



The Prolonged Struggle for Land Rights in Asia

The ANGOC Network

Established in 1979

- With members and partners in 14 countries
- Has an effective reach of 3,000 NGOs and CBOs

Southeast: Cambodia, Indonesia, Lao PDR, Malaysia, Philippines, Thailand, Vietnam

East: Japan, China

South: Bangladesh, India, Nepal, Pakistan, Sri Lanka



ANGOC's position on food security

Issues & Concerns

- Inequitable access to productive resources
- Trade liberalization and commercialization of resources
- Agricultural intensification
- Women and youth are increasingly marginalized in agriculture & development processes



An overview of agrarian reforms in Asia

Dominant agrarian structures	Countries/ regions
<p>Type 1: Industrialized economies.</p> <p>Land reforms implemented after World War II, mainly under totalitarian regimes or by occupation forces → Agricultural modernization and rural industrialization; Smaller portion of population currently involved in agriculture.</p>	<p>Japan, Taiwan, South Korea, and until recently, China & Malaysia</p>
<p>Type 2: Emerging market economies.</p> <p>Collectivization of agriculture under 'communist' revolutionary governments. Collective farms → family farms; or usufruct rights given to farming families. Fairly equitable distribution of resources; large segment of population involved in production. Countries being opened to market forces.</p>	<p>Vietnam, Cambodia, China, North Korea, & Central Asian Republics</p>
<p>Type 3: Feudal and traditional agricultural economies.</p> <p>Traditional, feudal/semi-feudal patterns exist; lands held by absentee owners or corporations. Past land reforms have been left largely un-implemented, except for a few (Philippines, Kerala and West Bengal in India). A large portion of population involved in production, mostly in subsistence agriculture in small, family-sized farms. Countries are increasingly exposed to market forces & modernization.</p>	<p>South Asian countries: (India, Bangladesh, Pakistan, Nepal & Sri Lanka); most Southeast Asian countries (Indonesia, Philippines, Myanmar)</p>

Landlessness: Bangladesh

- Households own an average of 0.3 hectare of land.
- Scarce land resource versus population pressures
- 57.1% and 70.6% of households living below the lower and higher poverty lines, respectively, absolutely landless.
- IPs' customary rights to land not recognized by government; hence are continually evicted
- Law of inheritance guided by person religion of concerned individual.
 - Muslim law: women have limited rights
 - Hindu law: women generally receive nothing. Distribution of *khas* land allows joint ownership of land between husband and wife.



Landlessness: Cambodia

- Poverty is a rural phenomenon. 2004: 91% of the poor lived in rural areas.
- Landlessness is increasing. Over 20% of rural people are landless.
- 40% of households whose heads are engaged in agriculture are poor.
- The rate of landlessness among female-headed households is 21.2%.
- 1999: 5% of landowners held close to 60% of all privately held land. 2003: 70%. The top 5% of landowners increase their control of private lands by 2% per year.
- Farming households own an average of 1.5 hectares of land. However, 40% of households own less than 0.5 hectare.
- Only 20% of landowners hold secure title to their land.
- Vulnerable groups to landlessness and poverty: female-headed households, rural families, people living in or near concession areas, informal settlers in urban areas, and indigenous peoples.
- 1991 – 2004: 1,551 land disputes covering over 380,000 hectares and more than 160,000 farming families.
2006: two-thirds of these cases remain unsolved.

Landlessness: India

- 1971-72: large and medium-size holdings owned by the top 10% of landowners, covering 54% of total land area.
2003: owners of large and medium-size holdings 4% , covering 35% of all land.
- 1971-1972: Proportion of marginal holdings 63%
2003: 80%.
- *Over the last decade, the proportion of marginal holdings has increased in all states.*
- 43% of population still absolutely and near landless, owning less than 0.2 hectare.
- An estimated 87% of landholders among Scheduled Castes (SCs) and 65% of landholders among Scheduled Tribes (STs) classified as small and marginal farmers. 54% of the SCs and 36% of STs are agricultural workers.



Landlessness: Indonesia



- 1993: About 30% of all farming households landless. 34% of 10.8 million farming households owned less than a hectare of land.
2003: 13.7 million landless; indicating an increase of 2.6% a year.
- 1993: Over half (52.7%) of farming households poor.
2003: 56.5% of farming households are poor.
- 1993: Farming families increased from 20.8 million
2003: farming families 25.4 million (2.2%↑ per yr)
- 2003: 54.4% of farming families lived in Java, the rest (45.6%) in outer Java.
- Poverty among Javanese farming families rose from 69.8% to 74.9% from 1993-2003. In outer Java, the number of poor farming families increased from 30.6% to 33.9% during the same period, representing an increase of 3.3% a year.

Landlessness: Nepal



- 4.2 million households: 1.3 million households or 25% landless.
- Marginalized groups include freed bonded laborers, landless peasants, squatter settlers, indigenous peoples, *Haliya*, *Haruwa/Charuwa*, *Dalit*, *Badi/Badini*, indigenous and minority groups, *Mushakar*, and internally displaced people.
- Over 70% of peasants own less than 1 hectare of arable land.
- Only 8.1% of landholders female, though this is slowly improving.
- Some 217,000 families with not enough land on which to build a house – considered the agricultural landless.
- Landlessness is highest in the Terai districts compared to the hill ones.



Landlessness: the Philippines

Small peasant farms and large plantations

More than 31 million poor are found in the rural areas; Poverty highest among farmers and fisherfolk

Farm workers in sugarcane, small farmers in coconut, rice and corn, fishermen & foresters poorest of the poor: 70% of the country's subsistence households.

1.3 - 1.5 million hectares of farmlands undistributed. 1 million farmers yet to benefit from agrarian reform.

About 5-7 million hectares to be covered by the Indigenous Peoples Rights Act (IPRA) under ancestral domain claims. More than .5 million hectares awarded to IPs as ancestral domains.

Community-managed forests only cover 22% of total forest cover.

Barely half of coastal towns have effectively delineated municipal waters for small fisherfolk.

Almost 85% of fisherfolk are threatened by eviction.

Legislation in Bangladesh

<p>Acquisition and Tenancy Act (EBSATA) of 1950</p>	<ul style="list-style-type: none"> • Aimed to make peasants direct tenants of the government, with rights to transfer, inherit and cultivate their land as they see fit • Prohibited the subletting of land with the aim of eliminating rent-seeking behavior and absentee landownership • The 1994 Amendment mandated that in the case of landholdings lost to erosion, the right, title and interest of the tenant or his/her successor in interest are retained during the period of loss through erosion, but not exceeding 30 years.
<p>Land Reform Policy of 1972</p>	<ul style="list-style-type: none"> • Gives government the mandate to acquire surplus land and to distribute it to landless peasants • Authorizes the government to acquire flooded and accreted land and to treat these as <i>khas</i> land • Exempted landowners holding less than 3.33 hectares from paying land tax
<p>Land Reform Ordinance of 1984</p>	<ul style="list-style-type: none"> • Reduced the ceiling for landholdings from 13.3 hectares to 8 hectares • Prohibits the purchase or transfer of land in the name of another person to conceal identity of the true landowner • Fixes the minimum wage of agricultural laborers at the equivalent value of 3 kilograms of rice • Prohibits the eviction of peasants from their <i>paternal</i> homestead • Instituted a three-way sharing of farm produce: 1/3 to the landowner; 1/3 to the sharecropper; and the remaining third to be divided proportionately between the landowner and the sharecropper on the basis of expenses incurred by each one
<p>Management and Distribution Policy</p>	<ul style="list-style-type: none"> • Grants joint ownership of <i>khas</i> land to husband and wife
<p>Vested Property Restoration Act of 2001</p>	<ul style="list-style-type: none"> • Abolished the Vested Property Act (VPA) – formerly the Enemy Property Act (EPA) – that dispossessed the Hindi population of their ancestral land during the war between (of which used to be part) and in 1965. Even after became independent from in 1971, the EPA was retained and renamed as VPA, and resulted in the confiscation of some 800,000 hectares of Hindu property. Around 0.75 million Hindu households were reportedly victimized by this law.

Legislation in Cambodia

<i>Cambodian Constitution (1993)</i>	<ul style="list-style-type: none">• Provides that “all persons, individually or collectively, shall have the right to ownership. Legal private ownership shall be protected by Law. The right to confiscate properties from any person shall be exercised only in the public interest as provided for under the law, and shall require fair and just compensation in advance.”
<i>Land Law of 2001</i>	<ul style="list-style-type: none">• Outlines concepts of land classification including state public land, state private land, private and collectively owned land.• Guarantees the inalienability of land, as recognized by the Constitution• Creates a status of registerable ownership of land, which specifically puts women on an equal footing with men• Establishes the legal framework for a collective ownership arrangement, which is specifically designed for the protection of indigenous land and traditional ways of life• Provides for a land distribution policy to benefit the rural poor, specifically through the grant of Social Land Concessions (SLCs)• Provides for the establishment of land dispute resolution mechanisms
<i>Law of 2002</i>	<ul style="list-style-type: none">• Provides the framework for forest classification• Provides for the creation and management of community forests, such that communities are granted an area within the Permanent Forest Reserve to manage and derive benefit from• Guarantees the entry rights of local communities into forest concessions• Prohibits logging of certain trees valuable to local communities as well as trees and areas of cultural or religious significance, such as spirit forests• Mandates the sustainable logging of natural and plantation forests

Legislation in India

Indian Constitution	<ul style="list-style-type: none">• Basic tenets of the Constitution are equity and social justice• Provides that ownership and control of the material resources of the community should be distributed in such way that the common good is best served and that the economic system does not result in the concentration of wealth and the means of production to the common detriment• Stipulates that “states [must] direct policies to ensure that all citizens have the right to adequate means of livelihood and that all community resources be distributed so as to serve the common good.”• Constitutional framers gave each state, rather than the Central Government, exclusive power to make laws with respect to land, including land reform laws
Reform Laws	<ul style="list-style-type: none">• Every State has enacted its own land reform laws on subjects and issues as follows:<ul style="list-style-type: none">○ Abolition of Zamindari system to eliminate intermediaries;○ Ceiling on land holdings to do away with uneven distribution of land and for redistribution of ceiling-surplus land among the landless;○ Tenancy reforms to ensure security of tenure for peasants, regularization of rent/revenue, and ownership;○ Regulation of share-cropping to safeguard the interest of the share-croppers;○ Protection against alienation of land belonging weaker sections such as scheduled castes and scheduled tribes;○ Consolidation of fragmented land holdings;○ Provision of homestead to the landless households;○ Providing government land to the landless on long-term lease including also tree-lease; and○ Statutory minimum wages to agricultural labor.• The Ninth Schedule of the Constitution was introduced in the first amendment in 1951 as a means of immunizing certain laws - including the acquisition of private property and compensation payable for such acquisition – against judicial review. Such laws cannot be challenged in a court of law on the ground that they violated fundamental rights of citizens. This protective umbrella covers more than 250 laws passed by state legislatures with the aim of regulating the size of land holdings and abolishing various tenancy systems.

Legislation in India

<i>Rights Act of 2006</i>	<ul style="list-style-type: none">• Recognizes and gives forest rights, including rights to occupy forestland, to Scheduled Tribes and traditional forest dwellers• Provides the framework for recording forest rights
<i>Policy on Women's Land Rights</i>	<ul style="list-style-type: none">• Land reform laws have not adequately addressed the issue of unequal ownership of land between men and women. The Land Ceiling Act classifies the family unit as comprising husband, wife and three minor children. While adult sons are considered separate units, unmarried adult daughters are left out. Even the Tenancy Act gives priority to males (from the father's side) in inheritance and to widows only in the absence of male heirs. However, now the Hindu Succession (Amendment) Act of 2005 has been enacted to remove gender discriminatory provisions in the Hindu Succession Act of 1956, and make the daughter a coparcener in her own right by birth in the same manner as the son.

Legislation in Indonesia

Decree of the People's Consultative Assembly (MPR) No. IX/MPR/2001 on Agrarian Reform and Natural Resources Management, or TAP MPR No. IX/2001

- Seeks to correct errors of agrarian reform implementation (under the Basic Agrarian Law)
- Mandates the Ministry of Agrarian Reform to:
 - conduct a study of various laws and regulations related to agrarian matters in order to harmonize the policies of sectors
 - implement a land reform program based on the "land to the tiller" principle
 - conduct a land registration program through a comprehensive and systematic survey of the control, use, ownership and exploitation of the land
 - resolve all agrarian disputes, and forestall future conflicts by strictly implementing the law
 - strengthen the institution responsible for implementing agrarian reform
 - seek out funding for agrarian reform implementation

Basic Agrarian Law of 1960 (UUPA) or Law No. 5 of 1960

- Devolves power to exercise State rights to control land to the province, regency, district and village levels. The same rights could be exercised by communities practicing customary law
- Provides that the exercise of rights conferred by this law must serve the public interest
- Authorizes the State to grant ownership/property rights to Indonesian citizens; prohibits/limits foreign ownership of the country's land, and provides safeguards against foreign expropriation of the country's natural resources
- Prohibits absentee land ownership in agricultural land, because of its tendency to promote exploitative practices, such as bonded labor, unpaid labor, usury and inequitable sharecropping
- Sets the minimum size for landholdings to ensure that the land owner has enough land to provide for his/her family

Legislation in Indonesia

<i>Law No. 56 Prp/1960</i>	<ul style="list-style-type: none">• Creates different kinds of rights that may be awarded to persons, groups, or legal entities: Property Rights, Lease Rights, Right to Build, User Rights, Right to Rent, Right to Open the Land and to Collect Forest Products, and Water Use Rights• Sets the ceiling for landholdings of families and legal entities to prevent monopoly ownership of land. Land in excess of the ceiling must be turned over to the State upon compensation.
<i>Government Regulation (PP) No. 224 of 1961</i>	<ul style="list-style-type: none">• Sets the criteria for land to be subject to land reform• Identifies land reform beneficiaries
<i>Presidential Decision No. 30 of 1990</i>	<ul style="list-style-type: none">• Prohibits the conversion of irrigated agricultural lands to non-agricultural use
<i>Law No. 2 of 1960 on Sharecrop Agreement (UUPBH)</i>	<ul style="list-style-type: none">• Seeks to protect sharecroppers from exploitation by landowners• Provides that the share of the tiller and the landowner would be decided by the regent, according to type of crop and land density.• Specifies a ceiling of 3 hectares for landholdings• Requires that sharecrop agreements between landowner and tiller be put in writing before the head of the village, and witnessed by one representative from each of the contracting parties.

Legislation in Nepal

<p>Land Reform Act of 1964</p>	<ul style="list-style-type: none"> • Fixed a ceiling on the size of landholdings • Sought to protect the rights of tenants by including their names in the owner's land title • Fixed the rent on agricultural land and reduced interest on rural loans • Allowed tenants to apply for tenancy rights at the District Land Reform Office (DLRO) provided that they had tilled the land the previous year and could present proof of this fact, such as a grain payment receipt • Has been amended 6 times <ul style="list-style-type: none"> ○ The Fourth Amendment (1996) provided that the land being cultivated by the tenant be divided equally between landlord and tenant to ensure that tenants would become landowners themselves, and that a credit facility would be made available to the tenant who wished to buy the landlord's half. It sought to abolish dual ownership of land. ○ The Fifth Amendment (2001) attempted to reduce the ceiling on the size of the landholdings
<p>Interim Constitution of 2007</p>	<ul style="list-style-type: none"> • Committed to "pursue [a] policy of scientific land reform programs by gradually ending capitalistic land ownership practices." • Mandates the State to pursue a policy of providing adequate land and livelihood to freed bonded laborers
<p>Three-Year Interim Plan 2007-2009</p>	<ul style="list-style-type: none"> • Aims to improve farmers' standard of living and contribute to the national economy through the implementation of scientific land reform • Sets the specific goal of ascertaining the land rights of landless slum dwellers, freed bonded laborers and tenants, to ensure their food security, address poverty, and make land more productive • Outlines an implementation strategy that includes the formulation of appropriate laws and the setting up of mechanisms to distribute land to landless groups • Seeks to form a high-level Commission to resolve problems concerning landless groups
<p>Agriculture Perspective Plan (1996-2010)</p>	<ul style="list-style-type: none"> • Main thrusts are enhancement of land productivity, commercialization of agriculture, diversification of products, and focusing on products in which has a comparative advantage • Identifies dual ownership of land and land fragmentation as major constraints to agricultural development and recommends taking actions toward terminating dual land ownership and initiating land consolidation.

Legislation in the Philippines

<p>1987 Constitution</p>	<ul style="list-style-type: none"> Lays down the principles that serve as the overall framework for the issue of access to land: protection of property (but property can be taken away for public use with due process and just compensation); promotion of social justice and human rights; Promotion of rural development and agrarian reform; and promotion of the rights of indigenous communities to their ancestral lands
<p>Comprehensive Agrarian Reform Law (CARL) of 1988 or Republic Act (RA) 6657</p>	<ul style="list-style-type: none"> Expanded agrarian reform to all agricultural lands regardless of crop planted under the Comprehensive Agrarian Reform Program (CARP). It targeted to redistribute around 8.1 million hectares of agricultural land and integrated social forestry areas (ISF) to 3.9 million landless tenant farmers and farm workers over an initial 10-year period. Provides for different tenurial instruments based on land classification: tenurial security for forestry areas, and tenancy reforms and land redistribution for private and alienable lands. Land redistribution is to be complemented by the delivery of support services like extension, credit, infrastructure facilities and livelihood assistance. Imposes a five-hectare retention limit for the landowner and provides three hectares for each heir actually tilling the land.
<p>Indigenous Peoples' Rights Act (IPRA) or RA 8371</p>	<ul style="list-style-type: none"> Recognizes, promotes and protects the rights of indigenous cultural communities/ indigenous peoples (ICCs/IPs). Serves as the basis for IP's land rights, which are recognized through the issuance of a Certificate of Ancestral Domain Claim (CADC) or a Certificate of Ancestral Domain Title (CADT).
<p>Fisheries Code of 1998 or RA 8550</p>	<ul style="list-style-type: none"> Seeks to protect the rights of small fisherfolk over municipal waters and provides for the establishment of fisherfolk settlement areas Emphasizes stewardship and protection
<p>Urban Development and Housing Act (UDHA) of 1992 or RA 7279</p>	<ul style="list-style-type: none"> Lays down the groundwork for a comprehensive and continuing urban development and housing program by prioritizing the provision of decent shelter to the poorest of the poor Provides the framework for the development and use of urban lands

Corporate farming?

Commercial pressures?

- **Pakistan:** Corporate Agriculture Farming policy allowing “no upper ceiling on land holding,” leaving the decision on the size of the proposed corporate farm to the prospective investor (CAF Policy Package, n.d.)
- **India:** Up to 100% foreign investment without government approval under the automatic approval route provided that foreign owned and controlled companies operating and investing in other companies comply with applicable sectoral restrictions (Mondaq Business Briefing July 2009).
- **Malaysia and Indonesia:** Governments supporting the expansion of the crude palm oil for biodiesel industry with tax holidays, subsidies, state company investment and domestic agrofuel targets.
- **Philippines:** Philippine Agricultural Development and Commercial Corporation (PADCC) for the development of some 2 million ha idle, underutilized marginal lands. As of 2009, 403,000 hectares have memorandum of agreements (mainly sugarcane for bio-ethanol but also includes banana, pineapple, cassava, palm oil, rubber and coffee), 187,000 hectares of which have contracts (lease, contract growing and joint ventures) and 17,000 hectares have already been planted.

National Issues

Bangladesh	Cambodia	India
<ul style="list-style-type: none"> • Access to and distribution of khas land • Land conversion • Commercialization of agriculture and forestry • Absentee landownership • Access to and distribution of non-agricultural land 	<ul style="list-style-type: none"> • Rising demand for land as an economic asset. • Poor land governance • Insufficient implementation of the Land Law of 2001 	<ul style="list-style-type: none"> • Forest Act and Wildlife Protection Act • Special Economic Zones (SEZs) • Corporate/contract farming
Indonesia	Nepal	Philippines
<ul style="list-style-type: none"> • Expansion of plantations • Indiscriminate awarding of forest and timber concessions • Mining on indigenous people's lands 	<ul style="list-style-type: none"> • Centralized land governance • Abolition of collective rights 	<ul style="list-style-type: none"> • Snail-paced ancestral domain titling • Overlapping land claims • Extractive industries • Market-oriented tenurial schemes

Land Watch Asia

- A Regional campaign started in March 2007 working for better access to land of Asia's rural poor thru engagements with national governments and regional & global institutions
- A network of CSO land rights advocates and practitioners from Bangladesh, Cambodia, Indonesia, India, Nepal and the Philippines; Pakistan included in 2009
- Aims to ensure that access to land, agrarian reform and sustainable development for the rural poor are addressed in national and regional development agenda
- Components: country studies; information networking; and regional campaign



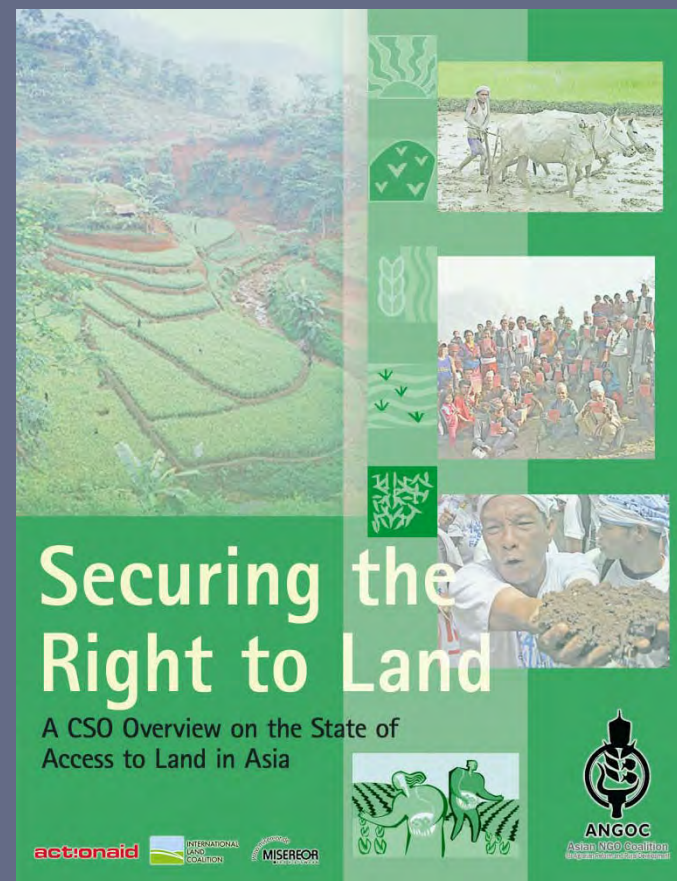
Accomplishments of LWA



Country Studies

- Strategic discussions among marginalized rural sectors to produce studies in 6 countries (Bangladesh, Cambodia, India, Indonesia, Nepal and the Philippines)
 - assessment of legislations and programs on access to land
 - analysis of major stakeholders working on land rights from different sectors (i.e., farmers, IPs, forest communities and fisherfolk)
 - challenges and strategic action for CSOs

Facilitated formulation of national campaign plans for 2009 in the 6 countries



Accomplishments of LWA



Regional Campaign

- Scoping studies on:
 - Land policies of regional bodies such as ASEAN & SAARC and IGOs such as IFAD, European Commission, World Bank
 - ODA/ Bilateral agreements related to access to land from Japan, Australia and China
- Policy Dialogues and Presentation of results organized with:
 - International Land Coalition Global Assembly (Nepal 2009)
 - Asian Development Bank staff (Philippines 2008)



Accomplishments of LWA



Information Networking

- Online newsletter – Land Watch Asia E-bulletin
 - Mailing list of organizations and individuals from CSOs, IGOs, academe, etc.
 - Features articles and stories contributed by Land Watch Asia partners on land cases, campaigns, papers, statements, etc.

National Campaign - Bangladesh

- Elected a new President & Parliament that has retained its legitimacy, thus opening up potential spaces for CSOs to advocate for reforms.
- In 2009, under the country's caretaker government, the Land Watch campaign as led by country focal point the Association for Land Reform and Development (ALRD), focussed on developing educational materials to popularise land issues.
- ALRD and its network partners also conducted training activities on agrarian related policies with government agencies and CSOs. Specifically, they have worked on raising awareness of Char dwellers on their land rights, as well as conducting training activities to upscale small-scale farming through promotion of local seed varieties.
- ALRD also elevates the findings of its Land Watch country paper to the regional and international levels. It provided inputs to CIRDAP's country study on agrarian reform and rural development, raising concerns and recommendations on improving tenure security, pro-poor and redistributive land reform, and the governance of land, water and forest resources, among others.
- The campaign was able to score a significant victory in the 2008 Parliamentary election with land issues put into the election manifesto of the Awami league and Grand Alliance forces. Critical now is post-election follow-up for implementation of promises especially at policy level to improve land rights of the rural poor in Bangladesh. ALRD seeks to bring the campaign to climate change and its potential impact on coastal areas, follow-up of the Chittagong Hill Tracts Peace Accord Implementation and the Land Commission for IP lands, and establishing a law for IP lands.

National Campaign - Cambodia

- STAR Kampuchea (SK), together with NGO Forum on Cambodia and other partner NGOs, implemented a one-year project titled “Land Issue Consultation in Cambodia” to engage the national government and international donor agencies working in Cambodia specifically on land issues: land grabbing, social land concessions and land conflicts. The project is set in an environment where the government’s development agenda often comes at the expense of the poor. Moreover, because land issues in Cambodia are deemed controversial, NGOs themselves are hesitant to advocate or dialogue with government because of their own security.
- SK has conducted two training workshops to raise awareness of some 58 beneficiaries regarding their rights to land. The topics have ranged from land management, to legal parlance, social land concessions (SLC), and land registration. Through these workshops, SK has also been able to collect cases depicting the experiences of communities facing challenges in securing their rights to land.

National Campaign - India

- The Association of Voluntary Agencies for Rural Development (AVARD), with the South Asia Rural Reconstruction Association (SARRA) and Ekta Parishad jointly work on the Land Watch campaign in India, focusing efforts in Bihar, Andhra Pradesh and Madhya Pradesh.
- AVARD, SARRA and EP have campaigned for the implementation of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, a law that provides scope for enhancing access of the rural poor to forest land, and which has been enacted largely because of democratic pressure from civil society. The Ministers of each state have taken interest on the issue for priority action. In Madhya Pradesh, for instance, almost 10% of claims were accepted due to the high role of bureaucracy and pressure from CSOs.
- AVARD has been working on implementation of recommendations the Bihar Land Reforms Commission (BLRC) forwarded the Bihar Government. One recommendation was the time-bound distribution of *Bhoodan* land, and addressing issues that include the computerization of *Bhoodan* land records, restoration of possession of land awardees in cases of eviction, and support in making the awarded land productive. AVARD has been in active contact with the Chair of the Bihar Bhoodan Committee. Consequently, records in two districts have been computerized. Further, around 240,000 acres were distributed from 2007 to 2009 with major distribution of Bhoodan land in 2009. 90% of beneficiaries in 2009 are women. Three of Bihar's 38 districts, namely Muzaffarpur, Samastipur and West Champaran have been selected for land distribution on a priority basis. The second recommendation was the allotment of homestead to the rural poor landless households under the Privileged Persons Homestead Act, which is being pursued in collaboration with JSV and local NGOs.
- Land Watch members in India have engaged the National Land Reforms Council and Expert Committee on the state of agrarian relations, and more importantly, to complete hitherto unfinished tasks in land reforms. These two bodies were constituted to expedite land reforms, following democratic pressure by civil society NGOs through the Janadesh March in 2007.

National Campaign - Indonesia

- The Consortium of Agrarian Reform (KPA) recorded at least 89 cases of agrarian conflicts covering some 133,000 hectares. The government has been intimidating activists working on solving agrarian conflicts – resorting to actions like torture and kidnapping. In this vein, KPA, together with Sajogyo Institute, the National Land Agency and Bogor University, initiated the “INFORM” project, which aims to pilot agrarian reform in 34 districts in Southern Java. Although only 8 districts have been covered so far, the initiative has already strengthened the link between activists and the academe, as well as resulted in a direct and positive mode of engagement with government.
- Directly responding to land cases and conflicts is a regular feature of Land Watch partners’ work in Indonesia. But beyond reactive work, partners like KPA and JKPP are proactively involved in mapping and community organizing, and specifically getting long term land leases for occupants and other dwellers in surrounding areas.

National Campaign - Nepal

- The Community Self Reliance Centre (CSRC) convenes the Land Watch Nepal campaign, working with the Federation of Community Forest Users Nepal (FECOFUN) and its other alliance partners in the land rights movement to influence policy through dialogues at national and intergovernmental levels. CSRC was at the heart of the land rights lobby, coordinating the campaign of the National Land Rights Forum, which involved social movements and community-based organizations in 42 districts.
- The victory of the People's Movement in 2006 to install a democratic government has presented a highly significant opportunity for the land rights movement to influence Constituent Assembly (CA) members to prioritize the land reform agenda as they frame the new Constitution. Sustaining peace in Nepal requires secure rights to land for the poor landless.
- In view of this, the Land Watch national campaign has organized dialogues between CSOs and the CA to prioritize security of land tenure of the poor and marginalized sectors. It has also held discussions with the CA and the Natural Resource and Fundamental Rights Committees on the issue of landowner compensation for offering excess lands above the prescribed land ceiling. The Land Watch campaign has also organized dialogues with ADB, IFAD and the World Bank, and other intergovernmental agencies, sharing policy positions on land reform and coordinating support for activities on improving tenure security, including the agrarian reform campaign. This has culminated in a Memorandum of Understanding between seven organizations for collective support to the campaign.
- The campaign has also established a platform of interaction between land rights and community forest-users movements, to formulate a more integrated position for implementing land reform and ensuring sustainable land use and resource management. Finally, it has expanded and strengthened the Land and Agricultural Rights Campaign to 50 districts; this has brought discussions from the community to national level.
- In the next years, the campaign will continue ongoing policy advocacy, networking, capacity development, and supporting agriculture cooperatives and land management activities, but plans to focus on pressuring and influencing the CA on land issues and policies, as well as working with the Land Commission and supporting the process of writing the People's Report to the Commission.

National Campaign - Philippines

- The Land Watch Philippines campaign functions as an intersectoral platform for land issues of small landless farmers, IPs, forest users and fisherfolk. The campaign's greatest victory is the extension of the Comprehensive Agrarian Reform Program (CARP), with a new law passed and signed in August 2009. Land Watch Philippines member the People's Campaign for Agrarian Reform Network (AR Now!) led in the intense lobbying efforts for the passage of Republic Act 9700 which provides the funding to extend CARP and make essential reforms to the existing Agrarian Reform Law. The new law breathed life to CARP's Land Acquisition and Distribution component, allowing the continued redistribution of some 2 million hectares of mostly private agricultural lands to identified beneficiaries.
- The campaign has organized cross-sectoral discussions between IPs and farmers to tackle new policies affecting land reform implementation. For example, the 2nd Land Watch Conference was held last August, gathering representatives from the four sectors to discuss challenges to advocacy on land – the CARP extension with reforms (CARPer) law, land grabbing, land conflicts due to overlapping policies and confused mandates, the Alternative Mining bill, and the National Land Use Act (NLUA) campaign. The Land Watch convenors have been assessing and rethinking strategies to push the passage of NLUA in the next Congress after the May 2010 elections.
- A mechanism for the campaign to engage high-level stakeholders, the Philippine Development Forum (PDF) comprises government agencies and donors, and now CSOs, to discuss development priorities. ANGOC actively sits in the Sustainable Rural Development (SRD) working group and its sub-working groups on Land, Upland and Agribusiness. ANGOC brought in the Land Watch Philippines convenors, and collectively they have raised community issues and perspectives on agrarian reform, resource management, mining, and IP rights.
- The campaign's project on Intensifying the common pursuit for land, justice and food security of IPs and Farmers in Mindoro and Bukidnon has provided a forum for common advocacy of IP and support groups.

Moving Forward

For 2010 – 2012, LWA shall:

- ▣ Engage national governments, IGOs, regional organizations & IFIs in constructive policy dialogue to uphold the rights of communities to land and food



Moving Forward

- Monitor the status and processes of landlessness, resolve/mediate land conflicts, conduct land use planning and mapping, facilitate post-distribution services



Moving Forward

- ▣ Build solidarity and alliances with social movements, community-based organizations, and other sectors towards common action on these issues, and develop a new generation of land rights advocates.



Moving Forward

On Information Networking

- LWA Electronic newsletter (sharing research outputs & campaign updates)
- Knowledge portal on the ANGOC web (up to date, dynamic, accessible repository of relevant outputs & knowledge products from LWA partners)
- Media activities at regional level (ANGOC & LWA to popularize the issue of land rights through writing to editors, submitting feature articles, organizing press conferences, etc.)

On Policy Dialogue & Campaigns at Country Level (Activities to take off from processes & results of LWA country papers & scoping studies)

- Cross-sectoral discussions & mobilizations to pursue recommendations from the studies
- Engaging with regional institutions (ASEAN, SAARC, CIRDAP), IFIs (ADB, IFAD, WB), & IGOs (FAO, UN, ILO)

On Regional Campaign

- Policy work on land use, biofuels and land grabbing; Possible interventions at country level may include documentation of land conflicts and land grabbing, and organizing roundtable discussion involving NGOs/CSOs and various sectors (farmers, fisherfolk, IPs, women, forest dwellers, etc.) on such topics.
- Roundtable discussion with ASEAN, SAARC, Japanese and Australian governments
- Participation in other regional/global processes & campaigns
- Development of framework for CSO Shadow Reports (common indicators)
- Regional dialogue with Asian Development Bank, WB, AusAid on land administration and management projects
- Regional dialogue with FAO, IFAD and ADB on access to land, land grabbing and food security vis-à-vis review of MDGs
- Expand campaigns in Burma, Laos, Pakistan, Sri Lanka and Vietnam

Insights

Process of drafting country papers

- provided an opportunity for NGOs to better strategize their advocacy on land rights of the marginalized communities in six countries
- different perspectives provided the broader context for identifying the challenges and opportunities to advance land rights

Insights

Information Networking

- strengthen and inspire each other thru sharing and solidarity of members work among the LWA members
- limitation of e-newsletter vis-a-vis Asian culture (face to face meetings, languages)
- need for a communication and media plan

Insights

Regional Campaign

- defined realistic objectives and limitations to a regional campaign with the institutions studied
- campaign is fluid; difficulty to subject in logframe or results-based management
- ongoing political act

Maraming salamat

Merci

Thank you

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