

**Kayah (Karenni) State's civil society organizations' statement on the announcement of the Working Committee on the Drafting the National Land Law and Harmonization of the laws related to Land Management on the National Land Law Action Plan (Draft)**

**Date: 8<sup>th</sup> September, 2020**

The below points, submitted as suggestions prior to the deadline of September 15<sup>th</sup> 2020, represent the stance of the civil society organizations of Kayah (Karenni) State regarding the announcement of the Working Committee on the Drafting the National Land Law and Harmonization of the laws related to Land Management on the National Land Law Action Plan (Draft) of 17<sup>th</sup> August 2020:

- 1) It is crucial that the National Land Law provides genuine protections for the security of the land rights, land management rights, and land ownership of Myanmar nationals, smallholder farmers, indigenous people, subsistence farmers, and grassroots people.
- 2) Although it is stated that the National Land Use Policy will be used as a guide for the drafting of a new National Land Law, as the National Land Law will cover all laws concerning land, all actions towards the National Land Law must be reviewed and scrutinized through transparent and inclusive processes.
- 3) Before proceeding with drafting the National Land Law, there must be priority given to evaluating and improving the present substance, influence and consistency of the National Land Use Policy, that was approved in 2016. Primarily, there must be time taken to review it against human rights standards and; international land, natural resource, and environmental standards, as well as the Myanmar Sustainable Development Plan, the National Environment Policy, and the Union Accords from the Union Peace Conference – 21<sup>st</sup> Panglong.
- 4) The coverage, capacity, independence and genuine representation of those holding responsibilities and authority within the working committees and sub-working groups for producing a new National Land Law must be reviewed. The 2016 National Land Use Policy, the institutions established under this policy; the National Land Use Council, and other working committees; and sub-working groups and supporting working groups and their actions evidence that they have strongly worked to form wholly centralized groups. Thus, we have no confidence and guarantee in the emergence of a genuine National Land Law that will provide protections benefitting all of the stakeholders mentioned in point (1).
- 5) The 2016 National Land Use Policy, and all of the presently enacted land management laws lack protections and actions affording respect, recognition; and specific, concrete provisions concerning the management and decision-making rights of ethnic minorities, tribes and indigenous peoples over their customary land management, land, natural resources, and territory. Moreover, there is no trust in the present processes to establish a new National Land Law as the Union Accords and the points covering the whole country relating to the sector of the land and the environment that were signed at the Union Peace Conference – the 21<sup>st</sup> Panglong have also disregarded the strengthening of recognition and protections for the land rights of local residents, and indigenous people.
- 6) In particular, extreme caution must be exercised in taking sensitive, simplistic actions towards the drafting of a National Land Law in a period of implementing national peace, national reconciliation and the establishment of a federal democratic union. Otherwise, it will not only significantly detriment these processes, it will also create new problems.
- 7) Therefore, there must be actions, agreements and coordination with all relevant stakeholders to prioritize political transformation and the construction of a genuine federal democratic union. Only then can the land sector be transformed by step by step actions truly oriented towards establishing a genuine federal democratic union.

**List of the Kayah (Karenni) State's Civil Society Organizations endorsed in issuing the statement**

1. Progressive Karenni People Force (PKPF)
2. Union of Karenni State Youth (UKSY)
  - Karenni National Youth Organization (KNYO)
  - Karenni State Student Union (KSSU)
  - Kayan Women Organization (KyWO)
  - Kayan New Generation Youth (KNGY)
3. Karenni State Ethnic Youth Steering Committee
4. Karenni Civil Society Network (KCSN)
  - Karenni Ever Green (KEG)
  - Karenni Social Welfare Development Center (KSWDC)
  - Karenni Mobil Health Committee (KnMHC)
  - Karenni Development Research Group (KDRG)
  - Karenni Student Union (KSU)
  - Karenni National Youth Organization (KNYO)
  - Karenni Education Department (KnED)
  - Karenni National Women Organization (KNWO)
  - Karenni Legal and Human Right Center (KLHRC)
  - Karenni Refugee Committee (KnRC)
  - Karenni Literacy and Culture Development Committee (KLCDC)
5. Kayah Earthrights Action Network (KEAN)
6. Myanmar Alliance for Transparency and Accountability (Karenni-MATA)
7. Local Development Network (LDN)
8. Mizzima Hnalone Thar Youth (Loikaw)
9. Karenni State Farmer Union (KSFU)
10. LAIN Technical Supporting Group
11. Mawduklarmar Social Development Association (MSDA)
12. Women for Women Foundation (WWF)
13. Karenni Human Rights Group (KnHRG)
14. Future Women Association (FWA)
15. Kayah Baptist Association, Christian Social Service and Development Department (KBA-CSSDD)
16. Kayah Liphu Youth (KLY)
17. Kawyaw Youth (KYY)
18. Kayaw Youth Organization (KYO)
19. Yintaleh Youth (YY)
20. New Generation Youth of Karen (Karenni State)
21. Karenni Mega-Investment Watch (KMIW)
22. Karenni Land Policy Developing Committee(KLPDC)
23. Karenni State Youth Network (KSYN)
24. Karuna Mission Social Solidarity-Loikaw (KMSS-Loikaw)