

MIGRATION & WOMEN'S LAND TENURE SECURITY

IN THE GREATER MEKONG SUB-REGION
Case studies from Thailand, Lao PDR and Myanmar

**Soimart Rungmanee, Souknida Sautouky,
Maw Thoe Myar and Patcharin Lapanun**
with contributions from
Daniel Hayward and Philip Hirsch

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The Regional Center for Social Science
and Sustainable Development
Chiang Mai University

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Foreword

A “mobility turn” in the study of rural society has increasingly shaped our understanding of ways in which movement shapes change in people’s lives and livelihoods. There is a widespread recognition that migration is a gendered process – gender inequality is manifest not only in terms of mobility patterns but throughout the migration cycle from pre-migration to return and also in terms of drivers, impacts, and barriers to mobility. Meanwhile, many studies of land relations and associated agrarian change take account of both gender and migration dynamics.

In the Greater Mekong Sub-region (GMS), notwithstanding existing scholarship on the gendered nature of migration and land tenure, there remains a gap in our knowledge of how migration affects women’s land tenure security, and in turn the ways in which women’s control over land shapes patterns of migration. Questions around these relationships arose during discussions in 2017 and 2018 between the FAO regional office in Bangkok and researchers affiliated with the Regional Center for Social Science and Sustainable Development (RCSD) at Chiang Mai University. The current study was established to identify key questions, develop a multi-scalar methodology for contextual investigation, and draw out key points of comparison across sites in three countries of the Sub-region. The study was carried out over a relatively short period of time, twelve months during 2018.

The case studies involved a country-level overview and an in-depth village-level study in each country. The village-level studies were intended to be illustrative of the diversity and hence need for context-specific investigation rather than to be representative of local conditions across the respective countries.

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Executive Summary and Recommendations

This report considers the interlinkages between migration, gender and land tenure. The study on which the report is based explored how migration affects women's land tenure security, and in turn the ways in which women's control over land shapes patterns of migration through case studies in a Hmong community in northern Lao PDR, a Karenni community in eastern Myanmar and a village in north-eastern Thailand. The case studies involved a country-level overview and an in-depth village-level study in each country. The village-level studies were intended to be illustrative of the diversity and hence need for context-specific investigation rather than to be representative of local conditions across the respective countries.

The report has the following key conclusions:

- Migration occurs in all study sites, but in diverse gender- and age-specific patterns for both employment and other purposes. In north-eastern Thailand, migration involves both men and women as well as couples; international migration for work is dominated by men though women also engage in overseas employment; there is a significant amount of transnational marriage migration exclusively involving women. In the Hmong community in Lao PDR, the majority of migrants are young men and women primarily involved in high school and further education in nearby Luang Prabang town. A few subsequently find work in the town. In the Karenni community in Myanmar, migration predominantly involves men, who work at domestic or international destinations. A few young women are domestic workers abroad. After having been forcibly removed by the military to their present location, some villagers now travel back to their old village to farm the land.
- The case studies that form the basis of this report reveal no obvious tendency toward women's empowerment in agriculture and tenure security resulting from male-dominated migration that leaves women in charge of the family farm. In the Karenni community in Myanmar, inadequate land for farming and insufficient resources are the main push factors for male out-migration, and while women may gain some control over the management of land, those with inadequate labour reduce farmland use, leaving some areas fallow, or in some cases stop farming entirely and depend on remittances.
- Similarly, there is no singular outcome when women themselves migrate. Many young Hmong women in Lao PDR migrate for education. During their studies, they engage in trading work and the valuable experiences gained in town contribute to a greater degree of involvement in family

decision-making and livelihood strategies. This helps to change gender attitudes within families, such as where a young woman was able to graduate from college and work hard to support the education of her male siblings, to the extent that her parents wanted to bequeath a plot of land to her. In north-eastern Thailand, women who engage in transnational marriage play an important role in sustaining agriculture by sending remittances that are re-invested into land and other agrarian resources. This has often improved the economic status of women in households and communities.

- The patterns of investment in land and agriculture are different among the three case studies. Lack of security in land tenure may deter long term investment in land for the Karenni in Myanmar, while the efficient land administration system in Thailand may facilitate land accumulation but not necessarily with accompanying investment in farming. In Lao PDR, living in an area of protected forest in mountainous terrain limits the ability of the Hmong community to acquire more land locally. The better-off families tend to purchase pieces of land in town that are under secure title as a speculative financial investment or to buy agricultural land from Khmu people located in a nearby village at a lower altitude than their own.
- Although access to land is governed by state law and the constitutions of Lao PDR, Myanmar and Thailand recognize and reaffirm women's equal rights, customary norms and practices also play vital roles in shaping gendered control over land among different ethnic groups and communities.

Two types of recommendations are suggested based on the findings of the study. The first are methodological and promote ways we can improve a contextual understanding of the interplay between land, gender and migration.

- *Contextualise gendered patterns of land tenure.* An awareness of existing gendered patterns of land tenure is needed when making changes to policy and practice. It cannot be assumed that there are uniform patterns across the world, a region (such as the Mekong) or even within a single country. Ethnographic research is particularly important in accounting for patterns specific to locality, ethnicity and other contextual factors.
- *Consider the gendered nature of migration and its significance for control over land.* Migration practices are highly gendered, and the gender-specific patterns of movement and staying behind in turn affect land relations. There is a need to understand the influence of such migration patterns and their effects in order to tailor support for women in securing access to land.
- *Account for generational differences.* When conducting studies of gendered access to land and patterns of migration, sensitivity should be afforded to the differences between generations.

- *Descriptive over normative.* In taking an analytical rather than normative approach to migration as a livelihood strategy, we can seek to understand its implications for secure access to and control over land rather than assuming that migration is a positive or negative force for empowerment of women with respect to land.

The second set of recommendations links to broader concerns that already exist in associated policy fields. The evidence from the case studies presented here is more implicit but can be seen to reinforce these concerns.

- *Promote more awareness about land and property rights among men and women.* State law in Lao PDR, Myanmar and Thailand recognizes the joint land ownership among spouses. However, the study reveals that in practice, co-ownership is rare, with rights commonly given to the man as the head of the household. Rights to land, property and housing are essential for women; for example, in the Hmong community in Lao PDR where patrilineal descent and inheritance patterns are employed, men are considered the owners and administrators of land, while women have access to land mainly through their husbands or male relatives. Under such conditions, there are many challenges facing women especially those who are divorced. State-sponsored titling and land allocation programs should target greater understanding and the implementation of joint-titling.
- *Promote security of land ownership.* This study has confirmed that remittances are an important source of cash income for households receiving in rural areas. However, migrant households are wary to use remittances for agrarian production, especially to buy a plot of land if the land tenure rights are not yet secured. In both Myanmar and Lao PDR, priority was more likely to be given to investment in migration or in the education of children. Clearer recognition of customary tenure in state legislation would provide increased security and encourage investment in land and agriculture.
- *Migration as a considered strategy.* Migratory practices should be taking place as part of an informed household strategy rather than as a distress response. Greater understanding of the drivers of forced migration will allow such conditions to be addressed, giving greater support to vulnerable households. This can include gender-sensitive support services for both actual and potential migrants.
- *Gender-focus in agricultural policy.* Agricultural policy can take a clearer view of the different roles played by women, and offer means of support to these roles. For example, agricultural outreach services can play a role in supporting rural households comprising women who have stayed at home, and the elderly.

1.

Introduction



Background

Migration is a key factor in rural transformations, both as a driver and an outcome of change. It can bring prosperity back to rural households, as many studies have found that remittances are an important source of income for households in migrant-sending rural areas and have become a significant capital input into agrarian smallholder production (Rigg, 2019; World Bank, 2006). At the same time, migration may reflect resource and employment scarcities at the local level. It can also be a means to move away from agricultural livelihoods to a more urban, industrial, and service-based economy.

In the Greater Mekong Sub-region (GMS),¹ migration is longstanding and has significantly accelerated since the 1990s. Infrastructure and transportation linking the sub-region have increased people's mobility. Internal migration for employment opportunities, education, and land has occurred in every GMS country due to the concentration of the economy around the main cities. International migration, albeit largely informal and unregulated, has resulted from the different economic structures and factor endowments of the respective countries in the region. The combination of demographic transition and upgrading of skills has left some countries such as Thailand facing a shortage of unskilled labour, in both urban and rural areas. Therefore, Thailand has been a receiving country for migrants who are seeking to fill the gap. The total number of international migrants in Thailand as of November 2018 was approximately 4.9 million and these were predominantly migrants from Cambodia, Lao PDR and Myanmar (IOM, 2019). At the wider regional level, Singapore, Malaysia and Brunei as the more industrialized countries in Southeast Asia are also attracting semi-skilled and skilled migrants from lower income countries in the GMS.

Migration is a gendered process. One of the characteristics of GMS and Southeast Asian migration more generally is the number of women participants. Available data from the Thailand's Ministry of Labour show that in 2010 women migrants accounted for 36.7% of total registered migrants in Thailand (Huguet et al., 2011, p. 12). In Lao PDR, 59.2% of internal migrants were women (Lao Statistics Bureau, 2016 cited in UNESCO Bangkok 2018). Research on migration has explored how gender, age and ethnicity are associated with the ways that different groups of people access job opportunities and fulfil social objectives through migration.

Despite extensive work on these issues, most studies have been conducted under migration frameworks without considering land issues connected with agrarian transformation at different sites, levels and scales. With some notable exceptions, little is known about how different local contexts of land rights and culture shape

1 The GMS consists of the five countries of Cambodia, Lao PDR, Myanmar, Thailand, Vietnam and two provinces of China, namely Yunnan and Guangxi Zhuang (Guangxi).

the experience of migration and how migration shapes access to land and gender inequality in the GMS (and specifically for Lao PDR, Myanmar and Thailand). Elsewhere in Southeast Asia, recent research by Peluso & Perwanto (2018) in Indonesia, shows that remittances sent by migrant women in Hong Kong and Singapore to their households of origin were invested in agriculture, but their focus is on remittances that migrant women invest in agriculture and rural development rather than on the gender impact on land tenure.

This report focuses on gender dimensions of migration and land, particularly but not exclusively for agriculture. It explores gender relations and migration at the village level in three different countries, seeking to deepen our understanding of the gender differentiated implications of migration for land control. The contribution of this report is twofold. Firstly, it sheds a light on how migration, land and gender relations vary across different contexts. This is of particular interest in the cases of ethnic minority communities in Laos and Myanmar, which maintain customary land ownership but under pressure from land formalization through State programs. Secondly the report develops a context-specific methodology and set of questions for understanding such relationships in different contexts. The findings suggest that the influence of gender in migration does have some implications for use, inheritance, and control over land. However, the nature of such use and control of land in each case study is extremely complex – both diverse and dynamic – and is quite specific to local and national contexts.

Objectives

This report is based on research that investigated the extent to which secure access to land shapes and is shaped by different patterns of migration by women and men, including from a generational perspective. The research sought to develop a better understanding of the gendered implications of migration- and agrarian-related issues in order to:

1. Generate evidence on how gender differentiated patterns of migration impact women and men farmers' access to, use and management of land, with a specific focus on women and youth in three countries of the Greater Mekong Sub-region. The approach recognizes that such migration is induced by a range of drivers in diverse local contexts.
2. Analyze the extent to which secure access to land shapes and is shaped by different women's and men's propensity to migrate, including from a generational perspective, and provide recommendations for policies and programmes that could support positive outcomes for women in agriculture and increase tenure security in the context of migration and rural transformation.

3. Raise awareness of the importance of multi-sectoral, gender-sensitive approaches to sustainable development and poverty reduction in the context of migration and agrarian transformation.

Research questions

This study addressed the following questions:

1. What are the connections between migration, gender and agrarian issues?
2. What is the general background of the study sites?
 - In the researched areas, are land tenure arrangements formal (e.g. title) or informal (e.g. agreed in the village without legal formalization)?
 - Historically, what were the gender roles in farming and gendered patterns of land tenure at the research sites? Have gender roles and tenure patterns been changed because of migration?
 - How was land acquired at research sites (passed within families, bought, etc)?
 - What are the different patterns and drivers of migration (e.g. seasonal migration, temporary migration, permanent migration, destinations and employment purposes), if any, between women and men (by age groups, ethnicity and socio-economic status)? To what extent does gender shape migration patterns and experience?
3. What are the gender implications of migration on land tenure and vice versa?
 - Does migration shape gender relationships and power dynamics between men and women?
 - Does secure access to land influence women's and men's propensity to migrate ?
 - Have perceptions about who owns land changed because of migration?
 - How does the size and flow of remittances influence changes in agricultural production?
 - Do out-migration and remittances offer new economic opportunities for women in agriculture and/or in non-agricultural activities?
 - Do types of crops grown, area of land operated, and participation in farm and off-farm income-generating activities influence migration? Are they affected by migration?

2.

**Global experience:
gender dimensions of
migration and
land tenure**



Land tenure systems govern access to land. According to FAO (2010), tenure is the relationship, whether legally or customarily defined, among people, as individuals or groups with respect to land. Rules of tenure define how property rights in land are to be distributed within societies. In other words, land tenure systems determine who can use what resources, for how long, and under what conditions (ibid). In many communities, access to land is governed by both statutory and customary laws. Despite research on tenure relations, the ways in which migration shapes, and is shaped by, such relations remains poorly understood. This is particularly important in an increasingly mobile world.

Gender inequalities in land tenure are pervasive in many regions, and many such inequalities are documented in various studies. The FAO Gender and Land Rights Database (2017) shows that not only do women have less access to land than men, but their rights to own the land are also restricted. In some South Asian and African countries, custom favours brothers and other male relatives over a woman in inheritance rights.

Over the last three decades, there has been an unprecedented effort to give land users legal land ownership, especially in the developing world. This effort is largely in response to economic studies which suggest that secure property rights are a key precondition for development. These help property holders to access markets more easily and allow them to invest, resulting in higher incomes. However, there is also concern over the uneven impacts of formalising land by means of titling programs.

Although legal and policy contexts support equal access to titling for both men and women, women still face significant social, political and cultural constraints to acquiring rights to land. Lastarria-Cornhiel (1997) argues that titling programmes have often been limited to technical and legal processes. Titling experts and administrators have frequently ignored complex cultural norms and practices around land rights and found it easier to title only the household head. They view family as an undifferentiated unit, and so consider that land owned by the male head will benefit the entire family. A report by the World Bank (2011) reveals that in each land titling program, men are targeted as titleholders, leaving most women without legal property rights and reducing the de-facto rights of other family members. Moreover, male household heads and community authorities frequently refuse to include women in the titling process and on land certificates, leaving women excluded from the rights they hold under formal law. Women who have access rights to their family land but do not have a title to that land are concerned that the land which they currently access might be sold, leased, or mortgaged without their consent, or that they will not benefit from these transactions. In addition, if their relationship to the titleholder (e.g. the husband) is broken, it would be difficult for them to negotiate rights to the land. This is evidenced in various parts of the world such as Mexico, Tanzania,

Uganda, Nicaragua, Honduras and Indonesia (Manij, 2010; Lastarria-Cornhiel et al, 2003; Varley, 2007). In the case of India, Oxfam (2013) highlights concerns that the constitution gives women equal rights but custom dictates that land is inherited by male sons. Upreti et al (2019) found that in the Eastern Hills of Nepal, male migration and the feminization of cash-crop production contribute to greater access to land for women. This is bolstered by land administration policy that provides tax exemptions to the purchase of land under women's ownership, and the current constitution which has guaranteed minimum 33% representation of women in all state structures of government. However, this study also suggests that institutional conditions have contributed to an increase in women's formal access to land rather than effective ownership. This is because registering the land under the ownership of wives sometimes was merely a means to prevent parents' property from being divided equally among brothers rather than to give more control to women. In this and many other situations, formal ownership and effective control over land are two different things.

Gendered relations in migration and agricultural sectors

Different socio-cultural expectations of women and men, along with gender and power relations in the household contribute to the formation of household labour allocation patterns, entitlements to resources, and consequently migration. In colonial and early post-independence times, international migrants were largely groups of male settlers with their wives following once a base had been established. The latter part of the twentieth century saw increased international migration by women, for example to work in global assembly plants in Asia, or as domestic workers in wealthier nations (Donato & Gabaccia 2015). At present, women constitute 47.9% of all international migrants (UNPD, 2019). This section explores how gender determines migration and how gender-specific migration determines power dynamics between men and women in tenure arrangements that shape access to land. It focuses on two broad aspects: feminization in agriculture and feminization in migration.

When men migrate and women stay at home

There is a large body of research on male out-migration and feminization of agriculture; for example, in Mexico (Bever, 2002, Schmook et al., 2014), Nepal (Rana et al., 2017), Guatemala (Aguilar-Støen et al, 2016), South Africa (Postel, 2001) and the Philippines (Lukasiewicz, 2011). The greater mobility of men leaves women on their farmlands to become family providers, increasing the number of female-headed households. However, feminization of agriculture may or may not empower women, depending on a range of local contextual factors.

In South Africa, Mtshali (2002, p. 87) reports that women have taken on more activities and tasks because of socio-economic change. For example, when

children leave the household for educational purposes, women take on more roles. When men migrate, women are also responsible for land clearing before planting. Similarly, in an indigenous community located in Mexico's central highlands with high male out-migration to the USA, women have taken over the production of maize and other foods for home consumption (Preibisch et al., 2002). In India, studies from Datta (2011) and Pattnaik et al (2018) point out that the out-migration of men from rural areas and the increasing role of women in agriculture lead to the feminization of poverty. As the majority of migrants are young men, the agricultural and rural labour tasks have become a burden on older women and younger people who are less productive labour. Agricultural labour shortages are likely to result in a decline in food production and undermine the wellbeing of those left behind. These cases exemplify how women assume major responsibilities in the management of their families' livelihoods. In Nepal, male out-migration is strongly linked to the feminization of agriculture as receipt of remittances supports women's decision-making on the farm, greater group membership and their holding of financial account (World Bank, 2018). Thus, male out-migration and feminization in this case study is linked to empowerment in some domains, but the gender gap in ownership of land remains.

In some areas, women might be able to use remittances to hire labour and move into supervisory roles. They might thereby have greater decision-making authority. This includes the control of household budgets. Yet their position as dependent housewives might be exacerbated as the family might decide to curtail agricultural activities and become more reliant on remittances (Bever, 2002). A report conducted by World Bank (2016) suggests that low-level flows of remittances may disempower women because they must increase their own working time and deal with financial difficulties resulting from the missing migrant labour. In addition, the costs of migration are increasing relative to the benefits. Even worse, in many cases the weight of the costs may fall disproportionately on women, who must deal not only with labour and household management but also with potential costs related to financing the attempted migration. The left-behind women might have to find paid work to deal with both the running costs of their households and the migration debts owed by their husbands, leading to women's disempowerment (Martinez-Iglesias, 2015; Menjivar & Agadjanian, 2007).

Moreover, the absence of a husband does not necessarily lead to increased decision-making and freedom for the woman, as telecommunication technologies can allow migrant men to control many household decisions and activities of women, even at a distance (Mahler, 2001). A study from China has found that women have gained greater power in making decisions about agricultural activities, in controlling and handling farm earnings, and in investing remittances. Nonetheless, they have tended to revert to their subordinate role upon their husband's return (Ye et al., 2016). In another study, Radel et al. (2012) point

out that in Mexico, women's supervision of male labour is viewed within the community as problematic to moral propriety, as women must be alone with their male workers. Although the existing local systems of power and male-dominated relationships were challenged, the sense of discomfort that accompanied many women's supervision of day labourers can be understood both in terms of risk to their sexual reputations and as a sign that the women are being pushed out of their comfort zone and are challenging traditional gender relations (ibid, p. 115).

Migration to urban centres that is dominated by male migrants has resulted in a rapid rise in the number of rural families that have women as the heads of households. Nevertheless, women are largely without effective decision-making powers, often without a voice in community governance, and increasingly without security as individuals under traditional law. Schmook et al. (2014) and Radel et al. (2012) have examined changes in the transfer of land titles from men to women resulting from men's labour migration in Mexico. As the government officials arrived unannounced during a land titling process, the left-behind wives registered their names with the government agent as caretakers for the land rights of men and their son(s). Therefore, while the left-behind wives increased participation in land-use decision making, the titling of wives in the place of absent migrant husbands has led to some conflicts within communities and households, as some men felt their positions had been undermined. As a result, the gendered transfer of land rights brings little to no change in respect of broader gender relations.

On the other hand, empirical study from some areas has found positive impacts of women's access to land tenure when men are absent as a result of migration. An outstanding example is research conducted on the indigenous Oaxaca community in Mexico (Martinez-Iglesias, 2015). Land inheritance to sons who provide for their parents is a long-term tradition (with wives caring for their in-laws), while daughters are excluded from the family patrimony. Due to the uncertainty caused by men's migration along with the increased burden on wives, who may refuse to take care of elderly in-laws, parents in turn try to build new alliances with their daughters, giving them agricultural and residential plots. The probability of daughters becoming heirs and having socially legitimated control over land arises with new social discourses such as "daughters are also our children", "both women and men work in the fields", and "daughters and sons are equal".

When women migrate and men stay at home

The feminization of migration streams have evolved since the 1970s due to economic transformation in many regions. Some industries such as textiles and care work mainly demand female labour forces. The percentage of migrant women has significantly increased since the 1960s, in 2017 reaching 49.6% for international migration (UN, 2017; Zlotnik, 2003). Drawing on figures from

different regions, one study (UN, 2017) found that the proportion of women migrants from countries in South Asia and Africa has also increased over the last decade. In Southeast Asia, the Philippines and Indonesia deploy more female than male international migrant workers. In 2005, women accounted for 58% and 51% of the flow of Filipino and Indonesian workers going abroad respectively (IOM, 2008). Most migrants from Indonesia and the Philippines are domestic workers, accounting for 87.5% and 93.9% respectively (IOM, 2008, p. 7). The majority of Southeast Asian women migrate for domestic work in globalized cities such as Hong Kong and Singapore (Andaya, 2007; Yeoh, 2014, 2016).

According to Boyd and Grieco (2003), academic research on female migration has mainly concentrated on two aspects. One is the position of women within their families. On the one hand, migrant women's social status may increase from their economic independence and their greater participation in household decision-making. However, women's participation in the labour force may increase their burden if they have to combine with traditional tasks such as childcare and housework. Another framework is the moving of women from one system of patriarchy to another. Improvement in the social status of women may not change their relative position in the family. A study by IOM (2007) on gendered patterns of sending remittances suggests that female migrants tend to send a higher proportion of remittances and also on a more regular basis. These remittances have the potential to transform the economic role of women and directly link to shifts in the natural and physical landscapes of the original communities. Analytical terms such as "landscape of globalization" (Kelly, 2000), "remittance landscape" (McKay, 2005) and "remittance forest" (Peluso & Perwanto, 2018) have been created to refer to rural landscapes reproduced through remittances sent by female migrants to their original homes. However, there is little work on how female out-migration affects land tenure and who take decisions over the use of remittances. McKay (2005) demonstrates that remittances from Filipinas working as domestic workers overseas support their husbands in the home village to plant new commercial crops. This new investment might instigate environmental impacts such as the changing quality of the soils, deforestation and water shortages which could undermine agricultural sustainability. In Peluso and Perwanto's study (2018), remittances from transnational migrant women in Hong Kong and Singapore have created a re-gendered political forest where women have contributed to the change of socio-natural and social relations in a pine plantation forest. Activities in the forest remains masculinized, but women have created the conditions for transforming the forest ecology and the pattern of access to and use of forest lands. Yet, the gendered relations in forest control received less attention in this research.

3.

Scope of the study and methods



This study explores the extent to which secure access to land shapes and is shaped by different patterns of migration by women and men through case studies in north-eastern Thailand, northern Lao PDR and eastern Myanmar (figure 1 and table 1). Case selection was purposive. In each country, one site has been selected. We selected sites where many types of migration are known to occur, ranging from forced migration through conflict, and migration for employment, education and marriage. Site selection took advantage of the researchers' own background. In Laos and Myanmar, the researchers approached communities of their own ethnic background and with which they were already familiar. In Northeast Thailand, the researcher has already produced extensive work on transnational migration based on the case study village.

Following case selection, the following approach was adopted. First, national level data and relevant literature, publications and studies were reviewed in order to gain an understanding of land and agrarian issues and possible linkages with gender and migration in each case study country. For the scale of analysis see table 2. Existing studies on migration generally deal indirectly with gender and land issues.

Second, researchers conducted semi-structured interviews in conjunction with focus group, life story interviews, and participant observation with key informants in each study site to obtain an overall picture on the ground. Key informants included village heads, local households and local officials.

Third, researchers conducted a household survey using a structured questionnaire. The questionnaires paid specific attention to issues of gender and generational migration, and land issues.

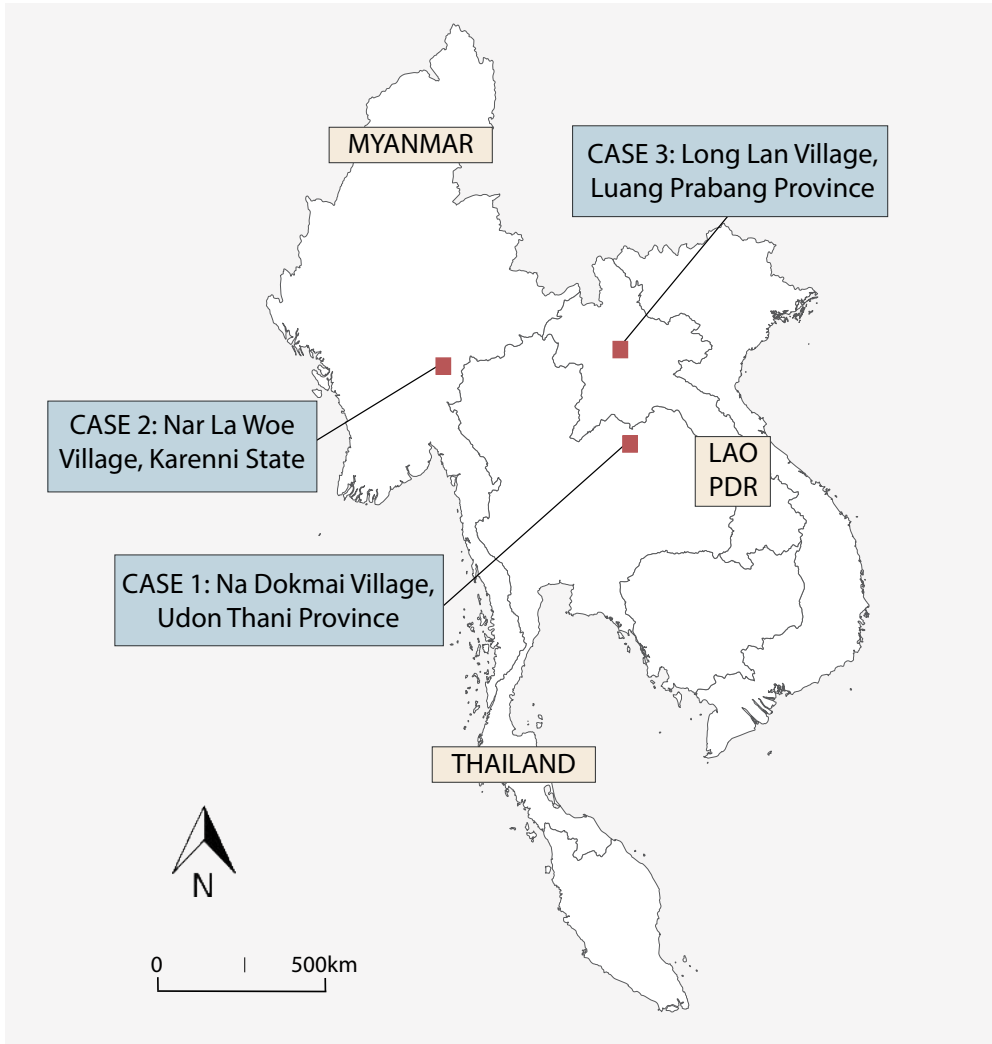


Figure 1: Research case sites in Thailand, Myanmar and Lao PDR
 (source: *freevectormaps.com*)

The initial data sourcing, literature review, semi-structured interview protocol, and structured questionnaire were developed by the research team during March-April 2018 as part of a longer methodological document. During May-August 2018, researchers conducted their fieldwork. Random sampling was used to ensure appropriate representation of the target population. A total of around 40-50 households were drawn from each research site. The researchers identified clusters according to migration patterns from each site. Non-migrant households were also included in the interviews to determine the reasons as to why they do not migrate and how they perceive differences between migrant households and themselves in terms of land and asset accumulation and opportunities for men and women.

Table 1: Summary of case study sites in Lao PDR, Myanmar and Thailand

| Location country, province/state, township, village | Ethnic group | Migration pattern(s) | Number of households interviewed |
|---|-------------------------|---|---|
| Lao PDR, Luang Prabang, Long Lan village | Hmong | Internal migration to Luang Prabang and other nearby towns International migration to China | 40 migrant households and 11 non-migrant households |
| Myanmar, Karenni State, Loikaw, Nwar La Woe | Karenni | Internal migration (forced migration from original village to Loikaw, seasonal migration to work in mining in nearby towns) International migration to third countries (USA, Finland and Canada), and to work in Thailand, Singapore, and Malaysia | 28 migrant households and 9 non- migrant households |
| Thailand, Udon Thani, Nong Wau Saw, Na Dokmai | Thai-Isaan (Lao) | Internal migration to industrial towns in central and eastern Thailand International migration (marriage migration mainly to Europe, labour migration mainly to Korea and Taiwan) | 37 migrant households and 13 non-migrant households |

Table 2: Scale of analysis and research methods

| Scale of analysis | Methods |
|---|--|
| Country-level analysis | Documentary review of archives, research publications and policies on gender, migration and tenure policies in each country i.e. (i) a history of land use, land rights, tenure policy and registration system (ii) data on gender and migration |
| District and village levels (one district selected per country) | Local archives supplemented by interviews with key informants |
| Household and individual levels | Interview households that experience migration and focus on gender and access to land. This includes the collection of production histories, migration histories in each generation, benefits from migration, land histories, ability to manage farms and socio-economic situation of households before and after migration. |

4.

**Lao PDR:
a Hmong village in
Luang Prabang Province**



Introduction

A case-study in Lao PDR needs to account for significant political and legal transitions over the last three decades, as the country has transformed its socialist command economy into a market economy. In 1975, the Communist Lao People's Revolutionary Party (Lao Patriotic) gained victory and changed the state to a socialist regime. Political instability during this period caused international out-migration as large numbers of people left for various destinations such as France, the USA and Canada. Ten years later, the Lao government embarked on a reform program known as the New Economic Mechanism (NEM), which aimed to promote international trade and investment. One of the policies was an attempt to secure private property, including a limited degree of individualized alienable property rights in land. In practice, a land titling program, which proceeded from 1997, only addressed plots in urban and peri-urban area. In rural and mountainous agricultural areas, official recognition of household level rights to land was more limited, with pilots in rural titling after 2003 soon abandoned. Rights recognition has mainly been carried out through the Land and Forest Allocation program from the 1990s onward, even if the program has remained more focused on conservation needs. Even where land titling was realized in rural areas, it was largely limited to household plots rather than agricultural fields, revealing a gap between national legislation on land and implementation at the local level (Ingalls, 2018).

Another policy under the NEM affecting ethnic minorities was transforming their traditional low-productivity subsistence-oriented agriculture to modernized, market-oriented production. To eradicate opium and swidden cultivation, the Lao government forced villagers from ethnic minority groups to relocate from their upland villages to lowland areas so they could better access roads and other public services (Thonmanivong & Fujita 2006; Fujita 2006; Baird & Shoemaker 2007). While cash cropping was introduced to local people, lands were also leased to both domestic and foreign investors for agricultural and tree plantations, mining, and infrastructure projects. Between 2000 and 2009, it is estimated that concessionary land in Lao PDR for domestic and foreign investors constituted 1.1 million hectares, equivalent to 5% of the national land area (Barney, 2009; Kenney-Lazar, 2012). Meanwhile, poverty reduction in Lao PDR has been slower than in other ASEAN countries. Consequently, the GDP growth in Laos is largely based on the exploitation of natural resources rather than a transition out of subsistence agriculture and a more diverse economy (UNDESA, 2017). Driven by a higher wage rate, migration to Thailand has been an important livelihood strategy for the Lao people. They are predominantly employed in domestic work, construction, manufacturing, agriculture and the entertainment business in Thailand's provinces neighbouring Lao PDR and other Thai cities. Since Thai and Lao languages are very similar, the Lao migrants in Thailand have advantages over migrants from other countries in terms of communicating with their Thai employers. It was reported that women comprised over half of

the registered Lao migrant workers in Thailand. They are found in domestic and entertainment work, as well as in the manufacturing sector (ibid).

Out of the total population, the Lao ethnic group accounts for 53%, followed by Khmu (11%), Hmong (9%) and other ethnic groups (27%) (Population & Housing Census 2005 cited in Mann & Luangkhot, 2008, p. 14). Given that they may encounter language difficulties, ethnic minority groups in Lao are likely to take the path of internal migration rather than crossing the border to Thailand. UNFPA (2011) reported that Thai Deng and the Khmu were the two ethnic groups most dominant in domestic migration. There were also non-farmer families moving to find new jobs in the city and for their children's education, and young people moving for employment and higher education (Phouxay, 2001). The number of migrants from the northern highland provinces (Luang Prabang, Huaphanh, Xieng Khouang) to Vientiane has increased significantly. A notable feature of migration statistics is that women constitute 59.2% of internal migrants (Lao Statistics Bureau, 2016 cited in UNESCO Bangkok 2018). The 4th Population and Housing Census (PHC) conducted in 2015 has pointed out that the main reasons for moving within the country are for employment (28%), family movement (10%), marriage (18%), and education (15%). However, there is little available literature providing insight into the intersection of internal migration, gender and land tenure of ethnic minorities in Lao PDR. Studies on the Hmong ethnic group tend to focus on land and forest systems, with gender treated separately rather than together with those issues (Calub et al 2006; Bouapao, 2005; Moizo 2005; Whitney et al, 2014).

Study site: Long Lan village

Long Lan is a Hmong village located at 1,300 meters above sea level in a mountainous area approximately 40km northeast of Luang Prabang town (figure 2). In 1975, the majority of villagers were White Hmong who were forced to relocate from the high mountains to lower areas that were formerly occupied by the Khmu. This was due to the policy of fixed settlement. Initially, the village comprised fifteen families from the Yang, Lee and Mua clans. In 1983, another ten Hmong families from Lee and Thor clans moved into the community. Villagers at that time conducted shifting cultivation growing rice and corn for domestic consumption and opium for cash, but they were banned from cultivating the latter by the Lao government in 1999. Thanks to their support given to the Lao People's Revolutionary Party during the revolutionary war, villagers in Long Lan received many development projects on income generation from provincial and district offices such as the Luang Prabang Provincial Forestry and Agriculture Office (PAFO) and the District Agriculture and Forestry Office (DAFO). The provincial governors established a primary school in the village to provide for compulsory education, while DAFO supported a community-based forest land rights program. A report from the Social Policy Ecology Research Institute

(SPERI)² stated that between 1999 and 2005, a project on the rights of access to natural resources, and the maintenance of cultural identities and local indigenous knowledge, had been implemented (SPERI, 2017, p. 7-8).

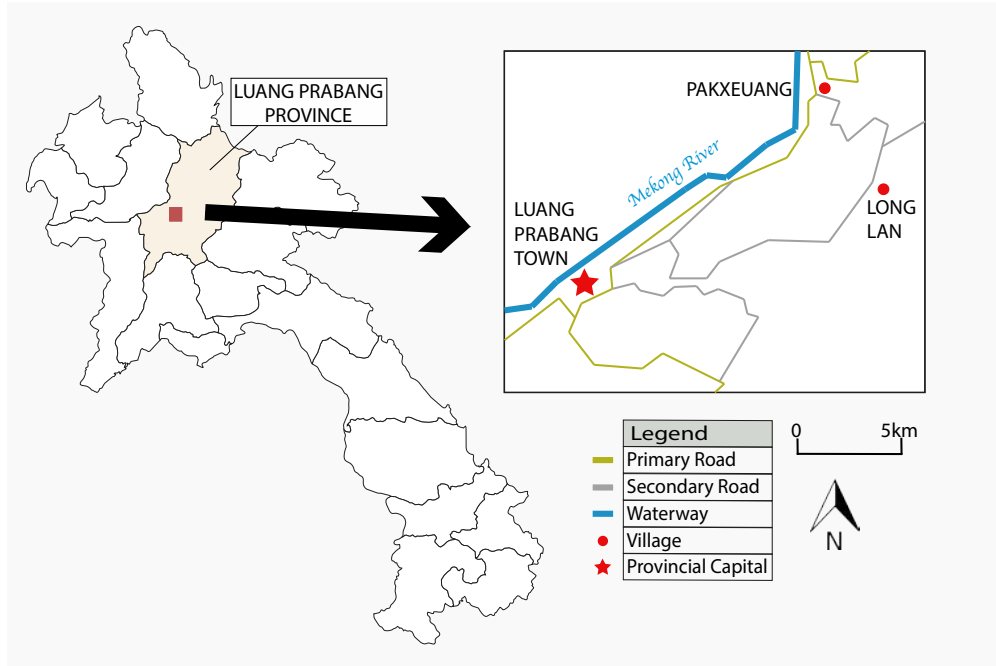


Figure 2: Long Lan village in Luang Prabang Province, Northern Lao PDR
(map source: *freevectormaps.com*)

Currently, Long Lan village comprises 74 households with 511 inhabitants (260 females, 251 males). There are seven ethnic clans, namely Yang, Lee, Thao, Mua, Xong, Ho and Vang. The Yang clan was the first group who resided here and are the major group, while the smallest groups are the Xong and Vang clans.

Land tenure and division of labour

The management of natural resources in Long Lan village is governed through the application of both formal and customary regulations and practices. Before 2004, land was common property controlled by clans and divided between families for the cultivation of opium, upland rice and vegetables. Villagers could freely select a plot of land if the village authorities and the clan leadership group agreed. By this arrangement, each family generally obtained six to ten plots for farming.

2 Social Policy Ecology Research Institute (SPERI) came from the merger of three Vietnamese NGOs: Towards Ethnic Women -TEW, Center for Human Ecology Studies of the Highlands - CHESH, and the Center for Indigenous Knowledge Research and Development – CIRDD.

If a family left the village, their lands would automatically become the clan's property. It should be noted that the Hmong normally have a strong patriarchal and patrilocal tradition that includes the movement of a woman to reside with her husband's family on marriage, patrilineal descent and inheritance patterns. Men are considered the owners and administrators of the land, while women have access to land mainly through their husbands or male relatives. Utilization of lands and common property resources are based on local institutions (customs) and social relations (gender and kinship), which have important roles in shaping individual and household livelihoods.

In early 2005, the Centre for Human Ecology Studies of Highlands (CHESH-Lao) collaborated with the PAFO to implement a project supporting Land and Forest Allocation (LFA - *Mob Din Mob Pa*) in Long Lan village (figure 3). Based on the LFA process, villagers received agricultural and residential lands with official certificates. Full titles were given to residential plots,³ while temporary use rights were granted for rubber and tree plantations. At the same time, villagers had to pay land tax based on the type of agricultural activity. For instance, the rate for rice planting was at 35,000 kip per hectare, a tree plantation was at 30,000 kip per hectare, the rate for vegetable gardens was at 45,000 kip per hectare, and residential land was at 60 kip per square meter (interview with village head, 15 June 2018). The agricultural lands included upland rice, grass fields for livestock, corn fields and vegetable fields (figure 4), and were recognized by the district authorities as communal land being managed under Hmong customary law. Villagers could not extend land use for growing cash crops in Long Lan village because the surrounding areas had become protected and community forest. The village head insisted that the amount of available land was sufficient for everyone including new-married couples who could obtain land for traditional agriculture such as growing rice, vegetables and other consumable crops (interview with village head, 15 June 2018). However, there was not enough land for villagers to clear to grow profitable cash crops. Twenty of the surveyed households bought land in nearby villages, influenced by land scarcity directly around Long Lan. Sixteen households bought agricultural land from Khmu people in Bohea village, located in lower mountainous regions, to grow rice and rubber. Another four households bought land, in each case more than one plot per family, to grow rice, rubber and teak. Their lands are located in Kokvan, Thua-oy and Hauyleuk villages, lower down the mountain where availability is greater. In general, the new land carried a certificate officially allowing its sale. However, one family also bought usage rights on some land to grow teak.

Influenced by customary law, in which men have taken a dominant role, the Hmong women in Long Lan could only access land and other assets through their husbands or male relatives. The only exception involved a woman who inherited land when her husband passed away without a male heir. Men are

3 *Bai ta din* in Lao language.

considered the owners and administrators of the land. However, residential land was an exception where the registration process was performed by district land officials during a pilot program promoting joint-titling of land. In Long Lan village, women’s names were included in the residential titles.

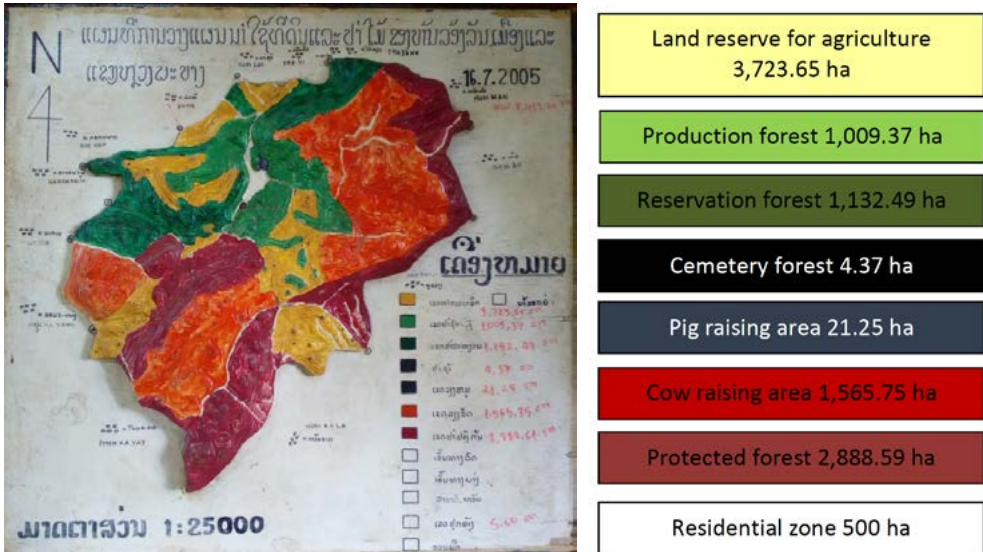


Figure 3: Land-zoning in and around Long Lan village (photo: Souknida Sautouky)



Figure 4: Locally produced vegetables collected together and transported to town using a local tractor (photos: Souknida Sautouky)

Migration: Gender relations, motivations and experiences

It was rare to see people from Long Lan village migrating to work in Luang Prabang, other cities, or abroad. Language difficulty was a main factor prohibiting domestic and cross-border migration. According to villagers, only one household had a member migrate to an international destination, in this case working in the Lao-China border area. At the time of the study, there were six men from

Long Lan village undertaking seasonal migration for employment in Luang Prabang city. However, instead of travelling for the purpose of work, the majority of migrants were primarily involved in higher education. From the 40 migrant households interviewed during this research, 62 young people aged between 11 and 20 years old are currently migrating to study in Luang Prabang town (table 3). Parents invested in their children's education by using financial capital derived from selling agricultural commodities and rearing cattle. Investment in cash crops and livestock were intensified to generate a greater income to support children's schooling. As can be seen from table 3, schooling opportunities were given to both girls and boys to migrate for study. Nevertheless, family expectations to improve household income and wellbeing were generally placed upon Hmong boys rather than girls. The Hmong tradition that expected girls to get married at a young age has remained common practice.

Table 3: Current migration practices from Long Lan village (from 40 migrant household surveys)

| Type of migration | Destination | Gender of migrants | |
|---------------------------------|--------------------|--------------------|-----------|
| | | Male | Female |
| Education | Luang Prabang town | 33 | 29 |
| Seasonal work | Luang Prabang town | 6 | 0 |
| International labour employment | China | 1 | 0 |
| | | 40 | 29 |

According to table 4, girls generally dropped out of school to get married, although it should be noted that a significant number have graduated and found work living in town. After marriage, the wives commonly stayed in Luang Prabang town and worked as traders in the night market or worked in tourism businesses while their husbands were still at school. When giving birth to a baby, they might move back to Long Lan village to live with the husband's family and work on the family farm. However, many married women have migrated to other provinces such as Oudamxay, Sayabouri, Luang Namtha and Vientiane Capital. This represents a further migration with their husbands, potentially but not exclusive to join his family in cases where he was born elsewhere than Long Lan.

Table 4: Outcomes for Long Lan villagers who migrated for education in the past (from 40 migrant household surveys)

| Outcome for education migrant | Gender of migrant | |
|--|-------------------|-----------|
| | Male | Female |
| Graduated from university/college and relocated to Luang Prabang, Luang Namtha, and Pak Ou | 15 | 12 |
| Dropped out of school while migrants to marry | 6 | 23 |
| Graduated from university/college and returned to Long Lan due to lack of work opportunities in town | 10 | 5 |
| | 31 | 38 |

The data also shows people migrating for educational purposes. However, both men and women returned to Long Lan village to work in agriculture since there was a lack of non-farm jobs available. Aiming to have a permanent and secure job, ideally they seek employment with the government. But the Lao government accepts only a small number of new recruits each year. For people who obtained university degrees and were successful in taking up government and business jobs, they normally moved away from the village.

Remittances, investment in land and gender relations

Despite having similar opportunities to migrate and study in town, a higher proportion of men graduated whereas many women dropped out of their schooling to marry. For those who have managed to find waged work after graduating from school, their contributions to parental households were used to support family expenditures on housing, farming, and health care rather than buying a new plot of land. Villagers reported that the earnings from remittances was significantly low and so only enough to cater to general consumption needs. Instead, the major income for villagers was obtained through selling cattle and agricultural products. However, with agricultural land managed under customary law and new areas to farm scarce due to strict usage allocation rules around the village locality, many villagers with extra money to invest instead looked for more secure plots in areas outside of Long Lan. It has already been mentioned that twenty households purchased land in nearby villages to expand their agricultural options and cultivate rice, rubber and teak. Furthermore, twenty-two out of 40 interviewed migrant households had bought another piece of land in Luang Prabang and Pak Ou towns, which were used to build a house or keep for financial speculation. Gaining access to such land in town was easier in that it generally carried a formal land title and so was legally available to buy. Of the twenty-two households, 15 registered only men's names, three households registered women's names because the land was bought by women, and nine households registered both names. According to interviews, nine families that registered

jointly owned land of husband and wife were advised to do so by the land officers. These nine families were generally young to middle-aged couples. After the 1990s, more women attended school and were literate. At the same time, the Lao government and International NGOs have been emphasising gender equity with respect to formal land documents. So, at present, women know the law and regularly request to have their names on the land and the house title deeds.

Even if many household were looking outside of the village for options to acquire land, this did not necessarily result in a wholesale departure from village life. For example, one Long Lan villager who had migrated to study and currently worked at the PAFO Office in Luang Prabang said that he lived in the city but travelled back to the village every weekend. He had invested in an organic vegetable farm on a piece of customary land inherited from his parents, who took care of the farm during the week. This had become his part-time job and generated a very good income for his family. He said everyone had rights to use this land, only that it could not be sold. Access and usage could only be rotated around other families in Long Lan, under administration by the village committee.

Based on Hmong tradition, the land must be inherited and transferred through male descendants. There were nevertheless some cases in which migration could shift parents' ideas on land inheritance. One family mentioned that their daughter had completed a college degree in finance. During her studies she also sold handicrafts in a night market, and remitted money to her family. They spent these earnings on buying a motorbike and on agricultural needs. As a result, they were considering giving a piece of agricultural land to their daughter. This represents a significant shift in gender norms among the Hmong. The switch may develop further due to an increasing number of young people joining the village committee group, who bring in new ideas such as awareness of legal mandates for gender equality that could facilitate women holding land. This shows that migration is providing new opportunities for women to learn skills, apply knowledge, and increase their world perspective and experience, which could shift gender norms in Long Lan village life.

Some concluding thoughts

This study has presented the nexus of land, migration and gender relations in the context of a Hmong village in Lao PDR. First of all, it shows that land and agriculture have provided financial capital facilitating migration for both young women and men to study in nearby Luang Prabang town. In this case, the limited availability of agricultural land managed through informal customary rights has intensified a trend to migrate for education and to find non-farm work, and a desire, especially for the parental generation, to invest in land outside the village. Since the land for agriculture was communal land that could not be enlarged, the majority of the households in Long Lan village thus bought land at a lower

altitude to grow rice, and invest in rubber and teak plantations. Some also bought land in the city for speculation. Yet despite investing in education, villagers could not be assured that their children would be able to access jobs in the city. Indeed, many graduates who have been unsuccessful in finding work in town, have now moved back to Long Lan to work in farming. In this sense, access to land and its tenure security remains a concern.

Second, there is limited evidence showing a change in gender conventions in the village, where it is now possible for daughters to obtain land from parents. This reflects a changing economic status where some girls have succeeded in education, found work and contribute remittances to the family. Such an occurrence remains rare as many girls drop out of school to marry. However, migration to the city for any period of time provides new experiences that helps to support a growing confidence for women to become more involved in household decision-making. In this case, the empowerment of women has emerged from being away from the village rather than remaining in agriculture.

5.

Myanmar: a village in Karenni State



Introduction

As political frame for Myanmar has seen the country move away from international isolation and direct military rule following the installation of U Thein Sein as president in 2011, and then openly contested elections in 2015 (Ferguson, 2014; Neil, 2018; Scurrah et al., 2015; TNI, 2013; Woods, 2014). Years of ethnic conflict, political repression and attempts to enforce national sovereignty have resulted in forced displacement, frequently across officially closed national borders. With the opening up of the country's economy, residents have had to leave their homes to make way for large-scale development projects, such as in agribusiness, hydropower, mining, and road building. This represents the exclusionary power of so-called development, in actuality creating landlessness, economic deprivation, and unemployment for many.

Labour migration from rural Myanmar principally involves travelling across national borders, especially to Thailand and Malaysia (Duran, 2017; Grundy & Warr, 2013; IOM & ARCM, 2013; Moh Htay, 2016; Rhoden & Unger, 2015). As a country with a higher income status, and a demand for low-skilled labour in agricultural, manufacturing, fisheries and construction sectors, Thailand has long attracted Burmese workers. Following peace accords between central government and ethnic armed groups, and the instigation of a quasi-democratic process, various authors investigate whether migrants are now returning home. There seems to be a consensus that despite a high willingness by migrants for repatriation, and Burmese neo-liberal policies attempting to stimulate domestic investment, the more attractive employment opportunities in Thailand, combined with continuing precarity of livelihoods within Myanmar, preclude any quick reduction in numbers of migrants working in neighbouring countries (IOM & ARCM, 2013; Rhoden & Unger, 2015; Thet & Pholphirul, 2016).

Land acquisition by investors is one of many sources of uncertainty. Recent legislative developments in Myanmar have attracted much attention in their impact on land relations. In 2012, two new laws were passed: i) the Farmland Law; ii) the Vacant, Fallow and Virgin Lands Management (VFV) Law (revised in 2018). Rather than clarifying the rights of landholders and users, particularly smallholders, the laws have facilitated the commoditization of land for investment. Although the Farmland Law has facilitated the issuance of land-use certificates to many farmers, many others have not received such documentation. Instead, the land they hold has often been classed as 'fallow' or 'wasteland', available for acquisition and transfer to large-scale projects, often involving foreign companies. The 2018 revision of the VFV Law has compounded this precarity in potentially criminalising land users who do not register their holdings. Return migrants seeking to acquire land in areas controlled by ethnic armed groups face further uncertainties regarding the status of their land documents (Rangkla, 2019).

A significant proportion of migrants from Myanmar are women (ADB et al., 2016; Moh Htay, 2016). In 2009, 45.2% of registered Burmese migrants in Thailand were women (ADB et al., 2016, p. 71), although this only represents a partial capture of data. The ADB report also suggests that women send remittances at nearly an equal level to men, highlighting the significance of their economic contribution through migration practices. The 2014 Myanmar Population and Housing Census suggests that 53% of internal migrants are women, commonly following family or seeking employment opportunities (ADB et al., 2016, p. 72). However, there is little available literature providing insight into the dynamics of internal migration in Myanmar. At the same time, Myanmar now faces a situation of great complexity, where land is under the control of either, i) state; ii) ethnic armed organization; iii) mixed authority in contested areas. Within these competing claims, smallholders suffer from a lack of political recognition of their land tenure, and a lack of clarity regarding to whom they should appeal over disputes.

Where does gender sit within these discussions? The State of Land report notes how in Myanmar women can legally hold land titles, but that recognition is low (Neil, 2018). It is estimated that only 18% of titles are registered to women (Namati, 2016). An ADB report notes how the 2008 Constitution theoretically allows for equal rights in land tenure contracts, although no guidance is provided as to how to defend these rights (ADB et al., 2016). However, it also acknowledges that the Farmland and VFV Laws require that land is registered in the name of the household head, who is more commonly male. This is despite many traditional systems operating along matrilineal lines of inheritance. Further, women may lack a political voice, carrying a lower status within the agricultural sector (Akter et al., 2017). For example, in Shan, Mon and Karenni states (all of which have no gender-specified inheritance system), only 6% of village chiefs and local committee members (including land and forest committees) are elected women. Nevertheless, Akter et al's (2017) claims of the disadvantaged status of women in agriculture, and by extension in relation to land tenure security, remain an under-researched field in Myanmar.

A few papers pay attention to the role of women in recent legal and political developments in Myanmar. A Transnational Institute report (2015) considers the recognition of women within the National Land Use Plan (NLUP). It asserts that women are essential actors within agricultural systems today as labourers, food processors, and fisherwomen, yet as an interest group they lack legal protection, education or skills, and financial support. The report promotes voices of women to help develop the NLUP and assist its contribution to the wider peace process in Myanmar. Although the English-language draft of the policy calls for equal rights between men and women, the Burmese version referred to within Myanmar omits the gender reference for a general statement on equality. A study by the legal NGO Namati (2016) similarly promotes the role of women in land use management and their access to tenure rights, suggesting that women

are disproportionately affected by land grabbing. It acknowledges the potential of the NLUP in claiming equal gender rights, yet warns that a patriarchal system remains dominant in Burmese power structures, whereby for example 80% of positions within the land registration process are occupied by men. Therefore, without effective implementation of the NLUP, including training and awareness-raising for women, any positive intentions will remain unfulfilled. Faxon et al. (2015) broaden the discussion, emphasizing the need to prevent violence against women, and to enshrine their rights in policy and practice.

In line with the first aim of the research on which this report is based, namely to understand the implications of gender-specific migration for women's control over land in diverse circumstances in the Mekong Region, this chapter firstly investigates the implications of migration on land tenure security in the context of the unstable political situation in Karenni areas of Kayah (Karenni) State, Myanmar. The research explores how the gendered and generational patterns of out-migration impact on female and male farmers' access to use or management of land. Following the second aim of the research, to investigate to what extent (in)security of access to land shapes migration in specific localities and how in turn the different gender roles in migration shape security of land tenure for women and men, the chapter focuses on the specific context of an ethnic minority community that has been displaced by Myanmar's ongoing internal struggles between armed groups and the military.

Study site: Nwar La Woe village

This research was conducted in Nwar La Woe village, one of the relocation sites arising since 1996 from the military strategy commonly termed the "four cuts."⁴ The village is near Loikaw, the capital city of Karenni State,⁵ known officially as Kayah State, in the eastern part of Myanmar. The main ethnicity of the villagers is Karenni, with a few Kayan, Kayaw and Manaw. During the colonial era, the British recognized Karenni State as independent. In 1948, Burmese troops took over control of the area (KDRG, 2006). The Karenni National Progressive Party (KNPP) was formed in 1957, reorganized from the Karenni Resistance Government (KRG), and it continued fighting for independence. In 1995, the armed wing of the KNPP and the State Law and Order Restoration Council (SLORC), which in 1997 was subsequently reorganized as the State Peace and Development Council (SPDC), signed a ceasefire agreement. After three months,

4 The "four cuts" is a counter-insurgency strategy against ethnic armed groups aiming to cut off insurgent access to food, finance, military intelligence and fighting personnel (All Burma Students' Democratic Front, 1997).

5 The name of the state under colonial rule was Karenni, but the name was changed officially by the Union government in 1952 to Kayah. It continues to be disputed. For the purposes of this report, the state is referred to as Karenni State, reflecting the ethnic identification of the principal author of this chapter

this agreement was violated due to the Burmese army “launching a major new offensive, moving three battalions into areas under KNPP control” (Bamforth et al., 2000, p. 45). Conflict continued until the 2010 political transition.

During the period of conflict, many Karenni people were forcibly displaced, often under the influence of government-led development projects (KDRG, 2006), resource scarcity (Bamforth et al., 2000), or armed struggle. In 1996, SLORC ordered that all residents from several villages in Karenni State had to be relocated to eleven new sites (HRDU, 1998, p. 200). Nwar La Woe San Pya is one of the relocation areas, established by the military government on 12 June 1996. The village is located 9 kilometres north of Loikaw (figure 5). All villagers were originally residents of Shadaw Township and Lawpita village tract, both situated in the eastern part of Karenni State along the Salween and Pawn rivers. 60 households from Shadaw Township, and 70 households from Lawpita had to relocate to Nwar La Woe. The military government allocated 70 feet by 90 feet (586m²) plots of land for each household to construct housing on their own (figure 6), and allocated one bag of rice per household per month (interview with village headman, 21 July 2018). One year after relocation, rice contributions ceased. So, the villagers secretly went to Loikaw to receive donations from local churches (interview with villager, 3 July 2018). In 1999, the government allocated three acres of lands to each household for agriculture. The agricultural lands are in Chit Kel area, 16km from the relocation site, near the capital city of Loikaw. However, even after government allocation, the military restricted access to these lands. Villagers could only travel in certain time periods, and were not allowed to stay overnight at the farmlands. When crossing several check points on the way, the military kept their ID cards when they went to the farmlands, to be collected when returning to the village in the evening. Women were the most victimized, facing sexual violence. According to one villager, two women were raped by soldiers. In addition, due to fear of crime and conflict, women could not travel far from their houses, making it difficult to access public places such as markets (interview with villager, 3 July 2018).

Another problem was that the allocated farmlands were occupied by villagers living nearby, who later claimed the lands back. During the same year, the government cut the electricity that they had provided. Because of these unstable conditions, around 50 households abandoned their resettlements, some selling their land to outsiders, and fled to refugee camps. This acted as a transitional step for some, who later migrated on to third countries including the USA, Finland and Canada. Out of 130 households originally relocating to Nwar La Woe San Pya, only 80 households remain. This number has currently increased to 105, with 25 new households moving in from the outside or starting new families.

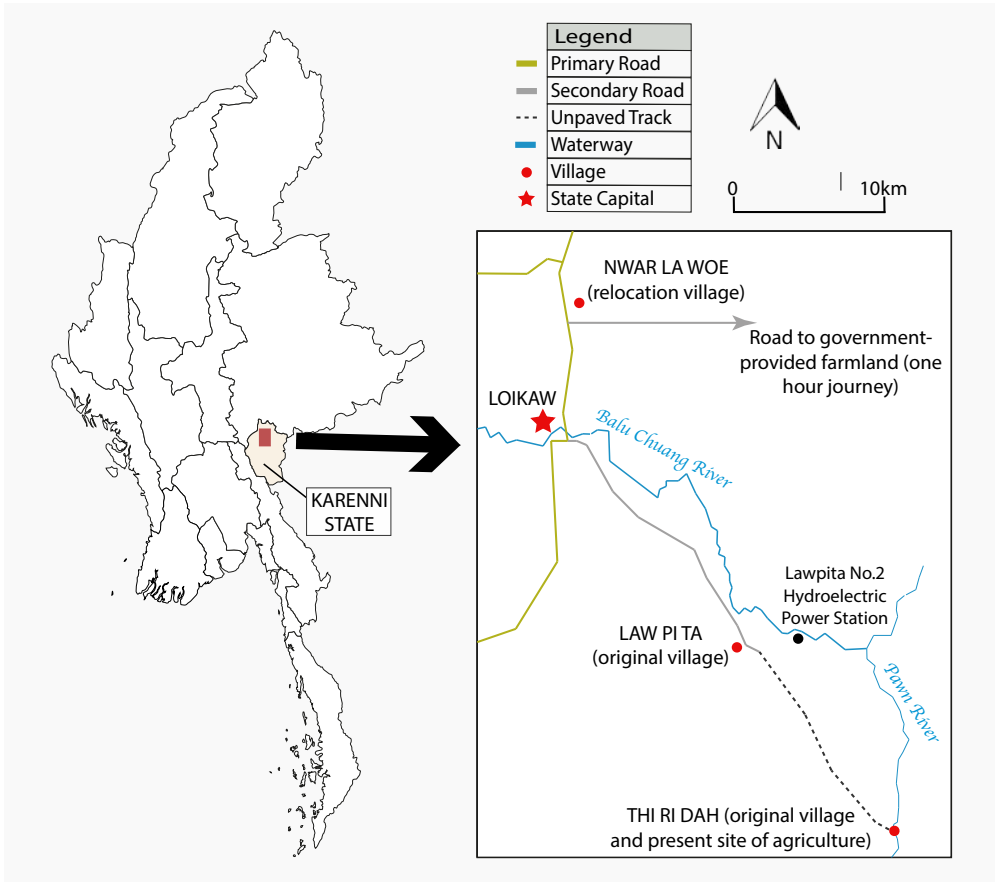


Figure 5: Nwar La Woe village and surroundings (source: freevectormaps.com)



Figure 6: Mapped out residential land plots in Nwar La Woe-left; sesame fields at the site of the original village-above (photos: Maw Thoe Myar)

In the late 2000s, villagers sought new lands to cultivate. This new land was under control of the KNPP, who gave verbal permission for its usage. It takes 1.5 hours to travel from the village on a motorcycle. Until recently, almost all village households cultivated this land. The majority of households cleared the land by hand so they could occupy 3-4 acres (1.2-1.6 hectares). At present, some households have started clearing the land by machine so they could acquire approximately 8-10 acres (3.2-4.0 hectares). They mainly grow rice for family consumption and collected seasonal foods such as non-timber forest products from communal lands. Apart from the family consumption, the majority grow corn that they sell in the local marketplace for extra family income. Such income is used for health expenses, children's education and investment in farmland. However, production from the farmland has been inadequate to meet family needs.

After 2012, the KNPP and local government signed a bilateral ceasefire agreement. Approximately 30 households travelled back to their old farmlands near the Pawn River that remained under KNPP control. Taking 2-3 hours on a rough motorcycle journey from the current village, villagers generally stay temporarily during sesame cultivation and then return for harvesting (figure 6). They do not have any land titles for agricultural land. However, the government has provided certificates for their residential land within Nwar La Woe village, classed under Form 7.

Following initial scoping in Nwar La Woe village, 37 households were surveyed, backed up with key-informant and life story interviews, and participant observation. These represent a stratified range of targeted migrant types, including households containing female international migrants (2 households), male international migrants (8 households), domestic labour migrants (9 households), migrants to third countries via refugee camps in Thailand (9 households) and without migrants (9 households). For three households, it was possible to contact and speak with migrants themselves. Otherwise, interviews were conducted with family members who have remained at home.

Land tenure, labour division and inheritance of the Karenni people

The principal Karenni livelihood is farming, including shifting cultivation. Karenni people employ a customary form of inheritance where the youngest son inherits the house from his parents. However, parents regularly divide farmland equally among their children. After the relocation in Nwar La Woe village in 1996, the customary form of land tenure and inheritance has remained. Among the 37 households surveyed, only five households reported that the youngest son received the parental house as an inheritance. However, this more reflects the fact that in other households, the parents are still alive, and so the residential land has not yet been passed down. Men are heads of household, with their names noted in household registration or the residential land certificate. A gender division of labour is apparent; women are responsible for housework, taking care of children

and collecting vegetables for home consumption. 11 of 37 households surveyed had women's names on their residential land certificate because they were widows.

The 37 households surveyed had different sizes of housing plots. Originally, the government allocated 6,300 square feet (586m²) of land for each household. At present, some plots are smaller due to their division for increasing numbers of family members or to sell to outsiders. There are no land titles for farmlands. For villagers who farm in their original areas of settlement, there are differences between the ways to acquire land, with these farmlands under the control of ethnic armed groups rather than the government.

Only 12 out of 37 households reported that they hold Form 7.⁶ Those forms were issued by the government under the men's name. The majority of households (25 out of 37) do not possess any land title and are unaware of the meaning of land title. Karenni villagers said they had community recognition on the housing land, thus certificates were not important. Furthermore, the majority of farmland areas are under mixed-administration control between the government and the KNPP, where form 7 would not be granted easily in order to prevent further land conflicts. During the peace process in Karenni State, land under mixed-administration was preserved for displaced people and KNPP families under arrangements mutually agreed by both sides (interview with Loikaw MP, 26 April 2019). Nwar La Woe villagers are verbally allowed to use the farmlands by both authorities. Twelve Nwar La Woe households managed to buy land from neighbouring villages that are in areas under government control, which meant that they could receive Form 7.

Migration: Gender relations, motivations and experiences

Migration from Nwar La Woe village has become more common over the last five years, with 28 out of 37 surveyed households having had at least one person, predominantly male, migrate to work internally or internationally. Based on Karenni tradition, men take the role of household breadwinner. Thus 12 out of 28 households sent a male family member to undertake seasonal mining work in nearby towns, or to find wage jobs such as truck or car drivers (table 5). Ten households report that they had at least one person working in Thailand, Singapore or Malaysia. Most male migrants are aged 16 to 40 years old and mostly are household heads, influenced by the fact that villagers generally marry at a young age. Five households report that they have a male family member who escaped to a refugee camp along the Thai border and successfully migrated to a third country, namely to Finland, Canada and the USA.

6 The Form 7 certificates were created through the 2012 Farmland Law, functioning as a certificate to provide people the right to farm a particular plot of land.

Thailand is the cheapest international destination for migration. Some migrants have entered camps as refugees or asylum seekers and then contacted friends or relatives who are working in Thailand to help them to get a job. From 2018, the Thai government has campaigned for irregular migrants to get legal work permits. Thus, migration to Thailand has become easier and safer, while going to other countries such as Malaysia requires much more money for an agent to arrange travel and work permits (equivalent to 1,500 USD). However, most parents are willing to invest in migration for their sons because they believe that the man can work hard to pay back loans and support the family. Only two households sent out their daughters, to work as housemaids in Singapore, paying

Table 5: Gender in migration patterns and destinations

| Gender | Number of migrants by migration type | | |
|--------|--------------------------------------|-------------------------------|------------------------------------|
| | IM | InM | MT (to USA, Canada and Finland) |
| Male | 8 (3 to Malaysia; 5 to Thailand) | 9 (for mining and driving) | 5 |
| Female | 2 (to Singapore) | - | 4 |
| Total | 10 | 9 | 9 |

IM= International Migrants, InM= Internal Migrants, MT= Migrants to Third Countries

1,500 USD to agents. A lack of access to land, poor job opportunities, and inadequate agricultural productivity are important factors pushing people to migrate. Half of households with migrants had no farmland or less than 10 acres or 0.4 hectares (table 6).

Table 6: Land ownership for households with and without migrants

| Amount of land for corn, rice and sesame acres (hectares) | Household with migrants | Household without migrants |
|---|-------------------------|----------------------------|
| No land | 6 | 0 |
| 1-10 (1-4) | 8 | 2 |
| 11-20 (4.5-8.1) | 10 | 0 |
| 21-30 (8.5-12.1) | 3 | 4 |
| 30 or more (over 12.1) | 1 | 3 |
| Total | 28 | 9 |

Remittances, investment in land and gender relations

The migration of young people reduces the availability of family labour, and this impacts decisions to work or not work a farm. More than half of households with migrants reported that women have a leading role in managing remittances and deciding how to spend them (table 7). The reason was that women had to take care of the house, family consumption and care for the elderly. 21 out of 28 households saw men migrate, with women and the elderly left behind. Eight households reported that they had reduced the area of land farmed due to lack of labour. Ten households have stopped farming completely and are dependent on remittances. Remittances are used in various ways, with management predominantly conducted by left-behind women (table 8). All households use at least part of the funds on food, housing and education for children. Also significant for a number of families is investment in agriculture (involving all households still farming) and purchase of a motorbike. Yet despite a high number of households investing in agriculture, various suspicions were raised as to the potential profitability of farming, with high vulnerability to variable weather patterns and low levels of productivity. Indeed, only three migrant households have used remittances to purchase land, other households claiming that such acquisitions could not provide an adequate income stream, whether farming or otherwise. In particular, an inability to receive official land documents deterred households from purchasing land, and so priority was more likely to be given to investment in migration or in the education of children.

Table 7: Use of remittances by migrant households (multiple choices allowed)

| Use of remittances | Number of migrant households | Percentage of migrant households (n=28) |
|---|------------------------------|---|
| Family consumption and expenses (food, housing and education) | 28 | 100% |
| Investment in farming | 18 | 64.3% |
| Buy a motorbike | 17 | 60.7% |
| Buy an agricultural vehicle | 8 | 28.6% |
| Pay off a loan | 6 | 21.4% |
| Buy land | 3 | 10.7% |

Table 8: Gender management of remittances

| Gender of manager | Percentage (n=28) |
|-------------------|-------------------|
| Female | 68% |
| Male | 21% |
| Male and female | 11% |

Some concluding thoughts

For this case study, it is vital to highlight the history of forced displacement in order to investigate and understand the flow of labour migration in Karenni State. The main reason for forced displacement was political instability and ethnic conflict. As a consequence, labour migration, predominantly by men, has become a solution for dealing with several problems such as family livelihood deficiencies, social repression and lack of resources in rural areas, especially in conflict-affected areas. Many of the displaced people do not possess the necessary Land Use Certificates (LUCs) to provide legal evidence of tenure, and their insecurity is compounded by the lack of recognition for customary tenure by central authorities (Scurrah et al., 2015). This case study highlights a complexity of control over land use between the government and the ethnic armed group. It sheds light on the livelihood realities faced by smallholder farmers, ethnic minorities and displaced populations.

The role of women in this case mainly involves remaining in the village to take care of the family, house and lands while the men are working away from home. Despite men retaining land ownership under customary rules, they migrate to earn money for family consumption. As a result, left-behind women may gain some control over the management of land. For those with a small family, they may reduce farmland use, leaving some areas fallow, or in some cases stop farming entirely and depend on remittances. With remittances sent by male migrants, women can decide whether to abandon agriculture and depend on the income from migration, or to continue working on the land but reduce the farm size due to lack of labour. They may still keep hold of the land, with some families allowing usage by relatives in return for small exchanges. Remittances are mostly used to cover food, housing and education needs, with a majority of households also investing in farming and buying a motorbike.

By taking a gender perspective we can see how forced relocation directly leads to different types of labour migration and differential mobility patterns between women and men. Inadequate land for farming and insufficient resources are also push factors for out-migration. Conversely, out-migration also has influences on the land tenure security of rural people who depend on remittances, with women

carrying much of the burden in managing household responsibilities. Those who are unable to cultivate the land sometimes have to return it to the community for reallocation, suggesting a loss of tenure security among women whose male partners have migrated for work.

6.

**Thailand:
an Isan village in
Udon Thani Province**



Introduction

Migration from the Northeast region of Thailand (Isan) has been a critical livelihood strategy due to factors relating to the region's high population, and for farmers poor irrigation infrastructure and unfertile soils (Singhanartra-Renard & Prabhsarnudhaniti, 1982; Ingram, 1971). Seasonal migration by men from Isan to Bangkok took place from the early 1960s. This would have involved temporary waged work in manufacturing, agriculture, fisheries, construction, services and trade, most commonly in Bangkok but also in various towns in the Northeast, before returning to farm the rest of the year (Keyes 1967; Lightfoot & Fuller, 1984; Whittaker 1999). In the 1970s, during the Vietnam War, women from Isan also started to participate in internal migration. Regional cities like Udon Thani and U.S. air bases offered work opportunities in the service sector for women. Women's migration in Thailand has further increased since the expansion of the manufacturing sector. The textile industry in particular gave rise to an increasingly feminized work force, with women leaving their home villages to take up jobs. The National Statistics Office's (NSO) annual survey on migration shows that even though the absolute number of female migrants declined during the period 2006-2016 compared to 1980-1990, women still constituted nearly half of all migrants to both domestic and international destinations (45-49%). Younger migrants (15-24) remain the dominant (if receding) group, while the number of older migrants (35-59) is increasing (see Appendix 1).

The international migration of Thai people grew significantly in the 1980s, fuelled initially by a demand for construction workers in the oil-rich Middle East and then later for factory and farm labour in high-income Asian countries such as Taiwan, Singapore and Japan. In the mid-1980s, there were more than 200,000 Thai workers in the Middle East, mostly male. Female migration was restricted by the Thai government in fear of exploitation and mistreatment (Singhanartra-Renard & Prabhudhanitisarn, 1992, p. 159) and also because most Middle Eastern countries defined the construction and related jobs as men's work. However, in recent decades this dynamic has shifted, even if overseas migration remains dominated by men. It is recently estimated that 500,000 low-skilled Thais work overseas (Hickey et al., 2013, p. 32). The major occupations of Thai international women migrants are as domestic, care and factory workers. Many also migrate through marriage, and there is a legacy of this practice for women from northeast Thailand. A survey in 2004 conducted by the National Economic and Social Development Board (NESDB) showed that 19,594 Thai women from the Isan region were married to non-Thai nationals. About 87% of the spouses were men from Europe, North America, Australia and New Zealand (NESDB, 2004). Further data from the National Statistics Office (NSO) show an increasing number of Westerners living in Isan. In 2010, there were 27,357 Westerners, of whom 90% were men who had married Isan women. 80% of these men were from European countries. The rest were mainly from North America, Australia and New Zealand.

These phenomena have generated significant academic interest in Isan migration and associated rural transformation (Galip & Curran, 2010; Rigg & Salamanca, 2007 and 2011; Vanwey, 2003 and 2004). Nevertheless, little attention has been paid to women migration and the connection to land ownership and use. According to the NSO, the number of agricultural female landholders has increased considerably over the past 20 years, both in absolute and relative terms. In 2013, female-only landholders stood at 36.3% compared to 27.7% in 2003 and 15.4% in 1993 (NSO and MICT, 2013). However, the data is unclear on joint titling between spouses, so many more women may have their names on land titles. A point of interest is to see how these figures might relate to migration.

Study site: Na Dokmai village

Na Dokmai is located 40km southwest of Udon Thani town. It includes five villages, each with its own administrative body and village head. However, in the past the villages represented one community, and residents continue to associate together, share communal resources and participate jointly in cultural and religious activities. There is a paved road network and bus routes connecting the village to the town and other surrounding villages (figures 7 and 8). Na Dokmai comprises 920 households and a population of 2,539 people. The female-to-male ratio stands at 51:49. The 2017 Basic Minimum Needs (BMN) database indicates that 61% of the population has completed six years of education (*Por 6*), 12% completed nine years (*Mor 3*), 13% twelve years (*Mor 6*) and 7% graduated from college. Major occupations include agriculture, trade, waged employment (including work through migration) and government and private sector staff. Agriculture is identified as the major occupation, involving 50% of households, but remittances are often the major form of household income. Thus far, there is no systematic data on migration.

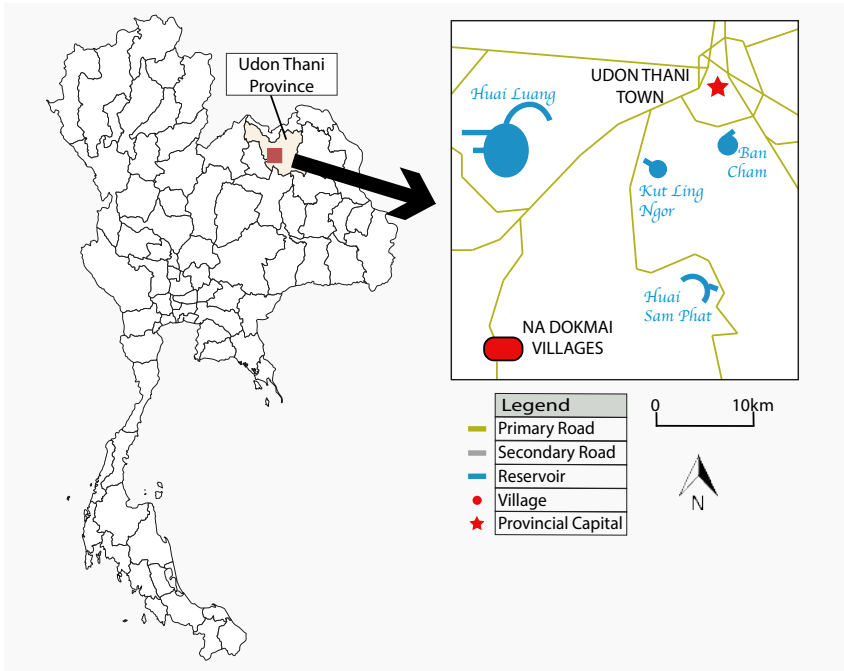


Figure 7: Na Dokmai village in Udon Thani (map source: freevectormaps.com)



Figure 8: Aerial photo of Na Dokmai village and its environs (source : Google Earth)

Total agricultural land at the sub-district level, including Na Dokmai, covers 28,795 rai⁷ or 4,607 hectares (table 9). About 60% is paddy fields, while other areas are used to grow field crops, trees, rubber, and vegetables. 9.4% of land is identified as “other”, which is mainly forest land.

Table 9: Land-use at the sub-district level⁸ (Source: The Sub-district Agricultural Development Plan 2018-2022)

| Type | Area (hectares) | Percent |
|--|-----------------|---------|
| Paddy field | 2,818 | 61.2 |
| Field crops (cassava, sugar cane, soybean, corn) | 798 | 17.3 |
| Trees (mainly mango) | 363 | 7.9 |
| Rubber | 171 | 3.7 |
| Vegetables | 23 | 0.5 |
| Other (forest land) | 434 | 9.4 |
| Total | 4,607 | 100.0 |

Na Dokmai is a relatively well-developed village with good infrastructure. It has an electricity supply, a piped water system and a good road network. Local businesses in Na Dokmai include grocery stores, a mini-supermarket, coffee shops and appliance stores (figure 9).

Land tenure, inheritance and gender

Land inheritance in Isan is based on matrilineal principles where land is often passed down through the female lineage. Other gender-related practices include bride-wealth, matrilocal residence patterns where a married couple live in the house of the wife’s parents, and labour contributions of sons-in-law to the farm of their wife’s parents. These customary practices are sources of female social power allowing the wife to exert considerable control over household resources and finances. In the present day, equal rights to property and inheritance in national law undermine a traditional matrilineal system of land tenure. Although women have equal rights in matters of inheritance, legal protection, and the management and sales of private property, in practice household heads are men with land often registered under their name. Legally, it is possible to put both women’s and men’s names on land certificate. However data from key informants in this study show that households prefer to use either the women’s or men’s name on their land documents.

According to the Sub-district Agricultural Development Plan (SADP) from 2018-

7 The standard unit land measurement in Thailand is *rai*. 1 *rai* is 0.16 hectares.

8 The number of households and the population of the official sub-district are slightly less than double those of Na Dokmai, which is located within.

2022, land is classified into 4 types: 1) title deed or NS4 (15%); 2) certificate of utilization or NS3 (60%); 3) land under the Agricultural Land Reform Office (ALRO) (16%); and 4) land recognized through a tax receipt (9%). Data from the survey of 50 households reveals that almost all residential area (98.2%) and 62% of farm land have title deeds. Farm land also includes type 2, type 3 and rented land. In most cases of rented land, the owners are siblings or relatives of the tenant, and the rent is paid through sharing investment and outputs.



Figure 9: Shops and the village market in Na Dokmai (photos: Patcharin Lapanun)

Table 10: Farmland holding size per household (rai and hectare/household)

| Size of land holding | | Migrant household type | | | Total migrant households | Total non-migrant households | Total households |
|----------------------|----------|------------------------|--------------|--------------|--------------------------|------------------------------|------------------|
| Rai | Hectare | MM | ILM | IM | | | |
| 0-5 | 0-0.8 | 5 (38.5%) | 4 (36.4%) | 6 (46.2%) | 15 (40.5%) | 3 (23.1%) | 18 (36.0%) |
| 6-10 | 1-1.6 | 1 (7.7%) | 2 (18.2%) | 3 (23.1%) | 6 (16.2%) | 1 (7.7%) | 7 (14.0%) |
| 11-15 | 1.8-2.4 | 1 (7.7%) | 1 (9.1%) | 0 | 2 (5.4%) | 6 (46.2%) | 8 (16.0%) |
| 16-20 | 2.6-3.2 | 2 (15.4%) | 1 (9.1%) | 3 (23.1%) | 6 (16.2%) | 0 | 6 (12.0%) |
| 21-30 | 3.4-4.8 | 2 (15.4%) | 2 (18.2%) | 0 | 4 (10.8%) | 2 (15.4%) | 8 (12.0%) |
| Over 30 | Over 4.8 | 2 (15.4%) | 1 (9.1%) | 1 (7.7%) | 4 (10.8%) | 1 (7.7%) | 5 (10.0%) |
| Total | | 13 (100%) | 11 (100%) | 13 (100%) | 37 (100.0%) | 13 (100%) | 50 (100.0%) |

MM = Marriage Migration household, ILM = International Labour Migration household

The SADP also indicates an average land holding at 12 rai or 1.92 ha/household. Table 10 shows that half of the surveyed households own up to 10 rai (1.6 ha) of farmland. Among this group, twice as many households own 1-5 rai (0.16-0.8 ha) as those with 6-10 rai (1-1.6 ha). A few households have more than 100 rai (16 ha), thereby reflecting a large range in the size of owned plots. In terms of land acquisition, 75% of the 50 households obtained their land through inheritance and 20% through a financial purchase. Some also acquired land in both ways. Land inheritance in Isan is traditionally based on matrilineal principles, divided between daughters, and with the youngest daughter remaining to care for her parents and usually receiving the house. Sons are given movable assets such as buffalo and cattle as they are expected to work on their wife's land. However, due to population increase, land scarcity and the legal framework allowing both women and men to equally inherit land, the practice of residential and farmland inheritance has become flexible. Data from the 50 households indicate that farmland has been shifting towards bilateral inheritance more than houses. Nevertheless, the number of parents who have given, or plan to give their house and farmland to daughters is higher than those who want to or have given land to sons (table 11). The flexibility of the matrilineal principle regarding land inheritance and the shift towards more bilateral arrangements has challenged the status of women, although overall land is allocated to daughters more than sons.

Table 11: Inheritance of residential land and farmland by household

| Form of inheritance | Residential land | | Farmland | |
|---|------------------|------------|--------------|------------|
| | Type | Count (%) | Type | Count (%) |
| All children equally | Type 1 (M&F) | 3 (6.0%) | Type 1 (M&F) | 10 (20.0%) |
| | Type 2 (F) | 2 (4.0%) | Type 2 (F) | 5 (10.0%) |
| | Type 3 (M) | 4 (8.0%) | Type 3 (M) | 3 (6.0%) |
| | Total | 9 (18.0%) | Total | 18 (36.0%) |
| Daughter | Type 1 (M&F) | 8 (16.0%) | Type 1 (M&F) | 6 (12.0%) |
| | Type 2 (F) | 7 (14.0%) | Type 2 (F) | 4 (8.0%) |
| | Type 3 (M) | 1 (2.0%) | Type 3 (M) | 1 (2.0%) |
| | Total | 16 (32.0%) | Total | 11 (22.0%) |
| Son | Type 1 (M&F) | 4 (8.0%) | Type 1 (M&F) | 5 (10.0%) |
| | Type 2 (F) | 2 (4.0%) | Type 2 (F) | 3 (6.0%) |
| | Type 3 (M) | 2 (4.0%) | Type 3 (M) | 2 (4.0%) |
| | Total | 8 (16.0%) | Total | 8 (16.0%) |
| Daughter/Son taking care of land prior to inheritance | 4 (8.0%) | | 0 | |
| No land | 3 (6.0%) | | 4 (8.0%) | |
| Not decided yet | 9 (6.0%) | | 7 (14.0%) | |
| Other | 1 (2.0%) | | 0 | |
| Total | 50 (100.0%) | | 50 (100.0%) | |

Type 1 = family with both son and daughter, Type 2 = family with daughter only; Type 3 = family with son only

Migration: Gender relations, motivations and experiences

Both women and men in Na Dokmai village have been involved in internal and international labour migration, though to different degrees. They were spurred early on by the establishment of a U.S. air base in Udon town during the Vietnam War which provided thousands of jobs in construction, administration and the service sector. Village women were engaged in service and sex industries. Although it is not known exactly how many women left the village, six women from Na Dokmai married American GIs and left for the USA with their husbands. The expansion of the transnational tourist industry in the following decades also facilitated women's international mobility, especially through marriage. This path has been a major transnational trajectory for village women until the present day.

Internal migration involved both men and women as well as couples; international migration is dominated by men though women have also engaged in overseas

employment; transnational marriage migration has far exclusively involved women (table 12). Based on matrilineal norms, kin networks also give women emotional support and enable them to fulfil household obligations, productive and reproductive work. Such support is particularly important for wives when their husbands leave home to seek waged employment. Stories of the women seeking transnational intimacy and engaging in transnational marriage also reveal that their parents take care of their children while they are living away from home. Nonetheless, some women indicated that the absence of their husband puts an increased burden on them as they have to carry out both social reproductive and productive tasks. Men, on the other hand, depend on the family and social network of their wife. However, men gain authority in the role of household head that is passed on to them through their father-in-law (Bowie, 2008; Mills, 1999; Phongsaphit, 1990).

Table 12: Gender patterns of migration

| Gender | Frequency of migration (number and percentage) | | | |
|--------|--|------------|------------|------------|
| | MM | ILM | IM | Total |
| Male | - | 13 (68.2%) | 12 (52.2%) | 25 (45.5%) |
| Female | 13 (100.0%) | 6 (31.6%) | 11 (47.8%) | 30 (54.5%) |

MM = Marriage Migration household, ILM = International Labour Migration household

The connections between gender and migration are further revealed when taking into account migrant destinations in a global context. Data in table 13 shows that Europe is the major destination of marriage migrants, while wealthier Asian countries are destinations for international labour migrants. Most of the labour migrants to countries in Asia mentioned the lower cost of arranging a contract and travel compared to going to Europe as a primary reason for selecting such destinations. Marriage migration is bounded in a different context as migrants do not pay such costs. In most cases, if not all, women have been financially supported by their partners to visit or resettle in their partner's home country. The different destinations reflect the fact that although international labour migration and marriage migration are a part of the same stream of global migration, they are bounded in different social relations and contexts, thereby presenting different routes and processes of migration.

Table 13: Destinations of international migrants

| Country | Migration Type | |
|-------------|----------------|-----|
| | MM | ILM |
| Korea | 2 | 9 |
| Taiwan | 2 | 9 |
| Japan | - | 2 |
| Israel | - | 1 |
| Oman | - | 1 |
| USA | - | 2 |
| Australia | - | 2 |
| Germany | 2 | - |
| Norway | 2 | - |
| Italy | 2 | 1 |
| Netherlands | 1 | 1 |
| UK | 1 | - |
| Switzerland | 1 | - |
| Finland | 1 | - |
| Singapore | 1 | 1 |
| Total | 15 | 29 |

MM = Marriage Migration household, ILM = International Labour Migration household

There are households with both marriage and international labour migrants, and some households have more than one member engaging in international migration.

The major motivation for both internal and international labour migration is reported as being economic (79.4% of relevant surveyed households). For marriage migration, motivations are multiple and complex. A “logic of desire” propels women to engage in transnational intimate relationships for economic betterment. Other factors also shape these relationships—cultural norms, mutual gendered expectations of Isan women vis-à-vis western men and vice-versa, female obligations and aspirations to a good and secure life. Other migrants (8.8%) mentioned study and work opportunities as reasons to move. This group is often related to marriage migration as these migrants were supported or offered guarantees by women living overseas with their husbands, allowing travel abroad to work or study.

As sources of income, agriculture, daily waged work (in the village) and trade are common occupations for both migrant and non-migrant households. The share of members in non-migrant households engaged in agriculture and trade is higher than in migrant households, although involvement in daily wage labour

is similar for both groups. Half of non-migrant households identify agriculture as a major income source, while remittances are the main source for migrant households. In general, households with marriage migrants and international labour migrants have higher incomes than those with internal migrants and non-migrant households. Remittances from overseas are the major factor of economic betterment, although not the only source of household income. The following section focuses on relationships between migration, land and gender, exploring how remittances are used and how men and women take part in such processes.

Remittances, investment in land and gender relations

Table 14 indicates that remittances are most commonly used for daily expenses in all three types of migration households. MM and ILM households have invested in cars, tractors and land at a higher level than IM. Building or renovating a house is a frequent choice for women marrying or living with Western men. The pattern of remittance use in IM households is determined by their limited resources, since they are relatively poorer than ILM households. The relatively low level of remittances see a high usage for daily expenses. In this sense, the relationship between migration and development should be considered not only from the aspect of production and investment, but also consumption.

Table 14: Use of remittances

| Use of remittance | Migration household (frequency and percentage) | | |
|----------------------|--|--------------------------------|--------------------------|
| | MM | ILM | IM |
| Buy farmland | 6 (14.3%) | 7 (16.3%) | 2 (6.5%) |
| Build/renovate house | 8 (19%) | 3 (7.0%) | 4 (12.9%) |
| Buy car/motorbike | 7 (16.7%) (car) | 7 (16.3%) (car and tractor) | 4 (12.9%) (motorbike) |
| Daily expenses | 17 (40.6%) | 16 (37.2%) | 19 (61.1%) |
| Pay debt | 2 (4.7%) | 4 (8.1%) | 2 (6.5%) |
| Buy fertilizer | - | 4 (8.1%) | - |
| Education | 2 (4.7%) | - | - |
| Savings | - | 3 (7.0%) | - |
| Total | 42 (100%) | 43 (100%) | 31 (100%) |

MM = Marriage Migration household, ILM = International Labour Migration household, IM = Internal Migration household

In Na Dokmai, women and their foreign husbands have purchased land to live in the village, which will be an influence on increases in land prices. As well as residential land, couples have also bought farmland, although they do not

farm themselves. Normally, the couples let siblings or relatives of the wife work on their land and share the output. Rising prices on both residential land and farmland may reduce the options for those with limited resources.

Different types of migration affect the gender of those with names on land documents, whether it is a certificate of utilization, a title deed or usage rights. In cases of marriage migration, normally the women's name is on the documents since foreigners cannot own land, but for international labour migrants the cases are more varied. As ILM is dominated by men, men are the ones who earned the income, and thus the male name is put on the document.

Using land as collateral to borrow money and pay for migration contracts is a common practice among migrants, especially for overseas employment that carry high costs. In addition, having land to farm allows migrants to deal with the uncertainty of urban and overseas employment. Land also assures future security, prosperity and wellbeing for women living with their husbands overseas, who bought land as a financial investment rather than to engage directly in farming.

Overall, the meanings of land are diverse and extended beyond a conventional agrarian notion placing it in terms of agriculture. In the context of migration, land should be viewed as a form of 'capital' which may facilitate migration, protect the livelihood security of migrants and their households, and contribute to wellbeing and prosperity. The use of remittances is diverse and is also influenced by the economic background of households and type of migration. Poorer families involved in domestic migration tend to use remittances for daily consumption rather than investment and to purchase non-essential items. Looking at table 14, only two households with domestic migrants have used remittances to buy farmland, compared to thirteen cases from families with international migrants. Better-off households engaging in international migration, both for reasons of labour and marriage, are able to acquire valuable assets and invest in trade, non-farm occupations and farming. Migrant households also bought farmland, but only 20% of the households earn income from farming and a majority of these families include domestic rather than international migrants. Even so, international migration households buy more farmland than those who migrate internally.

Some concluding thoughts

In looking at the migration-gender-land nexus, this case study provides evidence drawn on experiences of both men and women in Isan where villagers have long been involved in labour migration, both domestic and international, as well as migration for transnational marriage. The study reveals that migration is a major strategy for individuals and households to obtain material benefits, wellbeing and social status. In addition, migration is related to gender and land in a number of ways. Domestic migration involves women, men and couples who are from

relatively poor families. International labour migration has been dominated by men, though there are also women engaged in overseas employment. These migrants are from better-off households. Marriage migration has, thus far, involved women from diverse social and economic backgrounds. The patterns also tie into issues of inequality as poor families have less opportunity to engage in overseas employment due to their limited ability to cover the high costs of international mobility. However, this limitation is less prominent for marriage migration. In their access to higher income streams, this study finds that international labour and marriage migration households are able to buy more land than households practicing domestic migration. It also suggests that marriage migration has a stronger influence in safeguarding land ownership for women than other types of migration. In addition, marriage migration also presents a transformative gender dynamic as the support of women to their families in Isan allows them to exercise a degree of autonomy, thus altering gender power relations in those households.

7.

Synthesis of findings



The case studies that form the basis of this report reveal no obvious or consistent tendency toward women's empowerment in agriculture and associated control over land resulting from male-dominated migration that leaves women in charge of the family farm. Similarly, there is no singular outcome when women themselves migrate. There are multiple reasons why such patterns are absent, including the complexity of gendered patterns of migration, diverse cultural norms of gendered land tenure arrangements, work burdens placed on those left behind, the non-agricultural purposes of migration, and a decreasing dependency of livelihoods on income from the family farm. Indeed, one of the key findings of the study is the great diversity in gendered patterns of land tenure, of migration, and therefore of the connections between migration, land and gender.

Nevertheless, a close reading of the case studies also reveals some key patterns and points of comparison. To synthesise these patterns, we look through each case and explore two themes. First, we explore gender relations in land tenure. Second, we look at gendered patterns of migration and implications of migration for men and women's management, tenure and security with respect to land. We then conclude by drawing the cases and themes together into some key comparative observations.

Thailand

Gendered relations and land tenure in Northeast Thailand

Traditionally, people in Northeast Thailand practice matrilocal residence patterns. After marriage, the husbands will move to live with the wife's family so that if there are problems in the marriage, it is the husband who leaves. The husband will also work on his wife's land. Women can more easily maintain close ties with other family members and can rely on them for resources and other support. Sons marry outside the family and live with their in-laws. Matrilineal inheritance patterns allow women to own property and to inherit land and houses from their parents. The daughter who lives with and takes care of the aging parents and, thus, inherits the house and the land from her parents is typically the youngest daughter.

However, land formalisation, increasing population and land scarcity have challenged traditional norms. At present, in the sub-district where Na Dokmai village (the study site) is located, parents are considering giving equal tenure to sons and daughters. It is also a common expectation that when the son functions as the primary care-giver of his parents, he will be the one who inherits the house. Yet, in practice, daughters fill the role of care-givers far more often than sons.

We also found that almost all the residential area (98.2%) and 62% of farmland have title deeds. In most cases of rented land, owners are siblings or relatives and the rent is made in the form of sharing investment and products. The majority of the interviewed households obtained land through inheritance. Only 20% interviewed households had purchased their own land. Some also acquired land in both ways.

Implications of migration for land management, tenure/ownership, security by men and women

People in Northeast Thailand have long been engaged in out-migration to find new sources of income within and outside the region. International labour migration—dominated by men—grew significantly from the 1970s to 1980s, mainly to countries in the Middle East. Fuelled by demand for labour in the industrial sector in urban areas of Thailand and newly industrialized countries in Asia (NICs), women started to migrate in the 1980s. This balanced migration streams from largely male to roughly equal proportions of female and male, which also shifted previous gender expectations for women to act as care-givers. However, matrilineal culture allows migrant women to receive support from their families in taking care of children when the woman is away for work. In addition, if her husband and/or sons are absent, a woman can get help in domestic responsibilities and farm activities from kin, especially parents and siblings. Women seeking transnational intimacy and engaging in transnational marriage also generally have their parents to take care of their children when they are living apart. Such support has facilitated women to migrate and engage in income generation activities.

The case study in Na Dokmai village exemplifies two important points in relation to the gender, migration and land nexus. First, it is important to note that migration could be a strategy to overcome resource constraints in the natal village, while at the same time remittances can contribute to investment in land. Despite moving away to live in other countries far from their homeland, many female marriage migrants remit money to buy plots of land at home. There are women living overseas with their husbands who have bought land and let their siblings or relatives work on it, with the output to be shared. Many couples eventually returned from foreign countries to settle down and built a house in the village. Female marriage migrants who have not yet returned view the land as a safety net for the future. Higher demand for land and land speculation contributes to its rising price. Female marriage migrants always put their name on the land documents so that if they do not want to return in the future, they can sell or bequeath the land. This case indicates that transnational migration of both men and women may alter their gendered patterns of access to land and tenure security.

Second, it should be noted that it is mainly better-off households who engage in international labour migration as the cost of migration is quite high, while poorer families are involved in domestic migration. We have found significant differences between the expenditure of households with domestic migrants compared to households with family members working overseas, who earned significantly higher salaries. Overseas employment helped them to acquire valuable assets and invest in trading, non-farm occupations and land accumulation. As international labour migrants were predominantly men, the left-behind family had to manage the remittances. If the men's parents managed to buy new land by their son's remittances, they generally put the son's names on the document because it was

his money. If his wife managed the land, she would rather put her name on the document. This study did not find a case in which both women and men's names were jointly entered in the documents of newly acquired land, although it was legally possible. This suggests an individualised and gender-specific tenure of land acquired through remittance-financed accumulation.

Lao PDR

Gendered relations and land tenure in a Hmong community

The Hmong community in Long Lan village has a strong patriarchal and patrilineal tradition. Men are considered the owners and administrators of the land, while women have access to land mainly through their husbands or male relatives. Although women have less access to economic resources, they have to carry out almost all the production tasks and household labour. Utilization of lands and common property resources are based on local institutions (customs) and social relations (gender and kinship), which have important roles in shaping individual and household livelihoods.

Traditional Hmong property relations have seen a significant challenge since the implementation of the Land and Forest Allocation program during the 1990s and 2000s. At the country level, the Lao land titling program was established in 1997 and was initially implemented only in urban and peri-urban areas. A pilot to address titling in rural areas, started in 2003, was soon abandoned. The recognition of the customary land rights of indigenous people who have traditionally practiced shifting agriculture has been limited. In upland areas, the Land and Forest Allocation Program was driven by the objective of forest conservation. Shifting cultivation was seen as backward and in conflict with market-based production. Tens of thousands of ethnic minorities from Lao highland areas have been relocated into new lowland villages closer to roads and public services. Land tenure in Long Lan is governed by all three overlapping systems: traditional tenure relations, land and forest allocation, and land titling.

The case study in a Hmong community in Lao PDR has shown that there are significant discrepancies between formal, informal and customary versions of land holdings. In 2005, village land was enclosed and divided into different categories. Villagers received official documents for their residential land and temporary rights to use agricultural land. Every household in Long Lan village obtained a document of certified land ownership for housing plots, authorized by the local authority. Each household registered both husband's and wife's names for this residential land, following the Lao Property Law and under administration of the registry office. Nonetheless, agricultural land has been excluded from this process as households retained access to land for farming based on the village authority together with the ethnic clan leadership group. A family has the right to own six

to ten plots of lands for rotational farming, but most women do not have land registered in their name, even in the case of land they have inherited or land that was jointly acquired with their husband. Families without any sons bequeath their assets to daughters only to maintain them within the family so that eventually it could be passed on to her male siblings, sons or other family members. Inheritance patterns have remained unchallenged as they favoured men rather than women. In the case of divorce, land must be with the husband who has his name on the land title. Divorce carries a social stigma, so not many Hmong women opt to divorce their husbands. Traditional gender roles that have prevented women from securing access to land and other property are evidenced through the poor participation of women in decision-making and land management.

Implications of migration for land management, tenure/ownership, security by men and women

Early on, not many residents of Long Lan village migrated to urban areas for work. Opportunities to migrate to Thailand and domestic locations were limited because Hmong villagers could not speak Lao. In addition, the Hmong customary division of labour carried designated tasks for men and women. Men generally contribute labour to raise cattle which can generate a higher cash income, while women are responsible for activities such as childcare, housework, food preparation, and working in subsistence rice and vegetable gardens. Deeply rooted gender ideologies brought limited opportunities for Hmong women to migrate. Moreover, the road to the city was at that time too dangerous for women to travel alone.

Migration for education is a relatively new phenomenon that has occurred over the last decade. The younger generation, both boys and girls, have increasingly moved from Long Lan village to town in search of higher education, expecting to leave agriculture and take on off-farm jobs. At the same time, land scarcity from the enclosure of forestland has led villagers to support their children to study, in the hope that they will find better work outside of agriculture after graduation. However, the non-agricultural sector in Lao PDR is too small to absorb all. Facing limited prospects in the city, many young people have ultimately returned to agricultural work in their home village. The case study also reveals that being married at a young age is still common among the younger generation of Hmong. Many girls miss out on school to get married. Even though they enrolled at the beginning of the school year, there was no guarantee that female students would continue and complete their studies. The alternatives for a young married woman are either staying in towns with her husband who is still studying, or living with her husband's family in case she has children. When her husband graduates, the couple generally return to their home village. This case study indicates that only a small number of successful educational migrants could get a job in the city, where they might fully relocate their families.

Even though Hmong girls tend to drop out of school to marry at a young age, they have gained some life experience from living in the city. During their time in education they may also engage in commerce such as working at a market. Such experiences facilitate shifts in customary gender divisions of labour. We noticed some changing attitudes among the parents of girls who could continue their education until graduation. A family that has a daughter who has graduated from college and works hard to support her male siblings in their study expects her parents to provide some plots of land to her, in a departure from traditional norms.

Land still plays an important role in providing livelihood security and agricultural employment. Farming and livestock breeding are the main sources of income generation for villagers. In 2005, the village boundary, land use and forest land were officially identified. The government provided rights to use the land for agriculture and collected tax based on agricultural activities. The land was allocated to individual households, with the condition that they were able to transfer usage rights to family members. As the village is in a mountainous area, land for agriculture is very limited. Some better-off families who want to invest in commercial crops such as rubber and teak are buying land at a lower elevation, available under official legislation. The two most well-off families in Long Lan who own a large number of livestock are trying to accumulate more land in the city as a financial investment. Last but not least, land functions as a safety net for many graduate migrants working in Luang Prabang town, particularly in the face of precarious job opportunities. A number of Hmong from Long Lan village who received their education in the city still engage in agriculture either full-time or part-time.

Myanmar

Gendered relations and land tenure in a Karenni community

Traditionally, the Karenni are subsistence farmers who practice shifting agriculture, relying on seasonal cutting and burning of selected areas of forest for cultivation. After a set number of years, the land under cultivation is allowed to go fallow and then another area of forest is cut, burned and cultivated. The most common crops found in Karenni state are rice, sesame, maize, groundnut, pigeon pea, sorghum, chilis and cardamom (Mercy Corps 2013). The Karenni have clear gender divisions of labour in which women take care of reproductive work in the space of the house compound, while men go to farm, hunt, trade and earn monetary income for the family. Traditionally, men are the heads of household and are more likely than women to inherit land. The youngest son takes care of and inherits the house from his parents. Women can own land, but it is given based on her capacity to manage it.

The Karenni living in the conflict areas in Karenni State have been facing insecure land tenure. Civil war has led to the differential control of territory by ethnic armed

organizations. Some of them have developed extensive structures of governance, including separate ministries in relation to land, forestry, and administration. Most severe for villagers, in 1996 the State Law and Order Restoration Council (SLORC) forced their 40km relocation to Nwar La Woe, inducing a struggle to secure their livelihoods. In particular, there has been frequent insecurity over access to land. Agricultural land provided by the government has been contested by other local villagers. Attempts have subsequently been made to secure farmland by gaining permission to clear a forest area under control of the Karenni National Progressive Party (KNPP). Approximately 30 households returned to cultivate land not far from their original village, an area also controlled by the KNPP and reached through a three-hour motorbike trip from Nwar La Woe.

In 2012, the military government granted land use certificates (LUCs, also known as Form 7) which provided formal tenure recognition for some residential land, and this allowed the rights to transfer, sell or mortgage this land. However, our study found that more than half of villagers in the study site did not have Form 7. When asked about their feelings associated to land, most respondents noted that they believed they were eligible to live there because the land had already been allocated to them. Moreover, we found that all house plots were registered in the name of the head of the family, who is most commonly male. The only women who registered their names for housing were those who had acquired the status of head of household such as for widows.

Implications of migration for land management, tenure/ownership, security by men and women

The case of Nwar La Woe village in Myanmar exemplifies how gendered structures based on Karenni cultural norms, on the one hand, and geo-political context, on the other, have affected men and women in relation to land tenure and migration opportunities. It is interesting to note that cultural restrictions of the Karenni people continue to heavily influence the belief that women are to take care of the house, children and nearby land. In the meantime, men are considered to possess a superior position in relation to property and social status. Therefore, men are head of the family and responsible for household income. Instead of prioritizing the role of women in household management, the Karenni expect men to invest in household production more than women. These norms shape migration streams so that more men migrate, leaving women and the elderly behind.

As they become aware of the income-generating potential of migration, some families are currently supporting their children to migrate and work in neighbouring countries. They generally engage in occupations such as drivers or as wage labourers. Although international migration has predominantly involved men, the research found that some families had sent their young single women to Singapore. Families that could not afford to send their children abroad generally

support men to migrate for mining (jade, gold and tin) work in other parts of Myanmar. In this case, male-only migration occurs because men are seen to possess the skills and physical strength to do heavy labouring jobs. Money is then remitted home to support the family.

The fieldwork undertaken in Nwar La Woe village in Myanmar has shown how land tenure insecurity is linked to gender and labour migration. In this case, limited agricultural land, low productivity and lack of financial income have driven men's out-migration, while women and old people who stayed behind to look after children and the farm. These foster a tendency towards a feminization of agriculture, or at least a greater involvement and responsibility for women in agricultural production. Some agricultural activities that would otherwise have been performed by men such as land preparation for crops have been taken over by women. On the other hand, male-labour shortages and a lack of sufficient income to hire in labourers have led some women to reduce the area of land under cultivation by the household. Abandoned plots are ultimately re-allocated to other families. Some families have abandoned their farmland entirely and depend on remittances from male migrants.

Furthermore, it is also clear from the case study that migration as a livelihood strategy appears to be important for income generation. More than half of the households with migrants depend on remittances that are used for consumption, housing and children's education. Land tenure insecurity and vulnerability of agriculture to vagaries of climate have become constraints which impede the reinvestment of remittances on the land. In addition, agricultural productivity in the village was inadequate to feed the family. Although villagers would frequently invest some remittance money into farming on existing land, when asked about investment in additional land, villagers showed limited interest claiming that agricultural work was too risky and unprofitable to warrant such expansion of production. They more often prefer to engage in wage labouring jobs that provide more income stability and certainty of a return.

Conclusion

The overall aim of this study has been to investigate the implications of migration for gendered access to land and control over farming. We have looked critically at the complexities and diversity within three case studies in Lao PDR, Myanmar and Thailand and examined the linkages between gendered patterns of migration and land tenure, which are highly contextual and vary between and within countries.

Thailand has a distinctive position due to its relative continuity of land policy, while war and conflict have been a common experience of Lao PDR and Myanmar, with a substantial legacy of impacts on land relations. In Thailand, the tradition of private land ownership has been recognized for more than half a century. In

addition, the land administration system is viewed as an efficient and transparent model (USAID, 2011). In the cases of Lao PDR and Myanmar, land relations have been transformed through, during, and after their respective civil wars, socialist experiments and subsequent reforms in land policy. More recently, both the Lao and Myanmar governments have prioritized economic growth and development through encouraging private investment and granting concessions of state land to investors. They have also aimed to eradicate swidden agriculture among ethnic minorities. The Lao government has relocated thousands of people from ethnic minorities to new settlement areas closer to roads and other infrastructure, and residents have been encouraged or forced to shift their forms of land use toward more sedentary and permanent cultivation. Land politics and resettlement in Lao PDR have changed indigenous people's land access from customary to regulated access due to several land enclosure programs. In Myanmar, millions of people from ethnic minorities who traditionally practiced shifting cultivation were forcibly relocated and displaced because of the civil war. In a post-conflict era, there are many laws and regulations related to land, which are characterized by overlapping and contradictory rights of access (Neil, 2018; Scurrah & Hirsch, 2016; Srinivas & U Saw Hlaing, 2015). The multi-layered land governance in each country results in continuing uncertainties in land tenure security and land relations.

Despite the different trajectories, the constitutions of Lao PDR, Myanmar and Thailand recognize and reaffirm women's equal rights. However, customary norms and practices vary among ethnic groups and communities. The Hmong community in Lao PDR exhibited a strong bias against women owning land. Ownership documents were generally only registered in the husband's name and inheritance norms meant that land is customarily passed to sons or male family members. In Myanmar, although Karenni tradition holds that men become head of the family and the youngest son takes responsibility in parental care and residential land, agricultural land inheritance was divided equally among children. However, civil war, forced displacement and post-conflict regulation has led to insecure tenure. Although the Karenni could access land for agriculture, they are at risk of losing it due to the lack of ownership documents. Conversely, matrilocality and matrilineal practices are witnessed in the Northeast Thailand case study. While we generally believe that women might have less access to land than men, in Northeast Thailand women have strongly influenced land affairs including decision-making to buy, sell or rent out land. The three study sites indicate that land control is gender-specific and deeply linked to cultural context.

There is no simple way to generalize the relations between women's empowerment, land tenure and migration. In addition, there is a difference between decision-making related to everyday consumption and decision-making related to investments and strategic family choices (e.g. buying assets, investment in farming) – the two do not necessarily go together. The predominance of male-out migration in the Karenni community might give more responsibility to left-

behind women in land management. However, labour scarcity and increased burdens on women led some to reduce the area of farmland or even abandon agriculture altogether, in a situation where continued control over land is tied to ongoing farming. Remittances from male migrants were too low to invest, so the left-behind family could only spend it on consumption and housing.

On the other hand, the case studies in Lao PDR and Thailand have shown that women's empowerment may come from taking part in migration rather than remaining at home. Many young Hmong women in the study site have grown up in a context of migration for education. They have engaged in trading and gain valuable experiences in town, providing a greater degree of involvement in decision-making and livelihood strategies. We also observed the changing attitudes of a family with a young woman who was able to graduate at college level and worked hard to support the education of her male siblings, to the extent that parents wanted to bequeath a plot of land to her. The situation is rather different for matrilineal patterns in Northeast Thailand, where women who engage in transnational marriage play an important role in sustaining agriculture. Although women married and lived abroad, they generally maintained ties to their natal family and village. Remittances that female marriage migrants had sent were re-invested in land and other agrarian resources, predominantly residential land and land for paddy rice and other cash crops such as rubber and sugarcane. This often improved the economic position of women in households and communities. Some transnational marriage migrants returned with their foreign husband and often invested in a variety of local businesses.

There are some differences among the three case studies in the patterns of investment in land and agriculture. In the case of the Karenni community in Myanmar, agricultural land accumulation appears to be a relatively minor motivation for remittances. Housing and the establishment of non-agricultural enterprises are more significant. Multiple factors such as insecurity of land tenure, high vulnerability to variable weather patterns and low productivity have become constraints which impede the reinvestment of remittances in agricultural land, even if some is used on existing farmland. Most remittances are used for consumption, while people prefer working as wage labourers in farming to secure their cash income. Likewise, the majority of migrants in the Hmong community in Lao PDR are educational migrants who are studying and working at the same time. They face considerable financial stress living in the city, investing in education as an entry point to find non-farm work. However, the off-farm opportunities in Lao PDR are limited so they may have to return to work on the family farm. Given the deep constraints to increasing land access, it is important to note that investing in land is favourable for richer Hmong families who tend to purchase both land in urban areas, and agricultural land in other villages with commercial tree crops such as rubber, with an expectation of future profit. Similarly, in Northeast Thailand, families with transnational migrants (both labour and marriage migrants) have more purchasing power to accumulate land

than family without migrants. Some have invested their earnings on cash-crop production and become rural entrepreneurs. The meanings of land are diverse and extend beyond the conventional agrarian notion relating land to agriculture. Within migration contexts, land has become a capital which may facilitate the livelihood security of migrants and their households, and in some cases contribute to wellbeing and prosperity.

In sum, this research clearly shows how contingent migration, land and gender relations are on context, both in terms of micro-processes based on cultural norms and on bigger geo-political and economic structural changes. In addition, migration and its impact on women's empowerment is variable. In the Hmong community in Lao PDR where a strong patriarchal structure prevails, female migration for education supports young women to be more confident in household decision-making but their access to agricultural land remains dependent upon male family members. Male out-migration and remittances have limited impact on land access, tenure rights, and accumulation in the Karenni village in Myanmar, as remittances are mainly being used for family consumption. Without male labour, women face a greater burden in agricultural work, with negative impacts since some families cease to farm while others have had to reduce their farm size. In Northeast Thailand, remittances are facilitating the more successful migrant households to accumulate more land. The group of transnational female marriage migrants in particular are able to buy, sell and rent out land under the woman's name, motivated by wealth accumulation and future financial benefits rather than agriculture. The three case studies demonstrate the significance of contingency and the importance of considering the contexts of culture and development trajectories to unravel the complex relationships of gender, migration and land tenure.

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Appendix 1: Selected Statistics from Thailand's Migration Survey (2006-2016)

| Topic | Year | | | | | | | | | | |
|--|------|------|------|------|------|------|------|------|------|------|------|
| | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
| Male & female Thai migrants (million) | 2.2 | 2.1 | 1.85 | 2.0 | NA | 1.2 | 1.46 | 1.18 | 0.90 | 0.93 | 0.77 |
| Male | | | | | | | | | | | |
| Number (million) | 1.1 | 1.1 | 1.0 | 1.1 | NA | 0.6 | 0.8 | 0.6 | 0.5 | 0.5 | 0.4 |
| Percent | 52.7 | 53.5 | 54.7 | 53.5 | NA | 52.0 | 52.2 | 52.5 | 54.8 | 51.2 | 51.6 |
| Female | | | | | | | | | | | |
| Number (million) | 1.0 | 1.0 | 0.8 | 0.9 | NA | 0.6 | 0.7 | 0.6 | 0.4 | 0.5 | 0.4 |
| Percent | 47.3 | 46.5 | 45.3 | 46.5 | NA | 48.0 | 47.8 | 47.5 | 45.2 | 48.8 | 48.4 |
| Age (% of total migrants) | | | | | | | | | | | |
| 0-14 | 12.1 | 11.8 | 11.1 | 12.2 | NA | 11.7 | 12.4 | 11.9 | 10.6 | 12.3 | 11.7 |
| 15-24 | 37.4 | 35.8 | 35.1 | 40.8 | NA | 32.8 | 32.9 | 32.4 | 32.6 | 32.8 | 30.1 |
| 25-34 | 28.9 | 30.5 | 30.6 | 21.5 | NA | 31.9 | 30.4 | 28.0 | 27.1 | 27.9 | 28.5 |
| 35-59 | 19.7 | 20.1 | 21.4 | 23.9 | NA | 21.6 | 22.2 | 25.2 | 26.9 | 24.1 | 26.1 |
| 60+ | 1.9 | 1.8 | 1.8 | 1.5 | NA | 2.0 | 2.1 | 2.5 | 2.7 | 2.8 | 3.6 |
| Total | 100 | 100 | 100 | 100 | NA | 100 | 100 | 100 | 100 | 100 | 100 |
| Migrants by regional origin (% of total migrants) | | | | | | | | | | | |
| Bangkok | 4.3 | 2.9 | 3.6 | 2.2 | NA | 6.2 | 4.9 | 3.5 | 8.4 | 6.8 | 3.2 |
| Central | 29.9 | 31.6 | 28.4 | 23.9 | NA | 25.3 | 24.3 | 27.3 | 30.8 | 36.3 | 38.1 |
| North | 18.8 | 17.0 | 17.5 | 18.0 | NA | 17.4 | 13.7 | 18.2 | 14.4 | 17.2 | 17.6 |
| Northeast | 32.8 | 36.4 | 37.4 | 45.4 | NA | 40.7 | 46.3 | 37.4 | 32.9 | 23.6 | 23.6 |
| South | 14.2 | 12.0 | 13.0 | 10.4 | NA | 10.3 | 10.7 | 13.5 | 13.4 | 16.0 | 17.6 |
| Total | 100 | 100 | 100 | 100 | NA | 100 | 100 | 100 | 100 | 100 | 100 |
| Destination of migration (% of total migrants) | | | | | | | | | | | |
| Intra-region | 51.2 | 51.5 | 49.8 | 46.5 | NA | 49.8 | 49.6 | 53.8 | 56.0 | 57.9 | 67.4 |
| Inter-region | 46.1 | 46.4 | 48.4 | 50.7 | NA | 47.4 | 47.4 | 42.8 | 39.0 | 35.9 | 30.0 |
| Overseas | 2.7 | 2.1 | 1.7 | 2.8 | NA | 2.8 | 3.0 | 3.5 | 5.0 | 6.2 | 2.6 |
| Total | 100 | 100 | 100 | 100 | NA | 100 | 100 | 100 | 100 | 100 | 100 |

Source: National Statistical Office Migration Survey (2006 to 2016).

