

Regional Summary

The 2014 State of Food Insecurity (prepared by FAO, IFAD and WFP) reports that of the 805 million chronically undernourished and hungry in 2012-2014, the majority—some 525 million—are found in Asia. At the same time, many of the world's food production systems today are costly, degrade the environment, destroy biodiversity and compromise future yield due to dependence on chemical techno-fixes. Land, water, energy—these are but the most critical elements for life on this planet to survive and yet, are becoming scarcer with the growing population and their competing uses. Most glaringly, the stability of the rural poor's food production and consumption is being threatened by the increasing competition for land due to agricultural investments and urbanization.

The Context: Asia's Complex Land Issues

At the regional, national and local levels, the political environment in Asia remains ambivalent, if not indifferent, towards upholding redistributive land and resource justice. Land and forests

are seen more as tools for profit rather than as the basis for food security and environmental conservation. Customary laws, if any, often conflict with or are disregarded by the State. These instances are manifested in the bias of national land policies towards commercial agri-business or extractive ventures and urbanization.

In addition, there are the marginalized groups in the different Asian countries for whom the right to land is upheld in principle through national laws, but is only weakly safeguarded and rarely enjoyed in actual practice. These are the women, the indigenous peoples, and those subject to religious or cultural bounds (e.g., caste, ethnicity, and the like). Then, there are those vast numbers of small farmers, forest dwellers, and fisherfolk across the continent who are likewise disadvantaged. Through the sheer lack of awareness of their rights and non-exposure to bureaucratic and corporate systems, they are unable to counter the claims of political and economic powers and to wisely evaluate the proffered benefits in exchange for their land and resources.



For most of Asia's indigenous peoples, land is more than just an economic asset or commodity. Land is life itself, rooted to a territory and history. It provides the foundation for self-identity, personal security, faith, culture, livelihood and self-governance.⁷ Land is where one's ancestors are buried and where sacred places are visited and revered.⁸ Indigenous communities have lived sustainably with their environment over generations, and have evolved their own customary property regimes with multiple resource-use systems and corresponding rights and responsibilities over farming, foraging, mining and grazing.⁹ Customary land tenure refers to systems where some social authority or local political entity exercises administrative rights over the land. They cover range lands, plains, river systems, coastlines, traditional waters and fishing grounds.¹⁰

The complexity of customary land tenure makes it difficult for outsiders to comprehend or to codify. State systems often insist that property rights cannot be legally recognizable unless they are established and documented, and done in accordance with official grants from the Central State. Further, most Asian states have no legal framework for recognition of *customary* land rights, nor a mechanism for *collective* land titling. Neither are indigenous communities recognized as *legal entities* under statutory law. Thus, the concept of ancestral lands and customary rights over territories and natural resources continues to be a highly contentious issue between indigenous peoples and State governments, as well as between indigenous and non-indigenous populations.¹¹

Source: Issue Briefing Paper on *The Customary Land Rights of Indigenous Peoples in Asia*, by Antonio B. Quizon, former Chairperson, Asian NGO Coalition.⁶

There are the further complications as well brought by the inherent differences among agrarian land, forest areas, and marine areas. Each has its own distinct issues concerning ownership, access to, and use of such areas and their accompanying resources—both by the existing communities and by outside interest groups, ranging from the government to big business, both local and global.

Given all these co-existing forces and factions and their competing interests, it is inevitable that disputes and conflicts continually arise over the same limited land, forest and marine areas. Hence, another growing concern is the large number of conflicts among the different stakeholders in the land

and resources scenario. Hundreds of land conflicts remain unsettled before

⁶ The full briefing paper consolidates information and ideas from country studies, regional conferences, secondary material, as well as related works of the author. For comments and feedback, email: tonyquizon@yahoo.com and angoc@angoc.org


⁷ Quizon, Antonio B. (2013). *Land Governance in Asia: Understanding the Debates on Land Tenure Rights and Land Reforms in the Asian Context*. Framing the Debate Series, No. 3. Rome: International Land Coalition. p 4.

⁸ United Nations (2009). *State of the World's Indigenous Peoples*. New York: United Nations. p 53. http://www.un.org/esa/socdev/unpfii/documents/SOWIP/en/SOWIP_chapter2.pdf

⁹ Quizon, Antonio B. (2014). "Issues in Protecting Land Rights of Indigenous Peoples in South-East Asia, with a focus on Extractive Industries". Paper prepared for UNDP-UNIPP.

¹⁰ Simbolon, I. (2009). Law reforms and recognition of indigenous people's communal rights in Cambodia. In *Land and cultural survival: the communal land rights of indigenous people's in Asia*. Manila: Asian Development Bank.

¹¹ Quizon (2014). *loc cit*.



dispute resolution mechanisms, ranging from amicable settlement bodies to courts of law. Hundreds more involve rights violations such as forced evictions, land grabbing, harassments and detention, with some even escalating to killings.

It is in this context that the 2014 land reform monitoring initiative of the Land Watch Asia (LWA) campaign was undertaken. In order to systematize the monitoring process, the LWA campaign linked with research/academic institutions (Bangladesh, Cambodia, Indonesia, Nepal and Philippines) and researchers (India, Pakistan).

The Scope of This Summary:

Land Governance Accountability and More

This summary presents the key findings of the **2014 country land monitoring reports** submitted by LWA members: Association for Land Reform and Development (ALRD) with Human Development Research Centre (HDRC) for Bangladesh; STAR Kampuchea (SK) with Analyzing Development Issues Centre (ADIC) for Cambodia; Ekta Parishad (EP) for India; Consortium for Agrarian Reform (KPA) with Lembaga Ilmu Pengetahuan Indonesia (LIPI) for Indonesia; Community Self-Reliance Centre (CSRC) with School of Arts of Kathmandu University (SA-KU) for Nepal; Society for the Conservation and Protection of Environment (SCOPE) for Pakistan; and ANGOC with the College of Social Welfare and Community Development of the University of the Philippines (UP-CSWCD) and Xavier

University (XU) for the Philippines.

In an effort to situate the **LWA 2014 CSO Land Monitoring Report** in its broader context, this regional summary also presents other interlocking aspects of the land situation in Asia—involving **women, indigenous communities** and other **marginalized groups**. As such, this publication is supplemented by the scoping studies undertaken by LWA partners on women and indigenous peoples, as well as documentation of land grabbing cases in the region.

Also included are the emerging key areas of: i) **marine and coastal areas** and their unique issues on ownership and resource access, ii) the **nature and intensity of land conflicts** escalating to forcible and violent acts, and iii) the call for **land rights to be declared a basic human right**. All of these were considered in the enhancement of the Land Monitoring Framework which is the key tool being used by the LWA partner representatives in seven Asian countries—now presented in this publication as the **Expanded Land Reform Monitoring Framework**.

Land Legislation: An Update

In the seven countries represented in the Land Watch Asia campaign, land laws are gradually evolving. Subject to changes in government policy and prevailing economic forces, they have also occasionally been influenced by the advocacy efforts of civil society organizations championing land rights of the marginalized. More so in recent years—with a growing public awareness of land issues, heightened vigilance by land sector workers, as well as pressure from the international



community. Any genuine gains, however, ultimately depend on these laws' implementation.

In **India**, the antiquated Land Acquisition Law, 1894 was finally replaced with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. The Act was passed in both Houses of Parliament in 2013, before coming into force on 1 January 2014 (PRS Legislative Research, 2014). The act promises a "humane, participative, informed, and transparent process" for land acquired in the name of industrialization, infrastructure, and urbanization with least disturbance to landowners and others affected.

The new law, expected to be pro-poor, is regarded as a victory for land rights advocates in the country, who had long criticized the 1894 bill as no longer adequate in present-day India. The old bill had been notoriously abused, much to the detriment of landowners, who lost their lands for the benefit of "public purpose", that is, big development spurred by private industry. The new law seeks to counter this, protecting communities from large-scale evictions made in the name of industry (Kang, 2014).

Meanwhile, elections at the national level in 2014 and in five states in 2013 diverted attention from land reforms (AVARD, 2014). The National Land Reforms Policy, which people's movements such as the Jan Satyagraha 2012 have demanded, still remains in draft form. Other promises have also failed to materialize.¹²

Further, as a recent study on women and land in **India** reports,¹³ the constitution recognizes equal rights for men and women, including the legal right of women to own land. However, very few actually do as a result of practices such as patriarchal inheritance, patrilocal residence, gender division of labor, gender segregation of public spaces, and discouragement of widow remarriage.

Hardly any attention had previously been paid to legal and institutional impediments in the acquisition of land through inheritance allotment, tenancy, or the situation of women who continue to have no assets. Indian women had been left out of laws regarding the distribution of public land and were forced to rely on the small possibility of obtaining private land from their families.

Recent advances, however, have been the Rights to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and the Hindu Succession (Amendment) Act 2005 which aimed at removing the gender discrimination in the Hindu Succession Act 1956 by now granting daughters and sons equal rights to obtain land from their parents.

With regard to land rights of India's indigenous peoples, another recent

¹² Jan Satyagraha was a non-violent foot march organized by Ekta Parishad in 2012, where more than 50,000 people – mostly peasants (tribals, landless people, including women) – marched the 350 kilometers from Gwalior to Delhi demanding land and livelihood rights.

¹³ *Scoping Study on Women's Land Rights (India)* by Association of Voluntary Agencies for Rural Development (AVARD). For more details of the case, contact: avard@bol.net.in



study¹⁴ related that large areas of land were declared as protected areas (forest or conservation areas) from 1970 to 2000, causing massive evictions of the communities residing there and leading to protest actions against the government. There have been positive developments, however. The *Panchayat* Extension to the Schedule Areas (PESA) Act, 1996 was enacted, conceding to the long-standing demand for tribal control over productive land and forest. Government is also under pressure to follow up the Memorandum of Understanding (MoU) signed by the Minister for Rural Development with participants of the *Jan Satyagraha*, which highlighted the issue of land rights of IPs and received widespread media coverage. Similarly encouraging have been the establishment of a separate Ministry of Tribal Affairs in October 1999; the formation of Integrated Tribal Development Project (ITDPs) in areas where the ST population is more than 50%; and the passage of The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

In **Bangladesh**, a new land use policy is being debated in Parliament to supersede the National Land Use Policy, 2001, which is seen as weak despite its noble goal of thwarting agricultural land conversion and ensuring land use efficiency. Moreover, a draft of the Agriculture Land Use Act has been prepared for discussion in Parliament, which hopes to enhance marginalized groups' access to land (Barkat, 2014).

¹⁴ Condensed from the *Study on Indigenous Peoples (Scheduled Tribes of India)* by the Association of Voluntary Agencies for Rural Development (AVARD). For more details of the case, contact: avard@bol.net.in.

Also in **Bangladesh**, legal, religious, and social values hinder women's ownership of land. Despite the fact that a high 88% of women are involved in agriculture, they actually own only 4% of the country's total land. This is due to various factors such as the lack of resources to purchase land in their own name and the fact that Bangladesh does not have the legal concept of co-ownership of marital property.

The constitution of Bangladesh actually recognizes the equal rights of men and women. However, property rights are still largely influenced by religious inheritance laws, both Muslim and Hindu, that discriminate against women. Many customary laws of indigenous communities are likewise discriminatory against women, e.g., only sons inherit land or, if women do inherit property, control of the land is left in the hands of the male members of the family.

Studies further show that, although Bangladeshi women are engaged in agricultural activities, 48% are deprived of access to land. Since they are not recognized as farmers, their access to government-provided agricultural assistance, such as seeds, fertilizer, and small credit is severely limited.

Meanwhile, the situation of indigenous peoples in Bangladesh¹⁵ is typified by the inhabitants of the Chittagong

¹⁵ As reported in the summary of country papers in the Lok Niti journal on *Indigenous peoples and their sacred lands* that can be accessed at the ANGO portal < <http://www.angoc.org/portal/>>. Based on *Analysis on the Situation of Indigenous Peoples Customary Land and Resource Rights in Bangladesh* by S. Tripura, S. K. Ripa, and T. Sumaiya of Association for Land Reform and Development (ALRD). For more details of the case, contact: alrd@agni.com.



Hill Tracts (CHT) in the southeastern part of the country vs. the plains or lowland people. Those living in the area covered by the CHT have some advantages due to their special legal and political status. In contrast, the plains people are not accorded similar rights. Yet, IPs' customary land in both the plain areas and the CHT has been leased out to the private sector by the government, resulting to the conversion of these lands to make way for large plantations, forestry projects, extractive industries, development projects, and the like.

Other structural causes for Bangladesh's indigenous peoples being alienated from their land include: the lack of enforcement of the current tenure system and overlap between formal and customary tenure, multiple land claims, inadequate public administration capacity, corruption, uneven distribution of land, and inadequate legal protection for the poor. This is despite Bangladesh having ratified several international agreements which have a bearing on IP land rights. In a positive step to address the situation, the parliamentary caucus on IP issues has recently begun formulating an act on Bangladesh Indigenous Peoples' Rights.

Civil society organizations in the **Philippines** are still pushing for the passage of the National Land Use Act (NLUA), which had already been declared urgent by no less than the President and was approved by the House of Representatives. The NLUA, which has languished in Congress for nearly two decades, would be the first step to rationalizing and regulating

land use for all sectors of society and not only a select group of individuals. It would pave the way for managing and developing land resources, without compromising future generations (National Land Use Act of 2013, 2013).¹⁶


Three national laws of the Philippines specifically mention women's land rights. These are the Indigenous Peoples Rights Act of 1997 (IPRA) for indigenous women, the Comprehensive Agrarian Reform Program Extension with Reforms (CARPER) for women farmers, and the Fisheries Code for fisher women. Great strides have likewise been taken on titling, as policies on land titles, stewardship contracts and patents now include the names of women, unlike in the past when only the men's names appeared in such documents. The Magna Carta of Women and several administrative orders from the Department of Agrarian Reform (DAR) and the Department of Environment and Natural Resources (DENR) also mandate that titles be issued in the name of both spouses, or joint titling.¹⁷

A background paper on indigenous peoples in the country¹⁸ cites the Philippines' distinction of being the

¹⁶ The NLUA proposes the crafting of a National Physical Framework Plan (NPFP) which shall define the national strategy and objectives of the country's urban, rural and regional development (Marin, 2014).

¹⁷ Condensed from "Women's Land Rights in the Philippines: A Scoping Study" by Philippine Partnership for the Development of Human Resources in Rural Areas (PhilDHRRA). For more details of the case, contact: national@phildhraa.net.

¹⁸ Condensed from *The Indigenous Peoples in the Philippines: A Background* by Dave de Vera and Shirley Libre of Philippine Association for Intercultural Development (PAFID). For more details of the case, contact: dave@gmail.com or balayluwad@yahoo.com.



first country in Southeast Asia to enact a law recognizing the traditional rights of indigenous peoples over ancestral domains with the passage of the Indigenous Peoples' Rights Act (IPRA) of 1997. Under the IPRA, the disposition of ancestral domains can either be communal ownership or through clan or family ownership. As such, a Certificate of Ancestral Domain Title (CADT) is issued to a community, while a Certificate of Ancestral Land Title (CALT) is awarded to clan or family claimants.

On another front, however, the IPs remain one of the most under-represented sectors in the governance of the Philippines. Without the necessary wherewithal, the sector has not been able to actively participate in the political exercises and as such merely settle for token representation in the legislature and other elective posts in government. Available opportunities for participation in policy making are limited by the sector's capacity to engage the bureaucracy and the ruling political elite.

Another challenge has been the establishment of ECOZONES in ancestral domain areas - overruling the rights and ownership of the IPs over such areas. As reported in the above-cited briefing paper on indigenous peoples' land rights,¹⁹ there has also been a resurgence of large-scale mining operations since the enactment of the 1995 Mining Act. As of January 2013, there are 424 existing mining leases

covering about 1.02 million hectares.²⁰ Despite the country's protective laws, it is estimated that mining applications impact on 67% of ancestral domains.²¹ The Commission on Human Rights has investigated mining-related cases of harassment, threats, physical abuse, killings and forced evacuation committed by company security personnel, the military and the police against indigenous communities.


In **Cambodia**, the Royal Government is still developing its agrarian reform laws following the reign of the Khmer Rouge. The first real change was the passage of the Land Law in 2001, allowing Cambodian nationals to own and transfer land - but without explicitly mentioning women.

The Constitution, as adopted in 1993, provides that all forms of discrimination shall be abolished and that all persons, individually or collectively, are entitled to the right to ownership, including right to own land. The 2001 Land Law, in fact, provides for joint land titles for husbands and wives. Unfortunately, the *Chbab Srey*, a customary law which is the traditional code of conduct for women, reinforces the belief in their inferior status and

¹⁹ From the Issue Briefing Paper on *The Customary Land Rights of Indigenous Peoples in Asia*, by Antonio B. Quizon

²⁰ Based on summary data from the website of the Philippines' Mines and Geosciences Bureau (MGB), Available from: <http://www.mgb.gov.ph>. Last accessed 29 July 2013.

²¹ This finding is based on mapping activities done by mining-affected communities and their support groups (including AnthroWatch, ESSC, HARIBON and PAFID) in order to visualize land conflicts between mining, forests, and ancestral domains in the Philippines. As cited in Garganera, J. (2013). Indigenous peoples and mining: A contentious relationship. [Manuscript copy].



promotes inequality in all aspects of women's family and social life.²²

With regard to Cambodia's indigenous peoples, a recent scoping study²³ reported that the laws governing land rights and other customary rights of IPs in Cambodia are very credible and well thought out on paper. The key problem, however, is a near complete lack of implementation of this legal and policy framework in the country.

Despite protective laws, Economic Land Concessions (ELCs) continue to be granted in protected areas, on the lands of indigenous peoples and in primary forests. In 2012, the government declared a moratorium on the granting of such concessions.²⁴ Now, it remains to be seen whether this pronouncement will actually put a stop to land grabbing in the country.

In **Indonesia**, the Consortium for Agrarian Reform (KPA) is at the forefront of advocacy on the development of the country's Land Bill. This Bill seeks to resolve issues arising from the lack of implementation of the Basic Agrarian Law (BAL) of 1960, which aimed to guide all other laws and regulations on land and agrarian reform. The Land Bill should address the skewed land ownership structure in the country, the escalation of agrarian conflicts

(especially in forests, plantations, and mining areas), and environmental degradation. It is likewise expected to address one of the most enduring problems in the country, the lack of land and natural resources governance.²⁵

A recent scoping study²⁶ relates how, for centuries now, Indonesia's farmer women have only had *access rights to land*, while *control over land* in the form of management rights, right to determine the rules of resource utilization, exclusion rights, and alienation rights remain in the hands of the men. Despite the BAL having led to the development of some legal principles, including gender equality in Agrarian Law, it can be said that the BAL is "gender neutral." It has not addressed gender inequality in terms of access to and control over agrarian resources. Thus women's ownership and control of land remains very limited.

In terms of Indonesia's indigenous peoples, a recent study²⁷ points out that the BAL did officially recognize their rights over customary land, and further stated that the agrarian law that applies to the earth, water and air space is customary law, to the extent that it is not contrary to national and state interests. The BAL even included a provision that third parties should secure temporary transfer of customary land rights each time they

²² Condensed from *Scoping Study on Women's Land Rights in Cambodia 2013* by STAR Kampuchea. For more details of the case, contact: star-director@starkampuchea.org.kh,


²³ From *Scoping Study on the Access to and Control of Land by Indigenous People in Cambodia* by NGO Forum on Cambodia. For more details of the case, contact: ngoforum@ngoforum.org.kh.

²⁴ In 2014, the timeframe for ELCs was reduced from 99 years to 50 years. The government was said to have confiscated more than 50,000 ha from 9 private companies in 9 provinces.

²⁵ Based on KPA's report during the LWA Planning Meeting in Phnom Penh, Cambodia on 15 September 2014.

²⁶ *Scoping Study on Women and Land Rights* by Yayasan Bina Desa. For more details of the case, contact:

²⁷ Condensed from *Scoping Study of Indonesia Indigenous Peoples* by Jaringan Kerja Pemetaan Partisipatif/Network for Participatory Mapping (JKPP). For more details of the study, contact: erwin_tea@yahoo.com or jkpp@indo.net.id.



use customary lands. However, such provisions were later undermined by the passage of the Basic Forestry Law and the Basic Mining Law both in 1967.

Recent positive steps have been taken, however, towards upholding IPs' land rights: a) the decision of the Constitutional Court to rephrase a portion of the Forestry Act No. 41/1999 - providing some room for Indonesia's indigenous peoples to obtain legal recognition; b) the issuance of the One Map Policy to come up with integrated spatial data from different stakeholders including indigenous communities; and c) the Geospatial Information Act that allows for a customary area participatory map to be taken as a thematic map and thus become a reference in managing Indonesian forests. In addition, the Indonesian House of Representatives is preparing the draft Act on Recognition and Protection of IP Rights; while at the regional level, Regional Regulations on the Recognition and Protection of IPs Rights have begun to be issued.

Nepal has still not been successful in drafting a Constitution. In 2013, a second Constituent Assembly was sworn in. The country is revising its legal framework governing land rights, and a national land policy that provides for land use, ownership, and management as well as recognizes the importance of land reform, is expected. Civil society and donor partners support this policy. The Ministry of Land Reform and Management lists the national policy, as well as the implementation of the National Land Use Policy of 2012, as priorities in its three-year plan (CSRC, 2014).

In Nepal's government programs for women empowerment and gender equality, no significant attention had been given to the promotion of women's rights to land. The truth is the majority of women in Nepal are not even aware of their rights as enshrined in national laws. A sign of progress, however, is the 2002 revision of the National Code of Nepal, containing some favorable provisions for daughters and widows. New provisions under the Eleventh Amendment Muluki Ain, derived from Hindu law and customary law, granted daughters and sons equal rights to inherit land, challenging long-held cultural practices and social norms. The issuance of joint ownership certificates for wives and husbands has also commenced, hopefully providing greater security to women, protecting them from marital violence, and enhancing their role in decision-making. The sad reality, however, is that legally mandated provisions such as these remain largely ignored in actual practice. Men continue to enjoy favored status with regard to land rights.

The indigenous peoples in Nepal can be divided into two distinct regional groups: Hill IPs and *Terai* IPs, as reported in a recent study²⁸ The government of Nepal does not, however, officially recognize indigenous territories or community ownership of land. The Constitution of 1990 and the current Interim Constitution of Nepal of 2007 accept caste, ethnic, linguistic and

²⁸ From the *Study on Status of Indigenous Peoples' Land and Resource Rights* by the National NGO Federation of Nepal. For more details of the study, contact: info@ngofederation.org.



religious diversities, but fall short of giving due rights to indigenous peoples. As a consequence, there has been no legislation specific to indigenous peoples. All laws, including those on land and natural resources, have deprived such groups of ownership, control and use of their traditionally owned, controlled and used ancestral lands.

In 2002, the first law on indigenous peoples was passed, but it mainly served to establish the Foundation for Development of Indigenous Nationalities. In recent years, the government has begun including specific references to rights and needs of indigenous peoples in a number of important legal and policy documents – among them, the country’s Constitution and special legislation. The Three Year Interim Plan Paper (2007-2010) likewise contained policies for inclusive development of IPs and other disadvantaged groups.

The Corporate Agriculture Farming policy of **Pakistan** remains a mechanism to favor foreign investors at the expense of local communities, whose lands and food security are threatened. As with all countries facing the challenge of land grabs, Pakistan needs to ensure that foreign investments are responsible. In the same vein, the government needs to be transparent with how land deals are made.

With regard to the situation of women’s land rights in Pakistan,²⁹ the


²⁹ From *Scoping Study on Women and Land Rights in Pakistan* by the Society for Conservation and Protection of Environment (SCOPE), abridged in the Lok Niti issue on *Women’s Land Rights in Asia*.

National Policy on Development and Empowerment of Women (NPDEW) was formulated in 2002. As part of its vision of gender equity, the NPDEW specifically seeks to provide rural women access to land, agricultural and livestock extension services, support mechanisms and facilities, as well as micro-credit programs. Awareness of such important laws, however, is severely lacking, particularly in the rural areas of Pakistan.

There have also been two exceptional initiatives in recent years. The first is the state land distribution by the PPP-led Sindh provincial government in 2009 where approximately 70% of the beneficiaries were women. A total of 41,517 acres (16,801.33 ha) of land was distributed among 1,184 men and 2,845 women landless farmers (PDI, 2009). The second is the introduction of the Khyber Pakhtunkhwa (KPK) Enforcement of Women Ownership Rights Bill, 2012. Under this bill, violation of women’s land ownership is a punishable offence of up to five years imprisonment and a fine of up to Rs.50,000.³⁰

Indigenous peoples in Pakistan— basically comprised of a pagan group, the fishing communities of the Indus River, and the Scheduled Tribes or Scheduled Castes of Sindh— are distinct populations in terms of language, ethnicity and belief systems. The systems of oppression that affect them and the history of their people vary. However, the situation of the Scheduled Caste groups is most dire owing to caste-based discrimination.

³⁰ *Ibid.*



They are subject to severe enforcements against inter-caste marriage, exclusion from the political structure of the state, non-mention in important policy documents, and even denial of relief provisions after natural calamities.³¹

The 'New Land Grabs'³²

Dismissed as a waning sector in the last two decades of the 20th century, agriculture is back in the economic agenda. Along with it, the free flow of capital rediscovered the economic potential of land. Only this time, commercial interest on land is not limited to agriculture. Mining, real estate development, industrial zones and tourism compete for the same resource.

Unfortunately, governance of land and other resources in many Asian countries is weak and managing these resources has become a big challenge. Many of the laws and practices, including land tax collection and dispute resolution, have been handed down from colonial regimes without much updating.

This changing agrarian relation in a liberalized economy will be a major challenge for land advocates. The issues and concerns will not only be limited between the farmer and the land but will now have to deal with the

market. They will also have to broaden their linkages as land competition goes beyond agriculture and covers fishery, forestry and mineral mining.

As governance of these resources is weak and vulnerable to legal maneuverings, policy and legal interventions need to be strengthened. Laws and programs have to be improved in consonance with the current global guidelines on land tenure and responsible agricultural investments. Partnership with the academe for evidence-based policy work is essential as well as retooling of field staff.

The Regional and Global Land Agenda Leads to Land Watch Asia

At the regional level, with the ASEAN Economic Integration in 2015, investments are expected to pour in, while the regulatory framework in most countries in South East Asia are either not in place or not functioning. The increasing large-scale foreign land acquisitions, driven by rising world food prices and the growth of the biofuels industry, continue to displace communities and erode their tenurial security. Most of these investments have resulted to the conversion of agricultural, forest and foreshore lands into plantations and commercial/industrial centers. Deforestation and mining are destroying watersheds, biodiversity and indigenous cultures.

On the global scene, as a follow-up to the **Rio + 20 conference**, governments and the international community have agreed to develop a new set of goals,

³¹ Condensed from *Scoping Study on Indigenous People – Pakistan* by the Society for Conservation and Protection of Environment (SCOPE), abridged in the Lok Niti issue, *On the Customary Land Rights of Indigenous Peoples in Asia*.

³² Condensed from the LWA Issue Brief on Land Grab, which can be accessed at the ANGOC portal <<http://www.angoc.org/portal/>>.



targets and indicators that will be used for measuring and accelerating progress in reducing hunger and poverty. The Post-2015 Agenda is accompanied by the Sustainable Development Goals (SDGs), which build on the earlier Millennium Development Goals (MDGs). The Open Working Group on the SDGs was created to propose SDGs for consideration and action.

Concretely, a resolution was passed to “*embark on capacity-building, extension training programs and scientific studies and initiatives aimed at deepening understanding and raising awareness of the economic, social and environmental benefits of sustainable land management policies and practices in respect to land management and tenure security.*” This move was supported by the report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda as it proposed a target on “secure rights to land, property and other assets” as a building block in reducing poverty. An important contribution thus to the implementation of Rio+20 outcome is to design a framework for collecting and monitoring tenure security. Land Watch Asia recognizes the opportunity in the Post-2015 Agenda processes to strategize in mainstreaming land rights, through the CSO land reform monitoring initiative, where specific indicators on land tenure and access to land have been utilized by the partners.

The 2014 CSO Land Monitoring Reports in Summary³³

Indicators Used

Each LWA partner-organization applied a distinct set of monitoring indicators to look into the land reform situation in their respective countries (as summarized in Table 3). A number adhered quite closely to the indicators specified in the Land Reform Monitoring Framework – **Bangladesh** applied these in the formulation of their own Land Reform Development Index; **Indonesia** focused on land policies and ‘structural agrarian conflicts’; and **Nepal** dealt with land rights violations, evictions, and harassments; and access to land and agrarian reform by marginalized people; and the Philippines focused on resource conflicts as it relates to human rights violations.

The others focused on available indicators given the prevailing land situation in their countries – **Cambodia** presented the differences between the indigenous and non-indigenous communities concerning land registration, land conflicts and land grabbing; **India** dealt with the number of people that do not have ownership rights but that reside in semi-permanent or permanent housing, and looked at the policies homestead plots; and **Pakistan** used secondary sources and anecdotal accounts to assess the land situation at the provincial and local levels.

³³ The abridged country monitoring reports are contained in the following section of this publication. The full reports may be accessed at the ANGOC portal < <http://www.angoc.org/portal/>>.

Table 3. Key indicators used per country.

Country (LWA Partner-Organization)	Main Indicators Used
Bangladesh (ALRD)	Land Tenure and Access to Land indicators in the LRM Framework – applied to ALRD’s Land Reform Development Index (LRDI)
Cambodia (STAR Kampuchea)	Land registration, land conflicts and land grabbing; Mechanisms for land registration
India (Ekta Parishad)	Number of people with ownership rights but residing in semi-permanent or permanent housing; Policies on homestead plots
Indonesia (KPA)	Land policies, “Structural agrarian conflicts”
Nepal (CSRC)	Budget; Women and land; Land cases filed/pending; Land rights violations, evictions, harassments; Access to land by marginalized people
Pakistan (SCOPE)	Budget, Land policies, Women’s access to land, Land tenure, Land disputes, Access to land, Tenancy rights, Landlessness
Philippines (ANGOC)	Outcome indicators of the LRM Framework – Tenure security, Land disputes, Analysis of resource conflicts (nature, intensity)

BANGLADESH - The report by the Association for Land Reform and Development (ALRD) applied the indicators of the LWA monitoring framework to the Land Reform Development Index (LRDI) that it had developed. Through this Index, ALRD has been able to track the comparative changes from 2010 to 2013 in the recorded figures for each variable listed under “Land Tenure” and “Access to Land.”

Land Tenure covers: Land disputes - No. of people killed, detained, harassed; Cases received, investigated, adjudicated; Cases of land grabbing, area of land grabbing; Average time in years for dispute resolution; Annual loss of time, monetary loss, loss of assets due to disputes/litigation; and Evictions - households evicted, households homeless.

Access to Land covers: Ownership - % of farmers having effective ownership, % of *khas* land distributed to poor; Tenancy rights - No. of sharecroppers, % of sharecroppers with legal documents, contract farmers’ area; and Landlessness.

The end result is an overall LRDI for each year studied.

CAMBODIA - The STAR Kampuchea research study focuses on the performance of five land registration mechanisms established by the Royal Government of Cambodia - namely, Sporadic Land Registration (SLR), Systematic Land Titling (SLT), Social Land Concessions (SLCs), Communal Land Titling (CLT), and Directive 01 (D-01). Employing the qualitative research approach in two communities in five selected provinces, the study



was able to examine the differences between the indigenous communities and non-indigenous communities concerning land registration, land conflicts and land grabbing; and the mechanisms used to register land. This disaggregation of data allowed the research team to analyze the dimensions and differences of land titling between indigenous and non-indigenous peoples.

INDIA - The study conducted by Ekta Parishad aims to raise the pressing issue of homestead land in India. It seeks to present the injustices that have occurred particularly for the marginalized sections of the society, and to show homestead land as an important aspect of the country's land reform agenda.

The research problem explored was the number of people that do not have ownership rights but that reside in semi-permanent or permanent housing. The study also looked at the policies which provide for homestead plots; and raised the distinction between those who have a homestead but no title, and those who are homeless due to lack of any physical shelter.


In this report, the two states of Bihar and Telegana were examined in terms of their homestead acts. Bihar already has a draft Homestead Act, while Telangana had none at the time of the study - providing an interesting comparison to press for more policy advocacy. The Bihar and Telangana studies each surveyed two districts and each covered 400 households, totaling 800 surveys in four districts of the two states. The survey form had 25 questions related to all aspects of homestead.

INDONESIA - The report by Konsorsium Pembaruan Agraria (KPA) presents the main agrarian problems in Indonesia in the light of the political context in 2014 - an election year for the country. It focused its monitoring on two main areas: (1) land policies and (2) what they term as 'structural agrarian conflicts' or those caused by various policies or public officials' decisions leading to the grabbing of people's land and resulting in social, economic, and political impacts.

The quantitative data on agrarian conflicts throughout 2014 were recorded by KPA from victims who reported the incidents through its network partners at both the national and local levels. Other data were also gathered by monitoring mass media news reports (print, electronic, and on-line). It may be concluded, then, that the number of conflicts presented does not fully reflect those that have, in fact, happened or are still ongoing.

NEPAL - The report by the Community Self-Reliance Centre (CSRC) admits that, to date, there has been no independent study on the land reform process in Nepal and on the country's land and agrarian reform situation. Thus, this initial effort focuses on a review of the programs and policies of the Ministry of Land Reform and Management, as well as on two specific aspects: a) land rights violations, evictions, and harassments in 13 (out of 75) districts, and b) access to land and agrarian reform by marginalized people. The data was generated from field research and secondary sources.

The research methodology and the final monitoring report were developed



with the close consultation and support of Professors from the School of Arts, Kathmandu University (KU), the Anthropology Department of Trivuvan University TU), and government and non-government representatives.

PAKISTAN - Credible and consistent data for a comparative analysis to measure progress year by year is almost non-existent in Pakistan. Thus, the Society for Conservation and Protection of Environment (SCOPE) has taken this as a challenge to carry out an in-depth situation analysis in to develop innovative mechanisms to ensure availability of reliable, consistent and timely data.

For 2014, this CSO Land Reform Monitoring report for Pakistan is largely based on secondary sources and data collected anecdotally. SCOPE, along with the National Peasant Coalition of Pakistan (NPCP) and the Alliance Against Hunger and Malnutrition-Pakistan (AAHM), organized a number of consultations all over the country, where the participants provided updates on the land situation at the provincial and local levels. The process included consultation with stakeholders, analysis of their feedback, and desk studies.

PHILIPPINES - The 2014 study focuses on the nature of resource conflicts in the country. Thus it concentrated on outcome indicators, like tenure security, land disputes and violence brought by resource conflicts. The conceptual Land Reform Monitoring Framework assumes that outcomes indicators (such as tenure security and

access to land) and impacts (such as food security and poverty alleviation) are results or consequences of the three preceding indicators and their implementation. If the outcome indicators show that people have security over their land access and control, then resource laws and reform programs can be assumed to be implemented accordingly.

Key Findings and Analysis

BANGLADESH - The ALRD report indicated that the Land Reform Development Index (LRDI) had improved slightly from 0.225 in 2011 to 0.221 in 2013 (see Figure 3) - explaining that “In a best land reform environment, the LRDI should be close to 1.” The 2013 LRDI is said to illustrate that the land reform movement in Bangladesh is still in its embryonic stage.

In addition, due to the limited time frame of just three years, the value of the overall LRDI has remained almost unchanged—except for certain indicators, which are actually manifestations of a worsening situation (e.g., issues related to land grabbing and associated indicators, number of people killed per 100,000 population, etc.). It was also clarified that, while the absolute numbers reported may show an increase (such as the number killed due to land-related disputes and litigations), the relative number has actually remained nearly the same, primarily due to Bangladesh’s increased population size during this period.

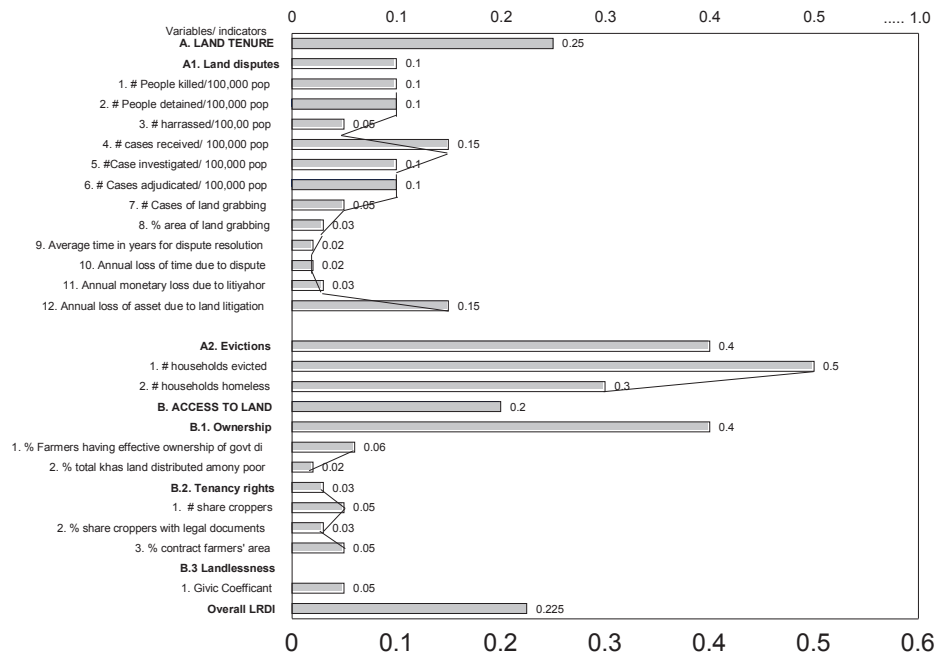



Figure 3. Land Reform Development Index (LRDI), Bangladesh 2010 and Three Years After.

Source: Barkat, A. (2015) *Land Reform Report 2014: Bangladesh*. Association for Land Reforms and Rural Development (ALRD) and Human Development Research Centre (HDRC). [Unpublished].

CAMBODIA - Cambodia's fertile agricultural land has attracted many to invest in its resources, particularly through Economic Land Concessions (ELCs) for large-scale plantations. The granting of such concessions has created widespread land conflict, land grabbing, and insecurity for small land holders. To provide land tenure security and improve the productivity of the land, the Royal Government of Cambodia has initiated a number of mechanisms in order to provide private land titles to landholders. These include Sporadic Land Registration (SLR), Systematic Land Titling (SLT), Social Land Concession (SLCs), Communal Land Titling (CLT), and Directive 01 (D-01). The study by Star Kampuchea

explored these mechanisms with regard to land distribution and conflicts and illustrated the challenges and constraints faced by communities across Cambodia.

The research findings indicate that the land registration mechanisms played only a limited role in resolving land conflicts and preventing a land-grabbing epidemic. Land conflict in the study areas is still occurring - mostly in the locations where formal land titles are not yet available for incumbent landholders, but also in areas where villagers have already received land titles and IP communities already have CLTs.



NOTE: Findings from a separate scoping study on Women and Land in Cambodia³⁴ yield a surprising statistic. Data revealed that about 20% of all land titles in Cambodia are registered by single women in contrast to only 5% by single men. The majority is registered with couples (70%). This needs closer study, as speculations on the reasons behind this range from the high number of widows following the civil unrest of the Khmer Rouge regime, to the suspicion that wealthy and influential men hide their property under the names of their wives, sisters, etc.

INDIA - In the **Bihar state study**, the survey and focus groups showed how important it is to regularize the land on which people are currently living. Most of those surveyed lacked title, not the actual possession of land. A land deed would, therefore, be most helpful to Dalit caste groups in helping to reduce discrimination, to agricultural laborers in increasing their negotiating space with landlords, and especially to women who are managing the households.

In the **Telangana state study**, the focus was on the relation of homestead land to the marginalized groups such as *Dalits* (Scheduled Castes) and the *adivasis* (nomadic pastoral people). The Government had given land of 1 to 1.5 decimals for Scheduled Castes (SCs) to build their houses, but the SCs were not aware of how to obtain their titles. Nomads, meanwhile, were compelled

to settle down on a piece of land allocated to them by the government.

Respondents from both the districts surveyed in Telangana cited various problems in accessing sites, houses, and grants for construction because they do not have proof of identification and the necessary personal documents. All felt they should be given larger parcels of land for housing and preferred that the houses be constructed by the government itself - as accessing construction funds from the government means facing red tape, massive documentation requirements, and rampant bribery. Tribal communities, on the other hand, urged that government construct the houses as per the local culture.

INDONESIA - **On land policy** - KPA reports recent developments in land legislation and related milestones in the country's land reform agenda. In January of 2014, **Law No. 6 of 2014 on Village Affairs** was passed, intended to address rural development problems, such as budget imbalances, inequality of natural resources management in rural areas, and inequality of infrastructure development.

Also undergoing deliberation is a new **Land Bill**, envisioned to operationalize certain provisions of the 1960 Basic Agrarian Law (BAL).

Further milestones reported were: i) the **Constitutional Court Decision on the Judicial Review of Peasant Protection and Empowerment Legislation** issued in November 2014,; ii) the successful **Civil Society Lawsuit on Law No. 18/2013 on Prevention**

³⁴ From *Scoping Study on Women's Land Rights in Cambodia 2013* by STAR Kampuchea. For more details of the case, contact: star-director@starkampuchea.org.kh.

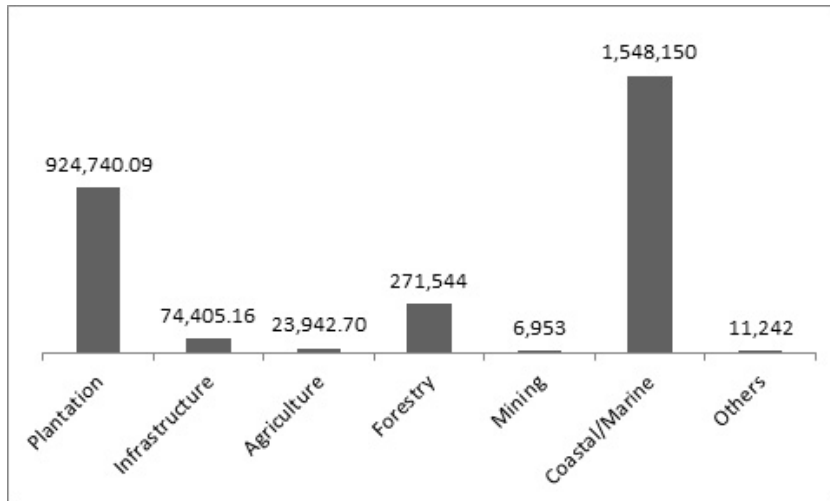


Figure 4. Agrarian conflicts coverage by sector, (KPA, 2014).

and Eradication of Deforestation; and iii) the *Joint Regulation on Procedures for Settlement of Land Tenure Inside Forest Areas* issued in October 2014.

On structural agrarian conflicts – A major portion of the KPA report is devoted to the presentation of the land conflict situation in Indonesia through a series of graphs and tables.³⁵ In terms of the *Number of Agrarian Conflicts* for 2014, the highest incidence is seen in the infrastructure sector (45.55%), followed by plantations (39.19%), then the remaining sectors. Compared to 2013, the total number of agrarian conflicts had escalated by 27.9%.

In terms of *Agrarian Conflicts Coverage* or the size of area affected by the recorded conflicts in 2014 (see Figure 4), the water and marine sector ranked highest (54.11%), with the plantation sector next (32.32%), then followed by the remaining sectors. The water and marine sector had the broadest coverage due to the

annexation of mineral and gas concessions on the Malaysia-Indonesia border, an escalation by 123% in coverage area for this sector compared to 2013.

Alarming, KPA notes that the total coverage area of agrarian conflicts continues to rise each year, with the steepest increase being from 2013 to 2014 (see Figure 5).

With regard to *Victims of Violence in Agrarian Conflicts*, the number is likewise increasing every year. For 2014, there were 19 killed, 17 shot, 110 injured through physical violence, and 256 arrested in the course of such conflicts. This level of violence shows that the Indonesian National Army and the Indonesian National Police have failed to provide security for the victims, as well as ensure the people's rights over their land and water resources. In fact, police and army involvement has

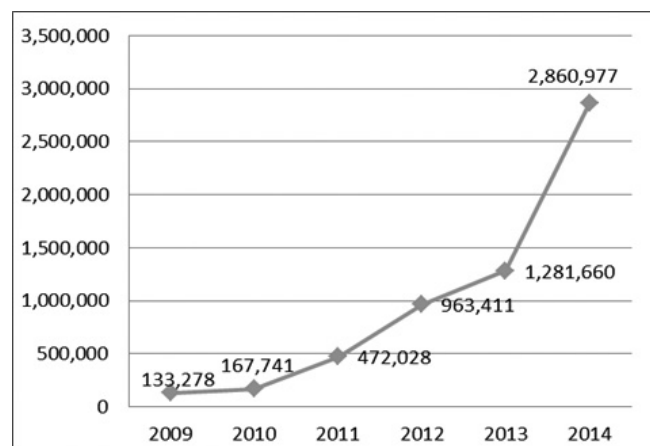



Figure 5. Chart 4. Escalation of agrarian conflicts by area covered, 2009-2014 (KPA, 2014).

³⁵ For all the graphs and tables, refer to the abridged report in the following section.



worsened the acts of intimidation and terror against villagers.

A related statistic is that of the **Actors of Violence in Agrarian Conflicts**. Within 2014, the number of cases dominated by police forces was 34, by villagers was 19, by corporation security was 12, by thugs was 6, and by the Indonesian National Army was 5.

Viewed by location, KPA's records of **Agrarian Conflicts' Incidence by Province** showed the 10 provinces with the highest incidence of agrarian conflicts in 2014. Riau had the greatest number of conflicts (11.02%) - pointing to the vast expansion of industrial forests and oil palm plantations there.. Next to Riau, all the provinces in Java had the highest incidence of agrarian conflicts - apparently due to the Javanese forest monopoly by Perhutani; the operations of PT Perkebunan Nusantara (PTPN), a state-owned plantation company and the largest sugar producer in Indonesia; and other expansion projects and infrastructure developments in those areas.

Finally, the data on **Agrarian Conflict Actors** showed that disputes over land and natural resources involved the following contending parties (ranked by incidence of conflicts arranged from highest to lowest): people against private corporations, people against central/regional government, people against people, people against state corporations, and people against the Indonesian National Army/Indonesian National Police.

In terms of the **primary cause of agrarian conflicts**, it was noted that

state and private corporation control and tenure over agrarian resources are a key factor. In the plantation sector, for instance, 26 agrarian conflicts were recorded of people vs. a state-owned plantation, and 85 conflicts of people against a private plantation corporation (majority in oil palm production). While in the infrastructure sector, it was recorded that 76 state corporations and 41 private corporations had caused agrarian conflicts.

NEPAL - Findings on input indicators

- CSRC reports that, in terms of the **national budget share for land reform activities**, only 0.55% of the national budget was allocated to the Ministry of Land Reform and Management for the period 2013/2014.

Looking into the situation of **women and land**, statistics from the Ministry of Agriculture (2012) show that only 19.71% of women own a meager piece of land, although they are the main producers or workers of agricultural land in Nepal.

With regard to **land cases filed**, the total number of cases filed at the District Land Revenue Offices in 2013/2014 was nearly 50,000 - not yet including those filed at Land Reform Offices which handle cases of tenancy rights and land ceilings. Before the Supreme Court, there were 4,666 land cases yet to be decided.

In terms of **land conflicts, harassment, and evictions**, the field reports from 13 out of 75 districts showed that, for the period of 2013/2014, 31 persons (*21 male and 10 female*) were detained due to land conflicts, and 5,969 (*3,099 male and 2,870 female*) were harassed.



The reports also indicated that a total of 1,624 cases were filed at government offices (472 cases from landowners and 1,152 cases from tillers). Out of those cases, 646 were investigated and 533 were adjudicated. Also in this period, 760 families were evicted and 40 households became totally homeless due to this eviction.

Findings on output indicators - Data presented by CSRC from the Ministry of Land Reform shows that the **number of landowners** in 2013/2014 increased by 5.04%, and the **number of plots of land** increased by 4.23%; while **total land revenue** increased by 17.18% within the same period.

In terms of a **land registration discount**, the Government of Nepal waived taxes to women, *Dalits*, martyrs' families, disabled and others, equivalent to 9.13% of the total revenue generated by Land Revenue Offices in the fiscal year 2013/2014.

Investments in agriculture by commercial banks have more than tripled comparing figures of the Nepal National Bank for 2009/10 and 2013/14. But as per media reports, these investments are largely concentrated in Kathmandu and other urban centers, thus benefitting the rich class and not the marginalized and rural people.

PAKISTAN - The report by SCOPE indicates that there has not been much change in the situation in Pakistan since the last report in 2013. Even so, it was able to gather and present the following findings on certain input and output indicators of the Land Reform Monitoring Framework.

Input indicators - For the year 2013-14, the Punjab government allocated approximately 10% of its **budget for agriculture**, while the three other provinces (Sindh, Khyber Pakhtunkhwa, and Baluchistan) allocated only a negligible proportion. In terms of R&D expenditure on agriculture, Pakistan spends only 0.21% of its agriculture GDP on agriculture R&D. To address this, a Ministry of National Food Security and Research was recently set up at the federal level to coordinate food production and R&D of food- and agriculture-related issues in the country.

With regard to **land policies**, a two-phase **National Land Use Plan** was implemented between 1998 and 2001, and included a procedure to establish GIS-based land administration systems (LAS). At present, all four provincial governments are implementing separate LAS in terms of automation and computerization of land records.

In terms of **women's access to land**, ownership and transfer of property are gender neutral within Pakistan's intricate combination of civil, Islamic, and customary laws. However, inheritance rights are subject to Muslim Sharia law. In 2008, the government redistributed 41,000 acres of state land to landless farmers - 2,845 women and 1,184 men. In 2012, the Khyber Pakhtunkhwa province passed a bill on Enforcement of Women Ownership Rights, making it a punishable offence to deprive women of owning property by any means including inheritance, gift, purchase, *mehr* (an Islamic form of dowry) or acquired by lawful means.



Looking at *foreign investment*, in 2009, the Government of Pakistan in its agriculture policy announced its plans to offer one million acres of land to private investors under its corporate agriculture farming (CAF) initiative, potentially to Saudi or UAE private investment companies.

Outcome Indicators

With regard to *land tenure*, the major land tenure types in Pakistan are: 1) ownership, 2) term lease, and 3) sharecropping. The last type, sharecropping, is common for land less than 30 ha—with roughly 67% of Pakistan's tenant-operated land under sharecropping in 2000, and 48% of sharecropper households falling below the national poverty line.

Land disputes, meanwhile, are the most common form of dispute filed with the formal court system, with around a million cases pending in various courts countrywide. The Human Rights Commission of Pakistan (HRCP) also documented several cases of murders as a result of land disputes. In a move to address this situation, mobile courts were recently introduced in KPK province.

With regard to *ownership and access to land*, data from the Pakistan Bureau of Statistics (PBS) shows that 'farm area by farm size' statistics have changed in the past five decades. However, large and very large farms (50 acres and above) still account for 35% of the total cultivated land in Pakistan. Between 2000 and 2010, there was an increase of 3% in farms 150 acres and above -

possibly due to accumulation of large plots of land by corporate investors.

In terms of *tenancy rights*, the Pakistani state does not have the capacity to intervene to regulate the terms of contracts between large landowners and tenants. The landlord and tenants' rights and responsibilities of agricultural land in rural Pakistan are predominately regulated by four Provincial Tenancy Acts: Punjab Tenancy Act, 1887; Sindh Tenancy Act, 1950; NFWP Tenancy Act; and Baluchistan Tenancy Ordinance, 1979.

Finally, statistics on *landlessness* indicate that between 20% and 40% (or even as high as 60%) of rural households in Pakistan are landless or near-landless. Access to agricultural land is decreasing, forcing them to either lease or sharecrop land when they can or to work as laborers on and off farms.

PHILIPPINES - The monitoring report presented by ANGOCC cites a Global Witness study conducted in 2012 which found that the Philippines is one of the countries with the highest reports of killings from 2002-2011. In an extension of this study, covering 2012-2013, the Philippines ranked third among countries with the highest number of deaths among land and environment defenders (Global Witness, 2014).

The prevalence of land conflicts in the Philippines is also borne out by data from the Commission on Human Rights (CHR) and the Department of Agrarian Reform (DAR). In 2014 alone, a total of 77 cases of agrarian/land-

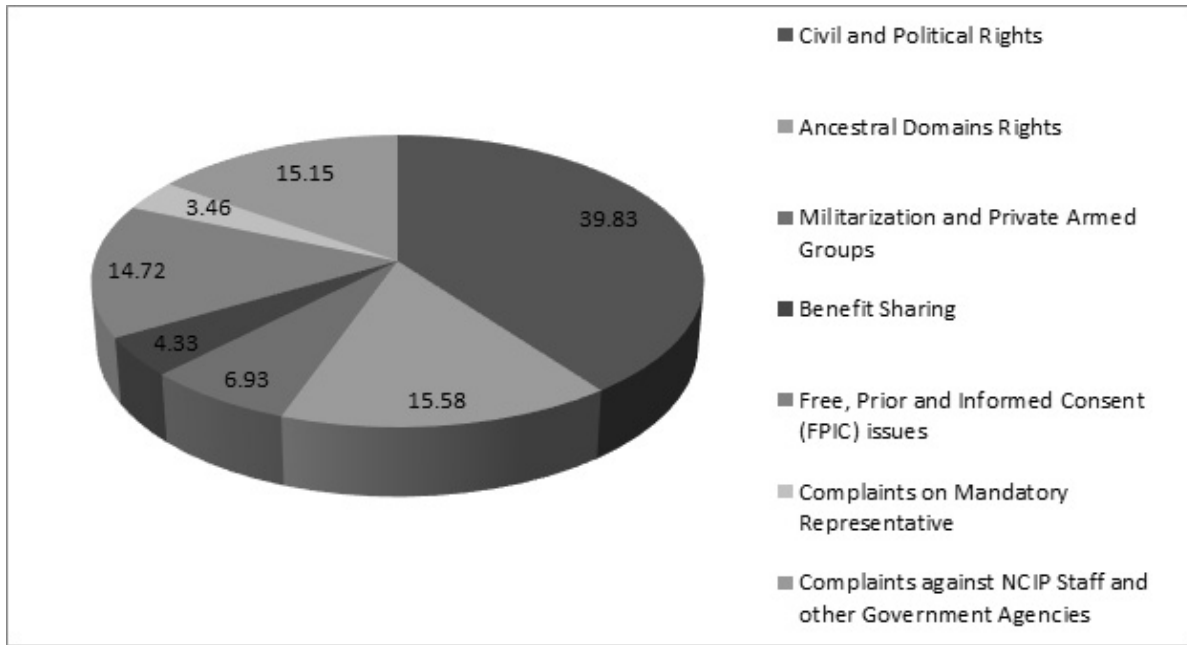


Figure 6. Indigenous People’s Rights Violations Complaints Per Cluster (2009-2012).

Source: “Indigenous Peoples Rights in Practice and Quick Response for IP Rights Violations: A Human Rights Report of the 5th NCIP-CEB” (2012)

related conflicts were recorded by the CHR (CHR, 2015). While, on average, DAR has processed and resolved 51,127 agrarian law implementation cases every year in the last five years; represented 1,642 and 16,568 ARBs in judicial courts and quasi-judicial courts, respectively, since 2011; mediated and reconciled 47,870 agrarian disputes via alternative strategies since 2012; and settled 21,060 cases through the DAR Adjudication Board.

The Philippines monitoring report also includes **five actual narratives of the experiences of farmers and agrarian reform beneficiaries.**

With regard to **violations of land rights of indigenous communities**, the report presents data from the National Commission on Indigenous Peoples (NCIP) showing seven clusters of IP rights violations (IPRVs) from

2009 - 2012 (as shown in Figure 6). The most prevalent IPRVs were those involving: (1) civil and political rights (extra-judicial killings, enforced disappearances, tortures, murders and homicides); (2) ancestral domain rights (encroachments, displacement due to conflicts with settlers, development activities, demolitions, and rights to clean environment); (3) militarization and private armed groups (displacement and/or harassment due to operations of the military, paramilitary groups and private armed groups); and (4) benefit sharing (unfair distribution and misappropriation of royalties, mis-implementation of agreements, and misunderstandings of MOAs). Notice that the second most prevalent complaints recorded by NCIP IPRVs are those related to ancestral domain rights.

The monitoring report further presents

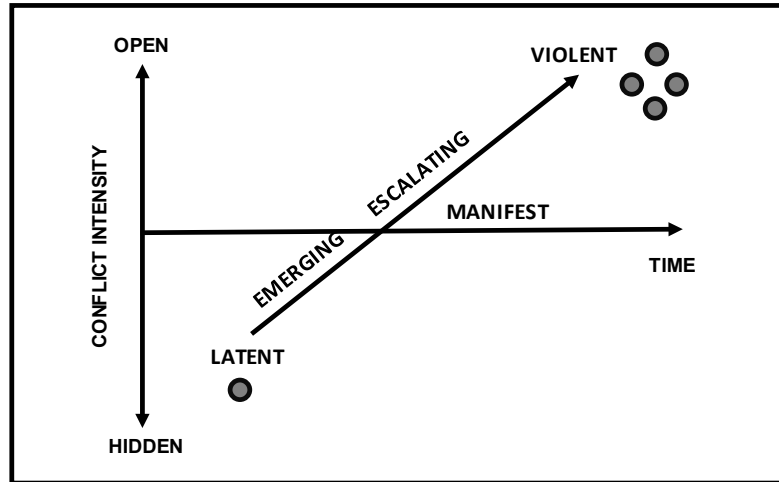


Figure 7. Intensity of conflicts involving agrarian lands.

Source: Engel and Korf (2005)

documented **case studies of conflicts involving ancestral domain lands**.³⁶

With regard to **resource conflict involving municipal waters**, the report cites data that the Bureau of Fisheries and Aquatic Resources (BFAR) rendered 120 legal and advisory services under the fisheries and aquatic resources regulation services in 2014; while the Law Enforcement Quick Response Team (LE-QRT) enumerated the number of maritime incidents and issues involving commercial fishing vessels per region in 2014 (poaching, illegal fishing, and commercial fishing vessels violating RA 8550 or the Philippine Fisheries Code).

The report also related an instance of Illegal, Unregulated and Unreported (IUU) Fishing in the Philippines in 2014, which has led to the amendment of the Philippine Fisheries Code to improve

the country's legal and monitoring system concerning aquatic resources.

Analysis of Conflicts

Finally, the report presented a detailed analysis of the different types of conflicts based on their **nature** (actors involved, causes, and results) and their **intensity** (latent, manifest, violent). This analysis is graphically presented in the Philippines monitoring report³⁷ - with one sample graph shown (see Figure 7). And the details are summarized in table 4 (see Philippines section).

The following table summarizes the major findings of the seven country reports:

³⁶ For the complete case study summaries, please refer to the full Report at <http://www.angoc.org/portal/>.

³⁷ For the full Philippine Land Monitoring Report, visit the ANGOC portal at <http://www.angoc.org/portal/>.

Table 4. Summary of findings.

Main Indicators Used	Findings
Land Laws, Policies	<p>In Cambodia, land registration mechanisms have been proven ineffective in minimizing land conflicts: the Social Land Concessions did not bring the expected benefits because real implementation was rarely seen; the Communal Land Titling is time consuming, complicated and costly, thus hindering many communities from obtaining communal land titles; Directive 01 launched by RGC, intensified the already contentious area of land use especially for indigenous communities.</p> <p>In 2012, the congress of India finalized the draft of the Homestead Act, and the Rural Homestead Rights bill was drafted. Recently, in 2014/2015 a new land ordinance overtook the homestead act and the rural rights bill.</p> <p>In Indonesia, Law No. 6 of 2014 on Village Affairs was passed after seven years of debate; a new Land Bill is being lobbied by Indonesian Parliament and Government to substitute the 1960 Basic Agrarian Law (BAL); the Indonesian government court had granted a judicial review of Law No. 19/2013 on Peasant Protection and Empowerment (<i>Perlintan</i>) marking the victory of the civil society movement in the fight for peasant constitutional rights; another success for CSOs in Indonesia is the lawsuit filed against the Law No. 18/2013 on Prevention and Eradication of Deforestation; on October 17, 2014, a joint regulation was issued by the Ministry of Domestic Affairs, the Ministry of Public Works, and the Head of the National Land Agency on Procedures of Land Tenure Settlement Inside Forest Areas.</p> <p>At present, the 4 provincial governments included in the study of Pakistan (Punjab, Sindh, hyber Pakhtunkhwa, Baluchistan) are implementing separate land administration systems (LAS) in terms of automation and computerization of land records.</p> <p>In the Philippines, RA 10654, which amends RA 8550 or the Philippine Fisheries Code, was passed into law on February 2015, a successful effort in combatting Illegal, Unregulated and Unreported (IUU) fishing practices. Moreover, the National Land Use Act (NLUA) has been re-filed after failure of passage in the last Congress. To date, NLUA has passed the Lower House and is now being lobbied for first reading in the Upper House (Senate).</p>



<p>Public Expenditures</p>	<p>In Nepal, there was a 37% increase in the budget allocated for the Ministry of Land Reform and Management for the period 2013/2014. However, the increase has been initiated for administration costs and not for new policies and programs.</p> <p>In Punjab province in Pakistan, the government allocated 10% of its budget to agriculture, while other provinces, Sindh, Khyber Pakhtunkhwa, Baluchistan, allocated a negligible proportion.</p>
<p>Land Tenure</p>	
<p>❖ Land Disputes</p>	<p>In Bangladesh, through the land reform development index, it was found that the state of land reform slightly improved from 0.225 in 2011 to 0.221 in 2013, where the attainment of the value 1 is the best land reform environment.</p> <p>In Cambodia, land conflicts and land grabbing are still occurring, both where formal land titles are not yet available for incumbent landholders, and even where villagers have received land titles and IP communities have received communal land titles (CLTs).</p> <p>In Indonesia, it was found that at least 472 agrarian conflicts occurred in 2014 involving a total of 2,860,977.07 hectares of land and affected at least 105,887 households. Specifically, agrarian conflicts per sector stressed on infrastructure development with at least 215 cases (45.55%), followed by plantations with 185 cases (39.19%). The area of land covered by agrarian conflicts is also escalating, where in 2009 only 133,278 hectares are covered.</p> <p>Furthermore, KPA records show that for the last 10 years (2004-2014), there have been 1,520 agrarian conflicts on 6,541,951,000 ha of land, involving 977,103 households. This translates to an average of 2 agrarian conflicts, involving 1,792 hectares of people's land grabbed, affecting 267 households per day.</p> <p>The number of victims of violence related to agrarian conflicts is also increasing every year, specifically the use of arrests in dealing with agrarian conflicts. For the last 10 years, a total of 85 people have been killed, 110 shot, 633 wounded from physical violence and 1,395 arrested in Indonesia.</p> <p>In 13 districts of Nepal, it was found that 31 persons were detained and 5,969 people (3,099 male and 2,870 female) were harassed; while a total of 1,624 (472 cases from landowners</p>



	<p>and 1,152 cases from tillers) were filed at government offices, from which only 646 were investigated and 533 were adjudicated in the period 2013/2014.</p> <p>In Pakistan, around a million cases are still pending in various courts countrywide, including several cases of murders. A recent development in KPK province was the introduction of mobile courts. Recently, a mobile court decided 31 cases where 8 cases were land disputes and some had been in courts for the past 10 years.</p> <p>In the Philippines, it was found that the Commission on Human Rights recorded 77 cases of agrarian/land related conflicts in 2014; the Department of Agrarian Reform processes and resolves an average of 51,127 cases per year for the last 5 years (2010-2014); conflicts involving agrarian lands are caused by (1) varying interests in the use and management of agrarian lands, and (2) institutional failure (misunderstandings or mis-implementation of agreements), resulting to (1) land use conversion, (2) land grabbing, (3) displacement of farmers and communities, and (4) human rights violations, with some cases reaching a violent stage.</p>
❖ Evictions	<p>In Nepal, 760 families were evicted, from which 40 households became totally homeless, from their lands in 2013/2014.</p> <p>In the Philippines, the Commission on Human Rights has recorded a total of 8 cases of eviction and forced eviction in 2014.</p>
Access to Land	
❖ Ownership	<p>In Cambodia, 50% of the land is suitable for agriculture; however Cambodian peasants occupy only about 3 million ha of arable land, while companies and small groups of wealthy landholders control more than 4 million ha.</p> <p>In Nepal, the number of landowners increased from 9,276,012 to 9,743,944 or by 467,932 (5.04%); and the plots of land increased from 27,389,012 to 28,549, 358 or by 1,160,346 (4.23%)</p> <p>In Pakistan, there is an increase in the number of very small and small farms, while medium farms are decreasing. Surprisingly, the number of large and very large farms is falling but at a very slow pace. The data from the Pakistan Bureau of Statistics (PBS) shows that approximately 5% of agricultural farms are spread over 36% of Pakistan’s cultivable land, showing a highly unequal land ownership. Large and very large farms still account for 35% of the total cultivated land in Pakistan.</p>



<p>❖ Tenancy Rights</p>	<p>The major land tenure types in Pakistan are ownership, term lease, and sharecropping—with roughly 67% of Pakistan’s tenant operated land under sharecropping in 2000, and 48% of sharecropper households falling below the national poverty line.</p>
<p>❖ Landlessness</p>	<p>In India, there exists policies for distributing land, but some people remain homeless because of insufficient transfer attributed to unavailability of land, albeit the government is able to allocate lands for infrastructural development and industrialization. It is in this regard that having the Homestead Rights Act is important to regulate the states into providing homestead lands for India’s homeless.</p> <p>In Pakistan, it is estimated that between 20% and 40% of rural households in Pakistan are landless or near landless and access to agricultural land is decreasing, forcing them to either lease or sharecrop land when they can, or work as laborers on and off farms. The GINI coefficient in Pakistan in 2000- including landless households- was 0.86 (World Bank, 2007).</p>
<p>Indigenous Peoples and Land</p>	<p>In Nepal, the government waived a total of Rs 765, 549,271 taxes to women, Dalits, martyrs’ families, disabled people and others, which is 9.13% of the total revenue generated by Land Revenue Offices in the fiscal year of 2013/2014.</p> <p>In the Philippines, the NCIP recorded cases of IP rights violations from 2009-2012 including (1) civil and political rights (extra-judicial killings, enforced disappearances, tortures, murders and homicides); (2) ancestral domain rights (encroachments, displacement due to conflicts with settlers, development activities, demolitions, and rights to clean environment); (3) militarization and private armed groups; and (4) benefit sharing. It was also found that conflicts involving ancestral domains are often caused by (1) varying interests in the use and management of ancestral domains, (2) relative power of the conflict actors, (3) institutional failure, and (4) non-inclusive natural resource management, resulting to land conversion of settlements, farms, and conservation areas of indigenous communities, and where conflicts are in the manifest stage, with some reaching the violent stage.</p>



<p>Women and Land</p>	<p>In Nepal, it was found that only 19.71% of women own a meager piece of land although they are the main producers or workers of agricultural land, there are still about 80% of women deprived of land rights.</p> <p>In 2012, Pakistan’s Khyber Pakhtunkhwa province passed a bill on Enforcement of Women Ownership Rights, which makes it a punishable offense to deprive women of owning property by any means including inheritance, gift, purchase, <i>mehr</i>, or acquired by lawful means.</p>
<p>Other Indicators</p>	<p>In the Philippines, it was found that conflicts involving municipal waters are caused by (1) varying interests among municipal fishers, commercial fishers, aquaculture owners and resort developers in the use and management of marine resources; (2) relative power of the conflict actors; and (3) institutional failure, with some conflicts reaching the manifest stage.</p>

Recommendations and Conclusions

Integrating the inputs and “ways forward” put forth by all seven of the LWA member- organizations, they address the following key action areas:

Policy Proposals

By far the most significant policy proposal that the members agreed to was that of lobbying for international agreements - to be echoed by national laws - recognizing the right to land as a basic human right.

Other recommendations on land policy were understandably country-specific, given the different realities in each country and the varying degrees to which land reform is actually being implemented. Thus, there were calls for budget allocations for certain land issues, blocking of unjust land

practices and abuses, legal recognition of some groups, issuance of titles or certificates to other groups, or the creation of needed bodies or establishing lacking systems.

Among all these, however, there was a fundamental view that land policies need to recognize and reflect the specific realities of marginalized groups such as small farmers and fisherfolk, women, indigenous communities, religious minorities and caste members. Further, an expanded view of “land reform” policy emerged to include related areas and resources, such as the inland waters and the marine and coastal areas which are home and livelihood for other communities in each country.



Enhancing the Monitoring Effort

A recurring call is for concrete steps towards accurate, reliable, and disaggregated data-gathering and recording systems by the government (national, provincial, community), civil society groups, and the academe on the various aspects of land issues in each country. Without these, the indicators set forth in the LWA Land Reform Monitoring Framework cannot be realistically assessed. (Note: The actual enhancements made in the LRM Framework may be seen in the previous chapter).

Beyond statistics-tracking, another aspect of monitoring was the need to be vigilant of national laws, provincial and even local policies on land that remain commendable on paper, but are mis-implemented or not implemented at all in reality. This includes raising legitimate complaints, lobbying efforts, representation in policy-making bodies, protest actions and even media exposure when necessary.

Building Capacity

All country-partners were candid in admitting that much re-training and equipping is still needed for the NGO research staff. Also to be bolstered is the “capacity collaboration” taking place as community members are enabled to concretize their traditional knowledge of their customary lands with the use of today’s mapping technology – providing an invaluable support tool for CSO advocacy and for policy making. Linkaging with academic and research institutions should likewise be continued.

Making Structural Changes

Also strongly urged was the design and establishment of land-related procedures (from registration to dispute resolution) that are simple, understandable, accessible both by location and by cost, transparent, and corruption-free for the sake of those most in need of such services – the poor and marginalized, who are often under-educated or even illiterate.

Engaging Fellow Stakeholders

Often mentioned as well was the advantage of establishing open communication lines and good working relationships with all stakeholders in the land reform scenario – community members and leaders, partners in the CSO field, government officials and policymakers at all levels, international agencies and donors, the private sector (including those corporations and investors involved in land disputes), the armed forces and law enforcement groups, the academe and the media. Greater and genuine community participation and consultation were likewise repeatedly urged.

Harnessing Media

In support of the land monitoring effort, it was urged that attention be given to print and broadcast media as another means of culling land-related information and accounts that the official statistics may overlook or ignore. Further, the strengths of media were pointed out – both traditional, like radio which can raise awareness on land issues among grassroots communities, as well as social media which serves as a powerful advocacy tool on the national and even international level.



BANGLADESH - The ALRD monitoring report concluded with **possible new variables and indicators to be included in the Land Reform Monitoring Framework**. Most of these were specifically for the Bangladesh context regarding grabbing of land and forests of the indigenous peoples, religious minorities and other marginalized peoples; acquisition of *khas* land by state agencies for non-agricultural purposes; and monitoring the implementation status of such laws and policies as the Vested Property Return Act, the Chittagong Hill Tracts (CHT) Accord, and other land-related acts and policies.

The report also put forth **recommendations on land reform development in Bangladesh and the ongoing implementation of the LWA Land Reform Monitoring Framework**. On the macro level, these focused on enhancing the Land Reform Development Index (LRDI) and the monitoring scheme and tools with land-rights based NGOs working in the real field, and sharing the outcomes with government, the academe and civil society. On the micro level, the recommendations focused on the fight to stop land grabbing and forced evictions; the distribution of undistributive *khas* land to the eligible poor, marginalized, and women; provision of an Alternative Dispute Resolution (ADR) mechanism involving land rights-related NGOs and civil society; and issuance of legal deeds for all sharecroppers to ensure their tenancy right.


CAMBODIA - The STAR Kampuchea report concluded with proposed policy options for future consideration. These

were addressed to all sectors involved, from the government to development partners, to NGOs, to local communities and to indigenous people groups. All the recommendations had the ultimate objective of improving and safeguarding land tenure and security of the people through efficient, speedy, accessible and convenient land registration mechanisms.

However, the process of each mechanism should include far more participation from local communities and authorities who have a better understanding of local geography and the social context of the land to be registered. Greater transparency is also required on the part of all individuals, companies and their government representatives registering land, particularly ELCs. Support of the national line ministries for the rule of law is sought in order to bolster the confidence of the general population in land management and titling and, in turn, create an environment for greater security of tenure for land in Cambodia.

INDIA - Faced with the conditions of landlessness and homelessness revealed in its study, Ekta Parishad put forth a straightforward recommendation -- the formulation and enactment of a Homestead Rights Act that it sees as vital to regulate the individual states into providing homestead land for India's homeless.

NDONESIA - KPA closes its monitoring report with three key areas in which it will further its land reform advocacy in Indonesia. First, it shall continue to



document structural agrarian conflicts as reported by its regional members, as well as those cases reported in mass media. Second, in collaboration with its legal aid team, KPA shall organize media briefings on the reported cases to increase public awareness on the impact of such land conflicts, and shall also formally submit such cases to the National Parliament and National Commission on Human Rights. Finally, KPA shall continue to monitor any land-related laws and regulations that are under deliberation or have been endorsed to Parliament. It shall likewise continue to form alliances with fellow advocates to strengthen its position against any such laws or regulations that undermine the land reform efforts, as it will also hold public discussions on the draft Land Bill.

NEPAL - CSRC admits that the Government of Nepal currently has no mechanism for independent monitoring and evaluation of land reform in the country. Yet, some positive steps have been taken. The government continues to waive taxes for women by 25% in urban areas, by 30% in hill areas, and by 40% in remote areas. It has also drafted an Agriculture Development Strategy and shared it to the general public for discussion, while the Ministry of Land Reform and Management plans to develop a digital data base of land plots and land owners.

Recommendations put forth in CSRC's report urge the *Government/Ministry of Land Reform and Management* to (among others): form an independent land monitoring committee; earmark

a budget for independent land reform monitoring; invest the total revenue generated from the land revenue or land reform offices; and support the land reform program from the village and municipal levels. **CSOs** are likewise urged to (among others): form a common platform among all the CSOs working on land reform issues, particularly the development of a CSO monitoring mechanism; generate evidence-based cases to support the policy formulation process; and coordinate with other stakeholders for policy development and implementation. Finally, it is recommended that the **Land Rights Movement** mobilize its members for land reform from below to pressure political parties and stakeholders to support land reform at different levels.

PAKISTAN - SCOPE sees the CSO land monitoring initiative as a step in the right direction in the Pakistani context where land ownership is unequal and skewed. The failure to implement land reform effectively has caused severe concentration of land in the hands of a small proportion of big landlords; while women, religious minorities, and indigenous groups are further disadvantaged.

However, the report points to the government's ill-planned Corporate Agriculture Farming (CAF) policy as an even more worrying development. By inviting commercial entities to acquire agricultural land in Pakistan, this policy seriously threatens the survival and food security of local inhabitants.

PHILIPPINES - The Philippines monitoring report concludes with a strong statement regarding a more fundamental view of land rights.



Although international human rights instruments do not necessarily include a **human right to land** (except for indigenous people's right to land and territory), security of access to and control over land and its resources is a key to people's survival. Thus, conflicts over access to and control over land are also a human rights issue.

It puts forth recommendations for CSOs: (i) to document and effectively use land-conflict data to muster public support, (ii) to reframe the land monitoring process in the light of a rights-based approach, and (iii) to enhance the capacities of farmers and IPs to evaluate business contracts presented to them.

At the same time, it urges the government: (i) to officially recognize land rights as basic human rights, (ii) to practice responsible land governance through proper enforcement of Free Prior and Informed Consent (FPIC) and Social and Environmental Impact Assessment (SEIA) not only for Economic Land Concessions (ELCs) but for all forms of land takeover, (iii) to establish monitoring systems and dispute resolution mechanisms in collaboration with the Commission on Human Rights (CHR) and all government agencies with a land-governance mandate and support one another in institutional building in line with a rights-based approach, and (iv) to institute accessible and affordable mechanisms at the local level for lodging of complaints and for dispute and conflict resolution—including traditional dispute management mechanisms in the communities.

Recommendations Concerning Land Rights of IPs and Women

As indigenous peoples' customary rights to land and territories are not legally recognized by states, they face increasing external pressures and further marginalization by in-migration of settlers, expansion of commercial agriculture and forestry, extractive industries, and the expropriation of lands for development projects and tourism.

Likewise, it is evident that women in Asia generally do not benefit as they should from the land that they till just as much as – perhaps even more than – the men. This is due mainly to a pervasive patriarchal culture that prevails not just in social norms but also in the legal framework that governs rights to land.

Thus, in terms of indigenous peoples and women, the following recommendations, as summarized from the scoping papers prepared by the LWA campaign, are put forward:

For Indigenous Peoples and Land³⁸

Governments to recognize the rights of indigenous peoples in line with international human rights norms and state obligations.

- States to provide legal recognition and protection for the land rights of indigenous peoples.
- Governments to strengthen the principle and practice of free,

³⁸ Condensed from the Issue Briefing Paper on *The Customary Land Rights of Indigenous Peoples in Asia*, by Antonio B. Quizon.



prior and informed consent (FPIC) before the entry of development activities in the domains of indigenous peoples.

- Governments to recognize and promote the concept and practices of indigenous and community conserved areas (ICCAs), defined as “natural and/or modified ecosystems containing significant biodiversity values, ecological services and cultural values, voluntarily conserved by indigenous peoples and local communities.”
- Governments, in collaboration with civil society and IP communities themselves, to strengthen disaggregated data on indigenous peoples to protect the rights of indigenous peoples, including their indigenous knowledge and customary lands and domains.
- States and local governments to establish, together with indigenous peoples, impartial commissions of inquiry and systems of redress for human rights violations.
- Governments to cease removal of indigenous peoples from their ancestral lands, and institute restitution and recovery of customary lands to address injustices against them.
- The private sector to establish the accountability of private corporations in upholding human rights - beyond mere corporate social responsibility as “good public relations.”
- Regional associations such as ASEAN and SAARC to undertake programs on indigenous people’s rights.
- CSOs, IP organizations and networks from different countries to learn from each other on policy development, as well as share experiences and best practices on such aspects as participatory mapping and resource inventories, conflict management and resolution, recognition of customary rights and paralegal training.
- CSOs, IP organizations and networks from different countries to learn from specific country experiences, such as the Philippines’ Indigenous Peoples Rights Act (IPRA), the proposed law on *Masyarakat Hukum Adat* in Indonesia, and India’s Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act of 2006. The broader community of CSOs to dialogue and build their common capacity to provide support to indigenous peoples communities and organizations.
- Asian states to work for more holistic reforms on land and resource governance that, through addressing the issues of indigenous peoples, will open a gateway to address some of the fundamental and common challenges in the region (e.g. how to promote accountable, equitable, participatory and sustainable development that benefit the people and safeguard the rights of its people).



For Women and Land³⁹

- All to challenge the culture of patriarchy by critically examining assumptions and expectations about gender roles - and asserting rights and entitlements of women, as provided for in international conventions, national laws, and human rights declarations.
- Governments and citizens alike to advocate for gender-sensitive and pro-women laws that not only recognize but also promote women's rights, especially in land.
- Women to learn more about land laws and policies, as well as the wider spectrum of rights, and their concomitant entitlements for women; a higher proportion of women to be included in all branches of government to ensure women's needs are addressed; and programs that specifically cater to women to also be developed as concrete and affirmative action.
- Land reform advocates to consistently monitor progress in realizing women's land rights (e.g., Land Watch Asia's land reform monitoring framework pushes for disaggregated data and more research highlighting the differential impact on women; the Gender Evaluation Criteria (GEC) produced by the Global Land Tool Network (GLTN) partners assesses whether land tools are indeed gender-sensitive).

- Land-rights advocacies to bring more attention to the plight of women in agriculture, to be able to conceive of necessary interventions to assist them; and also to report success stories of women's achievements when they come together, in order to replicate good practices.⁴⁰
- Asian societies to attain gender mainstreaming, where women are always included and thoughtfully considered - rather than merely mentioned for compliance's sake - in policies, programs, and plans.

"WAYS FORWARD"


In the light of developing land realities across the region and the collective experience of the past five years of the CSO Land Reform Monitoring Initiative, Land Watch Asia (LWA) has had to rethink its strategies and map out new approaches. Thus, LWA shall undertake the following policy and programmatic work in the coming years.

Advance Smallholder Agriculture and Local Food Industries

With the increasing demand for food, growing rural unemployment and risk of disasters due to the changing

³⁹ Condensed from the Issue Brief on *Women's Land Rights in Asia*, by Liamzon C.; Arevalo, A.; and Naungayan, M.

⁴⁰ Chitrakar, J. (2010). Major challenges to women's access to control of land. In ANGOC, ALRD, and ILC. (2013). *Asian Regional workshop on women and land rights: workshop proceedings*. 25-26 October 2010. Dhaka, (pp. 9-10). Quezon City: ANGOC, ALRD, and ILC.



climate, LWA will lobby governments and regional intergovernmental organizations to invest more in smallholder agriculture and the development of local food industries (e.g., more organized production for smallholders to attain economy of scale, effective participation in the value chain and a good understanding of financial transactions). Further, land advocates will work on providing legal support to market contracts, enhancing capacities of rural communities on financial management and monitoring global agricultural investments.

Broaden the Land Right Movement

LWA shall link with various human rights coalitions to strengthen the movement and enhance their effectiveness, and will likewise partner with the academe in reframing land monitoring towards a rights-based approach and in enhancing capacities of rights defenders.

Strengthen Land Governance

LWA will continue and strengthen its work on the enactment of land laws, effective implementation of existing policies, ensuring transparency of information, and timely resolution of land conflicts. ■