

ASIAN DEVELOPMENT BANK

TAR: LAO 37669

TECHNICAL ASSISTANCE

(Financed by the Poverty Reduction Cooperation Fund)

TO THE

LAO PEOPLE'S DEMOCRATIC REPUBLIC

FOR

STUDY OF GENDER INEQUALITY IN WOMEN'S

ACCESS TO LAND, FORESTS, AND WATER

May 2004

CURRENCY EQUIVALENTS

(as of 15 April 2004)

Currency Unit	–	kip (KN)
KN1.00	=	\$0.000095
\$1.00	=	KN10,458

ABBREVIATIONS

ADB	–	Asian Development Bank
DAFO	–	district agriculture and forestry office
DOLHM	–	Department of Land and Housing Management
GRID	–	Gender Resource Information and Development
Lao PDR	–	Lao People's Democratic Republic
LWU	–	Lao Women's Union
MAF	–	Ministry of Agriculture and Forestry
MOF	–	Ministry of Finance
NGO	–	nongovernment organization
ONPM	–	Office of the National Project Manager
PAFO	–	provincial agriculture and forestry office
PM	–	Prime Minister
PPA	–	participatory poverty assessment
PRF	–	Poverty Reduction Cooperation Fund
TA	–	technical assistance

NOTES

- (i) The fiscal year (FY) of the Government ends on 31 December.
- (ii) In this report, "\$" refers to US dollars.

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I. INTRODUCTION

1. The technical assistance (TA) is the outcome of ongoing efforts in the Lao People's Democratic Republic (Lao PDR) to bring about gender equity in access to resources and participation in economic development.¹ The Government requested the TA during a workshop to discuss potential areas TA using poverty funds.² The Government of the Lao PDR is engaged in reforming land administration and titling.³ There are emerging concerns related to gender equity in the ongoing process of planning and allocation of land, forest, and water resources. The Lao PDR is signatory to the Beijing Platform for Action, which highlights the importance of gender equality in the control of, and access to, productive resources. The Lao PDR ratified the Convention on the Elimination of all Forms of Discrimination Against Women in 1981. The Constitution provides for equal rights of women to land. The Ministry of Finance (MOF) is responsible for central land management, registration, issuance land titles, and leasing land. The Ministry of Agriculture and Forestry (MAF) is responsible for agriculture and forestland.⁴ The provincial agriculture and forestry offices (PAFOs) and district agriculture and forestry offices (DAFOs) are responsible for land-use planning and land allocation for agricultural and forestlands. Implementation of the land-related laws is dispersed through a number of agencies, and the lack of capacity and coordination on issues of ethnicity, gender, and culture can lead to negative impacts on ethnic minority communities, particularly on women. The Asian Development Bank (ADB) has held discussions with the Government, civil society, and mass organizations, to determine the need for a comprehensive study of the extent and impacts of gender inequality in relation to access and control over land, forests and water resources, among ethnic minorities in the Nam Ngum Basin. In November 2003 a fact-finding mission held discussions with MOF, MAF, Lao Women's Union (LWU), provincial governments, nongovernment organizations (NGOs), and local communities, to seek concurrence on the TA's goal and purpose, scope, implementation arrangements, cost, financing arrangements, and terms of reference. The TA Framework is attached in Appendix 1.⁵

II. ISSUES

2. The Lao PDR is among the poorest countries in the Greater Mekong Subregion, with a national poverty level of 36% (1998). Rural poverty is high, with 50–74% of the population below the poverty line in the northern and mountain areas. Poverty is most pronounced among rural populations, especially ethnic minorities. During the 2001 Participatory Poverty Assessment (PPA), ethnic minorities specifically identified factors leading to poverty: government policies related to shifting cultivation; land-use planning and land allocation; relocation programs; and lack of equitable access to land, forest, and water resources.⁶

3. Women in the Lao PDR are extremely active in the economy and primarily responsible

¹ The TA was endorsed by the National Poverty Reduction Strategies/Poverty Reduction Cooperation Fund meeting in July 2003.

² A workshop was organized at the Lao Resident Mission in May 2003, during which the Government requested TAs for gender mainstreaming, including the above TA.

³ The World Bank-assisted Lao PDR Land-Titling Project has been in operation for 5 years, and is being implemented by the Department of Land Management on behalf of MOF.

⁴ The Department of Land and Housing Management is the core national agency responsible for the design and implementation of land management and administration programs. The mandate as defined by the Prime Minister's Office Decree 104, 6 July 1993, is to carry out, under the direction of the Land Re-Management Committee, the design and supervision of national land registration and titling programs through the offices of provincial services. The district land officer supported by the village headman (*nai baan*) provides the documentation, including tax certification and proof of ownership, together with the required witnesses and documentation, to the provincial office, which certifies and signs the documentation to the land.

⁵ The TA first appeared in *ADB Business Opportunities* on 14 October 2003.

⁶ ADB. 2001. *Participatory Poverty Assessment: Lao People's Democratic Republic*. Manila.

for meeting their households' food requirements, health, and well-being. Gender gaps exist in several areas and are wider among northern ethnic minorities. Maternal mortality rates among ethnic minorities are higher than national levels, at 540 per 100,000 live births. Only two minority cultures, the Pray in Xaygnabouri and the Sou' in Attapeu, are matrilineal; the rest either have bilateral or patrilineal lines of inheritance. Groups such as the Hmong and Khmu do not recognize women's rights to own property except under specific circumstances. All ethnic minority cultures assign women heavier workloads than men for food production, income generation, domestic work, and maintenance of cultural traditions. While customary laws prohibit them from inheriting land (depending upon the culture and circumstances), ethnic minority women living in traditional communities, do have access to land for food and livestock production, and collection of forest produce.

4. National laws, policies, and programs are increasingly impacting upon the capacity of ethnic minority women to meet their households' need for food security, minimum nonfood requirements, and requirements of cultural traditions.⁷ Recent researches by LWU found that during land registration, women lost out, by not having their names included in a variety of of land related documents. Researches from the Land-Titling Project and the Lao Swedish Upland Agriculture and Forestry Research Program emphasize the need for greater attention to gender issues in nonethnic Lao areas.

5. Several laws and decrees determine land use planning and allocation.⁸ Land Decree 99 (1992) grants long-term land-use rights to Lao citizens. Such rights can be inherited, traded, leased, or sold. Land-use titles may be granted to the land users. While the Constitution and the decree recognize women's rights to hold land, the implementation regulations⁹ often do not. Closely linked to land rights are rights to forest and water resources. Decrees¹⁰ have been passed to allocate land for forestry, plantation, and pastures to communities and individuals.¹¹ As a result of Article 20 of the Forestry Law, ethnic minority farmers cannot use forest fallow older than 4 years, which means they can be allocated a maximum of four parcels of agricultural land.¹² This causes soil degradation, declining rice yields, and increasing weed encroachment. Water rights and decision making related to water management derive from land-use rights. Even as the Lao PDR adopts community-managed irrigation systems, ethnic minority women

⁷ Lao women are less literate than men (59.0% compared to 81.7%), and this gap is much larger for ethnic minorities. Similar gaps exist in schooling, enrolment, and completion levels. (ADB. 2001. *Participatory Poverty Assessment: Lao People's Democratic Republic*. Manila.)

⁸ The Constitution, promulgated in 1991, affirms the rights of individuals to use the land. The Fifth Party Congress (March 1991) identified the need to accelerate land registration and issue land title certificates. Management and administration policies are reflected in the decrees promulgated by the Government, Property Law (1990), Land Decree (99 Prime Minister [PM]), Land Tax Decree (50 PM), Document Registration Decree (52 PM), and Forest Management and Land-Use Decree (169 PM). A recent decree (186 PM) covers the allocation of forestlands with reference to allocation of lands to plantation forestry.

⁹ The only specific mention of gender with respect to land titles, is in the Constitution, which states that the names of husband and wife should be recorded in the Land Register Book. The lack of gender sensitivity in the implementation regulations was noted in the report of the Lao Consulting Group on the Existing Land Tenure and Forest Lands Study.

¹⁰ Decree 169 divided forestland into five categories: production, protection, conservation, village, and degraded. Decree 186 allows the state to allocate forestland for tree plantation and forest protection. In 1994 the National Assembly recognized Decree 169 as the forestry law, legalizing State control over forests. This law recognizes private rights over forests and ignores common property resources and communal rights to forest areas.

¹¹ Decree 169 formalizes village rights to forest areas. Decision 0054/MAF defines and recognizes customary rights in forest and forestland. Article 4 states that these rights may be exercised freely within the limits of the law. However, some practices such as swiddens may be limited, which may reduce ethnic minorities' rice and livestock production. Registration of parcels of village forest in the name of the State will diminish ethnic minorities' access to resources.

¹² Lao Consulting Group. 2002. *Existing Land Tenure and Forest Lands Study, Land Titling Project*. Laos.

hardly participate in community-based water management groups.¹³

6. The Government has stressed the importance of ADB providing TA for mainstreaming gender in agriculture, which is a priority sector for poverty reduction. As a first step, trends and patterns of gender differentiation in access to, and control over, productive resources along ethnic lines should be understood in-depth, and a strategy formulated to address these trends and patterns. The counterpart project, Nam Ngum Basin Development Project, is being implemented in Xieng Khouang Province, Xaysamboun Special Zone, and Vientiane Province and municipality. These provinces have a large number of small and big ethnic minorities with a variety of cultures and traditional systems.¹⁴ The TA will concentrate on the extent and impacts of gender inequality among these communities, in relation to land and natural resources for livelihood and food security. Lessons learned will be upscaled in other ADB-assisted projects in the Lao PDR.

III. THE TECHNICAL ASSISTANCE

A. Purpose and Output

7. The Project's goal is to identify ways to reduce poverty and improve gender equity among ethnic minorities living in the Nam Ngum Basin. The purposes are to (i) increase awareness within government agencies and communities, of the extent and impacts on poverty, of prevalent gender inequality in access to land, forest, and water resources, among ethnic minority communities in the Nam Ngum Basin; (ii) to design solutions to address the issues of gender inequality and poverty among these communities, and (iii) to institutionalize gender responsive programs within government agencies, that can help to address the issues of gender inequality and poverty.

8. The scope of the Project includes the following: (i) in the first phase, an ethnographic study of gender issues, primarily in terms of ethnic minorities' rights and access to land and related issues of access to forest and water resources; and (ii) in the second phase, preparation and implementation of a detailed strategy to improve gender outcomes in the counterpart project. The ethnographic study to be done in the first phase will address the following: (i) gender patterns of resource allocation, management, and rights under customary laws of ethnic minority communities living in the Nam Ngum Basin; (ii) the impacts on women's rights, of state laws and policies of relocation, stabilization of shifting cultivation, land-use planning and land allocation, forest demarcation, water resource allocation and management, (iii) analysis of the factors responsible for gender gaps in delivery of government services and programs, particularly to ethnic minority women; and (iv) recommendations to close these gaps.

9. The outputs will include (i) improved policy environment on gender equity in access to resources (ii) increased awareness among government agencies and ethnic minority communities regarding the links between gender inequality and poverty, and increased support for gender equity in access to and control over such resources, (iii) implementation of gender responsive policies and measures designed to improve access of ethnic minority women and girls to land, forest and water resources, and (iv) a strategy to institutionalize such policies and measures through the Nam Ngum Basin Development Sector Project, which is the counterpart project for the TA. Success indicators include (i) completion of research and documentation; (ii) rural women's participation in community-based organizations for natural resource

¹³ Since the membership of such groups has to do with access to irrigable lands, the absence of ethnic minorities shows their lack of access to such resources.

¹⁴ Refer to ADB. 2001. *Participatory Poverty Assessment: Lao People's Democratic Republic*. Manila.

management; (iii) workshops held with stakeholder participation; (iv) improved gender capacity and coordination among government agencies; (v) translation of key project outputs into local languages, and dissemination of these outputs through local workshops and mass organizations and counterpart project agencies; (vi) positive results of gender-sensitive poverty impact assessment; (vii) sensitization of ADB staff through dissemination of key outputs; and (viii) incorporation of lessons learned into future ADB operations in the developing member countries and in the sector.

B. Methodology and Key Activities

10. The TA will cover districts with more than 50% ethnic minority population and high levels of poverty. The TA will be implemented in two phases. First, an ethnographic study will be carried out with the findings of the 2001 PPA as the starting point.¹⁵ While it is a rich source of information on experiences of poverty of different cultural groups and their priorities, the PPA does not specifically address gender impacts of laws and policies related to land and forests with regard to women's rights and livelihoods. The TA will address specific gender issues. It will review laws, policies, and secondary materials, particularly writings of anthropologists such as Georges Condominas, James Chamberlain,¹⁶ and others; and studies from Lao sources such as the Land-Titling Project, Lao Swedish Upland Agriculture and Forestry Research Project, National Growth and Poverty Eradication Strategy, Lao Women's Union (LWU), Gender Resource Information and Development (GRID), ADB-assisted projects, among others.

11. Following the review of materials, a Project Inception report will be prepared which will summarize the present situation and indicate research issues and methodology. Participatory field research will be carried out in at least three sites per province, in the subproject areas of the counterpart project.¹⁷ Participatory research sites will be selected on the basis of (i) ethnic minority population, (ii) poverty level, and (iii) presence of relocated communities.¹⁸ A few additional sites—traditional minority settlements, as well as mixed settlements where several groups live side by side—will be selected to study land-use planning and land allocation processes and provide the basis for case studies.

12. Research methodology will consist of participant observation by teams staying in the sites; village meetings; focus group discussions with men and women, village leaders, and staff of land-use planning and land allocation agencies; key informant interviews; local workshops with village participants and mass organizations; district and provincial workshops; and triangulation of findings. Research teams will be drawn from a local research or academic institution, DAFO and LWU staff at the district level, and ethnic minority women and men from the selected villages. Each research team will have at least two women. The teams will be trained in gender-sensitive participatory research. Local and provincial workshops will be used to feed data back to the participants to confirm findings and recommendations. In the second phase, the activities will be (i) preparation of a detailed strategy to improve capacity of ethnic minority women, communities, and MAF and other government agencies; and training and

¹⁵ The PPA describes the concerns of swidden cultivators regarding the government to stop shifting cultivation without providing viable options to ethnic minority groups. Gender issues covered in the PPA include the gender division of labor, kinship and inheritance, and human resource development.

¹⁶ Halpem, Joel M. 1964. *Economy and Society of Laos: A Brief Survey*. New Haven Yale University Southeast Asian Studies (Monograph Series No. 5); Condominas, Georges. 1975. *Phbu Cults in Rural Laos, Change and Persistence in Thai Society*. New York; and Chamberlain, James. 1980. *Translation of Thai Epic Poem: Thao Hung or Cheuang*. Washington; among others.

¹⁷ The districts to be covered under the counterpart project include Long Xan in Vietiane, Pek in Xieng Khouang, and Phoung and Xaysamboun in Xaysamboun Special Zone. These are among the poor districts identified by the World Food Program.

¹⁸ World Food Program. 2003. *Poverty Map of Lao People's Democratic Republic 2003*. Laos.

awareness-raising methodologies; (ii) dissemination of key outputs to the Government, NGOs, and other relevant stakeholders through workshops; (iii) dissemination to ADB staff by putting the key project results on ADB's web site and in-house seminars; (iv) translation of key outputs into local languages; (v) monitoring of gender and development impacts under the counterpart project; and (vi) incorporation of the study's recommendations and of lessons learned from the capacity-building component into the midterm review of the counterpart loan and into designs of future ADB and other projects in the sector in the Lao PDR.

C. Cost and Financing

13. The total cost of the TA is estimated at \$295,000 equivalent, of which \$ 162,000 is the foreign exchange cost and \$133,000 equivalent is the local currency cost. The Government has requested ADB to finance \$162,000, covering the entire foreign exchange cost and \$88,000 equivalent of the local currency costs. The TA will be financed on a grant basis by the Poverty Reduction Cooperation Fund and administered by ADB. The Government will bear the balance of local currency costs, amounting to \$45,000 equivalent, through the provision of office accommodation, administrative support, staff remuneration, and staff per diems. Cost estimates and financing arrangements are provided in Appendix 3.

D. Implementation Arrangements

14. MAF will be the project executing agency. Implementing agencies will include DAFOs, PAFOs, and provincial units of LWU and GRID in the selected provinces. The Project steering committee will consist of MAF, Office of the National Project Manager, Nam Ngum Basin Development Sector Project (ONPM), LWU, Water Resources Coordination Center, PAFOs and DAFOs, and representatives of LWU and GRID in the selected provinces. The steering committee will meet once every 6 months to discuss issues and outcomes of the Project and take stock of progress. The Project will be implemented over 24 months, from June 2004 to May 2006. Milestones will comprise (i) an inception meeting, (month 1); (ii) desk review of existing data and preparation of inception report (month 2); (iii) site selection and participatory research (within 6 months); (iv) local, provincial, and national workshops (months 11-13) (v) preparation of interim report for submission to ADB (month 13-14); (vi) implementation of strategy for capacity building of government agencies, communities (within months 14-24); (vi) draft final report for submission to ADB (months 16-17) and (vi) final report (month 22), ADB comments to be incorporated and revised report to be submitted to ADB (month 24), .

15. An international consultant (Team Leader)—a social anthropologist/lawyer with gender expertise and experience in the sector—will be recruited for 5 person-months, along with a domestic consultant—sociologist/gender specialist—recruited for 12 person-months, to carry out the study in collaboration with local Lao institutions. The consultants will be engaged by ADB in accordance with its *Guidelines on the Use of Consultants* and other arrangements satisfactory to ADB for the engagement of domestic consultants.

IV. THE PRESIDENT'S DECISION

16. The President, acting under the authority delegated by the Board, has approved ADB administering technical assistance not exceeding the equivalent of \$250,000 to the Government of the Lao People's Democratic Republic to be financed on a grant basis by the Poverty Reduction Cooperation Fund for the Study of Gender Inequality in Women's Access to Land, Forests, and Water, and hereby reports this action to the Board.

TECHNICAL ASSISTANCE FRAMEWORK

Design Summary	Performance Indicators/Targets	Monitoring Mechanisms	Assumptions and Risks
<p>Goal Reduce poverty and improve gender equity among ethnic minority communities in the Nam Ngum Basin</p>	<p>At least 25% of ethnic minority women in the Project areas gain access to land</p>	<p>Consultant reports</p>	
<p>Purpose</p> <p>(i) increase awareness within government agencies and communities, of the extent and impacts on poverty, of prevalent gender inequality in access to land, forest and water resources, among ethnic minority communities in the Nam Ngum Basin;</p> <p>ii) to design solutions to address the issues of gender inequality and poverty among these communities, and</p> <p>iii) to institutionalize gender responsive programs within government agencies, that can help to address the issues of gender inequality and poverty.</p>	<p>At least 25% of women's names included in land-use planning and land allocation</p> <p>At least 50% of ethnic minority women in the project areas start participating in village meetings</p> <p>At least 50% of ethnic minority women participate in agricultural extension and training programs</p>	<p>Submission of Consultant reports</p> <p>TA reports Review missions</p> <p>TA reports Review missions</p> <p>Progress reports of counterpart project</p>	<p>The Asian Development Bank (ADB) and Government are fully committed to promoting gender equality and to addressing gender inequity in access to resources.</p> <p>Project lessons will be adopted in ADB projects.</p>
<p>Outputs</p> <p>(i) improved policy environment on gender equity in access to resources</p> <p>(ii) increased awareness among government agencies and ethnic minority communities regarding the links between gender</p>	<p>At least 10 local workshops organized with ethnic minority communities</p> <p>At least 50% of women participate in village meetings, focus group discussions</p>	<p>TA outputs</p> <p>Review missions</p>	<p>International and domestic consultants are recruited and mobilized on time.</p> <p>The operational environment is suitable, and participating communities,</p>

Design Summary	Performance Indicators/Targets	Monitoring Mechanisms	Assumptions and Risks
<p>inequality and poverty, and increased support for gender equity in access to and control over such resources,</p> <p>(iii) detailed strategy to institutionalize such policies and measures through the Nam Ngum Basin Development Sector Project, which is the counterpart project for the TA.</p> <p>(iv) implementation of gender responsive policies and measures designed to improve access of ethnic minority women and girls to land, forest, and water resources</p>	<p>At least 50% of women participate in training programs</p> <p>At least 30% of staff of Department of Land and Housing Management (DOLHM), Lao Women's Union (LWU), provincial agriculture and forestry office (PAFO), and district agriculture and forestry office (DAFO) participate in workshops and training programs</p>		<p>Government, nongovernment organizations, and mass organizations are committed to the Project.</p> <p>Monitoring is gender sensitive.</p> <p>ADB projects mainstream gender issues.</p>
<p>Activities</p> <p>(i) Recruitment of international and domestic consultants, constitution of research teams</p> <p>(ii) Inception meeting</p> <p>(iii) Desk review of secondary data</p> <p>(iv) Inception report preparation</p> <p>(v) Training of TA teams</p> <p>(vi) Participatory study conducted among selected ethnic minority communities</p> <p>(vii) Local workshops</p> <p>(viii) Workshops in three provinces</p> <p>(ix) National workshop</p> <p>(x) Interim report preparation</p>	<p>Timely recruitment</p> <p>Report submitted on time</p> <p>At least three sites selected in each province</p> <p>Participatory research conducted</p> <p>At least 50% women's participation in workshops</p> <p>At least 30% participation of DOL, LWU, DAFO, and PAFO staff in</p>	<p>Consultant recruitment and mobilization schedules</p> <p>Consultant reports and work plan</p> <p>ADB reviews</p> <p>Consultant work plan and progress reports</p> <p>Participatory rapid appraisals, local workshops</p> <p>Review of reports</p>	<p>Timely deployment of consultants</p> <p>Continued involvement of stakeholders</p> <p>ADB staff to be engaged on these issues</p> <p>Local-language translation and dissemination</p>

Design Summary	Performance Indicators/Targets	Monitoring Mechanisms	Assumptions and Risks
<p>(xi) Detailed strategy for capacity building</p> <p>(xii) Capacity building program among government agencies, women's groups, mass organizations</p> <p>(xiii) Preparation of draft final report</p> <p>(xiv) Dissemination of information to stakeholders, ADB web site, translation into local language, publication of report</p> <p>(xv) Monitoring impacts and upscaling</p> <p>(xvi) Final report submission</p> <p>Inputs</p> <p>Consulting services Equipment and supplies Surveys and field work Training and workshops Development member countries counterpart contribution</p>	<p>training, coordination</p> <p>At least 50% women's participation in village-level decision making</p> <p>Report of training programs submitted to ADB</p> <p>Final report submitted on time</p> <p>Findings put on ADB web site</p> <p>Local language outputs widely distributed through mass organizations, government agencies</p>	<p>ADB review missions</p>	<p>Ethnic minority traditions may restrict women's participation</p> <p>Language barrier may restrict communications with consultant team</p>

OUTLINE TERMS OF REFERENCE FOR CONSULTANTS

A. International Consultant (5 person-months)

1. The international consultant (team leader) will have a master's degree in social anthropology or law from a reputed university, and at least 5-10 years working experience in the field of gender, property rights, livelihood, and poverty reduction in the Mekong region. The consultant will be familiar with the Lao People's Democratic Republic (Lao PDR) and have significant publications in her or his field. A working knowledge of the Lao language will be desirable. As team leader she or he will be responsible for overall management of the technical assistance Project, preparation of the required reports, and timely delivery of Project outputs. The consultant will have the following responsibilities:

- (i) In agreement with the Ministry of Agriculture and Forestry (MAF), Office of the National Project Management (ONPM), provincial Lao Women's Union (LWU), provincial agriculture and forestry office (PAFO) and district agriculture and forestry office (DAFO), (a) select study sites in Vientiane, Xaysamboun, and Xieng Khouang provinces, with high poverty levels and at least 50% ethnic minority population; (b) prepare a study design, including the participatory methodology to be used; (c) provide training to PAFO, DAFO, and provincial LWU staff on the study's methodology and approach; (d) in association with the domestic consultant and LWU staff, collect relevant data from ethnic minority communities, nongovernment organizations (NGOs), government agencies, and international agencies; (e) analyze the data; (f) conduct workshops and training programs, and communicate the TA design, findings, and recommendations to all stakeholders; (g) submit inception, interim, draft final and final reports to the steering committee and to Asian Development Bank, (ADB) .
- (ii) Prepare a report on women's access to land, forests, and water resources in the Lao PDR. The team leader will (a) review relevant secondary materials, including, among others, reports arising out of the World Bank-assisted Land-Titling Project, Lao Swedish Forestry Project, National Poverty Eradication Program, ADB-assisted projects, the United Nations' Development Program (UNDP), Lao Women's Union (LWU), and Gender Resource Information and Development (GRID) project, all available relevant research documents, (b) prepare a design for the study, including methodology, (c) based on the above, prepare and submit the inception report (d) supervise the implementation of the participatory field research, prepare and submit interim report (e) prepare a detailed strategy to improve gender awareness and equity and build capacity, among government agencies and communities; (f) prepare the draft final TA report based on the above, analyzing women's property rights under different pieces of legislation, customary rights, and practices, prevalent among different ethnic minority communities; impacts of relocation programs and programs to control shifting cultivation, on women's livelihoods, their access to resources, poverty levels, and living standards; trends in women's rights, and levels of access to resources, as well as women's livelihoods; women's social status; levels of women's representation in community decision making; capacity among government agencies, particularly Department of Land and Housing Management (DOLHM), provincial agriculture and poverty office (PAFO), district agriculture and forestry office (DAFO), and ONPM, to address gender issues; and (g) undertake pilot training workshops with government agencies under the counterpart project.

- (iii) In implementing the TA and finalizing the TA report, review (a) secondary materials on gender, poverty, and ethnic minority customary laws and practices, with particular reference to the Project area; (b) patterns of distribution of land, forests, and water resources, and their management; (c) relocation programs and their impacts; (d) land-use planning and its impacts on distribution, management of resources, and benefits arising thereof; (e) laws, policies, projects, and programs governing distribution of resources and security of tenure; (f) external agency-assisted projects and their impacts; (g) research conducted by LWU in provinces on women's access to resources; and (h) NGO activities in the project area.
- (iv) In implementing the TA, pay particular attention to gender-responsive participatory methodologies. In setting out the methodology and training of LWU and government staff, the team leader will emphasize the need to enable ethnic minority communities, particularly women, to participate in discussions and put across their viewpoints. The team leader will ensure that during participatory rural appraisals, a relaxed and flexible environment is created that will enable the sharing of information and experiences, views, and concerns. Women will be separately contacted by the team, and separate meetings will be held to enable them to speak and participate freely. The views of ethnic minority women will be particularly sought on (a) women's customary rights to resources, including land, livestock, forest, and water; (b) distribution of resources; (c) women's roles and responsibilities in the community; (d) effects of relocation programs on ethnic minority communities, particularly on women's work and livelihoods, household food security, poverty and its causes, nature, impacts; (e) impacts of land registration on women; (f) women's participation in community resource allocation and management decisions; and (g) measures for women to gain greater rights of access and control over productive resources such as land, livestock, forests, and water resources. After data collection, the team leader will work closely with the domestic consultant to analyze the data. Research findings should be triangulated with the ethnic minority communities. The team leader will ensure that all stakeholders, including central, provincial and district agencies, LWU staff, communities, NGOs, and donors are fully involved. They should be enabled to participate in the confirmation of the research outputs and enabled to provide feedback to strengthen the TA reports. After the completion of the draft report, the team leader will help organize and participate in a pilot workshop to train government agencies.
- (v) Form linkages between the TA and ongoing development programs and policies. The team leader will consistently link the research and fieldwork with ongoing development activities and policy analysis, with particular relevance to land administration and titling, land reforms, land-use planning and land allocation, relocation programs, and control of shifting cultivation, among others. Links will also be established with ongoing and new initiatives on gender and development, especially those related to data collection and dissemination, policymaking to promote women's access to resources, decision making, and capacity building to address gender issues.

2. The consultant will finalize technical assistance outputs as follows. In preparing the TA report, the team leader will pay particular attention to the following: (i) methodology; (ii) analysis of the population distribution in the study area, including ethnic minority communities; (iii) poverty among ethnic minority communities, in particular among ethnic minority women; (iv) customary laws and practices among ethnic minority communities, with particular reference to

women, on issues of access to, and control of, productive resources; management, and distribution of benefits; and women's status in the community; (v) extent of relocation of communities and impacts on livelihoods and food security; availability of and ethnic minority women's access to land, forest, and water resources; (vi) land-use planning and its impacts on land allocation, land availability, livelihoods, and poverty, with particular reference to women's access; (vii) women's participation in decision making related to allocation and management of productive resources; (viii) land titling and its likely impacts on ethnic minority communities in general and on women in particular; and (ix) priorities of ethnic minority women with regard to policies and programs related to land allocation, titling, land management, inheritance, and composition of resource management community organizations and their working; (x) recommendations on ways to close the gaps identified by the analysis.

B. Domestic Consultant (12 person-months)

3. The consultant will be a sociologist specializing in gender. She or he should have done research on gender, poverty, and land rights in the Lao PDR. The consultant should have knowledge and experience of working among ethnic minority communities. Knowledge of ethnic minority languages will be useful. She or he will collect, review, and analyze data; participate in workshops and meetings; and help the team leader prepare TA outputs. She or he will

- (i) undertake all aspects of the tasks;
- (ii) select and train the provincial PAFO, DOL, LWU, and DAFO staff to be involved in data collection;
- (iii) collect background information and secondary data;
- (iv) review secondary materials;
- (v) help prepare the study design, particularly the methodology;
- (vi) finalize site selection;
- (vii) undertake fieldwork;
- (viii) organize workshops, including feedback to stakeholders;
- (ix) organize and participate in pilot workshop; and
- (x) organize and participate in follow-up training programs.

COST ESTIMATES AND FINANCING PLAN
(\$'000)

Item	Foreign Exchange	Local Currency	Total Cost
A. Asian Development Bank Financing^a			
1. Consultants			
a. Remuneration and Per Diem			
i. International Consultants	100.00	0.00	100.00
ii. Domestic Consultants	0.00	48.00	48.00
b. International and Local Travel	12.00	10.00	22.00
c. Reports and Communications	5.00	5.00	10.00
2. Equipment	0.00	0.00	0.00
3. Training, Seminars, and Conferences			
a. Facilitators	15.00	10.00	25.00
b. Training Program	10.00	10.00	20.00
4. Surveys	0.00	5.00	5.00
5. Miscellaneous Administration and Support Costs	10.00	0.00	10.00
6. Representative for Contract Negotiations	0.00	0.00	0.00
7. Contingencies	10.00	0.00	10.00
Subtotal (A)	162.00	88.00	250.00
B. Government Financing			
1. Office Accommodation, Transport, and Administrative Support	0.00	35.00	35.00
2. Remuneration and Per Diem of Counterpart Staff	0.00	10.00	10.00
3. Others	0.00	0.00	0.00
Subtotal (B)	0.00	45.00	45.00
Total	162.00	133.00	295.00

^a Financed from the Poverty Reduction Cooperation Fund.
Source: Asian Development Bank estimates.