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National Strategic Plan for the UXO Sector in the Lao People's Democratic Republic 2010-2020 "The Safe Path Forward II"

Lao People's Democratic Republic

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**Lao People's Democratic Republic
Peace Independence Democracy Unity and Prosperity**

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**National Strategic Plan for the UXO Sector
in the Lao People's Democratic Republic
2010 – 2020
“The Safe Path Forward II”**

PART I.

REFERENCES.

1. This strategy aims to contribute to the achievement of the Millennium Development Goals (MDGs) and the other development objectives captured in the NSEDP in accordance with the principles of the Vientiane Declaration on Aid Effectiveness. It also aims to guide the implementation of several important international conventions¹ and declarations, including:

- The Convention on Cluster Munitions
- The Convention on the Rights of People with Disabilities
- The UNESCAP Declaration on the Decade of the Disabled

2. The strategy complements the following Government Decrees:

- Prime Ministers Decree 33, dated 17 March 2004, on the National Regulatory Authority (NRA)
- Chairman of NRA Decree 001/NRA, dated 30 March 2005 on the Organisation and Activities of the NRA
- Chairman of NRA Decree 004/NRA, dated 8 January 2009 on the National Standards for UXO Mine Action in Lao PDR
- Prime Ministers Decree 61, dated 16 March 2009 on the National Commission for Disabled People.

PART II

INTRODUCTION.

3. The Lao PDR is, per capita, the most heavily bombed nation in the world. During the 1964 to 1973 Indochina conflict, it was the scene of extensive ground battles and intensive aerial bombardments. Records indicate that over two million tons of bombs were used, including more than 270 million sub-munitions from cluster bombs, and that up to 30% of them failed to explode.

4. Some 35 years after the war ended unexploded ordnance (UXO)² continues to present a major humanitarian and socio-economic challenge to the country. As well as causing deaths and injuries, UXOs contribute to food insecurity by limiting safe access to potentially rich agricultural land³, and add to the cost of development projects when land needs to be cleared.

5. Today, UXO constitute a significant obstacle to the achievement of the Millennium Development Goals (MDGs), as well as national plans to lift the country out of the list of Least Developed Countries

¹ The word “convention” is used interchangeably with the word “treaty” throughout this document.

² UXO is explosive ordnance that has been primed, fused, armed, or otherwise prepared for use and used in an armed conflict. It may have been fired, dropped, launched or projected and should have exploded but failed to do so. The work of the UXO sector in the Lao PDR is related to the entire range of what is termed **Explosive Remnants of War (ERW)** including **Abandoned Explosive Devices (AXO)**, but the term UXO is used generically following well-established practices.

³ WFP Lao PDR Comprehensive Food Security and Vulnerability Analysis. May 2008.

by 2020. Studies demonstrate that there is a strong correlation between poverty and food insecurity on the one hand and the presence of UXO on the other.

6. Efforts to address UXO contamination started receiving international assistance in the 1990s, first through specialist Non Governmental Organisations (NGOs) and then through the United Nations. In 1996, the Government, with the support of UNDP and UNICEF, established a national capacity called UXO Lao. Eight years later, a strategic plan called “The Safe Path Forward, 2003 to 2013” was adopted for the sector and a National Regulatory Authority (NRA) was created to monitor its implementation and coordinate UXO activities in Lao PDR. The NRA became operational in early 2006.

7. Operations in the UXO Sector are currently implemented by a number of Government agencies, NGOs and commercial companies, which are all working under the overall oversight of the NRA. International cooperation is facilitated through a Sector Working Group and three technical working groups that bring together all Government and Development Partners in the spirit of the Vientiane Declaration on Aid Effectiveness. Progress is monitored by the NRA Office which has consolidated records, of 22,889 hectares of high priority land cleared of UXO by national and international operators from 1996 to July 2009. Of this figure 14,930 hectares were cleared for agricultural purposes and a further 7,959 hectares cleared for development projects.

8. This new strategy has been formulated through a series of extensive consultations with sector stakeholders to replace the initial “**Safe Path Forward**” of 2003. The aim of the revision was to take into account several important developments that have taken place over the past five years as well as the findings of a sector evaluation undertaken in 2008⁴ and to ensure greater alignment with the National Socio-Economic Development Plan (NSEDPP) of the Government.

PART III

VISION.

9. The vision guiding this strategy is a Lao PDR free from the threat of UXO, where individuals and communities live in a safe environment contributing to development and where UXO victims⁵ are fully integrated into their societies and their needs are met.

PART IV

STRATEGIC GOAL.

10. The strategic goal of the Government and its development partners over the 2010 -2020 period is to reduce the humanitarian and socio-economic threats posed by UXO to the point where the residual contamination and challenges can be adequately addressed by a sustainable national capacity fully integrated into the regular institutional set-up of the Government.

PART V

CHALLENGES AND OPPORTUNITIES.

11. Whilst clear progress has been made since the national UXO programme was established in 1996, this strategy recognises that key challenges remain that may affect the achievement of its goal and objectives. It also recognizes significant developments, foremost amongst which is the Convention on Cluster Munitions that offer new opportunities to mobilize national and international efforts and scale up the ongoing work.

⁴ UXO Sector Evaluation, Lao PDR, June/July 2008, Griffin, Keeley and Sayyasouk

⁵ **Victim** as defined by the Convention on Cluster Munitions is ‘All persons who have been killed or suffered physical or psychological injury, economic loss, social marginalisation or substantial impairment of the realisation of their rights caused by an accident with UXO. They include those persons directly impacted by an accident with UXO as well as their affected families and communities.’

12. The most daunting challenge remains the magnitude of the UXO problem in the Lao PDR. According to a 2008 survey, there have been over 20,000 UXO-related casualties since hostilities ceased. The number of UXO casualties in Laos has been on average up to 300 a year over the past decade, which is up to three times more than previously estimated. The challenge is to identify the scope and impact of the contamination. Based on available data, this could mean that the Lao PDR accounts for more than half of all confirmed cluster sub-munitions casualties in the world.

13. While more and more accurate information on UXO contamination and its impact on communities is still a critical requirement, a national capacity to collect, manage and disseminate such information is now operational within the NRA Office. Further developing it and making sure that quality and timely data are accessible to those that need it will be a priority over the period of this strategy.

14. Current approaches in the sector do not sufficiently promote equitable participation. To a large degree, female voices in particular are still absent from the UXO action process. In addition, progress so far has been measured primarily in quantitative terms and post-clearance land use and benefit derived from that land is not systematically monitored. Operators in the sector need to deliberately promote an inclusive approach to UXO action under the leadership of the NRA so that the sector can shift towards an approach centred on people and communities and plan and measure the impact of its actions in terms of socio-economic outcomes leading to poverty reduction.

15. The UXO sector is well structured and can rely on a range of experienced agencies. Effective mechanisms are in place to coordinate international assistance under Government leadership. However, meeting the obligations of the Cluster Munitions Convention will require a significant scaling up of resources and capacities during the period covered by this strategy, with greater attention being given to the principles of the Vientiane Declaration on Aid Effectiveness. The challenge in the longer term is to maintain an appropriate national capacity while gradually reducing the current reliance on international support, and mainstreaming UXO action into broader socio-economic development strategies and programmes to ensure sustainability, is imperative.

PART VI

STRATEGIC OBJECTIVES AND ENABLING ACTIONS

16. Reduce the number of UXO casualties from 300 to less than 75 per year (1).

16.1. Major actions

- a. Deliver targeted risk education activities focusing on behaviour change within identified at-risk groups, awareness-raising in response to UXO accidents, and classroom-based education for school children in contaminated area.
- b. Provide appropriate support to village volunteers who act as peer educators among at-risk groups.
- c. Promote a more coordinated and timely response to prevent accidents through mine risk education (MRE), clearance or Victim Assistance cooperation.
- d. Develop and enforce legislation to regulate scrap metal trade and other high-risk activities.

17. Ensure that the medical and rehabilitation needs of all UXO Survivors⁶ are met in line with treaty obligations⁷ (2).

17.1. Major actions

- a. Set up and maintain a Lao Victim Information System (LVIS).
- b. Using LVIS, collect, map, analyse and disseminate detailed data on UXO victims.

⁶ Survivor: a casualty who has survived the accident.

⁷ Each State Party with respect to cluster munition victims in areas under its jurisdiction or control shall, in accordance with applicable international humanitarian and human rights law, adequately provide age- and gender-sensitive assistance, including medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion. Each State Party shall make every effort to collect reliable relevant data with respect to cluster munition victims.

- c. Provide emergency medical response at the village level and develop an effective rural transfer/ambulance system to medical facilities
- d. Strengthen physical rehabilitation services
- e. Develop a community-level psychosocial rehabilitation service throughout contaminated areas
- f. Identify and address additional gaps in the six pillars of UXO victim support.⁸

18. Release priority land and clear UXO in accordance with National Standards and treaty obligations⁹(3).

18.1. Major actions

- a. Identify priority land based on clear criteria and taking into account existing Village, District, Provincial and National Development Plans.
- b. Release priority land through a risk management approach using data analysis first, then general survey followed by technical survey, roving response and/or, finally, full clearance.
- c. Monitor clearance and land release programmes in terms of impact and cost.
- d. Ensure all operations comply with national standards.

19. Ensure effective leadership, coordination and implementation of the national programme(4).

19.1. Major actions

- a. Maintain a national database of all information relevant to the UXO sector and make its information available to all stakeholders.
- b. Develop an estimated cost for the implementation of this strategy.
- c. Formulate an annual sector work plan to support the implementation of this strategy as well as the implementation of the recommendations from the 2008 assessment of gender perspectives into UXO action; the annual work plan will include sector-specific targets based on the Vientiane Declaration on Aid Effectiveness.
- d. Development Partners increase untied contributions across the sector.
- e. Development partners provide multi-year commitments to UXO action.
- f. Develop an annual mission plan and increase joint missions through consultations within the Sector Working Group¹⁰.

20. Establish sustainable national capacity fully integrated into the regular set-up of the Government (5).

20.1. Major actions

- a. Ensure socio-economic development strategies, plans and programmes, at all levels, take UXO funding and operational requirements into account.
- b. Prepare and begin implementation of a plan for the transition of victim assistance and MRE activities to national authorities and national organisations.
- c. Identify institutional and capacity requirements to deal with the long-term residual UXO threat; develop and implement a transition and capacity building plan accordingly.
- d. Establish a National Training Centre (NTC) with a long term objective of being a nationally owned and funded facility using the national curricula to license personnel under Lao PDR National UXO/Mine Action Standards. It will train, license and support staff of all independent operators on a cost-recovery basis.
- e. Formulate and implement long-term plan for technical assistance to the UXO sector.

⁸ The six pillars are: 1. Data collection; 2. Medical care for UXO victims; 3. Physical rehabilitation; 4. Psycho-social rehabilitation support; 5. Economic reintegration and vocational training; and 6. Advocacy for UXO victims' rights.

⁹ Under Article 4 of the Convention on Cluster Munitions, each State Party undertakes to clear and destroy, or ensure the clearance and destruction of cluster munition remnants located in contaminated areas not later than ten years after the entry into force of the Convention.

¹⁰ Combining donor, UN, WB, NGO missions where possible would create synergy and save resources.

21. Meet international treaty obligations (6).

21.1. Major actions

- a. Develop and enforce legislation to support implementation of treaty obligations.
- b. Provide an annual report to the Secretary-General of the United Nations under article 7 of the Convention on Cluster Munitions.
- c. Establish an international Trust Fund, as one of the options, to support the full implementation of the Convention on Cluster Munitions in line with the principles of the Vientiane Declaration.

22. The Indicators of achievement of the Strategic Objectives.

22.1. Indicators of achievement of Objective (1)

- a. Increased number of risk education activities in contaminated areas focusing on at-risk groups (as identified in the MRE Needs Assessment) and/or responding to UXO accidents.
- b. Increased knowledge, changed attitudes and safer practices of at-risk groups measured through Knowledge, Attitude and Practices (KAP) surveys.
- c. The performance of village volunteers and support is monitored and evaluated against agreed criteria.
- d. All reports of UXO are responded to within 7 days¹¹.
- e. Regular reports on accident causes are produced and disseminated to stakeholders.
- f. Effective legislation is in place and enforced to regulate scrap metal trade and other high-risk activities.

22.2. Indicators of achievement of Objective (2).

- a. UXO accident details collected and LVIS is comprehensive, up to date and serviced.
- b. Survivors tracked through medical and rehabilitation processes and LVIS maintained with accurate and disaggregated data.
- c. Regular reports on needs produced and disseminated to stakeholders.
- d. Regular reports on services provided to UXO victims.

22.3. Indicators of achievement of objective(3).

- a. Village, District, Provincial and National priorities identified on an annual basis and available at the NRA Office.
- b. Land to be released in each affected village is surveyed and prioritised prior to clearance operations taking place.
- c. All operators have Work-plans and priorities agreed with the NRA.
- d. Annual increases in the priority land released.
- e. Annual increases in UXO cleared by roving response.
- f. Indicators on socio-economic as well as gender and environmental impact and cost of clearance operations are identified and used by the NRA and operators for programme monitoring.
- g. Compliance with National Standards achieved by all operators and monitored by the NRA.

22.4. Indicators of achievement of objective (4).

- a. National database includes all UXO reports in accordance with national standards.
- b. All stakeholders receive requested reports from national database in a timely manner.
- c. Produce an estimated cost for the full implementation of the strategy.
- d. Annual work plan formulated for the sector with clear priorities and targets aligned with this strategy, including gender and aid effectiveness targets.
- e. Recommendations from the 2008 gender assessment are implemented.
- f. Percentage of untied contributions increased.
- g. Percentage of contributions provided through multi-year commitments increased.

¹¹ “Responded to” could mean safe removal, destruction, marking, MRE or making a plan to deal with the item at a later date when conditions allow in which case it should include communication with the person/organization initiating the report within 7 days.

- h. Annual action plan available with increased percentage of joint missions.

22.5. Indicators of achievement of objective (5).

- a. National, provincial, district, and villages socio-economic development plans and programmes include relevant UXO requirements.
- b. Development partners' plans and programmes include clear provisions on UXO action and funding.
- c. Ministries and other national entities that will become focal points for victim assistance and MRE identified and strengthened.
- d. All Victim Assistance and MRE activities are increasingly implemented by Ministries and other national entities, supported as required by international organizations.
- e. Transition plan to long-term residual capacity within a Government formulated and implemented framework.
- f. NTC is established and running under national ownership and funding. All UXO Sector staff are recognised as qualified through NTC certification.
- g. Government funding to UXO programme increased.
- h. International technical assistance aligned with national plan and number of International Technical Advisors gradually decreased.

22.6. Indicators of achievement of objective (6).

- a. Legislation supporting the implementation of treaty obligations adopted and enforced.
- b. Annual reports to the United Nations under international conventions provided on time.
- c. International Trust Fund established and increased international assistance is provided to UXO action over the period of this strategy.

PART VII

INSTITUTIONAL AND COORDINATION ARRANGEMENTS

23. The NRA Board, chaired by the Deputy Prime Minister, is the highest institution overseeing the UXO sector, and reports directly to the Office of the Prime Minister. It is composed of 12 members nominated by the Prime Minister, under the (amended) Decree 33/PM:

22.1 Deputy Prime Minister and Minister of Defence,	Chairman
22.2. The Minister of Ministry of Labour and Social Welfare,	Vice Chairman in charge
22.3. The representative of Ministry of Defence	Member
22.4. The representative of Ministry of Foreign Affairs	Member
22.5. The representative of Ministry of Security	Member
22.6. The representative of Ministry of Education	Member
22.7. The representative of Ministry of Information & Culture,	Member
22.8. The representative of Ministry of Health	Member
22.9. The representative of Ministry of Agriculture & Forestry,	Member
22.10. The representative of Ministry of Planning and Investment,	Member
22.11. The representative of the Ministry of Finance,	Member, and
22.12. The representative of the Ministry of Transport and communication	Member.

23. The NRA has an **overall responsibility** for the implementation of this sector strategy. As such, it will have the role in policy formulation, priority-setting, progress monitoring and coordination. While the **specific responsibilities** of the NRA are:

- 23.1. The periodic review and implementation of this Strategic Plan,
- 23.2. Monitoring of performance against the Strategic Plan and compiling a sector-wide annual report,
- 23.3. The definition and provision of policy direction including criteria for the prioritisation of all UXO/Mine Action operations,
- 23.4. Accreditation, licensing, and oversight of all UXO/Mine Action operators (in clearance operations, in MRE and in Victim Assistance),
- 23.5. The management of the National Database,
- 23.6. The coordination of all UXO/Mine Action activities throughout the country,
- 23.7. The external Quality Assurance and Quality Control of all UXO/Mine Action activities,
- 23.8. The conduct of Impact Assessments etc. and other relevant studies.

- 23.9. Representing the Government of Lao PDR at international UXO/Mine Action related fora.
23.10. Providing a secretariat function for UXO/Mine Action related International Treaties.

24. The NRA Office is the operational arm of the NRA Board and acts as its Secretariat. Working in close coordination with the Ministry of Foreign Affairs, it is the focal point for all issues related to the Convention on Cluster Munitions and other relevant treaties. It will be responsible for coordinating the day-to-day implementation of this strategy and for supporting the NRA Board in its overall oversight function. It will prepare and submit an annual progress report on the implementation of the strategy to both the NRA Board and the UXO Sector Working Group, and organize an annual review meeting. The NRA Office will represent the Government of Lao PDR and it will be the legal authority with any NGOs and commercial companies conducting UXO operations in the country.

25. All UXO/Mine Action operators will work under the direction and oversight of the NRA. Each operator will act as a self-standing entity and will be fully accountable to its funder(s) as well as to the NRA. They will conduct all their operations in accordance with national standards as promulgated by the NRA. Operators will be grouped into sub-sectoral components as below :

25.4. UXO/Mine Risk Education operators, national and international as relevant,

25.5. Survey and Clearance operators, whether humanitarian, commercial or military, national and International as relevant.

25.6. Victim Assistance operators, national and international, as relevant;

26. Within the framework of the round table process, the UXO Sector Working Group (SWG) brings together all Government and Development partners involved in the UXO sector to facilitate the coordination of international assistance in accordance with the Vientiane Declaration on Aid Effectiveness. It oversees three Technical Working Groups (TWG) that deal with; victim assistance, mine risk education and clearance. It will help ensure that international assistance is aligned with the Government's priorities captured in this strategy and the annual sector plans.

27. In order to help mobilize and manage international assistance for the full implementation of the Convention on Cluster Munitions in line with the Vientiane Declaration on Aid Effectiveness, the Government has decided to establish, as one option, a Trust Fund to be administered by UNDP. The Trust Fund will operate under the framework of this strategy and the UXO policies approved by the NRA Board. It will be managed within the overall authority of a Steering Committee chaired by the Government and working in close consultation with the UXO Sector Working Group. The Fund will complement other funding options available to donors, including direct funding to UXO operators.

PART VIII

RESOURCE REQUIREMENTS AND INTERNATIONAL COOPERATION

28. While a comprehensive costing of the UXO sector has not been undertaken, the 2008 sector evaluation provides some useful insights into the costs and benefits of UXO action in the Lao PDR. Limiting its analysis to the 47 poorest districts of the Lao PDR, the study observed that out of a total contaminated area of some 500,000 ha, 200,000 ha corresponds to land useable for agriculture, which would take 50 years to clear at 2008 rates. It revealed that it would be economically beneficial to clear much of this land at 2008 market prices. Indeed, from a pure financial perspective, it would be cost effective to clear all potential paddy and 20% of potential upland rice fields, with the remaining 80% of potential upland rice fields being released through technical surveys. This could take around 16 years at 2008 resource levels. With more resources and increased productivity this figure could be reduced to 10 years.

29. A pure cost-benefit analysis is not the answer to the UXO challenge faced by the Lao PDR. In addition to discounting the legal treaty obligations of the country, it does not take into account other critical dimensions of UXO contamination, such as the fundamental rights of all communities, upland as well as lowland communities, to live free of fear and to develop their land. Nevertheless, the 2008 scoping analysis yields several interesting conclusions; in particular, it demonstrates that:

- a. the clearance of the most valuable land in Laos is worthwhile from an economic perspective;

- b. with appropriate resources, the clearance of this land and more can be achieved within the period of this strategy;
- c. the current programme needs to be significantly scaled up to keep pace with the objectives of the Government and its Development Partners captured in the NSEDP and this strategy.

30. In 2008, funding to the entire UXO sector in the Lao PDR was approximately US\$21 million, of which more than US\$8 million was financed through private sector investment projects, and about US\$13 million financed from Overseas Development Assistance (ODA). The full implementation of this strategy will require a significant increase in international assistance over its ten year period. At the same time, the Government will devote its efforts and commitment to the agreed strategic goal.

PART IX
MONITORING AND EVALUATION OF IMPLEMENTATION

31. An annual work plan for the UXO sector will be developed by the NRA Office, consistent with the NSEDP and in consultation with Development Partners, to guide the implementation of this strategy. This work plan will identify annual priorities and specific targets against each indicator contained in this strategy.

32. Operators will provide annual reports to the NRA specifying the results of their activities and outlining the challenges faced as well as resources utilized against the annual sector plan. These reports will be used by the NRA for the preparation of an annual progress report for the sector presented to the NRA Board and the SWG.

33. The strategy will be subject to a mid-term evaluation in 2015 and a final evaluation in 2020. The evaluations will aim to assess the achievements of the UXO sector against the objectives and indicators of the strategy. They will be conducted by an independent agent commissioned by the NRA.

34. Ministries, ministerial level organisations, provinces, municipalities are the key organisations to successfully implement the National Strategic Plan for the UXO Programme in the Lao PDR.

35. This National Strategic Plan has been considered and approved in the Government meeting held on ?.... ? 2010, according to the document proposed by the NRA Board for the UXO programme No. ..?.. /NRA,?..May 2010.

The Prime Minister

Signed:.....

Bouasone Buphavanh