

Rights-LINK II Full Report



Strengthening the governance and sustainable management of land and natural resources in the Lao PDR through improvements in information access, participation, and capacity of key actors
<http://www.rightslinklao.org>





Ban Phonsavantai, Unit 14, House 207
Sisastanak District Vientiane Capital
Office Tel: +856 021 312 519
Fax: +856 021 315 841

Village Focus International (VFI)

Principal Donor:
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List of Acronyms

CSO	Civil Society Organisation
DALAM	Department of Agricultural Land Management (within MAF)
DoF	Department of Forestry
ESIA	Environmental and Social Impact Assessment
FoF	Faculty of Forestry (NUOL)
FoL	Faculty of Law (NUOL)
GMS	Greater Mekong Sub-region
GoL	Government of Lao PDR
Lao PDR	Lao People's Democratic Republic
LAK	Lao Kip
LBA	Lao Bar Association
LNRRIC	Land and Natural Resources Research and Information Centre
LWU	Lao Women's Union
LuxDev	Luxembourg Agency for Development Cooperation
LIWG	Land Issues Working Group
MAF	Ministry of Agriculture and Forestry
MIC	Ministry of Information and Culture
MEM	Ministry of Energy and Mines
MoNRE	Ministry of Natural Resources and Environment
MoJ	Ministry of Justice
MPI	Ministry of Planning and Investment
MRLG	Mekong Region Land Governance project
NAFRI	National Agriculture and Forestry Research Institute
NERI	National Economic Research Institute
NGO	Non-government Organisation
NPA	Non-Profit Association
NRM	Natural Resource Management
NTFP	Non Timber Forest Product
NUoL	National University of Laos
PaLAM	Provincial Agricultural Land Management department
PONRE	Provincial Natural Resource Management Officers
PAFO	Provincial Agriculture and Forestry Offices
RECOFTC	Association for People and Forests
RL	Rights-LINK Lao project
SDC	Swiss Agency for Development and Cooperation
TABI	The Agro-Biodiversity Initiative
VFI	Village Focus International

Section 1: Introduction

This is a final report of the Rights-LINK Lao Phase II project, (RL II) implemented by Village Focus International, co-funded by SDC and in partnership with the Department of Agricultural Land Management (DALAM) within the Ministry of Agriculture and Forestry (MAF). The RL project has run consecutively from 2008 until 2016, with Phase I of RL ending in early 2012.

Rights-LINK I, the first phase of the project, focused on new ways to educate and empower rights holders, reinforce weak mechanisms for accountability and support officials providing good governance, connect local actors with national leaders and decision-makers, improve policy-makers' access to information about the impacts of land-decisions, and support the development of local mechanisms to resolve disputes in a timely and helpful manner. Entering its second Phase in mid-2012, RL II built upon the successes and lessons learned under RL I, working at the village, district, provincial and central levels.

The purpose of this document is to review the outcomes of the project over the previous three years with a critical analysis of the accomplishments and missed opportunities according to the RL II objectives and logframe, taking into consideration the context.

The document is structured into four parts: (1) an introductory summary describing the context, highlights, and key partners of RL II, (2) analysis of the outcomes and outputs according to the project logframe, (3) description of RL II's finances and management, and (4) key lessons learned.

Summary

RL II takes a rights-based approach, building awareness and understanding and then enabling all reform actors, also known as stakeholders (see description below), to use this understanding to make better decisions on land use.

The overall aim of the RL II project was: *To improve stakeholders' (government, civil society, private sector, local communities particularly women and ethnic groups) capacity, knowledge, and participation in decision-making on land-related issues so that rural communities can exercise their full land rights, including secure land tenure and the right to use their land in a sustainable and equitable manner.*

In Laos during the time period of the RL II project, civil society organisations (CSOs) had difficulty to work on land issues due to constrained space for advocacy and powerful vested interests behind many land concessions. VFI stands out in this context as one of the only CSOs managing to work effectively on land issues, by applying a strategy to work *with* government to achieve common goals of sustainable national development, improved land management and reduced rural poverty. The results were that VFI built a strong relationship of trust with government counterparts, identified the gaps in land governance that impact upon livelihoods of local people, developed a diverse, custom suite of tools for addressing these gaps, and was able to go through government channels to provide input into policy-making processes to influence policy development. Despite good progress, work in this environment was challenging and not all expected outcomes and outputs were met (this is further discussed in section 2).

Evolution of the Lao Context

As evidenced by several studies (see for example - Hett et. al. 2015; Kenney-Lazar 2016; Vongvisouk et. al. 2016), the Lao economy continued to grow rapidly throughout the period of the RL II project, largely through land-based investment such as mining, agribusiness, hydropower and infrastructure. In fact, according to government estimates, the Lao growth rate has hovered around 7 percent for the previous 10 years (Ministry of Planning and Investment,

Investment Promotion Department statistics 2016). Laos failed to reach targets for 2015 to graduate from Least Developed Country (LDC) status by 2020 and is now aiming to meet the criteria for graduation for 2024.

The forced disappearance of civil society leader Sombath Somphone at the end of 2012 created a chilling effect, silencing many civil society groups at the RL II project's beginning. After-effects of the events from 2012 are still evident, with many CSOs reluctant to work on politically sensitive land issues or advocacy. However, changes within the Party leadership - particularly the appointment of new Prime Minister Thongloun Sisoulith, who has taken a strong stance on corruption, illegal logging and illegal mining, have signalled to some observers that the Lao government is taking steps towards reform. Social media is allowing opening up of conversations that have been sensitive in the past, but even *The Vientiane Times* newspaper is discussing these issues more than before. The final two years of the RL II project saw greater public voicing of concerns by the people about land grabs, yet the government's actions has not always matched its pro-poor rhetoric (i.e. case of Kuang Si waterfall in Luang Prabang, sale of cave to Vietnamese company in Huaphan, That Luang Marsh development, 450 road, etc).

Millennium Development Goals were met to some degree during the RL II project, with notable shortcomings in addressing extreme poverty and malnutrition, both related to agricultural land issues. In 2015, along with other United Nations (UN) countries, Laos adopted a new set of 17 development goals, the Sustainable Development Goals (SDGs), that will guide development until 2030.

The final year of RL II, 2016, was a big year for Laos, as it took over the chairmanship for ASEAN. In September 2016, the 28th and 29th ASEAN Summits were held in Vientiane. However, the August 2016 Civil Society Conference / ASEAN People's Forum was not permitted to be held in Laos, and was instead organised in Dili, Timor-Leste. In addition, US President Barack Obama became the first sitting US President to officially visit Laos in October 2016, signalling a turning point in US-Lao relations.

Also released in 2016 was the Government of Lao PDR's 8th Five-Year Plan (2016-2020). The 8th National Socio-Economic Development Plan is the Lao PDR's guiding strategic document. It paves the way towards the graduation from Least Developed Countries (LDC) status and lays a foundation for the achievement of the National Strategy on Socio-Economic Development 2025 and the Vision 2030, as well as the SDGs.

Village Focus International

VFI is the first international organisation founded in Laos, becoming fully operational in January 2001. At its core VFI is dedicated to ensuring that its international-quality systems remain grounded in local leadership. Gradual but steady growth has allowed VFI to build Lao leadership in project management and administration. Among development partners in Laos, VFI occupies a niche between international NGOs and local non-profit associations (NPAs), and has the reputation of having highly capable and motivated staff, especially in the sectors of land rights and human trafficking. VFI is built on principles of Lao leadership, neutrality and trust, participation, open access to information, and the recognition that gender, ethnicity and local culture play an important role in land use.

DALAM

DALAM is a new agency within MAF, but has shown good support for improving land governance and has signed a Memorandum of Understanding (MOU) with VFI for RL II. Part of DALAM's mandate is to apply good practical techniques to plan, manage, and register agricultural land, as well as ensure that the quality of agricultural production

and soil is maintained. RL II staff have built solid relationships with DALAM staff, notably through joint projects such as the Gap Analysis, communications tools development, Responsible Agricultural Investment Working Group and Participatory Agricultural Land Management (PALM) capacity development. Most recently, RL II advisors assisted DALAM to receive \$250,000USD from the Innovation Fund grant of the Mekong Region Land Governance project (MRLG) for the development of a pilot Communal Agricultural Land Management (CALM) Model.

Other Partners

RL II is known for its wide-reaching network of partners, including research institutions, government agencies, civil society organisations, development partners, and private companies. During the period without an MOU, RL II scaled up its partnerships to work with 80+ different organisations. This allowed RL II to disseminate tools and approaches to more audiences than working in isolation. See [Annex](#) for the Network Diagram showing RL II's key partners and joint outputs.

Section 2: Outcomes and Outputs

Overview

RL II was delayed significantly by the authorization process. Earlier reports (see July 14 – June 15 Annual Report) have detailed how this delay was initiated by a restructuring of the National Land Management Authority (NLMA) and later the Ministry of Natural Resource and Environment (MoNRE). Project leadership went to great lengths to secure an MOU to authorize the project's activities, but this was not finalized until January of 2015. Prior to this authorization, staff members collaborated with partner organizations in collaborative activities that contributed to the Rights LINK project expected outcomes.

Highlights and Timeline

Some of the highlights and key milestones of RL are mapped out in the timeline below:

March 2012: Signed contract with SDC for Phase II

June 2013: Began MOU negotiations with Department of Justice (DOJ)

May 2014: Ended MOU negotiations with DOJ

March 2014: Began MOU discussions with DALAM

August 2014: RL Strategic Communications Guidebook finalised

October 2014: case study book "Power of Water, Power of Life" distributed

November 2014: policy brief for National Land Policy presented at Land Sub-Sector Working Group

December 2014: First Research Forum "Pathways for Sustainable Development" at NUOL

7 January 2015: MOU signed with DALAM

April - May 2015: Gap Analysis conducted in provinces

June 2015: RL Booth at the VII Ordinary Session of the National Assembly distributes 200+ copies of knowledge materials

June 2015: Debate event at NUOL

July 2015: PALM piloted in provinces

August 2015: First series of short films finished and dubbed into Hmong, Akha and Khmu

September 2015: Gap Analysis final report completed

October 2015: Village Mediation Units and paralegal program set-up

November 2015: 'Responsible Investment Seminar' co-hosted with MPI

- December 2015:** inaugural Corporate Social Responsibility Study Tour to agribusinesses in southern Laos
- December 2015:** Second Annual Research Forum at NUOL, “Getting Ready to Enter ASEAN Economic Community”
- August 2016:** Launch of second series of short films with GIZ
- September 2016:** LIFE project consortium hosted by RL II
- October 2016:** Community Engagement Framework manual finalised
- October 2016:** RL II voted on to LIWG Steering Committee
- November 2016:** Free, Prior, Informed Consent animated video finalised
- November 2016:** LINK Centres opened in three provinces
- December 2016:** Third Annual Research Forum at NUOL, “International Forum”
- December 2016:** Project end



MOU signing ceremony between VFI and DALAM, January 2015

RL II’s Final 6 Months (June - December 2016)

Please see Annex A for more details on the final 6 months of the RL II project.



Mr. Hongthong Sirivath, VFI’s Land and Livelihoods Program Director, facilitates a session at the Corporate Social Responsibility Seminar, November 2015

Outcome 1

Policy Dialogue and Partnerships

Outcome 1.1 Policy makers in the National Assembly, at the provincial level and in key line ministries will have better understood the impacts of land development on women and men at the local levels and use this in their decision making processes.

Outcome Indicator 1.1: *The National Assembly considers land development impacts in at least 1 major decision per year with nation-wide impact.*

Achievement of the Indicator: In 2015, a National Assembly member presented on the National Land Policy to the National Assembly – this presentation took up the recommendations and was featured in the *Vientiane Times* article. In addition, the Vice Prime Minister chaired a high-level discussion in late 2016 to discuss about land policy. Despite these efforts and promising signs that the National Assembly considers land impacts in its decisions due to RL's advocacy work, it is hard to measure concrete impacts / achievements for this specific outcome.

Outcome 1.2 Multi-stakeholder dialog-spaces have been established allowing community voices to be heard and debates on land-related issues to take place.

Outcome indicator 1.2: Provincial officials (Governor's office, PDJ, PAFO, PNRED) in at least 3 provinces consider land and related gender issues in decision-making with province-wide impact. Annual provincial meetings in 3 provinces were held with government counterparts – gender issues have been highlighted in each meeting to discuss how gender can be mainstreamed into land issues. Provincial platform brought together different agencies (i.e.- presenting Gap Analysis findings at each level) – this is an area we plan to address more in RL-III, for example communications tools targeting women. Land security & food security research report highlighted gender – findings were presented at the NUOL Research Forum (where provincial officials were supported to attend) and were disseminated in three provinces.

To build partnerships and networks to scale-up and ensure access to information on land and natural resources management issues for a diversity of actors in order to improve informed and transparent decision-making processes at all levels and scales.

VFI and the RL II team are one of very few stakeholders that have both access and capacity to engage in policy analysis and to formulate comprehensive and well-founded recommendations. Thanks to RL II, VFI is the CSO that is most engaged in policy dialogue. For instance, when the latest Land Law draft was available for review, relevant staff met for a few days to analyze and provide input on the law resulting in a position statement, which included positions on no land expropriation for private purpose. This was later shared and discussed with relevant stakeholders including from LIWG, academia, MRLG, GIZ and NPAs, before it was presented in the working groups. Together with GIZ, MRLG and LIWG, VFI was asked to summarize the various recommendations to the Government in one single document. Recommendations included – no expropriation for private purpose, recognition of customary tenure, and creating a comprehensive land database and implementing a grievance mechanism for villagers with land conflict.

RL II staff are regularly contacted by various government agencies asking for input or advice on various land policies and issues. Project staff have also been invited to participate in several National Assembly workshops both in Vientiane and in the provinces. Requests have also come to the Land Issues Working Group (LIWG) where RL II and VFI are

active members (including on the LIWG Steering Committee). RL II has also been requested to provide research support, training on law development and legal writing to DALAM together with Ministry of Justice (MoJ), which was provided. It should also be added that many CSOs also seek advice from RL II staff, as most do not work at policy level.

VFI through its Rights-LINK project has a foothold and entry point in policy-making processes on land issues, and a unique position for a CSO in Laos to influence policy. While it is difficult to tangibly, concretely measure the extent of the influence RL II is able to exert on policy-making, having access to policy-makers is an achievement that VFI has worked towards for many years under RL I and RL II, and is of importance to the wider land issue sector and partners in Laos. It is evidenced that it is the VFI's reputation as a competent, trustworthy and constructive partner that it has earned VFI this position and access. RL II's work at grassroots level, engagement at all levels and research activities give credibility to the recommendations provided.

To influence policy, the RL II team produced a range of **knowledge products**. For example: policy briefs primarily disseminated at the central level. Key briefs included: *National Land Policy Recommendations* (with LIWG), *Communal Village Land Tenure*, *Land Expropriation for Private Investment*, and *Food Security and Land Security* (1.1.1). Other key knowledge products produced by RL II included two series (12 films total) of short films in collaboration with GIZ and DALAM, covering topics such as gender equality, conflict resolution, land laws and regulations, land management, leadership and village development. The Gap Analysis was another key knowledge product, conducted in collaboration with DALAM (see 2.1).

A private sector dialogue platform (Responsible Agricultural Investment Working Group), a Forest Law Enforcement Governance and Trade (FLEGT) CSO platform, LINK Centre online and offline platforms, and a research platform (NUOL Annual Research Forum) were established under RL II (1.2 and 1.3).

Between January 2013 and December 2016 the LINK Resource Center has organized and participated in 150 events (1.4). Almost 9,000 people, of whom about 45% were women, participated in these events. Almost 10% of the participants were reportedly of ethnic background. Students often along with their teachers from various faculties at NUOL have been the most active visitors and participants in various meetings. However, staff from other organizations, government officials and others have also utilized the Centre and taken part in events hosted by the Centre at the Centre itself or elsewhere. In addition, the LINK Center supported the establishment of a LINK Center at DALaM in Vientiane, as well as three provincial LINK Centers. These Centers have received a range of materials from RL II including: land laws, case studies, documents on agricultural land management, land use planning, natural resource management, as well as a host of communication materials such as posters, brochures, booklets and DVDs. Centre's staff and volunteers have been trained and coached on how to manage such centers by RL II LINK staff. RL II and DALAM have hosted events such as planning workshops. The proximity of the LINK Center to NUOL has facilitated the use of that Center for university students. DALaM considers the establishment of such centers an important resource providing access to information to a range of government agencies (including MAF, MONRE, MPI, etc.), and others.

A number of new funding mechanisms for RL II were identified, resulting in co-funding making up approximately 30% of the SDC-funded project. Over 50 proposals were submitted by the RL team and advisors during RL II in efforts to secure co-funding for complementary activities (1.5). These include MRLG's Quick Disbursement Fund (QDF), Innovation Fund (IF) and Learning & Alliance (L&A) grants, World Wildlife Fund (WWF), World Bank, FAO, GIZ and WLE. In August 2016, RL II management, staff and advisors completed a 2-day strategic planning workshop to (1) identify and map potential funding sources for continuing RL, (2) develop a mission and vision

for RL III, and (3) develop a strategic plan and materials to attract new funding sources (1.5.1). See [Impact Pathways Diagram](#) in Annex.

As described in Section 1 above, RL II has formed an extensive network with partners across private and public sectors. A few of RL's key partnerships include: WWF and GIZ FLEGT project, NUOL research forum and action research, MRLG private sector engagement, LIFE land rights training, Clinic Legal Education and paralegal program, LIWG policy advocacy and annual land calendar, NPA network, GIZ short films, Bank of Laos short films, Stora Enso FPIC communications tools, MOJ Village Mediation Unit (VMU) policy draft, and of course multiple projects with DALAM on agricultural land management (see also Component 2, 2.4).

Policy makers from MAF, MoNRE and Ministry of Planning and Investment also joined CSOs and private sector's representatives on the 'Corporate Social Responsibility Study Tour' in December 2015 to visit agribusinesses and communities in southern Laos. Case studies titled 'Experience of Agribusiness Investment' were co-produced by RL II, LIWG, DALAM, Investment Promotion Department and MRLG (1.1.2), and were presented at the Third Annual Research Forum by RL staff. Training on Case study writing for provincial and district government staff was also conducted (1.1.2.1), but case studies could not be finalised.

Several other activities planned in Component 1 were unfortunately cancelled: a land governance Study Tour for policymakers, platform for information sharing for policy-makers at Provincial levels, and action research on gender and land governance.



Participants gather for a photo with Stora Enso employees during the Responsible Agribusiness Study Tour, December 2015

Outcome 2

Land Security and Land Rights Education

Outcome 2 - Decisions related to land rights are made in a more inclusive manner with multi-stakeholder participation in three target provinces through application of mechanisms developed and tested by the project and its partners.

Outcome indicator 2.1: At least 24,000 people (120 villages in 3 provinces) (at least 30% women and at least

30% from ethnic minority groups) understand their land rights. Participants in field activities, legal and land rights education activities at community level:

Total	9,805
Female	4,342

Nearly 50% of participants were women.

The total beneficiaries (men, women living in target communities) across 60 villagers benefited from new knowledge that enables them to secure their land rights, these were:

Total	56,282
Female	27,728

Beneficiaries were from the following ethnic groups: Katu, Alak, Ta-oi, Kriang, Lao Luem, Taliang.

Outcome indicator 2.2: Improved conflict resolution and/or conflict prevention tools and processes are employed by the project and partners to improve at least 20 land-related decisions. PALM decision-making processes were testing in 6 villages (conflict prevention). VMCs were established in 60 villages. We estimate that this enabled partners to improve at least 20 land-related decisions regarding villagers' full participation in land use planning, conflict resolution about boundary disputes and encroachment of agricultural land into forests, and micro-level decisions about future sustainable natural resource use for villagers.

To develop a range of effective mechanisms enabling communities to exercise their rights to access and manage land and natural resources and resolve conflicts over them.

The Gap Analysis (also referred to as a needs assessment, 2.1) informed RL II's work at all levels and in all three components. Findings informed RL II's policy engagement, informed research projects and training curriculum development. Findings were presented to all levels, and the process was highly collaborative, allowing RL II to build trust and working relationships with key government counterparts. The Gap Analysis also provided a powerful tool for lifting up the voices of local people to relevant policymakers – a tool to connect the local and national levels, and RL II's project components (see Component 1). The report provided insights related to the actual implementation of policies (top-down) and correlation between actual problems on the ground and policies and law (bottom-up).

RL II successfully helped set up various mechanisms for villagers to access at community level and trained villagers on how to best use and access these mechanisms. The PALM activities resulted in about 1,000 households obtaining family land books (2.4.1). However, overall progress on the implementation of the activities under Component 2 suffered the most due to the premature end of the project and lack of fund disbursements by the donor.

Through local authorities TOT training, RL II successfully trained approximately 10,000 people in the 60 target villages on various land rights, conflict resolution, complaints mechanisms and access to justice (2.1.4.2). Thus, villagers now have a better understanding of their rights and how they can best protect their rights including their land rights. Importantly this training did not take place in a vacuum but with the authorities themselves right there promoting these very rights. In addition, mechanisms for local people to resolve conflicts and access to justice on land tenure and other issues were established with support from the authorities. However, the work in Component 2 relies heavily on the capacity-building taking place in Component 3. This together with the project and funding coming to an end prematurely impacted particularly on the implementation in this outcome.

In RL II the paralegal approach was scaled up and implemented across all 60 villages in the six target districts in three provinces. Three main groups were selected to be paralegal volunteers: (1) students with some legal background, (2)

women and (3) individuals with responsibility for land issues. The paralegal volunteers are individuals who do not hold a position in the communities. Thus, they are independent from the village authorities unlike the Village Mediation Committee (VMC). Consulting with the paralegals is free of charge and may sometimes be quicker, as the VMC has several members. The main advantage of the VMC is that it is an official body under the DOJ and already plays an important role in village life and conflict mediation and resolution. Both mechanisms have a duty to disseminate laws and attend to grievances brought before them. RL supported the authorities in identifying participants to be part. However village-level training for VMCs¹ was unable to be completed (2.1.4.2).

Outcome 3

Capacity building

To build capacity of those who can mediate and resolve conflicts over natural resource management of key actors at different levels (i.e. civil society, government officials, private sector, students/academics).

Outcome 3.1 Key actors from civil society and the education sector have capacity to support communities to seek redress through a range of formal and informal mechanisms (e.g. dialog spaces, courts, village conflict resolution units, the National Assembly).

Outcome indicator 3.1: At least 15 civil society actors have access to new tools and the skills to use them to support communities dealing with land-use conflicts and other land issues.

Outcome 3.2 Duty bearers (government, private sector) understand their role and apply government policies that protect citizen's rights and support processes to resolve conflicts related to land and natural resources.

Outcome indicator 3.2: Duty bearers from at least 10 offices (national and local level) have access to new tools and the skills to use them to include citizen's rights in resolving land conflicts and/or other land issues. Private sector as well as government offices in each province (PAFO, PONRE, POJ, PPI) and district (DAFO, DONRE, DOJ, DPI) and at central level (MAF, MONRE, MOJ, MPI). RL II reached more than 10 offices.

Outcome indicator 3.3: At least 24,000 citizens experiencing land conflicts, threats to land tenure, or other issues with land and resource access, receive appropriate support from either civil society or government offices or both. RL II's own beneficiaries are more than 50,000 (see above) - in addition, we worked with more than 40 CSOs who work with a total of more than 200,000 citizens, as well as with the 10 government offices mentioned above, and a private sector partner who is working with 76 villages, so we estimate this indicator was far exceeded.

Capacity-building outcomes and outputs under Component 3 are arguably the flagship of RL II. While a significant number of the project's interventions have been piloted under Component 3, unfortunately the outcomes and results of the interventions cannot be followed-up on due to a lack of funding for RL III.

During the period without an MOU, RL focused on internal capacity building of the team, including operationalising a Communications Strategy, the LINK Centre, M&E improvements, and capacity building of partners. Under Component 3, 190 paralegal volunteers have been trained by trained district and provincial officials: three

¹ VMUs were changed to VMCs by 6 June 2016 Prime Ministerial Instruction, followed by 28 April 2016 MOJ Ministerial Instruction 404 to implement the changes. The new legislation states that elections must be held for new members to be on the mediation committee, and lays out new responsibilities for the VMC.

volunteers (two men and one woman) per village in 60 villages (3.1). More than 50 percent of the volunteers are of ethnic background, particularly in Luang Namtha and Sekong provinces. Thus, in every single target village a small team of paralegal volunteers has been set up and trained. A 4-day training for the paralegals in each district was organized in mid-2016 covering mainly: laws, pathways to justice, paralegal responsibilities and skills. The training also included a visit to key legal sector offices at district level. The training aimed at equipping the volunteers with basic legal knowledge and skills to advise local villagers how to proceed and where to go for particular requests or grievances.

The paralegal volunteers are now able to undertake the following responsibilities: set up meetings to inform villagers about their land rights and relevant laws; be available to provide advice and service; and coordinate with district trainers. They are able to advise on pathways to justice, i.e. assist villagers with where to go, help to fill in forms for the VMC, etc. Each District Governor in the six districts has signed an Agreement including Terms of Reference and with the names of each of the paralegal volunteers. See 'RL II's Final 6 Months' summary above for further details on capacity building activities.

During the project life, RL II also provided capacity building for CSOs staff members. Under INRM, a group of 13 trainers with passion and experience in supporting villagers' learning on how to successfully access their legal rights to land and natural resources, to form the INRM Facilitators Team. There were 6 women, 7 men from Brao, Phunoi, Lao Loum, Khmu and Puane ethnicities; they came from 10 different organizations as well as two who came independently with no organizational backing or salary. These people then provide training and coaching 25 participants from 6 NGOs, 1 NPA and their government counterparts, facilitation was shared among the entire team of 13 trainers.

In addition, the 4 SCOs staff members were training on case study.

Section 3 Finances and Management

RL II undertook several steps to improve financial management during the past year.

Main improvements to Finance and Management during the RL II period:

1. In late 2016, as a result of the financial audit, a new system of monitoring was established to ensure that RL staff cleared advances in a more timely manner (within 30 days, according to Financial Management Procedure Manual / Project Management Manual). This system allowed the Deputy Project Manager to document advances on a chart that was marked when an activity began, and tracked until completion. Staff were given warnings if it was expected that they would be late with clearing an advance. Usually the reason for late clearing of advances was if they were in the province for weeks at a time, or if government officials or communities did not fill in the paperwork correctly, causing delays in getting the forms approved and cleared. A mechanism was also set up for staff to send a letter of explanation to Deputy Project Manager in case of late clearances - this was used as a supporting document for the Finance team. In future, RL staff need to be more aware and trained as part of their orientation to check bills once activities are finished - before leaving the province. RL team and the Finance team have since met regularly to have more clarity and a common understanding of procedures, discuss expectations and timeframes.
2. Another improvement was the mode of communications between the RL car users and the driver with responsibility for filling in the logbook. This ensures that the logbook is filled in more systematically.
3. After signing the MOU, more RL staff could be engaged, including Deputy Project Manager, M&E, LINK

Centre volunteers, and provincial coordinators. In this way, responsibilities were defined more clearly and administrative processes could be more systematic, especially reporting.

4. RL II's M&E system was set up in early 2015, and an international consultant was engaged to check and revise the logframe. The feedback was that the system was strong, however the M&E officer was not strong, and this created gaps in data collection from the field - especially quantitative data. Instead, RL staff were asked to monitor their own activities and keep records of data, so the M&E information was not centralised. This made reporting difficult. This is identified by staff as an area for improvement in future RL iterations.

Additional Information on the Unspent RL-II Budget

Most of key activities, which were broken into sub-activities in annual and sixth monthly work plans, identified in the Logframe were implemented, while some of them were almost or partly completed, depend on the nature of individual activities. Some activities could be conducted after the completion of other activities, while some of them were ongoing through the life of the project. Following are some of activities that were partly and or mostly completed: Study Tour to Thailand to see agricultural land and forest management by communities; field visit- decision makers to meet with villagers (dialogue between decision makers and villagers); Inter-province exchange visits for government officials; Endline survey (this is covered by the RL II final assessment); Integrating RL II approaches into the national university curriculum; Rollout RL II activities to wider range of CSOs; EIA awareness raising for government officials; Information dissemination to provincial / district TV, Radio, and loudspeakers (*tholakong*); Support to Research Forum of University (RL staff attended, but were unable to contribute financially to the Forum this year), training for VMC members.

Most of activities identified in the second half of 2016 were dropped off and were not implemented because of the limit of time and fund transfer from donor for the project implementation, though they had been approved the steering committee. Study Tour to Thailand to see agricultural land and forest management by communities was dropped following the suggestion of SDC, resulting in calculation of all of its subsequent activities, such as: field visit- decision makers to meet with villagers (dialogue between decision makers and villagers); Inter-province exchange visits for government officials, for instance.

Most of activities identified in the revised workplan for the period of Oct-Dec 16 were not implemented, including Endline survey, Integrating RL II approaches into the national university curriculum; Rollout RL II activities to wider range of CSOs; EIA awareness raising for government officials; Information dissemination to provincial / district TV, Radio, and loudspeakers (*tholakong*); Support to Research Forum of University (RL staff attended, but were unable to contribute financially to the Forum this year), training for VMC members. This is because of limit of time and no fund transfer was made from the donor.

All of these contributed to the deviations. At the outcome level:

Outcomes 1: up to 97 % of the proposed budget was spent, while 3 % of the proposed budget was under spent

Outcomes 2: up to 101 % of the proposed budget was spent, while 1 % of the proposed budget was over spent

Outcomes 3: up to 94 % of the proposed budget was spent, while 6 % of the proposed budget was under spent

Outcomes 4: up to 97 % of the proposed budget was spent, while 3 % of the proposed budget was under spent

In summary, following are key facts contributing to deviations in the implementing of the project activities, budget and expenditure:

1. The project was expanded from Jun- Dec 16, with some additional fund;
2. 2016 workplans, including sixth monthly, and 3 monthly workplans for Oct to Dec 16, had been revised for a few times, resulting in revision of proposed budget.
3. Some activities planned in sixth monthly plan, Jul- Dec 2016, were dropped based on discussion and suggestion from SDC. While, most of activities identified in the final workplan for the period of Oct- Dec 16 were not implemented because of the limit of time and no fund from SDC transferred to us.
4. Though, there are budget derivations, the under spent budget was not higher than 10%, while the over spent was not higher than 10% , by components and of the total budget.

Section 4 Lessons Learned

- Government relations are crucial to the success of any development project in Laos. RL II management, especially the Land & Livelihoods Program Coordinator, have worked hard to form strong working relationships with key Ministries, including MAF. This enabled RL II to sign an MOU with DALAM, and Coordinator is in discussions with DALAM to continue the working relationship, including an MOU, in future.
- Multi-stakeholder approaches (civil society, communities, private sector, government) are an effective way of solving problems relating to land, and reaching shared goals of national development, poverty reduction, job creation and economic opportunities. Platforms such as the Responsible Agricultural Investment (RAI) Working Group, as well as provincial platforms, are examples of good practice multi-stakeholder forums that encourage cross-sector dialogue and collaboration.
- Private sector engagement to promote more responsible land-based investment is a priority for CSOs, investors and the government, as they shift to a focus on CSR, ‘green growth’ and ‘quality investment’. Activities relating to private sector engagement will be expanded in future phases of RL.
- Stakeholders require a suite of options and tools to ensure good land governance at central and local levels. These approaches and tools should be adapted to suit each individual circumstance - there is not a ‘one size fits all’ solution, as every province, district, and village’s land management differs slightly. RL III aims to provide a menu of options for improving land governance at all levels based on tested tools and approaches from RL II.

Future Recommendations for RL

The following recommendations are a result of discussions and interviews with RL staff, management, partners and beneficiaries. Some recommendations have been drawn from the RL II final assessment in November - December 2016:

Component 1 - Policy Dialogue and Partnerships

- Seek ways to work more closely with MoNRE in the legal drafting process on land law and policies in close cooperation with LIWG and other partners;
- Encourage academia to bring leverage to research to influence policy with the view to support wider

development goals and government priorities such as the Eighth National Socio-Economic Development Plan and localised Sustainable Development Goals;

- Work with government but be more assertive on specific key land issues for example communal lands; this will include working with DALAM on the CALM model to influence other Departments to recognise communal lands;
- Work more closely with LIWG and other relevant stakeholders to develop IEC materials needed in the land issues sector considering this also as an opportunity for being contracted to carry out such work;
- Put more emphasis on innovative and positive solutions, i.e. win-win situations for villagers, authorities and private sector investors, as opposed to purely education or critical outputs exposing individuals, villages, authorities, companies or others
- Consolidate and strengthen existing multi-stakeholder platforms providing avenues informed exchanges, development of positions and action, and consider ways to engage media more strategically as part of this work;
- Bring leverage to the work with the private sector on responsible investments to date where ‘the example of a few can serve as an example for the many’;
- Develop a strategy for VFI’s private sector engagement to provide at a minimum direction, criteria for engagement and selection, and risk management

Component 2 - Land Tenure Security and Land Rights Education

- Capitalize on existing trainer capacity, tools and materials to train villagers and follow up closely for M&E and learning purposes
- Enhance the utility of the short films and the Legal Calendar further by developing succinct, but practical guiding questions or tools to accompany these materials
- Capture stories of change, document and seek avenues to share challenges, lessons learnt and perspectives of villages feeding into policy engagement, dialogue spaces and platforms
- Train VMCs and follow up both VMCs and paralegals to assess approach, effectiveness and further actions to ensure the utility and sustainability of local level grievance mechanisms
- Focus on building informed and resilient villagers enabling them to protect their rights and prevent loss of their land and livelihoods

Component 3 - Capacity Building

- Focus on finalizing key manuals and handbooks, and working with government for approvals to facilitate future use and dissemination by interested stakeholders in the land issues sector

- Coordinate with relevant partners such as to ensure common approaches in the development of training curriculum and guidelines
- Work closely with LIWG to seek ways to pool trainers and lesson plans with LIFE and other partners for more effective and coordinated capacity-building in the land issues sector
- Offer capacity building to private sector partners as mutually beneficial

Annex A - Final Months of RL-II

The following activities were completed during the final 6 months of RL II:

1. Training for 59 paralegal volunteers from 20 villages in Sekong province by RL staff.
2. TOT training for 6 provincial and 24 district officials (30 total), on how to train village VMC members, in collaboration with MoJ.
3. Case study writeshop for 10 officials in Sekong and Luang Namtha provinces, organised by VFI in collaboration with DALAM.
4. Training for 19 DALAM officials on how to draft legal papers, organized by VFI in collaboration with MoJ.
5. A final RL II assessment, conducted by a locally engaged consultant. The review identified and highlighted RL II's 'footprint' or added value in working towards enhanced land tenure security and rights in Laos – looking to the recent past, as well as further back in time and forward to a potential 3rd phase of Rights-LINK. The main objective of the project review was to: (1) Identify, synthesize and present the main results and highlights of RL II and how these have contributed to achieving the project goal and outcomes; and (2) Provide recommendations for future work of RL based on identified gaps and needs in the land issues sector, and RL's comparative advantage in addressing these. (See [Annex](#) for a copy of the assessment).
6. Documentation of RL II approaches. In June 2016, the RL team attended a 1.5 day writeshop on how to document the different tools and approaches applied during RL II, and the results of these interventions. The aim of documenting the approaches is to capitalise on knowledge and lessons generated through testing the approaches and tools during RL II. The final knowledge products will be attractively packaged, and the English versions will be disseminated and shared with key stakeholders later this year.

At the same time, quite a few key activities were planned, but were not able to be implemented due the delay in budget release from the donor:

1. Study Tour to Thailand to see agricultural land and forest management by communities
2. Field visit- decision makers to meet with villagers (dialogue between decision makers and villagers)
3. Inter-province exchange visits for government officials
4. Endline survey (this is covered by the RL II final assessment)
5. Integrating RL II approaches into the national university curriculum

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6. Rollout RL II activities to wider range of CSOs
 7. EIA awareness raising for government officials
 8. Information dissemination to provincial / district TV, Radio, and loudspeakers (*tholakong*)
 9. Support to Research Forum of University (RL staff attended, but were unable to contribute financially to the Forum this year)



Rights-LINK Lao project Phase II (RL-II) Land, Information, Networking, Knowledge

Development Goal

The governance and sustainable management of land and natural resources in Lao PDR is strengthened through improvements in information access, participation and capacity of key actors.

Project Objective

To improve stakeholders (government, civil society, private sector, local communities and in particular women and ethnic groups) capacity, knowledge, and participation in policy dialogue on land-related issues so that rural communities can exercise their rights to manage the land they use in a sustainable and equitable manner.

The project operates upon the following principles:

- Lao ownership
- Recognition of gender relations in regard to land-related issues
- Recognition of ethnicity and local traditions and cultures
- Neutrality
- Open access to information
- Pluralism
- Participation

For further copies, please contact:

Rights-LINK Lao Project Office,
Village Focus International,
PO Box 4697, Vientiane, Lao PDR
+856 21 312 519

Email: info@rightslinklao.org
www.rightslinklao.org