SUPPORTING THE RECOGNITION OF CUSTOMARY TENURE IN THE MEKONG REGION

A multilevel program of MRLG

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INTRODUCTION

The political economy of land is changing rapidly worldwide and especially in the Mekong Region. Structural shifts in agrarian and tenure systems are transforming communities and leading to land scarcity. Land speculation and government grants of large land concessions to investors, forestry exploitation and tourism have served to limit rural communities access to resources vital to their livelihoods and economic survival. Meanwhile, climate change, and environmental degradation are decreasing the amount of fertile, arable land available for productive use. As a result, fertile land is no longer in abundance. The impacts of such trends are exacerbated by in-migration of new settlers, which is putting heavier demands on arable land. As land is getting scarcer, conflicts related to this key resource are escalating. The lack of recognition and safeguards of legitimate customary tenure rights are also one of the most contentious and complicated land related issues in mainland Southeast Asia.

1 This paper is based in part on a project document drafted with technical support from FAO. It has been prepared by C. Castellanet, Kate Rickersey, Aurore Mansion and Tony Burns. The views, opinions and interpretations expressed in this paper are those of the authors. They should not be interpreted as representing the official or unofficial views or positions of SDC or BMZ/GIZ or FAO and do not reflect the position of SDC or BMZ or FAO.

2 The Mekong Region Land Governance project (www.mrlg.org) is implemented by LEI and Gret with the support of SDC, BMZ-GIZ, and soon the government of Luxembourg.
(Cambodia, Lao PDR, Myanmar and Vietnam). These issues have been the root of conflicts and violence in some parts of the region.

To tackle these issues, improving the governance of tenure is a key. It is important to ensure the existence of policies and legal frameworks on land and natural resources that protect all people who have a relationship with land, including indigenous groups. Furthermore, national and local level institutions need to be prepared to implement responsible governance of resources and people need to be aware of their rights and how to exercise them. The governance of tenure is a crucial element in determining if and how women, men, and communities are able to secure or acquire rights, and associated duties, to use and control land, fisheries and forests. Many tenure problems arise because of weak governance, and attempts to address tenure problems are affected by the quality of governance. Weak governance adversely affects social stability, sustainable use of the environment, investment and economic growth (FAO 2012). People can be condemned to a life of hunger and poverty if they lose their tenure rights to their homes, land, fisheries and forests and their livelihoods because of corrupt tenure practices or if implementing agencies fail to protect their tenure rights. People may even lose their lives when weak tenure governance leads to violent conflict. Weak governance of tenure is especially detrimental to rural communities that may have customary tenure rights without a formal recognition of these rights, and even more so there are specific gendered impacts on women and men, depending on traditional customs, government policies, and patterns of land use.

The tenure rights’ situation in four countries of Mekong Region

In this context, the understanding, contextualisation and awareness for the recognition of customary tenure is of broad interest in all concerned countries in the Mekong Region, i.e. Cambodia, Lao PDR, Myanmar and Vietnam. The tenure rights’ situation is briefly described below per country.

Cambodia

In Cambodia, the state is not the ultimate owner of all land. There are different tenure systems for indigenous peoples and other groups/sectors under the new land law promulgated in August 2001. There is no recognition of customary tenure as such, but communal/collective tenure rights exist. Communal/collective titles grant use rights with five specific land categories (residence, agriculture, etc.) to indigenous peoples. This poses the dilemma and challenges for indigenous people whether or not to be recognized as indigenous and obtain communal/customary tenure rights or to opt for individual titles. The possession of a title does not necessarily mean security of tenure, as in some cases individual titles have been issued within registered communal land.

The two types of title are found in different geographic locations: communal/collective rights mainly occur in the uplands, individual rights are found in the lowlands of the country.

The registration of collective/communal land rights has been a slow process in which a number of steps are required by the 2001 land law which recognizes indigenous peoples’ community land rights: (1) the community needs to be recognized; (2) followed by recognition of the legal entity; and (3) subsequently granting the title. Currently, only eight titles have been issued and 10 are forthcoming.

There are many conflicts occurring in the context of allocation of economic concessions. These are granted by government with serious adverse implications for indigenous peoples’ land. Indigenous peoples and other rural Cambodians frequently have little or no say in establishment of land concessions, and may not even be aware that concessions are granted until a company arrives to claim their land.
Lao PDR

In Lao, the state is the ultimate owner of all land. A reform process is underway with the Land Law of 2003 to recognize three types of titles: (1) individual, (2) public and (3) collective. The current idea being developed is that communal title would apply to the entire community, whereas collective title applies to collectives, user groups and/or associations. Customary tenure is not a category. One should note that communal titles are at present not yet issued. There are huge differences between individual and communal/collective titles in the registration process and the rights and responsibilities allocated. The titles issues do not necessarily secure the rights obtained.

Currently, the draft national land policy is under discussion. Adoption of this draft policy is expected by December 2015.

People have to cultivate at least three years their plots before being eligible to obtain title. In the past temporary land-use certificates have been used to prove tenure rights and to obtain title. However, this does not cover the plots used in shifting cultivation, with a typical 8 to 10 years rotation. This practice is strongly discouraged by the law (considered as "illegal deforestation", and the fallows are limited to 2 years. This has resulted in severe yield reductions and limitations of tenure rights for all upland communities.

There is no specific land for indigenous people as no such difference is made in the population. All citizens of all ethnic groups are considered equal under the law. In practice, this may disadvantage non-Lao ethnic groups who have less access to decision-making and information (which is provided in Lao language).

Concessions granted very often infringe on communal/collective tenure rights and lead to many disputes and conflicts. Large tracts of land in northern and southern Laos have been granted to Chinese and Vietnamese investors, respectively, for rubber, coffee, and other agricultural investments. Hydropower is a key component of Laos’s energy and finance strategies, and large areas of land have been expropriated for dam construction, particularly in non-Lao ethnic areas.

Myanmar

In Myanmar, the state is the ultimate owner of all land. There are approximately 20 laws regulating land issues and more than 20 line departments involved in land management. The Land Law of 2012 recognizes that:

- The state being the ultimate owner of all land, such land can be nationalized by the government, if necessary;
- Farmers have land tenure rights for cultivation through the Land-Use Certificates (i.e. use rights), but only in accordance with the government instructions;
- Land rights can be sold, traded, mortgaged, etc., but customary or local rights and practices are not properly recognized by law as there are gaps between local arrangements and the law; and
- There are many conflicts about the granting of the Land-Use Certificates.

Communal land is not recognized by any law and shifting cultivation practices are only mentioned in a bylaw of the Famland Law. The term indigenous is not used in Myanmar. There is an Ethnic Minorities Rights Protection Law in which all groups are considered to be the same. Customary rights can be held by anyone, though these are not legally recognized (e.g., there are customary certificates for forest areas). The documentation of rights does not necessarily secure them.
Currently, a nation-wide negotiation process is underway to provide comments on the draft National Land Use Policy (NLUP). These comments will be used to revise the draft NLUP. One of the issues in this process is how to promote the idea of the recognition of customary rights. This process is expected to be finalised by October 2015.

It is foreseen that after the process of the NLUP, a national Land Law will be drafted to provide guidance and to harmonise the land-related laws. This is the next negotiation process envisaged.

The recognition of customary rights and the implications for economic investments is an important and very actual issue in the country.

Vietnam

In Vietnam, the state is the ultimate owner of all land. The Land Law of 2013 recognizes private and communal lands. Customary tenure is not mentioned in the law, however provision is made for allocation of sufficient productive land for ethnic minorities (Article 133). Several land-use categories are distinguished: agriculture, non-agriculture, etc.

The government has granted individual certificates for the majority of agricultural lands on an egalitarian base. The documentation of rights, however, does not necessarily secure them. Large areas within the country have been allocated to state farms and forest enterprises. Local community members can sometimes lease these lands back from state companies; in other cases they are considered to be “encroaching” when they seek to access their traditionally managed forests.

In mountainous areas 13 million people, mainly belonging to minorities, do not have their customary tenure rights formally recognized.

The recognition of customary rights and the implications for economic investments is an issue in the country.

Regional comparison

The above short descriptions per country allow a comparison. The national legislations show that often customary tenure as such is not recognized, and if the legislation does recognize, it places stringent conditions on their recognition making the protection of such legitimate tenure extremely difficult (e.g., Cambodia).

Whilst the rights of farmers on permanently cultivated plots are usually recognized and protected (e.g., mostly on lowland rice plots and permanent agroforestry plantations), the rights on traditional shifting cultivation (rotational slash-and-burn) cropping systems, characteristic of uplands, are usually not recognized and often these systems are criticized as the cause of deforestation and environmental degradation. A particular issue facing swidden / rotational cropping farming practices is national policies that are put in place to reduce and in some case eliminate this practice (e.g. in Laos, Ducourtieux O., 20063).

This affects predominantly (but not only) indigenous peoples and ethnic groups who occupy the mountainous areas. As a result, they are often the most affected by the occupation of their land by newcomers and (national and foreign) investors from other areas and its conversion to large-scale plantations, and often are displaced and bereft of part or all of their livelihoods, with limited measures to compensate or alleviate their losses. Furthermore, customary tenure comprises a set of rights that can be collective/communal and/or individual.

**Concessions threatening Customary Tenure of Family Farmers and Ethnic Minorities**

With the notable exception of Vietnam, the granting of agricultural and agroforestry concessions has been a massive and quick phenomena in the region. Land concessions in Laos have reached a total of 1.1 M ha (on which 450 000 ha are agroforestry concessions, the rest is mostly mining concessions), more than the total area of permanent rice lands in Laos (Schoenweger et al, 2012), and in Cambodia agroforestry land concessions represent 2.5 M ha (owned by 277 companies, to be compared to 3.1 M ha of agricultural land owned by 1.9 million farmers families (Diepart, 2015)). In addition, an estimated 28 % of rural families are landless (Phann et al. 2015).

In Myanmar, the historical background is different and land allocation to domestic companies was encouraged by the government on “vacant and fallow lands” as far back as 1991, as part of the “Myanmar way to capitalism” (Kevin Woods, 2015). However, this never really materialized in large-scale production development (most concession holders were in fact interested in logging and extracting natural resources) until 2011. The new transition government encouraged investors (including foreign investors) to invest in large scale economic concessions, with a resulting boost from 800,000 ha in 2011 to 2.1 M ha of concessions in 2013, mostly located in “peripheral” frontier states such as Kachin and Thaninthy (Kevin Woods, 2015). Although most of the 800 companies are registered as Burmese, in fact foreign investors (Chinese in particular) control part of these companies. Many of these concessions are located in conflict zones, where local ethnic populations have fled or are expelled by military groups (either from government or from the insurgent). In addition, 5 M. ha has been identified as available for future concessions by the Myanmar government.

In the other three countries, concessions have been granted mostly in upland/ forested areas occupied by traditional populations (many of them, but not all of them belonging to ethnic minorities) which depended on rotational fallow / slash and burn agriculture for their subsistence, and also used a lot of forest products for their livelihood. As their customary rights were not recognized and they seldom had titles, this land was considered as “vacant” and belonging to the State, and as a result could be allocated to agribusiness and plantation investors.

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Recognizing Customary Tenure

Various mechanisms have been put in place in the last 15 years by the governments to allow for the recognition of rights, including communal land titling, demarcation of community forest areas, recognition of community management of agricultural lands, participatory land-use plans, etc. But these measures seem to have limited effects in practice. In addition to that, the documentation of rights, through either recording, registration or titling, does not necessarily secure them, especially when the overall tenure governance is weak. Indigenous groups and rural communities can be easily co-opted to engage in (or be subject to) damaging land transactions losing their land and therefore their livelihoods. Further enforcement steps are required.

The governance of tenure, in particular the recognition of customary tenure, should be improved in order that "all legitimate tenure right holders and their rights are recognized and respected", with measures to "promote and facilitate the enjoyment of legitimate tenure rights" and "with an emphasis on vulnerable and marginalized people" in the national contexts. These are some of the general principles of the new governance instrument the ‘Voluntary Guidelines on the Responsible Governance of Tenure for Land, Fisheries and Forests in the Context of National Food Security’8 (VGGT), developed in an inclusive and participatory process that lasted more than three years. Application of the VGGT can provide guidance to both government and non-state actors (FAO 2012). Furthermore, the VGGT are a cross-cutting activity within the Mekong Regional Land Governance (MRLG) Project. The VGGT specifically address this context and the need for clearer understanding of differences between statutory and customary tenure concepts through Section 9: Indigenous peoples and other communities with customary tenure systems (p.14).

There is a renewed momentum to recognise community and indigenous land rights internationally, with an increasingly large part of the private sector recognising the importance of community land rights, and committing to adopt Free Prior and Informed Consent (FPIC) procedures in practice, and renew efforts to address land conflicts responsibly. Further, there is a strong chance indigenous peoples and community land rights will be recognised in the Sustainable Development Goals (SDG) currently under negotiation, which can generate opportunities through the expected UN SDG monitoring framework. Finally, a five year “Global Call to Action on Indigenous and Community Land Rights” will be launched later in 2015, which shares the aim of this project to build support for greater recognition of customary land rights.

A fundamental step to tackle the challenges regarding weak governance of tenure and lack of recognition of customary tenure is building knowledge to better understand customary tenure systems and to subsidize national and regional land policy dialogues. The establishment of links between the recognition of customary rights, and securing those legitimate rights, will enhance economic development opportunities, livelihoods and food security, lessen conflicts and improve social peace.

PROPOSED ACTIVITIES TO PROMOTE CUSTOMARY TENURE SECURITY IN THE MEKONG REGION

MRLG with the intended technical support of FAO have decided to develop a regional policy dialogue on customary land tenure, with the ambition to influence policies and legislation to secure small holders and indigenous peoples customary rights.

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8 The VGGT were endorsed by the Committee on World Food Security (CFS) on 11 May 2012. Their implementation is encouraged by G8, G20, Rio+20, Francophone Parliamentary Assembly, the World Bank, UN General Assemblies and Berlin Agriculture Ministers’ Summit, as well as Coca Cola, Pepsi, Nestlé and Cargill.
MRLG Recognition of Customary Tenure:
Presented in Berne, 30th September 2015

MRLG is a regional program designed and funded by the Swiss Agency for Development and Cooperation (SDC) and the German cooperation (BMZ/GIZ), with a first four years phase from 2014 to 2018. It is implemented by LEI (Land Equity International) and Gret (Professionals for fair development). It operates in Cambodia, Laos, Myanmar and Vietnam.

The project was designed in response to the increasing global recognition of the importance of secure land tenure to the food security and livelihoods of family farmers, and in particular the increasing threat to family famers from large scale land acquisitions in the Mekong region. The project has a range of intervention mechanisms, including: a grant facility with Quick Disbursement Funds and an Innovation Fund for short and medium term projects undertaken by stakeholders; learning and skill building opportunities; research facilitation and information dissemination; and support to establish and strengthen alliances and networks of reform-actors in pursuit of family farmer tenure security.

During its inception phase, in 2014, MRLG engaged with a wide network of reform actors, from civil society, research, development agencies, governments and private sector and discussed the priorities for better land governance at both the national and regional level. As a result, it has decided to focus its activities in four thematic areas: the regulation of foreign investments and large scale land acquisition, the recognition of customary tenure, conflict management and transformation at local level, and the development of legal education and rights-based approaches. In the case of customary tenure, FAO, together with AIPP and Oxfam, has decided to involve itself in the preparation of a regional policy dialogue plan described below.

FAO is making a major effort to encourage the adoption and implementation of the VGGT at the international level, as one of its top priorities strongly supported by its present Director General. The VGGT are a rallying point for all actors involved in agriculture, food security and nutrition. FAO and its partners are very active in disseminating and supporting their implementation globally and at country level. Key activities include capacity building and promoting policy dialogue around the VGGT. While considerable efforts have been made to approve and disseminate the VGGT, incidences of land dispossession continue in various places around the globe. The issue is complex and there is the need to keep promoting and applying the VGGT, so that legitimate tenure rights are respected and protected.

ACTIVITIES AT COUNTRY LEVEL

MRLG has supported since end 2014 interested groups of national stakeholders to develop joint initiatives (“learning and advocacy” activities) relating to the recognition of customary tenure at the national level. The specific focus of these activities vary depending on the national context and opportunities.

In Myanmar, a group of CSOs has undertaken to document the situation of customary tenure in various situations most of them located in the “ethnic states” upland minorities, with the support of experienced international and national researchers. There have been very little research during the past 40 years on these customary rights, therefore documenting what happens effectively on the ground is an essential element of the on-going dialogue with the government and parliament on customary tenure recognition. In addition, this activity if helping to train local CSOs, particularly those based in ethnic states to be able to themselves analyse the situation of customary rights together with the communities, and better advocate in future for their recognition.

In Laos, a working group on “communal land registration” has been established by the MONRE and includes various partners, GIZ, other land related projects, and CSOs.

The change in uses of this “communal land” may have significant impacts on natural and social environment, especially on the livelihoods of local communities. To prevent communal
lands to be inappropriately taken away from communities, registration, and eventual titling of them can be an effective measure. Most of communal lands are in fact forests managed by communities (mostly for Non Timber Forest products), or semi forested areas used with rotational fallow systems, which cannot be registered as private property under the present system. Being fully aware of this issue, in its first National Land Policy Review schedule in June 2015, the government has put governance of communal land as an item amongst others on the agendas.

The working group proposed activity lead by the Department of Land Administration, MONRE and in collaboration with some locally based NGOs, will work on case studies to support to the government initiative above. The group will gather information on existing legal frameworks and communal titles initiatives in relation to registration of communal land in Lao PDR and in neighbouring countries to analyse and synthesize some case studies on the subject matters which can serve as basis for consideration by the government.

Some related, key challenges can be described as follows:

- Implementation and enforcement of land related policies, rules and regulations has not been comprehensive and vigorous throughout the country, especially in rural areas
- There is no detailed legislations on, neither clear definition of communal land, thus improvement made earlier to the draft NLP has not yet been approved. This is an item on the agendas of the forthcoming National Land Policy review.

In Vietnam, a group of research organisations, CSOs and Government organisations (Ministry of Agriculture – Department of Forestry), led by Forest Trends, has engaged in dialogue around the promote-ion the transfer of management and use rights over forests and forestry land from State Forest Companies to local households and communities of ethnic minorities. Various initiatives have been launched recently to support government policy to transfer back part of the forest managed by state companies to local users. Many upland ethnic minority people who are dependent on the forest lack of the land for cultivation thus their livelihoods are constrained. Data from the Standing Committee of National Assembly show that during 2002-2008 around 421,000 households of minority groups who lacked the land for cultivation. In the period of 2009-2011, the land-lacking households still remain high: 347,000. Unequal access to land is one among the key reasons causing rampant land conflicts between local people and SFCs. Land shortage also triggers widespread poverty especially among upland ethnic minority groups.

In response to the problem of ineffective land use by State Forest Companies, the Government of Vietnam have formulated some key policies aiming to restructure this sector. Especially, the Resolution 30-NQ/TW issued by the Central Party on 12 March 2014 pressing further restructuring of SFCs at a faster face. The government’s Decree 118/2014/ND-CP on 17 December 2014 provided guidelines for the implementation of the Resolution 30.

The group is planning to conduct case studies on the procedures of forest land reallocation and engage in dialogue with the concerned government agencies in order to produce recommendations on the implementation of the reallocation policy.

In Cambodia, a group of Indigenous organizations have come together to strengthen the indigenous community leader role and responsibility and ownership capacity in order to enable themselves in dialogue on current land conflict. Since the adoption of Land Law in 2001, based on documents from relevant NGOs, donors and government agencies, as of April 2014 101 communities have been recognized as indigenous communities by the Ministry of Rural Development, 76 communities have legal recognition from Ministry of Interior, but only 19 communities have submitted their collective land title applications, and 8
have finally received land title certificates. The procedure is complex, and obstacles to the effective recognition of community rights are quite significant.

The 6 Indigenous Organizations that form the “Indigenous People Alliance” has decided that their main priority at the moment was to strengthen their capacity in community empowerment through action research and to enhance their common understanding and position on customary land rights and tenure security. They have planned to organize a Training of Trainers for IP organizations on community participatory action research, and will organize three seminars on experience and lessons of customary land rights and tenure security in Cambodia, with the ambition to produce a common position paper, and a community action tool kit.

**POLICY DIALOGUE AT THE REGIONAL LEVEL**

The draft activity was designed jointly by MRLG with technical support from FAO since Feb 2015, and also with associates from OXFAM and AIPP at the regional level. It will also integrate the different stakeholders mobilized by MRLG at the country level (as described above). Its implementation should start in October 2015, and is expected to continue until April 2018.

The initial strategy on the recognition of customary tenure will be executed over a period of one year, covering:

1. Documenting the ‘on-the-ground’ reality (not just the theory or implications) on the practice of customary tenure and related issues for further discussion and identification of gaps and needs; and

2. Engaging in a dialogue with governments on challenges and opportunities related to the recognition of customary tenure.

Actions envisaged in the strategy are a stock-taking exercise to document and exchange information on the (lack of) recognition of customary rights and the exchange of good practices in Cambodia, Lao PDR, Myanmar and Vietnam. A regional workshop will be held to share experiences among countries and disseminate results of the stocktaking exercise.

In the inception phase of the activity, a first small workshop will be organized with interested organizations and one or two contact points from the four target countries. This inception workshop with a group of 8-10 representatives together with the MRLG project team will coordinate the envisaged activities and manage expectations. This workshop will further refine a drafted TOR for the stock-taking exercise.

The stock-taking exercise will provide the starting point for the activities under this thematic area. It will provide the baseline data and information for further discussion and further identification of needs and gaps in the individual countries and at regional level. The needs and gaps analysis shall guide the collective identification of key activities in year two as the recognition of customary tenure is a process that will take longer than one year.

The stock-taking exercise will take the form of a study conducted by an experienced consultant in the four countries, in cooperation with the MRLG Country Facilitators and with technical support from FAO. The data and information gathered, including desk review of existing material, shall be consolidated as country reports on customary tenure. In the development of this task, identification of key decision makers will also be made, in order to understand their perspective and initiate the dialogue with them in preparation of the policy dialogue process. The stock-taking exercise will be complemented by a stakeholders’ analysis that will be performed by the MRLG National Facilitators and where possible with inputs from FAO and the consultant.
During the inception workshop, participants will discuss the main questions to be addressed by the stock-taking exercise/study. Some examples\(^9\) that shall be further complemented are the following:

- What types of rights, responsibilities and restrictions exist relating to customary rights in law and in practice under customary land ownership, use and management?
- Who are the right holders in law and in practice?
- What is the object of the tenure right (“for what?”)?
- What is the setting for governance and administration of the rights and the support to the communities?
- Which methods for customary rights recognition and technical requirements exist (What would be needed at a technical level to identify the right)?
- How does obtaining secure tenure right(s) have an impact on livelihoods?
- How does understanding and enforcement of customary tenure vary among ethnic groups in different regions of each country?
- How does customary tenure affect women, youth, vulnerable and traditionally marginalized groups in society?
- Are there conflict resolution and grievance mechanisms in place?
- What are the obstacles to reinforcing customary tenure and which actors are most influential in determining if those obstacles can be removed?

The results will be consolidated at the country level and will be synthesized at regional level. FAO will provide technical support to the establishment of dialogue platforms at national and regional levels, engaging the Governments in the target countries, as well as other concerned stakeholders. Through contacts at national level, key stakeholders, especially the ones from Government organizations, will be invited to participate and provide inputs to the discussions on the results of the stock-taking exercise /study results. That will be a good opportunity to build influence among Governments, fostering measures to address issues related to the lack of recognition of customary tenure. Exchange of experience among the different countries will also be fostered and supported at regional level. FAO will also promote the discussion about these subjects in the Regional Multi-Stakeholder Conference on Land Governance in Asia and Pacific Region which shall take place in Bangkok from 17 to 19 November 2015.

This will provide the input for the regional consultative workshop to be organized in February 2016. Furthermore, initial discussions were held where it was proposed to present these synthesis results at the MRLG ‘Dare to Share’ fair that is likely to unfold as a Regional Land Forum, to be co-organised by GIZ and MRLG 23-27 May 2016. Further consideration of participation in events already scheduled, such as the Asia Peoples Forum and Australian NGO Forum, were mentioned as examples, where the results could be presented should be deliberated. Events in 2016 by other complimentary organisation should also be targeted for dissemination purposes.

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\(^9\) Main questions as formulated during the MRLG Regional Consultation and Planning Workshop in March 2015. FAO tenure analysis reports previously conducted may be used, and the LGAF Tenure Analysis questionnaire may also inform this exercise.
CONCLUSION

The recognition of customary tenure is a key aspect of increasing tenure security for small holders and ethnic minorities in the Mekong Region, especially in the context where large scale land acquisition has been happening at a fast rate as a result of public policies. Powerful economic forces are driving farmers out of their lands, and the prospect of increased economic integration through the ASEAN + process will accelerate these trends. On the other hand, the recognition by the international community of the importance of the customary land rights within the VGGT mechanism is giving a strong signal to the concerned governments and companies in order to integrate this recognition in their legal system and in practice. By bringing together a variety of stakeholders both at national and regional level, by combining research, case studies, and innovative experiences, MRLG together with FAO hope that they can influence the improvement of policies and practices, guaranteeing the recognition of smallholder farmers and ethnic groups rights.