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## Notes from the question and answer session at the REAL DEV open discussion

**Date:** 18<sup>th</sup> January 2019 (Friday)

**Time:** 13:30 – 16:30

**Venue:** Zephyr Gardens meeting room at Seinn Lann So Pyay, Yangon

**Total number of participants:** 55

### Background

As part of LIFT's commitment to ensure as wide as possible consultation with interest parties on the recent call for proposals for the now renamed "Reallocation and Development of Unused Concession Land Programme" (REAL DEV), an open public meeting was convened on the 18<sup>th</sup> of January in Yangon. The overall objective of the meeting was to consult with CSOs and other stakeholders on their concerns, perspectives and insights on LIFT's REAL DEV call. The meeting provided insights into the background to the call along with core elements associated with the proposed Programme.

A brief synopsis of proceedings are provided below along with specific questions from participants and LIFT's response. The meeting commenced with remarks from Ms. Katy Webley, LIFT Fund Director and Mr. Marcus Buerli, LIFT Fund Board Member and Deputy Head of Cooperation, Swiss Agency for Development and Cooperation providing background to the call. Dr. Brett Ballard, Policy Specialist, LIFT provided an overview of the core elements of the REAL DEV Programme before the meeting was opened for questions of clarification from the floor. This was followed by an open discussion. For completeness this note provides details on the questions posed and responses provided by LIFT.

### Question of clarification on the Programmes core elements

1. Do you have any public document for this project? For Pilot project?

*Response:* Documentation on the two proposed pilot project areas in Minhla Township are presented in Annex 6 and 7 on the LIFT website.

2. Do you have any thoughts for decision making process in in REAL DEV Implementation agreement that involves issuing Form 7 of land tenure certificate?

*Response:* REAL DEV has a land tenure component that is connected to a livelihoods development component, the latter being contingent on the former being adequately addressed. Our overall goal is to ensure beneficiaries receive secure land tenure certificates that would provide security of land rights. If progress towards this end is not sufficient there is a 'stop go' point that would prevent the implementation of the agricultural development component of the Programme.

Further, there are two decision making bodies embedded within the REAL DEV:

- The Steering Committee chaired by the Deputy Minister of MOALI that will provide strategic and policy direction for the Programmes
- The Implementation Committee with the Township General Administration Department (GAD) chairing the committee that will comprise of CSOs, farmers representatives, MPs and

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community representatives. The committee is responsible for the oversight of the Programme with respect to implementation. The Programme Management Unit (PMU) that will include the selected implementation partner and appointed Programme Director will be responsible for the day to day operations in accordance with decisions made within the two committees. The PMU is required to submit activity plans and financial plans quarterly to the Implementation Committee. The arrangement and function of the committees will be defined in detail with the agreement from MOALI when the implementation starts and IP is selected.

3. How do you consider dealing with risks associated with such existing decision making institutions as land administration bodies and land investigation bodies at all levels when the programme model is replicated nationwide in the future?

*Response:* A core output of the Programme is to develop and test a framework and associated processes for land reallocation within the context of this Programme. It should be viewed as context specific that could be used in informing the decision making process. By engaging with line agencies charged with registration of land, the Programme anticipates building capacity to undertake such exercises elsewhere with the ability to adjust to prevailing circumstances.

4. For only 500 households with budget of USD 1.3 m for land development in the REAL DEV, the project does not look very good for value for money, does it?

*Response:* REAL DEV is to produce a framework and process in the reallocation of land within the context of Minhla. By its very nature as a pilot the costs per household will be high. Furthermore, VfM is not always a simple calculation of benefits/no. of households. There are other benefits and costs to consider. In addition, the model is not intended to be 'one size fits all' as there are different contexts in Myanmar. On the other hand, in addition to land allocation support, the programme will produce other additional benefits as well.

#### Open discussion on the call with participants from the floor

1. Why is the land allocation budget USD 1.3 m while the agricultural development budget sets at USD 1 m?

*Response:* The land allocation component includes capacity development to DALMS (e.g. cadastral mapping), lessons learnt along with policy dialogues. It should be noted that these are indicative figures.

2. Is there any plan to include farmers and community representatives in the Steering Committee because including beneficiary representatives will improve conflict resolution mechanism and other processes?

*Response:* The suggestion is well noted and will be given due consideration by LIFT and the successful IPs during the final design stage of the Programme.

3. Can the programme include developing regional land legislations that better fit with a particular region/state, based on national land legislations, especially for customary land tenure? A further comment was as to whether there was an opportunity for Community Managed lands, grazing lands in this area under this programme framework. REAL DEV programme should encourage

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the definition for those type of land used that are not defined in NLUP and any laws policy. Setting the definition on the terms of Community Managed lands, grazing lands can benefit for ethnic area.

*Response:* LIFT has the overall intention of engaging in customary land tenure registration within the context of its revised strategy that is currently under consideration. Further, with respect to the call there are opportunities to include Community Managed lands and grazing lands within the call.

4. The programme will reallocate part of land returned by companies in Minhla Township, so is there any further plan with the remaining land returned?

*Response:* In consultation with Magway Regional Government, the programme was restricted to 5,500 acres of the total 12,000 acres as this is a pilot project. Further plans for the remaining land have not been taken into consideration as it is anticipated that these will be developed based on the results of the pilot programme and based on the decision from Magway Regional Government

5. In the presentation, target beneficiaries include “landless from other regions effected by government projects” so will the land in Minhla be given to such others from other state/regions as well?

*Response:* The target beneficiaries will be “landless from Magway region effected by government projects”. The primary target is the landless in Minhla Township and then if there is still land remaining for allocation, landless persons from other townships in the Magway Region who have been affected by government projects will be considered as potential beneficiaries.

6. Is there any plan to change the project title to gain the trust of people?

*Response:* We can change the title if it assists in building the trust. LIFT will be happy to provide updates and progress on the Programme as it is implemented.

7. Any risk mitigation arrangement in working with DALMS such as identifying beneficiaries with inadequate transparency and low community involvement?

*Response:* There are risks across the programme that will need to be managed. One measure that we have taken is to translate the summary of the REAL DEV document into the Myanmar language in order to inform local people about the programme and to distribute at the Magway consultation meeting that included a range of stakeholders including affected farmers. Further LIFT has experience in working with government line agencies where risk mitigation approaches have been implemented to ensure transparency and inclusiveness.

8. There are lessons to be learnt from the completed IFAD land reclamation project in Nay Pyi Taw. LIFT should study those lessons not to repeat similar mistakes.

*Response:* LIFT agrees and the programme will take into account lessons learnt by others.

9. Comment from the floor: Reviewing the Minhla land topography with various types of land, there are both fertile and infertile land. It is important to avoid giving infertile land to landless and farmers and instead set such land for grazing or conservation purpose. In addition, to

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ensure practical solutions for them rather than generalized solution as developing irrigation system which is mostly not feasible in Dry Zone setting.

*Response:* LIFT notes the comment. The REAL DEV document includes such plans for grazing land and renovation sites and watershed conservation area as well as feasibility studies on types of land and water resources.

10. As the three year programme timeline is in the middle of 2020, is there any guarantee from the government to continue the programme after 2020?

*Response:* It is anticipated that the approaches, processes and protocols that will emerge from the Programme will inform further land reallocation initiatives undertaken by the government.

11. Is there any risk mitigation arrangement for such risk as predefining beneficiaries? As there is no guarantee from any parties, what kind of risk mitigation are we talking about?

*Response:* There is a “living risk mitigation matrix” for the programme developed by LIFT at the Fund Management Office level. Other unidentified risks at implementation level that the implementation partner, independent monitoring mechanism, or some other modality will identify as the Programmes is rolled out. Care will be taken managing these risks as and when they emerge. LIFT will continue to actively seek out measures to minimize and manage risks. LIFT encourages all interested parties to consider submitting a proposal as this is an important issue for Myanmar.

12. Comment from the floor: There was agreement and support for this project. It is really difficult to abolish a law although some organizations are lobbying to do so. Even the union level couldn't do that. We tried our best to extend the time limitation. And we did it. Checks and balances are in place with committees. Minhla has farmer unions and it is suggested that the project makes use of them.

## Response to inputs from the floor and charting a way forward for the REAL DEV Programme

The following points were made by participants in moving forward with the Programme.

- The issue at hand is as much a political issue as it is pure land issue regarding VFV. Local People do not know how to register their land. There is a room to make vacant land in State and Region level without exceeding the Union's power.
- There is a need to consider that this approach may not be replicable and that it should not be seen as a 'blue print' to support future land redistribution and certification.
- LIFT is encouraged to translate the documentation into the Myanmar language particularly for informing regional Govt/ parliament particularly in Magway.
- There is a need for a strong dispute mitigation/mediation mechanism embedded into the Programme.
- There is need to promote other ownership styles (e.g. community land owned and managed by communities / village elders) rather than individual ownership.
- The Programme should consult with Magway CSOs particularly those that are working on these issues. It will help to figure out the real issues and make the project more effective.

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### Summing up

The Fund Director of LIFT encouraged and welcomed qualified proposals. To this effect, the date for submission of proposals was extended to 15<sup>th</sup> February 2019. She thanked everyone for their contributions to the dialogue that was productive and informative.

