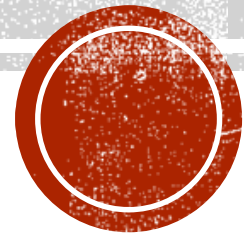


# OVERVIEW OF LAND GRABBING AND COMMUNITIES RESPONSES IN MYANMAR

**Khu Khu Ju**

Land Rights Activist

15 August 2018

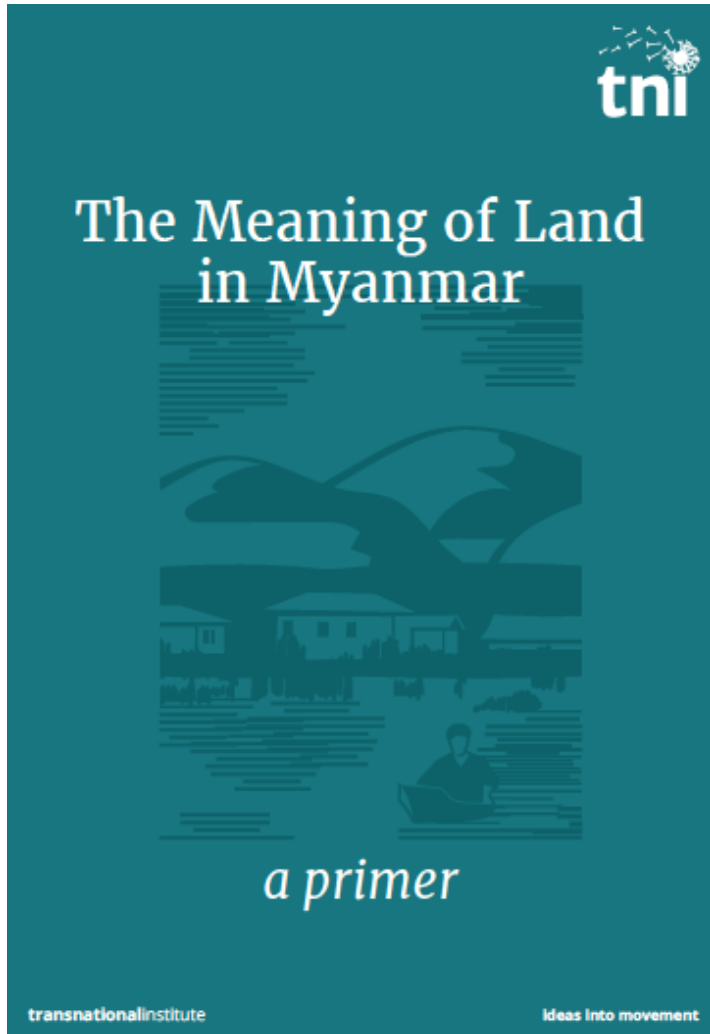


# OVERVIEW

- Land conflicts on the ground Vs Land reform process
- Community respond to the land problems and obstacles
- Ethnic conflicts Vs Peace Process



# THE MEANING OF LAND IN MYANMAR



- Land is inseparable from water, forests, fisheries, etc.
- Land shapes human society, and human activity shapes the land
- Land means different things to different people. For eg,  
*“Land is our life as well as our prestige. It’s the food for us to survive, the home for us to live, and the place of unity for our family. Also land is our precious inheritance throughout the generations”*  
*A farmer, Paungtawchi village, Taungyi, Shan (South)*

*Land has very deep meaning and value for us. It is our lives and the very blood in our veins. Without our land, our nationality will vanish. Land is our dignity.’*

*A farmer, Dawsoshay village, Demoso Township, Kayah State.*

- Land has been one source of conflict throughout history
- Land issue is intertwined with bigger issues: for example -- peace, development, democracy, environmental protection

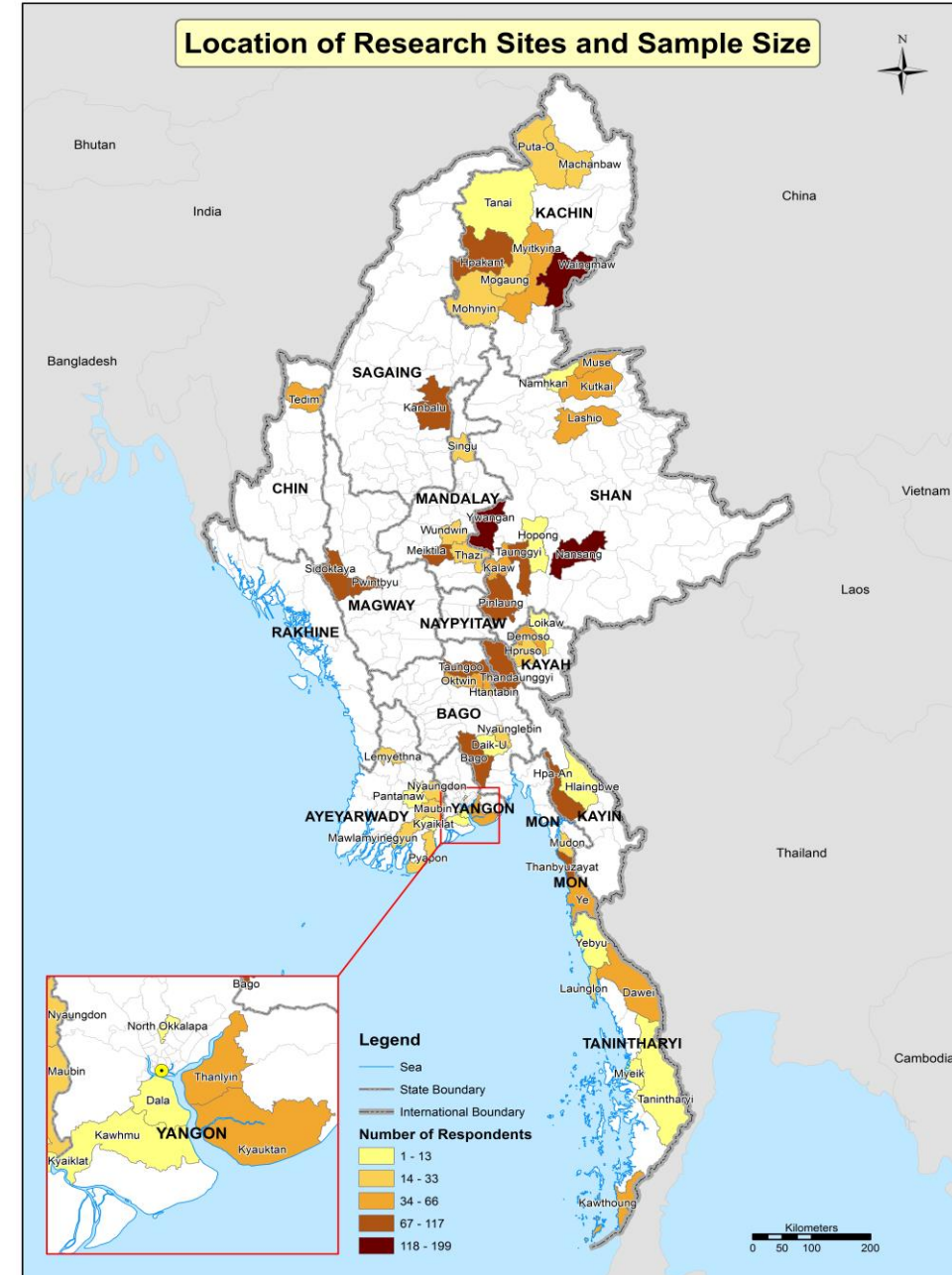


# LAND CONFLICTS / LAND GRABBING ON THE GROUND

Destroying People's Lives:  
The Impact of Land Grabbing on communities in Myanmar

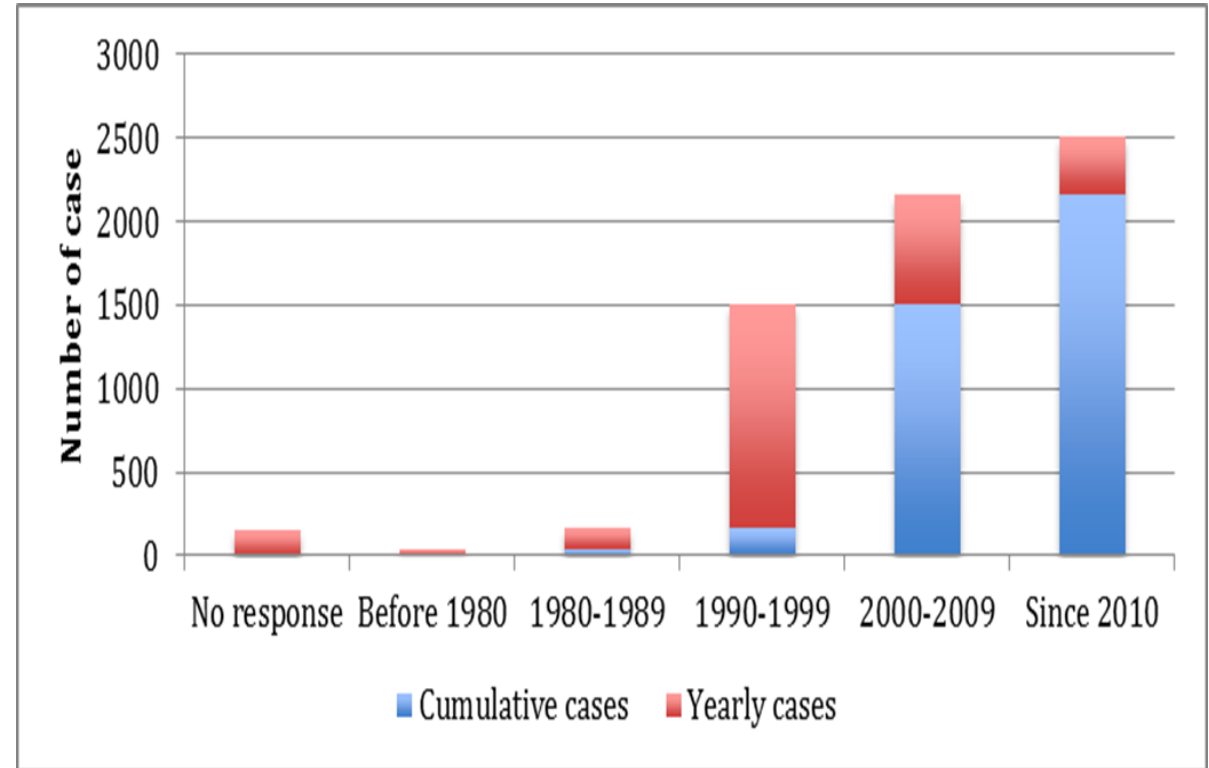
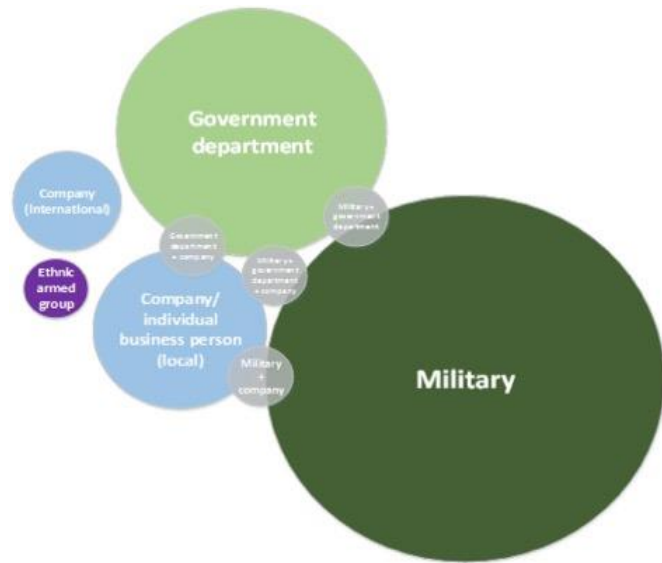


Land in Our Hands Network  
December 2015



# THREE BROAD PATTERN OF LAND CONFISCATION

- Type 1: Grabbing Land, Not Labor
- Type 2: Grabbing Land and Labor
- Type 3: Mixture of Type 1 and Type 2





# COMMUNITIES RESPONSES.....

- Writing letters of appeal
- Making demonstrations
- Soliciting support for statements of solidarity
- Contacting people from Media
- Joining the initiatives to organize farmers
- Denying compensation offered
- Refraining from negotiation
- Other protest actions



# CURRENT LAND REFORM PROCESS

- Are the existing land related laws legislating the land grabbing?

Land dispute resolving mechanism?  
Court system?  
Rule of Law?  
Corruption

- Land laws, policy and regulation
  - National land use policy (adopted January 2016) \* New National Land Law?
  - 2012 Farmland law amendment
  - 2012 Vacant Fallow Virgin Land Management law
  - 2018 Land Acquisition, Resettlement and Rehabilitation (Draft)

Land reform/good and clear Land Governance for Who?  
For What?





# Our Customary Lands

Community-Based Sustainable Natural Resource Management in Burma



A report by the Ethnic Community Development Forum

Land management decisions are made by the communities- not from a distant administrative agency

Common or communal land ownership and use

Communal management and use of natural resources, including forests, grazing lands and water

Individual land titling Vs Customary land rights

Government doesn't recognize customary land practices/rights

Community-Based Sustainable Natural Resource Management in Burma  
(Ethnic Community Development Forum-ECDF)



## **Ethnic Areas;**

- **Customary land practices issues**
- **Ethnic land policy**
  - **Karen National Union land policy (press released in May 2016 in Yangon)**
  - **Karenni Land policy (in the process)**
  - **Kachin Land policy (in the process)**
  - **Mon Land Policy (in the process)**
- **CSOs are also working on customary land practices and developing the principles on the policy together with communities (eg, shan states)**
- **Gaps between National level reform and communities activities?**



# PEACE PROCESS OVERVIEW

- 10 Ethnic Armed Groups (NCA)
- 3 times for PingLong Peace Conference (Political dialogue)
  - 5 sectors (Political, Security, Economic, Land and Natural Resource & Social)
- The main obstacle is 2008 constitutional issues.

<https://progressivevoicemyanmar.org/wp-content/uploads/2018/07/Eng-Burmas-Dead-End-Peace-Negotiation-Process-KPSN-report-web.pdf>



## Burma's Dead-End Peace Negotiation Process: A Case Study of the Land Sector

A new political dialogue framework must be established that can go beyond the 2008 Constitution, and only then can a genuine and inclusive nationwide political dialogue take place.



# SOME KEY ISSUES

- Land registration title (Form 7) Vs Customary practices
- Land conflict solving mechanism still not clear but investment are coming more and more.
- The rights to Land for Internal Displaced People (IDPs) and Refugees ??
- Land issue is intertwined with bigger issues: such as-- peace, development, democracy, environmental protection
- Land is becoming the commodity.

(How do we protect Our land and Our rights together?)



- Processes that destroy life, erase lives, and sacrifice ways of life must be resisted and rolled back.
- Reclaim the meaning of land as life and dignity!
- Land for people Not for Profit!



Thanks!

