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Prioritisation Policy, Procedures and Practices Relating to UXO Clearance in Lao PDR

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**PRIORITISATION POLICY, PROCEDURES AND
PRACTICES
RELATING TO UXO CLEARANCE
IN LAO PDR**



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This publication is part of DFID's 'Mine Action Capacity Development Project' implemented by NPA and the GICHD.

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Prioritisation policy, procedures and practices relating to UXO clearance in Lao PDR
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EXECUTIVE SUMMARY

Prioritisation is an important measure of performance for UXO/mine action programmes globally, because it determines a programme's value for money. Transparent prioritisation systems make their intentions clear, and establish agreed criteria to decide what tasks must be done first, and what tasks can wait until later.

The report maps the current prioritisation system in Lao PDR, including UXO policies and related development policies of the Government of Lao PDR (GOL), standard operating procedures of UXO operators, and actual prioritisation practices of provincial, district and village-level authorities, households, and UXO operators. It finds that the current national-level prioritisation policies for UXO clearance in Lao PDR are quite general in nature. And, in the absence of agreed criteria for the sector, each UXO operator uses its own criteria to assist decision-making and work planning at the sub-district level.

The report observes that policies (and political input) play a strong role at the macro level of prioritisation, whereas the more technically-focused procedures and pragmatic practices have stronger influence at the micro level. It finds the recent introduction of the policy which promotes UXO clearance only within confirmed hazardous areas (CHAs) to be a major step forward in macro-level task prioritisation. However, there are few mechanisms in place to link macro-level prioritisation policies with the more specific procedures and practices that take place at micro level. For example, there are no observed systems in place to support the planning, monitoring or reporting of progress on the GOL policy of supporting UXO clearance in focal development areas (FDAs). In addition, the difficulty in viewing a copy of the GOL's Public Investment Programme (PIP) document raises questions about its usefulness as a tool for prioritisation and work planning for UXO clearance.

Most micro-level prioritisation decisions appear to be made by UXO operators themselves, with minimal substantive input from district and provincial-level authorities. Staff in the government's district and provincial offices of Planning and Investment, who could be expected to give constructive input to prioritisation decisions regarding UXO clearance, appear to be outside of the key planning and reporting processes of the UXO sector. The main contribution of local authorities appears to be the consideration and approval of UXO work plans. At the more localised level, little formalised input from village or household levels is evident in the work plans of the various UXO operators.

The report's key recommendation is that the NRA office should, in consultation with political decision makers and in line with agencies and international partners, develop a policy for the prioritisation of UXO clearance, which includes clear definitions of priorities relevant to the UXO sector. It should establish an accompanying set of criteria to determine (and explain) those priorities, and determine a set of indicators to measure progress towards the criteria.

ABBREVIATIONS

CCM	Convention on Cluster Munitions
CHA	Confirmed hazardous area
DFID	Department for International Development (United Kingdom)
FDA	Focal development area (<i>jout soum</i>)
GICHD	Geneva International Centre for Humanitarian Demining
GOL	Government of Lao PDR
IMSMA	Information management system for mine action
INGO	International non-governmental organisation
JICA	Japan International Cooperation Agency
Lao PDR	Lao People's Democratic Republic
MAG	Mines Advisory Group
MLSW	Ministry of Labour and Social Welfare
MOU	Memorandum of understanding
MPI	Ministry of Planning and Investment
NCRDPE	National Committee for Rural Development and Poverty Eradication
NPA	Norwegian People's Aid
NRA	National Regulatory Authority (Lao PDR)
NSEDP	National Socio-Economic Development Plan
NS	Lao PDR National UXO/Mine Action Standards
NTS	Non-technical survey
PIP	Public Investment Programme
SODI	Solidaritatsdienst International e.V.
SOPs	Standard operating procedures
SPF II	Safe Path Forward II

TS	Technical survey
UNDP	United Nations Development Programme
UXO	Unexploded ordnance
UXO Lao	Lao National UXO Programme

1. INTRODUCTION

Prioritisation is an important measure of performance for unexploded ordnance (UXO)/mine action programmes globally, because it determines a programme's value for money.¹ Transparent prioritisation systems make their intentions clear, and establish agreed criteria to decide what tasks must be done first, and what tasks can wait until later. The recent introduction of the policy which promotes UXO clearance only within confirmed hazardous areas (CHAs) is a major step forward in macro-level task prioritisation. More broadly, the current prioritisation policies for UXO clearance in Lao PDR are quite general in nature and without clear intention, which affects the appropriateness of prioritisation procedures and practices.

This report summarises a 22-day study of prioritisation relating to UXO clearance policy, procedures and practices in Lao PDR. It maps the current policy, procedures and practices relating to the prioritisation of UXO clearance tasks, and describes how they are currently understood and implemented at central, provincial, district and village levels. Its intention is to describe the current situation, rather than review or evaluate it. It presents the study's key findings and recommendations for future consideration by the National Regulatory Authority of Lao PDR (NRA). The conclusions and recommendations provide a set of information with the potential to inform the new prioritisation system being developed by the NRA and UN Development Programme (UNDP).

A prioritisation study in Lao PDR is timely for two reasons. Firstly, prioritisation of UXO clearance is becoming increasingly important as the number of CHAs has increased following the adoption of evidence-based UXO survey procedures in early 2015. As of 30 June 2016, a total of 4,653 CHAs covering 24,708 hectares had been recorded in the information management system for mine action (IMSMA) database by five humanitarian UXO operators.² The number of new CHAs is expected to continue to rise as technical survey proceeds nationwide over the next 4-5 years, and all national and international stakeholders working in mine action agree that UXO clearance will be unable to keep pace. Therefore, to deal most effectively with the increasing backlog of clearance tasks, the UXO sector will need to prioritise clearance tasks by type and location, and ensure that individual tasks are scheduled in order of priority in the annual work plans of each UXO operator.

Secondly, the NRA and UNDP are designing a new prioritisation system for UXO clearance tasks. The description and conclusions of this study aim to inform the design of the new system, by providing visibility to the current prioritisation environment, including its strengths and weaknesses. It is highly likely that gaps in the current system will transfer to the new system, unless they are identified, discussed and solutions are agreed.

¹ GICHD, Priority Setting in Mine Action. Policy Brief No. 1, November 2011, p.1.

² IMSMA data provided by the NRA's Information Management Unit on 10 August 2016. Additional IMSMA data indicated that 75 CHAs (less than 1.6% of all established CHAs) had been cleared by mid-2016. Sterling TA advise that the real number is likely to be lower, due to a misunderstanding among operators about the meaning of 'closed' CHA. Some operators recorded CHA 'closure' after completing TS, while others correctly recorded 'closure' only after UXO clearance. The NRA and Sterling are working to resolve this data error.

The study was commissioned by the Geneva International Centre for Humanitarian Demining (GICHD) as part of the Department for International Development (DFID)-funded Mine Action Capacity Development Project implemented by Norwegian People's Aid (NPA) and the GICHD. The bulk of the study was conducted from July to September 2016.

2. KEY TERMS

The GICHD describes **prioritisation** as a system of processes and decisions, which requires both technical and political input.³ This report addresses two levels of prioritisation:

- **Macro-level ('big P') prioritisation;** the allocation of:
 - general areas to be cleared, e.g. provinces, districts, sub-districts, CHA;
 - financial resources; and
 - clearance organisations.
- **Micro-level ('small P') prioritisation:**
 - the categorisation of tasks by type and location into high, medium, low priorities; and
 - the inclusion of individual tasks in order of priority into multi-year, annual, and monthly work plans.

The report defines policies as the relevant international conventions and national-level strategies, plans and standards. It defines procedures as the theory set out in the standard operating procedures (SOPs) of each unexploded ordnance (UXO) operator, and practices as the reality of actual implementation at provincial, district, village and household levels. In general, policies (and political input) play a strong role at the macro level of prioritisation, whereas the more technically-focused procedures and pragmatic practices have stronger influence at the micro level.

3. METHOD

The study was conducted over 22 days by a GICHD consultant and a technician from the Clearance Unit of the National Regulatory Authority (NRA). It comprised three stages. Stage one consisted of information gathering at central level. Explanations of the policy environment, as well as key policy and procedural documents on socio-economic development, rural development, and the unexploded ordnance (UXO) sector were obtained for analysis from relevant Lao government agencies and humanitarian UXO operators. Government agencies included the NRA, Ministry of Planning and Investment (MPI), and the National Committee for Rural Development and Poverty Eradication (NCRDPE).

³ GICHD, Priority-Setting in Mine Action. Introduction and Basic Concepts, Policy Brief No. 1, November 2011, p.1.

Stage two involved provincial field visits. The study team visited Xieng Khouang and Savannakhet provinces, to gather information on UXO prioritisation procedures and practice at provincial and/or district, village and household levels. These two provinces are the most contaminated northern and southern provinces in Lao PDR. At least two humanitarian UXO operators work in each province, which maximised the team's opportunity to gather a diversity of provincial-level data within a short time. The study team met with provincial and district officials from the Governor's Office, Rural Development and Poverty Eradication office, and the Planning and Investment office. The districts and villages visited were selected based on feasibility of wet season travel. All but one village had experienced some level of UXO clearance in the previous 18 months (January 2015-June 2016). Villages were noted as being inside or outside the government's focal development areas (FDAs). In Xieng Khouang, the study team visited four villages in Khoun district with Mines Advisory Group (MAG) staff, and two villages in Kham district with UXO Lao staff. In Savannakhet, the team visited two villages in Xepon district with The HALO Trust staff and two villages in Phin district with UXO Lao staff. The team met with village authorities and land owners to gain a sense of their involvement in the prioritisation of UXO clearance; interviewees were primarily male but did include one female village committee member and female land owners.

Stage three involved analysing the information collected and writing the report. Additional data and/or clarifications were requested from the NRA and UXO Lao. The finalised report will be translated into Lao. A list of individuals and agencies consulted by the study team is in Annex 2.

4. LIMITATIONS

The study faced limitations due to 1) its short duration; 2) the small percentage of unexploded ordnance (UXO) clearance tasks able to be examined; 3) the length of time required to obtain relevant data from various government agencies; 4) the preference of national and international stakeholders to talk about future plans rather than current systems and previous implementation; and 5) the UXO sector's transition to new government arrangements.⁴

Due to time constraints, the study team was able to spend only limited time with provincial and district authorities, even though the team was often told that the bulk of micro-level prioritisation decisions are made by officials at this level. In addition, the study was able to examine in detail only a small percentage of UXO clearance tasks: 11 out of 1,965 sites cleared since January 2015 (0.6%), in 10 out of 656 villages (1.5%), 4 out of 52

⁴ The NRA and UXO Lao were officially transferred from the National Committee for Rural Development and Poverty Eradication to the Ministry of Labour and Social Welfare (MLSW) on 11 November 2016, after several months of speculation. The study team was shown a Party Announcement (*cheng-kane*) and a Prime Minister's Agreement (*kho toklong*) declaring the transfer of the NRA to MLSW. No mention was made of UXO Lao in either document. See Party Announcement, No. 232/CCO, Guidance from the Central Committee on the Improvement and Re-arrangement of Government Work, dated 18 July 2016; and PM Agreement, No. 57/PM on the Continuation of the Re-arrangement of some Government Work, dated 22 July 2016.

districts (8%), and 2 out of 10 provinces (20%). This sample size effectively precludes quantitative statistical analysis, as such the description of prioritisation practices is based on qualitative analysis of information available.

Only a modest amount of Lao and English language documentation was obtained which demonstrated official policies and procedural system(s). The process of data handling/information management (request, provision and receipt of data) was a potentially confusing exercise in several organisations. On more than one occasion, the study team ceased pursuing data or policy documentation that had been unsuccessfully requested multiple times. The widespread preference to talk about future plans rather than previous achievements perhaps reflected an awkward relationship with data, and the fact that its use as an evidence-base for policy and/or work plans has not yet been comprehensively embraced.

Finally, the study was conducted during a period of institutional change within the Government of Lao PDR (GOL). The UXO sector was in the process of transferring from the National Committee for Rural Development and Poverty Eradication to the Ministry of Labour and Social Welfare (MLSW). National Regulatory Authority (NRA) management advised that day-to-day work at central level already reflected the new arrangements, but that a formal handover of responsibilities had not yet taken place. The transition at provincial and district levels was less clear. NRA management advised that some provinces had already transferred to MLSW, however, no transition was apparent in the provinces and districts visited by the study team. The transitional period has contributed to an organisation chart for the UXO sector which may be soon out of date even after the official transfer from one ministry to the other. According to one NRA deputy director, there are plans to revise the Prime Minister's Decree on the organisation and membership of the NRA Board in the near future.⁵

5. POLICY RELATING TO PRIORITISATION OF UXO CLEARANCE

The most complete treatment of unexploded ordnance (UXO) policy is found in the National Strategic Plan for the UXO Sector in Lao PDR 2011-2020 (also known as Safe Path Forward II), and the Lao PDR UXO Plan for 2016-2020 (available only in Lao language, and referred to in English as the multi-year work plan). Neither document outlines a clear, specific policy on priorities for UXO clearance. Therefore, the study examined various official documents that combine to create the policy environment in which UXO prioritisation procedures and practices are developed and implemented. Generally, documents focus on the micro level of prioritisation and do not engage with the macro-level prioritisation of allocation of areas (provinces or districts) for clearance, clearance organisations or finance.

5.1 UXO clearance priorities

⁵ Interview with Mr Bounphamith Somvichit, NRA Deputy Director, 22 November 2016.

Article 4 of the **Convention on Cluster Munitions**, to which Lao PDR is a States Party, requires signatories to “**assess and prioritise needs for ... clearance**”.⁶ It allows each nation to determine the details of how needs should be assessed and prioritised. Many of Lao PDR’s key UXO-related documents mention GOL development priorities and/or priority land, as described below.

The national strategy for the UXO sector is outlined in the National Strategic Plan for the UXO Sector in Lao PDR 2011-2020, or **Safe Path Forward II (SPF II)**. It lists the identification and release (through survey and clearance) of “**priority land based on clear criteria ... taking into account existing Village, District, Provincial and National Development Plans**” as one of its major actions.⁷ It does not, however, outline criteria or offer advice on how such criteria are to be established. **Millennium Development Goal 9 (MDG9)** indicator 9A, aimed for the “complete clearance of UXO from **priority/high value agricultural land**” by 2020,⁸ whereas its successor, **Sustainable Development Goal 18** aims, in target 18.2, for clearance of all known UXO contamination in “**high priority areas and all villages defined as ‘poor’**”, by 2030.⁹

The wording in the **Lao PDR National UXO/Mine Action Standards (NS)** resembles that of the above-mentioned documents. The NS states: “Except for commercial UXO clearance, all UXO clearance operations are to be planned and conducted to meet the **current priorities** of the GOL... Note: All land identified for clearance should either be **high priority/high value** in accordance with Lao PDR’s Millenium Development Goal 9; priority in accordance with the current UXO Sector Strategic Plan [i.e. SPF II] or **some other priority** as specified by the NRA.”¹⁰ The NS chapter on survey uses similar wording.¹¹

The **Lao PDR UXO Survey Procedures**, approved by the Minister responsible for the UXO sector, in January 2015, require that area clearance “generally” takes place within CHAs, which almost succeeds in making the exclusive clearance of CHAs official policy. However, the procedures also state: “it is permissible to proceed direct to area clearance based on specific CM [cluster munitions] evidence from TS provided: **a) the land has the priority status** to warrant clearance at that time ...”¹² The problem with the frequent

⁶ Convention on Cluster Munitions, Article 4.2.a), p.12 (Lao) and p.40 (English).

⁷ NRA, Safe Path Forward II (2011-2020), p.7 (p.5? check please).(I am using a printed hard copy, where the quoted text appears on p.7. The online version may well be different – if so, use those page numbers and reference to the online document.). The reference to p.7 is fine. I don’t have access to printed hard copies so can only flag up queries based on what I can find.

⁸ UNDP/GOL, Millennium Development Goal 9: Reduce the Impact of UXO, indicator 9A, 2011.

⁹ UNDP/GOL, Sustainable Development Goal 18: Remove the UXO Obstacle to National Development, target 18.2, 2016.

¹⁰ NRA, Lao PDR National UXO/Mine Action Standards (NS), Chapter 7: UXO Clearance, paragraph 7.1, General requirements, 15 October 2012, p.7-7 (check please).(This is one page number, not two, because the pages progress in sequence: 7-1, 7-2, 7-3,etc.) OK!

¹¹ NRA, Lao PDR National UXO/Mine Action Standards (NS), Chapter 6: Survey, paragraph 8.1, The application of survey and land release, 15 October 2012, pp.6-8.

¹² NRA, Lao PDR UXO Survey Procedures, 15 January 2015, paragraph 13. Area clearance, p.19.

mention of national priorities, development priorities, priority status or priority land listed above is the lack of an accompanying definition of what is actually meant by “priority”¹³.

The **Lao PDR UXO Plan for 2016-2020** (the multi-year work plan), approved in March 2016, provides perhaps the clearest definition of UXO clearance priorities (even though it was not mentioned to the study team as a key policy document). It states that UXO survey and clearance should be conducted for the “**GOL’s focal development areas (FDAs), for GOL development project sites and for agricultural land ...**”.¹⁴ The order in which the land types are mentioned is significant, based on the well-established GOL practice of listing items (officials, countries, policies) in order of importance. Therefore, it could be assumed that the clearance of FDAs has higher priority than the clearance of development project sites, and that clearance of development project sites has higher priority than agricultural land. The multi-year work plan gives no guidance, however, about how the multiple tasks that exist within each of these three land types should be prioritised.

5.2 Broader GOL priorities

GOL management staff routinely stated that UXO clearance priorities are aligned with the GOL’s broader development plans. SPF II and the multi-year work plan also state they are aligned with the five-year **National Socio-Economic Development Plans (NSEDP)** (e.g. NSEDP7 and NSEDP8), but do not outline the mechanisms that would enable the transfer of theoretical alignment into actual practice. NSEDP7 (2011-2015) mentions the UXO sector only in passing, and includes the general targets and indicators required to achieve MDG9 in the appendices.¹⁵ The UXO sector is not mentioned in the text of the draft NSEDP8 (2016-2020), and no targets for UXO clearance are known to have been outlined.¹⁶

Several GOL managers informed the study team that UXO sector priorities are influenced by the **Public Investment Programme (PIP)**, which also contributes to the NSEDP. The study team was unsuccessful in its attempts to view the PIP despite multiple approaches to the Ministry of Planning and Investment.¹⁷ The PIP is said to contain details of all the GOL’s public investment plans, including the construction of schools, health clinics, roads and other infrastructure using domestic, ODA and grant funds. The study team understands that the information is organised by sector and also by province. Ministry staff shared an excerpt showing planned GOL investment for UXO-specific activities only (construction of provincial dormitories for UXO Lao staff, and funding for the Lao People’s

¹³ Also identified previously in GICHD, *Strategic Planning in Mine Action Programmes*, Lao PDR, 2014, p.7.

¹⁴ NRA, ຄຳສັ່ງການແກ້ໄຂບັນຫາລະເບີດບໍ່ທັນແຕກທີ່ຕົກຄ້າງຢູ່ ສປປ ລາວ ສຳລັບປີ 2016-2020 (Lao PDR UXO Plan 2016-2020), No. 110/NRA, 1 March 2016, p.12 and p.18.

¹⁵ MPI, NSEDP7, 2011, p. 120 and p.221.

¹⁶ NRA, MPI and UNDP did not have a final version of the NSEDP8 approved by the National Assembly at the time this study was conducted. MPI was able to provide a Lao language draft NSEDP8 (Final to National Assembly) dated April 2016. A final version (English translation) is now available online at: http://www.la.one.un.org/images/publications/8th_NSEDP_2016-2020.pdf

¹⁷ The Ministry of Planning and Investment (MPI) advised that the PIP is not sent to other agencies due to its size, but it could be consulted at MPI. Despite making multiple follow-up requests to arrange a time, the study team was unsuccessful in its attempts to view the PIP.

Army clearance teams). This excerpt gave no visibility of GOL investment in other sectors that may require UXO clearance (e.g. health, education, public works). The Ministry’s response indicated that staff did not perceive the UXO sector as serving, or having the potential to serve, other sectors of the PIP, but rather as a separate sector concerned with its own work and its own priorities. As such, it was not possible for the study team to overlay FDAs with specific development projects listed in the PIP.

The contents of the **National Poverty Eradication Plan** for 2006-2010, and the **National Rural Development and Poverty Eradication Plans** for 2011-2015 and 2016-2020 were also cited as key documents contributing to the NSEDPs and influencing UXO sector priorities. As with the NSEDPs, these documents do not explicitly mention UXO clearance. The National Poverty Eradication Plan of 2006 nominated 47 priority poor districts and 72 poor districts for the GOL and international donors to focus their development assistance on. Although most priority districts in the National Poverty Eradication Plan had high UXO contamination, no overt policy linkage was made between that plan and the first Safe Path Forward, the key policy document for the UXO sector at the time.¹⁸

The development focus of the National Rural Development and Poverty Eradication Plan of 2011 moved beyond its predecessor to identify sub-district FDAs (*jout soum*) to be prioritised for GOL and donor assistance. It identified 231 FDAs nationwide: 10 sites managed by central-level authorities, 54 sites managed by local (provincial-level) authorities, and 167 stabilised settlement sites. Construction of small-scale infrastructure (e.g. schools, health clinics, roads, markets, etc.) was envisaged for many of the FDAs, often with grant funding from the **Poverty Reduction Fund**. The newly released National Rural Development and Poverty Eradication Plan of 2016 lists significantly more FDAs approved by the prime minister in August 2016, despite the GOL experiencing financial problems since 2013.¹⁹ See table below.

Table 1: FDAs by type in Rural Development and Poverty Eradication Plans, 2011-2015 and 2016-2020

	2011-2015	2016-2020
Total FDAs	231	449
FDA managed by central level	10	20
FDA managed by local level	54	71
Stabilised settlement sites	167	145
Incl. central level managed	-	4
Incl. local level managed	-	141
Large village -> small district sites	-	213

Both the National Regulatory Authority (NRA) and the National Committee for Rural Development and Poverty Eradication (NCRDPE) have stated repeatedly that GOL policy is for UXO survey and clearance to focus on the FDAs listed in the National Rural Development

¹⁸ NRA, Safe Path Forward II (2011-2020), p.3.

¹⁹ Central Committee for Rural Development and Poverty Eradication, Five-Year Plan for Rural Development and Poverty Eradication (2016-2020), March 2016 (in Lao language).

and Poverty Eradication Plan, as stated in the multi-year work plan. However, the study team observed no direct coordination mechanisms between the NRA and the NCRDPE, or the Poverty Reduction Fund, which might assist prioritisation and work planning of UXO clearance in FDAs. The NRA's Information Management Unit informed the study team that it had mapped the list of all FDAs nationwide, but had not been requested to produce any reports on progress of UXO survey or clearance in FDAs. This situation suggests that the progress of the FDA policy is not being planned or measured based on evidence of actual implementation contained in the information management system for mine action (IMSMA) database. Additionally, it suggests that the higher levels within the GOL have not requested evidence-based reporting of progress on the FDA policy.

5.3 Allocation of areas, clearance organisations and finances

At the macro level, areas (provinces) for UXO survey and clearance appear to have been allocated based on the **Living with UXO: National UXO Socio-Economic Impact Survey** of 1996-1997, which ranked Lao PDR's 18 provinces in terms of UXO impact. Ten provinces were found to be severely impacted by UXO and an additional five provinces to be significantly impacted.²⁰ Nearly all UXO clearance since 1996 has been conducted in nine of the ten most UXO-impacted provinces listed in the impact survey. Xaysomboun province, ranked as Lao PDR's seventh most impacted province, was not allocated to UXO operators presumably due to security concerns. The NRA reports that the Lao People's Army began UXO clearance work in Xaysomboun and Vientiane provinces in 2015-2016, and has plans to expand into Bolikhamxay province, the 13th most impacted province. The GOL appears to lack a policy concerning the allocation of UXO operators to the remaining contaminated provinces of Luang Namtha and Phongsaly, and Vientiane Capital. The fact that no one mentioned the influence of the impact survey document to the study team suggests it may have assumed the status of common knowledge, and as such is no longer considered to be a policy-related document that requires acknowledgement.

The decision-making process to allocate specific provinces and districts to specific UXO operators is unclear. At present, four international non-governmental organisations (INGOs) are accredited as UXO survey and clearance operators: The HALO Trust, Handicap International, Mines Advisory Group (MAG) and Norwegian People's Aid (NPA), in addition to the national operator, UXO Lao. UXO Lao has worked in nine of the ten most-impacted provinces since the late 1990s. INGO operators have worked in the same nine provinces as UXO Lao, with the exception of SODI/Apopo, which worked in Bolikhamxay from 2009-2014. Provinces with more than one UXO operator have sometimes allocated districts or areas within districts to specific operators. For example, the Xieng Khouang provincial governor allocated four districts to UXO Lao and four districts to MAG in an Agreement (*kho toklong*)

²⁰ Handicap International/UXO Lao, 'Living with UXO: A National UXO Socio-Economic Impact Survey, 1996-97', Vientiane, 1997.

in 2010, a division that has worked well and is still in place.²¹ In another example, the north of Boualapha district of Khammouane province is allocated to MAG and the south of the district allocated to UXO Lao. These arrangements appear to be made for administrative ease, rather than for priority-based reasons. Other districts, such as Xepon, Vilabouly and Nong in Savannakhet province, have not been exclusively allocated to or divided by area between the three UXO operators that work there. Instead, the district authorities allocate a list of villages to each UXO operator. However, some stakeholders observe that the number of villages allocated to each operator is not determined by their available financial or human resources, and can therefore result in the inefficient use of those resources.

In general, memoranda of understanding (MOUs) specified the provinces, districts and villages in which INGO operators would work. One INGO shared an MOU with the study team as an example. INGOs reported that they liaised with central, provincial and district-level authorities to obtain the lists of provinces, districts and villages for inclusion in their funding proposals. One INGO reported there was some room for negotiation with local authorities at the project preparation stage, e.g. when villages nominated by local authorities had low UXO contamination. In fact, the Lao PDR National UXO/Mine Action Standards assign UXO operators the responsibility of “encouraging the participation of local communities in **defining clearance needs and priorities** and conveying these to NRA provincial and district offices”.²² This process could potentially take place at the project preparation stage, as well as during work planning. For its part, NRA management told the study team it ensured FDA villages were included in the list of villages for each MOU. This statement was not able to be verified within the timeframe of the prioritisation study.

Funding allocations for UXO clearance have been overwhelmingly from international sources since the mid-1990s. NRA management advised that the GOL’s national budget has had a budget line (level 2) for UXO action since the late 1990s. However, to date the modest funding from the GOL budget is reported to have been allocated to office rental for the NRA and UXO Lao and some ‘provincial construction’.²³ It is only in the past 1-2 years that the GOL budget has reportedly allocated funds for UXO clearance. These funds have been directed to the Lao People’s Army’s humanitarian UXO clearance teams. (The study team was not able to view any GOL budget documents).

6. PRIORITISATION PROCEDURES OF UXO OPERATORS AND LOCAL AUTHORITIES

Macro and micro-level prioritisation were observed to interact at the level of procedures. Each unexploded ordnance (UXO) operator in Lao PDR has developed its own **standard operating procedures** (SOPs), which are required to be in accordance with NS. However, the SOPs of all UXO operators focus predominantly on technical matters, and give

²¹ Agreement (*kho toklong*) No. 371/JK.XS of the Provincial Governor on the Division of Areas for Clearance and Demolition of UXO in Xieng Khouang province, 10 August 2010 and 11 August 2010 [the document lists 2 dates!].

²² NRA, Lao PDR National UXO/Mine Action Standards (NS), Chapter 7: UXO Clearance, 15 October 2012, p. 7-6.

²³ This term is included in GOL reports.

less attention to prioritisation or planning procedures. Also, most operators have not updated their SOPs to reflect the transition to evidence-based survey in 2015, which promotes the exclusive or preferential clearance of CHAs. For example, UXO Lao's **task selection guidelines** in its SOPs (2011 version) do not address task prioritisation.²⁴ The guidelines were tailored to the former system of request-based clearance, and provide advice on the appropriate classification of requests for UXO action: roving, technical survey (TS), clearance or no action. They have been redundant since the transition to evidence-based survey and clearance.

All UXO operators reported conducting annual planning meetings with provincial and district authorities to gauge local priorities for clearance. In all cases, it seems that UXO operators invited GOL line agencies to attend planning meetings. No examples of the reverse were identified, i.e. GOL line agencies inviting National Regulatory Authority (NRA) provincial offices or UXO operators to their planning meetings.

Three levels of UXO sector management and coordination were observed at provincial and district levels: deputy governors, Committee for Rural Development and Poverty Eradication staff (the NRA expects this responsibility will soon transfer to the Labour and Social Welfare line agency), and provincial NRA staff. It was difficult for the study team to discern examples of specific prioritisation input from these three levels of management and coordination. In fact, it seemed that the active participation of provincial and district level authorities was minimal, and often did not extend beyond the consideration and approval of priorities and work plans proposed by UXO operators. There appeared to be little monitoring of UXO clearance by local authorities once work plans were approved (there are, of course, budgetary and staffing limitations), and the reporting of UXO operators is not known to have clearly specified progress within FDAs, development project sites and agricultural land.

Few coordination mechanisms between UXO sector agencies and line agencies were apparent to the study team at provincial or district level. Planning and Investment staff at provincial and district levels reported they had little oversight of UXO clearance prioritisation or work planning. The head of Planning and Investment in Xepon district highlighted that his office had never been involved in prioritisation or planning for the UXO sector.²⁵ The study team was told that Planning and Investment attended UXO sector planning meetings, when invited, but did not routinely invite NRA staff or UXO operators to their own planning meetings. One staff member suggested that Planning and Investment had no mandate to monitor the UXO sector because it was predominantly funded by the international community. In general, Planning and Investment staff showed interest in the possibility of UXO clearance supporting GOL development projects and associated construction, and wanted to know how they could propose tasks for possible UXO clearance and participate in prioritisation decisions.

²⁴ UXO Lao, Standard Operating Procedures, Appendix 2-F, 'Task Selection Guidelines', 1 September 2011.

²⁵ Meeting with Mr Sombath, Head of Planning and Investment Office, Xepon district, 20 September 2016.

Due to the processes described above, the extent to which formal procedures facilitated the inclusion of FDAs or other GOL priorities in the work plans of UXO operators is unclear. One international non-governmental organisation (INGO) stated that it prioritised UXO survey and clearance in FDAs before moving to other villages within their allocation.²⁶ Another INGO stated that it gave top priority to all GOL requests for UXO clearance in FDAs and development project sites, as they were received.²⁷ The study team also observed that villages selected to pilot the GOL's **Three Builds (Sam Sang) directive**, which promotes a new cycle of political and administrative decentralisation, were receiving a high level of political and administrative attention at local level, on a par with villages within FDAs. While there is no direct link between UXO policy and the Three Builds directive (which is managed by a central-level steering committee), it is possible that the high profile of Three Builds villages may increase their priority for UXO clearance.

Some UXO operators also reported using procedural tools to help prioritise clearance tasks at the micro level, before including them in work plans. Some procedures associated with the tools were formally documented in SOPs, whereas other procedures were explained to the study team as being informal and undocumented. Most INGOs shared examples of matrices and assessment forms used at the micro level after technical survey establishing a single confirmed hazardous area (CHA) or technical survey of an entire village. MAG reported using such tools only for FDAs and development project sites (which accounts for approx. 10% of all clearance tasks), while Norwegian People's Aid (NPA) and The HALO Trust stated they used assessment tools after TS for each CHA established to determine its priority for clearance. No information was obtained from Handicap International regarding their procedures.

The HALO Trust addressed task prioritisation in a non-technical survey (**NTS) land assessment form** and a **CHA prioritisation matrix**. The matrix scores each task (CHA) against seven criteria, and assigns each task a priority of low, medium or high once the points for each criterion are calculated. One of the seven criteria is post-clearance land use, for which the matrix lists eight options ranging from community development to no planned land use. Other criteria relate to accidents in the village, number of beneficiaries associated with each task, and their economic status. Its policy is to share UXO clearance among as many villages and households as possible. HALO reported that on average it clears five CHAs per village which does not always equate to all CHAs in a village.

Mines Advisory Group (MAG) explained that its current SOPs stipulate that prioritisation of clearance tasks be based on requests by development projects only. Its **task selection criteria** tool is used by technical survey (community liaison) staff to assess whether or not such requests will be included in MAG work plans. A development project task must pass a 4-question test, before it moves to a second stage where the task is scored against clearance development priorities to "ensure that all ... clearance tasks have a clear humanitarian and development benefit". A set of five criteria are scored, and MAG assigns

²⁶ Meeting with Susanna Smale, Country Manager of The HALO Trust, 20 September 2016.

²⁷ Meeting with Simon Rea, Country Manager of MAG, 26 July 2016.

each task a priority level of low, medium or high (high = 1) once the points are calculated. Tasks on agricultural land used by smallholder farmers do not require a prioritisation form, and are selected in consultations between MAG staff and village authorities; as such this type of task is not included in MAG prioritisation criteria. MAG management reports that the process relating to smallhold agricultural land is informal and undocumented, and is at risk of manipulation by village elites.

NPA's SOPs address prioritisation of clearance at two levels: village level and individual task level.²⁸ The form, **IA [Impact Assessment] Village Report Level 2 Phase 1**, was reported to be filled in by survey team leaders at the conclusion of technical survey. NPA assigns each task a priority level of low, medium or high once the points are calculated. NPA'S SOPs highlight that task prioritisation becomes more complex when there are more than five CHAs within a single village. Therefore, they advise that NTS staff should assist the TS team leader to rank all CHAs within a village in order of priority for clearance. It advises that prioritisation should be assigned to groups of CHAs within a village (grouped by land type, land use, land priority, land ownership, etc. [sic]), rather than to individual CHAs. Criteria for prioritisation of either individual CHAs or groups of CHAs are: the presence of a development plan;²⁹ intended/reported change in land use; [number of] beneficiaries; size [of CHA]; [level of] contamination; risk of accident, etc. [sic]. The use of "etc." suggests NPA staff might consider other criteria in addition to those listed on the form. It should also be noted that while NPA has perhaps the most comprehensive prioritisation criteria, it does the least UXO clearance of any humanitarian operator in Lao PDR.

UXO Lao had no specific tools for micro-level prioritisation of clearance tasks. Quotas appeared to influence UXO Lao's broader prioritisation of tasks at provincial and district levels. The UXO Lao National Office advised that it allocated quotas (targets) to provincial UXO Lao organisations for the number of villages and hectares to be cleared each year. Written guidance was reportedly provided to provinces at the start of the annual planning cycle, and at the mid-year review of work planning, but no actual examples were shared with the study team. UXO Lao staff in Xieng Khouang stated that the national office allocated clearance quotas for each district, but this seems unlikely unless it was based on the advice of the provincial office.

UXO Lao staff stated that many factors were considered when prioritising clearance tasks. However, it was difficult for the study team to ascertain the key factors. Staff repeatedly mentioned that "necessary" tasks were included in the work plan, but they had difficulty explaining what made a task "necessary", or more importantly, "more necessary" than other tasks with apparently similar characteristics. It seems, from discussions with staff in Xieng Khouang and Savannakhet, that UXO Lao places a stronger emphasis on land type (e.g. rice field, garden, construction land), than on social factors (e.g. accident history, economic status of landowners).

²⁸ NPA, Impact Assessment Standard Operating Procedures, 'Prioritising Individual CHA Tasks Within the Village', pp.6-7, and Form: IA [Impact Assessment] Village Report Level 2 Phase 1', Version: February 2016.

²⁹ The form provides no explanation about the level of development plan it refers to.

7. PRIORITISATION PRACTICES AT ALL LEVELS BY ALL STAKEHOLDERS

The results of prioritisation **practices** are recorded as completed tasks in the information management system for mine action (IMSMA) database, those which are recorded as **'closed'** having been prioritised over those which have not. IMSMA data confirms that the majority of individual clearance tasks conducted in 2015 and 2016 in Xieng Khouang and Savannakhet provinces were on agricultural land. The vast majority of tasks occurred outside FDAs, and many villages within FDAs experienced no unexploded ordnance (UXO) clearance at all. Figures on clearance tasks completed inside and outside FDAs are not immediately available, as the NRA's Information Management Unit does not have automated reports on these criteria (whether tasks exist within FDAs or not). As mentioned above, the absence of such reports suggests that National Regulatory Authority (NRA) management and higher levels of the GOL are not monitoring the progress of UXO clearance in FDAs.

The village committee members and land owners interviewed by the study team indicated that they did not know why UXO operators had come to their village rather than other villages in their district. They assumed it must have been because their village was "in the plan". They indicated they had minimal input into prioritisation decisions concerning UXO clearance, and the subsequent work planning. When questioned, many land owners responded that their land had been cleared because they had reported UXO contamination on their land – either to the village chief or to staff of the UXO operator. In Savannakhet province, the need for courage to report UXO emerged as an important factor for people who were not from the dominant Lao ethnic group. Most land owners stated they were not required to fill out a request form, but could make a verbal report of UXO/request for clearance to the village chief or staff of the UXO operator.³⁰

No one interviewed at village level was able to offer an explanation of how prioritisation of multiple tasks within a village was conducted. The most common suggestion was that land that was "necessary" to be cleared was cleared first. This is a circular argument, because essentially what is "necessary" is the "priority" and what is the "priority" is "necessary". However, it indicated that UXO operators had not conducted participatory village-based processes to determine which land (or whose land) should be prioritised for clearance. The NRA representative for Savannakhet observed at the recent UXO Sector Forum that poorest households did not appear to be prioritised for clearance in his province. He stated that the land of "those with status" is often cleared first. "This is the truth", he emphasised.³¹

³⁰ UXO clearance requests are a product of the former methodology of request-based clearance. However, the gradual adoption of NTS (in several instances not until the second half of 2016) means that some operators have used existing or new requests to clear land with reported UXO contamination as TS tasks and follow-on UXO clearance tasks.

³¹ Comments from Mr Phoukhao, NRA representative for Savannakhet to the UXO Sector Forum, Vientiane, 8 November 2016.

UXO operators considered a number of pragmatic issues in addition to the technical issues of their standard operating procedures when implementing UXO clearance. UXO Lao management stated that while the FDA prioritisation policy provided a guide for UXO operators, it was not strictly followed, because other (pragmatic) issues also had to be taken into account when planning clearance work. UXO Lao said it included clearance of FDAs in its work plans from 2014, but observed that development projects were not implemented in many FDA sites. It stated it was reluctant to prioritise clearance of land that was not used.³² It also considered the level of UXO contamination, and the likelihood that the land would be used in the near future.

In the case of agricultural land in Lao PDR, it is nearly always already being used before clearance. UXO operators reported that land owners did not want UXO clearance teams to conduct clearance in the months between planting and harvest when the land was in use. Therefore, during the main agricultural season (from approx. May – October) UXO operators tended to clear construction land and grazing land. Construction land was usually categorised as high priority by the internal task assessment tools used by UXO operators, but very little construction land was requested for clearance. On the other hand, grazing land was usually assessed as being of lower priority, but there was more of it. Field staff advised the study team informally that additional, unofficial considerations also influenced the inclusion (or non-inclusion) of tasks in work plans, e.g. distance from main roads, markets and other conveniences for the clearance staff.

8. KEY FINDINGS

- 8.1 Policies (and political input) play a strong role at the macro level of prioritisation, whereas the more technically-focused procedures and pragmatic practices have stronger influence at the micro level.
- 8.2 Prioritisation of unexploded ordnance (UXO) clearance has received more technical attention and less political attention from national leaders and managers, as well as international donors and technical advisors.
- 8.3 The recent introduction of the policy to promote UXO clearance in CHAs is a major step forward in the macro-level prioritisation of UXO clearance tasks.
- 8.4 Policy and procedures for UXO clearance in Lao PDR require additional attention from political decision makers, in order to achieve a balance between macro-level policy priorities and micro-level technical prioritisation and pragmatic decisions.
- 8.5 Prioritisation policy lacks definitions. Current GOL policy documents do not provide clear definitions of what is meant by “national priorities”, “priority status” or

³² Interview with Thiphasone Soukhathamavong, National Director of UXO Lao, 22 July 2016.

“priority land”, and do not establish criteria to determine priorities (or targets to measure progress towards criteria).

- 8.6 The low profile of the Lao PDR UXO Plan for 2016-2020 (the multi-year work plan) suggests it has not yet been widely circulated or adopted as a tool of GOL policy since its approval in March 2016.
- 8.7 Macro-level prioritisation has occurred by allocating responsibility for clearance of specific provinces to specific UXO operators (e.g. UXO Lao, INGOs and the Lao People’s Army). Generally, the allocated provinces appear to have followed the rankings in the 1996-1997 UXO impact survey, which listed Lao provinces in order of UXO contamination.
- 8.8 The difficulty and lack of success in obtaining a copy of the Public Investment Programme (PIP) suggest it is unrealistic to assume UXO clearance priorities and work plans are currently (or in future, could be) structured to serve development projects contained in the PIP. Nor is it known whether the information in the PIP is specific enough to be a useful tool for the prioritisation of UXO clearance tasks. Moreover, provincial, district and village development plans (where they exist) often give limited information about the scope, guarantee of funding and timing of development projects.
- 8.9 Several GOL staff (both inside and outside the UXO sector) were observed to perceive the UXO sector as a separate sector with its own work and its own priorities. They did not instinctively think of the UXO sector as serving the development needs of other sectors (despite 20 years of UXO action in Lao PDR).
- 8.10 NRA’s Information Management Unit has mapped the GOL’s FDAs (2011-2015), and produced a list of those FDAs likely to have UXO contamination.
- 8.11 No National Regulatory Authority (NRA) systems were observed to be in place to plan, monitor or report on progress of UXO clearance in FDAs, which NRA management states is GOL policy. The NRA does not have a list of contaminated FDAs assigned to each operator. Moreover, the Information Management Unit stated it has no automated reports on the number of CHAs (and hectares) that have been identified or cleared within FDAs to date. The absence of specific planning, monitoring and reporting on this stated GOL policy means that NRA is not in a position to report on the progress of this policy to the higher levels of government.
- 8.12 Micro-level prioritisation decisions among the various UXO operators are not fully transparent. Outputs are clear (because completed clearance tasks are listed in the

information management system for mine action) but the reasons why those tasks were selected and why other, seemingly similar tasks, had to wait for clearance are not clear. Prioritisation decisions ranged from partially documented to undocumented. UXO Lao's systems were the least documented (i.e. the least transparent) of all operators (note: Lao People's Army was not interviewed). Some operators used matrices or forms to document their assessment of the priority of each task, and in the case of Norwegian People's Aid, each village. Each operator also used undocumented methods to negotiate and agree on micro-level prioritisation, e.g. district and village-level meetings and discussions, and discussions among operator staff.

- 8.13 Each UXO operator had its own system and criteria for micro-level prioritisation of individual clearance tasks. Individual task prioritisation sometimes also determined the order in which villages would be targeted for clearance operations. Criteria covered land type, land use type, social criteria regarding accidents, economic status of land owners and number of beneficiaries. Some operators gave heavier weighting (more points) to land issues, while other operators used a weighting balanced between land issues and social issues.
- 8.14 Minimal participation at village committee or household level was observed in the micro-level prioritisation process. Village committee members and land owners reported that clearance was conducted in their village because it was "in the plan", and on specific sites within their village because those land owners were the first to report UXO contamination or request clearance. No participatory village-level prioritisation processes were apparent. This was consistent across UXO Lao and mine action international non-governmental organisation operator villages.
- 8.15 Micro-level prioritisation is likely to be affected by the weak data handling/information management practices observed in several agencies. This included responding to requests for data, checking and analysing received data, and monitoring of data exchange practices by managers. Linked to this point, few GOL agencies were able to validate their discussions about prioritisation with actual examples of documented policy, procedures or practices.

9. RECOMMENDATIONS

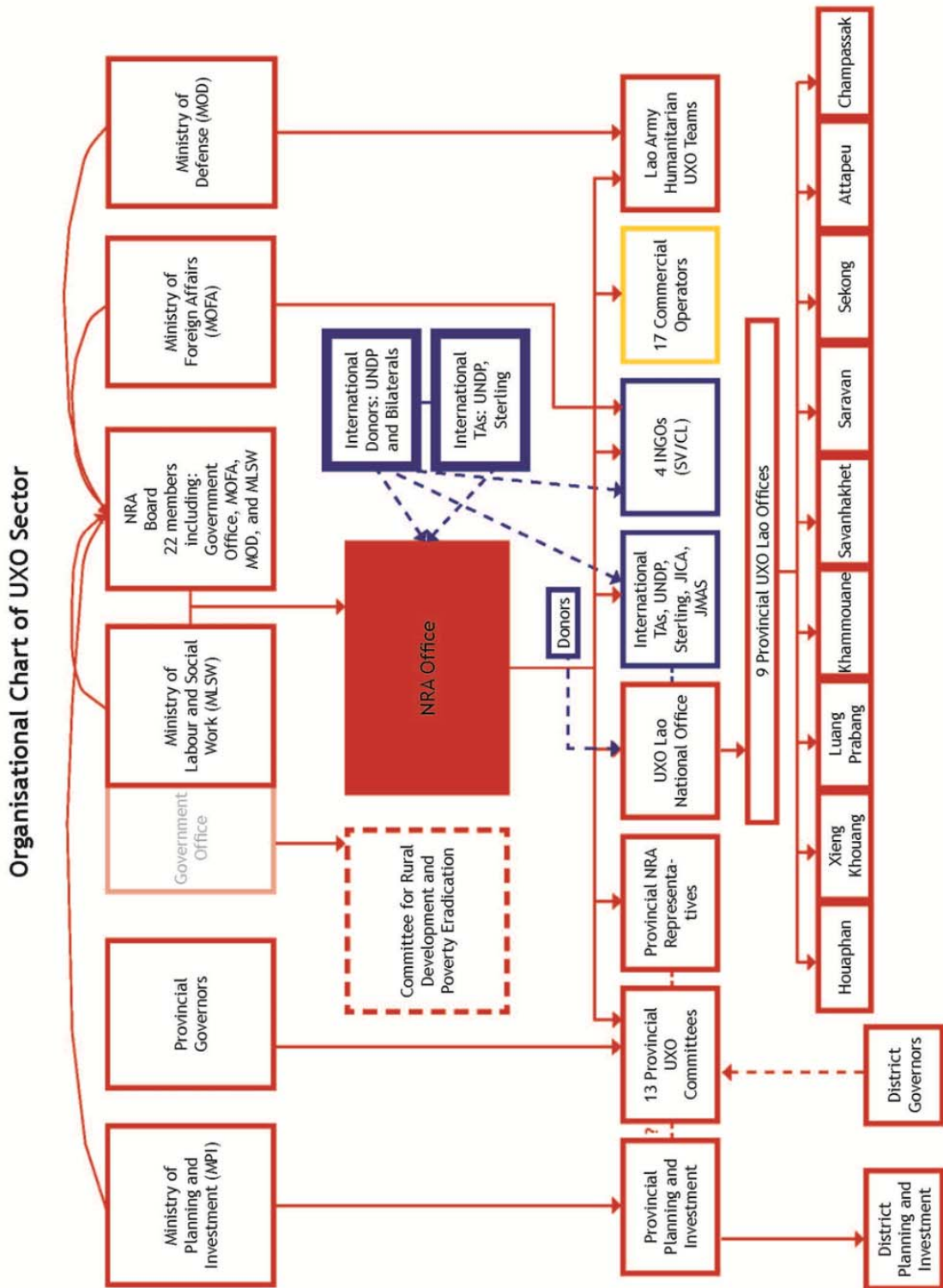
- 9.1 The National Regulatory Authority (NRA) Office should, in consultation with political decision makers, line agencies and international partners:
- develop a policy for the prioritisation of unexploded ordnance (UXO) clearance, which includes clear definitions of priorities relevant to the UXO sector;

- establish an accompanying set of criteria to determine (and explain) those priorities; and
 - determine a set of indicators to measure progress/achievements towards the criteria against an established baseline.
- 9.2 An UXO prioritisation policy should outline a practical mechanism which can translate the GOL's development priorities (or other official priorities) from official strategies and plans (e.g. the National Socio-Economic Development Plan) into specific tasks in each UXO operator's work plan.
- 9.3 The NRA Office should draft and disseminate a supporting guideline to line ministries on how to propose their priority sites for UXO survey, and possibly clearance.
- 9.4 The GOL should periodically re-assess its macro-level priorities in terms of allocation of areas (provinces) requiring UXO clearance, the allocation of UXO operators to those areas, and the allocation of funding for UXO clearance from domestic and international sources.
- 9.5 The NRA should make best efforts to obtain a copy of the Public Investment Programme (PIP) document, and encourage provincial NRA staff and provincial-level UXO operators to also obtain provincial and district-level plans based on the PIP, to inform their prioritisation decisions and work planning.
- 9.6 The NRA should actively promote improved understanding within GOL line agencies, and Planning and Investment in particular, of the services the UXO sector can provide to support the development work of the GOL. Information should include concrete advice about how line agencies can propose tasks for possible UXO clearance and participate in prioritisation decisions.
- 9.7 The NRA and UXO operators should develop procedures in consultation to ensure that the needs and opinions of individual land owners, and village communities, are included in the micro-level prioritisation decisions for UXO clearance within a village. This recommendation reflects the Lao PDR National UXO/Mine Action Standards provision of "encouraging the participation of local communities in defining clearance needs and priorities and conveying these to NRA provincial and district offices".
- 9.8 The NRA and UXO Lao should make significant and consistent efforts to improve information management at all levels: data collection, entry, analysis, dissemination, reporting and the active use of data as evidence by UXO sector managers. While the NRA's Information Management Unit is responsible for the storage and retrieval of

UXO data, there is huge scope for management staff to increase their practice of data analysis.

- 9.9 The NRA should introduce systems that utilise the information management system for mine action (IMSMA) data to plan, monitor and report on progress of UXO clearance in line with the priorities of GOL policy.

ANNEX 1: ORGANISATION CHART OF UXO SECTOR IN LAO PDR (as at 6 December 2016)



ANNEX 2: TABLE OF PERSONS AND AGENCIES CONSULTED

Name	Position	Contact details
In Vientiane		
Mr Phoukhieo Chantasomboun	Director General, NRA	+856-20-95445244
Mr Bounphamith Somvichith	Deputy Director – Operations, NRA	+856-20-99991124
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Mr Khamphou	Division of Rural Development and Poverty Eradication, Dept of Planning, Ministry of Planning and Investment	+856-20-55224455
Mr Chit Thavixay	Director General, Dept of Planning and International Cooperation, Rural Development and Poverty Eradication	+856-20-56898800
Mr Chanhmy Phommalath	Director, Division of Planning and Statistics, Rural Development and Poverty Eradication	+856-20-55044469
Mr Thiphasone Soukhathamavong	National Programme Director, UXO Lao	+856-20-22575123
Mr Saomany	Chief of Programme Unit, UXO Lao	+856-20-22222030
Mr Ky Boutsada	Chief of Operations Unit, UXO Lao	
Mr Kongkeo Saengoudomxay	Deputy Chief of Operations Unit, UXO Lao	+856-20-23632323
Mr Allan Poston	CTA of UXO Sector, UNDP	+856-20-55505615
Mr Olivier Bauduin	Program Manager, Sterling International Group	+856-20-55213173
Mr Nigel Orr	Technical Advisor, Sterling International Group	+856-20-22461840
Mr Hayashi	Technical Advisor to UXO Lao, JICA	+856-20-55210821
Ms Susanna Smale	Country Director, The HALO Trust	+856-20-96129542
Mr Jonas Zachrisson	Country Director, Norwegian People's Aid (NPA)	+856-20-22232312
Mr Suhaib Abusheikha	Information Management Advisor, Norwegian People's Aid (NPA)	+856-20-22212843
Mr Simon Rea	Country Director, Mines Advisory Group (MAG)	+856-20-59222420
Ms Kim Warren	Head of Mission, Handicap International (HI)	+856-20-91918092

In Xieng Khouang province		
Mr Chanthy	Head of NRA Office, Xieng Khouang	
Mr Khanthidao	NRA Office, Xieng Khouang	+856-20-54633336
Mr Ah You Tia	Head of Rural Development and Poverty Eradication, Xieng Khouang	
Mr Vanxay	Head of Planning and Investment, Xieng Khouang	+856-20-22340257
Mr Kingphet Phimmavong	Provincial Coordinator, UXO Lao – Xieng Khouang	+856-20-22533667 +856-20-55128881
Mr Vanhxay	Deputy Provincial Coordinator, UXO Lao – Xieng Khouang	
Mr Khamla Simmavong	Head of NTS, UXO Lao – Xieng Khouang	+856-20-22522069
Mr Neil Arnold	Technical Operations Manager, Mines Advisory Group (MAG)	+856-20-55529124
Mr Nakhonsy	Community Liaison Manager, Mines Advisory Group (MAG)	+856-20-55531898
Mr Cha Ha	Community Liaison Officer, Mines Advisory Group (MAG)	
Mr Khonekham	Village committee member, Na Yong village, Kham district	
Mr Khamleuane	Deputy village head, Long Phieu village, Kham district	+856-20-56726948
Ms May	Land owner, Bouamlong (Long Phieu) village, Kham district	
Ms Thoum	Village committee member, Xang village, Khoun district	
Mr Xiengmone	Land owner, Xang village, Khoun district	
In Savannakhet province		
Mr Phoukhao	Head of NRA Office, Savannakhet	
Mr Kiane	NRA Office, Savannakhet	
Mr Khamla	Deputy District Governor, Xepon district	
Mr Ketsavanh	Head of Rural Development and Poverty Eradication, Xepon district	
Mr Sombath	Head of Planning and Investment, Xepon district	
Mr Soubinh	Provincial Coordinator, UXO Lao – Savannakhet	
Mr Saly	Deputy Provincial Coordinator, UXO Lao – Savannakhet	
Mr Phantha	Operations Supervisor, The HALO Trust, Xepon district	
Mr Lakhonekham	MRE Officer, The HALO Trust, Xepon district	
Mr Oy	Village head, Lad Ho village, Xepon district	+856-20-97749266
Mr Ko-nay	Village committee member, Nalouang village, Xepon district	

Mr One	Land owner, Nalouang village, Xepon district	
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ANNEX 3: POLICY DOCUMENTS THAT MENTION UXO PRIORITISATION

	Date	Document title	Reference	Content
SPECIFIC UXO DOCUMENTS				
1	2003	National Strategic Plan for the UXO Sector in Lao PDR 2003-2013, also known as Safe Path Forward (SPF)		SPF listed three levels of priority (high, medium and low), and 11 types of land requiring clearance. It aimed for all agricultural land categorised as high priority and a portion of “other land” categorised as medium priority to be cleared ... although no time frame was given. SPF also observed a “need to further define and prioritise contaminated areas” .
2	2009	Convention on Cluster Munitions (CCM)	CCM, Article 4.2.a), p.12 (Lao) and p.40 (English).	States Parties are required to “assess and prioritise needs for ... clearance” .
3	2011	Millennium Development Goal 9 (MDG9)	GOL/UNDP, MDG9: Reduce the Impact of UXO, indicator 9A, 2011.	(MDG9) indicator 9A aimed for the “complete clearance of UXO from priority/high value agricultural land ” by 2020.
4	2012	National Strategic Plan for the UXO Sector in Lao PDR 2011-2020, also known as Safe Path Forward II (SPF II)	NRA, Safe Path Forward II (2011-2020), p.7.	The identification and release [through survey and clearance] of “priority land based on clear criteria ... taking into account existing Village, District, Provincial and National Development Plans” is a major action.
5	2012	Lao PDR National UXO/Mine Action Standards (NS)	NRA, Lao PDR National UXO/Mine Action Standards (NS), Chapter 7: UXO Clearance, paragraph 7.1, General requirements, 15 October 2012, p.7-7.	“Except for commercial UXO clearance, all UXO clearance operations are to be planned and conducted to meet the current priorities of the Government of Lao PDR (GOL). Note: All land identified for clearance should be either high priority/high value in accordance with Lao PDR’s MDG9; priority in accordance with the current UXO Sector Strategic Plan [i.e. SPF II]; or some other priority as specified by the NRA.”
6	2012	As above	NRA, Lao PDR National UXO/Mine Action Standards (NS), Chapter 7: UXO Clearance, 15	Clearance organisations have the responsibility of “encouraging the participation of local communities in defining clearance needs and priorities and conveying these to NRA provincial and district offices”.

			October 2012, p.7-6.	
7	2012	As above	NRA, Lao PDR National UXO/Mine Action Standards (NS), Chapter 6: Survey, 15 October 2012, p.6-8.	“Survey and land release ... areas are to be selected based on the current priorities of the Government of Lao PDR (GOL) . Note: All land identified for clearance should be either high priority/high value in accordance with Lao PDR’s MDG9; priority in accordance with the current UXO Sector Strategic Plan or some other priority as specified by the NRA.”
8	2015	The Lao PDR UXO Survey Procedures	NRA, Lao PDR UXO Survey Procedures, 15 January 2015, paragraph 13. Area clearance, p.19.	“Generally, area clearance is only to be carried out on CHAs created according to these procedures; however it is permissible to proceed direct to area clearance based on specific CM [cluster munitions] evidence from TS provided: a. The land has the priority status to warrant clearance at that time ...”
9	2016	Lao PDR UXO Plan for 2016-2020 (multi-year work plan)	NRA, Plan No. 110/NRA, 1 March 2016, p.12 and p.18.	UXO survey and clearance will be conducted in the “GOL’s focal development areas (FDAs), in GOL development project sites and on agricultural land used by Lao citizens of all ethnic groups” (own translation).
10	2016	Sustainable Development Goal 18 (SDG18): Remove the UXO Obstacle to National Development	UNDP/GOL, SDG18, Target 18.2, 2016.	UXO clearance of all known UXO contamination in “high priority areas and all villages defined as ‘poor’” , by 2030.
RELATED POLICY DOCUMENTS				
	2011	National Socio-Economic Development Plan VII (NSED7) for 2011-2015		No mention of UXO clearance.
	2016	National Socio-Economic Development Plan VIII (NSED8) for 2016-2020		No mention of UXO clearance.
	2011	Public Investment Programme (PIP)		No visibility.
	2016	Public Investment Programme (PIP)		No visibility.
	2011	National Rural Development and Poverty Eradication Plan (2011-2015)		No mention of UXO clearance.
	2016	National Rural Development and Poverty Eradication Plan (2016-		The UXO sector is mentioned as one of the three responsibilities of the committee, along with strengthening

	2020)		of politics at the grassroots level and rural development.
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ANNEX 4: TABLE OF CRITERIA FOR ASSESSING PRIORITY FOR UXO CLEARANCE (ALL UXO OPERATORS)

	Criteria	UXO operator using this criteria
1	Presence of UXO	UXO Lao; HALO
2	Included in a development plan (NGO, district, village)	HALO; MAG; NPA
3	Accident history	MAG; NPA
4	Proximity to residential area	MAG
5	Level of fear	MAG; NPA
6	Beneficiary [economic] status	HALO; MAG; NPA
7	Main income activity of village	NPA
8	Number of beneficiaries	HALO; NPA
9	Land ownership status; disputes	NPA
10	Level of contamination	NPA
11	Size of CHA	NPA
12	Potential change in land use	NPA
13	Post-clearance land use	HALO; MAG

Note: No specific data was received from Handicap International. UXO Lao did not have an up-to-date tool for assessing priorities for UXO clearance tasks.

ANNEX 5: TERMS OF REFERENCE OF THE STUDY

PRIORITISATION STUDY IN LAO PDR

INTRODUCTION

As part of the DFID capacity building project, the GICHD has undertaken to provide support to assist the government of Lao PDR with the development of national procedures which integrate unexploded ordnance (UXO) survey and clearance with national development priorities and projects. Given complexities and the nature of operating in country, a **mapping and recording of existing procedures, in partnership with the National Regulatory Authority (NRA), complimented with a set of formal recommendations** would seem to be the most effective way to provide support at this juncture. The expectation is that the study would assist in future prioritisation, planning, resource mobilisation and measurements of progress and effectiveness of UXO sector operations.

TEAM

It is proposed that the study will be undertaken by a two-person team comprising a Lao researcher from the National Regulatory Authority (NRA) and one international (Lao speaking) development specialist. Approval of the team structure would be sought from the NRA before any activity is undertaken. The report will be in Lao and English languages.

OBJECTIVE

The overarching objective will be to further progress towards the development of procedures which integrate mine action activity (UXO survey and clearance) into development plans. The specific objective is to conduct a study which effectively outlines existing processes.

OUTPUTS

The main output of this study will be a report which effectively outlines existing processes. The main processes and procedures to be researched and outlined will include (but will not be limited to):

- formal national procedures related to prioritisation and tasking outlined in relevant national strategic plans;
- national priorities formally provided by the National Committee for Rural Development and Poverty Eradication;
- procedures on tasking formally adopted by the National Regulatory Authority (NRA);
- procedures and practices on tasking formally adopted by national and international operators;
- based on a case study of one or more provinces:
 - actual procedures adopted by provincial, district and village-level authorities or entities such as the NRA provincial offices, Provincial Development Committee and Rural Development and Poverty Eradication Office;
 - actual procedures and practices used by national operators at all levels, (this may include a subjective assessment of informal procedures that may be apparent at different levels in different provinces);
 - actual procedures and practices used by international operators at all levels;
 - beneficiary and land users' understanding of how the UXO issue is addressed and who is responsible for addressing it.

Once the mapping exercise has been completed a **set of conclusions and recommendations on how to improve, develop or otherwise further integrate mine action activity and development priorities will be provided**. The specific activities that will be carried out in order to achieve this output will include (but will not be limited to):

- Initial meeting with the NRA to outline the project and negotiate/discuss the level of NRA involvement in information gathering and research.
- Agreement of final ToR with the NRA.
- Review of strategic plans [revised Safe Path Forward II; UXO sector multi-year work plan] including mapping of focal development areas (FDAs), National Socio-Economic Development Plan, 2016-2020. Review of relevant formal policies and guidelines laid out by government departments at national level.
- Review of relevant international strategies and publications which refer to UXO issues.
- Review of the consequences of 'earmarked' funds and/or 'earmarked' locations of operations, partnerships with development entities.
- Overlay of FDAs with projects of the Public Investment Programme managed by MPI.
- Overlay of FDAs at 2011 with IMSMA/IP data to determine likely overlap (country map).
- Interviews with National Regulatory Authority (NRA), review of relevant NRA documentation on prioritisation.
- Interviews/liaison with representatives from the National Committee for Rural Development and Poverty Eradication; request updated list of FDAs, and new rural development policies, priorities and plans.
- Interviews/liaison with representatives from a number of provincial development committees.
- Interviews/liaison with representatives from the Rural Development and Poverty Eradication Offices (provincial and district levels).
- Interviews with a number of village committees, including both those located within and outside of formal FDAs.
- Interviews with key national implementing partners (UXO Lao).
- Informal interviews with partners and stakeholders in order to properly understand nature of interactions with the local communities and UXO Lao prioritisation at provincial and district levels.
- Follow-up meetings with key international stakeholders and implementing partners (MPI, World Bank, ADB, NPA, MAG, The HALO Trust, Sterling international, UNDP).
- Compilation of a complete organogram of the Lao PDR mine action programme that visualises stakeholder positions and interactions.
- Summary of findings regarding stakeholder interactions (including intra-organisation if required).
- Write-up of a succinct (but comprehensive) report which outlines the key national processes.

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