



Customary Tenure in relation to Free, Prior and Informed Consent and Existing Safeguards for Indigenous Peoples and Local Communities



COUNTRY REPORT:
LAO PDR



non-timber
forest products -
exchange programme

Customary Tenure in relation to Free, Prior and Informed Consent and Existing Safeguards for Indigenous Peoples and Local Communities

COUNTRY REPORT: LAO PDR

Lao Development of Human Resource in
Rural Areas Association (LaoDHRRA)

Non-Timber Forest Products Exchange
Programme - Asia

2022



ISBN Number (Print): 978-621-8382-03-9
ISBN Number (ecopy/pdf): 978-621-8382-04-6

Authors

Phetdavanh Sipaseuth

Editors

Arlene Dela Cruz
Dazzle Labapis

Layout and Design

Maria Louella Tinio

Cover photo

Vang Vieng, Laos | Photo by bckfwd via Unsplash



This material is licensed under a Creative Commons Attribution-NonCommercial 4.0 International License.

Suggested Citation

LaoDHRRRA and NTFP-EP Asia (2022). Customary Tenure in Relation to Free, Prior and Informed Consent (FPIC) and Existing Safeguards for Indigenous Peoples and Local Communities, Country Report: Lao PDR. Lao Development of Human Resource in Rural Areas Association and Non-Timber Forest Products Exchange Programme Asia.

Published by: Non-Timber Forest Products Exchange Programme Asia (NTFP-EP Asia),
48 Mahinhin Street, Quezon City, Philippines
Tel. No.: +632 (02) 8967-6127 Email: info@ntfp.org

This document has been produced with the financial contribution of the Mekong Region Land Governance Project (MRLG). The views, opinions, and interpretations expressed in this publication are those of the authors and contributors. They should not be interpreted as representing the official or unofficial views or positions of SDC, Germany, and Luxembourg.

Funded by:



MRLG is a project funded by:



Table of Contents

Acknowledgments	<i>i</i>
Acronyms	<i>ii</i>
Executive Summary	<i>iii</i>
1. Country Context	1
1.1. The socio-cultural, political, and economic status of ethnic groups in Laos	1
1.2. Historical and current context of the recognition of CT and rights of IPs	3
1.3. Policy implementation for tenure security in Laos	6
2. Consultation and consent/FPIC processes	10
2.1. Concept of consultation and consent in Laos	10
2.2. Consultation and consent processes in Laos	15
2.3. Other safeguard mechanisms	15
2.4. Mechanisms that ensure FPIC and/or customary tenure in Laos	16
3. Community and landscape level case	18
3.1. Burapha Agro-Forestry Co., Ltd	18
3.2. Burapha Community	19
4. Key Findings and Conclusions	21
5. Recommendations	23
6. Bibliography	25

Acknowledgements

The research team would like to sincerely thank Dr. Bounkeua Vonsalath, vice president of LaoDHRRRA, for his full support to the field data collection and coordination with partners.

We also thank the NTFP-EP Team, Edna Maguigad, Femy Pinto, and Dazzle Labapis for their inputs and technical support, which have been indispensable for the analysis and completion of the study.

Our sincere thanks also go to Mr. Phonethavong Singhalath, Deputy Director General of the Department of Inspection under the Ministry of Planning and Investment, for his effective coordination and advice on issues related to investment processes and policies.

Last but not least, we would like to thank the Burapha Agro-Forestry Co., Ltd. staff and the Phonmoung Village Authority for providing us with valuable information. This case study was completed at the appropriate time because of their great collaboration.

Phetdavanh Sipaseuth

Acronyms

CCL	Comité de Coopération avec Laos
CSOs	civil society organizations
CT	Customary Tenure
DAFO	District Agriculture and Forestry Office
DoF	Department of Forestry
EIA	Environmental Impact Assessment
FLEGT	Forest Law Enforcement Governance and Trade
FPIC	Free, prior, and informed consent
GIZ	German Agency for International Cooperation
IFC	International Financing Corporation
INGO	International non-governmental organizations
LaoDHRRRA	Lao Development of Human Resources in Rural Areas Association
LFNC	Lao Front for National Construction
LFND	Lao Front for National Development
LIWG	Land Information Working Group
MAF	Ministry of Agriculture and Forestry
MCC	Mennonite Central Committee
MoNRE	Ministry of Natural Resources and Environment
MPI	Ministry of Planning and Investment
MRLG	Mekong Region Land Governance
NGO	non-governmental organizations
NSEDP	National Socioeconomic Development Plan
NTFP	Non-timber forest product
PLUP	Participatory Land Use Planning
PPE	Personal protective equipment
RAI	Responsible Agriculture Investment
RECOFTC	Center for People and Forests
REDD+	Reducing Emissions from Deforestation and Forest Degradation
SUFORD-SU	Sustainable Forest Management for Rural Development – Scaling Up
VFI	Village Focus International

Executive Summary

Laos is currently revising a few policies and legislations to improve the management of land and natural resources within the country. Some of these policies focus on respecting customary land-use rights, promoting public participation in investment, ensuring the Free, Prior, and Informed Consent (FPIC) process, and empowering women in all areas of work, especially in land and natural resource management.

However, there are gaps and complexities in the implementation of these laws. It has been found that some laws have inconsistencies or contradictions in their articles, such as Article 64 of the Forest Law and Article 130 of the Land Law. These inconsistencies should be addressed, as forests and forest lands are closely linked to the livelihoods and customary uses of local people.

The results of interviews with government agencies such as Ministry of Planning and Investment, Ministry of Natural Resources and Environment, and Ministry of Agriculture and Forestry indicate that they do not yet fully understand the full FPIC process. While most of them are familiar with community consultation, most projects only conduct it once and most often provide only positive information to villagers rather than negative. However, government officials have highlighted some key examples of respecting local community decisions, such as canceling concessions in sacred areas.

Burapha Company's implementation is in line with environmental and social standards of investment. However, during the community consultation process, which was led by local government officials, only positive benefits of the company were highlighted, and the full FPIC implementation was not applied. The management-level staff of the company still does not fully understand the customary land use rights that are stated in the law. However, in terms of gender, Burapha Company is performing well. Laos has laws and policies that focus on empowering women in all work areas, including land and forest management.

Initially, LaoDHRRRA planned to interview one more village located in the state production forest. However, due to the COVID-19 situation, it was not possible to visit the village. Conducting online interviews also proved to be difficult, so the Lao

Team did not collect information from the second village.

This report aims to assess the current state of community tenure (CT) in Lao PDR with respect to FPIC and other existing safeguards. Specifically, it investigates how FPIC and other safeguards are used as mechanisms to secure customary tenure, and how their implementation or non-implementation affects customary tenure recognition. The findings of this report will contribute to several outputs identified by the Regional Alliance on CT recognition, particularly by enriching and informing the Regional Situational Analysis on CT and FPIC, as well as other existing safeguards.

Based on the results of the case study, the following recommendations are made to improve the customary tenure rights of local people, including women, and to improve the implementation of FPIC and other investment projects in the future:

Possible short-term solutions for government, NGOs, and CSOs

1. Investigate and survey the customary tenure of local people who live in production, conservation, and protected areas to present their concerns and issues to the National Assembly for policy improvement. A consultation should be conducted, which considers shifting cultivation farming to secure their tenure rights.
2. To ensure the success of a special project, the government should establish a committee composed of relevant stakeholders at all levels. This committee will be responsible for monitoring, inspecting, and solving any problems that may arise during the project's implementation.
3. Raising awareness on international regulations among government partners at all levels is important. This will help them better understand the government's roles and responsibilities in protecting customary tenure and promoting Responsible Agriculture Investment. Recently, government counterparts have focused only on Lao regulations, which are not clearly defined as

state obligations. If government counterparts are aware of relevant international laws, they will be more inclined to encourage investors to respect the rights of the villagers.

4. The Ethnic Group Consultation Guidelines (2012) are not widely known in the country. Therefore, it is important for all relevant stakeholders to promote and apply this policy.
5. The government and all relevant stakeholders should raise awareness about new laws and regulations related to FPIC and customary tenure, including the Government, CSOs, and local communities, at all levels. This is important to ensure that all parties understand the significance of customary tenure and the FPIC process and can effectively implement these policies in the project areas.
6. All awareness-raising activities conducted by the Government, INGOs, and CSOs should involve staff from the Lao Front for National Development to ensure that the benefits of ethnic minorities are protected.
7. Raising awareness about customary tenure and conducting land and forest demarcations to issue land certificates is an appropriate mechanism to strengthen the tenure rights of local people. This approach increases their confidence to use the areas, and land certificates protect villagers' land from investors who often attempt to seize land without proper documentation.
8. All parties should support each other in implementing new laws and regulations. In particular, the MAF and the MoNRE should coordinate harmoniously and have clear roles in working together to ensure that the tenure rights of local people are protected.
9. As some regulations are new, it is necessary to identify a pilot area and establish an evaluation process to measure the results of implementation. After analyzing the pros and cons, the implementation can be expanded to other areas. It is crucial to ensure cooperation between the government, INGOs, and CSOs to avoid inconsistencies in implementation.
10. Disseminate existing policies that focus on women's participation to relevant stakeholders at the central and local levels, including villagers. Raising awareness will help all stakeholders understand and recognize the

importance of women's participation in land and forestry, as defined in national policies.

11. Advocate for the mainstreaming of gender, which has been completely ignored in both land and forestry laws. When drafting decrees and regulations, it should be made clear that the provisions relate to both men and women. This will ensure that officials and villagers take into account the rights of women to gain access to and control over land and forest.
12. Targeted support is necessary to help women build confidence and take on more prominent management positions within village management committees. This support should also aim to strengthen their capacities in land and forest management.
13. Incorporating FPIC into national investment promotion plans is very important to ensure that local communities receive enough information and time to decide on investment projects.
14. INGOs can adapt the FPIC process into their current work, and build the capacity of government partners, investors, and local communities on the FPIC process.

Possible long-term solutions for government agencies

15. The government should have strong regulations and measures in place to control and punish investors who do not follow regulations in Laos. Additionally, incentives should be given to responsible investors to encourage them to continue doing good things for society and the environment. For example, this could involve providing certificates for good practices or reducing taxes.
16. Upgrading customary land laws to state regulations, decrees, or guidelines can help landowners protect their land, negotiate with investors, and maintain sustainable use of non-timber forest products.

1 Country Context

1.1. The socio-cultural, political, and economic status of ethnic groups in Laos

Sociocultural and political status

Laos is a country rich in natural resources and a large land area with diverse ethnic groups who rely on land and forest resources. Lao people comprise four main ethnolinguistic families, such as Lao-Tai (62.4 percent), Mon-Khmer (23.7 percent), Hmong-Mien (9.7 percent), and Sino-Tibetan (2.9 percent), which are officially divided into 50 ethnic groups. The 50 ethnic groups in the country can be further broken down into more than 200 ethnic subgroups. These 50 ethnic groups are geographically dispersed and were historically referenced in terms of three topographic locations: the Lao Loum (lowlands), Lao Theung (midlands), and Lao Soung (uplands). These categorizations also implied traditional agricultural production systems, with lowland people generally cultivating paddy rice and midland and upland people pursuing shifting cultivation practices (Open Development Laos, 2018). The Lao Loum population is the predominant ethnic group in Laos, with many subgroups within. Only Lao Theung and Lao Soung are most often considered as different ethnic group.

The 1992 Ethnic Minority Policy or the Resolution on Ethnic Affairs in the New Era applies to all ethnic groups throughout the country. The policy broadly sets out principles wherein ethnic groups have improved access to services and discrimination is eradicated. However, the policy needs more specific articulations on how these could be achieved. In 2011, the Central Committee of the Lao People's Revolutionary Party issued guidance on the establishment of villages as development units, the change of large villages into small towns in rural areas or village clusters, and the 'Government's land allocation, forest protection (eradication of swidden agriculture) programs have resulted in many upland groups being relocated to new villages in lowland areas with improved facilities (nearer roads, schools, health facilities, etc.). The land allocation and forest protection programs have the same purpose as the ethnic minority policy, which aims to promote equality among all ethnic groups and move upland ethnic groups to low land to live

move upland ethnic groups to low land to live together with the majority group.

The government implemented the Turning Land into Capital Policy (2006) has the goal to drive people from their land to the cities to search for work and turn huge land areas into concessions. In 2016, the Prime Minister issued Decree on Compensation and Resettlement Management in Development Projects No. 84/PM, encouraging public participation at all stages of project implementation and ensuring that impacted people receive good compensation. Prior to the issuance of Decree No. 84/PM most impacted people lived in marginalized areas, then they were moved into resettlement areas and lived in bigger groups. However, due to their living condition, the people living in resettlement areas developed mental and physical illnesses.

Article 35 of the Constitution (2015) states, "Lao citizens are all equal before the law irrespective of their gender, social status, education, beliefs, and ethnic group." The State aims to promote unity and equality among all ethnic groups and forbids any act of division and discrimination in the country. Following this principle, the Lao government does not use the term "indigenous". While the expression "ethnic minorities" is sometimes used, the government officially considers all citizens, including ethnically Lao people, to belong to ethnic groups which are not specific to minorities.

The 8th National Socioeconomic Development Plan (NSED) 2016-2020 was adopted to ensure Lao PDR graduates from least developed country status. All previous policies and regulations are aligned with this goal. The NSED states that tailored interventions are needed for the poorest groups, where the lack of access to infrastructure, markets, and services remain barriers to growth and poverty reduction. In addition, social welfare and poverty reduction policies must be tailored to ethnic 'people's specific needs and capabilities and address gender issues among various ethnic groups to improve the human capital of future generations.

However, implementing these policies has relocated upland families to the lowland by

providing small plots of agricultural land and shifting cultivation rotation to three parcels of upland field. This results in low crop yields due to the degradation of soil and weed invasion (Ministry of Agriculture and Forestry [MAF], 2016). This also leads to a heavy workload of family members, especially ethnic women, as they are responsible for weeding. The most affected ethnic group identified to date regarding the land is the Khmu (Mon-Khmer), and the most disadvantaged are those who have been recently relocated within the past ten years. The result is increased levels of poverty and associated consequences (MAF, 2016). In addition, living together with Lao majority citizens (Lao-Tai) has made it impossible for ethnic minorities to be fully involved in village development planning and decision-making processes due to their lack of understanding of the Lao language and inability to communicate.

Apart from the relevant policies mentioned previously, sound policies for ethnic groups also have been developed to improve the living conditions of ethnic groups. The Guideline on Ethnic Group Consultation (2012) calls for the engagement of all ethnic groups in any relevant development projects and activities, both regarding the potential benefits and negative impacts on their livelihood and environment. It requires the provision of opportunities for ethnic groups to discuss their concerns. However, meaningful consultation with ethnic groups and citizens more broadly before development projects begin has been a continuing topic of concern among civil society in Laos. It has been challenging for ethnic groups to understand essential laws and decrees that are not translated into ethnic languages, undermining the core intent of the consultation mechanisms.

Economic status

Overall, Lao Loum people have a better economic status than other ethnic groups, which is primarily due to the geographical advantages of living in the vast plains and fertile lands along the main riverbanks, where agricultural production and economic opportunities have significantly increased, and infrastructure and access to education and healthcare have improved.

On the contrary, ethnic minority groups are still experiencing poverty. Agricultural production in highland areas (where Lao Soung live) and upland areas (inhabited by Lao Theung) is still dominated by subsistence crop cultivation and shifting or swidden (slash and burn) farming systems. Upland

farming in those areas can only produce rice sufficient for seven or nine months of annual consumption, and those farmers are classified as extremely poor. Poverty in the uplands and highlands is directly linked to land degradation from dominant farming systems. People in rural areas earn extra income by planting vegetables and raising livestock. Their major income comes from selling livestock and a small number of cash crops to buy additional rice each year and pay for health services and basic needs (IFAD and AIPP, 2012).

In the past decades, the economy of Laos has been rapidly growing due to national and foreign investment. Investment regulations have been updated to attract investors and allow the country to speed up economic growth. Land-based and agricultural investments are the main productive sectors in the country, particularly mining projects, hydroelectric dams, and perennial plantations such as tea, banana, sugarcane, or rubber are sectors in which both Lao and international investors are showing increased interest. These sectors are affecting ethnic minority groups, who are facing challenges in their traditional livelihoods and being forced to resettle on some occasions. Moreover, since the government facilitates direct investment from China to plant rubber trees, the life of ethnic minority groups is becoming more challenging because significant quantities of their land have been conceded to Chinese investors. This type of investment has had a very negative impact on the traditional lifestyles of ethnic minority groups. For example, some had to transition from traditional farming to working at banana plantations (IFAD and AIPP, 2012).

Even though many investment projects are planned and implemented, Lao people in rural areas, especially ethnic minorities, are not consulted in many development projects, including road and dam construction. In most cases, investment projects have significantly impacted the livelihoods of ethnic minorities, both economically and socially, as the project has changed land and forest use, leading some remote communities to be even more financially and socially vulnerable. In addition, most development project planning is done by the project investors and the government, with a lack of community awareness on the positive and negative impacts of the projects.

1.2. Historical and current context of the recognition of CT and rights of IPs

As mentioned above, the history of ethnic groups in Laos since 1991 shows that the Lao government has improved many policies aimed at unity, eradicating ethnic poverty, and creating equality for all ethnic groups. As such, most policies are not specific to ethnic groups. The right to traditional land use and access to natural resources also applies to all Lao citizens, especially land and forestry laws. No articles specifically state the rights and interests of ethnic groups. It can be noted that many policies seem to be beneficial to the ethnic people in remote areas. However, the reality is different. The livelihoods of rural people are often affected by the implementation of the policies.

Customary laws and practices of ethnic groups

Mon-Khmer This group was the first inhabitants of the territory that is now modern-day Laos. They share customs, such as the exchange of great wealth at marriage, post-partum rituals, cemetery burials, sacred forests, and festivals for the territorial spirit at the end of the agricultural year. They believe in divinities and animistic spirits, which are personal in specific areas. They distinguish domestic spirits of inhabited space, built or used by humans, from natural spirits of nature or the forest. They usually engage in swidden cultivation on higher lands. A field is cultivated one season and then left fallow. Communities are split into smaller production units living in their fields during the agricultural season in the North, while in the South, the abundance of land allows periodical migration of the whole community to new productive land within a circular trajectory, which marks the limit of each 'village's land (Ministry of Justice Law, Research, and International Cooperation Institute, 2011).

Lao-Tai Their system is characterized by a sedentary geographical frame, allowing permanent paddy cultivation farming in the Mekong Valley and on its tributaries. The system also allows swarming migration patterns linked to land pressure and strategies to get closer to trading crossroads (Daviau, 2011). The members of this group are mostly Buddhists.

Hmong-Mien Settled mostly in Northern Laos, they traditionally practice pioneer swidden cultivation, where land is cultivated until soil exhaustion forces the community to move to a new location. Ancestor worship is widespread among such patriarchal clan structures. Apart from Buddhism and animism, ethnic Mien also observes Taoism. The Lu Mien believes there are thirty-three levels of heaven protecting the human earth. In Lu-Mien societies, leadership structures combine both secular and religious functions. Therefore, the religious leader and the head of the tribe are the same people: a leader or clairvoyant responsible for worshiping place spirits. The Hmong usually distinguish political from ritual leadership, with the head of the clan being different from the Saengxao (or leader of beliefs). However, the political leader is sometimes responsible for beliefs and traditional customs (Daviau, 2011).

Sino-Tibetan Similar to Hmong-Mien, they practice swidden cultivation (Daviau, 2011).

All ethnic groups practice customary land and resource management systems uniquely adapted for upland areas. These systems have developed over generations as part of traditional ways of life and are underpinned by rituals and customary practices. Men and women have developed different concepts of gender-specific rights and responsibilities. These responsibilities ensure the sustainability of their livelihoods, communities, and cultural identities (MAF, 2020). Apart from individual lands, including houses and paddies, where the government provides permanent land use rights, each ethnic group has customary laws and regulations for village land and forest protection that have been practiced since their ancestors' time. According to the review of statutory law and customary law in the Xe Champhone Ramsar site by the International Union of Conservation of Nature 2013, which covered the Lao-Tai and Mon-Khmer, the following customary laws apply to forest land management:

Sacred Forest Sacred forests are believed to be places for the guardian spirit that protects all members of the community. As such, they need to be treated with dignity and respect.

Spiritually Protected Areas Religious beliefs have established customary laws that apply directly and indirectly to the villagers' conservation of protected areas. For example, forest spirits are believed to punish those who encroach on protected lands, hunt forbidden animals, and live immoral lives.

Cemeteries Cemeteries are traditionally protected areas where the village does not allow the hunting of big animals or any activities. However, some villages allow the hunting of small animals and collecting non-timber forest products (NTFP) with permission from the village authorities. Outsiders from other villages are not allowed to enter or to collect food and NTFP from these areas.

Non-Spiritual Communal Protected Areas Cutting big trees is prohibited in these forests. Small trees can be cut down, but only for personal and family use. Cutting any tree for commercial purposes is not allowed. Hunting in the forest is also regulated; hunting big animals is prohibited, but hunting small animal is permitted. Violators will be punished and fined (International Union of Conservation of Nature [IUCN], 2013).

For sacred forests, annual ceremonies are held to worship the guardian spirits in sacred places, with animals being slaughtered during the ceremony. Hmong-Mien and Sino-Tibetan would have similar customary laws to protect and manage their land and forest resources. In particular, they have a ceremony to worship the spirit of the soil, asking for rain to produce good upland yields; local people believe that these practices provide a way to maintain soil quality for long-term use.

In general, local ethnic communities understand and practice customary laws rather than state laws, as most of have not received proper information about the Lao laws (IUCN, 2013). In addition, customary land uses are also recognized at all government levels. However, government policies on increasing forest cover and promoting land-based investments make customary tenure (CT) vulnerable. Local communities can potentially lose customary land and forest areas due to development projects.

New land and forestry law revisions

There are no written documents of the customary laws of ethnic groups, and most are not clearly identified in the national laws and regulations. To address this gap, the Lao government issued the new Land Law 2019, which is a great improvement from the 2003 Land Law. Both old and new land laws stipulate that all land in Lao PDR is the property of Lao population, and that the state must secure long-term rights to land by ensuring protection, use, transfer, and inheritance rights. More importantly, the new land law includes customary land use rights, which was formerly stated in Article 26 of the Decree No. 88/PM 2008 (Decree on the Implementation of the Land Law 2003) but was not recognized in the 2003 law itself.

Along with issuing the new Land Law (2019), a new Forestry Law was also issued and promulgated in 2019, amending the earlier law from 2007. Article 4 states that natural forests and forestlands are the property of the national community. In addition, the State is the representative to manage through centralization and unity throughout the country, with all organizations and public participation in restoration and preservation and utilization according to laws. The article further states that trees grown naturally in rice paddy, garden, construction land of individuals, legal entities or organizations that receive rights to use in accordance with the law, are properties of such individuals, legal entities, or organizations. This addition in the new law ensures the rights of forest-dependent people and rural ethnic groups to claim ownership of natural trees within their areas, which in the past had been problematic and debatable.

Relevant stakeholders were involved in the development of the new laws, including civil society organizations (CSOs), non-governmental organizations (NGOs) that are members of the Land Information

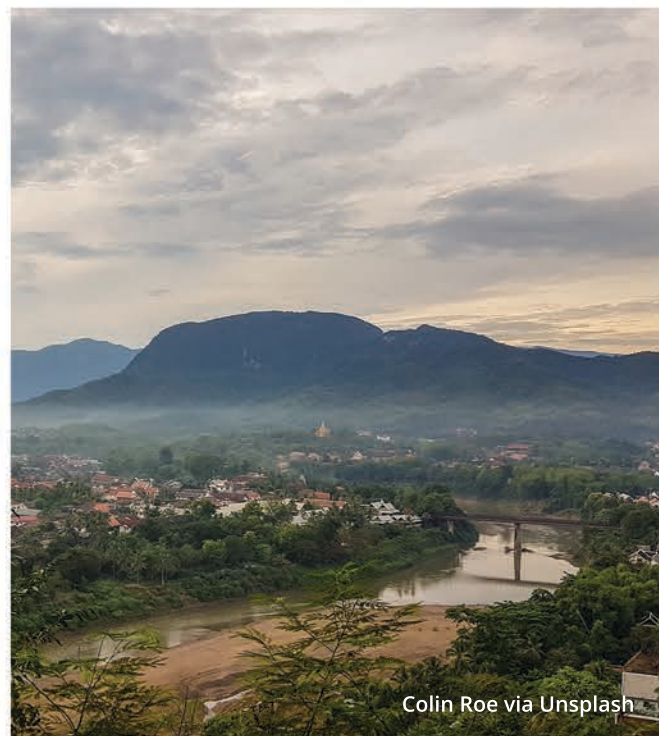
Working Group (LIWG), and relevant government departments who are members of the land and forest subsector working groups. However, challenges persist in terms of upholding customary land use rights of ethnic minorities. These include:

Land Law 2019

There are two provisions in the Land Law 2019 deal with customary use and ownership. The most important article is Article 130, entitled ‘Acquisition of the Right to Use Customary Land,’ which sets out the criteria for legal recognition of acquiring land use rights by custom. It affirms that the State acknowledges the use of land by people who have been living and earning a living on forest land in the past and to whom land use certificates should be issued (MRLG & LIWG, 2021). Article 44 of the ‘Use of Forest Land’ acknowledges the use of land by people who have been living and earning their living in forest lands by tasking the Ministry of Agriculture and Forestry (MAF) and Ministry of Natural Resources and Environment (MoNRE) and other line agencies to conduct surveys, data collection, relocate the forest land, and then issue land use certificates. Although the new Land Law has made many changes to recognize and protect customary land rights, the tenure rights of forest-dependent communities and shifting cultivation farmers are not fully protected by the law. Article 130 states that the acquisition of customary lands refers to land acquisition and use by Lao citizens through exploration, development, protection, and regular land use for more than 20 years before the law’s effectivity. In addition, there is no need to provide documents certifying the acquisition of the land but only a certification from village administrative authorities and owners of the adjacent land parcels regarding the continuous land occupation and use without any disputes or with disputes having been already settled. These provisions will deny the claims of people who practice swidden cultivation since they do not use the land regularly and continuously because of the nature of the farming technique. Usually, it is necessary to leave fallow land for at least three years to maintain good soil quality in the cultivation area.

Forestry Law 2019

No provisions in the Forestry Law regarding the formalization of tenure rights or the processes involved, including customary rights. Article 64 deals very briefly with the customary use of forests, timber, and NTFPs. The statement in Article 64 is a definition of customary use with no consequential action or declaration of acceptance or recognition (MRLG & LIWG, 2021).



Colin Roe via Unsplash

Compared with the previous versions, both laws are a step forward in improving the protection of rights. However, the Land Law does not include any information related to protecting the land and forest tenure of ethnic groups, especially swidden farmers. The right can be lost if the land is unused for three years. Moreover, the Forestry Law encourages upland farmers to stop shifting cultivation to preserve the forest and allow them to settle agriculture on allocated land. Since 2011, upland farmers have faced many difficulties because of relocation to the lowland. Problems are likely to continue as neither of the laws addresses these issues.

1.3. Policy implementation for tenure security in Laos

According to the laws, lands and forests are the property of the national community. The State represents the property owner and manages lands in a centralized manner across the country with Land Allocation Plans, Land Use Planning, and Land Development. The State grants long-term and secured land use rights to individuals, legal persons, collective groups, and Organizations of Lao citizens. Laos has many categories of land, and a different ministry manages each type. According to the law, the MONRE centrally manages all categories of land but shares the responsibilities for managing each kind of land with other sectors. Agricultural and forest lands related to customary tenure are managed by MAF in close collaboration with MONRE and other relevant sectors.

Awareness-raising on land and forestry laws by NGOs and CSOs

As mentioned previously, only the Land Law and the Forestry Law highlight customary tenure. However, both laws have many gaps. Many development agencies and NGOs in Laos are trying to raise awareness of these new laws, highlighting the important aspects of both laws for local villages. These include Village Focus International (VFI), Mekong Region Land Governance (MRLG), GIZ (German Agency for International Cooperation), Comité de Coopération avec Laos (CCL), Mennonite Central Committee (MCC), LIWG and its member organizations. For instance, from 2019 to 2020, MRLG and the LIFE project under VFI, have supported MoNRE, MAF, and relevant agencies to implement awareness-raising initiatives on tenure rights under the workstream on customary tenure and land rights recognition in three forest categories – production, conservation, and protection forests. The awareness raising on customary tenure has been implemented in pilot areas of MRLG in seven villages in Khammoune province. Regulations related to customary tenure rights are introduced to local villagers, so they can understand that their customary land use rights are recognized and protected by the laws. However, villagers in areas where awareness-raising work has been conducted still have many questions related to land rights, as observed during a field visit of VFI and government stakeholders from central, provincial, and district levels. Some of the frequently asked questions include:

- 1 Some private plots already have permanent land titles. What will happen to land rights recognition when those plots are in protected areas?
- 2 What is the difference between land use rights and utilization rights? What can be done with these rights?
- 3 What criteria are used to categorize a forest as a production, protection, or conservation forest?

In the northern part of the country, CCL, MCC, and GIZ are doing the same awareness-raising work in their project areas to empower local communities and increase their capacity to negotiate with investors and protect their rights. In addition, CSOs in Laos under the Forest Law Enforcement Governance and Trade (FLEGT) network are advocating for the forest tenure rights of local people by ensuring that their land and forest tenure rights are protected under the FLEGT process. Lao CSO FLEGT also has an opportunity to contribute to policy development as they are the key stakeholders of FLEGT process to raise their voices to protect local communities' tenure rights. Another excellent opportunity for the Lao CSOs to engage in legal reform began in 2017 with revising the 2007 Forestry Law. They have achieved agreement on the need for greater overall participation of villages in forest activities (Articles 6.3, 47.5, 48.5, Forestry Law 2019). Recently, CSOs have been working with the Village Forest Division under the Department of Forestry (DoF) of the MAF to revise Regulation No. 0535 on Village Forest Management to increase local communities' participation in the village forest harvesting process and ensure that their benefits and interests are protected.

Recently, several international non-governmental organizations (INGOs) and CSOs have been raising awareness on Responsible Agriculture Investment (RAI), aimed at increasing understanding among central and local government officials of international and national regulations related to roles and responsibilities of the Government, investors, and local communities in the investment process. The

guidelines for considering and approving investments and mechanisms for managing land for agricultural investment, No. 0457/MPI, 2019 and Decree on Compensation and Resettlement Management in Development Projects No. 84/PM, 2016 are the focus of these initiatives to promote community participation and the free, prior, and informed consent (FPIC) process.

Participatory Land Use Planning

The land use planning and land allocation program are designed to eliminate shifting cultivation, provide people with a stable occupation, alleviate poverty, and increase forest cover by boosting investments in agricultural land through the allocation of temporary use rights. The key implementer of land use planning is MAF in close collaboration with relevant sectors. Land use planning has been implemented nationwide since 1990. In 2009, the land use planning approach was modified to ensure greater community participation, supported by the Participatory Land Use Planning (PLUP) manual. Since 2009, the Government has been mainstreaming the implementation of PLUP in poor districts. Development agencies and NGOs viewed PLUP as a means to minimize the negative impacts of investment projects, considering that local communities are involved at all stages of PLUP implementation. However, this policy was also developed to promote investments, therefore, many issues arose after completing PLUP with the full participation of local communities.

Based on the Japan International Volunteers Center's actual experiences in implementing PLUP in Savannakhet Province from 2009 to 2011, local villagers were involved in many stages, especially in the identification and demarcation of various types of forest and agricultural lands within the village boundary, including secret forests, cemeteries, production forests, protected forests, construction areas, agricultural land, and others. PLUP is theoretically intended to strengthen tenure rights for the rural population. However, the customary tenure rights of the local people in Savannakhet were often not respected by the stakeholders and investors. For example, when land-based investments were made some areas of protected forests, production forests, and conservation forests were cleared for rubber plantations. The relevant sectors eventually solved some of these issues, albeit in a long and protracted manner, as these issues were considered trivial.

A 2017 study found that villagers were not confident that PLUP would provide tenure security in the event of land conflict. The GIZ PLUP assessment report states that less than 15 percent of correspondents believed that PLUP could support them in resolving substantial disputes with private companies, foreign investors, or conflicts with the government, especially where decisions of the district or higher levels of the government are involved (Ling, 2017). The same study found that PLUP plays a minor role in protecting customary tenure. For upland farmers, the most vulnerable rural group, it appears unacceptable under the current interpretation of customary land tenure to override the customary private tenure of swidden plots with a formal community title, which would then extend rights to the whole community. PLUP is regarded as a land management and regulation tool rather than a tool for community ownership.

Safeguards for REDD+

REDD+ is a program to reduce deforestation and align with the implementation of forest strategy, national green growth, forestry law, and PLUP. One of the objectives of REDD+ is to promote and develop the livelihoods of rural people who depend on forest and forest resources by participatory village land allocation. The program also supports the technical aspects of agricultural practices and forest product processing to rural people and aims to improve participatory forest management and benefit-sharing. Policies that support the implementation of REDD+ include the Forestry Law, Land Law, Forest Strategy, Constitution of the Lao PDR, Environmental Protection Law, PM Decree No. 84 (2016) on Compensation and Resettlement for People Affected by Development Projects, and other relevant regulations.

Regarding the REDD+ safeguards context in Lao PDR, all national circumstances are identified to address and respect these safeguards, namely: socio-economic development, which focuses on upland, livelihood, and forest, especially upland land and forest use, resource tenure, and human and financial resources capacity. The livelihood system of forest upland communities mainly relies on swidden cultivations and NTFPs wherein men and women have different tasks. In addition, customary land use and rights, and forest land ownership and use rights are well recognized in the safeguards' context of the Lao PDR. All relevant stakeholders, including government agencies, CSOs, and private sectors, have focused on

supporting capacity-building activities on safeguard issues, including increasing understanding of the Cancun Safeguards. Through district and village-level community consultations, inputs from ethnic groups, including women, are collected. These serve as evidence bases for improving safeguard measures.

The report on safeguards for REDD+ implementation during 2015-2018 highlights some vital information related to the tenure rights of local communities. PLUP was the key protecting land and forest tenure in REDD+ implementation through recognizing the villagers' rights and benefits and enhancing land use practices. The villagers' rights to resource access are reviewed and respected in the management planning and implementation. The report states, "Restrictions to access to forest resources were reported, but participatory processes allowed villagers to be cognizant of the need for such restrictions and made it more acceptable to them. They were also aware of mitigating measures for their income losses due to those restrictions such as alternative livelihood programs" (Department of Forestry [DoF], 2020, p. 26). However, gaps and challenges remained. These included limited engagement with the members of local communities, especially ethnic groups, due to their lack of awareness of forest protection, motivation, and communication barriers (e.g., language issues). The understanding

and appreciation of the ethnic groups' traditional practices and beliefs were limited and not always considered in the "formal" planning process and implementation of REDD+. The recognition of the traditional practices and formalization of customary use rights of forests and forest lands of ethnic groups inside and outside the three forest categories (production, conservation, and protection forest areas) was also unclear (DoF, 2020).

During the implementation of REDD+, key policies, laws, and regulations were implemented to ensure "addressing and respecting" the Cancun Safeguards. As a result, some positive results in protecting the tenure rights of local villagers are evident. However, there are still many gaps and challenges which cause vulnerability of ethnic minorities' land and forest tenure, as mentioned earlier.

Table 1 outlines Lao laws and regulations that intend to protect the tenure rights of local people and highlight public participation in the concession process. It must be noted, however, that only the Guide on Responsible Agriculture and Forestry Investment in Lao PDR (2021) articulates a full FPIC process. The other laws and policies mainly promote customary tenure and community consultation.

Table 1. Policies and regulations related to customary tenure and FPIC

Law/Regulation	Community-based Tenure	Description/Relationship with CT and/or FPIC	Issuing/Responsible agency and sources of information
Land Law 2019	Acquisition of land tenure rights The State acknowledges the use of land by people who have been living and earning for their living in forest lands before the area is classified as forest lands	Not mentioned	National Assembly
Forestry Law 2019	Customary use of forests, timber and NTFPs	Not mentioned	National Assembly
Guidelines for Considering and Approving Investments and Mechanisms for	Not mentioned	Participation of local communities in the land lease and concession process/	Ministry of Planning and Investment

Managing Land for Agricultural Investment, No. 0457/MPI, 2019		community consultation process	National Assembly
Decree on Environmental Impact Assessment No. 21/GoL, 2019	Not mentioned	Public participation in the preparation and planning phase, construction and operation phase, and termination phase	Government of Laos
Decree on Compensation and Resettlement Management in Development Projects No. 84/PM, 2016	Not mentioned	Impacted communities are ensured the right to receive information on project development and on the benefits and impacts of the people. Communities must participate in discussions at various levels and comment on resettlement plans.	Prime Minister
Guide on Responsible Agriculture and Forestry Investment in Lao PDR, 2021	Not mentioned	Full FPIC process	Produced by the Lao National Chamber of Commerce and Industry and VFI with the participation of government stakeholders including, MAF, MoNRE, and MPI
The Ethnic Group Consultation Guidelines (2012)	Not mentioned	Provides guidance on how to consult with various ethnic groups in culturally	Lao Front for National Development (LFND)
Decision on the Approval of the Protection Forests, Protected Areas, and Production Forests No. 273/NA, on 21 August	Acknowledges the rights of people living in or adjacent to the 3 categories of forests to use lands for agriculture production	Not mentioned	National Assembly
PLUP Manual, 2009	Enhancing customary tenure	Community engagement	MAF

2 Consultation and consent/ FPIC processes

2.1. Concept of consultation and consent in Laos

The Free Prior Informed Consent Guidelines (FPIC) raise awareness for projects to apply for FPIC based on the 2012 Public Involvement Guidelines (FPIC, 2012). By adopting the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the legal status of the right to FPIC has been strengthened (DoF, 2020). Lao policies have undergone many improvements to ensure public participation in development projects. There are several decrees and guidelines created from 2016 to 2019 (see Table 1 above) that promote the participation of the local people in the project planning and the decision-making process on compensation from development projects. The Ethnic Group Consultation Guideline (2012) was issued to ensure the participation of ethnic groups in all development projects and give the Lao Front for National Development (LFND) a more significant role in land and forestry development projects (see Table 1 for details). However, there are no reports on the implementation of the guidelines or documentation of positive results and challenges.

Development partners, NGOs, and CSOs are implementing awareness-raising to get local villagers involved in all processes of development projects. GIZ has a long working experience with investors and local communities in understanding responsible investment and FPIC (DoF, 2020). The Center for People and Forests (RECOFTC) and most forest-related projects have provided guidance and training manuals and have been a consistent central theme to all REDD+ and forest projects implemented in Laos. In addition, the VFI, Helvetas, the LIWG, and its network members provide training on responsible investment to the private sector, local governments, and local communities, highlighting the FPIC process.

The Sustainable Forest Management for Rural Development – Scaling Up (SUFORD-SU) Project was implemented from June 2013 to August 2021, and operated in 13 provinces, and involved 1,078 villages. A Community Engagement Framework was developed to guide how to identify and engage with Indigenous Peoples and to minimize and mitigate impacts related to involuntary resettlement, including access restriction to

production forests. In addition, an Environment Management Plan was prepared to address environmental issues and hazards. However, instead of treating safeguards as a distinct and separate topic, SUFORD-SU integrated these into its standard operating procedures. An assessment of capacity in 2018 suggested that the approach was efficient (DoF, 2020).

The Lao Agroforestry Advisory Services Project by International Financing Corporation (IFC) has been implementing the Lao Agroforestry advisory services Project in Laos since 2013. IFC required its partners to commit to its eight Environmental and Social Performance Standards, including Community Health, Safety, and Security, and Indigenous Peoples. One of its activities related to the performance standards is the development of FPIC procedures and Grievance Mechanisms applicable to plantation forestry.

Ministry of Planning and Investment

According to the case study interview, the Ministry of Planning and Investment (MPI) is the focal point for the compilation of investment information from relevant government agencies and is tasked to submit to the Government before forwarding to the national assembly for consideration and approval. MPI works with the provincial, district, and village levels to disseminate concession agreements. Most of the information dissemination meetings are organized at the provincial and district levels. Information dissemination is in accordance with the relevant legislations of MPI, especially the law on investment promotion, which ensures the checking the numbers of investments and the improvement of the concession agreement with the relevant departments. MPI works with various agencies including, the MoNRE, MAF, and the Ministry of Energy and Mines for large-scale projects in Lao PDR.

MPI had participated in various investment projects to disseminate and build the understanding of investment documents, especially concession agreements to provinces, districts, and villages. In the concession agreement, MPI considers local interests such as local employment, infrastructure development funds, and capacity building for local communities.

Some good examples related to tenure rights of local people have been documented. For instance, the solution to the Luang Prabang Tourism Concession Project, which covers the area of the sacred cave in the community. The villagers conserve this area as they believe that the cave offers protection from untoward events. After discussions among the local community, the local authorities, and the development company, the project was eventually canceled. Another case is the hydropower project which covered an important cave in the communities of Pak Ou District, Oudomxay Province. The villagers had a dialogue with the ministry to raise their concerns about the protection of the cave. The MPI met to discuss the issue and eventually decided to exclude the area from the development project. Both cases indicate that PMI respects community participation in decision-making processes and applies customary law.

In addition, the MPI also worked with the MRLG on investment approval and land management mechanisms for land concessions from 2016-2019. Currently, the second phase is called the Responsible Agricultural Investment Promotion, which has disseminated relevant regulations including Guideline No. 0457/MPI to banana plantations. This is another outcome that allows investors and people to get involved in finding solutions to their problems and ways to work together to make investors more aware of the impacts of development projects on local communities. Different community engagements tools and approaches were applied namely, discussion materials, video, and posters when conducting community consultation in Luang Prabang, Oudomxay, Luang Namtha, and Xayaburi. FPIC is relatively new to them. MPI officials mentioned that they had not applied FPIC in their work but have conducted community consultations and disseminated investment information to local communities.

Ministry of Natural Resources and Environment (MoNRE)

The primary role of the Ministry of Natural Resources and Environment (MoNRE) is to inspect the investment areas, ensure that the areas do not overlap, and ensure that the investment documents of relevant departments are clear and unproblematic. In addition, MoNRE works with the awareness-raising teams at the provincial and district levels to disseminate information on the benefits of the investment project to local communities, collect information on affected

in the project sites, discuss compensation with the investment committee, and issue land titles to the resettlement area after all documents have been confirmed. Furthermore, the Ministry disseminates information to local communities using visibility tools such as posters and videos of successful projects of INGOs and CSOs. During their engagement with the local communities, the ethnic leaders usually act as representatives, which are later discussed with the villagers.

MoNRE respects and protects customary tenure based on Article 130 of the 2019 Land Law. In addition, the Ministry has been working with the MAF to conduct a pilot project to secure land tenure rights of local people living in three categories of the national forests by considering allocation of forest areas for villagers or issuing land titles, especially in some areas where people have been living, before national forests areas were identified. This work was agreed in the meeting of MoNRE in July 2021. However, the issuance of land titles within protected areas remains complicated in Laos and will still require further studies before it is effectively implemented.

Ministry of Agriculture and Forestry

The Ministry of Agriculture and Forestry (MAF) coordinates with relevant departments in land conversion based on Forestry Law and other regulations. The agency's main responsibility is summarizing approved areas for concession, surveying, and calculating the trees and wild species in the investment areas in coordination with the MoNRE, the Ministry of Energy and Mines, and the MPI. The MAF prioritizes the interests of the local people when dealing with investment projects such as, infrastructure development and employment. For example, the Ministry implements a "two plus three investment" scheme, wherein the investors provide three aspects of the project (i.e., seeds and production facilities, technical expertise, and market) and the farmers provide two items (i.e., land or production area, and labor). In promoting customary tenure rights, the MAF has considered protecting the land use rights of people living in national forests. In particular, the Forestry Law stipulates the customary use of timber and non-timber forest products. However, representatives of MAF shared that there is no FPIC process in Laos to apply in the current land conversion process. Still, Lao PDR has land laws and regulations to inform villagers and ensure public participation. The MAF has used this to promote villagers' rights and identify the

benefits and impacts of investments on the people and the environment. MAF informants cited the Burapha Company's practices as good examples. The operation of the company in Vientiane Province is outstanding, as the company's policy is to prioritize local communities for employment and infrastructure development. Regarding the consultation process, the MAF, local government officials, and Burapha Company encourage local people not to panic about the company taking the land because the villagers can grow crops on company land. In addition, the dissemination of information is well conducted, and villagers understand the benefits of the company, so the company and local people work with each other very well. Representatives of MAF said: "Initially, there was a problem with the villagers objecting to the company taking the land, but when they understood, they were happy. Recently, the company is requesting 60,000 hectares to extend the Eucalyptus plantation, so the MAF is considering and conducting the survey to get the land to the company".

RECOFTC

The main partners of RECOFTC are the Department of Forestry, the Department of Forest Inspection, and MAF. They currently work in five provinces in the North. Overall, the RECOFTC projects have strengthened many sectors, such as central and local governments and CSOs, to promote the customary land rights of local people. In each project, government partners have been trained on the FPIC process, and awareness-raising on FPIC has been conducted in every targeted community of the projects. As a result, FPIC is a top priority in all projects of RECOFTC. Through the implementation, the government counterparts, the private sector, and the community are more aware of the FPIC process.

The organization is seeking opportunities to facilitate discussion and cooperation between the Government, the investors, and the villagers to make them better understand each other's issues. When working with communities and timber investment firms, RECOFTC has supported them with proper consultations and included FPIC. RECOFTC also plays an important role in implementing Responsible Agriculture Investment in Luang Prabang and Oudomxay Provinces and improving Forest Strategy 2020-2030. RECOFTC also supports the implementation of current land law and forestry laws. However, the government counterparts are the ones who select articles for dissemination.

Land Information Working Group

The Land Information Working Group (LIWG) is a network of organizations and partners working in the land sector in Lao PDR. Its main tasks are coordinating, creating space for collaboration, and promoting sustainable natural resource management by focusing on legislation and policy improvement, especially land-related policies. The organization works closely with relevant government departments, especially the Ministry of Justice and the Department of Lands under MoNRE, where the LIWG is Co-Chair of land sub-sector working group. The main tasks of LIWG are advocacy, such as reporting the issues related to land and natural resources of project partners to a high government level for improvement of policies and regulations so that it can be more supportive of local communities. The most important roles of LIWG are:

- compiling information from LIWG members on national land development and utilization plans;
- facilitating the improvement of land law 2019, especially the rights to customary land;
- leading the development of legal calendars, which include important law articles to protect the rights to land and forest of local villagers and support the distribution of legal calendars to target villages of LIWG members; and
- summarizing the research on land-related issues from other countries that like Laos and shared with members.

Village Focus International

Village Focus International (VFI) works closely with INGOs and CSOs in Lao PDR to facilitate the discussion on land law improvement of LIWG. VFI also works with the Government, especially DoL, MAF, and educational institutions, to promote the design of legal dissemination tools for facilitating law dissemination at all levels. Regarding collaboration with external partners, VFI helped design FPIC tools for CSOs, INGOs, and investors. For example, Stora Enso and Burapha Co., Ltd have included more FPIC content in their promotion regulations. In addition, VFI supports the government counterparts and CSOs in disseminating laws and regulations on land and natural resources. Outstanding achievements of VFI intervention such as, tools and guidelines on land and forest resources have been used by many

partner agencies in their respective activities to raise awareness on customary land and forest tenure, FPIC and RAI. For example, the use of FPIC in conducting a study of livelihoods in the Wetlands National Park by Wildlife Conservation Society. In addition, the VFI also participated in development of a legal calendar for facilitating the discussion on legislation and regulations related to land rights local communities contributed to the improvement of the new land law.

GIZ

GIZ supports land management, specifically allocating land and promoting land titling. In addition, the organization collaborates with different stakeholders, including government partners, INGOs, and CSOs. The main government partners are MoNRE, MAF, and MPI. These partnerships focus on capacity building in the management and use of natural resources and investment management, cooperating with various organizations to develop tools to monitor and evaluate an investment, providing legal knowledge related to investment issues and natural resources such as labor, finance, and complaint mechanism. The organization acts as a focal facilitator in holding annual meetings between investors and government agencies to discuss and resolve investment issues. As a result, the government counterparts recognize the importance of investment monitoring and evaluation tools. In addition, the organization is also involved in helping improve the system by refining the database system of government partners (e.g., MoNRE and MAF) for more convenient and effective use and management of investment information.

Helvetas

The Helvetas is an international development organization, although not directly involved in land conversion, it supports tea production groups as a focal point between government stakeholders, investors, and local villagers. The project's main partners are the Industry and Commerce Office, District Agriculture and Forestry Office (DAFO), the tea processors, and the tea producers at the village level. The project focuses on community consultation and builds understanding for both parties to work with each other effectively, which is a part of the FPIC standard. Therefore, Helvetas is confident that somehow FPIC is used in their project implementation. However, the project has not fully implemented the FPIC, but some elements of this process is integrated into project implementation as the project reminded villagers about the impacts of dams and development projects. Similarly, gender promotion is integrated into many areas of project activities.

The most successful interventions include:

- Supporting fair trade to make all stakeholders understand the importance of working together in a transparent approach with mutual benefits of all stakeholders.
- Two tea production companies are willing to support villagers and signed a contract to buy tea from 15 villages. In addition, from 2016 onwards, the relevant departments at the local level have encouraged local villagers to sign contract farming to protect the benefits of farmers.
- In 2015, the project, the Industry and Commerce Office, and the DAFO, helped improve the livelihoods of villagers who were relocated from Yot Ou Dam site.
- The project worked with local authorities to set up a tea production group and build a tea house to provide technical knowledge and market research locally. As a result, the group has been able to produce good benefits for the local villagers.

Table 2. Summary of key information from the interviews with government stakeholders and INGOs

No.	Organization	CT Promotion	FPIC Promotion	Challenge
1	MPI	MPI considers local interests such as local employment, infrastructure development funds, and capacity building for local communities. Helped to protect sacred forests of villagers that are affected by the investment project. Respect the decision of local villagers Guideline No. 0457/MPI	FPIC is new and has not been applied Conducted community consultation or disseminated investment information to local communities	Risks related to special projects of the Government (mines) Lack of coordination between the relevant departments of relevant ministries Difficult to monitor some projects with renewing contracts, expanding, or reducing the areas of investments Compensation of some projects to local people is not appropriate
2	MoNRE	Article 130 of Land Law 2019 Working with MAF to conduct a pilot project to secure land tenure rights of local people living in 3 categories	Similar to MPI; total support the promotion of FPIC	Difficult to deal with some villagers who do not understand compensation policies Most investors need areas that are convenient for them to reduce cost and do not use areas that the Government allocates.
3	MAF	Forestry Law 2019	No FPIC process in Laos to use in the current land	Same as MPI
4	RECOFTC	Support government to disseminate new land and forestry law, but not clearly stated about the CT	FPIC has been applied in all target villages of the project	Not mentioned
5	LIWG	Facilitating the improvement of land law 2019	Not mentioned	
6	VFI	Promoting land tenure rights of local people; plays an important role in improving new land law, particularly CT	Design FPIC tools for CSOs, INGOs, and investors	

7	GIZ	Implement RAI related projects and raise awareness on international regulations, so directly promote CT	FPIC is another important tool of the organization that has carried out (Government and investors)	Working with different stakeholders is a challenge because they have different working styles and need time to understand each other; the change of coordinators and project managers makes the operation not well connected.
8	Helvetas	Not mentioned	Has not worked on FPIC directly, but integrated into implementation; opportunity to discuss and make decisions together between villagers and company	Villagers still do not trust the project because they are afraid that the project and the investors are the same parties

2.2. Consultation and consent processes in Laos

In Laos, most government stakeholders conduct a consultation process with the local community but do not seek their consent. The consent and FPIC process have not been applied in Laos, and only a few NGOs in the country practice the FPIC process in their target areas. According to interviews, all government stakeholders stated that Lao PDR largely applies the principle of compromise because the country prioritizes investment to improve villagers' livelihood. Local communities are expected to understand government policies, and most of them do not have significant problems with investment.

VFI promotes land tenure rights of local people, food security, and RAI. The organization also promotes and applies FPIC in implementing its project activities. While VFI cannot integrate FPIC in every activity, it has used FPIC on more than 50% of project implementation. For GIZ, FPIC is another important tool that the organization has implemented. This includes training government partners and investors in the use of FPIC.

The RECOFTC follows the FPIC process when selecting target villages in all target provinces. For example, some villages in Luang Prabang Province did not accept the Forest Landscape Restoration for Improved Livelihood and Climate Resilience Project because the villagers were concerned about managing their production areas. RECOFTC presented potential benefits and project challenges to the local villagers and gave them enough time to consult with each other. When it was clear that they did not want the project in their villages, the project team moved on to consult with new communities.

2.3. Other safeguard mechanisms

Between 2019 and 2021, several laws have been enacted to promote community involvement and streamlined consent processes. These include the Guideline for Considering and Approving Investments and Mechanisms for Managing Land for Agricultural Investment (No. 0457/MPI, 2019) and the Guide on Responsible Agriculture and Forestry Investment in Lao PDR, 2021. The government and INGOs are working to ensure that all stakeholders at central and local levels have a good understanding of these guidelines. GIZ, VFI, and MPI are the main drivers behind the implementation of these policies. GIZ is working closely with MPI on RAI and plays an important role in supporting MPI and other relevant stakeholders to promote the implementation of Guideline No. 0457. This includes identifying the roles and responsibilities of the state, investors, and landholders. In addition, the GIZ supports and facilitates the discussion between investors and local communities, and VFI raises awareness on the "Guide on

Responsible Agriculture and Forestry Investment in Lao PDR, 2021". Moreover, GIZ and CSOs promote Decree 21 on Environmental Impact Assessment No. 21/GoL 2019 in Forest Law Enforcement Governance and Trade (FLEGT) to ensure that all investment projects conduct good Environmental Impact Assessment (EIA). INGOs and CSOs also promote Decree No. 21/GoL through RAI. However, there are no concrete results from these practices because awareness-raising on both policies has just started, and most investment projects started before these policies were introduced. Effective implementation will take at least a few years. In addition to these new regulations, Decree on Compensation and Resettlement Management in Development Projects No. 84/PM, 2016, has been disseminated to local communities and investors to ensure that investment projects provide enough time and information to impacted communities before accepting information.

2.4. Mechanisms that ensure FPIC and/or customary tenure in Laos

As stated earlier, the Lao Government has issued new regulations to ensure customary tenure and the FPIC process. The MoNRE and MAF are the key government agencies responsible for protecting customary tenure and ensuring an effective FPIC process by implementing all relevant policies and regulations. However, both ministries require support from INGOs and CSOs to have sufficient resources. Therefore, INGOs such as, GIZ, MRLG, Food and Agriculture Organization, and other donors work closely with both ministries to provide funding and technical support for conducting field projects and improving policies.

Land tenure is a very sensitive issue in Laos, and no single organization can work alone to improve these issues. Therefore, the most effective way to advocate for customary tenure and FPIC is to work as a group. The LIWG is a very active group of INGOs and CSOs that addresses land tenure issues to protect local people's customary tenure. In addition, the Land Subsector and Forest Subsector working groups are excellent platforms for government stakeholders, INGOs, and CSOs to discuss land and forest-related issues at least twice a year. Both platforms also provide good opportunities for INGOs and CSOs to provide their input in policy development.

Legal framework related to gender and natural resources management

The Forestry Law (2019) is written in a gender-neutral manner. It does not mention gender or women in any of its articles, so its provisions apply to all individuals, regardless of gender, as well as businesses and organizations. However, it does not contain any specific provisions to help women overcome the traditional or other barriers that prevent them from participating in and controlling economic activities.

The new Land Law, revised by the National Assembly in 2019, no longer includes the current protection clause for married women. Despite the importance of land to women's livelihoods, the new Land Law does not require the inclusion of dual names (wife and husband) on land titles (LIWG, 2020). However, GIZ suggests that this law need not explicitly mention gender dimensions since other relevant legislation, such as the Constitution, the Labor Law, the Family Law, the Law on Women's Union, and the Law on the Development and Protection of Women, already provide the legal basis for gender equality across all sectors.

The Green Growth Strategy 2030 defines gender equality as a key focus of green growth and emphasizes protecting and promoting the advancement of women. This strategy ensures that gender roles, protection, and promotion of women's advancement are integrated into sector and local development strategies and plans. This helps ensure systematic and efficient protection and promotion of women's advancement in all sectors and localities, reducing gender disparity across all areas.

The Draft Forestry Action Plan 2020-2025 and Forest Strategy to 2030 (MAF, 2020) require the integration of gender work into all actions related to forest management. This involves including women in policymaking and decision-making across various areas of work:

- Elimination of the poverty of women and children as defined in legislation
- Protect and eliminate all forms of discrimination against women and children and combat dangerous work for women and children

- Ensure that women have rights and gender equality of at least 45% of the forest sector
- Promote capacity building mechanisms for young women and disadvantaged local communities
- Ensure women are involved in decision-making, policymaking at all levels, and responsibility of at least 20% at all levels
- Recognize and value the role of women as carers
- Facilitate and strengthen women in all activities as staff 35%, and ethnic people 45%
- Ensure women have equal access to forest resources, land, credit, small and medium enterprises, markets and receive fair benefits of at least 50%

Although there is a clear legal framework and strategy, gender has not yet been adequately integrated into the government land and forest service in practice. Most forestry staff are male and ethnically Lao/Tai, who cannot speak ethnic languages. However, women have been observed to be the main users of forest resources and possess vast botanical knowledge. Due to a lack of education and understanding of traditional norms, women rarely participate in forest management. Participating in exchange visits could boost their knowledge and provide ideas for change. In addition, language can potentially act as a barrier if only Lao is spoken in meetings, since some women from certain ethnic groups cannot sufficiently understand the language. As a result, ethnic women remain the most socially disadvantaged group in Laos (RRDPA and MHP, 2021).

In addition, LIWG's (2020) research on women and land rights found that in all seven villages, women have lost access to and control over land. For example, women have lost private customary lowland paddy fields in matrilineal villages. On the other hand, patrilineal villages have lost mostly fields in communal land areas used for subsistence agriculture. The loss of access to land was caused by the expansion of roads, construction of buildings, resettlement, concessions to rubber plantations, and leasing out land for sugarcane cultivation.



Ioana Farcas via Unsplash

3 Community and landscape level case

3.1. Burapha Agro-Forestry Co., Ltd

Burapha Agro-Forestry Co., Ltd is Laos's oldest foreign direct investment company and has extensive knowledge of the country. The company is committed to sustainably managing and developing its business and implements both Lao and international regulations. The company has received an international award for good social and environmental practices and a Forest Stewardship Council Certificate, which is an international standard. It is considered one of the good investment models in Lao PDR and has a high reputation within the province and district. As the company exports plywood to international markets, particularly Australia and European countries, it must ensure that its business does not harm local people and the environment.

During the consultation process with local communities, the company typically communicates with district staff to introduce the company's objectives to local villagers. These objectives include taking only degraded land and forest, providing high benefits and employment opportunities for villagers, and ensuring no negative impact on the environment. The company's plantations are situated in degraded production forests, which the Government cannot profit from. The company has signed contracts with the Government (e.g., state lands) and landowners (e.g., villagers' lands).

As mentioned, the company is committed to good social and environmental practices. To that end, at least 15% to 20% of natural forests are conserved in every plantation. In addition, watersheds and forests along rivers are kept at least 20 meters from the riverbanks.

The plantation has a life cycle of seven years. During the first three years, the company allows villagers to plant rice and crops to improve soil quality, providing the villagers with a food source. From the first to the seventh year, the villagers have different jobs within the plantations. After three years, villagers can plant grass and release their livestock on the plantation, such as cows and goats, but not buffaloes.

The livelihoods of local villagers are improved when they work with the company and receive a

higher income, which allows them to sustain their living and build permanent houses. In these cases, the number of villagers who work with the company depends on how much land the company is given. In villages where plantations cover a large area, 70% to 80% of villagers work with the company. In contrast, some villages only have 10 to 15 people working for the company if the plantation covers only 30 hectares of village land.

The company provides local staff with a policy that includes a reasonable salary, social insurance, and personal protective equipment (PPE) sets. The working environment is also satisfactory, with first aid kits and two doctors available for primary care during working hours. In case of accidents, the company takes full responsibility, covering hospital bills and living allowances. In addition, the company promotes gender equality, with 60% of local workers being women and 40% in management positions.

The company faces only one issue: some villagers refuse to give up their land to the company, despite having no legal documentation allowing them to use the land. These villagers have been using the land to plant crops and raise animals and are unwilling to relinquish it to the company. Although the local government and the company have attempted to resolve the issue, they have yet to be successful thus far. For example, during a field visit, the company requested the deputy of Provincial Agriculture and Forestry Office to intervene and help resolve the issue.

3.2. Burapha Community

Phonmoung Village is one of the Burapha Company's target villages. The company aims to rent village and individual lands of more than 300 hectares. The village allotted 270 hectares of land to the company, but exact information on individual plots was unavailable, as the village's point person was not available for an interview. The village has 323 families and 720 residents, most of whom rely on farming and agricultural activities for their livelihoods. In addition, the village completed land use planning and allocation more than 10 years ago. Since then, most families have used their land to plant cassava, rubber, and pineapple, crops with hard fruit skins. As for the forest, villagers collect bamboo, mushrooms, rattan shoots, wild tamarins and hunt small animals.

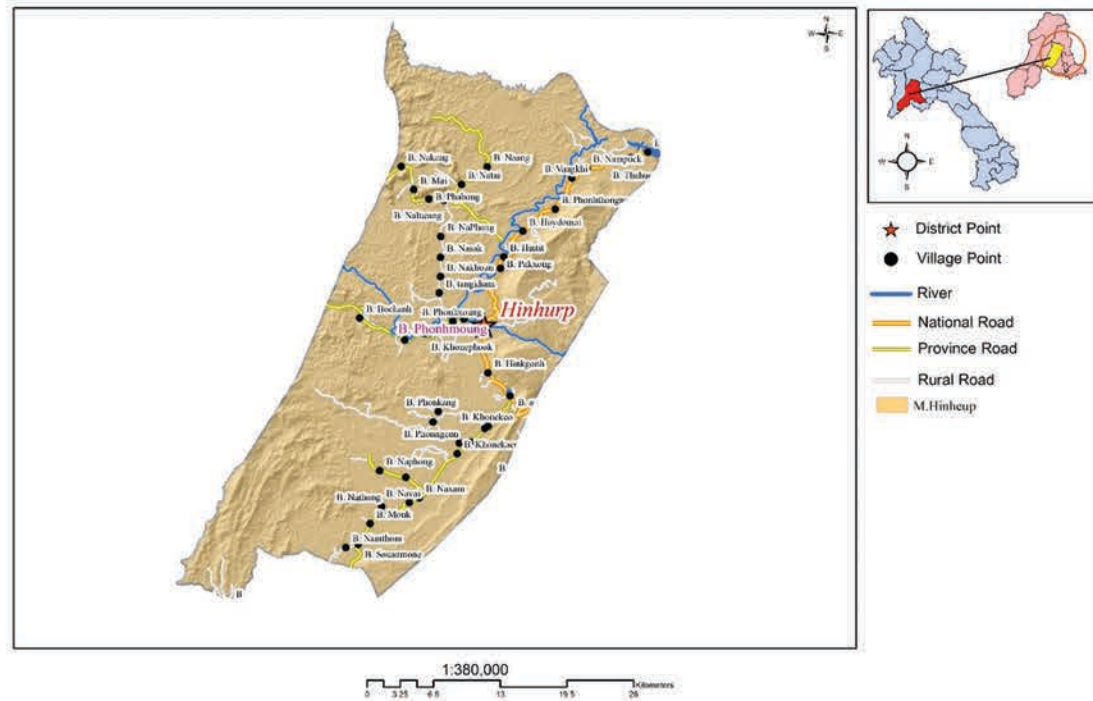


Figure 1. Map of Hinhrup District, Vientiane Province

The map in Figure 1 shows all village points of Hinhrup District, including Phonmouang Village. The village headman stated that most villagers practiced shifting cultivation before the Burapha Company arrived. Recently, villagers have had more paddy lands and gardens for planting fruit trees, reducing the shifting cultivation areas. As a result, the livelihoods of villagers have been improving. Additionally, villagers have been earning a good income from working with the company.

The headman also mentioned that the investment had not affected land and forest use in the villages. Villagers have given the land and degraded areas they have not used to the company. For village land, villagers have given the company production forest with degraded soil. Villagers can keep their forests for collecting NTFPs and wild food. The village's customary land and forest use stayed the same before and after the arrival of the Burapha Company.

During the consultation process for the initial stage of land acquisition, the company visited the village in 2013 with district staff to introduce the project's objectives. The village authority mentioned that DAFO, District Office of the MoNRE, company staff, and other relevant stakeholders visited the village twice to provide information about the benefits the village would receive. As a result, most villagers understood the purposes and benefits they could gain from the company, and thus most agreed to allocate the land to the company. Women were also involved in the decision-making process.

We have received positive feedback from this village, and their information aligns with the information provided by Burapha. In addition, the villagers also have a good understanding of the objectives and benefits. While the forest and upland areas have decreased recently, the villagers have gained more income and now have stable jobs.

Recently, women have started working with the company and are receiving the same benefits as men. The workers on the plantation are primarily women who are responsible for tasks such as clearing weeds and fertilizing small trees, for which they are paid a labor fee of 60,000 Kips per day or 6 USD per day. The company provides all materials and PPE for the workers. Additionally, the company has improved the village's infrastructure and allows villagers to collect wild vegetables and raise animals on the plantation. Every year, the company contributes some funds to support celebrations for customary ceremonies and cultural events. The village authority has been satisfied with the benefits that villagers receive from the company, as they now have better income to buy vehicles, furniture, and cooking materials.

However, the village authority has raised concerns about the declining forest and follow areas for collecting wild foods for household consumption and the drying of natural rivers. In addition, some villagers who have less agricultural land do not want to give their land to the company, as they would like to produce food for their families.



LaoDHRR team and village authority of Phonmouang Village
Photo: LaoDHRR

4 Key findings and conclusions

According to the literature review and policy analysis of the Lao PDR, there are laws and regulations focused on protecting customary land and forest rights, especially the current Land and Forestry Law, which aims to improve the content to focus on safeguarding tenure rights. However, these laws and policies still need to be improved in implementation, and many parties have different purposes for implementing these policies.

Based on information from Burapha Company and local authorities in Phonmuang village, the company has effectively implemented environmental and social policies. As a result, the villagers are satisfied with working with the company to improve their economic situation. One of the company's good reputations is empowering women to earn a good income. However, local government officials led the community consultation process and only highlighted the company's benefits, so full FPIC implementation still needs to be applied. Additionally, management-level staff at the company still need to understand the customary land use rights stated in the law.

The PLUP implementation of the Government is to provide local people with a stable occupation and stop shifting cultivation, but international organizations are doing this to protect the people's right to have access to land and natural resources. Therefore, the work of many parties in implementing policies to protect the interests of local people is not yet harmonized. Moreover, laws and policies do not protect the tenure rights of shifting cultivation farmers, so they are the most vulnerable groups because most government policies promote forest conservation, investments, and permanent occupations of local people. In addition, the dissemination of important articles of the current land law to encourage investors and local governments to respect customary land use rights is not yet widespread from the interviews with the technical staff of Burapha Company, who do not yet understand customary tenure and claimed that the villagers use state land without land titles and villagers should give that land to the company. This is contrary to Article 130 of the Land Law. However, the government informants raised that customary rights recognition in the three forest categories is an important project jointly

implemented by many government stakeholders, namely: MoNRE, MAF, Lao Youth Union, Lao Women Union, and Lao Front for National Development. Although there are no concrete results from this project, the government stakeholders are focusing on this work and establishing a process for reporting customary tenure issues to the National Assembly to improve the law to protect the land tenure of local people.

Lao laws and policies have yet to define the FPIC process clearly. However, several policies incorporate community consultation and involvement in the planning and decision-making process with the State and investors. The Government has consulted with villagers regarding their participation in various investment projects. Still, most of the government outreach is focused on encouraging villagers to accept investments and understand only the benefits of these investments. The government informants did not mention any problems or issues raised by local people, and they only highlighted a few successful cases. From the interviews, almost all government informants want people to understand the investment policies and cooperate with the Government and companies.

Furthermore, the Government has special mines projects that do not go through the relevant ministries for approval. This means that the involvement of stakeholders at each level is not included, and it is difficult to follow up and solve environmental and social problems caused by investors. This is another gap in investment implementation in Laos. Additionally, the government counterparts understand that there is no FPIC in Lao regulations, and it is not legally accepted for local communities to decide whether they want investment projects. This is because they strictly adhere to Lao regulations without considering the international regulations the Lao Government endorses.

There were instances where government stakeholders successfully resolved investment issues in local communities' sacred areas, wherein the government prioritized customary use and respected people's decisions instead of investors. Government interviewees acknowledge investment-related problems such as, investors



prioritizing convenience and seeking unsuitable areas for their development; investors unwilling to pay appropriate compensation to save costs; and investors not providing clear and complete information, which usually focus only the positive aspects of the project. The Government's transparency in sharing such information shows its willingness to cooperate with non-state stakeholders to solve these issues.

The Ethnic Group Consultation Guidelines (2012) provide guidance on how to consult with different ethnic groups in culturally appropriate ways. This national guideline on consultation with ethnic groups is largely in line with the World Bank policy on Indigenous People. It aims to ensure that all ethnic groups who benefit from or are adversely affected by a development project, regardless of the funding source, are fully engaged in a meaningful consultation process at all stages, from preparation to implementation. The guideline also aims to ensure that potentially affected ethnic groups are fully informed of project objectives, and potential positive and adverse impacts on livelihood and environment and are provided with opportunities to articulate their concerns. The guidelines provide principles and processes to carry out meaningful consultations with all ethnic groups affected by development projects in a culturally sensitive manner, and to obtain FPIC. Therefore, the guidelines can be another essential policy to support the promotion and

implementation of FPIC by CSOs, INGOs, and the State.

One highlight is the INGOs' increased collaboration with State agencies to promote the implementation of FPIC and Responsible Agriculture Investment (RAI). The Government counterparts have shown a willingness to collaborate with INGOs and incorporate their comments to improve policy. In addition, with the continued support from INGOs, the Government may be willing to accept the concept of FPIC fully. The GIZ, MRLG, LIWG, Helvetas, RECOFTC, and VFI are working together to implement FPIC and RAI, showcasing good partnerships between the Government and CSOs. The collaborations among these organizations have generated reliable results for the Government compared to separate project implementation. Although customary tenure and FPIC in Laos are yet to be fully implemented, these partnerships have created a good start and have received a lot of attention from all parties.

Laos has established good policy frameworks for women's development and engagement in land and natural resource management. However, rural and ethnic women remain vulnerable to losing their land rights. Therefore, all relevant parties must build an understanding of the importance of gender equality in land and forest management for local people.

5 Recommendations

Promoting customary tenure and implementing policies on investment will have less negative impacts if the government and relevant stakeholders (CSOs, INGOs, and private sector) create practical short-term and long-term plans to protect tenure rights of local people, including women and minorities in the development areas.

Possible short-term solutions for government, NGOs and CSOs

1. Investigate and survey the customary tenure of local people who live in production, conservation, and protected areas to present their concerns and issues to the National Assembly for policy improvement. The consultation should be conducted which considers shifting cultivation farming to secure their tenure rights.
2. To ensure the success of a special project, the government should establish a committee composed of relevant stakeholders at all levels. This committee will be responsible for monitoring, inspecting, and solving any problems that may arise during the project's implementation.
3. Raising awareness on international regulations such as VGGT, CFS RAI, and ASEAN RAI to government partners at all levels is important. This will help them better understand the government's role and responsibilities in protecting customary tenure and promoting RAI. Recently, government counterparts have focused only on Lao regulations, which are not clearly defined as state obligations. If government counterparts are aware of these international laws, they will be more inclined to encourage investors to respect the rights of villagers.
4. The Ethnic Group Consultation Guidelines (2012) are not widely known in the country. Therefore, it is important for all relevant stakeholders to promote and apply this policy.
5. The government and all relevant stakeholders should raise awareness about new laws and regulations related to FPIC and customary tenure, including the Government, CSOs, and
6. All awareness-raising activities conducted by the Government, INGOs, and CSOs should involve staff from the Lao Front for National Development (LFND), as the LFND's duty is to ensure that the benefits of ethnic minorities are protected.
7. Raising awareness about customary tenure and conducting land and forest demarcations to issue land certificates is an appropriate mechanism to strengthen the tenure rights of local people. This approach increases their confidence to use the areas, and land certificates protect villagers' land from investors who often attempt to seize land without proper documentation.
8. All parties should support each other in implementing new laws and regulations. In particular, the MAF and the MoNRE should coordinate harmoniously and have clear roles in working together to ensure that the tenure rights of local people are protected.
9. As some regulations are new, it is necessary to identify a pilot area and establish an evaluation process to measure the results of implementation. After analyzing the pros and cons, the implementation can be expanded to other areas. It is crucial to ensure cooperation between the government, INGOs, and CSOs to avoid inconsistencies in implementation.
10. Disseminate existing policies that focus on women's participation to relevant stakeholders at the central and local levels, including villagers. Raising awareness will help all stakeholders understand and recognize the importance of women's participation in land and forestry, as defined in national policies.
11. Advocate for the mainstreaming of gender, which has been completely ignored in both land and forestry laws. When drafting decrees and regulations, it should be made clear that the provisions relate to both men and women. This will ensure that officials and villagers take into account the rights of women to gain access to and control over land and forest.

12. Targeted support is necessary to help women build confidence and take on more prominent management positions within village management committees. This support should also aim to strengthen their capacities in land and forest management.
13. Incorporating FPIC into national investment promotion plans is very important to ensure that local communities receive enough information and time to decide on investment projects.
14. INGOs can adapt the FPIC process into their current work, and build the capacity of government partners, investors, and local communities on the FPIC process.

Possible long-term solutions for government agencies

15. The government should have strong regulations and measures in place to control and punish investors who do not follow regulations in Laos. Additionally, incentives should be given to responsible investors to encourage them to continue doing good things for society and the environment. For example, this could involve providing certificates for good practices or reducing taxes.
16. Upgrading customary land laws to state regulations, decrees, or guidelines can help landowners protect their land, negotiate with investors, and maintain sustainable use of non-timber forest products.

6 Bibliography

- Daviau, S. (2011). Customary Law and Practice in Lao PDR. Ministry of Justice Law Research and International Cooperation Institute, supported by the UNDP. Retrieved from <https://www.undp.org/laopdr/publications/customary-law-and-practise-lao-pdr>
- Department of Forestry. (2020). 1st Summary of Information on How Safeguards for REDD+ were addressed and respected by Lao People's Democratic Republic for 2015-2018. Safeguards Technical Working Group. Vientiane, Lao PDR.
- IFAD and AIPP. (2012). Country Technical Notes on Indigenous Peoples' Issues, Lao PDR. International Fund for Agricultural Development and Asia Indigenous People's Pact.
- International Union of Conservation of Nature [IUCN]. (2013). Review of Statutory and Customary Law in the Xe Champhone Ramsar Site, Lao PDR.
- Ling, S. (2017). Developments in Land Use Planning in Lao PDR since 2009. LIWG LUP study, Final 31/05/17.
- Land Information Working Group. (2020). Women and Land Rights in Lao PDR: Rural Transformation and a dream of secure tenure. Vientiane, Lao PDR.
- Ministry of Agriculture and Forestry. (2009). Participatory Land Use Planning (PLUP manual). Vientiane, Lao PDR.
- Ministry of Agriculture and Forestry. (2016). Lao PDR: Northern Rural Infrastructure Development Sector Project. Ethnic Groups Development Framework.
- Ministry of Agriculture and Forestry. (2020). Draft 2021-2025 Action Plan and Forest Strategy to 2030. Vientiane, Lao PDR. December 2020.
- Ministry of Agriculture and Forestry and Department of Planning, Investment and Finance. (2017). Ethnic Groups Engagement Framework. Vientiane, Lao PDR.
- Ministry of Justice Law, Research, and International Cooperation Institute. (2011). Customary Law and Practice in Lao PDR. Vientiane, Lao PDR.
- Ministry of Planning and Investment. (2019). Guidelines for considering and approving investments and mechanisms for managing land for agricultural investment, No. 0457/MPI. Vientiane, Laos.
- Mekong Region Land Governance and Land Information Working Group. (2021). Assessment of the new Land Law and Forestry Law in Lao People's Democratic Republic: Customary Tenure Rights over Land and Forests.
- National Assembly. (2014). Decision on the Approval of the Protection Forests, Protected Areas, and Production Forests No. 273/NA, Vientiane, Lao PDR.
- National Assembly. (2019). Land Law, No. 70/NA 2019. Vientiane, Lao PDR.
- National Assembly. (2019). Forestry Law, No.64/NA 2019. Vientiane, Lao PDR.
- Open Development Laos. (2018). Ethnic minorities and indigenous people. Retrieved in 22 August 2021, from <https://laos.opendevlopmentmekong.net/topics/ethnic-minorities-and-indigenous-people/>
- Prime Minister. (2016). Decree on Compensation and Resettlement Management in Development Projects, No. 84/PM 2016. Vientiane, Lao PDR.
- RRDPA and MHP. (2021). Women involvement in village forest management: Recommendations for the VPA negotiations. Rural Research and Development Promoting Knowledge Association and Maeying Huamchai Phattana. Vientiane, Laos.
- The Lao Front for National Construction. (2012). The Ethnic Group Consultation Guidelines. Vientiane, Lao PDR.
- The Lao National Chamber of Commerce and Industry, Village Focus International, Ministry of Agriculture and Forestry, Ministry of Natural Resources and Environment, and Ministry of Planning and Investment. (2021). Guide on Responsible Agriculture and Forestry Investment in Lao PDR.
- The Lao PDR. (2018). National Green Growth Strategy of the Lao PDR till 2030. Vientiane, Laos PDR.
- The Lao PDR. (2019). Decree on Environmental Impact Assessment No. 21. Vientiane, Lao PDR.



non-timber
forest products -
exchange programme

 facebook.com/NTFPEP

 [@ntfp_ep](https://twitter.com/ntfp_ep)

 [@ntfp_ep](https://www.instagram.com/ntfp_ep)

 ntfp.org

 48 Mahinhin Street, Barangay Teacher's Village West,
Diliman, Quezon City, 1101 Philippines