

**UNDP Management Response
UXO Sector Evaluation Lao PDR**

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Input into and update in ERC:

Position:

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Overall comments:

The evaluation was generally well researched and achieved the objectives laid out in its ambitious terms of reference with the exception of Victim Assistance and Mine Risk Education sub-sectors. Many of the conclusions were consistent with stakeholder perceptions and most of the recommendations are agreed in principle. However, some are innovative and will require further discussions before implementation and others are contentious. This management response was agreed between UNDP, the NRA and UXO Lao in the third quarter of 2008. It was presented at the UXO Sector Working Group 5th November 2008 where it was decided further consultation was required with the relevant Government line ministries and other stakeholders. A further meeting took place 15th January 2009 for all interested stakeholders where small revisions were agreed. This management response document now represents consensus from a broad stakeholder group and is ready to be used to inform the revision of the “safe path forward” which is the UXO Sector national strategic plan.

Evaluation Recommendation or Issue 1: Scoping

- 1.1. A strong correlation exists between high levels of UXO contamination and the 47 poorest districts. The overall scope of the UXO clearance program should be based on the clearing of all potential paddy land likely to be contaminated and that a proportion of the potential upland cultivation should be cleared in the 47 poorest districts. With more resources, the 25 poor districts could be included as well.
- 1.2. Where possible, other upland areas should be released by technical survey, if a credible survey process can be developed. Land released by survey would be faster and more cost-effective manner than achieved solely by full clearance.
- 1.3. The scoping results initially indicated that the clearance of the land included above would require 16 years at current rates of clearance. This period could be shortened by a number of years 1) with the provision of additional resources, 2) further improvement of survey and clearance techniques, and 3) further refinements in the definition of contaminated land, such as, removal of land in concession areas and land already cleared from the current estimate.
- 1.4. The original JICA analysis appeared to have a more exacting method of identifying the highest-potential agricultural land. The NRA office should continue to research this and other relevant land use and land cover data, perhaps through an extension of its intern program.
- 1.5. Given the dynamic nature of the situation (i.e. the potential for further changes in the values of the most sensitive inputs over time), the cost-benefit analysis model should be periodically re-run to identify the effect of changes in circumstances. The NRA office could undertake this work.
- 1.6. There is some discussion in the sector that its coverage should be expanded beyond the current nine provinces currently covered. The scoping and resource allocation models developed as part of this evaluation could help establish a means of quantifying the requirement.

Management Response:

Management response & Key Action(s)	Time Frame	Responsible Unit(s)	Tracking*	
			Status	Comments
1.1. Partially agreed. The programme cannot be limited to the clearance of paddy land, even though such work should be given priority. The scoping exercise is a complex undertaking and should not be	Third quarter 2008	NRA Information Unit		

<p>underestimated as there are many variables that need to be agreed and many data-sets that are not accurate.</p> <p>Actions: Carry out scoping exercise with various different criteria.</p>				
<p>1.2 Agreed. However, in the case of UXO Lao all tasks are currently request based. There may not be enough suspected land <u>requested</u> to validate increased scales of technical survey until the tasking system becomes proactive rather than reactive. By the very nature of the present system, land requested for clearance often fulfills the threshold indicators of clearance.</p> <p>Actions: Implement the use of the GICHD developed Risk Management model.</p>	2009	NRA, UXO Lao NRA & UXO Lao		
<p>1.3 Agreed in principle. However the scoping exercise was carried out using narrow criteria chosen by the evaluation team. These criteria need discussion with all stakeholders and agreement from the Government</p> <p>Actions: A workshop will be held to facilitate broader participation in the scoping exercise.</p>	2009	NRA, UXO Lao, UNDP		
<p>1.4 Agreed in principle</p> <p>Actions Consider contracting consultant skilled in economic statistics to facilitate a one week scoping and CBA workshop.</p>	To be decided	NRA, UNDP		
<p>1.5 Agreed</p> <p>Actions: Capacity development in the NRA Information Unit and the Operations Department overall will be required before scoping</p>	To be decided	NRA, UNDP		

can take place on a regular basis.				
1.6 Agreed Actions: The NRA Information Unit will run the scoping and resource models again but as in 1.5 this will require increased skills within the Operations Department.	4 th quarter of 2008	NRA Information Unit		
<p>Evaluation Recommendation or Issue 2: <u>The UXO Sector</u></p> <p>2.1. Suggested Sector Themes_ The structure of the UXO sector should be refined to focus on two thematic areas: 1) accident prevention and 2) area clearance of UXO.</p> <p>2.2. Accident prevention would emphasize targeted activities for groups at high risk of accidents, namely, people involved in scrap metal collection and processing and 2) people who discover UXO in the course of agricultural or other activities. The following strategies and activities are suggested:</p> <ul style="list-style-type: none"> ○ Expanded numbers of roving teams should first deal with the backlog of reported UXO. ○ As part of the overall accident prevention theme, a public information campaign should be undertaken to encourage the reporting of UXO. Bottom up communications linkages need to be established from the village level to UXO roving teams. Village chiefs should be encouraged to use whatever communications channels are available to report dangerous items and the concerned roving team should respond within five days. The contact information for roving teams should be widely advertised. ○ Roving teams should also develop partnerships with scrap metal dealers and collectors. These teams would provide 1) training and education on safe scrap handling and 2) rapid response when UXO are encountered in the course of scrap collection. ○ Roving teams should provide rapid response when villagers encounter UXO in farming or other activities. The teams should respond immediately to destroy or remove these items to prevent children from playing with them or amateur attempts to defuse them. <p>2.3. In accordance with the recommendations under scoping above, area clearance would continue to focus on UXO clearance of land for development and poverty reduction purposes.</p> <p>2.4. In regard to UXO clearance for family agricultural plots, there are a number of methods available for use at a provincial and district level to prioritize the requirements of individual households. These include rationing and lotteries. Research should be carried out to examine the alternatives and select the best practice for use in the Lao context.</p> <p>2.5. <u>Quality Assurance</u>. Within the sector, external quality assurance monitoring for UXO area clearance cover at least 5% of clearance work on a random basis. At least some of these observations should be unannounced.</p> <p>2.6. QA monitoring could be provided in a number of ways:</p> <ul style="list-style-type: none"> ○ The NRA office could contract in sufficient people to meet the 5% target. This is probably the most expensive option, but some compensating reductions could be sought in other elements of the NRA staff. ○ The NRA office could let an independent contract for QA monitoring; if this were done it should involve an organization that is not in competition for clearance funding in Laos. ○ Individual donors could contract in their own independent QA monitors. ○ The NRA office could require, by regulation, that each operator is responsible for hiring in a QA monitor. <p>2.7. All Quality Control sampling should be conducted on the assumption that the UXO clearance being sampled has not been fully effective and some UXO</p>				

remain. The QC sampling team should therefore be trained and equipped in a manner appropriate for UXO search and accompanied by the same safety requirements.

2.8. ETS and PCIA. The ETS desk analysis process should be used to help order priorities in the short term pending the development of an improved quantitative analysis process.

2.9. PCIA should be a simple process included in the standard project cycle management and quality management processes within the sector, and could be as simple as a quality assurance (QA) team answering the question “is this land being used for the purpose for which it was intended?”

2.10. Transitional Operations. Within the next two years, discontinue donor support in the sector in the areas below should transition as follows:

- Education-based community awareness should shift to increased support for riving and targeted prevention activities;
- Responsibility for in-school risk education should shift to MOE
- Responsibility for the victim database should shift to MOH

If deemed necessary, capacity assessments should be carried out to confirm the ability of the recipient organizations to manage transferred functions along with appropriate measures to ensure the sustainability of the respective functions.

Management Response				
Management response & Key Action(s)	Time Frame	Responsible Unit(s)	Tracking	
			Status	Comments
There were general comments that not enough analysis on the UXO Sector structure was included.				
<p>2.1. There is general disagreement on this recommendation. Victim Assistance is and should remain at the core of any effective mine/UXO programme, just like it is at the core of the Convention on Cluster Munitions (CCM). In addition, MRE should not be limited to a public information campaign on reporting. While it is agreed that roving teams should work closely with MRE teams it is not appropriate for roving teams to take on MRE activities – this would limit their clearance capacity and would require significant retraining of EOD teams in RE methodologies (see also comments from the MRE TWG on this issue). MRE is also a legal obligation in the CCM.</p> <p>Actions: None</p>				
2.2. An expanded roving capacity is supported by NRA, UXO Lao and UNDP but not at the cost of reduced area clearance or reduced Mine Risk Education.	4 th quarter of 2008	NRA, UXO Lao, UNDP		

<p>Actions: Further discussions will take place in the context of the review of the UXO sector strategy in 2009.</p>				
<p>2.3. Agreed</p> <p>Actions: To discuss with stakeholders in the context of the review of the UXO sector strategy in 2009.</p>	4 th quarter of 2008	NRA, UXO Lao, UNDP		
<p>2.4 Agreed in principle. The revised UXO Lao survey form tries to establish whether the land for which clearance is requested will be used for subsistence farming or for income generation. Subsistence farming shall receive highest priority. If the amount of land presented for clearance significantly exceeds the needs for subsistence farming, then the area to be cleared should be reduced in order to give more households the opportunity to benefit from clearance.</p> <p>The above described prioritization process only applies to those requests that are forwarded to UXO Lao. It is to be noted that most requests for clearance are submitted to UXO Lao through local authorities who may apply selection or filter criteria themselves.</p> <p>UXO Lao shall further strengthen cooperation with local authorities to ensure that the selection and prioritization process is transparent, consistent and effective</p> <p>Actions: Initial discussions between NRA, UXO Lao and UNDP took place 23rd September and agreed with this recommendation. The next step is to agree it with a wider stakeholder meeting..</p>	4 th quarter of 2008.	NRA, UXO Lao, UNDP		
<p>2.5 There is general agreement that the QA capacity of the NRA should be expanded and strengthened however, 5% is too ambitious to be realistic.</p>	4 th quarter of 2008	NRA, UXO Lao, UNDP		

<p>Actions: Possible solutions need to be discussed with stakeholders. The NRA will initiate plans to strengthen the QA Unit using the most cost effective modalities of employing QA/QC staff.</p>				
<p>2.6 There is general agreement that the QA capacity of the NRA should be expanded. The QA Unit will be strengthened to enable field assessments that carry out Quality Control checks. However, 5% of all operations or cleared ground is not feasible. The scope and capacity of the QA Unit will need realistic targets so that it is cost effective.</p> <p>Actions: Initial discussions took place 23rd September between NRA, UXO Lao and UNDP. Next step is to discuss with a wider stakeholder group at a later date.</p>	To be initiated in the 4 th quarter of 2008	NRA, UXO Lao, UNDP		
<p>2.7 It is agreed that QC should be conducted on the assumption that some UXO is still in the land. However, it should be at the operator's discretion whether the QC Team is to investigate signals and excavate objects or whether it should simply report a QC failure to the tasking HQ if having received a clear detector signal. If no excavation is done, the safety requirements can be reduced</p> <p>Actions: Initial discussions took place 23rd September between NRA, UXO Lao and UNDP. Next step is to discuss with a wider stakeholder group at a later date.</p>	To be initiated in the 4 th quarter of 2008	NRA, UXO Lao, UNDP		
<p>2.8: Agreed. A desk analysis should take place using as much data as possible before staff are deployed. This has already been initiated in UXO Lao through the ETS project which has added value to operational planning. This can be demonstrated by examination of pre-project and contemporary area clearance statistics. It is however accepted that implementation is inconsistent. This inconsistent progress</p>		UXO Lao Executive		

<p>may be due to local staff exercising initiative and making better use of their accumulated experience rather than the direct result of auditable and quantifiable ETS methods.</p> <p>The key improvement areas identified in the external evaluation are generally agreed.</p> <p>Quantitative analysis is an ongoing retrospective activity by UXO Lao Ops Unit with TA ETS, however UXO Lao records are not well organized enough to allow for comprehensive results to be achieved. As a catalyst to these efforts, NPA has identified a pilot project. A preliminary digitization project would index all records and copy onto .pdf. If UXO Lao adopts a working GIS capability at Province level, NPA will consider extending the project to enter historical data into the database, to provide a GIS historical research capacity.</p> <p>Action:</p> <p>(1) ETS Desk Assessment process has been incorporated in a new Survey form. This new form was an ongoing activity (by UXO Lao QM Unit) before the external evaluation, and TA ETS + national counterpart (UXO Lao ETS Officer) are now field testing the new system in a NRA – UXO Lao consultative process. This new form will also incorporate baseline impact analysis to aid PCIA as a downstream activity*. The end result will be a new task selection and prioritization system.</p> <p>(2) After field trial, implementation within UXO Lao will occur after training, a quality management plan and SOP delivery.</p> <p>(3) After implementation, quantitative feedback may be drawn from pre and post activity feedback analysis.</p>	<p>(1) Field test/ adjustment of new Form – before 1 November 2008</p> <p>2) A tentative initial operational capacity (IOC) is 1 Jan 2009.</p> <p>(3) 2 years (comprehensive), 6 months (baseline data only) from the date of IOC.</p>	<p>UXO Lao Ops & QM Units</p> <p><i>Supported by:</i></p> <p>UXO Lao TAs from ArmorGroup, NPA, UNDP, MAG</p> <p>Ops Unit, NRA</p> <p>NRA TAs from ArmorGroup, MAG, UNDP</p>	<p>Ongoing</p>	<p><u>POC – Chief of Operations, UXO Lao</u></p> <p><u>Implementation:</u> ETS/ Survey Officer, UXO Lao</p> <p>TA ETS, NPA</p> <p>TA QM, ArmorGroup</p>
<p>2.9: PCIA needs further discussion but this recommendation is a good start point and is in line with the National Standards on PCA.</p>	<p>4th quarter of 2008</p>	<p>NRA, UXO Lao, UNDP</p>		

<p>Actions: Initial discussions were held between NRA, UXO Lao and UNDP 23rd September. Discussion with a wider stakeholder forum at a later date.</p>				
<p>2.10: Not agreed. Donor support should not be transitioned from MRE to roving. There is confusion among MRE operators as to whether the term education-based community awareness refers to the UXO Lao CA or to broader MRE – education-based activities can be very different in strategy and outcome than simply raising community awareness. This recommendation is not therefore based on current MRE approaches.</p> <p>While it is agreed that school activities should in the long term become the sole responsibility of the MOE, the time frame of two years is not realistic. For example, it has taken 10 years for the HIV/AIDS supplementary curriculum to be finally included in the national curriculum. Discussions and planning to develop understanding of this recommendation with MOE and to plan for a hand-over strategy are currently ongoing between NRA, MOE, WEC and UNICEF (see also MRE TWG feedback). The principal of a transition into an appropriate Ministry is agreed but the time frame needs research and discussion.</p> <p>Actions: Initial discussions were held between NRA, UXO Lao and UNDP 23rd September. All members of the forum agreed that 2 years was not realistic or feasible.</p> <p>Next steps are to discuss with relevant Ministries and at a wider stakeholder forum.</p>	4 th quarter of 2008	NRA, UNDP		
<p>Evaluation Recommendation or Issue 3: The Next Strategic Plan 3.1. The goal for preparation of the next National Strategic Plan should be the integration of UXO activities into the plans and strategies of next socio-economic development plan (2011-2015). In other words, the next plan should supersede the current plan and begin a new five-year planning period in 2011. The essence of the next plan would be incorporated into the socio-economic plan.</p>				

3.2. The main themes for the UXO sector should be 1) accident prevention and 2) UXO area clearance for development and poverty reduction.

3.3. The plan should take into account and cover these key aspects:

- The use of scoping results as the basis for planning
- The need for greater emphasis on roving tasks and responsiveness
- The need for development of a simple system of priority setting that addresses development and poverty reduction priorities
- The development of new types of targets, given the shift in emphasis to roving tasks
- An explanation of funding policies and mechanisms for the sector
- The definition of an exit or handover strategy for the NRA and UXO Lao residual functions.

Management Response:

Management response & Key Action(s)	Time Frame	Responsible Unit(s)	Tracking	
			Status	Comments
<p>3.1 Agreed. Initial discussions between NRA, UXO Lao and UNDP agreed that a simplified strategy was required. It will then feed into the next NSEDP.</p> <p>Actions: The recommendation and the suggestion will be forwarded to the RTIM. The strategy review process will take place in 2009.</p>	1 quarter 2009.	UNDP and NRA		
<p>3.2 Disagree Reducing the priorities of the strategy from 3 to 2 is a major change and will need significant input and participation from all stakeholders. At initial discussions between NRA, UXO Lao and UNDP there was little support for this new design for the sector. However, it is generally agreed that the objectives of the Strategy need to be reviewed and revised.</p> <p>Actions: This will be part of the process to review the National Strategy..</p>	4 th Quarter 2008	NRA		
3.3 The proposed list is agreed but general consensus is	4 th quarter of 2008.	NRA		

<p>that it is not comprehensive enough and it does not refer to MRE or VA.</p> <p>Actions: Initiate the Strategy Review Process using the Technical Working Group Meetings as key fora.</p>				
<p>Evaluation Recommendation or Issue 4: The NRA and the NRA Office</p> <p>4. <u>Leadership</u>. The NRA office should expand its public relations function to include active outreach to Government offices, other development agencies and the private sector for the provision of up to date information and presentations about the UXO situation, clearance obligations, NRA policies and the activities of UXO operators.</p> <p>4.1. The NRA office should advocate for removal of provincial laws that restrict the scrap metal trade, advocate for the implementation of safe scrap handling strategies by UXO operators under the accident prevention theme, and advocate for a national regulation preventing children under 14 from participating in scrap metal collection.</p> <p>4.2. In cooperation with MPI, the NRA should advise on the establishment of a Government regulation that clearance must be undertaken in all contaminated concession or investment areas for purposes of public health and safety.</p> <p>4.3. The NRA office should negotiate within the Government the locus for residual capacity to deal with UXO disposal in the long term; mobilize resources and help formulate a plan to develop this capacity. Whilst donors might help with the development of such a capacity, its ongoing recurrent costs would be borne by the Government after the end of donor support.</p> <p>4.4. The NRA office should include the following principles in both National Standards and in policy documents for UXO clearance in support of development projects:</p> <ul style="list-style-type: none"> ○ Any agency wishing to conduct a development project in Lao PDR should seek advice from the NRA office about the likely contamination. ○ Clearance should only be contracted from agencies accredited by the NRA office. ○ The technical annexes and scope of work for UXO clearance should be drafted by a competent specialist that is not involved with the clearance agency and should be compliant with National Standards. ○ Clearance contracts should be awarded pursuant to competitive bidding. ○ UXO clearance should be subjected to external quality assurance monitoring. ○ The National Regulatory Authority office can provide customers of UXO clearance with advice on how to contact technical specialists to assist in the drafting of technical annexes and assist with external quality assurance monitoring. Such technical specialists can also be contracted by competitive bidding, depending on the customer’s own organizational requirements. <p>4.5. <u>Governance</u>. The NRA should approve the National Standards for UXO clearance and arrange for publication as soon as possible.</p> <p>4.6. The NRA office should take steps to accelerate the accreditation process for clearance operators.</p> <p>4.7. The NRA office should develop and implement quality assurance monitoring up to 5% of clearance activities.</p> <p>4.8. <u>Coordination</u>. The NRA office should develop and apply an economically sound model for analysis of costs and prices of various clearance operators. No such model exists today in Laos.</p> <p>4.9. The NRA office should assist in the creation of a benchmarking test facility, ideally at the UXO Lao training centre. This benchmarking facility would allow organizations to measure their own likely productivity given their own equipment and procedures in a controlled environment. The test facility should consist of a number of one-metre wide lanes, each thirty metres long. The lanes should be first made “metal free” and processed to make sure that their soil contents are consistent. They should then be seeded with a known level of contamination both in terms of depth, object size and density of contamination per square metre. It is recommended that four sets of four 30m lanes be prepared, with each set consisting of:</p>				

- 1 x lane with no metal contamination (control lane)
- 1 x lane with average density of 1 indication per m2
- 1 x lane with average density of 5 indications per m2
- 1 x lane with average density of 10 indications per m2.

The lanes should be at least one metre apart to allow for the use of larger detection systems (such as the Ebinger ‘Large Loop’) and to prevent confusion from signals from other lanes.

4.10. Organizational Issues. The NRA office should develop a plan for determining capacity development requirements and the planned reduction of the number of technical assistance advisors.

4.11. In general, the NRA office should anticipate irregular funding and therefore constantly seek to reduce optional costs. Suggestions for cost reductions, some of which have already been made, include:

- Regular review of staffing and personnel needs;
- Transferring the victim database and related data collection network to the Ministry of Health or the National Rehabilitation Center;
- Simplify the post clearance assessment process so that it can be carried out as an aspect of project cycle management;
- In lieu of creating provincial offices, consider providing necessary services on a visiting basis.

4.12. Given the time bound nature of the UXO problem, the NRA office should remain as a programme of UNDP and the Government.

4.13. The functions of the NRA office should be defined as follows:

- a. Act as Secretariat of the NRA.
- b. Prepare requests for Government budgetary support.
- c. Draft policy and resource allocation strategy on UXO area clearance and accident prevention; this function does not extend to day to day tasking of operators.
- d. Prepare and review of sectoral plans that are to be integrated into national socio-economic plans.
- e. Accredite UXO clearance operators.
- f. Manage a database on contaminated land and land clearance.
- g. Monitoring of UXO operators and their compliance with sectoral plans
- h. Carry out quality assurance monitoring on behalf of stakeholders.
- i. Report to the NRA and stakeholders on UXO plans, activities and results in the sector.
- j. Prepare and revise standards.
- k. Conduct research into relevant UXO-related issues (such as, the development of a sound costing model as recommended above).
- l. Coordinate and share information among UXO operators.
- m. Act as an administrative interface between UXO operators and relevant government ministries, on issues such as MOU
- n. Present the Government at international meetings and events dealing with UXO and related matters.

Management Response:

Management response & Key Action(s)	Time Frame	Responsible Unit(s)	Tracking	
			Status	Comments
4 Agreed. Actions: The NRA will move towards a more proactive approach	4 th quarter of 2008	NRA Office PR Unit		

<p>through a structured public relations strategy starting with a stakeholder analysis. Possible ideas could include:</p> <ul style="list-style-type: none"> • Information news letter • Regular newspaper columns under a UXO title • Continued liaison with Ministries. • Continued workshops on all aspects of the UXO Sector (central and provincial). • Target universities for information dissemination. <p>In addition, Provincial NRA Offices are planned as pilot projects in Savannakhet and Xiengkhuang</p>				
<p>4.1 Not agreed. It is not appropriate for NRA to advocate for the removal of the provincial decrees. Reviewing and standardizing the legislation would be more appropriate to ensure regulation of the trade.</p> <p>UNICEF suggests that the age limit be revised to under 18 in line with the Lao Labour Law, Article 41 about the employment of child labour which states that children should not be employed in sectors involving dangerous works.</p> <p>Safe scrap handling strategies are already agreed and some are already being implemented by MRE operators. (see also MRE TWG feedback)</p> <p>Actions: Once the Oslo Convention is signed and ratified new legislation will be developed which will take precedence over Provincial decrees and Governors rules.</p> <p>The Director of the NRA will initiate the process required to revise provincial decrees accordingly.</p>	2009	NRA Director		
<p>4.2 Agreed in principle but needs discussions with various ministries; To be effective a PM Decree is required</p>	2009	NRA Director		

<p>Actions: Discussion with NRA Board will be the first step. NRA will work towards developing a first draft of a Decree in consultation with other ministries</p>				
<p>4.3 Agreed in principle</p> <p>Actions: The NRA Office will promote discussion within Government, primarily the NRA Board, on exploring where the long term responsibility should be within the context of the strategic plan.</p>	2009	NRA Executive		
<p>4.4 Partially agreed as detailed below</p> <ul style="list-style-type: none"> • Any agency wishing to conduct a development project in Lao PDR should seek advice from the NRA office about the likely contamination. Agreed • Clearance should only be contracted from agencies accredited by the NRA office. Agreed • The technical annexes and scope of work for UXO clearance should be drafted by a competent specialist that is not involved with the clearance agency and should be compliant with National Standards. This would be considered best practice but we be a decision made by the client and not the NRA • Clearance contracts should be awarded pursuant to competitive bidding. This would be considered best practice but we be a decision made by the client and not the NRA • UXO clearance should be subjected to external quality assurance monitoring. 	Board meeting 18 September	NRA Executive		

<p>Agreed and already included in National Standards</p> <ul style="list-style-type: none"> The National Regulatory Authority office can provide customers of UXO clearance with advice on how to contact technical specialists to assist in the drafting of technical annexes and assist with external quality assurance monitoring. Such technical specialists can also be contracted by competitive bidding, depending on the customer's own organizational requirements. <p>Agreed, however this is not a recommendation for action but an item of information.</p>				
<p>4.5 Agreed</p> <p>Actions: NRA Board approved the NS 18 September.</p>	Completed.	NRA Board		
<p>4.6 Agreed</p> <p>All agencies should be accredited, not only clearance.</p> <p>Actions: Accreditation is ongoing. Desk work should be completed by the end of 2008.</p>	2009	NRA Executive with input from the QA Unit		
<p>4.7 Agreed in principle</p> <p>The NRA is aiming at monitoring compliance with National Standards.</p> <p>Actions: The QA Unit will expand to carry out field assessments including QC in addition to QA.</p>	2009	NRA Office including input from many units.		
<p>4.8 Agreed in principle however, cost capture should not be limited to clearance only.</p> <p>Actions: NRA Operations Department will work up a cost capture model.</p>	2009	NRA Operations		

<p>4.9 Agreed in principle On discussion, the NRA Office agreed that a test site and test procedures as detailed in the evaluation is a good idea. However, the financial and management reality suggests that it is not possible in the short term.</p> <p>Actions: The concept of a test site for bench marking speed and efficiency will be discussed at TWGs.</p>	2009	NRA		
<p>4.10 Agreed</p> <p>Actions: A paper will be developed on TA needs of the NRA providing measurable indicators and targets for performance assessment and progress monitoring</p>	4 th quarter of 2008	NRA Board with input from NRA Office Director, STA and TAs.		
<p>4.11 Agreed in principle. The NRA needs to be constantly cost conscious. Cost effectiveness is an area that receives managerial attention as a matter of course.</p> <p>Actions: Regular review of staffing and personnel needs is being carried out.</p> <p>Transferring the victim database and related data collection network to the Ministry of Health or the National Rehabilitation Center is not yet an option as these institutions are not yet in a position to take over.</p> <p>Simplify the post clearance assessment process so that it can be carried out as an aspect of project cycle management is in National Standards and is work in progress.</p> <p>While the creation of provincial offices has not yet been ruled out, other options such as providing necessary services on a visiting basis are also being tested</p>	2009	NRA and UNDP		

<p>4.12 Agreed in principle UNDP has been supporting the Government in the UXO Sector for 13 years to date.</p> <p>Actions: Long term assistance from UNDP will be dependent on Government requirements and requests and donor support.</p>	2009	NRA UNDP		
<p>4.13 Not agreed. Functions of the NRA are currently defined in the Prime Ministers Decree addressing the UXO Sector through three pillars that are broader than the evaluation recommendations.</p> <p>Actions: Functions of the NRA will be revised in line with developing international obligations of treaties as they become pertinent.</p>	2009	NRA UNDP		

Evaluation Recommendation or Issue 5: UXO Lao

5.1. Roving. Roving tasks should be the first priority of UXO Lao and work should be undertaken to clear the backlog of EOD tasks. Roving teams should also respond to UXO found by scrap collectors and processors.

5.2. The importance of roving tasks should be recognized as part of an overall accident reduction concept and a response time analysis process should be adopted to ensure that such tasks are dealt with in a timely manner. A recommended maximum response time is five days between reporting and clearance of any single item of UXO. If this response time cannot be achieved, more roving teams should be established. Roving EOD teams should be reallocated across provinces to ensure that response times are equitable over all of Lao PDR.

5.3. Field staff need to be encouraged to deal with general purpose bombs in a timely manner; if there are indeed no technical problems, in terms of training or equipment faced by the EOD teams then appropriate managerial safeguards need to be put into place to give the field staff confidence that they can discharge their jobs without fear of inappropriate disciplinary action providing they follow approved procedures. Senior management of UXO Lao should investigate the reasons for the hesitancy to deal with these munitions and take action accordingly.

5.4. Reporting and surveying processes should be streamlined to minimize the number of times a task is visited. In the case of single items of UXO, survey and/or EOD teams should be trained and equipped to deal with UXO ‘on the spot’ wherever possible. Thought should also be given to reorganizing roving teams into smaller units to allow more teams to be on the ground for the initial response and survey process. It could then be possible to combine these smaller teams where larger groups are needed to cordon off demolition sites.

5.5. Community Awareness. Some Community Awareness personnel should be redeployed with roving teams and their jobs reconfigured to communicate messages for 1) safe scrap collection among scrap collectors and processors and 2) UXO accident prevention in land clearing and agriculture. They should communicate the message of how to report UXO as part of an overall accident prevention concept. Other CA personnel could be re-trained as roving EOD team members.

5.6. Area Clearance. Area clearance by UXO Lao should focus first on the clearance of unfunded public works projects identified by local government and then on the clearance of agricultural land where suitable land tenure arrangements exist and the beneficiary is likely to be able to make use of the land. Family agricultural plots should be cleared only when no higher priority public good projects are pending. This work should be free at the point of delivery. UXO

- Lao should work with NRA and MPI to develop appropriate policies linking poverty reduction and clearance, such as, concentration of clearance efforts on the 47 poorest districts.
- 5.7. UXO Lao should set overall criteria for prioritization in line with national priorities, and then allocate resources between provinces on an equitable basis. The detailed task of prioritization should be delegated to provincial coordinators. UXO Lao would then only be required to monitor compliance with national requirements. This should free up the prioritization process. Provinces should be encouraged to generate six-monthly or even quarterly works plan, thus making them more responsive to requests for clearance.
 - 5.8. The work plan of UXO Lao should be freed up to allow more detailed prioritisation to take place at a provincial level. National involvement should be limited to setting overall criteria for intervention, allocating resources between provinces and then following up to make sure that work is carried out in accordance with the agreed criteria.
 - 5.9. UXO Lao should stop the automatic increase of production targets in terms of hectareage; instead they should introduce a reasoned, objective and transparent mechanism to forecast an average annual production rate as *part* of a more sophisticated system of indicators that focuses on outcomes and outputs rather than on activities.
 - 5.10. UXO Lao should continue to look for opportunities to make further gains in efficiency through the adoption of new techniques and/or appropriate new technologies.
 - 5.11. Survey. The current ETS field sampling process of 25% of a potential clearance task has yet to be statistically validated and should be suspended pending its formal quantification.
 - 5.12. The ETS desk analysis process should be used to help order priorities in the short term pending the development of an improved quantitative analysis process; ideally this should be based on the Oxiana model or an ‘open source’ equivalent. If a quantitative analysis process is desired as a field sampling complement to the desk analysis, then the concept of fragment sampling should be investigated. The results of this investigation should be made available to all UXO clearance operators in Lao PDR.
 - 5.13. Quality Assurance and Quality Control. More quality assurance (QA) monitoring of UXO Lao operations should be conducted, with at least 5% of UXO clearance activities being observed on a random and unannounced basis. QA should be conducted internally by UXO Lao management and externally by NRA, though donors should not be discouraged from the use of their own monitors.
 - 5.14. The internal quality control sampling (QC) processes inside UXO Lao should be reviewed to ensure that the finding by a QC inspector of any indication (by a detector calibrated to find a half-BLU 26 and fuse), and where the indication has clearly not been investigated by clearance personnel, should be considered a quality failure, even if that indication is not actually an item of UXO.
 - 5.15. Organizational Issues. UXO Lao should proceed with accreditation by the NRA office as soon as possible.
 - 5.16. If UXO Lao is asked to tender for area clearance services on an infrastructure or development project, it should not do so until UXO Lao has a cost-capture process in place that will allow the organization to identify its true costs. Conversely, once they have such a process they should be encouraged to tender for such projects. Given that donations of funds and equipment have been provided for humanitarian purposes, UXO Lao should not bid on commercial projects.
 - 5.17. Given the time bound nature of the UXO contamination problem and as in the case of the NRA office, UXO Lao should continue as a project of the Government and UNDP. Other donors contributing funds to UXO Lao should channel them through UNDP or set up their own project implementation units to administer their resources.
 - 5.18. The fiduciary role of UNDP advisors in financial management and their management role in quality assurance should be clarified and strengthened. The contract of the STA should be amended to reflect this and his contractual independence from the Director of UXO Lao should be strengthened.
 - 5.19. UNDP should consider expanding the scope of work for audit of UXO Lao to include not only compliance but also management performance and value for money as well.
 - 5.20. UXO Lao should assist in the development of a residual national capacity through its training centre. UXO Lao staff should be encouraged to join this capacity at the end of the UXO Lao program.

Management Response:				
Management response & Key Action(s)		Responsible Unit(s)	Tracking*	
			Status	Comments
<p>5.1: The provision of more roving capacity is accepted by UXO Lao and efforts will be made to expand this capacity, but not at the expense of clearance tasks which are critical to support the implementation of the NSEDP. It should be noted that support to scrap metal merchants could be seen to encourage the problem and also serves a group who are relatively wealthy in the community. To address the needs of the actual field gatherers of scrap needs a much wider approach that would include the provision of other forms of income during the dry scrap gathering season.</p> <p>The National MRE Strategy and Key Principles emphasise the need to work with both scrap metal dealers and collectors if the trade is going to be made safer. The efforts are directed towards not stopping the trade but reducing the high level of risk that currently exists.</p> <p>Actions:</p> <ol style="list-style-type: none"> 1. Review MRE policy by NRA and revision of UXO Lao Messages 2. Engagement with development partners to find alternative sources of income during dry season. 	2009	NRA NRA & UXO Lao CA		
<p>5.2: This point is agreed and UXO Lao will implement this recommendation within reason based on the threat and location posed by the item of UXO on task-by-task basis. A priority system (emergency roving and normal roving) will also be implemented so as not to over extend the capacity.</p> <p>Action:</p> <ol style="list-style-type: none"> 1. Review and revise SOP 	2009	UXO Lao QM Unit		
<p>5.3: This point is acknowledged and more mentoring will be planned by TA staff. Furthermore, UXO Lao will investigate the possibility of liability insurance to cover property damage from UXO.</p>	2009	Field TA's UXO Lao QM Unit		

<p>Actions:</p> <ol style="list-style-type: none"> 1. Investigate Liability Insurance costs. 2. TA work plans to include reduced hands-on over a longer period and increase confidence and capability in the teams. 3. Form a permanent roving team leader/SEOD in each province when resources allow. 				
<p>5.4: Instant response may be possible, but requires extra training and equipment. At present Survey Teams are mounted on motorcycles and so have limited capacity to carry demolition equipment. The downsizing of roving teams is accepted (dependent on task,) but requires a major investment in additional personnel, training, equipment, and vehicles to capitalize on the downsizing and will be considered by UXO Lao dependant on donor resources. Survey SOP Chapter 3 is being revised; re-constituting the Survey teams to conduct EOD will be discussed.</p> <p>Actions:</p> <ol style="list-style-type: none"> 1. Survey SOP Chapter 3 is being revised; re-constituting the Survey teams to conduct EOD will be discussed 2. Procure more equipment for smaller roving teams as resources allow. 	Donor dependant	Procurement		
<p>5.5: Not agreed. See earlier comments on EOD teams taking on MRE tasks. While it is agreed that the CA teams need to change their approach, methodology, and target community, in line with the MRE Strategy and focus on changing behavior rather than raising awareness, this needs to be planned by UXO Lao in collaboration with NRA. UXO Lao has the broadest coverage for risk education so to re-deploy the personnel with roving teams will take away an essential MRE resource.</p> <p>Action: The NRA MRE Unit will work with UXO Lao to target high risk groups.</p>		NRA		

<p>5.6: This is carried out as work planning is coordinated at the provincial and district level. UXO Lao agree that the provision of land to individual farmers be a lower priority than community benefiting projects provided that these are the requirements of the District & Provincial Development Committees.</p> <p>Action: No action required</p>		UXO Lao		
<p>5.7: The present priorities are set by the National Strategic Plan. This is due to be reviewed and UXO Lao will comply with these new priorities. The allocation of resources between provinces is extremely hard to achieve both practically and politically. However it should be noted that, in areas such as Xiengkhuang and Savannakhet, the clearance capacity is bigger than the other provinces in line with the greater impact. Such an establishment is more tuned to an emergency response after a crisis or conflict to a more limited coverage, but the Lao context is that of development and the long term addressing of the UXO problem.</p> <p>On the issue of shorter work planning cycles, although this in theory makes for greater flexibility, in reality it will mean a disproportionate amount of time is spent on work planning. UXO Lao introduced a policy of ‘30% reserve tasks’, to allow for ‘emergency’ tasking. I.E. only 70% of the work plan was set in stone and the balance of 30% was slated as reserve and so could be traded out later in the year with the approval of the provincial authorities.</p> <p>UXO Lao would also like to point out that poor planning by Development partners should not constitute an ‘emergency’ for UXO Lao.</p> <p>Action: Review at next annual work plan meeting.</p>	October 2008/2009	UXO Lao		
<p>5.8: Work planning is already conducted at the provincial level to a set of priorities outlined in the national UXO Strategic Plan (The Safe path Forward), so UXO Lao find this</p>				

point redundant. Action: No Action				
5.9: This point is acknowledged. The recent increases have been based on the introduction of new technologies that increased productivity so was deemed reasonable. Action: New targets and targeting criteria will be discussed in the context of the strategy review process	2009	NRA, UXO Lao and Development Partners		
5.10: Agreed Action: 1. Participate in a workshop on technologies in Germany and also organize a ‘study’ tour in the US (technology companies in the US.) 2. Consider a detector trial during the summer of 2009. 3. Pilot project for Geophysical Survey of Rural Roads 2009.	Continuous Late September/Early October June 2009 2009/10	STA, TA’s, UXO Lao UXO Lao, UNDP UXO Lao, UNDP UXO Lao & Donor	On going	
5.11: The system developed by UXO Lao has proven successful at releasing land that is suspected NOT to contain UXO through a year -long study and 15 months implementation in 5 provinces. UXO Lao disagree with the evaluation team on this point and believe that the approach taken was from a wrong perspective. UXO Lao implemented the ETS to mainly reduce the area cleared that did not contain UXO. Most of these requests came from risk averse development partners who insisted on clearance prior to implementing their project which in many cases UXO Lao suspected did not contain UXO. The ETS process provided the development partners with a process that allowed them to continue and not distract valuable clearance assets on land that did not actually require clearance. Actions: (1) Suspension <u>not agreed</u> by UXO Lao. The 25% sample is	(1) None	(1) UXO Lao	(1) No action	

<p>an interim measure intended as a ‘stepping stone’ to ‘no action in answer to low quality requests’*. It is <u>not</u> a measure of the probability of UXO in the general area, in which case the criticism, would be correct. Note that before ETS, UXO Lao removed no UXO in 30 - 50% of its area clearance tasks; it is against <i>this</i> negative productivity that ETS mitigates.</p> <p>(2) <u>NPA will deliver training and SOPs</u> of a pre-identified ‘end state’ technical survey method, <u>100% search using Ebinger 120 Magnetometer</u>, to UXO Lao. This <i>will</i> be subject to statistical validation because task selection will widen to include tasks where UXO contamination may be reasonably suspected and technical survey is an acceptable solution. It is hoped that ‘25%’ can be replaced with ‘no action*’.</p> <p>(3) TA ETS will <u>consider alternative technical survey techniques</u>, including those suggested in the report, <u>as a secondary priority</u>.</p> <p>* It is hoped that the obvious, negligible chance of UXO contamination requests will be ‘disregarded’/ ‘prioritized for record but not clearance or Tech Survey unless new evidence arises’. This outcome is <u>not yet accepted by UXO Lao</u>.</p> <p>** or Desk Assessment, if successful, would capture only tasks with negligible UXO risk, where the original requests were based on extrapolated/ unfounded suspicion of low confidence.</p>	<p>(2) Field proving and SOP completion with 1 month of receipt of Magnetometers.</p> <p>Training delivery within 3 months of field province and SOP completion, to all UXO Lao province ETS teams.</p> <p>(3) No committed timeline. Formal feedback of (2) to include feasibility study for (3) before training delivery of Magnetometers.</p>	<p>(2) UXO Lao, UNDP, NPA</p> <p>(3) TA ETS, UXO Lao Operations Unit, TA QM</p>	<p>(2) Awaiting UNDP procurement of Magnetometers</p> <p>(3) Will follow from (2)</p>	
<p>5.12: The desk assessment is now part of the initial general survey.</p> <p>Again, the evaluation team look at the issue from a slightly different perspective. To use the ETS desk assessment to place tasks in an order would then not address development partner needs (timing of project start) but also dry and wet season. The desk assessment is used at present to assess whether a task is cleared by a clearance team, visited by a roving team or visited</p>	<p>Not committed</p>	<p>STA/ TA ETS</p>	<p>5.12. See 2.8 which covers all these points.</p> <p>Quantitative analysis will be discussed within sector at</p>	

<p>by an ETS team to release the land or pass it over to full clearance.</p> <p>In regard to the fragment counting project, it also has some serious potential failings and is based on an assumption that when lots of fragments are found there must have been a lot of bombs dropped so there must be many that failed. In Lao, we often find areas with high contamination and low fragmentation. This is probably in the main to conditions at the time of dropping or fusing. The ‘Frag counter’ methodology would then not give a true indication. But as the main target of ETS sampling is areas that are suspected to be free from UXO and not to find areas that are strongly suspected of containing UXO the two approaches are not measuring the same thing.</p> <p>Actions:</p> <ol style="list-style-type: none"> 1. See 2.8 which covers all these points. 2. Quantitative analysis will be discussed within sector at a suitable clearance TWG. 3. (The Oxiana model will be investigated.) 			<p>a suitable clearance TWG.</p> <p>(The Oxiana model will be investigated.)</p>	
<p>5.13: This point is agreed and UXO Lao will look into creation of such a capacity, provided donor resources can be found to fund this activity. However, it should be noted that 5% is considered unmanageable over all 9 provinces. UXO Lao will develop a suitable QA and QC regime. UXO Lao has no objection to external QA & QC.</p> <p>Actions: Creation of mobile capacity for QC.</p>	2009	UXO Lao		
<p>5.14: Agreed.</p> <p>Actions: Revision of SoP</p>	Jan 2009	UXO Lao		
<p>5.15: Agreed</p>	September 2008	NRA board, UXO Lao		

<p>Actions: UXO Lao submitted its application for accreditation on 18th September 2008</p>				
<p>5.16: This cost capture process is being investigated. UXO Lao would like to commission a study on ‘Cost Recovery’ operations but not limited to development partners as in the future such operations on commercial projects is seen as a potential revenue raiser for humanitarian & development works.</p> <p>Any such actions need approval from the Government of Lao.</p> <p>Action: Commission study into cost recovery ops.</p>	2009	UNDP UXO Lao		
<p>5.17: Agreed. Parallel funding towards the running and investment costs of UXO Lao is discouraged in line with the Vientiane Declaration on Aid Effectiveness. Direct funding of other operators, however, is consistent with the aid effectiveness agenda provided it is in line with the sector strategy and the Government’s priorities.</p> <p>Action: No action</p>				
<p>5.18: Agreed. The reporting lines of the STA have already been clarified in 2008.</p> <p>Actions:</p> <ol style="list-style-type: none"> 1. Finance TA to be recruited 2. Review of STA role & ToR by both NPD and UNDP 	2009	UNDP and UXO Lao		
<p>5.19: UNDP changed the audit companies in 2006 from KPMG Laos to KPMG Malaysia in order to improve the quality of annual audits of UNDP supported projects including UXO Lao. The auditors do look into programme, human resources, finance, procurement, asset management, cash management, general administration and information system. UNDP will continue its efforts to strengthen its assurance and</p>				

<p>oversight roles including further improving the quality of the audits.</p> <p>Actions: Review and revise the TOR of the NEX audits as appropriate. For other audits that donors require separately at their own cost, the TOR and the scope of the audit will be determined in consultation with them.</p>	<p>Before the next audit in March/April 2009</p>	<p>UNDP</p>		
<p>5.20: Agreed</p> <p>Actions:</p> <ul style="list-style-type: none"> To be discussed in the context of the strategy review process. 	<p>2015-2020</p>	<p>UNDP, GoL</p>		
<p>Evaluation Recommendation or Issue 6: Government and Donor Support</p> <p>6.1 The Ministry of Foreign Affairs should undertake a major reform of the MOU process. Streamlining that process could immediately and dramatically increase funding available for the sector. Assuming an average processing time at present of six months per MOU – an underestimate according to concerned parties – and using the total UXO programme expenditures of \$6.0 million for the three largest non-governmental organizations in 2007, the opportunity costs of six months’ delay is estimated at \$3.0 million – half of a year’s total delivery of area clearance and other UXO services.</p> <p>6.2 There is a clear indication amongst donors that a significant cash contribution (i.e. above and beyond the current ‘in kind’ contributions) to the UXO sector by the GOL would be an important signal that could help unlock additional donor funding. Discussions with stakeholders suggest that a figure comparable to the recurrent costs of the NRA Office (i.e. approximately \$500k per year) would be a welcome start.</p> <p>6.3 In order to harmonize technical assistance and capacity development, the technical working group for the UXO sector should address the issue of the actual needs for technical advisors at the NRA office and UXO Lao and advise donor organizations accordingly. The roles of the UNDP STAs at the NRA office and UXO Lao should be recognized by other donors as playing the coordinating role for technical assistance.</p> <p>6.4 Following the lead of AusAID in its LANGOCA Program, other development agencies working in Laos should fully fund the costs of any necessary UXO clearance for development projects in their planning and budgeting processes.</p> <p>6.5 Funds should be allocated to the Poverty Reduction Fund and the District Development Fund to allow them to fund their own clearance requirements. These Funds should avoid tendering for small jobs, however, and should design contracts for a total number of hectares per year in order to take into account clearance operators’ needs for economies of scale.</p> <p>6.6 The Government, in cooperation with the NRA office, should decide where the locus of residual capacity for UXO disposal should be and begin the process of capacity development to establish that capacity within the Government.</p> <p>6.7 If accession to the Oslo Convention on Cluster Munitions results in the mobilization of large amounts of additional resources, there may be a case for the establishment of new funding arrangements for the sector to facilitate donor coordination.</p>				
<p>Management Response:</p>				
<p>Management response & Key Action(s)</p>	<p>Time Frame</p>	<p>Responsible Unit(s)</p>	<p>Tracking*</p>	
			<p>Status</p>	<p>Comments</p>

<p>6.1. Agreed</p> <p>Actions: MOFA has initiated a review process by setting up a reform committee.</p>	2008	MOFA	Ongoing	
<p>6.2. Agreed in principle The Government has been making contributions, in-kind, since the beginning of the programme. In addition efforts will be made to increase further.</p> <p>Actions:</p> <ol style="list-style-type: none"> 1. As a first step, the Government has decided to allocate resources to the UXO programme in the form of a cash contribution towards a new HQ for both NRA and UXO Lao. 2. The National Strategic Plan includes a cash contribution of \$50,000 a year and the GOL will do its best to meet the target. The NRA submitted a funding request for the UXO programme to the GOL for 2009. 3. Funding for the long-term capacity to deal with the residual threat will be discussed in the context of the strategy review process 	4 th quarter of 2008	NRA MOFA		
<p>6.3. Agreed in principle. Consensus on the needs, roles and reporting of Technical Advisors will need discussion and agreement by the NRA Board / MOFA / Donors.</p> <p>Actions:</p> <ol style="list-style-type: none"> 1. Long Term Capacity Development and TA Deployment plan will be formulated alongside the strategy review process 2. Agenda item for NRA Board meeting 	<p>4th quarter of 2008</p> <p>2009</p>			
<p>6.4. Agreed in principle. Cost of UXO clearance should be included in large scale development project budgets. However, smaller poverty reduction and/or development projects should be supported by a humanitarian UXO clearance operator without any charge if they have limited</p>	Discussion paper was submitted Round table Implementation Meeting scheduled on 24 November.	NRA, UXO Lao, UNDP		

resources. Actions: Guidance note (if not a stronger legislation) for development agencies on mainstreaming UXO clearance into their development projects will be issued by the NRA				
6.5 Refer to 6.4	2009	NRA, UXO Lao, UNDP		
6.6 Agreed in principle The idea for a residual capacity needs discussion with all stakeholders and direction from the NRA Board. Actions: A workshop will be held to explore the available options	4 th quarter 2008	NRA		
6.7 Agreed Actions: A funding proposal for the UXO sector is being developed and different funding modalities are being discussed with the NRA and MPI before being further discussed with donors.	November 2008	NRA, UXO Lao, UNDP	In process	

* The implementation status is tracked in the ERC.