



Panel's title : Land development policies and politics in Southeast Asian uplands: challenges for local implementation

Titre du panel : Politique foncière dans les hautes-terres d'Asie du Sud-Est: enjeux de la mise en oeuvre

Coordinator: Christophe Gironde (**Graduate Institute, Geneva**)

Language : Français / English

Topics : Political economy, anthropology, political ecology, critical agrarian studies

Panel presentation :

Southeast Asian upland economies and societies have rapidly transformed over the past twenty years. These changes have been characterized by the increasing commercialization of agricultural production and cyclical booms in cash crops, large-scale land acquisitions and in-migration. These dynamics have been accompanied, and in some cases are being driven by, the development of State-based regulations and an extension of the power of government institutions.

This panel discusses State interventions, laws and policies as well as administrative practices, as key elements of agrarian development processes. These interventions include; the regulation of traditional land use, the creation of new forms of land tenure and rules governing access to land and productive resources, and the development of infrastructure and policies to promote trade, foreign investment and in-migration.

Based on case studies from Cambodia, Vietnam and Thailand, the presentations in this panel analyze the ways in which governments at various levels have attempted to redistribute productive resources, the tensions and conflicts these interventions create or exacerbate with regard to access to and use of land, along with the compliance or resistance they are facing from communities and local élites. The panel examines the extent to which policies and laws have achieved their stated development objectives and looks at the differential impact of these interventions on local communities in various contexts. The coherence of State-led interventions related to agriculture, land use planning, natural resource management, trade and investment with other, broader human development frameworks is also discussed.

Key words : agrarian change; land; public policy, local policy, rural development, conflicts

Participants : Dr Joanna Bourke-Martignoni, Geneva Academy of International Humanitarian Law and Human Rights

Communication's title : Gender equality and land commercialization in rural Cambodia

Language : English :

Panel presentation:

The process of granting economic and other private land concessions in Cambodia, which accelerated following the adoption of the 2001 Land Law, has had well-documented social, cultural, economic and environmental consequences on populations in both rural and urban areas of the country. The gendered impacts of these individual land titling and registration programmes have been less widely investigated. Despite the inclusion of provisions on women's equal rights to land ownership within the 2001 Land Law and in other gender mainstreaming initiatives at the international and national levels, women in Cambodia are more likely than men to be landless or to have significantly smaller plots of productive land. Inequalities



in access to land and other resources have consequences for women's rights to food, work and housing and also limit their ability to access financial capital and to assert claims to political, economic and social equality.

This communication uses data gathered in several rural provinces to examine changing land tenure regimes in Cambodia from a gender perspective. It seeks to analyse some of the reasons for the failure of legislative and policy-based measures to effectively mainstream and implement gender equality guarantees within State-led land tenure reform processes.

Key words : non-discrimination; gender equality; land tenure; land titling; food security; agricultural development; commercialization; Cambodia

Name(s) (Affiliation) : Emmanuel Pannier (Centre Asie du Sud-Est (CNRS, EHESS, INALCO)

Communication's title : Land policy in the mountain of northern Vietnam through the lens of the social management of irrigation

Language : English :

Presentation :

Land policies have deeply shaped the territories in Vietnam highlands as well as the economic activities and social life of their inhabitants. Those areas have witnessed central state nation-wide reforms and policies (agrarian reform in the late 1950s, collectivization and the set up of cooperatives over 1960-1970, land redistribution from the 1980s, and land titling programs in 1993). However, various arrangements have altered the local implementation of these policies. In this communication, I analyze this process, whereby State policy is adapted locally and 'rearranged' by local powers and interests, through the lens of water management in the case of paddy fields terraces. I take the case of a pluri-ethnic commune of Northwestern Vietnam (Lao Cai province) where I have carried out field research using semi-structured interviews and direct observations. The communication aims also at analyzing the combined impacts of former public policies and more recent process, in this case the development of land market for agricultural production and dam building, which have radically transformed the distribution of water, created tensions among inhabitants as well as between local populations and the State. This analysis of agricultural water management reflects the "superimposition" of the various land regimes that have been implemented since the 1950s. Finally, the research highlights the complex and contradictory relationships between central State and mountain ethnic groups, marked by both marginalization and integration, autonomy and control.

Key words : irrigation, land tenure, mountain ethnic groups, Vietnam, State-Society relationship, Common

Name(s) (Affiliation) : Suon Seng, Chay Keartha, Chheang Sokmao (Centre for Development Oriented Research in Agriculture and Livelihood Systems, and Christophe Gironde (graduate Institute, Geneva

Communication's title :Unclear land ownership, blur land policy and arrested development in Cambodia

Language : English :

Presentation :

In Cambodia, the granting of Economic Land Concessions (ELC) from the mid 2000s has exacerbated land conflicts. To address this issue, in 2012, the Royal Government of Cambodia (RGC) has issued Order 001BB, which consists in measuring farming lands that local populations had 'lost' because of the ELC, and return those areas back to them. This intervention has resolved or/and reduced land conflicts in many cases, whereby former users retrieved 'their' land and could obtain land titles. However, many conflicts have persisted in cases and regions where lands were granted, grabbed, occupied, etc. but not leased in the



frame of Economic land concession. Those lands are currently under the management of the Forest Administration of the Ministry of agriculture, forestry and fisheries (MAFF) and the Ministry of Environment (MoE). Order 001BB has not covered those lands, which are still occupied illegally, whether by powerful individuals, local elites, or vulnerable native populations and several generations of in-migrants.

This communication analyzes the action, or non-action, of the State in the areas that are not covered by Order 001BB, the interests at stake and the reason why conflicts are not solved insofar. Second, it compares the consequences of conflicts being resolved or not on agricultural development, i.e. farmers' strategies and investment in land and their economic result. The case studies will contribute to the debate on the benefit and ambiguities of land titling interventions, in particular to what extent land titling matters for agricultural development. The communication builds on field research carried out in Cambodia since 2011, combining qualitative and quantitative methods, including a series of 80 semi-structured interviews and 200 household questionnaire-based survey carried out in 2016.

Key words : land, policy, conflict, public authority, Cambodia

Name(s) (Affiliation) : Peter Bille Larsen (University of Lucerne)

Communication's title : Land rights and world heritage in the uplands of Southeast Asia: the case of Phong Nha Ke Bang

Language : English :

Presentation :

This paper addresses the intersection between land rights and world heritage designation in Southeast Asia. A growing number of conservation initiatives such as protected area creation have within the last three decades targeted a range of upland areas throughout both mainland and insular parts of the region. How such initiatives intersect with, address and most often neglect land rights is the subject both of critical literature pointing to the role of 'green grabs' and state incorporation, as well as subject of considerable civil society debate and action. This paper analyses the role of national institutions and of the UNESCO World Heritage designation, which has exploded across the region in the last couple of decades. In addition to a regional overview contrasting different cases, the communication focuses in detail on the case study of the Phong Nha Ke Bang World Heritage site located in Central Vietnam. It analyzes how protection, conservation and presentation of the cultural and natural heritage of this national park, as managed by government authority, takes into consideration the land rights of its residents.

Key words : Heritage; protection/conservation; rights; land rights; Vietnam

Name(s) (Affiliation) : PEETERS Amaury(Louvain Coopération au Développement), MEUNIER, Félicien(Earth and Life Institute-environment, Université catholique de Louvain), HEYLEN Camille, NEANG Malyne(Ecoland Research Center, Royal University of Agriculture, Phnom Penh)

Communication's title : Cambodian agricultural policies: renewing the role of smallholder farmers

Language : English :

Presentation :

As mentioned in the National Strategic Development Plan (NSDP) 2014-18, Cambodian policies have prioritized the agriculture sector which represents one of the four pillars of the rectangle strategy of the Government. This sector indeed plays a crucial role in supporting economic growth, but also in terms of food security. However, in the national strategy, there is no explicit choice made between large-scale land or



small scale land based agriculture but rather a focus on modernization, diversification and commercialization promoting trade and export of agricultural products. This promoted context requires important investment, capital and enough land to allow the switch to new technologies, cash crops and market information and channels, potentially excluding smallholder farmers. Despite a set of policies and laws which were developed to support small landholders, including rice seed and subsidiary crop policy, organics standards policy, rice exported policy and agricultural cooperative law; they are still facing major challenges for their development. Despite these challenges, this communication aims to show with in-depth interviews of around 100 farmers in Kampong Thom province, located in the Cambodian central plain, that smallholder farmers with adapted sustainable practices have the potential to meet not only their food needs but also to make substantial progress in the different dimensions of agricultural sustainability with only limited capital and land, and adapted techniques. It also allows questioning back current agricultural policies and discourses and claims to do another step to reconsider the role of smallholder farmers in order to engage in a balanced dialogue with authorities.

Key words : .Public Policy; Agricultural Development, Smallholder Farmers; Agricultural Sustainability; Cambodia

Name(s) (Affiliation) : Nguyễn Quang Dung ([National University of Singapore and Vietnam National University](#))

Communication's title: 'Guardians of the forest': Local Knowledge and Environmental Policy in a Northern Thai National Park

Language : English :

Presentation :

My dissertation is about an upland community that lives in a National Park in Northern Thailand. I highlight the ways the Lahu respond to the Thai state's ecological management program through developing new practices in the context of environmental constraints, and imbuing them with meanings that speak to both traditional and state centered ideas about the environment. Conservation stories in Muser hills indicate that, in protected areas, conflicts over environmental discourses cannot be reduced to a simple standoff between two opposing sides - the state and local tradition - but rather can be seen as a process of compromise, combination and negotiation among many discourses. These marginalized people also pursue and capitalize on social and economic opportunities to generate sympathies and alliances, and pursue novel forms of commerce as their conservation efforts are closely associated with their sustained participation in trading activities at their market space. My work, thus, explores how the Lahu exert a powerful sense of agency for themselves in the face of rigid national environmental policies that are often not in their favor. By identifying and analyzing their complex responses to these policies, I argue that environmental discourse of the state has been the catalyst for the emergence of a new way of being Lahu. By asserting their position as rightful residents in the forest - through the generation, adaptation and mobilization of environmental knowledge - they appropriate and transform nationally-defined 'protected forest zones' into sites of ethnic and cultural production. Looking closely at local responses to various state policies, I find that the Lahu's self-empowerment rests in new discursive regime of ecological knowledge. Key Words: Local Knowledge, Environmental Politics, Protected Areas, Conservation, Livelihood, Identity , Thailand

Key words : Local Knowledge; Environmental Politics ; Protected Areas, Conservation, Livelihood, Thailand