

LAO PDR COUNTRY MISSION REPORT:
EVALUATION OF EC-FUNDED MINE ACTION
ASIA-PACIFIC REGION

Ted Paterson & Erik Tollefsen | Geneva | December 2008

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INTRODUCTION

BACKGROUND

This is a report of a mission to Lao PDR undertaken by the Geneva International Centre for Humanitarian Demining (GICHD or the Centre) from xx-xx June 2008 to review the mine action sector and the projects funded by the European Commission (EC). This country mission is part of an evaluation of EC-funded mine action projects in the Asia-Pacific region.¹

OBJECTIVES

The overall objective of the evaluation is to provide systematic and objective assessments of EC-funded mine actions in Asia-Pacific to generate credible and useful lessons for decision-makers within the EC, allowing them to improve the planning and management of existing and future mine action projects, programmes, and policies. Specific objectives are to:

- To assess the relevance of EC-funded mine activities vis-à-vis:
 - the geographic and thematic priorities defined in the Strategies for 2002-2004 and 2005-2007
 - national and regional needs, strategies, and priorities
 - EC Country Strategy Papers and National Indicative Programmes for mine-affected countries in the Asia-Pacific region for 2002-2006
 - EC strategy documents for the Asia-Pacific region
- To analyse the allocation of EC funds among mine-affected states in the Asia-Pacific region, and across the various components of mine action (survey, clearance, MRE, etc.)²
- To assess the effectiveness of EC-funded mine action support in:
 - addressing the landmine & UXO problems in mine-affected partner countries
 - fostering national ownership and the development of local capacities
 - supporting the overall development and rehabilitation priorities/ programmes of the beneficiary countries
 - supporting local mine action organisations
- To assess the coordination among the EC and other agencies supporting mine action in a country (regional; national; UN; donors; international NGOs; etc.)
- To assess the impact of deconcentration on the planning and delivery of EC support to mine action in the Asia-Pacific region, including the capacity of EC delegations to assess proposals for mine action projects and to monitor/evaluate the implementation of these projects
- To assess the adequacy of the EC national strategies and plans, and the effectiveness of implementation
- To assess the existence of an ‘exit strategy’ for the country to graduate from donor assistance (including plans for sustainability)
- To assess the linkages between mine action and other issues, such as humanitarian assistance, development, and armed violence reduction
- To assess the impact of the end of the specific budget line for anti-personnel landmines and the introduction of the new “stability instrument” on future mine action support from the EC to the Asia-Pacific region

¹ Findings from the mission have been augmented by a document review.

² This question addresses, among other issues, the fact that “Commitment to the Mine Ban Treaty” is one of the criteria listed in the EC Mine Action Strategy 2005-2007 for determining geographic allocations.

- To make recommendations to improve the identification, design, and implementation of EC-funded mine projects;
- To generate recommendations to enhance the opportunities for cross-fertilisation among mine action programmes in the Asia-Pacific region and globally.

Recommendations from the country missions and the broader regional evaluation aim in particular to guide EC personnel in designing and implementing programmes of support to mine action that complement the actions of other actors, including national authorities, other donors, and UN agencies for the next years.³

METHODOLOGY

Preparatory work for this mission began with a brief mission to Laos by Ted Paterson, Head of Evaluation & Policy Research at the GICHD, in January 2008. At that time, it was agreed with the National Regulatory Authority (NRA) and the UNDP that the mission for the EC evaluation should coincide with that of a team conducting a broader review of the UXO sector, planned by the NRA and UNDP.⁴

In early May, Ted Paterson also had the opportunity to meet with representatives from the EC Delegation in Bangkok (which is responsible for the sub-Delegation in Vientiane) and the ECHO Regional Office in Bangkok (ECHO had funded mine action in Laos until 2004).

The full mission took place from 14-29 June 2008, overlapping with that of the UXO Sector Review Team commissioned by NRA and UNDP. The GICHD team comprised:

- Ted Paterson, Head of Evaluation & Policy Research
- Erik Tollefsen, Expert on Mechanical Demining and Demining Technology⁵

The team conducted a review of background documents and, during its mission, met with numerous people in Laos representing:

- Officials from the NRA
- donor representatives (EC, plus AusAID and US Department of State)
- UN agencies (UNDP, WFP)
- State, NGO, and commercial demining operators

The GICHD team also undertook a three-day mission to Savannakhet and Khammuone to visit the field offices and operations of Handicap International-Belgium (HI-B) and Mines Advisory Group (MAG), respectively. Following the mission, the team provided a debriefing to Francesco Straniero, the EC official at the sub-Delegation responsible for mine action.

REPORT LAYOUT

The report is organised as follows:

- Chapter 1 provides a background on Laos, the nature and extent of its explosives contamination problem, and a brief history of the UXO sector

³ The full Terms of Reference (ToRs) will be appended to the Regional Report.

⁴ This was to both (i) share insights between the teams and (ii) reduce the time demands on UXO sector personnel and other key stakeholders.

⁵ Erik Tollefsen had worked in the Lao UXO Sector from 1999-2000.

- Chapter 2 outlines the current status of the UXO sector, together with our observations from the site visits to Khammouane and Savannakhet
- Chapter 3 provides the description of the EC assistance to Laos and an analysis of EC assistance to mine action
- Chapter 4 provides our principal conclusions and recommendations
- Appendices provide the itinerary and list of people met, and the list of documents consulted.

1. BACKGROUND

KEY FEATURES OF THE SOCIETY AND ECONOMY⁶

GENERAL

Bordered by Thailand, Myanmar, China, Vietnam and Cambodia, the Lao People's Democratic Republic (Lao PDR) is a landlocked country, 236,800 km² in size (slightly larger than Great Britain), sparsely populated (5.8 million inhabitants, or 25 per km²), and ethnically diverse. Most people reside in the Mekong River floodplain in the west. Its eastern border with Vietnam is dominated by the Annam mountain chain through which crossed the Ho Chi Minh Trail; famous during the Vietnam conflict as the route taken by North Vietnamese troops into South Vietnam, and the site of saturation bombing by the United States.

Lao PDR is classified as one of the least developed countries, with an average GDP of about US\$580 in 1999.⁷ However, economic growth has been strong (averaging about 7% per year since 1999), driven in part by large investments in hydro-power and mining. Accordingly, poverty fell from 46% in 1992/3 to an estimated 33% a decade later. In regional terms, the remote north and south-eastern parts of the country are poorest, in part because infrastructure⁸ and public services are even more rudimentary than elsewhere. In the past decade, however, poverty in the poorest districts has fallen more rapidly than the national average. Poverty rates also vary significantly across the four broad ethno-linguistic categories. Poverty headcount is 25% for the Lao majority, but 40% for the Chine-Tibet, 46% for the Hmong, and 54% for the Mon-Khmer.

Rapid growth has been accompanied by a dramatic transformation in the economic and social structure. While the agricultural sector has grown at a healthy annual rate of 4.6% since 1987, industrial growth averaged almost 12% per year in the same period. Farmers accounted for 82% of the labour force in 1992/03, but only 67% a decade later.⁹ Rice remains the principal crop and source of food, and growth in yields have been accelerating due to the expansion of irrigation schemes, intensification of input usage (particularly for wet season rice), and better access to markets, but production of other crops and livestock holdings have grown even more rapidly. Still, many agricultural holdings are too small to support the average household of 6.5 persons, and Lao farmers spend about half their working hours on non-agricultural pursuits (hunting/fishing, part-time employment, handicraft) to supplement incomes and consumption.

POLITICAL

On its take-over of the country in 1975, the Lao People's Revolutionary Party introduced a centrally-planned economy, including agricultural collectivisation, which was strongly opposed and resulted in stagnation of the key agricultural sector. Tentative reforms were introduced in 1979, followed by a shift to a market-oriented economy in late 1986 with the introduction of the New Economic Mechanism.

Regardless, Lao PDR has maintained a single-party system. The structure of political power

⁶ From various World Bank and Asian Development Bank sources, plus the IMF Article IV Consultation Report for 2007.

⁷ About \$1,940 on a Purchasing Power Parity (PPP) basis.

⁸ Infrastructure investment and maintenance declined significantly following the collapse of the Soviet Union and its aid to Laos, but has picked-up over the past decade.

⁹ However, due to continued population growth in excess of 2% per year, the number of people living in rural areas has remained about constant.

remains unchanged since 1975, with a top down decision making process that is opaque to foreigners. In 1997, however, provincial governments were given a high degree of autonomy. This was reinforced in 2001 by Prime Ministerial Decree 01, which had the objective of establishing a bottom-up planning process featuring “*provinces as the strategic unit, districts as the planning unit, and villages as the implementing unit.*”

NATIONAL DEVELOPMENT STRATEGY

The New Economic Mechanism featured a phased abandonment of collectivisation, coupled with privatisation, fiscal and monetary reform, and liberalisation of both trade and foreign investment. In July 1997 Lao PDR joined the Association of South-East Asian Nations (ASEAN) and the ASEAN Free Trade Area. However, these reforms made Laos more vulnerable to the Asian Financial Crisis (1997-2000), forcing the government to introduce a strong stabilisation programme. This proved successful and encouraged the government to continue liberalisation and the move to a mixed economy.

In the midst of this crisis, the government issued the *1999-2000 Socio-Economic Plan*, followed by its fifth *National Socio-Economic Development Plan (2001-2005)* (NSEDP) in November 2000 and, in October 2006, the sixth *NSEDP: 2006-10*.¹⁰ This emphasises the need to maintain macro-economic balance and for better implementation of policies by the state in order to create an enabling environment for the private sector. The *NSEDP* promises further progress on decentralisation. It also has a strong focus on poverty reduction through:

- increased expenditures on health and education
- continued expansion of infrastructure (roads, power, water supply, etc.)
- enhancing agricultural extension, credit provision, etc.

Given most of the population, and an even higher proportion of poor households, live in rural areas, rural development is key for poverty reduction. As with other recent strategy documents, the 6th NSEDP highlights 47 very poor and 25 poor districts for targeted interventions (either sectoral – such as increasing the number of rural health clinics – or area-based). It also outlines three poverty-focussed national programmes, dealing with:

- HIV/AIDS
- Opium production and consumption
- UXO

Given the country’s reliance on natural resources, and the dependence of poor rural households in particular on access to natural resources, the sustainability of economic growth and poverty reduction hinges on sound environmental management. Accordingly, the NSEDP outlines an ambitious agenda on natural resource management and environmental protection. Specific targets relevant to this evaluation include:

¹⁰ The Government has also developed a Poverty Reduction Strategy Paper (PRSP) through a relatively participatory process, starting with an Interim-PRSP in March 2001, followed by the National Poverty Eradication Program (NPEP – first reviewed with the international community in May 2003). Subsequently, the NPEP was expanded into the *National Growth and Poverty Eradication Strategy* (NGPES).

- Surveys, assessments and evaluations on the impacts on human health and soil quality of UXO and ‘yellow rain’ (i.e. – Agent Orange = dioxin) from the Indochina war;
- clearance of UXO from all high priority agricultural areas by 2013
- elimination of slash-and-burn cultivation by 2010.

RURAL DEVELOPMENT

As in most countries, explosive contamination in Laos affects rural areas disproportionately, and mine/UXO action contributes principally to rural development. Rural development policy centres on improved service delivery in 47 priority districts. Public service delivery to highly dispersed populations is unaffordable, so a process of village consolidation is under way to move all villages into clusters (*khets*) of viable size, coupled with targeted development of ‘focal areas’.

This leads to the controversial policy of relocating minorities from upland areas to *khets* in the lowlands – a policy that is also defended on environmental protection grounds. However, the relocated people are then exposed to malaria and other lowland diseases to which they have no resistance, and must adapt to dramatically different livelihoods (e.g. paddy rice rather than swidden agriculture; reduced access to common pool resources in forests, etc.) Donors and human rights organisations are also concerned that political motivations may underlie the relocation policy.

Relocation has been going on for 20 years, constrained mainly by the cost of preparing the new sites and shortages of available land that is suitable for agriculture. As well, the expansion of public services to the new villages has often lagged due to the government’s financial and human resource constraints. The combination of these problems means that the relocated upland people are often far worse off than before they were relocated.

UXO IN THE NATIONAL DEVELOPMENT STRATEGY

Initially, the UXO programme was very much donor-driven, and UXO was not seen as a government priority. For example, the *1999-2000 Socio-Economic Plan* had but one sentence (on the need to train UXO personnel) in 34 pages of text. This has changed progressively and dramatically, and the 6th NSEDP highlights the UXO programme as one of three ‘poverty-focussed national programmes’ (see, in particular, pp. 102-04). The negative impact of UXO is highlighted in other sections on poverty (p. 5), human security (p. 95), gender (p. 110), natural resources and the environment (pp. 122-23), food security (p. 144), and education (p. 150). The 6th NSEDP sets a clear and ambitious target – to clear UXO from all high priority agricultural areas by 2013.

ORIGIN AND NATURE OF THE EXPLOSIVES CONTAMINATION

The independence war for Lao PDR began during the French colonial era, continued against the Japanese during the Second World War and, subsequently, against the French when they attempted to re-establish control over Indochina. Following the defeat of the French in 1954, fighting continued between the Pathet Lao and the US-backed Royal Lao government.

Lao PDR was also drawn into the wider Indochina conflict between the US and North Vietnam. The US had heavily fortified the ‘demilitarized zone’ (DMZ) dividing North and South Vietnam, so the North Vietnamese Army developed a network of paths and roads (the Ho Chi Minh Trail) through eastern and southern Lao PDR, allowing troops and supplies to skirt the DMZ. Starting in 1964, the US responded by saturation bombing of this supply route. This bombing, which

continued until 1973, was the most intense in history, reaching 900 sorties per day and averaging the equivalent of one mission every eight minutes for nine years. Over two million tons of ordnance was dropped on Lao PDR – equal to the combined total dropped by all combatants during the Second World War. Some 10-30% of this ordnance, including millions of ‘bombies’ from cluster bombs, did not explode. In addition, the North Vietnamese established munitions depots along the Ho Chi Minh Trail, some of which were partially detonated by air strikes, scattering more UXO.

US and South Vietnamese troops also invaded eastern Lao PDR to block the Trail. The largest battle (called Lam Seun 719, in Savannakhet) reportedly involved 60,000 South Vietnamese against 100,000 North Vietnamese Army troops, and lasted 42 days before the South Vietnamese withdrew. Significant land battles also took place between Pathet Lao and Royal Lao forces in the Southern provinces of Champassak and Attapeu.

In addition to bombs, the US also dropped massive quantities of defoliants and herbicides, including Agent Orange. Studies have confirmed that the use of these chemicals resulted in significant dioxin contamination in nearby western Vietnam (Hatfield Consultants, 2000). There have been unusually high rates of birth defects and ‘wasting’ diseases in these communities, and epidemiological studies are trying to confirm whether these are the result of dioxin. The researchers have also found high levels of dioxin in the food chain; particularly duck liver and fish raised by aquaculture.

IMPACTS

It was not until June 1996 – 21 years after hostilities ended – that Handicap International (HI) undertook a broad survey of the impact of UXO contamination on behalf of UXO LAO, the government agency established to coordinate mine and UXO programmes. In brief, the survey findings were:

- Over 2,800 villages, or 25% of all communities in 15 of the 16 provinces¹¹ reported the continued presence of UXO, while 214 villages reported landmines;
- Almost 1,325 villages reported UXO in the village or along roads or paths;
- Almost 12,000 UXO-related accidents were reported, with accident rates peaking at about 1,400 per year in 1974 as people returned to their homes and fields. Casualty rates fell to an average of 360/year from 1977-1986, then 240/year the following decade;
- Slightly more than half the victims died;
- 31% of all victims were children (mostly boys);
- Almost 1/3 of accidents occurred within the village, with a similar number occurring in rice fields;
- A significant percentage of accidents arose when men purposely handled UXO to extract scrap metal (for sale to Vietnamese metal traders) or explosives (for use in fishing or clearing stumps);
- Accidents peak at the end of the dry season (March-May) when farmers plough lowland rice fields or, in upland areas, clear new fields by slash-and-burn.

The overall picture is a familiar one, with a high rate of casualties during the initial return to villages abandoned during the conflict, followed by a slow decline in accidents as those in affected communities adapt to the contamination. Risk-taking behaviour, as extremely poor people attempt to capitalise on the UXO ‘resource’, also resulted in many accidents. A significant

¹¹ The capital, Vientiane, has a distinct administrative structure and, until recently, there also was a ‘special administrative zone.’

number of villages were reported to have relocated due to mine contamination.

More than 100 UXO accidents are still reported to authorities each year, implying a continuing rate of perhaps 200 accidents a year because reports cannot be obtained from many remote communities. Tampering has become an even larger problem due to the availability of inexpensive metal detectors, the establishment of foundries and mini-mills in Laos, and the increased demand from the construction industry for iron rebar.

Many rural development projects also have been adversely affected by UXO contamination, including those supported by international NGOs. Problems with UXO led to the initial humanitarian demining programme in Lao PDR, established in Xieng Khouang in 1994 by the Mennonite Central Committee and MAG. Food security projects of the World Food Programme (WFP) are also affected.

In addition, many of the larger aid-financed infrastructure projects (road and bridge construction, dams for hydro-electricity), as well as private investments in mining, have been affected by UXO contamination. In some cases, explicit provision for UXO/mine clearance had been made during the planning phase of the project, while in others UXO was discovered only during the construction phase. (Most major investment projects now investigate UXO contamination during the planning and impact assessment phases.)

HISTORY OF THE UXO SECTOR

IMMEDIATE POST-WAR PERIOD

During the war, the Lao army cleared roads destroyed by bombing to maintain transportation routes. Following the war, the army and Vietnamese advisers continued clearance of roads, plus schools, *wats* (temples), and sites for new public buildings, irrigation works, etc. The Chinese army did clearance in support of a Chinese-funded road construction project and, in 1979-80, a Russian aid programme cleared some farmland in Xieng Khouang.

INITIAL PHASE OF THE 'HUMANITARIAN' UXO PROGRAMME (1994-97)

The Mennonite Central Committee first brought the UXO problem to international attention. It also contacted Mines Advisory Group (MAG) to establish a UXO project in Xieng Khouang, which it did in 1994. Subsequent discussions among the government, UNDP, UNICEF, and MAG led to the establishment of the Lao PDR UXO Trust Fund in late 1995, followed in February 1996 by a decree establishing the Trust Fund Steering Committee and the Lao National UXO Programme. UXO LAO was a national public institution with autonomous financial status within the Ministry of Labour and Social Welfare with responsibility for:

1. Co-ordination of UXO-related activities within the country, including the UXO work implemented by other agencies;
2. Preparation of annual work plans and reports;
3. Managing the Training Centre;
4. Setting national standards;
5. Assisting the Steering Committee in resource mobilization for the Trust Fund.

UXO LAO's goals were to (i) reduce the number of civilian UXO casualties; and (ii) increase the amount of land available for food production and other development activities.

One of UXO LAO's initial actions was to issue a request for proposals for a nationwide

socio-economic survey to quantify the extent of mine/UXO contamination and to establish priorities for clearance. This contract was awarded to HI in May 1996, with the report issued the following year. In addition, UXO LAO commissioned the Science, Technology, and Environment Ministry to undertake mapping and entering digitised information on villages, roads, and rivers so the survey results could be plotted on maps. This combined effort provided Lao PDR with its first full GIS – an important by-product.

In 1996, the government approved a UXO programme for Houaphan, to be implemented by GERBERA/Potsdam Kommunikation¹² and funded by German bilateral assistance. Actual clearance operations began in November 1996. In the same year, UNICEF along with MAG and the new community awareness section in UXO LAO developed a strategy to establish a national UXO awareness programme, entailing:

- Community awareness teams under UXO LAO visiting affected communities;
- Liaison with the Ministry of Education to integrate community awareness messages into the school curriculum;¹³
- Development of non-formal education programming, via radio, posters, etc.

Drawing on lessons learned by MAG, UXO LAO split deminers into two types of units: roving teams for rapid response to immediate dangers posed by UXO on the surface, and clearance teams to detect and destroy sub-surface ordnance.

EXPANSION PHASE (1997-1999)

UXO LAO pursued a strategy of enlisting implementation partners to establish provincial operations. This allowed for rapid expansion, and gave interested donors the option of providing direct funding to an international NGO. Table 1 provides the complete list of provincial operations. In addition, a number of countries provided funding via the Trust Fund, some of which was earmarked for specific expenditures, or provided as in-kind assistance to UXO LAO.

Table 1 – International operators & provinces covered in 2000

Organisation	Province (starting year)
Mines Advisory Group (MAG)	Xieng Khouang (1994)
	Saravane (1997)
GERBERA (with Potsdam Kommunikation)	Houaphan (1996)
	Luang Prabang (1998)
Handicap International (HI)	Savannakhet (1997)
Norwegian People's Aid (NPA)	Sekong (1997)
	Attapeu (1997)
Belgian military	Champassak (1997)
World Vision International (WVI)	Khammouane (1999)

From 1995 to the end of 1999, an estimated US\$34 million in UXO expenditures had been financed by donors, (with EU providing € 3 million via HI).

TRANSITION PHASE (1999-2002)

The first of the implementing partners (MAG and GERBERA) engaged local staff directly and were responsible for operations management in Xieng Khouang, Saravane, and Houaphan. Since

¹² GERBERA is a firm, while Potsdam Kommunikation is an NGO.

¹³ Consortium (a consortium of three American NGOs) took the lead in working with the Ministry of Education to develop a UXO awareness curriculum for primary schools.

mid-1997, new implementing partners were taken-on as advisors, responsible in the main for capacity building. In such cases, Lao personnel were hired and trained by UXO LAO and then assigned to provincial operations. By April 2000, UXO LAO assumed direct responsibility for managing the Houaphan, Saravane and Xieng Khouang operations, with GERBERA and MAG retaining only their capacity building roles.

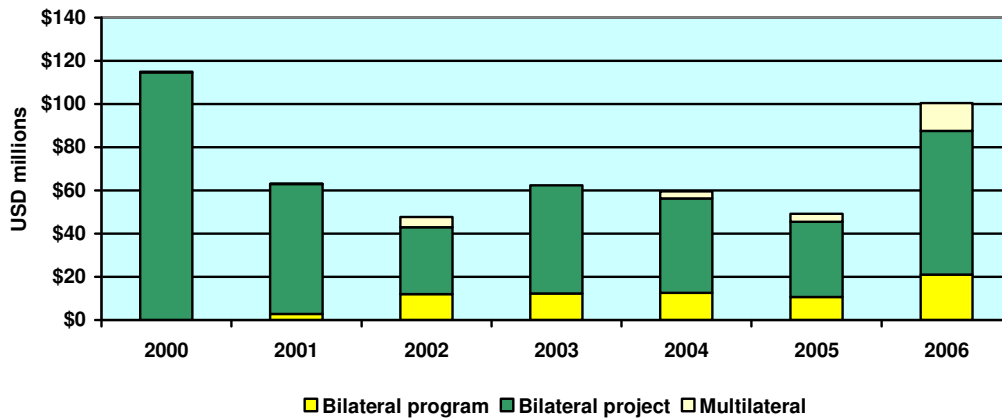
The government clearly was concerned at the expansion of the programme and its capacity to maintain this scale of operations should donors reduce their assistance. Accordingly, it decided to halt expansion, and planned to maintain a staffing level of 1,100-1,200 personnel (about half deminers).^{14, 15}

Victim assistance also expanded during this phase, with involvement of HI (prosthetics, physiotherapy), World Vision (prosthetics), World Concern (community-based rehabilitation, including micro-credit), Consortium (financial assistance to UXO victims), DED from Germany (physiotherapy), and POWER (prosthetics). In 1998, POWER joined with other NGOs and relevant government agencies to form Co-operative Orthotic and Prosthetic Enterprise (COPE). It supports the National Rehabilitation Centre with technical assistance, equipment and training.

CRISIS (2002-04)

International funding to the UXO programme declined significantly in 2002, forcing UXO LAO to cut its work force dramatically.¹⁶ Part of the problem was donor reluctance to fund UXO LAO rather than international NGOs, but it appears the decline in funding to the UXO sector was simply part of a broader decline in aid grants in 2001-02. In particular, project grants from bilateral donors (which constituted the bulk of financing to the UXO sector) fell by 73% between 2000 and 2002 (then increased by 62% the following year).

Figure 1 – International aid grants to Lao P.D.R.¹⁷



¹⁴ Also, in mid-1999 the government required UXO LAO to reduce staff salaries by an average of 22%.

¹⁵ Many of the deminers laid off by UXO LAO were engaged by commercial demining operators, who were obtaining large contracts to support the large hydro-power and mining projects. For example, February the Nam Thern Two (NT2) dam construction company spent USD 16,679,751 on UXO clearance from 2003-07.

¹⁶ At the start of the year, UXO LAO had 1,130 staff but by August the number had been cut to 623.

¹⁷ IMF (2007), *Lao People's Democratic Republic: Selected Issues and Statistical Appendix*, Country Report No. 07/359, Table 17, p. 48.

Regardless, UNDP and UXO LAO commissioned an assessment of the UXO Sector in September 2002, which focussed on sustainable options for the sector.¹⁸ Among the recommendations were to:

- separate the planning, coordination and regulatory functions of UXO LAO from implementation (and consider allowing other operators to re-establish)
- develop a 10-year strategic plan
- focus the UXO programme more clearly on broader development priorities

REFORM (2004-)

In response to the UXO sector assessment, in April 2004 the government approved a new 10 year UXO sector strategy – the *Safe Path Forward*¹⁹ – that had been developed by the UNDP on behalf of the UXO LAO Steering Committee. This recommended the establishment of a new National Regulatory Authority (NRA), which the government created later in 2004. However, it took another two years before the legal framework was in place and the office established.

With the creation of the NRA, UXO LAO became simply an operator, providing area clearance, roving clearance, and community awareness services. It continued to receive technical assistance from UNDP, NPA, and some of the operators that, earlier, had their own programmes (MAG; GERBERA). However, the new strategy provided for the establishment of other operators, each to “...act as a self-standing entity and will be fully accountable to its funder(s) as well as to the National Regulatory Authority.” Accordingly, in 2004 MAG decided to re-establish its programme in Xieng Khouang, followed by a new operation in Khammouane. In 2005, HI set-up a new programme in Savannakhet followed in 2006 by the Swiss Foundation for Mine Action (FSD) to provide demining support to WFP food-for-work projects in Savannakhet and (starting in 2007) Sekong.

In addition, two new commercial operators (Bactec and Phoenix Clearance Ltd.) established operations in Laos, joining the long-established Milsearch.

In 2007, AusAID agreed funding with two development NGOs (CARE and World Vision – WVI) for community development projects in heavily contaminated communities. AusAID has included funds for UXO clearance, while CARE and WVI have signed sub-contracts with FSD and MAG, respectively.

¹⁸ Keeley et al (2002), *Mission to Assess Future Sustainable Options of the Lao UXO Trust Fund and the UXO LAO Mine Action Programme: Mission Report*.

¹⁹ Formally, it is the *National Strategic Plan for the UXO Programme in Lao PDR*.

2. CURRENT STATUS OF THE UXO SECTOR

INSTITUTIONAL MAKE-UP

NATIONAL AUTHORITY

The UXO sector is now made-up of a national mine action authority – the NRA Board²⁰ – whose secretariat (the NRA Office) discharges a number of responsibilities typically found in a national Mine Action Centre (MAC). The full list of NRA responsibilities is:

1. periodic review and implementation of the Strategic Plan
2. definition and provision of policy direction
3. accreditation, licensing and oversight of all UXO/Mine Action operators
4. management of the database and, as such, the prioritization and related tasking of all UXO/Mine Action operators
5. coordination of all UXO/Mine Action activities throughout the country
6. external Quality Assurance of all UXO/Mine Action activities
7. conduct of Post Clearance Impact Assessment

Since the NRA office was established in 2006, it has been active in the Oslo Process and in promoting government acceptance of the proposed Convention on Cluster Munitions (CCM). It also has made some progress on:

- enhancing coordination of UXO programme operations by establishing working groups of on UXO clearance, risk education, and victim assistance
- developing draft standards for UXO clearance operations and accrediting three or the eight operators
- updating the Information Management System for Mine Action (IMSMA)

As yet, however, it has made little progress in raising its own profile within the government, or in getting the government to increase its own contributions to the UXO sector.

Reported expenditures on the NRA amounted to just over \$830,000 in 2007. This did not include the cost of technical assistance provided by the U.S. Department of State (via ArmorGroup) and MAG.

STRATEGIC OBJECTIVES & PRIORITIES

The Safe Path Forward sets-out the following objectives for the UXO programme:

1. UXO/mine accidents will be reduced to a national accident rate not exceeding 100 persons/year;
2. clearance of all “high priority” agricultural areas by 2013, as well as a sizeable portion of other areas identified as “medium priority” – for a total of no less than 18,000 hectares (180 km²) of land cleared by UXO Lao alone;
3. the development and maintenance of a national database on Mine/UXO accidents to feed into the prioritisation of clearance and MRE tasks.

²⁰ The Board is an inter-ministerial body comprising representatives of nine ministries concerned with UXO activities under the leadership of a Deputy Prime Minister (who is also Minister of Defence).

4. the factoring-in of the specific needs of survivors of UXO/mine accidents, in terms of both physical rehabilitation and socio-economic integration, for all national/local public health initiatives.

The strategy also lays out guidelines for establishing clearance priorities:

Table 2 – UXO/Mine Clearance Priorities

Priority	Types of Tasks
Priority I (High)	<ol style="list-style-type: none"> 1. Agricultural tasks 2. Roving tasks 3. Public service utilities (medical/public health, water points, etc.) 4. Educational facilities
Priority II (Medium)	<ol style="list-style-type: none"> 1. Grazing land and forested areas 2. Communal facilities (religious/cultural sites, markets, recreational areas, etc.) 3. Government facilities and offices
Priority III (Low)	<ol style="list-style-type: none"> 1. Public infrastructure work 2. Communal “profit-making” areas 3. Tourism sites 4. Commercial/private business sites

Clearly, there are many problems with this set of guidelines. Why, for example, should all public infrastructure work be low priority? Why should all agricultural tasks be high priority when the strategic objective differentiates between high- and medium-priority agricultural land?

Regardless, most priorities are actually established by:

- provincial governments
- other humanitarian/development agencies (e.g. WFP; CARE; WVI)
- state enterprises or private companies contracting commercial contractors (e.g. NT2 Dam Construction Company; Oxiana Mining)

OPERATORS

UXO survey and clearance

There are now a national operator (UXO LAO), three international NGOs, and three commercial demining operators.

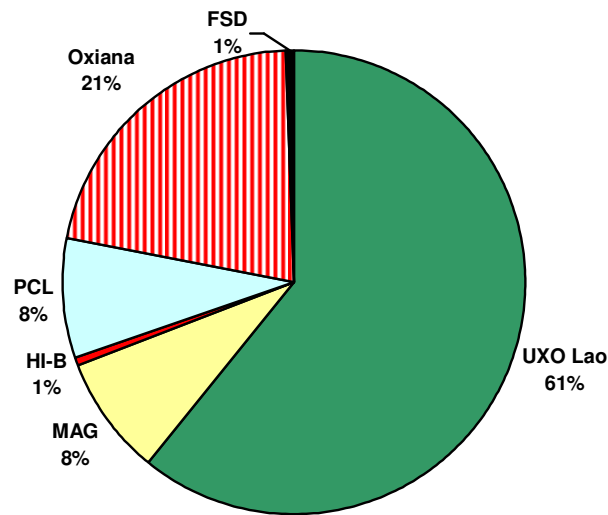
Table 3 – Clearance operators & provinces covered in 2007

Organisation	Expend. (2007)	Province(s)/Contract
UXO LAO	\$6.0 million	Luang Prabang, Houaphan, Xieng Khouang, Khammouane, Savannakhet, Saravane, Sekong, Champassak, Attapeu
MAG	4.6 million ²¹	Xieng Khouang, Khammouane
FSD	1.0 million	Savannakhet, Sekong
HI-B	0.5 million	Savannakhet
Phoenix (PCL)	0.6 million	various
Milsearch	4.0 million	Oxiana
BACTEC		

²¹ About 25% of MAG expenditures are for remuneration and related costs for technical advisors assigned to the NRA or UXO Lao.

Collectively, they cleared 4,190 ha (4.2 km²) in 2007, about 53% of which was for agriculture, with the rest classified broadly as ‘other development’. UXO LAO accounted for about 61% of the total area cleared. Collectively, the operators destroyed over 51,000 items of UXO via area clearance operations.

Figure 2 – Area clearance achievements: 2007²²



As in most countries, there appear to be significant differences in the nature of tasks undertaken under commercial contracts. Commercial operators averaged just over 4 items of UXO per ha., while not-for-profit operators found almost four times as many UXO per ha. As well, among the latter group, the international NGOs located approximately three times as many UXO per ha. as did UXO LAO.

In addition to area clearance, roving teams of the demining operators conducted almost 1,700 village visits, destroying 37,000 items of UXO in the process, with UXO LAO accounting for about 87% of the total items destroyed.

Risk Education

UXO LAO, MAG, and HI-B also conduct UXO risk education activities ranging from incorporating risk awareness into school curriculum to training MRE village volunteers. They reported almost 180,000 beneficiaries in 2007. In addition, World Education/Consortium implement a UXO Education and Awareness Project with the Ministry of Education, providing a supplemental curriculum for grades 1-5 on UXO awareness and MRE.

In addition, MAG provides an MRE technical advisor to the NRA as part of a three-year project to update MRE policy and standards, and produce standard MRE resources for training.

Victim Assistance

COPE – a partnership between the National Rehabilitation Centre (Ministry of Health) and four international NGOs – supports the national rehabilitation service throughout Laos to deliver high quality products with professional staff. The service operates through five Rehabilitation Centres

²² Source: UXO Sector Annual Report 2007, Table on page 10.

in Luang Phrabang, Xieng Khouang, Vientiane, Savannakhet and Champassak. About 40% of its clients are victims of UXO.

World Education also implements a UXO survivor assistance project to upgrade emergency medical services in the regional hospital in Champassak and district hospitals in both Champassak and Saravane. It also assists UXO survivors and other war victims in Xieng Khouang, Houaphan, Savannakhet, Saravane and Champassak.

The Lao Disabled People's Association (LDPA) – supported by POWER and AusAID – works to create a rights based culture for people with disabilities in Laos through disability rights education and through advocacy for the draft Disability decree and the United Nations Convention on the Rights of Persons with Disabilities.

LINKS WITH DEVELOPMENT

LINKS WITH GOVERNMENT AGENCIES

The UXO sector now features much more centrally in the key government development strategies – the 6th NSEDP and the NGPES. It is recognised as one of three national poverty eradication programmes, and linkages with agriculture and rural development, natural resource management, human security, and education are all noted. An explicit target for UXO clearance is given in the NSEDP. The correlations between (i) UXO contamination and poverty and (ii) UXO clearance and poverty reduction have been noted in key poverty assessment documents underpinning the NGPES.²³

At the same time, alignment of the national UXO strategy – *The Safe Path Forward* – with the broader national development strategy are not well articulated. It happens to be the case that UXO contamination is concentrated in the 47 very poor and 25 poor districts. It also happens that contamination affects some of the relocation projects and new rural development focal points, and many of the key hydro-power and mining projects underway or planned. But these links are not explicitly highlighted in *The Safe Path Forward* and the priority-setting guidelines in that document are confused.

The Safe Path Forward was, of course, written before both the NGPES or NSEDP: any revision to the UXO programme strategy should aim to tighten the alignment with the broader national strategies.

LINKS WITH GOVERNMENT AGENCIES

Links with government agencies at the national level appear to be weak in general. While our evaluation did not have time to explore links at the provincial or district levels (where task priorities are, for the most part, established), the operators told us that these range from good to rather poor. A clearer set of criteria from the NRA for determining priorities might provide better guidance to provincial and district authorities, and enhance coordination between development planning and the UXO programme.

²³ See especially The World Bank (2006), *Lao PDR Poverty Assessment Report: From Valleys to Hilltops – 15 Years of Poverty Reduction*, Report No. 38083-LA, Volume I, p. 12 – *Regression analysis confirms that both the initial levels of UXO contamination as well as the progress in UXO clearance accounts for changes in poverty from 1997/98 to 2002/03*. See also pp. 62-63 of Volume 2.

LINKS WITH OTHER DEVELOPMENT ACTORS

Most of the international demining NGOs have established arrangements to provide UXO survey and clearance support to the WFP and to international NGOs engaged in community development activities. AusAID, in particular, is encouraging links between UXO operators and development actors. In 2007 it initiated the A\$14 million Laos-Australia NGO Cooperation Agreement (LANGOCA) with Oxfam, CARE, WVI and Save the Children. Broadly, this aims at poverty reduction integrated with cross-cutting issues such as gender, HIV/AIDS, environment, and ethnicity. In its agreements with CARE and WVI, AusAID has included funds for UXO activities (initially, about A\$5 million). CARE and WVI have signed partnership agreements with FSD and MAG, respectively, to manage the UXO component.

LANGOCA has been slow to start-up due to the difficulties in obtaining MOUs with provincial authorities, so no UXO activities had begun at the time of the evaluation mission.

In addition to its new partnership with WVI, MAG collaborates with a number of UN agencies (UNESCO; WFP) and development NGOs (Triangle; IRD) in Xieng Khouang and Khammouane.

In addition to earlier links with Belgium Technical Cooperation (an irrigation and agriculture project) and with WVI, HI-B has recently partnered with CONCERN Worldwide to support a food security programme in Nong district of Savannakhet. HI-B is also pursuing integration of another type by focussing UXO clearance (particularly roving), UXO awareness and victim assistance, with the overall goal of threat reduction.

While the effectiveness of these partnerships varies (e.g. development NGOs do not always follow-up with projects in the communities for which they've requested clearance²⁴), cooperation between UXO operators and development actors is to be encouraged.

Clearly, commercial UXO operators have provided extensive support to allow Public-Private-Partnership (PPP, such as the NT2 hydro-power dam) and purely private sector investments (e.g. mining) to go forward. This is an important contribution to the country's development. The policy of having these major investment projects assume responsibility for engaging and paying for demining operators is sound.

OBSERVATIONS FROM SITE VISITS TO SAVANNAKHET (HI) AND KHAMMOUANE (MAG)

PRIORITY-SETTING

The sites visited during the evaluation bore evidence of a sound priority setting process. The impacted communities report their priorities through the district administration, which then assesses the requests and puts them on the provincial clearance plan. We had no time to obtain and assess the annual provincial plan, but the clearance sites we visited (which had been cleared under the EC funded projects) all made sense in terms of poverty reduction and safety enhancement for rural communities.

Post Clearance Assessment (PCA) documents not only the use being made of the land, and the actual beneficiaries, but also provides an early indication of the impact the mine action activities (including MRE) has had on the community. Such data will be extremely valuable not only as performance indicators, but also as a continuing check on whether the priority-setting processes

²⁴ As well, difficulties in obtaining MOUs from government authorities often plays havoc with schedules

are identifying appropriate tasks.

CLEARANCE OPERATIONS

In general, the actual clearance sites we visited were tidy and well organised – things which are prerequisites for adequate performance. Both the MAG and HI-B teams seemed to be well managed at the site by senior staff who had good command over their personnel and a good overview over the task and their resources. Planning and site preparatory routines seemed to be in place and we were given on-site overviews of the task, as well as a safety brief, prior to entering the suspect hazardous area. Particularly encouraging was the fact that training of national staff appears to have been successful, illustrated in these cases by the fact that all briefings and demonstrations were carried out without any supervision or guidance from expatriate staff.

When visiting one organisation, we noticed that the agreed national test piece (half a BLU 26 with fuse) was lowered into a pit at 25 cm depth, but then was not covered with soil. One should be aware that in most soil conditions the detection depth of a test piece can vary greatly due to a number of factors. One of the critical variance factors is whether the test piece is buried or not. In the tropical soil condition of Laos, it is strongly advisable to performance test detectors on site before commencing clearance. If no such test is carried out, items of ordnance may be missed, despite the operator's belief that the ground has been cleared to the standard depth. This issue was explained to the operator in question and we later received confirmation that the practice now had been changed.

PRODUCTIVITY

During the evaluation, a number of stakeholders claimed that the single biggest factor in the performance improvement recorded in UXO clearance in Laos over recent years was the change from mine clearance drills to Battle Area Clearance (BAC) drills. Based on our observations from the sites we visited, this transformation is not yet complete.

The biggest change was probably when the half BLU 26 with fuse was set as the standard test target – a change from smaller targets that produce fainter alarm signals.²⁵ One might argue that this change signifies the change of drill, but there is more to a new drill than simply changing to a more conductive or Ferro-rich test target. During our field visit we observed that some UXO clearance teams are still using metal detectors designed for mine clearance, and that is not BAC.

While visiting one site, we witnessed clearance personnel counting fragments of metal scrap found at the clearance site. We assume this is to gain statistical input for operational reporting. We have seen this done when survey teams are undertaking technical site surveys for planning future tasks, which makes sense so they can gauge the likely difficulty of the task. For actual clearance operations, however, scarce clearance resources should not be wasted on counting scrap metal (unless one is conducting equipment trials or time and motion studies of clearance methods).

In brief, therefore, operators should be applauded for progress in raising clearance productivity, but there remain possibilities for further improvement through, say, more technical survey and

²⁵ In earlier years, clearance task priorities were often community centres, school yards, hospitals and kindergartens. Public safety concerns would make it reasonable to establish very high clearance standards for such tasks. Typically, such areas were also rich on domestic refuse and waste containing metal objects like bottle tops, cans and cigarette pack liners, and would require a more painstaking clearance drill to ensure all explosives were located.

changing to metal detectors more suitable for BAC. (MAG has already introduced specialised UXO detectors for their clearance teams.)

RISK EDUCATION

In a recent post conflict situation, a well targeted mine risk education (MRE) campaign can be one of the most cost effective ways of saving lives. MRE is also valuable in the early days of any national mine action programme, both to overturn some public misperceptions about UXO and to inform the public of the nature of the mine/UXO operations. However, in countries with mature programmes such as Laos, risk education is more challenging. The traditional community risk awareness training is probably of little incremental benefit, and new approaches are needed that focus on behavioural change within specific ‘at risk’ target groups and on the establishment of sustainable community volunteer systems.

One of the key RE challenges in Laos is the steadily increasing scrap metal trade. The poorest communities are the ones most likely to get involved in scavenging metal scrap from UXO, not only by financial necessity but also because ERW is more abundant around many of these communities.

How best to address these challenges is not an easy question, and the two EC-financed organisations have adopted very different strategies. HI-B is fostering a network of community volunteers, while MAG has started a project to work with scrap metal foundries to (i) locate and destroy UXO, (ii) deliver risk education to scrap yard staff, and (iii) establish systems to report UXO in both scrap yards and villages.²⁶ Continued experimentation probably is required to develop multiple approaches to reach different target audiences, each facing unique sets of risks.

²⁶ This is based on materials developed by the MRE technical advisor in NRA (supported by MAG) and her counterparts.

3. EC ASSISTANCE TO LAO PDR

In 2006 Lao PDR received US\$63 per capita in official development assistance, equivalent to about 12.6% of GNP. In 2005-06, the EC was the 10th largest donor (behind member states France, Sweden, and Germany), with gross disbursements averaging only \$10 million/year. The amounts available for new programming via the National Indicative Programme (NIP) and Multi-Annual Programme (MIP) have been extremely modest.

COUNTRY STRATEGY PAPERS & INDICATIVE PROGRAMMES

PRIOR TO 2002

From the late 1990s, the bulk of EC support to Laos focussed on rural development and health. It also supported UXO clearance (HI-B in Savannakhet and MAG in Khammouane).²⁷

CSP 2002-06 AND NIP 2002-04

The CSP for 2002-06 identified three ‘focal areas’ for EC assistance: rural development; social sector (education and health); and trade and development. It did note the problem of UXO contamination, particularly in relation to the development problems faced in upland areas. (p. 12) It also mentioned that Lao authorities emphasised their desire for the EC to make a direct contribution to UXO Lao (p. 24). The CSP did not, however, provide for any funding for UXO, although it mentioned the possibility of some support depending on budget availability (p. 24).

The NIP for 2004-04 was for only € 14 million – less than € 5 million per year.

CSP 2007-13 AND MIP 2007-10

The main focus (58% of the budgeted allocation) of the country strategy for 2007-2013 is support to the government’s reform agenda under the National Development Strategy. This will be delivered via the Poverty Reduction Support Operation (PRSO), supported by an IDA grant from the World Bank.

The CSP also identified actions in three non-focal sectors: (i) food security, highlighting sustainable development in the uplands and policy dialogue on relocation (24% of the budgeted allocation); governance and human rights (5%); and trade and economic cooperation (13%).

In addition, the CSP highlighted possible actions in Laos via various thematic programmes: food security; non-state actors (NGO co-financing); and democracy and human rights.

The CSP did highlight the problem of UXO contamination in a number of places including the fact that UXO contamination complicates rural development (p. 12) and that Lao PDR is, on a per capita basis, the most bombed country on the planet. (p. 27) A separate section on mine action concluded that “Continued funding of UXO clearance in Lao PDR should therefore be favourably considered under Thematic Programmes.” (p. 28) The option of funding via the UXO-Lao Trust Fund rather than calls for proposals was held out, but only in Lao PDR signed the APMBC.

The MIP for 2007-10 is for € 33 million – just over € 8 million per year.

²⁷ We were unable to obtain full information on the UXO clearance projects.

EC ASSISTANCE TO THE UXO SECTOR

ECHO

ECHO does not support mine action *per se*, but will provide funding for demining, MRE, or victim assistance where this allows other humanitarian activities to proceed. Thus, funding to mine action typically is part of a broader programme of response to a humanitarian emergency.

Prior to 2005 in Laos, ECHO provided significant assistance focussing on ethnic minorities and their resettlement, primarily in the north of the country. In some projects, provision was made for UXO clearance and awareness activities. In 2004, however, a grant was issued to MAG for emergency UXO clearance to support three other ECHO-financed projects in Khammoune.

We have compiled the following list of UXO projects funded by ECHO. The ones in 2004 for ZOA and CARE likely overstates the funding allocated for UXO.

Table 4 – ECHO funded UXO projects

Year	NGO	Dates	Line	Amount	Purpose
2002	CARE		B7-210	100,000	Mine clearance & mine awareness
2003	MAG	Oct 04 –Jan 05	B7-210	127,995	Emergency UXO clearance Khammoune
2004	ZOA	2004-05	23.02.01	503,027	Clearance and livelihood development
2004	CARE	2003-04	23 02 01	254,339	Awareness-raising, capacity building and livelihood

From 2005, ECHO phased-out of emergency projects in Laos, restricting itself to disaster preparedness (DIPECHO). The task of supporting upland minorities/relocation was handed-over to the EC thematic programme for food security.

EC DEVELOPMENT ASSISTANCE PRIOR TO 2002

The EC supported the Handicap International and UXO-Lao in Savannakhet Province – a project which eventually lasted through four phases until December 2004.

Table 5 – EC development funding for UXO prior to 2002

Year	DG	Partner	Dates	Line	Amount	Purpose
1998		HI-B			3,000,000	UXO clearance Savannakhet
2000	RELEX	HI-B	Feb 01 – Feb 02	B7-661	665,405	Support to Lao national UXO operations in Savannakhet

SUPPORT SINCE 2002

The NIP 2002-04 did not include any funds for the UXO sector. We do not have a copy of the NIP for 2005-06, but the *EC Mine Action Strategy and Multi-Annual Indicative Programme: 2005-2007* shows € 1.5 million from the thematic budget line for 2006-07 because “The level of threat posed to the population by UXO is high and the limited funds provided in 2005-2006 NIP to cover development and education but also trade and governance are inadequate to cover mine action.” (p. 43)

As it turns out, a total of € 2 million from the thematic budget line was made available for Laos in 2003 and 2004 (€ 1,300,000 through decision 2003/5808 and the rest via 2004/6040). This had not been shown in the indicative programme of the EC Mine Action Strategy: 2002-2004, and

may represent re-programming of funds originally programmed for Vietnam and Cambodia.²⁸

On the other hand, the € 1.5 million originally programmed from the thematic budget line in 2006-07 for mine action in Laos never materialised.²⁹ Apparently, this came as a surprise to the sub-delegation and certainly created a significant problem for HI, which had been anticipating some of this money to its project in Savannakhet. The start-up costs had been financed by the EC in 2004 and the expensive equipment, as well as the personnel, would have been idle if it did not receive continued funding. HI-B had not arranged an alternative source of funding, and the EC sub-delegation did not have funds available within the country programme budget.

Eventually, AusAID stepped-in with A\$500,000.³⁰ For HI-B, this was the only funding available to allow continuation of its UXO programme for nine months. Before the end of the AusAID project, HI was able to obtain € 500,000 via the call for proposals issued by the EC for the Non-State Actors & Local Authorities thematic programme (UXO contamination had been highlighted as a target issue in the call for proposals).³¹

Table 6 – EC funding to UXO sector via Thematic Budget & EuropeAid

Year	DG	Partner	Dates	Line	Amount	Purpose
2002	RELEX	HI-B	Sep 02 – Dec 04	B7-661	877,300	Technical Assistance to UXO Clearance in Savannakhet province
2004	RELEX	HI-B	Oct 05 – Jun 07	B7-661	1,000,000	Integrated UXO Threat Reduction in Savannakhet Province
2004	RELEX	MAG	Jan 05 – Jan 08	B7-661	1,000,000	Humanitarian UXO Clearance in Khammoune Province
2007	AIDCO	NRA	Oct 07 – Sep 10	19 04 03	100,000	UXO victims survey
2008	AIDCO	HI-B	2008 – 2010	21 03 01	500,000	Non-State Actors & Local Authorities project in Savannakhet
2008	AIDCO	MAG	2008-2010	21 03 01	500,000	Non-State Actors & Local Authorities project in Khammoune

Another grant was awarded to the UXO sector in 2007 via an open call for proposals for the European Initiative for Democracy and Human Rights. This was awarded in October 2007 to the NRA for a national survey of UXO victims.

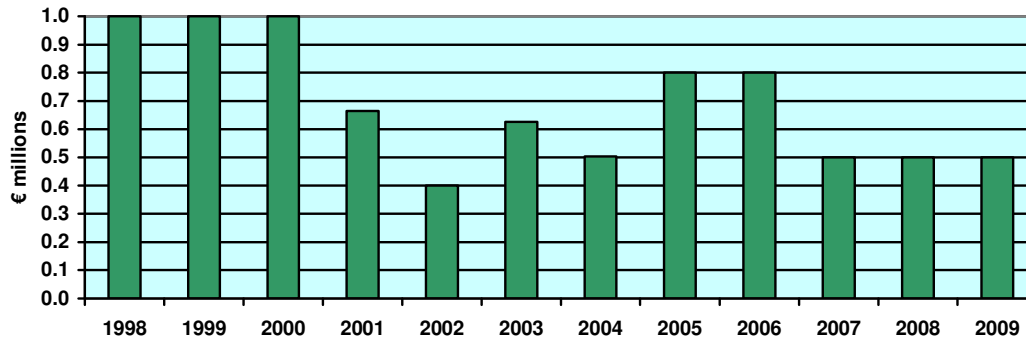
The overall picture we have been able to piece together shows about € 8.5 million in EC funding for UXO since 1998, with somewhat of a declining trend (see graph).

²⁸ These funds were ‘loosely programmed’ in the sense that the support was contingent on actions by the governments in Vietnam and Cambodia (e.g. should Vietnam sign the APMBC).

²⁹ The thematic budget line had been eliminated as part of the broader reform of EC aid programmes. However, most of the unspent funds from the thematic budget line were transferred to the relevant country programmes. It remains unclear why the funds programmed for Laos were not transferred – perhaps a concern that Laos had not signed the APMBC?

³⁰ At the same time, MAG received a similar amount from AusAID.

³¹ MAG also obtained € 500,000 from the same competition for a project in Khammoune.

Figure 3 – Estimated EC funding for the UXO sector

OPERATORS' PERSPECTIVES

Handicap International (HI)

Handicap International has been working in Laos in both the disability assistance and UXO sectors. Its UXO work began in 1996 with the national UXO survey, and it continued with technical and financial assistance to UXO Lao in Savannakhet from 1997. In 2001, it decided to scale-down its level of assistance to one technical advisor supporting UXO LAO in both Savannakhet and Khammoune; an activity funded by the EC that lasted until December 2004.

In the meantime, UXO LAO had decided it should again allow international partners to establish separate operations, so HI decided to open a new programme in Savannakhet. In 2004, the EC issued a call for proposal for € 2 million in funding from the APL budget line. This call specified Savannakhet and the HI country office understood that the EC expected HI to win. In the end, its proposal was disqualified on a technicality,³² and the call for proposals was reissued without specifying Savannakhet, and with two 'lots' – one for clearance plus MRE and the other for victim assistance.

HI re-submitted essentially the same proposal (dropping the term 'partner' in the text, and eliminating the victim assistance component). In the end, the EC decided not to fund the victim assistance lot, transferred those funds to clearance/MRE, and awarded two projects for € 1 million each to HI and to MAG's project in Khammoune. The grant agreement was signed in December 2004 and, following months of delays in obtaining the MOU from provincial authorities, HI started area and roving clearance plus UXO risk education operations in October 2005.

Initially, HI provided clearance services in support of Belgium Technical Cooperation projects and, later, linked with WVI to support that organisation's community development work.³³ At this time, it did not have an exit strategy in place because it, and the EC sub-delegation, had been expecting an additional € 1.5 million in earmarked mine action money would be available for

³² In the text of its proposal, HI had referred to an 'associate' organisation as a 'partner', and was disqualified.

³³ This worked less well as WVI did not always follow-up on clearance with the planned development activities.

Laos in 2006-07, as specified in the MIP within the EU Mine Action Strategy. They were surprised to learn that these funds would not be forthcoming, but managed to secure as A\$500,000 grant from AusAID to cover nine months of operations, during which time the EC issued the call for proposals for the Non-State Actors & Local Authorities thematic programme. This call specified UXO as one of the target sectors, and HI-B was able to win a grant for € 500,000 – the maximum amount – to continue its UXO project for three years.

In March 2007, HI commissioned an evaluation of its EC-funded UXO project. The evaluator (one of the most experienced in the UXO sector) for the project to be relevant and effective, but too small to garner full economies of scale. Regardless, UXO clearance is not a central part of the HI mandate, so it follows what it terms an integrated risk strategy in Laos, with its clearance and risk education activities linked with a separately-funded community-based rehabilitation programme.

Mines Advisory Group (MAG)

Starting in 1994, MAG was the original UXO clearance operator in Laos. It ran programmes in Xieng Khouang and Saravane until 2001, at which point responsibility for the operations shifted to UXO LAO, with MAG providing only technical advisors. Following the UXO Sector evaluation in 2002, UXO LAO again allowed the international NGOs to establish their own operations, and in early 2004 MAG re-opened its programme in Xieng Khouang and Khammoune, with a principal focus on clearance for food security.

The MAG programme is supported by many donors and it provides clearance support for the work of a number of UN agencies (UNESCO; WFP), international NGOs (Triangle; IRD), and Lao organisations (LAO Red Cross, as well as provincial authorities).³⁴ MAG also provides technical advisors to the NRA (for MRE) and to UXO Lao (advisors in Huaphan, Savannakhet, and Champassak). A new EC-funded project (see below) will support both clearance and strengthened linkages with Government officials in Khammoune.

From the EC, it obtained ECHO funding to support food security projects in Khammoune in 2004-05³⁵ and then, in late 2004, received € 1 million from the APL thematic budget line for clearance in Khammoune – a project that continued until early 2008. In 2008, MAG was awarded a new EC grant for € 500,000 over two years. In addition to UXO clearance, this aims to build the capacity of provincial and district officials from the Ministry of Labour and Social Welfare in Khammoune to set clearance priorities based on participatory approaches.

MAG has a much larger UXO programme than does HI. It also received A\$500,000 from AusAID for 2008, and will soon start working with WVI on the AusAID-funded LANGOCA project.

National Regulatory Authority & COPE

Representatives from NRA and COPE (whose country director works half-time at the NRA as the technical advisor for victim assistance) attended a January 2007 presentation at the EC sub-delegation on the open call for proposals for the European Initiative for Democracy and Human Rights. Subsequently, NRA and COPE submitted an application in late February for € 100,000 to

³⁴ MAG also provides technical assistance and funding to support the Risk Education unit in NRA.

³⁵ There were some problems during the implementation of this project, but MAG headquarters responded very well, dismissed the individuals responsible, and gave full support to the audit investigation.

undertake a national UXO victims survey. They received notice in May 2007 that their application had been accepted, pending submission of some supporting documents (which had, in fact, been included with the original application).

A problem then arose as the NRA financial audit was ‘qualified’. Most but not all the funding to NRA comes from the UNDP Trust Fund, which commissions an annual audit. The auditors mandate only covers the transactions and the resulting financial statements covered by the Trust Fund, and so do not reflect the totality of NRA’s operations. It is normal practice for auditors to qualify the audit on these grounds, but such a qualification does not imply weakness in the financial system or management control. However, this caused problems for the EC Delegation in Bangkok, which took months to resolve. Hence, the grant agreement was not signed until November 2007, with the initial tranche of funding arriving the following month. Meanwhile, the project had started with a grant of \$50,000 from UNICEF.³⁶

After some start-up difficulties caused by uncertainty over which Government agency would assume responsibility for the survey teams,³⁷ the full survey got underway in February 2008. The initial results were just being tabulated at the time of our mission, and seemed broadly in line with expectations.

Following the survey, the NRA and COPE plan to support a national surveillance system, using provincial government personnel to collect the data and submit this to NRA. From experience in other countries (e.g. Cambodia), this type of surveillance system could result in far better targeting of clearance, UXO risk education, and survivor assistance services.

The NRA and COPE have received informal feedback from the EC Delegation in Bangkok that it likes the project and would consider additional support in the future.

³⁶ The total budget is \$247,000, and the project also has received support from the UNDP Trust Fund for UXO (\$35,000) and the Swiss (\$75,000).

³⁷ Originally, the National Dermatology Centre within the Ministry of Health was identified as it had an established Leprosy network. The test survey was done with that agency but, subsequently, the Ministry of Health decided the National Rehabilitation Centre (which has no network) should assume the role because it was already involved in the UXO sector (i.e. providing physical rehabilitation to UXO survivors).

4. CONCLUSIONS AND RECOMMENDATIONS

PRINCIPAL CONCLUSIONS

Clearly, UXO contamination represents an enormous problem within Laos. In that light, EC assistance to the UXO sector has been relevant to the country's needs.

EC Country Strategy Papers have noted the extent of UXO contamination and the challenge this creates for rural development and, particularly, development in upland areas. Thus, EC assistance to the UXO sector has been relevant to the problems identified in its CSPs. Given the modest financial and human resources available to the EC country programme, it is appropriate that the bulk of UXO funding to date has come from the APL thematic budget line or from ECHO.

Given the EC has placed some priority on mine action and on supporting the APMBC, and Laos is not a signatory to the APMBC, the fact that EC support has been steady but modest seems to strike a fair balance.

EC assistance to the UXO sector also appears to be effective. For the most part, it has supported well established NGOs from EU member states. Some problems are inevitable when working in developing countries, but these have been addressed professionally.

The sub-delegation – together with ECHO when it had an office in Laos – appear to have done an effective job in maintaining modest but steady support to their partners working in the UXO sector. Linking relief, rehabilitation and development (LRRD) was achieved with the late 2004 decision to provide the € 1 million grant to MAG, allowing it to continue its support – started with ECHO funding – to NGOs working on food security for resettled communities. This is particularly relevant given the EC policy on LRRD.

The delegate responsible for the UXO projects has made an effort to stay abreast of developments in the UXO sector. When HI and the sub-delegation learned that the € 1.5 million programmed for 2006-07 was not forthcoming, threatening the continuity of the HI UXO programme, arrangements were made with AusAID (which has been serving as the 'anchor' donor for UXO issues in recent years) to provide financing for nine months. This enabled the sub-delegation to designate UXO contamination as one of the focus issues in the open tender for the Non-State Actors & Local Authorities thematic programme, which gave reasonable assurance that multi-year funding from the EC would be secured for HI.³⁸

Deconcentration is likely to affect the planning and programming of EC support to the UXO sector. The sub-delegation has few staff, none of whom have specific expertise in mine action. In this light, channelling any future support to trusted and experienced partners is a sound strategy.

KEY STRATEGIC ISSUES

EC programming decisions in Laos have long had to address the following strategic issues:

- Laos is the most heavily bombed country on earth, with contamination heaviest in rural, often remote, districts

³⁸ In the end, both HI and MAG received grants via this call for proposals.

- Laos is poor (particularly the rural population, and particularly in remote upland areas) but with rapid economic growth
- NGOs from EU member states are heavily engaged in all facets of the UXO sector
- the EU is strongly in support of mine action, but with a focus on signatories of the APMBC (which Lao PDR has not signed)
- the EC maintains only a modest aid programme in Laos
- the EC has been represented only by a sub-delegation (which, even after it becomes a Delegation, will have limited human resources available)

In this context, EC funding for the UXO sector has remained modest, and has come mainly from the APL thematic budget line, from ECHO, and – more recently – from various thematic programmes. For the most part, the projects funded by the EC have been sound. The NGOs funded by the EC are well established both globally and in Laos. The problems that have cropped-up have been addressed in a professional manner.

Current and future programming also must consider the following, recent developments:

- the APL thematic budget line has been terminated, and Laos is ineligible for the closest alternative (the Instrument for Stability)
- the performance of the UXO sector has significantly increased in recent years
- the government has instituted reforms to strengthen the institutional make-up of the UXO sector
- both the NSEDP and the NGPES place priority on the UXO programme, which operates largely in the 47 priority very poor districts and is one of the three national poverty eradication programmes
- increasing evidence suggests that UXO contamination accentuates poverty, while UXO clearance is correlated with poverty reduction
- the Convention on Cluster Munitions (CCM) is imminent, and Laos is likely to be among the initial signatories in Oslo

Lacking much flexibility within its own country programme funds, the sub-delegation has shown a good deal of ingenuity in obtaining modest amounts of funding for the UXO sector. The two most recent projects have been funded via thematic programmes (European Initiative for Democracy and Human Rights, and Non-State Actors & Local Authorities). However, given the likelihood that Lao PDR will be a signatory of the CCM, and the increased priority given to the UXO sector by the Government, the case for additional and increased EC funding will be significantly strengthened.

The NRA and UNDP recently commissioned an evaluation of the UXO sector. This, along with the impending CCM, will feed into a planned revision of the national UXO strategy. This document will provide an opportunity for the EC to re-assess its plans for support to the UXO sector.

DOCUMENTS CONSULTED

GOVERNMENT OF THE LAO PEOPLES DEMOCRATIC REPUBLIC

(2006) *National Socio-Economic Development Plan: 2006-2010*

(2004) *National Growth and Poverty Eradication Strategy*

Committee for Planning and Investment, Department of International Cooperation (2007a)
Achievements, Constraints and Future Direction within the Implementation of the National Socio-Economic Development Plan 2006-2010

_____ (2007b)
Report on the Round Table Implementation Meeting

UXO SECTOR

Geneva International Centre for Humanitarian Demining (2005)
A Study of Scrap Metal Collection in Lao PDR

Government of Lao PDR (2004)
National Strategic Plan for the UXO Programme in Lao PDR: The Safe Path Forward

Griffin et al (2008)
UXO Sector Evaluation – Lao PDR

Keeley et al (2002)
Mission to Assess Future Sustainable Options of the Lao UXO Trust Fund and the UXO LAO Mine Action Programme

Keeley, Robert (2007)
An Evaluation of the Integrated UXO Threat Reduction Project in Savannakhet Province, Lao PDR

National Regulatory Authority (2008)
UXO Sector Annual Report 2007

UXO Lao (2006?)
Claiming the Future – UXO Lao Strategic Plan (2006-13)

OTHER

Government of the Lao People's Democratic Republic and the Partners in Development (2006)
Vientiane Declaration on Aid Effectiveness

IMF and World Bank (2004)
Joint Staff Advisory Note of the PRSP

World Bank (2006)

Lao PDR Poverty Assessment Report: From Valleys to Hilltops – 15 Years of Poverty Reduction, Report No. 38083-LA, 2 volumes

World Food Programme (2007)

Comprehensive Food Security and Vulnerability Assessment

_____ (2008)

Standard Project Report: Recovery Assistance to the Disaster Prone and Vulnerable Food Insecure Communities in the Lao PDR

GLOSSARY OF ACRONYMS

ADB	Asian Development Bank	NAFRI	National Agriculture and Forestry Research Institute
AusAID	Australian Agency for International Development	NGO	Non-Governmental Organization
AXO	Abandoned Explosive Ordinance	NGPES	National Growth and Poverty Eradication Strategy
BAC	Battle Area Clearance	NMAA	National Mine Action Authority
CA	Community Awareness	NPEP	National Poverty Eradication Plan
CBA	Cost-Benefit Analysis	NRA	National Regulatory Authority
CCM	Convention on Cluster Munitions	NRC	National Rehabilitation Centre
CCW	Convention on Certain Conventional Weapons (1980)	NSEDP	National Socio-Economic Development Plan
COPE	Cooperative Orthotic and Prosthetic Enterprise	PPE	Personal Protective Equipment
EOD	Explosive Ordinance Disposal	PPP	Purchasing Power Parity
ERW	Explosive Remnants of War	PRSP	Poverty Reduction Strategy Paper
ETS	Enhanced Technical Survey	QA	Quality Assurance
FSD	Swiss Foundation for Demining	QC	Quality Control
GICHD	Geneva International Centre for Humanitarian Demining	SHA	Suspected Hazardous Area
GIS	Geographic Information System	SOP	Standing Operating Procedure
GOL	Government of Laos	STA	Senior Technical Advisor
HI-B	Handicap International-Belgium	TA	Technical Advisor
IMAS	International Mine Action Standards	UN	United Nations
IMSMA	Information Management System for Mine Action	UNDP	United Nations Development Programme
JMAS	Japanese Mine Action Service	UNICEF	United Nations International Children's Emergency Fund
LIS	Landmine Impact Survey	UXO	Unexploded Ordinance
MAC	Mine Action Centre	WFP	World Food Programme
MAG	Mines Advisory Group	VA	Victim Assistance
MLSW	Ministry of Labour and Social Welfare		
MOE	Ministry of Education		
MOFA	Ministry of Foreign Affairs		
MOH	Ministry of Health		
MPI	Ministry of Planning and Investment		
MRE	Mine Risk Education		

ITINERARY AND MEETINGS

Itinerary & List of Meetings

Date:	Type of activity:	Name and organisation:
Friday 01.05.08	Overview of EC aid	Andrew Jacobs, EC Bangkok
	Overview of ECHO in Lao PDR	Aldo Biondi, ECHO Bangkok
Saturday & Sunday, 14-15 June 2008 – T. Paterson & E. Tollefsen fly Geneva → Vientiane		
Monday, 16.06.08	Introduction to MAGs activities	David Hayter, MAG
	Reception at BACTEC	BACTEC, UNDP, Australian Embassy, Oxiana
Tuesday 17.06.08	NRA database and IMSMA	Beat Schoch and Khammoungkhoun Southivong, NRA
	General briefing on strategy for the UXO sector for joint UNDP and EC evaluation team	NRA, UXO LAO, FSD, US Embassy, UNICEF, WFP, BACTEC, Hi-B, MAG, AusAID, UNDP
	Lunch meeting with UNDP and NRA	Stephan Vigie, Mariko Harado, Tim Horner + deputy director NRA and UNDP evaluation team
	Planning, accreditation and QA/QC	Phil Bean, NRA/ArmorGroup
Wednesday 18.06.08	Briefing on UXO victims survey	Mike Boddington, NRA/COPE
	Briefing on EC funded projects	David Hayter, MAG
Thursday 19.06.08	Briefing on AusAID funding of the UXO sector	Warren Hoyer and Sounisa Sundara AusAID + UNDP evaluation team
	Briefing on UXO LAO work and strategy	John Dingley, UXO LAO/UNDP
	Coordination of the UXO sector in Laos	Bounphone Sayaseth, UXO LAO
	Dinner meeting on Mine Action sector	Tim Horner, NRA/UNDP
Friday 20.06.08	Information of WFP involvement in priority setting for UXO clearance	Julie Spooner, WFP
	Quality Management in UXO LAO	Marco Heuscher, ArmorGroup/UXO LAO
	FSD operations in Laos	Tony Fish and Nigel Orr, FSD
Sunday, 22.06.08 – Travel with HI-B from VTE to Sepon		
Monday 23.06.08	Visit to HI-B PCA, clearance and MRE teams in Sepon District	HI-B
Tuesday 24.06.08	Visit MAG clearance teams and previously EC funded projects in Khammuone Province.	MAG
Wednesday 25.06.08	Meeting with EC mine action sector coordinator in Laos	Francesco Straniero, EC
	Briefing on the MRE sector in Laos	Thongdy Phommavongsa and Ruth Bottomley, NRA
Thursday 26.06.08	Briefing on HI-Bs programme in Laos and feedback from field visit	Luc Delneuve and Kim Warren, HI-B.
	Dinner with FSD	Tony Fish, FSD
Friday 27.06.08	Meet with UXO Sector Assessment Team (dinner)	Bob Griffin, Robert Keeley, plus Mariko Harado (UNDP)
Saturday & Sunday, 28-29 June 2008 – Vientiane → Geneva		