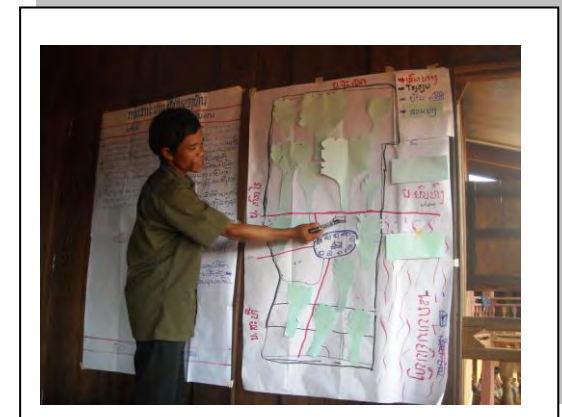




IMPACTS OF LAND AND FOREST POLICIES ON THE LIVELIHOOD OF ETHNIC MINORITIES



THIS RESEARCH HAS BEEN CONDUCTED BY SYVAY GERVANGSIMON FREUNDAS PART OF ITS PARTICIPATION IN THE KING @V o u @ u y u - cYCLE 2009.k # =

Rural Research and Development Training Centre

Phone: (856) 21 453 091, Fax: (856) 21 453 092

Action Research Unit

Email: actionresearch@rrdtc.org

House 292, Unit 2, Ban Nasay, Saphangmor Rd., Saysettha District,

Website www.rrdtc.org

P.O. Box 163 Vientiane Capital, Lao PDR

TABLE OF CONTENTS

List of tables and figures.....	3
About RRDTCC.....	4
Acknowledgements.....	4
Background of the research Project.....	6
Introduction.....	6
Objectives and Scope of Research.....	8
Research area and target groups.....	9
Sekong Province.....	10
<i>Forest management</i>	10
<i>Ethnicity</i>	11
<i>Land loss and poor compensation</i>	12
<i>Living under greater vulnerability</i>	14
Literature Review.....	14
Land and Forest policies in PDR.....	14
Forest law.....	15
Land Use Planning and Land Allocation.....	17
Land concessions.....	21
Resettlements.....	25
Methodology.....	26
Sampling.....	28
Research Findings.....	28
Comparative Village profile and land use in the target villages.....	31
Findings on LUP/LA on Village level.....	36
Findings on Land Titling in the villages.....	38
Findings on land concessions in the villages.....	39
Conclusions and Recommendations.....	42
Bibliography.....	46

LIST OF TABLES AND FIGURES

Table 1: Target villages.....	9
Table 2: Land concessions in Sekong Province.....	13
Table 3 Working Steps of LUP/LA in Lao.PDR.....	20
Table 4: Research Methodology.....	26
Table 5: SWOT analysis of LUP/LA district and provincial government authorities.....	29
Table 6: SWOT analysis of land concessions with district and provincial government authorities	30
Table 7: Comparative Village Profile according to village heads and councils.....	31
Table 8: Land use per village use in ha as summarized by the village heads.....	35
Table 9: Benefits and shortcomings of LUP/LA as discussed by villagers.....	36
Table 8: Benefits and shortcomings of land concessions discussed by villagers.....	39

TABLE OF ACRONYMS

DAFO	District Agriculture and Forestry Office
DoF	Department of Finance
DDoL	District Department of Lands (under Finance)
DLMA	District Land Management Authority
DPI	Department for Planning and Investment (District)
FDI	Foreign Direct Investment
GoL	Government of Lao PDR
@ 7 @	International Foreign Investors
LSC	Land Survey Certificate
LT	Land Title
LTD	Land Tax Declaration
LTR.	Land Tax Receipt
LUC	Land Use Contract
LA	Land Allocation
LUP	Land Use Planning
LUP/LA	Land Use Planning and Land Allocation
MAF	Ministry of Agriculture and Forestry
MOF	Ministry of Finance
NAFRI	National Agriculture and Forestry Research Institute
NAFES	National Agriculture and Forestry Extension Service
NLMA	National Land Management Authority
NTFP	Non-Timber Forest Product
NRM	Natural Resource Management
REDD	The United Nations Collaborative Program on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries
PAFO	Provincial Agriculture and Forestry Office
PLMA	Provincial Land Management Authority
TLUC	Temporary Land Use Certificate

ABOUT RRDTC

The Rural Research and Development Training Center (RRDTC) is an independent, non-profit Association (NPA) which is locally managed. The Center provides training, research and resources for rural community development in Lao PDR. Since April, 2004, RRDTC has been operating under the umbrella of the Lao Union of Science and Engineering Associations (LUSEA).

RRDTC has been involved in land rights issues since 2006, mainly by providing training to villagers on land rights issues and related advocacy and land dispute resolution on behalf of the Canada Fund and the McKnight Foundation. Recently RRDTC has begun to set up Village Networks to enable villagers to safeguard their land from land grabbing and provide them with a representative body to jointly manage natural resources and negotiate with investors and government.

ACKNOWLEDGEMENTS

RRDTC would like to thank the government authorities in Sekong Province and Tatdaeng District from the Provincial office, PLMA, DLMA, PAFO and DAFD for their support and cooperation and their staff who joined our team as research assistants and enumerators when conducting the field work in Sekong.

We would also like to thank Mr. Richard Hackmann from GAPIS for his valuable support.

ABSTRACT

Along with the other GMS states Lao PDR has in the previous decade adopted land and forest policies with the aim of poverty reduction. In 1996, the Government of Lao PDR officially adopted a nationwide program on land use planning and land allocation (LUP/LA). The program aimed at providing villagers with individual access to additional land resources as well as zoning exercises at village level. Implementation of LUP/LA has varied throughout the country, but studies on the effects and impacts have shown that several of the expected results have generally not been achieved. The LUP/LA program has now been largely discontinued due to budget constraints having been implemented in varying degrees in most parts of the country. In the past few years several authors and organizations have attempted to analyze the main impacts of the LUP/LA program on rural livelihoods and the environment. It is reported that in general, LUP/LA has been beneficial in the delineation of village boundaries and resource use zones, has helped to reduce land conflicts and improve forest protection. On the other hand, land allocation has led to a reduction of agricultural and forest use area available to the households living in upland areas. In numerous cases this has resulted in decreased yields and insecure livelihoods.

A forest allocation programme is needed particularly as it applies to upland areas where shifting cultivation is widespread; shortened fallow periods, together with the impact of climate change (Lao PDR

NGPES)

The results of this study confirm most of the impacts identified during previous surveys.

Understanding the impact of land use planning and land allocation on livelihoods is an important way to develop the uplands. Following the government line, swidden is focused on producing a diversity of crops for subsistence, and this keeps ethnic minorities poor, especially where fallow cycles are being shortened. The study shows that villagers have to be taught how to farm like lowland farmers to focus on a narrow range of crops in order to produce a surplus which will generate cash, increase market linkages and reduce poverty. Recognizing that many upland areas are unsuitable for paddy cultivation, and given the remoteness of so many upland minority villages, thousands of villages have been resettled with disastrous consequences due to a lack of support during the actual process of basic infrastructure in the new villages and difficulties of the communities to adapt to new environments, diseases and agricultural practices. Not surprisingly, then, figures from numerous studies conducted in Lao show an increase in all poverty indicators including decreased food production and increased mortality rates among new villages.

In recent years, Lao PDR has experienced an increased demand for its resources, and

Huge areas of land have been conceded to foreign investors, mainly to Chinese and Vietnamese rubber plantations.

Increasing land scarcity and reducing forest area is vital to these minority livelihoods. Furthermore, village lands have often been conceded to the foreign investors, sometimes without any or with too little compensation, leaving villagers as day laborers on their own land with no alternatives.

This study intends to contribute to a better understanding of local arrangements

livelihoods based on a field study in 5 ethnic minority villages in Sekong province.

Key words: land policy, land rights, land use, land titles, Lao PDR

IMPACTS OF LAND AND FOREST POLICIES ON LIVELIHOOD OF ETHNIC MINORITIES IN LAO PDR

BACKGROUND OF THE RESEARCH PROJECT

INTRODUCTION

The population of the GMS states is made up of people from various ethnic groups and cultures. The sub-

(ADB, 2007) U

where much of and are usually classified as poor. For these people, forest and land play a vital role in their life. Forests are often a significant source of household income. Forest loss and degradation pose a severe livelihood risk to these minorities. Large scale clearing of forests for commercial logging and industrial plantations (for instance rubber) displaced and marginalized these minorities across the region. Reduced access to forests has also been a major factor forcing them into unsustainable farming. Generally, the upland areas are widely recognized as undeveloped, particularly in areas where ethnic minority groups live. In recent decades, the upland areas have been in a state of deepening environmental and social crisis. Unless current trends are reversed, there is a real danger of widespread environmental disaster and massive human tragedy. (Chamieson, N. L., Le Trong Cuc, and Rambo, A.T. , 1998)

- 8 U o
land, lack of market opportunities, exploited natural resources (NTFPs, crude oil, minerals, etc.) and schools, hospitals, bridges, roads, markets). This further impacts on their livelihood.

Laos comprises approximately 131 different ethnic minority groups from four major ethnolinguistic families that are commonly divided by the Lao into three major sub-groups according to height they usually prefer to dwell in. The Lao Lume (Lum) and several ethnic minorities belong to the Kadai ethnolinguistic family, inhabit the lowlands, valleys and plateaus preferably near streams and generally at 2000 meters altitude cultivate paddy and are mostly Theravada Buddhist. This group comprises approximately 60% of the national population (with the Lao Lum constituting 35% of the total population and 58% of the Tai family). The Lao Theung (Theung = upper) mostly belong to the Austro-Asiatic language family (Mekong group), practice swidden upland farming and are often animists. They inhabit the slopes, valleys and watersheds around the plains, at between 300 and 900 meters altitude represent around 26% of the national population. The Lao Miao and Tibetan-Burman groups. The Lao Sung (Sung = high) like to

live on the summits of mountain ranges, between 800 and 1600 meters altitude. They belong mostly to the Tibeto-Burman (4% of total population) and Hmong groups (also called Miao, ca. 6-10%), practicing shifting cultivation of normal rice, small livestock raising and the past, cultivation of opium. (Chazée, 2002)

The national poverty rate is 34.7%. The poverty rate of the Hmong groups (51%) and the Tibeto-Burman and Hmong groups (44%) is significantly higher than the poverty rate within the Tai-Kadai populations (26%) (Opprecht et al., 2008)

In Lao PDR, the poverty profile experienced within household livelihood systems is characterized by food insecurity (seasonal shortages of the staple food, rice), low income and insufficient saving investment (in rural areas this is expressed as a shortage of funds) (UNDP, 2001)

The three major features of rural livelihood systems in Lao PDR are farming, dependence on forest products and the specific role of forests (UNDP, 2001). In relation, some challenges to the development of sustainable rural livelihood systems (UNDP, 2001 and MAF, 2005):

-) -based upland farming systems
-) -timber forest resources
- 7
- 0

Utilization and management of forest resources are considered important in fulfilling the policy target of poverty eradication. Sustainable forest utilization, forest protection and reforestation, strong involvement of the local community are crucial for government in forest management and poverty alleviation (FAO, Tong, 2009)

Security of land and forest tenure is considered essential for motivating people to protect and maintain the land and forest as well as for sustainable development of these resources. It is an incentive for people to invest in land and forest management and reduces incentives for resource overexploitation. In the recent decades, the governments in all GMS countries, including the government of Lao PDR (China), have introduced a series of land and forest policies aiming to alleviate poverty. However, the fact is recognized that ethnic minorities in upland areas, who are land and forest dependent people, are still poor (Hobley, 2007)

Government policy and the law that emanates from it must address this matter with some urgency. In addressing this issue, governments must recognize the legitimacy of customary land rights and must give them the full protection of law. Without such recognition, any resolution will at best be a temporary fix (FAO, 1997)

Integral with the issue of tenure is recognition of the multiplicity of benefits that accrue from forest. To date most governments have only recognized the commercial benefits which are usually

measured in terms of commercial timber volumes. Apart from the timber benefits a forest resource offers, there are a range of other wood and non-wood resources produced, and the on and off site protection benefits that accrue. These include protection from soil erosion, protection of water supplies, and protection of biodiversity. In addition governments must recognize that forest resources have an intrinsic or existence value. Some commercial benefit may be derived from this, for example through tourism, but in general the mere existence of the forest should be recognized as having value. The upcoming REDD initiative should substantially contribute to this recognition

OBJECTIVES AND SCOPE OF RESEARCH

This study intends to contribute to a better understanding of how institutional arrangements affect livelihoods, based on a field study in the minority villages in Sekong, Ratanak Kiri District

The main research questions are:

1. How have Land Use Planning and Land Allocation impacted the livelihoods of ethnic minorities?
2. How have (the lack of) permanent land and forest affected livelihoods?
3. How have land
4. How do institutional arrangements affect the ability of ethnic minorities to manage and control over land and forest resources in an ecologically and economically sustainable way?

¹ For the time being, however, it still remains to be seen if rubber and other plantations are eligible for carbon trade REDD within the REDD initiative, which could be counterproductive.

RESEARCH AREA AND TARGET GROUPS

The research area consists of 5 villages, comprising 5 different ethnic groups in the upland Sekong Province:

Table 1: Target villages

Village name	Ethnic group	Number of households / families
Ban Nyok Thong	Soi(70%)Arak(30%)	113 hh / 144 families
Ban Yuep	Katu	74 hh / 101 families
Ban Palai	Alak(93%)Katu(4%) Nge(4%)	39 hh / 39 families
Ban Djunghung Nuea	Alak(70%)Katu(30%)	65 hh / 78 families
Ban Thon Noi	Alak(70%), Nge (20%), Lao(10%)	107 hh / 130 families

All of the target villages have been affected by land concessions to Vietnamese companies and are, thus, representative for those villages situated in the 50% of all arable land in Tadaeng District that have been conceded to foreign investors. One village has also been resettled (B. Yuep). The target villages were selected by the government authorities in Tadaeng District, Sekong Province who facilitated the research by providing field assistants from PAFO, DAFO, PLMA and DLMA.

SEKONG PROVINCE

Sekong is among the most remote areas of Laos; even some of its largest villages are virtually



inaccessible by road for at least half of the year. This isolation has meant that forest cover, biodiversity, and ethnic traditions have changed less in recent years than in other areas in Laos. However, the province has become much less isolated in recent years with the upgrading of a major road up from the Mekong valley city of Pakse, plus two major road projects connecting Sekong to Vietnam to the east. Road infrastructure backed by the Vietnamese is part of a regional development strategy spearheaded by Hanoi called the Development Triangle Initiative, aiming to develop links between Vietnam and neighboring underdeveloped provinces in Cambodia and Laos (Online)

significantly higher than the national average (Forprecht et al., 2008)

FOREST MANAGEMENT

Remaining forest cover in Sekong Province has high Government figures classify over 50% of evergreen forest, but with pockets of dry dipterocarp forest along the Sekong river valley, and pine forest in Dakchung highlands. Much of the natural forest in Sekong has never been subject to commercial logging, but this is changing fast. Commercial timber extraction has been rapidly over the past decade in the province. There is tremendous and growing pressure on Sekong to log its forests both from Vietnamese interests (where the wood furniture sector averaged 70% growth per year during 2000-2004) and from Lao companies (who face wood shortages because of dwindling stocks in lowland forests) (Online)

Like a lot of other provinces, Sekong provincial authorities have signed away substantial parts of land to mainly Vietnamese investors. Since land surveys, use planning and land titling are rather in a nascent state investors like Vietnamese rubber companies have a hard time actually finding the land they got the land concession for. In areas where the borders between farm forest are blurry this often means they use the same land that originally belonged to the local villagers.

ETHNICITY

Sekong is ethnically diverse. Only about 3% of the population is ethnic Lao. The vast majority (97%) come from one of at least 14 distinct ethnic minorities. The Alak (21% of the provincial population), Katu (20%), Tarieng (19%) and Nge/Krieng (11%) are the main ethnic groups. The Lao (mostly lowland Lao); but a more accurate categorization, based on ethnolinguistic families, groups them under the Austroasiatic family. Within this broad family, the ethnic groups of Sekong fall into two linguistic branches: the Katuic (including the Katu and the Nge/Krieng) and the Bahnaric (Alak and Tarieng).

These groups have always lived on the margins of society. Lowland Lao and Tai majority in Lao PDR, or the Vietnamese over the hill tribes have traditionally viewed them as uncivilized, for several reasons. First, their agriculture is more focused on swidden cultivation than paddy rice cultivation, a powerful symbol of civilization for lowland societies. Second, since swidden is a form of forest management, and because forest products are so important in their livelihoods, they have always existed in close relationship to the wild and unpredictable place full of spirits (good and bad) in the minds of lowlanders. Third, they do not practice Buddhism, another marker of civilization, and their belief in dangerous spirits resident in their villages and forests. Furthermore, they have no written language, another sign of civilization. Finally, they do not traditionally recognize political organization outside the village. Thus to lowland Lao these Austroasiatic groups have traditionally represented savagery, godlessness, witchcraft, illiteracy, and anarchy. However, these groups have always been given a place of honor in traditional ceremonies of the Lao state, because they are considered original owners of the land. They have always been represented in all major rituals, and even newly built palaces of the Lao kings could not be occupied until the upper chambers were ritually opened.

These views and the fear engendered as a result, the fear of peoples who have mastered the wilderness at the periphery has in some ways worked to the advantage of the minorities. They have enjoyed relative autonomy over the centuries. The power of great kingdoms of the lowlands (Cham, Khmer, Vietnamese, Lao) changed hands, and ebbed and flowed. Historically, their lands have been an important buffer zone between powerful and often warring lowland groups, a staging point or hideout for rebellions or retreats, with minorities acting as essential guides through the forests and mountains. Therefore, these groups have been a part of many of the great battles of mainland Southeast Asian history; but not until the French colonial period in the 1890s were their lands ever totally claimed by an outside power.

This is when the first substantial organizational push beyond the village level occurred. Many rebellions against the French began from the time of French conquest in Laos. Ultimately, a great number of minorities joined the Pathet Lao communist movement during the resistance war against the French, and then later the American-backed Royal Lao Government forces. Though it

moved as a result of the heavy bombing in Sekong (the Ho Chi Minh trail runs through the province) and many remain today in the settlements made then.

LAND LOSS AND POOR COMPENSATION

The land concessions for rubber plantation by Vietnamese companies resulted in some people living in the research area losing almost all their farming land and village housing and protected forest land. Only the paddy fields, of which there were relatively few, were salvaged along with the village housing area. Most of the areas which have been included in these land concessions are swidden fields and crop fields.

So

upper authorities came to explain the benefits villagers would gain. For example, they explained that the villagers would gain work with the companies and get a monthly wage. The entire land of our village is in the land concession area. There was no point in saying if we were satisfied or not satisfied.

When the villagers were informed of their land having been signed away to a Vietnamese rubber company and confronted with the contract already signed by the provincial authorities which they were asked to sign as well. They refused to comply which did not change anything.

In general, compensation was made to the people who lost their land, but there were exceptions and the rates were exceedingly low.

Table 2 below gives an overview about the current situation of land concessions in Sekong Province.

Table 2: Land concessions in Sekong Province

Company	ha conceded	Conceding agency	Duration (yrs.)	Activity
Forestry / Plantations				
LVF (Vietnamese)	8.000 ²	GoL	50	Rubber
LaoBidina (Vietn.)	9.485 ³	GoL	50	Rubber
Kuangming Chuenya (Vietn.)	1900	GoL	50	Rubber
Investment Container (Vietn.)	100	Province	-	-
Other agriculture				
Y&P	100 ⁴	Province	35	-
Mithaphap 206	100	Province	-	-
Kaona Kankaset	72	Province	-	
Maisavanh Lao	35	Province	-	Mulberry trees
Total	19.792 ⁵			

² LVF requested a land concession of 10.000 ha, got a concession for 8.000 ha but is currently only using 3.000 ha according to contract while another 5.000 ha could not actually be conceded because the land was not available.

³ LaoBidina got a concession for 9.485 ha but is currently only using 5.000 ha according to contract while another 4.485 ha could not actually be conceded because the land was not available.

⁴ Y&P requested a concession of 1.928 ha.

⁵ The companies were really provided with 10.9475 ha were additionally conceded on paper but the land was simply not available.

LIVING UNDER GREATER VULNERABILITY

The livelihoods of the villagers who lost land to the company changed.

From being a community that used to make their living from swidden farming, cropping, raising cattle and buffaloes, and finding food in the pha khoke forests, villagers now rely on hired wage laborers with the company to earn money to buy rice. From a survey of 189 interviewees in 6 villages, it was found that the people who grew enough rice to eat for 11 months a year fell from 4 in 5 in 2003 to 1 in 5 in 2007. There was a stark increase in the months without home grown rice, and the overall number of households lacking rice to eat in 2007. (Luangaramsi, Rebecca, Pornpa Kuaycharoen, 2008)

LITERATURE REVIEW

LAND AND FOREST POLICIES IN LAO PDR

All land in Lao PDR is controlled by the state. In 2003, the Land Law was revised and the following amendments concerning land transactions have been made compared to the old Land Law of 1997:

- Individuals, organizations, and companies can take land as a commodity for the purpose of buying and selling.
- Individuals, organizations, and companies can lease land.
- Individuals, organizations, and companies can put to use. The new land law does not specify which type of land can be sold and explicitly mentions the options of sale and exchange of land (Art. 57).

6(Law on Land, No. 04/NA, 10/21/2003)

7(Law on Land, No. 01/97 NA , 04/12/1997)

FOREST LAW

The Department of Forest under the Ministry of Agriculture and Forest handles forests, issues permits and controls harvesting of forest resources. The state is the sole owner and manager of forest resources in Lao PDR.

The Ministry of Agriculture and Forestry is the leading agency in coordinating all relevant sectors and local authorities to conduct forest surveys and allocation, to categorize the forest areas and to monitor changes to forest areas. The rights of individuals and organizations to use forests are limited to the category of degraded forests and shall be allocated according to the national capacity, but not exceeding three ha/labor in a family (Art. 13). It is prohibited to transform forests for other purposes; exceptions must be based on the interest of the public good (Art. 14). Exploitation of wood and NTFPs may be permitted specifically in production forest and in areas, where forestry exploitation has been planned (Art. 25). Article 30 recognizes customary use of forests within the limits of the law.

The MAF has amended the Forestry Law with the following changes:

- k Conservation Forests
- k
- @ Establishment from 3 to 10 For each project at the district level and 100 ha to 500 ha at the provincial level
- @
- h
- h permits issuance at the provincial level
- # 7

(FAO Tong, 2009)

The government adopted various forest management policies with different impact on people and forests. Policy thrusts of forest management have been revenue generation activities (Sunderlin, 2005). The economic mechanism adopted in 1986 caused high levels of logging and rapid acceleration in exports. Considering policy impact of forest logging causing higher rate of forest degradation, a National Conference on Forestry was organized in 1989 to rethink

8According to the Forest Law of 1996, natural forests and forested lands are property of the national community, which the state represents, allowing individual use. Individuals and organizations shall have the right to possess and use forests and their resources only with prior approval from authorized agencies (Art. 5).

existing policies. This conference became the basis for policy shifts towards providing space for community participation (Manivong, K. & Sophatthilak, 2007). Since then, attempts have been made to decentralize local resource management, including the management of forested resources.

The plantation sector in Laos has an important role in the Countrywide Forest Strategy for 2000, stated at the 7th Round Table Meeting in September 2000. The Ministry of Agriculture and Forestry was assigned as the lead agency to preserve and increase the density of forest cover to 53% (MAF, 2005). As of 1989 forest cover was only 47% and in 2008 it now falls to 40% (MAF Update, 2008). A significant weakness of the policy is the inclusion of tree plantations as forests, this has encouraged the spread of plantations. Other issues involving plantations include the low land concession fees and a shortage of domestic labor. The National Economic Research Institute has shown that rubber plantations currently cover about 200,000 hectares and if other industrial and agro fuel crops are included this exceeds 300,000 hectares. In the future Laos will face labor shortages and will be impacted by concession fees. The GoL has, therefore, limited the plantation areas and is emphasizing livestock breeding and small agriculture (Pongkiao, 2008).

The current forestry trend in Laos according to World Bank (2001) is highly unsustainable as a result of the government policies and practices, forest degradation is high, at 5.6% between 1992 and 2006. The coverage of natural forests has dropped to 41.2% in 2001 from 70% in 1947 and 47% in 1992 (DOF, 2003). The density of forests has decreased drastically and forest fragmentation has increased (Phanthanousy, B. & Sayakoummane, S., 2005). This bleak trend and continuation of forest may remain a distant dream.

During the process of development rural assets including forests have been exploited for their economic value although benefits in terms of poverty alleviation have not always been achieved. The current situation has been described as one in which policies favor large agriculture (including industrial tree crops) over a high smallholder crops, NTFPs and other more sustainable options for rural development (WME, 2007). Foreign direct investment (FDI) and regional infrastructure connections are alone unlikely to provide significant poverty reduction, it is suggested that complex and holistic development interventions are needed to protect village livelihoods (Hunt, 2007).

In Laos the importance of forests in the economy is evident. In 1998, wood and wood products comprised 34 per cent of total exports. Forests have also continued to fulfil a central livelihood role for rural families. But because of the low visibility of forest exploitation this role over many years, went either unreported or underreported. It has been estimated that the average rural Lao family consumes the equivalent of US\$280 of NTFPs per year, equal to 40 per cent of total rural family income (World Bank, 2001).

Studies show that the majority of poor households, delineated according to the poverty line or measures of food security (rice sufficiency), live in upland areas practicing shifting cultivation. A participatory poverty assessment (PPA) undertaken by the ADB in 2000 across 84 rural villages, found

example, revealed that 90 per cent of villages were dependent on swidden agricultural systems (ADB, 2001). Characteristically, these villages experience rice insufficiency for six months longer of the year. It should be emphasized that the norm, not the exception, cannot be food security that would otherwise be lacking.

LAND USE PLANNING AND LAND ALLOCATION

In 1993, the Government of Lao PDR (GoL) officially adopted a nationwide program on land planning and land allocation (LUP/LA). The program aimed at providing individual various forest categories during land use zoning exercises at village level. Implementation of LUP/LA has varied throughout the country. Studies on the effects and impacts have shown that several of the expected results have generally not been achieved. In the past years several authors and organizations have attempted to analyze the main impacts of the LUP/LA program on rural livelihoods and the environment. It is reported that in general, LUP/LA has been beneficial in the delineation of village boundaries and resource use zones, has helped to reduce land conflicts and improve forest protection. On the other hand, land allocations led to a reduction of agricultural and forest use area available to the households living in upland areas. In numerous cases this resulted in decreased yields and insecure livelihoods. The GoL uses the LUP/LA program as a tool to enforce policy issues such as the eradication or stabilization of shifting cultivation, the elimination of poppy cultivation and the relocation of settlements or village consolidation. Other objectives are the promotion of decentralized and community management of natural resources, the increase of investment in land and of the national tax base and the general improvement of living conditions (GTZ, Soulivanh et al., 2004).

National funds were made available to the provincial authorities in support of the LUP/LA program. Provincial and District LUP/LA Steering Committees under the chairmanship of the Vice Governor supervised the training activities, selected priority areas and coordinated implementation. While the Provincial and District Agriculture and Forestry (PAFFO and DAFO) were responsible for the overall organization of LUP/LA activities, it was mainly the forestry staff, which took a leading role in the implementation of the program. In numerous cases, and due to the lack of staff at DAFO, other institutions such as the Office of Finance (DDoL), the Army and sometimes the Police were requested to second additional staff to the LUP/LA teams. In recent years, the LUP/LA program has continuously reduced due to lack of funds, having been implemented only to a degree in most of the country.

In most districts the teams conducted LUP/LA activities quite systematically village by village depending on the financial resources made available. Usually, activities started in accessible villages and were implemented during a period of 3 to 5 working days by a team of 4 to 6 people. Generally, this time period is not sufficient to finish all 6 working stages foreseen in the first part of the LUP/LA process. Generally, LUP/LA is seen as a one-time exercise, with very ambitious targets, which have to be fulfilled. At the end of these intensive periods of land use planning, which serve

varying degree of participation by the local population, the land allocation follows and Temporary Land Use Certificates (TLUCs) are issued to households (GSZ, Soulivanh et al., 2004)

⁹ indicate the main reason for the failure of land titling in Laos was that land titling focused disproportionately on urban areas, particularly land titles for commercial and residential purposes. Land titles have yet to be introduced for agricultural land. This means villagers' access to credit and their ability to invest productively is limited. Only owners of rice fields and vegetable plots in villages were being issued land titles. But this is reportedly carried out in a hurried manner, without proper surveying.

Poverty reduction is an overarching agenda and land reform and tenure security are measures adopted to achieve this (Ducourtieux, O., Laffort, J.R. & Sacklokham, S., 2005)

The impact of land for allocation policy has been described as counterproductive, though it has created food insecurity and poverty (Votey, 2005; Underlin, 2006) has had negative social impacts by marginalizing the poorest farmers and adversely affecting the forest condition and agricultural modernization (Ducourtieux, 2005)

The GoL has a policy of encouraging villagers who practice shifting cultivation to adopt sedentary forms of agriculture. The aim is to reduce the area of steeper sloping land being used for crop production through the adoption of permanent crop production and maintenance of forested land. The strategies for doing this are:

- ◁ Allocating agricultural land on a temporary basis (usually 3 years) provide farmers with land security.
- ◁ Encouraging farmers to invest in inputs to improve the productivity of allocated land.
- ◁ Increasing the area of land developed for rice production.
- ◁ Encouraging the planting of annual and permanent economic crops.
- ◁ Increasing villager participation in commercial tree planting and production.

The current rationale for promoting sedentary farming is a consequence of changes in upland agriculture. These changes include reduced fallow periods, intensive cultivation of sloping land. The effect of this more intense land use is that more top soil is being lost, soil fertility declining and productivity is beginning to decline (Jardine, P. & Sysomvang, S., 2004)

⁹Dr Silinthone Sacklokham from the National University of Laos (NUOL) Agriculture's Nabong Campus worked on an Australian funded qualitative survey last year, jointly conducted by the University of Sydney.

¹⁰Takeda (2003) further argues that as the impact of LUP/LA on upland livelihoods marginal mountainous areas of Lao PDR many NTFPs are being lost by the reduction of shifting cultivation because

WORKING STEPS

From the beginning of the program, guidelines suggested eight stages for the implementation of LUP/LA at the local level. This work plan, although rarely carried out completely, comprises most important guidance for LUP/LA at district level. Stage 4 wraps up the land use zoning and land use planning activities, while stage 5 and 6 are the core steps for land allocation. Villagers are required to establish a village LUP/LA committee, including representatives of all mass organizations. Monitoring is done on a sporadic basis by villagers themselves. The LUP/LA committee, however, has ceased to exist in many villages. Not all villages have the land use zoning maps

Table 3 below shows the original LUP/LA working steps

Table 3 Working Steps of LUP/LA in Lao PDR

Stages	Main Activities	
	Eight-stage procedure (1997)	Modified ten-stage procedure (2001)
Stage 1	Preparation for the implementation of LUP and LA activities (training of staff/ preparation of materials, villager consultations)	LUP and LA preparation
Stage 2	Village boundary survey, land use zoning, forest surveys and land use mapping	Village boundary delineation and land use zoning
Stage 3	Data collection and analysis concerning land tenure, socio-economic conditions and needs	Data collection and analysis
Stage 4	Village land use planning and land allocation meeting	Village land use plans
Stage 5	Agricultural field measurements	Forest and agricultural land allocation decisions
Stage 6	Preparation of forest and agricultural agreements and transferring rights to villagers	Field measurements of agricultural lands
Stage 7	Land use management extension	Forestry land agreements and transfer of rights to villagers
Stage 8	Monitoring and evaluation	LUP and LA information storage
Stage 9	-	Agricultural land allocation records
Stage 10	-	Monitoring and evaluation

(GTZ, Soulianh et al., 2004)

LAND CONCESSIONS

The Party and Government of Lao PDR is extremely committed to eradicate poverty and bring country out of Least Developed Status at any costs by 2020, by the transitioning from a traditional agriculture system into an industrial system, with the aim of producing sufficient food for consumption and export and by turning natural resources into capital. To do so the government encourages both local and foreign investors to invest in Lao PDR by permitting land concession to plant industrial trees and agricultural cash crops. The government also guarantees investors property rights by approving regulations and giving priority to their business such as the 1986 law promoting foreign investment (amended 2004). Beside this, the government receives benefits for the national budget and expenditures through tax collection from the (foreign) investors. They also claim that investors provide job opportunities for local workers to upgrade their living conditions (GRISE, 2009)

However, due to the lack of an effective management and monitoring system on the land concession process the government has not given adequate consideration about possible negative impact as a consequence, the land concession policy contains numerous shortcomings regarding socio-economic and ecological balance with the livelihoods of local villagers. Increasingly and repeatedly there are reports emanating from concession areas in the countryside of uncompensated losses of the natural resources of forest dependent villagers (such as forest products), out-migration, decreased food security and loss of biodiversity. Investors have cleared land for concessions, which were under crops and trees owned or utilized by villagers. In some cases these are high value crops (coffee and teak) and frequently villagers are not consulted nor informed about the clearing. There is a serious lack of transparency and participation from the communities in the concession processes. This has resulted in increased conflicts between local authorities and villa-

gers who lose their assets without paying suitable or any compensation (Pongkiao, 2008). In some cases, land concessions are used as a cover for logging operations in natural forest areas, clearing an area, and abandoning the land leaving a devastated ecological system. The consequences of these operations affect whole communities because villagers lose access to natural resources resulting in the lack of food and saleable timber forest products, as well as places for raising animals and timber resources for home construction (Dwyer, 2007)

After the increasing visibility of the negative impact to local people and natural resources caused by large scale land concessions for industrial tree and agro fuel crops plantations, in May 2007 Prime Minister Bouasone Bouphavanh announced a moratorium on concessions. He urged the investors to proceed carefully and adequately study and evaluate local values and environmental impacts prior to starting their business. He also said that investment must be in accordance with laws and policies of Laos including 2+3 (contract farming) (Dwyer, 2007). However, in reality, some provinces continued to approve land concessions without using the 2+3 policy but instead use 4+1 (i.e.: community land is acquisitioned). In some cases local people have become temporary workers and forced to give up their land to investors for long periods of time with or no compensation (Pongkiao, 2008)

Klaus Deininger of the World Bank (2003) notes that the failure to integrate and adapt legal forms of land and resource use with the reality of local livelihood practices almost invariably leads to conflict.

that large scale plantation and forest land concessions do not contribute to effective local poverty alleviation, but rather undermine viable, alternative approaches to rural development which respects the moral, customary, and in some cases legal claims of rural communities to their history (Barney, 2007)

Key problem areas for plantation concessions in Lao PDR include the zoning of swidden fallow land and village developers, and a lack of local rights to participation and representation in the zoning process. The eradication or stabilization of swidden through commercial tree planting continues to represent official state policy in Lao PDR. While there are initiatives underway which could act to strengthen communal claims to upland forest land (GTZ, Seidel, K. et al., 2007) there are also strong forces behind plantation investments into Lao PDR, which have the potential to have been to date rather ad hoc efforts behind sustainable management and regulation of this sector

GTZ (2006) reports on a range of other plantation schemes in the country. It is likely that there will be continued pressure on Lao State agencies over the coming years to allocate land for concession style developments for foreign investments, although the legal framework for managing and regulating this process is still very much under development.

Since 2006 the small landlocked South East Asian nation of Laos has seen an explosion of small, and medium scale plantations, particularly rubber, eucalyptus and biofuel crops. This increase in industrial tree plantations has not come about by itself however, but has been promoted by over the past decade as a means to increase Lao GDP. Foremost among the plantations development in Laos is the Asian Development Bank. Despite being one of the most corrupt countries in the world (Laos ranked 163 out of 171 in 2007 on Transparency International's Corruption Perception Index), the Asian Development Bank has been fervently promoting agro forestry investment for many years. Their sordid history of plantations promotion is perhaps known for the disastrous 11 million dollar loan project running from 1996 to 2003 with the explicit purpose of promoting plantations in Laos. That project alone has left large numbers of impoverished farmers with an unpayable debt, has nearly bankrupted the government run Agriculture Promotion Bank, and has facilitated large scale plantation operations in Laos (Lindsay, Cao and Shoemaker, 2006)

The expansion of the rubber industry in Laos, is directly related to the growth of the Chinese rubber industry. China has now become the biggest rubber consuming country in the world. Companies from China have expanded their rubber crop areas mostly in the northern region where the two countries share a border, mostly through contract farming. Commonly, the Chinese trading company will provide capital, seedlings and will buy the produce from the farmers, while the labor and the labor is supplied by the farmers; however many variations in arrangements exist. Vietnamese and Thai companies have also invested extensively in rubber, predominantly in the central and southern regions. These companies have acquired land through land concessions

model. Currently, there are five Vietnamese companies in the south of Laos, four of which companies from the major Vietnamese Rubber Group, (Dat Tieng, Quang Minh, Quasa Geruco) and another provincial state company called the Dak Khou Rubber total, the area where they have been authorized to grow rubber in Laos is 42,050 hectares. (P., Leonard R., Kuaycharoen P., 2008)

Some of these concessions were apparently made to Vietnamese companies in order to repay a for the SEA Games, which took place in Laos the end of 2009 (Vientiane Times 2009)

A comprehensive land inventory is missing. Such an inventory should contain inter alia relevant on existing lease and concession contracts and details on land that is used. Instead, bits and pieces of information about state land are with a number of line ministries, departments and divisions at central and local levels. Since these shortcomings slow down investment approval investors might have to search for land on their own or to give up their investment plans in Lao PDR altogether. Model agreements meeting international leasing standards are currently available only for concessions on hydropower. Other contracts for leases and concessions using

rights and obligations of both parties seem not always to be balanced. All contracts reviewed clear and enforceable clauses on breach of contract, compensation for damage, penalties, termination, and dispute settlement. Furthermore, concession fee rates, usage charges for natural resources, and royalties set by law are not based on supply and demand. Different approaches applied in the provinces to determine fee rates do not seem to meet market standards. Granting land free of charge should be restricted to joint ventures when the land offered constitutes the contribution to the project, but is entirely dispensable in the case of other domestic or investments because the prospect for reasonable profit is deemed to be a sufficient incentive enterprises should not be subsidized (GTZ, 2006)

developed this income source. In 2004, total revenues from state land assets amounted to US\$ (GTZ, 2006)

Despite efforts to clarify and determine the land rights of the people, confusion reigns even among those who were allocated land certificates under the Land and Forest Allocation Program. Villagers were under great pressure to hand over their certificates to allow in the plantations. As in neighboring countries around this region, the swidden fields, pa khoke areas or so-called areas where the villagers collect their food and other products of the forest, raise their livestock, etc, are considered under the law as land of the state.

The value and benefit of these lands to the local people should be taken into account in planning and decision making. The losses of these lands and forests to the people are devastating

12. ... h ... 0 ... economic ... k

Yet in a country where government salaries are only \$30h, and capacities of government staff to monitor concessions are weak, natural resource loss and the disruption of traditional livelihoods has invariably accompanied plantations development. Reports by the German Development Agency GTZ reveal a near total lack of regulation of land concessions in Laos. Among the many damning findings of a 2006 GTZ report are that there is little to no understanding of the extent of concessions that have been issued across the country due to a decentralized and unregulated process of handing out land concessions. Not only do government agencies are able to grant land concessions, but both national, provincial and district branches of the government have been able to allocate land for plantations development without consolidating this information in any one place. This aspect has led to a situation whereby concession areas allocated to different companies now overlap with one another meaning that plantation companies are now scrambling to secure their concession areas before they are lost to other companies¹³

Despite the extraordinary growth of forestry investments in recent years, the process for allocating land for concessions remains woefully inadequate. Reports from some disgruntled government staff and from villagers themselves indicate that companies are in effect allowed to allocate themselves land by putting local government officials on their pay role, with the express purpose of securing land for the company. And in a system where there are many impoverished officials to replace those that can't or won't find land, it is not surprising that there are frequent reports of manipulation, exaggeration of benefits, and forced coercion of villages to hand over land to plantation companies. The Land Management Authority has been assigned overall responsibility for land registration, monitoring of land concessions and land disputes. While a hopeful lead to an improved land management in the future.

While theoretically the previous forestry law stipulated that only "degraded land" could be used for plantations development, time and time again dense tropical forest has been logged to make way for plantations development (providing handy income from log sales at the same time). For the rural communities who remain largely dependent on forest resources for their livelihoods the picture is grim. Village communities presently have no secure tenure under the law, as all forest land is recognized as the property of the state. Plantations development has been used by the government of Laos for many years as a tool to physically disrupt shifting cultivation systems curtailing the periods and reducing food security. Furthermore, rural communities, despite often losing hundreds of hectares of forest land to plantations often derive only very minimal benefit from plantation operations. Tree planting periods coincide with the rice planting season that jobs often go

Mai University, English edition forthcoming. Based on research work cooperation between the Centre for Information and Research on Land and Natural Resources, Laos National Land Management Authority, Office of the Prime Minister; Foundation for Ecological Recovery and Faculty of Social Sciences, Chiang Mai University, Chiang Mai, Thailand

¹³As the German news magazine) reports it: Because of the political sensitivity of the modern land grab, it is often only the country's head of state who knows the details. In some cases, however, provincial governors have already auctioned off land to the highest bidder, as in the case of Laos and Cambodia, where (Der Spiegel, 2009)

to outside contract laborers. When work is available to villagers it is mostly irregular and mainly accessible to a small number of villagers at any one time.

Provincial authorities have the right to approve only projects that require not more than 100 hectares of land. Projects needing larger areas must seek approval from the central government. The existing decree, issued in 2004, does not specify, as intended, that each 100 hectares of approved by a province can be used for a different project, and that each project should be separated by a minimum distance.

If, for example, an investor requested an area of 500 hectares, some provinces simply approved 100 hectare adjacent plots.

Under a recently introduced decree, provincial authorities can approve an area of not more than 150 hectares for the production of selected agricultural exports, and 500 hectares of scrubland for planting trees.

It remains unclear how many hectares of land throughout have been allocated for foreign-run projects. But 2007 figures showed more than 1,000 projects were approved authorities.

The Ministry of Industry and Commerce and Land Management Authority of China stated, that currently, an area, 60,000 ha has been transferred to foreign companies under large scale land concessions in the central and south regions of Laos. Of these, 48% or 80,000 ha dedicated to rubber, and 28% of 46,600 ha are allocated to growing eucalyptus. However, the area for growing rubber throughout the country has increased to 182,900 ha. Other sources refer to an amount of 200,000 ha conceded for rubber plantations and 300,000 ha of total concessions. While the National Land Management Authority to share data on the status quo of land concessions it is questionable if the government how much land has been conceded.

RESETTLEMENTS

Economic development and population growth along with government policies have put severe pressure on the environment and the people's determination.

upland areas. The government's policy of 'upland development' is commonly put forward as an important way to develop the uplands. Following the common government line, swidden is focused on producing a diversity of crops for subsistence, and this keeps ethnic minorities poor, especially where fallow cycles are being reduced. The solution is to teach them how to farm like lowland Lao people to focus on a narrow range of crops in order to produce a surplus which will generate cash, increase market linkages, and uplift them out of poverty. Recognizing that upland areas are unsuitable for paddy cultivation, and given the remoteness of so many upland minority villages thousands of villages have been resettled with disastrous consequences due

to a lack of support during the actual move basic infrastructure in the new villages and difficulties of the communities to adapt to new environments, diseases and agricultural practices

People's Democratic Republic) have been resettled from remote highland areas to the country's lowlands and near major roads. International aid agencies have supported this internal resettlement in the name of poverty alleviation, rural development, and environmental protection. But the outcome for indigenous communities has been devastating and impacts on their (Ian G. Baird and Bruce Shoemaker, 2005)

Not surprisingly, then, figures from numerous studies conducted in Lao show an increase in all the poverty indicators including decreased food production and increased mortality among new villages (Online)

METHODOLOGY

Several techniques have been employed for triangulation including qualitative and quantitative methods. Secondary data and literature review, primary data collection such as focus group discussions, semi structured interview with key informants and structured interview with target group (household survey) were conducted

Table 4: Research Methodology

Level	Research method	Data source
National	Literature review	Literature and secondary data (statistics, books, reports, conference proceedings, legal documents related to land and forest policy.)
	Interview	Key informants
Province and District	Literature and secondary data review	Literature and secondary data (statistics and documents on LUP, land titles and land concession in Sekong Province and Daeng District)
	Interview	Key informants
	Focus group discussion/works and SWOT analysis	Staff from PAFO, DAFO, DLMA and PLMA

Village	Semistructured interview	Key informants (village heads committees)
	PRA tools (village transect, v mapping, Focus group discus on pros and cons of LUP/LA land concessions)	Village assembly
	Household survey	120 households in 5 target vi have been interviewed using standardized questionnaire

A main objective of the methodology was to not just collect data wherever possible to ensure that the people participating in the research (government staff villagers alike) are not objects of data collection but participants in a joint problem analysis and thus, benefit from the participation research as much as possible.

On village level the team first called a village assembly to present RRDTTC and the research objectives. Afterwards the assembly was split into two working groups:

- < One part of the research team interviewed the mai ban (mayor) and the village council using the village profile form. Afterwards a village mapping exercise was conducted in which the village authorities drew a map of their village land use
- < The other group discussed with the rest of the village and cons of the LUP/LA exercise in the village and in a second step the pros and cons of the local land concessions. Outputs were visualized on flip charts.

Both groups presented their outputs back to the assembly where they were discussed. Afterwards the research team arranged to meet the households selected for an interview.

The Questionnaire in the household survey consisted of 66 parts:

- (1) Profile and livelihoods of household
- (2) Impact of
- (3) Impact of
- (4) Impact of

Village transects further helped to understand the situation.

SAMPLING

Due to time and budget constraints the team interviewed 25 families¹⁴ regarding village size. It was made sure to interview the same percentage of middle and poor families in every village

The interviewees were mostly household heads, but team tried to also get female interviewees wherever possible.

Ø Sample size of the study 126 respondents

Ø Due to the size and type of data data was analyzed in SPPSS using descriptive statistics only.

RESEARCH FINDINGS

In an initial workshop with government authorities of the government (DLMA, DAFO and DPI from Tatdaeng District and PLMA and PAFO from Sekong Province) the situation of land use, status quo of LUP/LA and land concessions was assessed in a focus group discussion and a SWOT analysis and a general need of improved management of land and forest plan and a need for research and technical support to the concerned authorities was identified. In Sekong LUP/LA was conducted as a time exercise in 1997-2000 supported by WB with PAFO administering land use and advising the government on land use. Approximately 60% of all villages were covered before activities were stopped due to a lack of funding. Some additional land titling was conducted in 2005.

Apparently the villages targeted for further land titling¹⁵ are the same that are targeted for land concessions in order to make villagers eligible for compensation. Thus land titling is not actually targeted at increasing land tenure. It is stated that due to population increase and lack of proper monitoring and land concessions the outcomes of the initial LUP/LA exercises were largely obsolete.

According to PLMA's statistics 10,081 parcels of land have been allocated in Tatdaeng District amounting to 5,176 ha and generating 20,413 US\$ tax revenue. 3,093 out of 8,905 have been issued land titles (have paid tax for it).

The meeting agreed that there have been negative impacts on ethnic minorities through land concessions. Tatdaeng District 6,000 ha out of 12,000 arable land available were said to have been conceded to foreign investors. The bulk of these land concessions was signed away by central government in Vientiane to mainly Vietnamese companies for rubber plantations (see Table 2).

¹⁴ Plus one additional family to represent all wealth groups in the first village.

¹⁵ Six villages are due to receive Land Survey certificates in 2010.

Apparently the central government conceded more land than degraded land locally available which put local DAFO and DLMA staff under pressure to make land available to the investor which was often neither degraded land as the law would require nor unoccupied. In fact a lot of concession land was owned and used by villagers, often growing high value cash crops like coffee

Table 5 below shows a SWOT analysis that the participating government authorities requested facilitated by the research team.

Table 5: SWOT analysis of LUP/LA with district and provincial government authorities

Strength	Weakness
-Villagers use their land efficiently / yield good results from their land use	-The implementation was not yet good enough
-Society has justice and peace	-Land use not according to goal / plan and lack of follow up and monitoring
-The villagers got to know their own village boundaries	-Sense of responsibility for natural resource not yet high
-Villagers get to think about/ develop concept how to be responsible for use, protection and development of their land	-The law has not been enforced everywhere
-The villagers know how to use their land according to the regulations	-The methodology of LUP/LA does not
-The government transferred responsibility for land and forest management to increase the efficiency of natural resources use in the local	-Lack of follow up and monitoring of the impact of LUP/LA
	-No experience in monitoring
Opportunity	Constraint
-Promotion of business and marketing for economic growth	-Villagers understanding is still limited
-Villagers can use their land according to their own needs	-Rules are not implemented
-Most people believe in/ trust the government development plan	-Villagers do not use their land according to plan
-Possibility to attract investment in development	-Lack of information
	-If village boundary delineation was not done properly, conflicts are created
	-The law has not yet been implemented everywhere
	-Not all families have been allocated land
	-Some villagers not satisfied with boundary delineation
	-The population does not yet fulfill its management role / lack ownership

All participants agreed on the need for improved monitoring and follow-up activities but also agreed that technical capacity and lack of funds were an obstacle to this.

Table 6: SWOT analysis of land concessions with district and provincial government authorities

Strength	Weakness
Villagers have jobs / daily labor	Fee for land concessions is too low ¹⁶
Outside/foreign investment leads to increased incomes	Lack of orderly management of land concession process
Government benefits through concessor	LUP/LA rules were not followed/implemented
	Lack of monitoring of the concession land use
	Villagers do not have sufficient land for agriculture
	Land for production decreased
	Forest has been destroyed
	Negative impact on environment and society
Opportunity	Constraint
Villagers get benefits from investment	
The population has an opportunity for inter-generational	

Apparently the concerned agencies do realize the shortcomings of the concession process and indeed expressed their need for technical input on registration and land use monitoring procedures several times.

Confusion reigned as to how to enforce contracts: even though the foreign investors were supposed to violate contracts and pretty much resign themselves their land use permit contradicting the law no contract has ever been cancelled and no investor ever been held to unclear contracts.

Actual data on either the LUP/LA process or the land concession situation was hard to come by. Actually DAFO and DLMA should have a copy of all LUP/LA documents (TUTs and land use plans and regulations). However, the only data the team could get from DAFO on LUP/LA was a handwritten and hardly legible summarizing the land use areas in 32 villages (out of 57 villages in the district) dated from 1998. DLMA had land tax registered from September

¹⁶ Apparently the concession fee collected from the Vietnamese investors is only US\$ 6 / ha / year.

2008 available, according to which 3,093 families (79% of a total of 3,905 families) apparently have been issued with some kind of land title by TLUCs because they have paid taxes (an average of 433,000 KIP) in the initial workshop. The responsible authorities mentioned that LUP/LA had been conducted in 60% of all villages during 2000-1997.

Even though PLMA had just recently compiled a whole book on the status quo of land concessions in the province including GPS data, the report not having been approved by the authorities, the teams request to the national land management authority in Vientiane was rejected because of the confidentiality of the data.

COMPARATIVE VILLAGE PROFILE AND LAND USE IN THE TARGET VILLAGES

Table 7 below summarizes the main data collected from the interviews with village heads and village councils. Table 8 depicts current land use in the 5 villages.

Table 7: Comparative Village Profile according to village heads and councils

	Nyok Thong	Yuep	Palai	Djunghung Nuea	Thon Noi
Better-off/middle/poor families	12/123/9	8/18/12	3/38/30	13/6/5	27/86/70
Resettled (by GoL)	No	1998	No	1974	No
Families	144 families	101 families	39 families	78 families	130 families
Land titles	142 TLUC, 2 LSC	None	39 TLUC, 1 LSC, 1 PLT	78 TLUC	130 TLUC
Main income	Paddy, livestock, daily labor	Daily labor, small livestock	Rice, coffee, daily labor	Coffee, small livestock, labor	Rice, coffee, daily labor
Main production changes after LUP/LA	DAFO promotion of jobs	Training on livestock raising	Promotion of coffee and jobs tears	New road	-

Relevance of LUP/LA	No Land management rules, land insufficient village has not adhered to LUP/LA outcomes	Because of resettlement no LUP/LA ever conducted, no land titles only some plots allocated for rice production, lack of land, LUP/LA finally rendered irrelevant by concession	Land management rules existed, but land allocated insufficient due to population increase LUP/LA finally rendered irrelevant by concession	LUP/LA finally rendered irrelevant by concession	LUP/LA finally rendered irrelevant by concession
Change of swidden after LUP/LA	20% decrease, increased paddy	70% decrease because of lack of available land	70% decrease because of increased paddy (extension services)	70% decrease due to population pressure, lack of forest land	70% decrease due to increased paddy area
Change in NTFP availability after LUP/LA	No change	Decrease due to population pressure	Decrease due to population pressure	Decrease due to population pressure and reduced forest available	Decrease due to population pressure and reduced forest available
Change of wildlife availability after LUP/LA	50% decrease due to population pressure	80% decrease due to population pressure	90% decrease due to increased hunting	80% decrease due to depletion of forest	60% decrease due to increased hunting

Land conflicts after LUP/LA	70% increase	No change because no LUP/LA	Increase due to people selling village land	Decrease due to land sufficiency	80% decrease
Food security after LUP/LA	Deteriorated by 50%	n/a	Improved	80% improvement due to increase of paddy area	Deteriorated through the use of chemicals / health hazards
Forest management /protection after LUP/LA	No change	n/a	No change	Improved through LA	Improved because villagers were made responsible themselves
Village has land use plan?	No	No	No	Yes	Yes
Benefits of LUP/ LA	n/a	n/a	n/a	Improved management by village forestry council	Improved management by village committee and village forestry committee
Village land conceded	428,11 ha to LV for rubber, 50 years from 2005	150 ha for rubber, 50 years from 2006	450 ha, to LVF for 50 years starting 2005	400 ha, Lac Bidina, 50 years starting (rubber)	250 ha, Lao-Bidina, 25 years starting

	onwards		(rubber)		2006 (rubber)
Participation in concession process	Request was submitted to village council, after survey the land was conceded even though the village disagreed	Village was informed by District authorities that they were to concede land to the investors and would get 1,000,000 kip/person/month, electricity village fund and health centre. None of it was delivered.	Former village head was bribed	Village was informed by District and Province authorities that they had to concede their land to the government who in turn gave it to company	Villagers participated in decision and are happy with the decision because only degraded land was conceded

Table 8: Land use per village in ha as summarized by the village heads (numbers in brackets represent original LUP/LA data from DAFO)

Land use	Nyok Thong	Yuep	Palai	Djunghung Nuea	Thon Noi
Paddy	65,4 (35.5)	n/a	46,7 (39.36)	65	91
Upland/swidden	58 (85.2)	n/a	27,66 (93.8)	24	0 (35.16)
Industrial crop (coffee)	10 (10)	n/a	7,93 (70.45)	114	30 (52.72)
Short-term-crop (cassava, maize)	2 (2)	n/a	3	13	0
Production forest	(329)	n/a	1,000 (239)	0	0
Protected forest	(1,331)	n/a	0 (719)	14	20 (850.8)
Reserve forest	(446,95)	53	0 (4539)	0	10
Concession land	428,11	150	450	400	250
Total	2,186.56 (2,405)	203	1,650 (1,650)	620 (784)	382 (1,846) ¹⁸

There is a very obvious discrepancy between LUP/LA data which was available at DAFO and actual land use as reported by the village heads. The only fact that all village heads (and villagers) could easily recall by heart was the amount of land conceded to the rubber companies. Obviously villagers understanding of land use and land allocation in the villages is not really consistent.

Some village councils claimed that no reserve land and hardly any protected forest land was left for the village due to the land concession.

¹⁷At DAFO only the LUP/LA total of Djunghung Nuea (North) and Djunghung Thai (South) were available for protected forest.

¹⁸At DAFO only the LUP/LA total of Djunghung Nuea (North) and Djunghung Thai (South) were available.

FINDINGS ON LUP/LA AT VILLAGE LEVEL

The villagers discussed the benefits and shortcomings of the LUP process as a facilitated focus group discussion as summarized in Table 9 below:

Table 9: Benefits and shortcomings of LUP/LA as discussed by villagers

Pros	Cons
-Communities know village boundaries and resource use zones	-LUP/LA outcomes were rendered obsolete when village authorities permitted Vietnam company to grow rubber on village land
-Government provided training to villages for production (1 village)	-Lack of market to sell products promoted by government extension services (jobs tears)
-Village committee set up rules for land and forest management with DAFO team	-Rules of forest management were not all enforced (hunting, forest protection)
-Provided land was sufficient (incl. forest and NTFP) (2 villages)	-Families from other villages (without LUP) requested land for farming
-Reduction of land conflicts	-Population increase led to insufficient production area
-Improvement of forest management	-Assigned land parcels too small (1 village)
-Village committee set rule of forest and land protection (1 village)	
-Better cooperation on land use between villages	

Facilitating the discussion on LUP/LA and achieving appropriate answers to the questions in the questionnaire was not easy because LUP/LA was conducted in 1993 in target villages. Most people offered their opinion about current issues / land concession problems. The facilitator constantly had to remind people to refer to a situation of land management before the concession. The old land use maps developed during the LUP/LA exercise that depicted the village wooden panels had disappeared or got broken in all villages. Since they ceased to depict the actual land use situation due to increase of population, migration and land concession, the villagers did not really bother. It is apparent from Table 9 above that LUP/LA had beneficial impacts in terms of decreased land conflicts, improved land and forest management and improved land sufficiency. But in all villages the benefits were rendered obsolete by the land concessions that followed later. One village, Ban, had been resettled after LUP/LA and has thus never experienced the benefits of the process while experiencing the full impact of land concessions because no land titles have been issued to this village. Vietnamese investors had an easy

time with grabbing the villaland and grow rubber on it while the villagers now have to beg in surrounding villages for excess land to farm.

Overall LUP/LA increased the land villagers consider their own by 35% (from 2 to 2,7 ha/family average).t also increased dry fields (through extension services) by 115% (from 0,7 ha total and 0.5ha average per family to 1,9 ha total and 0,9 per family) and decreased swidden by 17% (from 0.6 to 0.5 ha/family).

60 villagers completing the question (48%) said they participated in the LUP/LA exercise while 66 (53%) claimed they did not. While it is conceivable that the interviewee himself might sometimes simply have been too young when LUP/LA was conducted the only thing that even people who participated were able to remember was a consultation with DAFO staff.

40% considered the land allocation during LUP/LA sufficient for their needs while 49% said they had not been

While agricultural extension services were only provided to 14 interviewed families before LUP/LA it increased to only 17 instances afterwards. Even though dry fields were cleared in some villages which increased food security and was much appreciated by the villagers, villagers were obviously not too content with extension services related to other new crops (jobs tears), for v they said there was not market though they were told so by the government staff

29% of respondents said food security increased after LUP/LA, 14% found it decreased and 56% could not see any change.

Income increased according to 46% of the respondents, decreased for 36% and remained unchanged for 18%²⁰

39% found that land conflicts decreased after LUP/LA, 48% did not see any change and 13% saw an increase in conflicts.²¹

72% think that NTFPs available have decreased after LUP/LA

Generally villagers stated that they relied more on cash and had less naturally available food (NTFPs and wild animals) at their disposal.

LUP/LA led to an improved management/protection of forests according to 38% while 21% did not state any changes and 41% (52) found it not high to gain be due to current issues related to the land concessions.

¹⁹Missing percentages to add up to 100% are due to missing answers.

²⁰Again, it is questionable if the stated changes can all be attributed to LUP/LA or if the villagers might have referred to changes after LUP/LA, as well.

²¹This, of course includes 25 respondents of a village where LUP/LA never had been conducted.

FINDINGS ON LAND TITLING IN THE VILLAGES

Only one interviewed villager held a permanent land title (PLET) 3 respondents (3.4%) had a Land survey certificate (LSC) while 76 (60%) held a Temporary Land Use Certificate (TLUC). 44 villagers (35%) claimed to not even have Land Tax receipts, they officially would not own any land at all. Even if the 25 interviewees from Yapp are subtracted, where titling has never taken place this still leaves 19 villagers (15%) from other villages without any land even though they were issued a TLUC in the past.

The respondents paid an average of 33.000 KIP/ha as taxes on the land they held a title for.

Even though the sole owner of the PLU who is also the holder of a LSC used his land title for mortgage and then invested the loan in a banana plantation, the data does not allow a representative statement about a correlation between land titling and

Confusion reigned about the tenure of land ownership with a TLUC only. Quite a few villagers believed their TLUC to be permanently valid because no follow up after the three year validity period occurred. Apart from 9 respondents with their TLUCs were valid until 2011 (issued last year) all other TLUCs were issued more than 3 years ago, thus

Still, 14% of all villagers considered their land tenure very secure and 42% said they did not know and only 7% insecure about their tenure.²²

The interviewed villagers said to hold land titles for 5% of all land they actually considered their own (1,6 out of 2.7 ha per person in average).

While only one respondent confessed to have sold his TLUC which is actually illegal, it is sad to happen regularly within the village. Also, it is questionable how the handing over of the TLUC to the rubber company along with the land, as observed in one village, is termed. The only difference to selling the TLUC is that the compensation is a lot less than a sale would have fetched and the land is gone for good just as well.

²²Another 5% (6) did not answer the question because they did not have any land title or land and thus their questions did not apply to them.

FINDINGS ON LAND CONCESSIONS IN THE VILLAGES

The villagers also discussed the pros and cons of land concessions as summarized in

Table 10: Benefits and shortcomings of land concessions as discussed by villagers

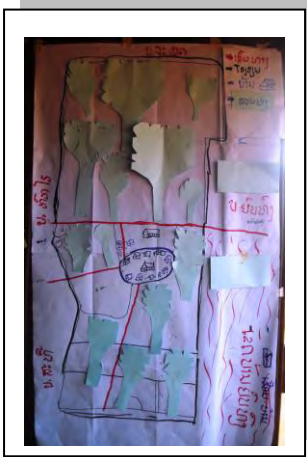
Pros	Cons
District and Village authorities supervised and managed the process	Villagers were not sufficiently informed / could not participate in the concession process
Vietnamese company provided electricity to village (1 village)	Environmental and health problems (death of fish and other animals, almost death of villagers)
Company contributed clothes to workers (1 village/60 days work)	Decrease/lack of production (1 village without any land titles came up with NO land production)
Company financed village festival (1 village)	Labor shortage
Company contributed some books and materials, co-financed hospital service and repaired a school	Decrease of water from local stream, increase of slash and burn because of lack of irrigation
Villagers have a source of income	Villagers were beaten up by company workers
	Company forced villagers to work overtime (uncompensated)
	Decrease of income from sale of produce
	Compensation for conceded land inappropriate, some villagers were not compensated at all
	Company did not stick to contract (water provision, health center; village fund and electricity were promised/granted but not provided)
	After initial employment for two years, available wages decreased (after planting seedling the company introduced machines and workers outside the village)
	Company workers killed village animals
	Company workers harassed the villagers
	Forest land was cleared for agriculture because the villagers' production land had been conceded

The company encroached on village land (ir protected forest)

The company did not cooperate with the vi

The government gave too much to the company

Labor allowance too little for workload



After the focus group discussion summarized above, the village council was asked to draw a map of land use in their village. All these maps showed villages with tiny gardens and some fields surrounded by rubber plantations. People were frustrated about having to walk long distances to clear new swidden fields and the lack of forest and its free food resources close to the village.

Apparently, participation of the villagers in the concession process differed from village to village and depended a lot on the capacity of the village authorities. While some villages kept the TLUCs and actually leased their land (for 50 years) with the option of getting back after the concession period, some villages conceded their land

titles (TLUCs) to the company for good (even though it is legally not possible to sell TLUCs). Sometimes the investors bribed the mayors, sometimes they tried to coerce the villages into the concession with the support of government authorities, and sometimes they lied to the villagers promising them infrastructure support for the villages (electricity, school that was sometimes delivered and sometimes) or promising employment only for those who had come without telling the villagers that after planting the rubber seedlings most of them would not actually be needed for a couple of years and that workers and machinery would be brought in from elsewhere to replace them in the plantation. For those who lost their land, if the rubber company does not hire local people to work, there are few alternatives to sustain their livelihoods. They become dependent only on one source of income, which makes them much more vulnerable than their original way of life with diversified livelihoods. Villagers are hired on a daily basis rather than on a permanent basis. The companies pay differing wages, but generally pay an average daily wage of 20,000-23,000 kip (US\$2.5) per day. The average number of working days a year for non-permanent laborers amongst those interviewed worked out as less than a quarter of the working year.

²³In one village the mayor was promised a Toyota Hilux if he talked his fellow villagers into the concession. After delivering he was only mocked by the company, though and the villagers elected a new mayor.

²⁴When a village refused to concede their land the company came back with the District governor, then with the Province governor until the village finally complied,

Labor requirements are high in the first year but there is little work available thereafter until rubber is harvested. The wages were irregular with a tendency to decrease after the first year. Due to initial promises of the rubber companies about coming riches a lot of villagers indebted themselves, buying TV sets and satellite dishes from local Chinese traders and found themselves unable to repay the debt, when employment did not turn out to be as-regular and well-paid as promised.

participated in the decision making participation in the concession process.

63% of the interviewed villagers said they conceded their own land to the rubber companies. In one village they even conceded their TLUC along with it. The company told the villagers in all 5 villages that only people conceding land to the company would be eligible to work for them. Respondents conceded a total of 189.1 ha to the rubber companies averaging 4 ha per person. 74% of this conceded land was land the villagers had a title for; the rest was communal land for which they had traditional use rights (mostly swidden).

Thus, a substantial portion of the land conceded to the rubber plantations was not at all degraded land but either agricultural land that the villagers could or would not pay the taxes for (21%) they did not use (2%) or land under agricultural use (mostly coffee) made up 21% of the conceded land.

Those who were compensated for their land received an average of 575,000 KIP ranging from 60,000 for a swidden field in traditional ownership to 2,000,000 for good agricultural land and a TLUC.

Since 33 villagers said to have not been compensated at all for their land (90.5 ha) the average compensation per person is actually only 245,000 KIP / ha which is ridiculously low.

49% of the uncompensated land was communal village land under customary use (mostly swidden) while the remainder was agricultural land with land title (71.6 ha) without land taxes paid.

When asked how big their loss through the concession was, the concerned villagers estimated their financial loss at 10,400,000 per person in average, comparing the lease fee with the price fetched if they could have sold the land.

Asked about the impact of the concession 9% of the affected villagers answered their land was now insufficient and they would not have enough rice to eat, 6% said that available wildlife NTFPs had become insufficient and 84% said that their land and overall income had become less than before. Only 8% remarked that even though they had lost good land to the company it had been compensated appropriately.

Even though the villagers generally were frustrated with the labor and wages actually available, because daily labor availability sharply decreased after the first year and complained about working overtime,

physical abuse and health problems after dissemination of pesticides for daily labor in the rubber plantations accounted for 59% of the average cash income of villagers (3,896,000 KIP) followed by coffee (13%), the sale of livestock (10%) and rice (6%).

Thus, despite all hardships, the concessions did also yield positive results for the villagers in terms of increased income. It was remarked by quite a few that they found the change from a forest based livelihood to a cash based one quite demanding and missed the natural foods they used to rely on.

Only 67% of the interviewed villagers got employment with the companies, though.

CONCLUSIONS AND RECOMMENDATIONS

Even though generally it has to be stated that land and forest policies in the Lao PDR have been aimed at poverty reduction and economic integration, policies have failed to sufficiently take the actual reality of the upland minorities into account.

While it is absolutely conceivable that foreign investment, plantations and a change from swidden sedentary agriculture might help people to escape poverty the speed and mismanagement of the process have overwhelmed and frustrated rural authorities.

Without a more participatory approach to local development planning that seriously tries to take indigenous concepts of a good life, customary land use (including communal land) and well as access and use rights to natural resources into account the current development strategies are likely to fail and leave behind a substantial part of the population disenfranchised and frustrated.

The recently announced MAF instruction "to prepare for the complete stoppage of slash and burn, and shifting cultivation in 2010" is therefore likely to fail if it does not consider local conceptions and livelihood systems.

Recent research by the International Rice Research Institute in Thailand has in fact shown that even upland people who have escaped poverty continue to grow upland rice.

²⁵One villager summarized his feelings about the land concession process by saying he wished to have a boat to pay back the investors.

A prerequisite to the development of rural areas in Laos is a well managed Land Use Planning and Land Allocation including the disbursement of permanent land titles to villagers as throughout Lao PDR. Otherwise development of rural areas is likely to disregard the interests of the concerned villagers.

A simple Land Use Planning and Land Allocation Record System should be initiated, and regular monitoring and follow up assessment be conducted in the villages (by DAFO).

Land ownership should be assessed and monitored by the LMA in close cooperation with village authorities. Currently land ownership is increasingly difficult to track because of the transfer of TLUCs, land concessions and local arrangements due to migration and population increase.

Monitoring exercise of these parcels with a 3 year period has not been successful. In future only land already under cultivation should be allocated and registered. One important criteria is that land is located in land use zones classified as suitable for agricultural production and not e.g. in forest areas.

As a general rule an update of land allocation should be conducted in every village of the district at least once every 3 years. During this land registration exercise by DLMA staff, all parcels taken for permanent use and lacking any use certificate will be registered and a Land Survey Certificate would be issued.

This 3 yearly exercise would be an opportunity for a general review of the land use certificate process in each village, after which land under permanent cultivation should be left without a further opportunity for villagers to request the conversion of TLUCs into more permanent land certificates (e.g. LSC) or the Permanent Land Title (under sporadic adjudication).

In the long term, priority must be given to the provision of more opportunities outside the agricultural sector, while at the same time strengthening extension services to make more effective use of the cultivated land. Ultimately, strategies to stabilize the population growth are needed.

Most villagers living in rural areas are not familiar with the options for conversion of their TLUCs to a permanent land title. Even if information on such opportunities reaches the village, it is unlikely that the potential increase in tenure security of a more permanent land certificate or a land title entices them to actively request registration by approaching district authorities. Most interviewed villagers felt pretty secure about their land tenure. The common lack of investment in land is therefore mostly due to other factors.

The validity of TLUCs should be extended for up to 10 years after the date of issue.

Furthermore communal land has to be legally provided for individual land titles only turned into capital, thus turning them into a market commodity it is easily conceivable that this entitlement does not necessarily protect an individual villager from losing his land. The upland

minorities are, after all, not the strongest market participants and their titles have in the study area been issued rather in areas were earmarked for concessions. Therefore they did not contribute to tenure security but only facilitated compensations after the land grab.

International experience has shown that delineation of communal land of ethnic minorities together with an eviction legislation are way more efficient in safeguarding this land than individual land titles.

LAND CONCESSIONS

A comprehensive land inventory is missing. Such an inventory should include relevant data on existing lease and concession contracts and details on land use. Instead, bits and pieces of information about state land are with a time being ministries, departments and divisions at central and local levels. Since these shortcomings slow down investment approvals, investors might start to search for suitable land on their own or to give up their investment plans in Lao PDR altogether.

Model agreements meeting international leasing standards are available only for concessions on hydropower. Other contracts for leases and concessions using state distinguished terms and obligations of both parties seem always to be unbalanced. All contracts reviewed lack clear and enforceable clauses on breach of contract, compensation for damage, penalties, termination, and dispute settlement.

Furthermore, concession fee rates, usage charges for natural resources and royalties are not based on supply and demand. Different approaches applied in the past to determine fee rates do not seem to meet market standards. Granting the current low fees should be restricted to joint ventures when the land constitutes the contribution to the project, but is entirely dispensable in the case of other domestic or foreign investments because the prospect for reasonable profit is deemed sufficient incentive and enterprises should not be subsidized.

DSA and OSA, responsible for contract management, have so far not established a proper filing, monitoring, and reporting system because there is a lack of communication between central and local levels (including between local departments). However, efforts to improve reporting procedures from local levels are on the way.

Inspection and monitoring of sites by line ministries and divisions is not regulated on a basis, and if so, the information is not being shared with the OSA. Therefore, breaches of contractual obligations to develop the land and prevent environmental damage seem to be widespread, however, there are no arbitration or compensation procedures.

As to technical management of the concessions the study team makes the following main recommendations:

- ◁ Ensure regulation before concession projects through proper Environment and Social Impact Assessment (ESIA)
- ◁ Provide model contracts for land concessions that meet international standards (regards balancing rights and obligations of contract partners and contract clauses)
- ◁ Use business valuation methods to identify land rental value, and as a preliminary, revise legal Decrees setting concession fees, usage charges, resources, and land royalties on a regular basis (e.g. every three years)
- ◁ Improve management of state assets (e.g. the filing, monitoring and reporting system and concessions and establish IT-based land inventory)
- ◁ Decentralize monitoring and enforcement responsibilities

Generally the benefits of large scale monocultivations have to be questioned especially considering the often stated existence of vast areas of unused or underused land and i myth. Apart from technical difficulties in managing the concession system, it has demonstrated how exactly the land concessions and resulting plantations are supposed to be beneficial to whom-especially compared to existing alternatives like contract farming

A self-regulating market turns human beings and the natural environment into commodities, a situation ensures the destruction of both society and the natural environment.

Karl Polanyi, "The Great Transformation" (1944)

BIBLIOGRAPHY

- ADB. (2007). *ADB*. Retrieved July 20, 2009, from [www.adb.org: http://www.adb.org/documents/prf/knowledge/commethniegroups.pdf](http://www.adb.org/documents/prf/knowledge/commethniegroups.pdf)
- ADB. (2001). *h h*. Manila: Asian Development Bank.
- Barney, K. (2007). A Note on Forest Land Concessions, Social Conflicts, and Poverty in the Mekong Region. *Proceedings: International Conference on Reconciliation and Forests, Bangkok*.
- Chazée, L. (2007). *The Peoples of Laos. Rural and Ethnic Bangkok*. White Lotus Co. Ltd.
- CIDSE. (2009). *Land Concession Induced Livelihood Changes Research on land and livelihood impacts from concession or monoculture tree plantation*. Milan: International Cooperation for Development and Solidarity (CIDSE). Laos.
- Committee for Planning and Investment. (2007). Land Use in Commercial Plantation Development. *Presentation to the MAF/NLMA Conference*.
- DOF. (2003). *Status Report for the Formation of Forestry Strategy towards 2020 in the Lao PDR*. Department of Forest.
- Ducourtieux, L. a. (2005). *Land policy and farming practices*. *Development and Change* 36(3): 209
- Ducourtieux, J. R. & Sacklokham, S. (2005). Land Policy and Farming Practices in Lao PDR. *Development and Change*, 36(9): 26.
- Dwyer, M. (2007). *Turning Land into Capital, A review of recent research on Land Issues*. Working Group on Land Issues.
- Eprecht et al. (2008). *The Geography of Poverty and Inequality in the Lao PDR*. National Centre of Competence in Research (NCCR)-South, Geographica Bernensia, and International Food Policy Research Institute (IFPRI).
- FAO. (1997). *Asia Pacific Forestry Sector Outlook Study: Commentary on Forest Policy in the Pacific Region (A Review for Indonesia, Malaysia, New Zealand, Papua New Guinea, Philippines, Thailand and Western Samoa)*. Retrieved July 19, 2009, from FAO Corporate Document Repository: <http://www.fao.org/docrep/W7730E/w7730e05.htm>
- FAO Tong, P. S. (2009). *h - h O - o) - U \ # k * u @ # k - h y*. Bangkok: FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS.
- GTZ. (2006). *Study on State Land Leases and Concessions in Lao PDR*. Vientiane: No. 4 under LLTP II., a German Land Policy Development Project.
- GTZ, Seidel, K. et al. (2007). *Study on Communal Land Registration in Lao PDR*. GTZ.
- GTZ, Soulivanh et al. (2004). *Study on Land Allocation in Lao PDR*. GTZ.

- Hobley, M. (2007). *Where in the World is the Poor? Forest Policy and Tenure*. Washington D.C.: Rights and Resources Initiative.
- Hunt, G. (2007). Regional linkages: plantation investment and land tenure in the Theun and Hinboun Basins. Presented at AMRC/AusAID Greater Mekong Conference, September 2007, Australia.
- Ian G. Baird and Bruce Shoemaker. (2005). *For or Abetting? Internal Resettlement and International Aid Agencies in the Lao PDR*. Toronto, Canada: Probe International.
- Jamieson, N. L., Le Trong Cuc, and Rambo, A.T. (1998). *The Development Crisis in Viet Nam's Mountains*. Honolulu: Special Reports No. 6. West Center.
- Jones, P. & Sysomvang, S. (2004). Participatory Land Use Planning and Allocation. In *NAFRI Upland Source Book*. Lao Swedish Forestry Programme; NAFRI.
- Lang, C. and Shoemaker B. (2006). *CREATING POVERTY IN LAOS: THE ASIAN DEVELOPMENT BANK AND INDUSTRIAL TREE PLANTATIONS*. World Rainforest Movement Briefing Paper.
- Lao PDR NGPES. (n.d.). *Lao PDR National Growth and Poverty Eradication Strategy (NGPES)* from <http://www.undplao.org/newsroom/publication/Ngpes/Lao%20PDR%20NGPES%20Main%20Document.pdf>
- Law on Land, No. 01/97 NA. (04/12/1997).
- Law on Land, No. 04/NA. (10/21/2003).
- Luangaramsi P., Leonard R., Kuaycharoen P. (2008). *Wellhoods made vulnerable as rubber investments take over land in Laos*. Retrieved July 20, 2009, from WRM's bulletin N° 137, December 2008: <http://www.wrm.org.uy/bulletin/Laos.html>
- MAF. (2005, 25). *A 2020 Vision for Laos: A 2005 []*. Retrieved March 25, 2009, from <http://www.maf.gov.la> 2008-07-22-13-0434.html?func=fileinfo&id=124
- MAF Update. (2008). *MAF Update (2008)*. Retrieved July 7, 2008, from <http://www.maf.gov.la> 1415.
- Manivong, K. & Sophathilath, P. (2007). *Status of Community Based Forest Management in Laos*. Bangkok: PDR. RECOFTC (Status report).
- Online. (n.d.). *Reference.com*. Retrieved August 22, 2009, from http://www.reference.com/browse/wiki/Xekong_Province
- Phanthanousy, B. & Sayakoummane, S. (2005). Lao DPR Community Forestry in Production Forests. *Proceedings of the First Regional Community Forestry Forum*. RECOFTC.
- Pongkao, S. (2008, April 10). Land Category System to Rectify Problems. *Times Newspaper; Issue 86*. p.3., p. 3.
- RRDTC. (2009). Workshop with government authorities from PAFO, DAFO, DLMA, PLMA. Tatdaeng District.

Sunderlin, W. D. (2006). Poverty Alleviation through Community Forestry in Cambodia, Lao PDR, and Vietnam: An Assessment of the potential. *Forest Policy and Economics*, 8: 183-196.

Takeda, S. (2003). Land allocation program in Lao PDR: The impacts on forest products (NTFPs) and livelihoods in marginal mountainous areas. *NTFP and livelihoods in Lao PDR* (2009). Kyoto : Kyoto University, Graduate School of Asian and African Area Studies,.

UNDP. (2001). *Advancing rural development. National Human Development Report*. Lao PRD.

World Bank. (2001). *Lao PDR Production Forestry Policy: Status and Issues for Dialogue*. Government of Finland and Government of Sweden.

World Bank. (2001). *Lao PDR: production forestry policy and issues for dialogue*. *World Bank* (June) (unpublished).: World Bank.

World Bank, Klaus Deininger. (2003). Land Policies for Growth and Productivity. *International Conference on Poverty Reduction and Forests, Bangkok, September 2003*. Washington, DC: IBRD/World Bank.

WWF. (2007). *Addressing the environmental and social challenges resulting from agricultural land concessions in Cambodia and Lao PDR*. Retrieved June 25, 2009, from assets.panda.org: http://assets.panda.org/downloads/cambodia_and_laos___land_concessions_project___wwf___july_07__2.pdf