Framework and Methodology of the
2020 Land Conflict Monitoring Initiative[1]

Background of the Initiative

Land as a valuable and limited resource continues to be the source of many conflicts. At the surface, these conflicts are borne out of competing interests. While for some, land is key to securing wealth, for many including the rural poor, land is a vital part of individual and community survival. States play a key role in deciding who controls and benefits from land and other natural resources. In numerous occasions, State decisions have led to capital-driven utilization of land and resources that led to economic gain for a few but left many in poverty.

At its roots, land conflicts occur due to complex issues such as enduring historical injustices, misappropriation of resources, faulty or weak reforms, overlaps in tenure systems, and even a general disregard for the rights of vulnerable sectors.[2]

The presence of land conflicts indicate that something is amiss with land governance – they present clues to unjust access to, control over, or ownership of land and resources. Land conflicts also result in loss of livelihoods, violations of human rights, loss of lives, and should thus signal urgency for government and other stakeholders to act.

The growth of land conflicts in number, coverage, and intensity in recent years have prompted civil society organizations (CSOs) to investigate them further.

In this context, partner CSOs of the Land Watch Asia (LWA) campaign from Bangladesh, Cambodia, India, Indonesia, Nepal, and the Philippines, formed the Working Group on Land Rights as Human Rights[3] (LWA WG LRHR) in 2018, and produced land conflict monitoring reports covering the six countries, using methodologies that were most convenient for each country.[4] This effort was inspired by the experiences of the Konsorsium Pembaruan Agraria (KPA) or the Consortium for Agrarian Reform[5] in monitoring land

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[1]   Written by Denise Hyacinth Joy Musni in behalf of the LWA WG LRHR and the Asian NGO Coalition for Agrarian Reform and Rural Development.

[2]   See: Quizon, A. (2018). **A Perspective Overview of Land Conflicts in Six Asian Countries.** *In Defense of Land Rights*: *a monitoring report of land conflicts in six Asian countries.* (pp. 10-45). ANGOC.

[3]   The overall goal of the LWA WG LRHR is to have *right to land* recognized as a human right as land rights organizations and communities become part of the regional and country dialogues in at least six Asian countries. The Working Group is composed of 10 CSOs in Bangladesh, Cambodia, India, Indonesia, Nepal, and the Philippines.

[4]   The 2018 report may be downloaded through this link: https://angoc.org/wp-content/uploads/2019/02/In_Defense_of_Land_Rights.pdf

[5]   Also a member of the LWA WG LRHR.

conflicts and attacks against smallholders in Indonesia since 2003, in order to inform CSO campaigns on priority areas for agrarian reform. However, while the 2018 reports proved to be useful for painting a picture on land conflicts and their effects on communities and land rights defenders for informed advocacies, the use of different methodologies limited the scope for consolidation, comparison, and analysis of data at national and regional levels.

Thus in 2020, building on the work done in 2018 and learning from previous experiences, the LWA WG LRHR implemented a more systematic way to monitor land conflicts and their effects on individuals and communities. The 2020 Land Conflict Monitoring Initiative consists of six country and regional summary reports.
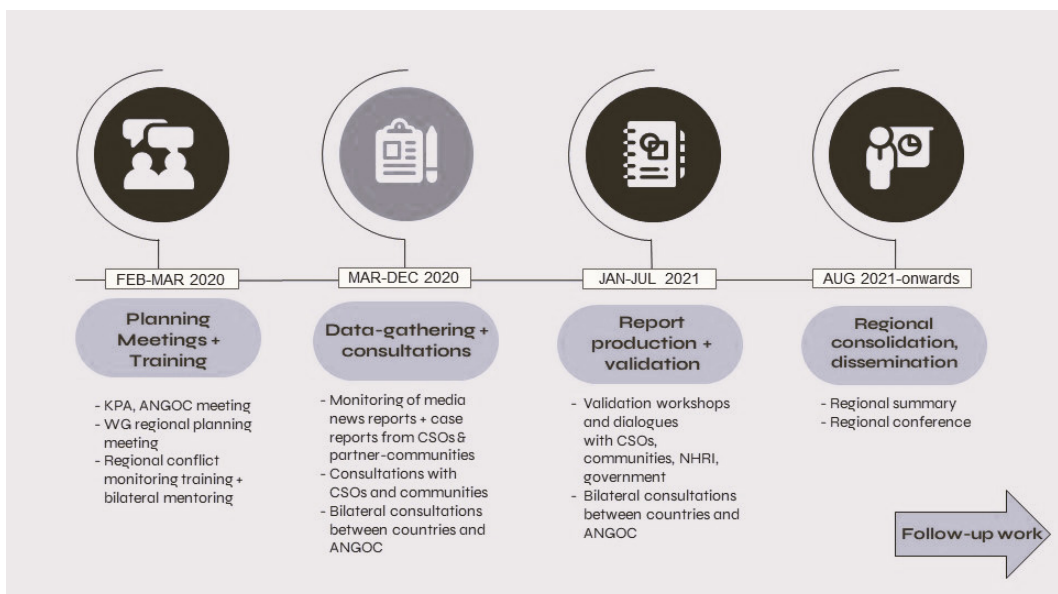
Objectives

The main objective of the 2020 Land Conflict Monitoring Initiative is to implement a *common yet flexible* system for collecting data and information on land conflicts. The specific objectives of the country and regional reports are as follows:

- To describe the *prevalence and types* of land and natural resource conflicts;
- To examine the *nature and causes* of land and resource conflicts and to discuss their *impacts and outcomes* on communities, as well as on land rights defenders; and,
- To draw up *recommendations* based on the study findings and consultations.

Overall Research Process

The overall research process is summarized in the graphic below.

Figure 1. Summary of the overall research process for the 2020 Land Conflict Monitoring Reports

In February 2020, ANGOC, in consultation with KPA, initiated the creation of tools and outlining of methods to be used for monitoring land conflicts in Bangladesh, Cambodia, India, Indonesia, Nepal, and the Philippines.

The objectives, outline, methodology, and tools were then discussed and finalized during the Regional Planning Meeting and Regional Training on Land Conflict Monitoring, conducted in Jakarta, Indonesia in March 2020. During the preparatory stage, LWA WG LRHR members also agreed on the focal organizations who will lead the implementation of the land conflict monitoring initiative within the six countries.[6] ANGOC then conducted several bilateral meetings with the focal organizations, for mentoring sessions on the use of the tools, to respond to concerns and queries from researchers, and to provide guidance on how to proceed with data gathering and interpretation.

The bulk of the data gathering occurred from March to December 2020. During these months, members of the LWA WG LRHR received and followed-up on conflict reports from communities, monitored mainstream news outlets and social media, and started to piece together the data to form initial analyses.

Country reports which incorporated the data gathered were drafted in early 2021. Findings and recommendations were presented to community-based organizations and civil society organizations for feedback, further analysis, and for refinement. In Indonesia, Nepal, and the Philippines, the studies were also presented during multi-stakeholder dialogues which involved government agencies and National Human Rights Institutions/ Commissions (NHRIs/NHRCs).

Data and analyses from the six countries were then compiled into a regional report which summarizes the main findings and key recommendations from the country papers. This regional report was validated with the LWA WG LRHR on 13 October 2021. Subsequently, it was further discussed during the thematic learning workshop organized by ANGOC in conjunction to the *Asia Land Forum* convened by the International Land Coalition – Asia last 27 October 2021, attended by around 70 individuals from local and international civil society organizations across Asia.

Implementing Methodologies that are Common but not Uniform

There are several key commonalities in methods implemented in the six countries, although focal organizations had also adjusted the methods based on feasibility given the restrictions brought on by the COVID-19 pandemic. Methods were also modified to suit focal organizations' capacities and country-specific objectives.

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[6] The focal organizations are: Community Development Association (CDA) – Bangladesh; STAR Kampuchea (SK) – Cambodia; Centre for Legislative Research and Advocacy (CLRA) – India; Konsorsium Pembaruan Agraria (KPA) – Indonesia; Community Self Reliance Centre (CSRC) – Nepal; and, ANGOC – Philippines.

Definitions

For the land conflict monitoring in 2020, LWA WG LRHR members agreed on operational definitions to standardize the scope of research and analysis of findings. Definitions used are mostly from official/international sources.

LWA WG LRHR members defined *land conflict* as "a situation wherein two or more stakeholders compete for control over land and/or resources, including decision-making and truth. Also called *structural conflicts* wherein the conflicts emanate from: a) loopholes and contradictions in law, b) difference in paradigms of competing tenure systems, and/or, c) weak enforcement of legal and customary tenure systems." From this definition, the monitoring initiative thus agreed that the scope of coverage could be so-called *structural conflicts* and that the conflicts to be observed may also include resources such as forests and waters.

Some key definitions applied in the country and regional reports are found in Box 1 below.

Box 1. Definitions of Some Terms Used

Land conflict. A situation wherein two or more stakeholders compete for control over land and/or resources, including decision-making and truth. Also called "structural conflicts" wherein the conflicts emanate from: a) loopholes and contradictions in law, b) difference in paradigms of competing tenure systems, and/or, c) weak enforcement of legal and customary tenure systems.

Case. A set of competitive relationships within a single or connected storyline/s and/or landscape/s.

Conflict relationship. A set of competitive interactions between two or more stakeholders that define a conflict.

Conflict incident. An event or string of events that indicate an ongoing conflict. All manifest conflicts have conflict incidents.

Land rights holder. A stakeholder whose rights to the land under contestation are held under law, tenure reform/s, or custom, and whose relationship to the land is inherent to their survival and identity.

Land rights defender. Stakeholders who may be land rights holders or support groups assisting land rights holders to defend their land rights.

Aggressor (also sometimes referred to as Duty Bearer). A stakeholder whose claim over land under contestation is not inherent to their survival and identity.

Scope

The monitoring covered *structural land conflicts* in rural areas, although the team from the Philippines also covered some peri-urban and urban conflicts. Common conflict information collected may be classified under the following:

a)   Information about the *case* or the basic components of the conflict's storyline – ex. type of land/resource contested, size of contested area, location;

b)   Information about the *relationships* or the stakeholders involved in a land conflict and their actions – ex. affected communities, aggressors; and,

c)   Information about *incidents* or violent events that are markers for ongoing conflicts – ex. victims and perpetrators of violence, types of violence.

The occurrence of violent incidents are how most conflicts are brought to the attention of the media and/or the public. Therefore, most of the conflicts included in the monitoring are those that were recently *manifest* or had violent incidents in recent history.

There are also many *latent* conflicts covered in the monitoring. Latent conflicts do not have recent traces of violence but involve communities who are actively challenging the ownership or control of other actors, or who continue to face threats of dispossession or displacement due to the ongoing conflict. These conflicts also include instances wherein community discontentment remains even after the cases have been officially resolved.

Lastly, the monitoring also covers violence against *land rights defenders* who are not usually attached to just one specific case. These are incidents wherein land rights and environmental activists or members of organized groups are targeted for working with communities and/or for expressing opposition against projects or policies.

In terms of the time frame, the monitoring initiatives in each country covered one calendar year – from 1 January 2020 to 31 December 2020. This means that cases covered were ongoing (either *manifest* or *latent*) as of 1 January 2020, and incidents monitored occurred within the year.

Due to variations in approach to data gathering, some of the in-country monitoring reports covered conflicts at a national level, while others were more restricted to conflicts reported by immediate partner-communities (See Table 1).

Data Sources and Validation
Information on the cases and the attacks came from secondary sources.[7] Nearly 47 percent of all cases monitored by partners in Bangladesh, Cambodia, Nepal, and the Philippines were informed by mainstream media reports (print and digital media reports) while 21 percent came from civil society organizations. Other secondary sources include social media (10 percent) and professional organizations/academe (eight percent).

Meanwhile, six percent of cases reported by the four countries were informed by community reports. It must be noted that only Cambodia, Indonesia, and Nepal were able to reach partner-communities for this monitoring initiative. Other countries were heavily restricted by travel and gathering restrictions in place to contain the COVID-19 pandemic. Partners who relied on secondary data were encouraged to seek information from at least two independent sources for each case. However, in instances wherein having more than one source was not possible because of the dearth of available reports, the cases were still included in the database. In several instances, reports from CSOs were considered *validated* at the community-level. Organizations such as who were able to reach partner-communities, were able to validate information from the ground. KPA, for example, has

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[7] For each case, the *types of sources used* were recorded. For example, if information from a case came from two newspaper reports and three civil society reports, the case used **two** types of sources – mainstream media and NGO/CSO. There was a total of 624 types recorded for Bangladesh, Cambodia, Nepal, and the Philippines – the countries that used the common database.

long-implemented a system of collecting conflict reports from partner-communities, followed by on-ground field investigation.

Adopting a Community-based Perspective

The monitoring initiatives at the country and regional levels largely reflect the perspectives of communities of land rights holders. This decision to adopt the perspectives of communities is a conscious effort to highlight voices and narratives that are often overlooked. Although land and resources are inherent to the survival of land rights holders, in many instances, they are in a position of less power compared to aggressors. Consequently, the version of the "truth" that prevails echoes the views of aggressors.

Adopting this community-based perspective is vital when identifying who the aggressors in a conflict are and who allegedly perpetrates violence. Similarly, the monitoring takes on the views of land rights holders contesting State actions, in instances wherein rights defenders, activists, or community leaders are maliciously labeled (as rebels, communists, or terrorists) or are criminalized.

Storing and Analyzing Data

A common Excel template for the recording of information on *conflicts, conflict relationships, and conflict incidents* was used in Bangladesh, Cambodia, Nepal, and the Philippines.

This template incorporates the indicators used during 2018 country conflict monitoring studies and partly takes after the structure of the monitoring database being employed by KPA in Indonesia. The file also has built-in pivot tables to allow users to quickly run summaries, frequency tables, and cross tabulations to analyze the data.

ANGOC, in consultation with KPA, initiated the creation of the template. The Excel file, including the data fields and indicators, was then refined during the training on land conflict monitoring in Jakarta. Detailed guides on how to use the Excel template was produced by ANGOC and KPA. In a subsequent training course among the LWA WG LRHR members, the said template was finalized by ANGOC. Box 2 contains the fields of the common Excel template.

Box 2. Information that may be Logged Onto the Common Excel Template

> *Information on the case*
> - When the conflict started
> - Resolution date (if resolved in 2020)
> - Duration of the conflict
> - Land category as per actual use of communities
> - Total area contested
> - Location
> - Whether there was a problem with FPIC (for countries using this concept)
> - Number of households affected
> - Other remarks on the case (free text)
>
> *Information on the relationships*
> - Rightsholder/s involved
> - Aggressor/s or Duty-Bearer/s involved

- Conflict typology
- Response of community to the conflict
- Whether corrective action was taken by government, the company, or other parties

Information on the incidents

- Date of incident
- Name/s of victim/s (or identifier) - only to be recorded if consent was given by the victim/s
- Organization of victim/s
- Gender of victim/s
- Whether there was individual physical violence, and the specific type of violence
- Whether there was individual psychological violence, and the specific type of violence
- Whether there was individual economic violence, and the specific type of violence
- Whether there was individual political violence, and the specific type of violence
- Whether there was individual cultural violence, and the specific type of violence
- Other types of individual violence
- (Alleged) perpetrator/s of individual violence
- Whether there was community violence, and the specific type of violence
- Other types of community violence
- Whether there was ecological violence, and the specific type of violence
- Description of the effects of the ecological violence
- Number of households affected by the community/ecological violence
- (Alleged) perpetrators of community/ecological violence
- Sources of information
- Cause of conflict (free text)
- Brief description of the incident (free text)

Focal organizations were given the freedom to modify the template as necessary. As in the case of the Philippines, several columns were added to the database to aid researchers' analysis during the piloting phase.

To facilitate the consolidation at the regional level, the LWA WG LRHR members agreed to use a common outline for the country report. Further, common summary tables were also provided to standardize the presentation of data at the country level – Bangladesh, Cambodia, Nepal, and the Philippines utilized these templates as well.

Variances in Approach

The methods employed by each focal organization were *common but not uniform.* The different approaches to data gathering and reporting are reflected in the table below.

Significant methodological deviations were employed by the Indonesia and India teams. For Indonesia, KPA continued to use the methods and tools that they have initiated and have been continually refining since 2003. But since the indicators, common Excel template, and common table templates also incorporated elements from KPA's existing methods, it was still possible to integrate data from Indonesia into the regional summaries.

For India, Land Conflict Watch (LCW), a national network of journalists and researchers is already working on monitoring conflicts in all Indian states. Summaries from LCW's live database and particular information on the cases are published in their portal.[8] So as not to duplicate existing efforts, and due also to the travel and meeting limitations brought on by pandemic protocols, the focal point for India – CLRA analyzed LCW's existing data.

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[8] Their portal may be accessed at www.landconflictwatch.org

Figure 2. Snapshot of the Common Excel Template used by four countries

INFORMATION ON THE CASES WITH ONGOING CONFLICT

	A	B	C	D	E	F	G	H	I	J	K
	Case #	Start year (when the case started)	Resolution date (when the case was resolved)	Duration in years	Land use based on actual use of community	Other land use	Total area contested (hecatares)	Country	FPIC problem *only for countries using this concept*	# of households affected by the case	Remarks/ progress (other information not captured by the excel or case progress)
1	1										
2	2										
3	3										
4	4										
5	5										

INFORMATION ON RELATIONSHIPS

L	M	N	O	P	Q	R	S	T	U
								Corrective action	
Relationship #	Type of stakeholder 1 (Community)	Other type of stakeholder 1	Stakeholder 2	Other type of stakeholder 2	Conflict typology	Specific type of conflict (in country)	Response of community to conflict	Was corrective action taken by government, company, or the other party?	Describe corrective action taken by government, company, or other party

INFORMATION ON T...

V	W	X	Y	Z	AA	AB	AC	AD	AE	AF	AG	AH
					Individual Violence							
Incident #	Date of incident (date, month, year)	Name of Victim (or identifier)	Org of Victim	Gender of Victim	Individual physical violence	Individual psych. violence	Individual economic violence	Individual political violence	Individual cultural violence	Other violence	Perpetrator of individual violence	Other perpetrator of individual violence

...E INCIDENTS CAUSED BY CONFLICTS

AI	AJ	AK	AL	AM	AN	AO	AP	AQ	AR	AS	AT	AU
Community Violence	Other Community Violence	Ecological Violence	Describe the effects of Ecological Violence	Number of households affected by the violence	Perpetrator of violence	Other perpetrator of violence	Source 1 (type)	Source 2 (type)	Source 3 (type)	Description and/or links to sources	Cause of conflict	Brief description of the incident (WHAT, WHO, WHERE, WHEN, WHY, HOW), follow-ups, additional remarks

CLRA then provided more qualitative analyses of the trends and effects of land conflicts, using 36 cases selected from the LCW database.

Table 1. Variances in scope, data gathering and reporting approaches, by country

Country	Cases Covered	Main sources of data, approaches to data gathering and reporting
Bangladesh	35	Collected available information on conflicts from 36 mainstream media sources (online news portals and/or newspapers). Used the common Excel template and common summary tables to analyze and present data.
Cambodia	78	Gathered conflict cases from partner-communities and reports from mainstream media. Used the common Excel template and common summary tables to analyze and present data.
India	36	For the analysis in the report, CLRA selected 36 cases from Land Conflict Watch's (LCW) database. LCW is a network of researchers and journalists reporting on land conflicts across the country. As of 8 September 2021, there are 776 cases in LCW's public repository.
Indonesia	241	Collected reports of ongoing conflicts with violent incidents from national network of partner-communities. For continuity, KPA used their own methods and tools that they have employed since 2003.
Nepal	19	Gathered conflict cases from partner-communities (District Land Rights Forum) and used some secondary data. Used the common Excel template and common summary tables to analyze and present data.
Philippines	223	Collected reports of conflicts and attacks against smallholders from publicly accessible online sources, with some cases taken from CSO reports. Leads to several cases came from the 2018 land conflict monitoring database. Used the common Excel template and common summary tables to analyze and present data.

Limitations and Areas for Improvement

The land conflict monitoring exercise in 2020 was the first time that the LWA WG LRHR attempted to implement "standardized" methods for monitoring and analyzing conflicts. During this pilot phase, several limitations have been observed.

Many land conflicts are unreported or undocumented. The exhaustiveness of each country report varies, depending on references available, the skills of implementing partners, their resources, and networks. Compounding these limitations are additional barriers brought on by the COVID-19 pandemic. Recognizing these, the 2020 monitoring initiative does not claim to be a repository of *all* land conflicts. Rather, it attempts to present the ongoing trends based on readily available information.

The variances in approach to data gathering and reporting affect the number of land conflicts and incidents reported in each country. The regional consolidated data should therefore be seen with this limitation, as it does not provide the basis for a comparative analysis of the differences in scope of land conflicts across the six countries. Contextualization is a must – results should be interpreted with the country context and methods employed in mind.

There were also differences in the understanding of certain concepts used in monitoring. For example, information on *cultural violence* was collected, but as country researchers started to analyze the data, they found this indicator to be rather vague. In hindsight, this is a subject that might be better understood through more in-depth studies.

Finally, as the methods employed were *common but not uniform*, this thus begs the question: in complex cross-country monitoring efforts, how much flexibility in methods is acceptable in order to produce sound and comparable results?

Moving forward, the LWA WG LRHR recognized that this initiative must be sustained, while addressing some areas for improvement:

- Involved organizations must work closer together to refine the methods used. This action point includes the simplification of concepts and tools, to make their use and the analysis of data easier. This will consequently make the monitoring results more accessible to a wider audience.
- Country networks must also be expanded beyond present community and civil society partners, in order to broaden the scope of future monitoring initiatives rooted in community experiences.
- Civil society organizations must continue to improve both qualitative and quantitative research and analysis capacities.
- Finally, digital security in storing and transferring data must seriously be considered and improved, given the sensitive nature of conflicts and out of respect for these conflicts' victims. ◼