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# Government needs to act on land, says NGO

By Tim McLaughlin | Monday, 29 October 2012

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A man and woman stand behind a fence in Shwe Pyi Thar township that was erected by the military after a dispute with residents in April, 2012. (Boothee / The Myanmar Times)

A new report has urged the government to act on growing concerns over housing, land and property rights in Myanmar and warned new land legislation is “wholly inadequate”.

Myanmar at the HLP Crossroads, compiled by [Displacement Solutions](#), an Australian and Swiss non-government organisation, details the most urgent housing, land and property (HLP) concerns in Myanmar and makes a number of recommendations to the government. Released on October 26, the report builds on the group’s comprehensive book on Myanmar’s HLP



legal framework published in 2009.

“Myanmar faces an unprecedented scale of structural landlessness in rural areas, increasing displacement threats to farmers as a result of growing investment interest by both national and international firms, expanding speculation in land and real estate, and grossly inadequate housing conditions facing significant sections of both the urban and rural population,” the report says.

The report includes a lengthy list of Myanmar’s HLP rights failings, including land grabs, the awarding of land concessions that displace farmers and inadequate housing.

While new protest laws and easing of media censorship have given land disputes increased exposure, the report includes a startling forecast on just how much land could end up in the hands of private agriculture firms.

“As an indication of just how large future land grabbing and consequent displacement may become, it is estimated that some 28 million acres of land classified as cultivable or arable could be put to tender for investors, including foreign investors that are already pouring into the country to exploit what is largely seen as an untapped market,” the report says.

The influx of foreign investors adds a new pressure to housing, land and property rights in Myanmar, said report author Scott Leckie, who is also the founder and director of Displacement Solutions. He said international companies need to be vigilant to ensure they are not in any way attached to activities that would infringe on the HLP rights of Myanmar citizens.

“[Foreign companies] must ensure that their projects are not complicit or indirectly complicit [in land grabs]. It takes a considerable degree of awareness to ensure their hands are clean,” Mr Leckie said.

The report also analysed new legislation related to housing, land and property rights and argues that it does not do enough to protect small-scale farmers.

“The Farmland Law, adopted on March 30, 2012, is widely perceived to be pro-business and lacking sufficient protection for the HLP rights of small landholding farmers. The specific deficits in this single piece of legislation are symptomatic of broad deficits in Myanmar’s overall HLP legislative scheme.”

While much has been made about the positive lessons Myanmar can learn from its more developed ASEAN neighbours, Mr Leckie said Cambodia is a prime example of how an inability or unwillingness to address HLP rights can have detrimental results on a country’s population.

The report makes four recommendations and urges the government to undertake them by the end of the year. The recommendations include a public discussion facilitated through a national HLP conference, a new national housing, land, and property law, an in-depth analysis of land grabs, speculation and displacement and capacity building projects to



educate individuals about HLP rights.

Mr Leckie said there is an increased level of awareness among certain individuals in the government about the need to tackle the failings of Myanmar’s current housing, land and property rights framework.

“Myanmar can show the world that HLP rights can be taken seriously,” he told The Myanmar Times by phone ahead of the report’s release. “The willingness [from the government] is just about there.”



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