

# **Strategic Planning in Mine Action Programmes**

**Lao PDR**

**Geneva, March 2014**

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## **GLOSSARY OF ABBREVIATIONS**

CCM	Convention on Cluster Munitions
CCW	Convention on Conventional Weapons
CMR	Cluster Munition Remnants
CRPD	Convention on the Rights of Persons with Disabilities
DFA	District Focused Approach
EOD	Explosive Ordnance Disposal
ERW	Explosive Remnants of War
GICHD	Geneva International Centre for Humanitarian Demining
GMAP	Gender and Mine Action Programme
HI	Handicap International
IM	Information Management
IMAS	International Mine Action Standards
IMSMA	Information Management System for Mine Action
LIS	Landmine Impact Survey
MAG	Mines Advisory Group
MDG	Millennium Development Goal
MRE	Mine Risk Education
NCDP	National Committee for Disabled People
NGO	Non-Governmental Organisation
NPA	Norwegian People's Aid
NRA	National Regulatory Authority
NTS	Non-Technical Survey
PDR	People's Democratic Republic
QA	Quality Assurance
QC	Quality Control
QM	Quality Management
RE	Risk Education
SHA	Suspected Hazardous Area
SODI	The Spirit of Soccer, Solidarity Service International
SPF	Safe Path Forward
SPF II	Safe Path Forward II
TWG	Technical Working Group
UXO	Unexploded Ordnance
VA	Victim Assistance

## EXECUTIVE SUMMARY

Lao PDR is thought to have the world's largest contamination of unexploded submunitions, left over from aerial bombardment during the Indochina War in the 1960s and 1970s. United States bombing data suggest that over two million tonnes of bombs were used, including more than 270 million submunitions from cluster bombs.

A 1997 baseline survey, carried out by Handicap International found that out of 7,675 villages visited, 2,861 villages reported the continued presence of UXO. This survey continues to be used as a key reference. With regards to total contamination, the frequently quoted figure of 87,000 km<sup>2</sup> of is widely regarded as ambiguous, as it is based on an approximate estimation with the US bombing data as the key source.

National operator UXO Lao was established by a Prime Ministerial decree in 1996 and was, in the early days, the coordinator and the principal clearance operator. A 2002 assessment of the UXO Lao Trust Fund and the UXO Programme recommended that the planning, coordination and regulatory functions of UXO Lao should be administratively separated from the implementation. Two important events unfolded in response to donor pressure and the 2002 assessment: The Lao Government approved the first national strategic plan; A Safe Path Forward (SPF) 2003 – 2013, in 2004; and established the National Regulatory Authority (NRA) in 2004. The establishment of the NRA resulted in UXO Lao no longer being responsible for the coordination tasks.

The Government adopted a revised national strategy in June 2012; The Safe Path Forward II (SPF II) 2010 – 2020, with the purpose to guide all work in the UXO sector. A number of key issues resulted in the decision to revise the SPF, including:

- a 2008 evaluation of the Lao PDR UXO sector;
- a wish to broaden the focus of the strategy to include the work of all operators, and to not only focus on UXO Lao;
- Lao PDR's 2009 ratification of the Convention on Cluster Munitions (CCM); and
- a decision to align the strategy with the Government's development and poverty-reduction plans, reflecting a wish to integrate the UXO sector into the broader development agenda.

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

Lao PDR played an important role in the Oslo process, the success of which eventually resulted in the CCM. Lao PDR was also one of the first 30 ratifications which resulted in the entry into force of the CCM on 1 August 2010. Lao PDR signed the CCM on 3 December 2008 and ratified it on 18 March 2009. The 10-year timeframe for the SPF II is aligned with Lao PDR's CCM treaty obligations.

As of mid-2013, a total of 12 national and international commercial clearance companies, one national, and five international clearance not-for-profit organisations operated in Lao PDR. With regards to operational planning, no general work plan existed in the Lao PDR UXO programme as of late 2013. The NRA is reportedly in the process of developing a 10-year work plan for the UXO sector. In terms of tasking, the NRA does not task operators as such. No standard “task dossiers” that contain relevant information necessary to plan and execute tasks are issued to operators. Rather, the tasking system in the Lao PDR UXO programme is essentially a bottom-up approach, based on requests gathered from the community level.

Coordination of the UXO sector takes place within several different mechanisms, notably the high-level sector working group (including donors and operators), and the three sub-sector technical working groups: clearance/survey; risk education; and VA.

Similar to many UXO/mine action programmes, the Lao PDR UXO programme, which celebrates its 18<sup>th</sup> anniversary in 2014, has a varied history of performance. Despite some challenges along the way, it is encouraging that there is a currently a driving force, supported by several actors, to improve the programme and to strive for more efficient and effective operations.

A number of good practices can be drawn from the Lao PDR UXO programme, including:

- responsiveness to evaluations;
- early revision of the national strategy;
- integration of UXO action into broader development;
- innovative survey approaches.

Different stakeholders, including the NRA, operators and donors, highlighted a number of challenges that impede the effective implementation of the SPF II and strategic planning processes more generally, including:

- lack of clarity on the contamination problem;
- no accompanying work plans;
- information and quality management;
- impact monitoring and development results;
- donor fatigue.

## INTRODUCTION

A country of 6.5 million people in Southeast Asia, Lao People's Democratic Republic (Lao PDR) is landlocked and its economy is highly dependent on trade with neighbouring China, Thailand and Vietnam. Subsistence agriculture is still the main form of employment in the country.



Figure 1: Map of Lao PDR

Lao PDR is thought to have the world's largest contamination of unexploded submunitions, left over from aerial bombardment during the Indochina War in the 1960s and 1970s. US bombing data suggest that over two million tonnes of bombs were used, including more than 270 million submunitions from cluster bombs.<sup>1</sup> It is estimated that between 10 and 30 per cent failed to explode<sup>2</sup>. At least 25 per cent of all villages are thought to be affected, with 10 of its 17 provinces being "severely contaminated",

<sup>1</sup> The US has recently released a new data set, the THOR data set, with additional records of bombing runs, so these figures may change.

<sup>2</sup> Lao PDR government, *National Strategic Plan for the UXO Sector in the Lao People's Democratic Republic. 2010 – 2020. 'The Safe Path Forward II,*

<http://www.nra.gov.la/resources/UXO%20Sector%20Strategy/SPFI%20%20Eng.pdf>



but there is still no reliable estimate of the extent of current contamination.<sup>3</sup> In addition to cluster munition contamination, Lao PDR is also affected by unexploded ordnance (UXO) and anti-personnel and anti-tank mines.

A 1997 baseline survey carried out by Handicap International (HI) continues to be used as a key reference (from which emerges the often-cited statistic of a quarter of all villages being affected). It found that 15 out of the (then) 18 provinces of the country were significantly affected by UXO. However, the survey was not comprehensive; not all regions of the country were surveyed and it is widely acknowledged to be out of date. HI found that in 42 of the districts surveyed, more than 35 per cent of the villages reported UXO contamination. The survey considered these 42 districts to be 'severely' contaminated. Only provinces in the north-central part of the country and in the west-central part of the country, bordering on Myanmar, Thailand and China are relatively or completely free of contamination. HI also ranked 10 of the country's 18 provinces as severely contaminated, 3 provinces as not reporting a significant problem, and the remaining 5 provinces reporting significant contamination.

The HI survey also found that out of 7,675 villages visited, 2,861 villages reported the continued presence of UXO. Of these villages, 948 reported that UXO lay in the centre of the village, posing a threat to the local people. In 375 villages, UXO were reported along roads or paths, affecting travel, commerce and access to water, firewood, fodder and fields.

The frequently quoted figure of 87,000 km<sup>2</sup> of contaminated land is widely regarded as ambiguous.

## **HISTORY OF STRATEGIC PLANNING PROCESSES**

The national operator UXO Lao was established by a Prime Ministerial decree in 1996 and initially had a responsibility that also included direct coordination of the principal clearance operator. The UNDP and the Lao PDR Government developed the first UNDP Project Document in 1995, subsequent to which they established the UXO Lao Trust Fund. The National Steering Committee was established around the same time as the Trust Fund, with the main purpose of overseeing the national UXO programme. The Ministry of Labour and Social Welfare acted as the Chair of the Committee, and UXO Lao acted as the Secretariat until 2000, when a Prime Ministerial Decree relieved the UXO Lao Director from this duty and handed it over to the newly created National Steering Committee Office.

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<sup>3</sup>Landmine & Cluster Munition Monitor report. "Lao PDR". 2012, [http://www.the-monitor.org/index.php/cp/display/region\\_profiles/](http://www.the-monitor.org/index.php/cp/display/region_profiles/)

A 2002 assessment of the UXO Lao Trust Fund and the UXO Programme recommended that the planning, coordination and regulatory functions of UXO Lao should be administratively separated from the implementation.<sup>4</sup> Echoing widespread concerns among key donors, the assessment further underlined the importance of developing a strategic plan, and recommended that a future strategy should focus on the impact of the UXO programme on the broader development of Lao PDR, rather than on output performance indicators such as number of ordnance disposed of or hectares of land cleared.

### **THE SAFE PATH FORWARD 2003 – 2013**

Two important events unfolded in response to donor pressure and the 2002 assessment. The Lao Government:

- approved the first national strategic plan; *A Safe Path Forward (SPF) 2003 – 2013*, in 2004; and
- established the National Regulatory Authority (NRA) in 2004.<sup>5</sup>

The SPF presented its end state (2013) as “*people from the most highly impacted communities to live free from the impacts of landmines and UXO.*”

The SPF outlined the following objectives for the UXO programme:

1. Community awareness: UXO/Mine Risk Education (MRE) teams will visit and deliver MRE training to all impacted communities in Lao PDR (as identified in the 1997 national impact survey). UXO/mine accidents will be reduced to a national accident rate not exceeding 100 persons per year.
2. Survey and clearance: all agricultural areas considered “high priority” will be cleared, as well as a sizeable portion of other areas identified as “medium priority” – for no less than 18,000 hectares (180 km<sup>2</sup>) of land cleared by UXO Lao alone.
3. Victim assistance: a national database on mine/UXO accidents will be developed and updated regularly, to feed into the prioritisation of clearance and MRE tasks. The specific needs of survivors of UXO/mine accidents, in terms of both physical rehabilitation and socio-economic integration, will be factored in all national/local public health initiatives.

The SPF also underlined the need to further define and prioritise contaminated areas, and it also presented guidelines for establishing clearance priorities:

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<sup>4</sup> Keeley, R, Allcock A, Singthilath, T and Kongsaysy, M, *Mission to Assess Future Sustainable Options of the Lao UXO trust Fund and the UXO Lao Mine Action Programme*, September 2002.

<sup>5</sup> The NRA became formally established in 2006.

Priority I (high):

- agricultural tasks;
- roving tasks;
- public service utilities (medical/public health, water points, etc.); and
- educational facilities.

Priority II (medium):

- grazing land and forested areas;
- communal facilities (religious/cultural sites, markets, recreational areas, etc); and
- Government facilities and offices.

Priority III (low):

- public infrastructure work;
- communal “profit-making” areas;
- tourism sites; and
- commercial/private business sites.

The SPF focused heavily on UXO Lao, the UXO Lao-specific clearance targets being one clear example. Indeed, many stakeholders refer to this first strategy as the “UXO Lao strategy”.

## **THE NATIONAL REGULATORY AUTHORITY (NRA)**

The SPF’s institutional arrangement section stipulated that “*a National Regulatory Authority will be established and will report directly to the office of the Prime Minister...*”<sup>6</sup> It further outlined seven key responsibilities of the NRA:

- to carry out a periodic review and implement the Strategic Plan;
- the definition and provision of policy direction;
- the accreditation, licensing and oversight of all UXO/mine action operators;
- the management of the database and, as such, the prioritisation and related tasking of all UXO/mine action operators;
- the coordination of all UXO/mine action activities throughout the country;
- external quality assurance (QA) of all UXO/mine action activities; and
- to conduct post-clearance impact assessments, etc.

The NRA was established by Government decree in 2004, and became operational in

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<sup>6</sup> Resolutions of the Lao PDR Government on National Strategic Plan for the UXO Programme in the Lao PDR 2003 – 2013, *The Safe Path Forward*.

2006. The establishment of the NRA resulted in UXO Lao no longer being responsible for the coordination tasks. Responding to donor pressure, UXO Lao became a national operator only. The SPF provided for the establishment of other operators, and underlined that each should “...act as a self-standing entity and will be fully accountable to its funder(s) as well as to the National Regulatory Authority.”

## **SAFE PATH FORWARD II 2010 – 2020**

In June 2012, the Government adopted a revised national strategy, *The Safe Path Forward II* (SPF II) 2010 – 2020 to guide all work in the UXO sector. A number of key issues resulted in the decision to revise the SPF, including:

- a 2008 evaluation of the Lao PDR UXO sector<sup>7</sup>;
- a wish to broaden the focus of the strategy to include the work of all operators, and to not only focus on UXO Lao;
- Lao PDR’s 2009 ratification of the Convention on Cluster Munitions (CCM); and
- a decision to align the strategy with the Government’s development and poverty-reduction plans, reflecting a wish to integrate the UXO sector into the broader development agenda.

The development of the SPF II took place over a two-year period, through a series of workshops organised jointly by the NRA and UNDP. Donors, international operators and relevant ministries participated in the workshops and had the opportunity to provide input. Though the document was completed in 2010, it was not formally approved and adopted by the Government until mid-2012.

The delay in the approval was explained by the document having had to go through the standard bureaucratic processes within the Lao PDR Government, and was nothing abnormal. One informant highlighted how the driving force and commitment of a “national champion” in the Ministry of Foreign Affairs was instrumental for the realisation of the SPF II. Some stakeholders have praised the NRA for the process through which the SPF II was developed, emphasising the consultative aspects of the process, while others question the extent to which the review process was truly consultative.

The 10-year timeframe for the SPF II is aligned with Lao PDR’s CCM treaty obligations.

The SPF II presents the following vision:

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<sup>7</sup> Griffin, R, Keeley, R and Sayyasouk, P, *UXO Sector Evaluation Lao PDR*, 2008.

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

While the first strategy did not include a vision, it presented an end state that focused on highly impacted communities living free from the impacts of landmines and UXO. As can be seen from the SPF II, neither its vision, nor its strategic goal, include any explicit references to the term impact.

The strategic goal of the SPF II is: *“...to reduce the humanitarian and socio-economic threats posed by UXO to the point where the residual contamination and challenges can be adequately addressed by a sustainable national capacity fully integrated into the regular institutional set-up of the Government.”* Noteworthy in this strategic goal is the reference to residual contamination that should be addressed by a sustainable national capacity.

The SPF II lists six strategic objectives:

- to reduce the number of UXO casualties from 300 to less than 75 per year;
- to ensure that the medical and rehabilitation needs of all UXO survivors are met in line with treaty obligations;
- to release priority land and clear UXO in accordance with national standards and treaty obligations;
- to ensure effective leadership, coordination and implementation of the national programme;
- to establish sustainable national capacity fully integrated into the regular set-up of the Government; and
- to meet international treaty obligations.

Each strategic objective is accompanied by “major actions”, followed by a list of indicators for its achievement.

With regards to the scope, the SPF II covers the following general areas:

- risk education (RE);
- victim assistance (VA);
- survey and clearance;
- national ownership and capacity development;
- international treaty obligations; and
- institutional and coordination arrangements.

## **SURVEY AND CLEARANCE**

Survey and clearance activities are reflected in the SPF II's strategic objective 3: "*Release priority land and clear UXO in accordance with National Standards and treaty obligations.*"

This objective is accompanied by the following four major actions:

- to identify priority land based on clear criteria, taking into account existing village, district, provincial and national development plans;
- to release priority land through a risk management approach, using data analysis first, then general survey followed by technical survey, roving response and/or, finally, full clearance;
- to monitor clearance and land release programmes in terms of impact and cost; and
- to ensure all operations comply with national standards.

The term "priority land" is ambiguous and it appears that, despite it being listed as a major action, clear and consistent criteria for identifying it do not exist. This was pointed out by a number of operators as a key impediment to effective, efficient and transparent prioritisation procedures. The NRA underlined that "priority areas" constitute village requests, development priorities and Government priorities. It is also clear that the term "release" is confusing and that it is interpreted in numerous different ways.

As of mid-2013, a total of 12 national and international commercial clearance companies, one national (UXO Lao), and five international clearance not-for-profit organisations; Mines Advisory Group (MAG), Norwegian People's Aid (NPA), HALO Trust, the Solidarity Service International (SODI) and Handicap International (HI); operated in Lao PDR.

## **OPERATIONAL PLANNING AND PRIORITISATION**

As of March 2013, no general work plan existed in the Lao PDR UXO programme. The NRA and the UNDP Chief Technical Advisor informed they were in the process of developing a 10-year work plan for the UXO sector. They further pointed out that the provincial levels had been consulted during the drafting process and that their perspectives and needs would be reflected in the plan. The intention is to update the consolidated work plan on an annual basis. The NRA pointed out that the aim of the document was to have a "*strategic, coherent national plan for the sector*".

The NRA does not task operators as such. No standard "task dossiers" that contain all

relevant information necessary to plan and execute the tasks in the most efficient and effective manner are issued to operators. Rather, the tasking system in the Lao PDR UXO programme is essentially a bottom-up approach, based on requests gathered from the community level.

Donors have indicated that, while the SPF II is an important document, it adds limited value if not accompanied by a work plan that effectively and efficiently puts the strategy into action. Information gathered during meetings with international operators and UXO Lao reveals that current planning procedures vary significantly among actors. UXO Lao, for instance, develops annual work plans that reflect Government development priorities and, to some extent, community requests. International operators stated that they develop annual work plans that are based on priority lists from the districts and provinces. These work plans are then approved by district and provincial authorities before being implemented. Operators attend district planning meetings, organised by local authorities.

The lack of baseline information on the level of contamination means that the IMSMA database contains very few suspected hazardous areas (SHA) and confirmed hazardous areas (CHA). Many informants underlined that the lack of contamination data impacts negatively on the operational and strategic planning processes, in which prioritisation is a central part. To paraphrase one informant: “If we don’t know what the problem is, how can we plan strategically?”. The challenge in Lao PDR is that the nature of the contamination is extremely difficult to define. It does not consist of neat minefields but is rather characterised by extensive UXO contamination over wide areas that may not lend itself to be ‘packaged’ into delineated areas. Unlike minefield settings there is also a vertical component of contamination where bombs can be present down to several metres. In such a context deep buried bombs may never be discovered unless focused technical surveys, using specialised detection tools over, are applied.

Some operators informed that they use the SPF II for planning purposes whereas others stated they “do not use it at all”. It is clear that the extent to which the SPF II informs operational planning varies considerably.

### THE DISTRICT-FOCUSED APPROACH

The so-called District-Focused Approach (DFA) survey looks into a wide range of issues related to UXO contamination. The NRA took the lead in designing the survey method and organised a series of consultative workshops with the operators, provincial representatives and local authorities. The DFA pilot project started in September 2011.

The DFA consists of several questionnaires and forms, including:

- an emergency clearance request form;

- a hazardous land report;
- a household questionnaire; and
- a village questionnaire.

The stated purposes of the DFA are<sup>8</sup>:

- to enable the NRA, as part of Leading Committee of Rural Development and Poverty Eradication, to share the location of confirmed hazardous areas of UXO contamination. This will enable UXO clearance to be prioritised in line with Lao National Development projects and priorities. All maps of confirmed hazardous areas will be shared with Planning Committees at National, Provincial and District levels; and
- to support the NRA to report on the implementation of the Convention on Cluster Munitions and to plan resource mobilisation for the UXO sector.

The DFA has five stated goals<sup>9</sup>:

- to develop and implement a district-wide approach to define UXO threat and impact in the target districts;
- to prioritise areas for clearance based on contamination, land-use priorities and development needs, resulting in a clearance work plan for the district;
- to provide the baseline data for the NRA and operators to be developing a 10-year national clearance plan;
- to provide the baseline information that will enable further monitoring and evaluation of the impact of UXO interventions; and
- to provide a model for district-based survey in all contaminated districts in Lao PDR.

HI, MAG and NPA began piloting the DFA in three districts; Boulapha, Nong and Ta Oy in October 2011. HI completed one district before DFA activities were stopped in October 2012, following instructions from the NRA. HI reportedly requested authorisation to survey a second district, but the NRA did not approve it. HI further informed that it had donor funding to conduct the DFA in additional areas, but that the project had to be amended following the NRA's decision. MAG also completed one district during the one-year pilot phase.

The perception of several operators is that there was a lack of information sharing in regard to the NRA's decision to stop the DFA activities, and that they would have welcomed more transparency on the analysis of the DFA data that had been collected and shared with the NRA. The operators further pointed out that the lack of information

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<sup>8</sup> Summary Progress Report on the District Focused Approach to the Management of the UXO Threat in the Lao PDR, received from the NRA.

<sup>9</sup><http://www.rtm.org.la/documents/SWG/UXO/DFA%20Presentation%20171011-English.pdf>



sharing has resulted in difficulties in planning operations in an effective and efficient manner. In March 2013, the NRA informed that its survey section was in the process of reviewing the DFA methodology, and that it hopes to be in a position to share the main findings with the concerned operators in the near future. The NRA acknowledges that it could have been more proactive in keeping the operators informed about the status of the analysis.

The DFA, though not perfect, was seen by many as a concrete response to the recognition that the lack of baseline data constitutes a primary impediment to strategic planning and to efficient survey and clearance operations. Numerous operators were hopeful that the DFA and the resulting contamination data would bring about more coherent and better coordinated planning processes, with the ultimate objective of increasing operational efficiency. A number of stakeholders expressed frustration with the NRA's decision to suspend the DFA and some operators stressed that the lack of information sharing and transparency that accompanied this decision resulted in challenges for operational planning. The NRA ended the DFA with a review of lessons learnt that included the operators involved; MAG, NPA and HI. This has informed subsequent deliberations regarding new standards for survey that are currently being developed.

### **OPERATIONAL EFFICIENCY: SURVEY AND CLEARANCE**

The Lao PDR national UXO/mine action standards (NS) Chapter 6 on Survey states:

*“In Lao PDR emphasis is to be placed on rigorous survey of known or suspected UXO-contaminated areas in order to avoid unnecessary clearance and if possible, permitting land to be released for use. This will ensure that UXO clearance resources are used efficiently and effectively on tasks where evidence of UXO contamination that will affect land use is confirmed and most benefit can be obtained.”<sup>10</sup>*

Chapter 6 further underlines:

*“Traditionally, surveys of areas known or suspected as being UXO contaminated have been carried out to support area clearance. This has now changed. The aim of survey is now on confirming the presence of UXO contamination and releasing land from suspicion of contamination through a documented survey process. Land will only be designated for full clearance when evidence of UXO contamination that would affect the intended land use is obtained. Where no evidence of such UXO contamination is apparent, land may be released from suspicion through survey.”*

Though this latest revision of the chapter on survey took place after the SPF II was

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<sup>10</sup> <http://www.nra.gov.la/resources/National%20Standards/NS%20English%20Edition/6.%20Survey.pdf>

drafted, it is surprising to note that the SPF II does not make any explicit references to the importance of establishing clarity on the level of contamination through survey activities. Many informants emphasised that the lack of any references to the importance of a baseline constitutes the greatest flaw of the SPF II. As mentioned previously, the general feeling is that it is not possible to plan strategically without knowing the extent of the problem.

With regards to operational efficiency, the NRA requested the GICHD's support to "accelerate UXO clearance." In response, the GICHD conducted an assessment in late 2011 to assess the efficiency of methods and technologies used in Lao PDR.<sup>11</sup> The assessment established that no items were found in 29 per cent of all completed clearance tasks and 91.8 per cent of all technical survey tasks between 2009 and mid-2011. Based on these statistics, the assessment suggested that there is a great potential for operations to be more efficient through better identification of actual contaminated areas through survey activities, better targeting of assets and improved use of resources. The assessment report, which has been approved by the NRA, includes several recommendations.

With regards to the DFA, the assessment made references to lessons learnt in the global mine action community relating to instances when Landmine Impact Surveys (LIS) resulted in large polygons that were entered into databases. They were then frequently used for operational planning without further scrutinising the polygons and the reliability and accuracy of the data that created the suspected hazardous areas (SHAs) in the first instance. Recognising these challenges, the assessment underlined the importance of adopting a strong evidence approach to mapping.

While it is beyond the scope of this case study to further explore the efficiency aspects of the Lao UXO programme, these issues merit mentioning as the link between strategic planning and operational efficiency is evident.

### **NPA'S SURVEY ACTIVITIES**

Recognising the need for more efficient survey and clearance activities, the NPA Lao PDR programme developed the Cluster Munition Remnants (CMR) Survey in 2010. The method, which was approved by the NRA in 2012, incorporates a number of distinct phases. The initial non-technical survey (NTS) phase focuses on village meetings and a review of existing documents, and records evidence points for CMR and other UXO in the area. CMR evidence points are then addressed by a survey team, which creates a confirmed hazardous area (CHA) polygon around the contamination evidence, before

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<sup>11</sup> The GICHD, *Assessment Report, To Promote Increased Efficiency of Survey and Clearance in Lao PDR*, 2012.

reporting it to the NRA as a CHA.<sup>12</sup> The CMR survey approach has, since its inception, created more than 238 CHAs that have been entered into the national database.

## VICTIM ASSISTANCE

The SPF II's strategic objective 2; *“Ensure that the medical and rehabilitation needs of all UXO survivors are met in line with treaty obligations”*, is accompanied by the following five major actions:

- set up and maintain a Lao Victim Information System (LVIS);
- using LVIS, collect, map, analyse and disseminate detailed data on UXO victims;
- provide emergency medical response at the village level and develop effective rural transfer/ambulance system to medical facilities
- strengthen physical rehabilitation services;
- develop a community-level psychosocial rehabilitation service throughout contaminated areas; and
- identify and address additional gaps in the six pillars of UXO victim support.<sup>13</sup>

In Lao PDR, VA and disability issues fall more broadly under the National Committee for Disabled People (NCDP), which is under the Ministry of Labour and Social Welfare. The Ministry of Health is also involved in VA-related activities, and the NRA coordinates closely with both ministries.

The NRA's VA section is in the process of developing a UXO VA strategy, which is presently being translated into Lao. The VA technical working group (TWG), which includes representatives from all VA operators in Lao PDR, meets every three months at the NRA headquarters in Vientiane. In parallel, the NCDP has an additional TWG that focuses on broader disability issues.

All VA operators report directly to the NRA's VA section, which in turn reports through the NRA Director General directly to the Office of the Prime Minister. The NRA's VA section's key responsibilities relate to reporting, information sharing and coordination.

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<sup>12</sup> Creighton, M, Karlson, A and Qasim, M, Cluster Munition Remnant Survey in Laos, <http://maic.jmu.edu/journal/17.2/feature/creighton/creighton.html>

<sup>13</sup> The six VA pillars are: 1. Data collection, 2. Medical care for UXO victims, 3. Physical rehabilitation, 4. Psycho-social rehabilitation support, 5. Economic reintegration and vocational training and 6. Advocacy for UXO victims' rights.

The Landmine and Cluster Munition Monitor points out that Lao PDR lacks sufficient information about survivors' needs, and that the needs assessment component of the second phase of the national victim survey, which started in mid-2009, was not implemented. A key UNDP objective in 2011 was to support the NRA in its efforts to improve data on ERW casualties, disaggregated by sex and age, and to develop a system of registering survivors' needs in the areas of medical care, physical rehabilitation, economic inclusion, and psychosocial support.<sup>14</sup>

Regarding the importance of sex and age disaggregated data, the CCM's *Vientiane Action Plan's* action point number 22 urges states parties to: *Collect all necessary data, disaggregated by sex and age, and assess the needs and priorities of cluster munition victims within one year of the Convention's entry into force for that State Party. Such data should be made available to all relevant stakeholders and contribute to national injury surveillance and other relevant data collection systems for use in programme planning.*<sup>15</sup>

Following the conduct of training workshops in 10 provinces during 2012, the NRA established a "UXO-survival tracking system" in 2012. This system tracks survivors from 10 provinces, is coordinated by the NRA and implemented by local authorities. The NRA pointed out that 9,000 forms have been completed since early 2012. The extent to which these are thoroughly analysed, and to which the findings inform strategic planning which responds to identified needs, is not clear.

The Landmine and Cluster Munition Monitor points out that the data collected on new casualties lacked detail on survivors' injuries and needs and that the data was not used by service providers to implement victim assistance activities. Lao PDR faces a broader constraint in terms of resources to respond to health needs in the country – particularly in the remote rural areas. The needs of persons with disabilities are also affected by this general lack of resources that puts constraints on the health system.

## **RISK EDUCATION**

The first strategic objective of the SPF II relates to several activities, including Risk Education (RE): *"Reduce the number of UXO casualties from 300 to less than 75 per year."*

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<sup>14</sup> *Landmine and Cluster Munition Monitor*, [http://www.the-monitor.org/index.php/cp/display/region\\_profiles/theme/1935](http://www.the-monitor.org/index.php/cp/display/region_profiles/theme/1935)

<sup>15</sup> *Vientiane Action Plan*, <http://www.clusterconvention.org/files/2011/01/VIENTIANE-ACTION-PLAN-Final2.pdf>

As can be seen from the table above, the total casualty rate has been considerably lower than 300 since 2009, with a total of 120 casualties the year before the starting year of the strategy.<sup>16</sup> The NRA has pointed out, however, that casualty rates could increase again if the price of scrap metal would rise significantly.

Year	Women	Girls	Boys	Men	Total
2008	30	20	87	165	302
2009	9	5	31	75	120
2010	9	12	56	42	119
2011	9	4	48	38	99
2012	12	4	17	23	56
2013	2	4	13	9	28
Total	71	49	252	352	724

The first strategic objective is accompanied by a number of “major actions”:

- to deliver targeted RE activities that focus on behaviour change within identified at-risk groups as well as awareness raising in response to UXO accident and classroom-based education for school children in contaminated areas;
- to provide appropriate support to village volunteers who act as peer educators among at-risk groups;
- to promote a more coordinated and timely response to prevent accidents through RE, clearance or VA cooperation; and
- to develop and enforce legislation to regulate scrap metal trade and other high-risk activities.

The NRA’s TWG on RE is in charge of coordinating and planning all RE activities. As of March 2013, the following three national organisations implement RE activities: Ministry of Information, Culture and Tourism, Ministry of Education and Sport, and UXO Lao. In addition, five international organisations implement RE: HI, MAG, World Education, SODI, SOS, Care International and the Catholic Relief Service.

Statistics in Lao PDR illustrate that the majority of accidents are due to human behaviour such as tampering, rather than accidental encounters with the items. The *2006 UXO Risk Education Needs Assessment* found that the categories commonly used

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<sup>16</sup> The significant reduction of accidents from 2008 (310) to 2009 (134) are explained by several factors, including: the drop in price of scrap metal which meant many traders stopped buying scrap and scrap yards and foundries closing; the targeting of RE to identified target groups; the application and stronger enforcement of provincial legislation related to scrap trading, which led to a number of actions including removal of cheap Vietnamese metal detectors from rural markets; reduction in the amount of readily available scrap (e-mail correspondence with Phil Bean, Advisor, NRA and UXO Lao).

to distinguish at risk populations; the uniformed, the unaware, the reckless and the intentional, are not so appropriate in the Lao PDR context.<sup>17</sup> Rather, the assessment argues that UXO exposure is more appropriately categorised as either voluntary/intentional or involuntary.

The assessment also highlights that intentional UXO risk-taking was found to be based on a rational decision-making process involving the weighing up of the potential costs and benefits of a range of available livelihood options. The assessment further underlines that the most common way in which people voluntarily expose themselves to UXO risk is through collecting or dealing in scrap metal, moving UXO from farmland and dismantling UXO.

Importantly, and with clear links to strategic planning, the assessment concludes that *“Reducing UXO risk will require a creative, collaborative, integrated and multi-strategic approach. Developing these strategies will require a risk management approach that addresses the interdependence and cumulative effects of various contributing factors, engages a range of stakeholders and enables the setting of priorities in order to make sound and cost-effective risk management strategies.”*

Recognising the key links between RE and the first mine action strategy’s key strategic objectives and enabling activities, the NRA took the lead in developing *The Strategic Plan for Mine Risk Education in Lao PDR 1 January 2007 – 31 December 2010* (the MRE strategy).<sup>18</sup> This was developed in a participatory and consultative manner, with all key stakeholders (Government, NGO, provincial and district) contributing. The MRE strategy set out the following programme vision:

*“A Lao PDR in which stakeholders work together to achieve a significant reduction in the number of UXO victims through a sustainable, targeted risk reduction strategy.”*

A 2010 assessment of the MRE strategy underlines that UNICEF played an important role in supporting the NRA in its strategic planning efforts, and argued that the MRE strategy *“has set risk education in Lao PDR ahead and continues to chart an accurate course.”*<sup>19</sup> The same assessment also points out that the MRE strategy:

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<sup>17</sup> MAG, UNICEF and Lao Youth Union, *UXO Risk Education Needs Assessment*, 2006, [http://www.nra.gov.la/resources/Risk%20Education%20Materials/Risk\\_Education\\_Assessment\\_Draft.pdf](http://www.nra.gov.la/resources/Risk%20Education%20Materials/Risk_Education_Assessment_Draft.pdf)

<sup>18</sup> The NRA, *The Strategic Plan for Mine Risk Education in Lao PDR 1 January 2007 – 31 December 2010*, <http://www.nra.gov.la/resources/Sub%20Sector%20Strategies/MRE%20Strategic%20Plan%20Framework%20Final%20-%20English%20Version.pdf>

<sup>19</sup> Filippino, E. M, *Assessment of the 2007 – 2010 UXO/MRE Strategic Plan in Lao PDR*, 2010 <http://www.nra.gov.la/resources/Strategy%20Document/NRA%20MRE%20Strategy%20Assessment%20Report,%20Final%20%20Eng.pdf>

- strengthened collaboration and focus on RE in Lao PDR;
- served as an overarching framework that put the different RE activities into context and created a broader picture of how these function; and
- helped bring the different operators together into a more cohesive and mutually supporting process.

Regarding information management (IM), the assessment found that victim, behavioural, contamination and clearance data could be better circulated and shared in the UXO sector. It also highlighted the importance of thoroughly analysing the data, and letting the findings of that analysis influence future project design, planning and tasking.

## **INSTITUTIONAL AND COORDINATION ARRANGEMENTS**

The SPF II outlines the roles and responsibilities of the NRA board and the NRA. It stipulates that the NRA board, chaired by the Deputy Prime Minister, is the highest institution overseeing the UXO sector, and that it reports directly to the Office of the Prime Minister. The SPF II further presents the specific responsibilities of the NRA and the UXO Sector working group, and touches upon the Government's decision to establish a UNDP-administered Trust Fund.

The NRA is the secretariat of the NRA board, which comprises 11 different ministries. The Prime Minister Decree 406 of 2011 allowed for the appointment of a new NRA board, which is chaired by the Minister to the Prime Minister's Office, who is also the President of the Steering Committee for Rural Development and Poverty Eradication. It is believed that this new leadership and the institutional rearrangement of the NRA board is a critical move to further integrate the UXO sector into the broader poverty reduction efforts of the Government. A 2012 UNDP assessment points out that this shift may provide the NRA with an opportunity to strengthen its efforts to mainstream the UXO sector.<sup>20</sup>

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<sup>20</sup> Sekkenes, S, Palmer, A, *Programme Review 2003 – 2011, UNDP Support to NRA and UXO Lao, UXO Sector, Lao PDR*, February 2012.

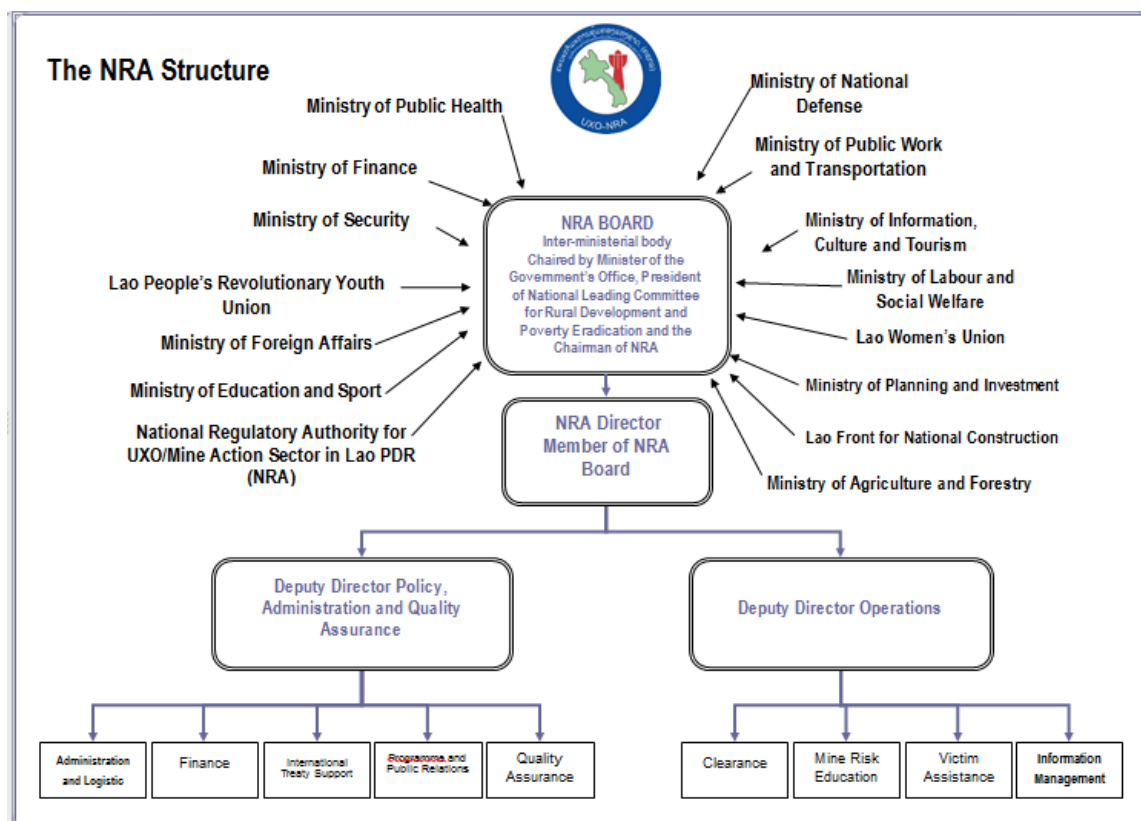


Figure 1 NRA structure

The Lao PDR Government issued “Announcement 96” on 27 November 2012. The announcement deals with the structure and operation of the NRA for the UXO/Mine Action sector in Lao PDR. The announcement stipulates that the “...NRA is an organisation with the role of secretariat for the Party Politburo and the Lao Government for the overall management and consideration of policy matter, planning, project and coordination of the implementation of the Lao PDR National Strategy for the UXO sector for the entire country.”<sup>21</sup>

## COORDINATION

Coordination of the UXO sector takes place within several different mechanisms, notably the high-level sector working group (including donors and operators), and the three sub-sector technical working groups (TWGs):

- clearance/survey;
- risk education; and
- VA.

<sup>21</sup>Unofficial English translation of Announcement 96.



The TWGs usually meet every quarter. In addition, the NRA organises the higher-level sector working group. Also, the NRA board meets on an annual basis, as does the UXO Trust Fund Steering Committee. Also, following a suggestion from UXO Lao, a “Policy Forum” was established and met for the first time in May 2013, with a focus on prioritisation and planning. The intention is to organise two policy forums a year, providing stakeholders with the opportunity to informally discuss issues of broad concern to the sector.

Several operators stressed that they believe coordination and communication processes can be improved. Some referred to the DFA process and the lack of information sharing with regards to the decision to halt the implementation of the survey, as a key example of where communication was poor. The NRA acknowledges that improvements can be made in this regard.

### **DECENTRALISATION OF THE UXO SECTOR**

The NRA is currently establishing provincial structures. Provincial offices were set up in Savannakhet and Xiangkhouang provinces in 2011. This is in response to the Government’s decision to increase the degree of decentralisation within the UXO sector. The objective is for the provincial and district levels to play more prominent roles in coordination and planning processes.

Some stakeholders have highlighted that, while this is a good idea in principle, they question how well it will work in reality given the resource constraints at the district and provincial levels. A number of stakeholders further expressed concern related to a perceived lack of authority and decision-making power at the provincial level. Some operators highlighted that it is not clear to them how the decentralisation process may influence how they operate and interact with the authorities, and what the exact purpose and role of the provincial levels in the UXO sector will be. A series of seminars and workshops related to the increased role of the district and provincial levels started in November 2012. As of March 2013, the NRA has organised three seminars in the northern, central and southern regions.

### **ALIGNMENT WITH BROADER DEVELOPMENT**

One of the stated reasons for reviewing the first strategy was to better align the UXO programme with the broader development sector. The “challenges and opportunities” part of the SPF II states: *“Mainstreaming UXO action into broader socio-economic development strategic and programmes to ensure sustainability is imperative.”* As mentioned above, one principal factor that triggered the review of the first strategy was the desire to ensure greater synergies with the Government’s five-year National Socio-Economic Development Plan (NSEDPP).

Key development-related documents of the Lao PDR Government include the 7th NSEDP (2011 – 2015), which makes numerous references to UXO action. The plan's sectoral development section presents a "*solution to the UXO problem*" in the chapter on Labour and Social Welfare, listing the following actions:<sup>22</sup>

- to help communities live safely without the threat of UXO so that they earn their livelihoods safely and to reduce poverty by clearing up UXO-affected lands for agriculture;
- to survey suspected UXO-risk villages, set up transmission centres to improve communication over larger areas, train and upgrade officers on UXO clearance methods, ensure that the relevant officers are skilled, and apply the correct methods for removing explosives; and
- to remove UXO out of an area at least 12,500 ha, of which 11,875 ha will be set aside for production and 625 ha for other developments.

The 7<sup>th</sup> NSEDP also makes references to millennium development goal 9, which the Lao PDR Government formulated in 2010. The purpose of the MDG 9 is to reduce the impact of UXO, in accordance with the SPF II.

The MDG 9 outlines three specific targets:

1. to ensure the complete clearance of UXO from priority/high value agricultural land by 2020;
2. to reduce substantially the number of casualties as a result of UXO incidents; and
3. to ensure that the medical and rehabilitation needs of all UXO survivors are met in line with treaty obligations under the CCM.

With regards to better aligning UXO action with development, it is clear that efforts to integrate the UXO sector into the nationwide process of implementing the 7<sup>th</sup> NSEDP have been made. As of March 2013, the NRA had organised three regional workshops, with the principal aim of informing the provincial levels of the key issues related to "Announcement 93."

The subject of Announcement 93 of November 2012 is "*UXO clearance for socio-economic development projects in Lao PDR.*" The announcement stresses that UXO represent an obstacle to socio-economic development of the country. With the objective to "truly free" Lao PDR from UXO, the President of the NRA board announces five actions, urging Ministers, Presidents of Ministry-equivalent organisations and Provincial Governors to implement the following five actions in their development

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<sup>22</sup> Lao PDR, *The Seventh Five-Year national Socio-Economic Development Plan (2011 – 2015)*, [http://www.undp.org/content/dam/laopdr/docs/Reports%20and%20publications/LA\\_7th%20NSEDP\\_Eng.pdf](http://www.undp.org/content/dam/laopdr/docs/Reports%20and%20publications/LA_7th%20NSEDP_Eng.pdf)

projects:<sup>23</sup>

All development projects at district and provincial levels that are affected by UXO must:

- undergo UXO survey and clearance before the project is implemented; and
- allocate sufficient budget for UXO survey, clearance and quality assurance.

In addition:

- all development projects must consult with the NRA board to obtain detailed information about UXO contamination as well as the process required for arranging UXO survey, clearance and quality assurance;
- an officially accredited company or work unit must be hired to undertake UXO clearance, based on the legal regulations of the NRA board; and
- UXO national standards, which require that UXO clearance is checked and quality-assured by a body that has been designated by the Government, ie, the NRA board, should be adhered to.

Discussions with several stakeholders underlined how there is uncertainty related to the practical implications of Announcement 93 and how it could change planning and prioritisation procedures. Some expressed concern that the announcement may result in more “default clearance” activities – ie, that full clearance assets are deployed to areas that are not contaminated. One donor emphasised that it fully supports the announcement.

Key findings from an August 2013 GICHD mission to Lao PDR found that links between the UXO programme and Lao PDR’s poverty eradication and rural development programme are being strengthened, including through the recent appointment of a senior officer to head UXO (previously the deputy director of the department of rural development and poverty eradication).<sup>24</sup>

## **QUALITY MANAGEMENT**

Mine/UXO standards represent a critical part of a quality management (QM) system, as they set the parameters for improving safety, efficiency and quality, therefore resulting in greater confidence in mine action.

The Lao PDR UXO programme has a total of 25 national UXO/mine action standards,

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<sup>23</sup> Announcement No. 093/NRA Board, Vientiane 19 November 2012, unofficial translation.

<sup>24</sup> Paterson T, *Mission Report – Results-Based Monitoring and Evaluation System for the Lao PDR UXO programme*, September 2013.

which cover a wide range of topics.<sup>25</sup> The standards were last updated in mid-2012, and Chapter 0 on the introduction and glossary states that the mine action standards series is subject to a formal review every three years. The NRA has pointed out that this has not been done consistently.

Following a request from the NRA/UNDP, the GICHD conducted a QM workshop in Vientiane in March 2013. Prior to the workshop, the GICHD conducted a QM assessment mission to Vientiane, which concluded that, while there are QM structures in place within the operators, and while the NRA conducts limited external QA and QC, there is room for improvement in the overall national QM system. A total of 14 representatives from international and national NGOs, commercial companies and the Lao military attended the workshop. The workshop focused primarily on:

- process approach;
- customer satisfaction; and
- continual improvement.

At the end of the workshop, the GICHD presented a list of recommendations (available in Annex II), aimed at strengthening the QM processes in the Lao PDR UXO programme.

The NRA currently has one QM team which aims to visit each province where operators are working. The QM tasks of this team focus on quality assurance (QA) and quality control (QC). A June 2013 GICHD-commissioned legal review mission highlighted that this goal is not always met due to challenges in accessing remote areas and the high number of clearance activities being implemented by several different operators.<sup>26</sup> The NRA reportedly has plans to establish a second QM team. Financial constraints, however, mean that there are no plans to add additional teams beyond that. The legal review concluded that it is essential that the NRA strengthens its QM capacity in relation to QA and QC, especially regarding clearance being carried out in accordance with “all reasonable effort” and the subsequent implicit transfer of liability from the operators to the NRA.

It appears that the systematic approach to continual learning and improvement and to achieving higher quality in operational results within the Lao PDR UXO programme could be strengthened. Continual improvement relates to three main aspects:

- efficiency and effectiveness;
- understanding the problem; and
- review processes.

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<sup>25</sup> NRA Website, <http://www.nra.gov.la/resources.html>

<sup>26</sup> The GICHD, *Legal Review Mission Lao PDR*, June 2013.

## **INFORMATION MANAGEMENT**

There are few references to information management (IM) in the SPF II, suggesting that there was either a feeling that IM does not merit discussion in the strategy, or that there may be a lack of awareness of the importance of mainstreaming IM processes throughout all UXO/mine action activities.

In general, it often appears that IM is seen as synonymous to “IMSMA” rather than a process that encompasses the various phases of defining information requirements, gathering, storing and analysing data and, importantly, disseminating the final information product as new knowledge. A principal challenge appears to be that this knowledge is then not effectively used to guide planning processes, including strategic planning, prioritisation, tasking and operational planning.

## **IMPACT MONITORING**

The SPF II makes a reference to monitoring impact under its third strategic goal “*Release priority land and clear UXO in accordance with National Standards and treaty obligations.*” The third major action is to “monitor clearance and land release programmes in terms of impact and cost.”

With regards to results-based management, a GICHD August 2013 mission to Lao PDR concluded that a national results-based monitoring and evaluation system promises significant benefits to the UXO programme in terms of performance, reporting and aid effectiveness. It further concluded that the NRA has the capability to implement a sound results-based monitoring system with some support from UNDP, the GICHD and operators, but underlined that the NRA does not have the capacity to launch more than one reform initiative at a time.<sup>27</sup>

While a number of operators have some sort of impact monitoring processes in place, the NRA has not yet standardised impact-monitoring activities in the UXO sector. The NRA does, however, acknowledge the importance of impact monitoring and gave an example of cleared land not being used in the past, highlighting that impact monitoring activities are critical to identify such issues. Some donors pointed out that they have exerted pressure on the NRA to implement the SPF II with regards to monitoring operational activities with the aim of determining the impact of survey and clearance activities.

A 2012 UNDP Programme Review of the 2003 – 2011 UNDP support to the NRA and UXO Lao underlined that a comprehensive data analysis did not allow for the establishment of a clear causal link between the UXO actor activities and Lao PDR’s

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<sup>27</sup> Paterson, T, *ibid*

development progress.<sup>28</sup> The review concludes that, with the view to strengthen outcome and impact-level reporting, quantitative data analysis should be complemented by qualitative methods like interviews with affected communities and village-level case studies.

## **MONITORING AND EVALUATION**

The SPF II stipulates that the NRA office will develop an annual work plan that will be consistent with the NSEDP, with the purpose of guiding the implementation of the SPF II. The work plan should identify annual priorities and specific targets against each indicator presented in the SPF II. As mentioned previously, the NRA, with the assistance of the UNDP Chief Technical Advisor is currently drafting a 10-year work plan. The SPF II also states that the strategy will be subject to a mid-term evaluation in 2015 and a final evaluation in 2020.

In terms of a broader monitoring and evaluation framework, there is presently none in place. The NRA has however expressed great interest in establishing a framework and recognises the benefits it could bring. Donors underlined the importance of a monitoring and evaluation framework and clarifying how progress will be measured.

## **TRANSITION TO NATIONAL OWNERSHIP**

Strategic objective number 5 of the SPF II – “*Establish sustainable national capacity fully integrated into the regular set-up of the Government*” – is accompanied by five major actions:

- To ensure socio-economic development strategies, plans and programmes at all levels and to take UXO funding and operational requirements into account.
- To prepare and begin implementation of a plan for the transition of victim assistance and MRE activities to national authorities and national organisations.
- To identify institutional and capacity requirements to deal with the long-term residual UXO threat; develop and implement a transition and capacity-building plan accordingly.
- To establish a national training centre with a long-term objective of being a nationally owned and funded facility using the national curricula to license personnel under Lao PDR National UXO/mine action standards. It will train, license and support staff of all independent operators on a cost-recovery basis.
- To formulate and implement long-term plans for technical assistance to the UXO sector.

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<sup>28</sup>Sekkenes, S, Palmer, A, *ibid*

This strategic objective related to national ownership and sustainable national capacities mentions the development of transition and capacity-building plans in two of the major actions. As of March 2013, however, there were no transition plans in place. The NRA did not indicate that these plans are under development.

While the NRA is nationalised in the sense that all positions are held by Lao nationals, the Authority is mainly funded by international donors. The Lao PDR Government contributes in the form of in-kind contribution, including the use of Government offices. Regarding national ownership, financial sustainability is a critical issue.

Regarding national capacity to deal with residual contamination, many informants highlighted the Lao PDR military as the most suitable actor. While many praised the high level of capacities within UXO Lao, some question if it will ever be financially sustainable.

## **INTERNATIONAL TREATY OBLIGATIONS**

The SPF II's strategic objective number 6; "*Meet international treaty obligations*", is accompanied by three major actions:

- to develop and enforce legislation to support implementation of treaty obligations;
- to provide an annual report to the Secretary-General of the United Nations under Article 7 of the CCM; and
- to establish an international Trust Fund, as one of the options, to support the full implementation of the Convention on Cluster Munitions in line with the principles of the Vientiane Declaration.

The strategic objective makes no references to the *Convention on the Rights of Persons with Disabilities* (CRPD), which Lao PDR ratified on 25 September 2009. Also, the sections directly related to VA in the SPF II make no references to the CRPD.

Lao PDR played an important role in the Oslo process, the success of which eventually resulted in the *Convention on Cluster Munitions* (CCM). Lao PDR participated actively throughout the process and advocated strongly against proposals that would weaken the treaty's text. Lao PDR was also one of the first 30 ratifications which resulted in the entry into force of the CCM on 1 August 2010. Lao PDR signed the CCM on 3 December 2008 and ratified it on 18 March 2009,<sup>29</sup> and its vocal commitment to the CCM has continued after the ratification. The country continued to engage in its capacity as

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<sup>29</sup>*Landmine and Cluster Munition Monitor*, Country Profiles, Lao PDR, September 2012, [http://www.the-monitor.org/index.php/cp/display/region\\_profiles/find\\_profile/LA/2012](http://www.the-monitor.org/index.php/cp/display/region_profiles/find_profile/LA/2012)

President of the CCM in 2011, after successfully hosting the first Meeting of States Parties in November 2010.

Lao PDR is also a State Party to the Convention on Conventional Weapons (CCW), with active involvement in CCW work on cluster munitions.

## **GENDER MAINSTREAMING**

While individual operators make efforts to include gender considerations in their activities, the extent to which gender is mainstreamed in the broader strategic planning process of the Lao PDR programme is not clear.

In its strategic objective four: *Ensure effective leadership, coordination and implementation of the national programme*, the SPF II includes a major action that specifically related to gender: *“Formulate an annual sector work plan to support the implementation of this strategy as well as the implementation of the recommendations from the 2008 assessment of gender perspectives into UXO action.”*

The indicator of success related to this action is that the annual work plan includes “gender targets”, and that the assessment recommendations are implemented.

The 2008 *Assessment of Gender Perspectives in UXO Action in the Lao PDR* was commissioned by UNDP and conducted by MAG.<sup>30</sup> The assessment aimed to undertake an analysis of gender equity in Lao PDR and how gender perspectives can be mainstreamed into UXO action. The assessment was implemented primarily from an operator’s perspective with a view to providing practical recommendations that operators can implement to enhance their work if gender mainstreaming is seen as a priority.

The assessment found that female voices were absent from the UXO action process and that current approaches rarely actively support and create an enabling environment for equitable participation or transfer of knowledge. The assessment further concludes that there is gendered impact of UXO contamination in Lao PDR, with 83 per cent of the known UXO victims being men and 14 per cent being women.

The assessment report mainly focused on operators, but several recommendations also target the NRA:

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<sup>30</sup> MAG, *Assessment of Gender Perspectives in UXO Action in the Lao PDR*, 2008, <http://www.nra.gov.la/resources/Other%20Publications,%20Reports%20and%20Resources/Assessment%20of%20Gender%20Perspectives.pdf>



- existing Government of Lao PDR policies and development plans should be used as a basis for reviewing the national UXO strategy and draft standards;
- gender indicators should be included in the UXO strategy for the sector;
- UN gender guidelines should be translated and then disseminated, for example through a series of workshops;
- operators and their management teams should be held accountable for the development and achievement of gender-related objectives; and
- the European Commission gender guidelines, which provide useful recommendations against which existing strategies, standards and practices, should be reviewed.

The *UXO Sector Annual Report 2012* highlights that the NRA started a policy of actively recruiting women for key positions in 2011.<sup>31</sup> The annual report further highlights that, as a result of this policy, the NRA's human resources unit recruited seven new female staff members out of 15 new appointments in 2012.

Following a request from the NRA to the Gender and Mine Action Programme (GMAP) to organise a training workshop on mainstreaming gender in the Lao PDR UXO/Mine Action Programme, GMAP conducted a one-day training workshop in Vientiane in May 2013. The overall aim of the training was to develop participants' capacity to mainstream gender in mine action. Prior to the training, participants were asked to complete a "self-assessment", exploring the participants' perceptions of how gender is mainstreamed. A summary of the assessment is available in Annex IV.

## **KEY FINDINGS: GOOD PRACTICES, MAIN CHALLENGES AND LESSONS LEARNT**

Like most UXO/mine action programmes, the Lao PDR UXO programme, which celebrates its 18<sup>th</sup> anniversary in 2013, has a varied history of performance. Despite some challenges along the way, it is encouraging that there is currently a driving force, supported by several actors, to improve the programme and to strive for more efficient and effective operations.

### **GOOD PRACTICES**

A number of good practices can be drawn from the Lao PDR UXO programme, including:

#### **RESPONSIVENESS TO EVALUATIONS**

The UXO programme has demonstrated some responsiveness to evaluations in regards to several important issues. Key reforms to the UXO programme that stem from

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<sup>31</sup> The *UXO Sector Annual Report 2012*,

[http://www.nra.gov.la/resources/Annual%20Reports/UXO%20Annual%20Report%202012\\_ENG.pdf](http://www.nra.gov.la/resources/Annual%20Reports/UXO%20Annual%20Report%202012_ENG.pdf)

external evaluations include:

- the establishment of the NRA; and
- the change for UXO Lao from being a coordinating body to solely being a national operator.

This responsiveness and the resulting changes demonstrate a willingness to adapt and to improve.

### EARLY REVISION OF THE NATIONAL STRATEGY

As noted above, the 10-year timeline of the first SPF expired in 2013. Key developments triggered the decision to start revising the SPF in 2010, which resulted in the updated strategy SPF II. The SPF II is widely believed to better reflect key developments and new priorities. This early revision of the national strategy illustrates a responsive and proactive approach, adapting to key developments in the international and national contexts. It further indicates that the importance of having a national strategy that accurately reflects the reality on the ground is recognised.

### INTEGRATION OF UXO ACTION INTO BROADER DEVELOPMENT

As highlighted earlier, a key reason for revising the SPF was to better align the strategy with the Government's development and poverty reduction plans, with a wish to integrate the UXO sector into the broader development agenda. Whereas many other national mine/UXO programmes struggle to mainstream UXO/mine action into national planning mechanisms, it appears that the Lao PDR UXO programme could be successful in this effort. Stronger links with Poverty Reduction and Rural Development initiatives hold great potential. While there are other potential challenges related to this, it is noteworthy that UXO action is now central to the key development plan, the NSEDP, and that this is reflected at provincial and district levels.

### SURVEY ACTIVITIES

The previously described survey initiative by NPA clearly indicates the recognition of the need to better define the contaminated areas, and a keen interest to improve and strive for more efficient and effective operations. Numerous stakeholders, including prominent donors, have stated that they are highly supportive of this initiative, and that they would like to see it being standardised throughout the UXO programme. In addition, UXO Lao and international humanitarian operators, including HALO Trust, MAG and HI, are supportive of this survey approach and are keen to start similar activities.

This survey approach will contribute to improved clarity on the contamination problem and result in a better understanding of clearance needs, thereby enabling the NRA to make more specific and accurate assessments of required assets and funding, and to plan more strategically.

## **CHALLENGES AND LESSONS LEARNT**

Different stakeholders, including the NRA, operators and donors, highlighted a number of challenges that impede the effective implementation of the SPF II and strategic planning processes more generally, as outlined below.

### **LACK OF CLARITY ON THE CONTAMINATION PROBLEM**

The commonly quoted figure of 87,000 square km of contaminated land is regarded as inaccurate and out of date. Principal issues that impede strategic planning in the Lao PDR UXO programme include the lack of clarity on the contamination problem and clear guidelines on how to gain clarity. These are well-known challenges and have been explicitly pointed out in several evaluations and reports but practically are difficult to address due to the nature of UXO contamination in Lao PDR.

The NRA recognises this challenge and has stated that the focus on survey is a Government priority. It is not clear, however, what the plans to put this into practice are. The lack of clarity on the contamination problem results in several challenges for operational planning, including tasking, and the effective and efficient use of assets.

Despite the importance of improving national clarity on the level of contamination, the SPF II does not explicitly deal with this issue; neither in any of the strategic objectives, nor in any of the major actions.

### **NO ACCOMPANYING WORK PLANS**

Several informants underlined that, while the SPF II is an important strategy document, the importance of putting the strategy into action has received inadequate emphasis. Many pointed out that it is not clear to them how the SPF II will be implemented, and what the NRA is actually planning. While the NRA is in the process of developing a 10-year work plan, several stakeholders were not aware of this undertaking, which suggests that the process has not sought input from key stakeholders.

The Government of Lao PDR maintains however that all key stakeholders are aware of this undertaking and underlines that all operators were invited to participate in at least one of three inclusive regional meetings held. The NRA has also pointed out that

operators and donors were invited to participate in a national Policy Forum in April 2013 that focused exclusively on the planning and prioritisation process in the UXO sector in Lao PDR, including work planning.

## **INFORMATION AND QUALITY MANAGEMENT**

One of the key principles of a QM approach is the quality feedback loop and the strive for continual learning. It appears that this could improve in the UXO programme. Stronger information management procedures are linked with this, whereby:

- information requirements are identified and understood:
- data collection is based information requirements:
- data is validated and thoroughly analysed:
- information sharing is consistent: and
- the findings of the analysis result in greater knowledge and continual improvement.

As pointed out earlier, it appears that the tendency to view IM as synonymous to “IMSMA” has led to IM processes with considerable room for improvement. Also, there seems to be a general need to reiterate the role of IM as an essential support service to all divisions, rather than a stand-alone division.

These challenges are by no means unique to the Lao PDR programme, but exist in most mine/UXO programmes around the world.

## **IMPACT MONITORING AND DEVELOPMENT RESULTS**

As highlighted above, no standardised impact monitoring activities are implemented in Lao PDR. As a result, potential outcome and impact-level results stemming from UXO activities are largely unknown. UXO action results are predominantly presented and communicated as outputs, focusing on square metres cleared and the number of women, girls, boys and men targeted for RE. Despite frequent references to the link between UXO action and development, there is a notable lack of outcome and impact data. Consequentially, the development results of 17 years of UXO action remain largely unknown. As will be underlined below, information shared by some donors indicates that there is a real danger of donor fatigue if a genuine effort to collect and analyse contamination and post-clearance data is not made.

Impact monitoring is an important aspect of the QM process, and analysis of community data represents an important part of its feedback loop. It allows successes to be identified and duplicated, and problems to be detected and dealt with, thereby ensuring continual improvement of the programme.

Some donors have highlighted that they have put pressure on the NRA to standardise impact monitoring activities. Operators, however, have expressed frustration and believe that donors can and should exert more pressure on the NRA in this regard.

### **DONOR FATIGUE**

Information shared by a number of donors suggests a general feeling that the money contributed to the Lao PDR UXO programme is not being spent efficiently.

Donors have expressed frustration with the lack of information on the extent of the contamination problem and a lack of data and evidence showing how funds contribute to tackling the problems. In addition, the continued lack of Government budgetary contributions suggests a reflection of a low level of national commitment and ownership.

## **ANNEXES**

### **ANNEX I: LIST OF DOCUMENTS CONSULTED**

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[http://www.nra.gov.la/resources/Risk%20Education%20Materials/Risk\\_Education\\_Assessment\\_Draft.pdf](http://www.nra.gov.la/resources/Risk%20Education%20Materials/Risk_Education_Assessment_Draft.pdf)

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Sekkenes, S, Palmer, A, *Programme Review 2003 – 2011, UNDP Support to NRA and UXO Lao, UXO Sector, Lao PDR*, February 2012

## ANNEX II: INDIVIDUAL INTERVIEWED

Date	Person	Organisation	Position
5 March	Olivier Bauduin		UNDP TA
11 March	Phoukhieo	NRA	Director
	Bounpheng Sisawath		Deputy Director Support
	Earl Turcotte		UNDP CTA
	Bountao Chanthavongsa		UXO VA Officer
	Phommachanh Khammanichanh		SEOD and Demining Officer
12 March	Tim Lardner	UXO Lao	UNDP CTA
	Marco Heuscher		UNDP QM TA
	Atle Karlsen	NPA	Country Director
13 March	Mark Russell	MAG	Technical Operations Manager
	David Horrocks		Country Director
	Jamie Franklin		MAG America Representative
	Armen Harutyunyan	HALO Trust	Programme Manager
	Zachary Brooks-Miller		Programme Manager
	Wanthong Khamdala	UXO Lao	Deputy National Programme Director
14 March	Pisay Souvansay	AusAID	Senior Programme Officer, Rural Development Unit
	Dulce Simmanivong		Senior Programme Manager
	Bounpheng Sisawath	NRA	Deputy Director Support
	Earl Turcotte		UNDP CTA
	Nitsha Vongphanakhone	SDC	National Programme Officer
21 March	Violaine Fourile	HI	Head of Mission, MA
26 March	John Dingley	UXO Lao	Former UNDP CTA
12 April	Phil Bean		Advisor – NRA and UXO Lao
15 April	Michael Creighton	NPA	Operations Manager



## **ANNEX III : GICHD QM RECOMMENDATIONS TO THE LAO PDR UXO PROGRAMME**

### **Workshop on Quality Management in Mine Action Programmes**

**Vientiane, 4 - 8 March 2013**

#### **Recommendations**

At the conclusion of the Workshop on Quality Management in Mine Action Programmes, which took place in Vientiane, Lao PDR, from 4 to 8 March 2013, the participants discussed and agreed upon the following workshop recommendations:

1. Try to apply the QM principles in all your activities in the UXO sector
2. Spread the knowledge on QM further, including to operators / field level
3. Adopt quality policy & set specific quality objectives
4. Advocate for the Programme's adoption of a quality policy & quality objectives
5. Move to streamline quality policies on all levels
6. Map processes on organizational and programme level
7. Design and use Key Performance Indicators (KPI)
8. Send relevant staff to a ISO 9001 course, or a (one-day) internal auditors' training
9. Send relevant staff to the GICHD's 'Evaluating Mine Action Programmes' workshop
10. Establish 'Quality Circles' within relevant organisations and programmes
11. Recognize that liability issues have to be addressed on all levels
12. Consider Quality Management in Contracting
13. Identify and map programme stakeholders
14. Engage top management in quality management
15. GICHD: Provide further support on country, organisation, programme levels, through, *inter alia*, workshops and advisory services (e.g. process mapping)
16. GICHD: start a sector-wide Quality Management 'Community of Practice'
17. GICHD: conduct a case study
18. GICHD: prepare narrative material to support the workshop, like a publication on QM
19. GICHD: offer a QM workshop for operators

## ANNEX IV: SUMMARY OF LAO PDR'S GENDER SELF ASSESSMENT<sup>32</sup>

### Lao PDR Self-Assessment - Survey Results

#### **Summary**

*Of all 27 respondents, 16 were male and 11 were female, and all from Laos except from one (Australia). Respondents work in various areas, such as operations, administration, victim assistance and mine risk education, a majority of which has worked for their respective organisation for more than three years (55.6%). 51.9% never received gender training, against 48.1% who received training once or on several occasions. A majority of 63% consider their knowledge on gender sufficient or very good, 65.4% of respondents think they are expected to introduce gender issues in different stages of their work at any level, and a majority of 72.2% think they sufficiently meet those expectations. Of respondents 69 % always or usually integrate gender explicitly in their work.*

*According to 84.6% of respondents, their organisation has a gender policy. However, 76.9% say that their organisation does not offer enough or no opportunities at all to strengthen knowledge of gender issues. Yet, 88% think gender mainstreaming in programmes and projects is considered (very) important. Respondents are divided (50-50%) whether their organisation sufficiently deals with gender issues. A large majority of 76.9% of respondents consider that there are not enough or no available tools or guidance to mainstream gender. Again a majority of 92% estimates that the organisation does not provide any or no sufficient information on, and practice in, the use of instruments to conduct gender analyses. On how capable the organisation is at incorporating gender considerations at all stages of its interventions, respondents are again divided with 52% saying it is sufficiently or very capable.*

*The effectiveness of the organisation promoting gender equality and respect for diversity is rated excellent or sufficient by 59.1% of respondents. 76.2% were made very or sufficiently clear that gender mainstreaming is important for the organisation during the selection process. Regarding discouraging expressions of gender inequality, a majority of 55% think the organisation does not enough or nothing at all. Most respondents (95%) would pay some or very much attention to ensuring respectful relations between men and women, and 57.1% have taken some or many actions in relation to a gender-related problem within the organisation. Again a large majority of 95% would think it useful to establish a working group on gender issues in the workplace. Finally, of twelve respondents that replied to the question whether further capacity building on gender mainstreaming would be useful, 11 respondents agreed.*

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<sup>32</sup>Shared by GMAP

### **Personal Information**

A total of 27 responded to the survey, of which most (80.8%) work for the National Regulatory Authority. A majority (55.6%) have worked for the organisation for more than three years, 14.8% between one and three years and 29.6% less than one year. With regard to gender training, 51.9% never received training on gender. However, 6 respondents (22.2%) received gender training once and 7 (25.9%) on more occasions. A majority of 63% considers their knowledge on gender sufficient or very good.

### **Organisational issues**

According to 84.6% of respondents, their organisation has a gender policy. However, 76.9% say that their organisation does not offer enough or no opportunities at all to strengthen knowledge of gender issues in their professional or technical area. Yet, 88% think gender mainstreaming in programmes and projects is considered (very) important. Respondents are divided on how well the organisation deals with gender issues, as 50% say it is sufficient and 50% say it is insufficient or the organisation does not deal with those issues at all. A large majority of 76.9% of respondents consider that there are not enough or no available tools or guidance to mainstream gender. Again a majority of 92% estimate that the organisation does not provide any or no sufficient information on, and practice in, the use of instruments to conduct gender analyses, and to incorporate the conclusions of these analyses into all stages of the design process of programmes and projects. On how capable the organisation is at incorporating gender considerations at all stages of its interventions, respondents are again divided with 52% saying it is sufficiently or very capable. 65.4% of respondents think they are expected to introduce gender issues in different stages of programme or project design and implementation at any level, whereas 34.6% does not think so or does not know. A majority of 72.2% think they sufficiently meet those expectations and the rest not sufficiently or not at all. Of respondents 11.5% always integrate gender explicitly in their work, 57.5% usually and 30.8% seldom. Considering the UN Gender Guidelines for Mine Action Programmes, 46.2% is aware, and thus 53.8% is not.

### **Organisational culture**

The effectiveness of the organisation promoting gender equality and respect for diversity is rated excellent by 22.7% of respondents, sufficient by 36.4% and insufficient or not effective by 40.9%. 76.2% were made very or sufficiently clear that gender mainstreaming is important for the organisation during the selection process. Regarding discouraging expressions of gender inequality, a majority of 55% think the organisation does not enough or nothing at all. Most respondents would pay some (60%) or very much (35%) attention to ensuring respectful relations between men and women in the workplace, and 57.1% have taken some or many actions in relation to a gender-related problem within the organisation. Again a large majority of 95% would think it useful to establish a working group on gender issues in the workplace. Reasons given for the latter are that it would increase understanding of gender issues, be a focal point and

deal with gender issues that may occur, deal with gender-related derogatory comments, and enhance gender equality, as well as the rights of women. Finally, of twelve respondents that replied to the question whether further capacity building on gender mainstreaming would be useful, 11 respondents agreed.