Village Land Management a few years on – what has changed?

An Impact Study of GIZ-supported Land Use Planning and Land Registration in Lao PDR

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SELECTED LIST OF ACRONYMS

BLaRIS	Baseline of Land Rights Impact Study
BMZ	German Federal Ministry of Economic Cooperation and Development
CDE	Centre for Development and Environment
DoNRE	District office of the Ministry of Natural Resources and Environment
ELTeS	Enhanced Land Tenure Security Project
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
FAs	Financing Agreements
HH	Household
IKM	Information and Knowledge Management
Lao PDR	Lao People's Democratic Republic
LMDP	Land Management and Decentralized Planning project
LM-RED	Land Management and Rural Economic Development Project
LMRP	Land Management and Registration Project
LT	Land Titling
M&E	Monitoring and Evaluation
MAF	Ministry of Agriculture and Forestry
MONRE	Ministry of Natural Resources and Environment
MPI	Ministry of Planning and Investment
NPA	National Protected Area
NTFPs	Non-Timber Forest Products
NU-IRDP	Northern Uplands Integrated Rural Development Programme
PLUP	Participatory Land Use Planning
PoNRE	Provincial Office of the Ministry of Natural Resources and Environment
RDMA	Rural Development in Mountainous Areas of Northern Lao PDR Project
SLR	Systematic Land Registration
TAR	Targeted Awareness Raising
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests
VLMCs	Village Land Management Committees

Laos Countryside

Acknowledgements

This study was made possible through the participation of more than 2000 men and women in 18 study villages, as well as the hands-on support provided by the Land Programme's government partners at DoNRE and PoNRE. Most of the data was collected by a team of motivated interns, who brought their own insights to the process. On behalf of the Land Programme, the Information and Knowledge Management (IKM) Unit would like to thank everyone involved for their contribution.

Executive Summary

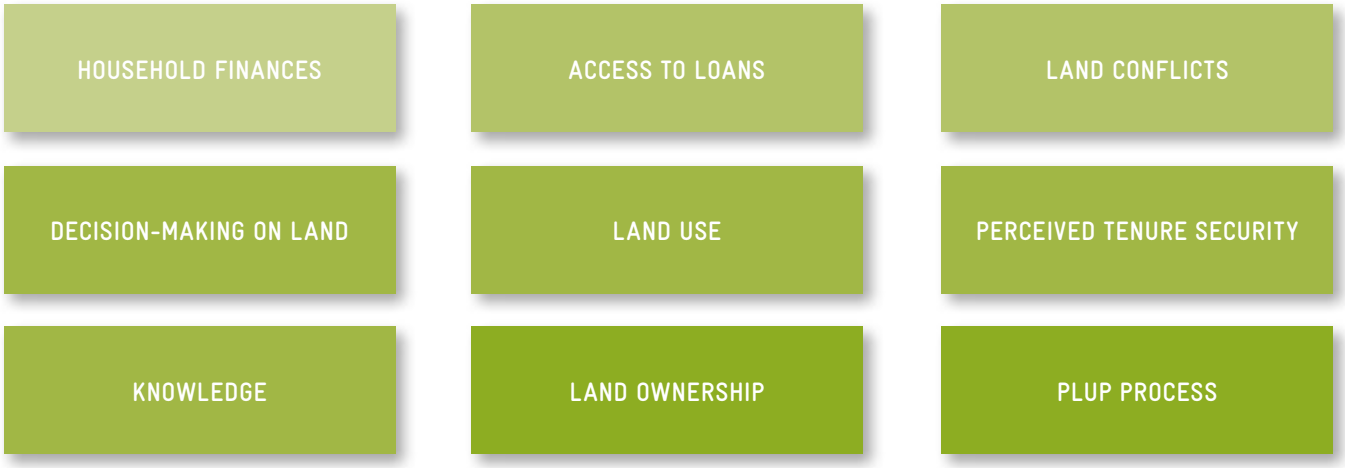
About the Study

Since 2010, the GIZ Land Programme in Lao PDR has sought to improve the land tenure security of rural communities. The programme currently consists of three projects – the BMZ-commissioned *Land Management and Decentralised Planning (LMDP) Project, the Enhanced Land Tenure Security (ELTeS)* sub-project within a global programme on responsible land policy, as well as the German contribution to the *Mekong River Land Governance (MRLG)* Initiative. The programme works closely with local and national government partners, accompanying, advising and developing the capacity of district, province and national level officials on land use planning, gender-sensitive land registration, responsible land-based investments and participatory land conflict resolution. The programme also conducts targeted awareness raising to improve the knowledge of customary and formal land rights among men, women and village leaders in selected communities.

The study's purpose is to establish the long-term effects of land management in villages.
Village land use planning and land registration is expected to contribute to a range of benefits for the local population. We can now return to villages where land was registered more than seven years ago and compare these to villages with more recent land management or without any land management. What benefits are evident? Where do changes lag behind expectations?

The study used structured household interviews and focus groups in 18 villages. In order to accurately understand the long-term effects of land use planning and registration, one can a) compare households with and without support, b) ask respondents directly how their lives have changed in the past years and why, c) investigate what role land management has played in the lives of villagers, according to supported households and village authorities. The research team obtained data from structured interviews with more than 1400 households and focus groups conducted with women and village authorities. The sample includes a range of different villages – in terms of ethnic composition, distance from urban centres, size, year in which land use planning or registration was conducted etc. The study also includes villages that would only receive support in the future. A representative sample of households in the 18 selected villages was selected randomly.

Findings from the study were presented and discussed with study participants in all 18 villages, as well as with district and province officials. This involved discussions and exercises with separate groups of young people, women and men to ensure a good understanding and space for questions. The process was also an opportunity to further raise awareness of land use issues and land rights, to collect participants' feedback on the study and to show appreciation for their essential contribution to the research.



Interview with a community member

The study data clearly shows the following:

In villages where systematic land registration was supported by GIZ, almost all households now hold registered land or titles. In villages that have not yet had village-wide support, about a third of households have obtained a land title on their own. This suggests a significant felt need for the formalisation of land use and land ownership in communities. That said, systematic land registration is the main vehicle through which all households in a village are able to obtain titles. In addition, it appears that households that obtained land registration on their own tended to register their paddy land, usually in the name of a married couple.

PLUP, Land Registration and Land Titling make men and women feel significantly more secure on their land. This confirms trends found in previous studies. The data shows that unregistered and untitled plots are widely seen as vulnerable to illicit use while titled land is considered widely to effectively protect claims to land. Most respondents (87%) rated the likelihood of someone using their registered or titled land without their permission as very low. Conversely, 71% of respondents thought it was very or somewhat likely that someone would use their unregistered land *without* permission. The study gathered anecdotal evidence that households without registration or title were more likely to lose land in disputes. Where people had lost land to relatives, neighbours or infrastructure projects, they usually attributed this to a lack of formal land registration.

About 1 in 10 households in study villages had been involved in land conflicts, regardless of whether or not they possessed a land title. Land conflicts on village boundaries are most common and highly associated with land loss, but private investment is a prominent issue as well.

For some land users, having secure land (through registration or titling) is an important factor that encourages them to change how they use their land. While changes in farming practices are quite common in all villages, about 12% of those with land titles say they changed their farming practice *because of* obtaining a title. Other figures show that while 24% of households *without secured paddy* changed their farming practices, 35% of those *with titled paddy* land improved their farming practice (improvements including more cultivated land, using fertiliser, machinery etc.). There are other factors that make it harder for people to improve their farming: lack of labour, lack of finance and lack of knowledge were mentioned most frequently.

Of all households in supported villages that have obtained loans, 21% used their land title as collateral. Put differently, 8% of all households with land titles, supported by the programme, have used their land title as bank collateral to obtain a loan. Where households have had a title for longer, they were more likely to use it as collateral: 17% of households that have had their title for about three years and longer have used it as bank collateral compared to 5% that received a title in the previous three years. What is more, owning a land title confers a higher degree of perceived tenure and investment security, therefore, we can assume that ownership of a land title could also encourage families to take out loans from other sources. Families often seek out loans from relatives or group loans that do not require collateral. The study shows that the rate of borrowing of formal, group and informal loans in general increases the longer a household has owned a land title. Most of the obtained bank loans have been invested in farming, health and children's education. Early land titling in combination with a loan makes the household likelier to have increased their income than the average, though the case numbers are too small to draw firm conclusions.

Households in villages bordering NPAs (in all three provinces) were more likely to use land differently after titling than villages farther away from NPAs (27% compared to 13% reporting changed land use). In some cases, the differences were significant. The implications are not straightforward, but this may suggest that perceived tenure security through land use planning and registration played a particularly important role in villages next to NPAs where land use is more contested (protection of natural resources vs. productive use). Future studies should take a case study approach to understand this trend in more depth.

For some outcome areas, tangible change lags behind expectations.

Awareness of the village land use plan is lower than desired: Slightly more than half of those living in villages with a Participatory Land Use Plan (PLUP) are aware of its existence. This figure is notably lower for women. Smaller villages did not have higher rates of awareness, neither did villages with relatively recent PLUP. 64% of respondents who were aware of land use planning said the process brought them benefits, especially clearer land boundaries and strengthened land rights. A small group also observed reduced household land for farming and confusion about the use of shared spaces in the communities.

There is no direct link between awareness raising measures and heightened knowledge of land rights in the long run. Recent pre- and post-tests among participants of awareness raising measures showed that knowledge is enhanced significantly in the short-term. Past PLUP and SLR activities also included elements of awareness raising and PLUP was considered an important source of knowledge specifically in more remote villages. However, the study concludes that people in PLUP or SLR villages did not remember facts about customary and private land rights better than those in non-target ones. Men consistently knew more than women, but the difference between their levels of knowledge was small (less than 10 percentage points difference).

It is difficult to isolate how PLUP changed household practices or brought tangible economic benefits to families. The effects of systematic land registration and titling at a household level are easier to establish than the effects of land use planning. There is some indication that land use planning does have favourable outcomes, such as better safeguarding of protected areas, and a feeling of security and clarity regarding land boundaries among interviewees. The assumption that it improves the quality of subsequent systematic registration still stands, though this could not be tested with the available data.

Decision-making on land: An implicit hope of many land management interventions is to not just safeguard women's access to resources but also to increase their confidence and decision-making power. The study found no tangible effects of land use planning, land registration or titling on women's participation in household and community decision-making. In cases where women on their own formally hold land titles, decision-making on land is almost always done jointly or by the husband alone. Women tend to have more voice in the domains of nutrition, education and household expenses. Without significant investment in empowerment-focussed activities, land management has not had observable effects on women's status within Land Programme communities. Some trends vary between the provinces.

The study investigated six strategically selected villages per province. This means, we cannot draw general conclusions about each province as a whole. In some areas, the provinces seemed to differ substantially.

Ownership of land: In Sayabouri Province 48% of supported land titles are owned by women only, with 24% being owned by couples. In contrast, in Huaphan and Luang Namtha, only a small group of women owns land titles exclusively – 7% in Huaphan and 6% in Luang Namtha. Here, couple ownership of land titles is vastly more common, with 70% of titles in Huaphan and 75% in Luang Namtha owned by couples. There is anecdotal evidence that regional inheritance practices within ethnic groups and sub-groups may affect the ownership rates among women and couples. Where women are the primary caretakers of their parents (as observed in study villages in Sayabouri), they tend to inherit and retain more land compared to places where men are tasked with parental care (as observed in Huaphan).

Awareness of village land use plans: There are significant differences between the provinces. In Huaphan, activities used to put more emphasis on participation and consequently rates of awareness were very high (85%). In Luang Namtha and Sayabouri, where the focus was more on land zoning, they were rather low (44 and 46%).

OF THOSE THAT CHANGED THEIR LAND USE AFTER TITLING, IN LUANG NAMTHA:

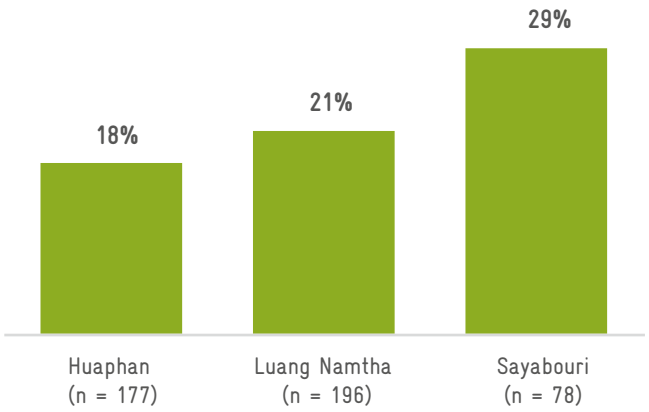
85%	Are growing different crops
48%	Are cultivating more land
15%	Are leasing out land
15%	Are using fertiliser
10%	Are cultivating additional crops
6%	Are using agricultural machinery
5%	Are rearing different livestock

Land use changes: Respondents were asked whether they used their titled plot differently before and after titling. Based on this data, it seems that titling made the biggest difference in Luang Namtha, where almost 40% of respondents indicated they had used their land differently after titling. Land titling appears to have had the smallest effect on land use in Sayabouri with 11% of title owners saying they changed land use. In Huaphan it is 21%. Most of those changing their land use are growing different kinds of crops on their land. Huaphan and Sayabouri Provinces also saw more added livestock. What sets apart Luang Namtha from the other two provinces is a high tendency for people to use more land after titling and to increase fertiliser and machinery use. Unlike the other provinces, Luang Namtha also saw an increase in leasing land to others, with 15% of households starting to leasing out their land after titling. Sayabouri on the other hand has a longer history of commercial agriculture, potentially explaining lower rates of change.

Access to loans: Of all those taking out loans in supported villages (n = 451), about 21% on average used their land title as bank collateral. In Sayabouri, this figure is particularly high, at 29%. The figure is lowest in Huaphan where there tends to be a smaller variety of loan facilities, with 18% of loan recipients having used their land title as collateral.

Figure 1: Comparing households using land collateral for their loans

In supported villages in Sayabouri, 29% of loan recipients had used their land title as bank collateral.



Further questions remain.

The research team is not able to draw firm conclusions about how land registration and titling affect land transactions. Land transactions overall appear to be rather uncommon in the village selection, so there are not many cases to investigate. There is also no discernible effect of land titling on how profitable land leases are. All the same, a majority of respondents felt that their land had increased in value in the past years. Future inquiry could focus more on areas with high rates of land transactions to shed light on the degree to which land management facilitates more secure land transactions.

The study does not illuminate exactly how effective ownership of land titles is in real land conflict situations. Ownership of registered or titled land had a large influence on how secure land tenure felt to respondents and there are no reported cases of land loss while holding a title. However, in situations of conflicting claims to land use, is it sufficient for people to hold a title? Is it sufficient to have registration? Are there cases where private land titles do not protect claims sufficiently? How are people with and without land titles compensated? Future studies should focus on conflictual situations, such as disagreements within villages or with investors, to understand how and where land tenure formalisation is most effective.

Overall there is no strong verifiable link between land management and household incomes. It appears that household incomes have increased for most households, independently of whether their villages had systematic land management support or not. Respondents also reported a slightly higher level of food security in villages that had already had PLUP – 76% of those in PLUP villages indicated access to sufficient food at all times compared to 60% in non-PLUP villages. Trends such as this one merit further investigation in the future.

How men and women benefit from land management respectively in the long term is not clear. As the study findings demonstrate, even ensuring meaningful participation among women is challenging to achieve. Women consistently know less, feel less confident and are less involved in discussions and decision-making processes on land, in households and the community. While empowerment of women through land management is not an explicit objective of the Land Programme's mandate and strategy, empowerment is ultimately necessary for the sustainability of the benefits that women stand to gain, e.g. through land registration/titling.

Key recommendations

A gender action plan for the programme should include measures to follow up on how men, women and other potentially disadvantaged groups are reached and benefitting from land management in the longer term. While measures have already been taken to increase the participation of women, improvements should continue. Providing information in ethnic languages as well as providing information directly to women (and not just to one household representative) continues to be important.

To future managers and researchers, a case study-approach is recommended to explore questions of long-term impact. Case studies are better suited for understanding the complexity of how land use planning and systematic land registration together improve land use and tenure security. While household surveys and quantitative data provide us with a picture of trends, they provide few pointers for what should be replicated, done more or less of. In-depth village studies, focusing on 'test cases' where conflict is rife or land loss is happening would do more to inform the mechanisms underlying actual tenure security. This would also help us understand how improved land use planning may have translated into improved access to food, a trend for which there is at least some initial indication.

Funders and organisations need to be realistic about the time required for land use and productivity changes. Otherwise plans and strategies will rely on an inaccurate understanding of how change happens. As this study and past Land Programme studies have demonstrated, some tangible outcomes, such as increased household land investment or mitigated conflicts, can often only be seen several years after a title was issued.

For village level activities aiming at increased awareness, new methodologies of knowledge transfer need to be tested and monitored closely. The introduction of more participatory pre- and post-tests for awareness raising on land rights in 2018 might bear fruit in the future, however, this requires close follow-up. Feedback from villagers on the quality and logistics of conducted awareness sessions needs to be turned into timely action by implementers.

Some of the involved government district teams recommended including information about land tax rates and the household expenditures related to land formalisation in Targeted Awareness Raising activities, so that communities are well prepared and more willing to cooperate with the authorities. While the Land Programme's mandate does not include financial literacy, it may be worth exploring what collaborations could follow on from land management in villages.

1. Background: Land management in Lao

1.1 Context of land and development in Laos

Most citizens of the Lao People's Democratic Republic (PDR) are engaged in agriculture and directly depend on farming for their livelihood[1]. However, the country's government agencies often struggle to safeguard rural people's rights to make use of and reap the benefits from their land and to manage land investments sustainably. Especially people living in rural areas rarely participate in the planning and management of land use, and public institutions generally have little experience in designing and implementing strategies to tackle poverty while engaging the populace in meaningful ways.

Land concessions granted to investors, unequal investor-farmer relations and inadequate protection of traditional land-use rights threaten the livelihoods of many smallholder farmers, especially those belonging to ethnic minorities. Investor practices are frequently not aligned with national laws or international standards such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT). Research shows that "the ongoing transfer of land from private households to companies is a major driver of new forms of poverty in rural areas" (CDE Socio-Economic Development Atlas Lao PDR 2015, 116). Increasingly commercialised small-holder farming is raising new questions: how can the government and communities ensure that families, especially vulnerable ones, living and working in rural areas of Laos benefit from these economic developments in the long-term?

1.2 What is the GIZ Land Programme aiming to achieve?

Since 2010, the GIZ Land Programme in Lao PDR has sought to improve the land tenure security of rural communities. The programme currently consists of three projects – the BMZ-commissioned *Land Management and Decentralised Planning (LMDP) and Enhanced Land Tenure Security (ELTeS)* Projects, as well as the German contribution to a wider regional project, the *Mekong River Land Governance (MRLG)* Initiative. The programme works closely with local and national government partners, the Ministry of Planning and Investment (MPI), the Ministry of Natural Resources and the Environment (MoNRE), and the Ministry of Agriculture and Forestry (MAF). It has been accompanying, advising and developing the capacity of district, province and national level officials on land use planning, gender-sensitive land registration, responsible land-based investments and participatory land conflict resolution. The programme also strives to improve the knowledge of customary and formal land rights among men, women and village leaders in selected communities through targeted awareness raising and the training of government officials.

1.3 What has been done to date?

Since 2010 – since the beginning of NU-IRDP, the Northern Uplands Integrated Rural Development Programme – the Land Programme has completed land use planning in close to 400 villages in six provinces of Laos. More than 31,000 plots have been titled, including agricultural and residential plots, and even more have been registered. The work is ongoing.

These efforts at the village level have been complemented by other participatory development planning efforts, more recently focussed on identifying and following-up systematically on land 'hotspots' – where several criteria come together to create land conflicts affecting several villages or a whole district. More recently, under the projects *Land Management and Decentralised Planning (LMDP 1 and 2)* and *Enhanced Land Tenure Security (ELTeS)* efforts were made to involve both foreign and domestic agricultural investors, including small-holder farmers acting as investors themselves. To date, a number of hotspots have been identified together with government partners and local communities, followed by workshops with villagers, which developed recommendations and actions to solve or mitigate existing land conflicts.

This study looks primarily at the village-level work, focussing on land use planning, land registration and land titling. Establishing the effects of higher-level planning and capacity development work requires other methodologies as this is more complex and contribution is harder to establish.

[1] Centre for Development and Environment (CDE) (2018): State of Land Report. https://boris.unibe.ch/120285/1/Ingalls_2018_State_of_Land.pdf

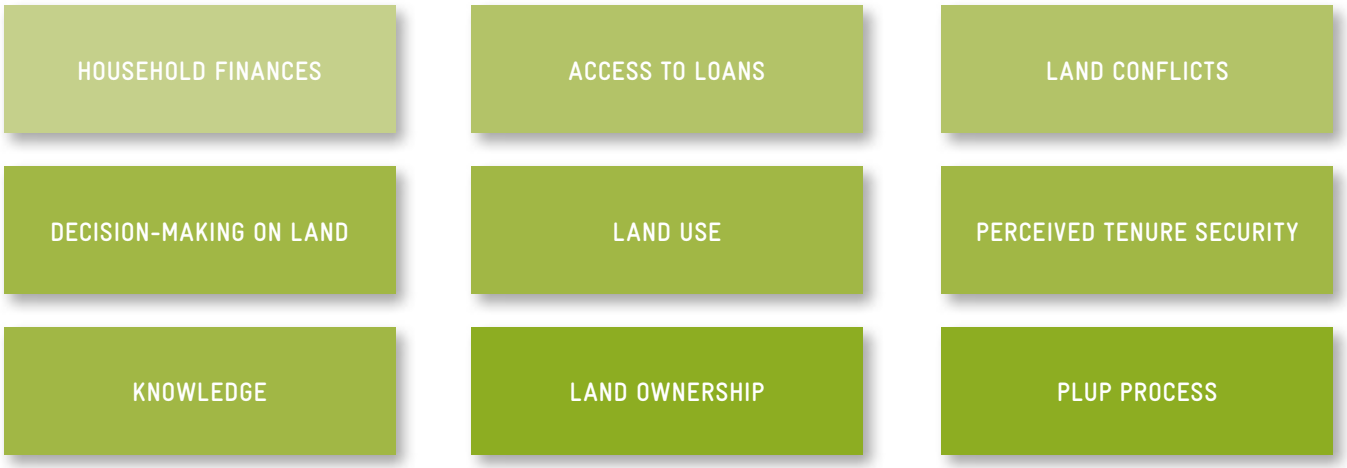
2. Scope of the Study PDR

What questions is the study seeking to answer?

The study seeks to establish in how far village land management has led to a range of changes. These changes include whether people are aware of their land use plan, more secure land ownership as well as more long-term changes such as access to finance and household incomes. By asking open-ended questions, the study gave room to unexpected outcomes as well.

Village in Laos

Figure 2: Range of outcomes investigated in the study



Selection of respondents and data collection

The study illustrates trends that are relevant in all of its target villages. The study collected mainly quantitative household data from a strategic selection of 18 villages, six villages for each of the current target provinces. The sample drew on the list of all villages with interventions dating back to the predecessor projects NU-IRDP and LM-RED, within the current three target provinces Sayabouri, Luang Namtha and Huaphan. At least one village per province had not received any support in the past and will only be supported on land management under the current ELTeS Project. These villages, unsupported to date, serve as comparison villages.

The final village sample reflects the following criteria:

- Varying degrees and types of support received (PLUP, Land Registration, Land Titling).
- Varying lengths of time passed since land management measures were implemented
- Ethnic minorities including Hmong, Khmu, Lao Tai and Akha
- Varying distances from urban centers and markets

A list of study villages is included in Annex 2.

3. Findings: results from GIZ's support to land management

3.1 Which villages were part of the study?

On average, a study village has 107 households, with 526 residents. However, village size varied substantially, with 362 making up the largest village (Nakhaem in Sayabouri) and 33 households in the smallest village (Vaek in Huaphan).

WHO PARTICIPATED IN THE STUDY?

Data in Luang Namtha, Sayabouri and Huaphan Province was collected by three teams of enumerators from beginning of May to end of June 2018. A total of 1414 households were included in the household survey, representing a total of about 7000 people. Most of these (approx. 70%) were of Lao Tai ethnicity, followed by Mon Khmer (22%). The remaining 8% of households were of Hmong and Chine-Tibet ethnicities. 204 women and 174 members of village authorities (majority male) were included in focus group discussions, which delved deeper into the trends emerging in the household survey.

Women discussing the study findings at a dissemination workshop in Huaphan Province

TWO TYPICAL SURVEY PARTICIPANTS – BRIEF PROFILE

The typical respondent is male, between 29 and 48 years old, married, making a living with subsistence farming, including some livestock. He belongs to the Lao-Tai ethnic group. It is likely that his family will grow and forage enough food to sustain themselves, without relying on other sources, which secures enough food on a daily basis. The typical respondent has good access to clean drinking water and lives in a village that has a land use plan (either supported by the project or implemented independently by the government).

While this 'average' respondent reflects the most common basic characteristics of respondents, there are of course others. The main source of household income varies by ethnic group – ethnic Hmong-Lumien in the sample are more likely to generate their livelihood through heavy reliance on commercial farming. They are a lot more likely to purchase additional food and to be more food-insecure (having insufficient food supplies more often, struggling more often with access to clean drinking water). They are also more likely to either live in a village that does not have a land use plan or to lack knowledge of whether there is a land use plan. These respondents are not necessarily representative of the Land Programme's target areas.

Map of village sample in three provinces

INTERVENTION VILLAGE

NON-INTERVENTION VILLAGE

No intervention
Savang (SAY)
Borhangna (SAY)
Viengmai (LNT)
Vaek (HPN)

3.2 Immediate effects of Land Use Planning

PARTICIPATORY LAND USE PLANNING

The first PLUP supported by predecessors of the current Land Programme – NU-IRDP, RDMA, LMRP and LM-RED – was rolled out together with the District Office of the Ministry of Natural Resources and Environment (DoNRE) and the District Agriculture and Forestry Office (DAFO) in 2011. Land Use Plans provide the foundation for subsequent land registration and titling, by surfacing competing claims to land and by delineating the usage of land in the community, including communal land and conservation areas. Initially, the PLUP process initiates the formation of Village Land Management Committees (VLMCs), mainly composed of village authorities. Citizens are expected to approach their VLMCs with land-related problems, which are either solved by the committees themselves or passed on to higher levels.

Among the 18 sample villages, the full PLUP process had been conducted in 11 villages.

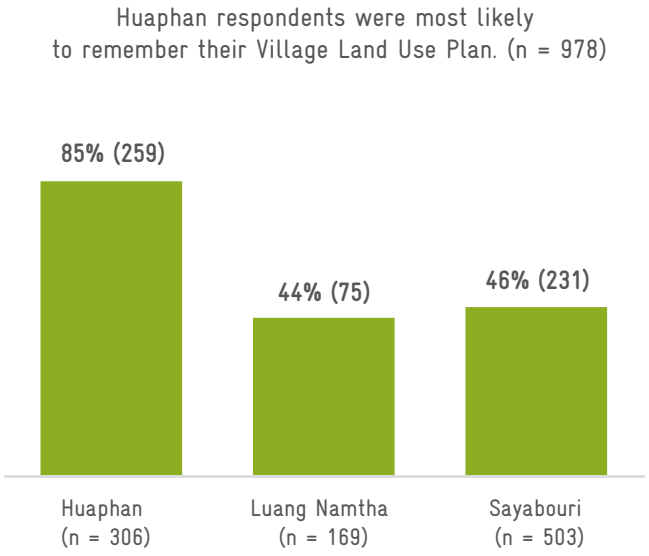
KEY FINDINGS

1. 56% of those living in villages with a PLUP are aware of the existence of a land use plan. This figure is notably lower for women.
2. There are significant differences between the provinces. While in Huaphan, rates of awareness were very high, in Luang Namtha and Sayabouri they were rather low. Village size and time passed since the PLUP hardly made a difference.
3. 64% of respondents aware of land use planning said it had benefitted them in some way. The most common benefits of PLUP perceived by communities were clearer land boundaries and strengthened land rights.
4. Negative effects described include reduced household land available for crops and lingering confusion about the legitimate use of shared spaces in the communities.

PLUP basic awareness: When returning to villages with a PLUP, we expect respondents to be aware of their village's land use plan, even if not with its details. The study shows that overall, just over half, 56%, of villagers knew that their community had a PLUP.

This figure varies when comparing the three provinces, however. While in Huaphan, a large majority of people (85%) were aware of the plan, in Luang Namtha and Sayabouri, only 44% and 46% respectively were. Village size and the amount of time passed since land use planning appear to make no difference to awareness of the land use plan.

Figure 3: Awareness of land use plans by province



Differences in implementation methodology may explain the gaps between provinces. The NU-IRDP Project, which focussed on Huaphan Province, put emphasis on participation and awareness raising, for instance through community legal education, radio spot awareness raising, and educational videos. Work in Sayabouri and Luang Namtha on the other hand was much more focussed on technical land zoning.

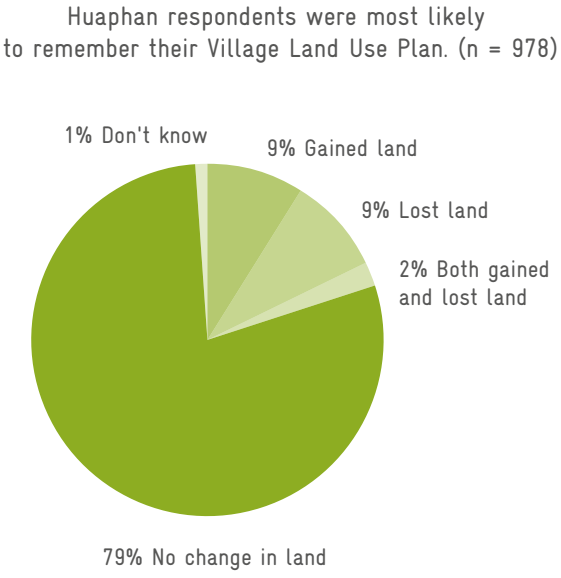
Likewise, women were significantly less likely to be aware of the plan (41%) compared to men (59%). This in itself is not a surprising result. Previous impact studies have shown that the quality and extent of an individual's participation strongly depends on social factors - gender, ethnicity, age, poverty and social status (NU-IRDP 2015 Impact Study). Women's participation had usually been assessed as weaker than men's participation. In this study, of those who did remember PLUP, 79% said they had participated in the land use planning activities – participation and awareness seem to be linked.

Enumerator interviewing a resident of Sayaboury Province

Land redistribution during PLUP: The 2015 NU-IRDP Impact Study showed some redistribution of land from households classified as 'non-poor' to households classified as 'poor'. This impact study finds that a vast majority of respondents (79%) neither gained nor lost land in the PLUP process. 9% either lost or gained land respectively, regardless of their food security status. Villagers of Mon-Khmer ethnicity are most likely to have gained land and Lao-Tai villagers are most likely to have lost land. However, the differences between ethnic groups are not very pronounced.

Perceived benefits and drawbacks: 64% of respondents in PLUP villages felt that the process and the plan had resulted in positive changes. The majority of mentioned benefits pertain to greater security and clarity of land boundaries. Only a few people mentioned actual land use and livelihoods improvements. Sayabouri respondents were notable in not seeing positive changes as frequently as respondents from other provinces (47% vs. 75% in Luang Namtha and Huaphan respectively).

Figure 4: Share of villagers losing or gaining land due to PLUP

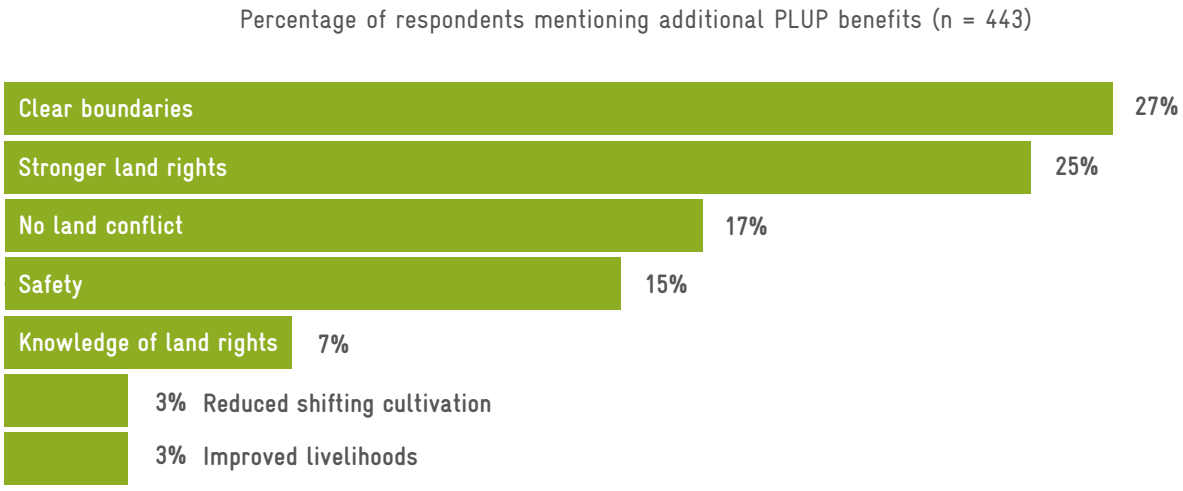


OUT OF ALL 565 PEOPLE WHO REMEMBERED THEIR VILLAGE´S LAND USE PLAN...

64 % SAID THE PLUP BROUGHT THEM BENEFITS.

36% SAID THE PLUP BROUGHT THEM NO BENEFITS.

Figure 5: Most frequently mentioned benefits of PLUP



A small number of respondents – 4% (29) – said that PLUP had had negative effects on their lives. The most common responses were the following[2]:

Figure 6: Most frequently mentioned negative effects of PLUP

Reduced households land available for crops

For instance, for growing cardamom and maize

Allocation of land for government purpose

For instance, for the building of roads.

Confusion about the use of sharerd spaces

For instance, some families were confused about the reduced communal spaces for livestock grazing, or which forest areas to access.

When following up with villagers and district level officials after the study, it emerged that land use planning usually consulted the head of the household (male in most cases). As men are seen to be more familiar with land boundaries, they are the ones who accompany the PLUP team.

[2] The responses to questions about other positive and negative changes

OVERALL, IT APPEARS THAT DIFFERENCES IN KNOWLEDGE OF LAND USE PLANS ARE DOWN TO SEVERAL FACTORS:

- Villages with majority populations of ethnic Lao overall were more aware on the whole of their existing land use plan. This is likely to be due to language barriers making the facilitated process in the village less effective.
- Different implementation strategies may explain the differences between the provinces. Under NU-IRDP, the project used wooden signboards with a map of the village and the PLUP results, which were installed in villages near the central meeting hall. It also employed 3D-models. The methodology changed in 2015 with LMDP as elaborate signboards were not considered good value for money. What is more, NU-IRDP in Huaphan had a strong participatory focus whereas the other two provinces generally put more emphasis on technical land zoning.

RECOMMENDATIONS:

- To strengthen the participation of women in the process, more needs to be done to deliver information to those who cannot attend meetings. Non-attendance of women due to caretaker and household responsibilities is often an issue.
- While the effects of different implementation methods have never been measured specifically, the recommendation is to include a 'physical legacy' of land management activities in the village that community members can refer to even after the process itself has long been completed, followed up by monitoring of how effective this is in helping people remember.
- District teams recommended including information about land tax rates and other household expenditures involved in land formalisation in Targeted Awareness Raising activities, so that communities are well prepared and more willing to cooperate with authorities.

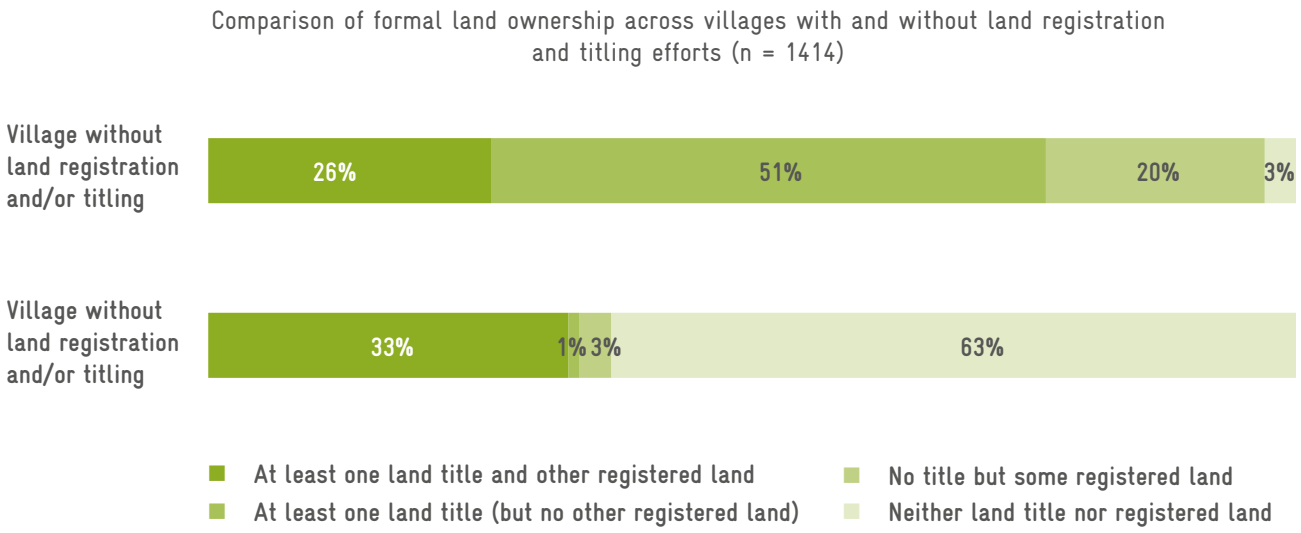
3.3 Ownership of titled and registered land

KEY FINDINGS

1. In villages with no Systematic Land Titling supported by the Land Programme, about a third of households had obtained land titles on their own, indicating a widespread demand for the formalisation of land claims.
2. In Sayabouri Province, women tend to be sole owners of land titles, followed by couples. In contrast, in Huaphan and Luang Namtha, only a small group of women owns land titles exclusively.

The following analysis will disaggregate information at household level, rather than comparing intervention and non-intervention villages with each other. Figure 7 illustrates the reason for this: in villages where GIZ had not supported Systematic Land Registration and Titling, a significant share of households may still possess registered or titled land. The data shows that a good third of households in those villages without Systematic Land Registration still own at least one land title while the remaining two thirds have no formalised land rights, at least in Luang Namtha and Sayabouri Province. In Huaphan Province on the other hand, villages tended to follow a uniform pattern – where there has been Systematic Land Registration or titling, virtually all members of a community had received a formal certificate. Where there had not been systematic efforts, no individual villagers had gotten land titles or registered land.

Figure 7: Comparing land ownership across villages

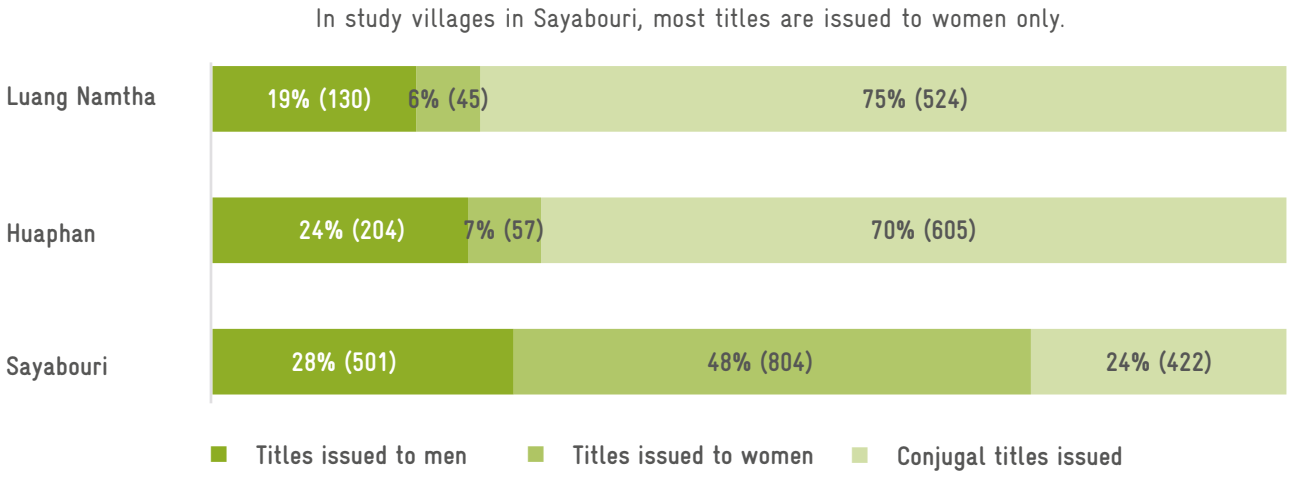


Women's land ownership: The Land Programme is particularly concerned about women's access to land. Formalising land tenure for women is considered one of the main ways in which land rights for women can be strengthened. Data from the Lao Land Registry (Lao LandReg) demonstrates that in Sayabouri Province, most titles are issued to women only, which arguably offers a greater degree of empowerment than titles issued to married couples. In Huaphan and Luang Namtha, on the other hand, most titles have been issued to couples, followed by titles issued to women.

"After land titling, it is good to know the exact boundary of my land and to be confident that I am its real owner."

Woman erecting a fence in the North of Laos

Figure 8: Titles issued to men, women and couples, by province



THERE ARE SEVERAL POTENTIAL EXPLANATIONS FOR THE PROVINCIAL DIFFERENCES IN LAND OWNERSHIP BETWEEN MEN AND WOMEN.

- First of all, Sayabouri tends to be more affluent, more urban, more commercially vibrant[3], and less traditional than other areas, which tends to go hand in hand with a greater role for women in decision-making on land. The value of land tends to be a well-known fact among men and women there. Some of the ethnic groups in the study villages in Luang Namtha and Huaphan generally speaking have more hierarchical social structures with traditional gender roles, as well as patrilineal inheritance mechanisms. This creates less demand for titles in the name of women. Anecdotal assessments by programme advisors suggest that in ethnic Lao-Tai study villages in Sayabouri, responsibility to take care of elderly parents often lies with women, who consequently are more likely to inherit and be in charge of land. In Huaphan villages on the other hand, this pattern tends to apply more to men.
- When discussing results of the impact study with the communities, the strongest factor that emerged was the degree to which family members contributed to the household finances. Where women were commercial actors in their own right – e.g. by working in the field and the market –, they also tended to have more say in land use planning, decision-making, and household spending.

RECOMMENDATIONS:

- The Land Programme's goal is for women to be able to take full advantage of the protection through a land title. For this to happen, women, men and village authorities need to be aware of a) who in a household owns land, b) what rights come attached with land ownership, and c) where to obtain advice and support in cases where rights are violated by private individuals, investors or the government. In order to maximise the positive effect of land titling for women, the programme could also explore how to cooperate with other initiatives on enhancing women's contribution to household incomes, linking it to decision-making on land.
- The validation exercises conducted in villages after the study illustrate that while government officials and the programme put a lot of emphasis on land titles as collaterals for bank loans, there are cases where people struggle to pay back the money. The aspect of collaterals should not be mentioned without at least a basic explanation of risks attached to this. A higher level of ambition might mean considering linking with other initiatives in Laos working on financial literacy and small business support.

[3] According to the CDE Socio-Economic Development Atlas Lao PDR published in 2015.

CASE STUDY 1: PREVALENCE OF LANDLESSNESS IN TARGET AREAS

Complete landlessness – indicated by respondents stating their had no land whatsoever – was rare within the sample.

What characterises landless households? Nine households in total (less than 1% of all households sampled) said they had no land, with eight living in Luang Namtha and one in Sayabouri Province, mostly ethnic groups (majority Chine-Tibet), and most had been living in their village for more than ten years. Landless households were significantly more likely to struggle with food insecurity and had a stronger tendency compared to other households to obtain their main income from the collection of NTFPs and to have no complementary income sources. All reside in past intervention villages, half of which had PLUP. They indicated they did not farm for themselves.

What do we take away from this example? The study does not allow for deeper insights into the reasons these families do not have access to land and how they are engaging in processes such as land use planning and land registration. While landlessness among permanent village residents does not appear to be a common problem in the sampled villages, landlessness even of just a few households in a community has the potential to create land conflicts.

CASE STUDY 2: OVERCOMING INITIAL SCEPTICISM TOWARDS LAND MANAGEMENT

For the LMDP Impact Study conducted in late 2016, interviewers talked to people in Homchaleurn Village in Luang Namtha Province. PLUP had been quite recently implemented there, in 2015, and the village had been selected for land management activities under the ELTeS Project. Village authorities expressed there was no need for the programme to return and conduct further activities, due to a lack of land conflicts and their worry of having to pay land taxes. Land registration and titling were conducted in Homchaleurn in 2017. Going back to the village in 2018, the women's focus group voiced concerns about the land tenure security of those community members who had not yet received a land title. The village authorities still did not report land conflicts. However, they welcomed the benefits that land titling brought, particularly because of the difficulties they had been having with taking out loans. There was an expectation that land titles could help villagers obtain loans, though at the time of data collection, nobody had used their title as collateral yet.

This example demonstrates that expressed need for land management may in some cases differ from actual need and that dissemination of knowledge on the benefits of a land title can contribute to a more positive view of land management in villages.


A mountain village in Laos

3.4 Knowledge of land rights

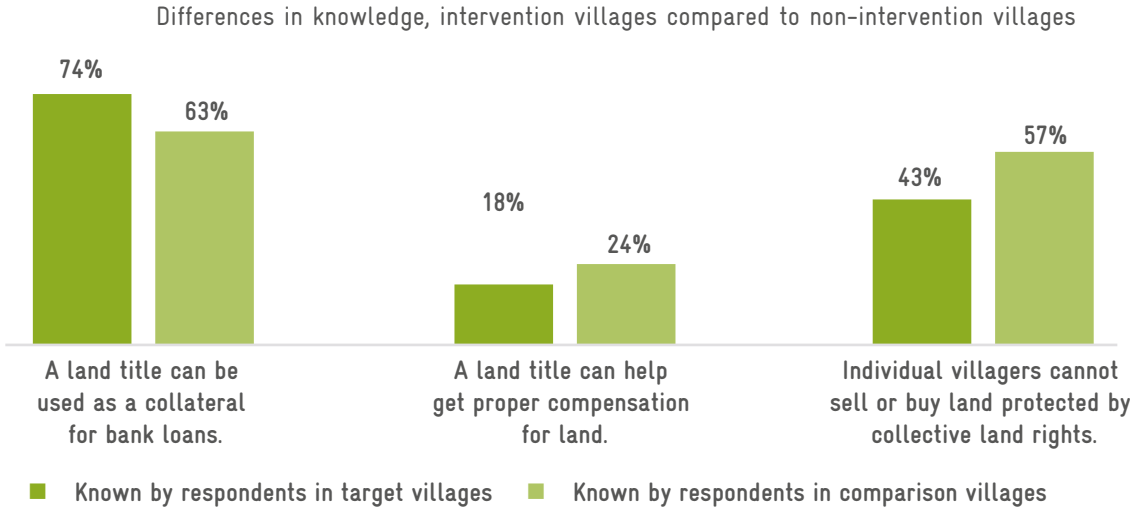
KEY FINDINGS

1. Knowledge about land titles appears to be influenced most by where people live and the challenges they see in their area.
2. Recent pre- and post-tests among participants of awareness raising measures showed that knowledge is enhanced significantly in the short-term. However, going back to former tar get villages a few years after the activities showed that people did not consistently remember facts about land rights better than those in non-target ones.
3. Men consistently knew more than women, but the difference between their levels of knowledge was small (less than 10 percent difference).

Knowledge of land rights compared: Past impact studies had demonstrated that villagers in intervention areas knew more than respondents in non-intervention areas. Women, particularly from ethnic minorities, were less knowledgeable about land rights and land titles than men. These studies, however, relied to a large degree on self-assessment. Self-confidence of respondents and their gender may have played a larger role than actual knowledge in determining their perceived level of knowledge.

We assumed that those in former target villages would have improved knowledge about land rights – from the benefits of a land title, to collective and customary land rights. However, this study finds that respondents in target areas were, overall, not more knowledgeable than those in comparison areas. The intervention seems to have raised some awareness of the use of land titles as collaterals and as a means to get compensation, but only very little compared to villages that had no intervention. Villagers in non-intervention villages were even more knowledgeable about some aspects of collective land rights.

Figure 9: Differences in knowledge in intervention and non-intervention villages



Provincial and gender differences: What we are also seeing is that respondents in Sayabouri Province tended to be more aware of land titles being used as collateral for bank loans, whereas in Luang Namtha Province, respondents had more knowledge about the potential to obtain compensation with the help of a land title as well as collective rights. Sayabouri has had a long history of commercial land use, a plethora of banks providing loans and a more economically active population generally[4], whilst in Luang Namtha, challenges with land concessions and outside investment are more prominent. While it is encouraging to see that those aspects of land titles most relevant locally are known to respondents, the study could not find sufficient differences between intervention and comparison villages.

[4] CDE Socio-Economic Atlas Lao PDR 2015

Other determinants of land rights knowledge: Factors associated with less knowledge include age (older age groups being associated with slightly less knowledge) and food security (food-insecure households being more likely to have lower levels of knowledge). Factors associated with more knowledge include membership in village authorities and government employment.

FACTORS ASSOCIATED WITH LESS KNOWLEDGE	FACTORS ASSOCIATED WITH MORE KNOWLEDGE
Older age group	Membership in village authorities
Food insecurity	Government employment
Female gender (to some degree)	

Programme activities as a source of information: The data suggests that PLUP is an important source of land rights information especially in more remote areas. It was mentioned by 51% of respondents in remote areas, compared to 31% of respondents in more accessible ones. What is more, the data illustrates the importance of Targeted Awareness Raising in this regard particularly for women. In That Village, where the programme had implemented Targeted Awareness Raising, 37% of women and 29% of men respectively said they had gained land rights knowledge from TAR activities.

The study also finds that in the villages we visited people do generally not get information related to land rights from any social or mass media.

IMPLICATIONS:

The findings do not mean that awareness raising efforts and education are useless. Instead, they raise questions for three programme aspects: are we using the right methods to increase knowledge? If we are using the right methods, are these implemented correctly? How will we monitor and tell the difference?

RECOMMENDATIONS:

The programme should experiment with its methodologies of awareness raising and knowledge transfer to communities. Anecdotally, the new knowledge quiz being added to the awareness raising process in villages since 2018 has led to greater participation especially among women from ethnic groups. The Programme needs to follow up on whether new methods like this are associated with better knowledge retention in the long-term. The quiz also captures participants' feedback on how to improve awareness raising and the quality of implementation.

Outreach needs to not only focus on the heads of household but involve other family members where possible. While only involving household heads may seem pragmatic and economical, it systematically excludes women from taking part in and potentially benefiting from the process.

3.5 Decision-making on land

KEY FINDINGS

1. The study found no tangible effects of land use planning, land registration or titling on women's participation in household and community decision-making.
2. Even where women formally hold land titles, decision-making on land is almost always done jointly or by the husband alone. Women tend to have more voice in the domains of nutrition, education and household expenses.

Farmer in Laos

As other studies have shown, female ownership of a land title has the potential to give women a greater voice in decision-making in other areas of life, often with positive outcomes for the whole family[5]. Programme activities have focussed on providing greater space to women during different stages of land use planning, albeit with varying levels of success. Overall, the study found no tangible effects of this work on decision-making in households and communities. According to the data, any family decisions are made jointly by wife and husband. When a residential title is only in the name of the woman, 4 out of 20 women think they themselves make decisions on how to use the land (e.g. whether to lease it out) without permission from a male family member, usually the husband. However, in the same cases, only 1 out of 20 men say that the wife can make decisions on land without permission from their husband. These different perceptions reflect long-standing gender roles. Even where female study participants solely hold formal land titles, they tend to make decisions on household-related expenses, education and nutrition, rather than land. The latter continues to be a domain occupied by joint or individual decisions made by a male family member.

CONTRIBUTIONS ARE MAINLY AT THE LEVEL OF 'REACH':

The findings imply that along the commonly used Reach – Benefit – Empower spectrum, the land management work of the Land Programme contributes mostly at the 'Reach' level. Women are part of village-level meetings (to some degree) and overall, a satisfying number of land titles have been issued in their name. The findings can be interpreted to mean that initial awareness and reach is only the first step, requiring follow-up to yield tangible benefits or even empowerment. Empowerment, however, may be beyond the reach of the resources and current mandate of the Land Programme.

The second implication drawn from the discrepancy between male and female views of who is making decisions on land is that it is important to involve men in the conversation about what rights are attached to the formal ownership of land. Joint decision-making is not a problem, but men tend to have more say in land matters in general.

RECOMMENDATIONS:

Continue designing interventions with 'Reach' and 'Benefits' for women in mind, informed by an updated gender strategy and gender action plan. The programme also needs to monitor whether and how women benefit from land registration, titling and land use planning in the medium- to long-term, including any adverse effects that might arise from shifting awareness and power dynamics in communities and households.

[5] Meinzen-Dick et al. 2017. Women's land rights as a pathway to poverty reduction: A framework and review of available evidence. IFPRI Discussion Paper 1663.

A Land Programme expert is presenting highlights from a group discussion with women in Luang Namtha Province.

3.6 Land Use Changes

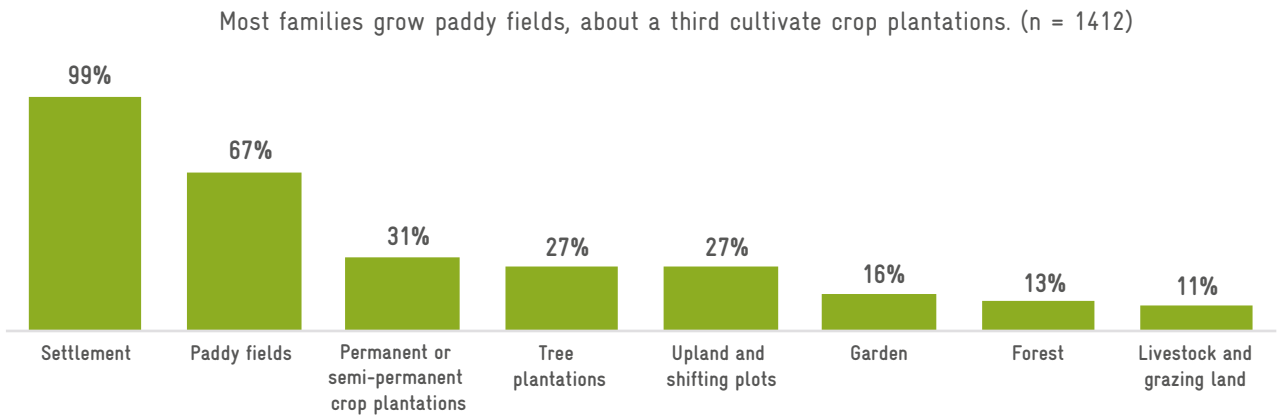
KEY FINDINGS

1. Formal recognition of land use rights through registration or titling is one factor among several that encourage people to change their use of land.
2. Both land registration and land titling encourage a small group of land owners to change their farming practices on the piece of land that is formally recognised (about 12% of each group). The most commonly made change relates the type of crop grown.
3. 35% of those with titled paddy changed their farming practice, compared to 29% on registered land and 24% without secured paddy.
4. The effects of land registration on land transactions remain ambiguous, and land transactions overall appear to be rather uncommon. There is no discernible effect of land titling on the profitability of land leases.

Much of the Land Programme's work seeks to improve the way in which land in rural areas is used, expecting that greater tenure security for rural communities will translate into improved long-term household planning, more investment, with higher productivity and incomes resulting. We assume that small-holder farmers with secure land rights have greater incentives to make productivity-enhancing investments because they can be more confident in recouping those investments over the medium and long term.

How land is used by households: Almost all households in the sampled communities use land for residential purposes, followed by the cultivation of paddy fields (67%). A minority grows other crops (31%) as well as trees and relies on upland cultivation (27% respectively). Less common ways of using land not reflected in the graph below include fish ponds.

Figure 10: Share of respondents using land in different ways

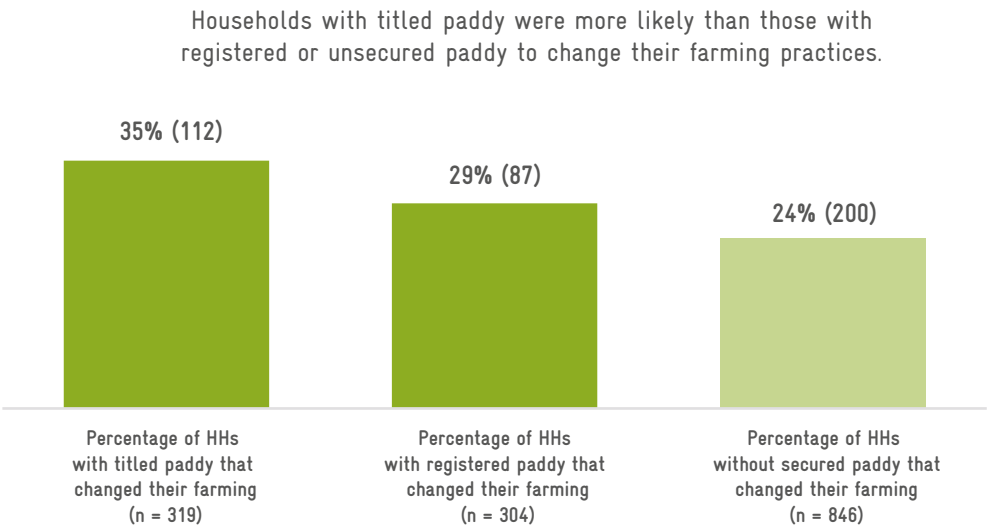


Again, there are outliers. For instance, in the village of Homchalern, in Luang Namtha villagers appear not to have any paddy fields but to instead grow upland rice exclusively.

In general, **this reveals that there are many ways in which land is used to generate livelihoods and which are not formally secured through private land rights**, particularly where communal areas such as forests or grazing areas are used.

The study finds that **a small group of land owners have changed their agricultural activities on formally recognised land, after formal recognition. Households with titled paddy land were more likely than those with registered or unsecured paddy to change their farming habits:** 35% of those with titled paddy changed their farming practice, compared to 29% on registered land and 24% without secured paddy. The differences are thus small but tangible.

Figure 11: HHs with titled, registered and unsecured paddy that changed their farming



12% of household with registered land reportedly made a change because of land registration. Similarly, 12% of household with titled land report that they changed land use because of titling. There are even more people who changed their land use regardless of titling and registration, so there are other factors more powerful than formal ownership.

There are a variety of changes that land owners make on their formal land, reportedly due to land registration and titling. There is little difference between registered and titled land. The most common changes include:

Figure 12: Most common farming changes due to land registration

Growing different crops

(9% of those with registered land and 10% of land title holders)

Cultivating more land

(4% of those with registered land and 5% of land title holders)

Cultivating more land

(2% of each group)

Changes in land use are linked to increases in yield, quality and profit. These include:

- An increase in produce yield for all of those using different fertilizers, 95% of those cultivating more land and 71% of those having switched crops.
- An increase in price for cashcrops for 82% of those cultivating more land, 63% using fertilizers and 60% switching livestock.
- An increase in produce quality for 64% of those cultivating more land, 63% using fertilizers and 54% of those adding more crops.

Of those who reported not making any chances to their farming practices in the past years:

- **57%** saw no need to make changes;
- **24%** lacked enough labour to make a change;
- **24%** lacked money;
- **13%** lacked knowledge.

Lack of labour featured most prominently in Lao-Tai communities. Lack of money was most often mentioned in Mon-Khmer villages.

Reflecting on the findings from the validation workshop

TANGIBLE CHANGES TAKE YEARS TO EMERGE:

Outcomes of land management interventions, even at the village level, take time to become visible. There will be 'early mover' households, but in the Land Programme's experience, the effect of land management at household level can only be judged at least four years after registration/titling. Real impact at the population level (e.g. improved food security etc.) is hard to separate from other macro-trends and takes even longer to emerge.

RECOMMENDATIONS:

Many projects lack opportunities to follow up on long-term outcomes. As our study demonstrates, these may only emerge years after an activity has finished. Funders and organisations need to be realistic about how much time is required for land use and productivity changes to happen or otherwise face an inaccurate understanding of project outcomes.

The effects of land registration on land transactions remain ambiguous, and land transactions overall appear to be rather uncommon. In intervention villages, 5% of households in total had leased land to others (compared to almost nobody in non-intervention villages). Among those who made a land transaction, 28% leased land to others and 6% leased land from others. This may imply that land leases happen mostly with village outsiders. There is no tangible effect of land titling on the profitability of land leases (as simplistically indicated by the value of formal or informal lease agreements established).

3.7 Access to Loans

KEY FINDINGS

1. There is a tangible effect of land titling on access to loans: about 21% of those who took out a loan in target villages used their land title as collateral.
2. Early land titling (before 2015) in combination with a loan makes the household likelier to have increased household incomes than the average, though case numbers are small.
3. There remain other, more popular ways of accessing loans that require no formal collateral and therefore no collateral, e.g. through the Nayobay bank.

The programme's working hypothesis is that possession of a land title makes it easier for households to obtain loans, particularly larger bank loans. The reason for this is that banks often ask for collateral, such as a land title. The programme further assumes that some of those loans are used for investment in land, which improves its productivity and ultimately family finances. At the same time, it is easy to foresee the potential for unintended consequences as well, if villagers obtaining loans by using their land title as a collateral leads them into levels of debt they cannot manage in the long run.

8% of households owning a land title have used it as bank collateral. In addition, land titles also seem to have more subtle effects on increasing access to loans without a collateral.

Figure 13: Comparing land title use as collateral, long-term and short-term ownership

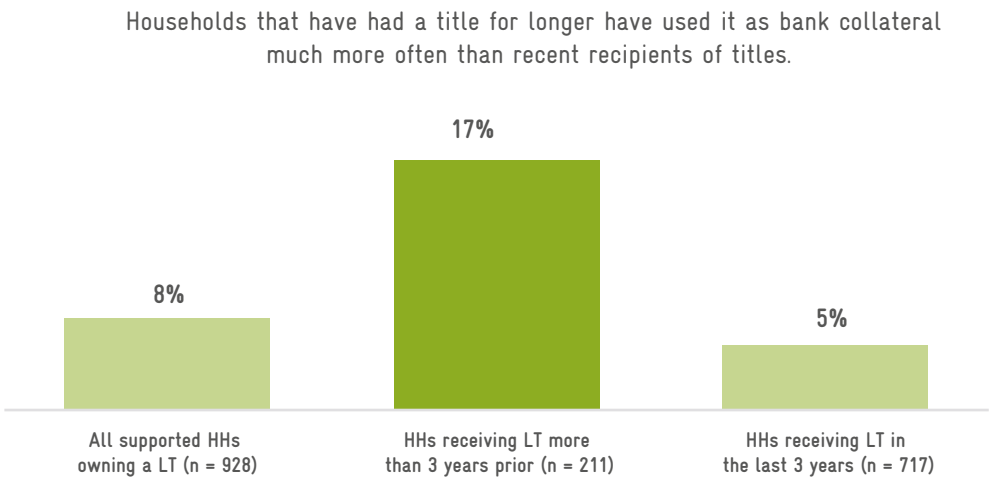
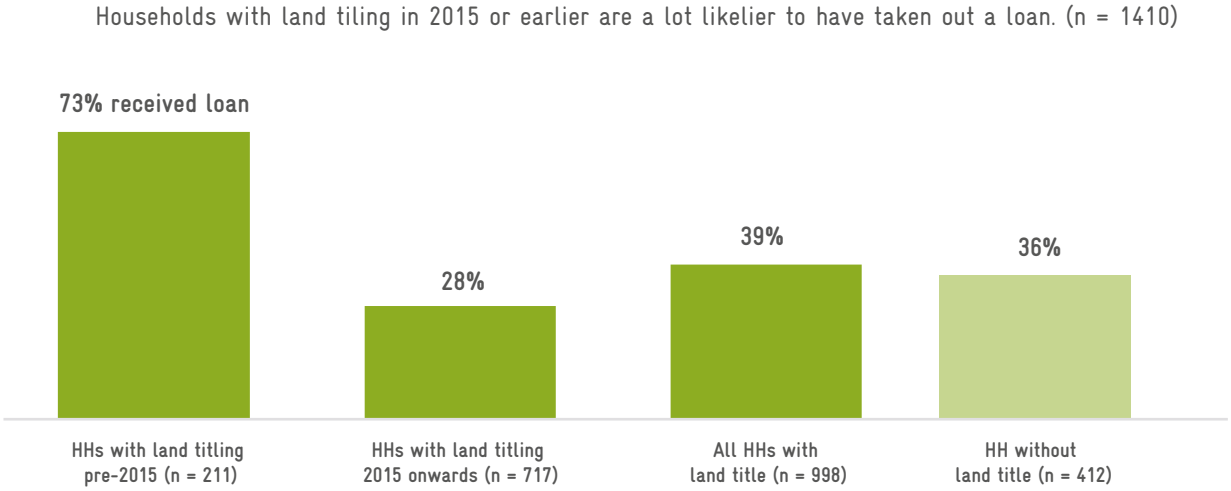


Figure 14: Comparing access to loans between land title holders



At first it seems that those without and those with land titles have similar levels of accessing loans (36% compared to 39%). But when comparing households who received land titles in 2015 and prior to those that received titles later on and those without land titles, the former group is significantly more likely than the latter groups to have taken out a loan (73% compared to 28% and 36% respectively).

This again supports the argument that for the effects of land titling to emerge fully, several years have to pass at least.

Use of loans: Loans are mainly invested in farming-related equipment and material. Less frequent investment purposes include housing, health, schooling and business activities.

The most common source of loans for villagers appears to be the Nayobay Bank, confirming findings from earlier impact studies (for 36% who have received a loan in the past). 28% obtained their loan from the Agriculture Promotion Bank. Relatives are another significant lending party, from whom 13% of loan recipient households get their loan.

In total, 21% of those having obtained a loan in supported villages used their land title as collateral. The others often used a certificate signed by the head of the village promising they would pay back their loan or they joined others in a group loan. 15% used other types of documentation, such as the land book (10%) and their land registration certificate (5%).

LOANS MOST FREQUENTLY INVESTED IN

Farming	50%
Housing	12%
Health	11%
Schooling	9%
Business	9%

<<

- Purchasing farming inputs, particularly herbicides and fertiliser, and animals
- Hiring external labour
- Improving gardens (e.g. by turning them into paddy)

MOST COMMON SOURCES OF LOANS (N = 541)

Nayobay Bank	36%
Agriculture Promotion Bank	28%
Other	18%
Relatives	13%
Informal money lender	4%
Lao Development Bank	4%

<<

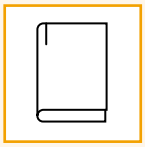
According to interviewees, the **lowest interest** paid is 0.1%/year for a loan taken out from the Nayobay Bank. The **highest interest**, of 40%/year, is paid by a household which took out a loan from relatives. **On average**, households pay about 7% interest on their loans.

Figure 15: Alternatives to using land titles as a collateral

43%
used group loans

43%
used guarantees issued by village head

19%
of loans required no collateral



10%
used a land book

5%
used a land registration document issued by the village head

CASE STUDY 3: MISUSE OF LAND TITLES

The researchers encountered a few instances where there had been misuse of land titles. Some of those interviewed mentioned so-called 'brokers' that came to the village to urge land title holders to take out loans from the bank and to lend the money to someone else. There were issues arising from the fact that those who did so could not pay off the debt that had been taken out in their name, running the risk of losing their land. Those affected were significantly more likely to think that someone would take their land away from them. While some of these issues appeared to lie in the past, it is worth considering how to raise awareness of potential misuse of land titles, particularly when it comes to using land as collateral.

3.8 Land tenure security and land conflicts

KEY FINDINGS

1. Land titling makes people feel significantly safer on their land compared to registration. Unregistered and untitled plots are widely seen as vulnerable to illicit use.
2. The study gathered anecdotal evidence that households without registration or title were more likely to lose land in disputes. Data suggests that Land Titling and Land Registration can provide a real degree of added security, though they are not a guarantee.
3. About 1 in 10 households in study villages had been involved in land conflicts.
4. Land conflicts on village boundaries are most common and highly associated with land loss, but private investment is a prominent issue as well.

One of the key mechanisms through which land use can be made more productive and beneficial for rural communities is by increasing both perceived and actual tenure security. We assume that ownership of titled land grants them the highest level of actual tenure security, followed by land registration, and that those without either are at higher risk of land losses with no or inadequate compensation.

Perceived land tenure security: Land titling makes people feel a lot safer on their land compared to registration. In contrast, respondents tend to feel very insecure on land whose usage is not formally recognised. While previous programme studies had suggested that titled land did not increase perceived security much more than registered land, this study found significant differences.

Of all those owning a land title, 96% felt 'very secure' on their titled plot, compared to 67% of those with registered land feeling 'very secure' on their registered plot. Notably, respondents broadly felt that access to their unsecured land was mostly insecure.

These responses were confirmed when interviewees were asked how likely it was that someone else might use their land without their permission. While the majority of respondents (87%) thought it very unlikely that someone else would encroach on their land, most found it somewhat and very likely that their unregistered and untitled land would be used by someone else.

Households that had lost land in disputes in the past often ascribed this to the lack of land registration documentation. There was no documented case among the sample where someone had lost land despite land registration or titling.

Figure 16: Perception of the security of titled, registered and unsecured land

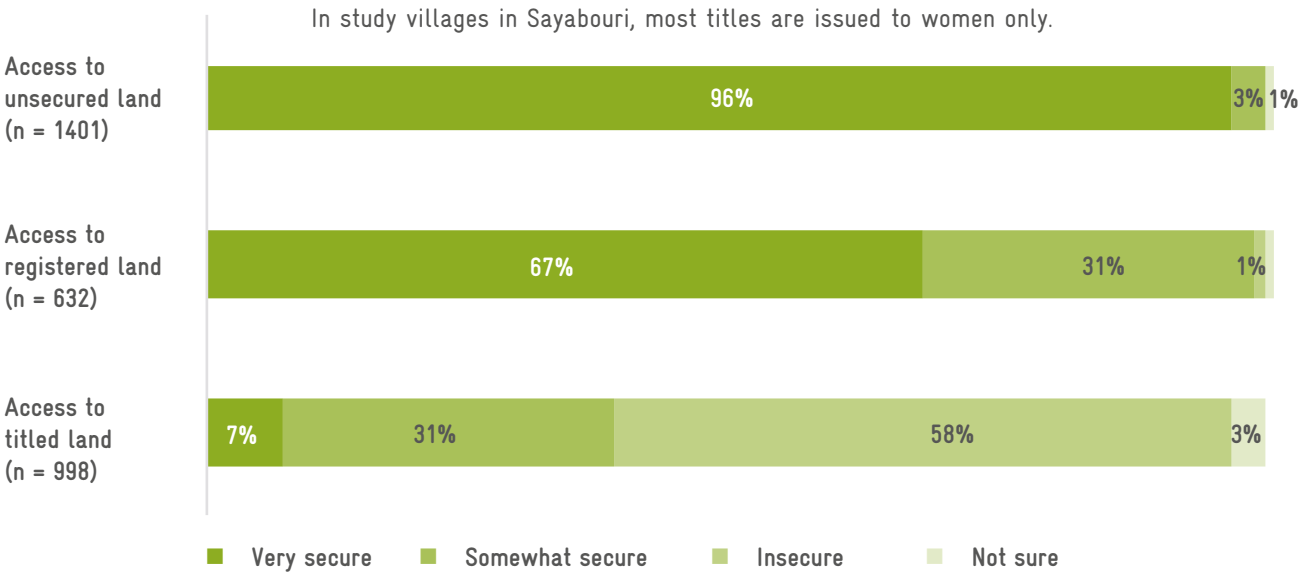
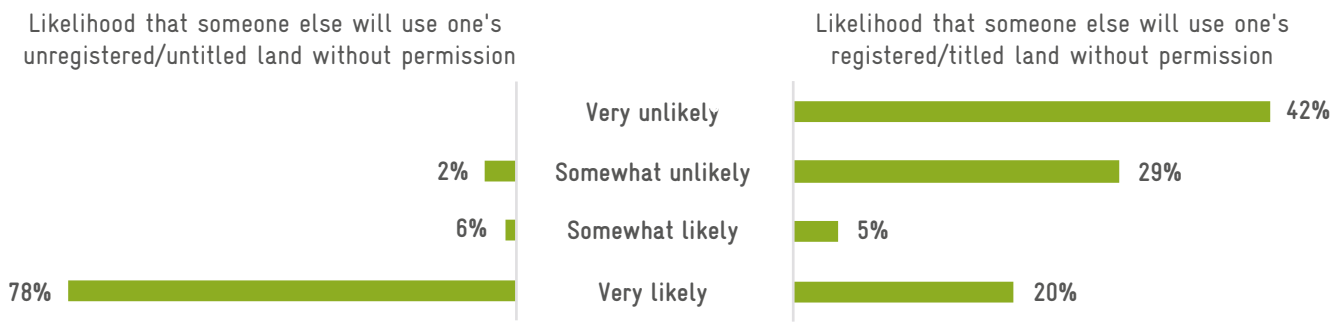


Figure 17: Likelihood of land being used by others



Commonly mentioned reasons for land loss include:

- Lack of documentation
- Boundary conflicts (with neighbours and relatives), often about shifting cultivation land
- Loss because of land measurement
- Loss to government projects

Frequency of land conflicts: Land conflicts were mentioned in 17 out of 18 study villages. About one in ten households said they had experienced land conflicts. Conflict conflicts appeared to be most frequent in Luang Namtha, where 13% of respondents had been involved in disputes. Members of the Chine-Tibet ethnic group (more specifically the Akha) were more likely than other ethnic groups to have been exposed to conflicts, with 22% reporting their involvement.

Most conflicts occur between neighbouring villages, followed by boundary conflicts between neighbours. A small group of respondents had been affected by private investors not complying with agreements and government using land without permission. Specifically boundary conflicts often lead to land loss.

Figure 18: Share of households experiencing land conflicts

63%	Land conflicts between neighbouring villages
22%	Boundary conflicts with a neighbour
17%	Private investors not complying with agreements
7%	Government using land without permission

"I lost my land to relatives in 2017, at that time we were starting to measure our land to prepare for land titling."

People in study villages would most often turn to village authorities to resolve land conflicts – in PLUP villages slightly more so than in villages without PLUP. In villages without PLUP, people were more likely to contact family or neighbours to solve issues. Thus the available data suggests that PLUP successfully encouraged a small number of villagers to contact appropriate authorities instead of solving the problem only privately. However, the numbers are too small to draw meaningful conclusions.

CASE STUDY 4: CHALLENGES FACED BY A VILLAGE INSIDE A NATIONAL PROTECTED AREA (NPA)

One of the villages is surrounded by nationally protected forest and used to part of a cluster of small villages, which were merged to create access to electricity and infrastructure. Study participants described that due to the merger, there had not been enough land in the village for farming. Villagers mostly plant paddy fields. However, they also cultivate millet, corn, and rice for commercial purposes and in response to market demand. Investment in agriculture activities is now decreasing because there is not enough demand and prices have fallen (net revenue lower than cost).

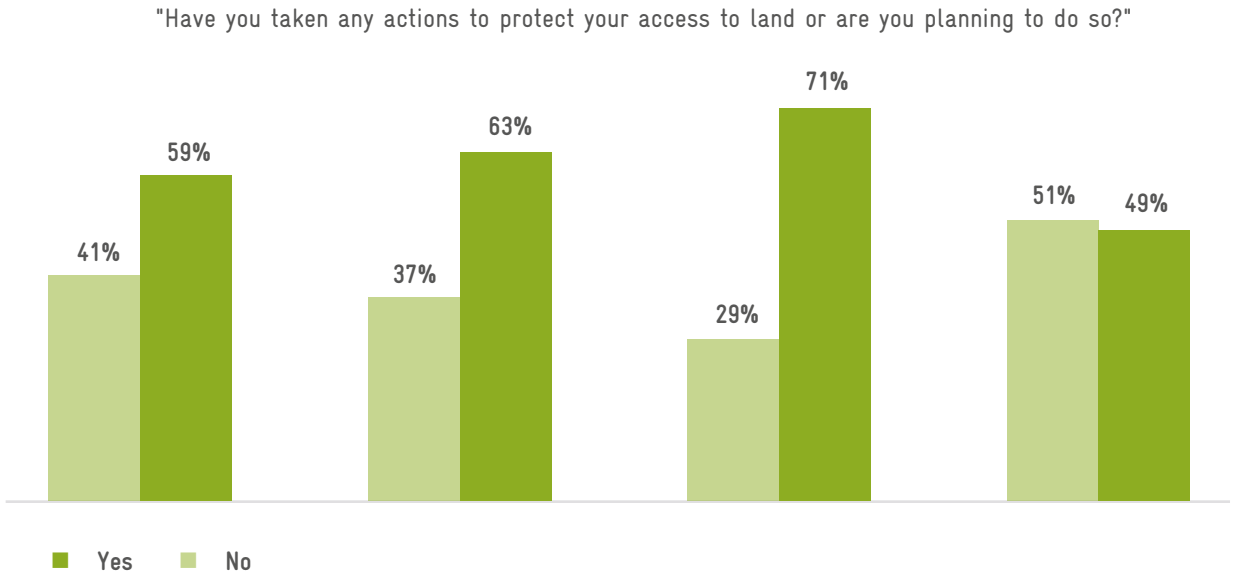
As the livestock area in the village is too small, they use the NPA for livestock grazing. Newcomer families receive land. However, some families remained without enough farming land and had started farming in the NPA, which had led to the arrest of family members.

The villagers reportedly sent a letter to the district office asking to expand their land into the protected area but so far no decision had been made. Village authorities recognise the problems associated with the location of their village.

Respondents in Luang Namtha were most likely to have taken or to plan additional measures to protect their land (such as fencing). Respondents in Sayabouri were least likely to be interested in such measures. As other studies have emphasised, taking measures to protect land correlates with the perceived risk of losing the land (the higher the perceived risk, the more likely people will erect additional protection around their land).

Luang Namtha emerges as the province where most households feel that additional security measures on their land are worthwhile or necessary.

Figure 19: Households taking additional measures to protect their land



3.9 Household incomes and food security

KEY FINDINGS

1. Households owning land titles are least prone to deriving their main income from land leasing. Instead, about a third of households rely on commercial or subsistence farming respectively. Livestock as an income source ranks third.
2. Overall there is no strong/verifiable link between interventions and household incomes.
3. Some trends suggested by the data, such as higher levels of food security in PLUP-villages, merit further investigation in the future.

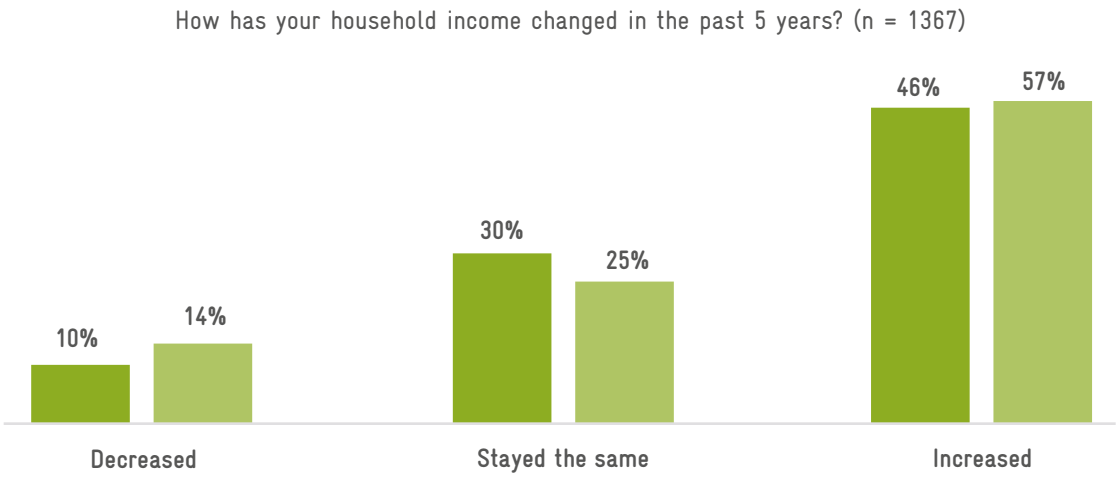
Small differences between PLUP villages and other villages: When it comes to main sources of income in PLUP villages compared to those in villages without PLUP, the differences overall are small. Most families rely mainly on subsistence farming. Apart from this, commercial farming is by far the most common sources of income. In PLUP villages households are slightly more likely to rely on subsistence farming, though the direction of causality is not clear.

About a fifth of household derives their main income from wage labour including government jobs.

Collection of NTFPs is a very minor source of main income in all villages. Trading is a more common source of income in PLUP villages (10% vs 2%). Land leasing is completely absent in villages without PLUP, though it is not transparent why that is the case.

Household incomes have increased across the board: When comparing villages that had land management interventions with those that have not, there is no clear pattern indicating whether household incomes changed differently in the past 5 years. More than half the households in both types of villages saw an increase in income, followed by those reporting income stagnation. A few reported a decrease in incomes. The link between land management and incomes remains weak.

Figure 20: Changes in income in intervention and comparison group



Members of the Lao-Tai ethnic group on average reported more increases. Overall, increases were never attributed to land interventions by the respondents themselves. When prompted and specifically asked, 43% of those with increases attributed this to land registration while 66% of those with decreases attributed this to land registration also. The picture here is thus not conclusive.

Non-PLUP villages had slightly higher rates of food insecurity than PLUP villages. Respondents were asked separate questions on how often they had sufficient food and clean drinking water at their disposal. While in PLUP villages, 76% of inhabitants have access to sufficient food at all times, in non-PLUP villages only 60% appeared to have access to sufficient food. This is an encouraging result that should be investigated and substantiated further in the future.

IMPLICATIONS:

Even though much research reports a link between household incomes and enhanced food security and tenure security, the study does not provide high case numbers and strong evidence for causal links. The trends reflected in our data are inconsistent and do not tell a linear story as both increases and decreases in income were attributed to land registration by respondents.

RECOMMENDATIONS:

Some trends, such as higher levels of food security in PLUP-villages, merit further investigation in the future.

4. The Programme's Gender Dimension – Reach – Benefit – Empower?

One useful way of thinking about gender[6] is to understand and assess how a given activity reaches, benefits and/or empowers women and men.

Reaching, benefitting and empowering women

Objective Include women in program activities	**Objective** Increase women's well-being (e.g. food security, income, health)	**Objective** Strengthen ability of women to make strategic life choices and to put those choices into action
Strategy Inviting women as participants; seeking to reduce barriers to participation; implementing a quota system for participation in training events	**Strategy** Designing a project to consider gendered needs, preferences, and constraints to ensure that women benefit from project activities	**Strategy** Enhancing women's decision making power in households and communities; addressing key areas of disempowerment
Indicators Number or proportion of women participating in project activity	**Indicators** Sex-disaggregated data for positive and negative outcome indicators	**Indicators** Women's decision making power and reduction of outcomes associated with disempowerment

Table adapted from http://www.ifpri.org/blog/reach-benefit-or-empower-clarifying-gender-strategies-development-projects.

The GIZ Land Programme strategy so far has had a strong focus on enabling and tracking the participation of both men and women in activities ("REACH"), seeking to maximise equal men's and women's involvement. Programme monitoring has shown that reach varies by activity. Activities that usually address the whole village (such as PLUP opening meetings) usually have strong female participation, hovering at about 40 to 45%, while activities involving village representatives or government officials typically involve about 20% women participants.

[6] Developed by the Gender, Agriculture & Assets Project led by the International Food Policy Research Institute (IFPRI).

As discussions from BlaRIS validation workshops show, even ensuring "reach" can be a big challenge. Usually, just one family representative is invited to join meetings, usually a man. At other times, one family member needs to take care of farming work and this is usually the women. High illiteracy rates and lack of knowledge of Lao are used as reasons by both men and women to argue why women should not attend village discussions. As a consequence of their absence from meetings, women do not feel valued and are less aware of what was discussed. This in turn entrenches ideas of them being less knowledgeable and being less able to contribute to discussions and decisions in general.

While securing strong female participation poses challenges in and of itself, the programme's ambition is for women to not just participate but to benefit from its work. The biggest achievement here has been the fact that in the latest programme phase more than 75% of land titles are issued in the name of women only or to married couples. Women are expected to benefit economically and socially from this as a land title formally grants them rights independently of their husband. However, these benefits only materialise if other things happen – if female land title holders and their male partners as well as authorities understand associated rights fully, if both men and women can access justice in cases of conflict, if women feel confident in exercising their rights. The study suggests that none of these aspects are easy to achieve.

The EMPOWER dimension – enhancing control women have over assets and resources in the widest sense – is often described as an indirect and long-term outcome resulting from formal land registration and titling. As such, there are no adequately resourced activities included in the current Land Programme strategy that would make this a feasible key priority.

"Us women cannot read because we did not go to school when we were young. After we got married, the village had a teacher and a school, but we cannot go back to study since we are taking care of our children now. We know we have a land title, but because we did not study, our husbands will be the ones taking care of it."

Discussions in Poungkok Village, Luang Namtha Province

IMPLICATION:

While empowerment of women through land management is not an explicit objective of the Land Programme's mandate and strategy, empowerment is ultimately necessary for the sustainability of the benefits that women stand to gain, e.g. though land registration/titling. Work that concentrates on women as the holders of assets risks feeding into disempowering outcomes such as gender-based violence within households.

RECOMMENDATIONS:

Land Programme strategy and its monitoring need to take into account possible adverse outcomes and ensure, for instance through its M&E, that these are not occurring.
Interventions could explore whether inviting two representatives (one male, one female) to meetings or land boundary walks, instead of only one representative for each household, would translate into greater awareness, confidence and decision-making influence among women. There may be real barriers to providing information in ethnic languages, but this is essential for reaching women.

5. Discussion of findings and ways forward

A few years after PLUP: Overall, it is more difficult to confidently compare household level benefits resulting from the PLUP process, to benefits resulting from land registration and land titling. What we can establish is that, PLUP was associated with significantly more land use change in the past five years and lower rates of forest use compared to non-intervention villages and those villages that had only had land registration/titling. There were tentative suggestions that PLUP villages have slightly better availability of food.

When looking at real 'test cases' – villages with strong competing pressures on land use – villages inside or bordering NPAs that had varying levels of interventions (no intervention, just PLUP, land registration without PLUP and those that had PLUP and land registration/titling) – PLUP was associated with significantly more land use change in the past five years and lower rates of forest use compared to non-intervention villages and those villages that had only had land registration/titling. This is in line with expectations and a positive result.

Overall, respondents associate a range of other positive effects with land use planning, but strong standalone effects on land improvement, investment and conflicts cannot be verified. The assumption that land use planning improves the quality and reduced conflicts during village-wide land registration still holds. However, the sample did not include many villages that had only undergone PLUP without land registration to be able to isolate its effect.

Especially among women, there is a low level of awareness of existing land use plan and there was no verifiable reallocation of land from richer to poorer (food-insecure) households. On the upside, households in PLUP villages were also slightly more likely to approach village authorities rather than family or neighbours for the resolution of conflicts, which is an encouraging result.

A few years after land registration/titling: This is where we more easily identify effects such as changed land use for a small group of respondents, associated with tangible increases in produce yield, price and produce quality. We have also learned that there are more benefits over time (after more than three or four years). What is more, 21% of those households in supported villages that have obtained a loan have used their land title as collateral, with usage rates increasing over time. Farming investments made with these loans are in turn linked to higher household income (though there are many other factors impacting household income). Land transactions are more likely in intervention areas (by 12%), but having a land title or not has no tangible effects on the profitability of land.

Households with land titles or registered land are as likely as everyone else to be involved in land conflicts. However, when explaining the nature of the conflict, respondents frequently report that they lost land in conflicts due to a lack of proper documentation. The study did not come across any verifiable cases where land was lost despite ownership of land registration or a title.

Barriers to further progress remain. These are primarily lack of labour, competitive local economies, household money and lack of knowledge of how to more productively use land.

Cumulative effect of combining PLUP with land registration/titling: The study did not find a systematic cumulative effect on land tenure security, partly because the vast majority of supported villages have undergone both PLUP and SLR.

To what extent does the study confirm or cast doubt on what we already knew from previous studies?

Judging the contribution of supported land management to outcomes

ASSUMPTIONS	CONTRIBUTION ACCORDING TO PREVIOUS STUDIES	CONTRIBUTION ACCORDING TO BLARIS
PLUP, LR and LT enhance perceived land tenure security (LR and LT more so than PLUP and LT more so than LR).	Both LR and LT significantly enhance perceived tenure security.	Land titling leads to higher land tenure security than land registration, which in turn makes people feel safer than just PLUP.
PLUP, LR and LT improve knowledge of land rights in the medium-to long-term.	A non-representative assessment by the interviewer revealed knowledge increases in target villages.	Test questions suggest that it does not improve knowledge.
PLUP, LR and LT enhance actual land tenure security (e.g. protection from loss of land or land use rights without adequate compensation)	No data	No cases where land was lost despite title. Respondents attribute land loss often to lack of formal ownership.
Having LR and LT prompts land use changes at household level.	No data	Additional land use changes can be observed for a small group (approx. 12%) years after registration/titling.
Having LR and LT makes households invest in their land.	A small group of respondents attribute their land investments to increased land tenure security. No data on loan usage using collateral.	Households with registered or titled land were significantly more likely to take out loans, with a small sub-group using their title as collateral.
Having LR and LT indirectly results in increased land productivity and better incomes.	No data	An indirect effect was found for a small group, but more research is needed to confidently claim a causal link between higher incomes and land titling.
Female (co-)ownership of LT results in better protection of land rights for women.	No data	Not sufficient data, but anecdotal evidence that ownership (reach) does not translate into more knowledge or decision-making power among women.

Almost all villages reported improvements in infrastructure, investments and incomes independently of land management – we conclude from this that while there are tangible effects resulting from land management work at a village level, wider economic trends have a strong influence on households' land use and economic situation.

FUTURE INVESTIGATIONS:

While household surveys and quantitative data can provide us with a picture of trends, it is often of limited use when trying to understand what should be replicated, done more of or less of. More in-depth qualitative village studies, focusing on 'test cases' where conflict is rife or land loss is happening would do more to inform the mechanisms underlying actual tenure security.

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Group discussion with village authorities in Borhangna Village in Sayabouri Province

Annex 1: Detailed methodology

How does this study compare to previous ones?

Impact studies are an integral part of the Land Programme's work. Programme continuity since at least 2010 – the start of NU-IRDP - has provided an opportunity to follow up on work completed in the past. Land Programme impact studies capture how satisfied supported target groups have been and what changes in their lives have resulted from support – or not resulted despite our best intentions and expectations. The studies have varied in scope and focus, increasingly asking questions about long-term outcomes such as land conflict avoidance. However, they mostly focused on perceptions and expectations of study participants with regard to their plans for the future, what compensation they expected to receive in case of land loss, how secure their land appeared to them before and after registration etc. How is this study different from past efforts? First of all, more time has passed since some of the interventions. This Impact Study delivers data on 'hard' changes such as how often land titles are used as collaterals for bank loans, how these loans are invested and with what effect on household incomes. We have also found that for a number of outcomes, we still rely to a large extent on expectations and perceptions – tangible change in the lives of people supported by land management activities, in our case, takes at least several years to become visible.

Figure 21: Capturing the impact of the GIZ Land Programme

What is more, the study draws on a representative sample of the selected villages. This means, all findings can be generalized for the population of these villages. Lastly, findings were validated and discussed in all our study villages and with district level government a few months after data collection. The questions and insights this process has produced are included in this report.

Data collection, analysis and validation

Quantitative data: within villages, households were randomly selected for structured household interviews for a representative sample at a village level. In most cases, the head of household was male. In order to capture the female perspective, the questionnaire included questions directed to a female member of the household. The questionnaire also included a number of open-ended questions, which were coded by a researcher later.

Qualitative data: Household level data were complemented by **focus group discussions** conducted with women and village authorities respectively, to gain a better understanding of data trends and to triangulate household level information. Participants for the women's groups were selected randomly from village opening meetings.

Enumerator teams: Study team leaders from the Land Programme managed three data collection teams of four to five people (one team per province). Enumerators were thoroughly trained in both interviewing and focus group facilitation, and the teams made sure to include speakers of relevant ethnic languages.

Digital tools: Household survey data was collected via digital data gathering devices (tablets) using KoboToolbox to minimise errors and obviate a lengthy data entry process. Minor clarifications to the questionnaire and conditionalities included in it were made after the first day of interviewing, and quality checks were conducted at the end of each data collection day in the field.

Data analysis: Analysis in Excel used statistics and data visualization, for both exploratory analysis and for testing project hypotheses about how to achieve desirable outcomes such as enhanced land use and enhanced tenure security.

Validation and interpretation: After data were analysed, results were shared and discussed in feedback workshops in all study villages. This provided an opportunity for the study team to validate and disseminate findings and to gather direct feedback from those participating in the study. It was also an opportunity for people in villages to get a sense of how villages compare with each other, to ask questions, and to discuss findings amongst each other. Results were also discussed with government partners in each relevant district and province. Where useful, their feedback was included and highlighted in this report.

Figure 22: Interventions conducted in sampled villages

A few thoughts on causality

The challenge of impact evaluation is not so much finding out what changes have taken place over time (though in many situations, this in itself may be contentious and technically difficult), but to establish the contribution of an intervention to a change. In other words, how do we credibly explain the changes we observe? How do we make the link to our intervention?

As randomised control designs for various reasons were not an option for the Land Programme, we combined different elements:

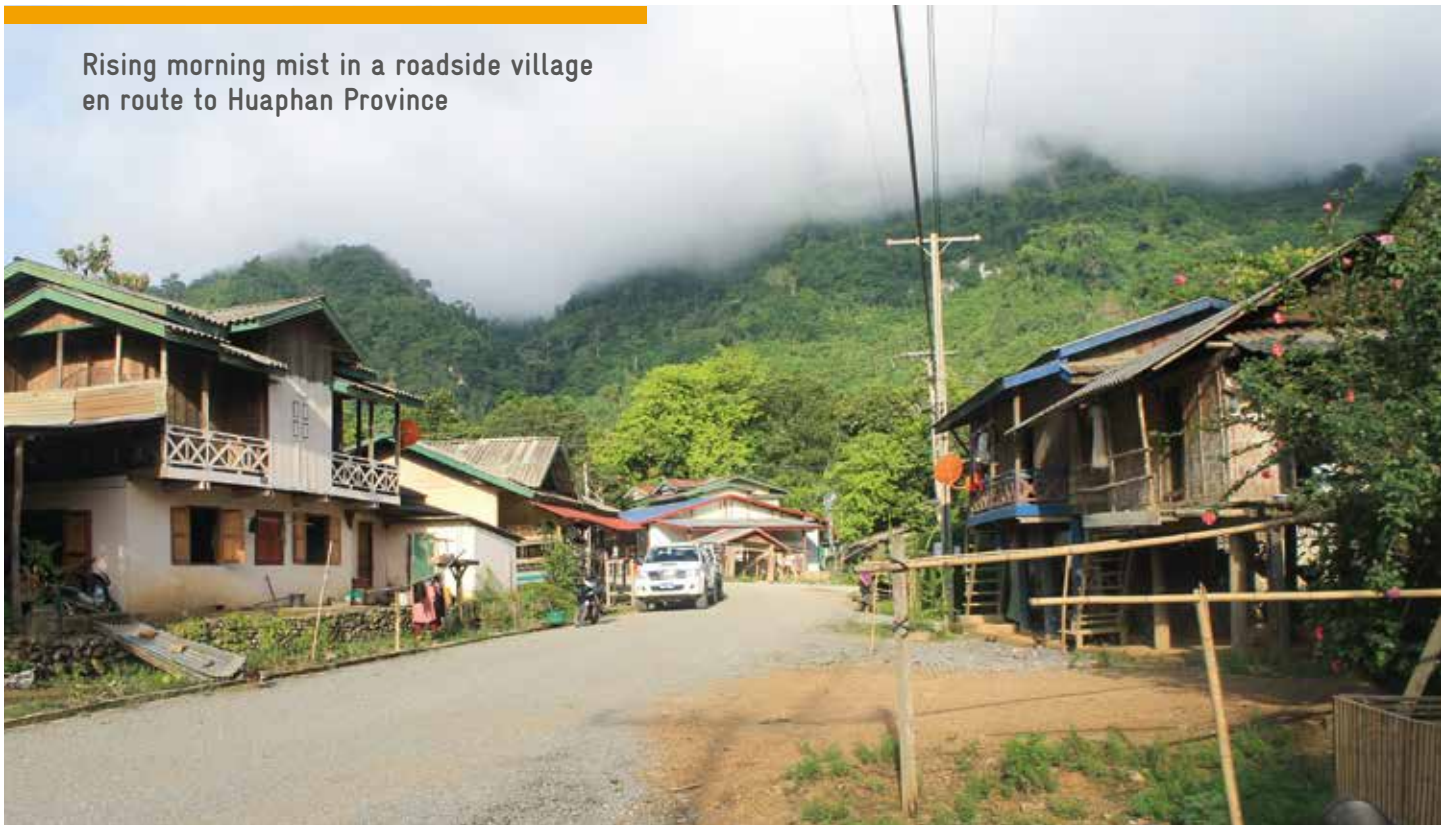
- **Retrospective baselining:** asking respondents to compare current situation with their situation several years ago, taking into account the recall errors and response biases that this may bring.
- **Triangulation in data sources and questions asked:** complementing closed-ended questions in household survey with open-ended questions in focus group discussions.
- **Using non-intervention households and villages for comparison:** allowing for a comparison of what happens with and without PLUP and Systematic Land Registration.

While not perfect, this allows us to draw reasonable conclusions on the effect our intervention has likely had on the outcomes we are observing. It does not beyond a doubt demonstrate that effect for all of the Land Programme's target villages.

Most villages included in the study had undergone the full package of intervention that the Land Programme delivers, including PLUP, and Systematic Land Registration and Titling. The four non-intervention villages had not received systematic support on land management from GIZ, however, in Savang Village in Sayabouri, some villagers had had their land registered already. Some villagers in Borhangna Village owned land certificates. Since this was limited to a small group of households, these remain included as comparison villages.

What this demonstrates is that villages should not be treated as main units of analysis – while it is important to look at village-level dynamics, we also need to take into consideration that in the absence of a GIZ-supported intervention, villagers might have received or taken measures to secure their land in different ways. **It is for this reason that we will also draw comparisons between households, even within the same community.**

Ideally, the study would have been able to look more holistically at the contribution of other Land Programme activities in combination with land titling and registration. For instance, the programme has supported the government in elaborating spatial maps of use zones in specific areas (Area Physical Framework) and land 'hotspots' – where the risk of conflict is high. The programme is also engaging district governments and private businesses on improving the quality and inclusiveness of land-based investments. The potential effects of these meso-level interventions are not accounted for in this study.



Rising morning mist in a roadside village en route to Huaphan Province

Annex 2: List of study villages

	DISTRICT	VILLAGE	HOUSEHOLDS	POPULATION
Luang Namtha	Viengphouka	Thiao	218	1109
	Nalae	Mokchord	42	290
	Nalae	Homchalern	51	284
	Nalae	Viengmai	63	317
	Sing	Boungkok	59	342
	Long	Pakha	72	506
Huaphan	Viengxay	Kian	35	177
	Huameuang	Vaek	33	178
	Huameuang	Soblao	164	388
	Xon	Nakian	89	589
	Xon	Meuangkao	85	513
	Xamneua	Ong	60	224
Sayabouri	Phiang	Nakhaem	362	1666
	Phiang	Sibounheuang	134	573
	Thongmixay	That	144	623
	Thongmixay	Savang	96	396
	Botene	Borhangna	42	181
	Xienghone	Kham	184	767

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