



Livelihoods and Food Security Fund

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Date: 28 January 2019

Dear Land in our Hands and Myanmar Alliance for Transparency and Accountability,

On 24 December 2018, the Livelihoods and Food Security Fund (LIFT) received a letter from Land in Our Hands (LIOH) and Myanmar Alliance for Transparency and Accountability (MATA) entitled, 'Open letter to LIFT on its recent announcement calling for proposal promoting Myanmar government's repressive Vacant, Fallow, Virgin Land Management Law'.

As noted in our 26 December 2018 note of receipt, LIFT acknowledges the number of voices behind such a letter from membership-based organisations and alliances. LIFT appreciates the time and consultative process taken to present the concerns and key points so clearly and in such detail.

We very much appreciated your openness to meet with us. Indeed, we benefitted greatly from our discussion with your secretariat and several key members on 9 January 2019; the candid and thoughtful exchange has contributed to our understanding, analysis, and our approach going forward.

As you may know, we held several meetings early in January with key stakeholders that culminated in an open meeting on 18 January. An outcome of these consultations is that we extended the question period and have uploaded the Q+A on our website. We also extended the period for applications, with the call now closing on 15 February 2019.

In the development of the Minhla project that forms the basis of the call, LIFT has managed a slow and thoughtful process. This includes the development of a detailed risk matrix with a number of risk management actions that the LIFT Fund Board will review and adjust as appropriate. It has been particularly important to consult in Magway with a range of stakeholders that included farmers in the target area, with local and regional government, to ensure a thorough understanding of concerns and challenges, and to ensure that there was a comprehensive understanding of the purpose of the project.

We acknowledge that engagement with a wider cohort of parties with an interest in land issues would have enabled us to better understand the concerns of other key stakeholders. Such engagement would have also helped us better anticipate the response to the framing of the programme documents and the timing of our call.

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We have added safeguards in the development of the project that may provide some reassurance to your concerns:

1. **Stop-go mechanism:** A key element in ensuring that there is progress towards securing land title to beneficiaries, is the inclusion of a 'stop go' point in the design of the project. Without an open, transparent and participatory process that leads to secure land tenure, the agriculture development component of the project will not be implemented.
2. There are **clear principles** outlined in the documentation associated with the call that will guide the process of land reallocation that include an inclusive, participatory and transparent approach that is in line with LIFTs principle of do no harm. Further, noting the contentious nature of land, the project will develop a dispute mechanism to support those who may have a rightful claim or grievance to voice.

Further, LIFT-wide efforts are underway that will ensure our work going forward is in line with our conflict sensitive principles;

3. **A conflict sensitive advisor:** LIFT is in the process of retaining the services of a conflict sensitive advisor to support its programming.
4. **A call for proposals for Support to Strengthen Conflict-sensitivity:** LIFT and Access to Health, both multi-donor funds, have published a call for proposals for technical assistance focused on three key areas: 1) Promoting conflict sensitivity capacity across the funds; 2) Providing best tailored assistance to implementing partners (IPs); and 3) Adherence with NCA and Bilateral Ceasefire Agreements.

In response to your concerns and following the discussions with you and others, LIFT has decided on the following additional steps.

1. **An independent monitoring mechanism:** we plan to elaborate and request for assistance with such an accountability mechanism for the land projects. This will be actioned as soon as possible.
2. **Critical friends:** a small group of specialists working on conflict issues and with particular expertise on the peace process with whom LIFT, as a fund, can consult.
3. **Conflict sensitive advisory group:** we anticipate these to be either groups or regular meetings in order to appropriately convene and consult with stakeholders in ethnic states concerning LIFT programming in conflict affected areas.





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As the LIFT Fund Director, and on behalf of LIFT's donors and the Fund Management Office, I would like to thank you again for contacting us directly and for the consideration and attention you gave to further discussions with LIFT.

I trust that we can continue such dialogues.

Best wishes,

Katy Webley

Fund Director

LIFT





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**Responses to specific questions posed in the Open Letter;**

Questions for LIFT:

1. What is LIFT's position on the 2018 VFV Land Law?

*LIFT response:* LIFT's position on the 2018 VFV Land Law is presented on our website at the following <https://www.lift-fund.org/news/lift-and-land> LIFT's Fund Board donors signed a letter to the Minister of Agriculture, Livestock and Irrigation expressing concerns with the amendment of the VFV Land Law, including the points raised in the above position. LIFT further met with the Minister on 14 January to discuss the same (covered on TV and posted on MOALI's page at <https://www.facebook.com/MOALInews/videos/367225094070583/>)

2. What are LIFT's mitigation strategies to prevent the larger adverse impacts it will have on farmers in other states regions by encouraging the implementation of the VFV Land Law?

*LIFT response:* The focus of the Programme is on land that has been returned to the State from concessionaries that have not met their obligations in terms of the concession. We are of the opinion that the Minhla case is unique and should not be seen as a 'blue print' that can be adopted globally. We are not supporting the blank adoption of the approach to address VFV Land Law across the country and will ensure that our partners (MOALI) is well aware of our position.

Questions about programme governance and implementation:

1. The union-level MoALI will "take a coordination role, with initial responsibility for the programme design" and will chair a Steering Committee?

*LIFT response:* This is correct and we see this as critical in implementing the programme. As the line agency charged with the mapping and certification process we believe that by engaging with MOALI in this role it will ensure buy-in and accountability for the outputs of the project.

2. The Implementation Committee will be "chaired by the Township General Administration Department (GAD) Officer, and including civil society organisations, farmer representatives, and members of parliament in addition to relevant departments"?

*LIFT response:* The General Administration Department has overall responsibility for the governance and administration of Township on a day to day basis. By having the GAD who is also chair of the Land Acquisition and Reinvestigation Committee (LARC) at the township level chair the Implementation Committee we are attempting to ensure that they are fully informed and





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responsible for the implementation of the project. With the diversity of representation on the committee we are of the opinion that this will provide balance to views and prevent domination by a single party.

3. The regional Departments of Agriculture (DOA) and/or the Department of Agricultural Land Management and Statistics (DALMS) “will be the main implementers”?

*LIFT response:* This is correct and reflects the roles that each of these organizations play in the registration and certification process of land and in agricultural development.

4. The implementing partner will be based within MoALI’s regional offices?

*LIFT response:* This is correct and allows for continuous interaction and support to the lead organizations responsible for the implementation of the project. Such interactions have proven successful in changing behaviors, approaches and building the capacities within these line agencies.

5. Given the very famous for the roles of GAD and DALMS played in grabbing land from the people across the country, is it the best way arrangement to address land allocation and agriculture development of the country?

*LIFT response:* The Government is a key stakeholder in this project and, as such, LIFT will continue to work closely with MoALI. LIFT sees advantages in engaging with line agencies in changing attitudes, behaviors and approaches, and building the competencies of those charged with land allocation and registration. LIFT intends, however, to work with a broad range of stakeholders, on this project and our projects across the country, with all legitimate bodies and departments that are charged with land sector reform.

