

# Land Issues Working Group

---

## 2012 Round Table Implementation Meeting Statement

The Land Issues Working Group/LIWG, a network of more than 40 organizations (international and local) would like to congratulate the GoL for the recently issued Moratorium to suspend new land concession for industrial tree plantations and mining until 2015. We would like to encourage the government to extend this moratorium to other types of land concessions, considering that for instance industrial coffee plantations on the Boloven Plateau are creating similar problems like rubber plantations in other parts of the country. In addition we hope that by 2015, time will be taken to investigate seriously the negative effects of existing land concessions, beside the unquestioned economic revenues they are generating. And the LIWG stands ready to support the government to conduct a study related to the economic benefits and poverty reduction and to investigate present problematic cases.

This provides a timely opportunity to evaluate the strategy of “turning land into capital”, and importantly to learn whose capital is being served by this policy. The economic value of land can certainly not be limited to the profits an industrial project can generate. We need to consider the economic value of land used by communities for their own agriculture, and to integrate the economic losses when the affected communities become food insecure, once the land has been taken. Then the environmental costs need to be added when industrial projects make extensive use of chemicals (being on plantations or for mining operations). Finally land has other values: ecological, social, cultural which are not considered in the narrow economic perspective of turning land into capital.

The on-going writing of the first National Land Policy (NLP) is an opportunity to redefine the vision and to value land as an asset for the people. Similar calls have been voiced in the statement issued last August by more than 30 farmer organizations coming from 15 provinces. Strengthening land tenure for local communities, would contribute directly to the achievement of MDG 1 on food security/nutrition, and MDG 7 on environmental sustainability, and directly support other MDGs. Providing secure access to land to Lao People first will help keep the benefit of development in the country. The LIWG has been cooperating closely with MONRE and the National Assembly to support the drafting of the new NLP. In this regard, recommendations were formulated that outside specifically defined issues of public purposes, communities should have the right to accept or refuse land concessions. The biggest problem is that the current draft NLP explicitly states that land can be forcibly taken from Lao citizens *for any purpose* (whether for public good or private investment), which completely removes all rights of citizens on their land and enables land grabbing. Most land in Laos is yet untitled, so it is critical that users of land that is eligible for titling but is yet untitled, be given the same tenure rights as that of titled land holders. In addition protection against speculative operations on land is urgently needed. Presently in every province and here in Vientiane, there are many land conflicts. But there is no effective conflict resolution mechanism, and people are struggling to get a fair and transparent resolution of their land dispute, including on the issue of fair compensation. It is our deep concern that too often those trying to use the legal framework to protect their interests are being put under pressure or accused of opposing governmental policy. Adequate accountability and enforcement mechanisms need to be integrated in the new policy, in order to address the existing implementation gap. Many of these recommendations had been included in previous drafts on the National Land Policy but have been recently removed. It is our hope that inclusive consultation process will continue and the LIWG remains committed to support the efforts of all parties involved in the drafting of this new Land Policy. And the LIWG is also fully prepared to offer the same support to the revision of the Land Law.