

# SECOND REGIONAL LAND FORUM

AVANI RIVERSIDE BANGKOK HOTEL  
 THAILAND, 28-30 MAY 2018



Co-convened by



Implemented by



Media Partner



# Second Regional Land Forum

## Summary Report

Report prepared by MRLG and FAO

June 2018



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# Summary Report of the Second Regional Land Forum, 28 – 30 May 2018

## Introduction

Following the success of the inaugural Regional Land Forum in Hanoi in 2016, the Second Regional Land Forum was held from 28-30<sup>th</sup> May, 2018, in Bangkok. The Regional Land Forum aims to provide a multi-stakeholder platform for networking and dialogue on land governance issues across the Mekong region, particularly Cambodia, Laos, Myanmar and Vietnam (CLMV). The Second Regional Land Forum attracted 280 participants – comprising government, private sector, civil society, researchers, community members, donors, development partners and media – from across the region and wider, to China, India, as well as Africa, Europe and America.

Throughout the Forum, and reflecting key issues in the region, there was a focus on land-based investments and recognition of customary tenure which are issues strongly affected by increasing pressures on natural resources in the region. This occurs especially in places where legitimate tenure rights are in need of recognition and respect. As highlighted by the Mekong State of Land Report, many countries are at a crossroads trying to manage investments in land and natural resources, internal migrations, and food security within the context of ongoing agrarian transitions.

The following **objectives** of the Second Regional Land Forum were met by:

- Successfully bringing together land governance stakeholders in the region who showcased high quality, knowledge products and success stories, solutions and results, from Phase 1 MRLG activities, joint FAO-MRLG activities, and others.
- Facilitating an exclusive round table technical consultation on regional large-scale land investments with government officials by presenting key results and pointing to key discussion topics from the Mekong State of Land report.

- Providing a dynamic and interesting showcase between donors working on land issues in the Mekong and MRLG partners with their range of pilot initiatives in CLMV.

This Regional Land Forum did not serve as a platform for high-level policy dialogue, a separate event with more specific focus on pertinent issues stemming from the Mekong State of Land report requires additional attention.

Prior to the Forum, Dietmar Herbon of GIZ saw the Forum as a major networking opportunity and envisaged the creating of long-lasting working relationship. The Forum in particular provided a space for familiar and less familiar faces to meet, but this time conversations and questioning moved quickly into deeper discussions on technical issues and the progress made to date. It showed a collective movement of reform actors, or so-called “change agents”, who are using the Forum as an opportune moment to learn and improve themselves and organisations towards better practices and strong, more evidence-based policy positions. We concur with Dr Herbon’s remark that the Forum is “*a chance to foster some lasting connections built on the notion that none of us are working in silos and that we are not alone in our ideas and thoughts.*”

The Forum was co-hosted by the Mekong Region Land Governance Project and the Food and Agriculture Organization of the United Nations. Co-conveners of the programme included Centre for Development and Environment (CDE) University of Bern, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), Research Centre for Social Science and Sustainable Development (RCSD) of the University of Chiang Mai, and the Independent Mediation Group (IMG) of Cambodia. The Swiss Agency for Development and Cooperation (SDC), Federal Ministry of Economic Cooperation and Development and the Grand Duchy of Luxembourg supported the Forum.

## Forum Overview

The Forum commenced with concurrent events: a pre-launch government-only consultation on the draft Mekong State of Land Report; and a Data and Technology Showcase Event, with organisations across the region demonstrating live online platforms, drone technology and videos.

Following these pre-events, the Opening Plenary and subsequent Panel Discussion prompted immediate discussion about the impacts of large-scale land-based investment, customary tenure recognition and comparisons of the approach to land governance across CLMV. The Forum was contextualized during the opening with a clear message that there is a growing interest from all sides across the Mekong for improved land governance, and more equitable and inclusive land-based investment that brings benefits to all. There is a wealth of global guidance available to secure legitimate tenure rights of smallholders, such as the *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT)*, the *Respecting Land and Forests Rights* by the Interlaken Group/RRI to align operations of private sector to the VGGT, the *Principles for Responsible Investment in Agriculture and Food Systems (CFS-RAI)*, OECD-FAO Guidance for Responsible Agricultural Supply Chains, etc. However there is a need for national-level implementation of such guidelines in the face of ongoing pressure on natural resources. Particularly within the context of agricultural investment and forest governance, tenure rights need to be secured.

An opportunity to open up ideas and interest was provided for some organisations at the Donor-Implementer Pitch Event, while the Regional Land Forum Dinner on the first evening provided a valuable opportunity for participants to deepen networking and exchange on land-related topics.

38 presentations were held across four Parallel Sessions during the Forum. Three Panels were held, discussing: the State of Land in the Mekong; land governance and gender equality; and a real-life investment mediation scenario.

A Master Class on Land Conflict Transformation, as well as an academic reunion and exchange session were also held, and throughout the Forum, many organisations displayed and shared posters, [videos](#) and publications.



Figure 1. Forum participants examine the wide range of publications from MRLG and partners.

The Forum marks a key transition point between MRLG Phases 1 and 2, and served as an occasion to introduce Phase 2, which continues that the focus on all smallholders have secure and equitable access to agricultural land and forests, particularly the marginalized and vulnerable such as indigenous and ethnic minority communities.

This Forum report summarizes the eight main themes aggregating presentations and discussions from throughout the Forum:

1. Mekong State of Land Report, pg 3
2. Customary Tenure Recognition, pg 4
3. Forest Governance, pg 5
4. Responsible Land-Based Investment, pg 6
5. Investment Mediation and Conflict Transformation, pg 7
6. Land Management, Reform and Monitoring, pg 7
7. Participation in Policy-Making and Community Empowerment, pg 10
8. International Frameworks and Gender for Land Governance, pg 10

Participant Perspectives, Evaluations, and Conclusion, pg. 12-14.

Annex - Workshop Agenda with link to presentations on slideshare.

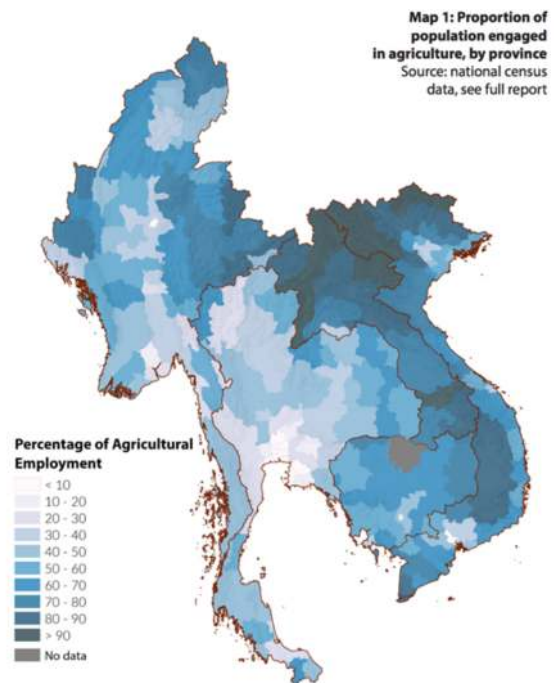
## 1. Mekong State of Land Report

The Centre for Development and Environment (CDE), University of Bern (CDE) presented the **draft Mekong State of Land (SOL) report**, which brings together comprehensive data and information, largely available in the public domain, to identify and describe the key issues and processes revolving around land. A total of 170 land experts were consulted in the five Mekong countries. The Forum was used as a regional public consultation, while further country consultations are indicated to follow. It is intentionally not a 'recommendation' focused document, rather the authors envisage 'spin off' documents on topics of significant policy and practice recommendations.

The authors noted that data and a deep analysis is essential to understand the rapid transition occurring across the Mekong, and to make informed decisions. The SOL report should serve as a baseline for future monitoring, and as a credible benchmark for ongoing discussions. The SOL report also provides a critical analysis of the data and information that is available (and not) with a view to constructively identify ways to improve the production, management, interpretation and sharing of data.

There are **several common themes in land governance** across the Mekong countries, including: a gap between policy and practice; ongoing 'formalisation processes' with regard to tenure security; issues relating to state versus non-state land; indigenous peoples' (IPs) and ethnic minorities' tenure rights remain under protected; and managing impacts and sharing benefits from large-scale land-based investments remain one of the largest challenges. Some striking conclusions based on agricultural statistics were presented, including contrary to common wisdom, farmers remain the majority of population in all countries except Thailand (see map 1 opposite); crop diversity is very low with potential very high negative impacts; and land distribution inequality is increasing. The report suggests that an 'agrarian transition' is 'incomplete' in most Mekong countries, referring to the transition from a predominantly agrarian economy where the majority of population depends on agriculture to a modern economy dominated by industry and services.

Figure 2. Map extracted from Mekong State of Land Report.



The report was opened for public comment online until 30 June 2018 via the [MLIKE.org/forums](http://MLIKE.org/forums) website.

The full draft of the Mekong State of Land report is available on the MRLG website: <http://mrlg.org/resources/mekong-state-of-land-1st-draft/>. A brief of the report is also available: <http://mrlg.org/resources/mekong-state-of-land-brief/>.

## 2. Customary Tenure Recognition

Promoting responsible governance of tenure includes **respecting all forms of tenure**, especially tenure rights that are not (yet) legally protected but are socially recognised. Efforts towards recognition of customary tenure are ongoing across the Mekong region. Several presentations stressed that customary tenure rights are sometimes called ‘informal’ rights; however, it would be more accurate to describe them as **‘extra-legal’ or simply customary** as these rights are adhered and socially legitimized in local communities.

Audience and presenters discussed whether successful cases of customary tenure recognition from other countries can be replicated. It was noted that lessons learned can be useful but countries’ contexts are different – even countries which have achieved positive results with the recognition of customary tenure may face difficulties in seeing tenure effectively protected. A reason for that is the **frequent gap between policy and legislation and its implementation**. Customary tenure systems may have negative aspects that should not be overlooked, such as gender inequality. It was also noted that social issues within customary tenure systems need to be acknowledge and addressed.

Another key message highlighted that **responsible agricultural investment is impossible without secure land and forest tenure for rural communities** in the Mekong region. Other perspectives brought forward the importance of investment decisions, as well as policies that should reflect **actual land use and customary land tenure** since realities on the ground – with customary tenure systems observed – sometimes differ from available official data and information.

The development of four individual Customary Tenure Policy Briefs, for Cambodia, Lao PDR, Myanmar and Viet Nam, was a highlight under this theme – these Notes will be published by MRLG and FAO in July 2018 after a final round of review. The drafted Notes comprise factual descriptions of the status quo, policy and legal frameworks, challenges, and opportunities and recommendations for the way forward.



Figure 3. Mike Dwyer from Forest Trends discusses key findings from an MRLG Innovation Fund (IF) project, “The smallholder business case for communal land tenure”.

Discussions on the FAO Customary Tenure Policy Briefs made clear that customary tenure rights can be held by Indigenous Peoples and others who do not identify as indigenous. Constitution, policies and laws in each of the countries may make mention of customary tenure but **it is important to map the boundaries of customary tenure and identify and describe the various rights** held by individuals and/or groups within the community living in the delineated customary tenure area.

These are important elements to be able to effectively defend customary tenure rights and rights-holders in practice. Clarifications on the use of the term collective, communal and customary also points to the need to have very clear definitions and being consistent in the correct use of terms.

A well-attended robustly discussed session was held on the various examples of mechanisms for recognizing customary tenure, particularly threatened by land concessions. The session opened with a very relevant and engaging example from India where a Forest Rights Act (2006) and rules (2008) have the potential to secure rights for forest dwelling communities, provide equality for women and men and to act as a **legal mechanism for free prior and informed consent (FPIC)**. In such cases, community forest resources are a category of forests, governed and managed by village councils and forest right holders. However, largely due to a lack of political will to enforce the Act and rules, only 3% of the potential forest area applies the rules and widespread forest resource conflicts still exist.

Similar **sub-forest categorisation** is also being considered in Myanmar to similarly improve customary tenure security particularly for **communal and community forest practices**. Research showed that strong practices continue and provide sustainable forest management, but a lot of work is still needed. In Cambodia, the focus on **'zoning'** has been tested to help clarify and resolve management responsibilities of designated areas with a protected forest area. An important mechanism for grievances to be addressed is considered in the zoning process. It has short and long term benefits, however the process is very long, requires substantial technical capacity and still requires further ratification on the process to have it formalized.

Each example has practical benefits, however it was largely agreed that the **overarching political will is lacking and the reliance on formal recognition of customary tenure remains cumbersome, costly and timely**. As such broad interim measures to protect customary tenure are needed; should be incorporated into strong legal frameworks; but where restrictions of use and control exist these need to be carefully considered particularly on reflection between traditional customary systems, often referring to the practice of rotational shifting cultivation, putting specific legislation in place to protect practices is overdue.

### 3. Forest Governance

There is encouraging progress in some policies and initiatives related to forest governance, particularly the spaces created by FLEGT for consultation with civil society and other partners for reducing deforestation and improving forest governance. Access to the European Union market is a strong incentive for governments and private sector actors to enter into the Voluntary Partnership Agreement (VPA) process. REDD+ also creates an incentive to protect against deforestation. These two initiatives provide interesting entry points for **recognition of customary tenure rights for smallholders within forests**.

However, CSOs are not always well-prepared to enter into negotiations, while at the same time negotiations are often more on the technical details / accountability and not so much on the social side. The discussion noted that capacity building is needed, and that there are constraints for civil society in Mekong countries – as such, the **challenge is to ensure that participation is meaningful**, and not just a check-the-box exercise.

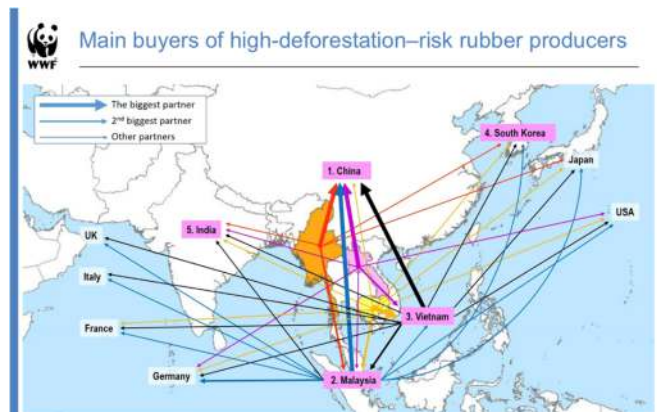


Figure 4. A presentation showing the main countries buying high-deforestation-risk rubber, where SEA countries accounted for 92% of worldwide production of natural rubber (courtesy: WWF Greater Mekong, Thibault Ledecq).

Another entry point for improved forestry was **private sector engagement** – for example, the partnership for sustainable rubber between WWF and IKEA, a company which invests in both rubber and wood products. Although this kind of engagement is encouraging, participants noted that there is an underlying risk involved in certification, as it may be easier from a private sector point of view to certify a large production area rather than many smallholders.

Another key message under this theme are that **forests are places of multiple meanings and multiple functions**, and form a core factor in the creation of ethnic minorities' identities. Some sessions noted that dichotomous narratives prevail, where ethnic minorities can be portrayed as either 'forest destroyers' or 'forest guardians'. The situation of ethnic minorities in forests remains precarious, since there is, in general, a **lack of legal recognition for land rights for those within designated forest boundaries**, and those lying outside state systems.

## 4. Responsible Land-Based Investment

Several regional and country **standards, tools and guidelines for implementing responsible agricultural investment (RAI)** were presented at the Forum. These included Codes of Conduct developed by the Vietnam Rubber Association, as well as a Code of Conduct for the tea sector by AgrolInfo, ASEAN Guidelines for RAI, Banana and Crop Plantation Guidelines and a corporate-oriented Field Guide on the social aspects of agricultural investments in Laos.

In addition, a host of Chinese standards were introduced, including the Chinese government-developed Guidance on Sustainable Investment in Natural Rubber (*right*). Participants in this theme showed great interest in learning more about enforcement and adherence to such standards by Chinese private and State-Owned Enterprises, as well as the **nature and extent of Chinese investments in the Mekong region**. Some of the experiences in Africa, documented in a FAO commissioned study, also seem to be applicable to this region.



One of the key questions emerging from RAI-related sessions was **how to move beyond commitments of companies “on paper” to binding obligations?** Similarly, how to ensure accountability, monitoring and enforcement of such obligations? Amidst this discussion, there was widespread agreement from Forum participants was that there are enough international and national guidelines and standards; **now action is needed for implementation**. Arising from this is the question of pressure points – who has the leverage to influence companies, as well as governments, to ensure that these various guidelines and standards are actually implemented?

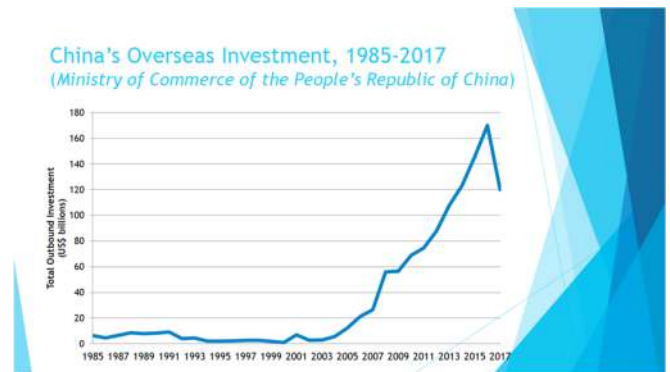


Figure 5. Presentation slide about the Evolution of Chinese Overseas Investment Guidelines (courtesy of Inclusive Development International, Mark Grimdsitch).

It was suggested that the role of consumer demand and civil society organisations (CSOs) can work to influence companies' practices and RAI policies. At the same time, participants questioned how to influence companies and improve practices of those companies who are small, with a low care factor about 'public image' or reputational risks, and who aren't financed by an International Finance Institution.

Increasingly, **legacy land issues** are becoming a concern for companies across the region – the Interlaken Group has produced a guidance note on this topic, which can be found on the Group's website: <http://www.interlakengroup.org/resources>. Another topic generating interest was the **rise of an 'ethical consumer'** and the potential implications for tenure security and land use of smallholder producers of 'niche' products such as tea, coffee, herbs, etc. Finally, discussions highlighted that the **agriculture and forestry investment sector lags behind the extractives industry** in terms of binding commitments and standards, so there are lessons to be shared, especially for land due diligence and engagement with communities.



## 5. Investment Mediation and Conflict Transformation

A Masterclass on conflict-sensitive program management and a panel discussion on investment mediation provided insights and strategies for resolving land-related conflicts. The panel outlined an innovative approach for conflict mediation between Socfin, an agro-forestry company, local communities, the Independent Mediation Organization (IMG), and LAC, a community advisor organisation in Cambodia.

**Several benefits of independent mediation and success factors** were identified:

- An intermediary can build (or re-build) trust between the parties
- All requests for compensation or grievances can be channeled through one central point, which enables greater transparency and efficiency
- The process ensures independence and a non-biased response
- Using a community advisor to provide legal assistance to communities helps to address knowledge / power imbalances
- All levels of government were involved to ensure their support for the process

Some **complicating factors** were also identified, including the combination of ELCs granted in the community (totaling almost half of the 56,000 hectares within the Commune area), multiple ethnic groups, as well as sub-groups within the Commune, meant that many divergent views were held amongst the 6,500 people, and several local NGOs became involved (or attempted to be involved) which further added to the complexity of the process. All parties agreed that a skilled, independent mediator who understands the local context is vital, and can be a 'bridge' amongst the various parties involved.

## 6. Land Management, Reform and Monitoring

Land distribution, management, reform and monitoring were key topics of discussion at the Forum. One clear message was that any processes of land distribution or mapping should ensure that **current situations of land use in practice** are verified and included in the process from the beginning. Examples from Myanmar's 'Virgin, Fallow or Vacant' lands (which are, in practice, cultivated by farmers) and Laos' delineation of Forestland (which are, in practice, traditionally lived in and used by villagers) were highlighted to illustrate the importance of incorporating local land dynamics within these processes.

Different **practices of land mapping** were also presented, making clear that land management requires accurate information. Participants agreed that mapping is never simple, and the stakes are often high, since maps are sometimes said to represent reality but are in fact *propositions* about it. Whether various stakeholders agree or disagree with these propositions depends not only on how convincing the map looks, but also on **how the map is produced**. Participation at local levels is therefore crucial, since local communities are directly impacted by the results of mapping processes. 'Co-production of spatial data' by multiple sets of stakeholders was the terminology used by OneMap Myanmar to describe a participatory mapping approach. The use of technology in land mapping and management, such as Unmanned Aerial Systems (drones), also generated great interest.

A common theme emerged that mapping and land allocation processes are **works in progress** that are attempting to improve on earlier (often fragmented) approaches to land management and governance. **Monitoring was also identified as a key part of the process.**



Figure 7. (Right) Example of aerial imagery from drone mapping to support hot spot mapping and land use planning.

# Messages emerging across the sessions ...

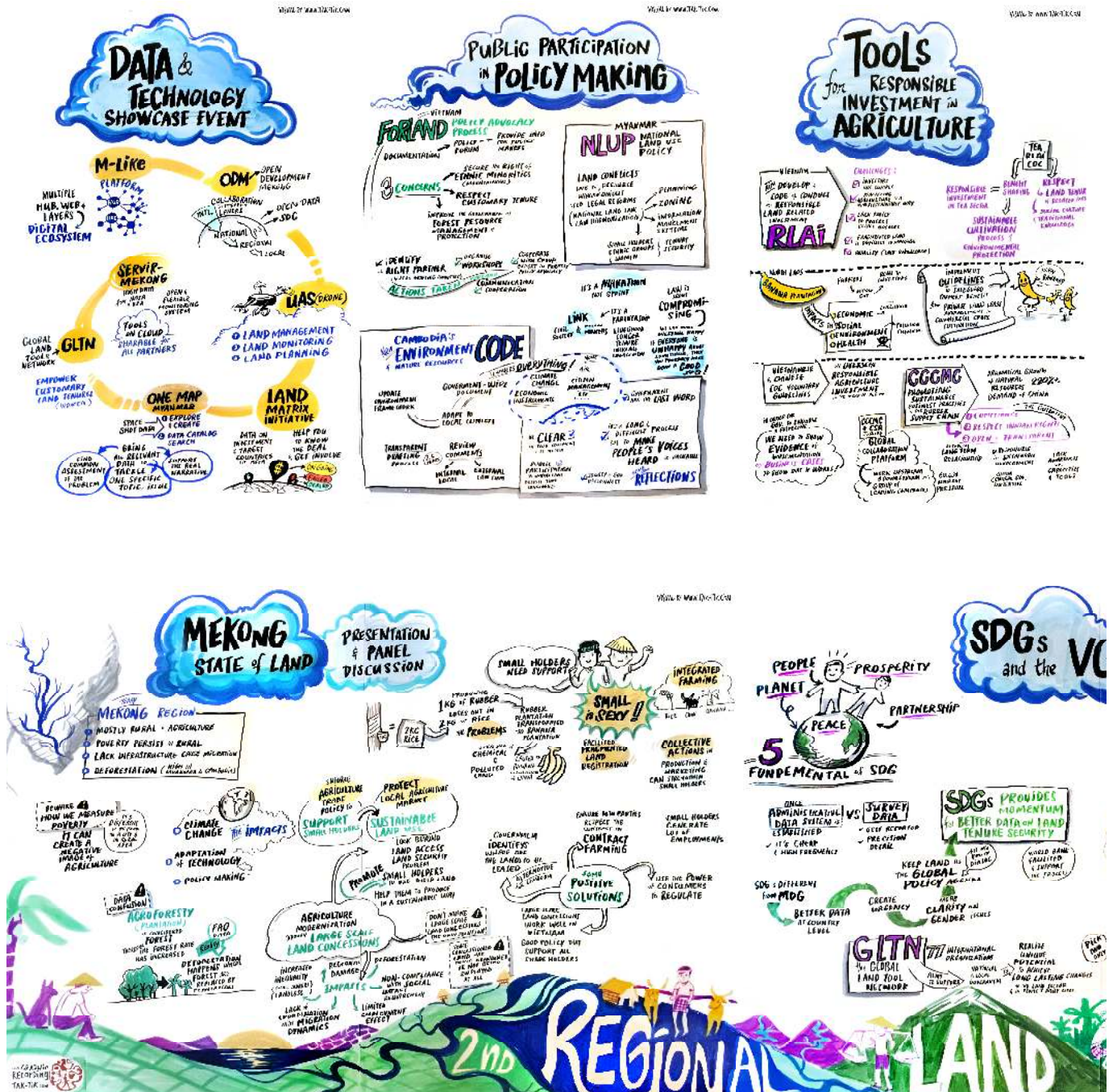


Figure 8. The Second Regional Land Forum was documented by graphic illustrator Tikka Hun (<http://tak-tik.com>). The board was prepared and displayed during the Forum providing a daily visual representation of key topics and messages as they emerged.



## 7. Participation in Policy-Making and Community Empowerment

Innovative approaches to support community empowerment included consortium-based capacity building and training initiatives in Laos, participatory re-allocation of forestlands in Vietnam, and a paralegal network in Myanmar. These approaches have **great potential for scaling-up**, but the issue of long-term cost recovery needs to be resolved.



Figure 9. the Centre for Research on Initiatives of Community development (RIC) presented their approach to building communities' self-management capacity of land and natural resources in Vietnam.

In terms of public participation in policy-making, there are many steps required for effective engagement by the public, assisted either by CSOs and/or the Ministry developing the policy and law. Policy and legislation development is a **long-term process that commonly takes five or more years for major reforms**. There are multiple points at which CSOs can have input and they need to take a multi-pronged approach.

Reconciling many views and opinions can be a major challenge, but if done **with respect for the different views and with a transparent process**, people will often be satisfied even if their proposals are not adopted. It was noted that greater engagement with the community is required by governments, and this can ensure greater acceptance of reforms. Emphasis was placed on the **advantages that CSO's knowledge and support for communities' participation** can bring into policy reform processes, but importantly that each side treat the other in professionally and respectfully to ensure a sustainable working relationship.

## 8. International Frameworks and Gender for Land Governance

The Sustainable Development Goals (SDGs) represent a framework for action and an opportunity to generate consistent and comparable evidence on how tenure security matters for the SDGs and priorities for responsible land governance. The SDGs were developed at international level but **ultimately dependent on national level implementation**. In particular, engaging with statistical agencies is needed to expand and improve the way they collect data on land, and to assist land agencies in regular reporting on their performance and results towards securing rights to land and service delivery to women and men, for all tenure types.

Despite the fact that reporting on land tenure security in a gender-disaggregated way is voluntary, the **SDGs are generating momentum and impact on the ground**, including building analytical capacity.

FAO is ...

- the **custodian** UN agency for 21 SDG indicators; and
- is a **contributing agency** for 4 SDG indicators.

In this capacity, FAO is supporting countries' efforts in monitoring the 2030 Agenda.



Figure 10. A presentation on the SDGs and land showing that FAO is both a custodian agency and contributing agency for SDG indicators. (courtesy of FAO, Dr. Louisa Jansen).

At the same time, the VGGT represent a valuable instrument providing substantive principles and guidance on how to implement land governance goals, including the SDGs, at national level – the implementation of the SDGs can therefore contribute to achieving the VGGT.

In terms of implementation, some participants highlighted the need for support for more national action, while some emphasized that this is the role of custodian agencies like FAO, UN-Habitat and the World Bank by facilitating and supporting local agencies. However, these **processes should be country-driven** and stakeholders should analyse the additional data, overlay these with their own findings, and use the results in policy dialogue and priority setting.

The panel on Gender and Land Governance featured a diverse round of gender experts working in CLMV, as well as in India. Panelists agreed on the **inseparability of gender equality and good land governance**, highlighting that good land governance must incorporate women's knowledge, recognize diversity across communities, and promote gender equality and women's participation. The amplification of women's voices is not only a creative outlet, but builds the necessary agency in women to speak up and participate actively in their communities' land governance processes.

The highest risk for women is represented by external threats of land dispossession, and that **active participation of women in the land management structures** has proven to be the most effective mechanism to ensure accountability and guarantee fair decisions on land. Panelists also urged actors to consider factors like climate change, which can be detrimental to women's equal access to land and resources.

Discussions highlighted that **access to legal information is essential for empowering women to know and claim their land rights**, and to meaningfully participate in local land governance. Gender issues, the panel agreed, are always connected to power relations, local politics and social factors which need to be acknowledged by governments and development actors, if we are to strive for good land governance. Approaches to foster active participation need to stay flexible and centered around people instead of generic assumptions, especially since women would usually not speak up by themselves but needed more proactive

encouragement by facilitators. The panel concluded that striving for a continuous dialogue and open exchange will keep practitioners and decision-makers from simply "checking the gender box".



*Figure 11. Panelists working on gender and land governance across Myanmar, Laos, India and Cambodia agreed that gender needs to be 'unpacked' instead of generalized.*

## Participant Perspective

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### **Academic Exchange: Perspective of Ms. Anh**

*“I was final year law students when I attended the first Land Forum in Hanoi two years ago. The forum and especially the academic exchange session clearly was a **life-changing event which led me to become a policy analyst as I am today.** The young delegates invited to this forum come from different academic backgrounds but all share a vision to contribute to the development of our countries. In the exchange session, we discussed deeply and openly the situation and context of land governance in each country and the potential of us participating in the decision/law making process. I am also grateful that MRLG continued inviting more students to this year's forum, creating a larger, stronger network of young scholars and professionals to help and learn from each other. With great vision and motivation, I trust that all of us will be able to actively contribute to the mutual interest and development of the region.*

*Thank you.”*



### **Conflict Mediation Master Class: Perspective from Ms. Hoa**

*“We have had quite an active and practical discussion for the session of land conflict management and transformation. It focused on neutral mediation processes that are considered as opportunities for land conflict resolution. We also learned about actors mapping for better understanding power relations and setting up the ground rules and confidential agreement are crucial to a successful approach.”*



## Participant Evaluation

A final highlight of the Forum was the use of Sli.Do, an online web application that made sessions interactive and facilitated open questions and answers between audience members and presenters. Almost 300 questions were asked via Sli.Do by 224 active users. The most popular topics distilled from the hundreds of questions asked are illustrated in the word

According to the Sli.Do Forum evaluation, participants rated the Forum 4.1 out of 5, while nearly 90 percent of respondents agreed that the Forum was “relevant” or “very relevant” to them. 82 percent of respondents highly rated the space for networking and making new contacts. On average, participants rated the quality of presentations 3.8 out of 5, while the quality of discussions was rated 3.7 out of 5.

Figure 12. Amongst the most frequently-used keywords in participant questions on Sli.Do were: land, government, forest, people, tenure, use, companies, local and community.



## In Conclusion

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The Forum concluded with a call to action – reform actors, “change agents”, must continue to work with vulnerable and marginalised groups to ensure that no one is left behind in this agrarian transition. We need to work with those currently excluded, the vulnerable and marginalized due to their ethnicity, their gender, their socio-economic status, their religion or simply the place where they live.

Based on the discussions in the Forum, three topics desire continued attention and action:

1. The **recognition of customary tenure rights**: State policies and laws have to acknowledge existing claims on land and natural resources that are used in traditional ways, be it as forest, as grazing land, or for mixed uses irrespective from the current legal classification of that land or natural resource.
2. **Responsible investments in land**: Land is and will remain a key resource for food production and other products. It is a finite resource so the pressure on land is not likely to fall in the future. Therefore working with the private sector is very important. Building socially, environmentally but also

economically sustainable value chains for agricultural products can have a big impact on land governance and more broadly on land-based investments in agriculture.

3. **Gender Equality**: to make sure that women and men can participate equally, fully and freely in decision-making processes and we need to empower them to voice their rights for greater social justice.

It is critical to continue to work in support of and empowering communities and civil society organisations, but also building capacities in various government departments at national and sub-national levels, and where opportunities arise in and of course with, the private sector. Multi-stakeholder and multi-issue exchanges that happen in forums such as the Regional Land Forum are necessary to continue to advance and deepen the conversations and actions which promote inclusive development and land tenure security for smallholder farmers. The collaborations, the network of this Forum, the alliances, and the many relevant initiatives that were are ongoing in the region, many of them which developed during the MRLG Phase 1, and the MRLG-FAO joint activities, should be continued and maintained in future as they contribute to this aim and we hope they will be further developed and scaled up.

*Figure 13. Group photo of Second Regional Land Forum participants using drone technology, not only good for mapping.*





## Annexes

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### **Annex 1: Agenda with links to PDFs of presentations**

# MONDAY AGENDA

Time	<i>Galaxy 1 &amp; Galaxy 2</i>	<i>Foyer, Breeze &amp; Sky</i>
8:00 – 10:30	<p><b>MEKONG STATE OF LAND PRE-LAUNCH CONSULTATION</b> (government only)</p> <p>Presentation by Micah Ingalls (CDE) and Jean-Christophe Diepart (CDE/MRLG), followed by Q&amp;A</p> <p><i>Moderators: Kate Rickersey &amp; Brian Garcia, MRLG</i></p>	<p><b>DATA &amp; TECHNOLOGY SHOWCASE EVENT</b></p> <p>“Flash Talks” and live demonstrations by land reform actors across the Mekong region on new data platforms, technologies, and multi-media exhibition</p> <p><i>Moderator: Dominik Wellmann, GIZ/MRLG</i></p>
10:30 – 11:00	<b>Coffee Break</b>	
11:00 – 12:00	<p><i>Lunar / Moon</i></p> <p><b>OPENING PLENARY</b> <i>Master of Ceremony: Brian Garcia, MRLG</i></p> <p>Opening Remarks by: Simon Kürsener, Second Secretary, Swiss Embassy Louisa Jansen, FAO, Kate Rickersey, MRLG</p> <p><a href="#">Presentation by Micah Ingalls, CDE: Launch of the Mekong State of Land report</a></p>	
12:00 – 14:00	<p><b>Lunch</b> <i>Served in Air Room, 10<sup>th</sup> Floor and Sky Room, 11<sup>th</sup> Floor</i></p>	
14:00 – 16:00	<p><b>MEKONG STATE OF LAND PRESENTATION AND PANEL DISCUSSION</b> Moderator: Christian Castellanet, MRLG Presenters: Micah Ingalls, CDE and Jean-Christophe Diepart, CDE/MRLG. Panelists: Chan Sophal (CPS, Cambodia), Silinthone Sacklokham (NUOL, Laos), Celine Allaverdian (GRET, Myanmar), Nguyen Anh Phong (AgroInfo, Vietnam), Chusak Wittayapak (RCSD, Thailand)</p> <p>This panel will be an opportunity to discuss key questions from two of the major State of Land report themes: firstly, changes in land distribution, land concentration and FDI; and secondly, agrarian transition and changes to the labor force and migration patterns. The panelists will discuss followed by audience question time.</p>	
16:00 – 16:30	<b>Coffee Break</b>	
16:30 – 18:00	<p><i>Foyer</i></p> <p><b>DATA &amp; TECHNOLOGY SHOWCASE EVENT</b></p> <p>Exhibition continues</p>	<p><i>Wind</i></p> <p><b>DONOR / IMPLEMENTER “PITCH” EVENT</b> (invite only)</p> <p>Donor-Implementer Platform: an opportunity to connect donors and implementing organisations working on land tenure in the Mekong region</p>
18:30 – 21:30	<p><i>Riverside Terrace, Anantara Hotel</i></p> <p><b>Regional Land Forum Dinner</b></p>	

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# TUESDAY AGENDA

Time  
8:30-10:15

Parallel  
Session 1

	<i>Galaxy 1</i>	<i>Galaxy 2</i>	<i>Moon</i>	<i>Lunar</i>
	<p><b>Recognition of Land Rights and Communal Tenure</b></p> <p><i>Moderator: Marianna Bicchieri, FAO</i></p> <ul style="list-style-type: none"> <li><a href="#">Formalizing Land Rights Towards Policies Based on the Recognition of Customary Communal Rights - a worldwide perspective.</a> <b>Aurore Mansion, GRET</b></li> <li><a href="#">The Smallholder Business case for Communal Land Tenure Lessons from an IF Project.</a> <b>Mike Dwyer, Forest Trends</b></li> <li><a href="#">Unpacking the Policy - the Practical Implications for Rural Land Tenure within 70% Forestland Policy.</a> <b>Kate Rickersey, MRLG</b></li> </ul>	<p><b>Responsible Investment in the Mekong</b></p> <p><i>Moderator: Darryl Vhugen, FAO</i></p> <ul style="list-style-type: none"> <li><a href="#">China's Investments in African Agriculture: Lessons for the Mekong?</a> <b>Darryl Vhugen, FAO</b></li> <li><a href="#">The Evolution of Chinese Overseas Investment Guidelines.</a> <b>Mark Grimsditch, IDI</b></li> <li><a href="#">ASEAN Guidelines on RAI.</a> <b>Graham Dixie, Grow Asia</b></li> </ul>	<p><b>Ethnic Minority and Vulnerable Groups Access to Forests</b></p> <p><i>Moderator: Daniel Hayward, RCSD</i></p> <ul style="list-style-type: none"> <li>Indigenous Peoples and Access to Forest Issues and Challenges in the Mekong. <b>Gam Shimray, AIPP</b></li> <li><a href="#">Growing Up Together With the Forest: The Unique Relationship Between the Forest and Indigenous Karen People of Kamoethway.</a> <b>Naw Thwee Htoo, Tripnet</b></li> <li><a href="#">Community Based Natural Resources Management in Cambodia: From Community Forestry in Stung Treng to Advocacy for the Environmental Code.</a> <b>Hou Kalyan, RECOFTC</b></li> </ul>	<p><b>SDGs and the VGGTs</b></p> <p><i>Moderator: Fabiano de Andrade Correa, FAO</i></p> <ul style="list-style-type: none"> <li><a href="#">Moving SDG indicators 1.4.2.&amp; 5.a.1 to Tier I. Why and how? Land Data Drive and Gender Disaggregated Data.</a> <b>Thea Hilhorst, The World Bank</b></li> <li><a href="#">Securing Land Rights for All: The GLTN's Response to International Frameworks on Land Governance.</a> <b>Danilo Antonio, GLTN</b></li> <li><a href="#">FAO's role in the SDG Indicators and Practice.</a> <b>Louisa Jansen, FAO</b></li> </ul>
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10:15- 10:45

Coffee Break

**TUESDAY**

**10:45-12:30**

**Parallel  
Session 2**

<i>Galaxy 1</i>	<i>Galaxy 2</i>	<i>Moon</i>	<i>Lunar</i>
<p><b>Public Participation in Policy Making</b></p> <p><i>Moderator: Tony Lamb, FAO</i></p> <ul style="list-style-type: none"><li>• <a href="#">Community to National Level Engagement to Advocate Important Ethnic Minority Issues in the Drafting of the Forestry Law.</a> <a href="#">Ngo Van Hong, FORLAND / CIRD</a></li><li>• <a href="#">Compiling Evidence for Advocacy Around the Environment Code.</a> <a href="#">Brian Rohan, Vishnu Law Group</a></li><li>• <a href="#">New Process and Opportunities for the Implementation of the National Land Use Policy in Myanmar.</a> <a href="#">U Kyaw Kyaw Lwin, MONREC</a></li></ul> <p style="text-align: right;">Bu</p>	<p><b>Private Sector Partnerships and Platforms</b></p> <p><i>Moderator: Chris Smithies, Earth Systems</i></p> <ul style="list-style-type: none"><li>• <a href="#">Interlaken Group: Getting from Commitment to Impact.</a> <a href="#">Anne-Sophie Gindroz, RRI</a></li><li>• <a href="#">Field Guide on Sustainable Agricultural Investment in Lao PDR.</a> <a href="#">Vanida Khouangvichit and Justine Sylvester, VFI</a></li><li>• <a href="#">"Brand Lao" - Linking Smallholders to International Markets, the Lao PDR Experience.</a> <a href="#">Stephen Kreppel, The Nation Consultancy</a></li></ul> <p style="text-align: right;">La</p>	<p><b>Customary Tenure Guidance Notes</b></p> <p><i>Moderator: Marianna Bicchieri, FAO</i></p> <ul style="list-style-type: none"><li>• Presenting four policy guidance notes on challenges and opportunities to the recognition and protection of Customary Tenure Systems in Cambodia, Lao PDR, Myanmar and Viet Nam, prepared by FAO and MRLG.</li></ul> <p style="text-align: right;">Kh Vn</p>	<p>(No Session)</p>

**12:30 - 13:45**

**Lunch**

*Served in Air 10<sup>th</sup> Floor and Sky 11<sup>th</sup> Floor*

**TUESDAY**13:45 –  
15:30Parallel  
Session 3**Galaxy 1****Conflict-Sensitive  
Program  
Management  
Master Class**

*Moderator: Brian Garcia, MRLG*  
*Facilitators: Poch Sophorn, IMG*  
*Oi Rachny, IMG*

The 3-hour Masterclass will go through steps of the mediation process, with particular focus on pre-mediation research, particularly conflict analysis. The session will be very interesting for organizations and individuals who are working with communities affected by land conflicts or initiatives seeking alternative mechanisms to resolve conflicts.

**Galaxy 2****Tools for  
Responsible  
Investment in  
Agriculture**

*Moderator: Stephen Kreppel, The Nation Consultancy*

- [Development Code of Conduct for Responsible Land Related Investment \(RLAI\) in Viet Nam, Particularly in the Tea Sector](#)  
[Nguyen Anh Phong, AgroInfo](#)
- [Developing Responsible Investment Guidelines for Banana and Crop Plantations in Lao PDR.](#)  
[Phouvong Phaophongsavath, MPI-IPD](#)
- [Vietnamese and Chinese Codes of Conduct - Voluntary Guidelines.](#)  
[Andrew Wells-Dang, Oxfam, Zhang Junzuo, CCCMC](#)

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**Moon****Community  
Empowerment  
Approaches**

*Moderator: Nguyen The Dzung, MRLG*

- [Land Laws, Land Rights, Awareness and Capacity Building: The LIFE Experience in Lao PDR.](#)  
[Dorn Bouttasing, LIFE](#)
- [Participatory Reallocation of Forest Lands Communities: Building Capacities of Local Authorities and Empowering Ethnic Communities in Hoa Binh Province, Viet Nam.](#)  
[Le Van Hai, RIC](#)
- [Alternative Mechanisms to Address Land Related Conflicts in Myanmar: Building Paralegal Capacity in Ayeyarwaddy.](#)  
[Tim Millar, Namati](#)

La

**Lunar****Land Distribution  
and Reform**

*Moderator: Fabiano de Andrade Correa, FAO*

- [Continuities and Changes in the Frontiers: Land Conflicts and the Intricacies of VFV Land Management in Myanmar.](#)  
[Jean-Christophe Diepart, MRLG, Celine Allaverdian, GRET](#)
- Vietnamese Land Re-adjustment Policy and Practice.
- [Politics of Land Use Planning and Logic of Land Tenure Security in Lao PDR.](#)  
[Diana Suhardiman, IWMI](#)

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Vn**Wind****Masters / Graduate  
Students Academic  
Session**

*Organisers: Daniel Hayward, RCSD*  
*and Julian Derbidge, GIZ*

*(invite only)*

Students from the Mekong countries present posters, and reflect on changes over the past 2 years.

## TUESDAY

15:30 – 16:00

### Coffee Break

*Galaxy 1*

*Lunar*

*Wind*

16:00 –  
17:30

**Conflict-Sensitive  
Program  
Management  
Master Class**

(continuation)

### **Land Governance and Gender Panel**

*Moderator: Kalpana Giri, RECOFTC*

*Panelists: [Clara Park, FAO](#); [Hilary Faxon, Researcher](#); [Chansouk Insouvanh, Senior Social Safeguard Specialist](#); and [Sharanya Nayak, RITES Forum India](#).*

The panel session brings forth researchers, practitioners and representatives from community organizations to discuss the nexus between gender equality and land governance while also identifying actionable entry-points to link gender analysis to governance policies and practice.

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**Masters / Graduate  
Students Academic  
Session**

(continuation)

# WEDNESDAY AGENDA

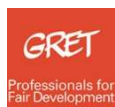
Time	Galaxy 1	Galaxy 2	Lunar
8:30 – 10:00	<p><b>Land Management and Monitoring</b></p> <p><i>Moderator: Mike Dwyer, Forest Trends</i></p> <ul style="list-style-type: none"> <li>• <a href="#">Co-production of Spatial Data and Knowledge in the Resolution of Land Disputes Learnings from Onemap Myanmar Oil Palm Land Use Assessment.</a> <b>Joan Bastide, CDE</b></li> <li>• <a href="#">Where There is Smoke: Discovering Land Conflict Through Participatory Area-Based Village-Cluster Workshops in Lao PDR</a> <b>Khamson Lakmaitry, Philip Bontuyan and Bounluane Xomsihapanya, GIZ.</b></li> <li>• <a href="#">Understanding Prospects and Limitations of Land use Management in Mitigating Conflict Through pFALUPAM.</a> <b>Luck Bounmixay, TABI</b></li> </ul>	<p><b>Mechanism to recognition of Customary Tenure Rights</b></p> <p><i>Moderator: Glenn Hunt, Land Core Group</i></p> <ul style="list-style-type: none"> <li>• <a href="#">Dual System of Customary Tenure Recognition in Forests in India.</a> <b>Tushar Dash, RRI</b></li> <li>• Recognition of Indigenous People's Customary Tenure in Zonation of Protected Areas: The Kulen Protep Wildlife Sanctuary Experience in Cambodia. <b>Sithan Phann, WCS</b></li> <li>• <a href="#">Recognition of Customary Tenure: Piloting for Implementation of the National Land Use Policy (MRLG and USAID Pilot Results).</a> <b>U Than Naing Win, MONREC</b> <b>U Shwe Thein, LCG</b></li> </ul>	<p><b>Forest Governance and International Initiatives</b></p> <p><i>Moderator: Christian Castellonet, MRLG</i></p> <ul style="list-style-type: none"> <li>• <a href="#">Addressing Forest Governance Challenges in the Mekong region through the empowerment of civil society: an assessment</a> <b>Etienne Delattre, RECOFTC</b></li> <li>• <a href="#">Establishing CSO Forest Governance Monitoring Experiences Challenges and Lessons Learnt.</a> <b>John Mellors, GIZ, Tran Ngoc Tue, SRD</b></li> <li>• <a href="#">Sustainable Natural Rubber Production Model and Value Chain in the Mekong Region.</a> <b>Thibault Ledecq, WWF</b></li> </ul>
10:00 – 10:30	<b>Coffee Break</b>		
10:30 – 11:30	<p><b>Lunar</b></p> <p><b>Investment Mediation Panel Session</b></p> <p><i>Moderator: Darryl Vhugen, FAO</i></p> <p><i>Panelists: Jef Boedt, SocFin, Sophorn Poch, IMG, Run Saray, LAC, Khloek Keo Singieb and Pey Deng, Community Representatives</i></p> <p>Community Negotiations: a new form of conflict transformation leveling the playing field. This Panel Session will focus on the investment mediation in Busra Community in Cambodia.</p>		
11:30 – 12:30	<p><b>Closing Plenary</b></p> <p><a href="#">Presentation of Forum synthesis, MRLG Phase II and Closing Remarks</a></p>		
12:30 – 13:30	<b>Lunch, Air 10<sup>th</sup> Floor and Sky 11<sup>th</sup> Floor</b>		

*The **Mekong Region Land Governance Project** aims to contribute to the design of appropriate land policies and practices in the Mekong Region. It responds to national priorities in terms of reducing poverty, improving tenure security, increasing economic development, and supporting family farmers, so that they can be secure and make good decisions on land use and land management. MRLG is operating in Cambodia, Laos, Myanmar and Viet Nam since April 2014, with the support of SDC and the German cooperation. For more information on MRLG, please visit [www.mrlg.org](http://www.mrlg.org).*

#### MRLG is funded by



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