



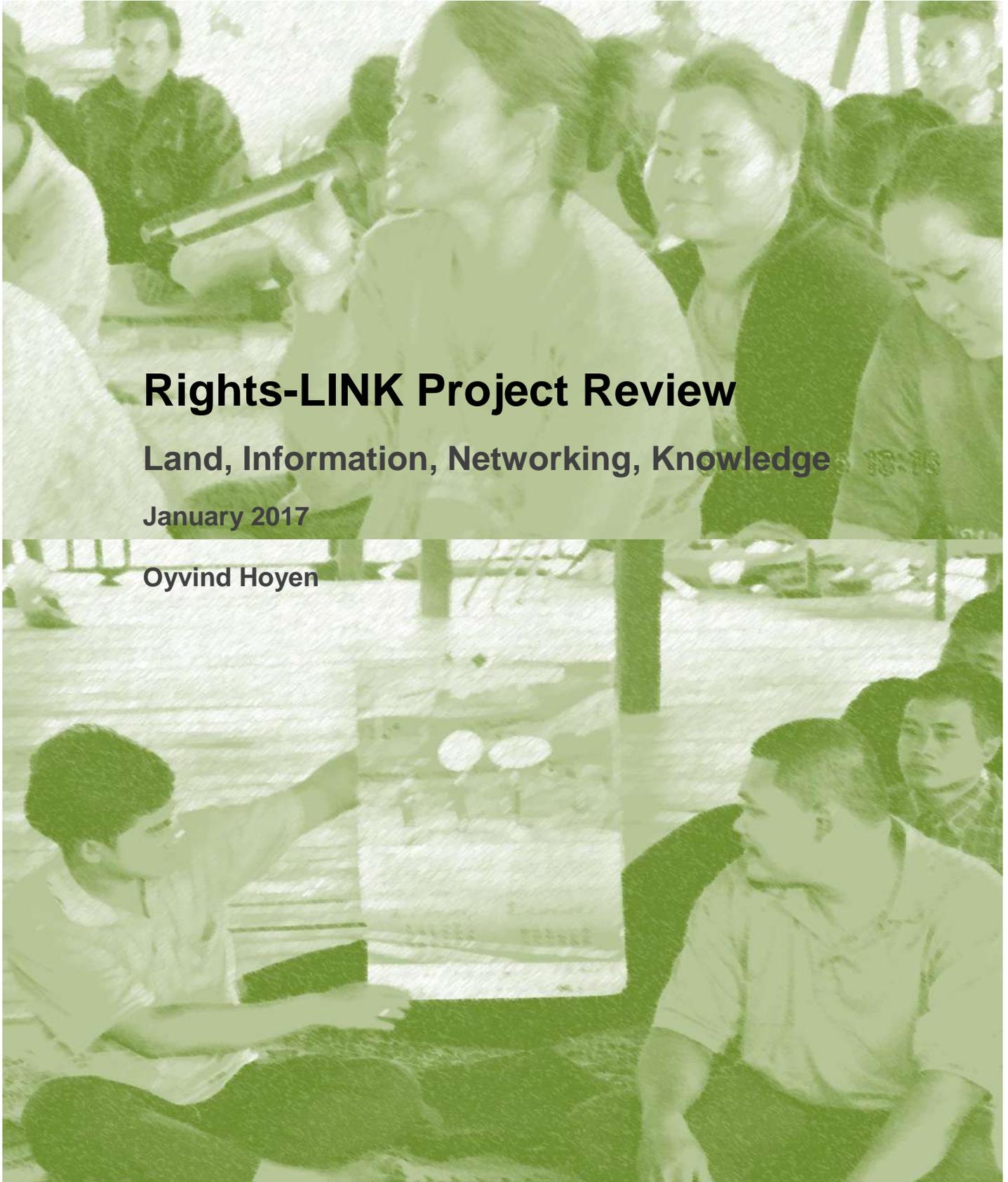
*Investing in local leaders to create global change*

# **Rights-LINK Project Review**

**Land, Information, Networking, Knowledge**

**January 2017**

**Oyvind Hoyen**



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## Abbreviations and acronyms

A2J	Access to Justice
CCL	Comité de Coopération avec le Laos
CSO	Civil Society Organization
DALaM	Department of Agriculture and Land Management
DAC	Development Assistance Committee
DAFO	District of Agriculture and Forestry Office
DLWU	District Lao Women’s Union
DoJ	District Office of Justice
DONRE	District Office of Natural Resources and Environment
FLEGT	Forest Law Enforcement, Governance and Trade
FPIC	Free, prior and informed consent
GAPE	Global Association for People and the Environment
GCA	Green Community Alliance
GIS	Geographic Information System
GIZ	Die Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH
GPS	Global Positioning System
IEC	Information, Education and Communication
IFC	International Finance Cooperation
JVC	Japan International Volunteer Center
LIFE	Land learning Initiative for Food security Enhancement project
LIWG	Land Issues Working Group
MAF	Ministry of Agriculture and Forestry
MCC	Mennonite Central Committee

MEM	Ministry of Energy and Mines
MoFA	Ministry of Foreign Affairs
MoICT	Ministry of Information, Culture and Tourism
MoJ	Ministry of Justice
MoNRE	Ministry of Natural Resources and Environment
MoST	Ministry of Science and Technology
MoU	Memorandum of Understanding
MPI	Ministry of Planning and Investment
MRLG	Mekong Region Land Governance
NA	National Assembly
NAFRI	National Agriculture and Forestry Research Institute
NERI	National Economic Research Institute
NLMA	National Land Management Authority
NPA	Non-Profit Association
NSSC	National Social Science Council
NUOL	National University of Laos
OECD	Organization for Economic Cooperation and Development
PADETC	Participatory Development Training Centre
PALM	Participatory Agricultural Land Management
PLUP	Participatory Land Use Planning
PPA	Provincial People's Assembly
RAIWG	Responsible Agricultural Investment Working Group
RL II / Rights-LINK II	Rights – Land, Information, Networking and Knowledge Phase II
SAEDA	Sustainable Agriculture and Environment Development Association
SDC	Swiss Agency for Development and Cooperation
TABI	The Agro-biodiversity Initiative
ToT	Training of Trainers
VFI	Village Focus International
VMC	Village Mediation Committee
WCS	Wildlife Conservation Society
WWF	World Wildlife Fund

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Any omissions or errors remain the responsibility of the author.



Oyvind Hoyen, Vientiane, 23 January 2017

## Executive summary

The Rights – Land, Information, Networking and Knowledge Phase II (Rights-LINK II or RL II) project was implemented by Village Focus International (VFI) in cooperation with the Department of Agriculture and Land Management and Development (DALaM) under the Ministry of Agriculture and Forestry (MAF). The project was mainly funded by the Swiss Agency for Development and Cooperation (SDC) and had a total budget of USD 2,800,000. It was to follow immediately after Rights LINK phase I (March 2009 – March 2012).

The Memorandum of Understanding (MoU) for RL II between VFI and DALaM signed in January 2015 marked the official approval of RL II. The delayed start was due to a combination of wider political developments and sensitivities, and the merging of the counterpart from phase I, the National Land Management Authority (NLMA), with the newly established Ministry of Natural Resources and Environment (MoNRE). With funding secured and staff already on board, RL II turned this obstacle into an opportunity. RL II would emerge as an organization that expanded its work and impact through partnering with more than 60 organizations throughout the country. Later with the MoU in place RL II would work on the ground in three provinces – Luang Namtha, Bolikhkhamxay and Sekong – moving from Salavan province in phase I.

RL II responded to the multiple problems and injustices that arise with ‘turning land into capital’ in a governance vacuum, as well as land tenure insecurity and lack of awareness of laws and pathways to justice at community level. Building on the foundations, lessons learnt and results of phase I, phase II set out with the hypothesis that once rights bearers and duty holders understand their roles, they will be open to and seek new ways of interacting that promote transparent and equitable decision-making. This will lead to farmers benefitting more from development opportunities, there will be less conflict, and land will be managed in a more sustainable manner. To achieve this RL II focused on enhancing the capacity, knowledge, and participation of government, civil society, private sector and local communities in decision-making on land-related issues.

With a three-pronged approach focusing on policy engagement, land security and capacity-building phase II made some important inroads in making this hypothesis – and long-term and ambitious goal – become reality. Working at all levels RL II has enhanced the capacity, knowledge, and participation of government, civil society, private sector and local communities in decision-making on land-related issue. Importantly, RL has enhanced land rights awareness and capacity coupled with access to spaces for dialogue and mechanisms for conflict resolution. In simple terms, for central level stakeholders RL has contributed: rights + policy dialogue spaces, and for local level stakeholders RL has supported: rights + mechanisms for conflict resolution.

**“Now district officials know how to communicate and train at community level. They now understand villagers’ land rights and needs. They did not know that earlier.”**

*Mr. Thongsavanh Keonakhone,  
Head of Planning and Cooperation  
Division, DALaM, MAF*



*Young female student speaking up at a LINK Center event*

With the donor deciding not to extend funding beyond 2016, RL II came to an end in December 2016 only two years after it was officially started. Thus, it is too early to assess the real impact and sustainability of the interventions to date. However, local authorities already provide training on land rights issues, access to justice (A2J) and pathways to justice. Participatory agricultural land management (PALM) is conducted in a more inclusive manner with the villagers. Villagers can access both paralegal volunteers and village mediation committees (VMCs) to mediate and help resolve conflicts. Authorities seek advice and input from VFI on policy development, the young participate in discussions and events on land rights issues and the private sector is starting to engage on responsible investment in the agricultural sector. Just as importantly: RL II has through partnerships and work with LIWG increased the capacity and participation of many, if not most actors active in the Lao land issues sector.

These initial actions and partnerships bear promise of a tomorrow where rights holders can fully exercise their land rights and duty holders support them in doing so. The continuation of Rights-LINK is potentially the best bet that this will come true.

## PART I – Background

### I. Project background

The Rights – Land, Information, Networking and Knowledge Phase II (Rights-LINK II or RL II) project was implemented by VFI in cooperation with DALaM, MAF. The project was mainly funded by the Swiss Agency for Development and Cooperation (SDC) and had a total budget of USD 2,800,000 – USD 2,200,000 from SDC and USD 600,000 from VFI.



Initially, the plan was for Phase II to start right after the completion of Phase I (March 2009 – March 2012). However, due to changes in the political landscape and events on the ground, the project's Memorandum of Understanding (MoU) was only signed in January 2015 – 1 ½ year delayed. With staff already on board and funding secured, the project actively sought working through partnerships as a strategy to continue working while awaiting the MoU process to be completed. The half-year extension of the project funding by SDC until the end of 2016 was too short to allow the project to complete all its intended activities. In practice, the 4-year project became a 2-year + project.

Conflicts related to land natural resource management in Lao PDR is on the rise for some time with detrimental impact on the livelihoods for rural poor. With nearly three-quarters of the population living in rural areas and mainly off the land, there is a great urgency in addressing land tenure issues correlating closely with poverty and food security. Phase I demonstrated the value of combining local-level activities and national policy work related to land issues.

Building on the foundations of Phase I, the main intervention logic in RL II focused on rights: in order to have



more sustainable and equitable management of land and natural resources in Laos, the rural poor must have greater security in exercising their rights to access and control these resources underpinned by improved policies and available support. The project worked at central level and in three provinces: Luang Namtha in the North, Bolikhamxay in the central region and Sekong in the South, and a total of 60 villages. In each province the project operated in two districts and 10 villages in each district.

The overall project goal 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”.*

This goal is underpinned by four programmatic streams or outcomes focusing on: influencing policy, facilitating multi-stakeholder dialog, direct support to rights-holders, and building capacity of civil society and duty bearers. The project employed a rights-based approach, building awareness and understanding enabling actors to use this understanding to make better decisions on land use.

### II. Review background

With RL II coming to an end in December 2016 VFI decided to launch a brief project review to identify and highlight 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 to RL I and forward to a potential 3<sup>rd</sup> phase of Rights-LINK.

The main objective of this project review is 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.

This review, conducted by a locally based international consultant, consisted in 15 working days over a period of 2 months from the last week of November 2016 until the 4<sup>th</sup> week of January 2017. The methodology utilized was:

- Desk review of project document, work plans, reports, land policy documents, publications, research, manuals and IEC materials produced by the project or in cooperation with other stakeholders.
- Interviews with project stakeholders in Vientiane including RL project staff working at central and local levels, government partner staff at central level and partners and staff from other international organizations and the private sector.
- Participation in the final RL II wrap-up meeting with participants from project steering committee at central level, and coordination committees at provincial and district levels on 15 December 2016.

The consultant interviewed 20 people mainly working at central level and with Rights-LINK. Hence, the review is limited in terms of: duration, scope and diversity of input.

The main project results have been assessed drawing on the DAC Criteria for Evaluating Development Assistance (OECD) including: relevance, effectiveness, efficiency, impact and sustainability. A caveat here is the limited scope of the project review and that it is too early to assess impact and sustainability in any substantial manner.

The review takes into account relevant unintended results, which contributed positively to achieving RL outcomes and overall goal. As such, the scope of the review looks beyond the project logical framework. In light of the many changes that have occurred in the political landscape and land issues sector in Laos in recent years, which RL II had to adapt to, provides an overall justification for the approach taken in assessing the RL II project.

The report identifies key processes, partnerships and linkages, which enabled RL II results to be achieved, as well challenges impacting on the decisions and progress made by the project. This review also take into account earlier work in phase I and by VFI more broadly providing a more holistic basis for proposing the next steps for a potential new phase.

## **PART II – Main achievements and results**

### **III. Overall results**

The RL project sought to promote improved livelihoods, land tenure, and participation of poor, rural farming communities through strengthening the capacity, good governance, and rights-based approach of stakeholders involved in agricultural land and natural resource management.

Rights LINK phase II has engaged broadly with all intended stakeholders – government, civil society, private sector, local communities, and in particular women and ethnic groups. Project interventions have addressed stakeholder needs in terms of capacity, knowledge and participation in decision-making on land governance and rights issues within three distinct, yet inter-connected components: policy engagement, land security and capacity-building.

Stakeholders' capacity and knowledge at all levels have been built through the generation, access to and distribution of high quality and targeted knowledge products – research, case studies – and IEC materials. The LINK Centre has continued and built on the momentum from phase I becoming a hub for information, knowledge sharing and interaction on land-related issues. The consolidation and development of training

**“Rights-LINK brings together experiences from the field and policy recommendations – a comprehensive approach to tackle land issues in Lao PDR”**

*Ms. Violaine Fourile, International Coordinator, LIWG*

curricula and subsequent training of local level officials and village paralegals strengthened particularly the capacity for training, mediation and conflict resolution on land issues at local levels.

Multi-stakeholder participation and linkages between policy and issues on the ground has seen some

RL II trained **270**  
**government officials** at  
provincial and district levels.

RL II supported local level  
officials to disseminate  
information on **land rights,**  
**access to justice,**  
**grievance mechanisms**  
and other key issues.

RL II reached **9,800**  
**villagers** in **60**  
**communities** through  
information dissemination.

**Women made up 44%**  
and **ethnic minority**  
**groups were in majority**  
in RL II training activities

impressive new developments and progress. The Gap Analysis laid the foundation for a participatory and an honest reality check at community level regarding land tenure and related issues. RL II has spurred the creation of platforms to engage with the private sector and NPAs on land-related issues, as well as continued its support to continued engagement with policymakers, academia and students. These platforms enabled broader participation in discussions and actions on land issues. At the same time communities gained access to local grievance mechanisms.

Rights LINK phase I and II form a sustained, comprehensive and pragmatic set of interventions and efforts focused on rights – the rural poor must have greater security in exercising their rights to access and control land and natural resources. Phase II solidified and expanded approaches tested in phase I. Whereas phase I was largely focused on target districts and communities in Salavan province, but with wider reach through the establishment of the LINK Center, phase II brought about an expansion in terms of geographical areas covered, number of partnerships and issues, as well as the number of platforms and sectors of society being engaged.

There is still a long way to go to secure the rights and land tenure of local farmers and the rural poor. However, their plight is increasingly heard in public and through the work of RL II and VFI, and through joint work with LIWG and partners. Not only are the voices of local communities increasingly heard through the platforms and dialogue spaces created. The grievance mechanisms supported in phase II will hopefully over time also be instrumental for local grievances to be resolved. The videos and posters developed by Rights LINK have already put a face to land issues in Laos. This should all

continue and a 3<sup>rd</sup> phase of Rights LINK would be well-placed and critical to do so.

#### a. DAC<sup>1</sup> criteria

**Relevance:** Relevance assess whether the project addresses local needs and priorities with reference to national and international partners' policies and plans. Another dimension of relevance is 'appropriateness', which focuses more on increasing ownership and accountability.

Rights LINK II, as Rights LINK I, has been highly relevant to the Lao context. There is high pressure on land and natural resources benefitting 'the few' with 'the many' running the risk of being left behind and potentially losing their land. Government increasingly understands the need for better governance in the land sector, responsible investment and sustainable development. RL II was designed to be in line with and support Lao laws, policies and plans such as the National Socio-Economic Development Plan VIII (2016-2020) and the Sustainable Development Goals (SDGs). This should be high on the donor agenda, as land tenure security is closely linked with food security, nutrition, health and poverty levels – all featuring prominently in both national and international development agendas for Laos.

**Effectiveness:** Effectiveness measures the extent to which the activity achieves its purpose.

<sup>11</sup> The performance indicator assessment uses the 5 criteria developed and established by the Development Assistance Committee (DAC) of the Organization for Economic Cooperation and Development (OECD) to improve the effectiveness of development aid and which is commonly used to evaluate project performance.

With the caveat that this review is limited in duration and scope, all the input received and analyzed indicate that RL II has achieved considerable results and made significant progress achieving the overall long-term goal. This is all the more remarkable given the number of challenges faced by the project particularly in relation to the MoU process, political changes and donor decisions.

**Efficiency:** Efficiency measures the outputs – qualitative and quantitative – in relation to the inputs. This generally requires comparing alternative approaches to achieving the same outputs to assess whether the most efficient process has been used.

It is hard to pinpoint how RL II could be achieved more in a different way. There is also no other comparative or remotely similar organization or project in Lao PDR, which could offer a perspective on viable alternative avenues for implementation. RL II had two main comparative advantages to ensure that its intervention is efficient, but also effective. RL II was a highly Lao project with Lao staff fulfilling all main functions in the project. RL II partnered with a range of stakeholders ensuring better use of resources and cost-sharing.

**Impact:** Impact looks at the wider effects of the project – social, economic, technical, environmental – individuals, communities and institutions. Impacts can be immediate and long-term, intended and unintended, positive and negative, macro (sector) and micro (household).

It is premature to draw any major conclusions with regards to impact, but also to sustainability. Phase II has just come to an end and it is also difficult to separate the real influence RL II has had on, for example, policymaking compared to other sources of influence. However, Rights-LINK, phases I and II, is now considered a major resource in the Lao land issues sector. It is most likely the only project of such a comprehensive scope and reach. RL has created mechanism, spaces for dialogue and materials that are benefitting many stakeholders. It is a key contributor to LIWG, which despite having more than 40 member organizations, can only count on a handful and VFI for sustained input and support. The litmus test will be the gap that Rights LINK will leave if a 3<sup>rd</sup> phase is delayed.

**Sustainability:** Sustainability is concerned with measuring whether an activity or an impact is likely to continue after donor funding has been withdrawn.

A number of efforts and impacts of RL II are likely to continue in a RL phase III. RL II has left its mark on how PLUP and PALM are conducted. Stakeholders have access to and use a range of materials produced by RL I and II such as the short films, posters and other materials. It remains

to be seen whether the various platforms established will continue even without RL support, but there are good indications that others will step up their efforts as well. For example, the LINK Center may be supported through other means for example by being more closely associated with LIWG. The Responsible Agricultural Investment Working Group (RAIWG) has provided opportunities for future private sector collaboration and at least companies will provide the necessary financial support needed for it to keep going. VMCs are part of the Ministry of Justice's (MoJ) structures and will continue their functions, although more remains to be done to ensure their effectiveness in resolving grievances for local people.

**“Some conflicts over land occupation at village level have been resolved as a result of heightened awareness, skills and determination to resolve the problems on part of both villagers and authorities.”**

*Mr. Nor Inthaseth, DAFO, Paksan district, Bolikhamxay province*

## **b. Constraining factors**

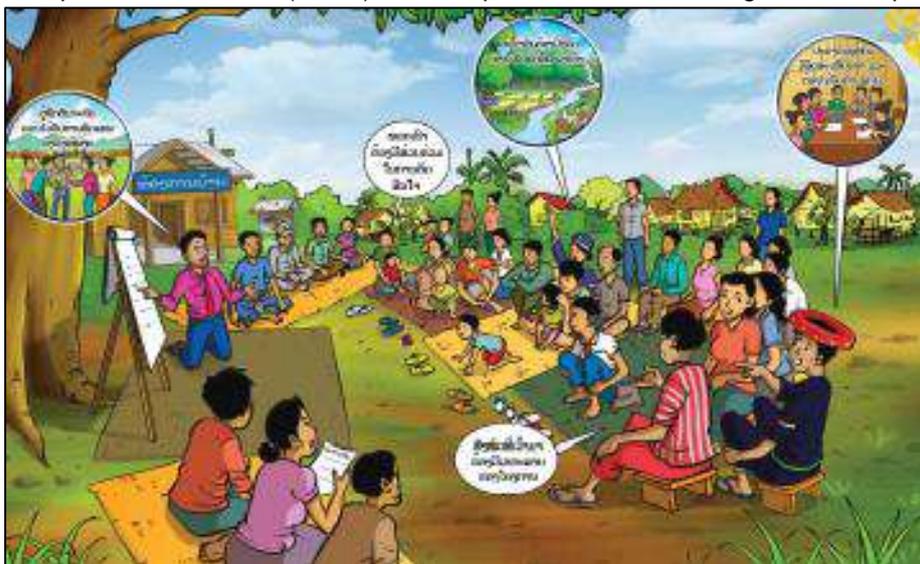
**Protracted MoU process:** VFI sought to start Rights-Link phase II in June 2012 when phase I was completed. However, a number of circumstances complicated the MoU process. Certain events that year spurred a sense of a reduced space for civil society particularly for actors working on land issues. RL's government counterpart in phase I, the NLMA was merged with the newly established Ministry of Natural Resources and Environment (MoNRE). Negotiations with MoNRE for a new MoU stalled and Salavan provincial authorities belatedly indicated that RL II should target other provinces. Finally, after discussions also with MoJ, DALaM voiced clear interest in working with RL II. VFI and DALaM entered

into detailed discussions and in mid-2014 the MoU was submitted to the Ministry of Foreign Affairs (MoFA) and was approved in January 2015 – 1 ½ year later than anticipated.

**Unsupportive donor actions:** The long-drawn MoU process could have marked the end of the Rights-LINK project. While there were a number of activities that could not start, RL II sought to move forward through partnering with other organizations. For example, RL II partnered with the Wildlife Conservation Society (WCS) working on land use planning with local authorities and communities in national protected areas. RL II provided expertise particularly on land rights awareness and education. During this time RL II also successfully developed 6 videos in close cooperation with Die Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, which after considerable efforts were approved by the Ministry of Information, Culture and Tourism (MoICT) and MoNRE – not an easy feat during that time and without an MoU. In effect, RL II had turned an obstacle into an opportunity. Tools and approaches developed by RL became integrated into the work of other organizations benefitting in turn the larger land issue sector. The project had made the most of a difficult situation, but with the donor seemingly unconvinced. The project was extended for only 6 months and limited disbursements funds in the latter part of 2016 practically grounding some of the project’s main field activities such as on the VMCs, and follow-up activities on training curricula and case studies, and with trainers and paralegal volunteers.

**c. Enabling factors**

**Active partnership-building:** RL II actively sought to work with partners providing a solid base and flexibility for the project. Continuing on from phase I RL II developed a wide and diverse network, and partnered with more than 60 development organizations, research institutions, government agencies, non-profit associations (NPAs) and the private sector<sup>2</sup>. Through all these partnerships and joint work



*Illustration from the 2017 legal calendar – a joint effort by a host of organizations and Government agencies with RL II playing a key role*

RL II and VFI gained a unique overview and knowledge of the land issues sector. Through actively engaging with highly different stakeholders RL II understands different needs, adapts and seeks to find common ground and work together – a pragmatic approach. The project deals with reality and tries to create win-win situations focusing particularly on

that RL II could work without a MoU and gain a reputation as a hub for information and capacity on land rights and governance issues. It is also through partnerships that RL II has taking a leading role in engaging the private sector on corporate social responsibility and responsible investment.

creating dialogue spaces. It is primarily through partnerships

**Comprehensive programming:** Combined with partnerships, RL II’s comprehensive and broad scope has put RL II in a unique position in the Lao land issues sector. RL works at policy level, as well as with local officials and communities, and recently also with the private sector. RL II is a project, which connects laws and policies, investment interests, rights and needs. VFI is one of the very few and perhaps the only organization that can be said to work comprehensively on land issues in Lao PDR. The ability to look at the broader picture and work locally means that RL II is part of a number of processes and is invited to practically everything.

<sup>2</sup> RL’s CSO partners included RECOFTC, Oxfam, FERN, The Asia Foundation, Helvetas, MCC, JVC, CCL, World Renew, GCA, CARE, SAEDA, PADETC, WWF, and WCS, as well as development partners - GIZ, MRLG, FAO – the World Bank, NUOL, and investors Stora Enso Laos and Outspan Bolovens (2.4.4). RL also partnered with MAF, MoNRE, MPI, MOJ and relevant line agencies.

**Respectful and fruitful government relations:** VFI has through its Rights-LINK project forged working relationships with a number of government agencies. As an international NGO set up in Lao PDR and with largely Lao staff, VFI understands the local context and how to work with Government. RL II was a good fit for DALaM with several objectives in common. For DALaM the cooperation with RL II offered an opportunity to strengthen their institutional and staff capacity. Importantly for RL II: DALaM is fully on board. They understand communities and promote villager rights. They understand that if farmers have land security they will protect their land, invest in it and feed their families. The last couple of years have seen changes in the National Assembly (NA), Provincial People's Assembly (PPA) and a new Prime Minister and President ushering in an atmosphere of more openness in the political sphere and beyond. Rights-LINK and VFI staff are regularly contacted and sought out for advice on various legal and policy-related issues such as by NA members.

**Capacitated local staff:** In many ways the local staff is *the* comparative advantage of RL II and VFI. For example, a number of organizations have praised the capacity of the RL trainers and legal staff.



*National LINK Center staff in active discussions*

“VFI somehow seems to be able to attract very capable local staff” is a common phrase. This is probably not far off the truth but at the same time the Rights-LINK project emphasizes professional growth and learning giving opportunities to young Lao graduates and volunteers. There are numerous examples of volunteers who have later become regular staff. This testifies to a working environment focused on nourishing talent, initiative and commitment. The result is a sense of belonging to a community of dedicated professionals extending far beyond

the project and organization itself through the many partnerships of RL

II. Another result is minimal staff turnover, which in turn speaks volumes of the commitment to work on land issues – work at times both sensitive and not without risk.

#### **IV. Results at outcome and output levels**

The Rights-LINK II project aimed to ‘improve stakeholders’ through the fulfillment of three distinct, yet inter-connected components. Project outcomes and outputs fall under these broader components: policy engagement, land security and capacity-building.

##### **a. Component 1: Policy Engagement**

Policy engagement focuses on building partnership and networks to generate information on land issues to enhance associated decision-making processes.

RL II has been instrumental in keeping up the momentum and initiating new interventions to influence policymakers and connecting them with realities on the ground linking policy and voices at community level particularly through the consolidation and creation of dialogue spaces and platforms for engagement.

**Outcome 1.1: Policy makers in the National Assembly, at the provincial level, and in key line ministries understand the impacts of land development on women and men at the local level and use this in their decision-making processes.**

In the public sphere there have been frequent statements lately by high-ranking officials including from the NA and Prime Minister Sisoulith on issues such as illegal logging, pesticide use, problems with investments and concessions. These have been voiced both in meetings and in the media.

Upon the request of MoNRE, the Land and Livelihoods Program Coordinator of VFI (Project Coordinator for RL II), co-chairs two out of 6 working groups under the Land Sector Working Group of the Lao Government. These working groups are: Compensation, and Land Tenure Security and

Policy Implementation. RL II has presented their position together with LIWG on relevant land issues, policies and laws. This has been well-received and other civil society partners have expressed support to VFI's approach..

VFI is one of very few stakeholders that have both access and capacity to engage in policy analysis and come up with comprehensive and well-founded recommendations. For instance, when the latest land law draft was available for review, relevant staff got together for a few days to analyze and provide input on the law resulting in a position statement. This was later shared and discussed with relevant stakeholders including from LIWG, academia 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.

RL II staff is regularly contacted from various government agencies asking for some input or advice on various land policies and issues. Project staff has also been invited to participate in several NA workshops both in Vientiane and in the provinces. Requests have also come to LIWG where RL II and VFI are active members. RL II has also been requested to provide research support, training on law development and legal writing to DALaM together with MoJ, which was provided. It should also be added that many civil society organizations (CSOs) also seek advice, as most do not work at policy level.

**“We need to be prepared. That is essential for policy engagement”**

*Ms. Vanida Khouangvichit,  
Land Policy Coordinator, RL II*

There are also promising signs that the Ministry of Planning and Investment (MPI) begins to see the need for more responsible investment practices in the land sector. MPI has supported various initiatives with VFI and RL II in the lead and also invited RL staff to participate in meetings on responsible investments and investment promotion law.

Thus, there is clearly interest on part of the Government in the opinion of VFI and RL II on substantial matters related to land issues, rights and governance aspects. Thus, it is fair to say that VFI through its Rights-LINK II project has a foothold and entry point in policy-making processes on land issues, and a privileged position for an NGO in this country. While it is difficult to assess the extent of the influence RL II is able to exert on policy-making, having access is no small achievement and of importance to the wider land issue sector and partners in Lao PDR. It can only be assumed that it is the reputation as a competent, trustworthy and constructive partner that 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.

**Output 1.1.1: A range of knowledge products for key target groups (policy makers, civil society, NGOs, academics and students), using new and consolidating existing materials, are tested and produced and disseminated three through various communication mechanisms (print, radio, TV, etc.).**

RL II developed and produced various knowledge products of which particularly three stand out: the Gap Analysis, case studies, and a research study “Linking Food and Land Tenure Security in the Lao PDR”.

**Gap Analysis:** The Gap Analysis was undertaken shortly after signing the MoU with DALaM in early 2015. The survey looked into agricultural land management in 30 target villages of RL II and was conducted jointly by VFI and DALaM. The purpose of the



*Consultations with women as part of the Gap Analysis*

analysis was to serve as a baseline assessment and a guide for the strategic implementation of the interventions of the RL II project. The Gap Analysis basically asked “what is wrong in your village?” The survey identified issues at community level related to land, the gaps seen to cause these issues, and solutions to address these gaps. It was highly participatory involving RL II, DALaM, villagers and authorities from various government bodies at district, provincial and central levels. Findings were first analyzed and discussed by the main survey team and then presented, discussed and validated with local authorities. While there were disagreements, the exercise proved a very fruitful way of generating understanding and building capacity to analyze problems and come up with solutions with the stakeholders involved. For VFI and DALaM the process of conducting the Gap Analysis was a powerful way of fostering trust and a working relationship based on mutual respect. DALaM fully endorses the report and has disseminated the findings with involved survey stakeholders.

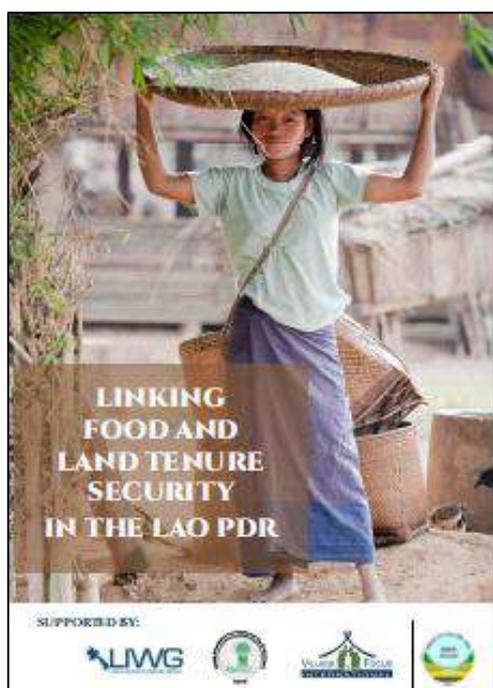
The Gap Analysis identified a number of issues for example the importance of communal land and problems related to contract farming. This informed RL II’s work at all levels and in all three components. Findings informed RL II’s policy engagement, informed research projects and training curriculum development. Thus, the Gap Analysis provided a powerful tool for lifting up the voices of local people to relevant policymakers – a tool to connect the local and national levels. 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).

**Case studies:** RL II has worked with provincial and district authorities on the development of 10 case studies to capture field experiences and perspectives on a number land issues. These case studies are currently being finalized and will be yet another resource for policy engagement, but also in capacity-

## Key Lessons Learned

- Investors need to **go beyond compliance with national laws** to achieve business objectives
- **Engaging with communities** prior to and throughout investment reduces long-term risks to investment projects (VFI is now working with Stora Enso on this)
- **Government plays a key role** in promoting and setting standards for responsible investment practices
- Implementing responsible investment requires a **multi-stakeholder effort** and increased cooperation between private sector and civil society
- All stakeholders involved require a **deeper understanding** of how to implement responsible investment practices, and 'grassroots' perspectives need to be amplified (Phase II of RAI Working Group)

*Lessons learned presented in the case studies on agribusiness investments in Lao PDR*



building. These case studies have been drafted by local authorities themselves with support from RL II on topics such as: impact of chemical use, problems of contract farming, and village conflicts and land use planning.

In cooperation with the he RAIWG, RL II led the development of a series of four case studies detailing the experiences of two investors involved in agribusiness plantations in southern Lao PDR. The case studies cover: (1) land acquisition; (2) compensation and benefit sharing; (3) community engagement; and (4) grievance mechanisms. They were the result of a week-long multi-stakeholder engagement and dialogue, involving the companies themselves, government, CSOs and the communities concerned.

**Research study “Linking Food and Land Tenure Security in the Lao PDR”:** This joint study supported by VFI (RL II), LIWG, GAPE and DALaM analyzes the relationship between land tenure security and food security for rural farming families in the Lao PDR. Its findings help to understand how rural farming families and communities are more likely to experience greater

agricultural production and increased food security when they are confident in their rights to use and benefit from the land, especially agricultural land that they rely on for growing crops and grazing livestock.

**Output 1.1.2: Rights-LINK engages in and supports a number of policy related processes both nationally and regionally by working with a range of policy makers.**

**Research forums:** RL II has been a key contributor to establishing research forums at national level bringing together academia, government, development partners and civil society to discuss research and implications for policy in relation to broader development issues including land governance.

RL II initiated the 1<sup>st</sup> research forum in Lao PDR on 17-18 December 2014 with the theme of “Pathways for Sustainable Development in Lao PDR”. It was held at the National University of Laos (NUOL) in collaboration with the National Economic Research Institute (NERI) and the National Agriculture and Forestry Research Institute (NAFRI) covering a range of topics including food security, gender equality, sustainable livelihood development, trade and sustainable natural resource management. It attracted significant interest and attention bringing together more than 350 researchers and senior policy-making officials from all over the country. RL II’s Project Coordinator spoke on a session entitled “Laos’ Land Titling Gap and its Implications for Rural Land Tenure”.

RL II also supported and participated in the NUOL’s 2<sup>nd</sup> research forum in December the following year. This time the forum’s theme was “Getting Ready to Enter the AEC”. Guest speakers featured Deputy Ministers of MoNRE, MPI, Ministry of Energy and Mines (MEM), Ministry of Science and Technology and the National Social Science Council. RL II’s Communications Advisor presented the findings of the Gap Analysis and engaged with policymakers on possible policy-based solutions.

**RAIWG:** RL II and VFI have been a driving force in establishing the RAIWG in August 2015. It is a multi-stakeholder group with government, civil society, development partners, financial institutions and agribusiness investors. Its purpose is to: develop a common understanding of “responsible investment”;

document and share real examples and lessons learned from agribusiness investments in Laos; and, create space for cross-sector dialogue and collaboration.

In November 2015, RL co-hosted the Seminar on Responsible Investment with MPI, IFC, LIWG and MRLG. It was the first such seminar on responsible investment in Lao PDR. This was

followed by a Responsible Investment Study Tour to southern Lao PDR in December 2016 with participation from MoNRE, MPI and local government authorities. The tour visited two agribusinesses including Stora Enso Laos, which has eucalypt plantations in Savannakhet and Salavan provinces. The results of the study tour were compiled into a series of case studies.

Thus, in only a year or so quite significant results have already been achieved on private sector engagement on land issues. However, it is a challenge to work with such diverse stakeholders often with very different objectives and interests. For instance, one company RL II initiated contact and cooperation with did not comply sufficiently with its own policies on corporate social responsibility in practice for RL II to continue the cooperation. There has also been skepticism within government towards civil society interference in the private sector and in relation to foreign investments. Many of the most notable critics are within the INGO sector itself where organizations take very different views on whether to work with the private sector or not. VFI takes a pragmatic view considering both risks and opportunities, but also acutely understanding that the private sector cannot simply be omitted and that there is growing interest in CSR.



**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**

Phase II has seen the consolidation of 1 multi-stakeholder platform and the development of 4 new platforms for dialogue and exchanges linking policy level closer to issues on the ground. The direct exchange between villagers and officials, and particularly higher level policymakers, is not surprisingly still more limited and difficult to achieve, but local voices and concerns are increasingly heard reaching policymakers in debates on land-related issues, which in no small part is thanks to RL II's work at various levels.

**Output 1.2.1: Four multi-stakeholder platforms are established at different levels to allow local communities space to have dialogue and be heard in local (village, district, provincial) and national policy processes**

**LINK Resource Center.** The well-designed, equipped and active LINK Center was established already in phase I and was launched in March 2010. Since then it has continued to improve its library, availability of materials through working closely with partners, access to internet and services. The Center is open for everybody and visitor can access both the physical library and all the materials stored online on the project website: [www.rightslinklao.org](http://www.rightslinklao.org). There is now also a Facebook page where announcements are made and discussions on specific topics are facilitated and moderated. The information in the LINK Center is now more focused on land issues than in phase I, which included information on a range of other topics.

Apart from LINK Center staff, more than 20 volunteers and interns have contributed to the Center and have in return received on-the-job training on administration, finance and communication-related topics. This again testifies to VFI's strong commitment to investing in Lao staff and young people.

Organizing and taking part in various types of events, meetings and exchanges is an integral and important part of the LINK Center. This is what brings the Centre alive and helps connect people, issues and ideas in relation land governance and rights issues. 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.

Reaching this point has not been without challenges for the Center. Events organized before the MoU for phase II was signed had to be organized in the name of VFI and not Rights-LINK. Since July 2016 very few events and meetings have been held due to limited budget and disbursements of funding from the donor. Information that is posted also has to be checked first internally before approved for dissemination. This is for quality assurance, but also in recognition of some of the sensitivities at hand. For example, on one occasion when flyers for an event on hydropower and land rights issues were distributed, VFI received a call from MoFA. Center staff and others have also received comments and criticism from event participants. However, overall the Center is considered a big success and perhaps along with all the IEC materials the main feature stakeholders in Lao PDR and beyond attribute to VFI.

**Between January 2013 and December 2016 the LINK Center organized and contributed to 150 events with nearly 9,000 participants – 45% women – from authorities, civil society and academia.**

**LINK Centers at DALaM – central and provincial levels:** The LINK Center supported the establishment of a LINK Center at DALaM in Vientiane, as well as 3 provincial DALaM 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 staff and volunteers have been trained and coached on how to manage such centers by RL II staff. RL II and DALaM have also cooperated on hosting events. 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 and staff, and others.

**Forest Law Enforcement, Governance and Trade (FLEGT):** RL II has supported the capacity-building of NPAs in order for them to participate more effectively in the FLEGT process. The EU FLEGT Facility contributes to combating illegal logging and strengthening forest governance while encouraging economic development in countries that produce or process timber and export to the EU. Lao PDR has signed on to this voluntary process and by doing so has agreed to the participation of Lao civil society, which is a FLEGT requirement. This is quite sensitive in the Lao context and another challenge has been to enhance the capacity of the local CSOs, which RL II and VFI still supports. Given the still limited capacity and involvement of local CSOs in the political sphere, the FLEGT process offers a platform for dialogue between civil society, government and development partners.

**Research forums and RAIWG:** Both the research forums and the RAIWG, as explained above, provide new entry points for policy engagement linking academia and research, as well as the private sector. At the same time the forums and the working group can be said to constitute platforms for dialogue and for the voices, needs and concerns of local people to be heard.

## b. Component 2: Land Security

This component aims at developing a range of effective mechanisms enabling communities to



*Consultations on land issues with village authorities during the Gap Analysis*

exercise their rights to access and manage land and natural resources and resolve conflicts over them.

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. 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

disbursements of funds by the donor. Particularly the planned capacity-building of the VMCs could not be conducted due to this.

**Outcome 2: Decisions related to land rights are made in a more inclusive manner with multi-stakeholder participation in the three target provinces through application of mechanisms developed and tested by the project and its partners (e.g. conflict resolution, paralegal services, and alternative platforms for conflict resolution and land-use decision-making).**

The implementation of the PALM activities, support from authorities to set up and promote local level grievance mechanisms and direct involvement of local officials as trainers on land rights issues and access to justice can be taken as positive indications of more inclusive and rights-based conflict resolution and land-use decision-making in the future.

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 justice on land tenure and other issues were established with support from the authorities. The paralegal volunteers and VMCs were the main mechanisms supported. In effect, RL II promoted both rights and rights protection through the access to mechanisms for conflict resolution and access to justice.

The work in Component 2 relied 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 addition, the experiences of local people in using the mechanisms and actual decision-making is very limited to date and will take more time assess

**Output 2.1: Approaches that enable rights holders to exercise their rights to land and natural resource management are tested, documented and applied**

The findings from the Gap Analysis informed the planning and design of the approaches and mechanisms enabling rights holders at community level to exercise their rights to land natural resource management.

**Grievance mechanisms at local level:** RL II worked with relevant authorities to set up and promote two main grievance mechanisms at local level: the paralegal volunteers and the VMCs. In phase II the paralegal approach was scaled up and implemented across all 60 villages in the 6 target districts in 3 provinces. Three main groups were selected to be paralegal volunteers: students with some legal background, women and individuals with responsibility for land issues. The paralegal volunteers were individuals who do not hold a position in the communities. Thus, they were independent from the village authorities unlike the VMC. This provided more options for villagers. Some may choose to speak with a paralegal volunteer, because they do not want to bring something to the attention of the authorities. There might also be conflicts of interest if VMC members have a stake in particular land issues. Consulting with the paralegals is free of charge and may sometimes be quicker, as the VMC has several members. The main the 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 of the VMCs each village. The VMC members were interviewed and their main needs identified. Meetings were also held with villagers to explain the basic role and functions of the VMCs. However, training of the VMC could not take place due to the project coming to an end.

Although MoJ is keen to see support to law students and others with legal background, RL II experienced some resistance in their work with paralegals. Some stakeholders considered that their independence can stir problems at local level.

**Output 2.2: Duty-bearers carry out their roles and responsibilities enabling rights-holders to exercise their rights to land and natural resource management**

Trained officials from district and provincial levels in the three target provinces have led information dissemination and awareness-raising at community level on: land rights and PALM, A2J, paralegals and VMCs.

**PALM:** PALM is premised on the expectation that local land use plans that have been prepared in a participatory manner, as well as officially recognized local agreements on the use of land can increase land tenure security for rural communities. Land use planning can also be used as



*RL II staff discussing village land boundaries with local authorities during PALM activities*

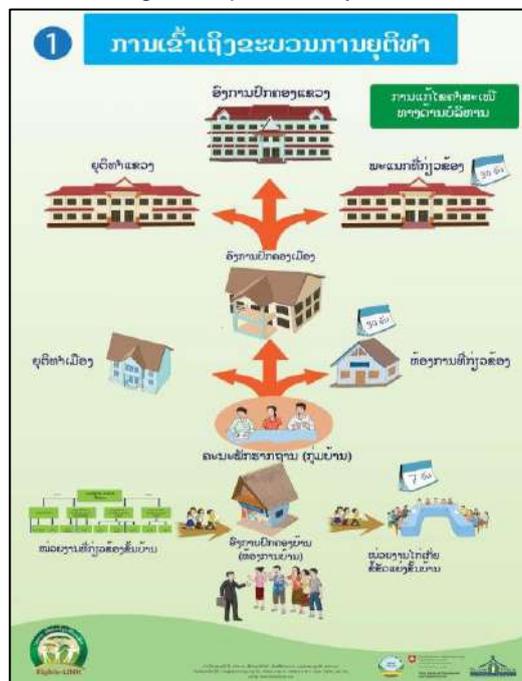
a platform to solve land conflicts that can result from large-scale land acquisition. PALM was identified

as best practice, because partner organizations (such as GIZ and The Agro-biodiversity Initiative (TABI) work on PALM in other parts of the country and regionally. RL II added a stronger dimension of rights education as part of this work. RL II agreed to target villages, which DALaM and the MAF considered the main priorities within the 6 districts.

Following Training of Trainer (ToT) workshops for district and provincial authorities, RL II supported DALaM to carry out PALM in 6 villages – 1 village in each target district. The village sessions were typically introduced with short films from the Land, Agriculture and Village Development series. While only 6 villages could be targeted to date, as this is time-consuming and quite costly, around 1,000 families have had their land registered in the family land books signed by the District Governors.

Once the purpose of PALM was sufficiently explained to the villagers they were keen to register their land plots. It was the first time they had received any document on their lands. It is not a land title but provides evidence of their land and can be a step for a land titling process later.

**A2J:** Following the ToT in Vientiane 2-day coaching workshops were organized with the trainers in each province to prepare and practice for the village-level training on A2J. Relevant tools and posters were discussed, as well as explained to ensure ease of understanding by villagers. The information dissemination and training on A2J was conducted in parallel with teams training the paralegals reaching all 60 target villages. The trainer team trained in one to two villages per day depending on the location, distance to travel and road conditions. The focus was on basic rights and pathways to justice advising how and where to lodge grievances. The villagers brought up various issues and case studies such as on compensation, contracts, lack of responses and complaint resolution.



**Output 2.3: Communication materials and processes are consolidated, developed, tested and documented at the village level to communicate basic rights to local communities and provide them avenues to seek redress**

Particularly posters and videos have been developed for the purpose of both information dissemination and training at community level. These IEC materials are also in use for many other purposes, as they are of high quality and are useful for many different stakeholders at various levels. The Legal Calendar is also a key output by RL II and the wider land issues sector. It is used at community level, but equally with policymakers at central level.

**Short films on land issues:** RL II successfully produced two series of 6 short films on Land, Agriculture and Village Development with support from GIZ and in cooperation with different ministries. Both series of short films can be viewed on YouTube: <https://www.youtube.com/user/rightslink>.

As explained earlier, the 1<sup>st</sup> series was produced even before the MoU was approved. These first 6 films were launched at the LINK Center with representatives from MoNRE, MoJ and MoICT. The first series of films have been dubbed

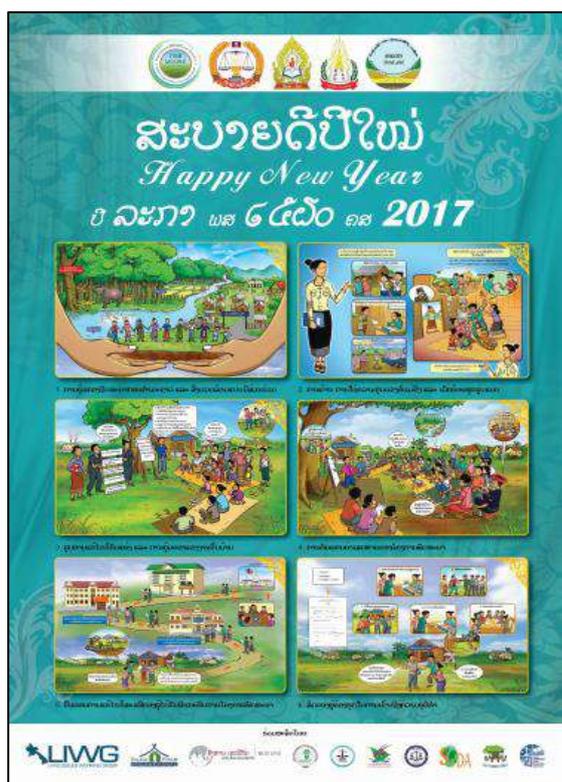


The covers of the 1<sup>st</sup> series of short films

into three ethnic languages (Akha, Khmu and Hmong) with subtitles. The 2<sup>nd</sup> series was also supported by GIZ and endorsed by MoNRE, MAF, and the Committee for Rural Development Office – 2 films each related to topics within their respective mandates. These last films were launched in August 2016 addressing issues such as: participation in land governance by communities and women, risks of debt, and communal and customary land rights.

The feedback from many stakeholders – government and civil society alike – on these films has been very positive. Villagers can relate to stories and problems in the films. GIZ confirmed that they regularly use the films as a general introduction to land issues or to introduce specific topics. They have found that when asked villagers understood about 80% of the messages in the films proving the effectiveness of the films. Others consider that the films work as ‘conversation starters’. The films draw in their audience and relate to their lives opening up a space for discussion on real-life issues.

**Legal Calendar:** The Legal Calendar has been a prominent feature in the wealth of Information, Education and Communication (IEC) materials produced or supported by Rights-LINK both in phase I and II. The initial calendar was produced in 2010 in cooperation with CIDSE and GAPE. Since then a calendar has been produced every year and has grown exponentially in terms of stakeholders involved ranging from INGOs to local NPAs and Government. This is really a success, as it brings together the land issue sector and promotes land tenure issues of local people. At the same time, it is a challenge to work with such a number of interested parties, and RL II has invested a lot of time and effort to move this forward.



The calendar is really a product of a network, but VFI’s prominent role from the very start and throughout the years is undeniable. The capacity of the staff – graphic designer, communication expert, legal staff and logistics – is a key factor. The strong commitment and focus on quality is another critical part. The calendar, which is focused on land and forestry issues, as well as associated issues such as gender, labor and environment, reflects real needs and issues. The information needs to be accurate; messages and illustrations also need to be clear and understandable. It is a calendar, but also a tool for awareness-raising and training, and is used widely by various stakeholders including at community

level. 1,500 copies were disseminated in collaboration with partners.

**Posters:** RL II has designed and produced a wide range of posters on numerous land issue-related topics for example to accompany training materials, be included in the Legal Calendar and much more. One of the latest outputs has been for to create posters for the upcoming capacity-building training and work of Stora Enso’s Land Team in the communities where they operate. Earlier RL II created a series of 14 ‘Safety Awareness’ posters, which the company plans to use in educating staff and communities on health and safety aspects of good agribusiness practices. This was the initial output from the cooperation between RL II, VFI and Stora Enso. With Stora Enso keen to apply free, prior and informed consent (FPIC) principles, particularly to help communities better understand what the company seeks to achieve and work with the communities to achieve ‘shared benefits’, VFI was a good fit and a natural partner for the company.

**Output 2.4: Partnerships are in place to scale up and out new and tested approaches in selected provinces**

RL II has partnered with over 60 development organizations, research institutions, government agencies, local CSOs and the private sector. This has moved forward a number of initiatives such as policy engagement processes and platforms for the private sector and NPAs involved in the FLEGT process. Other examples include: cooperation with the Land learning Initiative for Food security Enhancement (LIFE) project – a consortium of more than 10 organizations including VFI in Lao PDR –

to conduct training to local officials and local communities in all 3 target provinces of RL II; and capacity building for WCS on Participatory Land Use Planning (PLUP) and land use rights.

### **c. Component 3: Capacity-building**

This component focuses on building a cadre of trainers and facilitators who can mediate and resolve conflicts over land management of key actors at different levels (i.e. civil society, government officials, private sector, students/academics).

Phase II saw good progress in building trainer and mediator capacity at local levels in three provinces with a total of 270 district and provincial officials from 3 provinces trained on a range of land rights issues. Approximately 180 paralegal volunteers – coming from each target village – were trained.

**Outcome 3: 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).**

**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**

RL II built the capacity of a pool of trainers and facilitators on various land rights and legal issues, and facilitator skills at district level in 3 provinces. The project has also initiated very promising cooperation with Stora Enso, which is soon to culminate in an initial pilot training on land rights issues for the private sector. Through its LINK Center and cooperation with the DALaM LINK Centers, CLE, as well as the support to the research forums, RL II is engaging with the education sector, academics, students and teachers and many more stakeholders.

**Output 3.1: A range of paralegal volunteers and staff of civil society organizations are skilled mediators that can help resolve land use conflicts at the local level**

**Paralegal volunteers:** In total, 180 paralegal volunteers have been trained by trained district and provincial officials: 3 volunteers (2 men and 1 woman) per village in 60 villages. More than 50% 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 touching mainly on: 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 have the following responsibilities: set up meetings to inform villagers about their rights and relevant laws; be available and provide service; and, coordinate with district trainers. They should be able to advice on pathways to justice, i.e. where to go, help to fill in forms for the VMC etc. Each District Governor in the 6 districts has signed an Agreement including Terms of Reference and with the names of each of the paralegal volunteers.

**Output 3.2: Government officials and private sector have better understanding of their roles to protect rights and encourage local voices**

**Curricula development and ToTs:** The approach of RL II has been to train or co-train district staff and some provincial staff, and to support them in their subsequent capacity-building and information dissemination mainly at community level. First a 4-day training workshop on facilitation and communication skills was arranged for each province. There were about 30 participants in each training coming from DAFO, DONRE, DOJ and DLWU. Following this initial training the participants from each province were split into two



*RL II trainer during curricula development*

groups. One group would focus on PALM and Land Use Rights, and the other group focused on A2J, paralegals and VMCs. In this way, participants from three provinces were joined according to thematic areas.

RL II conducted participatory curriculum development workshops for 5 days with each of the two groups in Vientiane, which functioned as ToTs at the same time. Parts of the training especially on A2J, paralegals and VMCs were led by MoJ with RL II input and support. The participants were also coached on the use of the IEC materials to ensure full understand and appropriate use of them in future training activities. This highly participatory process created a strong sense of ownership, as it also linked back to the Gap Analysis, which several participants had been involved in. Regarding the capacity-building on PALM, RL II focused on both land rights education and technical training on for example GIS, GPS and report-writing. There were two main objectives: 1) to build basic skills on mapping and related issues; and, 2) to develop knowledge and skills on PALM and land rights issues.

Two case study training workshops were arranged for district staff in Luang Namtha and Sekong. A workshop was also arranged for the NPAs in the FLEGT process. The Gap Analysis fed into the workshop, but also other topics were identified by the participants. 10 case studies were drafted by district officials and are nearly finalized. Another 4 case studies by the NPAs are in process. It is anticipated that the case studies will be published and can be utilized as part of training and information dissemination. It can be a powerful tool to share experiences between different parts of the country on various challenges in the land issues sector.

Many of the materials used for the ToTs and training activities had largely been developed in phase I or available from other stakeholders such as the paralegal manual, however further work was required for example to the VMC handbook and A2J curriculum in light of the new VMC instruction that was issued in 2016r. The 4 curricula were not formally approved but DALaM gave everything the green light to use. Posters produced to accompany the curricula were approved and feature the logos of involved stakeholders.

***Stora Enso Laos pilot training:*** RL II, RECOFTC and LIFE are now preparing a pilot training workshop for Stora Enso on land rights issues and laws, facilitation skills and FPIC. This cooperation is enabled through input from current RL II and VFI staff, and funding from MRLG. The three-day training complements earlier training to the land team of Stora Enso and aims at enabling the land team to integrate the knowledge, approaches and tools in their own work in the communities where they have plantations.

### **PART III – Remaining gaps, needs and opportunities**

The changing realities on the ground and at policy level spurred by continued largely uncontrolled investments and concessions dictate the need for continued comprehensive, yet focused action to address the multiple challenges, gaps and needs in the Lao land sector. All current three components of Rights-LINK II continue to be highly relevant despite progress and significant achievements. Three cross-cutting issues, which to a varying degree already feature in phase II are seen to be highly relevant in the next phase.



*Former Lao Deputy Prime Minister, Mr. Somsavat Lengsavad, visits RL II booth*

***Policy engagement:*** The position of RL and VFI in the Lao land sector is unique for an NGO. RL has worked at both local and policy levels addressing the policy-practice gap. All the main stakeholders look to VFI for input and advice, and VFI sits at the table and co-chairs important working groups with government and select few other organizations. The current developments of the new Land Law testify to the challenges in engaging at policy level. There is still not sufficient access and participation for civil society, academia or others in the consultation and drafting process in

legislative processes. VFI is one of very few independent stakeholders with the trust, capacity and access to seek greater involvement in policymaking in the Lao land sector.

**Land security:** The work on grievance mechanisms at local level made important steps forward in phase II, however more work remains as the work was cut short. The paralegal volunteers already trained require more follow up in order to assess effectiveness of training, services provided, additional capacity-building needs, linkages with VMCs, courts and other institutions in the justice sector. VMCs play an important role for conflict resolution at village level, but phase II could not implement the planned capacity-building due to time and funding constraints. The A2J training initiated was an important step forward on a sensitive topic. This work should continue drawing on the relationships with DALaM, MoJ and other relevant government bodies.

**“District staff is capacitated and will continue applying their knowledge and skills in their routine activities”**

*Mr. Nou Chai Phet, DAFO, La Mam district, Sekong province*

**Capacity-building:** Many tools, manuals and materials have already been developed. Trainer capacity has also been built. There is perhaps a greater need to ensure that what has already been produced is approved, can be used and disseminated. For example, VFI is not the only organization working on grievance mechanisms. Thus, there is potentially much to gain from greater

cooperation with both authorities, in particular MoJ, LBA and other organizations to work towards common approaches to for example training curriculum and capacity-building for paralegals and VMCs. There is considerable work to be done on A2J, which VFI is in a good position to work on with relevant stakeholders.

Cross-cutting issues:

**Linking policy and practice:** RL II made substantial progress in consolidating and creating platforms and spaces for dialogue. The LINK Center continued to be a hub for information and events on land issues, while private sector and NPAs were brought into the fold. This work has just begun and VFI is pioneering it together with other stakeholders. The engagement with private sector holds much promise, but also risks, which will continue to hold several other organizations back leaving space for VFI and RL to engage fruitfully.

**Information generation and dissemination:** VFI and RL is probably best known for its LINK Center and wealth of high quality IEC materials. There is a continued need for more materials that are up-to-date, accurate and creative. There is still a knowledge gap amongst villagers and officials alike, which RL is particularly well-placed to address in cooperation with LIWG and partners.

**Rights and livelihoods:** VFI has a history and experience working on both rights issues and livelihoods. However, whereas VFI initially worked more on livelihoods in its earlier year the Rights-LINK years mark a period of a focus on land rights issues. There is a need for both. People need security over their land to enjoy productive, healthy and happy lives on the land.

## **PART IV – Recommendations**

### **Policy engagement**

- 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
- Work with government but be more assertive on specific key land issues for example communal lands

### **Land security**

- 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

#### **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
- Work with MoJ, DALaM, LBA, UNDP and others to harmonize approaches to A2J and come up with a training curriculum
- Coordinate with relevant partners including LIFE such as to ensure common approaches in the development of training curriculum and guidelines
- Work closely with LIWG and LIFE to seek ways to pool trainers and other partners for more effective and coordinated capacity-building in the land issues sector

#### **Linking policy and practice**

- 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

#### **Information generation and dissemination**

- 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

#### **Rights and livelihoods**

- Promote and work towards land tenure security and more productive use of lands, as the happy farmer does not only have increased security over his or her land, but also has the knowledge and means to increase the production on the land sustainably benefitting families, villages and Lao society
- Incorporate and promote VFI’s Green Earth Centre in Salavan province for future trainings for farmers, companies and other organizations, on topics such as agricultural good practice and innovations, basic land laws, financial literacy and planning, etc.

## **ANNEXES**

- **ANNEX 1: List of people interviewed**
- **ANNEX 2: Overview of training and information dissemination activities**
- **ANNEX 3: List of IEC materials and publications**

## ANNEX 1: List of people interviewed

#	Name	Organization	Position
1	Richard Lee Reece	VFI	Country Director
2	Hongthong Sirivath	VFI/RL II	Land and Livelihoods Program Coordinator
3	Saphet Sivily	VFI/RL II	Project Manager
4	Chinda Milayvong	VFI/RL II	Communication, Networking & Partnerships
5	Sengsoulixay Phoudavong	VFI/RL II	LINK Information Center Coordinator
6	Thippasone Luangaphay	VFI/RL II	Paralegal Officer
7	Soulinda Manisod	VFI/RL II	Legal Rights Dissemination Officer
8	Phetsamay Mounlasy	VFI/RL II	Land Use Planning and GIS Officer
9	Avakat Phasouysaingam	VFI/RL II	Provincial Coordinator
10	Vanidah Khouangvichith	VFI/RL II	Legal Policy Coordinator
11	Brandon Scovill	VFI/RL II	Communications Advisor
12	Justine Smith	VFI/RL II	Private Sector Advisor
13	Viseth Chanthasone	VFI/RL II	Provincial Coordinator
14	Bounthom Kingsada	VFI/RL II	Provincial Coordinator
11	Brandon Scovill	VFI	Communications Advisor
12	Justine Smith	VFI	Private Sector Advisor
15	Thongsavanh Keonakhone	DALaM	Head of Planning and Cooperation Division
16	Bandith Lamangkoun	DALaM	Deputy Direct General
17	Violaine Fourile	LIWG	International Coordinator
18	Vorasone Dengkayaphichith	LIWG	National Coordinator
19	Mike Fennema	World Renew	Country Representative
20	Julian Derbidge	GIZ	Land Management Advisor

## ANNEX 2

### Capacity building for Government officials (# of participants)

		Contract farming			ToT on paralegals			ToT on VMCs			ToT			Information dissemination / land rights and PALM			Information dissemination on role of paralegals and VMCs			Library management			Case studies			Case study workshop		
Provinces	Participants from:	Total	W	M	Total	W	M	Total	W	M	Total	W	M	Total	W	M	Total	W	M	Total	W	M	Total	W	M			
Luangnamtha	Provincial level	2	2	0	2	0	2	2	0	2	2	1	1	2	0	2	1	0	1	4	1	3	2	0	2	1	0	1
Luangnamtha	Sing district	5	5	0	4	1	3	4	1	3	5	1	3	6	1	5	3	1	3	0	0	0	3	0	3	3	0	3
Luangnamtha	Na Lae district	3	3	0	4	1	3	4	1	3	6	4	0	6	1	5	3	1	3	0	0	0	3	0	3	3	0	3
Bolikhambay	Provincial level	3	0	3	2	1	1	2	0	2	2	0	2	4	0	4	2	0	2	6	2	4	2	0	2	0	0	0
Bolikhambay	Pak San district	6	2	4	4	1	3	4	1	3	5	2	3	5	2	3	6	3	3	0	0	0	3	0	3	0	0	0
Bolikhambay	Bolikhambay District	6	0	6	4	1	3	4	2	2	6	2	4	6	2	4	6	2	4	0	0	0	3	0	3	0	0	0
Sekong	Provincial level	4	0	4	4	3	1	2	0	2	4	0	2	2	0	2	3	1	2	4	2	2	2	0	2	0	0	0
Sekong	La Mam District	3	3	0	4	2	2	4	1	3	5	3	5	7	2	5	4	1	3	0	0	0	3	0	3	2	0	2
Sekong	Tha Teng district	3	3	0	4	1	3	4	1	3	6	2	4	5	2	3	13	2	11	0	0	0	3	0	3	1	0	0
<b>Total</b>	<b>Total: 270 (77 women)</b>	<b>35</b>	<b>18</b>	<b>17</b>	<b>32</b>	<b>11</b>	<b>21</b>	<b>30</b>	<b>7</b>	<b>23</b>	<b>41</b>	<b>15</b>	<b>24</b>	<b>43</b>	<b>10</b>	<b>33</b>	<b>41</b>	<b>11</b>	<b>32</b>	<b>14</b>	<b>5</b>	<b>9</b>	<b>24</b>	<b>0</b>	<b>24</b>	<b>10</b>	<b>0</b>	<b>9</b>

### Capacity-building for DALaM

	Topic	Total	M	W
DALAM	Legal paper drafting	19	12	7

ANNEX 2 cont...

Capacity-building for village paralegal volunteers

Province	Districts	# trained		
		Total	F	W
Louang Namtha	Sing	30	8	22
Louang Namtha	Na Lae	30	11	19
Bolikhamsay	Pak Sane	30	11	19
Bolikhamsay	Bolikhane	27	8	19
Sekong	La Mam	30	11	19
Sekong	Than Teng	30	10	19
	<b>Total</b>	176	59	117

Note that 180 villagers (60 female) were selected, but only 176 were trained as 4 did not join

ANNEX 2 cont...

Information dissemination for villagers (# of participants)

Province	Districts	Contract farming			Land rights / PALM			VMCs / paralegals and A2J		
		Total	Women	Men	Total	Women	Men	Total	Women	Men
Louang Namtha	Sing	520	389	131	571	201	370	595	212	383
Louang Namtha	Na Lae	562	391	171	533	255	278	569	330	239
Bolikhamsay	Pak Sane	566	149	417	524	221	303	637	362	275
Bolikhamsay	Bolikhane	443	85	358	698	227	471	524	303	221
Sekong	La Mam	484	220	264	424	208	216	406	159	247
Sekong	Than Teng	628	231	397	594	223	371	527	176	351
<b>Total: 9,805 (4,324 women)</b>		3203	1465	1738	3344	1335	2009	3258	1542	1716

### ANNEX 3

#### Database of Communication products to policy makers

**Code of Indicator:** 1.1.1 (1)/OVI 24

**Statement of indicator:** 5 communications products delivering key messages about land rights to policy makers are developed and disseminated to target audience within policy-making at the central and local level circles each year such as 6 Video spots disseminate to policy maker 50 copies, calendars 300 copies, Posters, experience books 1000 and policy brief)

**Responsible person:** Chinda

No	Communication products	Target #	# pub.	.of distributi	Distribution channel	Distribution to (ps/org)	Position	Date of distribution
1	Experience book		2500	2480				
2	Video drama 2015-conflict on land	500	1000	1000	Video luanching event, meeting, workshop	MONRE, NPAs, students,provincial couterparts		
2	Video drama 2016- 3 main issue on development	500	1000	1000	Video luanching event, meeting, workshop	MONRE, NPAs, students,provincial couterparts		
3	Video drama 2015-dubbing	500	650	600	Video luanching event, meeting, workshop	MONRE, NPAs, students,provincial couterparts		
4	Calendar 2015		500	495	Distribution, luaching, Dissemination	LDH,DALAM,NA,CLE, provincial couterparts, students		
5	Calendar 2016	2230	1800	1790	Distribution, luaching, Dissemination	LDH,DALAM,NA,CLE, provincial couterparts, students		21/1/2016
6	Poster for dissemination activity		650		Distribution, luaching, Dissemination	LDH,DALAM,NA,CLE, provincial couterparts, students		8/12/16

	ຄວາມສໍາຄັນຂອງການຂຶ້ນທະບຽນ ທີ່ດິນ ແລະ ສິດ- ພັນທະໃນການນໍາໃຊ້ທີ່ດິນ (8 types poster for Land rights dissemination)		48	48	Dissemination in villages	districts and villagers		
	ຄວາມສໍາຄັນ PALM		6	6	Dissemination in villages	districts and villagers		
	ການເຂົ້າເຖິງລະບົບຍຸຕິທໍາ		30	30	Dissemination in villages	districts and villagers		
	ຄວາມເຂົ້າໃຈກ່ຽວກັບ ອາສາສະໝັກກົດໝາຍ ແລະ ໜ່ວຍໄກ່ເກ້ຍຂັ້ນບ້ານ		24	24	Dissemination in villages	districts and villagers		
	ການມີສ່ວນຮ່ວມຂອງປະຊາຊົນໃນ ການສໍາປະທານທີ່ດິນ		12	12	Dissemination in villages	districts and villagers		
7	Radio spot on land conflict		300	298	Video luanching event	LDH,DALAM,NA,CLE,provi ncial couterparts, students		
8	Project file cover		500	499	Video luanching event,	training, final workshop		
9	Brochure for DALaM -Lao		1000	1000	training, final workshop	DALaM, provincial counterparts		
10	Brochure for DALaM -English		1000	1000	training, final workshop	DALaM, provincial counter parts		
9	Brochure for LINK Centre -Lao		1000		LINK events	LDH,DALAM,NA,CLE,provi ncial couterparts, students		
10	Brochure for LINK Centre-English		1000		LINK events	LDH,DALAM,NA,CLE,provi ncial couterparts, students		