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## Khek Noi – The Land Without The Concept Of A Title Deed

**THAILAND** – Located in Phetchabun, one of the northern provinces of Thailand is a quiet little sub-district called Khek Noi. Famous for its unique cultural offerings, intricate handicrafts and rich history, it is home to Thailand's largest community of Hmong people. For travel buffs, it is an off the beaten track experience and a stone's throw away from areas that offer adventure tourism. For residents though, Khek Noi has the potential to become much more than what it is today.

What seems to be standing in the way is a cumbersome system around public property laws and the issue of ethnic minority rights. In Khek Noi, purchase or lease of land is done on the basis of a verbal agreement alone. To many, this is an inconvenient arrangement that offers little security and poses challenges to the implementation of long-term investment plans.

Without a land title document, villagers are ineligible to apply for loan through normal lending channels and starting a small business remains an elusive dream for most.

Meanwhile, the local administration is left to deal with a headache of its own, as plans to expand the sub-district's water supply system and develop new tourist attractions may never be realised because necessary documents like land title deeds cannot be produced.

### Sticky situation

In addition to a common debate over whether highland minorities are first comers or encroachers, the land situation in Khek Noi is rather unique, since the 72 sq km plot of land that forms present-day Khek Noi has been transferred back and forth, and given to and taken back from different government agencies as well as the villagers – a result of shifts in state policies on hill tribe development and natural resource management. Nowadays, the ownership of the land is divided among three agencies and with each comes a certain set of rules and restrictions.

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"It's a bureaucratic mess and ethnic discrimination," said Suwit Sanyakul, 57, two-time elected chief executive of Khek Noi Administration Organization. "Newcomers who are Thai, land developers or businesses have no problem getting the authority to issue title deeds. It's just us. An entire sub-district without any land titles even though we have Thai citizenship."

An activist at heart, Suwit spent over ten years working in Hmong shelters with the United Nations High Commissioner for Refugees (UNHCR), and through the years he has spearheaded several campaigns alongside fellow Hmong – from requesting the district to hold a hearing on the construction of a wind power plant to fighting for the removal of the previous chief executive for abuse of power – with varying degrees of success. Eventually, seeing that the only way to fix the broken system is to work within it, he ran in the local elections and was elected both times. His campaign? Land rights and ownership.

### Baby Steps

Since starting his first term in 2009, this chief executive, who is also one of Khek Noi's first generation of university graduates, has stayed true to his promises and followed through on his campaign. Teaming up with Khek Noi Administration Organization members, local leaders and villagers, they submitted letters, filed petitions and met with relevant agency officials. Despite an uphill battle that is mired in red tape, their sheer persistence and effort in petitioning and negotiation have resulted in small wins.

Villagers living on the 32 sq km land managed by Social Development Center Unit 38 Phetchabun Province can now build permanent structures like concrete homes and small shops, while those on the 32 sq km of land held by the Treasury Department can continue to use the land without having to pay rent.

"It's a small step but with the restrictions relaxed at least some villagers will have an alternative source of income other than growing ginger, and through boosting their income it will help increase our tax collections and budget for community development, too," Suwit added.

And how does the sub-district decide which project it will do? Public hearings. Yearly, twelve small meetings are held in each of the villages and one large public hearing for the entire sub-district along with additional public hearings for important or urgent matters.

"He's a good chief and doesn't play favourites like the one before. Each village gets an equal amount of funds to carry out its own activities," said See Sakcharoenpanyabhum, 51, one of the four female members of Khek Noi Administration Organization Council and a representative of Moo 7. "I only wish we had more budget."

Still among other things, the sub-district managed to carry out road repairs, construct drainage systems, provide trash pick-up service, offer marriage counselling sessions and organise reforestation activities along with classes on Hmong traditions and handicraft work for the youth – all with a budget of 3 million baht. And in spite of the long road ahead in the fight for land rights and ownership which can drag on for years, it seems like there may be light at the end of the tunnel after all.

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