



# LAND USE AND TENURE ASSESSMENT OF YWAY GONE VILLAGE TRACT, MINH LA TOWNSHIP

TENURE AND GLOBAL CLIMATE CHANGE (TGCC) PROGRAM



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Cover Photo: A village scene in Heingyu village, Yway Gone Village Tract, Burma

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# ACRONYMS AND ABBREVIATIONS

CSO	Civil Society Organization
DoALMS	Department of Agricultural Land Management and Statistics
GAD	General Administration Department
LIFT	Livelihoods and Food Security Trust Fund
LUC	Land Use Certificate
MoAI	Ministry of Agriculture and Irrigation
MONREC	Ministry of Natural Resources and Environmental Conservation
NLUP	National Land Use Policy
USAID	U.S. Agency for International Development
VFVLM	Vacant, Fallow and Virgin Lands Management

# EXECUTIVE SUMMARY

The key points emerging from the land use and tenure assessment in Yway Gone Village Tract include:

1. There is very poor infrastructure provision (roads, electricity, irrigation) in all four villages. The village with the best road access (Bant Bway Gone) is considered the most affluent village among the four.
2. All four villages have long settlement histories ranging from 100 to 200 years. Three of the four villages are completely Bamar while the Kayin village has had a recent influx of landless Bamar families interested in better access to reserve forests. In general, there is no significant pattern of seasonal outmigration although a few families engage in such activities. As access to forests is curtailed, however, the poorer households will start to consider such exit options.
3. The land market is not particularly dynamic with limited growth in prices in recent years.
4. There is a significant level of landlessness especially among the three Bamar villages. This is a typical pattern for Bago Region.
5. All villages with pre-existing kwin maps for paddy lands have already obtained their land use certificates (LUCs). This was carried out smoothly through the initiative of the village tract administrator who submitted the Form 7 applications for families with paddy land on a collective basis. The 500 kyat fee per application was consistent across all villages, and the processing period was roughly six months. In all cases, the LUCs did not include garden lands. Garden lands can only be identified on the basis of tax receipts paid annually to the Department of Agricultural Land Management and Statistics (DoALMS). Tax on paddy land is very low ranging from one to two kyats per acre; this rate has been unchanged since British colonial times.
6. Villagers are not aware, except on the basis of landmarks, about the boundary demarcations of their villages or the village tract boundary. They assume that DoALMS has a record of the village tract boundaries as well as paddy land boundaries. There are no significant conflicts between villagers over paddy land boundaries, or between villages.
7. There is a very low level of awareness and knowledge of lands pertaining to land and forest rights. As such, most villagers were unaware of the existence of the 2012 Farmland Law, 2012 Vacant, Fallow and Virgin Lands Management (VFVLM) Law, 2012 Association Law, or the draft National Land Use Policy. The male heads of households knew the contents of their LUCs but women had seldom seen these certificates.
8. There is limited formal collaboration between the Ministry of Natural Resources and Environmental Conservation (MONREC) and DoALMS in the allocation and management of lands (reserve forests or unclassified forests). With the roll-out of the community forestry in 2017, such collaborations will likely begin.
9. The common problem facing all four villages is the allocation of forestlands (reserve or unclassified) to contractors through plantation permits. In all cases, this was carried out with no consultation or compensation for villagers. Villagers were also not offered the opportunity to apply for such 30-year permits. The impact on household subsistence practices, while diverse in nature depending on the level of secure rights to paddy land, were experienced by all households. In one village, it was estimated that household income dropped by one-third among

landed households and by two-thirds in landless households. Women, in particular, have been negatively impacted because they utilize forestlands to grow cash crops that support household expenditures. There remains, however, a poor understanding of the multiple ways in which villagers rely on forestlands to meet the range of household needs over an annual cycle as well as impact on household income.

10. There is weak knowledge about the condition of the forests. Large-scale deforestation occurred from the late 1980s onwards. Since then, various cycles of greening forests have taken place but a detailed understanding of the forests near villages remains poor.
11. There is substantial interest among both male and female villagers in developing commercial opportunities both in agricultural and forest sectors. Some women in specific villages have established rotating savings-and-loans programs. Once LUCs are obtained, it is fairly easy to secure bank loans.
12. There has been no experience with land use planning in any villages or among the government agencies.

# I.0 PURPOSE OF THE ASSESSMENT

The purpose of this assessment is to better understand the current land use and tenure context in Yway Gone Village Tract (Minhla Township) so that pilot site activities can be designed to determine how the draft National Land Use Policy (NLUP) can guide the recognition of community land and resource tenure as well as effective land use planning at a localized level. The pilot will involve identifying village tract boundaries as well as major land use and management patterns at a village level. The lessons learned from the pilot will contribute to the identification of appropriate methods for the recognition of community land and resource tenure as well as sustainable land use planning within other rural areas of Burma.

In light of this, objectives of the tenure and resource assessment include:

- a. Assessing the status of natural resources and existing land use arrangements with attention to gender and social inclusion dimensions;
- b. Identifying the institutions and rules (formal and informal) governing tenure over various land types and classifications such as agricultural, forest, grazing, shifting cultivation etc. (including dispute resolution methods), including any existing conflict; and,
- c. Examining the types of drivers leading to transformation of prevailing land use and tenure arrangements.

Although there is tremendous diversity of land use and management practices in Burma, the major rice production areas found in the central region constitute one major agricultural production type. Yway Gone Village Tract is the first of three pilots to be developed in Burma under this program. The pilot here will help to identify a technical approach that is scalable across other parts of the country with similar agricultural, physiographic and cultural conditions. It will also permit a better understanding of how the tenure and land use arrangements found in Minhla are significantly different from other major agricultural production modalities within upland, dry zone or coastal regions.

## I.1 GENERAL DESCRIPTION OF THE YWAY GONE VILLAGE TRACT<sup>1</sup>

Yway Gone Village Tract is in Minhla Township, in the western part of Bago Region (Figure 1). It is one of Thayarwaddy District's six townships. The Bago River traverses southwards on the western side of the village tract. The township is hilly and is on the western edge of the Bago Yoma, a once heavily forested range that runs north-south. Bago Region is rich in both teak (despite considerable deforestation since the beginning of the 1900s) and petroleum, and is one of Burma's two primary rice production areas. During the British colonial period, this was an area in which there was both considerable contestation over forested lands between the colonial administration and the local Kayin populations who both engaged in shifting cultivation, and cooperation because some Kayin became

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<sup>1</sup> Gone means small hill.

significantly involved in British-run teak extraction and marketing operations (Bryant, 1994). During the 1950s, the Kayin armed forces used the Bago Yoma forests as a site of refuge resulting in the Burmese military forcibly removing villages and moving them into army-controlled settlements (Bryant, 1997). This has resulted in a low Kayin population in Bago today.

**Figure 1: Administrative and Topographical Map of Bago Region**



(Source: Myanmar Information Management Unit; July 2015)

Bago Region has the highest rate of landlessness in Burma, standing at 41% compared to the national average of 24%<sup>2</sup> (UNDP, 2011). Among the poor in Bago Region, however, this rate is 69.6%, whereas among the non-poor it is 35.4%. Social welfare indicators are much better in western Bago than eastern Bago. According to the Integrated Household Living Conditions Assessment (2009-2010) that estimated monetary poverty, about 16% of the population in western Bago are living below the poverty line as

<sup>2</sup> The next highest landlessness rates are found in Yangon (39%) and Ayeyarwaddy (33%).

compared to a national average of 26%. Food poverty incidence has improved in western Bago from 2005 to 2010 (6.7 to 0.3) as has poverty incidence (33.8 to 15.9). Bago is among the regions and states in Burma that has low levels of electrification (32%).

In Yway Gone village tract<sup>3</sup>, there are four main villages<sup>4</sup>: Bant Bway Gone, Heingyu, San Gyi, and Yway Gone (Figure 2). Of these, all except Heingyu have only ethnically Bamar residents. Heingyu is predominantly Kayin with some recent Bamar arrivals. Heingyu is the northern-most village and is located entirely within “reserve forest”<sup>5</sup> lands under MONREC’s jurisdiction. This “reserve forest” cuts across both Minhla Township and Letpadan Township immediately to the east. While Bant Bway Gone village borders this reserve forest, it is located within “unclassified forest” under the jurisdiction of DoALMS. San Gyi and Yway Gone villages lie within “unclassified forest” areas. Lands that are part of “unclassified forest” fall under the purview of the VFVLM Law of 2012.

### Forest Classification in Burma

Forests in Burma are classified into two main types: permanent forest estate and non-permanent forest estate.

For the **permanent forest estate**: there are two types: *forest reserve* that includes protected area system, commercial forests (e.g., plantations for domestic use or export) and local supply reserves near villages for village use; and *protected public forest* that is an alternative to forest reserves for protecting trees and restricting land use in non-reserved forested areas.

For the **non-permanent forest estate**: there are two types as well, public forests and waste land. *Public forest* (previously known as unclassified forest or other woodland area) covers forests outside permanent forest estate where villagers can harvest timber and non-timber products for subsistence, unless prohibited by law, such as cutting “reserved trees” such as teak (although these rules can be overridden with special permission). *Public forests* would not be targeted for forest plantations normally due to increased conflict with villagers and other departments, especially the Ministry of Agriculture and Irrigation (MoAI). *Waste land* is a land category without clear delineation on purported use or institutional control. This land category is often used by the MoAI to allocate agricultural concessions.

Both *public forest* and *waste land* are at the disposal of any government department, although permission must be received from the local Land Management Committee, which both the Forest Department and State Settlement and Land Records Department of MoAI belong to. MONREC policy on public forest is that it is forestland at the “disposal of the state.” (adapted from Woods & Canby, 2011, 16-17).

At the village tract level, there are two important committees for rural development: the Village Tract Development Support Committee, and the Village Tract Farmland Management Body (Saw & Arnold, 2014). The village tract administrator plays an important role in both these committees. Recent Livelihoods and Food Security Trust Fund (LIFT)-supported research by GRET indicates that the village tract administrator is one of the most powerful players within the system of land administration<sup>6</sup>. Within the villages, each ten households selects a representative who meets with the village tract administrator every two months to discuss “village development plans,” loans for village members, and decisions on religious

<sup>3</sup> There are 55 village tracts in Minhla Township.

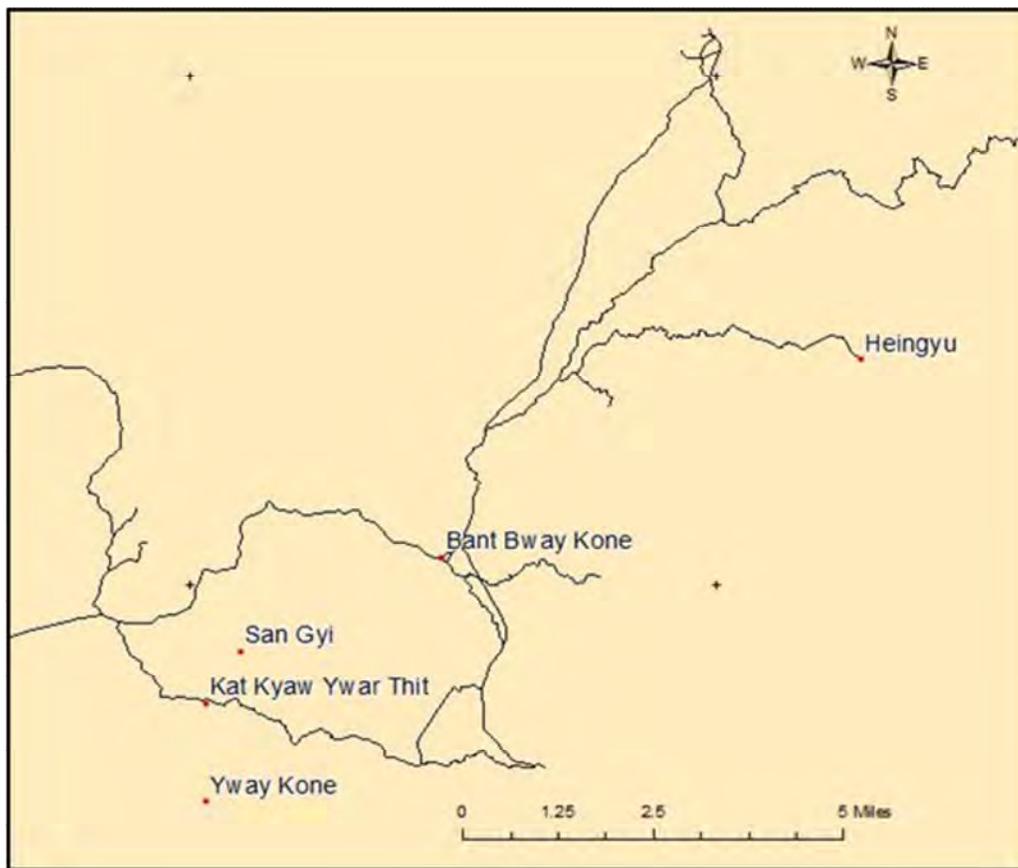
<sup>4</sup> A village has to have more than 50 households to be formally registered.

<sup>5</sup> This reserve forest in Minhla has 23 blocks (inside the boundary of Moke Kha creek).

<sup>6</sup> See: <http://www.lift-fund.org/project/understanding-rural-land-issues-engage-comprehensive-policy-dialogue-myanmar>

festivals. Conflicts are addressed by the Village Tract Farmland Management Body, although its decision can be challenged at the township and district level by the community members involved in the dispute.

**Figure 2: Schematic Map of Villages in the Yway Gone Village Tract**



The total population of these four villages is 2,004 residents, according to records provided by the village tract administrator U Han Tun<sup>7</sup> (Table I). Bant Bway Gone is the largest in terms of household numbers and total population. In addition to these villages, there are other settlements within the village tract. However, if there are fewer than 50 households, they cannot officially register as a village entity with DoALMS. In terms of perception-based ranking, most villagers agreed that Bant Bway Gone was the most “well-off” village, followed by Yway Gone, San Gyi, and Heingyu. The villages do not receive any support from the Ministry of Rural Development nor obtain any Poverty Alleviation Funds from the General Administration Department (GAD). None of the villages have electricity, although many villagers have cell phones which they charge with small solar panel setups. In terms of transportation access, Bant Bway Gone is the village with the best road access to the local towns whereas Heingyu is

<sup>7</sup> The village tract administrator is a powerful position within the overall system of local land governance. He is the primary point of contact between villagers and the government. He is no longer (after the 2012 Village Tract Administration Law), an official employee of the General Administration Department (GAD). Instead, he receives a monthly subsidy of 70,000 kyat a month and 50,000 kyat a month for office expenditures (Saw and Arnold, 2014). The village tract clerk, who supports the administrator, however, is officially employed by the GAD. The GAD (part of the Ministry of Home Affairs) is the government’s primary functional administrative mechanism with widespread presence throughout the country and has numerous roles ranging from tax collection, farmland management, and various registration and certification processes. Within villages, there is another “household heads” system where groups of 10 households select one person to represent them in village tract forums.

the most distant (requiring an hour or two walk to reach the road). The village tract administrator also lives in Bant Bway Gone.

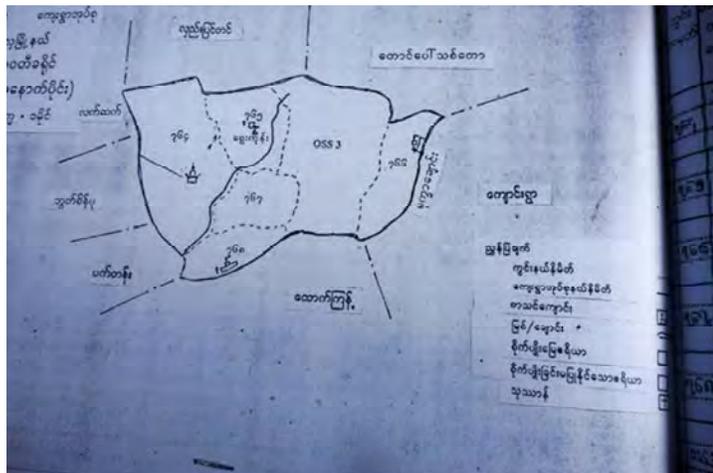
**Table 1: Households and Population in the Four Villages of Yway Gone Village Tract**

Village name	Number of houses	Number of households	Above 18 years old			Below 18 years old			Total Population		
			M	F	Total	M	F	Total	M	F	Total
Yway Gone	118	125	150	148	298	80	78	158	230	226	456
San Gyi	115	118	140	151	291	90	85	175	230	236	466
Bant Bway Gone	138	140	200	182	382	120	118	238	260	318	578
Heingyu	117	119	151	162	313	90	101	191	241	263	504
<b>TOTAL</b>	<b>488</b>	<b>502</b>	<b>641</b>	<b>643</b>	<b>1,284</b>	<b>380</b>	<b>382</b>	<b>762</b>	<b>961</b>	<b>1,043</b>	<b>2,004</b>

Source: Yway Gone Village Tract Administrator

Neither the village tract nor villages have any type of demarcated official boundary. There are no boundary disputes or overlapping areas of natural resource use between these four villages. In discussions with DoALMS, it was clear that there are kwin maps covering this area (sheets 764, 765, 766, 767, 768). An area titled OSS3 on the map remains un-surveyed (Figure 4). As far as can be ascertained, the kwin maps only cover paddy lands. They do not cover garden lands, rainfed/drylands (called “ya” lands), or shifting cultivation lands (*taungya*<sup>8</sup>), despite the fact that garden lands are formally included under “farmland” in the 2012 Farmland Law (see Srinivas & Hlaing, 2015).

According to the 2012 Farmland Law, Land Use Certificates (LUCs - also called Form 7) will be issued for all farmland (that includes paddy, garden land, perennial plants, etc.). Only the male head of household’s name is entered on the LUC unless it is a woman-headed household. In practice, however, LUCs are only issued for paddy land that have been included in kwin maps. In all the villages that have garden land, there appeared to be some lack of clarity as to what “garden land” is (this is partially related to translation issues). That said, it was clear that villagers are paying some type of tax on garden land to DoALMS for which they receive receipts. They consider these receipts as evidence (even if not legally recognized) that they own this land since villagers do buy and sell garden land.



Kwin map drawing from DoALMS covering Yway Gone Village Tract

PHOTO: NICK THOMAS/TETRA TECH

Among the four major types of taxes collected by GAD of concern to villagers are the land tax and the irrigation tax. The land tax is very low and none of these villages have irrigation facilities, despite the

<sup>8</sup> Although technically the term *taungya* refers to shifting or swidden cultivation, in these interviews, it was a generic term used to refer to any forested lands that were cleared, be it for shifting or permanent rain-fed cultivation.

existence of a dam that supplies paddy land further downstream.



Kwin map of the area from the mid-1900s that continues to be updated  
PHOTO: NAYNA JHAVERI/TETRA TECH

In all the villages, there is very little knowledge about the laws relating to farmland or forestland rights nor about the public consultations on the National Land Use Policy. In these villages, the village tract administrator is the main point of contact for obtaining LUCs. He coordinates the submissions of all Form 7 applications from the village. Additionally, he pays the annual land tax (not a large sum) for the entire village and is then subsequently reimbursed by villagers. Any conflicts that are not addressed by the villagers themselves would be addressed by him. All four villages were said to have election polling stations but Heingyu residents indicated they did not have one.

In the summer of 2015, there were extremely serious floods in Bago that damaged the rice crops. As a result, the price of rice has skyrocketed but most farmers had already sold their last year's harvest. Those villages that are situated within or near forests have not experienced as much weather variation in recent years as those located in low-forested areas.

The market for land is not particularly dynamic. There has been some small increase in the price of paddy land in recent years but in general, it was assumed that unless there was some form of major development (such as a hotel or factory), the level of demand for land was not very high. Yway Gone village tract was not close to any new developments of this kind.

## 2.0 ASSESSMENT METHODOLOGY

The land use and tenure assessment methodology involved interviews in all four villages with a) village members as a group; b) women village members; and, c) village leaders and elders. The general village meeting was held in a large open plan home or at the monastery. On average, 30 to 50 villagers attended these meetings, and each meeting took approximately two hours. The second and third interview types were conducted in parallel and took one and a half hours each. In the women's meetings, there were between 15 and 25 women present. A semi-structured interview questionnaire guide was developed and is available upon request from project staff. The village tract administrator, U Han Tun, was present at all the village meetings except in Yway Gone village.

The assessment team included Nick Thomas (Country Coordinator), Nayna Jhaveri (Resource Tenure Specialist), U San Thein (Senior Burmese Consultant), Grace (translator), and three members of the local civil society organization (CSO) Public Network, headed by U Win Tut.

# 3.0 ASSESSMENT FINDINGS

## 3.1 BANT BWAY GONE VILLAGE

“Oh it’s a long story explaining to you how we now have insufficient common land. MONREC had provided us with 100 acres of forest land to use as we wished.

But someone sold it – we don’t know how it happened.”

This is the most well-off and largest village (by population and households) among the four. It is divided into two parts, east and west. The data provided by the village tract administrator indicates that there are 119 households and 504 residents, whereas the interviews revealed that there were 176 households and 740 residents. During the last ten years, it has grown considerably, by about 25%. Most of the new arrivals are from further removed areas such as beyond Pyay located in northern Bago Region. There



Land use and tenure assessment activities in Bant Bway Gone village

PHOTO: NAYNA JHAVERI/TETRA TECH

are very few people who out-migrate because the local village economy is good. There is no market within the village itself. There are some small rock-breaking enterprises in the area. Villagers would like to set up forest enterprises. The village leader is elected every five years. Typically, the village leaders are younger and have a mid-range level of education.

It has a reasonably good amount of paddy land. Although the village agricultural land is situated on unclassified forest, it is adjacent to reserve forests that are administratively divided between Minhla Township and Letpadan Township. Villagers have primarily accessed the reserve forest for their needs; there is a small amount of forests on unclassified forestland.

The village has a monastery, and also a primary and secondary school established around 1990. Most women can read and write to some level. Women typically handle the finances, although decisions about spending are made jointly by the husband and wife. Men usually go to collect drinking water, mostly at night. They used to have a rotating savings and loans arrangement but it ended a few years ago because the female leader took all the money. If a villager needs a loan, he or she obtains one from a rich person in the village.

The main road was constructed in 2010 by the government following a village application. Its economic status has been considerably enhanced by having the best road access to the main towns of the area. It does not have electricity but there are plans afoot to install solar panels (promised by the Union Solidarity and Development Party). There is a small dam (Moke Kha) in the area, built in 2010/2011, but villagers cannot access its water since it primarily flows to villages further downstream. They were not consulted during its construction. There are two parts of the village: one part has an old colonial well, and another part that was given a new well. To solve the problem of drinking water in the village, however, each household built rainwater tanks which they pay for themselves. They do have access to TV and radio (gathering every Tuesday to watch that together) although they think that TV is boring. They indicated that the best method of raising awareness among villagers was to use posters.

### 3.1.1 Settlement History, Ethnic Background, and Poverty Levels

The village residents are all Bamar. The village was established about 150 to 170 years ago during colonial times. Over the last ten years, it has considerably changed, with newcomers buying land within Bant Bway Gone.

### 3.1.2 Land Use and Tenure

Bant Bway Gone occupies land that is covered by plot no. 766 in the kwin map. Thirty out of the 176 households have LUCs for their paddy land but not for garden lands. These were obtained in 2013. There has been some increase in the price of land; currently, it is about 500,000 to 600,000 kyat per acre. When people want to sell their land, they use a range of different approaches: private contract between two people, or doing Form 7 changes through DoALMS. All in all, about 83% of households are landless. The landless households provide casual labor for land-owning households (men earn 3,000 kyats per day and women 2,000 kyats per day although the difference has been narrowing in recent years) and also carry out such activities as growing food on *taungya* land and cutting bamboo from forests to sell in the market (which does not bring much income).

Those with paddy land pay their annual land tax (1.75 kyats per acre) through the village tract administrator (who makes an upfront annual payment). The villagers are not clear about the location of the village boundaries especially since the village has grown. There were no disputes with any neighboring villages from expansion as they are located quite far away, with San Gyi being the closest. The villagers noted that DoALMS would know the village tract boundary. Villagers are unaware of the existence of the Farmland Law of 2012, VFVLM Law of 2012, Association Law nor the MLUP. They are vaguely aware of a village tract land management committee.

The level of food security in the village is considered acceptable. They grow rice within paddy lands (not in the *taungya* lands as in other villages such as San Gyi or Heingyu). They raise two crops a year – rice in the rainy season, and peas/beans in winter. They grow the Sein Thu Khar, Ka Yin Ma, and Manow Thu Ka varieties of rice. In addition, within the *taungya* system they grow maize, sesame, peanuts, chili, and tomatoes. Of these, sesame is the income-generating product although its price fluctuates quite a bit. Most families with or without land raise livestock, including pigs, chicken, cows, and buffalo.

Bant Bway Gone has the largest area of garden land compared to other villagers. They have tax receipts for their garden land that they pay to DoALMS. As a result, they only go to the forests if the household needed forest products. Farmers grew their vegetables on their garden land; a few women sold vegetables by walking through nearby villages (they get about 5,000 kyats over 3 days).

They do cultivate crops on *taungya* land in the reserve forest. The landless get small plots of *taungya* in the forest although there is no organized system of allocation. There were no conflicts or issues of overlapping users. In the past, they used to do shifting cultivation but now they just use it for growing rain-fed crops in permanent fields. In 2012, three to four private companies came to set up plantations within the reserve forest. They were given permits by MONREC; villagers were neither informed nor asked for consent. In some areas, the companies have put up fences and in others they have guards. The villagers know the boundaries well. They grow rubber (about five miles away) and also some teak and aloeswood (high price, used for incense-making). They do not hire any villagers but bring in their own workers.

The impact on village households has been varied depending on type of households with the effect being most significant on the landless. Before the reserve forests were handed over to the companies, they were able to collect wood, branches, and fodder; cut bamboo; collect thatch materials; and, collect honey in the summer, as well as some wild plants for meals. In addition, livestock were released in the

forests to graze, but now the companies beat the cattle if they enter their forestlands. So, villagers have to buy fodder.

As a result of such changes, villagers have to walk about three miles to another forested area to obtain their forest products. In a change from historical behavior, both men and women now make this journey due to the greater distance and the presence of wild elephants. They have heard of community forestry from MONREC but it does not currently exist in this area. Existing rules do not permit farmers to grow large trees on their private farmland. They would like to grow teak and other valuable trees such as aloeswood.

When asked about significant issues they would like to address in land use planning, they raised the problem of some common land that was allocated to the village because they lacked land for collecting firewood. In 2009, about 100 acres of land was provided by MONREC (and measured by DoALMS) for the village to use as they saw fit. Although it was inside forest land, it was not considered “reserve forest.” A sign was put up at the site. MONREC announced the handover in a public village meeting. It was collectively owned by the community, which decided to use it for household firewood use. However, it appears that someone sold the land in 2015 without the knowledge or consent of the village. Villagers went into the forest to cut wood and were told it was now out of bounds. The company involved had not informed the village tract administrator. There was considerable anger in the village about this surreptitious sale.

This year, there was not enough rainfall at the critical time of rice transplanting. The weather has been getting hotter these last two years and the rain arrives later than usual.

#### **KEY ISSUES FACING BANT BWAY GONE VILLAGE**

- 83% of households are landless
- Mishandling of 100 acres of community land given by MONREC to meet firewood needs
- Lost access to reserve forest area after three to four private contractors received permits to grow teak, aloeswood, or rubber

### **3.2 SAN GYI VILLAGE**

“We don’t have much forests here. Forests have gone because outsiders have encroached our area.

There is no more *taungya* here – only private companies cut down the trees.

Everybody is afraid to speak up because forests no longer exist.”

San Gyi is the smallest of the four villages in terms of total number of households, with only 118. According to the villagers, its lands are part of no. 765 and 766 with smaller land areas in no. 768 kwin map plots. They know their village boundary according to landmarks but there are no maps they know of. They primarily recognize the boundaries of paddy land but they are not clear on village boundaries or forestland boundaries.

Of the three Bamar villages, this has the lowest level of wellbeing. Villagers attribute this to the smaller amount of paddy and garden land area. More recently, strict controls on access to forestlands (previously used to create *taungya* land for rain-fed agriculture) has exacerbated their livelihood problems.

They do not have good infrastructural support; they slowly built their two-mile road themselves from 1973 to 2011. They have requested the Ministry of Energy to establish connections to the electrical grid but there has been no action to date. There is a primary school in the village. The Bago regional government did help to dig three wells for drinking water; villagers, however, considered these neither very safe (plastic cover is inadequate) nor well-maintained. Moreover, the wells do not provide sufficient water. They are completely dependent on rainfall for agricultural production; the Irrigation Department has not provided any facilities for San Gyi. The streams emerging from forested lands along the Bago Yoma do have some water until about October. If rainfall is heavy they experience considerable crop damage.



Women meet as part of the assessment in San Gyi village  
PHOTO: NAYNA JHAVERI/TETRA TECH

There are some in the village who do not engage in farming anymore, given the limitations on viable agricultural production. That said, there are very few employment opportunities in the area. Those with land are able to obtain bank loans that are about 100,000 kyats per acres; for some about 300,000 kyats per acre. Women do not have bank accounts.

The village leader used to attend village tract committee meetings in the past. The administration has to provide approvals on land use for garden lands and forestlands. The village does not hold any village meetings to manage their farmland or forestlands.

### **3.2.1 Settlement History, Ethnic Background, and Poverty Levels**

The residents of San Gyi are all ethnically Bamar. San Gyi was established about 140 to 150 years ago. The first community probably mostly came from Paung Tal which is not far away; others also came from Pa Loe which is further away. The residents stated that they do not allow other ethnic groups to live here; those who marry into San Gyi are also Bamar. In any case, without electricity, there is no interest in in-migration. Although they were not sure, they estimated that there are about 120 acres of farmland in the village.

In 1975, they built a new village nearby called Kat Kyaw Ywar Thit because the population had grown. Administratively, this village is considered part of San Gyi. A few people engaged in seasonal migration for work. They usually go to work during the September to May period, but then return permanently after about two years.

### **3.2.2 Land Use and Tenure**

All those with farmland have obtained LUCs. The village tract administrator obtained the forms for all 30 of them in one turn; they paid 500 kyats per application. A sign was put up in the village office; if there were any disagreements, people could come forward. There were no disagreements between villagers over paddy land, but there were some arguments over the boundaries of garden land. These were small disagreements that the village tract administrator resolved. In general, the village does not have any major conflicts. Women were unaware of the contents of the LUCs and did not know that women who head their households could have their names on the LUCs. Villagers are aware of the members of the village farmland management committee.

Only about 20% of households own paddy or garden land. Those with smaller land areas do not grow enough food to meet their household needs. They pay a land tax of 2 kyats per acre; this rate has been the same since British times. Some families had garden land but sold it in recent years for a good price. The remaining landless households engage in casual labor work or cut bamboo to sell in the market.

The major part of agricultural production here is used to meet household needs. They grow the Ka Yin Map variety of rice although it is not particularly great in their view. They produce about 40 baskets of paddy rice per acre. About 80% of the rice harvest is for household needs. If there is any extra rice or other products (typically about 20% of the harvest), that is sold to the agents who come to the village. They get 400,000 kyats per 100 baskets of rice. Currently, they grow paddy rice and some cultivated sesame and peanuts on *taungya* lands. On garden land, they grow vegetables such as eggplant or pumpkins, as well as a small amount of fruit. Crops such as beans and peas do not work well in the village's soil.

The village has about two acres of community land. It is unclear what type of land this is, how it was established, and how it is being used. In terms of forestland access and use, until 2012, they practiced a shifting cultivation form of *taungya* on the unclassified forestlands near their village. They had a one-year plan for these shifting cultivation areas and then would move on to another area. They grew sesame, peanuts, and some vegetables on this land. Grazing of cattle also took place freely within this forestland except in areas where the trees were young. Grazing mostly took place on unused land near Bago Yoma. The forests are not used for medicinal herb collection; they use the local clinic for which they must pay. The use of forests for fuel, fodder, or timber is not formally managed; it works on a first-come, first-served basis. People went into the forest early and marked the trees they considered their own. Everyone in the village, landed and landless, could access and use forest lands.

Since 2012, they have been prevented from using this forestland. Two companies were awarded 30-year permits under the 2012 VFVLM Law: Naga Mout Company has 300 acres, and Win Mapping Kyaw, under the control of General Ko, has 200 acres. There is now a fence that separates this licensed forest area that is about a mile from the village's farmland. There are four pillars placed by MONREC which mark this forestland. Women in the village explained that this land was not taken by force; rather some villagers came to know of the interest from these two companies and so they paid DoALMS to first obtain rights to that land. Then those rights were sold to the company. The companies do hire local farmers for labor work but very few are involved. They pay a daily rate of 3,000 kyats for men and 2,000 kyats for women.

There is no alternative forestland site villagers can access to for fuel, fodder, timber, and food. All families, landed or landless, are now struggling to meet their needs. For the landless families, however, the pressure to consider migration options has grown. Women in particular have been negatively affected by the loss of this forestland. They used to grow eggplant and cabbage on forestland and utilized the income to support household expenses. Now they have to cut fuelwood near their homes, and if that is insufficient, they have to travel about half an hour on foot to locate more sources. Since they cannot graze their livestock (cows, pigs) in the forests, they have to buy fodder from the market or feed dry rice husk to pigs. Buying fodder is expensive with each poor quality packet costing 18,000 kyat. Now that they have lost income from vegetable cultivation in the forestland, they can afford neither to buy animal feed nor to expand their livestock numbers.

## KEY ISSUES FACING SAN GYI VILLAGE

- 80% of households are landless
- As of 2012, loss of access to forestlands in unclassified forests to two companies who are growing teak
- No infrastructure support from government for roads, electricity, or irrigation. Only limited support for drinking water wells
- Limited paddy land for cultivation
- Limited employment opportunities
- Mishandling of 100 acres of community land given by MONREC to meet firewood needs
- Lost access to reserve forest area after three to four private contractors received permits to grow teak, aloeswood, or rubber

### 3.3 YWAY GONE VILLAGE

“Since we lost our access to the forestlands about ten years ago, we have had a big change in our overall income. For those with paddy land, they have lost one-third of their overall income. For those who are landless, they have lost two-thirds of their overall income.

We are very angry we cannot do *taungya* cultivation anymore”

This village ranks second in overall well-being in this tract. The Moke Kha stream runs past this village. There is no electricity; some households have radio. They have slowly upgraded the dirt road themselves and made it accessible starting about 1990. They do not have any irrigation facilities. There is no rotating savings and loans system in the village (women had never heard of such an idea). The women are somewhat able to read and write.

There is another area nearby that is not officially registered as a village (in kwin map plot no. 767). It is called Than Naut Kwin. There are about 60 households scattered through their area. Some of them are included in the household registration for Yway Gone village, and some for San Gyi village. They came to this area from near the main Minhla town about ten years ago, and bought that land.

#### 3.3.1 Settlement History, Ethnic Background, and Poverty Levels

The village was established about 100 to 200 years ago. Ethnically, all residents are Bamar. The Moke Kha stream runs past this village. The boundaries of the village have grown a little over the last ten years. There are only very few outsiders coming to the village so growth is internally driven. At the same time, there is out-migration of young men to Thailand to work for one or two years. There they take up jobs such as hotel work or dishwashing. Presently, the villagers noted they have 86 households and about 300 residents (this is different from village tract administrator records which states 125 households and 456 residents).

#### 3.3.2 Land Use and Tenure

Villages note that they are in plot no. 768 in the kwin map. They do not have any records of their village land boundary; they believed DoALMS maintained that information from when it was documented a long time ago. Of the 86 households, about 30 households own land (65% households landless). They pay 1 kyat per acre land tax; the village head pays the total 7,000 kyats to the village tract administrator.

All 30 households have their LUCs (although none of the women had seen them). The process was handled by the village tract administrator who helped to submit applications collectively in 2013/2014. The cost was 500 kyats per application and took about six months. DoALMS staff came to the village



Land use and tenure assessment activities in Yway Gone village  
PHOTO: NAYNA JHAVERI/TETRA TECH

and asked questions of paddy land owners, and wanted to see tax receipts. For those who had applied for a bank loan, their LUCs were held up. Once they obtained their LUCs, getting a loan every year was easy if they followed the regulations. Some people knew about the 2012 Farmland Law and its contents. They were unaware of the VFVLM Law, Association Law, or the NLUP.

This is the only village of the four that discussed the election of one representative per ten households. Those heads are active in village governance. The last election was in 2012, and the next one takes place soon in 2015. There are no disputes over land in the village but should it happen, the village elders together with the representative-per-ten-households resolve them.

In terms of agricultural production, the villagers noted that the soil in Bant Bway Gone was more fertile than theirs, being more clay-based than their more sandy soil. Therefore, Bant Bway Gone benefits from both road access as well as better farmland quality. Compared to the other Bamar villages, they saw themselves as struggling, especially since they have more private contractors near the forests. They grow paddy in the rainy season and then beans, peas, and peanuts in the winter season. They do have some *ya* (dryland) in the forest.

The village used to have *taungya* land but that was taken by five private contractors about ten years ago (the latest company being Myat Min). The contractors cover an area that villagers estimated was about 300 to 500 acres. No one from the government had informed them of these developments. They later found out that these private contractors had applied for a permit from the government; the villagers did not realize that they could also have applied for such a permit. These contractors currently have large areas under their permits but use only a small area to grow dragonfruit, mango, jute, acacia, etc. They employ villagers and pay 3,000 kyats/day.

Previously, villagers grew rice, sesame, peanuts, maize, cucumber, and squash in their *taungya* lands. Of these, sesame and peanuts were the best for income generation. Few made oil themselves; mostly, they sold the seed. Bamboo was sold for about 4,000 kkyat per cart and firewood for 500 kkyat per bunch. Women also grew vegetables in *taungya* land and used to sell them in nearby villages. Since the loss of *taungya* land, some have taken up working for others. Two women in the village have sewing machines. They do not have any garden lands. Most households have livestock such as pigs, chicken, ducks but this does not generate good income.

The landless engage in casual labor work, cutting bamboo from forests to sell in market, *taungya* land cultivation, or move into towns. There are outsiders who have bought nearby garden land and grow cashew, mango, and other crops.

There has been a significant impact on their village income as a result of this loss of forest land. For those with paddy land, their income has gone down by a third, whereas for the landless it has gone down by two-thirds. Now, they face firewood shortages and also have problems finding grazing areas. To address their firewood issue, they sometimes quietly take some branches in this forest area or they organize trips to forests further afield and stay overnight. This involves a three to four hour one-way trip with their carts which they only undertake in the summer. Whereas in San Gyi and Bant Bway Gone, it is women who collect firewood in nearby forests, here it is men who organize the longer-distance collection trips. At this time, they will also cut bamboo and store it. Typically, this trip is done

once a month, sometimes more often. They have also planted tamarind trees near the homes to improve their firewood situation. They do not have any community forestry in their village.

For water, they have a drinking well, although in the summer there is not much water. Women have to wake up in the middle of the night to go and collect water during the hot months. Only two households had rainwater tanks; these are expensive at 25,000 kyats each and each household would need three tanks. Women are responsible for numerous agricultural tasks as well as daily cooking and child care.

Within the last ten years, there has been less rain and the weather has been hotter, leading to water shortages. There was a large amount of logging in this area around 2005-2006, mostly carried out by private contractors, less so by villagers.

#### **KEY ISSUES FACING YWAY GONE VILLAGE**

- Poorer quality, sandy soil leads to lower productivity
- 65% households are landless
- The village has no garden land
- Five contractors obtained permits to the unclassified forests about ten years ago to grow cashews, mangos and other products
- Those with land have lost one-third of their income, and the landless have lost two-thirds of their income following the loss of forestland

### **3.4 HEINGYU VILLAGE**

“In the past we had forest land but because of forest companies, we only have two small pieces of land to work with now.”

Heingyu village is located in the middle of the reserve forests. Half of the village’s land is in Minhla Township and the other half in Letpadan Townships; the respective township governments manage their portions. They occupy plots no. 38, 29, 40, 41, and 42 of reserve forests. Some plots, such as no. 38, are about 600 acres, whereas others are as large as 900 acres each. The economy is not very good primarily because of the lack of a road. The village has applied to get a road constructed but so far there has been no response. They got a school and clinic in 2015 and have an auxiliary midwife. They do not rely on the forests for herbal medicine.

#### **3.4.1 Settlement History, Ethnic Background, and Poverty Levels**

Heingyu was established in this location as a Kayin village about 200 years ago. Both types of Kayin live in Heingyu: Saipyu and Sani. During the time of the Japanese invasion, many Kayin ran away from this area. Then during the civil war, there was a push to clear Kayin out of the forests. Heingyu village was accidentally left intact because it was remote and unknown to the armies. Later, in 1992, when the government forced them to move, they went to the Minhla Immigration office who sent them to MONREC. The explained the history of their residence to MONREC, which allowed them to stay in exchange for an annual rice payment for three years.

About 30 out of the 120 households in Heingyu are Bamar. The total population has been growing over the last ten to 20 years with most of the Bamar arriving around 1997-1998. They are primarily landless families who arrived in Heingyu to clear some land for farming and access forest products. About 80% of the households are registered with the Immigration Department. None of the Kayin have migrated out; only one person went to Thailand to work.

Heingyu is the only Kayin village in this forestland around Minhla region. They are remote, and in the past, had to walk far to find health care support. The main road, about one or two hours away, was constructed in 2008. They have no drinking water wells, nor any irrigation facilities. Recently, as a result of election campaigning, they were able to obtain a school.

According to villagers, there is no village farmland management committee but there is a micro-finance committee. As a result of an idea to establish a rotating savings and loan program put forward by a Christian priest, there is one currently operational among the village's women.

### 3.4.2 Land Use and Tenure

After the recent land governance reforms, the villagers were given farmland within the forestland. The reserve forests they lived on were de-gazetted (although the process for this generally remains unclear [Woods, 2015]).

Following this, they were able to apply for LUCs but the applications (collectively submitted in 2014) are still in process. 50 to 60 households applied for LUCs. The cost was 500 kyat per household. The whole process has been complicated involving MONREC, the Immigration Department, and DoALMS. In addition, because the forests fall under both Minhla Township and Letpadan Township (as the population expanded into Minhla), they have to apply to both jurisdictions.



Villagers discuss land use and tenure in Heingyu village

PHOTO: NAYNA JHAVERI/TETRA TECH

Once applications were submitted, five staff from DoALMS came to the village for two days to survey the land with GPS units. Some families got 10 acres, other 5 acres: it depends on the size of household. In this way, Heingyu's paddy land within the reserve forests is being formally reclassified into farmland. No-one has paid any type of tax to DoALMS to date. Furthermore, no one is able to sell their land because they do not have clear ownership rights. About 30 of the roughly 120 households are landless. They know other villages have disputes, but there are none here nor any crime.

Their main form of agricultural production has been shifting cultivation. During the British time, they were involved with growing teak (getting a salary) as well as raising crops such as tomatoes, peanuts, chili, and black sesame around the teak seedlings in the early year or two. Even after Independence, they continued with this type of teak agroforestry system. The shifting cultivation cycle was a total of nine years: one year of growth, and eight years fallow. Still, most households do not make much profit from agriculture. The price of sesame has been down (getting about 57,000 kyat per basket). A few

households grow beans and peas profitably; some collect natural honey. They have a problem with wild pigs and elephants destroying their crops.

In contrast to the Bamar villages, women here explained that they have a more equal distribution of work burden with men. Men help with water collection and cook together with them. They noted (laughing) that their situation is not bad and they are happy. On financial issues, husband and wife will make decisions jointly. Women would like to pursue business opportunities such as growing vegetables, cultivating organic rice (to sell in local markets and Yangon), and producing teak. The difficulty is that without a road, women do not feel safe travelling alone. Women had not read the contents of the Form 7 applications, nor did they know that women-headed households could have the certificates issued in their name.

In the past, teak logging took place in this area with MONREC starting operations in 1988-1990. They sold the timber and shared the profits with the timber companies. In about 2006, four companies (Pacific, Win Ma Lar, A Maw Gyi, and Yar Su Kyaw) came to the forests around Heingyu to start teak production for the purposes of afforestation. Their arrival was a complete surprise. Heingyu residents from about ten to 15 households are currently hired by these private contractors to do teak *taungya* work for them. The Kayin, as before, are able to grow agricultural crops around the teak and keep the products. The company also provides a daily wage for cleaning and clearing lands. The teak production cycle is about 60 to 80 years.

The main repercussion of these contractors is that they can no longer carry out shifting cultivation in the forest lands. Only about 60 to 70 acres are not occupied by the companies. The villagers noted that since deforestation started in this area around 1988, most of the forest has disappeared. Villagers have heard about community forestry but had no idea if it would be possible in their area.

Villagers maintained that they had not experienced much weather or climate change. The river level was about the same, and lately there have not been any droughts. Landslides are an issue that affects them.

#### **KEY ISSUES FACING HEINGYU VILLAGE**

- Awaiting Land Use Certificates after de-gazettement of reserve forest lands
- Loss of access to large areas of forestland to four contractors who engage in teak production
- No longer able to carry on with shifting cultivation
- Remote from main road resulting in low commercial opportunities
- 25% of households are landless

# LAND ADMINISTRATION AND FOREST MANAGEMENT AUTHORITIES

U Han Tun, the village tract administrator, is the main point of contact for villagers on land administration and management issues. He was elected in 2010; he will be standing again for the November elections. He has been effective in obtaining LUCs for villagers by collectively submitting applications for all families with farmland in Yway Gone Village Tract. Except for Heingyu, the remaining villages successfully obtained their LUCs smoothly at an affordable cost of 500 kyats per application. There was little dispute involved in obtaining them.

While the jurisdictions of DoALMS and MONREC are very different, it was clear that they do have influence within each other's forestland areas, be they reserve forest or unclassified forest. It appears that both DoALMS and MONREC have issued permits to private contractors to engage in a range of activities on both these land categories for the purposes of cultivating teak, cashews, mangoes, pomelos, and other agricultural commodities.

## 4.1 DOALMS

DoALMS<sup>9</sup> is currently in the process of changing their Land Records and Land Survey Manual to modernize it and make it relevant in the context of new laws. The last version was developed in English in 1964. DoALMS staff are trained at the DoALMS Training School that was established twenty years ago. They have been working to update the kwin maps of this area that were first developed in 1907-1908 (and thereafter in 1917, 1947-4, with the latest being from 2002-2003). The working copy remains the same from the outset. Presently, they have obtained the equipment to digitize their maps and the staff are currently receiving their training (they already have 100 digitized maps). They will be working over a four-year period in Bago starting from Taungoo, Bago, Thayarwaddy, and Pyay working with UN-Habitat.

DoALMS is also involved in the process whereby reserve forests are de-gazetted and converted into farmland classification status. Once they become degazetted, DoALMS (as a result of a Form 105 submission) goes the village and confirm the boundaries maps based on GPS coordinates.

DoALMS also provided us with other information on contracts given out in three village tracts including Yway Gone (Appendix 2), on land use categories and areas in Minhla Township (Appendix 3), and on land use and coverage in Yway Gone Village Tract (Appendix 4). These tables raise the need to clarify certain categories of data collection. Appendix 3 indicates the presence of sub-categories of land types

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<sup>9</sup> Our interview with U Khin Maing Win, the new head of DoALMS in Minhla, took place on the second day of his taking up office.

(into a, b, c, and d) which needs to be better understood, whereas Appendix 4 sets out considerable land areas for farmland, ya, and garden land in OSS3 that remains an unsurveyed area.

## 4.2 MONREC

On forestlands under MONREC's jurisdiction, the current process of providing individual contractors/companies with permits for plantations is part of an overall national process of afforestation. Around 1988 to 1990, there was large-scale logging (on the basis of permits) which resulted in high rates of deforestation. These tenders were not publically announced. Starting in 1993, the government reversed course and started to issue permits to the private sector to improve forests and sustainability. Every ten years, there has been a review of forest management strategies.

In order for any private contractor to obtain a permit to start a private teak plantation on reserve forests, they have to apply with MONREC in Nay Pyi Taw. Villagers, in MONREC's view, do not have the funds to apply for permits that cover large forest areas<sup>10</sup>. Reserve forest lands are typically divided into plots of about 300 to 600 acres each. The local MONREC officer will do a site visit, check the forest and social conditions, and then approve the application. The process involves ascertaining whether there are any existing farming activities in the designated area. According to stipulations, these lands should typically be far away from villages. If there are nearby settlements, the application should not be approved. However, in practice it appears that allocations of reserve forestlands given out through permits were indeed utilized by villagers for *taungya* as well as firewood/fodder etc. In Heingyu, in contrast to villager's accounts, MONREC indicated that they had only taken land for plantations along the river and left most of the land for the villagers. Villagers are not compensated for this loss because this is officially classified as "reserve forest" and is not part of the village's formal jurisdiction. For the contractors growing teak, they are not able to log the trees until after 30 years, although thinning is permitted after 15 years. In practice, if contractors are not growing trees or fully utilizing the area, then the land will be taken back under MONREC management.

Besides permit approval, the MONREC office is also involved in de-gazetting reserve forests so that they can then be formally designated as farmland. Such a process was undertaken for 98.5 acres in blocks 37 and 38 in Heingyu. MONREC is also currently in the process of providing community forests to Minhla villages in 2017 relying on an agroforestry approach. MONREC started planning this work from 2015 carrying out data collection in 2013 for program design. This will require collaboration between MONREC and DoALMS because it appears that community forests will be developed in both reserve forests and unclassified forests.

Organizationally, there are two beats inside the Moke Kha forests. Moke Kha 1 covers Bant Bway Gone and Heingyu (the deputy ranger is U So Than Myint) and the Moke Kha 2 covers San Gyi and Yway Gone (the deputy ranger is U Moe Lwin). Both are supported by two assistant rangers. Their responsibility is to ensure there is no deforestation, address environmental issues, and work collaboratively with communities and companies on planning, planting, and forest management. They give workshops to villagers on educational and technical themes, as well as develop contracts with the villagers on planting trees within forest lands since 2008 for which they supply free seedlings.

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<sup>10</sup> The cost is 20 kyats per acre on an annual basis for 30 years. The current price of teak logs in Minhla is about 300,000 kyats for 50 cubic feet. In Yangon, it is six times higher.

# 5.0 RECOMMENDATIONS FOR PILOT SITE TECHNICAL APPROACHES

A number of issues can be addressed during the pilot work. These are covered below.

1. **Boundary clarification:** The information provided on the DoALMS map covering Yway Gone Village Tract boundary is likely outdated and therefore inaccurate. The location of each village within that tract is unclear with some information provided by villagers contradicting the current map shared by DoALMS. In addition, there appears to be another village in plot no. 767 which is not officially registered as a village, and it is not clear which village is in plot no. 764. Additionally, OSS3 remains unsurveyed according to the DoALMS and yet the data provided in Appendix 4 indicates there is active use of farmland, ya, and garden land in this area. While the primary issue in this village tract is not current conflict between villages over boundaries, as villages grow, that is likely to emerge as a growing problem.
2. **Status of residents of Yway Gone Village Tract who are not registered as villages:** It will be important to understand whether the lack of a village status for these residents has any implications for obtaining LUCs, securing garden land rights, and sustainable land use planning at the village tract level. It appears that some of these residents geographically living in another settlement have been registered within existing villages but the status of this situation remains unclear. For example, why has a new settlement been created near Yway Gone village involving in-migrants from Minhla town?
3. **Community land:** Some villagers (such as in Bant Bway Gone) discussed the problem facing their community lands. However, it is unclear how such land categories are formalized, how they are managed, what they are to be used for, how benefits are to be shared, and how long such rights are secure for.
4. **Garden land:** It is clear that even though garden land should fall under “farmland” of the 2012 Farmland Law, they have not been included in the LUCs. Villagers continue to pay taxes on garden land to DoALMS. That said, how garden lands are identified, used, bought, and sold remains unclear. An examination of what type of laws and regulations govern garden lands will be useful to explore since there are clearly restrictions on how they can be used (valuable trees such as teak cannot be planted on such lands).
5. **Land use plans:** All four villages of Yway Gone Village Tract are interested in establishing or developing land use plans as well as clarifying rights to forestlands, be they unclassified or reserve. Their lack of security in accessing forests, irrespective of whether these are reserve or unclassified forests, remains a central element of building stable livelihood approaches. In some villages experiencing water shortages, there is likely to also be interest in developing watershed conservation approaches.

6. **Forest condition:** It will be useful to understand the forest condition within different parts of the reserve forest and unclassified forest. This type of inventory of forest condition will be an important component of building land use plans especially at the village tract level.
7. **Relationship between resource use and income:** Given the high levels of landlessness in all villages (with Heingyu having the lowest level), there is a very significant reliance on forests to meet household needs through shifting cultivation, permanent dryland cultivation, wild plants, timber, fuelwood, fodder, grazing, non-timber forest products, etc. It will be important to understand the types of dependencies different types of households with and without LUCs have on forests, as well as how allocation of forestland is made for particular uses and households. This will require an analysis of the complex spatial and temporal dynamics of forest use.
8. **Legal education:** There is a very low level of knowledge about the different laws that pertain to land and forest rights as well as the NLUP. Awareness raising and capacity building on how villagers can recognize their rights will be an important component of establishing the longer-term rationale for the pilot, as well as for understanding the relevance of land and forest tenure rights for their livelihoods moving forward.
9. **Dispute resolution:** At present, there are no major disputes within villages or between villages. The primary conflict is between villagers on the one hand, and MONREC and DoALMS on the other hand, over the range of permits given to individual contractors to establish plantations. This is not about simply drawing upon alternative dispute resolution methods among villagers but rather about opening up channels of communication and the development of CSO-led platforms for the resolution of such collective conflicts between government agencies and the villagers.
10. **Community forestry:** While the plans to establish community forestry are welcome, especially given the emphasis on an agroforestry approach that will improve incomes, it is clear that villagers will consider these as limited forms of compensation against the loss of their customary rights to forests over the last few decades. Not only does there need to be work supporting legal education about community forestry in the lead up to 2017, but also community forestry's development needs to be situated within the larger framework of land use inventories and scenarios for villages.
11. **Coordination between DoALMS and MONREC:** Given the considerable number of contracts given out on both reserve forests and unclassified forests, as well as the anticipated rollout of community forests in both categories of forests, it is essential to develop stronger coordination mechanisms between DoALMS and MONREC on how land permits/certificates are given out on specific plots of forestlands so that villagers can develop village tract level sustainable land use plans that secure livelihood strategies for improving income generation.

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