



15<sup>th</sup> February 2015

## **Customary land tenure and rotation fallow farming system must be recognized and protected legally**

Land is a critical issue for Myanmar. Existing land laws are widely recognized as being inadequate to protect security of tenure for farmers, especially those using customary land tenure systems not currently recognized by the law.

The Government of Myanmar initiated a land use policy drafting process in 2013 and in October 2014 initiated a process of public consultation on a finalized draft policy, with a view to finalizing a new National Land Use Policy for Myanmar. An important aspect of the draft policy pertains to the recognition of customary land tenure practices and the formal recognition of communal tenure arrangements. This provision of the draft is most welcome and deeply appreciated by many in Myanmar society as a significant step forward.

Although the basic recognition of customary practices is a most welcome step forward, the provision could benefit from further elaboration in order to guide the formulation of the Land Law and ensure that the policy effectively anticipates and addresses the underlying issues at stake.

Land core group, Ministry of Environmental Conservation and Forestry and Transnational Institute jointly organized a national dialogue on National Dialogue on Customary Communal Land Tenure and Rotational Fallow Farming Systems in Nay Pyi Taw, Myanmar from 13-14 February 2015.

“It is so critical to protect communal tenure of people particularly for those ethnic nationalities practicing *taung ya* system, who accounted for twenty percent of total population. This dialogue is very timely. Key recommendations from the dialogue can immediately inform 2<sup>nd</sup> Expert round-table discussion next week” said U Shwe Thein, Chair of Land Core Group.

The purpose of the dialogue is multi-stakeholder discussion and debate current challenges and issues related to customary land tenure systems in Myanmar. The dialogue drew on perspectives of international experts, lesson learnt and success stories from the region combined with research carried out in Chin and Shan State of Myanmar.

Over the course of the dialogue, participants developed a set of recommendations that will provide input to the 2<sup>nd</sup> expert roundtable discussion on the forthcoming national land use policy, which will be held 18-20 February 2015 in Yangon.

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