



Humanitarian Aid Decision

23 02 01

Title: Humanitarian Aid for vulnerable groups due to the relocation policy and Unexploded Ordnance contamination in Laos.

Location of operation: LAO PDR

Amount of decision: 1,500,000 Euro

Decision reference number: ECHO/LAO/BUD/2004/01000

Explanatory Memorandum

1 - Rationale, needs and target population:

1.1. - Rationale:

Landlocked, Lao People's Democratic Republic (Lao PDR) is one of the poorest countries in the world (currently ranked 143rd out of 173¹). With a population of 5.68² million growing at a rate of 2.8% p.a.³, a population density of only 25⁴ people per km² and a per capita income of Euro 256.7 in 2001⁵, Laos is the 2nd poorest South East Asian country after Cambodia⁶. Only 50% of the Lao population are literate, 30% will die before they are 40 years old and 26% live on less than Euro 0.78 a day⁷.

The population of Lao PDR is very diverse in terms of ethnicity and language. Its 48 different ethnic groups are classified into three main types according to their topographical location. The majority, Lao Loum, occupy the lowland areas close to the Mekong and its tributaries, the Lao Theung (Mon-Khmer grouping) occupy middle altitudes and the Lao Soung (Hmong-Yao, Tibeto-Burman groups) occupy the hilltops. These groups make up 67%, 23% and 10% of the population respectively.

¹ UNDP in Lao PDR 2004.

² Asian Development Bank - Lao PDR 2003

³ Asian Development Bank - Lao PDR 2003

⁴ Asian Development Bank - Lao PDR 2003

⁵ UNDP - human development indicators 2003

⁶ World Banks GNP data.

⁷ UNDP - in Lao PDR - 2005

Village Relocation Policy

The Lao Theung are semi migratory swidden farmers and can be considered the poorest of the 3 ethnic groups in Laos. Lao Theung villages are located on mountain slopes; however since the 1980s, the government has encouraged upland swidden minorities to relocate to lowland areas in order to reduce slash and burn activities, forest clearing, opium production, increase political control and ease difficulties in the provision of governmental services.

Lao Soung are a semi-migratory group living on the mountaintops in the north of the country and are often associated with opium planters. Opium production plays a critical role in the upland subsistence economy.

The Government has developed a National Environmental Action Plan which includes the eradication of slash and burn activities (officially for environmental protection aims). It is further motivated by the desire to relocate minorities (especially Hmong and Lao Soung minorities) in order to exert greater control on them as well as to bring them to lowland areas where in principle the government is supposed to be able to provide basic services. This policy has led to a sharp increase in spontaneous migrations as well as forced or strongly encouraged population relocation.

In parallel, the opium eradication policy has led to a government controlled cutting of poppies, which has further triggered displacements as the concerned populations lose their most important source of livelihood.

Authorities have put forward population relocation as an optimal strategy to enable the achievement of all the national development objectives set out by the central government. These objectives are:

- Ban on poppy cultivation by 2005.
- Ban on slash and burn cultivation practices by 2010 (and a 50% reduction in the surface area cultivated through these practices by 2005).
- Poverty alleviation (50% by 2005).
- Education for all by 2020 (minimum 3rd year primary school level for children).

The relocation of the population, notwithstanding its often spontaneous nature for some groups, has had a negative impact and resulted in increased vulnerability. Those “encouraged” to move are thrown into a completely new environment (from the uplands to the lowlands), where very often there are no services provided and land has to be reclaimed. These moves have led to cholera, diarrhoea and malaria epidemics to which the people are more vulnerable in their new environment.

As a result health statistics are alarming. National crude average mortality rates for Laos indicate 12 deaths per 1000 per annum⁸. Resettled villages have been experiencing 40 per 1000⁹ for the same periods.

⁸ US CIA document factbook - 2004.

⁹ ACF - Resettlement; an alternative for upland development 2002.

The Hmong ethnic group.

The Hmong ethnic minority in Lao PDR was allied to the US during the Vietnam spill over fighting in both Laos and Cambodia. The Hmong people have had a long history of resistance and independence from the Lao Government control. Following the creation of the Lao PDR in 1975 and the fall of the former regime, approximately 1/3 of them left the country to settle in the USA or refugee camps in Thailand. However sporadic military resistance has continued among some ethnic groups, predominantly the Hmong. There are reports of serious human rights offences against this ethnic group, perceived by the authorities as still opposed to the Lao Government. There are combined reports of a rapidly deteriorating humanitarian situation among the Hmong and little or no access for UN, ICRC or INGO's.

The groups at risk are located in the hilly forested areas of Xaisomboune military zone in the centre of the country.

Un-exploded Ordnance (UXO).

Laos was heavily bombarded during the Indo-China War, particularly during the period between 1964 to 1973. Extensive aerial bombardment and ground battles took place and more than 500'000 bombing missions were launched dropping more than 2 million tons of ordnance, concentrated in the north and south eastern provinces of the country¹⁰. It is estimated that 30% of all ordnance dropped during this period did not explode¹¹. Laos retains the dubious distinction of being one of the most heavily bombed nations on the earth¹². Although many years have passed since then it is estimated that 10 of the 18 provinces in Laos are still severely contaminated by UXO. The 1997 survey reported that 25% of all villages in the country have a continuing presence of UXO and contamination is reported at the centre of the villages, presenting severe hazards for local people and particularly children.

The people of Laos continue to be killed or injured by UXO. From January to May 2004, at least 39 people were killed with a further 74 people injured as a result of UXO's. ¹³ Handicap International indicates that the real figure may be more than double this. The average age of a UXO victim is 26¹⁴, meaning that accidents kill or disable people in their most productive years. Most accidents occur in rice fields, grazing land, village centres and forests¹⁵. Some bomb disposal officers blame the high demand for scrap metal as a major cause for UXO injuries or deaths.

1.2. - Identified needs:

Relocation policy and vulnerable groups

The extremely poor conditions of people living in the hill areas have lead to chronic humanitarian crises. Basic amenities such as drinking water, health, education, sanitation and hygiene are not available. Access between remote villages is difficult and their coping mechanisms are reduced, the villages themselves become more vulnerable to both forced and voluntary displacement, often with dire consequences.

¹⁰ Lao National Unexploded ordnance programme - 2004

¹¹ Mines Action group 2004.

¹² Mines Action group 2004.

¹³ Lao National Unexploded ordnance programme - 2004

¹⁴ UXO Laos 2004

¹⁵ UXO Laos 2004

Coping mechanisms need to be encouraged in those areas where they are most depleted in order to provide villagers with the opportunity of remaining *in situ* or giving them the best possible opportunity in the event of displacement (forced or otherwise). These mechanisms take the form of improved health care, hygiene/sanitation, education and communications links between villages.

In parallel, constructive dialogue between the Government of Laos and the international community should be maintained and reinforced.

It is envisaged that ECHO programmes can be handed over or complemented by other EC instruments and other donors, such as food security projects, to ensure longer term sustainability.

Given this context, close collaboration with other donors will enable ECHO to scale down its interventions in more development oriented sectors and zones, and ensure that it can focus on the most pressing humanitarian needs.

Although ECHO mainly directs its efforts on providing alternatives for forced resettlement, it is not excluded that primary humanitarian needs in relocated villages are monitored and responded to in a life-saving approach.

The Hmong ethnic group.

The Hmong issue is extremely sensitive in Laos and access to the Hmong very restricted. Information is thus very limited and fragmented. ICRC has provided relief items to some Hmong who left the forested areas and the further needs are widely known to be humanitarian. Due to unreliable information these are as yet impossible to quantify. Humanitarian access is the first requirement, combined with a relief distribution and a further assessment of the needs.

In this respect ECHO envisages supporting humanitarian relief operations and further assessment of humanitarian needs if access to the Hmong zone is granted by the government. The results of these operations will be taken into account for further assistance by ECHO.

UXO

UXO remains not only a significant obstacle to development of rural areas, as pressure for development of lowland areas exceeds the slow clearance of UXO, but also a terror in daily life for the rural populations. Its limited resources forces ECHO to focus on the greatest humanitarian needs. Complementary to clearance, awareness campaigns should be strengthened in those polluted areas. This implies very targeted clearance and awareness campaigns around market places, schools etc. where there is a high incidence of mines in highly populated and vulnerable areas.

Given the vast scale of the contamination and corresponding high cost of clearance, ECHO expects that other financial instruments will be made available to tackle the issue on a larger scale.

1.3. - Target population and regions concerned:

Relocation policy and vulnerable groups in most vulnerable areas.

24,218 ethnic minority villagers already resettled or targeted for potential resettlement and with few coping mechanisms in Attapeu, Luang Namtha, Luang Prabang, Sayabouli and Saysaboun (special zone) Provinces.

12,000 beneficiaries on the border of the special militarised zone and Xieng Khouang Province.

UXO awareness-raising and clearance.

3'478 villagers in Khammoune Province.

1.4. - Risk assessment and possible constraints:

1. Lao authorities may restrict access to envisaged operation zones, especially to Hmong in militarised zones or near to militarised zones.
2. Time delay in getting projects approved by Lao authorities (INGO's operations are subject to prior agreement in the form of a 'Memorandum of Understanding'.
3. EC Food security programme faces delays and therefore hand-over or re-orientation of those projects considered for phasing down or out by ECHO is delayed.
4. Co-ordination between the different administrative levels of the Government is not optimal so that different approaches are instructed or supported at central, provincial and district level

2- Objectives and components of the humanitarian intervention proposed:

2.1. – Objectives:

Principal objective:

Humanitarian Aid for vulnerable groups due to the relocation policy and UXO contamination

Specific objectives :

- Provide humanitarian relief to those suffering from the government policy of relocation by reducing the risk of increased morbidity and mortality among especially vulnerable target groups.
- UXO awareness and humanitarian UXO clearance

2.2. - Components:

1. Provide humanitarian relief to those suffering from the government policy of relocation by reducing the risk of increased morbidity and mortality among especially vulnerable target groups.

a) **Water & sanitation:**

✦ **Provide drinking water.** Access to clean water is an essential component of livelihood security. Waterborne diseases are chronic in most project areas, affecting the health of children and the labour force. Beyond the pure health aspects, there is also a loss of household productivity causing economic difficulties. Villagers will be involved in this activity. Beneficiaries and local construction companies and /or skilled workers will jointly proceed with the activities planned. A training in best practices on how to use and maintain water supply systems will be provided to the villagers and to the authorities.

✦ **Providing and improving sanitation facilities.** Correct hygiene behaviour to adopt with the new water supply systems and sanitary facilities is the crucial factor in preventing transmission of waterborne and sanitation-related diseases. Moreover, family hygiene kits (soap, potties, sanitary towels, buckets, jerry cans) will be distributed. Continued training on basic health issues, the provision of basic pharmacies to the villages and the supply of mosquito nets are essential in the absence of structured services.

b) Providing access to basic services. Improved access to main roads will facilitate people and cattle transport and should result in increased food security. In particular, access will be facilitated to the nearest primary health care centres, a need that has been clearly expressed by beneficiaries interviewed. Path and road construction are therefore envisaged. Furthermore, to avoid relocation, rehabilitation of schools could be envisaged in some cases.

c) Providing means and tools to improve living conditions and so ensure an acceptable level of food security for the poorest families. This mainly involves provision of basic tools and means for clearance of forested land and preparation for cultivation, distribution of seeds, trees, basic livestock and start-up materials. Income generating activities will be implemented for the poorest families without access to paddies. Guidance on improvement of storage methods and facilities, animal husbandry, distribution of rice to boost the village rice stocks and, in case of necessity, food for work programmes will be used to overcome food insecurity in the poorest villages.

d) Distribution of essential relief items: Assistance to pre-identified vulnerable groups in specific zones by distribution of food and non food items as well as continued assessment of their humanitarian needs.

2. **UXO awareness and humanitarian UXO clearance:**

As the population conduct agricultural activities on UXO polluted land, awareness-raising campaigns addressed to both adults and children are essential in order to limit the risk of accidents. Additional specific assistance will be provided for clearance of areas where security for relief workers and populations is hampered by the presence of UXOs, with an emphasis on clearance of medical structures, schools and areas where people are forcibly resettled. Specific assistance to mine victims may also be considered.

5 - Other donors and donor co-ordination mechanisms

Donors in LAOS the last 12 months					
1. EU Members States (*)		2. European Commission		3. Others	
	EUR		EUR		EUR
Austria	0	ECHO	2,566,667		
Belgium	0	Other services			
Denmark	0				
Finland	300,000				
France	44,000				
Germany	454,430				
Greece	0				
Ireland	0				
Italy	0				
Luxembourg	0				
Netherlands	351,000				
Portugal	0				
Spain	0				
Sweden	0				
United Kingdom	0				
Subtotal	1,149,430	Subtotal	2,566,667	Subtotal	0
		Grand total	3,716,097		

Dated : 19/11/2004

(*) Source : ECHO 14 Points reporting for Members States. <https://nac.cec.eu.int>
 Empty cells means either no information is available or no contribution.

6 –Amount of decision and distribution by specific objectives:

6.1. - Total amount of the decision: 1,500,000 euro

6.2. - Budget breakdown by specific objectives

Principal objective: Humanitarian Aid for vulnerable groups due to the relocation policy and UXO contamination				
Specific objectives	Allocated amount by specific objective (Euro)	Possible geographical area of operation	Activities	Potential partners¹⁷
Specific objective 1: Provide humanitarian relief to those suffering from the government policy of relocation by reducing the risk of increased morbidity and mortality among especially vulnerable target groups	1,200,000	Provinces of Luang Namtha, Savannakhet, Xieng Khouang, Attapeu and Bokeo	- Water and sanitation: Provision of drinking water and improving sanitation - Access to basic services; - Provision of emergency relief	- ACF - FRA - CARE - AUT - CESVI - ZOA
Specific objective 2: UXO awareness and humanitarian UXO clearance	200,000	Khammoune Province	UXO awareness-raising and humanitarian UXO clearance	- MAG - UK
Reserve, max. 10% of the total amount	100,000			
TOTAL	1,500,000			

¹⁷ ACTION CONTRE LA FAIM, (FR), CARE OSTERREICH, (AUT), CESVI cooperazione e sviluppo onlus, MINES ADVISORY GROUP (GBR), ZOA-Vluchtelingen zorg

7 –Evaluation

Under article 18 of Council Regulation (EC) No.1257/96 of 20 June 1996 concerning humanitarian aid the Commission is required to "regularly assess humanitarian aid operations financed by the Community in order to establish whether they have achieved their objectives and to produce guidelines for improving the effectiveness of subsequent operations." These evaluations are structured and organised in overarching and cross cutting issues forming part of ECHO's Annual Strategy such as child-related issues, the security of relief workers, respect for human rights, gender. Each year, an indicative Evaluation Programme is established after a consultative process. This programme is flexible and can be adapted to include evaluations not foreseen in the initial programme, in response to particular events or changing circumstances. More information can be obtained at:

http://europa.eu.int/comm/echo/evaluation/index_en.htm.

8 –Budget Impact article 23 02 01

	472.000.000
Initial Available Appropriations for 2004	-3.700.000
Supplementary Budgets	
Transfers	
Total Available Credits	468.300.000
Total executed to date (by 23/11/2004)	455.314.311,78
Available remaining	12.985.688,22
Total amount of the Decision	1,500,000

COMMISSION DECISION

of

**on the financing of humanitarian operations from the general budget of the
European Union in
LAO PDR**

THE COMMISSION OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Union,
Having regard to Council Regulation (EC) No 1257/96 of 20 June 1996 concerning humanitarian aid¹⁸, and in particular Article 14 thereof,

Whereas:

1. The government forced or strongly encouraged resettlement of ethnic minorities and populations living in the mountains has led, as a consequence, to higher morbidity and mortality rates,
2. Natural disasters, in combination with imposed changes in agricultural methods, have affected the harvests leading to a high level of food insecurity,
3. The consequences of the former conflict have also led to the internal displacement of people, especially through unexploded ordnances (UXO) and mines related risks,
4. Years of war and bombing have led to a quasi-total absence of basic services to populations in the mountainous areas,
5. There is a need to provide assistance for water and sanitation, basic health, access to basic services and food security as well as to UXO awareness-raising and clearing sectors,
6. An assessment of the humanitarian situation leads to the conclusion that the Community should finance humanitarian aid operations for a period of 18 months,
7. It is estimated that an amount of 1.500.000 euro from budget line 23 02 01 of the general budget of the European Union is necessary to provide humanitarian assistance to the populations of Laos, especially in the Luang Namtha, Savannakhet, Xieng Khouang, Bokeo and Khammouane Provinces taking into account the available budget, other donors' interventions and other factors,

HAS DECIDED AS FOLLOWS:

Article 1

1. In accordance with the objectives and general principles of humanitarian aid, the Commission hereby approves a total amount of 1,500,000 euro for Humanitarian Aid for vulnerable groups due to the relocation policy and Unexploded Ordnance contamination in Laos by using line 23 02 01 of the 2004 budget of the European Union.

¹⁸ OJ L 163, 2.7.1996, p. 1-6

2. In accordance with Articles 2 and 4 of Regulation (EC) No 1257/96, the humanitarian operations shall be implemented in the pursuance of the following specific objectives:
 - Provide humanitarian relief to those suffering from the government policy of relocation by reducing the risk of increased morbidity and mortality among especially vulnerable target groups.
 - UXO awareness and humanitarian UXO clearance

The amounts allocated to each of these objectives and for the reserve are listed in the annex to this decision.

Article 2

Without prejudice to the use of the reserve, the Commission may, where this is justified by the humanitarian situation, re-allocate the funding levels established for one of the objectives set out in Article 1(2) to another objective mentioned therein, provided that the re-allocated amount represents less than 20% of the global amount covered by this Decision.

Article 3

1. The duration for the implementation of this decision shall be for a maximum period of 18 months, starting on 01/01/2005.
2. Expenditure under this Decision shall be eligible from 01/01/2005.
3. If the operations envisaged in this Decision are suspended owing to *force majeure* or comparable circumstances, the period of suspension shall not be taken into account for the calculation of the duration of the implementation of this Decision

Article 4

This Decision shall take effect on the date of its adoption.

Done at Brussels,

For the Commission

Member of the Commission

Annex: Breakdown of allocations by specific objectives

Principal objective : Humanitarian Aid for vulnerable groups due to the relocation policy and UXO contamination	
Specific objectives	Amount per specific objective (Euro)
Provide humanitarian relief to those suffering from the government policy of relocation by reducing the risk of increased morbidity and mortality among especially vulnerable target groups	1,200,000
UXO awareness and humanitarian UXO clearance	200,000
Reserve	100,000
TOTAL	1,500,000

Grants for the implementation of humanitarian aid within the meaning of Council Regulation (EC) No.1257/96 of 20 June 1996 concerning humanitarian aid are awarded in accordance with the Financial Regulation, in particular Article 110 thereof, and its Implementing Rules in particular Article 168 thereof.¹⁹

Rate of financing: In accordance with Article 169 of the Financial Regulation, grants for the implementation of this Decision may finance 100% of the costs of an action.

Humanitarian aid operations funded by the Commission are implemented by NGOs and the Red Cross organisations on the basis of Framework Partnership Agreements (FPA) (in conformity with Article 163 of the Implementing Rules of the Financial Regulation) and by United Nations agencies based on the Financial and Administrative Framework Agreement (FAFA). The standards and criteria established in Echo's standard Framework Partnership Agreement to which NGO's and International organisations have to adhere and the procedures and criteria needed to become a partner may be found at

http://europa.eu.int/comm/echo/partners/index_en.htm

¹⁹ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002, , OJ L248, 16/09/2002 and No 2342/2002 of 23 December 2002, OJ L 357 of 31/12/2002.