

Workshop on Regional Land Information Platforms Synthesis Report



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From the Donor’s Perspective: Background and Rationale

Land tenure insecurity is a serious issue across the Mekong region. As land comes under greater pressure, efforts to provide information and analysis on land tenure in the region are multiplying.

During the appraisal of the Mekong Regional Land Governance project (MRLG) in 2012, stakeholders identified the need to establish a “regional information platform” as a priority. At the time, two GIS-based platforms (Open Development Cambodia, and the Lao.Decide.Info platform managed by the Center for Development and Environment at the University of Bern), and the LaoFAB discussion forum and documents repository were discussed as possible models; but all of these are for one country only, and although with a sizeable focus on the issue, not land-governance specific.

In the meantime the MRLG project, managed by Land Equity International and GRET, began in April 2014. Its overall objective is to **improve land tenure security** for family farmers in Cambodia, Laos, Myanmar and Vietnam (CLMV) by (1) assisting the development of more favorable **policies and practices**, and by (2) strengthening the **effectiveness of stakeholders** and reform actors.

For the second objective, a **regional platform** could not only (i) make comprehensive and reliable **information, analysis and experiences accessible** for in-depth discussion and exchanges on land governance issues, but also (ii) support the creation of multi-stakeholder networks strengthening **regional learning and cooperation**.

SDC commissioned this workshop to explore the potential and possibility for a regional land governance information platform/ information sharing system with interested stakeholders at the regional level, and examine the expectations on specific forms, functions, clients, data sources, access, etc.



Overview

Over two days, the workshop discussed the definition of information platforms, shared experiences and best practices in facilitating land information platforms from around the region, examined the drivers of land tenure insecurity, and brainstormed the value of a regional information platform for land tenure security. Participants included moderators and managers of information platforms around the region, representatives from donors, non-governmental organizations, researchers, and resource people from across the Mekong region.

To this end, workshop participants¹ identified and worked through three main pathways for knowledge sharing: 1) enhancing farmers' and communities' efforts for self-determination and catalyzing champions 2) targeting policy makers and investors/private sector 3) facilitating information sharing/capacity of government agencies working on land administration.

This workshop report provides an analytical summary of the workshop. All workshop discussion and outputs are recorded on the [platform wikispace](#). Ultimately the workshop also helped catalyze an emerging community of practice which will continue on after the workshop.

What is a platform?

Our first task was to define a platform. A platform can be many things². Platforms help with difficult problems, they take advantage of serendipity, and connect people driving towards common goals. After intensive discussion, the group settled on three important aspects of platforms:

- Platforms **expand the public sphere** and **enable citizen participation**. A key point that came up often was to see platforms as a space to ensure self-determination and not only for disseminating information or providing evidence.
- Platforms can be centered on connecting **people**, through events, networks, forums and other spaces, or centered on connecting **data**. The two complement each other. The importance of seeing platforms as a way to facilitate conversations and dialogue was important.
- Platforms are spaces for **ongoing conversation** and information sharing towards a common goal. Platforms can help make sense of trends in the region, and help push political will forward, connecting people to catalyze change. These two components, **sense-making** and a **push mechanism**, continued to arise as key throughout the meeting.

¹ A full list of workshop participants is available on the [platform wikispace](#).

² Many participants found the term 'platform' loaded and not encompassing enough. Upon reflection it might have been better to focus on **different modes of knowledge sharing in the land and natural resource sector**.

What land information platforms already exist and what can we learn from them?

The workshop organizers asked participants to identify platforms they knew of or participated in before the meeting. The crowd-sourced survey identified 55 existing platforms that share information on land and natural resource management throughout the region (see [here](#)). Participants identified another 9 platforms during the meeting, including three face-to-face networks in Myanmar. Vietnam appeared underrepresented, but may reflect the relatively stronger presence of Lao and Cambodian organizations at the meeting. There are many list-serves and document repositories at the national and regional level. Geospatial information on land use change, forests and hydropower is available regionally, and Open Development Mekong is in the process of making data on land concessions available across the region as well.

Key lessons from platforms around the region

- **Grow organically:** Successful online initiatives like Open Development Cambodia, LaoFAB, Lao 44 and others evolve and grow from the needs of the people they serve. These platforms started small and evolved as necessary. In every case, they started with a champion and a small group of committed people. While sustaining platforms is an important consideration, platforms should be flexible, adaptable, and come and go in response to changing contexts and priorities.
- **Ensuring transparency of public data:** Across the region, platforms that help to make government information more transparent and accessible, both to the public and amongst government agencies, have been very helpful. Combining government data on land tenure with data from other sources can create even greater transparency.
- **Repositories in the region are strong:** Over the last 10 years civil society built solid infrastructure to collect and store reports and documents related to development and natural resource management. These repositories have been helpful to move debate forward with senior level government and development actors. Repositories allow newcomers to get up to speed quickly, are widely accessed by students, and prevent duplicative work within the development and research community.
- **Mandates and convening power:** The source of information is important, as is the credibility of the institution who manages or owns the information. Separating information from advocacy or commentary helps ensure data is widely perceived as legitimate.
- **Data centered approaches and people centered approaches** are complementary. A successful platform needs to thoughtfully connect information with ways to dialogue and act on it.
- **Translation** is essential, expensive, and worth investing in. Information available in English on land tenure, investment and law is often unavailable in local languages. Using local languages has been an important component of several platforms.
- **Connecting informal and formal systems:** When dealing with sensitive political issues like land tenure outside a democratic political system, local means of establishing accountability have to be taken into context. Much change comes through informal channels. It is important to recognize informal channels of influence through relationships with decision makers, and connect informal and formal systems.
- **Farmers as actors in their own development or just beneficiaries?:** There are few platforms which focus on supporting self-determination of farmers. Questions emerged from multiple

participants about treating farmers as beneficiaries or actors in their own development, and about the role of social movements in the region.

- **Dealing with sensitive issues:** Environmental defenders in Southeast Asia disappear or are victims of violence at one of the highest rates in the world. This can be very challenging for civil society groups. The Lao Land Issues Working Group struggled through a very sensitive period of time after Sombath Somphone disappeared. The importance of this issue cannot be overemphasized. There was no solution found in the workshop on how donors might best protect and work with champions.

The Problems – Why is land tenure insecure?

Across the region, investment in land is increasing; land tenure is insecure and unclear, especially for small scale farmers. Region-wide, smallholders struggle to document and defend land claims. There is very little **information** on illegal land concessions, though many acknowledge they are a serious issue. There is also very little **transparency** about when and where (and how) these concessions are granted; people affected by concessions often have no prior knowledge their land has been leased or sold. Poor **enforcement** of existing laws, and little awareness of those laws at the local level compound the problem. Lack of clarity on tenure can increase **risks** for investors as well. Many companies operate region-wide, but there is no regional information on their activities, making approaches based on corporate governance such as CSER more difficult. Farmers' livelihoods across the region are precarious even without added pressure from increasing agribusiness **investments**.

Land governance is enmeshed in a broader agricultural 'modernization' paradigm that privileges foreign direct investment, turning land into capital and large scale agriculture. There are alternative, smallholder-centered models of agricultural development, but these models are **undervalued** by policy makers in the region and to some degree by some development organizations as well. Government **corruption** and conflicts of interest are widespread. Governments in the region are also constrained by limited **development** options.

Ultimately the importance of tenure security was summarized by emphasizing that land security is a cornerstone to ensure self-determination of people. An anecdote was told that in many farming communities, the selling of land through secure means has been the one of the main pathways for educating children so they can choose other livelihoods. On the other hand, much of the rural **migration** in the region occurs because of dispossession and relocation that are not self-determined.



Theories of change

We had some of our liveliest discussions on theories of change. We discussed four general ideas about how to create social change: enlightenment, collective action, emergence, and planning. There was no agreement about how to catalyze change – only that it was important to adapt a theory of change to specific goals. For example, the Mekong Regional Land Governance program targets reform actors within government and civil society, and works to empower them with **information and resources** to make better decisions. Working with the private sector e.g. in hydropower necessitates a different approach – targeting specific decision makers and creating a new space for dialogue. Other groups discussed a more emergent approach to change, based on **collective action**. Research can be an effective driver of change when there is little information available on a particular issue, but is less effective when there is an abundance of evidence and scarce political will to act on it. In such a case, as with many aspects of land tenure, efforts to develop **political will** are essential. Key lessons were to make assumptions explicit, be reflective, and accept that there is a failure rate with anything innovative.

How can a regional information platform help improve land tenure security?

As mentioned above, 64 platforms in the region were identified. Of those, 22 focus on land governance specifically or have a significant component of their work devoted to land tenure. In a sense each tells a different part of the story. For instance, the Land Observatory has a clear focus on documenting land deals. While it was supposed to have an interactive, crowd-sourced agenda, it has proven difficult to get participation and buy-in. In other instances, such as with Open Development the emphasis is on allowing access to information but not doing any analysis. The MRLG information repository currently being developed (with funding from SDC) seeks to address this by organizing the combined work of many researchers, practitioners and policy advocates around key themes relevant to land security and of smallholders in the Mekong Region. There are a number of global systems related to land use change and land-tenure such as from the Rights and Resources Initiative and FAO. These provide important data which could be extracted for analysis and synthesis.

Participants clearly recommended that a new specific system or platform focused on land tenure was not the solution. That said, it would be useful to carry out a more systematic and rigorous analysis of the current systems that exist to understand the type and quality of information, interoperability of data, how they facilitate collective action, and are used in dialogue/decision-making processes.

Throughout the workshop the (added) value of establishing another regional ‘platform’ or platforms was discussed and contested. We identified a number of valuable functions for future regional platforms:

- **Interoperability and linkage:** There are a number of platforms at the national and regional level. Much of the work of a regional platform is already being done by different groups, though many of these country-based platforms are not linked.

- **Understanding regional investments:** Many companies have investments throughout the region. Understanding the linkages between regional and global investors, as well as banks and private sector could be an important function.
- **Sharing best practices amongst mono-stakeholder groups:** A lot of value to share best practices amongst e.g. government agencies on land administration, and strategies for implementation of existing laws.
- **Legal and administrative transparency:** Land law and policy is often opaque to both small-scale farmers and investors. Villagers are often unaware that there are legal ways to document claims to land for which there is no formal title. There are already a number of national programs addressing this issue. It could be useful to share strategies and tactics as well as related legal issues. Investors are dealing with formal and informal regulations and legal structures that can vary across the ASEAN region. Better regional analysis can help responsible investors minimize risk and strengthen efforts to hold irresponsible investors accountable.
- **Increase visibility of land issues – Create more empathy with the urban public:** In general the urban public in the region is not sympathetic to rural issues and do not understand the importance of secure land tenure. A regional platform could promote journalistic/social media coverage to get stories to the public.
- **Create space for self-determination** of farmers and more farmer-centric models of agricultural development.
- **Create space for sensitive political discussions** – A regional space can relieve some of the pressure and potential for repercussions that plague national level meetings with government. Regional meetings between advocates can also be useful for sharing experiences and imagining ways to do things differently including interrogating some of the assumptions about the benefits of modern agricultural development models based on large-scale investments in land..
- **Convening power:** A regional platform can be a place where all actors have the trust to come together and dialogue on emerging evidence, again, without fear of local political repercussions.

Pathways to Change

Working groups explored three main pathways for knowledge sharing:

- 1) Enhancing farmers' and communities' efforts for self-determination and catalyzing champions
- 2) Regional 'sense-making' which aggregates various sources, makes it more accessible and then engages policy makers and investors/private sector
- 3) Facilitating information sharing and growing the capacity of government agencies working on land administration.

Initiatives compiling geospatial data, document repositories, list-serves and informal groups on land rights do exist, but the public sphere, and the ability of citizens to participate in decision making on land is tightly constrained. Regional “sense-making” must push upwards to government officials and the private sector, and outwards to farmers’ organizations, community groups and local champions.

Aggregating Information and Analysis: Regional ‘Sense-Making’

There is a wealth of information that could help make sense of the current land and natural resource management developments across the region. Mapping investment in land is a high priority. Open Development Mekong is already **mapping investment** but needs more collaboration on mapping financial flows and actors **across borders**. The Mekong Regional Land Governance project is analyzing the **political economy** of land governance and identifying ‘reform actors’ in the region. Geospatial portals on land use change from SERVIR and others are providing remote sensing data that can be used to **monitor changes** in land use. It became clear that a new, broad scale platform in this sphere is not needed.

However, to be able make sense of regional trends, gaps still exist. Suggestions for how to fill these gaps include **comparative analysis of investment policies, laws, regulations and taxation** across the region, increasing **interoperability** between existing information platforms, open dialogue between concerned reform actors in governments, civil society and private companies based on the best available **evidence**, a lack of information on regional, especially Chinese investors, dialogue with banks and lawyers on due diligence on land issues, more media **visibility**, including traditional and social media, and publicly available **evaluations** of land investments (report cards, CSR scoring, awards, etc.).



Expanding the public sphere: Supporting self-determination

Farmers exercising self-determination will not happen without enlarging the public sphere. Political conditions make interaction / collective action difficult. There is a role for development organizations to help expand the space for civil society alliances and make more **collective action** possible. Local champions, educators and para-legal initiatives need support to safely document and defend land claims; community-based organizations need to **share experiences**; alternative development pilots and models need space to grow. A scattershot of ideas on how to do this ranged between supporting youth networks, to creating an innovation fund³, a new Mekong Citizen's Award, more storytelling from community groups, and **participatory action research** on land governance.

This group agreed that there is a **gap in funding mechanisms** that can support needs, networks and alliances as they emerge. One of the key lessons from platform facilitators is that the best ideas start small and grow based on practical needs. Supporting these emergent platforms requires more flexible, responsive funding, an ability to take risks and an effort to "reduce the hoops" in small grants. To do this and still maintain the accountability and cohesiveness SDC needs, it may be wise to share the risk by supporting organizations with long term relationships and trust at the grassroots level – (e.g. Focus on the Global South, Oxfam, RRI and others). These organizations may be good partners in expanding the public sphere through peer learning, storytelling and tools for local champions.

Government

The group working on information platforms for government did not come to a solid agreement on strategies, though they concurred there was a need for greater **transparency** in government, greater transparency in land administration and law, and to facilitate more meaningful **interaction between levels of government**. The **risks** associated with international investments and the legal ambiguity on tenure may create openings for dialogue with investors and attorneys. A rotating event was proposed to share information between land administrators, hosted in a different country every year.

Conclusions and Recommendations

First steps are always the most difficult, and this workshop represents just that; a first step. As one participant mentioned, many of the ideas from this workshop need to be further road tested and put to scrutiny by a wider group.

On the one hand, participants largely agreed on the value of a supporting more investments in a series of targeted regional knowledge sharing platforms. On the other, they also largely agree that there is **no need for a big new information system**. In this sense there was a clear recommendation that SDC should instead support a range of efforts: connecting existing platforms, incubating new ones, and **facilitating experiences between different organizations**. This was made obvious in the three different pathways which focused on a mixed strategy of approaches which included

³ The Mekong Region Land Governance Project's Grants Facility also has an Innovation Fund, with a first call for proposals foreseen in March 2015.

information collection and analysis, engagement of actors, sharing experiences, supporting champions, small grants and award schemes.

Three big unanswered questions stood out:

- **Engaging regional governments in dialogue around land tenure** – despite years of working on land related issues with most governments in the region, development agencies have found it difficult to engage in a meaningful conversation with high level policy makers on this contentious issue. Some of this relates to different mindsets related to development paradigms, vested interests and deep rooted power structures in the countries. Whether it is worth the effort and how to best engage high-ranking policy makers in dialogue around land tenure remains unclear.
- **Lack of private sector engagement** - Participants generally agreed on the need to engage with the private sector, though people seem to mean very different things when they say this. Very little information exists about cross-border financial flows into and out of land-based investments, and few efforts exist to work with the private sector on investment risks and tenure ambiguity.
- **Lack of regional institutions and think tanks** that can tackle such contentious issues. Questions arose in three areas: 1) whether there is value in linking to ASEAN, 2) who has a mandate to carry out a dialogue on these sensitive issues, and 3) how governments may be convened.

We emerged from the workshop with **three key recommendations for SDC to consider**: better understanding of social, economic and environmental flows in the region; growing space to create greater self-determination; and efforts to shift discourse and public opinion on contentious land issues. SDC should invest in:

1. **Understanding regional connections**: There are several systems in place or emerging that map regional land issues and socio-economic and environmental change, including Open Development Mekong, the MRLG, and SERVIR. However, these systems are not linked. SDC should **support existing systems and efforts to connect** and make data interoperable. Second, there is a gap in efforts to **analyze** and investigate socio-economic and environmental **flows across borders** (from biophysical flows, to labor migration and land tenure, to large scale investments). Some **organizations are doing this (such as Open Development Mekong and Global Witness)**. However, these efforts to make companies activities accountable and transparent are resource intensive and is an area SDC could support. Finally, there is a need to support **dialogue based on this information with investors and governments** at a wider level. Best practices and ways to convene such dialogue in this region are still nascent – SDC should support innovative and region sensitive ways of doing so.
2. **Increasing self-determination**: SDC can grow the space in which farmer organizations create greater self-determination. However, it needs to be conscious of the sensitivities surrounding this. Rather than set up a separate network, a key recommendation was to **partner with/support organizations with long term relationships with farmers' organizations and civil society groups** to develop tools, engage media, do peer-to-peer

sharing, and/or participatory action research on land tenure. The goal of such partnerships would be to increase the capacity of farmers' groups to develop their own information and analysis. Such a program would need to be discrete, allow money to be flexible and come with limited transaction costs, and accept that innovation necessarily comes with a certain failure rate. The need for **flexible funding** was reiterated by multiple participants throughout the workshop.

- 3. Changing the story:** In the region, public opinion amongst the urban middle class and political elite does not reflect the complex, fast changing rural reality. There is a real need to support better media coverage, wider social media engagement, public interest reporting and general interest in alternative development models. This could happen through partnerships with media organizations, financial **support for traditional and citizen journalism** and **grants to improve the social media reach of existing organizations**.

Finally, a new center of value emerged from the workshop – **creating an emerging community of practice** on land issues regionally, beginning from the participants gathered at the workshop.

SDC's next steps

SDC will assess the above ideas and recommendations that emanated from this workshop on how to support information related challenges in land governance in the Mekong Region, including vis-a-vis the outcomes of SDC's existing efforts (the ongoing Research Mapping and Political Economy study commissioned by the MRLG project and led by Professor Phil Hirsch of the University of Sydney, currently developing an online repository and annotated bibliography).

The workshop's outcomes will also be presented and put to scrutiny by a wide group of stakeholders at the MRLG project's upcoming **Regional Stakeholder Consultation and Planning Workshop in Bangkok, 4 – 6 March**, and thus inform the further project planning. This could, for example, include the establishment of a third funding window apart from the Quick Disbursement Fund – (QDF), and the Innovation Fund (IF), under the overall fund management of the MRLG project, or the inclusion of the pre-approved CHF 1.2 million into the existing IF, to support information/ IKM-related activities by applicants.

