



There is no VFV in our area!

Movements Compilations of LIOH & Allies





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“There is no VFV in our area” Movements Compilation of LIOH & Allies

First Version: December 2019
Second Version: March 2020

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LIOH organized for compiling the movements of indigenous peoples, farmers & civil society organizations around vacant-fallow-virgin land management law and related problems; happened during 2018-2019. The national workshop for consolidating these movements has been done in Yangon on 12-13 December 2019 together with 40 participants representing 20 CSOs from different States/Regions.

The first version of the report is printed during December 2019. Second version included statements and letters released.

Photo Credits:

Cover_photo & Page 14: Children crying as their houses are destroyed, Yangon, [LIOH poster]
Original Photo received from Myanmar Pressphoto Agency

Page 2: Alliance Meeting for VFV Campaign, Bago, by LIOH

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Page 9: [La Via Campesina], via google

Page 12: Stickers, Countdown Message & Posters, by LIOH

Page 18: Research Design Workshop, Yangon, by LIOH

Page 36: Arrested Farmers are brought for trial, Karenni, by UKSY, via facebook page



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Yangon
March 2020

2nd Version with Statements Included

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Compilation of Different Movements at National Level

Origin

The Vacant-Fallow-Virgin Land Management Law originated from the vacant-fallow-virgin land management notification issued in 1991 by the State Law and Order Restoration Council (Military government) for the purpose of commoditizing land and to attract investments both for local & international businesses. It is also the notification set-up for facilitating land grabbing.

The government after 2010 general election continued to legitimize the previous land grabbing and human rights violations by transforming that notification into law in 2012. The law came out by direct order of MOALI¹ Minister and without involvement of civil societies and land rights expertise. The Vacant-Fallow-Virgin Land Management Law 2012 (VFVL) meant to ease land grabbing under economic development and to be a tool for expanding land grabbing towards ethnic peoples' area where armed conflicts are making difficult for confiscation.

Implications of VFV Law

The companies those are willing to invest, according to VFVL, can get the land up to 30,000 acres for 30 years (Section 10). The VFVL can be used to sue the farmers under encroachment (Section 27) and under disturbance (Section 28) which also enables the use of police forces for suppression.

Vacant-fallow-virgin land can be transformed into farmland (Section 34), allowing the land as collateral and commodity for leasing, mortgaging & selling (Farmland Law Section 9). That is challenging and undermining the livelihoods and live making of farmers however favoring the local & foreign business owners.

VFVL & the Farmland Law pressures individual land titling (to apply for land use certificate) that threatens rural agrarian societies where the peoples' lives, cultural & customary practices, cropping patterns and ecologies are interconnected and inter-dependent. It challenges the presence of communal areas, culturally heritage areas and customary land management systems. And it makes permanent land loss for IDPs.

Amendments to VFV (2018)

VFVL amendments were proposed during 2017 and adopted on 11 September 2018. The amendments criminalize both farmers and people who are helping farmers defending their lands. It even sets the short deadline for individual land titling – anyone using the so-called-VFV land without permission is liable for penalties either fine or imprisonment or both.

So-called VFV land, according to Land Statistics Department, are mostly from ethnic areas and 45 million acres of them (out of 50 million acres) remains unregistered. It's not practical to grant land titling for such a huge amount of land within short period of time and there are many experiences of farmers who never get reply and traceable for their application status since many years ago. Though, the credibility of the land use certificate (legally granted) is also questionable according to previous researches. Nevertheless, uncountable farmers become criminals by the law since 11 March 2019.

¹ Ministry of Agriculture, Irrigation & Livestock

Recommendations

LIOH believes self-determination, federal land governance and the peoples' rights to land are the only means for peace and social justice. Good management practices are already existed amongst communities and indigenous peoples. Ethnic land policies, customary land tenure systems and community-led & managed projects have been in place – and yet to be recognized. There is a need of federal land law that is processed democratically and safeguards the rights of land of smallholder farmers, small scale land users, ethnic peoples, landless peoples and IDPs. The transition to federal land law needs to freeze the implementation of existing land-related laws; to avoid land intensive mega projects (including agribusinesses); to ensure resolution of land conflicts; and to abolish the most dangerous VFVL.

Movements of LIOH & Allies

LIOH believes peace & social justice can only be achieved through self-determination, federal land governance and the peoples' rights to land. Therefore, LIOH denounces the laws, processes and efforts those are not for the people, undermine federal land governance and undemocratic. LIOH is standing as it believes since it was organized in 2014 and contributing positively & actively to Myanmar land reform sector. LIOH actively participated during the process of National Land Use Policy and continues commenting positively on current land legislative reforms from the perspective of the peoples' rights to land.

LIOH analyzes and concludes that the existing land reform processes and related legislative reform processes so far are not protecting the land rights of smallholder farmers, small scale land users and even damaging the customary land tenure systems of ethnic peoples. LIOH released the statements accordingly pointing out the Vacant, Fallow & Virgin Land Management Law (VFVL) is the worst amongst land-related laws favoring only for investment, undermining the customary land tenure systems, fueling more conflicts affecting peace process and required to abolish.

Despite the concerns, the amendments to VFVL was approved in September 2018. It indicates neglecting the dignity, livelihoods & living of people across country whose lives depend on their land and also neglecting the roles of civil society organizations. That situation triggered the movement of LIOH and allies.

The movements of different communities and of civil society organizations over a year after VFVL amendments (November 2018 to December 2019) can be categorized briefly as follows:

- ❖ Releasing statements
- ❖ Campaigns (and) rallies/protests
- ❖ Engagement with government
- ❖ Engagement with political parties
- ❖ Engagement with international communities (embassies, donors, INGOs)



The image is a collage of five documents related to land management in Myanmar. The documents are in Burmese, Spanish, and English. They include logos for MATA (Myanmar Alliance for Transparency and Accountability) and the 366 Myanmar Civil Society Organizations' Statement. The documents discuss the Vacant, Fallow & Virgin Land Management 2018 and related announcements, public opposition to the law, and the declaration of civil society organizations regarding the law of management of vacant, fallow, and virgin lands in Barbecho and Virgenes de 2018 and the related announcement.



Campaigns and Rallies/Protests

Sagaing Region (Upper), Kabaw Area

During March 2018, Kuki youth network led Kuki communities for a protest in Kabaw area of Tamu District, Sagaing Region. 500 Kuki peoples including women and children actively participated in this protest for “Abolishing of VFV Law” happened with 3 routes. Departmental concerns (especially and police) are shadowing and also meeting up with the leaders of protest for asking not to repeat the activity, after the protest against VFVL.

[Protest video - <https://web.facebook.com/landinourhands/videos/2239633849437252/>]

[Interview with a protester - <https://web.facebook.com/landinourhands/videos/337464087112248/>]



Chin State

Chin Land Affairs Network (CLAN) led the “VFVL abolishment” movement including releasing a statement, submitting an open letter and poster campaign happened in 9 townships including Kalay Township from Chin State. “Chin National Day” was celebrated the same time in 9 townships and a statement was released a statement against VFVL. Poster campaign happened mostly in Hakha and Teedim Townships. CLAN engaged with members of parliament and also submitted an open letter to Chin State Parliament upon VFVL implementation processes.

Departmental concerns from Central Level (Naypyitaw) are coming down for watching up the situation after the campaign shows the level of interest by Union Government and Government officials asked to remove “no VFV” posters in some townships. However, public is standing strong together with the movement and village administrators are also supporting.





Shan State (Northern)

“Our shan state has no VFV but ancestral land” – the campaign happened in Hsibaw Township of Shan State (Northern) in 29 April 2019. Altogether 690 peoples from 30 villages come together for the campaign rally after a workshop of farmers from Namtu, Hume, Hsaing Khaung & Hsaing Hlyan village tracts from Hsibaw. The movement was led by Namtu-Shan youth organization (TYPU).

Shan State (Southern) (Pa-oh Self-Administrative Zone)

Land-loss farmers, CSO representatives and local communities altogether 500 peoples marched in Hsisaing Township of Southern Shan on May 1, 2019; protesting that “there is no VFV”. Although the government is pushing for VFVL implementation, there is no response on the protest and even no reply from Pa-oh Parliament Members.





Karenni State

During 2018 and 2019, over 3,000 peoples composed of indigenous peoples and CSO representatives participated in anti-VFVL protests and vinyl/poster campaigns happened in Loikaw, Demawso, Fruso, Sharda and Moebye (Shan) Townships. There are 7 songs composed by a young activist those reflect the demands of indigenous peoples on their land rights. According to the leaders who are leading the movement, there are threatening on them and government officials' asking for taking down the campaign vinyl. In addition, the administrative department released classified notifications to control and limit the activities of civil society organizations.

[Our village has no VFV - <https://web.facebook.com/KEANearthrights/videos/1939868536049290/>]

[Song - <https://web.facebook.com/KEANearthrights/videos/749269718817012/>]





Tanintharyi Region

“This area has no VFV” - “Respect Indigenous Peoples’ Rights” The campaign happened in Pyigyimandai Sub-Township of Tanintharyi during May 10-13, 2019.

In Tanintharyi Region, Bokeypin Township, Pyigyimandai sub-township, indigenous peoples, community based organizations and allies organized a movement facilitated by Southern Youth Organization. The movement brings around 100 young peoples and indigenous peoples from 16 villages together (Shandut, Malipapayin, Tiwa shaukkone, Tharabwin, Mazawmayin, Pawahtein, Pawa Htaungma, Ahnine, Naungmyangal, Htinmae, Hin Hlaing, Kawtbot, Ywartharyar, Manoeyone, Banmae & Mawkhee) – for learning forest research, KNU forest policy and rallying for “no VFV” campaign.



Mon State

During 2017~2019, altogether 3,000 peoples from 9 townships of Mon State, 1 township of Tanintharyi Region and 2 townships of Kayin State protested, “there is no VFV – there is only customary”.

Kachin State

Since 1 January 2018, indigenous peoples, civil society organizations and NGOs from Kachin State participated in various activities against VFVL; including objecting VFVL and preparing the position papers. There is a research and also report on the impacts of tissue-cultured banana plantation – that is the emerging & serious monoculture issue happening in Kachin. The research report also urges to recognize the shifting cultivation. The CSOs in Kachin are also supporting technically, financially & linkages to lawyers network for the sued farmers.

Ayeyarwaddy Region (Ngayokekaung area)

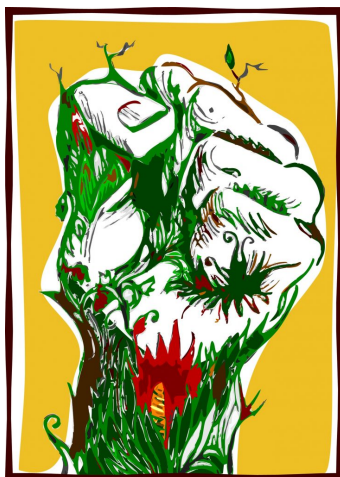
“Gawyangyi area has no VFV” – A vinyl campaign happened in Gawyangyi area – Ngayokekaung area from Ayeyarwaddy Region during October 2019, together with 200 local peoples. The campaign happened just after a public workshop discussing on VFV law and issues.

Ayeyarwaddy Region (Maubin and Laputta)

During 2019, the land-loss farmers from Maubin and Laputta conducted a farming strike. There were around 200 farmers from Maubin District for claiming back the land released by an unsuccessful project and 400 farmers from Laputta District for claiming back the land released from forest land. Although the farmers from both districts have been sued for doing farming strike, the government allowed the farmers from Laputta District to re-apply for the land.

Yangon Region (Thilawa)

On 12 May 2018, the farmers and villagers altogether 600 peoples protested in Thilawa Port of Kyauk Tan, Yangon Region – demanding to abolish the unfair decision of Yangon Region Land Reinvestment Committee. The farmers within and outside special economic zone took part together in the protest. The situation was raid by 300 polices and left 2 people with gunshot and 22 people arrested.



Brief Discussions on Problems and Activities

Department officials (especially Statistics Department) and polices are keeping eyes on every movements and meeting us. Although we responded that we are doing for the peoples' lives, they asked not to repeat the activity. Oil and coal related businesses are incoming to our area although there are no big factories yet.

(Kuki Youth Network, Sagaing Region)

The cultivated farms including irrigated farms are listed as VFV in Statistics Department. Department asked the farmers to apply for VFV. But there are cases of companies receiving the land if there's competition with farmers.

(Shwe Chin Thae Farmers Network, Sagaing Region)

Customary practices existed since before the laws. No one is interested on VFVL or form-7. Mon has 5 different tribes. The destination must be federal. We have to find ways towards ethnic land policies.

(Mon customary)

Peoples are afraid of form-7. Government is approaching agricultural incentives such as loans and land for landless. We suggested giving loans by neighborhoods' recommendation if the farmer is actually growing crops.

(Chin Land Affairs Network, Chin State)

We heard that most of VFV applicants are from military. There is a pig-breeding project in Htee Pwint Kan – the place honored by local communities. General Aung San Statue is a big problem on the way towards federalism. Court cases are continuing for farmers & youths charging with the articles excluded for pretrial release.

(Kayah Environmental Action Network, Karenni State)

Huge amount of land (6-digits acres) is grabbed under Banana plantation under VFV title. There are 100 big trucks flowing in daily from China for banana business. IDPs can't return back to their homes currently and the law is forcing for registration within limited timeframe – heating them up for losing their land either bare hand or with some rental fees from companies.

(Metta Foundation, Kachin State)

"Tanintharyi must be oil-pot of Myanmar" – the slogan started since 2003 and palm-oil plantations happened together with grabbing the land for over 1.8 million acres. Although land grabbing was in the form of military confiscation previously, the land grants to companies become faster after VFVL enactment. The allocated areas usually overlapped with community forests and community conserved areas where KNU has approved. Under NLD government, companies are applying more than 800 islands under VFVL. Despite the communities' opposition, the department accepted the proposal/application of DDPC company to get the lands along Maungmakan Beach. The most updated problem is Japan's Pearl project – threatening the existence of Salon (Mawkan) peoples. [Mawkan's Concern - <https://web.facebook.com/watch/?v=420423331950218>]

(Southern Youth, Tanintharyi Region)

Chinese investments are incoming even without notifying the communities. They started surveying and digging the trenches. Conflicts arose amongst communities between the objections to incoming projects and pressuring for form-7 application in case land grabbing happened. After anti-VFV campaign, it's obvious there is no VFV in Ngayoke Kaung area.

(Peoples from Ngayoke Kaung area, Ayeyarwaddy Region)

Government adopted amendments to VFVL despite serious oppositions and anyone who is not abiding the law are specified as criminals. Ayeyarwaddy has many areas those can be indicated as VFV as of Delta Region with many creeks & rivers. Projects are coming up in wetland areas – especially in Maubin where many wet lands are there. Even the companies release the land by failed projects, farmers never get their lands back. We need to think how we can collectively fight back the existing law adopted without public consent.

(Ayeyarwaddy Region Farmers Union)

“Myay-auk Yadanar (Underground Treasure)” project confiscated 5-digits acres after 1991 notification. The government called for application on those confiscated land after the notification became the law (VFV) – and granted again to military generals (legitimizing their grabbing). Farmers’ applications were denied at Township level with the reason of “you are not using the land and can’t apply for it”.

(Doe-myay Support Network, Yangon)

Villagers are honest and illiterate. They are using their land handed over by their ancestral thus don’t know form-7. Self-administrative zone also has land grabbing under VFVL. Military confiscated the land with the reason of building temporary military camps around 1991-1992 and never give back to original owners. The reason is changing from temporary camps to military land and to the land for war veterans. 5 farmers (who are original owners of the land) have been sued with encroachment section as they’ve tried to grow crop in that area.

(Taungdan Thiri, Pa-oh Self Administrative Zone)

Investment projects are increasing. Muse-Mandalay railway project confiscated some areas where peoples are living. They said no form-7, no land/no compensation. Related small projects are also coming out for mega businesses. For example, government & company collaborate for livestock projects but failing to tell about the interests and consequences of those projects.

(Northern Shan Land Network, Shan State)

Government is watching over our movements since after first assembly. Traveling is difficult in the areas where armed conflicts are happening. These situations make many difficulties for movements around VFVL.

(Arakan Peasants’ Union, Rakhine State)

Chief Minister said Magway has more than 30,000 acres of VFV; and verbally saying to give back to original owners (farmers) if there is. However, there is no case of farmers getting back their land till now. This situation is described in letter to the President. A sho Chin ethnic peoples are living within Magway Region sharing the boundary with Arakan Hills; who are still practicing customary land management practices. The area also has a Minister for ethnic affairs. Soon after the release of VFVL related notification, 10 village tracts of Chin peoples submitted a letter of objection to concern departments. The opium plantation is increasing 6 times now than before VFVL; creating concerns on young people addicting substance abuse.

(AWDO, Magway Region)

Some peoples from Aung Thabyay village got arrested under VFVL together with warrant issued for over 50 peoples. One of the detainees died in custody. Police detained a boy as his father run away. Ahlaungdaw Kassapa Wildlife Sanctuary becomes the biggest project after VFVL enactment. The project is granted to Wanpao Company that convicted many human rights violations. As the company (Chinese company) has noticed the area has a mine, they won’t stop although the government issued a letter of suspension to pilot project.

(Action Group for Farmer Affairs, Mandalay Region)

Released land are opened for VFV application instead of giving back to original owners. The applicants include members of parliament, officials from administrative departments and companies. Bago Region Parliament passed the Contract Farming Law, that raises concern of farmers as it could be implemented on the lands specified as state-land (after companies or military release it).

(Action Group for Farmer Affairs, Bago Region)



National Campaign and Movements

Countdown Campaign

LIOH launched Countdown Campaign on 11 November 2018. According to the VFVL amendments adopted in September 2018, it sets the deadline for land registration as 6 months after its adoption – that ends 11 March 2019 and anyone who continue using the land (specifies as VFV) without registering shall be specified as criminal liable for penalty (either fine or imprisonment or both). The national campaign counted down from 120 days starting from 11 November 2018 till 11 March 2019; intended warning VFVL is the unjust law that makes innocent citizens and ethnic peoples as landless criminals. The message is translated into different ethnic languages and one interesting thing is there's no such word and/or term to refer "vacant, fallow & virgin land" (VFV).



Poster & Sticker Campaign

LIOH launched visual campaign (posters, vinyl & stickers) on 1 December 2018 – as a 90-days-campaign, along with the continuing countdown campaign.

The campaign intended to notify the unjust VFV law and its implications – the messages included - "Land is not commodity", "Laws favoring land grabbing are the murder laws", "No land, No future", and "Land is the future of our generations".



Engaging with Government, Political Parties and International Community

Meeting with Government, MPs & Political Parties

LIOH requested/met with government, member of parliaments and political parties during the campaign period. LIOH met with 20 political parties at Naypyitaw on 18 November 2018 for presenting issues, concerns and possible consequences around VFVL. Consequently, LIOH together with MATA requested an appointment with the State Counselor for presenting the impacts of VFVL and the statement with the endorsement of over 300 CSOs. The request was referred to the Yangon Region Government and contacted for the appointment schedule. However, both sides couldn't make the mutual convenient time thus the meeting didn't happen.

LIOH joined for a session in Land & Environment Sector workshop and Land Sector Committee Meeting of the Union Peace Dialogue Joint Committee (UPDJC) Political Parties happened in Yangon during 26-28 September 2019. LIOH presented "Things against Federal Land Governance" – that covered the reflection on and interrelation amongst current political environment, civil war, modernizing land grabbing patterns, land related policies & laws deviated from Pinlong spirit & are pro-business, and suppression on farmers & human rights defenders. The presentation and discussion was strongly disagreed by 4 out of 21 political parties (USDP, the National Unity Party, the Democratic Party – Myanmar, and NLD) attending the workshop and half of the attended parties strongly agreed on LIOH's discussion.

Meeting with International Organizations and Embassies

As part of the national campaign, LIOH met with dome international organizations and embassies for raising up the voices, sharing the campaign updates and linking up with international communities for their support.

- UN Special Rapporteur Office (16 November 2018)
- International Peace Support Group (IPSG) (5 December 2018)
- European Union (5 December 2018)
- Netherlands Embassy (5 December 2018 and 2 April 2019)
- Sweden Embassy (8 February 2019)
- Organization for Economic Co-operation and Development (OECD) (18 June 2019)
- EU-CSO work stream meeting (8 October 2019)
- Czech Embassy

Donors

Sending the letters to donors (international donor organizations) became a part of national movement after a multi donor trust fund launched a call for proposal during December 2018. Livelihoods and Food Security Trust Fund (LIFT) called a proposal for REAL-DEV program on 14 December 2018 saying that the program, in partnership with the Ministry of Agriculture, Livestock & Irrigation, is intended to help claim the farmers getting back their lands by land title application. The call for proposal came out just 3 months after adoption of VFVL amendments and 1 month after the launch of LIOH's campaign.

Land in Our Hands (LIOH) and Myanmar Alliance for transparency & Accountability (MATA), therefore, sent an open letter to LIFT on December 24, 2018. The letter pointed out the concerns on LIFT's call for proposal that is supporting the whole strategy of Government's land reform and VFVL; where the program could legitimize the VFVL and stimulating further international funds; the potential consequences where land-loss farmers and people who has been criminalized by the dependence on their land could see LIFT and its donors are supporting VFVL; and questions for stand-point on VFVL and how LIFT would handle the program without fueling further conflicts. (<https://lioh.org/?p=545>)

In response to the open letter, LIFT met with LIOH and MATA on 9 January 2019; and also replied with a letter on 28 January 2019 (<https://lioh.org/?p=795>). LIOH submitted another letter with additional questions on 9 February 2019 as there are important information remained unclear (<https://lioh.org/?p=800>).

LIOH sent out letters also to the donors of LIFT - Joint Peace Fund (JPF) and Paung Sie Facility (PSF) – informing the dangers of VFVL, to strictly oversee their support not undermining the CSOs’ movements, not affecting peace process or fueling more conflicts by supporting VFVL. However, no reply is received from these organizations.

LIOH released a statement on the World Bank’s annual conference on land named “Land and Poverty” happened 25~29 March 2019. The statement was released on 25 March 2019, together with concerns as the conference is hosting for discussing land issues around the world including Myanmar (<https://lioh.org/?p=650>) -

“Land conflicts that are now emerging throughout the country will worsen as foreign companies, supported by foreign governments and International financial institutions, rush in to profit before any meaningful or far-reaching political and economic reforms have taken root in Myanmar. The World Bank’s engagement in the Myanmar land issue will lead to an acceleration of land grabbing and compound the dispossession of local communities from their lands and resources; and further fuel conflict and rights violations including displacement in Myanmar.”



Support of International Community

- 278 Individuals from various international institutions, academic disciplines, intellectual traditions, political communities, and institutional platforms who are working on social justice oriented land issues in various parts of the world – released a statement of concern about the Vacant-Fallow-Virgin (VfV) Land Management Law in Myanmar and Expression of Solidarity with the Grassroots Campaign Against It (<https://lioh.org/?p=549>).
[Source - https://www.change.org/p/solidarity-with-grassroots-campaign-against-vfv-in-myanmar?recruiter=924586668&utm_source=share_petition&utm_medium=twitter&utm_campaign=share_petition&lang=en-US]
- UN Special Rapporteur on the situation of human rights in Myanmar, together with 6 other UN human rights special rapporteur, released a letter on 21 January 2019, commenting and raising questions to Myanmar Government on VFVL.
(https://lioh.org/wp-content/uploads/2019/02/UN_Rapporteur_on_VFVL_20190121.pdf)
- There are commentaries on VFVL, reflecting on political environment and existing peace processes; and the relations amongst them.
 - Implementation of Burma's Vacant, Fallow and Virgin Land Management Law: At Odds with the Nationwide Ceasefire Agreement and Peace Negotiations (7 January 2019)
(<https://www.tni.org/en/article/implementation-of-burmas-vacant-fallow-and-virgin-land-management-law>)
 - "A Declaration of War on Us": The 2018 VfV Law Amendment and its Impact on Ethnic Nationalities (31 January 2019)
(<https://www.tni.org/en/article/a-declaration-of-war-on-us>)
 - 'There is no vacant land': A primer on defending Myanmar's customary tenure systems (6 March 2019) (<https://www.tni.org/en/publication/there-is-no-vacant-land>)
 - "First they grabbed our land with guns; now they are using the law" (3 September 2019)
(<https://www.tni.org/my/first-they-grabbed-our-land-with-guns-now-they-are-using-the-law-in-Burmese>)
- The People's Coalition on Food Sovereignty (PCFS) joins the international clamor demanding the repeal of the 2012 Vacant, Fallow, and Virgin (VfV) Lands Management Law in Burma.
(12 May 2019) (<https://lioh.org/?p=770>)
[Source - <https://foodsov.org/repeal-the-2012-vfv-law-in-burma-carry-out-a-genuinely-pro-people-land-reform-policy/>]
- Embassies and international organizations operating in Myanmar also sent out letters of concern to and/or discussed the government and concern departments upon VFVL.
 - NGOs call for halting the implementation of the VfV land law amendment to protect the rights of displaced persons. The letter was signed by 17 INGOs and released on 8 March 2019.
<https://reliefweb.int/report/myanmar/ngos-call-halting-implementation-vfv-land-law-amendment-protect-rights-displaced>
 - 41 civil society organizations call on the Myanmar Government to suspend controversial land law which risks evicting millions of farmers from their land. The letter was submitted to Chairman of the National Land Use Council and Chairman of the Vacant-Fallow-Virgin Land Management Central Committee on 16 November 2018.
<https://reliefweb.int/report/myanmar/41-civil-society-organisations-call-myanmar-government-suspend-controversial-land-law>
 - Deputy Head of Cooperation of the Embassy of Switzerland and LIFT, led a LIFT delegation meeting on 14th January with the Union Minister of Agriculture, Livestock and Irrigation. The delegation asked for a suspension of the implementation of the law until the main concerns are solved.
<https://www.facebook.com/swissembassyyangon/posts/1140927542751366>

Reactions

Soon after the adoption of amendments to VFVL and announcement of related notification, civil society organizations throughout country released the statements and started movements in various means. Various political bodies, different international organizations, embassies and UN Special Rapporteur took part for expressing their concerns and urging to suspend the implementation of the VFVL. Surprisingly, there's no obvious response from the government despite those consecutive arguments. According to the informal information through the meetings of some international organizations with concern ministry, the officials are denying the negativities of the law and even saying in contradiction that the penalties set the law will not be enforced.

Members of Parliament (MPs) replied, through informal meetings with some civil society organizations, they have to vote for the bills or draft laws especially based on the law making procedures with little or no debate specifically on land rights perspective. And there's no specific parliamentary committee with specific mandates on land and existing committees do not have implicit roles for land. In this regards, MPs are focusing only on the executables of the law. However, even a single provision from VFVL that is forcing to register 45 million acres of so-called-VFV land within 6 months (passed the deadline since 11 March 2019) remains unchanged.

Huge amount of land allocation to companies under VFV, on the other hand, is continuing together with suing and jailing the farmers. Large scale land allocation to the companies is followed by suing the farmers at all time. The following are sample cases:

- ❖ "Tanintharyi landholders sued under new law" – First case happened since August 2018 and Second case happened after VFVL amendments in September 2018
<https://www.mmtimes.com/news/tanintharyi-landholders-sued-under-new-law.html>
- ❖ Orchard Company sued 35 farmers for 550 acres of land from Maubin, Ayeyarwaddy Region in March 2019
(<https://www.facebook.com/121507374560090/posts/2496407260403411/>)
Farmers protesting for that case: <https://www.rfa.org/burmese/news/maubin-farmers-protest-12262018061436.html>
- ❖ Shwe Than Lwin Company sued 4 of 26 farmers who took part farm strike in Ywar Ngan (Shan State) (January 2019)
<https://www.facebook.com/GoldenTriangleRegionalNews/videos/2066881900099487/>

Another example from Tanintharyi Region – The administrative department accept the VFV application of DDPC (company) for over 400 acres of land along the Maungmakan Beach (Dawei) despite the opposition of the villagers. As the department issued the letter for objection on the application within 14 days (14 March 2019), the villagers submitted the objection again on 20 March 2019.

<https://elevenmyanmar.com/news/locals-against-ddpc-land-lease-in-tanintharyi>

The government is also using different approaches for VFVL implementation in addition to regulatory approaches:

- ❖ Agricultural loan incentives which need form-7 (land use certificate) as collateral
- ❖ Stimulating demands for land application by promoting specific marketable plantation (E.g., Elephant Foot Yam)
- ❖ Highlighting more on securing for compensation – in case of land acquisition by the projects, only formally registered land (the one who has form-7) will be compensated

The above approaches become more obvious in Upper Sagaing Region and Chin State especially after the anti-VFVL movements from that area, according to the CSOs leading the movements. Although the authorities were approaching and/or shadowing on the leaders of campaigns & movements from different areas (plus asking to take down the posters/vinyl in some areas), the campaigns have been proceeded with the support of local communities and till now, there is no legal action or suing them.

In terms of civic and civil society space, the anti-VFV campaigns and movements could also bring together

the civil society organizations and international organizations in some ways even though the driving forces may differ -- VFVL abolishment OR amending VFVL OR helping farmers within available legal provisions.

The reactions can be summarized as follows:

- The government at central level (Union level) is less or no responsive on the movements and there is no observable change yet
- The government at region/state and local administration is continuing VFVL implementation by different means according to public opposition or acceptance
- Large scale land allocation is continued happening together with suing the farmers
- Indigenous peoples' responses are strong based on the civil society organizations they have in their area
- Different organizations both at local & international met a point by on the issue of VFV and VFVL although the directions may differ. However, VFVL abolishment is a MUST if the ambition is for broader comprehensive land reform.



A Milestone and Continuum

Legislative reform of Myanmar land sector is still far away from federal land management and social justice, with failure to opt for good practices those are already happening within different communities. Land is related directly with peace, solidarity, IDPs' sufferings, land intensive mega projects, landless issues, peoples' livelihoods and agriculture – which need comprehensive approach with basic principles for resolving the problems. Basic principles must not be for physical development alone, for numbers-based development, for a few peoples' interest, for promoting the culture of exploitation/monopolizing (+polarization) OR for stimulating those favor similar aforementioned situations.

Principles must bring genuine peace & federal democracy, social justice, social harmony and social-ecological harmony; must resolve land conflicts including landlessness; must control land grabbing; and must consider for the future. In summary, the principles and the efforts or contributions towards land reform must adopt 5Rs as a whole – Restitution, Recognition, Redistribution, Regeneration/Recalibration and Representation/resistance/[political]Revolution.

Existing land reform [including legislative reform] and processes are excluding those principles – pushing the economic development alone. The Vacant-Fallow-Virgin Land Management Law, its concepts and intentions are the worst amongst others and it becomes the severest example neglecting unsettled land conflicts, farmers' sufferings, customary practices, peoples' rights to land and the role of civil societies. Although VFVL is one of the problematic things on the journey of land struggle, it must be abolished - not the amendments (2018), but the whole concept of VFVL.

This report is a collaborative effort of CSOs who demand VFVL abolishment; and composed with the campaigns and movements happened during 2018-2019, compiled at hand within a short period of time. Therefore, it couldn't cover all the movements and efforts around VFVL. This is prepared just as a milestone on the long journey of land struggle and a supportive document that can be referenced for future movements & activities.



Statements

Statement: Land in Our Hands (LIOH) and MATA



Civil Society Organizations' Statement on the Vacant, Fallow & Virgin Land Management 2018 and related announcement

16 November 2018

Despite continuing & serious public opposition to the Vacant, Fallow & Virgin Land Management Law and the amendments, it was passed on 11 September 2018. A short time later on 30 September 2018 the Vacant, Fallow & Virgin Land Management Central Committee issued a letter notifying the public that the persons and organizations currently using the vacant, fallow & virgin land without permission from the Central Committee must register the land.

Section 22(b) of the law requires users to register the land in accordance with specifications within 6 months after the enactment of the law. Moreover, according to section 27(a), anyone using the vacant, fallow & virgin land without permission of central committee shall be punished with imprisonment for a term not exceeding two years or with fine not exceeding Kyat five lakhs or with both; as they violate the section 22(b-iii).

Our standpoint on the newly amended law and related announcement is the following:

1. The National Land Use Policy was adopted by the President's Office during January 2016. It mandates the National Land Use Central Committee to make a new overarching national land law to replace some 60 land-related laws currently in existence. Section 66(b) of the National Land Use Policy Part-8 - Land Use Rights of the Ethnic Nationalities – stipulates formal recognition and protection of customary land tenure rights and related local customary land management practices of ethnic groups, whether or not existing land use is registered, recorded or mapped. The Vacant, Fallow & Virgin Land Management Law 2018 directly contradicts and undermines that policy provision.
2. At first glance, the new Vacant, Fallow & Virgin Land Management Law's Section 30(b) seems to recognize ethnic peoples' customary land use. However, in the absence of complimentary specifications and operational provisions, this section actually facilitates people to lose their land in another way.
3. The Vacant, Fallow & Virgin Land Management Law is polar opposite to the federal democratic norms that ethnic people expressed their desire for during the 21st Century Pinglon Peace Process. It neglects the discussions that have taken place through that process, rendering them meaningless. This means the new law would impact seriously on the peace process that the Government and ethnic armed organizations are engaging in. This means that it is ineffective to amend, and instead necessary to abolish the law completely.
4. There is no vacant, fallow & virgin land in ethnic areas. The recently enacted Vacant, Fallow & Virgin Land Management Law is a law that facilitates making people who depend for their lives on land & forest to become landless. Instead of accepting and enacting this law, the fundamental priority must instead be to effectively recognize customary practices and communal land rights, and to safeguard the interest of the peoples depending on land.

5. The present law is an unjust law that prioritizes the creation of a land market for investors to come in the name of development. This law makes millions of people into landless criminals; and it eliminates their livelihoods, cultures, identity and social status. Therefore, the government must abolish this law and enact a federal land law that safeguards peoples' integrity, their lives and livelihoods and their identities.
6. This law does not take into consideration people who have been displaced by various conflicts, and instead it constitutes an effort to grab the land of ethnic peoples across the country. Genuine peace is possible only if the government formulates a law recognizing self-determination and customary rights of ethnic peoples based on federal democratic norms for land & natural resource governance.
7. Since the original enactment of both the Farmland Law and the Vacant, Fallow & Virgin Land Management law at the same time on 30 March 2012, cases of land grabbing and lawsuits against farmers have massively increased. In order to suppress the peoples' movements against land grabbing, these laws were proposed with more penalties in 2017 and the Land Acquisition Bill was also proposed to the Parliament consequently. In summary, all these efforts are not solving land conflicts but making them worse and expanding them. Therefore, the government should halt implementing these existing individual land related laws (including their amendments), and instead legislate a new federal land law, which is more fundamental.

Recommendations

Farmers are life investors on the land; they feed the whole society across the generations. Land is the lifeblood for ethnic farmers and they deserve to manage the land received from and traditionally owned by their ancestors. The federal concept needs be applied and implemented in order to safeguard these customary land management practices. Customary systems nurture many farmer generations and support the peaceful development of the State. Therefore, in order to resolve in-county land affairs peacefully, it is crucial to let ethnic farmers, who are experts for these affairs, play a leading role in determining the fate of the land.

Land problems & conflicts continue to spread in various forms in different places across the country for several reasons; this means there is no single solution for resolving. What is needed is a democratic and inclusive approach that is capable of effectively fulfilling the peoples' right to land in diverse situations and different contexts of the country. The existing land conflicts & struggles should be solved by enacting & implementing a national land law that fulfills the right to land and aligns with the Federal Union envisioned for Myanmar.

1. The process of making new federal land law must enable the full and meaningful participation & inclusion of local ethnic peoples from different areas.
2. The law must recognize and approve customary land management and uses that are good practices currently in use in ethnic regions.
3. The law must fully recognize local peoples' right to participate in decision making that affects their lives and that is free from centralized verdicts, in any land use judgments.

This statement is endorsed by the following organizations (altogether 346 organizations):

- | | |
|---|---|
| 1. Tavoyan Women's Union | 7. စစ်မျိုးဆက် ငြိမ်းချမ်းရေးနှင့် ပွင့်လင်းလူ့အဖွဲ့အစည်း (မြိတ်) |
| 2. Khaing Myal Thitsar Committee (Tanintharyi) | 8. စစ်သွေးသစ် |
| 3. Tayet Chaung Farmer Union | 9. Action Group for Farmer Affair (AGFA) |
| 4. စစ်-ပွင့်လင်း | 10. AFFL-IUF (Kyaukme) |
| 5. စစ်-ငြိမ်း/ပွင့် ရေကြည် | 11. AFFL-IUF (Naungcho) |
| 6. စစ်မျိုးဆက် ငြိမ်းချမ်းရေးနှင့် ပွင့်လင်းလူ့အဖွဲ့အစည်း (ကျော့သောင်း) | 12. ALARM |
| | 13. Alin Banmaw LDO |
| | 14. Alin Thit Social Development Organization |

15. Alinsaetamarn Library & Resource Center
16. All Arakan Students' and Youths' Congress (AASYC)
17. All Kachin Youth Union
18. Arakan Peasant Union (APU)
19. Arakan Rivers Network (ARN)
20. Arakan Youth Network (AYN)
21. Area Peace and Development Forward (APDG)
22. ASDO
23. Asiochin Independence Force (Magway region)
24. Ayeyarwaddy Transparency and Accountability Association (ATAA)
25. Ayeyarwaddy West Development Organization
26. Ayeyarwaddy-MATA
27. Ayeyarwaddy Youth Network (AYN)
28. Banmaw Youth Network
29. BBDN
30. BRIDGE
31. Burma Environmental Working Group (BEWG)
32. Burma Monitor
33. CCFC/CBA
34. Citizen Action for Transparency (ACFT)
35. Candle Light Youth Group
36. CBT - NganChaung Conservation
37. CBT - Gawyangyi Island (Nantharpu)
38. Center for Environment and Resources
39. Center for Environment and Resources Development in Arakan (CERDA)
40. Central Chin Youth Organization
41. Chin Community Based Rehabilitation (Hakha)
42. Chin Education Initiative
43. Chin Farmer Network
44. Chin Green Network
45. Chin Land Affair Network (CLAN)
46. Chin River Watch (CRW)
47. Chin Women Development Organization
48. Chin Youth Network
49. Chin Youth Organization (Kanpetlet)
50. Chinland Natural Resources Watch Group (CNRWG)
51. cho-Chin Development Association (CDA)
52. Citizens Action for Transparency
53. Center for Learning Alternative for Youth (CLAY)
54. Community Observers Association (COA)
55. Coal Watch Kawthaung
56. Community Development Association
57. Community Development Department (Kachin Baptist Convention)
58. Community Health and Development (CHAD)
59. Community Network Centre (Thahton District)
60. Community Response Group (ComReG)
61. CRAG
62. Dawei Development Association
63. Dawei Research Association
64. Dawei Watch Foundation
65. Democratic Education Corner - DEC
66. Development Organization
67. Enet - Kutkai Land Group
68. Falam Watch Group
69. FDA
70. Free & Fair (Youth) Network
71. Free and Justice
72. Forest User Association (FUA)
73. Future Star Youth Organization
74. Future Women Association (FWA)
75. Ga Ra Yang IDP Land Protection Committee
76. Galaxy Education Network
77. Global Family (Hakha)
78. Golden Heart Organization
79. GREEN (Hakha)
80. Green Development Network (Paung Township)
81. Green For All (Nahto Gyi)
82. Green Justice
83. Green Network Mergui Archipelago
84. Green Network Tanintharyi
85. Green Rights Organization
86. Grip Hands Foundation
87. Heartland Foundation
88. Hornbill Organization
89. Htoi Gender
90. Hualngo Youth Organization (HYO)
91. Humanity Institute (HI) (Kachin)
92. HURFOM
93. IFI Watch (Kyun Su)
94. IFI Watch Myanmar
95. iSchool-Myanmar
96. Jeepyah Civil Social Development Organization
97. Justice Society Organization
98. K'Cho Land Development Association (Mindat)
99. K'Cho Chin Women Organization (Mindat)
100. Kachin Bibilical Baptish Church (KBBC)
101. Kachin Lawyers' Group (KLG)
102. Kachin Literature and Culture Association
103. Kachin National Social Development Foundation
104. Kachin National Youth Network (KNYN)
105. Kachin State Farmers Association
106. Kachin State Farmers' Network
107. Kachin State women Network
108. Kachin State Youth Assembly
109. Kachin State Youth Association
110. Kachin Women Union
111. Kalyana Meikta Social Association (Khin-u)

112. Kanpetlet Land Development Organization
113. Kant Ba Lu Farmers Network
114. Karen Grassroots Women Network
115. Karen Human Rights Group
116. Karen Rivers Watch
117. Karenni Human Rights Group (KnHRG)
118. Karenni Nationalities People's Liberation Front - Youth (KNPLF - Youth)
119. Karuna Mission Social Solidarity - Kengtung
120. Karuna Mission Social Solidarity - Loikaw
121. Karuna Mission Social Solidarity - Taungngu
122. Kayah Baptish Association (KBA - CSSDD)
123. Kayahliphu Youth
124. Kachin Conservation Working Group (KCWG)
125. KEAN
126. KEG
127. KESAN
128. Khu Pho Kapaw
129. KLPDC
130. KMIW
131. KNLFP Youth
132. KOG
133. KRW
134. Kachin State Farmer Association (KSFA)
135. KSFU
136. Kyaukphyu Rural Development Association
137. Kyaukphyu SEZ CSOs Alliance (KSCA)
138. Lahu Development Network
139. LAIN Technical Support Group
140. Lairawn Zirsang Pawlkom, Kalay
141. Land Resources Group
142. Lin Lat Kyal Social Development Organization
143. Loi Yan Bum
144. Mandalay Regional Youth Association (MRYA)
145. Mandalay YMCA
146. MATA - Sagaing Region
147. Matu Women Association (Matupi)
148. Maymyo Farmer Network
149. Min Lwin Environmental Conservation Group
150. Mindat Youth Association - MYA
151. Minhla Youth
152. Mon Region Land Policy Affair Committee
153. Mon Women Organization
154. Mother Land - Tanintharyi
155. MPA (Shan State)
156. MRJ
157. Muditar Organization
158. Mwetaung Area Development
159. Myanmar Cultural Research Society (MCRS)
160. Myeik Lawyers Network
161. National Network for Education Reform (NNER)
162. NeT Organization (Northern Shan)
163. Network for Chin Community Development (NCCD)
164. NINU (Women in Action Group)
165. Nyan Lynn Thit Analytica
166. Open Data Myanmar
167. Open Development Foundation
168. Our Nature Land
169. Oway Education and Youth Institute
170. Pan Tai Shin Fisherman Rural Development Organization
171. Pan Tai Shin Rural Development Organization
172. Pan Tai Shin Women Rural Development Organization
173. Paung Ku
174. Paungsee Myittar Organization
175. Peace Law Academy Network
176. Peace Working Committee
177. Political and Civil Engagement
178. Pone Yate Sit Regional Development Organization
179. Pyoe Development Organization
180. Rain Maker Development Institute (Kachin)
181. Rainfall Gender Study Organization
182. Resource Rights for the Indigenous Peoples
183. Rule of Law Watch Group
184. Sama Zone IDP Land Protection Committee
185. SaNaR (Save the Natural Resource)
186. SarPhyu Farmer Network
187. Saytana Shaesaung Youth Organization
188. Shan Women Development Network
189. Shan Youth Parahita
190. Shwe Minn Tha Foundation (Myanmar)
191. Shwe Thinkha Social Development Organization
192. Shwechinthae Farmers Network
193. Shwechinthae Social Service Group (Shwebo)
194. Sindun Network Organization
195. Social Program Aid for Civic Education (SPACE)
196. Southern Youth Development Organization
197. Star Way CSO
198. Students and Youth Congress of Burma (SYCB)
199. Ta'ang Legal Aid
200. Ta'ang Students and Youth Union (TSYU)
201. Ta'ang Women Organization (TWO)
202. Tanintharyi Friends
203. Taung Tha Youth Organization
204. TEN - Taunggyi Education Network
205. Thanlwinthisa (Eastern Shan)
206. Third Eye (Mindat)
207. Tonzang Youth Association (TYA)

208. Uakthon Local Social Development Organization
 209. Waimaw CSOs Network (WCN)
 210. WE Generation Network
 211. WOMAN of Indigenous Network - Chin
 212. Women and Peace Action Network (Shan State)
 213. Women Power (Eastern Shan)
 214. Yong Ni Oo Social Development Organization
 215. Yong Ni Oo Women Group
 216. Youth Champion (MDY)
 217. Youth Circle
 218. Youth (Ayy)
 219. Zunlum Committee (Tanphaye)
 220. ကဒူးလူငယ်ဖွံ့ဖြိုးရေးအသင်း
 221. ကမ်းခြေအားမာန်
 ရေလုပ်သားဖွံ့ဖြိုးတိုးတက်ရေးအဖွဲ့
 222. ကယန်း အမျိုးသမီးအစည်းအရုံး (KyWO)
 223. ကယန်းမျိုးဆက်သစ်လူငယ် (KNGY)
 224. ကယားပြည်နယ်ကျောင်းသားသမဂ္ဂ (KSSU)
 225. ကရင်နီ ဒုက္ခသည်ကော်မတီ (KnRC)
 226. ကရင်နီပြည် လူငယ်များ သမဂ္ဂ (UKSY)
 227. ကရင်နီအမျိုးသားလူငယ်အစည်းအရုံး (KNYO)
 228. ကရင်သဘာဝပတ်ဝန်းကျင်နှင့်
 လူမှုရေးဆိုင်ရာကွန်ယက်
 229. ကွတ်ခိုင်တောင်သူကွန်ရက်
 230. ကလျာဏမိတ္တဖောင်ဒေရှင်း (KMF)
 231. ကလေးသူငယ်ကာကွယ်စောင့်ရှောက်ရေး
 ကွန်ယက်
 232. ကျိုင်းတုံ လူငယ်ကွန်ရက်
 233. ကျိုင်းတုံ အမျိုးသမီးကွန်ရက်
 234. ချင်းကျောင်းသားများသမဂ္ဂ - (တက္ကသိုလ်များ-
 ကလေး)
 235. ချီဖွေလူမှုဖွံ့ဖြိုးရေးကွန်ယက်
 236. ဂရုဏာရှင် နာရေးကူညီရေးအဖွဲ့
 237. ငွန်တအောင်းမြေယာနှင့်
 သဘာဝပတ်ဝန်းကျင်ထိန်းသိမ်းရေးအဖွဲ့
 238. ငါတို့အနာဂတ်ရှေ့ဆောင်
 239. စစ်တောင်းသံစဉ် လူမှုကွန်ရက်
 240. စိမ်းလန်းမိုးကုတ်
 241. စိမ်းလန်းပြင်ဦးလွင်
 242. စိမ်းရောင်စို (တံတားဦး)
 243. ဆွတ်ရိန်မြေယာအဖွဲ့ တာမိုးညွှဲ
 244. ဆာကဆာ
 245. ဆာကဆော
 246. ဆာကပေါ်

247. ဆာဂူဝေါ်
 248. တအောင်းကျောင်းသားနှင့် လူငယ်များအဖွဲ့
 (TSYU)
 249. တာကပေါလူငယ်အဖွဲ့
 250. ထွန်းသစ်စ လူမှုဖွံ့ဖြိုးရေးအဖွဲ့
 251. ထွယ်ဂင်တောင်
 252. ထွယ်ဆန်
 253. ထားဝယ်ခရိုင် တောင်သူလယ်သမားသမဂ္ဂ
 254. ဒို့မြေ ပြည်သူ့အကျိုးပြုကွန်ယက် (တုံတေး)
 255. ဓမ္မအလင်း ယဉ်ကျေးလိမ္မာအဖွဲ့
 256. နမ့်ကျူပရဟိတဖောင်ဒေရှင်း
 257. နမ့်ဖက်ကာ
 သဘာဝပတ်ဝန်းကျင်ထိန်းသိမ်းရေးအဖွဲ့
 258. နားချမ် လူမှုအဖွဲ့အစည်း
 259. ပညာ့တံခါး အကယ်ဒမီ
 260. ပန်းပျိုးလက်ပရဟိတအဖွဲ့
 261. ပန်းပျိုးသူ ကျေးလက်ဒေသဖွံ့ဖြိုးရေးအဖွဲ့
 262. ပန်းသီကြိုး LGBT အဖွဲ့
 263. ပါချန်မြစ်ထိန်းသိမ်းစောင့်ကြည့်ရေးအဖွဲ့
 264. ပါချန်မြစ်ထိန်းသိမ်းစောင့်ကြည့်ရေးနှင့်
 မြစ်ဝှမ်းဒေသဖွံ့ဖြိုးတိုးတက်ရေးအဖွဲ့
 265. ပွိုင့်-ရိုးရာဝန်းကျင်မြှင့်တင်ရေးအဖွဲ့
 266. ပဒေသာမိုး
 267. ပဲကိုင်ရှင်
 ရေလုပ်သားငယ်များဖွံ့ဖြိုးတိုးတက်ရေးအဖွဲ့
 268. ပျိုးဥယျာဉ် ပညာရေးအထောက်အကူပြုအဖွဲ့
 269. ငြိမ်းသံလွင်ဖောင်ဒေရှင်း
 270. မြို့မလူငယ်မိတ်သဟာယ
 271. မင်္ဂလာဖောင်ဒေရှင်း
 272. မတူစိန်တလန်နယ်အဖွဲ့
 273. မတူဖိုရမ်ကော်မတီ
 274. မျှဝေကရုဏာ
 275. မိုးဟောက် မူးယစ်ဆေးဝါးတိုက်ဖျက်ရေးအဖွဲ့
 (မိုးမိတ်)
 276. မုံးမော်နယ် ကချင်နှစ်ခြင်းဖွံ့ဖြိုးရေးဌာန
 277. မျိုးဆက်သစ် (ရှမ်းပြည်)
 278. ဖြူစင်မေတ္တာ နာရေးကူညီမှုအသင်း
 279. မြန်မာနိုင်ငံ ရဝမ်စာပေနှင့် ယဉ်ကျေးမှုအသင်း
 280. ရက္ခအားမာန် လူမှုကူညီရေးအသင်း
 281. ရခိုင်ပြည်လုံးဆိုင်ရာ တောင်သူလယ်သမားသမဂ္ဂ
 282. ရခိုင်ပြည်လုံးဆိုင်ရာ
 အရပ်ဘက်လူမှုအဖွဲ့အစည်းများ မိတ်ဖက်အဖွဲ့
 283. ရခိုင်လူငယ်မျိုးဆက်သစ်ကွန်ရက် (RYNGN)

284. ရခိုင်အရပ်ဘက်လူမှုအဖွဲ့အစည်းများကွန်ရက် (ACN)
 285. ရည်ရွယ်ရာ လူငယ်ဖွံ့ဖြိုးရေးအဖွဲ့
 286. ရတနာရောင်ခြည် လူမှုဖွံ့ဖြိုးရေးအဖွဲ့
 287. ရှစ်လေးလုံးသွေးသစ်အဖွဲ့ (မိုးညှင်း)
 288. ရှမ်းပြည်နယ်(မြောက်ပိုင်း) မြေယာနှင့်တောင်သူကွန်ရက်
 289. ရှားနားအဖွဲ့ (နာဂ)
 290. ရိုးမချင်း - စေတုတ္ထရာ
 291. လက်ဖက်စိုက်ပျိုးထုတ်လုပ်သူများအဖွဲ့ (မိုးမိတ်)
 292. လချိတ်စာပေနှင့် ယဉ်ကျေးမှုအသင်း
 293. လပွတ္တာ တောင်သူလယ်သမားသမဂ္ဂအဖွဲ့
 294. လူ့ဘောင်သစ်လူငယ် (YNS)
 295. လူမှုထာ
 296. ဝံလက်ဖောင်ဒေးရှင်း (ရခိုင်ပြည်)
 297. သင့်မြတ်လိုသူများအဖွဲ့
 298. သင့်မြတ်သူများ၏ငြိမ်းချမ်းရေးလမ်းစဉ်အဖွဲ့ (PoPP)
 299. သဘာဝပတ်ဝန်းကျင်ထိန်းသိမ်းရေးအဖွဲ့ (ဆီဆိုင်)
 300. သဘာဝပတ်ဝန်းကျင်ကာကွယ်ထိန်းသိမ်းရေးနှင့် တောင်သူလယ်သမားဖွံ့ဖြိုးရေးအဖွဲ့ (ရှမ်းပြည်)
 301. သဘာဝပတ်ဝန်းကျင်ထိန်းသိမ်းရေးအဖွဲ့ (ပေါင်းလောင်း)
 302. သူရိန်ထွန်းဒေသဖွံ့ဖြိုးရေးအသင်း
 303. သံတောင် WON
 304. ဟိုပင်ရှမ်းနီစာပေယဉ်ကျေးမှုအဖွဲ့
 305. အခမဲ့ပညာရေးဝန်ဆောင်မှုအဖွဲ့
 306. အနာဂတ်အလင်းကော်မတီ (ဘုတ်ပြင်း)
 307. အမျိုးသမီးမိတ်သဟာယ၊ နှစ်ခြင်းအသင်းတော်
 308. အမျိုးသားသဟာယ (မတူပီ)
 309. အလင်းတန်းလူမှုဖွံ့ဖြိုးရေးအဖွဲ့
 310. အလင်းဗန်းမော်ဘက်စုံဖွံ့ဖြိုးရေးဖောင်ဒေးရှင်း
 311. အလင်းသစ္စာကော်မတီ (ဘုတ်ပြင်း)
 312. အလင်းရောင်ပန်းတိုင်ကော်မတီ (ကျွန်းစု)
 313. အလုပ်သမားဖွံ့ဖြိုးတိုးတက်ရေးအဖွဲ့
 314. အသံ (လွတ်လပ်စွာထုတ်ဖော်ပြောဆိုခွင့် လှုပ်ရှားမှုအဖွဲ့)
 315. အားမာန်သစ် လူမှုဖွံ့ဖြိုးရေးအဖွဲ့
 316. အဲန်တောင်ပေါ်သားဘော်ဒါအဖွဲ့
 317. အနှိုင်းမဲ့မေတ္တာရှင်

318. ဥသုဒ္ဓေသလူမှုဖွံ့ဖြိုးရေးအဖွဲ့အစည်း
 319. ဧရာပျိုမေ အမျိုးသမီးဖွံ့ဖြိုးရေးအဖွဲ့
 320. ကောင်းမြတ်နုလုံးသား ကျန်းမာရေးစောင့်ရှောက်မှုအဖွဲ့
 321. ကော့သောင်းမြို့ နိုင်ငံပိုင်မြေယာစောင့်ရှောက်ရေးကော်မတီ
 322. ကျေးလက်ဒေသဖွံ့ဖြိုးရေးအဖွဲ့
 323. ကျောက်ဖြူမြို့နယ်လုံးဆိုင်ရာ တောင်သူလယ်သမားသမဂ္ဂ
 324. ဆွေသဟာလူမှုဖွံ့ဖြိုးရေးအဖွဲ့
 325. တောင်သူကွန်ရက် (ကော့သောင်း)
 326. တောင်သူလယ်သမားစိုက်ပျိုးမွေးမြူရေး ကွန်ယက်
 327. တောင်သူလယ်သမားများ ဥပဒေအထောက်အကူပြုကွန်ရက် (ရခိုင်ပြည်နယ်) PLAN-A
 328. တောင်သူလယ်သမားများနှင့် မြေယာလုပ်သားများသမဂ္ဂ (မြန်မာနိုင်ငံ)
 329. တောင်သူလယ်သမားများနှင့် မြေယာလုပ်သားများသမဂ္ဂ (ရှမ်းရှေ့)
 330. တောင်သူလယ်သမားများနှင့် မြေယာလုပ်သားများသမဂ္ဂ (မြိတ်)
 331. တောင်သူလယ်သမားသမဂ္ဂ - ကော့သောင်း
 332. တောင်သူလယ်သမားအဖွဲ့ (ရပ်စောက်)
 333. မေတ္တာဖွံ့ဖြိုးရေးဖောင်ဒေးရှင်း
 334. မေတ္တာလက်ကမ်း (မြိတ်)
 335. မေတ္တာရှေ့ဆောင်
 336. မြေယာနှင့် သဘာဝဝန်းကျင်ထိန်းသိမ်းရေးအဖွဲ့ ကွတ်ခိုင်
 337. ရောင်စဉ်လှိုင်း - ရေရှည်တည်တံ့သော ဖွံ့ဖြိုးမှုဆိုင်ရာအသိပညာပေးကွန်ယက်
 338. ရွှေနံသာ တောင်သူလယ်သမားအဖွဲ့
 339. ရွှေအနာဂတ် လူမှုဖွံ့ဖြိုးရေးအဖွဲ့
 340. လေးအိမ်စု မင်္ဂလာလူငယ်အဖွဲ့
 341. လောင်ပျစ်ခေါင်သဘာဝထိန်းသိမ်းရေးကော်မတီ
 342. အောင်လောင်းတောင်သူအဖွဲ့ မိုးမောက်
 343. နွေအရိပ်စာကြည့်တိုက်
 344. နှစ်ခြင်းအသင်းတော် (မတူပီ)
 345. နုလုံးလှသွေးလှူရှင်အသင်း
 346. နိုင်ငံပိုင်မြေယာ ထိန်းသိမ်းစောင့်ရှောက်ရေး ကော်မတီ (ကော့သောင်း)

Statement: LIOH's Statement on World Bank's Conference



LIOH Statement regarding the World Bank's 2019 conference on Land and Poverty

25 March 2019

From the 25-29 the World Bank is hosting its annual conference on "Land and Poverty Conference 2019". This conference is pitched as a platform for experts to gather and present on solutions to the world's land issues, including those afflicting Myanmar's people today.

We, the Land in Our Hands, [a multi-ethnic national network in partnership with civil society and community based organizations across Myanmar], firmly believes that the World bank is the wrong institution to be leading communities out of land related poverty at a global scale, and has a major conflict of interests as the Bank has arguably exacerbated land related inequality through its investments and structural adjustment programs.

Myanmar is facing a serious land crisis that has been built on decades of successive military government's systematic and widespread land expropriations from the country's people. The current semi-civilian government, led by the NLD, has followed in the footsteps of previous authoritarian dictatorships in attempting to corner land as an investment opportunity while ignoring the history of land expropriations and how they continue to fan the flames of inequality, conflict and poverty.

Sadly, the NLD-led government's land reforms are deepening the existing land tenure insecurities of millions of farmers across the country, and foreclosing opportunities for genuine federal democratic reforms and lasting peace.

The recently amended Vacant Fallow Virgin Land Management Law effectively designates 45 million acres of land in Myanmar as "untitled" or vacant land, leaving it open for investment - 82 per cent of this land lies in non-Bamar ethnic States. There is no such thing as vacant land in Myanmar, and by ignoring the diversity of existing land tenure systems practiced by local farming communities, this law will transform these farmers into landless criminals, deprive them of their livelihoods and strip them of their cultural heritage and identity. In response to this situation, 346 CSOs across Myanmar (<https://lioh.org/?p=46>); the ethnic political parties (<https://lioh.org/?p=53>) and war affected displaced community from Kachin (<https://lioh.org/?p=61>) issued statements calling on the Myanmar government to repeal the VFVL law.

Land conflicts that are now emerging throughout the country will worsen as foreign companies, supported by foreign governments and International financial institutions, rush in to profit before any meaningful or far-reaching political and economic reforms have taken root in Myanmar. The World Bank's engagement in the Myanmar land issue will lead to an acceleration of land grabbing and compound the dispossession of local communities from their lands and resources; and further fuel conflict and rights violations including displacement in Myanmar.

Land in Our Hands (LIOH)

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Statement: IDP Communities

Statement on 2018 VFV law by IDPs from Kachin and Northern Shan state

Date: 26th November 2018

The 60-years long civil war in Myanmar led to 1.1 million IDPs and refugees living in IDP camps inside the country and refugee camps in other countries for their security. Because of the recent civil war which flared up again in 2011, there are about 120,000 IDPs living in IDP camps in Kachin and Northern Shan states.

The 2018 Vacant, Fallow and Virgin Land Management Law approved by the parliament last September 11th 2018, introduces a deadline for land registration. Article 22 (b) of the 2018 VFV Law states that the land has to be registered within the six months after the law was approved, and further states that people who do not follow this law will be imprisoned for 2 years or will be charged for 500,000 kyats or both.

In relation to the new 2018 VFV law, an announcement was made by the VFV management committee on October 30th 2018. This announcement is entitled “Announcement to the people and organizations which are using the vacant, fellow and virgin lands without the permission of the central committee”. The announcement was confirmed in the Myanmar Ah Lin newspaper on November 2nd 2018 in an article referring to the “Announcement on vacant, fellow and virgin land registration”.

This law and especially Article 22 (b) is threatening the land security of IDPs from Kachin and Northern Shan states. Thus, the IDPs from Kachin and Northern Shan states are releasing this statement.

1. The lands that IDPs have left behind are not vacant, fallow or virgin land. Before the fighting happened in 2011, our ancestors were the original occupant and had worked on those lands using our own customary practices.
2. IDPs who are displaced because of the civil war are people whose rights are being violated, and we fully intend to go back to our original lands once the country is in peace.
3. We IDPs are concerned for our land because companies are coming into the area in different ways and are working on our lands, for banana and other types of plantations. We, the affected IDPs, have sent complaints to the Kachin state government to protect our land from being confiscated by companies twice; once on 2017 October 13th and on 2018 April 3rd. However, our lands and our original places are still insecure.
4. We IDPs and refugees have the right to own our houses, our lands and our original places, according to the Pinheiro Principles of the United Nations.
5. The people’s government elected by people has to stop providing land registration and giving permission to companies and outsiders to work or use the land of IDPs. The government is obliged to fully protect the people.
6. The people’s government elected by the people must stop companies which try to take the land of IDPs for banana plantation and other plantation, and must take action on them as needed.
7. The people’s government elected by people must prevent the IDPs’ original land from being registered as forest land or state owned land.
8. The people’s government elected by people must take full responsibility to give back the land and natural resources that the 1.1-million displaced persons and refugees left behind when the latter are able to return back to their land. And until the IDPs return back to their land, the government must take full responsible to protect the IDPs properties and lands.

9. The VFV Law (2018) goes against the 2016 National Land Use Policy and does not recognize the customary land practice of the indigenous people. Moreover, this law is making the indigenous people to become criminals. This article is not in line with federal democracy standards and can cause land conflicts in ethnic reconciliation and peace process. This law can also make the IDPs to become landless people and threaten the land security. Thus, we release this statement calling for the abolishment of this law.

By IDPs from Kachin and Shan states

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Daw Ywe Sont	- 09778825331
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Statement: Karenni Land Workshop

Statement released from Karenni Land Seminar

5 December 2018

Karenni Land Seminar was organized during 4-5 December 2018 (2 days) in Demawso of Kayah; together with 175 participants including farmers, ethnic peoples, local representatives from different townships and representatives from community-based organizations, local representatives from political parties and individual observers. The seminar hosted the discussions on constraints & challenges around land rights of local farmers and indigenous peoples, Karenni Land Policy and released the statement as follows:

1. Agree and approve to use Karenni Land Policy as a common land policy for fulfilling and safeguarding land rights of Karenni People and indigenous peoples.
2. There is no vacant, fallow & virgin land in Karenni State. Karenni People and indigenous peoples denounce the effort to grab the land & natural resources of Karenni people as vacant, fallow & virgin lands and to impose Karenni People as criminals under the Vacant, Fallow & Virgin Land Management Law (2018) enacted on 11 September 2018.
3. The notifications and laws including the Vacant, Fallow & Virgin Land Management Law those are oppressing the land & natural resource rights and management of Karenni People and indigenous peoples must be abolished and the customary land management of Karenni People and indigenous peoples must be safeguarded & recognized legally.
4. Amending the laws, issuing notifications and signing agreements for investments must be stopped before a new genuine Federal Land Law or Union Land Law come out; and making decision or implementing the activities those might affect the land, resources and territories of Karenni People & indigenous peoples without their consents is forbidden.

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Statement: UNA and Partner Organization

Joint Statement of the United Nationalities Alliance and its Sister Organizations on the Vacant, Fallow & Virgin Land Management Law

November 2018

1. The Farmland Law and the Vacant, Fallow & Virgin Land Management Law were enacted in 2012 and amended with more penalties in late 2017. Now, we've learned that the amendments to the Vacant, Fallow & Virgin Land Management Law were passed during September 2018.
2. The Farmland Law and the Vacant, Fallow & Virgin Land Management Law come up without a land policy as the National Land Use Policy was adopted in January 2016. And in the presence of more than 60 laws related to land use, **the National Land Use Policy stipulates the National Land Use Central Committee to draft a National Land Law.**

In section 66(b) of the National Land Use Policy Part-8 - Land Use Rights of the Ethnic Nationalities – it demands to recognize formally & to protect customary land tenure rights and related local customary land management practices of ethnic groups, whether or not existing land use is registered, recorded or mapped. The Vacant, Fallow & Virgin Land Management Law 2018 is in contrary with that provision.

3. People across country, depending and conserving land, forest, environment and ecosystems through generations, are the primary owners. The principal interpretation of vacant, fallow & virgin land on the land resources those already have owners – means grabbing the land ownership of people.

The essence of the Vacant, Fallow & Virgin Land Management Law is **demolishing the ethnic peoples' genuine land ownership and supporting centralized management; which is polar opposite to democratic norms those ethnic peoples desired and potentially affecting seriously on peace process.** Therefore, just amending legal terms & provisions is not capable to remove the essence of the law.

4. After the enactment of the Farmland Law and the Vacant, Fallow & Virgin Land Management law at the same time on 30 March 2012, the Land Nationalization Act 1953, the Tenancy Law 1963 and the Law Protecting Peasants' Rights 1963 were abolished according to the Farmland Law section-43. The Law Protecting Peasants' Rights which is from socialist era, protects the farmers from getting sued, properties seized and land grabbed. Since the law was abolished in 2012, the protection on farmers is ended and farmers were sued and their lands were grabbed officially. There were cases of suing the whole village in many places and land grabbing cases are trending. In order to suppress the movements against land grabbing, these laws were proposed with more penalties in 2017 and the Land Acquisition Bill was also proposed to the Parliament. The bill was opposed as it can expand land grabbing thus was renamed as the Land Acquisition, Resettlement & Rehabilitation Bill in 2018. In conclusion, the Farmland Law 2012, the law amending the Vacant, Fallow & Virgin Land Management Law 2018 and the Land Acquisition Bill are the laws with the intention to grab the land, to legalize the previous land grabs and to exploit the power & profit.
5. Civil society organizations and lawyers are helping the victims as land grabbing cases are increasing. The amendments to the Vacant, Fallow & Virgin Land Management Law in 2017 include provisions to punish both the person who resides/enters and the person casing to reside/enter and penalties increased from 6-months imprisonment to 2-years imprisonment. In overview, all of those 3 land-related laws are aiming to expand and legitimize land grabbing.

6. Most of the farmers tenanted do not aware on land titling and that their lands are specified as vacant, fallow or virgin land under the Vacant, Fallow & Virgin Land Management Law; thus just to be labeled as trespassers and penalized. And legal professions, activists and organizations helping the tenant farmers from losing their land will become criminals under the specification of the person/organization casing/helping to trespassers.

On the other hand, the opportunists closed to authorities are taking advantage by applying the land use under the vacant, fallow & virgin land titles - those the people are depending for their lives – and become landlords within a short period. The provisions granting 50,000 acres of land for 30 years are not for any tenant farmers but clearly for domestic & international investors, cronies and opportunistic wealthy persons. The vacant, fallow & virgin land can be reverted to farmland according to the Farmland law section-34 and this exactly is creating landlord system.

The provision for seizing back the land if it is not used as proposed and if it is not registered within specific duration would oppress one-sidedly to farmers rather than enterprises and wealthy persons.

7. Therefore, we release this statement in joint effort on **existing 3 land-related laws including the Vacant, Fallow & Virgin Land Management Law, that the enactment and implementation of these laws** intending for wealthy peoples and landlords without prior existence of a good governing land law aligned to the National Land Use Policy **must be halted and abolished completely rather than amending the provisions.**

The United Nationalities Alliance and its Partner Organizations

Contacts

- | | | |
|-------------------|------------------------------------|--------------|
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Karen National Union Headquarters

Kawthoolei

www.knuhq.org

Date: December 15, 2018

Statement of KNU's Position regarding Land laws of the Myanmar Government

The Government of the Republic of the Union of Myanmar has ratified and signed the amendment of The Vacant, Fallow and Virgin Land Management Law, passed by the Pyidaungsu Hluttaw Law No (24) on 11 September 2018. Other laws regarding land have also been discussed on that day. Regarding the laws mentioned above, the central land committee of the Karen National Union states its positions and concerns as follows:

1. The Karen National Union has been managing and administering land at the Central, District and Township Levels according to the policy that was formulated and implemented in line with international standards of land, forest, social and human rights norms. The Karen National Union policy also reflects democratic and federal standards, protection of the lands of indigenous people and their rights. Moreover, the positions and concerns of the general Karen People regarding lands was collected and well-documented as a result of national political dialogue. Thus, all those positions and concerns must be included in political discussions and negotiations.
2. The recent amendment of the "The Vacant, Fallow and Virgin Land Management Law" merely concentrates on the centralist systems that has been formulated by the governments of the Myanmar from time to time. It shows no concerns to the rights of indigenous people or human rights norms, and it does not reflect the democratic and federal principles. Moreover, it contains huge contradictions to the positions and concerns of the Karen People as a whole and to the land policy of Karen National Union. It discourages peace building, trust building and the formation of the future Federal Union.
3. The amendment of the "The Vacant, Fallow and Virgin Land Management Law" is violating the agreements and contracts between Karen National Union and Government as follows: articles 9, 10, and 11 of the preliminary ceasefire agreements between the Government and the Karen National Union on 6 April 2012. Moreover, it violates the Nationwide Ceasefire Agreement (NCA), which was signed by Government, Tatmadaw and Ethnic Armed Organizations, especially article 9 of Chapter Three on the Protection of Civilians and article 25(a-1) of Chapter Six.

4. We call for the elimination of the “The Vacant, Fallow and Virgin Land Management Law” that can produce disputes and conflicts. We encourage the review, amendment, elimination, and rewrite of other land laws that do not comply with the principles of democracy and federal standards. The enactment of controversial land laws could contradict the formation of the Democratic and Federal Union in accordance with the NCA. Thus, we encourage the legislative bodies to enact the law reflecting the NCA that encourages the formation of the Democratic and Federal Union.

In attempting the sustainable peace process in line with the political goals, for the well-being of the whole Karen population, the Karen National Union issues this statement on behalf of the Karen People whose interests suffered and were damaged. The Karen National Union will firmly stand and implement the policy and governance structure to comply with the Nationwide Ceasefire Agreement.

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Notifying to Kayan Community about the Government's announcement on the Vacant, Fallow & Virgin Land Management Law

Dear Kayan Peoples,

1. The Vacant, Fallow & Virgin Land Management Central Committee of the Republic of the Union of Myanmar issued the notification on 30 September 2018 mentioning the land under the Vacant, Fallow & Virgin Land Management Law must be registered with specifications within 6 months of the law enactment in accordance with section 22(b). Moreover, it also mentioned that, according to section 27(a), anyone using the vacant, fallow & virgin land without permission of central committee shall be punished with imprisonment for a term not exceeding two years or with fine not exceeding Kyat five lakhs or with both; as they violate the section 22(b-iii).
2. Kayan peoples are concretely practicing ancestral customary land tenure systems till now. Customary land tenure system of Kayan respects and recognizes the land ownership of and inheritance of families to families, clans to clans and tribes to tribes. Similarly, the territory is clearly defined as Kayan Territory together with specific territories of these families, clans and tribes. In this regard, there is no such vacant, fallow & virgin land in Kayan area. There are only ancestral lands historically inherited. Thus, it is clear that the current land specification of the government as vacant, fallow & virgin land is not aligned with our ancestral lands.
3. According to our knowledge, the law enacted by the government must protect and recognize human rights and customary practices of ethnic/indigenous peoples. However, the existing Vacant, Fallow & Virgin Land Management Law is not protecting Kayan Peoples' land and even suppressing the cultural value, characteristics and ownership of ancestral land practices – to be known by the whole Kayan community.
 - 1) Kayan National Party
 - 2) Kayan Women Organization
 - 3) Kayan New Generation Youth
 - 4) Kayan Literature and Culture Central Committee



"Kaw" Customary Land Seminar Statement "Our Customary Land, Our Life and Our Future"

May 30, 2019

The "Kaw" Customary Land Seminar, held from May 29th to 30th, 2019, at Lay Wah, in the Karen National Union (KNU) administrated area of Hpa-an District was attended by 519 representatives from 56 organizations, including: local community and civil society representatives, donors, INGOs, political parties, and leaders of the KNU. The seminar discussed the problems and challenges facing "Kaw" customary land systems and the ways in which they can be strengthened and promoted, collaborating with other stakeholders.

"Kaw" are Karen customary land management systems. This is land which is collectively used, managed, conserved and governed. These practices are based on the conservation of land, forest, water, and other natural resources, and emerge from a combination of traditional value systems and traditional/customary law. Therefore, these practices are inherently linked to the preservation of Karen culture and beliefs and local biodiversity and ecosystems protection.

Importantly, the “Kaw” (Customary Land) management systems have never been influenced by any external authorities; they are a deeply entwined set of land management practices, strong local administrative justice mechanisms and traditional beliefs which holistically come together. These beliefs and practices are representative of a comprehensive traditional relationship to land, from which has emerged a strong set of land management and governance practices which we call "Kaw".

Therefore, the collective preservation of land, forest, water, natural resources and the environment inherently requires the preservation and maintenance of Karen "Kaw" management systems. We must have well-developed and well-maintained "Kaw" management systems which address the challenges of the current political situation. As a result of this, the KNU land and forest policies include a full recognition of "Kaw" land management systems, and have set up and begun implementing policies.

According to research conducted between 2015 and 2018, it was found that there are 198 "Kaw" customary land systems in Kawthoolei. Community-based research focused on three "Kaw" found that these customary land management systems successfully provided land protection and sustainable livelihoods, and they are still very much relevant and applicable to the current situation.

The current Myanmar government’s Vacant, Fallow and Virgin (VFP) Land Management Law and other land laws fundamentally undermine the authority of Karen "Kaw" customary land systems. These systems, in contrast with Myanmar government land laws, allow for collective participation in political decision-making. Suppressing such customary systems hinders the peace building process, preventing the establishment of federalism. The Myanmar government's land laws therefore must be

abolished and accordingly rewritten. In addition, we strongly oppose the current Survey Law (draft) which will hinder the peace building process while posing threats to the maintenance of "Kaw" Customary land systems.

Therefore, in order to have strong and effective realization of "Kaw" customary land governance systems, as independently allow to be governed and in line with the KNU's land and forest policies, we make a firm commitment to continue to strengthen and implement the "Kaw" customary land governance systems within our administrative territories.

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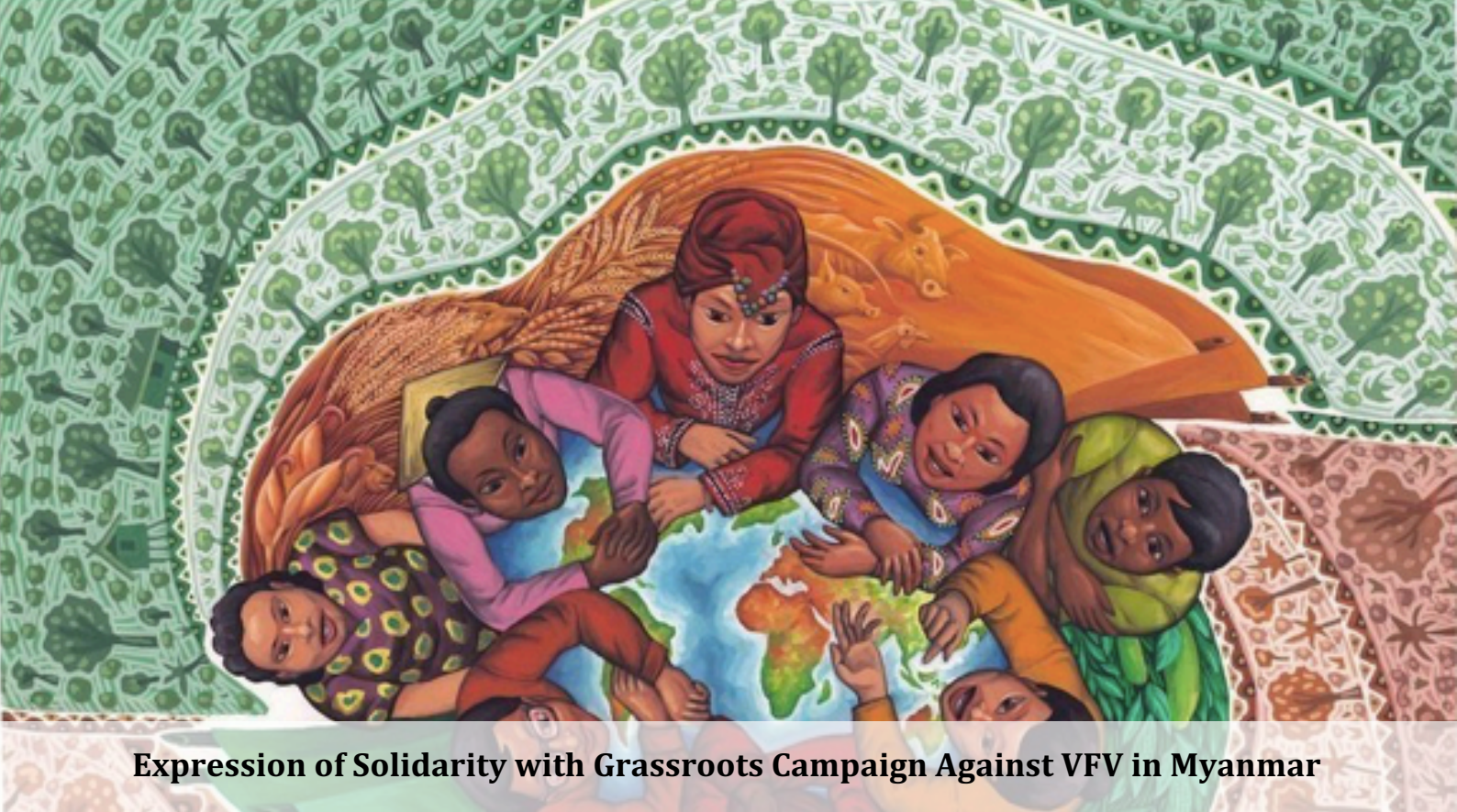
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Statement: (only in Burmese)

- KNU (Taungngoo District) (2 December 2018)
- Nationalities Brotherhood Federation (20 December 2018)
- New Mon State Party & Mon Peoples (26 December 2018)
- Chin Land Affairs Network (CLAN) (13 February 2019)
- Literature & Cultural Development Organizations (Northern Shan) (5 March 2019)
- Shan State Ethnic Youth Federation Leading Committee (SSEYF) (5 March 2019)
- Peace Process Steering Team (PPST) (7 March 2019)
- Palaung State Liberation Front (PSLF/TNLA) (11 March 2019)
- CSO's Statement on Karenni Land Issues (4 July 2019)
- CLAN's letter to Chin Parliament to halting VFVL implementation (26 July 2019)
- IDP's Land Committee's Statement (4 December 2019)
- Kayah (Karenni) Statement Remarking One-year-after VFV movement (9 March 2020)





Expression of Solidarity with Grassroots Campaign Against VFV in Myanmar

The following statement has endorsed by 278 individuals who come from various international institutions, academic disciplines, intellectual traditions, political communities, and institutional platforms.

Source: https://www.change.org/p/solidarity-with-grassroots-campaign-against-vfv-in-myanmar?recruiter=924586668&utm_source=share_petition&utm_medium=twitter&utm_campaign=share_petition&lang=en-US

Statement of Concern About the Vacant-Fallow-Virgin (VFV) Land Management Law in Myanmar – and Expression of Solidarity with the Grassroots Campaign Against It

We are individuals who come from various international institutions, academic disciplines, intellectual traditions, political communities, and institutional platforms. We have worked on social justice oriented land issues in various parts of the world.

Our academic and professional work is guided by some kind of moral, ethical and political compass: we all adhere to a notion of ‘agrarian justice’, a sense of fairness, especially for those who have, for a long time, been marginalized economically, socially and politically: small farmers, landless rural workers, pastoralists, forest dwellers, artisanal fishers, internally displaced peoples and refugees; men and women, youth and children.

We believe that no one should lose their access to natural resources (land, water, forest) just because they are less able to prove, legally and formally, their rightful and just claim over such access – relative to the competing claims made by other powerful elites or the government. We believe that fairer and more democratic redistribution, recognition and restitution of land rights to the rural poor are key to peace-building processes.

This is the reason why we are deeply concerned about the Vacant, Fallow and Virgin (VFV) Land Management Law in Myanmar. We support the right of rural villagers and their allies among civil society groups to criticize and oppose the VFV Law passed in 2012 as something that facilitated widespread land dispossession of rural population, especially of poor ethnic minorities, as well as internally displaced peoples and refugees. We are deeply concerned that the revised version of the 2012 VFV Law, dated September 2018, made the law even worse as it can potentially and very likely facilitate or legitimize

further dispossession, could undermine serious attempts at peace-building, and is likely to criminalize rural poor people's land claims.

Thus, we support the voices of rural villagers, internally displaced peoples and refugees and their allies among civil society groups resisting the VFV Land Law – and their right to exercise their civil and political rights to resist without threat of retribution.

We support not only the call spearheaded by two national coalitions of grassroots groups, Land in Our Hands (LIOH) Alliance and Myanmar Alliance for Transparency and Accountability (MATA) to abolish the VFV Land Law – but even more importantly, their demand for the national government to pursue a social justice oriented land reform based on the principles of land redistribution, recognition and restitution. We also support the grassroots demand for guaranteeing the fundamental right of rural villagers and their allies to demand democratic representation and accountability with the Myanmar government in the process of their protesting against the VFV Land Law.

With reference to key documents and resources, including:

- (1) See Joint Statement by Land In Our Hands (LIOH) and MATA on the VFV Land Law:

<https://lioh.org>;

- (2) A commentary by the Transnational Institute (TNI):

<https://www.tni.org/en/article/a-declaration-of-war-on-us/>



PEOPLES COALITION ON FOOD SOVEREIGNTY

STATEMENT | 12 May 2019

Reference: Sylvia Mallari, PCFS Global Co-chairperson – secretariat@foodsov.org

Repeal the 2012 VFV Law in Burma! Carry out a genuinely pro-people land reform policy!

The People's Coalition on Food Sovereignty (PCFS) joins the international clamor demanding the repeal of the 2012 Vacant, Fallow, and Virgin (VFV) Lands Management Law in Burma.

Since its inception, the VFV Land Management Law has been used to facilitate large-scale landgrabs throughout Burma. It denies the [Burmese rural peoples, which compose 70% of the country's population](#), their customary and communal land rights by declaring all lands without official land titles as "vacant, fallow, and virgin," in order to herald these lands for use of domestic and foreign investment. [This has long been disputed in the country](#), yet the government of Burma has opted to bolster the law to fast track the turnover of these lands to corporate landlords.

The law was amended in September 2018, requiring land tillers to register for land use permits with 30-year validity within six months. Deadline lapsed on March 11, and now more than 20 million hectares of land – a third of Burma's total land area – have become subjected to private interests. About 75% of the "VFV" lands are territories of ethnic minorities. And considering that [95% of the VFV land residents surveyed a month before the deadline of registration had no knowledge of the law](#), majority of the people in these areas are subject to penalties up to 500,000 kyats (US \$328) of fine and/or two years in jail for "trespassing" the lands they customarily owned.

[There are, in fact, reports of local authorities filing charges against villagers for violating the VFV Land Management Law, and more are expected to arise with the amendment in implementation.](#) These cases are ongoing despite the [confirmation of a member of the ruling party National League for Democracy \(NLD\) executive committee that the law is yet to be enforced until the bylaws are completed](#). PCFS condemns the criminalization of occupying the land that the Burmese people have cultivated for decades even prior the law's existence. The Coalition denounces such harassment that aims the massive displacement of rural communities.

PCFS slams the Aung San Suu Kyi-led Burma government for pushing this law and its impracticable amendments – a far cry from its promise of protecting the land rights of farmers. In fact, the VFV law was made stricter. Four years since NLD broke the country's military junta, the government has opted to abide with the trends on land policies perpetuated by international and development finance institutions that undermine food sovereignty and deny the land rights of farmers and Indigenous Peoples. No [plan to amend the law or even the constitution](#) will be able to resolve landlessness in Burma if the development framework is to "draw more investment."

We condemn the Aung San Suu Kyi government for implementing the VFV law. We call its attention to carry out a genuinely pro-people land reform policy that can not only alleviate the widespread poverty



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PEOPLES COALITION ON FOOD SOVEREIGNTY

especially in rural areas, but also address the country's peace situation. [Burma is riddled with armed conflict with ethnic minority groups that seek liberation and self-determination](#). Given this context and with the VFV Land Management Law in order, [the refugees – who are already made vulnerable by the ongoing civil wars – have no more lands to return to](#).

PCFS is one with the rural peoples of Burma in calling for the repeal of the 2012 VFV Land Management Law. We call our members, networks, and fellow food sovereignty advocates to support the struggle of the rural peoples in Burma in defense of their ancestral lands and natural resources!
###



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[PCFSGlobal](#)

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Letter to Donors

Open Letter to LIFT



Open letter to LIFT on its recent announcement calling for proposal promoting Myanmar government's repressive Vacant, Fallow, Virgin Land Management Law

24 December 2018

We, Land in Our Hands (LIOH) and Myanmar Alliance for Transparency and Accountability (MATA) are disappointed and troubled by the recent call from Livelihoods and Food Security Fund (LIFT) Myanmar for project proposals that support the Ministry of Agriculture, Livestock and Irrigation (MoALI) on reclamation of so-called 'vacant, fallow & virgin lands, re-allocation and development by the rural poor - REAL DEV Programme. This program will act to promote the government's recently amended Vacant, Fallow, and Virgin Land Management Law (hereinafter VFV Land Law), which is opposed by civil society groups (CSOs), Ethnic Armed Organisations (EAOs), political parties and local communities across the country. The amended 2018 VFV Land Law further legalizes land confiscations and criminalises farmers, who are now at increased risk of dispossession from their land and livelihoods.

We, CSOs and stakeholders, have made numerous statements since the adoption the 2012 VFV Land Law, and, more recently, the adoption of the 2018 amended VFV Land Law. We are calling for the abolishment of the VFV Land Law, and for customary land management practices to be fully embraced as part of an inclusive and participatory peace negotiation process (<https://lioh.org/?p=517>).

The 2012 VFV Land Law has already created land conflicts across the country, and the 2018 amended VFV Land Law will result in further insecurities and alienation for grassroots communities. The VFV Land Law facilitates land confiscations, thereby placing rural communities, and particularly those practicing customary land management systems at risk by strengthening default categories of land that render countless communities trespassers on their own land and criminals in the eyes of the law. Furthermore, the VFV Land Law does not take into consideration the hundreds of thousands of people who have been displaced from their land by armed conflict, and political and religious persecution.

The VFV Land Law seriously undermines the democratic federal principles and norms that form the foundations of ethnic calls for peace and self-determination. By undermining these core principles, this approach to land policy pushes the peace negotiation process further into deadlock.

Given that the ownership, management and control of land are inextricably linked to nationwide political grievances and social injustice, LIFT's push to promote this VFV Land Law disregards the political roots of armed conflict in Burma and, by doing so, risks exacerbating existing land conflicts. Its call for proposals focuses on the reallocation and reclamation of land granted to two companies in one region, using the VFV Land Law as a legal tool, and in so doing will help to legitimize the whole VFV Land Law. By promoting the VFV Land Law through one isolated pilot programme, LIFT risks supporting a legal framework with far-reaching and adverse impacts for farmers across the country, especially in the Burma's ethnic states.

According to the Dept. of Agricultural Land Management & Statistics (DALMS), there are more than 49.3 million acres of VFV land across the country and the majority of this land is concentrated in ethnic states.

Implications and questions

The LIFT programmes focus on returning previously seized land to farmers seems well intentioned. It also mentions some good points, such as free, prior, and informed consent and gender sensitivity. However, using the VFV land law to address specific land problems at the pilot sites will be counter-productive as it will reinforce the implementation of the VFV Land Law which has already undermined the tenure rights of farmers.

We, CSOs raise the following points with LIFT;

1. The call for proposals is clearly supporting the Myanmar Government's amended VFV Land Law and overall land law reform strategy.
2. The Myanmar Government, or parts of the government, will likely use the call for proposals to rally international support for the VFV Land Law and its implementation.
3. People losing their land and being criminalized for being on their land will likely perceive LIFT and its donors as supporting the VFV Land Law's implementation.

Questions for LIFT:

1. What is LIFT's position on the 2018 VFV Land Law?
2. What are LIFT's mitigation strategies to prevent the larger adverse impacts it will have on farmers in other states regions by encouraging the implementation of the VFV Land Law?

Questions about programme governance and implementation:

1. The union-level MoALI will "take a coordination role, with initial responsibility for the programme design" and will chair a Steering Committee?
2. The Implementation Committee will be "chaired by the Township General Administration Department (GAD) Officer, and including civil society organisations, farmer representatives, and members of parliament in addition to relevant departments"?
3. The regional Departments of Agriculture (DOA) and/or the Department of Agricultural Land Management and Statistics (DALMS) "will be the main implementers"?
4. The implementing partner will be based within MoALI's regional offices?
5. Given the very famous for the roles of GAD and DALMS played in grabbing land from the people across the country, is it the best way arrangement to address land allocation and agriculture development of the country?

We have learned that LIFT has 12 conflict sensitivity principles, which it seems to be violating with this programme. This call for proposals is focused on Magway Region, but the programme raises serious concerns related with broader adverse impacts in conflict-affected areas, and also for Internally Displaced People and refugees.

1. ***In the principle of understanding the conflict:*** The call for proposals shows a lack of understanding of the conflict caused by land and the VFV Land Law, because it does not recognize that the legal framework itself is a cause of conflict and that this period is a moment of potential change when outside actors should be careful to not support harmful laws and land grabbing. The programme design demonstrates a focus on a small geographic area without looking at the larger political and conflict context. It violates Do No Harm by undermining civil society actors that represent farmers trying to protect their rights to land.
2. ***Meaningful consultation with all local stakeholders:*** The call for proposals was launched without meaningful consultation with relevant stakeholders, who in this case include those civil society actors and villagers involved in campaigns against the implementation of the VFV Land Law. These stakeholders have publicly made their views known, so they should have been easy to identify and seek meetings with.
3. ***Engage with power holders:*** The call for proposals was launched without consulting non-governmental power holders who will also be affected by the law
4. ***Encourage cooperation across conflict lines:*** Support for the VFV Land Law, which will facilitate the seizure of ethnic lands and the centralization of decision-making over land, will undermine cooperation across conflict lines by decreasing confidence in ceasefires and making a future peace agreement more difficult to achieve.

5. **Transparency and coordination:** During a publicly heated debate and campaign surrounding the VFV Land Law's implementation, the launch of the call for proposals was carried out without transparency or coordination with non-governmental actors, potentially creating distrust.
6. **Meaningful involvement and participation of local and national civil society organizations:** Local and national civil society organizations have been carrying out a high-profile, months long campaign in opposition to the implementation of the VFV Land Law. This call for proposals was launched at a critical moment during that campaign without civil society involvement, undermining their work for landowners' rights across the entire country.
7. **Meet the priority needs of conflict-affected populations:** A priority need of conflict-affected populations throughout the country is to avoid having their land seized and their presence on that land criminalized, as well as for displaced persons to be able to return to their own land. Ethnic civil society, including farmers' organizations, political parties, and others, have chosen to oppose the implementation of the VFV Land Law to achieve this objective. They have specifically chosen not to seek out implementation or support in implementing the law.
8. **Inclusion and non-discrimination:** By supporting improved implementation of the VFV Land Law in a pilot area in Magway Region, this programme is causing harm to non-Bamar populations who will greatly suffer under the VFV Land Law, as the majority of government-designated VFV Land is in ethnic areas.
9. **Pragmatism and flexibility:** It is unclear why this programme was designed or why it the call for proposals was launched at this time – exactly when it would do the most harm. This demonstrates a lack of pragmatism and flexibility to respond to the public's calls to against the VFV Land Law's implementation.
10. **Establish feedback, accountability and grievance mechanisms:** This call for proposals demonstrates a need for an accountability mechanism at the fund level, not only the implementing partner level, as harm can be done beyond the scope of the implementing partner's work.
11. **Develop a project exit strategy:** The exit strategy should include not continuing with a project at any stage, including before launching the call for proposals or before accepting proposals, if that project will do harm.
12. **Operationalise these principles throughout the programme lifecycle:** All of the above are comments on the initial lifecycle of this programme.

Given the problems and tensions it will create by encouraging and empowering to implementation of the VFV Land Law, we, LIOH and MATA call for LIFT to suspend the call for proposals and reassess its operations in Myanmar in accordance with its 12 conflict sensitivity principles.

Contact – landsinourhands@gmail.com , mata.nationaloffice@gmail.com

LIOH is a national land movement platform with more than 400 members & allies across the country. MATA is a civil society alliance with 418 members & allies that supports civil society actors to collaboratively advocate for transparency and accountability in all sectors across Myanmar.

LIFT's Response to LIOH's Letter



Livelihoods and Food Security Fund

MYA/01/G/17/A4/001/2019



Date: 28 January 2019

Dear Land in our Hands and Myanmar Alliance for Transparency and Accountability,

On 24 December 2018, the Livelihoods and Food Security Fund (LIFT) received a letter from Land in Our Hands (LIOH) and Myanmar Alliance for Transparency and Accountability (MATA) entitled, 'Open letter to LIFT on its recent announcement calling for proposal promoting Myanmar government's repressive Vacant, Fallow, Virgin Land Management Law'.

As noted in our 26 December 2018 note of receipt, LIFT acknowledges the number of voices behind such a letter from membership-based organisations and alliances. LIFT appreciates the time and consultative process taken to present the concerns and key points so clearly and in such detail.

We very much appreciated your openness to meet with us. Indeed, we benefitted greatly from our discussion with your secretariat and several key members on 9 January 2019; the candid and thoughtful exchange has contributed to our understanding, analysis, and our approach going forward.

As you may know, we held several meetings early in January with key stakeholders that culminated in an open meeting on 18 January. An outcome of these consultations is that we extended the question period and have uploaded the Q+A on our website. We also extended the period for applications, with the call now closing on 15 February 2019.

In the development of the Minhla project that forms the basis of the call, LIFT has managed a slow and thoughtful process. This includes the development of a detailed risk matrix with a number of risk management actions that the LIFT Fund Board will review and adjust as appropriate. It has been particularly important to consult in Magway with a range of stakeholders that included farmers in the target area, with local and regional government, to ensure a thorough understanding of concerns and challenges, and to ensure that there was a comprehensive understanding of the purpose of the project.

We acknowledge that engagement with a wider cohort of parties with an interest in land issues would have enabled us to better understand the concerns of other key stakeholders. Such engagement would have also helped us better anticipate the response to the framing of the programme documents and the timing of our call.





Livelihoods and Food Security Fund



We have added safeguards in the development of the project that may provide some reassurance to your concerns:

1. **Stop-go mechanism:** A key element in ensuring that there is progress towards securing land title to beneficiaries, is the inclusion of a 'stop go' point in the design of the project. Without an open, transparent and participatory process that leads to secure land tenure, the agriculture development component of the project will not be implemented.
2. There are **clear principles** outlined in the documentation associated with the call that will guide the process of land reallocation that include an inclusive, participatory and transparent approach that is in line with LIFT's principle of do no harm. Further, noting the contentious nature of land, the project will develop a dispute mechanism to support those who may have a rightful claim or grievance to voice.

Further, LIFT-wide efforts are underway that will ensure our work going forward is in line with our conflict sensitive principles;

3. **A conflict sensitive advisor:** LIFT is in the process of retaining the services of a conflict sensitive advisor to support its programming.
4. **A call for proposals for Support to Strengthen Conflict-sensitivity:** LIFT and Access to Health, both multi-donor funds, have published a call for proposals for technical assistance focused on three key areas: 1) Promoting conflict sensitivity capacity across the funds; 2) Providing best tailored assistance to implementing partners (IPs); and 3) Adherence with NCA and Bilateral Ceasefire Agreements.

In response to your concerns and following the discussions with you and others, LIFT has decided on the following additional steps.

1. **An independent monitoring mechanism:** we plan to elaborate and request for assistance with such an accountability mechanism for the land projects. This will be actioned as soon as possible.
2. **Critical friends:** a small group of specialists working on conflict issues and with particular expertise on the peace process with whom LIFT, as a fund, can consult.
3. **Conflict sensitive advisory group:** we anticipate these to be either groups or regular meetings in order to appropriately convene and consult with stakeholders in ethnic states concerning LIFT programming in conflict affected areas.





Livelihoods and Food Security Fund



As the LIFT Fund Director, and on behalf of LIFT's donors and the Fund Management Office, I would like to thank you again for contacting us directly and for the consideration and attention you gave to further discussions with LIFT.

I trust that we can continue such dialogues.

Best wishes,

Katy Webley

Fund Director

LIFT





Livelihoods and Food Security Fund



Responses to specific questions posed in the Open Letter;

Questions for LIFT:

1. What is LIFT's position on the 2018 VFV Land Law?

LIFT response: LIFT's position on the 2018 VFV Land Law is presented on our website at the following <https://www.lift-fund.org/news/lift-and-land> LIFT's Fund Board donors signed a letter to the Minister of Agriculture, Livestock and Irrigation expressing concerns with the amendment of the VFV Land Law, including the points raised in the above position. LIFT further met with the Minister on 14 January to discuss the same (covered on TV and posted on MOALI's page at <https://www.facebook.com/MOALInews/videos/367225094070583/>

2. What are LIFT's mitigation strategies to prevent the larger adverse impacts it will have on farmers in other states regions by encouraging the implementation of the VFV Land Law?

LIFT response: The focus of the Programme is on land that has been returned to the State from concessionaries that have not met their obligations in terms of the concession. We are of the opinion that the Minhla case is unique and should not be seen as a 'blue print' that can be adopted globally. We are not supporting the blank adoption of the approach to address VFV Land Law across the country and will ensure that our partners (MOALI) is well aware of our position.

Questions about programme governance and implementation:

1. The union-level MoALI will "take a coordination role, with initial responsibility for the programme design" and will chair a Steering Committee?

LIFT response: This is correct and we see this as critical in implementing the programme. As the line agency charged with the mapping and certification process we believe that by engaging with MOALI in this role it will ensure buy-in and accountability for the outputs of the project.

2. The Implementation Committee will be "chaired by the Township General Administration Department (GAD) Officer, and including civil society organisations, farmer representatives, and members of parliament in addition to relevant departments"?

LIFT response: The General Administration Department has overall responsibility for the governance and administration of Township on a day to day basis. By having the GAD who is also chair of the Land Acquisition and Reinvestigation Committee (LARC) at the township level chair the Implementation Committee we are attempting to ensure that they are fully informed and





Livelihoods and Food Security Fund



responsible for the implementation of the project. With the diversity of representation on the committee we are of the opinion that this will provide balance to views and prevent domination by a single party.

3. The regional Departments of Agriculture (DOA) and/or the Department of Agricultural Land Management and Statistics (DALMS) “will be the main implementers”?

LIFT response: This is correct and reflects the roles that each of these organizations play in the registration and certification process of land and in agricultural development.

4. The implementing partner will be based within MoALI’s regional offices?

LIFT response: This is correct and allows for continuous interaction and support to the lead organizations responsible for the implementation of the project. Such interactions have proven successful in changing behaviors, approaches and building the capacities within these line agencies.

5. Given the very famous for the roles of GAD and DALMS played in grabbing land from the people across the country, is it the best way arrangement to address land allocation and agriculture development of the country?

LIFT response: The Government is a key stakeholder in this project and, as such, LIFT will continue to work closely with MoALI. LIFT sees advantages in engaging with line agencies in changing attitudes, behaviors and approaches, and building the competencies of those charged with land allocation and registration. LIFT intends, however, to work with a broad range of stakeholders, on this project and our projects across the country, with all legitimate bodies and departments that are charged with land sector reform.



LIOH's Letter on LIFT's Response

Land in Our Hands (LIOH)

A-103, Hi-way Complex., Kamaryut Tsp., Yangon.

landsinourhands@gmail.com, <https://lioh.org>



6 February 2019

Dear Katy Webley,

Thank you for your clear and detailed response. We appreciate that LIFT has taken our concerns into account, and has taken steps to change the programme to reflect this. Despite the changes, we still have several concerns and questions. Please see our concerns and questions below;

There is no clear indication that LIFT intends to change their strategy for implementing the programme. The programme will still use the VFV law, and through doing this will strengthen the capacity of department to implement the VFV law through building their technical capacity. The alterations to the programme made after our discussion, instead of improving it will only strengthen and legitimise the VFV implementation process via the introduction of conflict sensitivity, transparency, and accountability protocols and procedures. We are concerned that although LIFT does not endorse all aspects of the VFV law, your actions in the programme continue to legitimise it.

Point 1: Stop-go mechanism

- ❖ How will the open, transparent, and participatory process lead to secure land tenure? The tenure is being granted under the VFV law which offers very little tenure security?
- ❖ The establishment of a dispute mechanism is a good step, but it is important to work on the details. Who will be in charge of the process should a dispute arise (GAD, MoALI, DALMS, LARC)? How will a rightful claim to the land be assessed? Under the current land legislation, it is very difficult to prove land ownership, especially in cases where land was confiscated prior to 2012, and where it has been granted as a concession under the VFV law as VFV land.

Point 2: Conflict Sensitivity

- ❖ We very much appreciate that LIFT has taken our concerns seriously around conflict sensitivity, and is taking swift actions to remedy this.
- ❖ We are somewhat concerned about the independent monitoring mechanism, critical friends, and conflict sensitive advisory group. It is important that LIFT contact civil society working in conflict areas who have experience in and knowledge on the conflict context when looking for advice, rather than relying only on larger more centrally established expert peace groups. This will lead to more reliable and context relevant information to support conflict sensitive programme planning and implementation.

Could you share the results of LIFT's meeting with MoALI on January 14th 2019? Did you raise the concerns of civil society about the VFV law that we shared with you with Ministers, and if so what was their response?

In response to specific questions:

Question 2.

Land in Our Hands (LIOH)

A-103, Hi-way Complex., Kamaryut Tsp., Yangon.

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In your response, you state that LIFT has ensured that this implementation will not impact on larger states and regions because you are encouraging MoALI to view this as a unique case, rather than a replicable process. In your response you highlight that the land is State land, returned after the concession recipients broke their agreement with the government. Our concern is that LIFT does not take into account the history of the land concessions, looking at how the land became State land in the first place, who the landowners were before and whether they received compensation, and how the the companies it was granted to were selected.

In response to Question 2 about programme governance and implementation.

Question 2.

In the implementation Committee, what processes will be in place around decision making, especially to ensure that the final decision making powers are not vested in one stakeholder? Considering Myanmar's political history, we are concerned that the chosen Chairperson will hold disproportionate sway in the Committee, and will be able to make all final decisions without much resistance.

We welcome LIFT's motivations to improve the attitudes, behaviours, approaches, and to build the competency of those charged with land allocation and registration. This is key to pushing equitable reform in the country, and LIFT is strongly positioned to have a positive impact here. Taking this into consideration we encourage LIFT to establish a clear policy on Myanmar's land reforms that contributing to peace, sustainability, and equitable reform. This could be achieved through facilitating open and robust dialogue between stakeholders involved in land use and governance, especially the GAD, MoALI, LARC, civil society, smallholder farmers and Ethnic Governance representatives. We also encourage LIFT to recognise the Ethnic Land Governance administrative structures already in place across the country and their associated policies when approaching future programming. By promoting dialogue between those who work with and rely on land across the country, and all of the systems currently in place to govern this, LIFT will much better positioned to promote actual secure land tenure, and programmes that support peace in Myanmar.

With best regards,

Secretariat Team

Land in Our Hands (LIOH)

Letter to Paung Sie Facility

Land in Our Hands (LIOH)

#120/7B, Thirimyaing St., Kamaryut Tsp., Yangon.

landsinourhands@gmail.com, <https://lioh.org>



7 January 2019

Dear Director Armstrong,

I write on behalf Land in Our Hands (LIOH) which represents more than 400 civil society organizations and farmers groups. We are currently in the middle of a countrywide campaign to prevent the implementation of the Amended Vacant, Fallow and Virgin Land Law, which will increase land conflict and criminalize farmers and other land users.

We write you, the Director of the Paung Sie Facility, to express our concern that the Livelihoods and Food Security Fund (LIFT) has recently launched a call for proposals in support of the VFV Law. All of PSF's donors are also donors to LIFT. We are gravely concerned that donors to funds such as PSF, which aims to support civil society and social cohesion (and in the past the formal peace process), are undermining these efforts by supporting the VFV Law's implementation, even with a pilot program. Please see the attached open letter to LIFT for issues specific to that project.

The VFV Law will lead to increased land conflicts and divisions in the country. In addition, the law is viewed as violating bilateral ceasefires and the NCA, as announced by the KNU in their December 14 statement (*the statements are attached separately*). The law also contradicts existing ethnic uses of land and ethnic land policies and moves the country farther from federalism and sustainable peace.

We hope you will see that the VFV Law is an urgent issue for peace at this time. There are fewer than 90 days before the law criminalizes people for using their ancestral lands.

We gratefully request that the PSF and its donors clarify their position on the VFV Law and that the PSF encourage each of your donors to Do No Harm and follow a comprehensive strategy to support civil society and social cohesion for the entire country by cancelling the LIFT call for proposals and ceasing support for the VFV law, especially in the middle of a major, country-wide civil society campaign for change.

We would appreciate your support and reply.

In Solidarity,

Saw Alex Htoo

Secretariat

Land in Our Hands (LIOH)

Letter to Joint Peace Fund

Land in Our Hands (LIOH)

#120/7B, Thirimyaing St., Kamaryut Tsp., Yangon.

landsinourhands@gmail.com, <https://lioh.org>



7 January 2019

Dear H.E. Ambassador Tinnes, H.E. Ambassador MacArthur, and Director Randolph,

I write on behalf Land in Our Hands (LIOH), which represents more than 400 civil society organizations and farmers groups. We are currently in the middle of a countrywide campaign to prevent the implementation of the Amended Vacant, Fallow and Virgin Land Law, which will increase land conflict and criminalize farmers and other land users.

We write you, the leaders of the Joint Peace Fund's Fund Board and Technical Secretariat, to express our concern that the Livelihoods and Food Security Fund (LIFT) has recently launched a call for proposals in support of the VFV Law. We note that Norway and Canada are not mentioned as donors to LIFT, but nearly all other JPF donors are also LIFT donors. We are gravely concerned that donors to peace efforts are creating serious harm to the wider peace process by supporting the VFV Law's implementation, even with a pilot program. Please see the attached open letter to LIFT for issues specific to that project.

The JPF has made efforts to focus its support on land issues related to peace and federalism, and it is highly problematic that its own donors can undermine this work through other funds. The JPF and its donors should also be concerned that the VFV Law is viewed as violating bilateral ceasefires and the NCA, as announced by the KNU in their December 14 statement (*the statements are attached separately*). The law also contradicts existing ethnic uses of land and ethnic land policies and moves the country farther from federalism.

We hope you will see that the VFV Law is an urgent issue for peace at this time. There are fewer than 90 days before the law criminalizes people for using their ancestral lands.

We gratefully request that the JPF and its Fund Board clarify their position on the VFV Law and use its role to encourage each of its own donors to act with conflict sensitivity in accordance with Do No Harm and a comprehensive strategy to support peace by cancelling the LIFT call for proposals and ceasing support for the VFV law, especially in the middle of a country-wide civil society campaign for change.

We would appreciate your support and reply.

In Solidarity,

Saw Alex Htoo
Secretariat

Land in Our Hands (LIOH)

Annexes

Records by dates

11 November 2018

LIOH launched countdown campaign (120-days)

16 November 2018

LIOH & MATA released a statement on VFVL-2018 & related announcement; 346-CSOs endorsed the statement

27 November 2018

Internally Displaced Persons (IDPs) community from Kachin & Shan released a statement on VFVL-2018 & related announcement

1 December 2018

LIOH launched sticker/poster campaign (90-days)

2 December 2018

KNU-Taungngoo District released a statement

5 December 2018

Karenni Land Forum released a statement – “No VFV in Karenni”

10 December 2018

Informing Kayan Community relating on VFVL

15 December 2018

KNU released a statement on Myanmar Government’s land related laws

20 December 2018

Nationalities Brotherhood Federation released a statement from its 32nd regular meeting

20 December 2018

Khonumthung Declaration – A declaration released by MATA by its 7th executive committee meeting

24 December 2018

LIOH & MATA send an open letter to LIFT on its REAL-DEV program

26 December 2018

Communities under NMSP & Mon peoples released a statement on VFVL

28 December 2018

Karenni Land Policy launching & press conference

13 February 2019

Chin Land Affairs Network (CLAN) released a statement on VFVL

15 February 2019

“Chin state has no VFV” poster campaign happened in Hakha & Toonzan

3 March 2019

“Karenni State has no VFV” – poster campaign in Karenni

5 March 2019

Literature, religious, CSOs & political parties from Northern Shan State released a statement demanding for IDP land rights

6 March 2019

Shan State Ethnic Youth Federation Leading Committee (SSEYF) released a statement on VFVL

9 March 2019

“Our Customary Our Life” – Report launching & press conference on customary practices around Land Natural Resources

11 March 2019

PSLF/TNLA released a statement on VFVL

11 March 2019

“We don’t want VFV” – A protest happened in 4 areas of Sagaing Region (Upper-Tamu) with 500 peoples from 10 villages

16 March 2019

LIOH spoke on direct air program of VOA (radio) discussing about the impacts of VFVL (2100 HR)

27 March 2019

LIOH released a statement on World Bank’s Land & Poverty annual conference (2019)

30 April 2019

“Shan State has ancestral land but no VFV” – a protest happened in Hsibaw of Shan State (North)

1 May 2019

300 people protested in Hsisaing (Southern Shan State) for military grabbed land

1 May 2019

LIOH delivered a speech & about VFVL on May-day event

10~13 May 2019

“This area has no VFV – Respect IPs’ Rights” – A movement happened in Pyigyí Mandai Sub-township of Tanintharyi Region

21 May 2019

Submitting the objection to DDPC’s application for over 400 acres of land – that is accepted by department despite opposition of the village communities

30 May 2019

“Our Kaw, Our Life, Our Future” – A statement released by Kaw Customary Seminar

4 July 2019

A statement on land problems happening in Kayah (Karenni) released by Karenni CSOs

26 July 2019

Submitting the recommendations of Chin customary tenure workshop to Chin State Parliament

20 August 2019

“Myanmar Land Reform - far away from Federal Land Governance; A perspective from Karenni Land Sector”; report launching & press conference

29 October 2019

Tikyit community protested against coal-fired power plant in Tikyit-Pinlaung of Southern Shan.

24/26 November 2019

89 CSOs submitted an open letter on NLUP implementation process & hosted a press conference

4 December 2019

IDPs from Shan State (North) & Kachin State (Manpein area) released a statement on land

6 December 2019

“Caged Voices” – A report launching on situational analysis of Land Natural Resources Rights of IPs from Karenni.

12-13 December 2019

LIOH’s National workshop compiling different movements on VFVL

Media Citations

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