



# Securing Land Rights of Smallholder Farmers

*The Secure Access to Land and Resources (SALaR) Project Experience in Laos, the Philippines, and Uganda*



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**UN HABITAT**  
FOR A BETTER URBAN FUTURE



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# FOREWORD

Achieving tenure security for all is an important element of the human right to an adequate standard of living. It is also a stepping stone towards sustainable human development, as recognized both explicitly and implicitly in the 2030 Sustainable Development Agenda. The Global Land Tool Network (GLTN) is a dynamic alliance of more than 80 land actors and stakeholders who subscribe to a core set of values and principles to improve tenure security through the development and promotion of inclusive, fit-for-purpose and gender-responsive land tools.

GLTN's 2030 strategy supports national and local governments and other key stakeholders to fulfil their land and tenure security commitments and aspirations. In particular, GLTN is consolidating its work on land tool development, testing and dissemination, focusing on urgently needed priority tools. At the same time, through effective in-country partnerships, the Network is promoting and facilitating the adoption at scale of land tools and practices that promote tenure security, particularly for women and youth, and developing the capacity needed for fit-for-purpose implementation.

GLTN partners implemented the Secure Access to Land and Resources (SALaR) project in Uganda, the Philippines and Laos as a significant contribution to the Network's efforts to improve tenure security at country level. With the objective to improve land and natural resources tenure security for rural smallholder farmers, SALaR also contributes to efforts by the German Government, through its Federal Ministry of Economic Cooperation and Development (BMZ), to improve food security, specifically contributing to the objectives of the Ministry's "One World-No Hunger" initiative. This publication summarizes the project's achievements, emerging outcomes and lessons learned. This will inform the future work of the Network, particularly in regard to improving tenure security of smallholder farmers in the context of customary land. We hope that it will prove useful for GLTN partners and all other land actors with an interest in achieving tenure security for all.

## **Robert Lewis-Lettington**

*Chief, Land, Housing and Shelter Section, UN-Habitat Secretary, Global Land Tool Network*

Land rights has been a central agenda of the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) since its inception in 1979. Land tenure security is essential for one's survival, increases one's sense of human dignity and provides one the opportunity to break out of hunger and poverty. An inclusive and equitable tenure system is crucial to reduce conflicts and encourage sustainable resource management. Thus, effort and resources should be allocated to enhancing the capacities of smallholder farmers and communities to effectively engage other stakeholders towards responsible land governance.

ANGOC appreciates the confidence extended by GLTN to facilitate the process of documenting the SALaR experience in order to share knowledge, enhance capacities, and promote partnerships towards achieving security of tenure for all. In preparing this publication, ANGOC and GLTN jointly organized four online preparatory meetings and a three-day "online writeshop" with SALaR project partners in Laos, the Philippines, and Uganda. Through these exchanges, the country reports were finalized and a consolidated project summary was drafted. Our sincere thanks to all the partner organizations and contributing authors for diligently sharing information as well as providing their lessons and insights.

This publication reflects the collective accountability of GLTN and partners -- to BMZ, project collaborators, and especially to the communities supported by the SALaR project in the three countries. Unfazed with the challenges of the land sector in the three countries, and the restrictions imposed by the COVID-19 pandemic, the initiative has resulted in increased communities' tenurial security on customary lands. The SALaR project has enhanced capacities of change agents in applying appropriate land tools, and has fostered partnerships among stakeholders. While still a work-in-progress, the SALaR experience offers valuable lessons and has opened further opportunities to secure land rights of smallholder farmers.

## **Nathaniel Don E. Marquez**

*Executive Director  
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# SALaR PROJECT PARTNERS

## LAOS

**Village Focus International Laos (VFI)** is an international not-for-profit organization, with Asian and North American leadership, which focuses on poor, vulnerable and marginalized communities in Southeast Asia. VFI works in the sectors of land tenure and food security, agricultural innovation, anti-trafficking in women/children, legal reform and advocacy, and youth development and education. VFI is built upon the leadership of a well-trained, motivated and dynamic local staff and strong partnerships with local organizations, supporting, mentoring, raising money and improving initiatives created from the ideas, commitment and efforts of local people.

VFI is the first and only international NGO to be created in Laos, officially beginning operations in the country on January 15, 2001.

Website: [www.villagefocus.org](http://www.villagefocus.org)

## PHILIPPINES

**Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC)** is a regional association of national and regional networks of civil society organizations (CSOs) in Asia. Founded in 1979, the network is actively engaged in promoting food sovereignty, land rights and agrarian reform, sustainable agriculture, participatory governance, and rural development. ANGOC member networks and partners work in 10 Asian countries together with 3,000 CSOs and community-based organizations (CBOs). ANGOC actively engages in joint field programs and policy discussions with national governments, intergovernmental organizations (IGOs), and international financial institutions (IFIs).

ANGOC is a member of the Global Land Tool Network (GLTN), Global Forum on Agricultural Research (GFAR), Indigenous Peoples' and Community Conserved Areas and Territories (ICCA) Consortium, and the International Land Coalition (ILC).

Website: [www.angoc.org](http://www.angoc.org)

**Xavier Science Foundation, Inc. (XSF)** is a non-political, non-stock, nonprofit organization established under the auspices of Xavier University – designed to encourage, support, assist, and finance projects and programs dedicated to the pursuit of social and educational development of the people in Mindanao, Philippines. It is a legal and financial mechanism generating and managing

resources to support socially-concerned and development-oriented projects and programs.

Website: [www.xsfoundationinc.org](http://www.xsfoundationinc.org)

## UGANDA

**Uganda Community Based Association for Women and Children Welfare (UCOBAC)** is a non-governmental organization formed in 1990 whose mission is to promote human rights and improve welfare of women and children in Uganda using community-based Initiatives. UCOBAC strategically reaches out to communities through four core program areas namely: (i) Orphans and other Vulnerable Children; (ii) Women's Land and Property Rights; (iii) Sexual and Reproductive Health Rights and Gender Based Violence; and, (iv) Food Security, Livelihoods and Climate Change Resilience. Through its Women's Land and Property Rights program, UCOBAC aims to promote equitable access to land and security of tenure through (a) strengthening community support structures to sustainably promote women's land and property rights; (b) creating community awareness on gender and women's land and property rights; (c) increasing women's access to land justice; (d) capacity building of land actors in gender responsive land administration; (e) advocacy to influence gender-responsive land legislation and implementation; (f) gender-responsive land rights registration and women's land rights social norm transformative programming.

Website: [www.ucobac.org](http://www.ucobac.org)

**Makerere University** is Uganda's largest and third oldest institution of higher learning, first established in 1922 as a technical college, affiliated to the University of London. It is an academic and research institution with a good track record in research and training. Over the last four years, the University has maintained a position in the 10 Best Universities in Africa in the World Ranking of Universities.

*The School of the Built Environment (SBE)* is one of the three schools under the College of Engineering, Design, Art and Technology in Makerere University. The School's mandate is to conduct research, provide education and outreach in the disciplines of built environment. The School has a lot of experience in managing land rights documentation projects which have involved sensitization, training, multi-stakeholder engagement, project management, mapping and dispute resolution. It has built capacity of various land institutions and worked with numerous partners.

Website: [www.cedat.mak.ac.ug](http://www.cedat.mak.ac.ug)

## LIST OF ACRONYMS

|        |  |
|--------|--|
| AD     | Ancestral Domain   |
| ADR    | Alternative Dispute Resolution                                     |
| ADSDPP | Ancestral Domain Sustainable Development and Protection Plan       |
| AG     | Advisory Group   |
| ALC    | Area Land Committee (Uganda)                                       |
| ANGOC  | Asian NGO Coalition for Agrarian Reform and Rural Development      |
| BFAR   | Bureau of Fisheries and Aquatic Resources (Philippines)            |
| BLGU   | Barangay (village) Local Government Unit                           |
| BMZ    | Federal Ministry of Economic Cooperation and Development (Germany) |
| CADC   | Certificate of Ancestral Domain Claim                              |
| CADT   | Certificate of Ancestral Domain Title                              |
| CALUDA | Catal Lumad Development Association (IP organization)              |
| CALT   | Certificate of Ancestral Land Title                                |
| CBFM   | Community Based Forest Management                                  |
| CBFMA  | Community-Based Forest Management Agreement                        |
| CCLO   | Certificate of Customary Land Occupancy                            |
| CCO    | Certificate of Customary Ownership                                 |
| CSO    | Civil Society Organization   |
| CD     | Certificate of Demarcation   |
| DA     | Department of Agriculture (Philippines)                            |
| DAFO   | District of Agriculture and Forestry Office (Laos)                 |
| DALAM  | Department of Agricultural Land Management (Laos)                  |
| DAR    | Department of Agrarian Reform (Philippines)                        |
| DENR   | Department of Environment and Natural Resources (Philippines)      |
| DLB    | District Land Board (Uganda)                                       |
| DLO    | District Land Office (Uganda)                                      |
| DOL    | Department of Land (Laos)  |
| DONRE  | District Office of Natural Resources and Environment (Laos)        |
| FAO    | Food and Agriculture Organization of the United Nations            |
| FFP    | Fit-for-Purpose  |
| FPIC   | Free, Prior, and Informed Consent                                  |
| GDP    | Gross Domestic Product   |
| GEC    | Gender Evaluation Criteria   |
| GIS    | Geographic Information System                                      |
| GIZ    | Deutsche Gesellschaft für Internationale Zusammenarbeit            |
| GLTN   | Global Land Tool Network   |
| GPS    | Global Positioning System  |
| Ha     | Hectares   |



|            |   |
|------------|---|
| IPs        | Indigenous Peoples  |
| IPO        | Indigenous Peoples Organization   |
| IPRA       | Indigenous Peoples' Rights Act  |
| JAO        | Joint Administrative Order  |
| JALR       | Joint Action for Land Rights  |
| JLOS       | Justice, Law and Order Sector   |
| Km         | Kilometer   |
| LC         | Local Council (Uganda)  |
| LGU        | Local Government Unit (Philippines)   |
| LIWG       | Land Information Working Group  |
| LRA        | Land Registration Authority (Philippines)   |
| MAAIF      | Ministry of Agriculture, Animal Industry and Fisheries (Uganda)                             |
| MAF        | Ministry of Agriculture and Forestry (Laos)   |
| MAK-SBE    | Makerere University - School of the Built Environment                                       |
| MILALITTRA | Miarayon-Lapok-Lirongan-Talaandig Tribal Association, Inc.<br>(IP organization)             |
| MLHUD      | Ministry of Lands, Housing and Urban Development (Uganda)                                   |
| MRLG       | Mekong Region Land Governance   |
| MONRE      | Ministry of Natural Resources and Environment (Laos)  |
| NAMAMAYUK  | Nakahiusang Manobong Manununod sa Yutang Kabilin, Inc.<br>(IP organization)                 |
| NEDA       | National Economic Development Authority (Philippines)                                       |
| NCIP       | National Commission on Indigenous Peoples (Philippines)                                     |
| NGO        | Non Governmental Organization   |
| NLP        | National Land Policy (Uganda)   |
| NUA        | New Urban Agenda  |
| ODK        | Open Data Kit   |
| PAFO       | Provincial Agriculture and Forestry Office (Laos)   |
| PFALUPAM   | Participatory Forest and Agriculture Land Use Planning, Allocation and<br>Management (Laos) |
| PIDS       | Philippine Institute of Development Studies   |
| PLUP       | Participatory Land Use Planning   |
| PONRE      | Provincial Office of Natural Resources and Environment (Laos)                               |
| PSA        | Philippine Statistics Authority   |
| PTTA       | Portulin Talaandig Tribal Association, Inc. (IP organization)                               |
| RDC        | Regional Development Council (Philippines)  |
| RECOFTC    | The Regional Community Forestry Training Center   |
| RLUC       | Regional Land Use Committee (Philippines)   |
| SALaR      | Secure Access to Land and Resources (Program)   |
| SDG        | Sustainable Development Goal  |
| Sq         | Square  |
| STDm       | Social Tenure Domain Model  |
| TABI       | The Agro-Biodiversity Initiative  |

|            |  |
|------------|--|
| TLRUP      | Tenure Responsive Land Use Planning  |
| UBOS       | Uganda Bureau of Statistics  |
| UCOBAC     | Uganda Community Based Association for Women and Children's welfare  |
| ULC        | Uganda Land Commission   |
| UN-Habitat | United Nations Human Settlements Programme   |
| VFI        | Village Focus International  |
| VGGT       | Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security |
| WB         | The World Bank   |
| XSF        | Xavier Science Foundation, Inc.  |
| YLRC       | Youth and Land Responsiveness Criteria   |

# SUMMARY



A woman shows her Certificate of Customary Ownership in Adjumani District, Uganda. © UN-Habitat

## Secure Land and Resource Tenure as the Foundation of Food Security of Communities in Laos, the Philippines, and Uganda<sup>1</sup>

### INTRODUCTION

Land is a vital resource in the social, cultural, and economic activities of a country. It is an important factor in reducing poverty, conflicts, and food insecurity, and plays a key role in improving poor people's sense of security and their capacity to improve their immediate living conditions and livelihood opportunities.

Most of the world's poor people live in rural areas and depend on agriculture or natural resources

for their livelihoods. Rural poverty is strongly associated with weak access to land, either in the form of landlessness or because of insecure and contested land rights. Rural poverty also has a clear gender dimension, and women and girls are more likely to suffer the consequences of poverty. In countries where the prevailing land laws (and culture) mean that only those people with formal land rights can access, enjoy, and manage the land, poor rural people have to struggle with persistent poverty.

As an alliance of more than 80 global land actors and stakeholders working to improve tenure security for all, the Global Land Tool Network

<sup>1</sup> This consolidated report was prepared by Quizon, A., Antonio, D., Marquez, N.D., Musni, D.H., and Naungayan, M.J., with the assistance of Lunalyñ Cagan. (2021)



VFI Team working with the village authority to identify the land plots (Laos).  
© VFI

(GLTN) has laid out its strategy to contribute to addressing such challenges by: (1) consolidating its work on land tool development, testing and dissemination; (2) developing effective in-country partnerships to promote and facilitate the adoption at scale of land tools; and, (3) enhancing the capacity needed for fit-for-purpose implementation of land tools.

It is in this context that GLTN, as facilitated by UN-Habitat, has conceptualized the Secure Access to Land and Resources (SALaR) project. It aims to contribute to addressing these issues towards improving land and natural resources tenure security for rural smallholder farmers, including women, youth, and vulnerable groups, in Uganda, the Philippines, and Laos. This goal will be achieved through the following three main outcomes:

**Outcome 1:** Increased uptake of land tools, approaches, frameworks and policy guidelines that are pro-poor, fit-for-purpose and gender responsive;

**Outcome 2:** Strengthened capacity of change agents and rural poor women, men and vulnerable groups to implement pro-poor, fit-for-

purpose and gender-responsive land tools and approaches; and,

**Outcome 3:** Improved awareness among stakeholders on issues and measures for improving land and natural resource tenure security for poor women, men, and vulnerable groups.

Through its expected outcomes and activities, the project supports the implementation of the Sustainable Development Goals (SDGs), the New Urban Agenda (NUA), and the Voluntary Guidelines on the Responsible Governance of Tenure

of Land, Fisheries and Forests in the Context of National Food Security (VGGT). It contributes to efforts by the German Government, through its Federal Ministry of Economic Cooperation and Development (BMZ), to improve food security, and it specifically helps to achieve the objectives of the Ministry's "One World-No Hunger" initiative. Launched in 2014, Germany's special initiative aims to: (1) eradicate hunger and malnutrition; and, (2) create a framework to ensure that future generations will also have sufficient, affordable, and healthy food in spite of the rapidly expanding world population.

Secure Access to Land and Resources (SALaR) is a three-year project implemented by the GLTN as facilitated by UN-Habitat, in partnership with civil society organizations (CSOs), government agencies, academic institutions and UN-Habitat offices in Laos, the Philippines, and Uganda. The main implementing partners of the SALaR project include the Village Focus International (VFI) in Laos, the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) and Xavier Science Foundation, Inc. (XSF) in the Philippines, and the Makerere University-School

of the Built Environment (MAK-SBE) and Uganda Community Based Association for Women and Children's Welfare (UCOBAC) in Uganda.

## OVERALL CONTEXT AND SIGNIFICANCE OF LAND IN LAOS, THE PHILIPPINES, AND UGANDA

Laos, the Philippines, and Uganda have distinct landscapes, governance systems, and historical experiences. Yet all three are bound by common threads. All three are rich in culture and natural resources, but are considered lower-middle (Laos and Philippines) to low (Uganda) income economies. Most of their populations reside in rural areas. In these countries, the poorest rural citizens struggle with gaining access to and control over lands and natural resources that are critical to their survival.

Land remains a source of prosperity as well as a cause of conflicts. Laos, the Philippines, and Uganda vary in terms of population<sup>6</sup>, density<sup>7</sup>, and landscapes, and these factors play a part in how finite land and natural resources are being distributed and utilized.

All three countries are largely agricultural, as evidenced by the large areas of agricultural lands – 11 percent, 42 percent, and 72 percent of the total land area in Laos, the Philippines, and Uganda, respectively (FAO, n.d.a; FAO, n.d.b; FAO, n.d.c) – and significant proportions of agricultural employment. In Laos and Uganda, most of the employed population is engaged in agriculture (61 percent and 72 percent, respectively), while

<sup>6</sup> Laos population as of 2019: 7,169,455 (World Bank, n.d.b); Philippines population as of 2019: 108,116,615 (World Bank, n.d.c.); Uganda projected population as of May 2020: 42,733,100 by 31 April 2021 (Uganda Bureau of Statistics, 2020)

<sup>7</sup> Laos population density as of 2018: 31 persons per square kilometer (World Bank, n.d.d); Philippines population density as of 2018: 358 persons per square kilometer (World Bank, n.d.d); Uganda population density as of 2018: 213 persons per square kilometer (World Bank, n.d.d)

*“In the Philippines, 14 percent of employed females work in agriculture, while in Laos and Uganda, women agriculture-workers constitute 64 and 77 percent, respectively of the employed female population.”*

23 percent of employed persons in the Philippines work in the agriculture sector (World Bank, n.d.a). Small farms constitute most of the farming landscape in the three countries, with average farm sizes below three hectares in Laos (2.39; MAF, 2014), less than two hectares in the Philippines (1.29; PSA, 2015), and less than one hectare in Uganda (0.97; FAO, 2018). Majority of farmers' households also consume their own agriculture produce.

***Women play a vital role in the countries' development.*** In the Philippines, 14 percent of employed females work in agriculture, while in Laos and Uganda, women agriculture-workers constitute the majority (64 percent and 77 percent, respectively) of the employed female population (World Bank, n.d.a). Women in Uganda are also the producers of 90 percent of total food output in the country and 50 percent of the total cash crop production (Feed the Future, 2011). In Laos, poverty levels of female-headed households are significantly lower than those of male-headed households (Lao PDR Government, 2015).

***Poverty incidence in the three countries is significant.*** In 2018, Laos and the Philippines had poverty incidences of 18.3 percent and 16.7 percent, respectively (World Bank, n.d.e.). Meanwhile, in 2016, Uganda's poverty incidence was 21.4 percent (World Bank, n.d.e.). Poverty is consistently more pronounced in rural areas.

Sustainable agricultural development and rural communities' access to and control over resources are therefore recognized as key to reducing poverty and improving food and livelihood security.

## LEGAL AND POLICY ENVIRONMENT ON COMMUNAL AND CUSTOMARY LANDS

Embedded in the legal framework of the three countries is recognition of customary systems of land tenure.

In Laos, while the State has recognized customary use rights in the 2003 Land Law, it was only through Prime Ministerial Decree No. 88 (2008) that a mechanism for formal recognition of collective lands was put in place. However, since the majority of the collective lands are under customary tenure and within the 45 percent slope – where registration and titling of lands were prohibited by the then existing laws – majority of collective lands remain untitled.

In 2019, the Land Law was amended to provide for the protection of “the customary land use rights of the person and proceeds with land title registration in accordance with the laws” (Land Law 2019). The Land Law 2019 further stipulates that customary land use rights can be acquired where the specific land has been regularly used by the occupant(s) for 20 years. Through the said law, the State gives the right to the village or many villages to use the collective land according to land use plans at the local level (Land Law 2019). However, its implementing rules are yet to be formulated.

Meanwhile, in the Philippines, both the 1987 Constitution and the Indigenous Peoples' Rights Act (IPRA) of 1997 recognize that indigenous peoples (IPs) have customary rights to ancestral

### Box 1. Communal and customary lands covered by the SALaR Project

Customary tenure systems, as opposed to systems of individual land ownership, involve the rights of groups, clans, tribes, and communities to use and govern over lands. Below are the types of communal or customary lands covered by the SALaR Project in Laos, Philippines, and Uganda.

In Laos, the SALaR Project covered *collective lands*. These are State lands that are not used for permanent production or occupation and are governed jointly by members of communities and ethnic groups following *customs and traditions*. These lands include cemeteries, sacred forests, common ponds, schools, health centers, village administrative offices, and village markets. (Article 81 of Lao Land Law 2019)

In the Philippines, the SALaR project focused on *ancestral domains*. These cover forests, pastures, residential and agricultural lands, hunting grounds, worship and burial areas, and lands that are no longer occupied exclusively by indigenous cultural communities, but to which they had traditional access, for example, the home ranges of indigenous cultural communities who are still nomadic or shifting cultivators. (IPRA, Chapter 3, Section 3-a)

In Uganda, SALaR project implementation was focused on *customary land*. The Customary Land Tenure System is a tenure arrangement where land is owned individually or communally by families or clans. Such land is disposed of under customary regulations. Family and clan heads are instrumental in guiding the management of this tenure system. This tenure can be converted into a freehold tenure system. Additionally, the land is owned based on the norms and traditions of a given community or society in Uganda. One can even own land individually under customary tenures as long as it has been handed down from generation to generation based on that society's customs.

domains that they have been occupying and governing for centuries. Ancestral domains include both land and bodies of water. These

areas are governed by the IPs. It is legally recognized through a Certificate of Ancestral Domain Title (CADT) or a Certificate of Ancestral Land Title (CALT) issued by the National Commission on Indigenous People (NCIP). The NCIP is the agency of the government of Philippines that is responsible for the formulation and implementation of policies, plans, and programs to promote and protect the rights and well-being of indigenous cultural communities (ICCs) and IPs and the recognition of their rights to their ancestral domains.

In Uganda, around 80 percent of land is held under customary tenure (MLHUD, 2015), which is guided by rules and norms that differ from region to region and from tribe to tribe. The 1995 Constitution, the 1998 Land Act (amended in 2001, 2004, 2007, and 2010) and the 2013 National Land Policy provide the legal bases for recognition of customary lands. They may be formally registered through a Certificate of Customary Ownership (CCO) that may either be awarded communally or to individuals.

## CHALLENGES IN THE COMMUNAL AND CUSTOMARY LAND SECTOR

**Policy gaps.** While there are progressive policies that have been enacted in the three countries in recent decades (as mentioned in the previous section), there are also some limitations in the legal framework that cause delays in the recognition of customary rights – particularly in the case of Laos.

Unlike private lands used for residential and permanent agriculture, the titling process for collective lands used for seasonal agriculture (e.g., grazing, shifting agriculture, etc.) in Laos lacks proper guidelines. The Land Law of 2019 is progressive as it recognizes customary land

*“In Uganda, around 80 percent of land is held under customary tenure, guided by rules and norms that differ from region to region and from tribe to tribe.” (MLHUD, 2015)*

rights and ownership, providing an added layer of tenure security over collective lands under the customary tenure system. However, procedures need to be developed for the registration and titling of these lands, including a clear definition of what constitutes customary/collective land.

The demarcation of agricultural areas within collective lands provides use rights, individually or collectively, over these areas. Through the SALaR implementation in Laos, the issuance of the Certificates of Demarcation was facilitated upon consultation and agreement with the Department of Land (DoL) and staff from the District Office of Natural Resources and Environment (DONRE) on the appropriate document to issue to the target communities.

The Certificates of Demarcation provide only use rights’ recognition by the government. However, it could aid in the successful titling of collective lands when presented at the national level.

**Institutional challenges.** Having a weak institution appears to be the most common structural challenge to the customary land sector and in the implementation of the SALaR projects in Laos, the Philippines, and Uganda.

Based on the capacity assessment of the land management district offices in Laos, the staffs, while familiar with management planning concepts, have not yet dealt with collective

agricultural lands in their land use plan formulations. Thus, they lack the knowledge and capacity on how such lands (agricultural lands within collective lands) could be recognized and incorporated in the village land use plans. Since land use plans, in general, identify lands as forest and agricultural zones only, it is important that agricultural lands situated within collective and/or customary lands be identified as *agricultural lands* to allow villagers to use them for agriculture. Furthermore, while the allocation of lands provided for in the land use plans does not confer a property right, it nonetheless serves as the basis for registering and titling a particular land in respect of its identified land use/allocation.

The capacity assessment conducted in the course of project implementation showed that some District of Agriculture and Forestry Office (DAFO) staff have limited knowledge of Forest and Agriculture Land Use Planning, Allocation and Management (FALUPAM) – one of the important land use tools produced to manage forestland in the rural areas. Further, some DAFO staff have limited skills in using mapping software to generate maps, which are crucial inputs to land use plans.

The assessment revealed gaps attributed to some overlap in the mandate of DAFO and DONRE in enforcing land use management at the district level. Also, the lack of clear regulations and procedures has limited the ability of the district staff to address encroachments on forests.

These limitations in capacity and knowledge were addressed by the SALaR project through conducting relevant training and other capacity building interventions and through stakeholder consultations.

In the Philippines, the NCIP has been constrained by the lack of adequately trained personnel and by the low budget allocation from the national government, particularly for the processing of CADTs. Further, change in assignments of officials and personnel in the field offices constantly happens, thus disrupting continuity and necessitating the rebuilding of partnerships. These institutional gaps, along with IPRA's overlapping policies with other land laws, have contributed to the painstakingly slow process of issuing and approving CADTs.<sup>8</sup> Other constraints include lack of coordination and overlapping mandates of the various government land agencies that cause conflicts in the use or ownership of land. Presently, over five million hectares have been covered by CADTs, but the potential coverage is estimated to be around 7.5 million hectares. From 2002 to 2018, only 221 CADTs have been issued (Quizon, et. al., 2018).

Such challenges were noted during the SALaR project implementation in the Philippines, particularly with the CADT application of the IP-partner communities being stalled. Given this situation, the implementing partners in the Philippines – ANGOC and XSF – conducted several meetings with the national and regional offices of the NCIP on the processing of the CADTs of the two IP organizations engaged under the project.

Similarly, in the case of Uganda, protection of land tenure is articulated in the 1995 Constitution (amended in 2005), the Land Act of 1998, the Land Policy of 2013, and other policies. However, the implementation of land governance systems is not sufficiently robust or widespread to protect the security of tenure of the urban and rural poor. In particular, offices at the sub-county level,

<sup>8</sup> CADTs are the legal instrument recognizing the rights of indigenous people in the Philippines.



which should be at the forefront of customary land registration and issuance of Certificates of Customary Ownership (CCOs), lack the full capacity to perform such function. This situation

**Box 2. Challenges in encouraging women's participation in the SALaR projects in Laos and Uganda**

In Laos, few women from the government engaged in the land tools implementation process because to start with, only a few women are in government.

In terms of participation in training courses, project reports have shown a good number of women representation in Laos. Nevertheless, it was difficult for women to attend events in cities, as they could not leave their chores back in the rural areas. In situations where the training courses were held in the rural areas, women were still faced with difficulties to participate in a full three-day training course, as their husbands would not allow them to stay in the provided accommodations because they had to take care of children and do household chores. Domestic responsibilities of women in their households need to be considered to ensure their participation. Women have fewer opportunities than men to gain practical skills from fieldwork. Particular effort is needed to identify and train women, and particularly ethnic women who represent the vulnerable group. Many ethnic women are hesitant to speak up with men present, have limited Lao language skills, or are unable to read Lao.

In Uganda, women's participation was limited due to their lack of knowledge in using computer applications like the use of the STDM tool, while some women were held back by the customary norms which deny them the opportunity to participate in land related issues and processes. Such a challenge was addressed by the SALaR Project through conducting inclusive and participatory training courses on STDM for young women and men. The project implementers also undertook gender awareness training sessions for local leaders and communities particularly targeting men for them to support women participating in the project.

has increased the vulnerability of the poor to land disputes, land grabbing, and eviction.

Through the SALaR implementation, the Ministry of Lands, Housing and Urban Development (MLHUD) adopted the GLTN land tools in the documentation of customary land rights and the awarding of CCOs to individuals and families within customary lands. The District Land Office was co-opted to support the process.

***Discriminatory social and cultural norms against women.*** Deeply rooted discriminatory social and cultural norms remain a major challenge in realizing women's rights to land. This is displayed both at the community level and in the leadership structures that govern the different communities in the respective countries. Gender sensitization was done before, during, and after project implementation to strengthen efforts to change these attitudes. There is need to integrate gender transformative approaches in the land rights registration process including social norm transformation initiatives at household level.

**OVERVIEW OF SECURE ACCESS TO LAND AND RESOURCES (SALaR) PROJECT<sup>9</sup>**

Given the contexts and gaps in the land sector in the three countries, the SALaR initiative aimed to support the existing land laws and policies of Laos, the Philippines, and Uganda. In Laos, the recently legislated Land Law (2019) recognizes land collectively owned by upland ethnic groups but no regulations have yet been drafted outlining procedures for adjudication, mapping, registration and issuance of land use certificates. In the Philippines, the project supported indigenous peoples (IPs) and their

<sup>9</sup> Details of the major project interventions and outputs in three countries are provided in the abridged reports of Laos, the Philippines, and Uganda included in this publication.

organizations who have rights over their ancestral domains under the Indigenous Peoples' Rights Act (IPRA, 1997). In Uganda, the issuance of CCOs is a priority of the Ministry of Lands, Housing and Urban Development (MLHUD) as customary ownership of land is recognized under the 1995 Constitution, the Land Act, 1998 and in the 2013 National Land Policy.

### **Project participants, sites, and partnerships formed**

The SALaR project aimed to improve land and natural resources tenure security of rural poor smallholder farmers, including women, youth, and vulnerable groups over collective and customary lands in Uganda, the Philippines, and Laos.

In Luang Prabang and Xiengkhouang provinces in Laos, project participants belonged to the ethnic groups, Khmu and Hmong. Both these ethnic groups traditionally practice swidden agriculture and collect non-timber forest products for food and income, raising livestock, and live in upland areas or lower elevations along rivers and streams. However, the Hmong live higher up in the mountains and have a different language and housing style.

In Bukidnon, Philippines, the targeted population are IPs belonging to the *Manobo* and *Talaandig* tribes. Indigenous peoples (IPs) in the country are characterized by a high incidence of morbidity, mortality, and malnutrition. They remain as one of the most under-represented groups in governance. Subsequently, migrant settlers in the project sites were included, as they have been accepted by the IPs as part of their communities.

In Kisoro, Adjumani, and Pader districts of Uganda, the project aimed to strengthen tenure security of rural poor smallholder farmers, especially women and youth. Some of the farmers belong to refugee host-communities. The influx of refugees<sup>10</sup> to the project sites has caused uneasiness among the population and underscored the need to address the issue of tenure security.

Through a phased-approach, the SALaR project planned to cover a total of 22,200 smallholder farmers in Laos, the Philippines, and Uganda, as shown on Table 1.

In order to effectively implement the SALaR projects, partnerships with key institutions were formed. Both the Laos and Uganda teams have collaborated with their respective local and National Land Departments in implementing the SALaR project and in providing tenure documents to the communities. In the Philippines, the Project Team has been in sustained communication with the Regional Land Use Committee (RLUC) and the NCIP.

In Laos, land-related projects have to adhere to technical and legal requirements of the government, particularly the Department of Land (DoL). The authorities must formally recognize any information about households relating to land and land certificates. At the local level, the SALaR project worked with the Provincial Office for Natural Resources and Environment (PONRE), the District Office for Natural Resources and Environment (DONRE) and District Agricultural and Forestry office (DAFO) as implementers and through the project's capacity building component.

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<sup>10</sup> Adjumani district has the highest number of refugee settlement in Uganda. Refugees come from various countries such as South Sudan, Democratic Republic of Congo, Burundi and Somalia.

**Table 1. SALaR project sites and target participants in three countries**

|                    | <b>Sites</b>   | <b># of Target Beneficiaries</b> | <b>Smallholder Farmers</b>  |
|--------------------|--|----------------------------------|---|
| <b>Laos</b>        | <ul style="list-style-type: none"> <li>■ Four villages in the District of Phonexay, Luang Prabang Province</li> <li>■ Four villages in the District of Phoukoud, Xiengkhouang Province</li> </ul>  | 1,200                            | Khmu people in Phonexay and Lao ethnic people in Phoukoud, and some Hmong people in the two districts |
| <b>Philippines</b> | <ul style="list-style-type: none"> <li>■ Seven villages from the Municipalities of Talakag and Pangantucan, Bukidnon province</li> </ul>   | 3,500                            | Indigenous peoples (IPs) and migrant settlers   |
| <b>Uganda</b>      | <ul style="list-style-type: none"> <li>■ Muramba, Nyakabande, Nyakinama and Murora Sub counties, Kisoro District</li> <li>■ Ofua, Adropi, Pachara and Dzaipi Sub counties, Adjumani District</li> <li>■ Ogom, Pader and Pajule Sub counties, Pader District</li> </ul> | 17,500                           | Smallholder farmers especially women and youth  |

For the Philippines, the SALaR project is seen as a test case for the acceptability to IPs and local governments on issuing the Certificates of Customary Land Occupancy (CCLOs) using participatory enumeration and the STDM tool. Implementing partners, ANGO and XSF, have partnered with the RLUC<sup>11</sup> as the main platform to share and discuss updates and knowledge generated from the project that have policy implications for land rights. The implementors likewise coordinated with the local government units (LGUs) in the municipalities and villages where the project sites are located.

In Uganda, the Ministry of Lands, Housing and Urban Development (MLHUD) was the overseer body monitoring the project's compliance to legal requirements. The local governments in the

respective sites took the lead in implementing project activities, particularly land registration activities. Other partners involved in the project included the Justice Law and Order Sector (JLOS), which provided capacity building in alternative dispute resolution (ADR) mechanisms, such as mediation by traditional/cultural institutions involved in the adjudication of land rights.

### **Project Components and Key Achievements**

Based on the theory of change of the SALaR project, three major interventions were included in the project designs: a) implementation of land tools; b) capacity building; and, c) enhancing partnerships among land stakeholders. The partners of GLTN developed project designs focused on the needs of specific target beneficiaries in Laos, the Philippines, and Uganda.

<sup>11</sup> RLUC is a coordination mechanism for various government agencies to discuss land policies and programs in the Northern Mindanao region.

**Land tools implementation.** This intervention focused on the application of tools to map and record the land rights of small-scale farmers, including women, youth, IPs, ethnic communities, and other vulnerable groups. Community members participated in the application of the pro-poor land tools developed by the GLTN, particularly the Social Tenure Domain Model (STDM), Fit-for-Purpose (FFP) Land Administration, Gender Evaluation Criteria (GEC), Youth and Land Responsiveness Criteria (YLRC), Tenure Responsive Land Use Planning (TRLUP) and Alternative Dispute Resolution (ADR).

In the three countries, the main GLTN tool that was used for recording land rights was STDM<sup>12</sup>, combined with the participatory enumeration approaches.

The following are the key activities undertaken in securing land rights recognition, building on the contextual application of land tools:

- Courtesy visits and project orientation meetings;
- Selection of households;
- Mobilization of local communities to be project partners;
- Assessment, selection and localization of existing land tools and review of appropriate approaches and tools for community implementation;
- Training of enumerators in STDM and other appropriate data gathering tools;
- Household data gathering;
- Encoding of data;

<sup>12</sup> The STDM tool is a pro-poor, participatory and gender-responsive land information system for capturing person/s to land relationships, cognizant of the land rights continuum. This tool aims to close the gap between the formal system and those tenure arrangements that are not recognized by the statutory and legal system. It allows recordation of all possible types of tenure that exist on the ground (formal, intermediate, and non-formal). More information may be accessed in the STDM website: [www.stdm.gltn.net](http://www.stdm.gltn.net)

### Box 3. Using participatory enumeration and STDM tools to generate certificates in Uganda

The STDM tool was customized to facilitate the collection of all information required for Certificate of Customary Ownership (CCO) registration as specified in the Land Act. Hard copies of CCO registration forms (Form 1: Application Form and Form 23: Demarcation Forms) were digitized and used in data-gathering using ODK Collect. In addition, an STDM database was created to help in the management of mapped land rights, and in the generation of monitoring and evaluation data. Furthermore, the document generator function in STDM was used to customize and generate digital CCOs as stipulated in the *Gazette*.

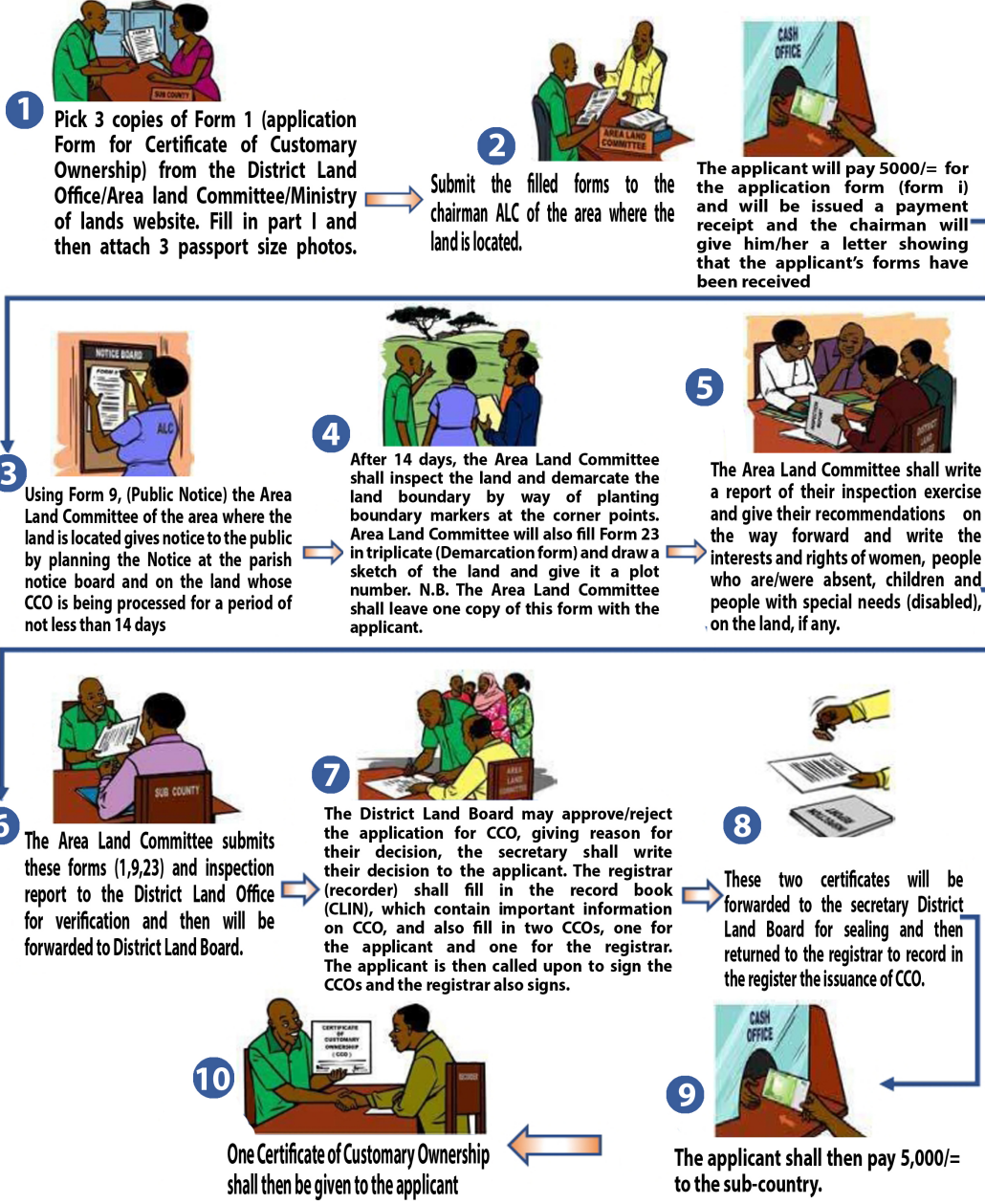
The Uganda government through the Ministry of Lands, Housing and Urban Development positively received the STDM, because it provides a much-needed alternative to producing CCOs using a typewriter. Most government officials are also accustomed to the STDM tool and how it works because the Government had also used the tool for earlier projects. Indeed, the STDM tool is viewed by officials as a part of the land information system.

- Validation workshops;
- Documentation of land disputes;
- Resolution of land disputes;
- Finalization of data; and,
- Awarding of certificates.

Through participatory enumeration and the use of STDM tool complemented by other land tools (ADR, TRLUP, GEC), *Certificates of Customary Ownership* in Uganda, *Certificates of Customary Land Occupancy (CCLO)* in Philippines, and *Certificates of Demarcation or Land Measurement Certification (CD)* in Laos were awarded to beneficiaries. A total of **15,981 certificates were approved and printed for distribution, covering 55,175.112 hectares of land.** In all countries, mapping and delineation covered **29,667 households and 17,361 parcels.**

**GETTING THE RIGHT INFORMATION ON LAND**

## PROCEDURES FOR ACQUIRING A CERTIFICATE OF CUSTOMARY OWNERSHIP (CCO)



### Improving Tenure Security of Smallholder Farmers in Adjumani, Pader and Kisoro districts in Uganda

*This poster, produced by UCOBAC and Makerere University, presents the simplified procedures in applying for a Certificate of Customary Ownership.*

Similarly, information recorded through participatory enumeration **directly contributed to increased tenure security as well as formal land rights recognition** of populations occupying collective or customary land. In Uganda and Laos, the STDM tool was piloted to provide the basis for a systematic approach to registration of customary/collective lands with the support of local government administrations. In Uganda, the SALaR project facilitated the **legal recognition of farmers' land rights and the registration of customary land rights through CCOs** issued by the government. In Laos, the issuance of the CDs is a form of legal recognition as these documents are issued by government authorities. The **demarcation procedures contribute to official land use planning** in the target communities. Meanwhile in the Philippines, the **CCLOs** provide a **clearer understanding of land use as well as boundaries** among IP community members, thus providing **valuable information for processing formal ancestral domain titles**.

Other land tools<sup>13</sup> complemented and enhanced the implementation of the SALaR projects in the three countries. In considering the applicability of these tools, the needs, contexts, norms, and traditions of partner communities were taken into account. Community leaders and members were also directly involved in the application and mainstreaming of the following tools and approaches:

- **Free, Prior, and Informed Consent (FPIC).** As social acceptability is critical, and to align the project with the needs and own objectives of communities, initial meetings and consultations with partner communities were conducted. These led to the acceptance of the SALaR initiative and the

<sup>13</sup> For more information of these GLTN tools, refer to <https://gltn.net/land-tools/>

**Box 4: Applying the GEC tool in the SALaR Project in the Philippines**

**Participation:** Project implementers consciously encouraged indigenous women's participation in project activities, such as training courses, workshops, and data-gathering for the participatory enumeration.

**Capacity building:** Selected male and female participants joined training courses where they were oriented in landscape governance with sensitivity to the equal rights of people regardless of age and gender.

**Legal and institutional considerations:** The project issued Certificates of Customary Land Occupancy (CCLO) in the names of both the husband and the wife, against the common practice of issuing official titles in the name of the male household head only.

**Social and cultural impact:** Through the involvement in the surveys and the landscape governance training course, there has been an increased awareness among indigenous women about their legal entitlements and gender-equal land rights. Women in the communities demonstrated greater confidence. They also developed a greater appreciation of their roles in the community as stewards of land, managers of the household, peacemakers, and mothers of the future generation.

**Economic impact:** Women hired for the participatory enumeration were provided with honoraria proportionate to their outputs. In the course of the fora and workshops, the women were able to network with government agencies directly involved in land tenure and livelihood programs for indigenous peoples (IPs).

**Scale and sustainability of impact:** Participants in the land governance training course identified ways of transforming communities towards becoming more gender-inclusive, including ongoing discussions on gender, women's roles, rights, and their empowerment.

joint identification of the project sites by the community members, government agencies, and implementors. In Laos and the Philippines, agreements were signed by the government officials and village heads.

- **Gender Evaluation Criteria (GEC).** In most of the communities in the three countries, there is an increased awareness of women's participation in improving tenure security and in contributing to food security. Through the application of GEC in its activities, the SALaR project has endeavored to promote gender-inclusivity and to respond to the needs of women. The training courses conducted highlighted the value of women's land rights and the benefit to both men and women. In addition to this, the project has opened opportunities for women to own land, either individually or jointly with their husbands, through the issuance of the certificates in the name of both spouses. As such, these certificates support women's land claims.
- **Alternative Dispute Resolution (ADR).** In varying degrees, the SALaR project facilitated the resolution of community conflicts. Disputes within the project sites and involving the partner communities, including ADR mechanisms used, were documented through the baseline surveys and focus group discussions (FGDs). Boundary disagreements between neighbors are common in the three countries. **Of the total 406 dispute cases recorded in the three countries, 92 percent (372 cases) were resolved through the Alternative Dispute Resolution (ADR) mechanism.** In all countries, the clear demarcation of boundaries within the communities helped ease tensions and clarify vague demarcations between neighbors.
- **Youth and Land Responsiveness Criteria (YLRC).** Youth participation was very prominent in most of the activities of the SALaR projects. The use and application of YLRC has assisted the implementing partners in assessing issues faced by the youth, and more importantly, in promoting

#### Box 5. Intra-community and family boundary conflicts and disputes

During the course of data collection using the STDM tool, existing and emerging boundary conflicts and overlaps came to light.

In the Philippines, farm lots could not be surveyed until conflicting land claims among family members occupying the farm lot are resolved. There were also cases wherein the enumerators would receive violent threats from individuals who oppose a certain party's ownership claim over a parcel of land. Such land dispute cases were brought to the chief of the tribe, who settled them under their respective tribal governance system.

The Laos team found surveyed land to be overlapping with a forest or protected area after spatial data was imported into the STDM tool. The Team also found that disputes related to land boundaries among families were prevalent during the planting season. Such cases took time to resolve. In such circumstances, the land occupied by such communities could not be demarcated and the community members therein could not receive their certificates until the prevailing boundary disputes were resolved. With the help of the project team and district staff, all of the disputes were resolved at the family level.

In Uganda, land disputes flood the courts and are the root cause of most criminal cases. People kill each other due to protracted cases in courts and when they feel that they did not receive justice. Legal proceedings are also too costly for rural communities living on customary land. The use of mediation has reduced violent conflicts over land disputes.

In the SALaR project in Uganda, Alternative Dispute Resolution (ADR) mechanisms such as mediation were applied by trained mediators to handle disputes that were frequently related to boundaries, ownership and inheritance. The training courses on ADR mechanisms delivered by the Justice Law Order Sector contributed to the strengthening of the communities (especially the traditional leaders) in land dispute resolution. This resulted in reduced cases of violence due to land disputes being registered by local councils and district leaderships.

youth-inclusive and responsive activities that address their needs. Through the training and capacity building activities, the SALaR

*“Keeping in mind the resource capacities and needs of project participants, training courses were designed and learning materials were developed to facilitate implementation.”*

projects gave the youth opportunities to harness their potential, especially in handling technologies and using digital tools, which are needed in data collection and encoding. In the participating countries, **54 percent of the total 153 enumerators** trained in using land tools are **youth aged 24 years and below**.

- **In general, the approach has emphasized *Fit-For-Purpose (FFP) Land Administration*** with mapping and adjudication supported by orthophotos/imagery and hand-held Global Positioning System (GPS) devices rather than costly and sophisticated land surveys. This displayed the adaptability of GLTN tools to diverse contexts of community needs where the country lack efficient and affordable procedures.

In Laos, VFI incorporated the above GLTN tools in negotiating with the DoL on the appropriate process for recording and providing certificates of demarcation. In the Philippines, introduction to and discussion on context-specific applications of several GLTN land tools as well as tools developed by CSOs<sup>14</sup> resulted in the integration of the tools in a training course on *Landscape Governance* for IPs. Similarly, implementing partners in Uganda localized the GEC and ADR to fit interventions with community contexts in mind.

<sup>14</sup> Some of the CSO tools include land conflict concepts, land conflict management and resolution concepts, rights of indigenous peoples, harmonization of community and government plans.

The project had the opportunity to review and revise the existing land use plan for the eight villages. After engaging with local stakeholders, the existing land use plans were updated and validated by the local districts that will support local management of land and natural resources. The most important aspect of the improved land use plans is to guide preservation of protected lands such as forests, shrines, and grazing land within the village. The zoning of the land use will also assist in resolving conflicts on encroachment and other related conflicts. Finally, the land use plan provides a good reference point to assess and evaluate the capacity of the agricultural land and future needs for expansion based on the population growth. These discussions have started and are ongoing at some villages.

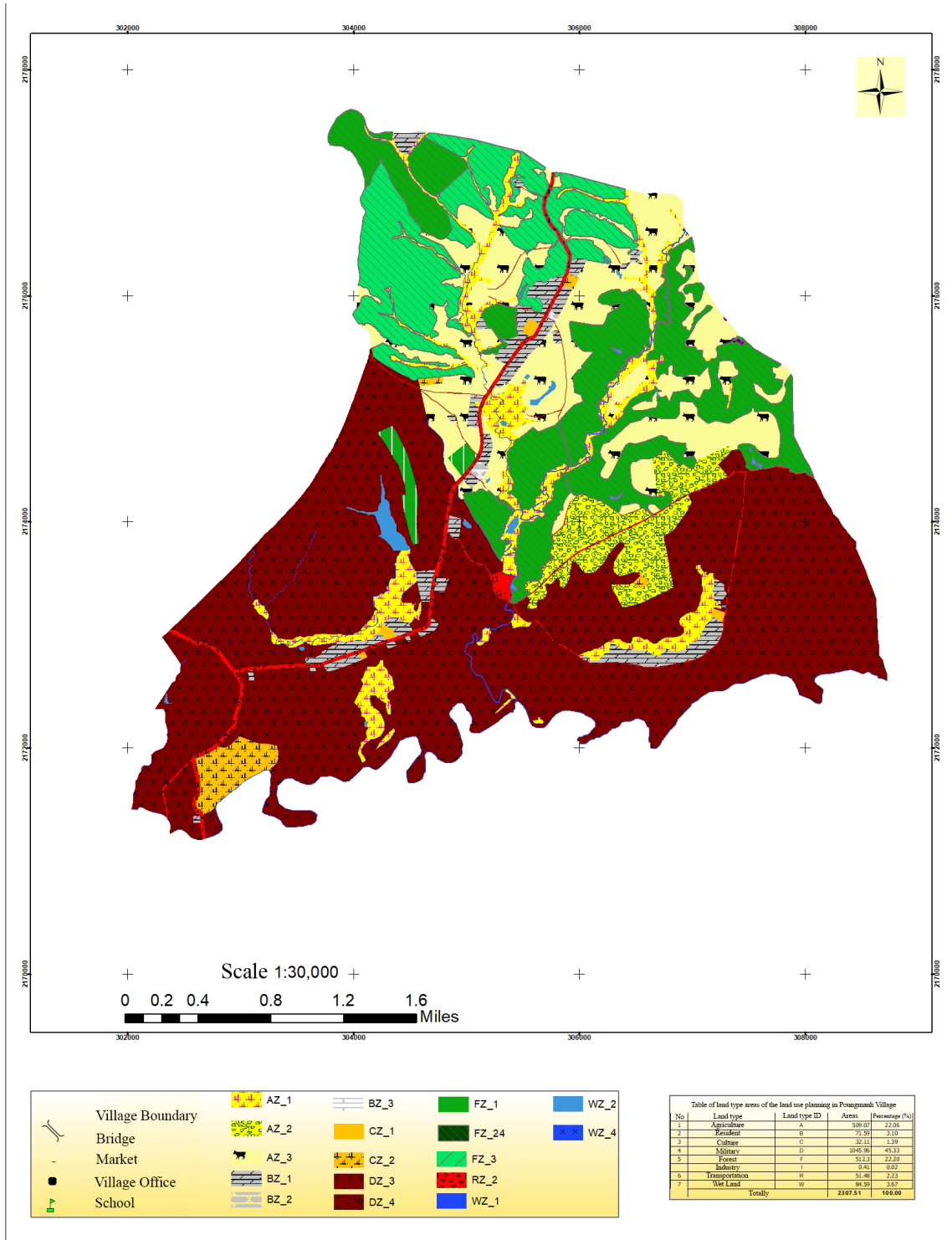
**Capacity Development.** With the intended outcome of *strengthened capacity of change agents, including rural poor women, youth, and vulnerable groups to implement pro-poor, fit-for-purpose and gender-responsive land tools and approaches*, the capacity development component focused on training community land actors and government personnel to acquire skills to implement pro-poor, fit-for-purpose, and gender-responsive land tools and approaches.

Keeping in mind the resource capacities and needs of project participants, training courses were designed and learning materials were developed to facilitate implementation. The following major activities were conducted in each country under this component:

- Development of capacity needs and resource assessment tool;
- Conduct of capacity needs and resource assessment;



## Current Land Use Plan in Pongmanh Village, Phoukoud District, Xiengkhouang Province, Laos



- Formulation of capacity development plans; and,
- Conduct of training courses.

The training needs identified pertained to increasing the efficiency of land use and land administration. In Laos and Uganda, the training courses were conducted to support the implementation of the Land Law (2019) and Land Act (1998), respectively. Among the topics included in the training courses were collective land management, land registration survey, customary land registration, Quantum Geographic Information System (QGIS), physical planning, and mobile data collection using Geographical Open Data Kit (GeoODK). Enhancement training courses on major land laws were organized in the three countries to increase land literacy among community members and government staff. Training courses in other organizational skills such as planning and facilitation were introduced upon the request of IPs in the Philippines.

A total of 1,841 representatives from government agencies, local government units, civil society organizations, community members, and other stakeholders (670 females, 1,171 males) were trained over the course of 59 sessions across the three countries. Project partners deliberately sought the participation of women and youth in these capacity building activities. In the Philippines, there was a conscious effort to hire and deploy youth and women from the project sites as STDM enumerators, while Ugandan partners encouraged the participation of university students as surveyors, and deployed youth from the project sites as field assistants. **Around 40 percent of participants during the capacity building activities are youth below 30 years of age.**

*Knowledge and awareness generation through fostering multi-stakeholder dialogues.* This component focused on engaging various stakeholders in discussions on land-related initiatives and issues faced by the project, both at the national and local levels. Knowledge products (information and communication materials, training handouts, policy briefs) were developed and disseminated to promote continued learning and discourse in order to improve tenure security of the groups assisted by the projects and to influence policy and practice. The partners implemented the following set of interventions under this component:

**Box 6. Adjusting to the use of new technologies and application of land tools**

In the Philippines, the enumerators encountered some challenges in using the equipment for the data collection – tablets for accomplishing the surveys and handheld Global Positioning System (GPS) units for gathering field data. Eventually however the enumerators learned how to use the software and the equipment.

In Uganda, the members of the Area Land Committee (ALC), who are mandated to adjudicate and demarcate land, are mostly elderly, illiterate, or semi-illiterate and thus have found the application of the modern land tools difficult. The tablets, handheld GPS devices, and STDM tool were a challenge for them as well. However, the involvement of the youth as field assistants trained in the application of the land tools and who are more literate and exposed to technology, has significantly contributed to overcoming the shortcomings of the ALC and thereby to the success of the project.

In Laos, due to the limited capacity of the district team to use the technology, the SALaR project has customized and translated the STDM tool into the local language. Community members, mostly the youth, were trained in the basics of using the STDM tool, handheld GPS units, and tablets. The execution of field activities was divided into two groups: a) the government officials, with the help of the local villagers, undertook the land demarcation activities, and b) the selected youth conducted the household enumeration surveys.

**Table 2. Major knowledge management products developed**

|                    |   |
|--------------------|---|
| <b>Laos</b>        | <ul style="list-style-type: none"> <li>■ Brochures on customary tenure right recognition, gender in land rights, and mediation process</li> </ul>   |
| <b>Philippines</b> | <ul style="list-style-type: none"> <li>■ Briefers on laws affecting indigenous peoples in the Philippines (Indigenous Peoples' Rights Act, Expanded National Protected Areas System Act)</li> <li>■ Landscape governance training modules and manual</li> <li>■ Caselets highlighting experiences of the community partners in the Philippines</li> </ul> |
| <b>Uganda</b>      | <ul style="list-style-type: none"> <li>■ Info-brief on land conflict resolution in Northern Uganda</li> <li>■ Factsheet on Capacity Needs Assessment among duty bearers in Pader</li> <li>■ Posters on applying for CCO in Uganda</li> <li>■ Study on Alternative Dispute Resolution and Mediation in Customary Land Registration in Uganda</li> </ul>    |

- Mapping and stakeholder analysis of mechanisms for dialogues;
- Conduct of series of multi-stakeholder dialogues and awareness-raising events at local, regional and national levels;
- Strengthening engagements with existing stakeholder platforms;
- Preparation of project information materials, training handouts and policy briefs; and,
- Presentation, printing, and dissemination of knowledge products.

**Various multi-stakeholder dialogues were conducted at the country level.** Policy dialogues at the national level in Laos revolved around customary tenure recognition and registration, revisions of the Land Law and Forestry Law, local interventions on forest encroachment, land use zoning, and preparation of village land use maps in each of the project sites. In the Philippines, the issues tackled were overlapping land claims issued under various tenurial instruments, landscape governance, VGGT, and the need for a National Land Use Act. In Uganda, participants and the Working Group on Customary Land built consensus on regional and national land concerns including land degradation, land fragmentation, encroachment on fragile ecosystems, women's land rights, systematic land titling, physical planning, and land disputes.

In the conduct of these dialogues, country partners continually engaged government bodies and used existing multi-stakeholder platforms to strengthen these linkages. In Laos, VFI used the platforms of the Land Information Working Group/LIWG (CSO-led), the Workstream on Customary Tenure Recognition in Laos (CSO-led), and the Land Sub-Sector Working Group/LSSWG (government-led). Among the key bodies engaged by the Philippine team are the RLUC, *barangay* (village) and municipal local government units, and the NCIP. In Uganda, GLTN and implementing partners of SALaR project are active members and contribute to activities of several multi-stakeholder platforms, such as the CCO Interest Working Group, Northern Uganda Land Platform, Women Land Rights Movement, Stand for her Land, and National Engagement Strategy on Land in Uganda (NES-UG). Through the CCO Interest Working Group,<sup>15</sup> GLTN has held several engagements to discuss and exchange information on lessons learned, challenges and experiences encountered during the registration of customary land rights.

<sup>15</sup> This is composed of GLTN, GIZ, Makerere University, UCObAC, IIRR, ZOA, Trocaire, and other key development partners. The group is engaging and supporting MLHUD on many technical aspects including developing procedures for physical planning in CCO registration processes, integration of CCO data in NLIS, and digital printing of CCOs.

The implementing partners in the three countries produced information briefs of the SALaR project. In addition, partners produced policy briefs, learning materials, and information brochures on topics pertaining to the needs of target communities. Videos highlighting the work, accomplishments, and lessons from the SALaR projects in the three countries were produced.<sup>16</sup> Several publications were also translated into local languages. Table 2 outlines the major knowledge management products developed.

**A total of 68 knowledge products were produced through the SALaR project.** All the countries disseminated such knowledge products to key line agencies and members of communities, as well as uploaded e-versions of the materials on their respective websites. These publications have also been uploaded by the GLTN Secretariat on their website, accessible at <https://glt.net/programmes/secure-access-to-land-and-resources/>.

The project's accomplishments are summarized on Table 3.

The SALaR projects in the three countries have achieved significant accomplishments despite a few implementation challenges that were beyond the control of the GLTN partners. The physical terrain and the climatic disturbances presented challenges to the enumerators during the data gathering and validation stages. Further, with the imposed lockdowns starting

March 2020 due to the COVID-19 pandemic and the constraints on mass gatherings under the quarantine period, there were limitations

in conducting and organizing project activities at the field level. In Laos, securing agreements with government authorities for project implementation took a longer time than expected. All these challenges resulted in delays in project implementation and completion. Adjustments were undertaken particularly in communication with the partners, who had limited or no access to communication devices, phone signal, and the internet. Administrative tasks, including encoding of data, and preparation for training courses and workshops, were completed during the quarantine period.

## EMERGING OUTCOMES

Using the theory of change of the SALaR initiative, the following outcomes have been observed by project stakeholders in the three countries:

### **In relation to project goal of increasing tenure security**

*The awareness of tenure security among community members, IPs, ethnic groups, women, and youth representatives has increased.* The issuance of land certificates, facilitated by the recording and digitalization of land rights, has contributed to: (1) strengthening community tenure security and management of collective/customary land and resources; and, (2) securing individual household rights to use collective or customary lands. Security of tenure has likewise been strengthened and conflicts prevented through the clear, transparent and participatory process of demarcating boundaries with neighbors in the project sites.

There is increased tenure security among community members in the SALaR project sites

<sup>16</sup> These videos may be accessed here: <https://www.youtube.com/watch?v=547beMOvhGI> (Laos); <https://www.youtube.com/watch?v=a7fpj4D5GVQ> (Uganda); <https://www.youtube.com/watch?v=yERDXBzflw> (Philippines)

**Table 3. Summary of SALaR Project Achievements**

| Target outcome   | Outputs   |
|--|---|
| Increased uptake of land tools that are pro-poor, fit-for-purpose, and gender responsive                             | <ul style="list-style-type: none"> <li>■ Implemented GLTN land tools and incorporated land tools in project activities: STDM and participatory enumeration, FPIC, GEC, YLRC, FFP Land Administration, ADR;</li> <li>■ Approved and printed 15,981 certificates, covering 55,175.112 hectares of land;</li> <li>■ Mapped and delineated 17,361 parcels belonging to 29,667 households; and,</li> <li>■ Resolved 372 disputes (92 percent of the 406 cases recorded).</li> </ul>  |
| Strengthened capacity of change agents to implement pro-poor, fit-for-purpose, and gender responsive land tools      | <ul style="list-style-type: none"> <li>■ Conducted awareness-raising and capacity building activities for participants from government agencies, farmers, indigenous peoples, youth, and women, on topics such as the use of land tools, land rights, land policies, dispute resolution, gender and youth responsiveness, and land governance;</li> <li>■ Conducted 59 capacity building activities for 1,841 participants (670 females and 1,171 males), of whom 153 have been deployed as enumerators; and,</li> <li>■ Around 40 percent of the participants of the various capacity building activities are youth.</li> </ul>  |
| Improved awareness among stakeholders on issues and measures for improving land and natural resource tenure security | <ul style="list-style-type: none"> <li>■ Produced and disseminated 68 publications consisting of project information materials, policy briefs, rights and policy awareness materials, information dissemination products, documentation materials, and learning/training modules;</li> <li>■ Produced project information videos in Laos, Uganda, and Philippines;</li> <li>■ Convened several multi-stakeholder dialogues at national and local levels that served as avenues for discussion on key land rights policy and implementation issues, legislative agenda, gender mainstreaming, rights awareness; and,</li> <li>■ Optimized existing multi-stakeholder mechanisms (initiated both by government agencies and CSOs) where land issues were discussed, thus strengthening linkages with these groups.</li> </ul> |

in Laos, as evidenced by the erection of boundary markings on plots that were previously contested. The implementation of land tools enabled the delineation of boundaries that mark the extent of collective lands and private lands. Encroached forest areas were also identified, thus facilitating points for negotiation with authorities and forestalling evictions. Land use classification was also undertaken to enable proper management of land and natural resources at the local level.

At the same time, through the certificates, families, community leaders and elders were able to delineate and subdivide their lands for future generations. For example, in Uganda, the land mapping process and demarcation of land use

enabled the villages to access land certificates that facilitate the transfer of land through inheritance or other means. The certificate also unlocks the potential to access credit and perform other transactions on the land.

***Tenure security among women and youth has significantly increased.*** As the certificates were issued under the names of husbands and wives, gender equity was mainstreamed. In Uganda, more women have benefitted from the process because they were able to document, through the CCOs their land rights as individuals or jointly, with their spouses or families. Prior to the SALaR project, women were not involved in the documentation of their rights to the land,

which was perceived as mainly the purview of men. In the course of the implementation and through awareness and sensitization from the project partners, husbands and brothers increasingly registered family lands with their wives, daughters, and other family members. Widows have had their land registered with their children. In a recent interview, one of the project beneficiaries said:

*"I lost my land to land grabbers when my husband died some years back. Opportunists grabbed my big chunk of land leaving me helpless and in tears. After years of hard work, I was able to save some money and buy another piece of land. When this project came, I decided to have my land well-documented and properly demarcated. Seeing my name on the CCO brought me a lot of joy. I am now confident that no one will claim rights over my land."* - Winfred Kamanzi (Nyakabande, Kisoro District)

Similarly, in Laos, women have received certificates under their names, thus increasing their perception of security of tenure. Through the project interventions, the women became more aware of their tenure rights.

In the Philippines, the names of the children are included in the CCLOs. Indigenous youth have rediscovered through awareness-raising sessions the link between their ancestral domains and their cultural identity: without their lands, their culture will vanish.

***Increased tenure security provides a powerful incentive to manage natural resources in a responsible and sustainable manner.*** In the Philippines, the documentation of land rights reinforced the IPs' desire to pursue their applications for Certificates for Ancestral Domain

Titles (CADTs) and strengthened their claims to lands that have been erroneously identified by local government units (LGUs) as forest buffer zones where permanent structures and settlements are prohibited.

In Laos, the land-use planning process has defined a very clear zone of the forest and agricultural land for conservation and sustainable use. Through the FPIC process, the villagers agreed to conserve some of the agricultural areas to be managed for collective purposes, such as natural grazing, collective shifting cultivation, and other collective agriculture uses. The project has also increased the awareness of villagers of the importance of managing sustainably the collective land. The updated land use plan will enable further reduction of encroachment into the protected areas and it will support the local official in enforcing adherence to the existing plans.

In Uganda, the increased security of tenure has engendered confidence. People are now more comfortable to use their land for agriculture and to contribute to food security in their communities and families. Project partners are seeing improved land-to-people relationships as a result of the resolution of a number of boundary and ownership disputes during the mapping processes. This was apparent in how delineation promoted harmonious relationships between refugees and refugee host communities in the West-Nile region of Uganda. The mediation interventions have helped people to co-exist in peace and to use their land without fear of losing it. The project has raised awareness of issues related to access to, use of, and protection of natural resources – which had not been discussed in the communities and among CSOs and government agencies prior to the project.

## Box 7. Testimonies of project participants in Laos, the Philippines, and Uganda

*"Our lands are reserve lands that had no document to verify our right to the land. After receiving the certificate of demarcation from the project, we are ensured that we have the right to use and to keep them for our family members." – Bouakham (Xiengkhouang province, Laos)*

*"In our village, many disputes on land occurred because of the traditional land reservation with unclear boundaries and owner rights. Thus, certificate of demarcation is only a basic tool to help the village authorities to solve the land conflict issues." – Vansom (Xiengkhouang province, Laos)*

*"The issuance of certificate is valued by our tribe, the NAMAMAYUK. The family can see their photos with the list of their family members. In the future, we are assured that this land belongs to us, our family. Even those children who are not yet born, they will be able to use this in the future." – Angelina Guinto (Pangantucan, Bukidnon, Philippines)*

*"As a woman, our rights are being recognized in the certificates. This gives us the confidence, particularly because in formal land titles only our husband's names are there but with the certificate of customary land occupancy, our names are written as well, along with our husband and our children." Edna Narabe (Pangantucan, Bukidnon, Philippines)*

*"I heard about the project from the Local Councils during the awareness-raising. They told us that it will help to solve our boundary disputes and I applied because that is really a big problem here. I learned about the CCO and that is a legitimate document that I can show to prove ownership of my land. Even right now and although the CCOs have not been distributed, the mapping and documentation have already minimized boundary disputes and I feel confident that this is my land and no one can take it away from me or my children." – Lamunu Santina (Kilak Parish, Pader Sub-county, Pader District, Uganda)*

*"Over the years, we have witnessed many land wrangles stemming from unclear boundaries. It was for this reason that we embraced the project and have had our land rights registered and documented. With all the information captured and CCO registered, our land which is our source of livelihood is finally secured." – Eric and Jolly Mugisha (Nyakabande, Kisoro District, Uganda)*

*"I am happy to see my land mapped and documented because documentation and clear demarcation of my land has helped me solve disputes with my neighbors. I will also be able to use the Certificate of Customary Ownership as security to acquire a loan from the bank." – Aoyo Chesire (Adropi, Adjumani District, Uganda)*

### **In relation to increased uptake of appropriate<sup>17</sup> land tools, approaches, frameworks, and policy guidelines**

The SALaR initiative has introduced a number of land tools and approaches in the three countries. While these tools were received and used in varying degrees by governments (both at national and local levels), traditional local leaders, and Councils of Elders, among the common observations in the three countries were: a) the recognition of the tools' relevance and contribution to increasing tenure security of the rural poor; b) promoting gender equity and women's rights to land; and, c) encouraging

community participation, as well as facilitating community participation and engagements with a wide range of stakeholders.

There is greater appreciation among decision-makers (governments and traditional leaders) of the land tools as evidenced by their actual or potential use in land programs or policies. For community leaders, the tools are viewed as strengthening indigenous knowledge systems and practices, and bridging modern technologies and traditional practices.

In Laos, the SALaR project was designed as a pilot confidence-building initiative to promote government recognition of improved customary

<sup>17</sup> Pro-poor, gender responsive, and fit-for purpose



Boundary Adjudication and Mapping in Pader District, Uganda.  
©GLTN

tenure. Through participatory enumeration and use of the STDM tool, combined with land use planning, land demarcation certificates have been issued. This project output has opened opportunities to explore with the government the adoption of the STDM database as the de facto system for land management at the district level. There has been a greater uptake of the STDM tool by the DoL, and an increased recognition of its benefits among land authorities from district and provincial offices because of the system's affordability. As such, the DoL was excited by the impacts of the project and is keen to see how the model can be standardized to ensure that the data and methodologies are compatible with the national titling system.

Likewise, there are ongoing discussions to look into the linkages between the STDM tool and the national land registration system in Laos, and how data can be shared between the two systems. The land registration guidelines used in the STDM tool and the national titling process have been extensively compared and analyzed. This process seeks to produce a harmonized

template that can be used to influence the integration of STDM data into the national titling system. The DoL is considering the customization of the STDM tool for land recordation at district levels. Finally, there is potential to use the STDM tool as reference for the standardization of procedures for demarcation in collective land in the near future.

Meanwhile in the Philippines, the interest of IP leaders in pursuing their CADT application has been revived as a result of the generation of community data to support the processing of formal ancestral domain titles. The data recorded through participatory enumeration provides a clearer understanding of land use as well as boundaries among IP community members. Leaders and members of IP organizations appreciated the participatory and cost-effective approach of documenting their information in a reasonable amount of time, as opposed to the long and bureaucratic formal process of delineation. Signed by local government officials and tribal chieftains, the CCLOs recognize the entitlement of IPs to the land thereby increasing tenurial security.

There is increased recognition of GLTN land tools, particularly the STDM tool, by the government of Uganda in the registration of customary lands. A factor that facilitated this achievement is that the government has used the STDM tool in the past albeit for different purposes.<sup>18</sup> At the same time, the STDM process has been used for the management of the data system since the actual data collection is based on the data

<sup>18</sup> The STDM tool was used prior to the SALaR project for mapping and enumeration of slums and informal settlements in fourteen secondary towns and the capital city Kampala, and for dispute resolution of a large-scale agriculture investment.



requirement of the NLIS. Learning from the SALaR experience, the government has acknowledged the need for standardizing procedures for customary land registration; manuals are currently being prepared. There is also an increased focus on the integration of customary land records in the NLIS.

**In relation to strengthened capacity of change agents and rural poor women, men and vulnerable groups to implement pro-poor, fit-for-purpose, and gender-responsive land tools and approaches**

In all countries, partners conducted training courses and skill sharing sessions for change agents and rural communities. Trainings of field teams in the tools and procedures for enumerating, mapping, and adjudication were conducted using fit-for-purpose methods.

In Laos and Uganda, implementing partners have seen increased capacities of government and traditional authorities to implement land tools introduced by the SALaR project. In Laos, the project has contributed to enhancing the capacities of provincial and district level government personnel to appreciate fit-for-purpose tools in the development of customary registration guidelines and in the integration of STDM data into the Lao Land Registration system. Staff from the District Agriculture and Forestry Office (DAFO) and District Office of Natural Resources and Environment (DONRE) are now harmonizing the instruments and procedures for land demarcation and land use zoning activities towards better management and coordination.

In partnership with the DoL, guidelines on land management and registration are being developed. This is strategic as land use planning

is crucial for identifying rights, enforcing land use zoning, and preventing encroachment as well as land conflicts. At the same time, discussions are ongoing between DoL and VFI on how to integrate the STDM tool into the government database systems and to adapt and adopt functional tools that are available in the country. It has been accepted that the STDM tool is suitable for providing an information management system particularly on land use. Therefore, harmonization of instruments and guidelines provides the right platform for this and other regions to scale the use of the STDM tool.

In Uganda, a marked improvement in the capacities of government personnel was observed through the computerization of the CCOs. The SALaR project has also opened up a number of opportunities to pursue policy work. One area is the adoption of the STDM tool by the government to digitize the customary land registration process. The government has also recently approved its strategy on gender, and this provides an opportunity for partners to further mainstream the Gender Evaluation Criteria in such discourse by sharing the experience and lessons from the SALaR interventions. At the same time, members of the Area Land Committees, District Land Board, and recorders have become more confident in facilitating and solving land disputes as they increased their awareness and understanding of their roles in the CCO processes.

Julius Nyeko, the Senior Land Management Officer (SLMO) of Pader District, highlights the project's importance to the district and the community: *"I am happy that the lower-level land actors especially the Area Land Committee members now understand their role better; this reduces the burden on me and my office. With the*

*STDM database established at the district, we have used the data which was collected during the pilot project to solve about three cases of boundary disputes using the coordinates captured with the GPS. In addition, the data collected has been used for planning since land that is communally owned is clearly marked. Having an easy-to-use land database at the district has therefore been of greatest importance to my office.”*

In the Philippines, the enumeration and recording processes have produced evidence-based information and data management systems. In the process, IPs have enhanced their technical knowledge and gained access to data that they can use to leverage support and demand accountability from the government.

The GEC tool has reinforced the stature of and prompted further advocacy for women’s land rights. While the *Talaandig* and *Manobo* tribes in Mt. Kalatungan, Philippines are largely male-dominated, the women who belong to these groups exercise sufficient power of their own and contribute significantly to the economic and cultural sustenance of their communities. The *bae*,<sup>19</sup> provides counsel and support to the *datu*, leads the women in her community, and ensures that the women contribute to the tribe’s economic activities.

The Manobo women are the bastion of their tribe’s traditional practices. They serve as the community’s healers and ritualists, using herbal products and traditional knowledge. On the other hand, it has been observed that women members of these tribes have become more assertive of their rights to land as a result of the various training courses conducted.

<sup>19</sup> A female tribal leader who is usually the wife of the local male tribal leader or the *datu*, or a woman who has been conferred the title for extraordinary service to the tribe or who possesses skills essential to the tribe.

In all the three countries, project implementors have received feedback from community members on their appreciation of the capacity building initiatives that have equipped them with knowledge and skills that they need to sustain the initial gains of the projects.

### **In relation to improved awareness among stakeholders on issues and measures for improving land and natural resource tenure security**

Through the various training interventions discussed above, combined with community awareness activities and demonstrations of tool application in the field, stakeholders have reported greater understanding of tenure security issues, particularly the opportunities presented by a range of GLTN tools for addressing tenure insecurity in customary/collective lands.

There has been a positive change in attitude among government personnel as they have become more open to engage different stakeholders in land policy, and program and tools implementation. In all countries, the implementing partners were engaged in multi-stakeholder platforms promoting awareness of the means for improving tenure security for the poor and vulnerable. For example, in the Philippines, the Regional Land Use Committee (RLUC) has been harnessed as a multi-stakeholder platform in which partners have promoted tenure security for IP communities, facilitated inter-agency coordination/collaboration, and discussed SALaR activities and opportunities to improve tenure security. Members’ awareness of conflicts due to overlapping tenurial claims has been enhanced. The Committee has been supporting the passage of a National Land Use



Community validation in *Sitio Quarry, Barangay Bacusanon, Bukidnon, Philippines*. ©XSF

Act to address such conflicts. At the local level, the *barangay* officials have expressed satisfaction as their workload has been reduced because of the resolution of several land tenure issues and land disputes among community members through interventions of the project.

Through the CCO Working Group in Uganda, partners have been able to liaise with other like-minded organizations promoting the documentation of land rights in customary tenure. Group members were able to support each other through peer learning exchanges, discussion of common issues and the provision of key recommendations to the MLHUD regarding CCOs. The government is now prioritizing customary land registration and updating of the format of the CCO to make it more robust and secure.

At the same time, experiences from the project have fed into policy reviews and initiated discussions on the need to standardize customary land registration and guidelines on transactions related to customary land.

In Laos, the Land Sub-Sector Working Group has been providing the platform for different stakeholders to discuss land policy issues. The importance and value of multi-stakeholder platforms is underlined by the challenge of developing three areas of land management – land use planning, land registration, and land information management – because all three are linked and land use planning is crucial for identifying rights in the policy context of Laos. In addition, the project has generated a standard mechanism for the permanent, formal recognition of collective land rights that can be adopted at all administrative levels to support smallholder tenure security.

Recognition of collective land tenure will thus enable the government to promote the communities' role in decision-making regarding the governance of the land.

In all the three countries, the projects have stimulated participation among the youth. They also served as enumerators or field assistants following the capacity development training courses and project interventions. Prior to SALaR, very few youth were involved in the discussion on land issues in their communities. The introduction of the Youth and Land Responsiveness Criteria (YLRC) tool provided the impetus to involve the youth. These engagements have instilled in the youth a sense of obligation as members and incoming leaders of the ancestral domain. An added dimension is the increased knowledge and appreciation of the youth for the conservation, preservation, and protection of the environment. Children were also able to observe the enumeration process.

Similarly, the involvement of women and the youth in discourses on land have been observed in the three countries. They have demonstrated confidence as they narrated that they have improved their ability to communicate and face outsiders or visitors to their communities.

The project has resulted in vastly improved relationships among IP organizations in the Philippines. It has fostered respect, unity and understanding among the youth, women, men, the Council of Elders, and other members of the community. One of the factors that facilitated this result is a common understanding among the land actors of the project's objectives. This was also observed in Uganda. Good working relationships and trust have been built among cultural institutions, District Local Governments, Sub-County leaders, and the Ministry of Lands, Housing and Urban Development. This was achieved through the active engagement of these stakeholders throughout the project activities, training courses, and dialogues.

## LESSONS LEARNED

In the processes of implementing the SALaR projects, and considering the challenges faced and the factors that have contributed to its success, the following lessons have been noted.

**In the absence of legal instruments and weak institutional capacities, it is possible to increase tenure security in a non-threatening and cost-effective way, through the use of appropriate tools and participatory approaches to documenting land rights and land use, delineation of boundaries, and**



An enumerator takes a family photograph during the participatory enumeration process in Bukidnon, Philippines. ©XSF

**providing evidence of use and occupancy that is recognized by community members, traditional authorities, and local authorities.**

The certificates issued through the SALaR projects, through a process that was more accessible, affordable, inclusive, and less time-consuming, provided evidence of a household's tenure rights. The documentation of land rights and land use led to individuals and communities having a greater sense of security over their occupied territories. Delineated boundaries enabled community members to prevent and address territorial disputes among them. Community partners also reported lessened fear of encroachment or eviction.

Documentation of land rights has also been observed to be a key step in moving forward with formal land rights recognition in the three countries. Recognizing the value of official tenure instruments, implementing partners in all countries aligned project interventions with existing government mechanisms for officially recognizing land rights. In Uganda, information that was imported into the STDM database was used to process and generate legal CCOs. In Laos,

## Box 8. Value of multi-stakeholder platforms

*"The involvement of different actors promotes peer learning, knowledge transfer, capacity-building, and technical support from different partners. It also promotes the sustainability of project outcomes." – Uganda team*

*"Multi-stakeholder platforms are a key part of land policy advocacy that promotes long-term engagement when dealing with land issues and natural resource tenure security for poor and vulnerable individuals and groups in Laos. The development of tools and approaches with and for government counterparts and making them available for a variety of stakeholders is key to long-term success." – Laos team*

*"In the Philippines where land policies and administration are highly sectoral in nature, multi-stakeholder platforms provide the basis for dialogue, exchange of information and collaborative programs on ensuring responsible resource governance. Managing these platforms, however, would require openness, organizational skills, facilitating tools and a broader perspective towards more inclusive approaches." – Philippines team*

it was found that information generated through the STDM tool and participatory enumeration, especially on the measurement of agricultural land within shifting cultivation areas, aligns well with the Department of Land's family land book registration. In the Philippines, households are now informed of their respective land boundaries in contrast to relying on arbitrary boundaries in the past, and this has promoted understanding between and among neighbors. Subsequently, measuring and delineating land will resolve disputes. Finally, the data generated from the STDM processes can be used as inputs to the indigenous peoples' CADT application and a contribution to digitize the information on IPs.

**Related to the point above, contextualized application of participatory, fit-for-purpose, gender responsive, and affordable land tools, combined with other local and CSO tools, leads to enhanced capacities of communities in protecting their land rights.**

This has been observed in the three countries, where tools such as the GEC, YLRC, TRLUP, FFP Land Administration, and ADR were adopted in accordance with communities' needs and in close cooperation with community partners. In

the Philippines, these tools were also adapted to local traditions and norms, as well as to local approaches, such as *landscape governance*. As a result, best practices and known principles from both local and international sources have fostered rich discussions during policy dialogues and trainings, leading to greater appreciation of the roles that community members play in protecting customary land rights, and enhanced knowledge and skills in land governance.

**Securing FPIC from communities and seeking acceptability from local government units and traditional authorities are indispensable components of project startup, in order to align the project with the needs of communities, ensure the success of interventions, and foster ownership of the project among partner communities and LGUs.**

An appreciation of local customs, values, needs, priorities, and goals is vital to understanding how the land tools may be applied for the benefit of communities. Different settings may lead to differences in these facets. Thus, SALaR implementors in the three countries took time to coordinate with partner communities, their local and traditional leaders, and local government

### Box 9. Testimonies from youth who participated in the implementation of the SALaR project

*“Not many young people in the village use to participate in the project especially in land use management. This is a potential opportunity for young people in the village to learn about land registration process and land use management. After participating, we are now can assist the elder people in the village to do land survey, measurement, accomplish the form, consult the district authorities for any problem occurred in the village.” – Chanpeng (F), youth, Xiengkouang, Laos*

*“I am grateful to my colleagues for helping me become mature. The respect that I was looking for in others I found in my working with them in this project even if I am still a student, the trust was there. This time, my communication skills have improved, and it added to my learning being a youth.” – Jerlyn Pediera (F), indigenous youth, Bukidnon, Philippines*

*“I was surprised myself that I have the capacity to help others through this project. It opened my mind that indeed it is important to help even in small ways, it is priceless especially if you are helping from the heart.” – Marlon Polinda (M), indigenous youth, Bukidnon, Philippines*

*“I am grateful to this project for having given me the opportunity to work in my community. It helped me realize my potential of serving my community and I cannot imagine [that] I am now the Mayor of Bunagana Town Board, Kisoro district.” – Ismail Ndayambaje (M), youth from Kisoro District, Uganda*

units, to explain the objectives of the project, the intended outcomes, and benefits they may reap from participation.

These initial steps were also crucial in dispelling skeptical views and in easing the apprehensions of communities. Notably, several communities in the Philippines and Uganda were wary of projects supported by foreign entities and NGOs, due to past experiences that have led to fraudulent negotiations and due to suspicions that the documentation activities might lead to land grabbing. In Laos, there was fear among a few villagers that the project would expose sensitive information on tax payments.

It should be noted that the processes of seeking acceptability from communities and LGUs continued throughout the project to keep project expectations and goals aligned.

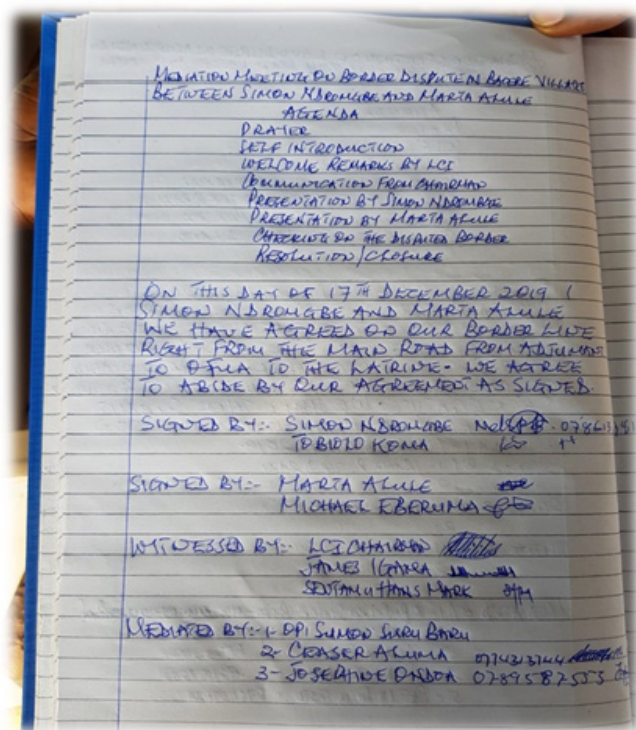
**Project objectives are achieved, and outcomes are sustained through strategic partnerships; continued coordination with communities, traditional and community leaders, local**

**government units, and national government agencies; and, capacity building.**

All three countries observed that multi-stakeholder platforms and partnerships with various stakeholders, such as government agencies, community leaders, and other civil society organizations, were key to project success. Involving these different actors in policy dialogues and learning events enriched the discussions towards identifying solutions and potential actions to address broader land rights issues.

In Laos and Uganda, implementing the projects with the government and building the capacities of personnel of local and national government agencies led to the smooth implementation of activities, the integration of the project activities in official government programs, and sustained interest from the government to address broader land rights issues. Working with the DoL and MLHUD in Laos and Uganda, respectively, allowed for the incorporation of STDM data into official government land rights documentation mechanisms in Laos and Uganda.

### A written agreement settling a boundary dispute.



The image shown is a written agreement on a boundary dispute between two parties: Simon and Marta in Uganda. This outcome was achieved through mediation. ©MAK-SBE

Meanwhile, in the Philippines, the support of the *barangays* (local government) through the Memoranda of Understanding (MOU) and through the signatures on the Certificates of Customary Land Occupancy provided legitimacy to the project. The agreements with the local governments provided protection to the enumerators during the conduct of activities within the communities.

Constant coordination with communities was particularly crucial in ensuring that the SALaR projects continued to serve their interests and align with their needs. The involvement of local leaders, as well as the capacity building of community members especially the women and youth, also ensured the sustainability of the impacts.

Moving forward, continuing these engagements and advocacy dialogues will be instrumental in pursuing policy and program advocacies.

### Providing important roles for women and youth in project implementation and dialogues contributes to their empowerment.

Involving women and youth in project activities and dialogues has proven to be critical in enriching the debate and raising gender-related, youth-related, and inter-generational issues. Women and youth in the project sites also reported improvement in their skills, increase in confidence, and greater involvement in ongoing and inter-generational issues involving their communities. The youth, in particular, being a generation that is more tech-savvy, were able to appreciate and quickly learn about the use of STDM and GPS handheld devices, in the conduct of participatory enumeration and field demarcation.

### A good way to raise awareness and change negative perceptions regarding women's land rights is by forming a collective understanding among community members of how the community at large may benefit from empowering women.

Project implementers faced some resistance from men and traditional leaders when gendered cultural norms were challenged, particularly in Uganda and the Philippines. Since discriminatory practices against women stem from deeply entrenched patriarchal norms and practices, open, honest, and serious discussions involving both the men and women were needed for communities to level off on understanding the issues, arrive at realizations, and begin the process of behavioral change.

In Uganda, community dialogues entailed fostering the understanding that the practices preventing women from inheriting or owning land, or from taking part in decision-making on land-related matters, have negative effects on men and their families. This approach helped the men recognize that their daughters might not be able to enjoy their rights to the family land, independent of any male, if they were not allowed to inherit. Likewise, if their wives were not included in the land title, in the event of their death, their in-laws would take over their family's lands, thus disenfranchising their children.

*"Because not all norms and customs are bad. So they have to collectively understand that we are not there to crash what they believe in or what their traditional systems are but we are there to inquire and see, what are those norms? Or what are those customs that discriminate against women and how does this affect them as men? And how does this affect the household in terms of production? In terms of their ability to develop? And how does this affect the country at large?"* – Uganda presentation during the virtual Country Learning Exchange in April 2021

In the Philippines, the activities and open discussions during the *Landscape Governance Training of Trainers* served as avenues for communities to examine the present status of women in the community, and to form a consensus on the indispensable roles of women in agriculture and food security. In Laos, the inclusion of women in the Certificates of Demarcation also led to the realization that the protection of women's land rights has not been fully implemented due to gaps in the law.

*"Traditional leaders play key roles in conflict resolution over land issues in all the three countries."*

**Alternative Dispute Resolution mechanisms are an affordable, simple, and effective means to resolve land disputes.**

Traditional leaders play key roles in conflict resolution in all the three countries. These were particularly highlighted in the experiences of Uganda and the Philippines.

In Uganda, it was noted that ADR mechanisms are faster, cheaper, and more familiar to communities than the formal justice systems that are often bureaucratic, complicated, expensive, and inaccessible to the poor, especially women. The mediation committees headed by local leaders and elders received and considered disputes on land that arose during the adjudication and demarcation process.

Similarly, in the Philippines, customary laws of IPs are being used by the Council of Elders for decision-making and dispute-resolution, thus preventing the escalation of conflicts. Members of the IP organizations emphasized the need to preserve these traditions and customs and to pass them down to succeeding generations, to ensure harmonious relationships within and among indigenous groups. In the focus group discussion with members of the IP organizations, members highlighted the relevance of the SALaR project in guaranteeing their and their heirs' right to land, and in giving them a sense of security against land grabbing threats.





Preparatory workshop for the awarding of Certificates of Demarcation in Xiengkhouang Province, Laos. ©VFI

## OPPORTUNITIES AND WAYS FORWARD

Emerging from the continuing challenges in the land sector in the three countries, the initial impact of the SALaR project that may have an implication on the communities' claim to customary land can be complemented by approaches and strategies and some key actions or next steps to build on the gains and contribute to sustaining the initiatives.

### **Institutionalization and continued implementation of land tools in project partners' present and future projects and engagements**

The various land tools used in the projects, in particular, participatory enumeration, STDM, GEC, ADR, and YLRC have proven to be effective approaches towards enhancing tenure security of smallholder farmers. Institutions in the three

countries are continuing to use these tools to improve the recognition of land rights. In Uganda, MLHUD has begun the process of incorporating fit-for-purpose land administration in official operations. The SALaR project, in particular the GEC, is complementing the aspirations of Uganda's recently approved strategy on gender mainstreaming. Further, guidelines are being developed by the Uganda Law Reform Commission and Justice Law Order Sector on ADR. In Laos, discussions are ongoing on how to standardize the templates and guidelines for land registration as used in STDM to provide direct integration of the data to the national system. In the Philippines, there is potential for harmonizing or integrating land use plans of communities with Ancestral Domains Sustainable Development and Protection Plans (ADSDPPs) in the context of municipal government and forestland use planning.

Land tools continue to be integrated into governments' and communities' own land administration systems, especially with their increased capacities. This provides an opportunity for expanding the implementation of the tools to benefit other communities; and opens up avenues for resource mobilization towards continued mainstreaming and institutionalization of land tools. Among the activities that may be further conducted are:

- Implementation of the STDM tool and participatory enumeration in other communities and other types of land, in partnership with local and national land agencies, taking into account the lessons learned and recommendations from the SALaR project;
- Standardization of registration processes for customary land through the development of operational manuals in Uganda;
- Conducting additional capacity building sessions for government agencies on the use of tools, database management, and land rights registration;
- Integration of the data gathered using the STDM tool and participatory enumeration into official government mapping, land monitoring, and registration systems;
- Development of manuals for implementing FFP land administration and the STDM tool within official systems, which may be utilized by national and local government bodies;
- Development of simpler procedures for registration of subsequent land transactions on customary lands, consistent with the law as well as agreed customary practices, particularly in Uganda and Laos;
- Development of a module within the STDM system to register subsequent land transactions; and,

- Further documentation and monitoring of how these land tools continue to be implemented and applied, or how they contribute to policy enhancement.

### **Influencing policies and practices through community-led, evidence-based data gathering and documentation**

Information gathered through participatory enumeration, case studies and policy briefs, as well as insights from the SALaR implementation, reveals community needs and gaps in the capacity of both government and communities. These information and insights thus provide valuable input to advocacy and policy recommendations. These also provide a clear illustration of land use issues, overlapping land use claims, and other triggers of conflicts and disputes on land. The project also led implementing partners to uncover valuable lessons on project management, cost-effective approaches to improve tenure security, and amplifying the role of women and youth in land governance.

Therefore, the documented issues as well as the lessons gained from SALaR implementation, may continue to be used as an entry point to discuss issues with governments towards linking community actions and processes to policies in recognizing land rights of people living in collective agricultural areas (Laos), customary land (Uganda) and ancestral domains (Philippines).

Joint strategies may be developed by civil society organizations, towards building on the gains of the project by popularizing accomplishments, best practices, and lessons learned. Interventions shall include broadening

the roles of women and the youth in traditional land governance; pursuing advocacy to address the broader land issues noted; continuing capacity building of community members especially of women and the youth; and, sustaining engagements with government agencies and multi-stakeholder platforms.

### **Sustaining multi-stakeholder dialogues and partnerships with key institutions to address broader land rights issues**

This point is particularly vital as it is only through continued engagement with government and other key stakeholders that gains are sustained.

The implementing partners have identified a number of policy and programmatic recommendations in relation to harmonization of plans, addressing land and resource conflicts, and promoting women's and youth's right to land. The challenge is how to disseminate them as an action point. One way is to incorporate them in the ongoing advocacies and dialogue processes by optimizing and continuing to cultivate the relations built by the projects.

In the Philippines, the approach of working with the support of the Regional Development Council (RDC)<sup>20</sup> of Region X and the RLUC promotes inter-agency collaboration, reduces conflicting claims, and increases the likelihood that the RLUC would support the implementation of tenure-security initiatives (e.g., registration of CADTs). Such partnerships are seen to strengthen the claim and security of tenure of the IP communities over their ancestral domains.

<sup>20</sup> The Regional Development Council (RDC) is the highest planning and policy-making body within a region. It coordinates and sets the direction of economic and social development endeavors at the regional level. The RDC also serves as a forum where local efforts may be discussed and integrated into regional and national activities.

Similarly, the Land Sub-Sector Working Group (LSSWG) in Laos should be maintained as a platform for government agencies, CSOs, international organizations and development partners in sharpening the Land Law. Policy briefs can be developed as inputs to the discourse on: a) land titling; b) land rights in forest zones; c) land rights for shifting cultivation; d) women's land rights; e) land leases and concessions; f) expropriation and compensation; and, g) grievance mechanisms. At the same time, learning opportunities through an exchange program in the country on collective land management can be jointly organized by the LSSWG.

In Uganda, the formation of the Certificate of Customary Ownership Working Group (CCO WG) should be pursued as a mechanism for peer learning exchanges, collective advocacy, and policy discussions towards the formulation of recommendations to the Ministry of Lands, Housing and Urban Development (MLHUD). The platform can provide the window for reaching and interacting with marginalized groups – the poor, refugees and displaced persons, women, and youth – to discuss issues related to land administration, gender and women's land rights, land dispute resolution, and conservation of natural resources.

To sustain these engagements, communities and civil society must also be capacitated further so that they can participate in official decision-making mechanisms, and continue to conduct dialogues on customary land rights and land governance. CSOs must also assist communities and local community organizations in forming linkages with key development partners that can provide the needed resources.

Finally, academic institutions may be further engaged as partners in community development. Schools and universities could provide unique contributions to refining the conduct of capacity building activities, and improving learning modules, and overall project implementation. Partnerships with academic institutions may also encourage more participation from the youth. This draws from the experience of Uganda partners' project implementation with Makerere University - School of the Built Environment (MAK-SBE), where students have been involved in technical training, assisting the communities in using the digital tools, and in actual data gathering, thus contributing to capacity-building and overall implementation. The project also contributed to valuable knowledge and experience which are now part of the university courses. A new Master's Degree in Land Management has been introduced as well.

### **Disseminating and sharing of policy briefs and other knowledge materials**

Many advocacies and recommendations are adequately discussed in the knowledge products produced by country partners in the three countries. The manuals and training modules, issue briefs and community stories may be used to advocate solutions to tenure security issues. These materials thus provide a longer-term opportunity for continued knowledge-sharing and information dissemination that may reach wide audiences from communities, government agencies, policy makers, and up to international actors.

For the benefit of communities, training modules and materials may further be improved, simplified, and translated into local languages to contribute to their continued awareness raising, re-echoing of training sessions, and self-capacitating.

Implementing partner-CSOs and communities may also continue to engage in learning exchanges with other organizations to discuss lessons learned and best practices from the ground.

In sum, the SALaR project opened up many opportunities and led to significant positive outcomes. In order to sustain these gains, the following should be pursued:

- Data and information collected through the utilization of the STDM tool and through the dialogues during the SALaR projects must continue to be used for advocacy and campaigns for secure land rights and good governance;
- Good practices and lessons learned should be disseminated to government, civil society, development partners, and other stakeholders interested in replicating the project or implementing similar interventions;
- Experiences and lessons gained from this project should also be shared to a global audience – among GLTN global partners and at international fora;
- At the community level, awareness-building activities and capacity development must be continually conducted, in accordance with rural communities' needs and goals;
- Implementing partners ought to integrate lessons learned from this initiative in existing and future endeavors; and,
- Finally, stakeholders engaged in SALaR implementation should also work on resource mobilization at national and international levels to continue and build on the initial gains of the project.

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# LAOS

Smallholder farmers in Xiengkhouang Province pose for a photo with the District Governor after receiving their certificates. © VFI



## Improving Tenure Security of Smallholder Farmers in Luang Prabang and Xiengkhouang Provinces, Laos

*Prepared by Village Focus International*

### THE LAND SECTOR

The country's land area covers about 238,800 square kilometers, of which about 11 percent (some 25,000 sq. km.) are arable land.

Laos has the highest poverty rate among the Mekong countries (Vietnam, Thailand and Cambodia), with about 30 percent of the population living below the poverty threshold of US\$1.25 a day as of 2012 (SODA, 2015).

Sixty-nine percent of the country's population of 7,123,000 people (Laosis, 2021<sup>6</sup>) lives in rural areas, and 90 percent of them are engaged in agriculture (MAF, 2012).

According to the United Nations (UN) (2015), the poverty rate in rural areas is 2.9 times higher than

in urban areas, and remote upland regions are poorer than rural lowland areas.

Gender and poverty are also linked. Women are poorer and work longer hours than men (SODA, 2015). However, poverty among female-headed households is significantly lower (17% in 2012/13) than among male-headed households (24%).

### Overview of the legal and policy environment on the poor's access to land

Prior to 1975, all lands in the country had belonged to the King.<sup>7</sup> At the village level, however, farmers were free to manage the land according to customary tenure rules. Following

<sup>6</sup> <https://laosis.lsb.gov.la/>

<sup>7</sup> The last king, Sisavang Vatthana, ruled until December 1975, following which he surrendered the throne to the Pathet Lao, or the Lao People's Liberation Army. The latter abolished the monarchy in favor of a Marxist-Leninist State called the Lao People's Democratic Republic, which has controlled Laos ever since.

the 1975 revolution, all lands and farming were put under the control of the government and cooperatives. This farming model did not work as many cooperatives broke up into individual farms. After 1986, the Lao Revolutionary Party adopted a socialist market economy policy, whereby lands were assigned to individual households and a free market economy was put in place.

In 1996 the government began implementing land use allocation and zoning to discourage shifting agriculture, which was blamed for forest degradation (Souvanthong, 1995). In 2000, land use allocation was completed in 7,117 villages, or 83 percent of villages in the country. Various land use tools were produced to manage forest lands, including Participatory Land Use Planning (PLUP), Participatory Agriculture Land Use Management (PALM) and Participatory Forest and Agriculture Land Use Planning, Allocation and Management (PFALUPAM). However, these tools did not fully recognize the land tenure rights of rural communities, resulting in adverse effects on land tenure and rural livelihoods where development projects were implemented. (Ducourtieux & Castella, 2006).

The Lao government is working to improve its legal framework on land. In 2017, in response to concerns over the lack of transparency in processes used to manage land in Laos, the Central Party Committee committed to greater transparency in land management through Resolution No. 26, on the Enhancement of Land Management and Development in the New Period, noting:

*The Government manages land in a centralized and consistent manner across the country by assigning the Ministry of Natural Resources and Environment [MONRE] to act as focal*

#### LIST OF ACRONYMS

|          |   |
|----------|---|
| BMZ      | Germany's Federal Ministry of Economic Cooperation and Development                |
| CSO      | civil society organization  |
| DAFO     | District Agriculture and Forestry Office  |
| DALAM    | Department of Agricultural Land Management  |
| DoL      | Department of Land  |
| DONRE    | District Office of Natural Resources and Environment                              |
| GIS      | Geographic Information System   |
| GIZ      | Deutsche Gesellschaft für Internationale Zusammenarbeit                           |
| GLTN     | Global Land Tool Network  |
| GPS      | Global Positioning System   |
| LIWG     | Land Information Working Group  |
| LSSWG    | Land Sub-Sector Working Group   |
| MAF      | Ministry of Agriculture and Forestry  |
| MONRE    | Ministry of Natural Resources and Environment                                     |
| MRLG     | Mekong Region Land Governance   |
| NA       | National Assembly   |
| PAFO     | Provincial Agriculture and Forestry Office  |
| PFALUPAM | Participatory Forest and Agriculture Land Use Planning, Allocation and Management |
| PLUP     | Participatory Land Use Planning   |
| PONRE    | Provincial Office of Natural Resources and Environment                            |
| RECOFTC  | The Regional Community Forestry Training Center                                   |
| SALaR    | Secure Access to Land and Resources   |
| STDm     | Social Tenure Domain Model  |
| TABI     | The Agro-Biodiversity Initiative  |
| VFI      | Village Focus International   |

*point of management with delegation of more responsibilities to local authorities to ensure land management and administration by using a modern and highly effective system in line with best practices, scientific principles and transparency.*

***“As stated in the Land Law (2019), villagers are allowed to use land that they have occupied and utilized for more than 20 years before the law took effect.”***

In 2019, two laws governing land use rights recognition -- the 2003 Land Law and the 2007 Forestry Law -- were revised and adopted by the General Assembly.

Article 130: Acquisition of the Customary Land Use Right of the Land Law provides that:

*“The acquisition of customary land use right is the acquisition by Lao citizens of their occupied and used lands through clearance, development, protection and regular use of the land for more than twenty years before this Law becomes effective and without document certifying the acquisition of the land but subjected to certification from village administrative authorities and the owners of adjacent land parcels regarding the continuous land occupation and use without any disputes or with disputes which have been already settled.”*

*While land registration has yet to [be] conduct[ed] for [the purpose of] issuing individual land titles, the State acknowledges and protects the customary land use rights of the person and proceeds with land title registration in accordance with the laws.*

As stated in the Land Law (2019), villagers are allowed to use land that they have occupied and utilized for more than 20 years before the law took effect. However, in the last two decades,

the government has encouraged many small villages to merge with bigger villages closer to development services and markets (Lyttleton et al., 2004). It has also reallocated land use and land tenure rights for the new village resettlement.

Meanwhile, the Forest Law (2019) aims to restrict shifting cultivation by encouraging settlement and sedentary livelihoods in forest areas, assigns to the Government and local authorities the management and allocation of land to villagers living in forest areas [Article 71 (para. 3) and Article 118]. A village land use planning has been conducted to identify the forest and agricultural land use zone and to allow villagers to use the land within the agriculture zone. Three guidelines were used for land use planning implementation namely:

- Participatory Agriculture and Forest Land Use Planning (or PLUP) at Village and Village Cluster Level, issued by MAF and NLMA, 2010;
- Participatory Agriculture Land Use Management (PALM); and,
- Participatory Forest and Agriculture Land Use Planning, Allocation and Management (PFALUPAM).

All the while, however, communities had been customarily managing forest land without any legal documents.

Other relevant laws and legal documents were used for land registration, including:

- Decree on the Implementation of the Land Law, Prime Minister, No.88/2008;
- Ministerial Directive on Cadastral Surveying and Cadastral Mapping No. MONRE 6035/2014; and,
- Ministerial Directive on Land Registration and Land Titling, MONRE No. 6036/2014.



**Table 1. Social-Economic indicators of Lao PDR**

| Economic indicators                       | Unit          | Number     | Date |
|---|---------------|------------|------|
| GDP                                       | US\$ Billion  | 18.17      | 2019 |
| GDP growth                                | %             | 4.65       | 2019 |
| Contribution of agriculture sector to GDP | %             | 15.29      | 2019 |
| Total land area                           | Hectare       | 23,795,500 | 2020 |
| Arable land under cultivation             | Hectare       | 1,525,000  | 2016 |
| Total population                          | X 1000        | 7,123      | 2019 |
| Female                                    | %             | 49.9       | 2019 |
| Male                                      | %             | 50.1       | 2019 |
| Population density                        | Persons/sq.km | 32         | 2021 |
| Urban population                          | %             | 35.7       | 2021 |
| Rural population                          | %             | 64.3       | 2021 |
| Poverty incidence (Country)               | %             | 23.2       | 2013 |
| Rural                                     | %             | 28.6       | 2013 |
| Urban                                     | %             | 10.0       | 2013 |
| Agriculture labor force who are women     | %             | 63.54      | 2019 |

Source: World Bank (2020)

### Institutional set-ups in the land sector

The new Land Law (2019) assigns responsibility for the use of eight types of land to different government ministries, such as the Ministry of Agriculture and Forestry, the Ministry of Industry and Handicrafts, the Ministry of Communication, Transport, Post and Construction, the Ministry of Information and Culture, the Ministry of National Defense, and the Ministry of Security.

However, the MONRE is responsible for land management and allocation of land to individuals, families and organizations and for the registration of all land in the country.

The Ministry of Agriculture and Forestry is charged with the management of agricultural land and forestry land, determining different

categories of agricultural and forestry land for management, protection, development and use.

### Gaps and challenges of the land sector

Agricultural and forest lands are initially allocated through a land use planning system. Holders of agricultural land that have farmed the land continuously for three years may apply for the issuance of “long term use rights” by provincial authorities.

In practice, however, land use planning alone is insufficient to secure recognition of the tenure rights of rural communities and the poor. Land title registration under the current law is hampered by the high costs associated with it as implementors prefer the use of a high-accuracy, but very expensive, Global Positioning System

**Table 2: General Project Information**

| Title                 | Improving Tenure Security of Smallholder Farmers in Select Areas in Lao PDR (ITSSF)   |
|-----------------------|---|
| Main project partners | <ul style="list-style-type: none"><li>■ Village Focus International (VFI)</li><li>■ The Agro Biodiversity Initiative (TABI)</li><li>■ The Center for People and Forests (RECOFTC)</li><li>■ Mekong Region Land Governance (MRLG)</li><li>■ Department of Land (DoL)</li></ul> |
| Project sites         | <ul style="list-style-type: none"><li>■ 4 villages in Phonxay Luang Prabang Province</li><li>■ 4 villages in Phoukoud, Xiengkhouang Province</li></ul>  |

(GPS), such as the Real-time kinematic (RTK). A province usually has only one or two of this equipment to be shared among many districts. Thus, individual land title registration has been limited to urban and peri-urban areas.

The MONRE issues titles for individual tracts of rural agricultural land *on an ad hoc basis*, and only to individuals or companies who can afford to pay fees amounting to as much as USD 100 per plot.<sup>8</sup>

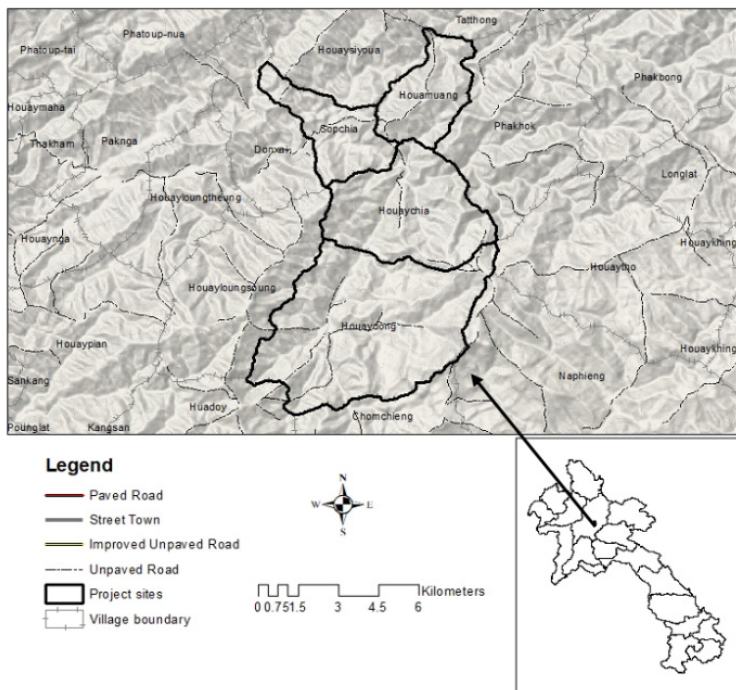
Agricultural lands are not systematically titled, thus undermining the Government's work to accelerate land registration in rural areas. The Government announced that it would issue 460,000 agricultural land titles from 2016 to 2020, and that by 2030, it expects to register all land (MONRE, 2018). The country's 783,000 farm households each have about 1.6 hectares of land. However, only 20 percent of these households have permanent land use rights (Open Development Laos, 2021). Occupants only have temporary land use certificates that were issued in the late 1990s and hold customary tenure. Few protections are available to them when illegitimate or conflicting claims are made on customary land, either within the village or by external parties.

<sup>8</sup> The stated price for issuing a title to a plot of land is US\$20. However, an applicant also pays for the travel costs and Daily Subsistence Allowance (DSA) of MONRE authorities. The processing time could also take up to three months.

At the same time, the National Master Plan for Land Allocation (2018) targets to increase the country's forest cover to 70 percent by 2030. However, almost 3,000 villages are currently located in forestland and many other villages are located adjacent to forest areas with some part of their land found therein. Presently, there is no clear mechanism to recognize villages' use rights within forest lands (MRLG, 2019).

All of this leads to weakness in land tenure security, resulting in reduced availability of land for customary and collective agricultural use. Loss of land tenure security has been shown to negatively impact food security and livelihoods.

Nevertheless, the Government acknowledges the need for a collective land titling mechanism. The 2006 Prime Minister's Decree on the Implementation of Land Law (No. 88) indicates that "collective land" can include land that has been granted to be jointly managed by village communities. Other legal documents, such as Instruction 6036 on Land Registration and Titling, further clarify the meaning of "collective land" and allows for titling and management of collective land, although no regulations or policies give straightforward guidance on the mechanisms and structures for registration and management of collective or communal land. As reviewed by the Ministry of Natural Resources



**Map showing Phonexay District, Luang Prabang Province.**

and Environment (MONRE) in conjunction with the Ministry of Justice (MoJ), the new National Land Law has been recently issued.

## PROJECT OVERVIEW AND OBJECTIVES

The Secure Access to Land and Resources (SALaR) project is designed to uplift rural smallholder farmers towards improved land and natural resource conservation through improved collective land registration, planning and mapping of tenure characteristics in a customary land context. The overall objective of this project is to *develop and promote a model integrating communal land planning, registration, titling, and management*. At its core, the project aims to convert the collective land tenure practices already customarily in place at the village level into formal recognition of collective agricultural land rights.

The project is a Global Land Tool Network (GLTN) initiative and is funded by Germany's Federal Ministry of Economic Cooperation and Development (BMZ). SALaR is being implemented in Laos by Village Focus

International (VFI) in partnership with The Agro-Biodiversity Initiative (TABI) project and Mekong Region Land Governance (MRLG) and RECOFTC under the workstream of customary tenure recognition.

In order to address the unique land tenure challenges in Laos, GLTN pro-poor approaches and tools, such as the Continuum of Land Rights, Participatory Enumeration and the Social Tenure Domain Model, were used to fast-track the land rights documentation of unregistered smallholder farmers. The pilot activities targeted rural communities engaged in collective land use practices.

## PROJECT TARGET GROUP AND SITES

The two target districts are located adjacent to each other, while belonging to separate provinces – Luang Prabang and Xiengkhouang, as shown in the map above (Figure 1). Phonexay is a mountainous district, in which the majority population (including in the target villages) is *Khmu*. *Khmu* traditionally practice shifting cultivation and collect non-timber forest products for food and income. They live on the mountains and plateau areas; while some of them reside in lowland/valley areas along the rivers.

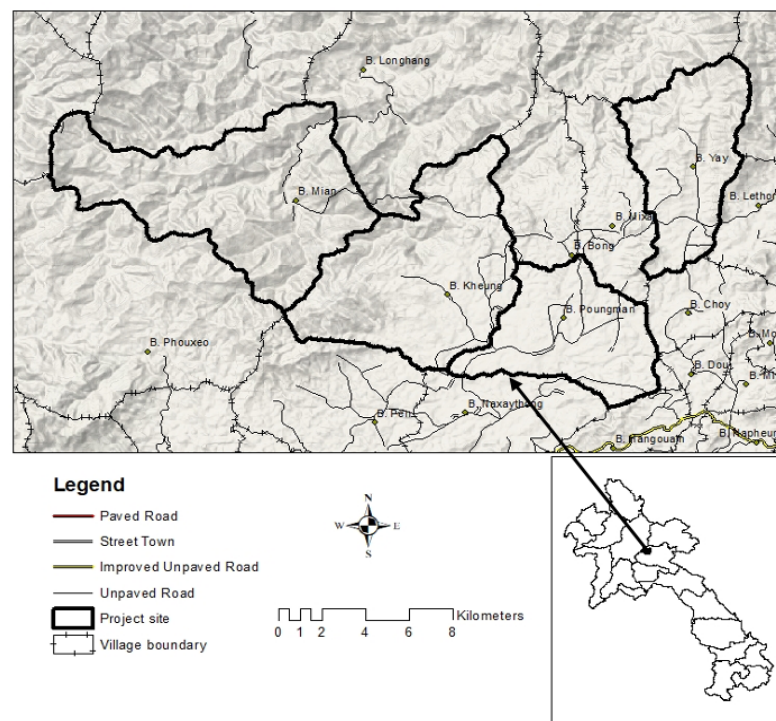
In contrast, in Phoukoud, most villages are located on a high plateau at about 1,200 meters in elevation, and where there is an extensive area of natural grasslands suited to animal raising. The ethnic Lao and Hmong villages in this area are able to earn good income from the sale of large livestock, making them better off than those in Phonexay. The Lao villages also have paddy land which provides a surplus of rice for most families; thus, their farmers do not need to engage in shifting cultivation.

The project selected four villages in Phonexai District of Luang Prabang Province and four villages in Phoukoud District of Xiengkhuang Province. The selection of target villages was made in consultation with provincial and district authorities, as well as with the TABI team. The project team conducted rapid appraisal and Free Prior and Informed Consent (FPIC) to make a final selection for the project baseline survey.

## PARTNERSHIP AND INSTITUTIONAL ARRANGEMENTS

The project supported and strengthened the implementation of Participatory Forest and Agriculture Land Use Planning, Allocation and Management (PFALUPAM) by The Agro-Biodiversity Initiative (TABI) project for customary tenure right recognition. The SALaR project provided the technical training on the process and tools for implementation of land registration using the Social Tenure Domain Model (STDM tool).

The project supported the multi-stakeholder coordination through the Mekong Region Land Governance (MRLG) Workstream, the Land Sub-Sector Working Group (LSSWG), the Land Information Working Group (LIWG), and through the partnership with The Regional Community Forestry Training Center (RECOFTC) and TABI. In coordination with RECOFTC and with support from MRLG, the project also directly improved land tenure interventions in the target villages. The project promoted the multi-stakeholder platforms to the villagers through knowledge sharing, awareness-raising, and capacity building on the use and application of STDM, as well as of pro-poor, fit-for-purpose, and gender responsive land tools and approaches.



Map showing Phoukoud District, Xiengkhuang Province.

The project also raised the awareness of the stakeholders through training, stakeholder sharing workshops, MRLG Workstream meetings, the LSSWG meeting, and the LIWG sharing platform. Eight CSOs and development partners were involved in the Workstream, and more than 30 Lao CSOs, INGOs, and government offices optimized these connections. Finally, all parties benefitted from the development and potential use of the technical guidelines, tools, and methods to support communities to achieve tenure security on customary lands.

At the level of policy, the creation and implementation of this project involved close collaboration with the Department of Land (DoL), within the Ministry of Natural Resources and Environment (MONRE) in order to build capacity at the ministry, provincial and district levels. This collaboration resulted in the agreement to work in the two districts.

At the local level (provincial and district levels), the project also worked with the Provincial Office for Natural Resources and Environment (PONRE) and the District Office for Natural Resources and Environment (DONRE), which are responsible

for land use planning and land registration. The project engaged with PONRE and DONRE staff as technical team members to facilitate project implementation.

## **PROJECT ACCOMPLISHMENTS**

### **Component 1: Land tools implementation**

Land tools implementation addressed the limited skills and capacities of communities on land tools and approaches by adapting, implementing, and strengthening Lao land tools through the integration of GLTN tools, including appropriate pro-poor, fit-for-purpose, gender-responsive, effective, and sustainable land tools and approaches. The project developed implementation guidelines for the trainings and made them available for the key land sector stakeholders.

#### ***Consultation with partners***

In order to prepare for implementation, the project consulted with different stakeholders, including government land sector actors and key NGOs partners, to identify gaps, and to determine the best tools and approaches to address issues related to customary land tenure security in the rural areas of Laos. The project worked closely with the TABI project, which has implemented land use planning (PFALUPAM) in the target villages. The consultation revealed that the majority of the population lack formalized land rights and are vulnerable to the loss of essential land.

The project also identified key issues and causes of problems that relate to customary tenure security in the target villages. These problems were addressed in the development of land tools

for capacity-building and implementation in the target villages (see Table 3).

Currently, there is no clear mechanism to formalize customary land rights. The government has included provisions in the law for registering collective agricultural land. However, there are no guidelines for the process.

#### ***Prioritization of land tools and approaches***

To address the gaps, the project and the DoL reviewed the tools that have been used in Laos. The project adopted selected GLTN tools to address the customary tenure rights issues in the selected project sites, as shown in Table 4.

The GLTN tools were developed for the Lao context. These were then incorporated into the existing implementation guidelines and training curriculum to ensure that all tools are implemented properly at the village level.

#### ***Creation of detailed work plan for implementation of the land tools***

After the project developed the tools, a detailed work plan for implementation at the field level was prepared in consultation with the DoL, TABI, RECOFTC, and MRLG to ensure that the project is integrated. The project team included actors at both the national and local levels, including the steering committee and the implementation teams. The Steering Committee consisted of the Deputy Director of DoL, Deputy District Governor, Vice Head of PAFO, DAFO, PONRE, DONRE. The implementation teams consisted of the technical staff of the same organizations.

**Table 3: Summary of key issues of customary tenure security**

| <b>Key Issues</b>   | <b>Cause of Issues</b>  |
|---|---|
| Tenure insecurity over collective agricultural land   | <ul style="list-style-type: none"> <li>■ Uncertain land use over shifting cultivation areas</li> <li>■ Land use pressure caused by population increase</li> <li>■ Villagers have no land certificate to verify their tenure rights, especially in shifting cultivation areas</li> </ul> |
| Women lack the opportunity to participate in land use planning                                | <ul style="list-style-type: none"> <li>■ Cultural aspects marginalize/exclude women, preventing them from having a voice and limiting them to labor at home and on their farms</li> </ul>   |
| Land conflicts  | <ul style="list-style-type: none"> <li>■ Village Mediation Committees lack capacity and tools to solve problems</li> <li>■ Unclear land boundaries</li> <li>■ Customary rights not recognized by other villages and by local authorities</li> </ul>                                     |
| Forest encroachment and loss of biodiversity  | <ul style="list-style-type: none"> <li>■ Village organizations lack capacity and strategies to conserve forest areas</li> <li>■ Lack of capacity to delimit encroachment</li> </ul>   |
| Most members of village organizations are elderly people; labor and brain drain to the cities | <ul style="list-style-type: none"> <li>■ Young people mostly move to the cities to study or to work</li> <li>■ Only married people, children, and elders remain in the villages</li> </ul>  |

### ***Development, adoption and customization of the tools and approaches***

The project customized and developed the implementation tools according to the Lao context:

- STDM user manuals were translated into Lao language for use by the local enumerators, government officials, and other stakeholders.
- The enumeration forms were developed to be compatible with legal land registration forms of the government. The forms were integrated into the STDM application and exported to the tablets for data gathering.
- A technical guideline for land tenure management was developed to guide the project team on the process and methods of implementation at the village level.
- Communication tools were also produced to deliver important messages to villagers, such as on gender equality, land conflict mediation and land registration.

However, the tools and approaches remained in draft form. The final version of the guidelines was finalized at the end of the project, together with lessons learned, policy briefs, and tools adapted for adoption at the national level.

### ***Community orientation, community consent and development of a participatory plan***

District governors selected the project sites in Phoukoud District of Xiengkhouang Province and Phonexay District of Luang Prabang Province. After site selection, the local enumerators were identified using the following criteria: two young women and two young men in each community that have the capacity to use GPS and tablets, as well as the capacity to write in the Lao language.

Project orientation meetings were organized in a total of eight villages. The meetings aimed to ensure that each community understood the purpose and expected outputs of the project, and consented to participation. The project team

**Table 4: Summary of land tools and gaps**

| Land tools   | Key adoption gaps for GLTN tools   |
|--|--|
| Collective Agriculture Land Management (CALM)  | The CALM guideline was developed in collaboration between DALAM, VFI and MRLG. This tool emphasizes the collective land registration process and management system.  |
| Participatory Forest and Agriculture Land Use Planning, Allocation and Management (PFALUPAM) | PFALUPAM is a detailed land use planning process that was developed by TABI, NAFRI and the Department of Agricultural Land Management (DALAM) to strengthen biodiversity conservation within land and forest areas. PFALUPAM has been implemented in all of the project sites but there is a need for another review to ensure that land use categorization is still valid.  |
| Land registration process  | <p>This is a legal process of the government to issue land titles to individual households. However, the process requires high costs and equipment to register land. Thus, in negotiation with the DoL, the project has adopted GLTN fit-for-purpose tools in the implementation process, including:</p> <ul style="list-style-type: none"> <li>■ Free, Prior and Informed Consent</li> <li>■ Continuum of Land Rights Approach</li> <li>■ Fit-For-Purpose Land Administration</li> <li>■ Participatory Enumeration</li> <li>■ Social Tenure Domain Model</li> <li>■ Youth and Land Responsiveness Criteria</li> <li>■ Gender Evaluation Criteria</li> <li>■ Land Mediation</li> </ul> |

provided information about gender equality, land conflict mediation, and land registration to the villagers to allow them to prepare their lands before the project began. The project team then conducted a survey of each plot, and installed boundary markers<sup>9</sup>. They also helped in solving conflicts and assisting participants in accomplishing the requisite land registration forms.

The results of the meetings showed that the villagers clearly understood the importance of land registration for tenure security and of gender equality relating to land. Every household in each village signified the willingness to participate in the project. Orientation on land registration and use of the STDM tool was well-received in the target villages. Engagement of female enumerators showed a commitment to gender equality and helped the villagers understand its importance.

***Conduct of customary land use assessment, identification of collective land areas, and mapping of individual plots inside collective areas***

Customary land use is the predominant system in villages in Xiengkhouang and Luang Prabang provinces. It is a non-permanent agriculture land use system that does not have clear regulations on the issuance of land right certificates. Customary land use is observed in customary reserved land and collective fallow land.

Collective land refers to State land that is used for collective purposes. The State grants collective land use rights to villagers for the communal use of the land in accordance with the local land allocation plans and the laws. These lands include cemeteries, sacred forest, common ponds, temples, schools, health centers, village

<sup>9</sup> Boundary markers are either colored wood or stone.

administrative office, and village markets (Article 81 of Lao Land Law 2019).

Shifting cultivation areas are also classified as collective land. Under the TABI project, PFALUPAM was used to schedule cultivation and fallow periods on this type of collective land.

During the farming season, villages allocate individual plots to families to grow their own rice or other cash crops for consumption and sale. When the farming season is over, the lands are left fallow and used for collective purposes, specifically for the collection of non-timber forest products (NTFPs). Villages re-allocate the fallow lands every year for upland rice while retaining areas for collective use. In some villages, individual families cannot claim exclusive use or rights.

To register the collective land, ground surveys were implemented in every village. The project identified the collective agriculture land within the villages and registered a total of 143 plots within the eight villages.

### ***Registration/titling of collective agricultural land***

The project tested the integration of the land survey into the STDM tool and the Lao land registration system. A total of 1,826 land plots consisting of 2,902 hectare were identified in four villages in the two provinces. Four villages in Luang Prabang province were identified for the project, namely, Sopchia, Huameuang, Houaychia and Houaydong. These villages were surveyed, and 1,012 agricultural land plots were identified. Meanwhile, the four villages identified in Xiengkhouang province were Kherng, Puongmanh, Mien and Yaiy. These villages were

surveyed and 1,020 agriculture land plots were identified.

The project also identified and issued a total of 162 of collective land certificates covering 2,631 hectares in the two provinces. Data from the ground survey was entered into the STDM system to create a database that the district authority can use. Data from a total of 1,708 land plots — 743 plots in Luang Prabang and 965 plots in Xiengkhouang — have already been entered. The location of houses in four villages in Luang Prabang and four villages in Xiengkhouang was marked with the use of Global Positioning System (GPS) devices. Socio-economic and land use data from eight villages was entered into the STDM system.

A total of 1,039 certificates of demarcation were issued to households in the two provinces – 605 certificates in Xiengkhouang Province and 434 certificates in Luang Prabang Province.

### ***Land use plan developed in the target villages***

The review of land use planning in the target villages was done in consultation with the village land committees. It aimed to identify land use zones for the purpose of recognizing the land rights of village members. Currently, holders of residential and permanent agriculture land can receive land titles, but holders of non-permanent agriculture lands and natural grazing land, which are identified as customary land use zones, cannot receive land titles. This is a major obstacle for village members. This project adopted selected GLTN tools, including STDM, in order to legalize land ownership and use of land, and to formally recognize the customary land rights of village members. The process of reviewing land use planning also identified the regulations for



managing land and forest lands of the target villages.

The project also reviewed and added buffer zones onto road sides. Furthermore, it identified military land, where boundaries with village land are still unclear, especially in Xiengkhouang Province. The result was a revised land use plan in the target villages.

**Land conflicts, mediation process and gaps**

The baseline/household survey yielded details of past land conflicts in four selected villages and how they were mediated.

Before the project, there were few land conflicts in Phonexay and Phoukout districts, and these were over boundary conflicts or land encroachment. Most cases had been resolved by the disputing parties themselves or with the help of relatives or a unit (sub-village) leader; only three cases needed to be resolved by the village mediation unit (VMU). The VMU was reported to charge between 50,000 and 100,000 kip/party (approximately US\$5 to 10) as a fee for resolving grievances. Any dispute which could not be resolved by the VMU was elevated to the District Justice Office.

Eventually, disputes were resolved as a pre-condition for the issuance of certificates.

Table 5 shows the summary accomplishments for Component 1.

**Component 2: Capacity development**

Capacity development included mapping out, prioritizing capacity needs, and developing a capacity plan to provide training to the project

implementation team and villagers. Capacity gaps included collective land management, STDM tool and land registration survey skills, conflict mediation relating to land, and access to knowledge and information.

**Preparation of capacity needs assessment tools and processes**

Two types of needs assessment have been conducted. The first was conducted in consultation with GLTN and focused on adapting GLTN tools to the Lao context. The second was conducted by the VFI team to assess the capacity needs of provincial, district and village officials.

Based on the results of the needs assessment, a semi-structured interview format was prepared for the various stakeholders (provincial and district counterparts, and members of two target villages).

A total of 58 stakeholders (six women and 52 men) were interviewed in the two provinces. Information is provided in Table 6.

During the field survey and in discussions with key stakeholders and interviews with local authorities and village members, knowledge gaps were identified as follows:

**Table 5: Households mapped and certificates issued**

|                            |                    |
|----------------------------|--------------------|
| <b>Households mapped</b>   | 978                |
| <b>Farm plots mapped</b>   |                    |
| ■ Number                   | 1,169              |
| ■ Area (hectares)          | 4,907              |
| <b>Certificates issued</b> |                    |
| ■ Number of households     | 978                |
| ■ Number of certificates   | 1,039 <sup>6</sup> |
| ■ Area (hectares)          | 2,631              |

<sup>6</sup> Of which 131 certificates were issued solely under the names of women

- Different stakeholders have different definitions for collective and customary lands. Common definitions are needed to facilitate understanding. Village members thought that “collective land” referred to community forests (use, protection and watershed), and agricultural land that has not yet been claimed. One respondent in Hua Meuang noted that it includes the narrow and steep bits of land along creeks where farming cannot be undertaken.
- The laws relating to the issue of concessions, including roles and responsibilities, need to be understood and implemented by all parties to ensure that the proper legal process is followed.
- Unlike the Phoukoud team, the Phonexay team does not have practical experience in measuring collective agricultural land.
- All levels of government (province, district and village) need to receive training on how to apply the Land Law 2019 (including its guidelines for Customary Land Tenure, if they exist).
- The level of understanding between men and women is different. Women have fewer opportunities than men to gain practical skills from fieldwork. Particular effort is needed to identify and train women, and particularly ethnic women who represent one of the vulnerable groups. An investment in women may bring unexpected benefits, such as being able to attract more women to participate in meetings than would otherwise be the case, or being able to hold special

**Table 6: Respondents of capacity needs assessment**

| Stakeholder type                   | Men       | Women    | Total     |
|------------------------------------|-----------|----------|-----------|
| Provincial officials (PAFO, PONRE) | 12        | 0        | 12        |
| District officials (DAFO, DONRE)   | 9         | 0        | 9         |
| Village committee (5 villages)     | 31        | 6        | 37        |
| <b>TOTAL</b>                       | <b>52</b> | <b>6</b> | <b>58</b> |

meetings to get women’s views in their own language. Many ethnic women are shy to speak out with men present, or have limited Lao language skills.

- There is limited capacity to use technology for land measurement.

The following capacity needs were determined:

- The use of the STDM tool is a new program for local officials and participants. Additional effort will be needed to ensure that community members with limited literacy skills can use the program with a tablet. Women will need to be actively sought and included in the training.
- Training in Quantum Geographic Information System (QGIS), should be given for MONRE and line agencies so that they can train the district authorities.
- An opportunity to learn from other areas on collective land management will help all staff to proceed to develop their capacity to manage land.
- A review of FPIC processes will ensure that poor women and men and vulnerable groups are respected and have the opportunity to participate fully in the project.
- The project needs to develop the capacity of ethnic staff members, particularly women, to become facilitators.

### *Development of prioritized learning plan*

Three training packages were formulated in consultation with GLTN, TABI and government counterparts around three main areas as follows:

- STDM tool application and collective land management;
- Strengthening the land use planning with GLTN tools; and,
- Land registration and GLTN tools.

### *Development of training curriculum and materials*

Three training curricula, including technical guidelines and materials, were formulated covering the following:

- STDM tool application and collective agriculture land management;
- Linking GLTN with PFALUPAM; and,
- Land registration process adopting/ adapting GLTN tools.

Learning events, including training sessions, that were conducted are shown on Table 7.



Project orientation in Xiengkhouang province. ©VFI

Of the total participants, the project prioritized youth from government counterparts and local communities.

The results of the training showed that the participants fully met the objectives of the training in the use of the STDM tool application, the process of land registration, increasing land tenure security, and gender equality.

### *Component 3: Fostering multi-stakeholder dialogues*

Fostering multi-stakeholder dialogues resulted to building awareness and fostering multi-stakeholder mechanisms among change agents to improve tenurial security. Priority was given to existing mechanisms rather than creating new structures.

### *Stakeholder mapping and analysis*

Stakeholder mapping was conducted at the central level. Various NGOs working on land were interviewed – particularly members of the LIWG that have helped to identify roles, practices and plans related to land tenure security throughout the country. Government counterparts in the land sector were also interviewed to help identify the roles, ongoing work, and strategic plans related to land tenure security.

### *Forging partnerships at various levels*

Three key existing stakeholders have been working on land in Laos as follows:

#### *■ Land Information Working Group*

Land Information Working Group (LIWG) is a Lao network working on land issues and has a membership of 30 Lao civil society

organizations (CSOs). Members share information about land-related developments, investments and relevant policies. The network facilitates connections among sectors by connecting CSOs and preparing policy recommendations for the National Assembly.

### ■ **Workstream on Customary Tenure Recognition in Laos**

The Lao Customary Tenure Recognition Workstream started as an alliance of CSOs and development partners. It emerged from the Land Law Advisory Group (AG) and collaborated with the LIWG in support of advocacy for the inclusion of customary land rights in the Land Law.

The Workstream collaborates with many government agencies, including the Department of Land (DoL) of MONRE, the Department of Forestry (DoF), and the Department of Agricultural Land Management (DALAM) of MAF. There are eight CSO/development partners involved as: a) implementation partners [RECOFTC, TABI, LIWG, and VFI] and b) strategic partners<sup>10</sup>.

VFI and RECOFTC are engaged in the Workstream as implementation partners that support land tenure security for village lands located outside the three categories of forest (national protected forest, conservation forest, and production forest).

### ■ **Land Sub-Sector Working Group (LSSWG)**

The LSSWG was established in 2013 by the Sector Working Group on Natural Resources and Environment. LSSWG consists of land



Local authorities working on STDM data in the selected villages. ©VFI

stakeholders including the government, Lao CSOs, NGOs, donors, research institutes, and private sector actors.

### **Engagement of the Project with key stakeholders**

The engagement of the Project in each platform depends on the work plan and discussion between the Secretariat and the members.

LIWG mainly acts as a secretariat to encourage members to share information on different platforms including workshops, meetings, or roundtable meetings.

Meetings of the Workstream on Customary Tenure Recognition are set according to the workplan of the project. The agenda of the meetings are discussed between implementation partners (MRLG, VFI, and RECOFTC) and the DoL.

The LSSWG is a government platform mainly organized by DoL as the secretariat. The platform was organized to present the progress and

<sup>10</sup> The University of Bern Centre for Development and Environment (CDE), the UN-Food and Agriculture Organization (FAO-Laos), GIZ through the LMDP and ELTeS and MRLG Project Implementation Unit

**Table 7: Training activities conducted**

| # of Training | Capacity Building Intervention   | Date                               | Participants |            |            |
|---------------|--|------------------------------------|--------------|------------|------------|
|               |  |                                    | Female       | Male       | Total      |
| 1             | Training of Trainers (ToT) on the Use and Application of STDM and Collective Land Management                       | 25 to 29 March 2019                | 4            | 38         | 42         |
| 2             | Training on Strengthening PFALUPAM through Application of STDM for Natural Resources Security                      | 23 to 27 October 2019              | 5            | 37         | 42         |
| 3             | Training for the project team on the Land Registration Process and the STDM application for Luang Prabang Province | 18 to 31 December 2019             | 2            | 12         | 14         |
| 4             | Training of local enumerators on the Land Registration Process and the STDM application for Luang Prabang Province | 29 to 31 December 2019             | 8            | 12         | 20         |
| 5             | Training for the project team on the Land Registration Process and the STDM application for Xiengkhouang Province  | 25 December 2019 to 7 January 2020 | 10           | 2          | 12         |
| 6             | Training of local enumerators on the Land Registration Process and the STDM application                            | 5 to 7 January 2020                | 8            | 12         | 20         |
| 7             | Land Information Working Group Sharing Workshop on Women and Land Rights   | 14 October 2020                    | 34           | 24         | 58         |
| 8             | Project Sharing Workshop on Lessons Learned  | 25 to 26 June 2020                 | 5            | 50         | 55         |
| 9             | Lessons learned and case study writing workshop in Xiengkhouang Province   | 19 to 25 July 2020                 | 2            | 25         | 27         |
| 10            | Lessons learned and case study writing workshop in Luang Prabang Province  | 27 July 2020 to 02 August 2020     | 2            | 24         | 26         |
| 11            | End of project workshop and finalizing the implementation process on customary land use management                 | 11 to 13 November 2020             | 2            | 23         | 25         |
| <b>Total</b>  |  |                                    | <b>82</b>    | <b>259</b> | <b>341</b> |

results of projects working on land. The topic and agenda are discussed between DoL and implementation partners and donors.

At the central level, the project collaborated with the DOL and MONRE to establish and implement the project. At the provincial and district levels, the project collaborated with the PONRE and the DONRE, particularly on activities related to land use planning and registration.

The project team at the various levels participated in capacity building sessions to

build the technical capacity to protect and promote smallholders' collective land security. Table 9 lists the materials produced by the Project.

## EMERGING OUTCOMES

### Acceptance of fit-for-purpose land tools

The project sought to address the limited skills and capacities of communities in documenting land tenure in collective land areas. Through the use of the STDM tool and other GLTN land

*“Through the project, about 1,039 households received land demarcation certificates which now supersede the Family Land Book.”*

tools, such as participatory enumeration and Gender Evaluation Criteria, the project was able to deliver a low-cost solution for recording land tenure along the continuum of land rights approaches.

This approach brought about a change of mindset among government officials towards fit-for-purpose approaches, and the STDM tool was accepted as an information tool to support collective land management at the local level.

Some of the notable accomplishments were: (1) acceptance of fit-for-purpose tools as opposed to high-end mapping equipment; (2) involvement of communities in land demarcation which led to the peaceful resolution of land disputes; and, (3), issuance of land certificates at reduced cost.

**Improved land tenure security through issuance of formal land documents/ certificates**

Through the project, about 1,039 households received land demarcation certificates which now supersede the Family Land Book. These certificates offer more security than the Family Land Book, whose recognition of rights to collective land is limited to the village level. The participation of the DoL was very important to achieving this outcome. The communities can now use the land demarcation certificates to apply for land titles as this certificate is compliant with the DOL’s requirements, including plot

measurement, land use characteristics, family information and past transactions on the land.

**Potential of the STDM tool to complete the national titling system**

Aside from providing a database for spatial and non-spatial data management, the STDM framework can be customized to suit local requirements and to fit into the national titling system. The DoL is exploring how to strengthen the linkage and complementarity between the STDM database and the Lao Land Registration System.

Similarly, the STDM tool has been accepted as the de facto information system for supporting village land management and land use planning at the local level.

**Improved capacity of stakeholders**

The improved capacity of district officials and government staff at the provincial level has facilitated their acceptance of the use of Imagery and handheld GPS as appropriate tools for land demarcation at the village level. There are increasing requests to operationalize the STDM tool though on-the-job skill-building at the district level. DAFO and DONRE appreciate the STDM model for its effectiveness and robustness and want to build strong capacity to scale its use.

**Table 8: Frequency of engagement in platforms**

| <b>Platform</b>                            | <b>Frequency of Engagement</b>               |
|--|--|
| LIWG                                       | Once a year (depends on member requirements) |
| Workstream on Customary Tenure Recognition | Depends on the work plan                     |
| LSSWG                                      | Twice a year                                 |

| <b>Type of knowledge products (brochures, issue briefs, etc.)</b> | <b>Number</b> | <b>Title</b>  | <b>Brief description</b>  |
|---|---------------|---|---|
| <b>Information materials</b>                                      |               |   |   |
| ■ Brochure (for community-dissemination)                          | 1             | Brochure on land tenure rights for land use planning and land registration (Lao)  | Describes land rights and how the community can participate in the process of land use planning and land registration   |
| ■ Brochure (for community-dissemination)                          | 1             | Brochure on gender equality and land conflict mediation (Lao)   | Explains the rights of women and men to land and the process for conflict mediation   |
| ■ Project video   | 1             | SALAR project in Laos   | Describes the project implementation in Laos  |
| <b>Learning materials</b>   |               |   |   |
| ■ Implementation guideline  | 1             | Guidelines for implementation of customary land use management and registration (English and Lao)   | Presents the steps and process of integrating land use planning and land registration to STDM and other tools   |
| ■ Guideline   | 1             | Guidelines for STDM application (Lao)   | Provides technical guidelines on STDM tool application  |
| <b>Policy papers and issue briefs</b>                             |               |   |   |
| ■ Policy brief  | 1             | Customary tenure recognition in Laos  | Provides lessons learned from the project implementation and key relevant policies  |
| ■ Case studies  | 4             | <ul style="list-style-type: none"> <li>■ Case study 1: Impact of customary land reservations on land management in Xiengkhouang Province</li> <li>■ Case study 2: Impact of forest encroachment on non-timber forest products and forest use at the village level</li> <li>■ Case study 3: Impact of expansion of grazing land on natural resource management</li> <li>■ Case study 4: Benefits of land use certificates on land and natural resource management</li> </ul> | <ul style="list-style-type: none"> <li>■ Describes lessons from the project support for collective land management in Xiengkhouang</li> <li>■ Relates to how forest encroachment affects villagers' use of the forest in Luang Prabang</li> <li>■ Describes the impact of conversion of forest land into grazing land in a village in Luang Prabang</li> <li>■ Presents the lessons and process of implementation of land registration and land use planning towards recognition of customary tenure in Xiengkhouang</li> </ul> |
| <b>Total</b>  | <b>10</b>     |   |   |

The DoL has also requested project partners to train two of its staff in the application of the STDM tool in order to continue supporting the mapping work at the local level.

Through the participatory demarcation work and capacity building at the local level, many land disputes were resolved without the need for mediation. The resolution came about during the

demarcation activities by household members, including women.

### **Strengthened multi-stakeholder dialogues on collective land registration**

The Project facilitated multi-stakeholder dialogues that contributed to building awareness on customary tenure recognition and to using multi-stakeholder mechanisms, such as the MRLG workstream, LIWG and LSSWG, to improve tenure security. The results of the dialogues fed into policy dialogues at the national level.

### **IMPLEMENTATION CHALLENGES ENCOUNTERED AND ACTIONS TAKEN**

Land is a critical issue in Laos. Any project or action pertaining to land has to conform to laws and formal processes under the purview of the DoL and MONRE. Especially when the project is being implemented by NGOs, negotiating with the government about these requirements can be cumbersome and time-consuming. Thus, land projects should be designed with this in mind to ensure enough time for negotiation and approval. The SALaR project in Laos made sure that relevant ministries were involved throughout the project to ensure compliance and acceptance of the results.

The issuance of land documents and certificates needed the approval and endorsement of the central and local authorities. Tools and methodologies also had to be approved by the DoL which took a long time to secure. The discussions and negotiations with the government partner, including on the proposed survey and capacity building at the national level, lasted more than a year.

Field implementation was constrained by the difficulty of using and transporting the RTK mapping equipment in steep slopes and undulating terrain. The project team observed discrepancies in imagery taken in difficult-to-reach areas, resulting to challenges in validating data from two villages. This caused some delay and as a result, two villages were not able to receive the land certificates. However, the data was recorded and forwarded to district staff for future validation.

The Project was also stalled by the COVID-19 lockdowns which started during the fieldwork activities. As a result, enumeration was conducted in just 10 villages instead of 16 villages as anticipated in the work plan.

The rainy season also made roads to the villages inaccessible to the project team, thus slowing down the work.

### **LESSONS LEARNED**

Many stakeholders are working on land issues in Laos, including GIZ, MRLG, LIWG, VFI and others. As a result, the land sector in Laos is also highly regulated. There are many aspects of project design that are heavily dependent on the structures of government. Adhering to these structures, especially in developing a Memorandum of Understanding (MoU) with the government, can take time. Thus, this needs to be anticipated in the project design, including allocating enough time for negotiation which can take up to four additional months.

Land registration in Laos has been based on high-accuracy field surveys, which take time and are costly. However, the project learned that a *fit-for-purpose land administration approach* was



more appropriate in the registration of collective land areas. Indeed, the project successfully negotiated with the DOL to use handheld Garmin GPS in addition to the Satellite Imagery/ Orthorectified Imagery. The project used the SDTM database for storage of data and its customized interface for querying the information and producing reports. As such, the STDm-based information system worked very well with the government's Family Land Book.

For wide-scale adoption of the fit-for-purpose approaches, *there is a need to move beyond the pilot implementation towards developing a robust system that can support large-scale registration of customary land.* This requires standardization and integration of existing templates for land registration. The STDm tool has already demonstrated that potential in the customization of the Family Land Book and in the production of specific reports. In addition, there is a need to explore how reporting and data collection on local practices can be standardized so that the data could be integrated in the national titling system.

This project, with support from GLTN and the MRLG Workstream, has demonstrated that the use of STDm and fit-for-purpose tools can be rolled out as a tool of choice for rural land registration in the future. The greatest challenge lies in the capacity of actors and district level staff particularly in adopting and promoting these approaches at the local level. Staff are limited and their ability to use technology is inadequate. Therefore an incremental approach to adopting fit-for-purpose land administration tools is more appropriate. Discussions between project stakeholders, the government and other partners have started to identify both needs and opportunities for capacity development.

***“For wide-scale adoption of the fit-for-purpose approaches, there is a need to move beyond the pilot implementation towards developing a robust system that can support large-scale registration of customary land.”***

There were overlaps in the roles relating to DAFO and DONRE and these had implications on the registration of collective land and on the management of land and natural resources. A lesson learned is that *implementing field-level demarcation separately from implementing village land use management plans could result in overlaps and challenges in addressing conflicts and in enforcing land use zoning regulations.* Thus, it is important that these activities are conducted simultaneously. This will also improve the coordination of various stakeholders at the local level.

*Multi-stakeholder platforms are a key part of land policy advocacy that promotes long-term engagement on land issues and natural resource tenure security for poor and vulnerable individuals and groups in Laos.* The development of tools and approaches with and for government counterparts and making them available for a variety of stakeholders is key for long-term success. To this end, there are three main areas of land management that need to be developed concurrently: (1) land use planning; (2) land registration; and, (3) land information dissemination. For land tenure to be secure on a broad basis in Laos, the project must adopt and adapt more functional technical tools and materials and make them freely available throughout the country.



Stakeholders meeting in Xiengkhouang province. ©VFI

## OPPORTUNITIES AND WAY FORWARD

The project has initially adopted the GLTN land tools in land administration in Laos. This achievement was registered through collaboration with key stakeholders on the development of land tools to recognize customary tenure in rural areas of Laos. At the end of the project, VFI continues to work with stakeholders to promote the land tools and customary land tenure security in the rural areas of Laos.

### Advocacy on the developed land tools

VFI will continue to champion the use of the STDM tool and the Continuum of Land Rights Approach, Fit-For-Purpose Land Administration, participatory enumeration, Youth and Land Responsiveness Criteria, Gender Evaluation

Criteria, and Land Mediation in collaboration with the DoL. These tools will be promoted in future land projects and through forums and workshops organized by the stakeholders or project partners.

### Promote application of the new land law

The new Land Law of 2019 has some progressive elements that recognize the registration of collective land as well as women's land rights. The project partners will continue to work closely with DoL and other relevant actors to ensure that its implementation follows progress made on the use and recognition of fit-for-purpose approaches and the STDM tool. Most importantly, they will work to align the customary land registration guidelines — once these are finalized — to the new law's provisions. In this way, the project will be

able to deliver a widely accepted Family Land Book that has been produced through the application of the STDM tool.

### Multi-stakeholder platforms engagement

The project has produced case studies, lessons, policy briefs and other materials for capacity building and for dissemination. These materials will be reviewed and promoted in the multi-stakeholders' platforms, in Workstream and Land Sub-Sector Working Group meetings and in the LIWG platform. VFI will continue to contribute to these platforms.

Mainstreaming the use of fit-for-purpose and other approaches at the national level is important to ensure that lessons and experiences from the pilot work are capitalized in the implementation of policy decisions at the MONRE and across the different ministries. This will most likely be done through workshops and through existing platforms targeting policy makers. GLTN has also engaged VFI in documenting and consolidating these experiences in addition to capacity-building aspects for key target groups.

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## SAMPLE OF LAND CERTIFICATE ISSUED



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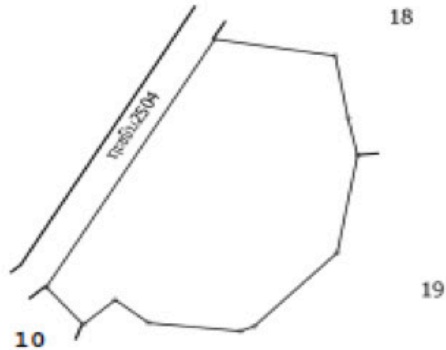
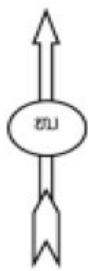
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**ການສຳຫຼວດ-ວັດແທກທີດິນ**

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ອອກໃຫ້ທີ່: ໂພນໄຊ ວັນເດືອນປີ \_\_\_\_\_

**ຫົວໜ້າຫ້ອງການ  
ຊັບພະຍາກອນທຳມະຊາດ ແລະ ສິ່ງແວດລ້ອມ**

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Partner's Appreciation Day. @ XSF

## Enhanced Tenure Security through Participatory Data Management and Building Harmony in Rural Communities in the Province of Bukidnon, Philippines

*Prepared by Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) and Xavier Science Foundation, Inc. (XSF)*

### THE LAND SECTOR

The Philippines is an archipelagic Southeast Asian country comprised of 7,641 islands rich in land- and water-based natural resources.

Twelve million hectares, or 40 percent of the country's land area, are agricultural lands (FAO, 2016; FAOSTAT, 2017), while seven million hectares are forestlands (FAO, 2016). Over half of the country's population of over 100 million reside in rural areas (FAOSTAT, 2017), and agriculture employs roughly one-fourth<sup>6</sup> (FAOSTAT, 2017; PSA, 2019a) of the labor force.

<sup>6</sup> 25.4% of population employed in agriculture in 2017 (FAO, 2017), 24.3% in 2018 (PSA, 2019c)

Poverty in the Philippines is largely rural. Data from 2018 shows that individual poverty incidence was highest among farmers (31.6%), fisherfolk (26.2%), and people residing in rural areas (24.5%) (PSA, 2020). Rural poverty is attributed to the skewed distribution of land and wealth which has also caused intense conflicts over resources.

Among the country's rural poor, poverty is highest in the uplands. According to the Philippine Institute for Development Studies (PIDS) in 2015, 68 percent of households living below the poverty line are found in upland areas. Majority of these upland dwellers are indigenous

*“The Constitution obligates the State to pursue agrarian and natural resources reform for the benefit of farmers, farmworkers, settlers, indigenous peoples, and fisherfolk.”*

peoples (IPs) that constitute 14 to 15 percent of the Philippine population.

### **Overview of the legal and policy environment on access to land**

The 1987 Philippine Constitution provides the framework for land use, ownership, and management. Property rights are protected by the Civil Code.

The Constitution obligates the State to pursue agrarian and natural resources reform for the benefit of farmers, farmworkers, settlers, indigenous peoples, and fisherfolk. Towards this end, the Comprehensive Agrarian Reform Law/CARL (1988, amended in 2008), the Indigenous Peoples’ Rights Act/IPRA (1997), and the Philippine Fisheries Code/PFC (1998, amended in 2015) have been enacted with the rights of rural communities in mind.<sup>7</sup>

### **Gaps and challenges in the land sector**

Recognizing that the equitable distribution of land and wealth is key to solving the incessant problem of poverty in the country, the Philippine Government has enacted progressive asset reform laws on the alienation of lands and their use, resource conservation and protection, and

recognition of the rights of farmers, indigenous communities, and other marginalized groups.

In a comprehensive review of asset reform implementation in the rural Philippines, Quizon et al. (2018) elaborated how, despite significant improvements in providing farmers, fisherfolk, and indigenous peoples with ownership, access, and governance rights over resources, asset reform is far from complete.

In the case of agrarian reform on private agricultural lands, 32 years since the enactment of the CARL, 4.7 million hectares of lands have been redistributed as part of the Comprehensive Agrarian Reform Program (CARP). This represents 90 percent of the program’s target scope. However, many Agrarian Reform Beneficiaries (ARBs) have not yet been installed on their land despite being the rightful owners, women comprise only 30 percent of the listed titleholders, several cooperatives are under unfair contracts with agribusiness companies, and numerous beneficiaries have already informally (or illegally) sold their lands. Moreover, an estimated 100,000 hectares are qualified to be covered under the program but were not identified before the law’s “expiry date” in 2014.

The Indigenous People’s Rights Act (IPRA) recognizes the rights of IPs and Indigenous Cultural Communities (ICCs) over their ancestral domains and provides for a process of titling of lands through the issuance of Certificates of Ancestral Domain/Ancestral Land Titles (CADTs/CALTs). However, the slow-paced processing of CADTs hinders the IPs’ quest to redeem their ancestral lands. Among the major reasons for the delays in title approvals (in 2011 to 2018) is the revision of the Omnibus Rules on Delineation and Recognition of Ancestral Domains and Lands that was intended to: i) increase the

<sup>7</sup> The Urban Development and Housing Act (1992) on the other hand, was enacted in response to the needs of urban and informal settlers.

| LIST OF ACRONYMS |  |
|------------------|--|
| A&D              | Alienable and Disposable   |
| AD               | Ancestral Domain   |
| ADSDPP           | Ancestral Domain Sustainable Development and Protection Plan           |
| ANGOC            | Asian NGO Coalition for Agrarian Reform and Rural Development          |
| BFAR             | Bureau of Fisheries and Aquatic Resources                              |
| BLGU             | Barangay (village) Local Government Unit                               |
| BMZ              | Federal Ministry of Economic Cooperation and Development (Germany)     |
| CADC             | Certificate of Ancestral Domain Claim                                  |
| CADT             | Certificate of Ancestral Domain Title                                  |
| CALT             | Certificate of Ancestral Land Title                                    |
| CBFM             | Community Based Forest Management                                      |
| CBFMA            | Community-Based Forest Management Agreement                            |
| CCLO             | Certificate of Customary Land Occupancy                                |
| CSO              | civil society organization   |
| DA               | Department of Agriculture  |
| DAR              | Department of Agrarian Reform  |
| DENR             | Department of Environment and Natural Resources                        |
| FAO              | Food and Agriculture Organization of the United Nations                |
| GLTN             | Global Land Tool Network   |
| IPs              | Indigenous Peoples   |
| IPO              | Indigenous Peoples Organization  |
| IPRA             | Indigenous Peoples Rights Act  |
| JALR             | Joint Action for Land Rights   |
| LRA              | Land Registration Authority  |
| JAO              | Joint Administrative Order   |
| LGU              | Local Government Unit  |
| MILALITTRA       | Miarayon-Lapok-Lirongan-Talaandig Tribal Association (IP organization) |
| NAMAMAYUK        | Nakahiusang Manobong Manunudon sa Yutang Kabilin (IP organization)     |
| NEDA             | National Economic Development Authority                                |

|            |   |
|------------|---|
| NCIP       | National Commission on Indigenous Peoples               |
| PIDS       | Philippine Institute of Development Studies             |
| PSA        | Philippine Statistics Authority                         |
| PTTA       | Portulin Talaandig Tribal Association (IP organization) |
| RDC        | Regional Development Council                            |
| RLUC       | Regional Land Use Committee                             |
| SALaR      | Secure Access to Land and Resources (Program)           |
| SDG        | Sustainable Development Goal                            |
| STDM       | Social Tenure Domain Model                              |
| UN-Habitat | United Nations Human Settlements Programme              |
| XSF        | Xavier Science Foundation, Inc.                         |

efficiency of the survey and delineation process; ii) increase safeguards against fraudulent claims; and, iii) ensure the legality and acceptability of NCIP Surveys. On top of these, NCIP has been found facing challenges in financial and human resources. Moreover, because of the sectoral approach to resource governance, there are policy and jurisdictional overlaps among agencies mandated to implement the laws. Boundary delineation overlaps have hampered the work of the NCIP, Department of Agrarian Reform (DAR), and Department of Environment and Natural Resources (DENR) on the issuance of titles and resolution of disputes, among others.

Moreover, while 18 percent of the country's land has already been legally covered and awarded to IPs, much still needs to be done in the process of boundary delineation of ancestral domains. The current delineation process is expensive, long and tedious, focuses more on the technical acceptability of spatial data, allows very little participation by the affected communities, and rarely accommodates critical spatial information from the perspective of the local people.



**Table 1. Quick Stats: Philippines and Bukidnon Province**

|  | Philippines                    | Bukidnon                     |
|--|--------------------------------|------------------------------|
| Total population (2015)                      | 100,981,437                    | 1,415,226                    |
| Total land area (hectares)                   | 29,817,000                     | 1,049,859                    |
| Total area of farms (hectares; 2012)         | 7,271,446 (24.4% of land area) | 316,632 (30.2% of land area) |
| Average area of farms (hectares; 2012)       | 1.3                            | -                            |
| % of agriculture in the GDP (2020)           | 10.2%                          | -                            |
| % of employment in agriculture (2017)        | 25.4%                          | -                            |
| % of female employment in agriculture (2017) | 15.3%                          | -                            |
| Poverty incidence among families (2018)      | 12.1%                          | 22.3%                        |

Sources: FAO, PSA (2017, 2018, 2019a, 2019b, 2021), PhilAtlas

## PROJECT OVERVIEW

The SALaR project in the Philippines was implemented jointly by the Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC) and Xavier Science Foundation, Inc. (XSF) through three phases implemented from 23 April 2018 to 31 May 2021, or a total 58 months. Project sites covered seven villages in two municipalities of the province of Bukidnon, Philippines.

### Project objectives

The overall objective of the SALaR project was to enhance the tenurial security of about 3,500 households of smallholder farmers in Bukidnon, Northern Mindanao, Philippines. The project sought to contribute to the three targeted outcomes of SALaR:

- Increased uptake of land tools, approaches, frameworks, and policy guidelines that are pro-poor, fit-for-purpose, and gender-responsive;
- Strengthened capacity of change agents and rural poor women, men, and vulnerable groups to implement pro-poor, fit-for-purpose, and gender-responsive land tools and approaches; and,

- Improved awareness among stakeholders on issues and measures for improving land and natural resource tenure security for poor women, men, and vulnerable groups.

### Project participants and sites

In 2018, the SALaR initiative in the Philippines was implemented through the project *Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines*. The targeted rural poor smallholder farmers are IPs, who are among the poorest and most disadvantaged social groups in the country. Indigenous peoples (IPs) living in the Northern Mindanao region of the Philippines are especially vulnerable because their traditional lands are located in areas such as watersheds where land use is being increasingly restricted by the Government. In 2020, the project included migrant settlers in the municipality of Pangantucan as beneficiaries.

The project covered seven (7) villages namely *Barangays* Mirayon, Lapok, Lirongan and San Miguel in the municipality of Talakag; and *Barangays* Bacusanon and Nabaliwa in the municipality of Pangantucan.

**Table 2. Overview of SALaR Project in the Philippines**

|                        |   |
|------------------------|---|
| Project Title:         | <b>Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines</b>  |
| Main project partners: | ANGOC and XSF   |
| Project sites:         | <ul style="list-style-type: none"> <li>■ Barangays Bacusanon, Nabaliwa and Portulin, Municipality of Pangantucan, Province of Bukidnon</li> <li>■ Barangays Miarayon, Lapok, Lirongan, and <i>Sitio Tinaytayan of Barangay San Miguel</i>, Municipality of Talakag, Province of Bukidnon</li> </ul> |

The targeted IP organizations are the Miarayon Lapok Lirongan Talaandig Tribal Association, Inc. (MILALITTRA) of Talakag, the Portulin Talaandig Tribal Association, Inc. (PTTA) and the Nagkahiusang Manobong Manunuod sa Yutang Kabilin (NAMAMAYUK) of Pangantucan.

The overall coverage of the SALaR project in the Philippines totaled 3,500 households.

### ***Municipality of Pangantucan***

The municipality of Pangantucan has a land area of 46,172 hectares and is composed of 19 *barangays* (villages, administrative divisions). Project participants in the municipality are from three of its *barangays*, namely, Portulin Bacusanon and Nabaliwa. Barangay Portulin has 4,868 hectares of forest and about 1,453 hectares which are classified as alienable and disposable (A&D) land, while the remaining 2,805 hectares are timberland. The Portulin Talaandig Tribal Association, Inc. (PTTA) is the partner organization in the *barangay*. PTTA's main goal

is to address logging within their ancestral domain, which covers 6,673 hectares, as well as the health and sanitation and livelihood concerns of their members.

*Barangay* Bacusanon has a land area of 5,227 hectares comprising forestland and A&D areas which are used for agriculture and agro-industrial activities. The partner organization in this *barangay* is NAMAMAYUK which applied for an ancestral domain claim over 3,506 hectares in 2002. The NCIP has recommended funding for the survey and mapping of their ancestral domains. The Congress has yet to approve the proposal.

*Barangay* Nabaliwa has a land area of 4,614 hectares, 4.6 percent of which are forestland and about 2.6 percent hectares are classified as A&D. The main use of the land in the area is agro-industrial and agriculture.

### ***Municipality of Talakag***

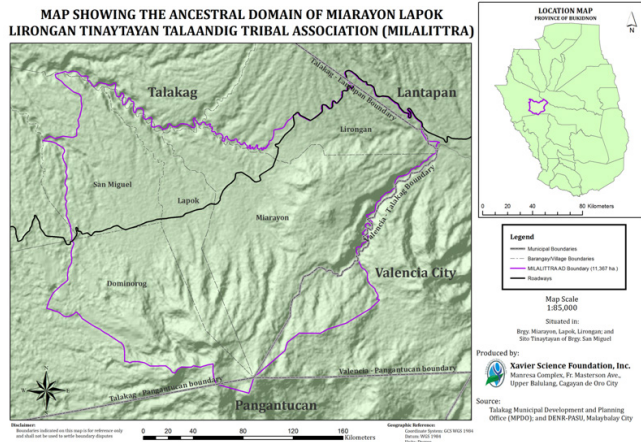
Four *barangays* of Talakag were involved in the project, namely: *Barangays* Miarayon, Lapok,

**Table 3. Summary of project sites and participants**

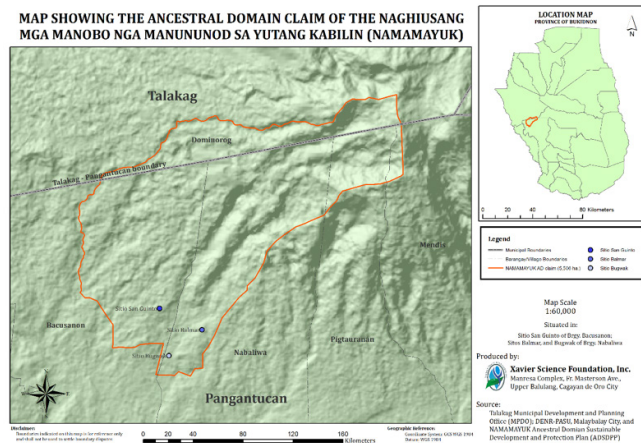
| Site   | Participants                             | Number of HHs involved |
|--|--|------------------------|
| <i>Barangays</i> Nabaliwa and Bacusanon, Municipality of Pangantucan               | NAMAMAYUK (IP organization)              | 336                    |
|  | IPs not affiliated to an IP organization | 620                    |
|  | Migrant settlers                         | 932                    |
| <i>Barangay</i> Portulin, Municipality of Pangantucan                              | PTTA (IP organization)                   | 223                    |
| <i>Barangays</i> Miarayon, Lapok, Lirongan and San Miguel, Municipality of Talakag | MILALITTRA (IP organization)             | 1,389                  |
| <b>TOTAL</b>   |  | <b>3,500</b>           |

Lirongan and San Miguel. They are collectively known as the *Miarayon Region*. A Certificate of Ancestral Domain Title (CADT) has been awarded to a partner group in these *barangays*

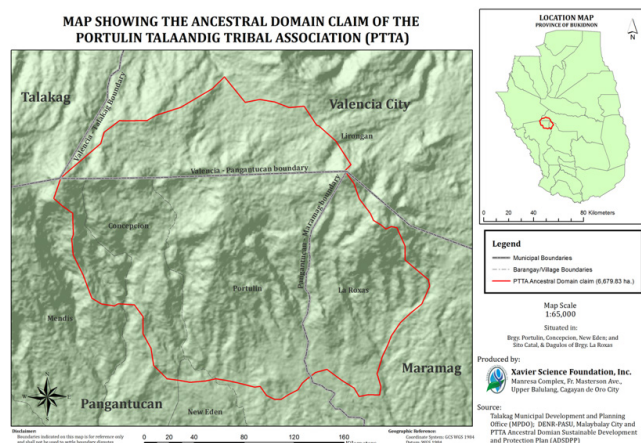
called MILALITTRA. The total coverage of the CADT is 12,685 hectares but about 1,500 hectares are located in the Reserved Military Zone.



The MILALITTRA ancestral domain map.



The NAMAMAYUK ancestral domain map.



The PTTA ancestral domain map.

## Partnership and institutional arrangements

Table 4 lists the major institutions involved in the implementation of the SALaR project in the Philippines.

## PROJECT ACCOMPLISHMENTS

### Component 1: Land tools implementation

#### *Mobilization of local communities as project partners in addressing tenure insecurity issues*

Free, Prior, and Informed Consent (FPIC) was sought from the tribal leaders and council of elders. At the same time, the purpose of the project was explained along with the activities that would require the tribal leaders' approval. Memoranda of Understanding (MOUs) were then drawn up between XSF and the respective municipal mayors and *barangay* captains of the partner communities.

The community profiles of the IPOs were prepared, printed, and disseminated, and uploaded to the *Improving Tenure Security of Smallholder Farmers in Select Areas in the Philippines* page of ANGOC's website. The profiles of *Barangays* Bacusanon and Nabaliwan in the municipality of Pangantucan were also prepared. Refer to <https://angoc.org/gltn/>

**Table 4. Key Partners of the SALaR Project in Philippines**

| Aspect                                | Organization  | Role in the project  |
|---------------------------------------|---|--|
| Management and implementation         | ANGOC   | <ul style="list-style-type: none"> <li>■ Project holder and overall management</li> <li>■ Networking with CSOs and other actors (GIZ, UN Habitat Country Office)</li> <li>■ Liaise with government line agencies at national level</li> <li>■ Implement national-level activities in relation to policy work</li> <li>■ Lead role in knowledge generation and dissemination</li> </ul> |
|                                       | XSF   | <ul style="list-style-type: none"> <li>■ Lead implementor of field activities in relation to land tools implementation and capacity building</li> <li>■ Networking with local CSOs, local government units and Regional Land Use Committee (RLUC)</li> </ul>   |
| Main Project Partners                 | NAMAMAYUK, MILALITTRA, PTTA (IP Organizations)  | <ul style="list-style-type: none"> <li>■ Main project partners</li> <li>■ Approve and sign the Memorandum of Understanding with XSF</li> <li>■ Sign the Certificates of Customary Land Occupancy</li> </ul>  |
|                                       | Indigenous peoples who are not affiliated with the IP Organizations and migrant-settlers in the municipality of Pangantucan | <ul style="list-style-type: none"> <li>■ Main project partners</li> <li>■ Approve and sign the Memorandum of Understanding with XSF</li> <li>■ Sign the certificates of land occupancy</li> </ul>  |
| Supporting Partners at National Level | GLTN  | <ul style="list-style-type: none"> <li>■ Promote innovative land tools developed (i.e., STDM, GEC, YLRC) to the project</li> <li>■ Provide mentoring to partners and facilitates the participation of resource persons needed by the project</li> <li>■ Provide funding to the project as financed by BMZ</li> <li>■ Provide technical assistance to the project</li> </ul>            |
|                                       | Government Agencies – National Commission on Indigenous Peoples   | <ul style="list-style-type: none"> <li>■ Engage in policy dialogues on land rights of IPs, particularly in relation to the application of the Certificates of Ancestral Domain Titles</li> </ul>   |
|                                       | Department of Environment and Natural Resources, Department of Agrarian Reform  | <ul style="list-style-type: none"> <li>■ Participate in policy dialogues</li> </ul>  |
|                                       | CSOs  | <ul style="list-style-type: none"> <li>■ Participate in policy dialogues</li> </ul>  |
|                                       | GIZ   | <ul style="list-style-type: none"> <li>■ Participate in policy dialogues and provide financial support for complementary activities</li> </ul>   |
|                                       | UN-Habitat  | <ul style="list-style-type: none"> <li>■ Provide technical expertise during workshops</li> <li>■ Invite ANGOC to events to share project experience</li> </ul>   |
|                                       | Supporting Partners at Local Level  | Local government units (municipal and <i>barangay</i> )  |
|                                       | Regional Land Use Committee (RLUC)  | <ul style="list-style-type: none"> <li>■ Engage in policy dialogues and learning events</li> <li>■ Explore inclusion of main project partners in the respective programs of the members of RLUC</li> </ul>   |

**Table 5. Land tools used in the SALaR Project in the Philippines**

| GLTN Tools   | CSO Tools   |
|--|---|
| <ul style="list-style-type: none"> <li>■ STDM</li> <li>■ Participatory Enumeration</li> <li>■ Fit-for-Purpose Land Administration</li> <li>■ Gender Evaluation Criteria (GEC)<sup>3</sup></li> <li>■ Tenure Responsive Land Use Planning (TRLUP)<sup>4</sup></li> <li>■ Continuum of Land Rights<sup>5</sup></li> <li>■ Youth and Land Responsiveness Criteria (YLRC)<sup>6</sup></li> </ul> | <ul style="list-style-type: none"> <li>■ Landscape Governance (XSF/ANGOC)<sup>7</sup></li> <li>■ Land conflict: concepts</li> <li>■ Land Conflict management and resolution: concepts</li> <li>■ Indigenous peoples' rights (PAFID)</li> <li>■ Harmonization of government and community plans</li> </ul> |

**Assessment, selection, and re-designing of existing land tools; and review of appropriate approaches and tools for implementation**

ANGOC formulated the household baseline profiling tool, capturing information on: (1) community profile; (2) household profile; (3) housing and homelot details; (4) sources of livelihood and income; (5) sources of food and perceptions on food security; (6) perceptions on tenurial security; and, (7) perceptions on community problems.

Based on the results of the baseline survey and dialogues with the IPOs, land tools and approaches were identified, reviewed, and introduced to the IPOs (Table 5). Table 6 provides the number and profile of enumerators trained on participatory enumeration and geo-spatial tools. Enumerators gathered Information on houses, gardens and farm parcels ( Table 7).

<sup>3</sup> Presented as part of the Landscape Governance training, also used to assess implementation and report to the MTR.  
<sup>4</sup> Presented as part of the Landscape Governance Forum.  
<sup>5</sup> Presented as part of the Landscape Governance training.  
<sup>6</sup> Presented as part of the Landscape Governance training  
<sup>7</sup> Landscape Governance was a set of principles and procedures that were documented by partners during implementation of SALaR.

**Table 6. Enumerators trained, disaggregated by age and sex**

| Age Group       | Male      | Female    | Total     |
|-----------------|-----------|-----------|-----------|
| 15-24 years old | 6         | 14        | 20        |
| 25 and above    | 5         | 11        | 16        |
| <b>Total</b>    | <b>11</b> | <b>25</b> | <b>36</b> |

In the process of mapping the farm and residential lots, conflicting claims were unearthed. Focus group discussions (FGDs) and validation workshops were undertaken, easing tensions and creating consensus among community members in identifying their boundaries. As a result, the delineation process increased transparency and gave respondents a sense of security that they could confidently pass on their lots to their children (See Table 8).

Using the IP governance system, the “*datu*”<sup>8</sup> system and complementing this with the knowledge they had acquired through training on landscape governance, communities were able to amicably resolve their land disputes.

The delineation of land boundaries likewise enhanced relationships between neighbors

**Box 1: Steps in Implementing Participatory Enumeration and Social Tenure Domain Model (STDM) Tools**

- Courtesy visit and orientation of project with local officials, tribal leaders and community members
- Community Mapping per *sitio* (hamlet)
- Deployment of enumerators
- Household-level orientation (per sitio)
- Checking enumeration and following outputs/data
- Encoding, Digitization & GIS data management
- Checking of encoded outputs/data
- Certificates template designing
- Validation
- Revisions & finalization of data with STDM database
- Certificate revisions & finalization
- Awarding/Turnover of certificates

<sup>8</sup> *Datu* is the chief or leader of the tribe

**Table 7. Number and Size of Houses, Gardens and Farms encoded in STDM Database**

| Phase                        | IP Organizations/Site | Houses       |                | Gardens   |               | Farms        |                  |
|------------------------------|-----------------------|--------------|----------------|-----------|---------------|--------------|------------------|
|                              |                       | Number       | Hectares       | Number    | Hectares      | Number       | Hectares         |
| April 2018 to January 2020   | MILALITTRA            | 1,375        | 53.11          | 32        | 4.939         | 1,861        | 3,784.04         |
|                              | NAMAMAYUK             | 236          | 7.46           | -         | -             | 207          | 486.57           |
|                              | PTTA                  | 316          | 20.80          | 43        | 19.57         | 296          | 571.66           |
| September 2019 to March 2021 | Barangay Bacusanon    | 1,191        | 82.83          | 7         | 0.14          | 243          | 602.316          |
|                              | Barangay Nabaliwa     | 336          | 15.40          | 9         | 0.34          | 69           | 221.65           |
| January 2021 to May 2021     | Barangay Bacusanon    | 328          | 27.12          | 2         | 0.05          | 77           | 196.241          |
|                              | Barangay Nabaliwa     | 137          | 5.031          | 3         | 0.11          | 28           | 226.225          |
| <b>TOTAL</b>                 |                       | <b>3,919</b> | <b>211.751</b> | <b>96</b> | <b>25.149</b> | <b>2,781</b> | <b>6,088.702</b> |

in the communities. In other instances, land conflicts were addressed with the intervention of *barangay* officials.

Table 9 shows the achievements of the SALaR project in the Philippines in terms of enumeration and distribution of Certificates of Customary Land Occupancy.

The total number of HHs surveyed differed from those validated, as some HHs were not around when their forms were reviewed. Moreover, a few HHs migrated to another municipality thus further reducing the total number of certificates issued.

## **Component 2: Capacity Development**

### ***Capacity needs and resource assessment***

The capacity needs assessment survey pointed to the respondents' need to understand their land

rights under the IPRA and the Expanded National Integrated Protected Area Systems (ENIPAS). It also confirmed the need to understand the landscape governance framework in relation to resource management.

### ***Implementation of the capacity development plan***

Three batches of Training of Trainers on Landscape Governance were conducted to share concepts and tools on conflict management, STDM, gender and youth. These training courses, together, were able to strengthen capacities and knowledge of 104 participants (50 females, 54 males) from the IP communities, *Barangay* Local Government Units, Government Agencies, Academe, and Youth.

A list of capacity building activities conducted from 2018 to 2021 is found in Table 10.

**Table 8. Number of land disputes encountered and resolved**

| Number of land disputes encountered | Size of areas under dispute | Number of HHs affected | Number of land disputes resolved |
|-------------------------------------|-----------------------------|------------------------|----------------------------------|
| 11                                  | 1 hectare or less           | 22                     | 11                               |

### Empowering women

Using the Gender Evaluation Criteria (GEC), the project endeavored to promote gender inclusivity and to respond to the needs of women.

#### Box 2: Steps in land conflict resolution under the Project

- Upon identification of a particular problem or conflict, the local enumerator seeks a dialogue with the families concerned.
- The conflicting families coordinate with each other and decide on a schedule to discuss the issue.
- Given the set schedule for dialogue, the local enumerator informs the local *barangay* officials and requests them to bear witness to the dialogue.
- At the appointed time the conflicting families meet at the farm/home lot concerned, together with the representatives of the *barangay*.
- With the support of the local enumerator through mapping/delineating the exact boundaries, both of the conflicting parties agree on new boundaries .
- When both families are satisfied with the mapping and delineation, they plant a bamboo or endemic tree seedling as a symbol of the agreed boundary between the two lots.

Project implementers consciously encouraged indigenous women’s participation in project activities such as training courses, workshops, and data-gathering for the participatory enumeration. Twenty-five out (of the 36) enumerators were women, while housewives actively participated in the surveys. To monitor the gender balance in event participation, implementers consistently produced gender-disaggregated attendance data.

Enumerators, most of whom were women, were introduced to the basics of survey studies, as well as to the use of global positioning system (GPS) devices and an open-source geographic information system (GIS) software. Selected male and female participants joined training courses where they were re-oriented about rights and entitlements for IPs, and were educated in landscape governance with sensitivity to the equal rights of people regardless of age and gender. Through the landscape governance training course, participants were also introduced to global land tools such as the GEC, Tenure Responsive Land Use Planning (TRLUP), Continuum of Land Rights, Social Tenure Domain Model (STDM), and Youth and Land Responsiveness Criteria (YLRC), which they may use in governing their ancestral domains.

### Youth inclusivity

Throughout its implementation, the project ensured the engagement and participation of the youth in activities, such as training courses, forums, and participatory enumeration on land information. Young people were assigned recordation roles using the STDM tool. The results were made available and accessible to the youth along with the rest of the communities. Roles and avenues for participation of IP youth in the governance of their ancestral domains were highlighted in the results of surveys, focus group discussions, and training courses.

### Component 3: Fostering multi-stakeholder engagement

#### Regional Development Bodies

ANGOC and XSF secured the support of the Regional Land Use Committee (RLUC) for the project. RLUC is a coordination mechanism for various government agencies (i.e., DAR, DENR, DA, NCIP, etc.) to discuss policies and programs.

XSF also provided inputs to an initiative by the Regional Development Council X Inter-Agency Committee for Conflict Resolution of Tenurial Claims (RDC-X IAC-CRTC) to establish a geospatial database. Called the One Map, it will consolidate all titles and tenurial instruments issued in the region and identify overlapping tenurial instruments in aid of conflict resolution. This can be further developed as a platform for building harmonious relationships among government agencies and private institutions to pursue the broader land use and management agenda of the region.

At the same time, a resolution was passed by the Development Council of Region X (Resolution No. 10 series of 2018) supporting the Project.

#### Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (GIZ)

The SALaR Project was linked to the eight-month initiative *Mitigating the impact of COVID-19 through enhancing food, nutrition and tenure security of rural households in Northern Mindanao* which started on 1 August 2020 and aims to contribute to mitigating the impact of the pandemic by enhancing food and nutrition security of the rural poor and strengthening the land tenure security of smallholders in Bukidnon and Misamis Oriental, Northern Mindanao. The partner IP communities in Bukidnon were designated as resource persons for the radio programs developed under this initiative, particularly by sharing their experiences and challenges in enhancing their tenure security during the pandemic.

**Table 9. Number of households surveyed and data validated and certificates distributed**

| Phase                           | IP Organizations/<br>Site | HHs Surveyed | HH Data<br>Validated | Certificates Distributed/<br>Turned Over to IP<br>Organizations and Communities |
|---------------------------------|---------------------------|--------------|----------------------|---|
| April 2018 to<br>January 2020   | MILALITTRA                | 1,389        | 1,290                | 1,255   |
|                                 | NAMAMAYUK                 | 316          | 312                  | 312   |
|                                 | PTTA                      | 223          | 218                  | 218   |
| September 2019<br>to March 2021 | Barangay<br>Bacusanon     | 921          | 911                  | 911   |
|                                 | Barangay<br>Nabaliwa      | 300          | 300                  | 300   |
| January 2021 to<br>May 2021     | Barangay<br>Bacusanon     | 300          | 300                  | 300   |
|                                 | Barangay<br>Nabaliwa      | 51           | 51                   | 51  |
| <b>TOTAL</b>                    |                           | <b>3,500</b> | <b>3,382</b>         | <b>3,347</b>  |





Participants of the Landscape Governance Training Course ready to share their dream community. @XSF

Furthermore, project partners were engaged in policy discussions through the radio programs.

#### **Component 4: Knowledge, learning and dissemination**

##### ***Documentation of key interventions and lessons learned***

Fifty-one knowledge products (profiles, brochures, training materials, issue briefs, publications and video documentation) were generated from 2018 to 2021, as listed in Table 11.

These knowledge products contributed to the policy discourse processes on a number of thematic areas that relate to IPs. As such, issue briefs were prepared on women, youth, land rights of IP, land conflicts, and harmonization of community and local development plans.

These papers provided the national context and overview vis-a-vis the local-level situations, and how the related GLTN land tools were to be applied in the community settings.

Briefing materials on the IPRA and the Expanded National Integrated Protected Areas System (ENIPAS) were produced to increase the land literacy among project participants.

These materials were used as part of the evidence-based policy work of ANGO and XSF at national and sub-national levels. In particular, the papers complemented the ongoing advocacy of ANGO in pushing for the fast-tracking of CADT applications, the passage of the National Land Use Act (NLUA) and the Indigenous Community and Conservation Areas (ICCA) bills, the review of the Joint Administrative Order #1 of 2012 and the revision of the Implementing Rules and Regulations of the ENIPAS.

**Table 10. List of capacity building activities from 2018 to 2021**

| #            | Capacity Building Intervention  | Date                   | Participants |            |            |
|--------------|---|------------------------|--------------|------------|------------|
|              |   |                        | Female       | Male       | Total      |
| 1            | Community and Field Enumerators Orientation   | 14 to 16 July 2018     | 17           | 34         | 51         |
| 2            | Orientation and Coordination with partner MLGU and BLGU of Talakag  | 15 March 2019          | 3            | 20         | 23         |
| 3            | Orientation and Training on the Use and Application of the Social Tenure Domain Model (Part 1)                              | 10 to 13 October 2018  | 14           | 25         | 39         |
| 4            | Training on the Integration of Digital Tablets as a Tool for Community Mapping in Bukidnon, Northern Mindanao (Part 2)      | 10 to 11 December 2018 | 9            | 6          | 15         |
| 5            | Enumerators and Encoders Training on the Use and Application of STDM tool to improve tenure security of smallholder farmers | 21 to 23 February 2019 | 19           | 8          | 27         |
| 6            | Community-level orientation meeting with NAMAMAYUK  | 20 March 2019          | 19           | 11         | 30         |
| 7            | Community level training on STDM with table usage for enumerators (PTTA, NAMAMAYUK and MILALITTRA)                          | 21 to 23 March 2019    | 11           | 9          | 20         |
| 8            | Community-level special training on STDM tool with NAMAMAYUK enumerators with practicum                                     | 26 March 2019          | 9            | 4          | 13         |
| 9            | National Land Use Act (NALUA) Regional Consultation with IP Representatives   | 10 April 2019          | 3            | 5          | 8          |
| 10           | Community-level monitoring, mentoring and coaching with NAMAMAYUK   | 22 April 2019          | 8            | 4          | 12         |
| 11           | Forum on Engaging Stakeholders on Land Use and Tenure Security Towards Building Sustainable Communities                     | 30 April 2019          | 15           | 19         | 34         |
| 12           | Project Staff and Enumerators: Program and Peer Evaluation  | 9 to 10 May 2019       | 13           | 8          | 21         |
| 13           | Landscape Governance Forum  | 19 June 2019           | 22           | 28         | 50         |
| 14           | Landscape Governance Trainer's Training (Part 1)  | 20 to 22 June 2019     | 15           | 17         | 32         |
| 15           | Community-level meeting with PT TA leaders on project implementation  | 26 June 2019           | 18           | 13         | 31         |
| 16           | Landscape Governance Trainer's Training (Part 2)  | 2 to 3 July 2019       | 20           | 26         | 46         |
| 17           | Country Learning Exchange for SALaR with MILALITTRA and NAMAMAYUK   | 23 to 24 November 2019 | 83           | 69         | 152        |
| 18           | Community-level orientation with barangay LGU of Bacusanon and Nabaliwa (Phase 2)   | 10 August 2020         | 14           | 21         | 35         |
| 19           | Community-level orientation with barangay LGU of New Eden   | 12 August 2020         | 9            | 6          | 15         |
| 20           | Community-level orientation with barangay LGU of La Roxas and Conception  | 16 August 2020         | 15           | 9          | 24         |
| 21           | Community-level Enumerators Training on the Use and Application of STDM   | 28 to 31 August 2020   | 11           | 37         | 48         |
| 22           | Community-level Baseline Survey In-Depth Orientation and Training   | 10 September 2020      | 8            | 7          | 15         |
| 23           | Community-level Field Stories Writeshop with Enumerators  | 31 October 2020        | 8            | 7          | 15         |
| 24           | Project Staff and Enumerators: Program and Peer Evaluation  | 11 to 12 December 2020 | 8            | 7          | 15         |
| 25           | Indigenous Peoples Organizations' Capacity Building Workshop towards a Tenure Secured Future                                | 14 March 2021          | 21           | 17         | 38         |
| 26           | Landscape Governance with IPRA and ENIPAS   | 26 to 27 March 2021    | 15           | 11         | 26         |
| <b>TOTAL</b> |   |                        | <b>407</b>   | <b>428</b> | <b>835</b> |



**IP women-leaders explaining how the project has contributed to increasing their tenurial security. @XSF**

At the sub-national level, the RLUC issued a resolution affirming its support for the project, as the RLUC continues its engagement with the project. This reaffirms the acceptability of the approaches used.

At the local level, the approval and signing of the LGUs and IP leaders demonstrated their acceptance of STDM as an alternative tool in enhancing the tenurial security of the ICCs.

A SALaR project page within the ANGOC website has been created to feature updates, publications and other knowledge products that were generated. (See <https://angoc.org/gltn/about-us/>) Copies of the same were likewise disseminated at various events including: NCIP meetings; Forum on State of Land and Resource Tenure and the Voluntary Guidelines (with Regional Development Council of Northern Mindanao); meetings

with the Philippine Indigenous and Conserved Communities Area (ICCA) Working Group etc.

## EMERGING OUTCOMES

### In relation to increasing tenure security

The perception of indigenous peoples on their tenure security has increased through the issuance of Certificates of Customary Land Occupancy (CCLO). Transparency in the process of delineation of residential and farm lots has brought a sense of security. From arbitrary boundary indicators, IP households are now informed of their respective land boundaries.

As the CCLO is signed by the local government official in the area, it recognizes and provides a sense of legitimacy to the claim.

As respective households were able to obtain separate certificates, such entitlement has fueled

their drive to further protect and care for their plots, and has discouraged them from selling out their land.

Furthermore, the importance of their domain has been realized, increasing the motivation of the IPs to bring forward their application for Certificate of Ancestral Domain Title (CADT).

Having their information captured and their lands mapped has been enough to make community members report feeling “secure enough” on their land. The fear of evictions and encroachment has greatly been reduced by the project activities.

***The IPs believe that land tenure security is a fundamental right.*** Any tangible evidence or document that will secure their land tenure rights is indispensable to encourage IPs to invest in farming and agricultural livelihoods on which their food security depends.

For IPs, there is a strong link between land and food security. In fact, land security is food security for them. IPs depend on land resources for livelihood where they can access and consume safe and nutritionally-adequate food for at least three times a day.

### **In relation to women and youth**

As the project has put premium on enhancing the engagement of women and youth, their confidence has increased. In a focus group discussion (FGD), women IPs have expressed how the project contributed to the recognition of their roles in their communities:

- Women recognize their role in the ancestral domain as inheritors, protectors and stewards of land, peacemakers of the community, and mothers of the future generation.

- Significantly, the project provided an avenue for discussions and engagements among women; they comprised more than half the number of enumerators.
- Women acknowledge their equal right to land especially for *pure* native women married to non-indigenous men in the ancestral domain.
- Women are not commonly recognized as title holders, but through the project, their names can now be registered in a document that supports their rights to land.

Women in the communities reported increased awareness about their legal entitlements and gender-equal land rights. It is important to emphasize that women-headed households are also awarded the certificates of land occupancy documents within this project, further enhancing their land rights in the ancestral domains. Memia Pongautan of NAMAMAYUK shares:

*“In the family, you will see changes because there is motivation to work. There seems to be no doubt that [our land] is already mapped. Even in small portions, the family is encouraged to plant. I also see here in our community that for the first time, like today if there are interviews, women will be scared. But with the project, it seems to have changed. We have learned. Before, we used to hide in the corner, but the change is huge now, we can already face people and we can speak to them.”*

On a similar vein, the names of the children are included in the Certificates of Customary Land Occupancy.

The youth were involved in training courses, forums, and participatory enumeration on land information. Young people were assigned

recordation roles using the STDM tool. The results were made available and accessible to the youth along with the rest of the communities. Roles and avenues for participation of IP youth in the governance of their ancestral domains were highlighted in the results of surveys,

focus group discussions, and public fora. *Youth* participants were oriented on the Indigenous People's Rights Act which recognizes the vital roles of IP youth in nation-building and in the protection and promotion of their physical, moral, spiritual, intellectual, and social well-being.

**Table 11. List of Major Knowledge Products**

| Type and total                                   | List  |
|--|---|
| Info materials (brochure, factsheet, video) - 19 | <ul style="list-style-type: none"> <li>■ Project brochure for Phase 1 (English)</li> <li>■ Project brochure for Phase 2 (English)</li> <li>■ Project brochure for Phase 2 (Cebuano)</li> <li>■ NAMAMAYUK Profile</li> <li>■ MILALITTRA Profile</li> <li>■ PTTA Profile</li> <li>■ NAMAMAYUK community map</li> <li>■ MILALITTRA community map</li> <li>■ PTTA community map</li> <li>■ Certificate of customary land occupancy template</li> <li>■ LGU profiles</li> <li>■ Presentation material on the context of the project</li> <li>■ Presentation material on project updates</li> <li>■ Publication on lessons learned for Phase 1 - Building Food-Secure Communities through Enhanced Tenure Security</li> <li>■ Publication on lessons learned for Phases 1, 2, 3</li> <li>■ Publication on stories from enumerators</li> <li>■ Project video Phase 1</li> <li>■ Project video Phase 2</li> <li>■ Briefer on most significant change, emerging outcomes, and opportunities</li> </ul>   |
| Policy papers and issue briefs – 18              | <ul style="list-style-type: none"> <li>■ Caselet on The Uphill Battle to Reclaim the Ancestral Land of the Manobo and Talaandig of Mt. Kalatungan</li> <li>■ Caselet on Stewards of the Mountain</li> <li>■ Caselet on Participatory Enumeration and STDM Implementation in the Rural Setting</li> <li>■ Caselet on Women of the Talaandig and Manobo of Mt. Kalatungan play the indispensable role of pillars of the tribe</li> <li>■ Caselet on Talaandig and Manobo Youth Groups of Mt. Kalatungan take the lead in keeping their indigenous practices and traditions alive</li> <li>■ Stories of Hope from Mt. Kalatungan: the Manobo and Talaandig experience in defending and conserving their ancestral lands</li> <li>■ Harmonization and Mainstreaming of Forest and Local Land Use Plans briefer</li> <li>■ Land Tenure and Poverty in Ancestral Domains briefer</li> <li>■ Youth Engagement in Food Security and Land Governance briefer</li> <li>■ Women, Land, and Agriculture in Relation to Food Security in the Philippines briefer</li> <li>■ Land and Resource Conflict In the Philippines briefer</li> <li>■ IPRA briefer (English)</li> <li>■ IPRA briefer (Cebuano)</li> <li>■ ENIPAS briefer (English)</li> <li>■ ENIPAS briefer (Cebuano)</li> <li>■ Caselet on the impact of pandemic to IPs</li> <li>■ Policy brief on food hubs</li> <li>■ Briefer on alternative dispute resolution</li> </ul> |

|   |  |
|---|--|
| <p>Learning materials (manuals, modules, training materials) - 14</p> | <ul style="list-style-type: none"> <li>■ STDM Training Guidebook</li> <li>■ Training material on landscape governance</li> <li>■ Training material on Participatory Enumeration and STDM Tool</li> <li>■ Training material on Harmonization and Mainstreaming of Forest and Local Land Use Plans briefer</li> <li>■ Training material on recognizing IP rights</li> <li>■ Training material on Tenure Security and Conflicts on Land and Natural Resources</li> <li>■ Training material on Youth in Landscape Governance</li> <li>■ Training material on Action Planning for Landscape Governance</li> <li>■ Training Material on Women, Land, and Agriculture in Relation to Food Security in the Philippines</li> <li>■ Landscape governance full training manual</li> <li>■ Learning material on planning (English)</li> <li>■ Learning material on facilitation (English)</li> <li>■ Learning material on planning (Cebuano)</li> <li>■ Learning material on facilitation (Cebuano)</li> </ul> |
|---|--|

Through increased participation in the various activities of the project, the women and youth exhibited greater confidence to speak-up and express their views during training courses, community meetings and policy discussions with different stakeholders. The 2021 baseline study shows that:

*“They exercise their right to civic engagement and as such participate in the affairs of the community such as representation in the crafting of policies and decisions and membership in organizations. Both the youth and women sectors are given the opportunity to participate as governance structures as well as spaces and procedures are made available to them. An example to this is the youth organization (e.g., the Sangguniang Kabataan). The women and youth are given access to and information about land and tenure through their elders and the documents available. There was also mention about technology and gadgets that would make information more accessible to them. They participate in decision-making through their attendance in meetings and community activities and rituals.”*

With the involvement and awareness-raising on land rights among youth, they have (re)gained interest and upheld the importance of protecting and preserving their ancestral lands. There has been a resurgence among youth performing traditional rituals depicting their connection to the land and the spirits that abound there.

Awareness is an integral part to becoming effective members and stewards of the ancestral domain. The youth recognized that they would be the heirs of the gains as well as the challenges in relation to their land.

**In relation to increased capacity to use appropriate land tools and enhanced partnerships**

The various land tools used in the project, in particular the participatory enumeration, STDM, and landscape governance as modified in the context of IPs, have contributed to the empowerment of communities. Such framework linking ancestral domain governance and environment conservation has refreshed the IPs on how they once managed their territories where no political boundaries restrict the spatial extent of their stewardship on the environment.



Youth representatives from the project sites trained as enumerators. ©XSF

The community members expressed that they have been well equipped with knowledge and skills that will help them sustain the gains of the project. For instance, the landscape approach that they acquired from the training activities, is being practiced and has strengthened the collaboration among women, youth, IPO leaders, and other community members. In which case, the IPO will continue to recognize their rights to carry on with their CADT application.

On the other hand, the participatory and community-led data gathering had the effect of transferring knowledge and skills, and thus served as a mobilizing platform and an empowerment tool.

Significantly, the project contributed to improved relationships among tribes of the IP organizations. It fostered respect, unity, and understanding among the youth, women, men, Council of Elders, local government units and members of the communities.

The project thus has fostered partnerships at the local to national levels from various stakeholders, including government, IPs, and CSOs.

## LESSONS LEARNED

- ***Land delineation is necessary to resolve land-related disputes in the family and community.*** Households have been informed of their respective land boundaries and this has promoted understanding between neighbors. The STDM tool will support the IPs' application for CADT boundary delineations of ancestral domains; using the STDM tool will aid in their claims over land located in buffer areas.

At the same time, the Project highlighted the importance of Comprehensive Land Use Plans (CLUPs) and the harmonization of Ancestral Domain Sustainable Development and Protection Plans (ADSDPPs) and other forest land use plans in the CLUP.

- ***Capacity building, training and mentoring individuals and communities is necessary to achieve project sustainability.*** The acquired knowledge will be retained and further strengthened as the communities continue to follow-up on their CADT applications. The confidence among women and youth has

clearly increased following the seminars. They said that they have improved their ability to communicate and face outlanders or visitors. An added dimension is the increased knowledge and appreciation of the youth towards the conservation, preservation, and protection of the environment.

Women and youth have played significant roles in data collection and encoding, particularly in the cases of MILALITTRA and NAMAMAYUK. Cooperation among respondents and enumerators (as discussed above) and the involvement of various sub-sectors within the IP communities solidified the long-existing sense of community among the IPs of Mt. Kalatungan.

- ***Securing the support of the LGUs is vital to the success of the project.*** Partnership-building with potential local partners is needed to explain the project in depth, especially since it concerns sensitive issues like land concerns. Active collaboration with the LGUs is necessary to help them recognize the IPs as inheritors and stewards of the ancestral domains.
- ***Community-led and participatory data gathering is essential for LGUs to formulate better plans.*** This activity enabled the communities to get “the bigger picture” and, coupled with evidence-based information, has built confidence among them to assert their land rights. This will help the communities to better support the government, on the one hand, and the government to better address the issues and improve their planning, on the other hand, compared to the usual top-down process.

***“Through increased participation in the various activities of the project, the women and youth exhibited greater confidence to speak-up and express their views.”***

- ***Operating in the context of ancestral domain requires understanding and appreciation of indigenous communities’ unique knowledge systems and beliefs.*** The indigenous knowledge systems and practices (IKSPs) of IPs continue to be practiced. Their customary laws still govern decision-making and conflict resolution. Recognizing their ability to handle issues and concerns related to land is a key element in ensuring that conflicts do not escalate and are resolved in a peaceful and harmonious dialogue. Thus, interventions on ancestral domains require close coordination with the tribes and should recognize that each tribe may have a different set of cultural practices, traditional values, visions, needs and priorities.

## **OPPORTUNITIES**

*Securing the support of the RDC and the RLUC promoted inter-agency collaboration, reduced conflicting claims, and increased the likelihood that the RLUC would support NCIP program implementation (e.g. registration of CADTs and approval of ADSDPPs). Such partnerships are necessary to strengthening the claim and security of tenure of the IP communities over their ancestral domains.*

Sustained engagements with the NCIP Central and Regional Offices will provide a platform for the IPs to follow-up NCIP on their CADT



applications and support for the implementation of their ADSDPPs.

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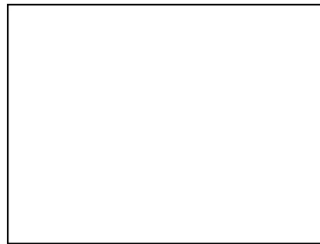
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## SAMPLE CERTIFICATE OF CUSTOMARY LAND OCCUPANCY

Household Control No.: H0557-0215

# *Certificate of Customary Land Occupancy*



| NAME | SURNAME | GENDER |
|------|---------|--------|
|      |         |        |
|      |         |        |
|      |         |        |

The information below shows the location, type of house, garden and farm lots occupied by the family.

| HOUSE MAP | Tenure:<br>Coordinates: | House use: |
|-----------|-------------------------|------------|
|           |                         |            |

|                 |  |
|-----------------|--|
| House name:     |  |
| House lot area: |  |

**Legend**

HOUSE LOT  
 NEIGHBORS

| FARM MAP | Tenure:<br>Coordinates: | Land type: |
|----------|-------------------------|------------|
|          |                         |            |

**Legend**

FARM LOT  
 NEIGHBORS

Land area: 0.446 ha  
Coordinates: 116.6114717463443, 14.6114717463443

| GARDEN MAP | Tenure:<br>Coordinates: |  |
|------------|-------------------------|--|
|            |                         |  |

**Legend**

GARDEN LOT  
 NEIGHBORS

Garden area: 122.082 sq.m  
Coordinates: 116.6114717463443, 14.6114717463443

Certified by:

Issued on:

\_\_\_\_\_

Barangay Chairman

\_\_\_\_\_

IPO Chairman

\_\_\_\_\_

Barangay/Sitio Chieftain

\_\_\_\_\_

Land Occupant

\_\_\_\_\_

Neighboring 1

\_\_\_\_\_

Neighboring 2

\*Disclaimer: This certificate recognizes the family that occupies the lands where their house, garden and farm are situated. This document is not legal to use in order to sell or lease the property without due authorization of those who certified it.

# UGANDA

Awarding of Certificates of Customary Ownership  
(MAK-SBE and UCOBAC). ©UCOBAC



## Strengthening Customary Land Tenure in Adjumani, Kisoro, and Pader Districts in Uganda

*Prepared by MAK-SBE and UCOBAC*

### THE LAND SECTOR

Uganda's land area covers about 24 million hectares, of which 19 million hectares are dry land and five million hectares are water and swamp. About 34 percent of Uganda's land is arable, and of this, 11.2 percent has permanent crops. Agriculture is primarily dependent on rain as only 0.1 percent of the country's cropland is irrigated (World Bank 2009a).

The agriculture sector employs 73 percent of Uganda's labor force, accounts for a quarter of the Gross Domestic Product (GDP), and accounts for nearly all of Uganda's foreign exchange earnings (World Bank 2009a).

Based on projections, Uganda's population stands at 42 million people with a growth rate of 3.1 percent (UBOS, 2020).

Eighty percent of the population relies largely on agriculture for their livelihood. Most of them practice subsistence farming on farms averaging 0.97 hectare in size (FAO, 2018).

### Overview of the legal and policy environment on the poor's access to land

A large proportion of Uganda's poor smallholder farmers has land rights, although these are not secure. A number of them are either unaware of their rights -- and thus do not exercise them, unable to afford the cost of formalizing those rights, or have rights that are not recognized by legal or customary authorities.

Many attempts have been made in the recent past to make the land tenure and management system in Uganda more efficient. For many years, the 1995 Constitution of the Republic of Uganda

and the 1998 Land Act and its subsequent amendments (Land Amendment Act, 2007, and 2010) formed the legal framework for land administration in Uganda.

The 1995 Constitution vests land ownership in the citizens of Uganda, where previously all land had been owned by the State.<sup>6</sup> Ugandans own land according to four land tenure systems: (1) Customary; (2) Freehold; (3) *Mailo*; and, (4) Leasehold. Land tenure systems determine who can use which resources for how long, and under what conditions (FAO, 2002).

Customary tenure is based on customary rules formed from the norms and cultures of clans, families, or communities. As such, the terms of this tenure system differ from region to region, or from tribe to tribe.

Freehold tenure refers to the holding of registered land for an unlimited timeframe subject to statutory and common law qualifications. It is the most preferred mode of holding land in Uganda because it provides greater tenure security. Freehold tenure characterizes land owned by individuals, and by institutions, such as churches, mosques, and schools.

*Mailo* landowners have the same rights as freehold land owners, but they must respect the rights of lawful and bonafide occupants. *Mailo* land tenure separates the ownership of the land from ownership of developments that have been made on the land by lawful occupants or tenants. As such, it creates dual ownership over the same piece of land. *Mailo* land is dominant in the central region of Uganda, where the majority of *Mailo* occupants are tenants rather than landlords.

<sup>1</sup> Land Reform Decree of 1975

Leasehold tenure gives the lessee exclusive possession of a piece of land for a specific period in exchange for rent. Leasehold tenure is mostly

#### LIST OF ACRONYMS

|            |  |
|------------|--|
| ADR        | Alternative Dispute Resolution   |
| ALC        | Area Land Committee  |
| BMZ        | German Federal Ministry of Economic Cooperation and Development                              |
| CCO        | Certificate of Customary Ownership   |
| DLB        | District Land Board  |
| DLO        | District Land Office   |
| FFP        | Fit-for-Purpose  |
| GDP        | Gross Domestic Product   |
| GEC        | Gender Evaluation Criteria   |
| GLTN       | Global Land Tool Network   |
| GPS        | Global Positioning System  |
| Ha         | Hectares   |
| JLOS       | Justice, Law and Order Sector  |
| Km         | Kilometer  |
| LC         | Local Council  |
| MAAIF      | Ministry of Agriculture, Animal Industry and Fisheries                                       |
| MAK-SBE    | Makerere University - School of the Built Environment  |
| MLHUD      | Ministry of Lands, Housing and Urban Development   |
| NLP        | National Land Policy   |
| NUA        | New Urban Agenda   |
| OAG        | Office of the Auditor General  |
| ODK        | Open Data Kit  |
| SALaR      | Secure Access to Land and Resources  |
| SDGs       | Sustainable Development Goals  |
| Sq         | Square   |
| STDM       | Social Tenure Domain Model   |
| UBOS       | Uganda Bureau of Statistics  |
| UCOBAC     | Uganda Community Based Association for Women and Children's Welfare                          |
| ULC        | Uganda Land Commission   |
| UN-Habitat | United Nations Human Settlements Programme   |
| VGGT       | Voluntary Guidelines on the Responsible Governance of Tenure of Lands, Forests and Fisheries |

***“Approximately 70 percent of Ugandans, majority of them poor, hold land under undocumented customary land tenure.”***

seen on public land granted by either the District Land Boards (DLBs) or by the Uganda Land Commission (ULC) on behalf of the Government. It can also be granted on customary, *Mailo*, and freehold land by private landowners.

Approximately 70 percent of Ugandans, majority of them poor, hold land under undocumented customary land tenure. As said earlier, the 1995 Constitution [Article 237(2) (a)] recognizes customary tenure and grants occupants full rights that are equal to those of freehold landowners. It provides for the registration of customary land through the acquisition of Certificates of Customary Ownership (CCOs) and for the recording of transactions relating to such land. Theoretically, this certificate is sufficient evidence of title as far as financial institutions and other bodies and authorities are concerned. In addition, the Land Act 1998 [Section (4) (2)] provides for the conversion of customary tenure to freehold tenure as a way of securing people’s customary land rights.

Nevertheless, there have been challenges to the implementation of constitutional and legal provisions in regard to customary land rights. This led to the passage in 2013 of the National Land Policy (NLP).

The NLP acknowledges that customary land tenure does not provide security of tenure for landowners; discriminates against women; and, impedes the advancement of land markets. Section 4.3 of the NLP seeks to make customary land rights equal to those under the other

tenures. It proposes to establish a land registration system that supports the registration of rights under customary tenure. Currently, the National Land Information System (NLIS) digitally stores and provides information on land under all the tenure systems, except customary tenure. By registering lands held under customary rights, the NLP seeks to modernize customary land tenure to enable it to work with current land management and administration mechanisms.

The National Physical Planning Act (2010) also seeks to improve the way that customary land is managed. The Act establishes various physical planning structures from the national level to the county level<sup>7</sup> in order to supervise how customary land is being utilized in any given area.

The 1995 Constitution of Uganda, the Land Act (1998), and the NLP also pay attention to gender equity in land ownership, by embracing the principle of non-discrimination, outlawing land sales without the consent of both spouses, and providing for women’s representation in land administration.

### **Gaps and challenges in the land sector**

Land laws in Uganda are strongly formulated but their implementation is not sufficiently robust or widespread to protect the security of tenure of the urban and rural poor (GLTN, 2010).

Land administration in Uganda is hobbled by a number of challenges which exacerbate tenure insecurity. The District Land Boards, where they exist, are weak and the District Land Offices, which are supposed to support their work are grossly under-resourced. A large number of administrative bodies lack office

<sup>2</sup> The Physical Planning Act at Section 13.

facilities and the technical equipment necessary to adequately carry out their functions. In fact, a study on the functionality of land management institutions in Uganda by the Auditor General's Office in 2011 showed that Area Land Committees and District Land Offices did not have typewriters, computers or photocopiers. Consequently, major activities such as the processing of applications, valuation, surveying, and printing and delivery of titles are all done manually. Moreover, due to lack of storage rooms, files are often kept loosely on floors and shelves with no references attached to them (OAG, 2011).

Only 18 percent of the land is titled and registered. Approximately 70 percent of land is under customary land tenure and is largely unregistered (MLHUD, 2015). Moreover, the customary system of land administration does not have clearly established and legally defined functional structures. Governed by customs, the system differs from one area to another. The lack of land rights registration and documentation increases the insecurity of tenure among customary landowners and heightens their vulnerability to land conflicts, including boundary conflicts, eviction, and disinheritance, among others.

Uganda's property laws, including the 1995 Constitution, the Land Act (Cap 227) and the NLP, guarantee women's equal rights to land. However, a great disparity exists between law and practice. Women in Uganda are generally unable to own or inherit land due to restrictive customary practices that continue to override laws that recognize women's land rights, for instance, against land grabbing at the family level.

In addition to this, few women are able to buy land for themselves (MLHUD, 2013). Women are the primary users of land in Uganda. They

*"The lack of land rights registration and documentation increases the insecurity of tenure among customary landowners and heightens their vulnerability to land conflicts, including boundary conflicts, eviction, and disinheritance, among others."*

provide the bulk of "non-contractible" agricultural labor (80% of the agricultural labor force in the country), and produce 80 percent of food crops in Uganda (FAO, 2010; UNDP, 2012). Their lack of access, ownership and control of the land they till thus undermines their productivity and increases food insecurity.

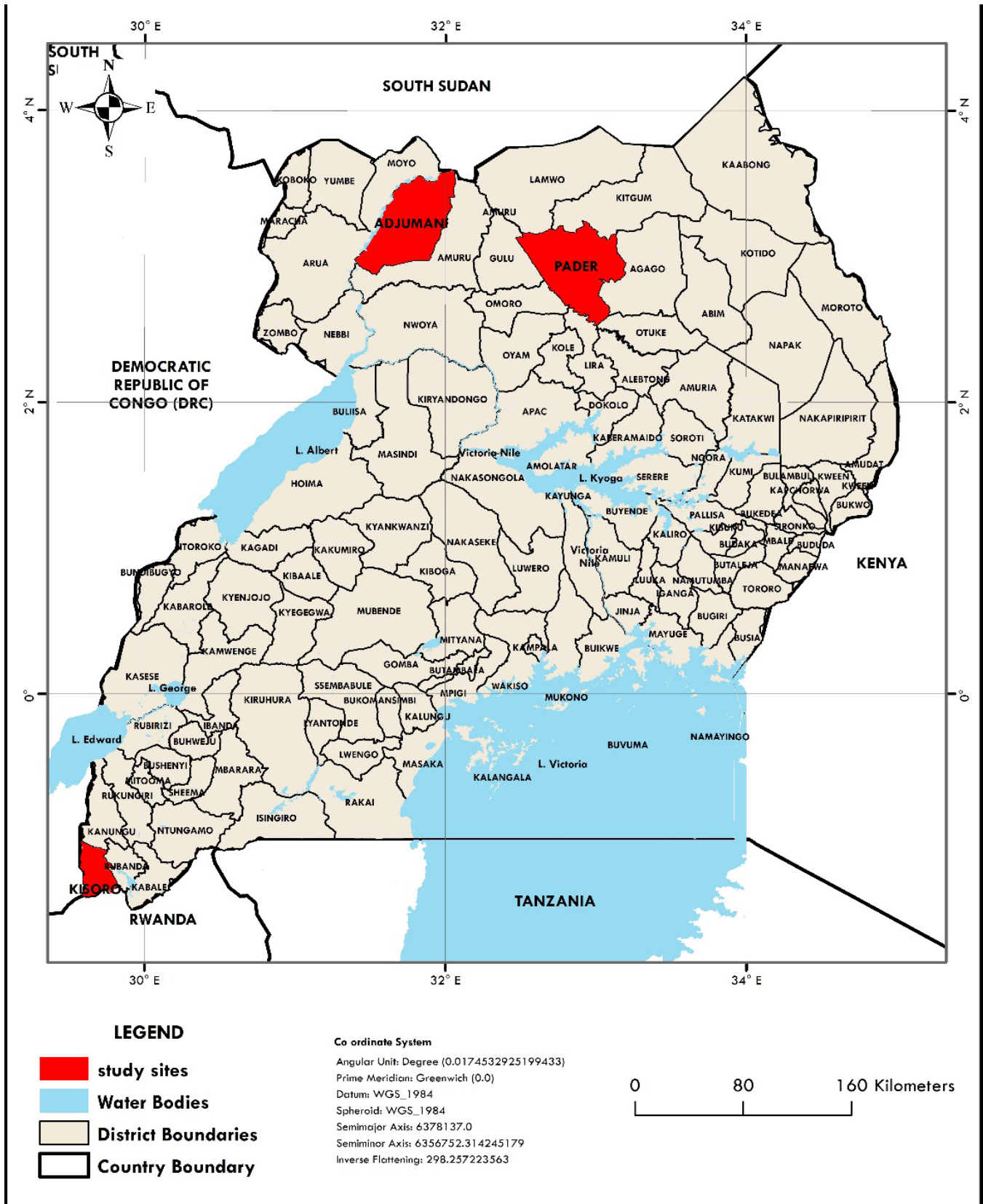
Population growth and the resulting pressure on land are causing small farmers in search of arable land to encroach on protected resources like wetlands, forests, and open green spaces. This situation has been made worse by the Government's drive to transform Uganda into a middle-income economy by 2040 through intensive industrial and infrastructural development that is resulting in large-scale land acquisitions by investors, private companies, and government agencies at the expense of the rights of landowners and the environment. This has also frequently led to the eviction of Ugandans from their land, forcing many of them to migrate to "vacant" spaces like wetlands and forests to sustain their livelihoods in contravention of environmental laws and regulations.

## GENERAL INFORMATION ON THE PROJECT

Table 1 provides details about the project, local project partners and the project sites.



Location of SALaR project sites.



**Table 1. General information on the project**

| <b>Project Title</b>  | <b>Improving Tenure Security for Smallholder Farmers in Select Areas in Uganda</b>   |
|-----------------------|--|
| Main project partners | <ul style="list-style-type: none"> <li>■ Ministry of Lands, Housing and Urban Development (MLHUD)</li> <li>■ Makerere University-School of the Built Environment (MAK-SBE)</li> <li>■ Uganda Community Based Association for Women and Children's Welfare (UCOBAC)</li> <li>■ Adjumani, Kisoro and Pader District Local Governments</li> </ul> |
| Project sites         | <ul style="list-style-type: none"> <li>■ Muramba, Nyakabande, Nyakinama and Murora Sub counties, Kisoro District</li> <li>■ Ofua, Adropi, Pachara and Dzaipi Sub counties, Adjumani District</li> <li>■ Ogom, Pader and Pajule Sub counties, Pader District</li> </ul>   |

## Overview

UN-Habitat/GLTN through the Secure Access to Land and Resources (SALaR) initiated the project "Improving Tenure Security for Smallholder Farmers in Select Areas in Uganda" to address some food security issues through tenure security. The project worked to secure land and property rights for all by implementing pro-poor and gender-responsive land tools and approaches within the continuum of the land rights framework. The project interventions supported the implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Lands, Fisheries and Forests in the Context of National Food Security (VGGTs), the Sustainable Development Goals (SDGs) and the New Urban Agenda (NUA).

## Objectives

The project's main goal was to improve land and natural resources tenure security for rural poor smallholder farmers in Uganda, including women, youth and vulnerable groups, through innovative and gender-responsive land tools and approaches. The project goal was achieved through three main outcomes:

- increased uptake of land tools, approaches, frameworks and policy guidelines that are pro-poor, fit-for-purpose and gender-responsive;
- strengthened capacity of change agents, including rural poor women, men, and vulnerable groups to implement pro-poor, fit-for-purpose and gender-responsive land tools and approaches; and,
- improved awareness among stakeholders of issues and measures for improving land and natural resources tenure security for poor women, men and vulnerable groups.

## Target group

The project targeted to strengthen tenure security for about 17,000 smallholder farmers, especially women, girls, youth and other vulnerable groups regardless of age, gender, marital status, ethnicity and educational background. All project processes were inclusive and participation was on voluntary basis. However, it was mandatory that a potential beneficiary has rights to the land that they would like to register. Hence, the project team undertook systematic steps to ascertain which specific rights the participants had to the land for which a Certificate of Customary Ownership (CCO) was applied.



Sensitization (left) and mobilization (right) activities for the project. ©UCOBAC

## Overview of the project sites

### *Kisoro District Project Site*

Kisoro district is one of the most densely populated districts in southwestern Uganda, with a total population of 287,179 people, including 128,741 males and 158,438 females (UBOS, 2014). The average fertility rate reported by UBOS is 6.2 children per woman and the population density is over 350 persons per square kilometer. The sustainability of the district's principal occupation, agriculture, has become a problem because land for cultivation is scarce due to high fragmentation. The predominant land tenure system in Kisoro district is customary but is highly individualized. Influence from extended families and clans is minimal.

### *Adjumani District Project Site*

Adjumani district in the West Nile is a relatively poor district that is recovering from decades of conflict. Its population numbers 225,251 people, of whom, 108,298 are males and 116,953 are females (UBOS, 2016). The district hosts the highest number of refugee settlements (18) in the country, accommodating around 203,671

refugees. Refugees compose 55 percent of the district's population (UNHCR, 2019). The high number of refugees has put a lot of pressure on land in the district as highly vegetated areas are cleared to create suitable land for settlement and agriculture for the refugees. Uganda's Refugee Policy permits the allocation of land to refugees to promote their self-reliance and less dependence on food aid. Most refugees access land through the Office of the Prime Minister.

### *Pader District Project Site*

Pader district, located in Northern Uganda, is predominantly occupied by the Acholi tribe. It has a population of about 178,004 people, with 86,635 men and 91,369 women. Twenty-six percent of its 134,183 households are female-headed (UBOS, 2014). The main economic activity in the district is agriculture and the majority of the community members are smallholder farmers. Land in Pader district is held under customary ownership and is largely unregistered. It is important to note that the people of Pader had gone through a 20-year-long civil war between the Uganda government and the Lord's Resistance Army, a rebel group. As a result, people lost their lives while many

**Table 2. Gender-disaggregated data on awareness raising and community sensitizations**

| Project Site | Number of participants |        | Total |
|--------------|------------------------|--------|-------|
|              | Male                   | Female |       |
| Adjumani     | 1,997                  | 1,198  | 3,195 |
| Kisoro       | 1,674                  | 1,004  | 2,678 |
| Pader        | 1,431                  | 1,673  | 3,104 |
| Total        | 5,102                  | 3,875  | 8,977 |

others fled their homes due to insecurity. The children who survived had no proper knowledge of the boundaries of their families' land, and this created new land disputes and complicated existing ones.

### Partnership and institutional arrangements

The project was implemented by GLTN as facilitated by UN-Habitat in partnership with MLHUD, MAK-SBE, and UCOBAC. UN-Habitat/GLTN was responsible for capacity building and technical support on land tools and overall project coordination and guidance. MAK-SBE was responsible for project implementation and management in the Adjumani and Kisoro districts whereas UCOBAC was responsible for the Pader district. MLHUD was the overseer body monitoring the project's compliance with the ministry's mandate and other legal requirements. Other partners involved in the project included the Justice Law and Order Sector (JLOS), District and Sub-County local governments, and cultural institutions. JLOS built the teams' capacity in Alternative Dispute Resolution (ADR) mechanisms, particularly mediation. Local governments supported the mobilization and sensitization of beneficiaries while cultural institutions supported the mediation of land disputes that were reported before, during and after field activities.

## PROJECT ACCOMPLISHMENTS

### Component 1: Land tools implementation

#### *Awareness-raising among communities and key stakeholders*

Awareness-raising activities, such as community and local-to-local dialogues, radio talk shows, radio spot messages, and provision of communication materials on land matters, especially customary tenure, were undertaken to mobilize and enlighten the stakeholders and the communities on the consequences associated with unregistered land, positive outcomes associated with having registered land, women's land rights and the advantages of husbands and fathers making their wives and daughters a part of the land ownership. Stakeholders and the communities were also educated on the customary land registration process, its requirements, and the benefits of CCOs. A total of 8,977 people (5,102 males and 3,875 females) were reached during meetings while the radio talk shows reached about 7,500 people. Table 2 shows the number of people reached during awareness-raising meetings.

#### *Implementation of the Social Tenure Domain Model Tool*

The Social Tenure Domain Model (STDM tool) was customized to facilitate the collection of information required for the registration of customary rights as specified in the Land Act. Customary land rights were documented using the STDM tool in accordance with traditional and statutory laws governing customary land registration. A total of 12,174 parcels (46,488.51 hectares), representing 25,189 smallholder farmers were mapped, and CCOs issued to the persons residing on these lands (See Table 3).

**Table 3. Customary land rights documented**

| Project sites | Total No. of Parcels | Individual applicants |       | Joint | Joint (Husband & wife only) | Joint (Nuclear family) | Joint (Ext. family) | Youth | Widows | PWDs* | Total no. of beneficiaries |        | Total no. of HH | Total no. of Areas Mapped |
|---------------|----------------------|-----------------------|-------|-------|-----------------------------|------------------------|---------------------|-------|--------|-------|----------------------------|--------|-----------------|---------------------------|
|               |                      | M                     | F     |       |                             |                        |                     |       |        |       | M                          | F      |                 |                           |
| Adjumani      | 3,331                | 281                   | 72    | 460   | 54                          | 1,585                  | 879                 | 3,067 | 136    | 138   | 14,569                     | 14,520 | 14,228          | 20,663.42                 |
| Kisoro        | 7,874                | 3,088                 | 1,299 | 1,238 | 1,391                       | 758                    | 74                  | 1,348 | 783    | 127   | 13,970                     | 12,624 | 5,882           | 1,360.137                 |
| Pader         | 969                  | 13                    | 10    | –     | 21                          | 425                    | 500                 | 3,919 | 232    | 125   | 5,602                      | 5,799  | 5,079           | 24,464.95                 |
| Total         | 12,174               | 3,382                 | 1,381 | 1,698 | 1,466                       | 2,768                  | 1,453               | 8,334 | 1,151  | 390   | 34,141                     | 32,943 | 25,189          | 46,488.51                 |

\* Persons with disabilities

Digital databases were created from which the collected information was imported for further processing and for generating CCOs. These CCOs are issued at the sub-county level by the Sub-county Assistant Secretary (recorder) and the rights to land (both ownership and use) are clear, absolute, and exist in perpetuity.

### **Implementation of the Land Mediation Tool**

A number of disputes that arose before, during and after the mapping were recorded and

mediated on by the trained mediation committee members (composed of 23 females and 38 males). A total of 292 land disputes -- mostly related to boundaries, ownership and inheritance -- were recorded during the project implementation.

Of the 292 land disputes recorded, 258 cases were successfully mediated. The summary of the registered disputes, their status of resolution and the gender-disaggregated data of beneficiaries involved is presented in *Table 4*.



**Left photo: Field photos showing members of a field team entering landowners' information using a tablet. ©MAK-SBE. Right photo: A landowner showing the field team the extent of his land. ©UCOBAC**

**Table 4. Registered disputes and gender-disaggregated data of beneficiaries involved**

| Project Site | Number of disputes | Number of disputes resolved | Beneficiaries involved in the disputes |        |                        |        |      |
|--------------|--------------------|-----------------------------|--|--------|------------------------|--------|------|
|              |                    |                             | Male                                   | Female | Youth (Below 35 years) | Widows | PWDs |
| Adjumani     | 171                | 162                         | 972                                    | 619    | 493                    | 50     | –    |
| Kisoro       | 34                 | 10                          | 30                                     | 29     | 4                      | 13     | –    |
| Pader        | 87                 | 86                          | 633                                    | 686    | 445                    | 25     | –    |
| Total        | 292                | 258                         | 1,635                                  | 1,334  | 942                    | 88     | –    |

### **Strengthening land mediation**

The most common land disputes in Uganda pertain to boundary disputes at the household level and between districts and interstates, ownership disputes, fraudulent transactions, illegal occupation, inheritance and succession-related wrangles. The most prevalent land disputes registered in the courts of law are fraudulent land transactions, inheritance and succession related land wrangles and boundary disputes. Different ADR mechanisms had been applied by different stakeholders in handling these disputes in Uganda. ADR has been used by customary communities to resolve land disputes because of its affordability, simplicity and flexibility. As a result, communities may have developed innovative ADR processes but these have not been documented.

Research was carried out to document existing ADR mechanisms and processes used by various customary communities in handling land disputes to inform future dispute resolution processes. The ADR mechanisms identified were mediation, negotiation, arbitration, neutral evaluation, and referral, with mediation being the most dominant. The mediation committee is usually formed from members of the Local Council (LC) committees, religious leaders, clan

leaders and the elderly within the community. The proceedings of the mediation processes are not documented. At the end of the mediation, parties would reach a consensus without a binding written agreement. In addition, the process is frequently marred by the fact that members of mediation committees are relatives or friends of one of the disputing parties. The fact that there were no written agreements meant that the outcomes of mediation could not be enforced in court. Furthermore, the process is hamstrung by political interference, dishonesty among the disputants, and insensitivity to gender and minority groups' concerns. On the other hand, the research studies identified a number of good practices, including: a) extensive review of the conflict before making the decision to mediate; b) counselling of the disputants before mediation; c) engaging respected, trusted and experienced mediators on land-related matters; d) ensuring transparency at all stages of the mediation process; e) selection of neutral mediators; and, f) holding mediation meetings in a conducive environment for all the parties.

### **Component 2: Capacity development**

The project has built the capacity of a number of change agents to implement pro-poor, fit-for-purpose and gender-responsive land tools and

approaches for securing land rights. A total of 22 capacity development initiatives were organized and 669 change agents, including 185 females, 484 males and 112 youth, were trained. The land actors trained included Area Land Committee (ALC) members, traditional/cultural leaders, District Land Board (DLB) members, District Land Office (DLO) Staff, Sub-County Assistant Secretaries (who are also the land recorders),

Makerere University student surveyors, village chairpersons, parish chairpersons, Sub-County chairpersons, Sub-County Physical Planning Committee members, members of mediation committees and field assistants (locally recruited youth). Table 5 provides gender-disaggregated data on the various capacity-building events undertaken.

**Table 5. Gender-disaggregated data on trained change agents**

| Capacity Building Intervention  | No. of Training | Date  | Female     | Male       | Total      |
|---|-----------------|---|------------|------------|------------|
| Workshop on Physical Planning   | 1               | 7 July 2020   | 9          | 18         | 27         |
| Training on STDM, mobile data collection using GeoODK   | 1               | 1 to 3 April 2019   | 11         | 41         | 52         |
| Community Mediation   | 6               | 24 to 26 April 2019, 28 September 2020, 28 September, 3 October 2020, 19 October 2020, 2 November 2020          | 42         | 207        | 249        |
| Gender, women's land rights and Gender Evaluation Criteria  | 2               | 12 to 13 October 2020, 16 to 17 November 2020   | 23         | 41         | 64         |
| Workshop on Land Actor Roles and responsibilities   | 2               | 20 June 2019, 17 to 18 November 2019  | 13         | 23         | 36         |
| Experience sharing meeting  | 2               | 23 September 2019, 5 October 2019   | 17         | 32         | 49         |
| Workshop on CCO registration process and its benefits   | 1               | 12 to 13 August 2019  | 5          | 8          | 13         |
| Training of Recorders on filling Abstract, Register and Customary Land Identification Number books  | 2               | 2 to 3 February 2020, 24 to 25 February 2020  | 3          | 5          | 8          |
| Training workshop on Customary land registration, gender and land rights, mediation, physical planning, STDM and data collection using GeoODK and GPS | 5               | 26 to 30 August 2019, 23-27 September 2019, 23 to 24 September 2020, 6 to 9 October 2020, 9 to 13 November 2020 | 58         | 109        | 167        |
| <b>TOTAL</b>  | <b>22</b>       |   | <b>181</b> | <b>484</b> | <b>665</b> |

### **Component 3: Fostering multi-stakeholder dialogues, knowledge learning and dissemination**

Stakeholder engagement workshops were held at the regional and national levels to discuss and build consensus on priority issues pertaining to the land sector. Among the key topics tackled were land fragmentation, land degradation, encroachment on fragile ecosystems, access to land by refugees, protection of women's land rights, men and marginalized groups in the cultural setting, systematic land titling, physical planning and land disputes, customary ownership and land rights, registration of customary land rights, and fit-for-purpose approach for mapping and documentation of customary land parcels. Table 6 shows the number of participants and people reached.

In addition, policy briefs outlining the agreed recommendations during the stakeholder engagements were produced. Brochures and CCO registration process posters translated into the local languages were developed and shared with the communities and stakeholders. Table 7 presents a summary of the various knowledge products developed by partners.

#### **IMPLEMENTATION CHALLENGES**

The limited capacity among the ALCs, which are largely composed of older adults who are often illiterate, made the application of modern land tools difficult. While acknowledging the importance of their wisdom, it became clear that young people need to be more involved in data collection activities to ensure better results. The combination in this project of ALC members with young field assistants during demarcation

exercises was a major contributing factor to the project's success.

The Sub-Counties, which should be at the forefront of land registration using the CCO, lack the full capacity to perform this function. The infrastructure needed to produce digital CCOs at the sub-county level is lacking due to funding shortfalls. Thus, the District Land Office (DLO) had to be brought in to support the process.

The COVID-19 pandemic has been a major challenge in the process of implementing the SALaR project. The global pandemic and subsequent measures, such as lockdowns to curb the spread of the disease, resulted in a three-month delay in implementation. A no-cost project extension was requested to complete the project deliverables. Additionally, the COVID-19 pandemic led to increased costs in project implementation to meet the requirements of the COVID-19 Standard Operating Procedures (SOPs). At the same time, grassroots people with limited access to certain technology were excluded when e-workshops instead of face-to-face were conducted to observe the SOPs.

The SALaR project was also launched in the middle of a heated political season which affected the project in a number of ways. Politicians had unduly claimed credit for the project. A number of stakeholders at the local level had politicized their roles, thus putting off community members that did not share their political affiliation. As a result, certain activities had to be postponed to allow the political climate to stabilize.

There were in some cases a general suspicion, fear and hesitation among the communities about the land rights registration process. This stemmed from the perception that the



**Table 6: Statistics of stakeholder engagement workshops**

| Project Area   | Date              | Number of panelists |   | Zoom Attendance |     | Audience of radio and television programs  | Key Land issues Discussed   |
|--|-------------------|---------------------|---|-----------------|-----|--|---|
|  |                   | F                   | M | F               | M   |  |   |
| Adjumani   | 16 December 2019  |                     |   | 2               | 5   |  | <ul style="list-style-type: none"> <li>• Role of cultural institutions in CCO registration</li> </ul>   |
| Kisoro (Engagement held on local radio)                      | 2 September 2020  | 2                   | 5 | 4               | 13  | 3,000  | <ul style="list-style-type: none"> <li>• Excessive land fragmentation</li> <li>• Land degradation</li> <li>• Encroachment on fragile ecosystems</li> </ul>      |
| Adjumani (Engagement held on local radio)                    | 11 September 2020 | 1                   | 7 | 4               | 528 | 2,500  | <ul style="list-style-type: none"> <li>• Access to land by refugees</li> <li>• Land rights within the customary setting</li> </ul>                              |
| Kisoro and Adjumani (Engagement held on national television) | 16 September 2020 | 2                   | 4 | 15              | 41  | <ul style="list-style-type: none"> <li>• 5 posts were shared on Facebook and 15 on Twitter</li> <li>• Facebook posts garnered 160,419 impressions</li> <li>• Twitter managed to bring in 50,308 impressions</li> </ul> | <ul style="list-style-type: none"> <li>• Systematic land titling</li> <li>• Physical planning</li> <li>• Land fragmentation</li> <li>• Land disputes</li> </ul> |
| Kisoro (Engagement held on local radio)                      | 16 April 2021     | 2                   | 5 | 5               | 13  | 3,000  | <ul style="list-style-type: none"> <li>• Customary ownership and land rights in Kisoro and Southwestern region</li> </ul>                                       |
| Adjumani (Engagement held on local radio)                    | 21 April 2021     | 2                   | 5 | 4               | 7   | 2,500  | <ul style="list-style-type: none"> <li>• Customary ownership and land rights in Adjumani and West-Nile</li> </ul>   |
| National E-workshop  | 23 April 2021     | 0                   | 0 | 19              | 43  |  | <ul style="list-style-type: none"> <li>• Validation of the Fit for Purpose Land Administration Country Implementation Strategy</li> </ul>                       |
| Kisoro and Adjumani (Engagement held on national television) | 1 May 2021        | 1                   | 3 | 16              | 45  | <ul style="list-style-type: none"> <li>• 8 posts were shared on Facebook and 9 on Twitter</li> <li>• Facebook posts garnered 55,917 impressions</li> <li>• Twitter managed to bring in 37,429 impressions</li> </ul>   | <ul style="list-style-type: none"> <li>• Registration of customary land rights</li> <li>• Emerging issues and opportunities in Uganda</li> </ul>                |
| Pader (Engagement held on national television)               | 31 May 2021       | 1                   | 2 | 5               | 6   | <ul style="list-style-type: none"> <li>• 5 posts shared on Facebook and 7 on Twitter</li> <li>• Facebook posts garnered 19,791 impressions</li> <li>• Twitter posts garnered 37,340 impressions</li> </ul>             | <ul style="list-style-type: none"> <li>• Registration of customary lands</li> <li>• Rights of women and youth on customary lands</li> </ul>                     |



Training of change agents in STDM and data collection. ©MAK-SBE

government’s registration is a ploy to grab land in connivance with non-profit organizations and investors. The project countered this with continued sensitization on the project objectives.

Discriminatory social norms – the issue of underlying and deeply rooted discriminatory social norms against women’s land rights remains a major challenge. This is evident among community members as well as the local leadership. Continued sensitization was done before, during and after project implementation to strengthen efforts towards changing attitudes in this regard.

### EMERGING OUTCOMES

*Good working relationships and trust have been built among cultural institutions, District Local Governments, Sub-County leaders, and the Ministry of Lands, Housing and Urban Development.* This was achieved through the joint participation of these stakeholders in project activities, dialogues and engagements, project meetings, and previous engagements with stakeholders on other fit-for-purpose projects. The involvement of technical staff and political and cultural leaders at the regional and national levels as well as the need to meet the project deliverables according to a specified timeframe encouraged the different stakeholders

Table 7: Knowledge products developed by partners

| Type of knowledge product | Title   |
|---------------------------|---|
| Fact sheet                | • Capacity Needs Assessment among Duty Bearers in Pader   |
| Info brief                | • Land Conflict Resolution in Northern Uganda, Pader district<br>• The role of traditional leaders in advancing women's land rights on customary tenure in Pader district |
| Policy brief              | • Existing Alternative Dispute Resolution and Mediation Mechanisms in Customary Land Registration   |
| Poster                    | • Procedure for Applying for a Certificate of Customary Ownership   |
| Brochure                  | • General information on the project  |
| ADR Research              | • Study on Existing Alternative Dispute Resolution mechanisms and Mediation in Customary Land Registration  |



Training of mediation committees (left); mediation committees sit to resolve recorded disputes in Adjumani (right). ©MAK-SBE

to come together. Because the project's goals and objectives were properly conceptualized, the project ran smoothly.

*There is increased knowledge and awareness among the DLOs and the communities about the process of registering customary land and the issuance of CCOs as well as the benefits therefrom.* This was achieved through regular talk shows, messages broadcast continuously on radio about the project, the distribution of communication materials like project briefs, brochures, and T-shirts in local languages, as well as regular meetings at the local level among political leaders and project staff. In addition, fears and misconceptions among the community members about CCO registration have been reduced.

Lamunu Santina, one of the beneficiaries from Adropi, Adjumani District had this to say:

*"I heard about the project from the [Land Committees] during the awareness-raising. They told us that [the project] will help to solve our boundary disputes. I applied because that is really a big problem here. I learned about the CCO and that it is a legitimate document that I can show to prove ownership of my land. Even*

*right now although the CCOs have not yet been distributed, the mapping and documentation have already minimized boundary disputes and I feel confident that this is my land and no one can take it away from me or my children."*

*The project has led to increased uptake of the following land tools: STDM, mediation tool and the Gender Evaluation Criteria (GEC).* The implementation of STDM tool has led to securing of the tenure rights of 25,189 smallholder farmers in Adjumani, Kisoro and Pader by providing them with a legal document that shows proof of their land rights. It is expected that this will enhance their ability to utilize their land for agricultural production. The acceptance of these tools by the government and the communities was due to previous applications of tools like STDM in various contexts, such as in informal settlements and in wetland management. In addition, the implementation of fit-for-purpose tools is not new in Uganda; they have been successfully utilized since 2012. This has greatly improved the confidence of government in this technology. The process of integrating these tools into the National Land Information System is underway.

Eric and Jolly Mugisha, beneficiaries from Nyakabande, had this to say:

*"We mainly depend on our gardens for survival. Over the years, we have witnessed many land wrangles stemming from unclear boundaries. It was for this reason that we embraced the project and have had our land rights registered and documented. With all the information captured and with the CCO registered, our land which is our source of livelihood is finally secured."*

**The mapping of the parcels has also led to the resolution of a number of boundary and ownership disputes which arose during the participatory enumeration process.** This was due to the application of proper demarcation and adjudication processes as stipulated in the Uganda Land Regulations (2004). The mapping was open, inclusive and transparent, involving neighbors and witnesses.

In addition, the communities have become more vigilant over their land after the mapping started. This is expected to enhance their ability to utilize their land for agricultural production.

Aoyo Chesire, a beneficiary from Adropi sub-county in Adjumani, said:

*"I am happy to see my land mapped and documented because documentation and clear demarcation of my land have helped me solve disputes with my neighbors. I will also be able to use the Certificate of Customary Ownership as security to acquire a loan from the bank."*

**More women have documented their land rights, either individually or jointly with their spouses or families.** In addition, widows have had their land registered with their children. Community sensitization emphasized Gender and Women's land rights and the importance of supporting women to document those. This

***"The implementation of the STDM tool has led to securing of the tenure rights of 25,189 smallholder farmers in Adjumani, Kisoro and Pader by providing them with a legal document that shows proof of their land rights."***

has resulted in more women having their tenure rights secured.

Winfred Kamanzi, a female beneficiary from Nyakabande in Kisoro, said:

*"I lost my land to land grabbers when I lost my husband some years back. Opportunists grabbed a big chunk of my land, leaving me helpless and in tears. After years of hard work, I was able to save some money and buy another piece of land. When this project came, I decided to have my land well-documented and properly demarcated. Seeing my name on the CCO brought me a lot of joy. I am now confident that no one will claim rights over my land."*

There has been capacity building for the local land actors on laws related to land rights registration and the process of CCO registration.

**Improved knowledge of the CCO registration processes and roles enhanced the confidence and performance of DLB members, DLOs, recorders and ALCs.**

Julius Nyeko, the Senior Land Management Officer (SLMO) of Pader District, highlights the project's importance to the district and the community:

*"I am happy that the lower-level land actors especially the Area Land Committee members now understand their role better; this reduces the burden on me and my office. With the STDM database established at the district, we have been able to use the data which was collected during the pilot project to solve three cases of boundary disputes using the coordinates captured with the GPS."*

***Sharing of information and experiences on these issues among different stakeholders promoted understanding and built consensus among them.*** Insightful and valuable priority issues emerged that could inform future dialogues. A number of stakeholder dialogues were organized through physical meetings, e-workshops, radio and TV talk shows to discuss key land issues pertaining to the land sector at the regional and local levels. This has resulted in improved awareness among stakeholders on issues and measures for improving tenure security on land and natural resources for poor women, men and vulnerable groups.

***The number of youths involved in management and administration of land has increased since the implementation of the SALaR project.*** Traditionally, especially in Adjumani and Pader, issues of land had been left to the elderly, whom the community perceived as the custodians of the land. With the introduction of technology and the requirement to map large pieces of land in a short period, young and energetic field assistants were used on the project to assist the elderly Area Land Committee (ALC) Members. The knowledge on land matters has significantly increased among the youth who continue to support the land processes in the communities. Natural resource management in the project sites has been poor before the implementation

***"More women have documented their land rights, either individually or jointly with their spouses or families. In addition, widows have had their land registered with their children."***

of the SALaR project. With the implementation of the SALaR project, the physical planning and environmental offices worked hand in hand with the field teams in enforcing natural environment management. The teams and the communities were trained on issues of physical planning and securing fragile ecosystems – wetlands, rivers, swamps, lakes, forests etc. This has seen such natural resources thrive after the implementation of the project.

***The collaboration amongst stakeholders, especially on Customary Land Registration has increased after the implementation of the SALaR project.*** Local partners in the SALaR project have been involved and participated in organizing stakeholder meetings which have led to streamlining of the registration of customary land. The most evident output among the many has been creation and gazettelement of the digital CCO which has significantly improved the quality, improved the speed, and lessened the work required in preparing the CCO. Additionally, efforts have been initiated in the conduct of research and development of the standard operating procedures for CCOs as well as discussions on integration of CCO digital data in the National Land Information System.

## **LESSONS LEARNED**

***There is a need to strengthen community engagements and dialogues around deeply***

***“Alternative dispute resolution mechanisms are very powerful and effective in resolving land disputes.”***

***entrenched discriminatory social norms and practices that undermine women’s land rights.*** This can also be achieved through social norms transformation programming and by increasing male participation.

***Forging and creating strategic partnerships and collaborations is critical for effective and successful implementation of the process.*** The involvement of different actors promotes peer learning, knowledge transfer, capacity-building, and technical support from different partners. It also promotes the sustainability of project outcomes.

***Alternative dispute resolution mechanisms are very powerful and effective in resolving land disputes.*** They are faster to use, cheaper, more familiar to and accepted by communities compared to the formal justice systems that are in many cases, bureaucratic, complicated, expensive and not accessible or user-friendly especially for the poor, particularly women. In addition, traditional leaders play a critical role in land conflict resolution processes. However, the latter suffered from subjectivity arising from members of mediation committees being relatives or friends of the disputing parties, political interference, dishonesty among disputants, and insensitivity to gender and minority groups’ concerns.

***Land rights recordation has to follow physical planning and natural resource use guidelines to ensure the protection and sustainable***

***management of resources.*** This was achieved through the involvement of physical planning committees at both district and sub-county levels to provide technical guidance in regard to physical planning and natural resource management. In addition, awareness-raising on the relevance of conserving natural resources among the communities, mapping teams and relevant stakeholders was also done during the project implementation.

***There is a need to continue engaging and advocating for the adoption of fit-for-purpose land administration approaches that are pro-poor and gender responsive.*** These tools have proven to be effective in addressing the challenges associated with land registration, especially the time required to acquire documentation; affordability of the registration process; and the inclusion of poor and vulnerable groups like women and youth. With many on-going pilot projects applying fit-for-purpose land administration in registration and recordation of land rights, there is evidence that this is the best way to support more Ugandans to secure tenure security.

***The project has the potential to influence policy change.*** This can be achieved through the documentation of best project practices as informed by voices from the grassroots. Wide dissemination of the well-researched and documented evidence could enable policymakers to come up with pro-poor, gender equitable and responsive land legislation.

## **OPPORTUNITIES AND WAY FORWARD**

The project presents a good opportunity to interact and work with key local leaders, land actors, cultural leaders and technical staff on

matters related to effective land administration, gender and women land rights, land dispute resolution, conservation of natural resources, youth inclusion, among others. This could strengthen the capacity of land actors to promote responsible land governance sustainably, and secure tenure at scale.

This project could enable more people, especially the poor and vulnerable groups like women and youth, to secure land and resource tenure where they would otherwise be unable to access or afford traditional land administration processes.

Through the CCO Working Group, GLTN and partners have been able to liaise with other like-minded organizations promoting the documentation of land rights on customary tenure using CCOs. Group members are able to support each other through peer learning exchanges, discussion of common issues and the provision of key recommendations to the MLHUD regarding CCOs. The latter has yielded fruits in the form of a new format for the CCO which makes the instrument more robust and secure. The launch of the Stand For Her Land (S4HL) campaign in Uganda – coordinated by UCOBAC – provides space for GLTN partners at the country level to collectively engage and advocate for closing the gap between policy and practice in relation to women and youth land rights. The campaign demonstrates the lessons, best practices, and outcomes from the ongoing processes under the SALaR project.

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# SAMPLE OF CERTIFICATE OF CUSTOMARY OWNERSHIP

| PART IV: INCUMBRANCES   |                   |             |                    |                      | Serial No: 0030694   | ADJL/02/000636/CCO  |          |        |            |        |         |                |          |               |        |        |      |      |
|---|-------------------|-------------|--------------------|----------------------|--|---|----------|--------|------------|--------|---------|----------------|----------|---------------|--------|--------|------|------|
| Registration Date & Time  | Instrument Number | Particulars | Recorder's Name    | Recorder's Signature | LWA/ADR/PA/DI/P012   |   |          |        |            |        |         |                |          |               |        |        |      |      |
|   |                   |             | PALUMBA<br>YEOSUWA |                      | <br><br><b>THE REPUBLIC OF UGANDA</b><br>THE LAND ACT, CAP 227<br><i>The Land Regulations, 2004</i><br>DISTRICT LAND BOARD                   | <b>CERTIFICATE OF CUSTOMARY OWNERSHIP</b><br><br><b>PART I: DESCRIPTION OF LAND</b><br>1. CUSTOMARY LAND IDENTIFICATION NUMBER (CLIN): <b>A010105040006</b> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th>District</th> <th>County</th> <th>Sub-County</th> <th>Parish</th> <th>Village</th> <th>Portion Number</th> </tr> </thead> <tbody> <tr> <td>Adjumani</td> <td>Adjumani West</td> <td>Adropi</td> <td>Palemo</td> <td>Deri</td> <td>0006</td> </tr> </tbody> </table> 2. LOCATION<br>District: <b>Adjumani</b><br>County: <b>Adjumani West</b><br>Sub-County: <b>Adropi</b><br>Parish: <b>Palemo</b><br>Village: <b>Deri</b><br><br>3. AREA<br>Approximate area: <b>2.78</b> Acres | District | County | Sub-County | Parish | Village | Portion Number | Adjumani | Adjumani West | Adropi | Palemo | Deri | 0006 |
| District  | County            | Sub-County  | Parish             | Village              | Portion Number   |   |          |        |            |        |         |                |          |               |        |        |      |      |
| Adjumani  | Adjumani West     | Adropi      | Palemo             | Deri                 | 0006   |   |          |        |            |        |         |                |          |               |        |        |      |      |
| District: <b>Adjumani</b><br>Sub-County: <b>Adropi</b><br>Parish: <b>Palemo</b><br>Village: <b>Deri</b><br>CLIN: <b>A010105040006</b> |                   |             |                    |                      | <br>The included sketch is not for technical use. It is only for illustration purposes. Measurements are to be made on the full size sketch. |   |          |        |            |        |         |                |          |               |        |        |      |      |
|   |                   |             |                    |                      | 27/08/2020<br>Date of Issue<br><br><br>Recorder's Signature<br>SEAL OF THE DISTRICT LAND BOARD   |   |          |        |            |        |         |                |          |               |        |        |      |      |
|   |                   |             |                    |                      | Registry Copy  |   |          |        |            |        |         |                |          |               |        |        |      |      |

**PART II: OWNERSHIP**

|  |                              |  |   |   |                   |                   |                                      |                      |
|--|------------------------------|--|---|---|-------------------|-------------------|--------------------------------------|----------------------|
| Registration Date & Time<br>20/07/2020<br>09:19 AM | Instrument Number<br>PAL0006 | Proprietor's Name & Address<br>HENRY ABIAYO of PO Box 11<br>where NIN is<br>CH900-010229PH<br>at the place of residence No. 8<br>0732821286, DAVID BAWU<br>GBALEKI of PO Box 11,<br>where NIN is CH830-010288AE and<br>vehicle Mobile Phone No. is<br>0732821286, JAMES EYIYU<br>MAMORU of PO Box 11,<br>where NIN is CH610-010294EP and<br>vehicle Mobile Phone No. is<br>0732821286. | Father's Name and Clm<br>EYIYU VERN PALERHO;<br>MAMORU ADAMAKO;<br>DAMU ADAMAKO;<br>PAMONKO | Mother's Name and Clm<br>ESTHERIDA INYA, LOYE<br>BOWAL, PAMONKO | Community<br>MARI | Owner's Signature | Recorder's Name<br>FALDARA PROSCOVIA | Recorder's Signature |
|--|------------------------------|--|---|---|-------------------|-------------------|--------------------------------------|----------------------|



**PART III: CONDITIONS, RESTRICTIONS OR LIMITATIONS**

| Registration Date & Time | Instrument Number | Particulars   | Recorder's Name   | Recorder's Signature |
|--------------------------|-------------------|---|-------------------|----------------------|
| 20/07/2020<br>09:19 AM   | PAL0006           | <p>The ownership of the Communal/Family/Individual Land comprised herein shall be held in Perpetuity under the regulation of the customary law of the community where the land is situated, subject to the following Conditions, Restrictions and Limitations:</p> <p>(1) Any dealing with the said land for the purpose of selling, transferring, mortgaging, pledging, or subdividing the same, without the written Spousal Consent (in case of Family Land) or the approval of majority of members of Communal Land Association convened for that purpose (in case of Communal Land), shall be null and void and shall give rise to no rights or interests in the said land.</p> <p>(2) The said land shall be held subject to the demarcated rights of way and other easements such as the rights to free passage of water, soil, air, light, and to the rights of commons and other services; community roads and paths, livestock routes, grazing and watering grounds, hunting grounds, wells, community forests, cultural sites and play grounds shall be held and managed in common for the common good of all the members of the community(s). 5(1)(b) of the Land Act;</p> <p>(3) The owner and occupier of the said land shall sustainably manage and utilise the same for the purpose of commercial agriculture in accordance with the laws and regulations governing forests, the environment, water, mining and wildlife (s. 43 of the Land Act)</p> <p>(4) Any use of the environmentally protected area known as Wetland/Forest Reserve/National Park, etc, which adjoins the said land shall be regulated in accordance with a Wetlands Resource Use Permit/Forest licence/Wildlife Use Right that may be granted by Authority for the sustainable management, exclusive use and equitable sharing of the common property resources within the said protected area, for the common good of the entire community where the adjoining lands are situated (s. 44 of the Land Act).</p> | FALDARA PROSCOVIA |                      |



The **Asian NGO Coalition for Agrarian Reform and Rural Development (ANGOC)** is a regional association of national and regional networks of civil society organizations (CSOs) in Asia. Founded in 1979, the Network is actively engaged in promoting food sovereignty, land rights and agrarian reform, sustainable agriculture, participatory governance, and rural development. ANGOC member networks and partners work in 10 Asian countries together with 3,000 CSOs and community-based organizations (CBOs). ANGOC actively engages in joint field programs and policy discussions with national governments, intergovernmental organizations (IGOs), and international financial institutions (IFIs).

ANGOC is a member of the Global Land Tool Network (GLTN), Global Forum on Agricultural Research (GFAR), Indigenous Peoples' and Community Conserved Areas and Territories (ICCA) Consortium, and the International Land Coalition (ILC).

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The **Global Land Tool Network (GLTN)** is an alliance of global, regional, and national partners contributing to poverty alleviation and the Sustainable Development Goals through increased access to land and tenure security for all. The Network's partnership of organizations is drawn from the rural and urban civil society, international research and training institutions, bilateral and multilateral organizations, and international professional bodies. GLTN takes a more holistic approach on land issues and improves on global land coordination through development, dissemination and implementation of pro-poor and gender responsive land tools. These tools and approaches contribute to land reform, good land governance, inclusive land administration, sustainable land management, and functional land sector coordination.

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## About this Publication:

This report summarizes the background, achievements and emerging outcomes of the *Securing Access to Land and Resources (SALaR)* project implemented towards improving land and natural resources tenure security for rural poor smallholder farmers, including women, men, youth and vulnerable groups in Uganda, Philippines and Laos. SALaR contributes to efforts by the German Government, through its Federal Ministry of Economic Cooperation and Development, to improve food security, and it specifically helps to achieve the objectives of the Ministry's "One World-No Hunger" initiative. Lessons learned as well as prospects for sustaining the gains and pursuing broader land rights advocacies are included in this report.

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