

## Workshop on Responsible investment in plantation agriculture, with a focus on land

### AGENDA

Friday, 27 April 2018

Novotel Yangon Max, Bagan Meeting Room, Yangon, Myanmar

*With simultaneous interpretation*

TIME	SPEAKER	TOPIC
<b>08:30 REGISTRATION</b>		
09:00	<b>Mr. Paul Joicey</b> Country Director, OXFAM <i>(10 min)</i>	<b>Welcome and Program Introduction</b>
09:10	<b>U Aung Kyi Nyunt,</b> Chairperson, Agriculture, Livestock and Fisheries Development Committee, (Amyotha Hluttaw) <i>(15 min)</i>	<b>Opening Address</b> Framing the issues
09:25	<b>Daw Marlar Myo Nuyunt</b> Deputy Director General, DICA  <b>Daw Thin Htay</b> Deputy Director, Perennial Crop Division, DoA, MOALI  <b>U Hlaing Min</b> Assistant Director, DALMS, Tanintharyi Region <i>(10 min each)</i>	<b>Updates from/perspectives of:</b> <ul style="list-style-type: none"> <li>▪ <i>Directorate of Investment and Company Administration (DICA)</i></li> <li>▪ <i>Perennial Crop Division, Department of Agriculture (DoA), Ministry of Agriculture, Livestock and Irrigation (MOALI)</i></li> <li>▪ <i>Department of Agricultural Land Management and Statistics (DALMS), Tanintharyi Region</i></li> </ul>
<b>09:55</b>	<b>Moderator: Daw Cho Zin Thet,</b> Programme Officer, Oxfam <i>(35 min)</i>	<i>Discussion and Q&amp;A with DICA, MOALI and DALMS (Tanintharyi Region)</i>
<b>10:30 Photos and Coffee/Networking Break</b>		

11:00	<b>Participant Introductions</b> <i>(15 min)</i>	<i>(Facilitated by Mr. Duncan Pruett, Oxfam)</i>
11:15	<b>Ms. Vicky Bowman</b> Director, Myanmar Centre for Responsible Business (MCRB)  <i>(30 min + 10 min Q&amp;A)</i>	<b>Rules and recommendations for responsible investment in plantation agriculture</b>
11:45	<b>Polling Questions</b>  <i>(15 min)</i>	<i>To help identify major concerns and points of interest</i>
<b>12:00 LUNCH</b>		
13:00	<b>U Htin Aung Kyaw</b> Assistant Director, Environmental Conservation Department (ECD), Ministry of Natural Resources and Environmental Conservation (MONREC)  <i>(30 min + 10 min Q&amp;A)</i>	<b>Environmental Impact Assessment (EIA) procedure in Myanmar – Putting rules into practice</b>
13:40	<b>Mr. Gaurav Gupta</b> Sustainable Business Programme Manager, World Wildlife Fund (WWF)  <i>(30 min + 10 min Q&amp;A)</i>	<b>Developing rubber sector sustainably in Myanmar</b> <ul style="list-style-type: none"> <li>▪ <i>Sourcing requirements of international buyers</i></li> <li>▪ <i>Issues in the rubber sector in Myanmar – social, environmental and economic</i></li> <li>▪ <i>How this needs to be addressed and what DoA and WWF are doing</i></li> </ul>
14:20	<b>Ms. Junzuo Zhang</b> , Advisor <b>Ms. Zhang Huichun</b> , Advisor China-UK Collaboration on International Forest Investment and Trade (InFIT) Programme (working on Guidelines for Sustainable Development of Natural Rubber developed by China Chamber of Commerce of Metals Minerals & Chemicals Importers & Exporters (CCCMC)  <i>(30 min + 10 min Q&amp;A)</i>	<b>Industry Guidelines from China on rubber and palm oil</b> <ul style="list-style-type: none"> <li>▪ <i>Overview</i></li> <li>▪ <i>How international guidelines can be used in line with national laws</i></li> </ul>
<b>15:00 Coffee/Tea</b>		

15:20	<p><b>U Mg Mg Thet</b> Managing Director Shwe Yaung Pya Agro Co., Ltd</p> <p style="text-align: right;"><i>(30min + 10min Q&amp;A)</i></p>	<p><b>Being a responsible rubber plantation:</b></p> <ul style="list-style-type: none"> <li>▪ <i>The beginning</i></li> <li>▪ <i>Sustainable Natural Rubber Initiative (SNR-i)</i></li> <li>▪ <i>Challenges and overcoming them:</i> <ul style="list-style-type: none"> <li>○ <i>Business for Peace</i></li> <li>○ <i>Community development</i></li> <li>○ <i>Land compensation</i></li> <li>○ <i>Smallholder Scheme</i></li> <li>○ <i>Engagement with civil society</i></li> </ul> </li> </ul>
16:00	<p><b>Panel discussion: Moderator – Duncan Pruett</b>, Programme Policy Advisor, Oxfam</p> <p><b>U Zaw Win</b> Former director of MOALI, Land and Agriculture Administration Consultant, Advisor for Myanmar Oil Palm Planting and Manufacturing Association (MOPPPMA)</p> <p><b>Mr. Stefan Chapman</b> Partner, SCM Legal (Myanmar)</p> <p><b>U Kham Lan</b> Deputy Speaker, Kachin Regional Hluttaw</p> <p style="text-align: right;"><i>(15min + 25min Q&amp;A)</i></p>	<p><b>Challenges faced in following national and international rules</b></p> <ul style="list-style-type: none"> <li>▪ <i>Acting legally and responsibly despite lack of legal clarity</i></li> <li>▪ <i>Managing legacies</i></li> <li>▪ <i>Attracting responsible foreign investment</i></li> <li>▪ <i>International standards as leverage for change</i></li> <li>▪ <i>Challenges faced by Small and Medium Enterprises (SMEs)</i></li> </ul>
16:40	<p><b>Discussion: Priorities for Action, next steps</b></p> <p style="text-align: right;"><i>(20 min)</i></p>	<p><i>Opportunity to identify main actions and follow-up</i></p>
17:00	<p><b>Close</b></p> <p style="text-align: right;"><i>(15 min)</i></p>	<p><i>Feedback forms and wrap-up</i></p>
<p><b>17:15 End of Workshop</b></p>		

## 1. Context

In recent years, many new rules, procedures and policies relating to agribusiness investment have been introduced in Myanmar. This has led to opportunities and challenges for domestic and foreign businesses and other stakeholders considering new investments in this area or managing existing ones. New rules include the new Myanmar Investment Law (2016), and the EIA Procedure (2015). Also relevant are a range of farmland-related laws and rules (several of which are subject to amendment in parliament at present), the National Land Use Policy (whose implementation is foreseen under the newly created National Land Use Council), and the Agriculture Development Strategy (under development by MOALI and the Ministry of Finance, Tax and Planning), and proposed amendment of the 1894 Land Acquisition Act.

## 2. Objective

This workshop aims to encourage a discussion between companies and other stakeholders about ways to pursue investments legally and responsibly in this evolving context. Responsible investment means both compliance with Myanmar law, but also the exercise of due diligence, which includes meaningful engagement with relevant stakeholders at local level, informed by international standards and guidance.

Specifically, the workshop aims to:

- Brief companies and sector associations on developments in Myanmar law, and how these can support responsible plantation agriculture investments
- Familiarise participants with the Chinese guidelines for overseas investment in oil palm and rubber, and how they can be used in parallel with Myanmar law
- Identify issues for domestic and foreign investors in achieving responsible investment in plantation agriculture, and how to address these

## 3. Proposed Participants

- Myanmar and foreign companies active in perennial industrial crop agriculture, including oil palm, rubber and banana production
- Representatives of government and sector industry bodies
- Researchers and other non-government experts
- Lawyers advising investors on investment in Myanmar
- International representatives involved in guidance for foreign companies investing in Myanmar, including the China Chamber of Commerce of Metals Minerals & Chemicals Importers & Exporters (CCCIMC) (developing guidelines for rubber and palm oil investment outside China)