

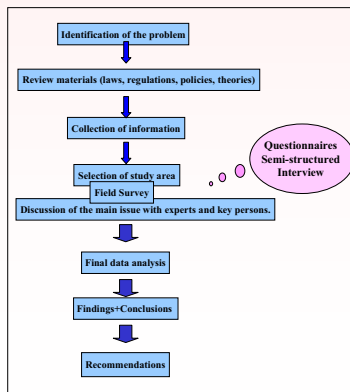
# Conflicts over Property Rights on Collective Owned Agricultural Lands in China: Current Situation, Causes, Consequences, and Options



## INTRODUCTION

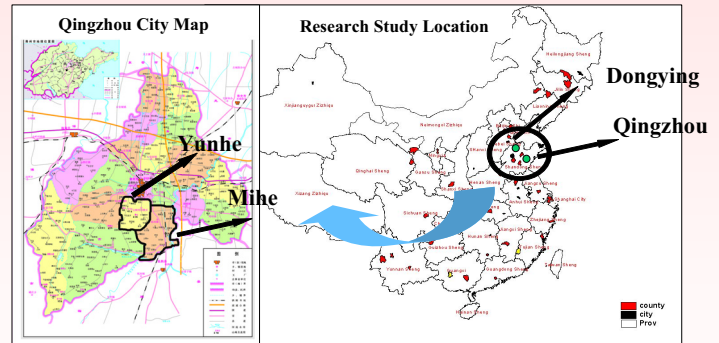
In China, all arable lands are collective properties. The farmer possesses the land use right based on leased contracts. The absence of private property, inequality of land distribution and lacks of adequate legal or institutional protections result land conflicts between the farmer and collective or between collectives. Land conflicts, fluctuating economical development and farmer' land rights in the countryside are threatening China's stability and development.

## METHODOLOGY

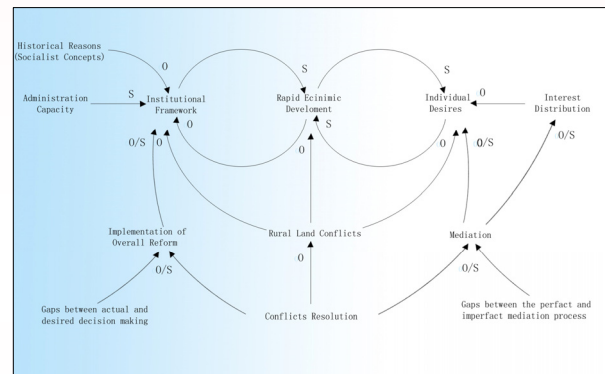


The research study started with the qualitative measure. Data was collected mainly through semi-structured interview in which has carried out in two administrative villages and related Gov. offices; the essential idea of setting up questionnaires is that facilitate and collect useful data for assessment and activity design, seek to an understanding which land issue are most relevant to land conflicts and what programmatic intervention may be of greatest relevance in land conflicts, additionally, data was collected from wide scope of written documents.

## Study Location



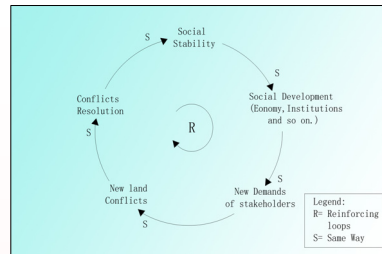
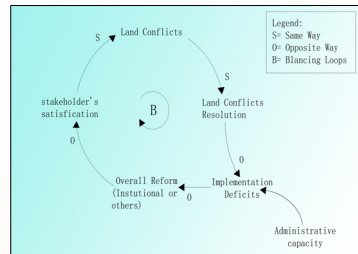
## 2, Conflicts Causes and Interrelation



## THEORETICAL FRAMEWORK

### >Systems Thinking Theory

Interrelation of Conflicts and Conflicts Resolution Interrelation of Social Stability and Conflicts



### >Conflicts Concepts and Resolution

#### >Property Right Theory

- General Property Right Theory
- New Institutional Economy
- Libecap's Property Right Theory
- Coase's Transaction Cost theory

## MAJOR FINDINGS

### 1, Types of Land Conflicts in China's Rural Area

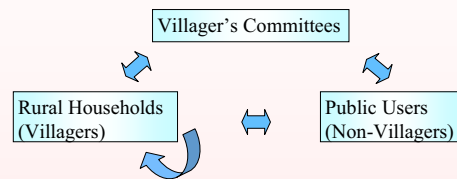
Classification	Conflicts Types
Ownership Conflicts	<ul style="list-style-type: none"> <li>-Inequality of land distribution</li> <li>-Boundary conflicts between neighbors</li> <li>-The Ownership of Land use right conflicts due to the inheritance</li> <li>-Ownership conflicts between the collective groups</li> <li>-Ownership conflicts because of unclear responsibility</li> <li>-Ownership conflicts of isolated land between collectives or collectives and state.</li> <li>-Ownership conflicts because of unclear responsibility</li> </ul>
Rural Land Contracting Conflicts	<ul style="list-style-type: none"> <li>-Rural Land contracting conflicts because of the administrative deficits</li> <li>-Rural land contract transfer conflicts</li> <li>-Rural land contract inheriting conflicts</li> <li>-Levy compensation form contracted rural land conflicts</li> <li>-Individual's (persons or companies) illegal occupation of collective lands.</li> <li>-Individuals (persons or companies) use the collective land without the permission of collective groups.</li> </ul>
Land Use Rights Conflicts	<ul style="list-style-type: none"> <li>-Land use conflicts between nature protection and agriculture production.</li> <li>-Land use right conflicts between the public utilization and private land use right</li> <li>-Land use conflicts between nature protection and agriculture production.</li> <li>-Land use right conflicts due to the legislation and farmer' interest.</li> <li>-Land use right conflicts due to the legislation and the government' interest.</li> <li>-Land use right conflicts due to the administrative command interfere the free production of farmers</li> <li>-Land Expropriation conflicts without enough compensation.</li> </ul>

### 3, Three Main Types of Land Conflicts

#### >Land Ownership Conflicts

- Ownership conflicts between the collectives
- Ownership conflicts between the state and collective
- Conflicts Caused mainly by ambiguous property rights

#### >Land Contracting Conflicts



•Villager's Committees have the specific position in the rural area—the representative of the government and farmer, keeping the land administration and management, and the main reason of land contracting conflicts.

#### >Land Expropriation Conflicts

- Most serious sources of rural instability
- Accompany with the rapid economic development
- Many stakeholders have involved in

## CONCLUSION AND RECOMMENDATIONS

- >Give an early attention for land conflicts
- >Good Governance is important in preventing land conflicts (Rule of law, Transparency, Decentralization Effectiveness, Efficiency and Accountability, Equity)
- >Institutional Reform (land right system and land administrative)
- >Participation (Strengthening Private sector and NGO' Intervention)
- >Consider complementary policies to create new economic and social opportunities.
- >The significance of Mediation/ Negotiation/ Arbitration in conflicts curative resolution