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Small-scale land acquisitions, large-scale implications: The case of Chinese banana investments in Northern Laos

Cecilie Friis

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BRICS Initiatives for Critical Agrarian Studies (BICAS)
Email: bricsagrarianstudies@gmail.com
Websites: www.plaas.org.za/bicas | www.iss.nl/bicas

MOSAIC Research Project
Website: www.iss.nl/mosaic

Land Deal Politics Initiative (LDPI)
Email: landpolitics@gmail.com
Website: www.iss.nl/ldpi

RCSD Chiang Mai University
Faculty of Social Sciences, Chiang Mai University Chiang Mai 50200 THAILAND
Tel. 66-53-943595/6 | Fax. 66-53-893279
Email : rcsd@cmu.ac.th | Website : http://rcsd.soc.cmu.ac.th

Transnational Institute
PO Box 14656, 1001 LD Amsterdam, The Netherlands
Tel: +31 20 662 66 08 | Fax: +31 20 675 71 76
E-mail: tni@tni.org | Website: www.tni.org

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Abstract

In the context of the 'global land grab', the Lao Peoples Democratic Republic has been identified as a hotspot for large-scale land acquisitions sought by capital strong foreign investors. However, in the rapidly commercialising agrarian landscape of northern Laos, other and more subtle forms of land acquisitions are also taking place. These are mainly pursued by smaller companies and private investors promoting cash-crops in contract-farming arrangements or renting agricultural land from farmers on short-term contracts; often with little or no initial involvement of the government actors. This paper investigates such 'small-scale' land acquisitions in relation to the recent boom in banana investments in Long District, Luang Namtha Province. Here, banana investments have increased rapidly since 2008-9 with Chinese investors establishing plantations on land rented for 3 to 6 years in the easily accessible and fertile lowland areas along the main district road. Taking point of departure in the experiences of a small minority community in Long District, where two different banana investors established plantations in 2011, the paper focus on the network of actors involved in bringing about banana investments, the strategies employed by investors for gaining access to land, and the agrarian transformations that follows in relation to local agricultural production. The paper is based on data collected through fieldwork in Laos in April-May and August-December 2014 using semi-structured and group interviews, informal conversations, participant observation, and household questionnaires.

Two aspects of this study contribute to the ongoing discussion in the 'global land grab' debate. Firstly, the results show that despite the small scale of the investments and the short term contracts, the actual land use transformation induced by the plantations represent a strong alienation of land. Secondly, the analysis reveals how the banana investors, circumventing government actors, establish a network of local land brokers and middlemen, relying on personal relationships and 'snowballing' techniques to identify suitable land areas and facilitate negotiations over land directly with farmers. Furthermore, the investors employ the full range of 'powers of exclusion' (Hall *et al.*, 2011) to gain control over the land. Thus, while these 'small-scale' land acquisitions might appear to represent a less dramatic enclosure than long-term and large-scale concessions, the contractual arrangements and the land use conversion they entail have significant implications for changing access to resources, land and general livelihood opportunities for the local communities involved.

Key words: Land grabbing, control grabbing, intentionality, scale, powers of exclusion

1 Introduction

When the first media reports on large-scale land acquisitions by rich foreign investors in poor developing countries surfaced around 2007-2008, they set in motion a virtual literature rush (Oya 2013a) on the phenomenon now known as the 'global land grab' (Borras *et al.,* 2011). Surfacing concurrently with the global food and financial crisis, stories of land acquisitions around the world for production of food, feed and biofuels for export attracted the attention of activists, development agents and researchers alike. Initially, much effort went into producing what Scoones *et al.,* (2013) term '*killer facts*'. However, as the scholarly debate moves beyond its initial '*making-sense period*' (Edelman *et al.,* 2013), the importance of engaging with deeper theoretical and empirically based discussions of the phenomenon has been stressed (see Cotula 2012; White *et al.,* 2012; Scoones *et al.,* 2013). One point of debate has been the focus on *large-scale* acquisitions and a preoccupation the number of hectares involved in acquisitions. Here, widespread calls for research to explore the question of *scale*, in terms of both hectares and capital investment, have been made by several authors (Borras *et al.,* 2012; Edelman *et al.,* 2013; Hall 2013). Another point of discussion has the lack of any widely accepted definition of 'land grabbing' leading to much conceptual confusion and inconsistency in the reporting and counting of land acquisitions (Cotula 2012; Edelman 2013; Oya 2013c; Scoones *et al.,* 2013). One particular area of dispute has been the implicit negative assumptions inherent in the term '*grabbing*' that convey an image of violent seizure of resources. While some view the term as an appropriate notion to describe a process involving private actors' attempts to maximise economic benefits at the expense of resource access, livelihood opportunities and the environment in the targeted areas (GRAIN 2008; GRAIN *et al.,* 2014), others emphasise the potential of the new global interest in farmland as much needed foreign direct investments in the agricultural sector in development countries and prefer the terms 'land deals' or 'land investments' (e.g. Deininger *et al.,* 2010). These discussions link to issues surrounding what Baird (2014) calls '*the global land grab meta-narrative*', and the framing of investors as capital strong countries or corporate actors and host countries as weak states lacking political accountability and adequate land tenure systems.

Within the context of the 'global land grab', the Lao People's Democratic Republic (Lao PDR or Laos) has been identified as a hotspot of land acquisitions where powerful foreign investors obtain access to land for plantation development. In Laos, transnational land acquisitions granted by the Government of Laos (GoL) as large-scale land concessions have attracted much attention (e.g. Barney 2007; Baird 2011; Kenney-Lazar 2012; Schönweger *et al.,* 2012; Heinimann & Messerli 2013). However, in the rapidly commercialising agrarian landscape of Laos, other and more subtle forms of land acquisitions are also taking place. These are mainly pursued by smaller companies and private investors promoting cash-crops in contract-farming arrangements or renting agricultural land from farmers on short-term leases.

Based on a case-study of two such small-scale land acquisitions by Chinese banana investors in a village in Long District, Laos, this paper joins the ongoing scholarly debates on 'land grabbing' particularly in relation to the question of *scale* and to the definitional issues of the concept of land *grabbing*. Firstly, the empirical evidence illustrates the complexity of the question of scale of acquisitions in relation to the scale of the consequences induced. The results demonstrate how despite the relatively small size of the banana plantations, the land use transformation they entail and the likely future consequences for the farmers involved are in fact severe. Secondly, the strategies employed by the investors for obtaining access to land, the implementation of the plantations and the details of the contract contributes to the discussion of the conceptualisation of land grabbing and the dominant 'global land grab meta-narrative'. Building on the 'powers of exclusion' framework (Hall *et al.,* 2011), the analysis show that the investors do use the full range of exclusionary powers to 'grab' land from villagers. However, the results also reveal that the perspective and intention of the investors is short term, but that the cultivation practices and implementation of the plantations have long-term consequences. Within this discussion the paper adds the question of *intentionality* with regards to 'land grabbing'.

2 Theoretical perspectives

The literature rush following the initial discussion of the 'global land grab' has been remarkable within both activist and academic circles. This is due to the sheer volume of material published and to, as highlighted by Oya (2013a: 1532), the "*fluid nature*" of land grabs. This fluidity can largely be ascribed to the fact that 'land grabbing' has become a catch-all phrase used to describe all kinds of transnational commercial land transactions (Borras *et al.*, 2011) and to the lack of any commonly used and acknowledged definition of the term (Borras & Franco 2012: 46, footnote; Oya 2013c; Scoones *et al.*, 2013). The earliest criteria for including land acquisitions as 'land grabbing' in global inventories or regional studies, for example, mainly focused on factual characteristics of the acquisitions combined with some qualifying criteria to classify a land transaction as 'land grabbing'[1].

Recently, advances have been made in the land grabbing literature to strengthen the theoretical and methodological understanding of the phenomenon. A number of special journal issues exploring land grabbing through agrarian political analysis (White *et al.*, 2012), critiquing the methodologies and politics of evidence surrounding the various global inventories counting and reporting on global land grabbing (Scoones *et al.*, 2013) and the current trajectories of global land grabs through historical and social analysis (Edelman *et al.*, 2013) are examples of this endeavour. One key aspect is the question of *scale* and the predominant focus on *large-scale* land acquisitions normally measured in terms of hectares of land obtained by investors. Recent studies and cases from around the world have illustrated that the number of hectares involved in deals does not necessarily correspond to the consequences induced in terms of dispossession, displacements, environmental or social conflicts on site (Edelman *et al.*, 2013). Scholars have therefore called for a rethinking of the issue of scale in land grabbing analysis (Borras *et al.*, 2012; Edelman 2013; Edelman *et al.*, 2013; Hall 2013). Edelman & León (2013), for example, argues that the emphasise on hectares result in the fact that analysts "*frequently loses sight of other key aspects of scale, notably the capital applied in any particular deal, the appropriation of other resources, such as water, and the actual or likely impacts on rural populations*" (p. 1699). The very large-scale acquisitions often emphasised in the media might not actually amount to any significant change, while smaller scale acquisitions might install significant social and political change (Becker 2013). Cotula (2012) highlights that small-scale acquisitions might be significant compared to the average size of local land plots and when aggregated, such small-scale acquisition might amount to considerable change factors in an area. This also points to the fact that the scale of investments, whether in hectares or capital, is context depend and relative in relation to the implications of acquisitions. Moreover, the literature accentuates cases of land concessions or leases with contracts of 30-50-99 years making them resemble purchases and permanent alienation of land from previous users. However, the temporal aspect of acquisitions has not been given much theoretical attention in the scale debate.

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[1] i.e. FAO asserts that there have to be direct involvement of foreign governments and that the acquisitions should decrease food security in the host country (Borras et al. 2012); the Land Matrix emphasises that the land acquisitions should imply land use conversion from smallholder production or local community use to commercial use (the Land Matrix, webpage: http://www.landmatrix.org/en/about/#what-is-a-land-deal); and Oxfam employs a broad range of criteria including violation of human rights, neglect of the principle of free, prior and informed consent, disregard for social, economic and environmental impacts, and lack transparency in contracts with clear commitments on employment and benefit-sharing Oxfam (2012): Our land, Our lives. *Oxfam Briefing Note*.

Another issue relates directly to the term 'grabbing' and the implicit assumptions associated with this term with regards to both 'land grabbers' and 'host countries'. At the centre of the notion of 'land grabbing' is the idea that someone is obtaining access to or control over a piece of land through processes involving 'extra-economic' force, i.e. using some degree of force, illegitimacy, violence or theft. The violent connotations inherent in the term 'land grabbing' conveys an image of malintention on the part of the land acquirers, a weakness on the part of the host countries and a victimisation of communities previously using the resources, which in all three cases might not be there. Recent studies have started challenging the dominant narratives of 'land grabbing' by presenting deep empirical analysis of the role and incentives of investors, as well as the role and incentives of target countries and communities (e.g. Borras & Franco 2013; Bräutigam & Zhang 2013; Edelman & León 2013; Baird 2014). These studies highlight the importance of engaging with thorough historical, political and social contextualisation in the analysis of current land transactions. The lack of contextualisation then leads to assumptions about the drivers and outcomes of deals further feeding dominant, but sometimes flawed, narratives. Here, the question of *intentionality* becomes pertinent with regards to the reasons and outcomes of land acquisitions. As highlighted by Hall (2013), the clear distinction between land acquisitions by 'economic', i.e. voluntary market transactions, and 'extra-economic' means is problematic in many cases where the lines between purchase, lease, concession, and contract farming arrangement blurs.

The notion of 'control grabbing' rather than land grabbing per se have been proposed as a theoretical heuristic for thinking about land acquisitions. This concept emphasises that not all land grabbing entails a complete dispossession of people from their lands, but can take other forms as well. 'Control grabbing' has been used in studies of investors acquiring access to land as a means to accessing valuable fresh water resources (Mehta *et al.*, 2012), as well as for cases of investors gaining control over land use and crop production through contract farming arrangements, outgrower schemes or establishment of crop markets without direct acquisition of the land (Borras *et al.*, 2012; White *et al.*, 2012). Here, the 'powers of exclusion' framework put forward by Hall *et al.*, (2011) provides a good starting point for analysing land acquisitions in terms of the role and strategies used by 'grabbers' to gain control over land. Recognising that all forms of land use and access to land ultimately implies a wish for some degree of power to exclude other users or uses, Hall *et al.*, (2011) theorises how access to and control over resources is a factor of the ability to apply a combination of the powers of regulation, force, the market and legitimation. The 'powers of exclusion' framework thus provides a starting point from which to frame empirical analyses of the strategies employed by investors for acquiring land, the role of local populations in relation to land acquisitions and the question of intentionality with regards to the outcome of such acquisitions.

3 Settings

3.1 The context for 'land grabbing' in Laos

In Laos, the majority of land acquisitions have been granted by the Government of Laos (GoL) as large-scale land concessions, land leases[2] or contract farming schemes predominantly to foreign investors from China, Vietnam and Thailand (Baird 2011; Schönweger *et al.*, 2012; Heinimann & Messerli 2013). Concessions and other transnational land transactions takes place under the umbrella of the national strategy for '*Turning land into capital*' (Dwyer 2008), and represent the latest step in

[2] Concessions and leases differ in their contractual arrangements and legal status. Concessions are granted where activities are assumed to utilise natural resources more intensively and concessionaires are required to pay concession fees, royalties, tax and customs. Contrastingly, leases are assumed to be less resource-intensive and lease-holders are therefore only required to pay rental fees (Schönweger et al. 2012: 20).

the GoL's continuous efforts to territorialise the country's vast geographical area, as well as its dispersed and ethnically diverse population with the objective of national integration and the creation of a coherent nation state (Vandergeest 2003; Barney 2009; Lund 2011; Lestrelin *et al.*, 2012). Land-use planning and land reform, as well as internal resettlement of upland communities from the mountains to the valleys have long been key policy tools for the GoL to gain control over upland resources and populations, eradicate or 'stabilise' shifting cultivation practices, as well as facilitating rural development and poverty alleviation (Evrard & Goudineau 2004; Fujita & Phanvilay 2008; Barney 2009; Rigg 2009; Lund 2011).

The various land management policies and resettlement effort have aided and facilitated a 'freeing-up' of space to be granted to investors as concessions. Schönweger *et al.*, (2012) estimate that approximately 5 pct. (1.1mio hectare[3]) of the total land area in Laos has been granted to foreign and domestic investors since 2000. However, recent studies show that there is a discrepancy between the amount of land granted to investors in concession contract and the actual land obtained (Schönweger & Messerli 2015). Furthermore, although the number land acquisitions have grown rapidly throughout Laos, successive stages of centralisation and decentralisation in the government administration have created a regulatory context, where agricultural policy and concession development vary across and between the central, provincial and district levels (Lestrelin *et al.*, 2012).

In Luang Namtha Province, the empirical context for this study, rubber has been the dominating commercial crop for more than a decade. However, the number of large-scale land concessions has been relatively low compared to the southern provinces due to the provincial government's preference for contract farming and smallholder arrangements (Shi 2008; La-orngplew 2009; Thongmanivong *et al.*, 2009; Sturgeon 2013). In general, the agricultural development and increasing commercialisation of agriculture in Luang Namtha is heavily influenced by the close proximity to China. A series of political and economic changes including the transformation from a centrally planned to a socialist market economy in the late 1980s, a re-opening of the regional borders between Laos and China by the mid-1990s, and a general improvement of road infrastructure in the region have spurred a deepening of integration and regionalisation of the economy (Rigg 2006; Fox *et al.*, 2009; Thongmanivong *et al.*, 2009). On a smaller scale individual businessmen and traders with close ethnic and familial connections across the border have been promoting a range of cash-crops for export in loose contractual arrangements or simply established markets for particular products and thus influenced the widespread commercialisation of the agricultural production. At the same time as the increasing commercial crop production is raising the pressure on land, the lower lying areas and river valleys have been identified as a strategic rice producing area. National food security and food sovereignty is a key policy concern for the GoL, and in the GoL's 2020 development strategy Luang Namtha is appointed a strategic rice producing province for northern Laos. The rapid commercialisation of agriculture is therefore becoming a threat to this strategy in some areas of the country.

3.2 The case study context

The study is located in Long District, Luang Namtha Province (**Figure 1**). Characterised by rugged mountainous terrain and narrow river valley, Long District is one of the poorest and least developed districts in the province and it is populated by ethnic minority groups, who still rely on shifting cultivation of upland rice though to an increasing extent combined with various cash-crops. The Mekong River forms the district's north-western border with Myanmar, and the main district road connects the official border crossing to Myanmar with Sing District to the east, which have long constituted the main trading town in the area and gateway to the Lao-Chinese border (Lagerqvist

[3] Excluding logging concessions, mining and contract farming.

2013).

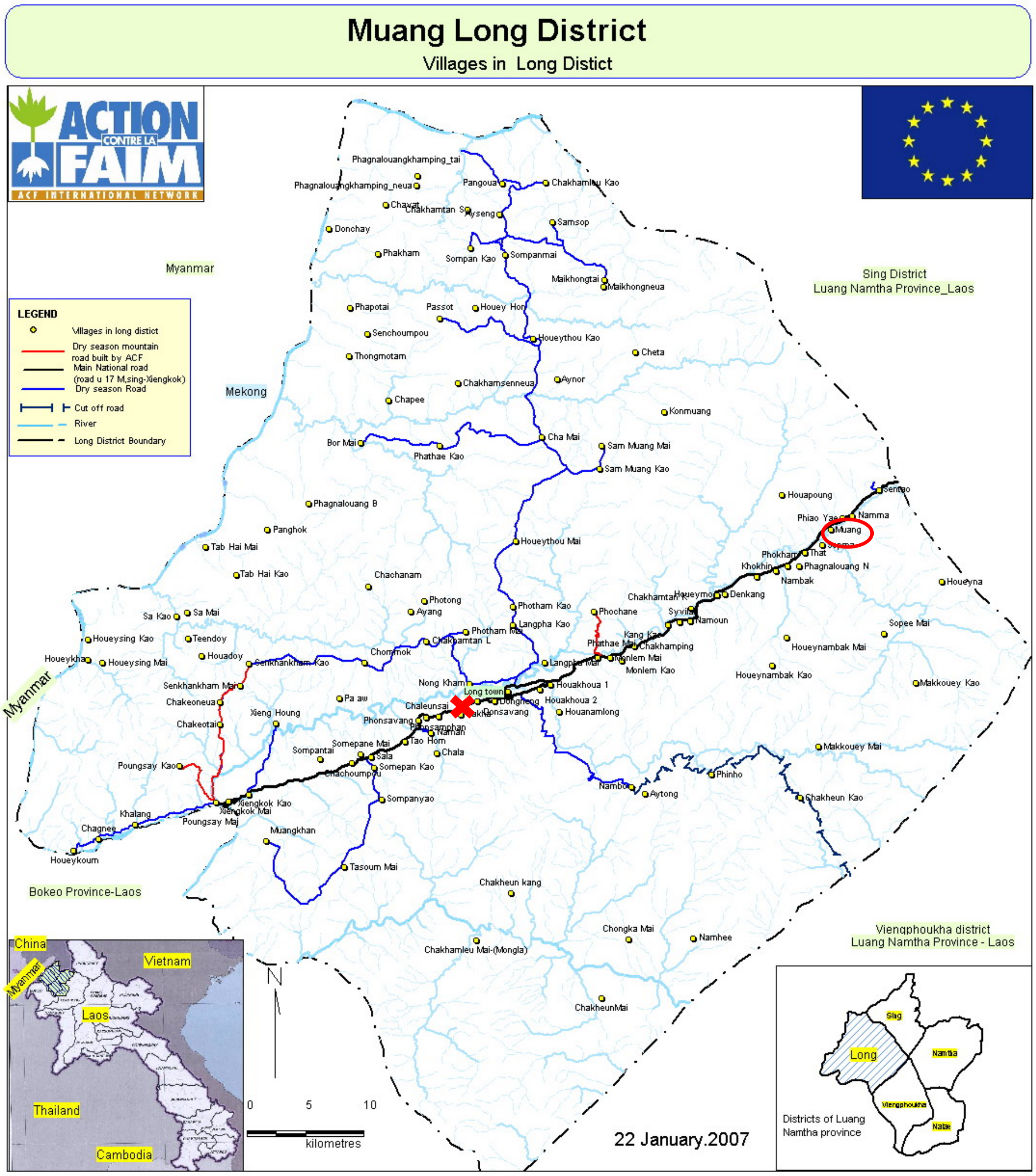

Figure 1. Map of Long District in Luang Namtha Province. The circle marks the location of Ban Sirimoon and the cross marks Long District town. Source: Map file provided by Long District DAFO.

Ban Sirimoon in Long District provides the frame and starting point for the analysis presented in this paper. The village's 66 households (323 people in August 2014) mainly belong to the small minority group of *Doi Samtao* people; however as Buddhists they share some cultural traits with the larger group of *Tai Lue* people living in the area. The village is located on the main road between Long and Sing District towns and occupies an area on both sides of the narrow river valley around the Nam Ma River, as well as the adjacent hills on both sides of the river. The villagers primarily engage in subsistence rice production combining lowland and upland rice; however there has been an increasing level of agricultural commercialisation in the past 5-10 years with the introduction of maize, cassava, rubber, pumpkin and sugarcane. The increasing engagement with cash-crop production has been driven by both domestic and foreign, mainly Chinese, small-scale traders and agricultural investment companies. The increasing interest from investors have substantially altered the villagers agriculture and livelihood strategies from a primarily subsistence oriented to more market oriented production. Since the beginning of 2011, this ongoing process of agricultural transformation has developed further as the villagers have leased land to two Chinese banana investors.

4 Methodology

The study draws on field research carried out in Luang Namtha in April-May and August-December 2014. During the fieldwork a combination of qualitative methods were used. In Ban Sirimoon, participant observation, semi-structured interviews, focus group discussions, a structured household questionnaire, as well as informal interviews and conversations were the main methods. Table 1 present the key themes covered and the quantitative density of each method (see table 1). In addition, semi-structured interviews were carried out at district and provincial level with the five main departments involved with banana plantations. At the latter part of the fieldwork semi-structured interviews were also conducted with middlemen, land brokers, banana plantation managers and banana investors operating throughout Long District.

The interviews were conducted in Lao, Tai Lue or Chinese, and they have been transcribed and translated into English. The transcripts have been corrected grammatically and coded using Nvivo software. Household survey data has been coded and analysed using Microsoft Excel.

Method	Informants	Themes covered	Data acquisition time	Place	Quantitative density
Participant observation		Daily life Agricultural strategies and livelihood activities Food security, income and expenses Banana plantation involvement	August to December 2014	Ban Sirimoon	Presence in the village
Semi-structured interviews	Banana middlemen Land brokers Contract labour	Role in relation to banana plantation development Land survey process Implementation process Perception of change to agricultural and livelihood opportunities General impact of banana	August to December 2014	Ban Sirimoon	12 interviews in Ban Sirimoon
	Government officials at senior level	Role in relation to banana plantation development Land survey process Implementation process Relationship with banana investors General impact of banana	April to May 2014 August to December 2014	Luang Namtha Province Long District	13 interviews
	Banana investors Plantation managers	Objectives for investment in banana in Laos Land survey process Implementation process Relationship with villagers and GoL departments Banana plantation management General impact of banana	November and December 2014	Long District Sing District	7 interviews with investors and 2 interviews with plantation managers
Household questionnaire survey	Head of households and their wives	Perception of change to agricultural and livelihood opportunities Land assets and land use change Agricultural strategies and livelihood activities Food security, income and expenses Loans and debt Banana plantation involvement Household composition	September to November 2014	Ban Sirimoon	48 out of 66 households interviewed Random sample based on list of households in village
Focus group discussions	Villagers	Perception of change to agricultural and livelihood opportunities Agricultural strategies and livelihood activities Changes in agriculture and livelihood change Involvement and development of cash-crop production Banana plantation involvement	September to December 2014	Ban Sirimoon	10 group interviews Differentiated according to age, gender and main agricultural activities
Informal interviews	Village authorities Farmers Banana contract	Perception of change to agricultural and livelihood opportunities Cash-crop development Labour arrangements in plantations	August to December 2014	Long District Ban Sirimoon	

	labour Chinese traders

5 Results

5.1 The banana investment scene in Long District

Commercial banana plantations started surfacing in Long District around 2008. The Long District Agricultural and Forestry Office (DAFO) updated the district's banana investor inventory in the fall of 2014. The inventory currently counts thirteen legally registered banana investors owning plantations of a total of 820.75 hectares. The size of the various company holdings ranges from 16.63 hectares to 269.83 hectares and individual plots range from less than 1 hectare to 61.87 hectares. The banana seedlings are generally productive for three seasons of 10-14 months depending on weather and water conditions; however several interviewed investors explained that if managed correctly the banana palms can be productive for four or even five seasons, before they need to be replanted.

The thirteen companies in the DAFO inventory represent a range of different investor types including individual Chinese businessmen with long-term experience in trade of forest products, local or new cash-crops; joint ventures between Chinese and Lao businessmen (often relatives); Chinese investors with banana cultivation experience in China; and large-scale rubber investors branching out to other sectors due to declining rubber returns. Three of the legally registered companies act as intermediaries for other investors that come to Laos with financial backing to invest in the production. While these financial investors thus own the plantations and the production of banana, they remain unregistered and rely on the facilitation of the intermediary companies, who use their legal status and their well-established relationships with district authorities to navigate the system on behalf of the financial investors. Most of the banana investors explained that they had negotiated and settled the contracts directly with village authorities or farmers and had only applied for the formal permissions and investments documents at the district authorities after having secured the land at village level.

The main reason given by the Chinese banana investors for moving into Laos was availability of suitable land and favourable climatic conditions for banana plantations something often contrasted with the situation in the China. One investor explained:

> *[We came to Laos] because the weather and temperature is suitable for plantation, and here you can do plantation for the whole seasons. You can't do banana during the winter in China and Europe therefore the banana or fruit market demand is high during winter, so if there is a low fruit or banana supply to the market then the price will go up year by year, so therefore we are coming to southeast Asia to invest in plantation. […] In China it is difficult to plant banana, there are less tropical land and the land leasing fees are expensive, and we cannot plant banana at the north because too cold. Xishuangbanna Yunnan in southern China is the only place where you can easily find the land, but expensive. So Laos has more land to plant banana than China and it is also cheaper (Int. Mr. Mao, 01.12.14)*

Furthermore, the investors highlighted the typhoon risks in the banana cultivating provinces in China and the increasing problems with the infectious Panama fungal virus, a soil pathogenic disease causing infection in the root systems of banana palms, as reasons for moving into Laos. The increasing market demand and consumer preference for fresh fruit in China were also stressed as drivers. All bananas are exported to China and the export is generally facilitated by intermediary companies or by specialised export companies.

Although, the DAFO banana inventory does not include information on the land use prior to banana developments, observation and interviews revealed that the majority of the plantations are established on land previously used for paddy rice cultivation or cash-crop gardens in the easily accessible areas along the main district road and the Nam Ma River. When asked about the impacts of their investments, several investors compared the condition of the Lao and Chinese economy arguing that the rural areas of Laos need the type of economic investment and the employment opportunities that their banana investments bring. In relation to the environmental impacts and land degradation associated with the establishment of banana plantations, some investors stressed that compared to heavy industrial pollution, the degradation that their banana plantations entailed was negligible and easily reversed by converting the production to another cash-crop.

The case of the two banana investors operating in Ban Sirimoon provides good insights into the processes and networks of actors involved, as well as the actual and perceived impacts of banana plantations in Long District; and it is to these the paper now turns.

5.2 Banana investments in Ban Sirimoon

In the end of 2010/beginning of 2011, Ban Sirimoon was targeted by two different banana investors, Long Fa Agricultural Company and Xie Guo Company. The investors initially targeted the same land around the village and eventually had to negotiate a division of the land. While one investor initially proposed a price of 8mio LAK/hectare/year, the other had offered villagers between 10-12mio LAK/hectare/year. In the end, the investors had had to involve the village authorities and the DAFO to negotiate a division of the land. The price was settled at 10mio LAK/hectare/year for both companies and a small river running through the targeted land became the border between the two plots. Both investors operate with 6-year contracts for all involved households with the possibility of extension for another 6 years. Farmers do not have individual leasing contracts, but ‘sign’ with their fingerprint when they receive the annual leasing fee. Besides the lease-period, the contracts specify the price and annual payment date. It does not specify the responsibility of the investor for cleaning up the land or turning it back to rice paddies after the contract ends. The extension of the contract is dependent on a renegotiation of the leasing fee. Some villagers already complained that their fee is too low compared to the contracts set up with new investors in other villages at 15-18mio LAK/hectare/year.

5.1.1 Long Fa Agricultural Company

The *Long Fa Agricultural Company* (or Hong Fa Agricultural Company[4]) registered as a legal investment company with rights to plant and export banana, as well as import inputs and labour in Long District in late 2010. The company is a shareholding company with five partners; two Han Chinese investors and one investor of Yao, Tai Lue and Akha Chinese origin respectively. Mr. Ye, one of the Han Chinese shareholders with many years of experience in banana plantations in Hainan, China and in Burma, explained that the ethnical diversity among the shareholders provided the company with great advantages when building relations, negotiating and potentially mediating conflicts in the villages they invested in.

Mr. Peng, the Tai Lue Chinese shareholder who had been planting watermelon in the area for many years, had been made responsible for finding suitable land. Using his personal network and knowledge of the area, Mr. Peng approached several villages and local businessmen to engage them as

[4] This company is registered at the District level as Hong Fa Company. However, at a visit to the company’s banana plantation elsewhere in the District we saw a sign presenting the company as Long Fa, meaning *“the Strong Company”* in Chinese.

middlemen. For the investment in Ban Sirimoon, Mr. Peng relied on relatives to get in contact with Mr. Kham, a well-connected local businessman and village *naiban*[5] with good knowledge of the area. Mr. Kham was hired to find suitable land and get in contact with the relevant village gatekeepers. One of these gatekeepers was Mr. Mai in Ban Sirimoon. Mr. Mai explained in an interview that he and Mr. Kham were long-time 'comrades', which is why Mr. Mai had agreed to act as the local land broker and mobilise landowners to grant their land:

> *I began to do land survey including na[6] land without water. I told the landowners that we should grant na to Chinese investor [...] because otherwise we won't be able to plant anything because there will be no water [when the plantation is established] but I did not note down all the details of the land that I found because Mr. Peng was the only one that noted it, therefore I don't know how many hectare I found, and in the end Mr. Peng just paid me 800.000LAK as land surveyor, but I don't know how much Chinese investor paid him maybe 30-40million! I don't know. (Int. Mr. Mai, 11.11.14).*

When asked to elaborate, Mr. Mai explained that he managed to secure the land from nine households in the village. The identification of landowners was based on his knowledge of the village. While the targeted land was located within the boundaries of Ban Sirimoon, several plots were owned by villagers in neighbouring villages, but Mr. Kham had been in charge of the negotiations with these households.

After the initial land survey process, another villager, Mr. Phon, took over the role as contact person for the Long Fa Company in Ban Sirimoon. Mr. Phon had initially worked as daily wage-labour in the plantation and had impressed the investors with the pace and quality of his work. When the investors accounted a problem with some households that were reluctant to grant their land, they had asked Mr. Phon to take over the negotiations. Mr. Phon emphasised that he had used his personal relationships with the villagers to convince them:

> *For instance, with Mr. Jeun's land, in fact he had already granted one plot of na-land to this investor therefore he prefer to keep second na-land for own cultivation, because if only rely on hai-cultivation they won't have enough rice for the whole year consumption. However most of the na land around his land had already been granted and for sure that banana investor will change all the irrigation system for use most of water for supply banana plantation and absolutely water conflict will occur between him and the Chinese investor [...] Before he made his decision, I went to negotiate with or convince him for several times, by trying to convince him to understand better how difficult the problem that he will face in the future were if he keep land for own cultivation, then he awarded my explanation and then he decided to grant his na to the banana plantation.*
>
> *I did not force or lie or influence them to grant land for banana investor, I just approach them by mention the real reason and trying to help them for analyse the future potential problem which they will face if they keep land for own cultivation because their land is located on the same plot of banana field. But the reality is that many of the landowners are the ones who want to grant their land to Chinese because they saw landowner in other villagers make money from granting land to banana; that's why they also want to make*

[5] *Naiban* is Lao word for the village headman.
[6] *Na* is the Lao word for 'lowland paddy rice land'.

money like the others (Int. Mr. Phon, 09.11.14).

Mr. Phon managed to secure the last four hectares of land and received 400.000LAK as a fee. Eventually, the Long Fa Agricultural Company secured around 35 hectares of land granted by 13 households in Ban Sirimoon, and by an unknown number of households in the neighbouring villages.

5.1.2 Xie Guo Company

The second investor in Ban Sirimoon is registered as *Xie Guo Company* owned by the Han Chinese investor Mr. Xie Guo. Mr. Xie Guo has a long history of agricultural investment in the area, and his company is legally registered at the district authorities and acts as an intermediary for other Chinese investors. Though Xie Guo Company is registered as the owner of the plantation in Ban Sirimoon, several informants explained that Xie Guo Company had initially operated on behalf of another Chinese investor, Mr. Jin.

For finding the land, Mr. Xie Guo approached Mr. Kang, a well-connected local businessman, to survey for suitable banana land in Long District and act as middleman in negotiations with land owners. Mr. Kang explained:

> *In fact Xie Gou is a representative of another investor. Xie Gou did not invest in banana plantation, he is just the legal middleman for the Chinese investor. I think he earns some money from the investor as registration fee or facilitation fee, but I don't know exactly what this is! Because Xie Gou has a right to do investment in Laos, therefore he contacted another Chinese investor to do banana investment in Laos. [...] I don't know why they came to see me. They may know me through friends or government's suggestion in Long District because Xie Gou has an office in Long District and I am also well known by the old generation of government staff in Long District, because I am experienced businessman at the local level that's why they came to see me, I did not go to see them (Int. Mr. Kang, 17.11.14)*

Mr. Kang and Mr. Xie Guo had jointly found and targeted the land near Ban Sirimoon in the same area as targeted by the Long Fa Company. Mr. Kang explained that he had known that this land often faced water shortage problems and unsatisfactory rice production making it a good target for banana investment.

In Ban Sirimoon, Mr. Kang approached Mr. Chai, to assist him in identifying the landowners of the targeted land. Mr. Chai explained that they were old acquaintances because he had worked on one of Mr. Kang's trade boats on the Mekong in the past. Mr. Chai explained that he had been hired to survey land and to convince the villagers in Ban Sirimoon and in the neighbouring Akha villages to grant their lands. The investor had paid 50RNB per *mu*[7] in land survey fee to be shared by the middlemen.

In Ban Sirimoon, Mr. Chai had mobilised the villagers to grant their land by using his intimate knowledge of how the village worked:

> *These lists [showing us lists of households] have been written by me with the name of household and land surface. In the beginning I did not go to each house, I just went to see*

[7] The Chinese measure *mu* corresponds to 614.4 m² and in the local context farmers and investors calculate with 15 mu to 1 hectare.

the Naiban and I proposed the objective of a meeting. Then he mobilized the meeting for me, and I told them [the villagers] the rate of leasing fee and duration of the contract and then they discussed with each other for some days. Then I go back to visit them again to note down all household, who want to grant land to banana plantation. Sometimes after the meeting it takes very long time maybe 1-2 weeks until I get their final agreement (Int. Mr. Chai, 08.11.14).

According to Mr. Chai there had not been any resistance to the plantation in Ban Sirimoon during the land survey phase. In contrast, there had been several land conflicts between the villagers in the neighbouring village and the investor:

The main problems occurred at the first year of banana plantation. There is land conflict between people that did not grant land to investor and the investor because the investor may intend to violate the land marked of other landowner, who did not grant land to investor because the investor always wants more land (Int. Mr. Chai, 08.11.14).

Due to these continued conflicts with plantation neighbours, Mr. Jin apparently gave up the investment in Ban Sirimoon and in Long District in general within the first year of the investment and sold the plantation site to another Chinese investor. None of the interviewed villagers, middlemen or district officers, however, knew the name of this investor. Only Mr. Kang noted that they are "*north Chinese and don't speak any Lao*" (Int., Mr. Kang, 17.11.14). According to Mr. Chai, the new investor has kept the details of the contract with the villagers. Despite the sale of investment, Xie Guo Company continues to be legally registered as the owner of the plantation site in Ban Sirimoon, contributing to the confusion and complexity of the arrangements surrounding this plantation at both village and district level. The Xie Guo Company managed to obtain more than 70 hectares of land in the area, of which approximately 34 hectares is located in Ban Sirimoon. Six households granted land to this investor in Ban Sirimoon, the rest is from an unknown number of households in the neighbouring villages.

5.1.3 Villagers experience with the implementation of banana plantations

In Ban Sirimoon, only households with fields in the targeted area were approached by the middlemen and asked to grant their land to the investors. A total of 19 households were involved, of which 16 households were interviewed in the household survey. These households had on average granted 0.93 hectares of land previously used for paddy rice cultivation, cash-crop gardens or fallow. The primary reasons given for accepting the investors' proposals was a lack of water in the paddy rice fields prior to the plantations, which often led to minor water sharing conflicts between villagers and to a low rice harvests. While the lack of water in the land prior to the banana plantations were a significant motivation for farmers to grant their land, several of the interviewed households also explained that they had felt a certain pressure from the middlemen and the investors:

Most of the neighbouring land was already granted - and the other villagers also granted their land, so I just had to follow them. Also we would have a water sharing problem, if we were the only one to farm na in that area and not grant the land (HHQ37, 04.10.14).

In addition to the water sufficiency problems, some farmers mentioned that the middlemen had emphasised how the plantations would lead to accessibility problems and chemical pollution of their fields if they did not grant their land. Six of the interviewed households indicated that they initially refused the investors proposal, but that they felt pressured by the middlemen's arguments. One farmer commented that the middleman already had his name on the list of households with land in the targeted area, which made him feel uncomfortable to refuse the proposal. Another, that while she had initially only granted one of her two plots of paddy land, the investors had warned her that the rice would be impacted by the banana chemicals, and when she continued to resist the investor had increased the price from 7mio LAK to 10mio LAK/year for her 0.7 hectare plot. Some also reported cases of farmers in other villages in the area having their rice seedlings or rice huts destroyed in the implementation process of plantations, and as a result agreed to grant their land to the banana investors.

A small number of households had successfully managed to refuse the banana investors proposal and now held paddy rice fields in the middle of the banana plantation (see **Figure 2**). These were generally better-off households with some relation to the village authority arguing that they preferred cultivating rice, since they did not trust that the rent for the land would be sufficient to make up for the rice production. One household had refused to grant his land and had instead experienced severe erosion to his field during the establishment of the plantation. This farmer explained that while he had tried to enact an old relationship with the former district governor and had complained three times to the district authorities, he had so far been unsuccessful in gaining their attention and had had to negotiate a small compensation directly with the investor.

Figure 2. Left: Paddy rice fields surrounded by banana plantation; Right: View of the valley around Ban Sirimoon (the village is located to the right outside the frame) showing one paddy rice field of a farmer who refused to grant his land to the banana investors (Photo: Cecilie Friis)

Other stories of resistance to the plantations were also reported on several occasions. Some farmers had resorted to cutting down banana palms, since they had been cut off from access to their fields and their complaints to the investors had been ignored. Others reported that some villagers had destroyed the plantation water pipe system when the investors had failed to leave water supplies for their paddy fields open. Eventually, these farmers had managed to negotiate with the investors to install pipes to supply water for their fields as well.

5.3 Transformation of land use and changing livelihoods

In the course of few months, the land previously used for a combination of lowland paddy rice, vegetable and sugarcane gardens, as well as fallow was cleared, banana seedlings planted, water supply systems built and a small network of gravel roads and footpaths established (see **Figure 3**).

Figure 3. Left: Bananas in the Long Fa Company plantation; Right: Small road and water pipes in the Xie Guo Company plantation Ban Sirimoon (Photos: Cecilie Friis).

When asked about the biggest impact of the plantations to their village, the villagers highlighted land degradation. In particular, the use of chemical fertilisers, herbicides and pesticides in the plantations were mentioned as causes for concern. The banana palms are sprayed heavily in the first phase of cultivation and moderately during the ripening of the fruits. Some farmers reported that crops growing adjacent to the plantations got damaged by the chemicals, and several farmers expressed concern that the heavy chemical usage would impact the general land quality of their land. Several villagers also mentioned that breathing and sleeping problems often followed the chemical spraying.

A further concern revolved around the process of clearing land for the plantations. This entailed a destruction of traditional land markers used by villagers to recognise boundaries between plots, as well as the traditional paddy rice irrigation system of small channels and sluices. While some farmers had managed to mark their fields with concrete land markers, the majority of the farmers had not. There was therefore a great concern among the villagers related to the recognition of ownership upon return from the investors. The former naiban noted:

> *There are no other problem at the moment, but maybe more problems will happen in the future after the contract is over because they [landowners] will have problem about land borderline, for sure they will have problem about this because it is difficult to return back the land base on the number area of each landowners because Chinese destroyed all the previous land borderline (Int. Mr. Thong, 12.11.14).*

The banana investors had also dug deep ditches and small water ponds, and in several cases used limestone in the soil to stabilise banana palms. In the Xie Guo Company plantation small roads through the plantation had been paved with gravel stone and sand. Both the limestone and the gravel stone roads worried the owners of these plots, who expressed doubt as to whether they would be able to remove the stones from the land again. Several of farmers, who leased there land to the investors expressed mixed feelings about entering the contracts:

> *Now that I have granted the land to the banana, I can earn money, but I am not sure if I want to grant more land in the future. We worry about the land quality – worry that the Chinese will not clean up the land after the contract, and especially the roots of the banana (HHQ7, 15.09.14).*

The same sentiments were found among households that did not engage with the banana investors. While several people expressed some envy that the land-leasing households gained cash-income, they also noted that they were happy they did not have to deal with converting the land back to productive paddy rice cultivation after the contracts finished. Mirroring these concerns, the involved households explained that they would probably accept to extend the contracts with the banana investors, since they were also concerned for the future state of the land.

Despite the concerns about the environmental impacts of chemical pollution and the future land quality, involved and not involved villagers agreed that the banana plantations had brought increased monetary income to the landowners. Some villagers remarked that banana had changed the living standard for the involved households. Earning "*money without working*", as it was often expressed, enabled people to improve the conditions of houses and made the purchase of new things, especially motorbikes, possible. The land leasing fees are also generally higher than the possible income from sale of surplus rice. This was emphasised by several farmers arguing that it made good economic sense to rent out the land especially for the people with a low producing rice field. However, for some households the increased income had also caused problems:

> *Especially the households that granted na to the banana and involved in sugarcane – they can improve their house but some of them who granted their na don't produce rice anymore, so they spend the money on building new houses and then they have a good house but no money to buy rice and they have to take a loan – so instead they have debt now (HHQ 44, 03.11.14)*

Furthermore, even for the households who had leased land characterised by water insufficiency and low harvests, the production of rice still constituted a considerable part of their food supply. In general, the production of rice in the village had gone down. While the development of commercial agriculture in the village coupled with the restrictions on upland swidden cultivation imposed by the GoL contributes to this development, the occupation of banana plantations on part of the rice producing areas in the village is a key factor here.

6 Discussion

6.1 Strategies for gaining access to land

The case of banana plantations in Ban Sirimoon and in Long District in general challenges the dominant narratives and understanding of 'land grabbing'. The banana plantations are short-term leases of land negotiated directly at village or individual household level. However, the results demonstrate that while the banana contracts are apparently market transaction of use rights, the investors use a range of exclusionary powers to obtain access to land (Hall *et al.*, 2011).

As shown, both Long Fa Agricultural Company and Xie Guo Company worked through a network of personal, ethnic and familial relations and 'snowballing' techniques in order to find entry points in the targeted villages. Through the employment of local gatekeepers, the investors were able to negotiate and secure the land without formal involvement of official authorities. Only when the companies faced conflict did they involve the district authorities to reach a compromise and divide the land. The land was therefore obtained without formal involvement of the authorities, although not without their knowledge. The accounts of the local middlemen show that the investors mainly convinced the villagers in Ban Sirimoon to grant their land to the banana plantations using the promise of economic benefits. However, they also relied on legitimising arguments stressing the water shortage and low rice production in the targeted land and highlighting new employment opportunities in the plantations. In general, the banana investors all used legitimising arguments related to bringing development and monetary income to poor villagers with few development opportunities. The investors thus cast themselves as development agents and the banana plantations as an important step in the economic development of the rural economy in Laos.

Yet, the stories of both successful and unsuccessful resistance by some villagers to the plantation plans illustrate that investors also used threats of force or violence to pressure villagers into granting their land. All middlemen stressed the difficulties farmers would face in relation to water shortage, inaccessibility to their fields and chemical impacts to their crops by plantations if they refused to grant their land in the targeted area. In general, stories of investors 'accidently' ploughing up the rice seedlings, destroying farmers rice huts or ploughing deep ditches causing heavy erosion in the fields of households that refused to grant their land to the plantations show similar incidents of the use of force to threaten farmers into granting their land. Furthermore, the experience of the villagers in Ban Sirimoon demonstrates a certain element of peer pressure related to the survey process, where a few households including the employed village middlemen acted as first-movers and created an atmosphere, where some felt they had to just "*follow the others*". The use of local land brokers made it difficult for households to oppose, as illustrated by the case of the farmer that already found his name on the list of villagers with land in the targeted area, when the middleman first approached him and therefore did not feel that he could oppose. The banana investments thus present a case where the lines between land acquisitions by 'economic' and 'extra-economic' means are blurred.

6.2 The question of scale

The banana plantations further challenge the understanding of 'land grabbing' in relation to the question of scale. As the results shows, the scale of the banana plantations is generally small in terms of hectares, especially if compared to e.g. the vast rubber concessions granted elsewhere in Laos (Baird 2010; Kenney-Lazar 2012). Likewise, due to the relatively small size of plantations, the scale of the capital investment is equally small compared to larger land acquisitions and concession ventures. However, for the affected villages and for the households involved, the land leased out constitutes a significant share of the village's paddy rice area and of individual land holdings. Since the plantations target the easily accessible and fairly fertile lowlands along roads and rivers, they are in direct competition with the paddy rice production. In Ban Sirimoon this has resulted in a general reduction of rice production, and a decrease in rice sufficiency among some of the involved households, who to a larger extent have to rely on purchased rice. While the capital investment might also be relatively small compared to large-scale concession investments, it is substantial compared to local incomes and assets. In the local context banana is a high-value crop and the establishment of banana plantations is out of reach for local farmers. The land leasing fees offered by banana investors, in contrast, constitute a considerable amount of money for local farmers that in many cases exceed the potential cash-income from rice production. This introduces an economic incentive for farmers to lease out their land despite the consequent reduction in rice self-sufficiency. The case thus illustrate that the question of scale – of both land and capital – is relative to the context a particular land acquisition take place within.

The banana case also provides important insights into the question of temporal scale in the discussion of land grabbing. The duration of the banana contracts is relatively short compared to the long-term concession leases granted by the GoL. The 6-year duration of the contracts follow the three year productive cycles of banana palms. However, the rapid transformation of land use induced by the banana plantations entail a complete change of the land structure, land boundaries and irrigation systems in the targeted areas. In some cases, the plantation layouts also causes erosion and degradation of adjacent land, and the heavy use of chemical fertilisers, herbicides and pesticides causes concern among farmers with regards to the future quality of their land. While the contracts are short term, the overall destruction of the previous land structures creates much more long-term consequences. Hall *et al.*, (2011) demonstrate similar points in the case of shrimp farming in Vietnam showing that even though the land might not be permanently destroyed returning it to previous uses is difficult and cost-intensive. It is too soon to assess the long-term consequences of the current banana boom in Long District. However, the worries about land degradation coupled with the lack of clear arrangements for the responsibilities of investors after the leasing periods contributes to the uncertainties regarding the future of the banana land. So far, this uncertainty has manifested itself in the fact that most farmers are expecting to extent their contracts with the investors. What was initially then a fairly short term contract of 6 years easily turns into a twelve year contract. Moreover, the susceptibility of monocropped banana plantations to the Panama disease makes the banana investments vulnerable to sudden crashes not unlike other boom crops studied in the context of agricultural transformations in Southeast Asia (Hall 2011). While the Chinese investors can move on to uninfected land elsewhere, the villagers are left to deal with the land degradation, chemical pollution and potential land conflicts.

Going back to the discussion of land grabbing as de facto ‘control grabbing’, as stressed by Borras *et al.*, (2012) “*seen from the perspective of control grabbing, analytically and empirically land grabbing does not always require the expulsion of peasants from their lands*” (404). In this case, the combined effect of the land use transformation and the cultivation practices in the plantations create a lock-in of land use that represent a much stronger and longer term alienation of land from the affected farmers than the leasing contracts indicate.

6.3 The question of intentionality

The discussion of the strategies for obtaining access to land and of the scale question related to the banana plantations in Long District, both illustrate the complexity related to the definitional debates surrounding ‘land grabbing’ as a concept. The banana plantations are at the same time short-term leases negotiated through the market; and cases of ‘control grabbing’ using extra-economic means and inducing substantial consequences for the involved villages. This points to a question of intentionality in the relation between drivers and outcome of the plantations, especially when considering the implicit assumption of malintention conveyed by the violent connotation in the concept of ‘land grabbing’ and the dominant meta-narratives of the ‘global land grab’.

A brief contextualisation of the emergence of the banana plantations provides a good starting point for dealing with this question. In general, the development of banana as a major cash-crop in Long District, and Luang Namtha Province more generally, is only the latest step in the long historical and ongoing interaction between the border areas of northern Lao and the southern Chinese province (e.g. Lagerqvist 2013; Sturgeon 2013). Well established ethnic and familial relations across the border have facilitated economic interactions and increasing economic integration. This study demonstrates that banana was to a large extent introduced through these informal networks and relations. Many of the investors have been engaged in trade of forest, agriculture and commodities in the area, or in production and promotion of cash-crops for several years prior to banana. Responding to the growing demand for fresh-fruits in China, these investors moved into banana to explore the latest market opportunity. In addition, the case of the sale and re-sale of the Xie Guo Company plantation in Ban Sirimoon, as well as the existence of the financial investors operating behind the legally registered companies, illustrates that the banana investment market is highly volatile. The background of the investors and the dynamics of the plantation market suggest that the banana investments are to some extent opportunity driven short term ventures that aims to take advantage of the current market demands. Furthermore, the perspectives of interviewed investors suggest that banana is seen as a good investment at the moment, but not necessarily as a long-term occupation of the land.

Nonetheless, what the evidence presented above also show is that despite the short-term contracts, the direct negotiations with landholders and the economic incentives for farmers to grant their land, the banana plantations include strong elements of ‘control grabbing’ and long term alienation of land.

On the question of intentionality, the argument then becomes that this happens through a to some extent *un*intended combination of the unequal power relations between investors and farmers, the actual land use transformation and degradation, and the potential future land conflicts due to the destruction of the traditional land boundaries. This is not to argue that the banana investors are acting *unknowingly* when using extra-economic means to access the land, but rather that there is a degree of *unintentionality* in the process, which turns the banana investments into a case of 'land grabbing'. The scale question plays a role here as well. The consequences of the individual plantations might not be a cause for great concern due to the relatively small scale of land involved; however when aggregated at the landscape level the scale of acquisitions become substantial and amount to a significant enclosure of resources.

7 Concluding remarks

The general lack of a widely accepted and employed definition of 'land grabbing' continues to challenge scholars and activists working on issues related to multiple forms of transnational land acquisitions. The case of Chinese banana plantations in Ban Sirimoon and Long District is an illustrative example of land acquisitions that challenge dominant understandings of land grabbing. Though the banana plantations are small in terms of hectares involved and short in terms of contract duration, the land use transformation they entail represent a strong and long-term alienation of land from previous users. This also highlights that in relation to the ongoing discussion of scale with regards to land acquisitions, the size of investments in terms of hectares as well as capital involved is relative to the local context acquisitions take place within. Land acquisitions might be small compared to the large deals highlighted at a global scale, however if these hectares are the key resource for communities they represent important change factors.

The study furthermore adds the question of intentionality to the discussion of 'land grabbing'. The notion of 'land grabbing' includes an implicit assumption of malintent on the account of the investors. However, it can be discussed whether the banana plantations were ever intended as 'land grabs' or rather turn into such by the circumstances surrounding their implementation, as well as their actual and likely future implications. This is not to argue that the investors are unknowingly acquiring land through forceful means and inducing a land use transformation with severe consequences, but rather that the intend to harm on the part of the investors often assumed in 'land grab'-definitions are not necessarily there.

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About the Author

Cecilie Friis is a doctoral researcher at the IRI THESys (Integrative Research Institute for Transformation of Human-Environment Systems) at Humboldt-Universität zu Berlin. Her research is funded by the German Excellence Initiative. The focus of her research is how people navigate for livelihood opportunities and access to resources in an increasingly interconnected and telecoupled world, as well as on the theoretical and empirical development of telecoupling as an analytical heuristic. She studies the case of Chinese banana plantation development in northern Laos, and her conducted field research in Luang Namtha Province in April-May and August-December 2014. She is currently working on her dissertation.