

**Greater Mekong Subregion: Northern Economic Corridor Project
Lao PDR**

Summary Social Action Plan

A. Introduction

1. The Northern Economic Corridor (the Project) passes through about 90 villages, all except one, are ethnic minority villages. Whereas the resettlement plan is designed to mitigate impacts from land acquisition, the social action plan (SAP) is designed to enhance project benefits to the communities along the road. The SAP serves as an ethnic minority development plan required under the Asian Development Bank (ADB) *Policy on Indigenous Peoples*. The SAP has been prepared in full consultation with ethnic minority people along the road.

B. Legal Framework

2. A series of recent laws and decisions reflect increasing awareness of the Government of the Lao People's Democratic Republic (Lao PDR) on the need to incorporate the concerns of ethnic minorities in development process in all sectors. The Department of Ethnic and Social Affairs of the Lao Front for National Construction is responsible for coordinating ethnic minority issues at the central government level and developing and implementing policies toward ethnic minorities and the mountainous regions. The Resolution of the Party Central Organization Concerning Ethnic Minority Affairs in the New Era (1991) mandated all government agencies to create a targeted plan for the development of rural, mountainous area. The National SocioEconomic Development Plan for 2001–2005 has adopted as its objective the alleviation of poverty for ethnic minorities in remote areas and forestry laws recognize customary land use rights.

C. Baseline Data

3. A primary social feature of the Project is the high degree of ethnic diversity found in the population along the road. To date, at least 16 ethnic groups, belonging to four ethno-linguistic families, have been identified along the project road (Table A4.1). In Louang Namtha province 97.7% of the population are ethnic minorities, whereas in Bokeo province, the proportion of the population who are ethnic minorities is 86.6%. The majority of the populations are rural, living in villages of about 100 to 1,000 people. Agriculture is the primary economic activity, with much of it at a subsistence level.

Table A4.1: Languages Spoken in the Northern Economic Corridor

Language Family	Branch of Language Family	
Tai-Kadai	Southwestern Lao, Leu, Kalom, Nyouan, Tai Dam	Northern Nhang (Yay) ^a
Austroasiatic	Khmuic Kh mou, Kh mou Ou, Kwen, Ngouan	Palaungic Sam Tao, Lamet, Bit
Tibeto-Burmese	Lolo-Burmese Southern Loloish Panna	Central Loloish Lahu Shi (Kui)
Hmong-Mien	Kim Moun (Lanten), Hmong	

^a Names in parentheses are the terms more commonly used by outsiders.

D. Land Tenure

4. Since 1997, the Land Law has provided the primary legal basis for the Land-Forest Allocation Program. The Land-Forest Allocation Program was originally conceived as a way of preventing illegal logging by provincial and district entrepreneurs by giving villagers ownership of forest resources through a process of participatory land use planning. However, the original intention became diluted through the intervention of the program to reduce shifting cultivation and through the rural development approach of bringing villages to services (as opposed to taking services to villages), which involved village relocation and consolidation. Land-forest allocation is premised on the lowland notion that permanent agriculture comprises only paddy cultivation, gardens, orchards, and plantations. These are not subject to reallocation since they are classed as permanent and land title is given automatically, provided it can be verified by local authorities. Swidden farming, on the other hand, is considered impermanent and is therefore the target of the national goal to “reduce shifting cultivation”. The Land-Forest Allocation Program issues temporary land certificates to upland farms only if they meet the “permanent” criteria.

5. In principle, obtaining land use rights under the Land-Forest Allocation Program begins with the issuance of a temporary land use certificate that is valid for 3 years. At the end of the period, if land is used as specified, a land title for long-term use may be requested. It may be inherited, sold, and leased according to land registration procedures and land tax payment requirements. Land-forest allocation is a government policy designed to assist villages with high-quality land use planning and titling; however, implementation has often not followed the policy and has caused severe hardship for many swidden cultivators. The worst problem has been reduction of fallow periods to 3–4 years from the original fallow cycles of an average of 15 years and longer. Adequate “permanent” livelihood substitutes have not been successful. Most families are given paddy land that cannot be cultivated due to poor soils or lack of water. Suitable paddy land, especially in mountainous zones, is not enough to meet the needs of the program, and technical assistance is not readily available to support either paddy or permanent upland cropping.

6. Rights of women with respect to land titling include the right of certification and the right of inheritance of lands and other assets. Although a considerable proportion of inheritance accrues to women, only a fraction of this is registered in the name of the wife, notwithstanding the fact that males and females have equal right under the Land Law of the Lao PDR. The low level of women’s registration is attributed to (i) lack of knowledge of ownership rights on the part of women; (ii) cultural reluctance on the part of women; (iii) low levels of female literacy and education, particularly in the remote rural areas; and (iv) lack of capacity and awareness of gender issues on the part of the certifying officers.

7. The World Bank is financing a land-titling project to assist the Government with its land-titling program. This project does not include Louang Namtha or Bokeo provinces, although dialogue is ongoing with the government to consider extending it to the project area. This would enable all households in the project villages to be issued with land titles on a priority basis. The World Bank land-titling project is also addressing constraints to land registration facing women.

E. HIV/AIDS/STD¹ and Trafficking

8. Official data on blood tests for HIV/AIDS indicate increasing levels of incidence: the number of deaths from HIV/AIDS has also increased from 72 between 1990 and 2000 to 24 in 2001 alone.² A recent study by CARE International's STD Training and Education Materials Project in Louang Prabang and Oudomxay suggests that outreach program should focus more on "at risk" populations groups, namely female traders, truck drivers, male government officials, commercial sex workers, and ethnic minorities.³ The Project may lead to negative impacts in terms of higher exposure of local population to HIV/AIDS and STD, both during construction period and in the medium-term. The SAP therefore includes an awareness program, aimed at preventive measures for the target groups.

9. Human trafficking is on the rise in Asia as people flee poverty and conflict. Better transport and communication links contribute to the problem. According to a recent study by the Swedish Government, human trafficking ranks third, (after drugs and arms smuggling), in the scale of organized crime. Women and children are the most vulnerable. They are used for commercial sex, domestic labor, and construction work. Children are also in demand for factory or farm work or in the entertainment sector. Trafficking amounts to a gross violation of human rights and hampers the struggle to end poverty and gender inequality in Asia. One effective way to reduce the degrading trade is to address the factors that render women and children vulnerable. The SAP proposes prevention through mass and targeted campaigns to address the risk of trafficking of women and children.

F. Development Activities

10. The overall strategy for the SAP is to develop a strong social and economic base upon which communities, the Government, and development assistance programs can build in future. The focus will be on the communities in greatest need of coping skills to respond to the opportunities presented by an all-weather road. The design and implementation of all components of the SAP will be done following a participatory approach during project implementation using facilitators for identification of community needs and appropriate design of SAP activities. The SAP will address the special needs of the ethnic minority women by specifically targeting ethnic minority women and girls in the participatory design and implementation of all components. The SAP will include the following activities to be undertaken in the communities along the road.

1. Community Roads

11. An amount of \$1.6 million is allocated for the construction of community roads along the project road. The various road segments are to be selected based on a participatory process involving the communities and the provincial authorities. This participatory process will be guided by consultants engaged as part of the project coordination team. The consultants will prepare and submit a justification report to ADB and the Government of Lao PDR for the selected roads based on the following criteria: (i) the roads will be selected using a community-based participatory approach; (ii) the roads will not be widened to more than 3.5 meters; (iii) no

¹ Human immunodeficiency virus/acquired immunodeficiency syndrome/sexually transmitted disease.

² Official data from NCCA, dated 22 March 2002.

³ CARE International in Lao PDR. *STD Training and Education Materials Project, Mid-Term Evaluation*, November 2000.

new alignments will be constructed; (iv) arrangements will be in place for community-based maintenance; (v) roads that provide access to protected forests, virgin forests, and steep slope areas will not be included; (vi) tree felling must be avoided; (vii) road selection will comply with all regulations regarding impacts on provincial and national biodiversity areas; (viii) the roads will not involve the construction of major drainage structures; and (ix) the roads will avoid displacing or adversely affecting villages or individual homesteads or agricultural land.

2. Water Supply and Sanitation Schemes

12. The Project will support the Lao PDR's Strategy for the National Water Supply and Environmental Health Program, led by the National Centre for Environmental Health and Water Supply (Nam Saat). The long-term goal of this strategy is that every rural person of the Lao PDR has access to safe and adequate water supply and sanitation facilities and lives in a hygienic environment. The World Bank water and sanitation program has been supporting this strategy in Louang Namtha Province since 1994. The World Bank's direct project support will come to an end in December 2002; however, the non-project support to Nam Saat will continue. The project has built considerable capacity within Nam Saat and Louang Namtha Division of Communication, Transport, Post and Construction for rural water supply, sanitation, and hygiene. Nam Saat is now seeking funding to continue their project work of providing water supply and sanitation to the remaining people of Louang Namtha province. Nam Saat Bokeo province is receiving funding and technical assistance from the Swedish International Development Cooperation Agency to carry out their program in Bokeo. As a part of the SAP, the Project will support Nam Saat at the central level and in the provinces of Louang Namtha and Bokeo so as to provide access to safe and adequate water supply and sanitation facilities and enhance awareness. Nam Saat together with the Department of Health, will be the implementing agency for this component of SAP. The Division of Communication, Transport, Post and Construction will be responsible for overall coordination. Nam Saat, Louang Namtha will recruit a local consultant to provide technical assistance whereas Swedish International Development Cooperation Agency's technical expert will continue to assist Nam Saat in Bokeo. Provincial and district coordination teams already exist and comprise of the Department of Education, Lao Women's Union and Youth Union, Urban Water Supply Department, Rural Development Committee, and Nam Saat.

13. Nam Saat Louang Namtha will be asked to take the lead in preparation of the proposal together with Nam Saat Bokeo, and with guidance from Nam Saat at the central level. The World Bank has offered to finance the costs of the proposal preparation if so requested by Nam Saat and ADB. The proposal would be based on a needs and demand assessment for the villages along the project road that do not yet have water supply and sanitation schemes, and would include an awareness program. The selection of villages to benefit from water and sanitation schemes would be based on the following criteria: (i) the villages will be selected using a community-based participatory approach; (ii) arrangements will be in place for community-based maintenance; (iii) construction of the schemes will avoid displacing or adversely affecting villages or individual homesteads/ agricultural production areas, and if displacement is essential, appropriate compensation measures will be applied in accordance with ADB's *Policy on Involuntary Resettlement* and consistent with the resettlement plan prepared for the Project; and (iv) construction of the schemes will avoid environmental degradation.

3. Education and Awareness Program

14. **HIV/AIDS/STD.** This subcomponent of SAP will be designed and implemented by an international NGO through the National Committee for Control of AIDS and the Provincial Committees for the Control of AIDS. The program will generally follow the methodology established by the STD and HIV/AIDS Reduction Project, which CARE International has been implementing in Bokeo province since 1991, and will also involve the Lao Women's Union. The program will include: (i) baseline survey on HIV/AIDS/STD and village populations (to check the movement of people later on); (ii) the formation of village monitoring groups; (iii) preventive education and awareness through peer education and training of trainers (beginning with the formation of core groups of village heads, leaders of women's and youth groups); (iv) behavior, communication, and change awareness, including preparation of information, education, and communication materials; and (v) STD services/health clinics on construction sites, including condom promotion and distribution, drugs for treatment, revolving drug funds. The 2-year program will target communities, border crossings, truck companies, bars and tea shops, construction workers and truck drivers during construction. The program will also target truck drivers and border crossings facilities after the project completion.

15. **Non-formal Education.** This subcomponent will include non-formal education of communities in areas such as (i) birth-spacing services to mitigate the likelihood of increased rates of unwanted pregnancies associated with improvements in health and economic status; (ii) literacy and numeracy; (iii) marketing and other skills for setting up and running small business; (iv) skills and leadership training for women and girls; (v) land zoning and titling, and (vi) land use rights awareness.

16. **Road Safety Program.** The road may lead to increased accidents and so road safety awareness program has been made an integral part of SAP. This subcomponent will consist of the development and delivery of a road safety awareness and education program activities such as (i) enforcement of construction safety standards during construction period; (ii) installation of appropriate signs warning drivers to slow down in settled areas; (iii) establishment and enforcement of speed limits; (iv) road safety education for rural children and awareness in communities; and (v) construction of roadside fences as necessary to discourage livestock and small children from stepping into the roadway, as is done already in some roadside villages in Bokeo province.

4. Pilot Project for Community Development in the Nam Ha Watershed

17. A Japan Fund for Poverty Reduction project⁴ is proposed to be undertaken as a pilot in nine villages in the Nam Ha Watershed (seven villages in Viangphoukha district and two villages in Namtha district). From the perspective of Government, the major issues facing the population and target area are secured livelihood and increased economic capacity for communities, while conserving and protecting the national biodiversity conservation area watershed and remaining forest. Therefore, this project concept has been developed to assist these communities to continue the development of sustainable and permanent land use systems of agriculture and forestry that will enable them to avoid an ever-increasing scale of swidden agricultural practice with associated negative environmental and economic impacts. The project aims to maximize the stability and productivity of agriculture while developing an agro-forestry component that will ensure longer-term income and food security and actually increase the level of forest cover for

⁴ The proposed project was appraised between 31 August and 14 September 2002.

watershed protection, wild life habitat, and local and national income. The main project activities would comprise: (i) participatory analysis of the land capability, consultative land-use planning with communities, district and provincial government personnel, and the cooperative development of secure land-use rights/land title for farming families; (ii) development of alternative livelihood (small-scale irrigation, rain-fed upland arable land terracing and land stabilization, fruit orchards, nontimber forest products domestication, livestock systems, firewood and community forest plantation); and (iii) this would be combined with a component to link the increased productivity with the marketing potential of the road.

G. Institutional Capacity

18. Within the central Government, the lead coordinating agency for ethnic minority issues is the Lao Front for National Construction and its Department of Ethnic and Social Affairs helps the Government develop and implement policies toward ethnic minorities and the mountainous regions. The national level Central Leading Committee for Rural Development and provincial rural development committees and rural development offices oversee rural development. Design and implementation of the various components of the SAP will be undertaken by locally recruited consultants in coordination with the local agencies. Institutional capacity will be assessed during the participatory needs assessment during project implementation and on-the-job assistance for design and implementation will be provided to these agencies.

H. Monitoring

19. MCTPC will recruit an independent local consulting agency or locally based nongovernmental organization to monitor and evaluate the implementation and impacts of the SAP. Monitoring and evaluation will involve the participation of the project communities.

Appendix 5, Summary Social Action Plan
[Report and Recommendation of the President \(LAO 34321\)](#)