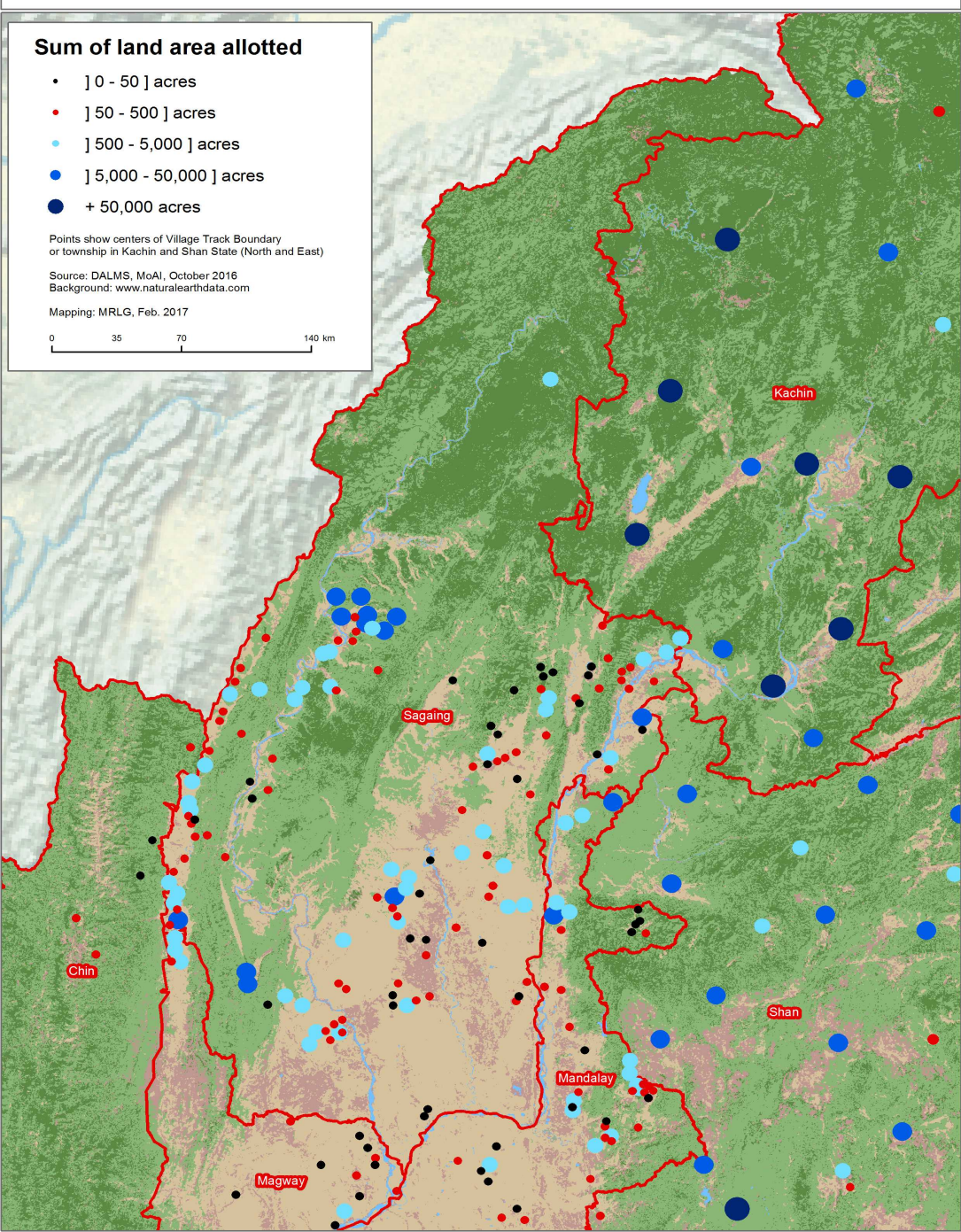
5= Daw Thiri Swe

6= U Toe Naing Mann

7= SI

8= USDA

Vacant, Fallow and Virgin Land Allotted between 1991 and 2016 in Sagaing Region



→ GIS Database allows for any tailor-made analysis

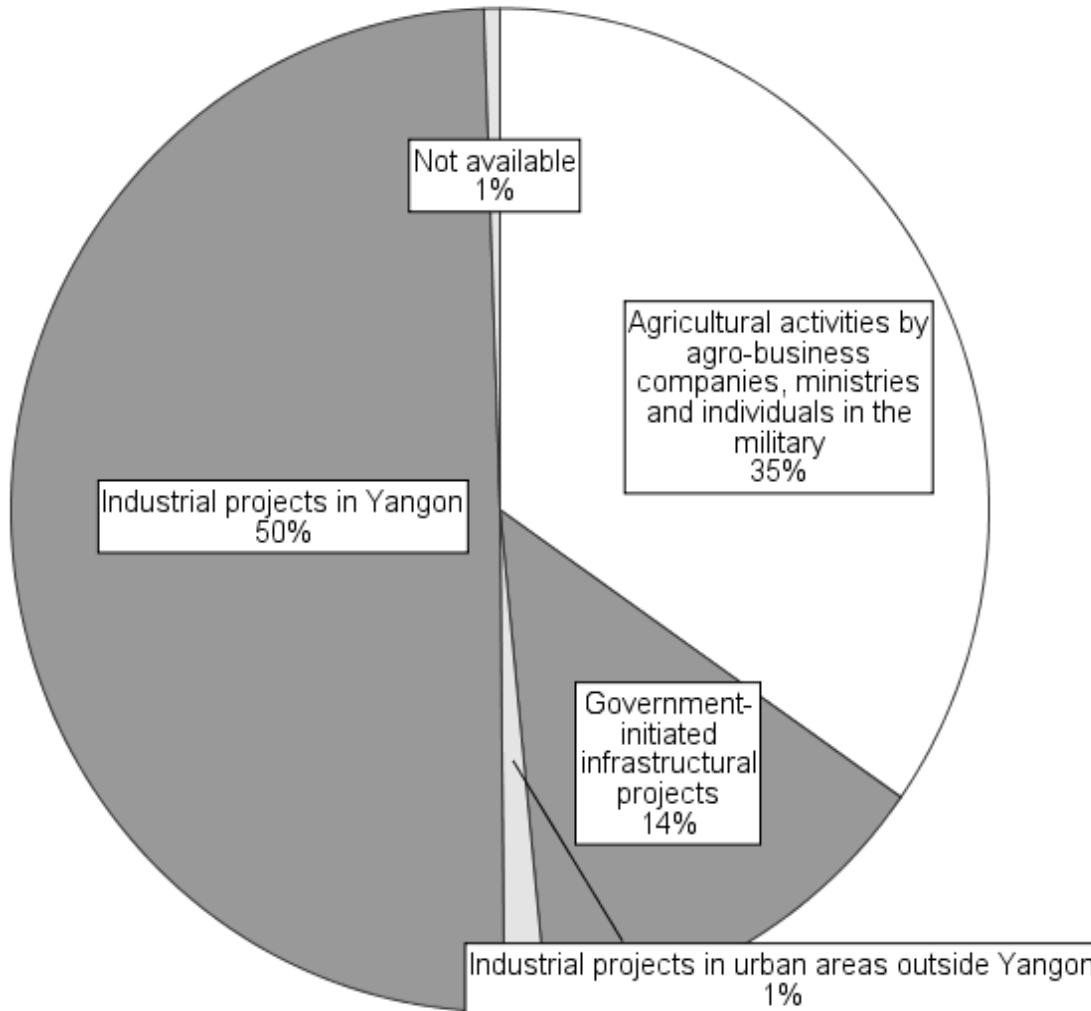
The question of the 'Return of Land'

		Report 1	Report 2	Report 3	Report 4	Other reports
Land confiscation attributed to		Military	Urban development and industrialization projects	Transport infrastructure projects, state factories and plants, agriculture	Additional cases	?
Number of confiscation cases (filed and scrutinized)		565	63	117	121	
Area of land scrutinized		247,077 acres	109,634 acres	94,693 acres	16,343 acres	
Total	Number of cases	866 land confiscation cases				
	Area size	467,749 acres = 189,291 ha				

Land conflicts and the question of the 'Return of Land'

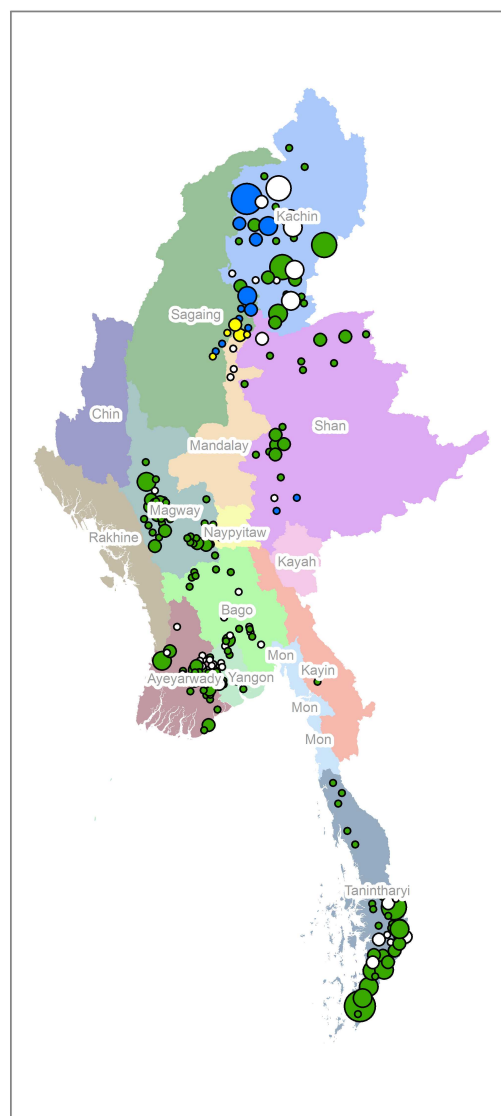
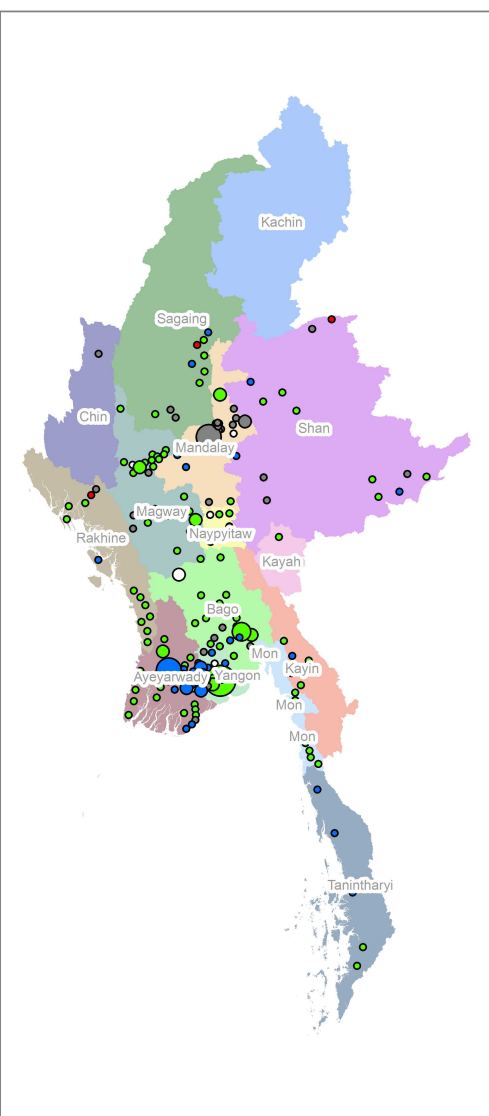
- Data analysis based on reports 1 to 4
 - 283,638 acres scrutinized
 - 186 collective cases
- Lots of missing information
 - Information about military cases of land confiscation are not provided
 - Year of confiscation : 80 % of cases missing
 - Number of farmers affected : 86 % of cases missing

Land conflicts and the question of the 'Return of Land'



→ Urban bias

Most cases examined area located in urban areas concerning urbanization/industrial projects

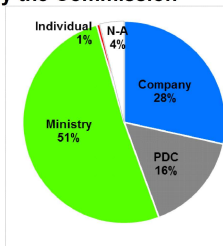


→ Geography of evasion

Important areas of land confiscation have been omitted (e.g. Kachin & Tanintharyi)

Land scrutinized by the Commission

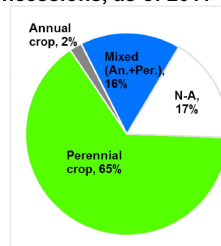
- 0 - 1,750 acres
- 1,750 - 7,000 acres
- 7,000 - 18,000 acres
- 18,000 - 42,000 acres
- 42,000 - 70,000 acres



Total scrutinized = 283,638 acres

Agro-industrial land concessions, as of 2011

- 0 - 6,000 acres
- 6,000 - 17,000 acres
- 17,000 - 37,000 acres
- 37,000 - 74,000 acres
- 74,000 - 210,000 acres



Total allocated = 1,872,624 acres

Source: Commission reports
Mapping: MRLG

Source: MoAI-MoECaF, 2011
Mapping: MRLG

Recommendations

- Put in place a moratorium and comprehensive evaluation of the large scale land development model in Myanmar
- Re-center the actual contribution made by smallholder farmers in agricultural development of Myanmar, e.g. through firmer recognition of customary tenure rights
- Promote more complete and effective return of confiscated land
- Allow full access to the information on previous and current investigation commission for land return



MRLG
MEKONG REGION
LAND GOVERNANCE

www.mrlg.org

