



Responsible Land Governance: Towards an Evidence Based Approach

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**SUPPORTING GREATER TENURE SECURITY FOR COMMUNITY AND CUSTOMARY
LAND RIGHTS-LESSONS LEARNED FROM THE FIELD AND HOW COMMUNITY LED
PARTICIPATORY MAPPING EMPOWERS SMALL HOLDER FARMERS IN MYANMAR**

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Abstract

The democratic transition of power in Myanmar, following the handover of power to the National League for Democracy (NLD) administration, is still in its infancy and yet faces serious challenges. The absence of land tenure security is a significant issue facing rural communities throughout the country, a situation that has led to weak agricultural development, heightened rates of rural poverty, and, in the worse cases, the dispossession of land resources previously accessed by entire communities.

The USAID-funded Land Tenure Project has supported the development of a National Land Use Policy (NLUP) and has been evaluating the implementation of articles of the NLUP at a series of pilot sites throughout the country. Community-led participatory mapping of different land resources have been undertaken in coordination with local authorities, local civil society, and the communities themselves. The technical approaches developed as part of this work will be shared as will the outputs and lessons learnt from these activities that will inform the development of a new National Land Law that will recognize the land rights of communities, ethnic minorities, and women.

Key Words: Grassroots, Land Tenure Security, National Land Use Policy, Participatory Mapping

INTRODUCTION

Beginning in 2015, as part of the United States Agency for International Development's (USAID) Tenure and Global Climate Change (TGCC) program, known locally as the Land Tenure Project (LTP), work has been undertaken to investigate how provisions in the new National Land Use Policy (NLUP) relating to legitimate community land tenure rights, recognition, and protection could be implemented at the grassroots level within targeted village tracts comprising four to eight villages. Through engagement with local community stakeholders that lack legal recognition of customary tenure claims or knowledge of land administration, the project has piloted participatory mapping and land inventory processes associated with specific articles of the NLUP in two village tracts. The ultimate purpose of these activities is to document a series of lessons learned that will in turn inform decision makers when new legislation or amendments to existing legislation is considered. Located in Bago Region and Southern Shan State, the pilot sites include twelve villages located in the Yway Gone and Let Maung Kway Village Tracts. The Forest Department (FD) of the Ministry of Natural Resources and Environmental Conservation (MONREC) is responsible for land management at these sites and close coordination at the national and local level has been ongoing.

Grassroots or community-led resource management is one underlying element of the NLUP and pilot site activities have included working with village members to document land resources through the use of participatory mapping methods and tools. The NLUP describes the aim of recognizing and protecting community and customary land tenure rights. In the absence of formal legal recognition of these rights, the aim of community-led land resource mapping is to document legitimate land resource claims by community members, supported by local civil society organizations (CSOs), so that local authorities can acknowledge community interests and avoid land management decisions that might deny existing use rights and lead to land based disputes.

OVERVIEW OF THE PROCESS

Land administration information in Myanmar is often obsolete, inaccurate, and/or absent. The NLUP provides an opportunity for communities to document their land resource information, including community boundaries and land use. Participatory mapping offers an avenue for communities to engage in these efforts irrespective of educational level and to create final mapped outputs that meet international data quality standards. The mapping process, developed by the project team at the first pilot site, is flexible and yet provides a structured approach to meeting the aims stated above. The LTP-piloted mapping process consists of several phases: 1) introductory activities that sensitize local stakeholders to the aims of the work and study the land resource and tenure trends in the village tract, 2) participatory mapping activities

consisting of community boundary identification and land use inventory; and, 3) final village folio handover and stakeholder engagement. This section describes the process in more detail.

Stakeholder Sensitization to Mapping Objectives and Tenure Assessment. Coordination and close communication between stakeholders is essential from the outset of pilot site work. Levels of trust between communities and local authorities are generally low, so the project supports local CSO groups to facilitate logistics, raise awareness of land issues, and interface, when necessary, between other stakeholders. The role of project staff is to provide technical training, support to the local CSO groups, and oversight on all aspects of communication, sensitization, land resource mapping, and subsequent use of the resource maps, thereby ensuring that successful outcomes could be replicated in other areas of the country.

Sensitization efforts ahead of any fieldwork include coordinating with FD staff to determine the pilot site. A range of parameters is used to evaluate potential sites, including the presence of customary land management practices, ethnic minorities, central government control, land administered by the FD, security, and logistics. Once identified, the project coordinates through CSO networks to identify and engage the support of a local CSO that already has longstanding ties with the community.

Working in collaboration with the CSO, project staff support a land resource and tenure assessment. The principal aim of the assessment is to identify land issues particular to the village tract in order to inform subsequent field activities. Information on present land use patterns, historical aspects of land use, and dispute documentation are all included using a series of questions that has been standardized and incorporated into a tenure assessment guide for use by other groups. The assessment guide then forms part of the training efforts offered by project staff to all stakeholders throughout the course of pilot site activities.

A second important element of the sensitization process is an effort to increase the awareness of communities to existing land resource legislation that presently impact administration of land resources in the pilot site. Formal presentations on the NLUP, the Vacant, Fallow and Virgin Land Law (VFV), the Farmland Law (FL), and Community Forestry Instructions (CFI) are delivered to community members and local authorities, as needed. The team visits pilot site communities for two days and shares information about the NLUP, introducing new elements of a future national land use approach and framing community-led mapping efforts.

Participatory Mapping of Community Boundaries and Land Use. Community boundaries, either individual village or the village tract limit, are the first to be collected. During a full community meeting, project staff and the CSO partner ensure that clear expectations are set and any pre-conceived issues identified. Over the course of three hours, community members discuss land resources in their area,

demonstrate their spatial knowledge using sketch mapping, and select a representative committee of village residents with recognized knowledge about boundary markers.

Village committees consist of an average of eight members and are comprised of a cross-section of the village including elders, youth, men, and women. The committee describes the community boundary to project staff, first verbally before writing down the key monuments by which the boundary is marked. This information is then presented at a plenary meeting with all village members invited to ensure agreement with all present.

At this stage the community boundary is sketched upon a map media, either hard copy or using a projector and Geographic Information System (GIS) software. Elements of the boundary that are clear are specifically indicated, such as those that follow an existing road or stream. Areas where the committee is less confident about the information presented are also captured and described as such. These areas, where the community boundary follows areas that are not immediately clear from satellite imagery, are marked for later confirmation using a Global Positioning System (GPS) unit to conduct a boundary field walk.

Subsequent visits to the pilot site communities focus on the creation of a land use inventory. This information is collected using mobile mapping tools to enhance data management. The land use inventory provides information to authorities that offers reliable evidence of legitimate land tenure claims by communities when there is an absence of formal land tenure documentation.

Field mapping activities are completed after all community boundaries and land use inventory data for a village tract is captured. Where relevant, attempts are made to gain access to official government land use information, including land concessions granted under the VFV Law, to build a more complete and detailed picture of land use realities within the village tract.

Once field mapping is complete, pilot site activities continue with collective committee member meetings to share, discuss, and finalize findings between all communities in the village tract.

Final Village Folio Handover and Stakeholder Engagement. A multi-stakeholder meeting is then held, where communities present their work to local authorities and discuss any issues that they face. Once these meetings have occurred, village or village tract folios are provided to all those involved, containing lists of participating committee members, map outputs, written lists of land use inventory details, and an explanation of the processes and tools used to capture the information.

The results of pilot site activities to date include the creation of a participatory mapping guide for organizations wishing to implement similar activities in other locations, and the collection of important lessons learned from the entire process. These lessons learned will be shared with concerned stakeholders,

including local government officials, and may influence how customary tenure arrangements will ultimately be recognized, protected, and formally registered under land governance legal frameworks that have yet to be developed.

LESSONS LEARNED BY ENGAGING WITH LOCAL GOVERNMENT STAKEHOLDERS

Robust and frequent engagement with local government stakeholders throughout the participatory mapping process is very critical to success. The project team has found that having buy-in from local authorities is an integral part of the implementation. Reaching out to all the local government stakeholders, including the village tract administration, the township-level General Administration Department (GAD), Forest Department (FD), and the Department of Agricultural Land Management and Statistics (DALMS), is important as all of these entities have important roles to play with regard to the land tenure security of local communities. It is helpful to include local police and security officials in the beginning of the project in order to avoid creating a difficult situation for the village tract administrator.

At the township level, close and frequent communication channels should be built with all local government stakeholders, especially the village tract administrator, who has delegated authority over the lowest level of governance recognized in Myanmar's Constitution and reports directly to township-level authorities. In the early stages of implementation of the participatory mapping process, it is important to inform authorities about activities in order to keep all local authorities informed and to avoid any potential interest by local security services. A proactive approach is to fully explain the process that will be utilized to all concerned local authorities, seek out any initial concerns and do that which is necessary to address them, understand local context information on the area where the mapping is to take place, listen carefully to any recommendations from local authorities, and set up ground rules and local communication protocols. This will help to ensure success of the participatory mapping activity in the target area.

At both pilot sites, the team found it difficult to secure attendance of some key branches of government at the meetings organized. There were many times where the project had to rely on local FD/MONREC officers to set up meetings with other government representatives, and at times use their personal relationships between various officials in order to make things happen on the ground. One of the lessons learned is that early collective engagement with all local authorities in the same room in the township is helpful.

Throughout engagement with local authorities at both pilot sites, the team discovered that many land governance issues at the village tract level are decided and determined at higher levels of government, which does not empower local township authorities to engage in land use planning. At the township level, line ministry officials appeared to act based on orders from above. An additional challenge encountered is

that local authorities were not responsive to issues raised by community representatives without direct instruction from above on a specific item. As a result of this, it is important to build strong relationships at all levels of government in order to effectively implement project activities (village tract, township, state/regional and national level relationships). In addition, it is critical to build strong relationships across line ministries in order to better facilitate coordination between GAD, DALMS, and FD officials.

Pilot site activities found that the relationship with the village tract administrator is highly personality-based and securing support from the village tract administrator is critical to success. Handling communications carefully in an open and transparent manner that is compliant with protocol is important for all activities.

Pilot activities have indicated that local communities do not have access or established communications with local authorities, particularly with GAD and DALMS officials. The FD exhibited a greater willingness to engage with communities, but even this is limited. Communications with local government entities is normally handled between communities and the village tract administrator; local communities generally have little direct contact with other local authorities. Lacking public awareness and outreach campaigns, communities are not made aware of services that can benefit them and it appears there is no communication regarding activities or actions that might negatively impact their livelihoods. The project found a desire among many local authorities to implement their roles properly in order to provide better services, but there is a gap potentially due to lacking human and physical capacity.

The lack of organized and secure land records data management at the township level and lack of easily accessible records that properly reflect realities on the ground impacted local communities and project implementation. To implement a community participatory mapping approach, GIS mapping resources are required to manage data and generate outputs. Without the resources provided by the project, where such GIS mapping resources would be located is not clear at the local level. As there are a number of different line departments dealing with land governance issues within several concerned ministries, it will be a challenge to manage data and records in a sustainable manner. For example, within areas of the Permanent Forest Estate, the authority rests with the Remote Sensing and GIS Department within the FDt. If outside of the Permanent Forest Estate, it is not clear who should be the responsible agency.

LESSON LEARNED BY ENGAGING WITH LOCAL CIVIL SOCIETY ORGANIZATIONS

Working with a local CSO partner is essential throughout the participatory mapping process. It is important to engage with the local CSO partner at the initial stage of the process in order to be able to understand the local context and be able to effectively engage with the local communities. However, identifying a local CSO partner that has the necessary experience, capacity, and legitimacy with both the local authorities and communities is a challenge. Lessons learned from the pilot sites underscored the very real need to build

capacity of local CSOs so they can be more effective service providers. However, since the participatory mapping process is time-constrained in order to work within tight budget limitations, setting up ongoing capacity/finance-based mechanism for CSOs to extend the results of the work would be very ambitious.

Since the participatory mapping pilots are funded by USAID, it is important to note that the CSOs should be well informed of USAID policies and procedures required to successfully partner with the project. Information sessions or orientation workshops should be provided to CSO partners, and any concerns relating to working with the project should be sought out early in the process. In many instances local CSOs are not formally registered as a legal entity, so individual members of the CSO may need to contract directly with funders. This arrangement unfortunately makes the CSO feel as if it lacks a meaningful relationship with the project, and does not adequately cover the operational overhead costs of the local CSO.

LESSONS LEARNED FROM ENGAGEMENT WITH THE FIRST PILOT SITE COMMUNITY

Yway Gone Village Tract is located in Minhla Township, in Bago Region. It is one of Thayarwaddy District's six townships. The Bago River traverses southwards on the western side of the village tract. In Yway Gone Village Tract, there are four main villages: Bant Bway Gone, Haingyu, San Gyi, and Yway Gone. Of these, all except Haingyu have only ethnically Bamar residents. Haingyu is predominantly Kayin with some recent Bamar arrivals. Heingyu is the northern-most village and is located entirely within reserve forest lands under FD/MONREC's jurisdiction. This reserve forest cuts across both Minhla Township and Letpadan Township immediately to the east. While Bant Bway Gone village borders this reserve forest, it is located within an area of unclassified forest under the jurisdiction of DALMS and the GAD. San Gyi and Yway Gone villages also lie within unclassified forest areas. Lands that are part of unclassified forest fall under the purview of the VFV Law of 2012.

In the early stages of pilot activities, some community members were confused about the purpose of project implementation, as programs that are designed to raise awareness of laws and policy through participatory approaches have not been common in the area. Project staff answered many investigative questions asked by community members as well as local authorities. As the team invested time in the community, they learned and documented valuable lessons on community engagement. Based on this, the team developed training materials that are now being adapted and used for activities in the second pilot site. This section details feedback and lessons learned from each village's engagement in the pilot process.

Yway Gone Village

Community members from Yway Gone Village said that they were suspicious of the land tenure assessment, which was conducted right before the general election. According to them, it was a very

sensitive time of year because there was a nationwide census, as well as political campaigns. Thus, they were hesitant to participate in the discussion. It prevented them from discussing land issues frankly. Moreover, some traditional authorities expressed doubt and warned against new faces, strangers, and foreigners, who are believed to be no good for the community. One of the committee members said there were even some rumors in the community that the project staff chose the village because they might have found minerals underground or around the village.

However, after participatory mapping exercises, villagers came to realize that the program was not about looking for natural resources, but about educating people and promoting land tenure and property rights. After the boundary walk, it was clear that the project was collecting community voices to amplify the ongoing NLUP in order to address communal land tenure. Since that step, not only project committee members but also traditional authorities and public officials were involved in a series of project activities.

“The whole community from my village was at first very confused whether they wanted to investigate about our village’s natural resources or came for development of our village.”
Project Committee Member, Yway Gone Village

“I was not sure about the intention of the project, so I could not open up like I do today.” Villager, Yway Gone Village

San Gyi Village

Project committee members from San Gyi Village provided their initial thoughts about project implementation. Similar to Yway Gone community, the residents from San Gyi were doubtful at the beginning of the project. Later, San Gyi community became the most proactive village compared to the other villages within Yway Gone Village Tract. According to the traditional authorities from San Gyi, their village has been sensitive about land-related issues because many private and government plantations can be found in the area. The data collected from the Minhla Township MONREC office indicated that San Gyi community is surrounded by higher numbers of government and private plantations than other villages in the area. Community members reported that they had, for generations, previously cultivated the areas allocated for plantation development. When it came to the subject of land resources ownership during the focus group discussion in this village, it was easy to observe some emotional facial expressions, gestures, and heated side conversations among the participants. When the question was raised of the community’s early thoughts on the project, most of them were initially reluctant to participate. As land tenure issues previously existed and were linked with government departments and influential individuals, the whole village tended to stay away from the project. Members later stated that they answered some questions with

caution because the former village tract administrator accompanied the LTP team during the initial land tenure assessment.

“At first, we were not candid to the project. Later we found out that the purpose of the project and now there are no more doubts!” Village Elder, San Gyi Village

“Some neighbors used to question me about involving with the project as a committee member. There are still some people who are doubtful in my neighborhood. But I am going to invite them when project comes to village.” A Project Committee Member, San Gyi Village

Bant Bway Gone Village

Bant Bway Gone community is the largest and most well-off village in the Yway Gone Village Tract. The former and current village tract administrator both reside in the village. Low levels of participation marked initial engagements by the program during the participatory mapping process in this village. As the village is located on the main access road to Yangon-Pyay, most of the community members have daily employment in nearby towns and villages. The village is the largest in terms of household and population size in the village tract, and there were difficulties in reaching people who are outside of the village center. As a result, some community members did not receive project information or engage in participatory mapping activities. After the participatory mapping activities were completed, some members from the project committee withdrew and requested to be replaced, as they had family commitments that prevented them from fully participating. Only two committee members from this village were involved in the boundary walk, which led the project to establish a committee with new members. After the Yway Gone Village Tract committee members’ multi-stakeholder meeting with MPs and government officials in Tharyarwaddy was undertaken, the community members showed greater interest and began actively engaging with TGCC.

“People used to gossip that I have no knowledge of the project I decided to participate in. Now they understand that I am not working for myself but for the whole community.” A Female Committee Member, Bant Bway Gone Village

Haingyu Village

This village is located within a reserve forest under the jurisdiction of the FD and MONREC. Half of the village’s land is in Minhla Township and the other half in Letpadan Township. It is a Kayin ethnic village with some Burmese minority. This community is the least developed in the village tract. When asked for their opinions about project implementation in earlier times, committee members said they had no understanding or knowledge of development projects. Community members thought that people coming to

the village with survey equipment and educational materials would help build up their livelihoods and living standards. It was observed that every activity undertaken by TGCC was the community's first experience of such engagement.

"We did not know how to respond during the earlier stage of project implementation. Everything was new to us." Haingyu Project Committee Members

"Sometimes, we can't discuss issues or ideas with the project staff like people from other villages do, because some of my people barely speak in Barmar language." Village Elder, Haingyu Village

FINDINGS ON PROJECT EDUCATIONAL MATERIALS AT PILOT SITE ONE

According to the Yway Gone Village Tract communities, the project-provided trainings, meetings with local authorities, and educational materials were effective, but not wholly sufficient. Responses from focus group discussions suggested that educational materials should be made more widely available to members of the community. Findings from these discussions indicated that the project should increase the quantity of educational materials distributed within the community and try to reach out to the entire population in the village tract. It was suggested that the project should use vinyl flyers with cartoons, as members of the communities in the village tract would view this more favorably.

"Less words more pictures, and reach out to more people." Yway Gone Village Tract Community Member

In terms of awareness training, community members said that they had not received land use rights-related training before. After attending the project's trainings, they now know some of rules and regulations, which they thought only government officials were meant to know. In the past, if they wanted to apply for a Form 7 (land use certificate granting right to farm), they normally asked for assistance from the village tract administrator, who is their only source of information on the government's rules and regulations. The land-related laws and policies awareness training made them curious about other laws too. During discussions on this topic, participants debated about what type of awareness they were hoping to receive from the project. There were comments that three consecutive days of training were good, but the content is a lot for them to absorb since most of the project committee members are farmers and only a few of them have finished middle school. They proposed providing training with less content that offered more specific solutions for their community's unique land issues.

"In our village tract, we have private plantation problems. So what are the solutions indicated in NLUP in order to solve the issues. I suggest some kind of exam or test during the training to make sure lessons are well received by trainees. It was crammed for two consecutive days of training." Yway Gone Village Tract Committee Member

“I bring project educational materials to the monastery every Sabbath day. It is the day that you meet with the whole village. Sharing education materials seems more effective there.” Bant Bway Gone Village Committee Member

“My husband borrows the NLUP booklet from me and reads it whenever he is free!” Bant Bway Gone Village Project Committee Member

COMMUNITY REQUESTS FOR ADDITIONAL SUPPORT

Focus group participants from each of the four villages in Yway Gone Village Tract discussed a variety of areas where they would appreciate additional support on land tenure-related issues. Participants requested additional awareness trainings and distribution of educational materials to help secure rights to communal grazing lands and reclaim land that has been granted to private companies, individuals, and the government. In the case of awareness training, committee members from all the villages suggested some kind of issue-based awareness curriculum specifically targeted on land issues facing their community. With regard to grazing lands, San Gyi and Yway Gone communities proposed that existing vacant lands should be measured, recognized, protected, and registered as communal grazing lands.

“We are not able to graze cows and buffalos anymore since the land has been fenced by the company.” Young Project Committee Member, Yway Gone Village

“We want to establish some sort of communal lands. There are still abundant vacant lands near the village.” Project Committee Member, San Gyi Village

It is interesting to note that reclaiming lands allocated to the private plantations was a common topic of discussion at focus group meetings within the villages. Among the four villages, San Gyi and Yway Gone communities seemed to be more responsive and emotional on the subject. However in Bant Bway Gone, where a number of private plantations exist, some participants in the focus group avoided giving concrete answers. One of the members said that private plantations were granted in the previous administration and the majority of villagers do not know exactly when and how the grants were made, or for what purpose. It is assumed that Bant Bway Gone community has no plan to respond to existing private plantations.

Haingyu is located within a reserve forest area. The settlement area of the village has been recently demarcated and de-gazetted from the jurisdiction of FD/MONREC and is now under the jurisdiction of GAD. There was no strong connection to the issues of setting aside grazing land or the return of private plantations during discussions. As most of the project committee members are relatively young, they felt unable to determine what kind of support is needed for their community. The focus group discussion in Haingyu took more than three hours to establish a fluid conversation among participants. Apart from grazing land and private plantations, participants mentioned that awareness trainings, educational materials, and meetings with local government officials should be continued.

“There is a private plantation in our village which is called Htan Nyi Naung Company. I am wondering whether we can reclaim this land or not. I am not saying taking all the land back from the company, but what about half of it for our community?” Project Committee Members of Yway Gone Village

“We still need awareness training. For example, the teacher taught ten lessons but we could only learn four or five lessons.” Project Committee Members of Haingyu Village

FINDINGS ON PROJECT VILLAGE LAND COMMITTEES

In general, there is a lack of coordination among the members of each village committee, as well as between committees from different villages. Each village land committee was formed by a group of volunteers who have other commitments that often take priority. In the course of the focus group discussions, no specific future plan was identified in order to sustain the committee structures. When asked about the sustainability of the project committee, participants said it seemed ambitious. Some said that they still need additional skill sets to work as a team, as well as to be recognized by the whole village. Some explained that they have other commitments in their households.

When the question of being a focal point for solving land issues in their community was raised, they all were confident that they could help each other and get involved in the process. Particularly in San Gyi Village, there were lively conversations among committee members on the sustainability of the committee. Haingyu and Bant Bway Gone committee members suggested that they could recruit more people into their committee. From the discussion, it was found that committee members had been inactive when project staff were not in the village.

In conclusion, committees from each village were likely to be focused on the issues only related to their immediate community. During the discussion, questions were raised on how to cooperate among committee members, but there was no response received except from the San Gyi committee. Among the committees, San Gyi committee is the most keen and active group of people, with clear interest and expectation in continuing the committee’s work. Committee members from this village actively participated, showed willingness, and asked difficult questions throughout the implementation of project.

“When we have land issues in the future, we first try to solve by ourselves. If we can't, we will seek assistance from MPs and other Government officials.” Yway Gone Village Tract Committee

“We will discuss the issue within our committee first. If not, we will discuss with the whole village. Whatever land issues will be in the future, we will work together to protect our land resources.” Haingyu Village Committee

LESSONS LEARNED FROM ENGAGEMENT WITH PILOT SITE TWO COMMUNITY

Let Maung Kway Village Tract is in Nyaung Shwe Township in the western part of Taunggyi District, Southern Shan State. It lies in the northern and western areas of Inle Lake (a large freshwater lake popular with tourists). It is the second of three pilot sites to be selected by the program in Myanmar. Although this village tract only has ethnically Taungyo (also written Taungyor) residents there are other ethnic groups within the district such as the Shan (main ethnic group of the area), Pa-O (particularly in the Pa-O self-administered zone), and Tanaw. Taungyo are a sub-ethnic group of the Bamar people, speak a dialect of Burmese, and are Buddhist.

In Let Maung Kway village tract there are eight villages; Kyauk Hnget, War Gyi Myaung, Yae Chan Kone which are clustered in the south, and Kyaung Taung, Tha Yet Pin, Pan Tin, Kyaung Nar and Ampat clustered in the north of the village tract. All the villages are located entirely within a public protected forest area that is under the jurisdiction of FD and MONREC.

Activities in this pilot site are ongoing and a formal evaluation with focus groups, as described above, has not yet taken place. As such, lessons learned are limited.

LTP undertook the same approach of participatory mapping in the villages of the Let Maung Kway Village Tract based on the lessons learned, experiences gained, and tools developed during implementation activities at pilot site one. According to community members in the second pilot site, their livelihoods have depended on the stable utilization of land resources in the area for generations. Since all of the community members within the village tract share a common Taungyo ethnicity and culture, they feel that private companies and individual investors will not be able to confiscate their lands and conduct business in the area. From the project's viewpoint, these communities have legitimate customary land tenure claims that have not been formally recognized by government, and while they do not face immediate development pressures, it is not clear that this will be the case for the foreseeable future. There has not been any intervention to date from local authorities to address the issue of lack of land tenure security for the communities in this village tract, even though they are clearly engaged in stable short rotational fallow agriculture that is highly productive. The main commercial crop in the area is ginger, due to the fact that this crop is drought resilient and there is a lack of water in the higher elevation hillside cultivation context found in this village tract.

In terms of project implementation, there were some significant programmatic constraints in the initial stages of engagement in the village tract. As the land tenure assessment was carried out prior to community sensitization, this led to insufficient informational awareness for the community to fully participate in the assessment. Moreover, the ginger harvesting period impacted community sensitization. Project staff and

CSO partners had to conduct sensitization activities in the late evening once villagers had finished their daily work routines.

In addition to scheduling challenges, the sometimes lengthy gap between visits by project staff to carry out participatory mapping activities, caused in part by the remote location of the sites, discouraged community members' continuous participation in mapping activities. Some villages are geographically far-flung and relatively inaccessible. Due to these logistical constraints and villagers' busy schedules, the project conducted land use inventory activity and committee member meetings in Heho town, which is outside of the village tract.

Regarding community feedback on the project to date, community members believe that the project raises awareness of issues relating to their land tenure rights. This has encouraged community members to protect natural resources in the area. After the land use inventory activity was completed, community members have expressed greater interests in the results of project activities.

CONCLUSION

Participatory mapping processes are designed to empower local communities to take responsibility for land and resource management and to be used as an evidence base of customary and community rights which are commonly overlooked. A common critique of participatory mapping approaches is that they often require too much time and resources for individual communities and that their outputs are not easily integrated into formal decision-making processes. The approach undertaken by the USAID-funded Land Tenure Project in Myanmar seeks to address these challenges through the use of mobile mapping tools and a clear, replicable process of community engagement, inclusive of outreach, education, and background data collection, that can help reduce costs and promote scalability. The program has been largely able to integrate mobile mapping technology with community-based paper sketch maps, and has been able to standardize the classifications and data collection techniques to develop a replicable mapping process at limited cost. However, the challenge of successful community engagement remains.

Around the world, rural communities often maintain some level of distrust of outside interference in local practices, particularly when it comes to land and natural resources. Myanmar faces the particular challenge of emerging from decades of military government where top down, non-participatory approaches to decision-making were common. Though the rhetoric from the top has changed, the practice of promoting inclusive processes and dialogue that encourages minorities to speak out or for communities to represent their own rights is still not common. Distrust of outsiders is high, particularly considering that in many communities, a large area of village land has been allocated to outsiders over recent years with no consultation and limited community recourse. These recent experiences with land acquisitions, alongside

distrust of outsiders and a lack of experience with contributing to participatory processes, mean that stakeholder engagement is a significant challenge to both short-term and long-term goals of participatory mapping.

Government engagement in pilot activities around participatory mapping are likely to continue to face challenges of coordination among line ministries at the local level, as well as distrust from some ministries as to the objectives of the process. The program found that working with representative officials (village tract administrators, and ultimately Members of Parliament) provides the strongest local link to encourage collaboration, as the civil servant-focused bureaucracies tend to adapt to change at a slower pace. While representative government can be useful, there is a need as well to share lessons and benefits of participatory process with state/region officials as well as national ministry officials. Local civil servants take their direction from the state/regional officials. It is this encouragement of local civil servants to see the benefits of collaboration and participatory decision-making and land use planning that should be a long-term objective of government. While the tools associated with participatory planning are not technically revolutionary, they can be very uncomfortable for those in power to accept and integrate into their processes. This institutional change is perhaps the most challenging element for a pilot program to address and will require leadership at a national level to find value in the process and communicate that effectively. To adapt to these challenges, the program has recently re-engaged with local ministries at the field sites to better understand their needs and limitations in terms of working with community-developed products.

Unsurprisingly, the project identified the importance of working alongside CSO partners who have roots in the local jurisdiction, even if their technical capacities or understanding of land nuances are not outstanding. Investment in these partners is crucial, and the program has adapted its approach to support the capacity of these partners, through engaging them in leadership roles in training new partners and assisting in their organizational development. In subsequent field sites, the program has relied on local CSO partners to identify issues and communities that are likely to provide the most effective learning. This has led to smoother integration of the techniques promoted under the project.

Perhaps the largest challenge facing the implementation of these lessons learned that falls within the manageable interest of those implementing such programs, is developing a communications and outreach approach that gives communities the necessary background technical information, builds their trust in the organizations and process, and reaches the most appropriate stakeholders at a level of effort and cost that is sustainable. In Myanmar, as in numerous other countries, the use of local CSOs tends to be more effective than government-led processes to engage communities on land rights, due to histories of distrust. An effective outreach program must reach local community leaders with in-depth information so that they can become community champions, and address any questions that emerge from other community members.

At the same time, careful effort must be undertaken to ensure that representatives from minority, vulnerable, or marginalized populations are directly targeted so that they have equal opportunities to participate and the mapping process does not simply enshrine existing stances that may be unjust. Thus the process must be open to participation and actively seek it, but must also use judgement and adapt to find approaches for inclusiveness that do not alienate the powerful within a community. A community-based program though is unlikely to reach everyone and the capacity of different stakeholders to absorb messages must be considered. For example, outreach activities could have levels of understanding that are targeted with different interest groups, from village tract administrators to village committees to general village meetings down to school-age children. Recognizing the limitations of the initial approaches with the communities, the program is re-engaging with the villages to promote greater understanding of the legal framework, as well as products from the work, and is seeking to follow on with discussions on the specific needs of the communities and the different ways that they feel they can use the participatory maps.

Participatory processes, particularly those that start at the community level, are a new feature of Myanmar's social and economic landscape. Programs that are supporting community common goods, such as village land rights, are relatively more difficult to frame with local communities. This differs from traditional development programs that provide service delivery or input, where the beneficiaries and benefits to communities may be more easily and quickly identified. Participatory processes around group rights present challenges, but also significant opportunities for advancing open, democratic, and transparent societies.