

Compulsory Acquisition and the VGGT: Institutional Pathways in Six Asian Jurisdictions

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***Abstract-** Compulsory acquisition is usually assessed by the legality of the taking and the adequacy of compensation, yet these tests say little about how tenure safeguards reach affected holders in practice. This paper examines how the Voluntary Guidelines on the Responsible Governance of Tenure (VGGT) are operationalized in the compulsory-acquisition systems of the Philippines, Indonesia, Vietnam, Thailand and Malaysia, with India as an Asian comparator. Using a documentary comparative legal-institutional method, it traces each system across an eight-stage acquisition lifecycle and interprets the evidence through three dimensions: economic adequacy, governance legitimacy and institutional capacity. Legal sources, institutional materials and implementation evidence are kept at separate evidentiary levels. The six systems allocate valuation, compensation and review to different combinations of courts, administrative agencies and licensed valuers, and similar valuation standards sit within materially different compensation architectures. Tenure identification, the interval between possession and payment, and the scope of review emerge as the junctions at which formal entitlements depend most on institutional mechanisms. The paper develops institutional realization, the process by which a safeguard becomes ascertainable, implementable, reviewable, enforceable, and economically meaningful, and distinguishes valuation architecture from compensation architecture, with implications for legislators, acquiring agencies, and valuers.*

Keywords: compulsory acquisition; VGGT; valuation; compensation; institutional realization; ASEAN

I. INTRODUCTION

Compulsory acquisition is an indispensable instrument of the State. Roads, railways, utilities and urban renewal routinely require land that cannot be assembled through voluntary transactions alone, and the growth of infrastructure investment across Asia has made the power more, not less, prominent. Unlike a market sale, however, compulsory acquisition allows the State to proceed without the holder's consent once

the legal conditions for the taking are satisfied. This single feature turns the acquisition of land from a transaction into a problem of governing public power. Compensation sits at the centre of that relationship, but it does not exhaust it. Acquisition also involves justifying the taking, identifying affected tenure interests, disclosing information, involving affected persons, valuing property and other losses, paying compensation and providing review. Each function is performed by an institution (an acquiring agency, a land registry, a valuer, a court or tribunal) and each can succeed or fail independently of the statute that authorizes it. A legal entitlement to "just" or "fair" compensation does not reveal who values the property, what evidence is admitted, which losses count, when payment is made or how disagreement is resolved.

The *Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security* (VGGT), endorsed by the Committee on World Food Security in 2012, provide the principal normative reference for this inquiry (FAO 2012). Section 16 addresses expropriation and compensation directly, calling for public purpose to be clearly defined in law, for fair valuation and prompt compensation, and for transparent and participatory processes. Because the Guidelines are voluntary, their value for comparative research lies not in measuring legal compliance but in providing a common vocabulary for examining how national systems govern compulsory interference with tenure. This paper therefore speaks of VGGT *operationalization* rather than compliance.

The paper asks how VGGT principles relevant to compulsory acquisition are operationalized through the legal, valuation, compensation, procedural and institutional arrangements of selected ASEAN Plus jurisdictions: the Philippines, Indonesia, Vietnam,

Thailand and Malaysia, with India as an Asian comparator. Three subsidiary questions follow: (i) how are the relevant principles recognized in national law; (ii) through which institutional mechanisms, and with what division between valuation and compensation, are they given effect; and (iii) what can the available evidence establish about their operation in practice?

The paper makes three contributions. Methodologically, it separates normative recognition, institutional operationalization and realized practice, so that statutory provisions are not read as evidence of implementation. Conceptually, it distinguishes *valuation architecture* (how an identified interest or loss is measured) from *compensation architecture* (what the legal system treats as compensable because acquisition has occurred). Theoretically, it develops *institutional realization* as the process through which a tenure safeguard becomes ascertainable, implementable, reviewable, enforceable, and economically meaningful. For property professionals, the analysis clarifies where valuation evidence ends and legal determination begins.

The remainder of the paper reviews the literature, sets out the method and analytical framework, presents the six national pathways, discusses cross-jurisdictional patterns and concludes with implications for policy, valuation practice and further research.

II. LITERATURE REVIEW

2.1 Compulsory acquisition as a tenure-governance problem

FAO's technical guide on compulsory acquisition situates the power within land governance: it may be necessary for public purposes, but its involuntary character creates particular risks for affected holders, which fair procedures, appropriate valuation, compensation and accessible means of challenge are intended to contain (FAO 2008). The VGGT build on this foundation, placing expropriation within broader commitments to recognizing legitimate tenure rights, transparency, participation, accountability and access to justice (FAO 2012). Compulsory acquisition is treated not as an unrestricted incident of sovereignty but as an exercise of public authority subject to responsible governance.

Two features of this literature are central here. First, identification of affected rights is analytically prior to valuation: an interest that is not recognized, such as an unregistered occupancy, a customary right or a lease, never enters the compensation process. Second, participation must be distinguished from consent. Because the State may ultimately proceed without agreement, consultation matters not because it converts acquisition into a voluntary sale but because it gives affected persons a means to understand, inform and contest decisions about their tenure.

Complementary international sources address other aspects of the process. The World Bank's Environmental and Social Standard 5 develops replacement-cost compensation, livelihood restoration and resettlement planning for projects it finances (World Bank 2017); it is used here as a reference for economic displacement and project-level implementation rather than as a domestic standard of just compensation. Professional guidance from the International Federation of Surveyors reinforces this. It recommends that affected parties and their rights be identified and registered in the cadastre. It also recommends that compensation for the object taken be based first on market value, or on fair value where comparable transactions are scarce, assessed under the International Valuation Standards or other recognised standards. Those conducting the process should have legally defined professional competence and follow a code of ethics, and the acquiring authority should bear the risk of valuation inaccuracy (Viitanen, Falkenbach and Nuuja 2010). These sources complement, but do not substitute for, the VGGT.

2.2 Comparative research on compensation law

The most extensive comparative antecedent is Tagliarino (2017), who coded the legal frameworks of 50 countries and regions in Asia, Africa and Latin America against indicators derived from the VGGT and related standards, including recognition of different land values, opportunities to negotiate, prompt payment and access to courts or tribunals. The indicator approach demonstrated that international tenure principles can serve as functional comparators across legal traditions. Tagliarino expressly confined the study to written law, however, and did not assess implementation. That boundary is the point of departure for the present study: knowing that a law

recognizes a compensation principle does not reveal which institution applies it, how valuation is performed, whether affected holders participate, when payment arrives, or how errors are corrected.

The literature also establishes that compensation cannot be reduced to the market value of the land physically taken. Depending on national law, compensable items may include improvements, injury to remaining land, disturbance, relocation, business or livelihood loss, transaction costs, statutory additions and interest for delay (FAO 2008). The scope of legally compensable loss is therefore distinct from the professional exercise of estimating the value of a given interest, a distinction that is often implicit in the literature but rarely used as a comparative device.

2.3 Philippine literature: from alignment to practice

Philippine scholarship shows a progression from formal alignment towards institutional practice. Quizon and Pagsanghan (n.d.) reviewed selected land and natural-resource laws against the VGGT, identifying areas of agreement, contradiction, uncertainty and gaps, while related work examined convergence between the VGGT and the proposed National Land Use and Management Act (ANGOC n.d.). These studies translated the Guidelines into national legal inquiry but concentrated on the content of laws. Lebrilla (2014) shifted attention to institutions, identifying fragmentation among agency acquisition policies and the absence of a coherent compensation framework. Subsequent legislation, namely the Right-of-Way Act (Republic Act No. 10752), the Real Property Valuation and Assessment Reform Act (Republic Act No. 12001) and the Accelerated and Reformed Right-of-Way (ARROW) Act (Republic Act No. 12289), has since altered that landscape, so Lebrilla's diagnosis is best read as a historical baseline.

More recent work has moved closer to practice. Prado (2024), drawing on the experience of national government lawyers, found that although expropriation law and procedure were regarded as comparatively predictable, practice was shaped by court delay and cost, valuation disagreements and the level of compensation offered during negotiation. Agosto (2026) analysed Supreme Court decisions on agrarian and right-of-way expropriation and argued

that just compensation is *judicially realized* through the institutional handling of valuation evidence, commissioners and adjudication, with a common doctrinal commitment realized through different institutional routes.

2.4 Research gap

The literature therefore offers broad comparative coding of written law, national studies of legal alignment and policy fragmentation, and emerging evidence on practice within a single jurisdiction. What is missing is a comparative account of how recognized safeguards move through the institutions of acquisition, from tenure identification to valuation, compensation, payment and review, across different national systems, with explicit discipline about what the evidence can support. This paper addresses that gap. It does not replace indicator-based comparison; it asks the institutional question that such comparison leaves open.

III. RESEARCH METHODOLOGY

3.1 Research design and analytical framework

The study adopts a qualitative, documentary, comparative legal–institutional design. Doctrinal analysis establishes the formal framework for acquisition in each jurisdiction; institutional analysis examines the agencies, professional actors, procedures and standards through which that framework is applied. Comparison is functional rather than terminological: the question is how each system performs a common set of functions, not whether it uses the same legal labels, since a function performed by a court in one country may be performed by an administrative body or specialized tribunal in another. Three analytical levels are kept distinct. *Normative recognition* concerns whether a safeguard is recognized in a constitution, statute or regulation.

Institutional operationalization concerns the mechanism through which it is intended to function: the responsible agency, valuation procedure, consultation mechanism, payment arrangement or review body. *Realized practice* concerns documented evidence of how those mechanisms operate. *Institutional realization* denotes the process connecting these levels, through which a recognized safeguard becomes ascertainable, implementable,

reviewable, enforceable and economically meaningful. It is a process concept rather than a score, and it extends the notion of judicial realization (Agosto 2026) beyond the courtroom to administrative, professional and quasi-judicial institutions.

Evidence at each level is interpreted through three interrelated dimensions. *Economic adequacy* concerns which interests and losses are recognized and how they are measured, determined and delivered; it is an analytical lens, not an external compensation formula. *Governance legitimacy* concerns the legality, transparency, participation, accountability and reviewability of the exercise of compulsory power. *Institutional capacity* concerns whether the responsible bodies possess the authority, expertise, information, coordination and resources to perform their assigned functions. The dimensions are interdependent: broad compensation entitlements mean little where interests cannot be identified or paid, and technically sound valuation does not confer legitimacy where disclosure or review is deficient. They are therefore neither weighted nor aggregated, and no jurisdiction is ranked.

3.2 Selection of jurisdictions

The Philippines, Indonesia, Vietnam, Thailand and Malaysia were purposively selected to provide institutional variation in tenure structure, valuation arrangements, compensation mechanisms and review, rather than statistical representativeness. The Philippines offers continuity with prior VGGT and judicial-realization research and a recently reformed valuation regime. Indonesia assigns a distinctive role to licensed valuers; Vietnam operates within a land-use-rights system with administrative land recovery; Thailand and Malaysia offer statutory expropriation systems with differing routes to review. India is included as the “Plus” comparator because its 2013 legislation expressly integrates social impact assessment, participation, compensation and

rehabilitation. “ASEAN Plus” describes the research design, not a formal ASEAN grouping, and India is not treated as a benchmark. Limiting the study to six jurisdictions trades breadth for the depth needed to go beyond statutory text.

3.3 The acquisition lifecycle

Acquisition is treated not as a single legal event but as an eight-stage lifecycle: (1) justification and public purpose; (2) identification of affected tenure interests; (3) information, consultation and participation; (4) valuation; (5) compensation determination; (6) payment and possession; (7) grievance, review and adjudication; and (8) post-acquisition measures such as relocation or livelihood restoration. The lifecycle is functional rather than strictly chronological, as stages may overlap, recur or be performed by a single body. It locates *where* a safeguard operates, while the three dimensions identify *what* aspect of its operation is examined. A stage at which evidence shows a recognized safeguard encountering difficulty is termed an *institutional bottleneck*; the converse, in which one mechanism supports or corrects another, is termed *institutional complementarity*.

3.4 Sources and evidentiary protocol

Sources were organized in a VGGT operationalization matrix recording, for each jurisdiction and lifecycle stage, the relevant principle, legal recognition, institutional mechanism, responsible institution, participation and review arrangements, available implementation evidence and any evidenced difficulty. Entries are descriptive and source-based. Official versions of legislation were preferred where accessible. Table 1 sets out the evidentiary protocol. Historical sources, such as studies predating recent reforms, are used to explain institutional development but not as evidence of current practice. The absence of implementation evidence is recorded as an evidentiary limitation rather than as evidence of institutional failure, and evidence from a single project or case is not generalized to a national system.

Table 1. Evidentiary levels used in the analysis

Level	Question answered	Typical sources	Permissible conclusion
Normative recognition	Is the safeguard recognized in law?	Constitutions, statutes, regulations, authoritative judicial decisions	The safeguard exists in law; not that it is implemented
Institutional operationalization	Through what mechanism is it intended to operate?	Implementing rules, administrative procedures, valuation standards, agency guidance	A mechanism has been designed and assigned; not that it is effective
Realized practice	How does the mechanism operate?	Case law, audits, official reports, project documents, empirical studies	Documented operation within the scope and date of the evidence

Source: Compiled by the author.

3.5 Limitations

The study is documentary: it does not observe proceedings or interview affected holders, agencies or valuers. Implementation evidence is uneven across jurisdictions, reflecting differences in transparency, language accessibility and research coverage as much as institutional performance; this constrains findings on effectiveness, particularly for Thailand and Malaysia. Functional comparison reduces, but does not remove, differences in constitutional and property regimes. Long-term welfare and livelihood outcomes lie outside the design.

IV. RESULTS: NATIONAL INSTITUTIONAL PATHWAYS

4.1 Philippines

The 1987 Constitution provides that private property shall not be taken for public use without just compensation. For national infrastructure, the guarantee operates through negotiated acquisition and, failing agreement, judicial expropriation under Rule 67 of the Rules of Court and the Right-of-Way Act as amended by the ARROW Act of September 2025 (Republic Act No. 12289). Two reforms reshape the valuation architecture. Republic Act No. 12001 requires real property to be appraised at prevailing market values in accordance with the Philippine Valuation Standards, through schedules of market values prepared with public consultation. The ARROW Act links right-of-way acquisition to this system: for negotiated sale it applies the market value

of land under the applicable schedule, replacement cost for structures and improvements subject to the Act's treatment of depreciation, and market value for crops and trees. It also requires implementing agencies to prepare a right-of-way action plan that identifies affected persons, inventories assets and documents stakeholder consultation.

Where expropriation proceeds, the agency deposits a statutorily computed amount and may obtain a writ of possession; if the owner contests the offer, however, the court retains the power to determine just compensation. The compensation architecture thus extends beyond land value to improvements, crops and trees and, among the standards relevant to expropriation, reasonable disturbance compensation. The Philippine pathway is hybrid: administrative institutions supply valuation inputs and enable early possession, while courts remain the site of final determination. This is consistent with practitioner evidence that valuation disputes and court delay shape expropriation practice (Prado 2024).

4.2 Indonesia

Law No. 2 of 2012 on Land Acquisition for Development in the Public Interest, as amended including through the Job Creation reforms, organizes acquisition in planned stages and requires compensation that is proper and fair. Its distinctive feature is the position of professional valuation: licensed land valuers determine the value of affected objects, and the profession is governed by Ministerial

Regulation No. 17 of 2022 on Land Valuers, which replaced Regulation No. 4 of 2020. The valuation framework continues to evolve. Regulation No. 3 of 2026 of the Ministry of Agrarian Affairs and Spatial Planning/National Land Agency on Land Valuation, in force from May 2026, addresses the conduct of valuation, land-value maps and complaints concerning land-value information. Indonesia thus illustrates institutional specialization, in which acquisition authority and technical valuation are separated but linked through agreement and objection procedures.

4.3 Vietnam

Vietnam's acquisition system operates within a land-use-rights regime, which makes ownership-based terminology an unreliable comparator. The Land Law 2024, whose effective date was advanced to 1 August 2024 by Law No. 43/2024/QH15, is implemented by Decree No. 102/2024/ND-CP (general implementation), Decree No. 101/2024/ND-CP (land investigation, registration, certificates and the land information system) and Decree No. 88/2024/ND-CP on compensation, support and resettlement when the State recovers land. The title of the last instrument is analytically significant: the response to land recovery is framed as compensation, support and resettlement rather than as valuation alone. Vietnam therefore presents an administrative pathway in which tenure identification, recovery, compensation and resettlement are integrated within a single statutory land-governance system.

4.4 Thailand

Thailand's framework centres on the Expropriation and Acquisition of Immovable Property Act B.E. 2562 (2019), which operates alongside project-specific expropriation enactments published in the Royal Gazette, including measures for mass-transit projects in 2026. Authoritative English-language material on detailed valuation, compensation and review procedures is less accessible than for the other jurisdictions. Consistent with the evidentiary protocol, the Thai profile is confined to the statutory architecture, namely the relationship between the general enabling statute and project-level instruments, and no inference about implementation is drawn from the scarcity of accessible evidence.

4.5 Malaysia

The Land Acquisition Act 1960 (Act 486) governs compulsory acquisition. Acquisition and the initial award proceed through administrative land-office procedures, while disputes over compensation may be referred to court under the Act. The First Schedule sets out the matters to be considered in determining compensation, so the question is not only the unit price of land but the statutory treatment of the effects of acquisition. Malaysia therefore combines administrative determination, professional valuation and judicial reference, making it a useful intermediate case between the Philippine judicial model and the more administratively centred systems.

4.6 India

India's Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 (Act No. 30 of 2013) places governance mechanisms before valuation. Social impact assessment, a public hearing, publication of the assessment, appraisal by an expert group and governmental examination of the proposal precede acquisition, and objections are provided for during the process. Its compensation architecture is the most explicitly layered of the six. Market value, adjusted by the multiplication factors in the First Schedule, is combined with the value of assets attached to the land. The Collector must then add a solatium equal to 100 per cent of that compensation amount (section 30(1)), together with an additional amount of 12 per cent per annum on market value from the notification of the social impact assessment until the award or possession, whichever is earlier (section 30(3)). Where compensation is not paid before possession, interest accrues at 9 per cent for the first year and 15 per cent thereafter (section 80). Rehabilitation and resettlement entitlements form a further, distinct statutory layer. India's value as a comparator lies in this integration of participation, compensation for compulsion, compensation for delay and resettlement within one statute. Table 2 summarizes the six pathways.

Table 2. Comparative institutional pathways of compulsory acquisition

Jurisdiction	Principal instruments	Valuation architecture	Compensation architecture beyond land value	Principal corrective route
Philippines	Constitution 1987; RA 10752 as amended by RA 12289; RA 12001	Schedules of market values under Philippine Valuation Standards; replacement cost for structures	Improvements; crops and trees; disturbance compensation	Court determines just compensation in contested expropriation
Indonesia	Law No. 2/2012 as amended; ATR/BPN Regulation No. 3/2026	Licensed land valuers; land-value maps	“Proper and fair” compensation for affected objects	Objection procedures within the acquisition process
Vietnam	Land Law 2024; Decrees 88, 101 and 102/2024	Valuation within administrative land recovery	Compensation, support and resettlement framework	Administrative recovery framework (not examined in detail)
Thailand	Expropriation Act B.E. 2562 (2019); project-specific enactments	Not established from sources examined	Not established from sources examined	Not established from sources examined
Malaysia	Land Acquisition Act 1960 (Act 486)	Administrative award supported by valuation	Matters specified in the First Schedule	Reference of compensation disputes to court
India	RFCTLARR Act 2013	Market value determined under the Act	First Schedule multiplier; 100% solatium; 12% p.a. additional amount; rehabilitation and resettlement	Objections; dedicated statutory authority for disputes

Source: Compiled by the author from the legislation cited.

V. DISCUSSION

5.1 *Tenure identification as the gateway to compensation*

Across all six systems, compensation presupposes that the affected interest has first been made institutionally visible. Registration, cadastral data, field investigation and claim procedures determine which interests can enter valuation at all; Vietnam’s inclusion of the land information system within its implementing decrees and the Philippine requirement to inventory affected persons and assets in a right-of-way action plan both

reflect this. The implication is that economic adequacy begins before valuation. A sophisticated compensation formula is irrelevant to an occupancy or customary interest that the system never identifies, and later review can rarely repair that omission. Tenure identification is therefore a compensation function rather than preliminary administration, a point that aligns with the VGGT’s emphasis on legitimate, and not merely registered, tenure rights.

5.2 *Valuation architecture and compensation architecture*

The comparison shows why valuation should be analytically separated from compensation. Several of the systems anchor land compensation in some form of market value, yet they differ materially in what else is compensable and who decides it: replacement cost and disturbance in the Philippines, the First Schedule considerations in Malaysia, support and resettlement in Vietnam, and statutory additions with rehabilitation in India. Two systems applying the same valuation standard can therefore produce different compensatory outcomes, while systems using different terminology can perform equivalent economic functions. The relationship may be stated simply: valuation measures an identified interest or loss; compensation law determines which interests, losses and additional entitlements are recognized; and institutions convert the result into an enforceable outcome.

Partial acquisition illustrates the stakes. The physical footprint of a taking does not define its economic consequence, since removing part of a parcel can alter the access, configuration, utility and development potential of the remainder. A comparison of unit land values would suggest similarity between systems whose treatment of remainder effects differs substantially. For valuers, the separation clarifies rather than diminishes their role: they measure the consequences that the law recognizes, while the law or the competent institution decides compensability.

The distinction also resolves an apparent paradox. Market value presupposes a willing buyer and seller, yet compulsory acquisition proceeds without willingness. By abstracting from the circumstances of the taking, market value can neutralize compulsion in valuing the asset; it does not follow that it addresses every consequence of compulsion. Whether such consequences warrant separate treatment, through disturbance payments, severance, statutory additions, interest or resettlement, is a question of compensation architecture, and its answer is a matter of national law rather than a universal “compulsion premium”.

5.3 *Payment, possession and temporal realization*

Each system must reconcile a project’s need for early possession with the time required to resolve valuation disputes. The Philippine deposit-and-writ mechanism

allows possession while just compensation is still being litigated; other systems rely on advance payments, provisional awards, interest or subsequent adjustment. An entitlement that has been determined but not paid has not yet produced its economic effect, so payment belongs to the compensation architecture rather than being a ministerial afterthought. This is also where capacity proves function-specific: a system may have competent valuers yet encounter delay because funding, documentation or inter-agency approvals sit between determination and receipt. The VGGT’s call for prompt compensation is therefore realized, or not, at a stage that comparison of legal texts rarely examines.

5.4 *Participation and review under compulsion*

Participation takes different forms and occurs at different stages: social impact assessment and public hearings before acquisition in India, planning-stage involvement in Indonesia, and consultation on schedules of market values and in right-of-way action plans in the Philippines. Its significance depends on timing and on what affected persons are able to do. Notice informs; consultation may reveal interests that records miss; negotiation may affect terms without conferring a veto; and review may correct decisions after the event. A statutory consultation requirement therefore evidences recognition, not meaningful participation.

Because the holder’s power of refusal is displaced, these mechanisms carry more weight than in voluntary exchange. The paper proposes, as an interpretive hypothesis rather than a rule found in the VGGT, a *consent-substitution function*: where refusal is unavailable, information, participation, independent valuation, prompt payment and review perform some of the protective work that bargaining and refusal would otherwise perform. The hypothesis implies neither a veto nor that procedure converts acquisition into a voluntary sale; it explains why compensation cannot be analysed apart from governance.

Review arrangements differ in their institutional location more than in their existence. Philippine courts determine contested just compensation; Malaysian courts receive compensation references following administrative awards; India provides for objections and a dedicated statutory authority; and Indonesia and

Vietnam locate much correction within administrative processes. Judicial involvement should not be equated with protection without examining the function performed: what may be challenged, by whom, before which body and with what authority to correct. Judicial realization in the Philippine sense is thus one configuration of institutional realization rather than a model for others.

5.5 Bottlenecks, complementarity and institutional realization

The lifecycle shows that realization depends on the connections between stages. Strength at one stage does not offset breakdown at another: a credible valuation has little effect if payment stalls, and effective review cannot compensate an interest that was never identified. Conversely, institutions can complement one another, as when land information supports both identification and valuation, licensed valuers supply evidence to administrative or judicial decision-makers, and review corrects earlier error. In the sources examined, documented bottlenecks are concentrated in the Philippines, where practitioner evidence points to valuation disputes, negotiation offers and court delay (Prado 2024) and where earlier fragmentation (Lebrilla 2014) preceded the recent reforms. For the other jurisdictions the evidence largely establishes design rather than operation, and the analysis stops at that level. Institutional realization captures this discipline: it locates a safeguard in law, identifies the mechanism that gives it effect, traces how it may be reviewed and states explicitly where the evidence ends.

VI. CONCLUSION

This paper examined how VGGT principles on compulsory acquisition are operationalized across six Asian jurisdictions. Its central finding is that formal legal recognition is necessary but insufficient to explain how tenure safeguards protect affected holders. The six systems perform comparable functions through markedly different institutional configurations: judicially anchored in the Philippines, professionally specialized in Indonesia, administratively integrated in Vietnam, administrative with judicial reference in Malaysia, and statute-integrated in India, with the Thai configuration

established only at the statutory level. No single configuration emerges as a model.

Three contributions follow. First, separating normative recognition, institutional operationalization and realized practice allows claims about implementation to be scaled to the evidence. Second, the distinction between valuation architecture and compensation architecture explains why similar valuation standards coexist with materially different compensation outcomes, particularly for partial takings and delayed payment. Third, institutional realization offers a comparative concept, generalizing judicial realization, that describes how a safeguard becomes ascertainable, implementable, reviewable, enforceable and economically meaningful.

The findings carry practical implications. For legislators, they support making explicit both the basis of valuation and the categories of compensable loss, treating tenure identification as part of compensation governance, and protecting unresolved entitlements where possession precedes final payment. For acquiring agencies, attention should be directed to transitions between institutions, where information, valuations, funds and decisions must pass from one body to another and where bottlenecks frequently arise. For valuers, reports prepared for compulsory acquisition should state transparently the interest valued, the valuation date, basis of value, assumptions, data and treatment of remainder effects, distinguishing economic measurement from legal compensability. For users of the VGGT, the more productive question is not whether a principle is recognized but through what mechanism it can take effect.

The documentary design limits conclusions about effectiveness. Future research should test institutional realization empirically by measuring intervals between valuation, possession and payment, by undertaking case studies of recurrent bottlenecks, and by examining affected holders' experience of participation and review. The consent-substitution hypothesis and the relationship between market value and compulsion also warrant separate theoretical treatment. Responsible compulsory acquisition, the paper concludes, is not merely declared in law; it is institutionally realized.

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