

Checklist for questions on land rights

1. What is the nature of the problem? Was land taken away from the occupier? Or is there a dispute between the occupier and another party?
2. Was the interviewee's land taken by the government? If so, which part of the government? – the tatmadaw, the local township authorities etc. When did this happen? How much land was taken?
3. Was the land taken by someone other than the government? – eg a company.
4. How long had the person occupied the land? Was the land given to him/her by their parents?
5. Was some or all of the land held communally by the village?
6. Does the occupier of the land have documents from the government about ownership of the land? This could be receipts from tax paid on the land or other documents. Try to get copies of any such documents.
7. If the land was farmland, did the occupier try to register the land under the 2012 Farmland Law?
8. If the land was considered “vacant, fallow or virgin”, did the occupier try to register the land under the 2012 VFV Law?
9. Was any compensation paid to the occupier of the land? How much? What was the compensation meant to cover? The price of the land, payment for crops and buildings lost etc?
10. Did the authorities consult with the occupier before taking the land? Did the authorities discuss feasible alternatives to taking the land? What reason was given for taking the land?
11. How much notice did the authorities give to the occupier before taking the land?
12. How was the land taken? Did the authorities come to take the land? Did the authorities use force when taking the land?
13. Did the authorities offer replacement land/housing? If so, what was the quality of the land and buildings?
14. Were there livelihood opportunities for the people who were resettled to a new site? If they were farmers, was the replacement land of equivalent

quality to the original land? If they were not farmers, was the resettlement site near enough to their places of work?

15. What were the services at/near the resettlement site? Was there drinking water available? Were there clinics or schools nearby? What type of sanitation? What about roads and transportation?
16. If the occupier felt that the land was taken arbitrarily and unfairly, did s/he complain to the authorities? This could be local township authorities, National Parliamentary Land Commission, the Myanmar National Human Rights Commission, local MP etc.
17. What were the results of the complaint?
18. Did the occupier have assistance from a lawyer?
19. Did other members of the community who had their land taken make a complaint?
20. Were there any public protests when the land was taken? Was anyone arrested? Were they sentenced to prison? If so, how long?