



Humanitarian Aid Decision

23 02 01

Title: Humanitarian aid in favour of vulnerable marginalised groups in Laos.

Location of operation: LAOS

Amount of Decision: EUR 1,200,000

Decision reference number: ECHO/LAO/BUD/2005/01000

Explanatory Memorandum

1 - Rationale, needs and target population.

1.1. - Rationale:

The humanitarian situation of the indigenous minorities traditionally living in remote highlands areas of Laos has deteriorated as a consequence of a set of Government policies intended to encourage their resettlement in more accessible lowland areas along roads. Justifications for these policies include eradication of certain agricultural practices (shifting cultivation or “slash and burn” and opium cultivation), access and service delivery, and cultural integration. Even if they are not forced to resettle, limiting shifting cultivation means that villagers are no longer able to subsist on uplands agriculture, and are likely to be more receptive to moving to the lowlands in the expectation of a better livelihood. Those who do move are thrown into a completely new environment where very often there are no services provided. Mortality rates of up to 30% higher than the national average in upland communities following poorly implemented resettlement were reported in a UNESCO/UNDP study conducted in 1997, the first to comprehensively examine the impact¹. Subsequently, there has been a growing volume of research, including two recent DG ECHO-funded research studies,² documenting the negative impacts of resettlement from uplands to lower-lying areas.

¹ The first major study of internal resettlement was conducted in 1997, led by anthropologist Yves Goudineau, and resulted in the study: *Basic Needs of Resettled Communities*. An updated research article was published in 2004; *Planned Resettlement, Unexpected Migrations and Cultural Trauma in Laos*, Olivier Evrard, Yves Goudineau.

² *Service Delivery and Resettlement: Options for Development Planning* UNDP/ECHO 2004;
Lao PDR: Is resettlement a solution for human development? Action Contre La Faim (ACF), September 2005.
[ECHO/LAO/BUD/2005/01000](#)

This resettlement process has received little attention from the international community and the needs of the ethnic minorities subject to resettlement policies are largely forgotten. In the ECHO's Forgotten Crises Analysis for 2006 Laos ranks 16 out of 106 countries.

This Decision intends to prevent a further deterioration of the humanitarian situation acting at two levels: on one hand the condition of the populations living in the highlands and thus at risk of being resettled will be improved; on the other hand access to basic services will be ensured for the communities that have already been resettled.

A particular case within this context is the issue of the Hmong ethnic minority, who represent around 7% of the country's population. This group was allied to the US during the Vietnam war that also took place in Laos. Following the creation of the Lao PDR in 1975 and the fall of the former regime, approximately one-third of the Hmong left the country to settle in the US or refugee camps in Thailand. Between 1,000 and 3,000 Hmong, including women and children, are estimated to be still in hiding in Laos, in particular in the forested areas of Xaysomboun Special Zone in the north of the country³. There has been a continuous although slow exodus of Hmong emerging, and a number have been resettled in existing villages. In June 2005, an estimated 170 women, children and elderly came out in Xieng Khouang Province, situated in the north of Laos, an event which received significant media coverage. There are reports of a difficult and deteriorating humanitarian situation among the Hmong who remain in hiding and little or no access for the UN, ICRC or INGO's⁴. Yet, the government has declined any assistance from the donor community. This Decision will target those Hmong who have emerged, as well as other particularly vulnerable Hmong communities.

The humanitarian situation of ethnic minorities is aggravated by heavy UXO⁵ contamination of the areas in which they live. Laos is one of the most heavily bombed nations in the world per capita,⁶ mainly affected by UXO dating back to the Indochina Wars. UXO seriously constrains the livelihood and food security of the population living in rural areas⁷. It also constrains the delivery of humanitarian aid and of basic services. Handicap International (HI) reported in 1997 that over 3,800 villages, with a population of 1.3 million, have been affected by UXO and mines. The government's main clearance agency, UXO Lao, reports that 10 out of the 18 provinces in Laos are severely contaminated and that 25% of all villages in the country have a continuing presence of UXO. There have been over 11,000 reported accidents since the end of the war. Actions funded under this decision will include an UXO clearance component in order for the humanitarian assistance delivered to be able to reach the target populations.

DG ECHO has engaged in discussions with the Commission services responsible for the implementation of the food security budget line in order to link relief with rehabilitation funding for the target population.. Two of the operations funded by DG ECHO in 2005 will be continued under the food security budget line, and it is

³ Estimates vary greatly on the number, some observers putting it as high as 30,000; but access to these areas is not possible.

⁴ Report on French national TV; reports to DG ECHO field experts; Lao Human Rights Council, Inc., USA;

⁵ Unexploded Ordnance

⁶ UXO Lao, the government's main clearance agency.

⁷ Landmine Monitor Report 2003.

envisaged that the operations proposed under this Decision will be taken over either under this budget line or by other donors in 2006.

1.2. - Identified needs:

The remote areas targeted under this Decision are in Khoun, Kham, and Phoukout districts (Xieng Khouang Province); Vieng Phukha district (Luang Namtha province) and Xaysomboun and Thathom districts (Xaysomboun Special Zone). These areas have historically been under-supported, due to their remote location, inaccessibility, security concerns and access restrictions. Furthermore, some of them host vulnerable families recently emerged from the forest. They are among those identified by the Government as being among the poorest districts in the country⁸. Thathom in particular has been identified as very vulnerable by the World Food Programme (Vulnerability Assessment Maps update July 2005). Some are villages which have been resettled, and suffer the impacts on their livelihoods, health and well-being; others have not been resettled, but are extremely remote and without basic services, and at risk of being resettled unless they can reach a minimum level of services. Most of the target areas (with the exception of Vieng Phukha) are UXO-contaminated.

Xaysomboun Special Zone (Xaysomboun and Thathom districts): Total targeted population is 24,283 people (4,091 families). The targeted area consists of a mixture of settled and resettled villages.

The extreme population vulnerability is related to: lack of safe water, sanitation and basic healthcare, lack of access to fertile land and absence of training in new paddy rice cultivation techniques, inadequate shelters and inability to develop coping mechanisms in the new socio-economic environment. Non-resettled communities are considerably disadvantaged in terms of access to infrastructures and to basic health and education facilities. Most communities have no access to clean water; most water comes from mountain streams and may be contaminated during collection from the source or during storage. Proper hand-washing practices are not followed during food preparation and there is unsafe disposal of human excreta. There are recurrent cases of diarrhoea, malaria and other easily preventable diseases. Waterborne diseases are chronic in most project areas, affecting the health of children and the labour force. The food security situation is poor due to limited paddy area and low yields: on average families have a three to four-month rice shortage. Since most communities have no path/roads to their villages or into the area, there is limited access to markets and health and education services. Although health structures sometimes exist in resettlement sites, there is often insufficient primary healthcare and the displaced can rarely afford to pay for the services available. Other factors limiting access to healthcare are also related, insofar as such services exist, to cultural barriers to using official health structures. Villagers are at risk of resettlement due to food insecurity. Families depend on upland rice fields, which have fertile soils, and other crops can be grown, but there is a lack of access to markets. As well as provision of safe water, health and sanitation education are needed. Support to livelihood recovery through improving household production, and distribution of agricultural inputs is needed.

⁸ The government's National Growth and Poverty Eradication Strategy (NGPES) is the strategic framework for the development and implementation of all of its growth and poverty eradication programmes.

Khoun, Kham, Vieng Phukha and Phoukout districts: The intended project beneficiaries are the most vulnerable 29 villages situated in the mountains, with a total population of 16,250 people. Of these villages, 20 are composed of the Hmong ethnic group. These are communities which have not been resettled. In Phoukout district the project will target the 30 vulnerable families who recently came out of the forest. These families, as well as the 81 communities which host them, are in need of safe water, health and sanitary education, improved access to basic services. Of the 29 villages, 17 are villages which will have DG ECHO support for the first time under this Decision, and 12 are villages where DG ECHO has an ongoing programme under the previous Decision, and activities will be consolidated. In the 17 new target villages, there is a need for safe water, health and sanitation education, improved storage and drying techniques, cash crop promotion, improved access to services (education, health) and markets, and de-mining and mine awareness-raising in some cases. In the villages where DG ECHO has an ongoing project, the focus will be on consolidating and ensuring sustainability of the benefits gained from activities already achieved. The main emphasis in working with these villages will be on training and duplication of successful interventions.

1.3. - Target population and regions concerned:

Xaysomboun Special Zone

Consists of two districts, Xaysomboun and Thathom. The total number of beneficiaries is 24,283 people (4,091 families).

As already mentioned, the targeted area consists of a mixture of settled and resettled villages. In general the villages are multi-ethnic, and they are the potential host communities in the event that more Hmong people emerge from their isolated settlements in the forests of Xaysomboun. The criteria for the selection of these areas are low access to safe water and sanitation facilities and little or no presence of development programmes.

Overview on beneficiaries per sector/activity:

Sector	Estimated number of families	Estimated number of direct beneficiaries
Access to food	475	2,750
Access to clean water	455	2,830
Development of paddy field	475	2,750
Health (malaria prevention/hygiene)	900	5,225
Food Security surveillance	1,786	10,728
Total number of beneficiaries	4,091	24,283

Xieng Khouang Province (Khoun, Kham, and Phoukout districts); *Luang Namtha province* (Vieng Phukha district): Under this Decision, activities will be consolidated in the 12 villages where DG ECHO has an ongoing project, and activities will be extended to 17 new villages. A total of 29 villages will thus be targeted. Of these, 20 are composed of the Hmong ethnic minority group.

Overview on beneficiaries per sector/activity:

Sector	Estimated number of families	Estimated number of direct beneficiaries
Clean water	70	440
Health and sanitation	600	3720
Demining/mine awareness raising	100	620
Improving access to services and markets	900	5580
Cash crop promotion	450	2790
Improved drying and storage	350	2170
Irrigation construction	150	930
Total number of beneficiaries	2,650	16,250

1.4. - Risk assessment and possible constraints:

There are four risks that might affect the achievement of operations funded under this Decision:

The first would result from restricted access to envisaged operation zones, especially to Hmong in militarised zones or near militarised zones. Parts of Xaysomboun district are militarised and access will depend on gaining the agreement of the authorities.

International organisations and NGOs operating in Laos must, before starting their projects, sign a “Memorandum of Understanding” with the Government of Laos. Non-signature or late signature of the MoU could have an effect on implementation;

The third risk would be a lack of co-ordination between the different administrative levels of the government, which would mean different approaches at central, provincial and district level;

The fourth would arise in the case of poor weather conditions, for instance if the rainy season were to last longer than usual, as a number of activities can only be carried out under dry season conditions. Furthermore, access could be hampered to the project location.

2 - Objectives and components of the humanitarian intervention proposed: ⁹

2.1. - Objectives:

Principal objective:

Humanitarian aid for vulnerable marginalised groups in Laos.

Specific objective:

To provide humanitarian assistance to reduce the rates of mortality and morbidity in vulnerable and marginalised remote communities.

2.2. - Components:

- Provision of safe water supply and sanitation;
- Health and sanitation training and distribution of basic hygiene kits;
- Implementation of Food for Work activities and distribution of rice;
- Malaria awareness and prevention education and distribution of impregnated mosquito nets in target villages;
- Distribution of seeds and tools with a view to building sustainable livelihoods;
- Provision of materials for improving crop storage with a view to building sustainable livelihoods;
- Surveillance of the food and sanitary situation;
- Continuing assessment in Xaysomboun Special Zone and design of mid-term project to address food insecurity;
- Provision of access to basic services, including rehabilitation of access paths and roads, and rehabilitation of schools could be envisaged in some cases;
- Landmine and UXO removal and mine awareness-raising;
- Training in water use and hygiene education

The expected results include the following:

- Communities remain in their current location in the case of non-resettled villages;
- Improved overall health and hygiene indicators through improved access to safe water and basic health care;
- Improved food security through increased food production and better storage of farm products;
- Better access to local services, markets and education facilities.

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

3 - Duration expected for actions in the proposed Decision:

The duration for the implementation of this Decision shall be 18 months. Humanitarian operations funded by this Decision must be implemented within this period. Humanitarian operations will have duration of approximately 12 months, most of them starting between 1 January and 1 March 2006. Some flexibility may be needed to allow operations to be extended for a short period as a result of unforeseen circumstances in the field.

Expenditure under this Decision shall be eligible from 1 January 2006.

Start date: 1 January 2006

If the implementation of the actions envisaged in this Decision is suspended due to *force majeure* or any comparable circumstance, the period of suspension will not be taken into account for the calculation of the duration of the humanitarian aid operations.

Depending on the evolution of the situation in the field, the Commission reserves the right to terminate the agreements signed with the implementing humanitarian organisations where the suspension of activities is for a period of more than one third of the total planned duration of the action. In this respect, the procedure established in the general conditions of the specific agreement will be applied.

4 - Previous interventions/Decisions of the Commission within the context of the current crisis:

List of previous ECHO operations in LAOS				
Decision Number	Decision Type	2003 EUR	2004 EUR	2005 EUR
ECHO/LAO/210/2003/01000	Non Emergency	1,700,000		
ECHO/LAO/BUD/2004/01000	Non Emergency		1,500,000	
	Subtotal	1,700,000	1,500,000	0
	Grand Total	3,200,000		

Dated : 14/11/2005
Source : HOPE

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		ECHO	2,366,667		
Belgium		Other services			
Cyprus					
Czech republic					
Denmark					
Estonia					
Finland					
France					

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Germany	371,900				
Greece					
Hungary					
Ireland					
Italy					
Latvia					
Lithuania					
Luxemburg					
Malta					
Netherlands	199,200				
Poland					
Portugal					
Slovakia					
Slovenie					
Spain					
Sweden					
United kingdom					
Subtotal	571,100	Subtotal	2,366,667	Subtotal	0
		Grand total	2,937,767		

Dated : 14/11/2005

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

For some time, DG ECHO has engaged in a dialogue with other EC instruments to identify opportunities for LRRD. LRRD was accomplished under the 2004 Food Security call to tender, whereby two on-going DG ECHO-funded projects in Laos will be continued under Food Security. A further Food Security tender is expected for 2006, and it is envisaged that DG ECHO programmes can be handed over or complemented by other EC instruments and other donors, to ensure longer term sustainability and perhaps more appropriate longer term funding.

6 - Amount of Decision and distribution by specific objectives:

6.1. - Total amount of the Decision: EUR 1,200,000

6.2. - Budget breakdown by specific objectives

Principal objective: Humanitarian aid for vulnerable marginalised groups in Laos.				
Specific objectives	Allocated amount by specific objective (EUR)	Geographical area of operation	Activities	Potential partners¹⁰
Specific objective: To provide humanitarian assistance to reduce the rates of mortality and morbidity in vulnerable and marginalised remote communities.	1,200,000	Xaysomboun Special Zone: Xaysomboun and Thathom districts. Xieng Khouang province: Khoun Kham and Phoukout districts. Luang Namtha province: Vieng Phukka district	Provision of safe water supply and sanitation; Health and sanitation training and distribution of basic hygiene kits; Implementation of Food for Work activities and distribution of rice; Malaria awareness and prevention practices and distribution of impregnated mosquito nets in target villages; Distribution of seeds and tools; Provision of materials for improving crop storage; Surveillance of the food and sanitary situation; Continuing assessment in Xaysomboun Special Zone and design of mid-term project to address food insecurity; Provision of access to basic services, including rehabilitation of access paths and roads, and rehabilitation of schools could be envisaged in some cases; Landmine and UXO removal and mine awareness-raising; Training in water use and hygiene education	- ACF - FRA - ZOA
TOTAL:	1,200,000			

¹⁰

ACTION CONTRE LA FAIM, (FR), ZOA-Vluchtelingenorg

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 DG 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

	EC (EUR)
Initial available appropriations for 2005	476.500.000
Supplementary budgets	-
Reinforcement from Emergency reserve	130.000.000
Transfers	-5.000.000
Total available appropriations	601.500.000
Total executed to date (14/11/2005)	578.113.870
Available remaining	23.386.130
Total amount of the Decision	1,200,000

COMMISSION DECISION
of
on the financing of humanitarian operations from the general budget of the European
Union in
LAOS

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,
Having regard to Council Regulation (EC) No.1257/96 of 20 June 1996 concerning humanitarian aid¹¹, and in particular Article 14 thereof,

Whereas:

- (1) The resettlement of ethnic minorities and populations living in the mountains has led to higher morbidity and mortality rates in resettled communities;
- (2) The reduction of certain traditional agricultural practices and land and forest allocation has contributed to exacerbating an already tenuous livelihood situation;
- (3) Many years of war and bombings have led to the necessity for UXO clearance in order to allow for the delivery of humanitarian aid.
- (4) It is estimated that an amount of EUR 1,200,000 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 Xaysomboun, Thathom, Khoun, Kham and Phoukout districts 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 EUR 1,200,000 for Humanitarian Aid for vulnerable and forgotten groups in Laos by using line 23 02 01 of the 2005 budget of the European Union.

¹¹ OJ L 163, 2.7.1996, p. 1-6
[ECHO/LAO/BUD/2005/01000](#)

2. In accordance with Article 2 (a) of Regulation (EC) No 1257/96, the humanitarian operations shall be implemented in the pursuance of the following specific objective:

To provide humanitarian assistance to reduce the rates of mortality and morbidity in vulnerable and marginalised remote groups

The total amount of this Decision is allocated to this objective

Article 2

1. The duration for the implementation of this Decision shall be for a maximum period of 18 months, starting on 1 January 2006.
2. Expenditure under this Decision shall be eligible from 1 January 2006.
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 3

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

Done at Brussels,

For the Commission

Member of the Commission