

Case Study

A Glimpse into Women's Customary Forest Tenure Practices in Lao PDR

Access, Use and Management Rights of
Women in Customary Tenure Systems in
Mai District, Phongsali Province

Phetsakhone Somphongbouthakanh

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Cover image: A woman reeling homegrown cotton at Somxay village in Phongsali.

Contents

List of Abbreviations	6
1. Introduction	7
2. Methodology and Research Ethics	8
2.1. Methodology.....	8
2.2. Research Ethics.....	9
2.3. Limitations.....	9
3. Conceptual Framework	10
3.1. Defining Customary Rules: A Village Perspective.....	10
3.2. Conceptual Framework.....	10
4. Customary Forestland and Forest Resources Tenure in the Study Sites	12
4.1. Introduction to Hacha and Finhor Villages.....	12
4.2. Perceptions of Customary Land Rights.....	16
4.3. Customary Forest Rights of Women in Practice.....	17
4.4. Women's Role in Forest Governance.....	20
5. Recommended Ways Forward	24
6. Conclusion	26
References	27
Annex 1: List of Interviewees	28
Annex 2: Research Ethics	29
Annex 3: List and graph of forest resources extraction from the forest	30

List of Abbreviations

CAW	Commission for the Advancement of Women
DAFO	District Agriculture and Forestry Office
DoNRE	District Natural Resources and Environment Office
IFAD	International Fund for Agricultural Development
LIWG	Land Information Working Group
LFNC	Lao Front for National Construction
LWU	Lao Women's Union
PLUP	Participatory Land Use Planning
PRA	Participatory Rural Assessment
NGO	Non-Governmental Organisation
NTFP	Non-Timber Forest Products
VFMP	Village Forest Management Plan

1. Introduction

Lao PDR is a land-locked country sharing borders with Vietnam, Thailand, China, Cambodia and Myanmar. Topographically, it consists of low flatlands, and mountains, with forests found mostly in the mountains. The forested mountainous areas are high in biodiversity and rich in natural resources. They are also home to a diverse number of ethnic groups who remain dependent upon forests to sustain traditional livelihoods. These include materials for housing, medicinal plants, and a multitude of natural products used in rituals and religious rites essential in systems of belief that govern local societies and the utilisation of natural resources.

Understanding local values and beliefs, especially in relation to the management of land, forests and water, is important for development projects aiming to improve community well-being focusing on women's rights, gender equality and positive change. A review of the literature in this regard produced little documentation relating specifically to the customary rights of women in relation to forest land and resources.

A recent study carried out by Somphong-bounthakanh and Sandbergen (2020) found that, while women's rights with respect to land tenure are recognised in most Lao-Tai ethnolinguistic groups, the practices of other families—Mon-Khmer, Hmong-Mien and Sino-Tibetan—do not acknowledge these rights. Often this is characterised as a difference between matrilineal and patrilineal social structures. However, more detailed studies of each group must be undertaken before such a generalisation can be made. Lao-Tai groups are usually characterised as bilateral, that is, giving more or less equal status to both sexes. In a few instances, groups such as the Tai Nyuan of northern Thailand, may be referred to as matrifocal, where women have somewhat more say in decision-making, but where genealogies are not understood specifically through either male or female lines. It should also be noted that the labels matrilineal or patrilineal represent ideals, and not necessarily actual practices.

In Lao PDR, the previous Land Law (2003) referred explicitly to women's access to land and therefore provided a basis for increasing women's tenure security. The newly revised Land Law (2019) and Forest Law (2019), however, do not adequately address customary practices, traditions, and values, nor the real and pressing concerns of women within these systems (MRLG & LIWG 2020). The Land Law (2019), for example, does not address women's

rights to secure tenure, differing significantly from the 2003 Land Law where women are featured, and joint titling was key for land registration. In regard to customary land use practices, Article 130 of the Land Law, states that recognition of customary use rights is determined by continual use of the land for a period of 20 years without conflict. While this is a step towards better recognition of customary practices, the term 'use' is ambiguous as it is not defined, and is assumed to mean 'under cultivation'. Such a definition or interpretation would render the swidden rotational fallow systems ineligible for recognition because communities often practice swidden agriculture for periods longer than 20 years and 'use' following to regenerate forests. If the law is interpreted to mean that fallowing is the same as non-use, then farmers, primarily ethnic minorities, will lose huge portions of their land, possibly most of them, depending on the length of the cycle. Cultural traditions should be taken into consideration in the implementation of the law. Sub-legislation could provide more clarity about those issues to ensure that women's land rights are not overlooked, otherwise social and economic development will be negatively affected, if not completely obstructed.

Thus, while progress has been made in acknowledging customary practices in the Land Law, this legislation falls short of addressing women's rights to tenure as a whole, leaving some groups with predominately patrifocal inheritance systems at a distinct disadvantage.

Land is one of the most valuable assets for most men and women, and it is central to livelihoods in the form of crops, livestock, and overall food security in which the role of women is often primary. Such systems have evolved over generations and include many unique adaptations that we classify as customary practices. This case study seeks to clarify issues related to women's access to tenure rights over land and forests in traditional systems.

This case study will first examine village level perceptions of customary land tenure in two villages in the Mai district of Phongsali province. It will then unpack customary land tenure practices of women in these villages and will then look more closely at women's role in land and forest governance. Lastly the case study will identify recommendations and pathways to increase customary tenure recognition for women.

2. Methodology and Research Ethics

2.1. Methodology

This case study was carried out in two villages located in Mai district of Phongsali province, in northern Lao PDR. One village is inhabited by a Khmou Ou (Mon-Khmer) ethnic group and the other by a White Tai (Lao-Tai) ethnic group. The fieldwork was carried out from the end of January to the beginning of February 2021.

The case study was conducted through a mixed methods approach: a review of related documents, and the collection of primary data through participatory rural assessment. This included interviewing village authorities, women and male elders, conducting focus group discussions involving both men and women and mixed social status groups¹. Fieldwork included time spent with villagers and joining in with their daily life

activities, as well as conducting transect walks and participant observation.

During the study, questionnaires were developed and discussed among the editorial committee members², as were the village selection criteria³. These were agreed upon prior to selecting the study villages. Before visiting the villages, the team met representatives of the groups who were participating in the fieldwork. They included the head, deputy head and technical staff from the District Agriculture and Forestry Office (DAFO), the District of Natural Resources and Environment (DoNRE) office, the Lao Front for National Construction (LFNC), the Lao Women's Union (LWU) and the district Commission Advancing for Women (CAW) offices that were directly in-charge of the study topics. This aimed to collect relevant data and discuss research methodologies.



Village forest mapping with the community in Hatcha village

- 1 See list of people interviewed in Annex 1.
- 2 The study committee members included representatives from LIWG, MRLG and CARE International who have experience of working on land, forest and gender.
- 3 The village selection criteria were: (1) an original village where villagers still practice shifting cultivation; (2) maintenance of customary practices; (3) a village with paddy fields and fields used for mixed purposes; (4) different ethnic minorities (this case study involved Mon-Khmer and Lao-Tai villages); (5) villages were located in the rural and forest areas; (6) one village had completed Participatory Land Use Planning (PLUP) and the other had implemented no PLUP activities; (7) villages encompassed primary forest and were managed by the villagers.

At the village level, the team spent four days and three nights at each location. The data collection processes were discussed with village authorities on the day of arrival, especially the overall land and forest situation, including socio-economic issues, gender and information about development. Afterwards, the team sat with some respected male and female elders to learn more about their local culture, beliefs and their relationship with the land, forests and natural resources. To gain an additional depth of understanding about the study topic, we worked with female and male groups on the second and third days using Participatory Rural Assessment (PRA) methodologies, gender analysis tools, interview questionnaires, and transect walks. We conducted individual interviews with single parents and families classified by village authorities as 'poor' in order to capture some idea about socio-economic diversity. A village meeting was organised on day four of our fieldwork to share the data collected and to check for accuracy before departure.

The findings from the two villages were intensively discussed among the field team members and district staff before the team returned to the office to write up the report. The findings include four main points based on the key case study research questions. The data were analysed jointly in cases where information was considered to be identical, the dissimilar data is presented case-by-case.

2.2. Research Ethics

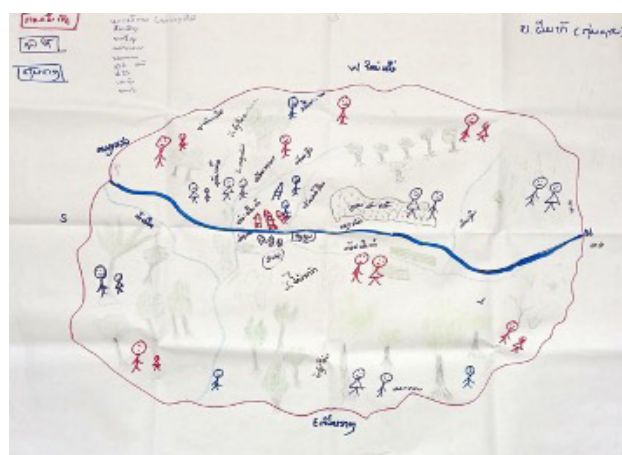
The ethical principles of research were strictly adhered to by our team members during the fieldwork to avoid discord between them and the research participants. Women with children, people with disabilities, and the poorest families, and widows, were especially treated with great respect. Consent was requested and given in respect of every aspect of data collection, including the taking of photos and entry into sacred places⁴.

2.3. Limitations

Due to funding and logistical limitations, the case study was conducted in only two ethnic villages where a patrilineal social system is practised. As a consequence, there is no information about communities where matrilineal and bi-lineal systems are observed. The time spent in the villages was insufficient to obtain extensive and detailed information. Documentation and scientific literature about women and customary tenure systems in Lao PDR is also limited in supporting data analysis. Language barriers and cultural sensitivity also had an impact on the quality of data gathering, including gaining trust from community members when discussing their beliefs and spiritual practices. Future studies and research should be considered to address these limitations.



Result of a participatory land use mapping exercise to identify land areas used by women and by men, conducted by the women's only focal group in Finhor



Result of same exercise, by the men's only group in Finhor

⁴ See 'Key Rules' as an Annex 2.

3. Conceptual Framework

This section examines the gendered perspectives of villagers with respect to social norms and conventions related to customary land tenure. Definitions and guidelines used in the analysis are also provided.

3.1. Defining Customary Rules: A Village Perspective

In general, definitions of conventions and exclusions (referred to as 'rules' in this study) are based upon customary or traditional cultural practices. Qrebech (2005) cites a definition of 'custom' from Visto (2003) in that it:

... refers to a set of established patterns of interactive behaviour among humans, which can be objectively verified in a particular social setting, because these behaviours are adopted in everyday routines... A customary law (rules) is the habitual course of conduct of a society and contains dos and don'ts based on its norms, practices and usages, mechanisms such as taboos, sanctions, social rituals, culture, public posture and ethics of each individual. These norms thus restrain their pattern of behaviour and regulate the social, cultural and religious aspects of the individual and the family. (Visto, 2003)

The customary rules defined by villagers themselves are similar to this definition. A White Tai elder, Ms. Toi age 55, formerly the Lao Women's Union (LWU) representative of Finhor village, gave the following definition: 'Customary rules are what we practice in our daily lives, learned from respected male leaders, which everyone must follow. If we do not follow these rules, people will not respect us.'

And Mr. Xienghung, age 81, a Khmou Ou man from Hacha wvillage, related that: 'Customary rules are traditional practices, principles for living peacefully together, and passed on to each generation. They are created by groups of men, who were respected village members, and their kin from nearby villagers.'

In addition, men and women from both villages agreed that customary rules are principles that guide behaviour, ensuring that all villagers share common practices for purposes of unity, happiness and respect for each other through the performance of rituals and maintenance of beliefs for the good of all. Men and women have their own gender-based rules and norms—for example, the traditional belief that men or husbands are the family or community leaders. They are the ones who make final decisions regarding the family and the community. On the other hand, women are seen as followers, and caretakers for family members, who must be presentable and listen to the male family leaders. Failure to carry out these prescribed codes of behaviour can cause loss of face or embarrassment and violators may be penalised, which in some extremes may consist of exclusion from kin groups or even from the entire community.

3.2. Conceptual Framework

Land may be owned and considered individual or collective property. Land rights are recognised in two modalities: informal (*de facto*) and formal (*de jure*). Larson (2012. p. 27) explains that informal land rights or customary land rights are '*patterns of interactions established outside the formal realm of law. It is a set of community rules and regulations inherited from ancestors and accepted, reinterpreted and enforced by the community, but which may or may not be recognised by the state*'. Formal land rights, or '*de jure*' rights, '*are a set of rules established and protected by the state*'.

In Lao PDR, women's land rights are often overlooked, and, within the villages studied, they remain complex and inter-connected in customary practice. Little research has been conducted to understand women's customary tenure practices and rights in Lao PDR, given its cultural and environmental diversity; it would be highly beneficial for this to be studied further.

Whetherland is individually or collectively owned, women might not be permitted to control their own plots, to be included on land titles or to

inherit land. The culturally defined nature of their relationship to men (for example as husbands, partners, fathers or brothers) and their social position (for example, whether they are single, married or widowed) form a complex matrix of factors that can affect women’s rights to land and forests, and entrench dependence on men for their livelihoods (Larson 2012). It should be stressed that cultural factors loom large in the villages where this research took place, and that the results of prescribed changes in cultural practices, while well-intentioned, are mostly unknown.

This case study aims to understand women’s customary forestland and forest resource rights,

especially their rights of access, extraction, and governance. The author was unable to locate a specific framework relating to women’s customary tenure. Therefore, the framework used was adapted from the book ‘Understanding Property Rights’ produced by the International Food Policy Research Institute (CAPRI 2010). The analysis across a limited bundle of rights applied feminist anthropology perspectives and focuses on analysing power relations between women and men in respect of access to, extraction, and governance of the forestland and forest resources. Table 1 details the three rights in the bundle—access, extraction and governance.

Table 1: Bundle of Rights

Use Rights		Decision-Making Rights
Access	Extraction	Governance
The right to enter forests in their own territory for enjoyment	The right to obtain and use forestland and forest resources for consumption and economical purposes	The right to regulate internal use patterns and transform forestland and forest resources by making improvements The right to determine who will have access rights, withdrawal rights and how rights may be transferred The right to sell or lease some or all rights

4. Customary Forestland and Forest Resources Tenure in the Study Sites

This section describes study findings categorised into four parts. The first (4.1) is a brief introduction to the villages, including their history, social structure, norms, beliefs and inheritance patterns. This is followed by section 4.2, which looks at villagers' understanding of customary rights and ownership of forestland. Third, section 4.3 examines women's customary rights to forestland and forest resources by looking at a bundle of rights related to access, extraction and governance. This part will also present the benefits of customary practices to women, community livelihoods, and the subsistence economy. The last section, 4.4, describes women's participation and joint decision-making in customary forest governance, participatory land use planning (PLUP), and village forest management planning (VFMP) as parts of the complex customary tenure landscape for women, offering limited and sometimes exclusionary formalisation over forestland for women.

4.1. Introduction to Hacha and Finhor Villages

4.1.1. Hacha Village: Traditional Practices and Beliefs

One of the two study sites, Hacha village, is in the Mai district of Phongsali province, the northern-most province in Lao PDR. Hacha village is surrounded by

lush primary forests and is rich in natural resources. The village is not located within any of the three forest categories in Lao PDR (production, protection and conservation). It is home to a community who belong to the Khmou Ou ethnic group⁵, in fact the village was named by a Khmou Ou clan leader who led his relatives from the Ngoi district in Luang Prabang province to settle here more than a hundred years ago. *Hat* refers to a low-lying riverbank or sand bar, in this case along the Ou River. Lower water levels in the river and disease in the cold season induced the establishment of a new village located on the top of a mountain where the community are currently living. The village is small, with a population of 155 people (77 women), and a total of 31 households and 35 families. Everyone in the village is from the Khmou ethnic group, except for one Lao-Tai woman who married into the village. People at Hacha are animists, reportedly with some mixing of Buddhism. Villagers believe in spirits who protect them every day, and these include spirits of ancestors, and nature spirits of trees, forests, soil, rivers, and of other natural resources.

The village of Hacha, according to the village committee and the recent PLUP exercise, consists of 2,635 hectares, of which 1,635 hectares (75.52 per cent) is agricultural land, and 461 hectares (21.29 per cent) is village forestland⁶, divided into three



The view at Hacha village at sunrise

⁵ Khmou is a Mon-Khmer or Austroasiatic ethnic group, the largest of all the minorities in the country. There are two main varieties, Eastern and Western. The former is considered to have three main subgroups, Ou, Am, and Cheuang. Western Khmou contains subgroups or *tamoys* known as Khmou Lue, Khmou Rok, Khmou Kwène, and Khmou Nyouan. The Western branch languages have tones, unlike the Eastern groups which do not. Despite this typological distinction both branches communicate easily with each other.

⁶ In Lao PDR, there are three official forest categories: production, protection and conservation. The forest areas that do not fall under these categories are 'village forests', which still have a management plan but are less strictly regulated.



Ms. Nang a Khmou Ou from Hacha village during data collection.

categories: production forest, conservation forest, and protection forest. The village forest management committee, which implements and oversees the village forest management plans, comprises two men who regularly patrol the forest to report on its condition. Men and women are aware of the land and forest zoning regulations provided by the district authorities, but in spite of this they continue their traditional way of life as necessary for survival.

The traditional social system is comprised of patrilineal clans which are not strictly exogamous⁷. Upon the death of the father, property is inherited through the male line although wealth may be brought to a new family in the form of a dowry from the bride's family, where the woman would become the owner. If the marriage ends in divorce, this property is returned to the family of the bride. In the case of divorce, the woman can choose whether she wants to go back to her birth family or stay with one of her children who already has his/her own house. She can also build her house on her family's land and/or on the land allocated from village reserve land. This information was shared by a few elderly men, and thus cannot be generalised: further research to unpack this practice with the same or different ethnic groups would be required

⁷ The social norm of marrying outside one's social group.

⁸ The team had limited information; we interviewed only two girls and a boy who returned home when we were in the village. Further research is needed to explore the norms, practices, stigma and consequences of the boys and girls who are not married at a young age.

for additional clarity and information. Some boys go to monasteries and become ordained as novices or monks at the district temple or in the capital city, Vientiane. When they return, a plot of land is made available for them by their family.

In the past, the age of marriage was approximately 14-16 for boys and girls. Today, this has changed and boys who do not go to school may marry at ages of 16-18. However, those who continue their education may marry later at around the age of 19-21. Most girls in this village do not attend secondary school: the reason given was that boys may grow up to be village leaders and so higher education is more necessary for them. Research from the focal group discussions showed villagers, both male and female, found girls' education to be important, but that boys' education was more important.

The reasons given for education preferences that limit education for girls were that there is no secondary school in the village and parents would worry about the safety of their daughters when they travel to school. Villagers noted that girls do not need to have higher education as they will grow up to get married and become housewives: this is a traditional belief. They also voiced concern that if they did go to school, there might not be any jobs available for them once they finished. Some of the girls interviewed wanted to continue with secondary school and received support from parents and relatives in town where they were provided with accommodation. These girls were aged from 19-20 by the time they completed secondary school, and their parents and other villagers, both women and men, considered them to be too old for marriage when they returned to the village. The girls felt normal but not comfortable staying in the village⁸. As a consequence, they were sent away and volunteered to work for wages in a nearby village to provide additional income for the family. They returned home frequently and could also access forestland and resources to provide additional income thereby assisting their families to better subsist in the cash economy.

Sadly, but unsurprisingly, girls do not have the same opportunities as boys do to study at temples or to inherit land from their fathers. Girls are expected to leave school early in order to help with family labour and wait for a suitable man to marry



A sacred tree in Finhor where the villagers hanged the baby placenta.

them. Girls who do not finish school usually marry at the age of 15 or 16. After marriage, the couple will usually build a house on 'village reserved land' and cultivate land owned by the husband's family. In other cases, the couple will live with the husband's family, possibly in another village, referred to as patrilocal residence, after marriage.

Villagers continue to access forests for livelihood activities including swidden cultivation, hunting, and the collection of plants. Non-timber forest products (NTFPs) are gathered for sale, and the village raises livestock. Over the last ten years, programs focusing on nutrition have been introduced by World Renew and the International Fund for Agricultural Development (IFAD).

4.1.2. Finhor Village: Traditional Practices and Beliefs

Finhor is a White Tai village with a population of 185 people, 98 of whom are women. The village has 28 households with 41 families. The White Tai people in this village migrated from Lai Chau province in Vietnam many decades ago. The original village was located inside the forest near to the border between Lao PDR and Vietnam, but the villagers

moved to the location where they are now settled in 1995. Their land is outside of the three forest categories. They cited flooding and frequent illness as their reason for moving. The current village is located about 26 km from the Vietnamese border and around 85km from the centre of Mai District. The estimated village land area is 10,000 hectares. Village livelihood activities are mainly lowland paddy cultivation, livestock-raising of both poultry and cattle, and harvesting NTFPs for food consumption and for sale. White Tai people in Finhor have, like many other ethnic groups in Lao PDR, a long cultural history with customs and traditions they have maintained until the present⁹.

The White Tai can be recognised by their traditional dresses that are made by women from cotton fabric which they grow and dye with dark blue indigo prior to weaving. White Tai women undertake traditional handicrafts including the production of napkins, scarfs and textiles. Some are made specifically for offerings to the forest spirits. The cloth in Figure 1 is an example, made specifically to be placed on coffins during funerals. The White Tai traditionally bury their dead, which differs from the widespread Buddhist practice in Lao PDR of cremation. Their culture is rich and full of rituals, festivals and vivid ceremonies, which play a vital role in their community. The biggest celebration is during the New Year in February, covering five days, and coinciding with that of the Vietnamese 'Thet' New Year.

The village festival, or *sen ban*, is normally organised at the end of April annually, just before the planting



Figure 1. A special White Tai Cloth with three pattern made especially for putting on top of the coffin

⁹ The White Tai are also known as Tai Khao, but call themselves Tai Done. White Tai (along with Black Tai, Red Tai, Lao, Siamese, Phouan, Nyuan, Lue, Shan, Khamti and Ahom) belong to the south-western branch of Tai, which is spoken from the Red River in the east, to Assam in the west. All Tai speakers are lowland wet rice cultivators. They are related to the Central Branch in the north of Vietnam (Nung, Thô), and southern Guagnxi, and to the Northern Branch, which is spoken in Guangxi and Guizhou (Northern Zhuang, Pu Yi).

season, and is said to honour the principles of living in unity, respect, peace and harmony with nature. This reflects their connection with the surrounding forests and landscapes. For this ceremony, both men and women from each household prepare food and offer cooked chickens to the spirits of the sacred forest. The belief is that this rite will bring good luck, health and happiness to the village as well as protect villagers who enter the forest to gather food and forest products. The cooked chickens are taken to the forest in a procession led by village elders and the spiritual leader of the village. Women do not participate because it is taboo for them to enter the sacred forest, and it is believed that if women take the chickens to the sacred forest this might frustrate the spirit and thus bring misfortune: ignoring this practice might bring harm to the village, families and individuals. Thus, the spiritual practices of Finhor village remain undiminished.

Each White Tai house has a special section reserved as an altar to the ancestral spirits of the male line which must be appeased on ceremonial occasions. It is also taboo for women to enter the space of this altar. The shrines of female ancestors, referred to by the female villagers as their 'mother figures' who keep them safe, are maintained in the forest nearby.

The birthing practices of the White Tai also indicate the intimate connection between women and forest. After a child is born, the husband or father-in-law prepares a concoction of wild herbs from the forest and places them in a bamboo tube into which the placenta is placed. The tube is then taken into the forest near the village and suspended from a tree specially selected for its robustness. This practice is to inform the spirits of the newborn so that they can bless it and protect it in the future.

4.1.3. Similarities and Differences: Finhor and Hacha

The White Tai people of Finhor continue to follow the old ways and customs of their ethnic group that are believed to 'unify and maintain peace and harmony between all members of society'. Although there are some similarities between Hacha and Finhor, to the outsider at least, Finhor village appears to have preserved more old customs. Patrilineal inheritance is present in both villages. A major distinction is that Khmou social organisation is based on patrilineal clans, usually named after animals and plants, and elaborate origin stories are recited linking the animal or plant to the death of a human. That animal or plant

which members of the same clan cannot consume or kill. White Tai on the other hand have lineages (sing, Ho) that determine one's role in the village, whether administrators, spiritualists (mot, moh), and so on. Each lineage has a totemic animal or plant that its members are forbidden to consume or to kill. In both cases, it is preferred that marriages take place only between members of the same ethnic group.

White Tai social organisation centres on patrilineages or patrilineal descent groups, and residence after marriage is patrilocal, that is, the bride moves in with the family of the groom. Patrilineal inheritance includes land, property, and the succession of chieftainship, and authority in the family is strongly patriarchal.

With respect to the division of labour, women tend to carry out work that is considered 'light' such as childcare and housework, while men perform the 'heavy' work such as felling big trees. Men also have greater interaction in public situations. Some work, such as going into the forest to gather NTFPs, is conducted jointly. These points will be elaborated in the following sections.

Regarding relationships between women and the forest, the Khmou culture of Hacha differs from that of the White Tai, which is to be expected since culturally the two groups are very different. The Khmou have very complex relations with the forest but since many of the associated practices are secret, the time limitations of the study meant that researchers were unable to build confidence with the Hacha community and were, therefore, unable to learn more about this. In essence, Khmou women have unrestricted access to forests and would appear to spend more time there than men do. Further research on Khmou customary forest tenure practices, particularly the role women play in these, would be extremely beneficial to better understand and protect women's customary tenure rights.



Mother spirit house built in the forest near Finhor village.

4.2. Perceptions of Customary Land Rights



A White Tai woman from Finhor village

This section will detail how villagers responded when asked to define 'customary land rights'. In respect of private land, men and women, regardless of age, answered in similar ways—that it means the right to own land, including house-land and agriculture lands (*hai, souan and naa* 'upland field', garden and paddy) inherited from parents or developed by themselves. A 47-year-old Khmou

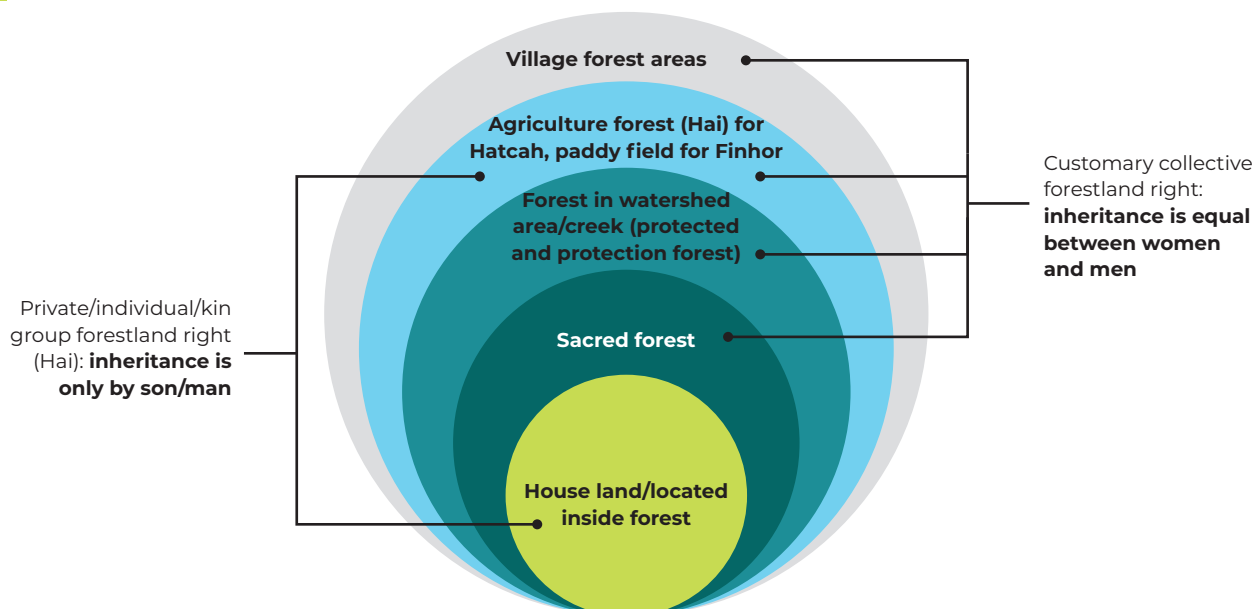
Woman who had left her village only twice in her life was not hesitant in responding to what customary tenure means in a loud and clear voice, in her own language, '*tods moun der yong maa*'. The meaning is '*inherited from parents*'. In focus group discussions with men and women in Hacha and Finhor the same sentiment was expressed: '*customary land rights are rights over land inherited from our mother and father, we have rights over it, other people cannot take it away from us, it is only for our children*'. Participants confirmed that 'children' here refer to sons, and 'mother' implies joint land rights with the father.

Customary tenure over agricultural land may also apply to an individual's inheritance passed down from grandfather to father to son. This practice continues, and villagers responded that this is accepted by all men and women. It is not common that a daughter can inherit land, this was confirmed at a village meeting prior to the field research.

Customary rights to communal forestland belong equally to men and women. 'Communal forest', in this case, was categorised as land that is forested and has never been used for any shifting cultivation or agricultural practices. These are areas for NTFP gathering, water collection and more. These rights are not inherited but are classified as 'commons' that can be equitably accessible for women and men. This excludes the sacred or spirit forests, as explained above.

To have a clear view of the forest patterns related to rights to inheritance customary forestland, below is a diagram of the forest types that exist in

Inheritance Right to Forest and Land Systems in the Villages Visited



the villages studied. The Figure below shows the relative arrangement of the five types of land recognised by villagers and classified according to the type of inheritance, through kin relations or through communal ownership.

In summary, all land is managed by either family units or by the community as a whole. Land is transferred to each succeeding generation either by individual inheritance or communal ownership. For individual ownership, the recipient is always male. Women, under this tenure system, are unable to own land independently of men or of the community.

4.3. Customary Forest Rights of Women in Practice

This section will discuss women’s customary rights in relation to forests in actual practice, and the benefits afforded to them and their communities using the bundle of rights framework for analysis. It will focus on the three rights: right of access, right to extraction, and the right of decision-making,

that is, governance. It will also discuss the level of women’s participation in participatory land use planning (PLUP) processes and in the village forest management plan (VFMP), as a part of overall land and forest rights recognition in the formal sense of land and forest governance. Figures 2 and 3 are the Hacha village forest maps drawn by men and women during focus group exercises, the details of which will be explained in the section that follows¹⁰. Male and female symbols are used to demarcate areas in the forest areas where men and women have access, and which they can use and manage. Red symbols indicate areas with access rights, light blue symbols indicate areas with extraction rights, and dark blue indicates areas where rights of control or governance are recognised.

4.3.1. Access Rights

As mentioned in the section above, use of collectively owned land is a birth right for both men and women. The results of focus group discussions in both selected villages show this to be true. There is no need to ask permission or to notify anyone when entering the forest (except perhaps from the forest spirits). One Khmou Ou woman expressed it this way: *‘Women have the right to go everywhere in the forest...the same as men...without asking permission...we go to the forest every day and sometimes women go further than the men.’* (Ms. Lai, a single mother with three children, age 28)

There are almost no restricted areas in the regular forests that women or men cannot enter: as explained earlier the access of men and women to sacred forests in Finhor is not common. Finhor’s sacred forest existed before the villagers arrived, and is the only primary forest left in their village. This forest is in a watershed area where a development project has constructed a small water capture pond and established a gravity system that provides water for the whole village. The sacred forest is rich in biodiversity, with wild animals, medicinal plants, NTFPs and big trees. Men and women do not normally enter this forest because doing so would, they believe, make them sick and bring bad luck to them and to the whole village. However, men will enter the forest but only to gather medicinal plants that are unavailable elsewhere, and to conduct certain traditional rituals or ceremonies led by elders. They do not have to ask permission from authorities to do this.

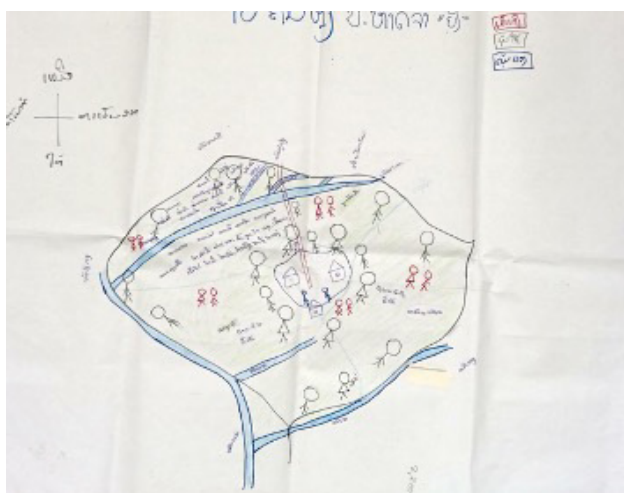


Figure 2: Land use by gender, a participatory exercise results of the female only group in Hacha.

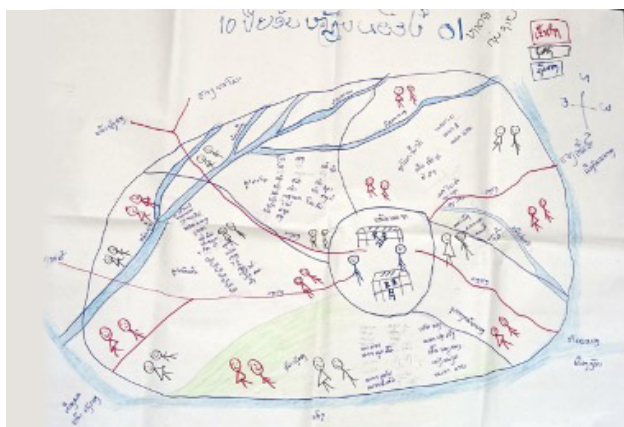


Figure 3: Land use by gender, a participatory exercise results of the male only group in Hacha.

¹⁰ Finhor group work can be found in page 9.

As mentioned above, villagers of Finhor greatly respect their sacred forest, and their dedication and respect is demonstrated in the annual 'sen ban' or sacrifice to the guardian spirits of the village who reside in the sacred forest. These guardian spirits also protect the villages when they enter other forested areas to gather food for their livelihoods. It was found that White Tai women have intimate relationships with the forest, and they reported that it gives them comfort and safety. Village authorities and male focus groups noted that 'women can go very deep into the forest and are not afraid. ... their mother spirit protects them'. Villagers relayed that this is due to the female ancestral spirits that reside in the forest: 'We believe that our mother's spirit resides in the forest...we built a shrine for her there... while the paternal spirit lives in our house.'

Regarding relationships between women and the forest, the Khmou culture of Hacha differs from that of the White Tai. This is to be expected since culturally the two groups are very different. The Khmou have very complex relations with the forest, but many of the associated practices are secret. The time limitations of the study meant that the researchers were unable to build confidence with the Hacha community and therefore were unable to learn more about the complex Khmou relationship with the forest. But, in essence, Khmou women have unrestricted access to forests and would appear to spend more time there than men do. Further research on Khmou customary forest tenure practices, particularly the role women play in these customary forest



A tuber (mak douk-deua) from the Finhor village forest.

tenure systems, would be extremely beneficial in deepening understanding and protecting women's customary tenure rights.

With respect to forest access, men and women can be said to have mostly equal rights in terms of physical access to these areas, and, until now, they have been practising these rights without outside interference. Rights to the extraction of forest resources, however, is a somewhat different matter as will be seen in the next section.

4.3.2. Extraction and Benefit Rights

During the mapping exercise of forest utilisation, the research team found that there are many differences in the areas that are used by women and by men. The women appear to utilise the forested areas near their houses for daily wild food collection (herbs, leaves, mushrooms, and suchlike). In group discussions, women noted that they are responsible for collecting forest resources for daily consumption and that this is an important activity that also demonstrates their status as 'a good woman' and member of society. It can be seen in Figure 2 and 3 that it is the women who venture far away from the village into the deep forests on foot, to collect NTFPs for sale. Men, on the other hand, hunt for wild meat in the forest far from home. However, they travel both on foot and by motorbike. There remain several barriers for women in terms of access to the forest, as men, who primarily travel by motorbike, are able to go deeper into the forest and therefore access higher volumes and more 'valuable' NTFPs and forest products. This has a negative impact on women's access to markets and ability to increase revenue, and can further diminish single women households and families who are already marginalised in these communities.

The meat caught from hunting is a part of the villagers' daily consumption, because for both villages, forests are a primary source of food (animals and forest products). Buying food from the market was reportedly unsatisfactory to the villagers, because they believe that food from the forest provides more energy, tastes like 'real' food, and is safe to eat.

NTFPs are harvested to encourage growth and to ensure the sustainability of the resource. Unfortunately, some villagers and outsiders have begun to use the forest areas carelessly causing concern to the villagers. This is especially true for

women for whom resources are linked to the need to fulfil their gendered roles. A chart of resource use by gender is provided in Annex 3.

The study found that, in Finhor and Hatcha, women are the main users of the forest for household consumption. It can also be clearly seen in Annex 3 that women are the main collectors of NTFPs, and cash from selling these is an important source of income for both villages, supplementing income from the sale of pigs, chickens and cattle. A Khmou woman from Hatcha emphasised the importance of this by stating that, *'selling broom grass [Thysanolaena latifolia] and other NTFPs provides a subsistence income for our family...I have no other sources for cash income...if we have no forest we have no food'*.

Within these communities, women are the 'accountants' of the families. However, decision-making about how money is spent differs between Hatcha and Finhor: participants from the former reported that husband and wife are joint decision-makers in respect of daily family expenditures for both small and large items, house improvement and inputs for agriculture. In contrast, women in Finhor keep the money but are expected to ask and inform their husbands before spending any. The husband must ask for money from his wife when he wants to buy even a small item. That said, men in the two villages reported that if they kept the money

themselves, they would spend it on beer, cigarettes, and other unnecessary items. Nevertheless, a woman can decide what she wants to buy for herself, including her clothes, although a White Tai woman should let her husband know and agree regarding the colour of clothes she intends to purchase. These traditional practices help to maintain harmonious relationships between husband and wife and to avoid disputes in the family.

When discussing the extraction of NTFPs with research participants, both women and men reported that they can extract forest resources equally without asking permission. The only exception here is when there is a need to harvest large trees for house construction: the villagers stressed that they are responsible for safeguarding the forest and forest resources. There was, however, significant concern about the dwindling availability of forest resources due to over-harvesting. This has particularly impacted women, who, due to the destruction of their forests, now need to walk longer distances to harvest wild foods and NTFPs. This results in more hours being spent in harvesting and transportation in addition to the household activities (such as cleaning and childcare) for which they are responsible. This directly impacts the ability of the women to participate in governance and other village meetings and events, as they are overburdened with work and have little time to attend these



A woman transport broom grass from the forest to home

meetings. These women are consequently subject to time-poverty¹¹, as they are the main caregivers for children and are responsible for housework. The issue about whether or not women are allowed to join meetings and to offer meaningful participation in decision-making is a major problem identified in these case studies. Additional details are presented in the next section.

In summary, we have seen that women and men have equal rights in the extraction of forest products that are essential for food and the well-being of women, the family, and the village as a whole. But while access to forests for the purposes of extraction is the same for men and women, some inequities remain because of traditional gender roles in its practice. As a result, women work longer hours and travel on foot for longer distances and, at the same time, forest resources are dwindling due to increased population and harvesting. Better management of natural resources, based on improvements to women's engagement in joint decision-making, would, in principle at least, ease the burden that women are currently bear.

4.4. Women's Role in Forest Governance

This section describes findings related to forest governance, examining decision-making in management, and issues of exclusion and alienation. Previous sections have addressed forest resources related to matters of access and

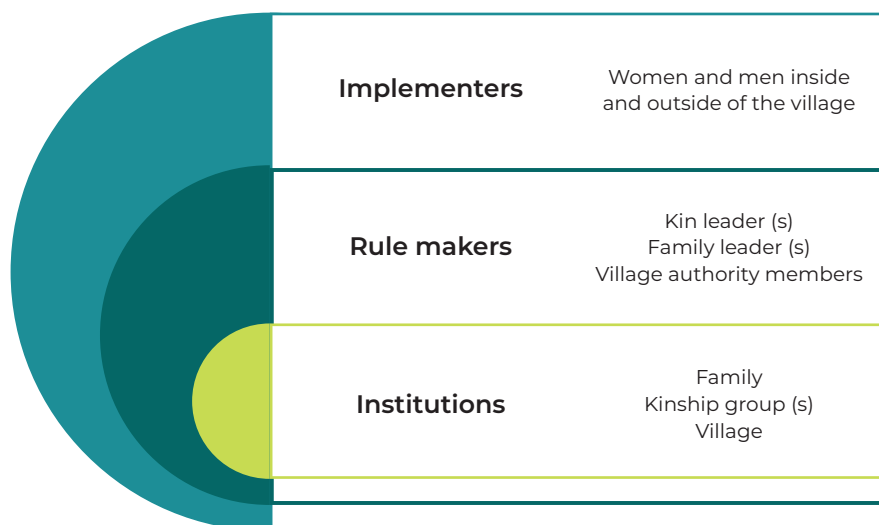
extraction, and all of these are linked to matters of ownership. Ownership in this case study refers to a system of social relations between village members and local institutions that govern the use of land and forest resources.

4.4.1. Women's Involvement in Customary Forest Land and Resource Governance

The White Tai from Finhor and the Khmou Ou from Hacha both have patrilineal descent systems—a patrilineal system in the former, and an exogamous clan system in the latter. Thus, in both cases, inheritance is through the male line. It should be mentioned, however, that brides may bring dowries with them into the marriage in the form of goods and livestock. Likewise, livestock, silver, and other items of value are given to the family of the bride in the form of a bride price (which was set at 5 million kip in Hacha and was unlimited in Finhor).

Land tenure is linked to kinship including marriage¹² and other village institutions (see Figure 4). First, the most important traditional institution for land governance is the kin group. This is a traditional structure, governed by traditional male leaders usually in the form of important elders of the lineage or clan. Second, the traditional institution of the family is also key, especially for private land and private property. This institution can define the rights for land and property distribution, ownership, usage and benefit-sharing between

Figure 4: Customary forest governance in the villages visited



¹¹ There is an important social aspect to a woman's time-use, that is, her social acceptance means that hard work must be visible in order to be valued. The same is true of a man who must demonstrate publicly that he is a good family leader.

¹² For the Khmou and many other Mon-Khmer ethnic groups, the preferred form of marriage is for the man to marry his matrilineal cross-cousin, especially the MBD variety (mother's brother's daughter). Precisely how this relates to the complex issue of land

family members, kin members and the village community. Third, the governance structure is the traditional village administration in addition to the contemporary village authorities. These institutions are managed by male elders guided by traditional customs in keeping with religious practices that are accepted by all members of the community. The third governance structure is, therefore, a mix of traditional practices and State policies regarding forestlands and resource management.

The important questions lie in how to link these various institutional elements to the distribution of resources. Who decides how resources are divided and what the process is through which decisions are made? Who are the recipients of the resources, and what are the rights and responsibilities of villagers? And, who has the mandate to control and manage the rights of women in all the dimensions and processes? From Figure 4 it is apparent that the rule-makers are mostly men, and that men are the leaders of clans and lineages. All of the participants we met reported that village elders and village authorities are the rule-makers. They inform villagers, monitor people's practices, and punish those who break the rules. But while women are not part of the initial discussions relating to rulemaking, they do participate in the last stage when leaders inform villagers about the rules. In Hatcha, there are no female village elders, and the women remain outside of the governance structure; the situation is similar in Finhor. A Khmou Ou woman from Hatcha village related that:

My grandfather, my father and my older brother served as village leaders in different generations. Now, my younger brother is a village leader. People respect him and always select him when elections are organised. The assistant village head is his nephew and he will be the next village leader—they are the ones who hold discussions with other elders about where villagers will cultivate the forest for planting rice, harvesting bamboo, cardamom and other NTFPs. When they agree on these areas, they call a village meeting to inform all villagers. Women attend the meetings to hear this information, or receive it from their husbands and follow these rules. Women

and men both have the responsibility to implement the rules without question and do what they are told. We inform other people who come to use our village forest about the rules as well.

While discussing rulemaking a male participant made the following comment about women's involvement in decisions regarding timber extraction: *'Part of White Tai tradition is the way we build our houses: to build a house we have to carefully select trees in the forest in order to have enough wood. It takes four to five years to collect the wood. We go to the forest and mark the trees that we like and then inform the village leaders and other village members for acknowledgement. We do this because these are the rules set by the village elders and village leaders. The village elders told us that we can fell the trees we need to build our houses, but that we could not use the timber for sale as we need to preserve the trees for our children. Women are not part of the rulemaking because it is not their role, and they cannot read or write. They do not know how to undertake public work and management work even though they go into the forest and utilise the forest resources as men do.'*

As women usually have lower education and experience within the public sphere, it is common in the two villages visited for women themselves to feel less confident about engaging in forest management or in making decisions about forest usage. Nevertheless, a few young women in Hatcha stated that they could undertake forest management work like men if their husbands would support them and share their household work, including childcare. However, Finhor women seemed more reluctant to participate in forest management. It should be noted that there are major cultural differences between White Tai and Khmou, especially in agriculture: Khmou women carry out most of the work in swiddens and are, therefore, closer to forests and what is needed in their management, whereas White Tai women are primarily wet rice paddy cultivators. The society and traditional practices in the two villages both give value to men as family leaders and leaders in the public sphere as decision-makers.

tenure for swidden cultivation systems is unknown.

This study found that customary governance systems give men the power to make the rules and to take decisions about forestland and the use of forest resources, as well as to implement rules, to distribute, inherit and transfer land, and to adjudicate disputes and punish those who violate rules. Women are largely excluded from this governance structure.

4.4.2. Women's Involvement in the Governance of Use Rights in Forests

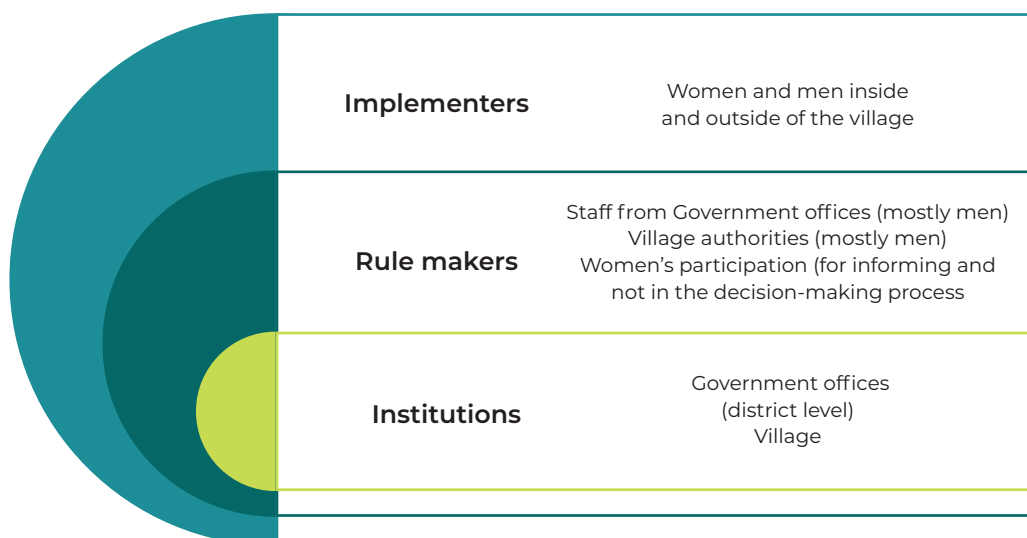
In Lao PDR, land and forest use planning is conducted through a process of participatory land use planning (PLUP) and village forest management planning (VFMP). These two processes result in what can either contribute to the granting of land use certificates (from the PLUP) or to a village forest management and conservation contract (VFMCC). Both PLUP and VFMP are seen as part of the process towards an acknowledgment of land use rights for local communities.

Hatcha village had completed PLUP led by the District and Agricultural Forestry Office (DAFO) and the District Office of Natural Resources and Environment (DoNRE) with financial support from the NGO World Renew. In contrast, Finhor village had implemented no PLUP or VFMP, but DAFO had sent out a letter to inform the village of a district plan to increase forest cover. The formal rules and policies implemented and introduced to the village have changed the way the communities manage their land and forests. The changes are well recognised by both women and men in the

two villages visited. Rights over resources have also changed in terms of ownership, especially collective ownership of forestland based on customary practices. The overall governance systems have changed, including the actors who have roles in the making of rules (see Figure 5). In these changes, the governance institution is the State and its related offices as well as the village itself. The rule-makers are Government staff, working closely with village authorities all of whom are men.

In Hatcha, the women were partially, but not fully, consulted during the participatory land use planning process, and had little meaningful participation. Prior to the PLUP activity, the district governor initiated a meeting with the relevant heads of villages (mostly men): this was held at the district level, and was followed by a first meeting with the whole village, organised by the technical team, in which both women and men took part. Women also joined the group discussion about social and economic data collection, separately from men. However, most of the information came from men as the data were initially recorded by village authorities. Women joined the process again when the technical team called the final meeting to explain the rules, which are drafted by the district and indicated in the PLUP report. Women did not take part in the decision-making meeting on designing land zoning, landmark surveying, and the development of the rules, as working with the district team was considered to be the task of village authorities and the elders.

Figure 5: Formal forest governance in the villages visited



It seems that the PLUP activity has brought benefits to the community in terms of gender and their rights over the land and forests. Hacha village completed PLUP activities in 2017, which influenced the villagers' understanding of their customary rules and rights to the forestland and forest resources¹³. The lesson learned from this village was that forestland¹⁴ in their village was divided into eight categories. Forestlands were categorised into three types of village forest (outside of the official three forest categories): village production forest; village conservation forest; and village protection forest. These forest types all have associated rules and regulations created by the district PLUP team, in consultation with the villagers. During the PLUP process, the technical team consulted with women in separate groups to discuss the forest resources used by them, but they did not join land zoning activities and decision-making policies. Women were called again to participate in the process when the technical team presented policies and rules, and this was indicated in the PLUP report.

All participants in Hacha reported that forestland and resources *'used to belong to us, they were our forest, our resources, we owned them and we had full rights to manage and control them'*. Now the forestland is villager-owned but under the control of the Government, or in Laos 'lat khom khong pasason pen chao'. This means that villagers have rights of access to, use of, and to protect, the forests, while the rights to transfer or lease land to another form of land use or forest type is allowed only by the State. Villagers in Finhor also understand these terms even though PLUP has not been implemented in their village. Nevertheless, DAFO sent out a letter to the village a few years ago to inform them about this policy, the letter indicating that villagers should protect the forest in areas identified by DAFO. Most of the forest areas selected are located along the village



A man transport broom grass from the forest to home

border, watershed areas and sacred forests. There were no rules or policies included in the letter and most of the women we consulted were not aware of this announcement.

In practice, regardless of participatory land/forest use planning, the villages visited still apply their own customary practices in respecting forests and forest spirits in the traditional way. Ritual ceremonies have been retained and applied broadly. One issue of concern is that the current governance system does not involve women in the process and has removed villager control over forestland and resources. The loss of collective ownership and collective rights makes people reluctant to conduct measures to protect forestlands and resources.

¹³ To make sure this did not create any confusion among research participants when talking about customary rules and formal rules, we separated methodologies to work with participants in two different scenarios, discussing rules and practices before and after PLUP activities.

¹⁴ Before PLUP, forest areas included those where villagers cultivate forest for shifting cultivation.

5. Recommended Ways Forward

An improvement of women's access to tenure security over forestlands and resources requires changes in gender norms to ones that recognise women's rights and empowerment. The following recommendations may be worthy of consideration:

1. Additional research could be conducted on other ethnic groups to more fully understand their customary uses of land and forests and the knowledge of ethnic groups and religious beliefs that accompany this usage.

As this study found that there are few studies on the customary tenure practices of women, additional research could strengthen and inform laws, policies, and legislation nationally on customary tenure. Some areas to consider for further research focus include:

- » Customary practice systems that have mechanisms to support land tenure for women and equal gender power relations in forestland and forest resource use and governance
- » Good practices in respect of negotiation mechanisms used by the village Lao Women's Union to promote and protect women's customary land rights, forestland rights and property rights, as individual and/or communal users within the village land governance system
- » Practical techniques and coping mechanisms used by individual women in cases where they have lost their rights over land and property
- » Understanding various situations or conflicts between husbands and wives when problems arise in relation to land, forestland and property
- » Understanding the customary and formal factors that hamper women's land rights and the consequences in respect of women's empowerment, social and economic development.

2. Community rights over natural resource management should be recognised equally between women and men. Article 130 of the current Land Law (2019) recognises customary tenure of communities. This presents an opportunity to ensure the customary forest



A Khmu woman returning home from collecting firewood

and land rights of ethnic minority people, especially women. Collective rights and collective ownership, as practised in the villages we visited, should be recognised by State laws and policies, with strong enforcement and a monitoring system. Some suggestions are that:

- » The Government and land-related projects should create a favourable environment for women to be involved in the land administration processes. There should be supporting mechanisms to ensure an equitable quota of women and men in land and forest administration and committees, empowering women's leadership in decision-making at each level. These include, for example, targeted inclusion of women in the natural resource management committees at provincial and district levels, in NTFPs use and management committees, and in village forest management committees
- » Community customary practices, especially women's customary practices, should be acknowledged, recognised and adapted into the natural resources management rules and policies at all levels.

3. **Projects empowering women's groups for sustainable NTFP harvesting and value chain development should be fostered in ethnic communities.** The study found that the overharvest of forest resources is a key concern in the villages visited and has a direct impact on women.
4. **The Commission for the Advancement of Women (CAW) could join the land technical team.** PLUP technical teams should include representatives from the Commission for the Advancement of Women on their staff to ensure the meaningful participation of women in decision-making processes and to provide awareness of women's rights to the forestland and forest resources, and to gender equality. Consultation and the consent of women's groups and villagers should be required. Some practical actions could be that:
 - » The CAW at national level, especially the Sub-CAW from the Ministry of Natural Resources and Environment (MoNRE), should join all land and forest technical working groups, law-making, and sub-legislation and policy reviews and dialogue, to ensure that gender equality and women's empowerment is mainstreamed in all platforms
 - » CAW representatives at national level could be trained and work closely with gender and women's land rights experts to deliver training for the CAW, as a whole, at the provincial level. Provincial level CAW representatives could train their CAWs counterparts, and land and forest technical teams, at district level, and relevant offices who will implement land and forest activities
 - » Activities in the community could include sessions on gender, in an understandable, participatory and interactive manner.
5. **Awareness-raising should be provided for local leaders (women and men) to understand gender equality and the importance of securing women's land rights.** Awareness-raising should aim to positively transform norms in communities. A good monitoring system is needed and an information sharing system that is accessible and easy for local people to understand, should be put in place, especially for women who do not have a formal education.
6. **Gender-equitable access to secure tenure for women should be brought into relevant policy dialogues.** Collaboration is needed with Government and development partners to discuss issues and solutions related to women's customary land and forest tenure, potentially through multi-sector working groups, in collaboration with existing networks, sub-sector working and focal groups and more. These meetings could:
 - » Share experiences and discuss the current situation relating to women's land tenure in formal and informal systems and ways to secure women's land rights in practice
 - » Influence policies to mainstream women's land rights into laws, sub-legislation and policies
 - » Collectively develop a practical guide relating to the law and policy dissemination to ensure that women's land rights are mainstreamed throughout the implementation of land and forest related projects.

6. Conclusion

This case study was conducted in two ethnic minority communities, a Khmou Ou and a White Tai village, located in forested areas in the Mai district of Phongsali province in northern Lao PDR. The fieldwork was carried out at the end of January and the beginning of February 2021. Although culturally very different, both villages have patrilineal descent systems, albeit of different types, clans and lineage. These communities are mostly governed and regulated by men, including the management of the forestland and resources. Private land and property are inherited through the male line or from father to son. Women's land tenure over private land is formally protected through titles or certificates. However, varying degrees of customary rights over forestland are provided for women. Tenure for the community is protected through collective ownership, although women, as individuals and as family members, still lack secure tenure.

This study found that women's ability to participate in forest and land governance platforms was, overall, negligible. Women were not part of the decision-making mechanisms, neither customary nor formal, including committees on forest

management and control. There are several reasons why women do not participate in forest governance: first, gender norms remain a major obstacle for participation, reinforcing that these are not spaces for women; and, second, women's formal education and literacy is low and precludes access to land and forest law as well as other pieces of legislation.

Although the study was conducted over a short period, it is clear that customary tenure systems are complex, unique and context-specific, and that women are essential for these systems to function. The study was able to provide a glimpse into what the role of women was in the two communities where customary tenure is practised. Overall, women remain vulnerable and unable to directly access tenure security: this has a negative impact on their ability to generate income and to perform livelihood activities, to join in decision-making, and to be autonomous and independent. This glimpse should inspire other researchers to conduct more extensive studies into these systems to provide evidence for practical solutions that would increase women's tenure security in customary tenure systems in Lao PDR.



Women and men of Hacha village

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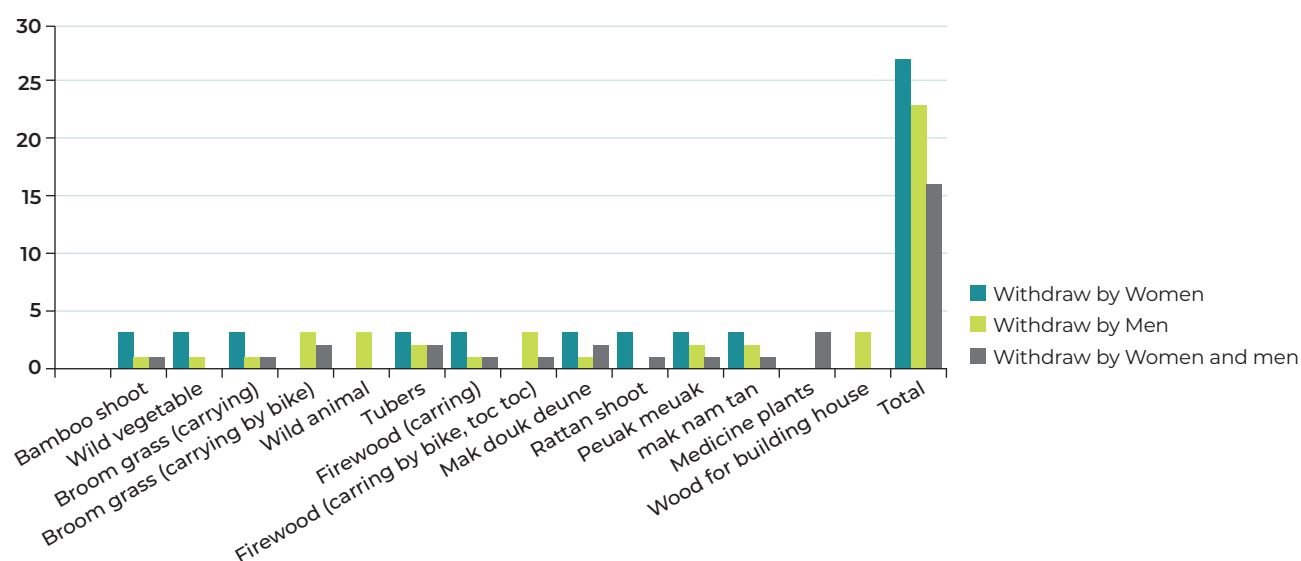
Annex 1: List of Interviewees

	Women	Men	Total
Gender and forest expert	1		1
Community and forest development expert		1	1
LWU	2		2
LFNC	1		1
DoNRE		3	3
DAFO	2	1	3
Hatcha villagers	11	19	30
Finhor villagers	15	17	32
Totals	32	41	73

Annex 2: Research Ethics

- Clearly explained the study objectives to the village authorities and the people involved
- Ensured village leaders gave thorough information to the whole village about the length of time we were staying at the village, our data collection processes and the purpose of our visits
- Informed all participants that their participation was voluntary, that they were free to participate or not, and that they could leave the discussion at any time they wished without needing to justify their action
- Consent was requested before sensitive questions were posed in relation to ritual ceremony practices or beliefs, and before taking photos of adults, group work and objects; photos were not taken if consent was not given
- Photos were not taken of children unless consent by the parents was given
- Checks were conducted with participants to ensure that the information given was interpreted correctly, and that no bias or self-interpretation resulted in a different meaning
- Appropriate behaviour rules, based on cultural practices advised by local people, were strictly followed
- Different ideas, responses, actions and behaviour of participants and people in the community were respected
- No commitments were given to villagers: it was made clear that the research aim was purely to learn about their customs and cultural practices related to study topics
- Polite requests were made to use their household space – for example, their cooking area, sleeping place, where they showered, and so on
- All key findings were presented to the villagers, both female and male, to ensure common consent to the way information would be presented.

Annex 3: List and graph of forest resources extraction from the forest



List of resources withdrawn from forest	By women	By men	By women and men
Bamboo shoots	3	1	1
Wild vegetables	3	1	0
Bloom grass (carrying)	3	1	1
Bloom grass (carrying by bike)	0	3	2
Wild animals	0	3	0
Yan	3	2	2
Firewood (carrying)	3	1	1
Firewood (carrying by bike, toc toc)	0	3	1
Mak douk deune	3	1	2
Rattan shoots	3	0	1
Peuak meuak	3	2	1
Mak nam tan	3	2	1
Medicine plants	0	0	3
Wood for building house	0	3	0
Total:	27	23	16

The case study explores the intersect between customary tenure systems and gender roles in two villages in Phongsali district in the north of Laos. The country has a diverse population of ethnic communities who depend on forests and other natural resources for their livelihoods. These communities play an important role for conserving complex landscapes. However, their traditional land tenure practices are insufficiently documented and therefore poorly understood, and even more so the gender relations in customary systems. Based on field research, the study compares two distinctly different ethnic groups, Khmou Ou and White Tai. Despite being geographically close, the study shows how these ethnic groups differ in terms of traditional forest management and gender roles. It found that women have intimate relationships with their forests yet have less rights to forests than men (such as rights to inheritance and access to forest income).

The Land Information Working Group (LIWG) is a civil society network in Lao PDR since 2007. In response to the complex suite of issues and challenges associated with land governance, the LIWG acts as a connector to bring together the diversity of expertise, views and activities of its members in order to work more effectively to promote land tenure security in Lao PDR. The LIWG's role is that of facilitator, connector and enabler, supporting the activities of its partners and members. The LIWG promotes awareness and understanding of the social and environmental impacts of land-related projects, by gathering and disseminating information, and facilitating dialogue.

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For more information on MRLG, please visit

www.mrlg.org

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