

Experience of the Community-based Watershed Management Project in Pakbeng District, Oudomxay Province

LIWG workshop (14 Jan 2014)

“Towards communal land registration and titling”

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- 1. Background of the project**
 - 1) Watershed Management Project**

Background & Project Site

(map)

- In 2005, MW started the research project on land and forest issues, in collaboration with the National University of Laos
- Since 2007, the project has focused on watershed management
- *Khmumu'* ethnic people account for about 80 % of the population
- Most people in the district make a living from swidden agriculture
- The project finished in March 2013

Target Villages

(map)

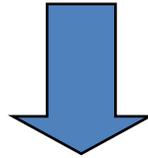
- The Houay Kasaen is one of tributaries of the Nam Beng River.
- 6 villages have land in the Houay Kasaen Watershed Area:
 - Kum Chom Phou of B. Phou Xang
 - B. Chom Leng Gnai
 - B. Chom Leng Noy
 - B. Don Saat
 - Kum Pung Seng Noy of B. Keng Sang
 - B. Houay Ka

Problems

- The first Land Forest Allocation, conducted by the local government, defined land and forest areas that were inconsistent with the actual land and forest use of villagers
- Most villagers were “illegally” continuing shifting cultivation in the watershed area
- In some villages, a shortage of land caused shortening of the swidden cycle and dependence on chemical herbicides
- LFA led to destructive land and forest use contrary to the program’s initial objective

Objectives of the Project

Resettlement, village consolidation, establishment of watershed forest and Land Forest Allocation have resulted in significant impacts on villagers' land and forest use



- To find ways of forest conservation that are compatible with villagers' livelihood
- To create a forest management system, in which villagers can participate

Main Activities

- Watershed Management Committee (photo)
- Re-zoning of Land and Forest
- Environmental Survey on the Watershed Area
- Environmental Training
- Film on swidden farmers' lives and their forest use

Watershed Management Committee

- In October 2007, the Houay Kasaen Watershed Management Committee was set up
- The committee members are composed of representatives from the eight villages in the watershed area and district government officers
- The committee holds meetings annually, before the selection of land for swidden agriculture

(photo)

Rezoning of Land and Forest

- Mekong Watch supported rezoning of land and forests in four villages in 2008 and 2009
- The watershed area where swidden agriculture had been prohibited was reclassified as agricultural land and protection forest
- It has enabled regulated use of some parts of the watershed area by the villagers

Achievements

- In the case of Pak Beng, 7-8 years fallow represents local people's land use systems
- Establishment of the Watershed Management committee enabled villagers' participation in decision-making on land and forest use
- Through the rezoning of land and forest supported by MW, the local people's land use systems have been recognized and approved by the district

- 1. Background of the project**
- 2) Case Studies on Individual Land Titling**

Background of the survey

- Mekong Watch supported rezoning of land and forest in villages which had problems caused by Land Forest Allocation Program in Pakbeng District, Oudomxay Province
- Mekong Watch didn't support individual land titling for swidden land
- However, villagers and local officials asked Mekong Watch to support individual land titling at the project evaluation meeting in Nov 2011

Case Studies

- Purpose: to make recommendations to Pakbeng DAFO about impacts of individual land titling on swidden farmers' livelihoods
- Method: making interviews with village authorities and villagers with the help of intern students from the Faculty of Forestry, National University of Laos
- Period: 17-18 February and 13-27 March 2012

(photo)



Results of the case studies: Differences in land use system

- Land occupation and land rent
 - Some families in the villages had occupied lands before LFA was conducted. (B. Mokkahe, B. Xaixana, B. Phonhom and Kum Chom Leng Noy of B. Chom Leng Noy)
 - On the other hand, villagers in some other villages had been using agricultural land communally. (B. Keo and Kum Phou Hong Teueng of B. Chom Leng Noy)
 - The villagers in the first group rent out land one another. Those in the second group do lending and borrowing unless money is involved.
- Access to cash-crop markets
 - Villagers in B. Xaixana and B. Phonhom have access to cash-crop markets (ex. Maize, sesame, galangale etc.).
 - Villagers in B. Phonhom and B. Keo are planting rubber trees under contract with private companies.
 - B. Mokkahe and B. Chom Leng Noy do not have access to markets of cash crop and upland rice farming is the main livelihood.

Conclusions

- In the areas which have access to markets of cash crops other than upland rice, individual land titling tends to improve the agricultural productivity.
- On the downside, it sometimes results in intensifying land conflicts and buying up by local magnates.
- In the areas where upland rice is the principal crop, individual land titling often causes negative impacts on villagers' livelihoods, such as through the decrease of farmland and shortening of the cultivation cycle.
- In some cases where individual land titling has entailed no land conflict, the system is simply ignored.

Key Recommendations

- There are few merits of individual land titling in areas where upland rice cultivation is the main livelihood for villagers. It could shorten the cycle of shifting cultivation and cause conflicts on land.
- Detailed assessment on villagers' land use system prior to implementation of land use planning needed.
- Merits and risks of individual land titling should be explained to villagers before issuing land titles.
- Communal land titling should be considered in villages where lands are not occupied by individual families and villagers are using land collectively.

2. Expected benefit from CLT

Expected Benefit from CLT

- The LFA can lead to destructive forest use contrary to its intended objectives
 - Is it better to stop the LFA and restore “traditional” land use to achieve sustainable land forest management?
 - There have been drastic changes recently on land forest use (ex. Destructive cash cropping and land concession)
 - It has been difficult to adapt to these rapid changes by only using “traditional” land use system
 - CLT could be an alternative approach, which contribute to protecting forests while maintaining flexibility of local communities’ land use system

3. Challenges in proceeding with CLT

Challenges in proceeding with CLT

- Is it possible to issue CLT for swidden land? If so, what kind of conditions should be required?
 - Would renting land be allowed in communal lands?
 - Would it be allowed for some individual families to plant perennial crop or fruit trees in communal lands?
 - Is it possible to issue CLT for villages which have some groups using land in different way?
- If there are not economic incentives, how can we provide local communities and authorities with a better understanding of communities' land rights?

4. Plans in terms of CLT in 2014

Plans in terms of CLT in 2004

- MW's target villages in Pak Beng have not faced threats of large-scale land concession yet
 - Deregulated cash cropping is causing/ can cause more serious impacts on the communities' food security and sustainable land/ forest management
- As of now, MW doesn't have plans to introduce CLT to its target villages
- More detailed analysis on applicable conditions of CLT for swidden land needed

Thank you!

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