



Rights-Based Approaches to Gender and Livelihoods Implications for Programming

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Acknowledgements

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We have learned much through various discussions held with stakeholders in Sayaboury Province. However, the final responsibility for opinions expressed in the report lies with the consultants; they do not necessarily represent the opinions of the provincial authorities nor of the project managers. A separate Lao version with a similar content to this report, not an exact translation as geared to a Lao audience, has been prepared by Ms. Ny Luangkhout. Nonetheless, the Executive Summaries and Recommendations of both reports are identical.

Executive Summary

A study on a rights-based approach to gender and rural livelihoods, in the framework of the CEDAW¹, was commissioned by the GTZ RDMA² Programme in the context of the technical assistance and support it provides to the IFAD loan project RLIP in the northern province of Sayaboury.³ The study was carried out in three of the five districts in Sayaboury which are supported under RLIP – RDMA from 6 to 22 June, 2007.

The general situation in regard to rural livelihoods in the project area has been described in detail in the IFAD Appraisal Report of 2004.⁴ Although providing detailed data for only a few villages in Sayaboury, it is clear that the information for the project area correlates with the general conclusion for the Lao PDR that ethnic minority women and girls are the most disadvantaged segment of Lao society. They form the poorest and most vulnerable section of Lao society and have the least chances open to them to exercise their social, economic, political and cultural rights without discrimination.

From a rights perspective, gender means much more than addressing imbalances in women's and men's workloads or in employment and income generation possibilities. It also means to enable women to exercise all their rights on a substantively equal basis with men, regardless of marital status, race or location. The State Parties to CEDAW, of which the Lao PDR is one since 1981, are aware that "a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women." (CEDAW Preamble) All State Parties to CEDAW are obliged to work toward substantive equality between women and men, including taking temporary special measures to accelerate this process.

Both the gender and poverty situation in the project area varies considerably between the well-established lowland villages with paddy areas (especially of the Lao Loum) and the mid- and upland villages of ethnic minorities including those which have moved or have been resettled to lower lying areas. The mid- and upland villages have little or no paddy areas thus making the livelihood situation of the overall village generally more precarious. Rice shortages are common in such villages, while traditional coping mechanisms can either no longer be used (opium poppy cultivation) or have become less effective. Women's status and position in many of the ethnic minority groups prevents them from exercising their rights and they thus experience greater vulnerability to poverty, indeed greater depths of poverty, than do men.

Women are farmers across all ethnic groups and farming systems, but household farm labour is highly integrated. Nonetheless, the differences in household allocation of labour result in different impacts on women and men from different government policies and actions which is resulting in greater hardships for ethnic minority women. A disturbing issue raised by upland farming women is that their agricultural workload

¹ International Convention on the Elimination of all forms of Discrimination Against Women.

² Gesellschaft für Technische Zusammenarbeit, Rural Development Programme in Mountainous Areas of Northern Laos.

³ International Fund for Agricultural Development, Rural Livelihoods Improvement Programme.

⁴ *Rural Livelihoods Improvement Programme in Attapeu and Sayaboury: Design Document Appraisal*, dated December 2004.

is becoming heavier, while at the same time they feel their families are faced with increasing difficulties to meet their food needs (their rights to food security are reduced). Many of the causes of women's reduced rights to a secure livelihood are structural, with some of the causes starting at the policy level, and resulting in women's reduced access to productive resources, especially including land.

The following causes were cited as most important for women's increased workload and reduced food security:

- The implementation of the land and forest allocation policy which limits the number of upland plots to three, meaning artificially induced reduced fallow times (previously at eight to ten years, now only two or three);
- The "small village" merger policy which has resulted in smaller villages moving together or in smaller villages moving down to join already existing larger villages, so that there are at least 50 households;
- The implementation of various land concessions, such as for rubber or timber, may also reduce land available nearby the village for women's and men's productive activities.

When we look at the division of labour in agriculture, the reasons for the differentiated gender impacts of the three points above become clearer. The policy to reduce the total number of plots allowed to remain in the rotational cultivation system has two immediate impacts on the farming system itself. First, with the reduced fallows the weed pressure increases; second, the reduced fallowing times don't allow larger trees to grow up anymore. Since women are responsible for weeding they have much more work to do, plus their share of the land clearing work also increases with the increase in brush and shrubs (women's task to clear, men's to cut the larger trees). If women cannot keep up with the weed pressure, they may also choose to make smaller plots. Merging villages causes many women (and men) to have to walk longer distances back to old fields, as there is no land available in the new place. Women often carry children with them, or leave very young children/infants behind, which also has a negative impact on the children's health.

The sharing of reproductive work in the household also has overall negative impacts on women's abilities to exercise their rights. This becomes especially critical in light of the increasing agricultural workloads of women mentioned above. When a woman's productive (agricultural) workload increases she looks for help so that she can continue to focus her own labour on productive work. As a result, she will assign reproductive tasks to her daughters, as it is easiest for her to allocate their labour compared with male labour in the family (owing to the lower status of women). The requirement for young female labour to take care of even younger siblings, to fetch water, to cook and clean, has a potentially highly negative impact on the daughters' opportunities to attend school.

Women's socio-economic status is lower than men's across all ethnic groups in the project area, but it is relatively higher among the Lao Loum compared with the other ethnic groups. There is not much acceptance or encouragement in any of the ethnic groups for women's participation in the public sphere. There are socio-cultural factors at play in determining women's status. For example, patrilocal, including brideprice, marriage practices result in a much lower social status of women. In general terms, a young woman is bought for the man's family to provide her own labour and the next generation of labour; she has little other value. Domestic violence exists among all ethnic groups.

Practically speaking, female children's and women's rights to education and training—especially beyond what is available in the village—cannot be exercised owing to a combination of factors which arise from their lower status. In the final analysis, the combination of women's lower status, (especially in the ethnic minority

villages), lower educational opportunities and heavier workloads results in their lack of confidence to express opinions in public, and to exercise their rights to participate in rural development as defined in CEDAW Article 14.

There are unfortunately many fundamental ways by which non-village stakeholders are increasing the disparities between men and women, especially in the ethnic minority villages. One of the most fundamental of all is the access and control of land. In this respect, the issuance of Land Use Certificates, whether temporary or permanent, and actual Land Titles, must be done in the names of both husbands and wives (in the case of couples). The Study Team found that in the Sayaboury districts included under RLIP – RDMA support, this has been done unsystematically. In one district it appeared that all certificates had been issued in both spouses' names while in another there was a reported, systematic exclusion of women.

All relevant, official documents for RLIP – RDMA, such as the IFAD Appraisal Report, the GTZ Offer and related BMZ concept papers, give high importance to gender integration and mainstreaming and adequate benefits for women. Nonetheless, when we look at gender mainstreaming at project organisation level we see that it is rather left on the sidelines. We also see that there are inconsistencies with the project-related documents which spill over into all aspects of the project's work programme, including the way activities are planned, implemented and monitored. Technical advisory staff have a tendency to think that a gender responsible person should “take care” of gender, while line agencies do not understand their role in gender mainstreaming. The Lao Women's Union is used as an alibi that something is being done to address women although it suffers many weaknesses and drawbacks at field level. Moreover, this does not address gender as a rights issue or as a societal issue.

Poor ethnic minority women suffer triple exclusion. This is because they are poor, because they are women and because they belong to ethnic minorities. They suffer from both active and passive discrimination, and all documents on poverty in the Lao PDR point out that ethnic minority women are the poorest of all. If the project does not take strong enough action to work against this triple exclusion, there is a significant risk that by the end of the project, women's abilities to exercise their rights will not have improved, nor will there be improvement in their freedom from all forms of discrimination. If there is no change in the current direction of the project, the final outcome will be that no real process toward gender mainstreaming will have been initiated and the project will not achieve its stated goals.

Our final conclusion is that women's abilities, especially of ethnic minority women, to exercise their human rights are not being enabled by the current approaches and policies being implemented in their villages, including by the Village and District Women's Unions. The focus remains on encouraging them to conduct various activities, some of which perpetuate gender role stereotyping, rather than focusing on their rights as women and as human beings. We also see that village women are not offered adequate space to build up their skills and confidence independently of men. There is no regular forum where they can discuss problems and solutions on their own. Moreover, expectations are too high, in the absence of support measures, that they will be able to perform equally with men in various committees and meetings.

Given all the evidence contained in this report, the Study Team concludes that it will be urgently necessary for RLIP - RDMA to employ an additional (DED) Adviser to work on gender mainstreaming with project, line agency and LWU staff as a special temporary measure. The Team also concludes that a short term position will not bring enough results or impacts, but rather should precede a long term position. A comprehensive list of recommendations is included in Section Six of the report which follows.

Abbreviations

BMZ	Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung (German Federal Ministry for Economic Cooperation and Development)
CDW	Community Development Worker
CEDAW	International Convention on Elimination of all forms of Discrimination Against Women
CCPR	International Convention on Civic and Political Rights
CERD	International Convention on Elimination of all forms of Racial Discrimination
CESCR	International Covenant on Economic, Social and Cultural Rights
DAFEO	District Agriculture and Forestry Extension Office
DED	Deutscher Entwicklungsdienst
DWU	District Women's Union
DPCU	District Planning and Coordination Unit
DPI	Department of Planning and Investment
GOL	Government of Lao People's Democratic Republic
GRID	Gender Resource and Information Development Centre
GTZ	Gesellschaft für Technische Zusammenarbeit
IFAD	International Fund for Agricultural Development
kum ban	Village Cluster
LAK	Laotian Kip
LEA	Lao Extension Approach
LUP/LA	Land Use Planning and Land Allocation
NAFES	National Agricultural and Forestry Extension Service
NCAW	National Commission on the Advancement of Women
NFE	Non-Formal Education
NTFP	Non-Timber Forest Product
PWU	Provincial Women's Union
PPCU	Provincial Planning and Coordination Unit
PSIA	Poverty and Social Impact Assessment
RDMA	Rural Development Programme in Mountainous Areas of Northern Laos
RLIP	Rural Livelihoods Improvement Programme
SDC	Swiss Agency for Development and Cooperation
SME	Small and Medium Enterprise
TA	Technical Assistance
TOR	Terms of Reference
TOT	Training of Trainers
UNOPS	United Nations Office for Project Services
VDP	Village Development Planning
VLV	Village Livestock Volunteer
VWU	Village Women's Union

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1 EUR = 12,370 LAK

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1. Introduction

A study on a rights-based approach to gender and rural livelihoods was commissioned by the GTZ RDMA⁵ Programme in the context of the technical assistance and support it provides to the IFAD loan project RLIP in the northern province of Sayaboury.⁶ The study was carried out in three of the five districts in Sayaboury which are supported under RLIP - RDMA.

The general situation in regard to rural livelihoods in the project area has been described in detail in the IFAD Appraisal Report which was written in 2004.⁷ This report also described the differences between women and men in terms of livelihoods and general participation in village affairs. Although providing detailed data for only a few villages in Sayaboury, the information for the project area does correlate with the general conclusion for the Lao PDR that ethnic minority women and girls are the most disadvantaged segment of Lao society. They form the poorest and most vulnerable section of Lao society and have the least chances open to them to exercise their social, economic, political and cultural rights without discrimination.

Recent studies⁸ indicate that the poverty of ethnic minority people dependent on upland cultivation has worsened over the past ten years. Although Sayaboury has low rates of poverty compared to the country as a whole, these rates have shown a steady increase (from 15% to 24% during the period 1992 - 2002) while most other provinces show declines.⁹ The Lao PDR's overall Human Development Index ranking has improved very slightly from 2004 to 2006 from place 135 to 133 (for a total of 177 countries in 2006; the current Gender Development Index ranking is also at 133).

RLIP Sayaboury is working in four components, three of which are assisted by RDMA. The three components are on Natural Resources Management and Local Economic Development, Social Development and Institutional Capacity Building. The fourth component, carried out with government loan funds alone, supports the construction of rural infrastructure. The three components, with 11 sub-components,

⁵ Gesellschaft für Technische Zusammenarbeit Rural Development Programme in Mountainous Areas of Northern Laos.

⁶ International Fund for Agricultural Development, Rural Livelihoods Improvement Programme.

⁷ *Rural Livelihoods Improvement Programme in Attapeu and Sayaboury: Design Document Appraisal*, dated December 2004. Relevant excerpts from this document are found in the Terms of Reference prepared for this study included at Annex One.

⁸ For example, not yet published Participatory Poverty Assessment by Chamberlain et al (2007) for ADB and a Poverty and Social Impact Analysis (PSIA) study by Bechstedt and Gilbos, et al. focusing on poverty and ethnic minorities for the World Bank.

⁹ Reported in Engvall (2006) "Ethnic Minorities and Rural Poverty in the Lao PDR." His data set is based on the national Expenditure and Consumption Surveys.

mentioned above give plenty of scope for the programme to be oriented to rights-based gender mainstreaming.

This study is to contribute to achieving the following programme objectives:

- Women are benefiting equally from programme services (direct benefit);
- Women are taking increased leadership positions and decision-making in Village Authority Committees and other village-based committees (use of activities/services);
- Gender issues are addressed in all relevant activities at village, district, provincial and programme level (output).

An important aspect of this commission is that it requests the Study Team to develop a framework on gender for the project in the context of the International Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), thus clearly putting gender issues into the context of rights-based approaches. The Government of the Lao PDR (GOL) ratified this convention in 1981, the same year in which CEDAW entered into force as an international treaty.¹⁰ This means, however, that the project should reorient itself more towards a rights-based approach, as will become clear in the report which follows.

1.1 Gender and Human Rights

“Gender” is often equated with “women,” although it is really about men and women. In fact, there is some truth in this equation as the status and position of women in most societies—including the Lao PDR—is lower than men’s, meaning that women do not have equality with men in their opportunities to exercise all their human rights, and therefore require support and assistance to do so. Discussions about gender mean that we are looking at the positions of women and men relative to one another. Gender thus refers to the entire society and nation.

From a development perspective if women’s status and position is underdeveloped vis-à-vis men’s, if women are not enabled to exercise their social, economic and political rights equally with men, it means the whole nation will remain underdeveloped, including future generations of women and men.

Gender inequality is harmful to those who suffer from it and to the country at large. When a significant percentage of the population has no access to resources and

¹⁰ The GOL has also established the National Commission on the Advancement of Women (NCAW) in 2002 to “ensure equal access to resources and basic services of all people regardless of gender, socio-economic status, ethnic and educational backgrounds. Under the direction of NCAW, all Government ministries are expected to develop strategies and action plans to promote gender equality at all levels.” (Quote from the *Lao Gender Profile*, prepared by the Gender Resource and Information Development Centre (GRID) with assistance of the World Bank in November 2005, published in September 2006).

*educational or other opportunities, a nation's development capacity is compromised*¹¹. .

From a rights perspective, gender means much more than addressing imbalances in women's and men's workloads or in employment and income generation opportunities. It also means enabling women to exercise all their rights on a substantively equal basis with men, regardless of whether they lie in the economic, social, cultural or political spheres. At the same time, State Parties to CEDAW are aware that "a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women." (CEDAW Preamble) All State Parties to CEDAW are obliged to work toward substantive equality between women and men. In this respect, *temporary special measures* which will accelerate the process of achieving equality are not considered discriminatory (Article 4).

Women's rights are human rights and are thus inalienable.

In fact women's rights are enshrined in the original Universal Declaration on Human Rights but the research work of the United Nations Commission on the Status of Women, established in 1946 to monitor the situation of women and to promote women's rights, proved that there remained widespread discrimination against women in many forms. Therefore, it required an additional human rights treaty to address this: the CEDAW.

There are, however, several other human rights treaties in force which the GOL has ratified, acceded to, or signed. The International Covenant on Economic Social and Cultural Rights (CESCR signed¹² by the GOL in December 2000) also explicitly mentions the principle of equal rights between women and men (Article Three). Article One states that "In no case may a people be deprived of its own means of subsistence.". This international treaty is also of significance as a framework for development work in that it specifically sets out the rights of every individual in terms of food, health, education, work, information and technology and culture. Article 11, for example, includes the following statements:

...the right of everyone to an adequate standard of living ... including adequate food, clothing and housing, and to the continuous improvement of living conditions. The State Parties will take appropriate steps to ensure the realisation of this right, recognising to this effect the essential importance of international co-operation based on free consent.

The States Parties to the present Covenant, recognising the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed.

¹¹ FAO (2006), *The Right to Food in Practice: Implementation at the National Level*, p. 12.

¹² In international treaty parlance, signature indicates "the State's intention to take steps to express its consent to be bound by the treaty at a later date. In other words, signature is a preparatory step on the way to ratification of the treaty by the State."

The GOL has also acceded to¹³ the Convention on the Elimination of all Forms of Racial Discrimination (CERD) in 1974 and signed the International Covenant on Civil and Political Rights (CCPR) in 2000. As a full State Party to various international human rights treaties, the GOL has obligations under international law to ensure that its citizens', *including women's*, rights are respected, protected and fulfilled. It has the duty to create the enabling conditions that will allow its people to exercise their economic, social, political and cultural rights fully.

The German Ministry for Economic Cooperation and Development (BMZ: Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung) is explicit in its support for the integration of human rights in German development cooperation, and the need to include human rights as a central part of the dialogue between development partners.

With this development policy action plan on human rights, we want to ... embed human rights principles even more firmly in our work and take additional measures to harness the potential offered by our development policy in promoting human rights.¹⁴

1.2 Study Methodology

The Gendered Livelihoods Study took place in Sayaboury Province from 6 – 22 June, 2007. The Study Team consisted of two full time members: Dr. Rita Gebert and Ms. Ny Luangkhot, both of whom are very familiar with the situation of highland ethnic minority women and men in the Lao PDR. The Study Team's work was facilitated to a great extent by the RLIP - RDMA Community Development (CD) team, to which special thanks are due.

The consultants held discussions with key stakeholders at different levels in Sayaboury Province as follows:

- Government Counterparts: Provincial and District Planning and Coordination Units (P/DPCUs), Provincial and District Women's Unions (P/DWUs);
- RLIP - RDMA Programme: Management Team, Technical Assistance (TA) Team, CD Team;
- In Villages Visited: Village Authorities, Village WUs, groups of poor women and/or men, women recognised as leaders, women in general, men in general.

The interviews in the villages were held with varying sizes of groups and using informal interview and discussion techniques. The discussion topics included among others, livelihoods (farming systems, marketing, micro-finance, etc.) and divisions of labour in securing livelihoods, perceptions of women and men on gender differences, cultural aspects related to gender (especially inheritance and divorce), violence

¹³ Accession to a treaty has the same force as ratifying it, it's just that the process is slightly different.

¹⁴ BMZ (2004) *Development Policy Action Plan on Human Rights, 2004 – 2007*. Paper Nr. 128, page 11.

against women, villagers' concepts on self- and mutual help, education, and the roles and responsibilities of the Village WUs. Other topics also arose according to villagers' interests.

The team, with Community Development Workers (CDWs), sometimes the CD Supervisors and almost always accompanied by District WU representatives, made visits to seven villages in three of the five districts supported by RLIP - RDMA.¹⁵ The CD Team had made a pre-selection of villages for the Study Team based on varying ethnicities and the possibility to reach villages by vehicle in the rainy season. The villages visited were as follows:

- Sayaboury District: Phon Home and Pak Thiao (Lao Loum, Hmong)
- Hongsa District: Napoung, Kew Mouang, Nabalone (hamlet of Don May) (Lao Loum, Phrai, Yao—the latter are also known as Mien)
- Ngeun District: Houay Pheung and Namthone (Hmong and Khamu¹⁶).

The Study Team presented its findings on 22 June, 2007 at the Sayaboury Province Department for Planning and Investment (PDPI) at a meeting attended by a representative of the Provincial Governor's Office, Provincial and District Planning and Coordination Units, the District Governors of all five districts, Province and District Lao Women's Union and RLIP - RDMA management and staff (List of participants included at Annex Three). A final debriefing meeting was held in Vientiane at the GTZ Office on 25 June with the RLIP - RDMA Management and the Manager, Community-Based Rural Development Programme of the Deutscher Entwicklungsdienst (DED). The Study Team's detailed schedule is included at Annex Two.

2. Gender Situation in the Project Area

The gender, as poverty, situation in the project area varies considerably between the well-established lowland villages with paddy areas (especially of the Lao-Tai, the *Lao Loum*) and the mid- and upland villages of ethnic minorities including those which have moved or have been resettled to lower lying areas. The mid- and upland villages have little or no paddy areas thus making the livelihood situation of the overall village generally more precarious. Rice shortages are common in such villages and women's and men's traditional coping mechanisms to deal with such shortages can either no longer be used (opium poppy cultivation) or have become less effective (ex. less access to forest areas may mean less availability of forest food products, less chance to borrow rice from relatives as they also have lesser rice available, etc.). Women's status and position in many of the ethnic minority groups

¹⁵ The time available for the Study was too short to afford the time required to reach the two, remotest districts, Xieng Hone and Khop, of the project area.

¹⁶ There is inconsistency in the spelling of the name of this ethnic group. Some spell it, "Khamu," others spell it, "Khmu."

prevents them from exercising their rights and they thus experience greater vulnerability to poverty, indeed greater depths of poverty, than do men. The implementation of various government policies at the local level is also creating greater hardships for women, as will be shown in this section. To date, RLIP - RDMA has not been addressing this gender situation adequately.

2.1 Livelihoods (Productive Work)

When talking with villagers about their farming systems—whether women or men—one fact becomes immediately clear: women are farmers. This statement is true for all combinations of activities in the practiced farming systems in the area, whether upland or lowland based or combinations thereof. It is common knowledge that women across all ethnic groups, including the Lao Loum, provide their labour to over half of the family farming operations including livestock rearing. It was acknowledged by both women and men in the villages visited that women work longer hours than men and have more tasks to do. (For a typical division of labour in the main upland plot, see chart at Annex Four.)

At the same time, however, household farm labour is highly integrated. Our discussants in the villages told us time and again that no family can achieve subsistence or surpluses without this integration of labour. The following, however, are some general observations on the gender differences in the farming systems. It will be shown below that the differences in household allocation of labour result in different impacts on women and men from different government policies and actions.

- Women tend to be primarily (as opposed to secondarily) responsible for more tasks than men, especially those which are time-consuming or “tending” oriented (i.e., brush clearing, transplanting, weeding, watering, seed selection).
- Women are much less responsible than men only for ploughing in the lowland system and cutting big trees in the upland system.
- Women are more responsible for many secondary crops, including all vegetables (especially if tending is required: watering and weeding). They are often very much interested also in trying to market these secondary crops.

Older women (“senior” mothers-in-law) see themselves in a leading role in upland cultivation and as mentioned above, both women and men recognise women’s heavier workload. Since women see themselves in a leading role in upland cultivation, it also means that they are responsible for a significant part of the decision making involved in the different operations related to the agricultural season. As will be seen below, however, because of women’s lesser societal status their rights to information, technology and services are compromised, as men continue to dominate in the public sphere.

An extremely disturbing issue raised by women who depend on the upland farming system is that their agricultural workload is becoming heavier, while at the same time their rights to food security are reduced. That is, they feel their families are faced

with increasing difficulties to meet their food needs. A reduction in women's rights to food, means that the rights of their children are also compromised. Many of the causes of women's reduced rights to a secure livelihood are structural, with some of the causes starting at the policy level, and resulting in women's reduced access to productive resources, especially including land.

Our discussions in the villages revealed the following most important causes for women's increased workload and reduced food security. The impacts on women will be explained further below:

- The implementation of the land and forest allocation policy which limits the number of upland plots to three, meaning artificially induced reduced fallow times (previously at eight to ten years, now only two or three);
- The "small village" merger policy which has resulted in smaller villages moving together or in smaller villages moving down to join already existing larger villages, so that there are at least 50 households;
- The implementation of various land concessions, such as for rubber or timber, may also reduce land available nearby the village for women's and men's productive activities; villagers we spoke with were not consulted on whether they could afford to give up land to concessionaires.

The impacts on women and their children, especially female children, arising from the three causes mentioned immediately above, are being felt disproportionately in comparison with men. When we look at women's workloads in agriculture, the reasons for these impacts become clearer. The policy to reduce the total number of plots allowed to remain in the shifting (rotational) cultivation system has two immediate impacts on the farming system itself. First, with the reduced fallows the weed pressure increases; second, the reduced fallowing times don't allow larger trees to grow up anymore.

Both of these immediate impacts on the upland plots serve to increase the demands on women's labour and ultimately make it less productive (reduces the returns on labour). As mentioned above, one of women's main tasks in the cropping season is weeding. If there is much more weed pressure, then women must work harder to keep them under control. If the women cannot manage on their own, then they tend to bring in less productive female labour to assist: their daughters. Land clearing tasks are also shared between women and men, but brush and small tree and/or bamboo clearing is considered more women's work. Again, women's work will be increased while men's stays the same or even reduces.¹⁷ All in all, rapidly shortened fallow times reduces the whole family's right to food security. The negative impact chain of reduced food security causes wasting and stunting among children ultimately hindering their abilities to study at school.

¹⁷ Another negative impact on women is that if there are no adequately sized trees available in the upland fields, then they will also have to travel farther in order to find appropriate firewood.

There is yet another serious negative impact related to a family's right to food resulting from increased weed pressure on the uplands. When the weeds increase, combined with decreased soil fertility (overuse, erosion), the amount of land which can be brought under cultivation must be reduced commensurate with the (female) labour available in the household. If too large a plot is cultivated, the weed pressure may result in big wastages of labour as the family can no longer keep up with the weeds. The final result is increasing rice shortages and extremely negative impacts on those households which already have poor labour to non-labour ratios. In other words, poor women will be faced with much increased vulnerability and shortages.

At the same time that land allocation policy reduces productive land available to families, difficulties in land use are compounded with the merger of villages, as has been happening in the project area as well. When people from a more distant village come to join an existing village there is very often, as mentioned to the team by villagers, inadequate land to accommodate so many families¹⁸ in the "new" village. The limited availability of land forces women (and men) to return to old village areas to do their cultivation as before. This means that women and men have longer walks (women also more likely to be carrying small children if they cannot leave them behind with others) which in turn has a whole series of possible, negative consequences.

When the walking distances involved are greater, then many families will simply choose to stay for many days together at the old village or even in the fields themselves, meaning that these families, especially the women who are already disadvantaged when it comes to exercising their rights to information, will have less opportunities to exercise their rights both to information and to appropriate services. The longer walking times will certainly have a negative impact on women's health (and of their babies and/or small children who get left behind with older children or with grandmothers rather than getting taken care of by their mothers¹⁹), while the need to stay in the older villages and in the fields will usually mean that women will have less access to clean water.

Village mergers may have additional negative impacts which disproportionately affect women and children. For example, if a water supply has been constructed in the village prior to a merger, then there are chances that neither the water nor the number of taps will be enough to accommodate all the new families. This means then that women may well suffer from the resulting poorer hygiene in the village, both

¹⁸ This is, of course, the main reason that so many highland communities do choose to remain small; it is a reflection of the people's indigenous knowledge with regard to carrying capacities of land, forest and water resources available to them.

¹⁹ This is especially critical for infants up to six months old who should, according to nutrition recommendations, be exclusively breastfed. When their mothers are away in the fields for many hours at a time, then the babies tend to get fed rice which has a serious impact on their growth, status of their immune systems and general health and is a contributing factor to wasting and poorer future health status.

those who have been in the village a longer time and newcomers as well. Schools may also suddenly be faced with too little space to accommodate new students, resulting in too few teachers for the number of students, overcrowding and unpleasant conditions including lack of hygiene facilities. This also has a greater discouraging factor for female children.

While available land for upland cultivation is being made scarcer, additional economic forces also add to this scarcity. One of these is the disbursement of land concessions. In the project area there are concessions for both rubber and timber.²⁰ It appears that villagers have not been consulted as to the location of such concessions, thus meaning that there are governance issues (transparency and accountability) which also need to be addressed if women and men are to be enabled to exercise their rights to livelihoods fully. Villagers, and women in particular, have not been given a chance to indicate to either the private companies or the authorities where, if anywhere within the village boundaries, would be appropriate to give up to a concessionaire and what sort of payment for this land should be made.

Livestock

The work of women and men vis-à-vis care and feeding of livestock is basically the same across all villages and ethnic minorities. That is, women take care of poultry, pigs and goats. Men and boys take care of large livestock (such as going out to forest areas to fetch them back to the village at the start of the agricultural season). In some of the villages visited by the Study Team, the women joked that their menfolk have so little to do with pig-raising that they would hit their own pig if it were to come close to the house (because they don't realise it's theirs). When large livestock are tied or penned, women then do become more involved in their care by cutting and carrying fodder. Vaccination (mostly of large livestock) tends to be man's business until now.

Marketing and Controlling Family Cash

Our discussions in the villages showed that women of all different ethnic groups are involved in marketing different agricultural, livestock or non-timber forest products (NTFPs) fairly equally with men because traders primarily come to the village (those with road access).²¹ The person who sells the products in the families depends on who is at home when the trader arrives. When asked about marketing preferences, women also mention wanting to sell small surpluses for ready cash. That is, they like

²⁰ It may be noted here that the UNOPS Mission of October 2006 has cautioned against support for smallholder rubber plantations as smallholders get little benefit compared with the middlemen involved in rubber processing (Paras 34 and 35 of Mission Minutes), more especially when there are no state subsidies available for the smallholders.

²¹ Marketing from off-road villages is a different matter. Here, there would be greater male involvement because of the need to carry products (formerly opium) or drive livestock to roads, larger villages or towns.

to sell things like cucumbers, vegetables, cooked maize, etc. so that they have their own source of cash for daily household needs. In some areas, women also are primarily responsible for selling poultry for household cash needs.

In regard to establishing the terms of trade for marketing products ethnic minority women may be seriously disadvantaged vis-à-vis traders, as they have not been able to exercise their rights to education. Therefore, they cannot read, cannot easily perform simple calculations, and are more easily pushed (or tricked) into even poorer terms of trade (which already tend to be poor). This in turn seriously impacts their rights to food security.

Among the Lao Loum, women tend to keep and control more household cash than other ethnic groups. They are the “household bankers.” Among the other groups, the picture is not so clear. Either women or men may keep more money. Among the various ethnic minority groups, if larger amounts of cash (or silver) are involved, the husband will bury it somewhere, and may or may not tell his wife the location. Among all ethnic groups women prefer to keep money in the family in order to prevent men from making unnecessary expenditures (i.e., on alcohol or gambling).

Non-Timber Forest Products (NTFPs)

Women across all ethnic groups are involved in the collection of NTFPs equally or more than men. In villages and communities with longer and more interdependent relations with forest, and where there is adequate access to reasonable quality forest, women tend to be involved in NTFP collection on virtually a daily basis. They collect forest foods such as wild banana for pigs, and various greens, insects, mushrooms, shoots and fruits for family consumption. Men may hunt and trap small mammals and birds and collect wild honey. The household dependence on forest areas depends also on the general preferences, and orientation, of the ethnic group whether to collect or not. When the families collect NTFPs for marketing (broom grass, wild palm fruit (*mak thao*), paper mulberry, bamboo shoots, etcetera), there is greater allocation of both male and female labour to this task.

Overall, poorer families tend to rely more on NTFPs (given adequate forest quality and access in the surrounding area) than better off families for subsistence, as their fields and livestock don't provide them with adequate food security (for whatever reasons).

2.1.1 Reproductive Work

“Reproductive work” refers to all tasks which are required to maintain a family and its labour. This includes all cleaning, cooking and caring duties which don't provide income but which are necessary to ensure survival. It also includes such things as house building and repair. Reproductive work remains a heavy burden on women

across all ethnic groups and in the absence of “modern” conveniences, takes up significant amounts of their time:

- Women and their daughters have the main responsibility to get water whether near or far,
- Women have the main responsibility to ensure firewood supply, whether near or far (men’s involvement in this task varies with the ethnic group),
- Women have main responsibility to ensure that rice is husked (in the absence of small mills in the villages, means heavy pounding work).

Women have primary cooking, cleaning and childcare duties in the home which are little shared with men. Men do also occasionally participate in these duties, but sporadically or on an *ad hoc* basis. In some ethnic groups, men are more involved in taking care of guests. Men do take care of little children but this is often when the woman is doing a more arduous task like fetching water.

The sharing of reproductive work in the household should not be underestimated in its overall negative impacts on women’s abilities to exercise their rights. This becomes especially critical in light of the increasing agricultural workloads of women mentioned above. When a woman’s productive (agricultural) workload increases she looks for help so that she can continue to focus her own labour on the productive work in the family. As a result, she will assign reproductive tasks in the first instance to her daughters, as it is the easiest for her to allocate their labour compared with male, especially senior male, labour in the family (owing to family decision-making patterns and the status of women, see section on Gender Status and Rights below).

The requirement for young female labour to take care of even younger siblings, to fetch water, to cook and clean, has a potentially highly negative impact on the daughters’ education, which in turn has many additional negative effects. When a daughter’s labour is considered more immediately valuable than her education, then she will be taken out of school at an earlier age than her brothers. While the number of boys attending lower or upper secondary school is low among the highland communities, girls’ drop-out rates are higher. Girls are also less likely to finish primary school.

2.2 Gender Status and Rights

Women’s socio-economic status is lower than men’s across all ethnic groups in the project area, but it is relatively higher among the Lao Loum compared with Hmong and Yao where it is very low, indeed. Among the Phrai and Khamu women’s status is relatively higher in comparison with the Hmong and Yao, but is lower in comparison with the Lao Loum. None of the ethnic groups have much acceptance, or give encouragement, for women’s participation in the public sphere. There are socio-cultural factors at play in determining women’s status. For example, the patrilocal, including brideprice, marriage practices of Hmong and Yao result in a much lower social status of women. In general terms, a young woman is bought for

the man's family to provide her own labour and the next generation of labour; she has little other value.

Therefore, among groups which practice brideprice and patrilocality, women are denied equal inheritance rights (with male relatives) and wouldn't normally be able to inherit land or major assets. Moreover, cultural practices, including spirit beliefs, deny women their rights, should they wish to exercise them, to return to their parents' home in case of divorce and/or death of the husband. The Phrai and Khamu, like the Lao Loum, are more likely to have a matrilocal (or a combination of matrilocal and patrilocal) marriage system which accords women greater status and rights. The Lao Loum women are in the best off situation in that with their families' access to paddy land and their traditional inheritance rights, they are also able to inherit major assets from their parents, including land. Nonetheless, even among the rural Lao Loum, girls have less access to education than boys.

Women's lower status vis-à-vis men's affords them lesser opportunities to exercise rights. As has been already stressed, female children's and women's rights to education—especially beyond what is available in the village—cannot be exercised owing to a combination of factors which arise from their lower status (women's place is seen in the home and fields). In the final analysis, the combination of women's lower status, lower educational opportunities and heavier workloads results in their lack of confidence to express opinions in public (with men present) and comprises their political rights.²²

Some women and men understand from gender training received from the DWU that women do have the right to voice their opinions in public but this is too little encouraged or exercised in practice. Therefore, there is some awareness but little behavioural change, particularly in the ethnic minority villages where women's status and corresponding levels of confidence are low. Only one village visited by the Study Team had a previous female member of the Village Authorities (Deputy Head at Houay Pheung, a Hmong village) while none of the villages have a female Village Authority member at present. When we asked the Village Authorities about this situation the immediate reaction some of them had was that women's "level" (meaning their intellectual and leadership capacities) is too low to hold public office. These are obvious discrimination issues which impair women's rights.

Finally, the widely practiced and accepted notion of "Head of Household" reinforces women's lower status in the Lao PDR, no matter what the ethnic group. The

²² "Political rights" here in the sense of women's rights to voice opinions regarding village-planning and decision making, but also in the sense of their rights to have positions on various village bodies and committees, such as the Village Authorities and newly in the RLIP - RDMA area, Village Bank Committees. A corollary of political rights, is the right to information on decisions made by others which affect women, their families and communities (transparency).

household head is always defined as a man if an adult male is present in the household.

2.2.1 Domestic Violence

Throughout the world, domestic violence²³ is an unfortunate by-product of women's lower socio-economic status and their lack of empowerment to exercise their rights to a secure, peaceful life free of violence. In the Lao PDR women across all ethnic groups suffer from domestic violence. This is also true of the villages visited by the Study Team. Although we don't have quantitative data available, incidences of wife beating seemed to us more prevalent among those ethnic groups practicing patrilocal marriage systems. It was particularly noticeable at one village where the men distinguished between "light" and "heavy" violence against women. They only felt that "heavy" violence against women would be generally unacceptable.

Our interviews also revealed a strong correlation between the availability of alcohol in the villages, male drunkenness and higher incidences of wife beating across all ethnic groups. Both women and men admitted that more women will get beaten if their husbands are drunk. The issue of alcohol is a difficult one in the sense that it is also a source of income for women who distil it in the villages. Nonetheless, the Study Team sees little reason to promote and/or support alcohol distilling by projects or external agencies like the DWU. The Study Team has two reasons for this: first, there are few, if any, mechanisms in the village by which domestic violence is addressed and stopped (we heard of only one incident where a man was arrested for beating his wife). Village Authorities often ignore this issue and women who are victims of violence have no legal remedy available to them.

The second reason has to do with the economy of alcohol sales within the village. If money transfers only occur within the village (i.e., Family A of Ban Nam sells alcohol to Family B of Ban Nam), there is actually no improvement in the local economy, as it is merely the same money moving back and forth within the micro-economy. One woman's gain is another's loss. This would be different if women were selling alcohol outside of the village, as it would then mean an increase in the net cash flow into the village economy.

2.3 Village Women's Union: Roles and Actions

At present, the only agency with a clear mandate to work with women and "protect women's rights" from village to national level is the mass organisation, the Lao Women's Union. Its establishment at village level varies across the ethnic groups,

²³ This includes physical violence of all kinds, including marital rape. It is one of the areas included under CEDAW.

but appears to have a much higher membership in the Lao Loum villages compared with the remoter, and harder to reach ethnic minority villages. In some of the villages visited the VWU has only been recently established and has rather few members. At one village visited, there were only 20 members although the adult women in the village would have numbered some 100. The more recently established VWUs seem rather unsure of their roles as expressed to us by the Heads. At the ethnic minority villages in particular, the establishment of the VWU appears to be rather *pro forma*.

The VWUs understand their main roles from the orientation they have received from the DWU. Given the fact that the DWUs are short staffed, that they are poorly equipped and funded, that they seldom have staff who are able to speak minority languages and that they are not posted to the *kum ban* (or *khet*, village cluster) they in fact have very little regular contact with village women and are not much aware of their real problems. The greatest contacts occur between the DWU and the villages when projects are there to fund DWU activities and per diems.²⁴

This lack of, or irregular, contact between the DWUs and the VWUs, especially when ethnic minority villages are involved, is a contributing factor in the VWUs' (in all villages visited, including those of the Lao Loum) lack of a clear understanding of their roles and tasks.

When we asked about the VWU's main tasks and responsibilities, the answers were as follows: (Not all the VWU representatives in the villages visited were able to provide as comprehensive a list as presented immediately below.)

- Cleaning the area around the home, the village and its streets (always mentioned first);
- Cooking and serving officials who come to the village for any purpose (such as meetings, surveys and the like);
- Collecting VWU membership fees (LAK 6,000/year) plus non-member fees from other women (LAK 2,000/year);
- Provide 33% of fees collected to the respective DWU (unfortunately, at village level, the women have no idea what is done with the money collected);
- "Motivate" women to work hard for increased production;
- Provide emergency loans to women in need (examples are when they give birth, need medical treatment);
- Little welfare (to help with funeral costs, for example).

It appears to the Study Team that the benefits of membership in the general body of the VWU are not very clear, which also is an explanation for the lower numbers in a number of the villages visited. Indeed, as the fees collected are rather small, the VWU may hand out very little money as loans. We heard of one woman in all the villages visited—a Lao Loum village—who actually had taken a VWU loan for LAK 50,000; we heard also of an unfortunate case whereby the VWU had lent the entire

²⁴ A presentation on the "Use and Application of Gender-Sensitive Budgeting in the Lao PDR Context" given by Dr. Souvanpheng Boupphanouvang on 27 June, 2007 states that a DWU would receive a budget transfer (excluding any local or project sources) of only 10 to 20 million LAK per year (EUR 800 to 1.600).

sum of its funds to the village (male) representative of the Lao National Front for Construction (LNFC) who then did not repay the money. The VWU Head did not seem to feel she had any right to demand repayment of the money, revealing again how women's lower status prevents them from exercising their rights.

Judging from the information provided above, membership in the VWU does not provide an adequate forum for women to discuss and try to solve the pressing problems they are faced with. It does not lead to their increased ability to exercise their rights. The VWU is also not a forum to encourage self- or mutual help among women in the village, nor does it take up production and/or marketing difficulties. The VWU Heads and Deputies are not spokeswomen or advocates for the women in the village. They have a rather "symbolic" presence on the general Village Committees (usually one woman along with the Village Headmen, Lao Youth Union, LFNC, Security, Economy, etc.), meaning they have little to say.

All in all, the VWU's primary self-understanding of its roles and responsibilities is far from being rights-oriented. Instead, the actions of the VWU (such as organising village clean up days or having the members take turns donating chickens and cooking them for officials) *de facto* reinforce the existing gender division of labour and subordinate position of women. Therefore, the VWU is, if unintentionally, also impairing rural women's abilities to exercise their rights.

3 Current Gender Approaches Taken in the Villages

The information and analysis provided above shows that women are disadvantaged in many ways compared to men, partly resulting from socio-cultural factors but also from external and structural factors which interact with the socio-cultural factors.²⁵ Unfortunately, the interactions of these factors at village and higher level are creating many negative synergies in terms of women's rights. In other words, the various approaches taken to date by non-village stakeholders not only do not pay adequate consideration to gender differences in rights, they potentially exacerbate an already difficult situation for women.

In CEDAW terms, the approaches do not promote women's economic, social, political and cultural rights nor work toward reducing discrimination. They may impair women's rights and/or be directly or indirectly exclusionary (exclude women from services, etc.) and/or be discriminatory. Where conscious attempts are made to redress the differences between women and men, they are often not systematic or consistent enough to bring about sustained change.

²⁵ One example of this, mentioned above already, is that of the "Head of Household." Household/Family Registration Certificates are generally issued in the name of the man as the "certificate owner," thus making him officially the "head" of household.

The next sub-sections provide the reader with examples of the interactions which are either worsening women's status and position in the ethnic minority villages or are at best neutral, rather than providing them necessary support to enable them to exercise their due rights. Where the Study Team has found positive examples which should be strengthened or emulated these are mentioned as well.

3.1 In Relation to Economic Rights

Men and women have unequal economic rights in the villages and there are unfortunately many fundamental ways by which non-village stakeholders are increasing the disparities between men and women, especially in the ethnic minority villages. One of the most fundamental of all is the access and control of land. In this respect, the issuance of **Land Use Certificates**, whether temporary or permanent, and actual Land Titles, must be done in the names of both husbands and wives (in the case of couples). The Study Team found that in the Sayaboury districts included under RLIP – RDMA support, this has been done unsystematically. In one district it appeared that all certificates had been issued in both spouses' names while in the second visited it was unsystematic²⁶, and in another district (Ngeun) there was a reported, systematic exclusion of women (borne out by the certificates we looked at).

Women in the villages were also unable to say clearly whether their names were really included as being entitled to the land parcels or not. In one Hmong village, for example, some women insisted that their names would not be on the certificates but when the Team checked them it turned out that they were. In a Phrai village, on the other hand, the women thought their names were on the certificates but it turned out that they were not.²⁷ There is far too much misinformation and intransparency surrounding the issuance of land use certificates and titles. With their lesser Lao language capacities, and their rights to information impaired, ethnic minority women have no chance to exercise their legal rights. They are thus discriminated against.

In addition to land, capital is also a potentially important input required for men and women to exercise their economic rights fully. In this respect, both women and men should have equal access to micro-finance facilities, including both savings and credit. To these ends it is highly commendable that RLIP – RDMA is establishing **Village Banks**. Village Banking is an activity of great interest to women and throughout the developing world there are a great many example of micro-finance by and for women, particularly in South Asia. In the RLIP – RDMA case, there is no particular preference given for women account holders or borrowers, nor to fund

²⁶ Where unsystematic, then more likely to be issued in both spouses' names in the Lao Loum villages and less likely in the ethnic minority villages.

²⁷ There is some confusion for the local people surrounding the certificates which have been recently issued, especially for those who have difficulty reading. The reason for this is that while the top line on the certificate shows the actual owner(s), there are also lines below which list the owner's parents names and spouse's name as means of identification.

activities which might be of greater interest for women (especially poorer women).²⁸ In fact, the accounts are often issued in men's names, with the Study Team finding some cases where the women's names have been given as account holders but they didn't actually realise this, meaning again that compromised rights in terms of information impair their further rights to access credit on an equal footing with men.

In some of the villages, the village banking is done with an eye to a "family approach." That is, either spouse may deposit or borrow money. Nonetheless, having only one name on a bank account is not in keeping with legal formalities which require that joint bank accounts include the names of all signatories.

The **Village Bank Committees** are a means by which women may potentially exercise their political rights. That is, as committee members they would have more decision-making power than as mere members of the Village Bank. Some 59% of over 2200 Village Bank members are women, either *de facto* or *de jure*, (this hides significant differences among the districts: in Sayaboury, Ngeun and Xieng Hon Districts there are 1057 members, but only 18% of them are women), the committees have at most only one or two female members out of a potential five to eight members, including the three advisers who are actually the Village Headman and the two deputies, some have none. There has been too much emphasis placed on literacy skills above leadership skills as a criterion for committee membership. This discriminates against otherwise well-qualified women. The reader's attention is again brought to village banking or savings and credit groups in India which are often completely managed, successfully, by illiterate women.

With increasing pressure put on highland farming families to give up their access to land for swiddening cultivation, the right to market their products fairly becomes all the more important. In this respect, the Study Team has come across district policies to divide districts into "**marketing zones**." Unfortunately, this zoning may provide unfair advantages to traders (who have then a monopoly for the zone) vis-à-vis women and men who need to sell their products such as maize or job's tears to make up for burgeoning rice shortages. If traders do not deal fairly with women and men farmers, there is a distinct risk of *decreasing* the family's—especially women's and children's—right to food if problems arise with a trader for the particular zone. The Study Team heard of such cases in Ngeun District, whereby the traders provided spurious excuses ("you don't have land certificates, so you can't get normal prices,"

²⁸ The Study Team also draws the attention of RLIP – RDMA to its findings that the majority of Village Bank loans in the villages visited are being taken for non-productive purposes such as house building/maintenance/furnishing and for medical treatment. The terms of the loans, suggested by the project staff to the Village Bank Committees, do not correspond well with the profitable economic activities currently available in the villages, notably livestock rearing. The six month loan periods would be suitable for crop loans but in most villages this is of little relevance, as when cash crops are grown this is done on the basis of arrangements with traders meaning no further loans are required for inputs. For livestock such as pigs and bovines it is difficult to gain profit within a six month period unless the household is well off enough to afford purchase of a more mature animal (i.e., mother pig, not young one).

“you also have to pay our total transport costs”) to villagers to keep the prices lower than they should be for the region. In one village visited, the families lost their motivation to deal with the trader and simply stopped growing maize to sell to him.²⁹

3.2 In Relation to the Right to Participate in and from Rural Development³⁰

Article 14 of the CEDAW is comprehensive in relation to the rights of rural women, and explicitly mentions many fields in which rural women must have rights substantively equal to men. These include among others: health and family planning, development planning and implementation, formal and non-formal education and all sorts of training, community and extension services, social security, organisation in self-help groups and co-operatives, participation in all community activities, having access to agricultural credit and loans plus marketing facilities (mentioned under 3.1 already).. Additionally, Article 14 mentions *appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes, and to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.*

With this rights-based perspective we see that there are many ways in which women are being either actively or passively discriminated against in the rural areas. If we look at a very simple, straightforward activity which takes place in every village—**meetings** called by non-village stakeholders—we already see here that ethnic minority women are discriminated against because of the interface between local and external causes. Women’s heavy fieldwork duties, Lao language difficulties, lesser confidence, men’s attitudes that they represent the “outside face” of the family as “heads of household,” result in fewer women than men attending meetings, including those which may provide information of critical importance.

There is a triple negative impact here in that women miss out on information, they miss out on the chance to be involved in community affairs plus there is the additional negative impact that women’s workloads are increased even more, as men spend time waiting for officials to come to the villages while women go to the forest and fields as usual (this is not a fanciful conjecture by the Study Team, women in

²⁹ Unfortunately, the findings by the Study Team have also been borne out by similar findings by the recently carried out World Bank PSIA (Summary Report, p. 23): *In Xiengkhor District, Huaphan Province, the abrupt shift from subsistence to cash crop production for resettled villages has added considerably to their overall vulnerability, as prices for their product (maize and soybean for Vietnamese investors) meanwhile have come down. Moreover, it was found that local Lao traders and officials work hand in hand to further depress producer prices by creating monopoly-like conditions.*

³⁰ This is a reference to CEDAW Article 14 which states: States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development . . . The full text of this Article is reproduced at Annex Five.

several villages have made this complaint). An additional point is that meetings (and training as well) are often held only at the main village where the Village Headman lives, seldom at other hamlets. If there is a greater distance involved between hamlets, women have even less chance to attend.

RLIP – RDMA is also arranging Village Development Planning (**VDP**) **Meetings** in the villages with which it cooperates. At these meetings women *are* encouraged to attend, and women's groups are given the opportunity (facilitated) to make VDP proposals. This is a very good start to redress some of the many gender inequities existing in the villages. Unfortunately, however, there are no clear data available as to the results of women having been facilitated at VDP Meetings. Likewise, there are no data available as to whether the women who attended also included poorer women. Minutes of VDP Meetings are unavailable which also makes it difficult to know to what extent that women's proposals (which are different from men's) were finally included in the VDPs.

We were certainly told of several cases where women's proposals were not included. While there may be legitimate reasons not to have included the proposals, there was too little transparency in the decision-making so that women would understand why their particular proposals were left out. The Study Team could not determine whether women's proposals, especially those on income-generating activities as emphasised by the IFAD Appraisal, for the respective VDPs were given priority for inclusion. Finally, there has not been monitoring as to whether women are benefiting from the activities which are being carried out in their villages.

*While noting that 80 per cent of the population lives in rural areas, the Committee is deeply concerned about **the pervasive poverty and underdevelopment of women, especially in rural and ethnic minority communities**.* This statement was made by the Committee on the Elimination of Discrimination Against Women in 2005 as a reaction to the Report provided by the GOL (see full text of the 2005 CEDAW Record of the GOL Report at Annex Six.) While RLIP – RDMA is, on the face of it, working in villages which are defined "poor," the Study Team has found that there are activities being supported in non-poor lowland villages. Additionally, in poorer villages there are as yet too few systematic attempts to include poorer families in the development process. If poorer households have no time to attend meetings, training or to receive free/subsidised inputs they end up being excluded from development processes. This means that the concerns of the CEDAW Committee mentioned above to improve the situation of women who need this the most urgently are not yet being addressed. Poor and poorest households (the most vulnerable households), including the women (the most vulnerable among the vulnerable) are not being enabled to exercise their economic and social rights.

As mentioned above, CEDAW accords significant importance to rural (and urban for that matter) women's rights to education and training. Teenaged girls and adult women in the districts are being encouraged to attend **Non-Formal Education**

classes. It is, of course, positive that women are encouraged to attend such classes, and is a good example of a “temporary special measure” to support women to achieve greater rights. At the same time, however, we must look at the timing of the classes and whether the curricula is of real interest to women. Although efforts are made to hold classes in the evening, considering women’s very heavy workloads and that they may be up at four in the morning, it is too much to expect that they will be able to concentrate much in the evening. This is particularly true if they have small children with them. In this respect, it would have to be looked into if the classes could be held on a seasonal basis when young women have a less heavy workload. Another point would be for teachers to convince men to support their wives to go for education by taking up some of the housework and childcare duties while the women attend class.

Although it is admittedly of importance that women are able to read, adult women may feel that learning to read requires more effort than it is worth for them. At the same time, however, the Study Team understood from ethnic minority women that they are much interested in numeracy and arithmetic skills because of their increasing involvement in marketing. When one looks at the attendance statistics for “Year 2” and “Year 3” of the Non-Formal Education programmes one can see that, in most cases, there are few women in attendance in comparison with the total number of women (ages 15 – 40) identified as illiterate. These low figures are a reflection of the observations made above that the classes may not be held at a suitable time/place for women and that even if they are, the curricula may not be of interest. Women’s work and their need to rest will then take precedence over study.

CEDAW Article 14 also makes explicit reference to rural women’s rights to receive **Training**. Although not so much training has been conducted so far in the villages, there is a major risk that women will not have adequate access if the Village Headmen, for example, call “Heads of Households” to come, or if the CDWs just ask for volunteers to come for the training. In both cases, the chances are much greater that there will be far more men than women attending. This is all the more likely if the training uses a classroom style of communication and approach, as this will discourage illiterate women, and those who cannot understand Lao fluently. This is, then, exclusionary. Another risk is if a training is arranged, if it is accepted by the trainers that there are mostly men in attendance, and then they simply go ahead with it because of a need to meet activity targets and the like.

On the other hand, it is much more supportive of women’s rights when they are specifically called for training, designed with women’s needs in mind, and with adequate advance notice and information as to training content. If a training is conducted in the most practical way possible, plus attempts are made to translate any crucial information into local languages, this provides women many more opportunities to discuss the training content among themselves. In the end they would gain much more from it.

An activity of major benefit to women and children is **Clean Water Supply and Hygiene**. As noted above, it receives explicit mention under CEDAW Article 14 as an aspect related to improvements in rural women's living conditions. Women are obviously major water users in the sense that they are the ones who oversee the supply available for the household. Under normal circumstances, either they or their daughters will collect water. But when projects and/or programmes establish Water User Committees, then it is very often the case that women are left out or placed on such committees as a token gesture. Therefore, women's access to water is improved but not necessarily their control of it. Another issue which may discriminate against women is the delivery of hygiene supplies (water toilets) if such supplies are delivered only to the Headman's village but not to the hamlets included under the village. In an actual case in Hongsa District, toilets were delivered to the main village of Done May, but not to the hamlet of Nabalone which is three kilometres away. This means that the women of Nabalone are having their rights to improved living conditions compromised, as it is troublesome to have to travel six kilometres to pick up a toilet and return with it, compared with the people of Done May main village.

3.2.1 *Additional Observations on Service Providers*

In this sub-section we look more closely, in gender terms, only at **two service providers**: the District Agricultural and Forestry Extension Offices (**DAFEOs**) and the **DWUs**.³¹ It is, however, true of all line agencies that their reporting does not automatically include information or statistics on women's involvement and/or benefits in their activities (this is also true of Village Authorities reporting on activity completion, etc.). A critical point on gender disaggregated reporting has already been mentioned in the UNOPS Mission Minutes of October 2006 when it noted (Paras 9 – 10) that women's participation in programme activities is low, and that all line agencies should include gender aspects in their reporting. At the same time, however, it is obvious that line agency staff have not been provided adequate gender mainstreaming training which would lead them to take more pro-active stances in incorporating gender issues in their daily work.

The DAFEOs have very few female technical staff, and even fewer who go out to provide extension services to men or women farmers. The male orientation of the DAFEOs, along with misconceptions as to women's role in farming or as to the upland farming system in general, means that extension services are seldom provided to ethnic minority women, with there also being the vicious circle of women being isolated by their heavy workloads, their lack of Lao language skills and thus having an attendant lack of confidence. There is very little focus on their needs for

³¹ As a mass organisation, the LWU is not a service provider *per se*. Nonetheless, with the myriad types of donor project support it has received over the years, the LWU has become involved in service provision, promotion of various activities and training, and in some ways sees itself as a "provider."

agricultural know-how. Although the DAFEOs are now integrated as “generalist extension offices,” the forestry-trained staff available are almost all male. To the extent that they might be involved in Land Use Planning and Land Allocation (LUP/LA) processes, they make few efforts to involve women (the same holds true for Land Management Departments). In this way, women’s rights to land and decisions over how the lands surrounding their villages should be used are compromised or even disregarded, thus impairing their rights to participate in, and benefit from rural development.

As mentioned above, livestock is a major concern of women, since under normal family circumstances they care for more (number and variety) livestock than do men. Despite this fact, however, DAFEO livestock extension officers may only train one person in the village, virtually always a man, to be a Village Livestock Volunteer (VLV). Women may not have access to this person, or even be unaware of his presence and what he’s supposed to. Another point is that if the VLV actually has any vaccines available, they are often only for use on large livestock (which, based on villagers’ reports, tend to have lower morbidity and mortality rates than small livestock). Women’s livestock rearing is accorded lesser importance, although the sales of small animals may be an extremely important source of ready cash for the family.

It is a positive development when women are specifically called for training on small livestock rearing, although the Study Team has heard of cases in other parts of the country whereby men have received more training on small livestock. In this respect, a potentially positive influence on the work with farmers, especially including women, may be found in the nationally approved Lao Extension Approach (LEA) which focuses on a production and learning group approach. LEA is meant to be inclusive of women and poorer farmers (“Extension for Everyone”). Various training materials, including on livestock rearing, are available with the National Agricultural and Forestry Extension Service (NAFES).

The only unit regularly contacting women is the DWU. The Lao Women’s Union

is the only institution that is constitutionally [Article 7 of the 1991 Lao Constitution] and politically mandated to represent Lao women of all ethnic groups and to “protect women’s rights and interests. . . . Its main responsibility is to improve the living conditions and status of Lao women. The number of LWU women members had risen to 970,650 by the end of 2005, approximately half of all eligible women.”³²

As the quote immediately above suggests, the LWU, and thus the DWUs, have a powerful mandate in respect of addressing gender imbalances in the Lao PDR. Nonetheless, the Study Team’s (and others’) field-based evidence suggests that in practice the DWUs are putting all too little emphasis on women’s rights and

³² The quote is from the GRID Centre’s *Lao Gender Profile* (2005:28).

empowerment in the areas where they really need them. Rather, DWUs give more emphasis to the three principles which Lao women should aspire to: Being a good citizen, being good in development and having a good “cultural family.”

This has several immediate results in addition to the lack of a women’s rights focus.³³ There is, for example, too little practical training carried out by the DWU that will really benefit women, and there are few discussions between DWU staff and village women on problems identified by the women. As mentioned, the average DWU will have few staff, few resources (with the exception of projects) and far less contacts with ethnic minority women compared with women in Lao Loum villages. Finally, the DWU does not monitor women’s benefits from government or project-supported programmes, nor improvements in women’s exercise of their rights.

The DWU staff will have normally received some training on how to do gender training with village women. Training curricula and materials are available and appropriate (the set of materials the Study Team saw in Sayaboury includes many pictures which may be used with village women). The pictures, however, help to discuss the gender division of labour more than rights issues, and also do not address the rights issues inherent in the division of labour (i.e., if a woman is working and deciding about crops in the family’s fields, she should also be *entitled* to receive information and services on cropping matters). Moreover, as the pictorial training sets are used more with women than with men, they don’t help to motivate men to work harder to alleviate women’s work burden. At best they have created some gender awareness, as mentioned above, also among the Village Authorities who have received training. They realise that women are also entitled to attend village meetings and give their opinions but do little about this in practice.

Overall, the DWUs are inconsistent in their approaches to the VWUs: on the one hand they may provide gender training, but on the other they promote VWUs in the context of traditional female roles: cleaning and cooking. In the final analysis, this will not lead to changes in “traditional male and female roles” as referred to in the CEDAW preamble, and thus continue to impair women’s abilities to exercise their rights equally with men.

4. Gender Mainstreaming at RLIP - RDMA

All relevant, official documents for RLIP – RDMA, such as the IFAD Appraisal Report, the GTZ Offer and related BMZ concept papers, give high importance to gender integration and mainstreaming and ensuring that women benefit from programme activities. Nonetheless, when we look at gender mainstreaming at project organisation level we see that it is rather left on the sidelines than being brought into

³³ An obvious example where the P/DWUs should be closely involved in protecting women’s rights is the issuance of land certificates. It is not done.

the mainstream, let alone conceptualising that the mainstream should be changed by virtue of women's equal rights to participate in it. We also see that there are inconsistencies with the project-related documents which spill over into all aspects of the project's work programme, including the way activities are planned, implemented and monitored. The Monitoring and Evaluation (M&E) system also is not adequately geared to monitoring women's use and benefits of project outputs, and there are no adequate indicators to show impacts on women's improved abilities to exercise their economic, social, cultural and political rights.

The TORs for this study explicitly state that it should contribute to the programme objective: *Women are benefiting equally from programme services*. The IFAD Appraisal Report also uses 50% as its "gender benchmark" when it says: *Give equal access to women for programme-supported training, technical support and social services* (p. 24, but "equal access" also mentioned on pgs. xxvi and xxxv). However, these goals or targets to reach women are not consistently maintained throughout the project documents.

Among the RLIP – RDMA components (three main ones where GTZ and IFAD cooperate) and sub-components (11), there is only one output which says: *Gender issues are addressed in all relevant activities at village, district, provincial and programme level*. Its indicator is that *more than 70% of planned activities* must have considered gender mainstreaming. While it is highly commendable that such an output exists for the project, the Study Team also tried to assess its weight and importance for the project as a whole, and discovered that this is limited.

There are very few other sub-components or outputs which have adequately gender-disaggregated targets and indicators, meaning the 70% is not followed up. Moreover, since this is an output under the Gender Mainstreaming sub-component, the technical sections do not feel that it is an indicator which applies to them. Indeed, until now, it has not been brought to their attention that they should also be striving for this 70%. The 70% target appears quite high, but as it is only a reference to planning, it loses somewhat in strength. Nonetheless, if women are to benefit from at least 50% of activities, it stands to reason that their rights and needs should be accounted for in at least 70% of the planned activities. The only other *concrete* reference to women in RLIP - RDMA's indicators comes under education: the female literacy rate is to increase by 60% by 2011 (30% by 9/2008).

Overall, the RLIP - RDMA poverty reduction indicators do not reflect gender issues adequately. The clearest example of this lies in the programme's revised indicator to measure poverty reduction. It reads as follows: *By 2011 the ownership of a number of assets (consisting of capital, production and consumption goods) has increased in more than 90% of the households, indicating a substantial increase in monetary net-income*. This indicator does little to measure the improved living conditions of women, nor is it a measure of any improved abilities to exercise their socio-economic rights (at a minimum). Just because there is now a motorcycle, television, two more

buffaloes and a mechanical plough in the house, does not mean at all that the condition of women in the household has improved. In fact, the indicator does not even prove a substantial increase in monetary net income in that the household may have incurred large debts to purchase these items.

The Study Team's interviews and discussions with the RLIP - RDMA technical advisory sections showed that the Advisers for the most part do not perceive that gender issues are their issues. There seems to be an unspoken understanding that if there is no one responsible directly for gender issues, there is no strong obligation to work on gender mainstreaming. In fact, when asked about the 70% indicator on gender mainstreaming some of the Advisers were surprised that they should be concerned about it, as they said it is a social development issue not theirs.

With only one exception (Adult Education), *no* National Technical Advisers have gender issues included as an item in their job descriptions/terms of reference. The CD Supervisor job description has one vague point included on gender. Therefore, that the UNOPS Mission's (October 2006) recommendations on gender have not been addressed until now is not surprising, nor that previous problems, and recommended actions, of the original IFAD Appraisal Report related to gender³⁴ have also not been taken up until now.

One of the UNOPS Mission's strongest recommendations is that: *Each line-agency should pay strong attention to gender aspects, and should include this as a specific subject in their reports.* But as mentioned above, the line agencies don't have an adequate understanding of what gender mainstreaming practically means, and where are the mechanisms to monitor that this is actually done? Although gender issues are, indeed, everyone's issues, the fact remains that women tend to accord them higher priority than do men. In this respect, there are too few women in senior positions at RLIP - RDMA (only 2/10 advisers), despite efforts to recruit women as well.

Overall, most RLIP - RDMA staff, including management staff, have initial awareness on gender issues, but there is little practice of gender mainstreaming in the programme, especially including monitoring. There are positive examples whereby the programme does actively seek women's participation such as in VDP planning, and in village-based small and medium enterprise (SME) activities, but they are not yet carried out systematically throughout the programme, especially regarding the involvement of ethnic minority women. Moreover, as mentioned above, the programme's M&E system is also not geared toward measuring gender disaggregated information, including who is planning or benefiting from what.

RLIP - RDMA's poverty orientation (despite the CDWs' identification of poor and poorest households in the participating villages) is also not yet strong enough, thus

³⁴ These are repeated in the Terms of Reference for the Study included at Annex One.

risking the creation of bigger wealth gaps in and between villages. Poverty and gender must be seen as crosscutting issues on the same plane and accorded the same importance. Since poorer, especially ethnic, women's vulnerability is not being addressed, it means there is no process in place which will enable them to exercise their socio-economic and political rights. It must not be forgotten that State actors are duty-bound under both CEDAW and CERD to fulfil rights obligations towards those who are least able to exercise them while removing all forms of discrimination.

From discussions with the RLIP - RDMA Advisers it is clear that no one has been systematically exposed to CEDAW and to different concepts of discrimination on the basis of sex, especially impairment (of rights) and exclusion (from enjoyment of rights). In this same vein, RLIP - RDMA does not have an overall rights-based concept or approach which would help it to increase and improve its consistency both in poverty reduction and gender mainstreaming.

5. Main Conclusions

Poor ethnic minority women suffer triple exclusion. This is because they are poor, because they are women and because they belong to ethnic minorities. They suffer from both active and passive discrimination, and all documents on poverty in the Lao PDR point out that ethnic minority women are the poorest of all. If the project does not take strong enough action to work against this triple exclusion, there is a significant risk that by the end of the project, women's abilities to exercise their rights will not have improved, nor will there be improvement in their freedom from all forms of discrimination. If there is no change in the current direction of the project, the final outcome will be that no real process toward gender mainstreaming will have been initiated and the project will not achieve its stated goals.

The dominant perception of gender, virtually everywhere in the Lao PDR, is that it is a women's issue, not a rights issue and not a societal issue. As a women's issue it is left too much to be dealt with by the LWU. Until now, gender is also at best a sideline issue at RLIP - RDMA, with the main idea (expressed in various documents, including the IFAD Appraisal Report) that it should be delegated to the LWU to work on. Considering how poorly the LWU is resourced, however, that it doesn't have the same status as a line agency, and that the line agencies will continue to ignore gender as before, this will only perpetuate the sidelined status of gender mainstreaming.

Regarding the role of the LWU in gender mainstreaming, the Study Team draws the reader's attention to the strong comments and recommendations by the UN

Committee to Eliminate Discrimination Against Women (2005) vis-à-vis the National Report provided by the Lao PDR³⁵:

[The] Committee expresses its concern about the inadequate institutional structure and financial resources available to the ... NCAW for gender mainstreaming and implementation of gender equality policies, as well as the heavy reliance on the Lao Women's Union, which is a mass organization without executive power.

The Committee recommends that the State party strengthen its national machinery by providing adequate human and financial resources as well as setting up mechanisms to strengthen gender mainstreaming in all ministries and at all levels of the Government. While recognizing the important work of the Lao Women's Union in advancing the status of women, the Committee recommends that the State party not relegate its obligation to implement the Convention only to a mass organization. It also recommends that the State party create governmental supervisory bodies at all levels to monitor the implementation of the national strategic plan for the advancement of women for the period 2005-2010.

Our final conclusion is that women's abilities, especially of ethnic minority women, to exercise their human rights are not being enabled by the current approaches and policies being implemented in their villages, including by the Village and District Women's Unions. The focus remains on encouraging them to conduct various activities, some of which perpetuate gender role stereotyping, rather than focusing on their rights as women and as human beings. We also see that village women are not offered adequate space to build up their skills and confidence independently of men. There is no regular forum where they can discuss problems and solutions on their own. Moreover, expectations are too high, in the absence of support measures, that they will be able to perform equally with men in various committees and meetings. That is, focussing on "quota women" just for the sake of having a female face on a committee is also not a legitimate means to promote women. Women need to be supported to be enabled and empowered to take their rightful place in public decision-making.

Given all the evidence presented in the report above, the Study Team concludes that it will be urgently necessary for RLIP - RDMA to employ an additional (DED) Adviser to work on gender issues as a special temporary measure. The Team also concludes that a short term position will not bring enough results or impacts, but rather should precede a long term position.

³⁵ The entire text of the Committee's Report, including a summary of the GOL's report is attached at Annex Six.

6 Recommendations

6.1 Overall Recommendations for RLIP - RDMA

1 RLIP - RDMA requires a greater orientation to rights-based approaches especially in the context of CEDAW, CERD and CESC, the first of which has been ratified by the GOL, the second acceded to and the third signed.

2 RLIP - RDMA requires greater commitment to do consistent gender mainstreaming within the programme. The programme should exercise this commitment by starting now to focus on gender issues (i.e., don't wait until the DED Short or Long Term Adviser(s) is(are) recruited and in place).

3 *If possible*, RLIP - RDMA should hire local people, *especially young women with Lao capabilities*, at first as junior staff (CD Assistants, for example, but with chances for promotion), from the project villages to help build up local, sustainable, capacities for development and to start to redress some of the gender/ethnicity imbalances in the project.

4 As it has already been approved by the Ministry for Agriculture and Forestry for nationwide implementation, RLIP – RDMA should be basing its extension approaches on the “Lao Extension Approach” (LEA). Its needs analysis and group-based extension approach lends itself well to more gender/poverty friendly work in the villages.

6.1.1 Recommendations for the Immediate Future

5 Review job descriptions and add gender mainstreaming as a specific point for all technical advisory team in relation, concrete, to each person's work. Annual personnel reviews should specifically include a review of work on gender. (To be seen in conjunction with 6 below.)

6 All indicators should be reviewed for gender targets. “Internal indicators for steering purposes” should be revised soonest to reflect concrete, gender disaggregated targets.

- Indicators for all technical sections should reflect 70% “gender mainstreaming” for all activities.

7 Data collection forms (various profiles, surveys etc.) should always reflect gender differences.

8 **STOP** referring to male heads of households³⁶! (Households are *de facto* either jointly headed or singly headed. If singly headed, then they are either male or female-headed.)

³⁶ Including, for example, on household data collection forms. Categories used should be jointly headed, then either male- or female-headed (meaning permanent, or *de facto* permanent, absence of spouse).

9 Ensure that all activity reporting systematically includes gender disaggregated information.

10 Ensure that all Village Bank joint account books include names, signatures and identity card numbers of all account owners (usually husband and wife). Investigate, and take action on, low female membership in Village Banks especially in Ngeun and Xieng Hon Districts.

11 Lobby, and assist, District Authorities to reissue Land Use Certificates/Land Titles in both husband's and wives names where this has not already been done.

12 CD Workers, along with V/DWU and Village Authorities (as possible) should conduct an information campaign to provide information on women's and men's legal rights with regard to land use titles.

13 When CD Workers are requested to help with organising any training or meeting in villages, they should ensure that poorer households and women are specifically requested to attend, with adequate advance notice, and with adequate information as to the proposed subject of the training or meeting.

- Additionally, ensure that training is carried out when women are available to attend.

14 Communications style for all training should be as informal as possible. All training in the villages should be carried out as "on the job," not classroom, and local people (especially women) should be requested to translate for participants as required into local languages.

15 CDWs should attend monthly meetings of the VWUs, but begin to facilitate these meetings so that they are more problem – solution-oriented and more rights-oriented. Since these meetings tend to be held on the same date in all the villages, the CDWs should request that meetings be held on staggered dates so that the CDWs may attend.

16 If/when village production groups are facilitated by CDWs and/or technical line agency staff in the villages (ex. for agricultural activities), there should be concerted efforts to establish women only groups, particularly for activities for which they have primary responsibility. Both men's and women's groups should specifically include poorer households as well.

17 There should be much better coordination of meetings and training in villages so as not to disturb women's and men's work schedules too much, especially in the busy agriculture season. For example: only go on a limited number of days/month and arrange for different TA staff to go at the same time.

18 Organise a CEDAW orientation training separately for senior staff, then for CD Workers.

6.2 Recommendations Related to DED Position

19 Urgent consideration should be given to augmenting the DED short term consultant position (mentioned in the TOR for this Study) with a long term advisory position, and with a fulltime assistant. The Study Team recommends to maintain the DED short term position in order to get someone on the ground within a shorter time (the “short term” should be at least six months; could possibly be split into two periods of four months and two months depending on the person selected).

Because of the general lack of *practical* understanding of gender and rights-based issues, a process of gender mainstreaming will have to be closely accompanied by an experienced gender person, hopefully with previous experience in the Lao PDR, for at least two years after the conclusion of the short term inputs.

20 The goal of the position should be to advise all RLIP – RDMA technical sections, the P/DWUs and *selected* district/provincial line agencies so that the line agencies can begin to implement (rights-based) gender mainstreaming at least for a number of selected activities (to be decided between line agencies and villagers). Training would have to be arranged and provided for all key staff.

Under no circumstances should the DED Adviser be seen as a person who is solely responsible for gender on the RLIP – RDMA TA Team. S/he will be facilitating others to understand how they can practically include gender considerations in their work and provide more support to ethnic minority women. In CEDAW terminology, this is representative of a “special temporary measure.”

21 Additional tasks for the DED Adviser:

21.1 All line agencies should be helped to integrate gender-disaggregated reporting for their monitoring work (as per UNOPS Mission recommendation).

21.2 All RLIP – RDMA and line agency staff must be advised and assisted on implementing CEDAW in the context of their own work.

21.3 The P/DWUs should be advised and assisted to develop a system of monitoring programme benefits for women (in cooperation with the Programme Information and Knowledge Management Team).

21.4 The DED Adviser should assist to build up a network of rural development/poverty reduction projects for the purpose of exchanging experiences on gender. These could include initially the CARE-implemented PARUA³⁷, and the SCA disaster mitigation and primary health care projects, but should of necessity also include the other RDMA components/projects and other projects based in the North (such as in Luang Prabang and

³⁷ Poverty Alleviation in Rural Upland Areas. SCA = Save the Children Australia

Oudomxay). The DED Adviser should occasionally participate in gender network/CEDAW-related meetings organised in Vientiane.

22 The DED Adviser should also advise and assist the DWUs to play their role to support the VWUs more pro-actively, through rights-based gender training approaches, and also by adapting or developing more rights-based training materials to be used with Village Authorities and with men at large (this should be started by the DED short term adviser).

22.1 The DED Adviser (in cooperation with the SME Adviser) should advise and assist the P/DWUs on facilitation skills to help support women's groups in the villages (groups on production, income generation, marketing, self-help, etc.), especially including ethnic minority women.

22.2 The DED Adviser should advise and assist the P/DWUs (or other agencies as necessary) to implement the recommended actions on gender mentioned in the IFAD Appraisal Report.

6.3 Longer Term Recommendations

23 The LWU at all different levels should play a much stronger women's rights advocacy role according to the major principles and articles of CEDAW. Training on this (including TOT) would have to be coordinated with the PWU, the National GRID Centre and independent consultants.

24 As mentioned in the UNOPS Mission Report, village banking "is a very suitable activity for women,"³⁸ but this is not reflected in the programme's support for Village Banks (VBs) to date. Micro-credit is a very important tool to improve women's self-confidence and improve their socio-economic status, thus enabling them to exercise all their rights in society and also improving the family's living conditions. This will only happen when women have access *and control* of micro-credit for productive purposes:

24.1 Therefore, women with leadership skills (identified by women and men of the communities and regardless of literacy skills) should be encouraged and assisted to become VB Committee Members equally, or more, than men.

24.2 In villages where women suffer greater discrimination, and require more assistance to create the enabling conditions for them to exert their rights (Hmong, Yao, Khamu, Phrai), RLIP - RDMA should support "Women's Sections" of the existing Village Banks or completely separate Women's

³⁸ The example of the Nobel Prize winning Grameen Bank in Bangladesh is based almost entirely on women borrowers, and there are thousands of women's banks and savings and credit groups in India.

Banks where there are also activities to support various income-generating activities of, by and for women.

25 V/DWU and CD Workers should facilitate village women to help each other, especially the poorer and poorest women (principles of self-help). This can include moral support, labour support, minor welfare and efforts to include them in production groups, etc. These efforts should be based in the first instance on the women's own concepts of mutual help.

26 V/DWU and the Village Authorities, facilitated by CD Workers, should find methods to assist poorer families to send their daughters to school (generally speaking they should also promote men to assist women with excessive workloads in the families).

27 RLIP - RDMA should advise and assist the Education Department to adjust the NFE curriculum (local content 20%), to make it as interesting and relevant as possible for adult women: this would have to especially include major emphasis on numeracy and arithmetic skills required for marketing.

27.1 Timing of classes should be made as "woman friendly" as possible, including "poor woman friendly," with an eye both to time of day and time of year. Busy times of year should be avoided for classes.

27.2 If enough students are available, establish women only classes. Encourage women and their daughters to attend (example: a 35 year old and her 16 year old daughter if the latter also lacks literacy/numeracy skills).

27.3 The CDWs, along with VWUs, should motivate Village Authorities to in turn motivate men to support their women to attend classes, including by helping out in the home.

28 Village Authorities, VWUs and village women at large, with assistance of CDWs, should have awareness raised on protecting and supporting any women who are victims of domestic violence.

29 RLIP - RDMA should arrange more study tours—even if only village-to-village within the five northern districts—for *only* village women, and especially ethnic minority women, to see other activities and get exposure on various subjects of interest to them. The V/DWUs should be involved with this.

30 RLIP - RDMA's major activities should be prioritised towards women's, especially poorer ethnic minority women's, defined development priorities. Only in this way will it assist the GOL in fulfilling its obligations under the CEDAW and other human rights treaties. (That is, women should not only be "getting a share" of activities which have been prioritised by men.)

31 Be patient in working with ethnic minority women—it will be a longer process, requiring careful monitoring, to ensure that their abilities to exercise their human rights are steadily improving.

Annex 1: Terms of Reference**Gendered Livelihood Study****Rural Livelihood Improvement Program (RLIP) and Rural Development Program in Mountainous Areas of Northern Laos (RDMA) Sayaboury****Program Background**

The Program “Integrated Rural Development of Mountain Regions in the Northern Laos (RDMA)” currently operates in more than 300 villages in 11 districts in the three provinces Bokeo, Luang Namtha and Sayaboury. The program villages and districts are structurally afflicted with poverty and food insecurity. Their core problem is that they are more or less totally excluded from the country’s economic development and are inadequately linked up and thus served by the network of government services.

The overall program goal of RDMA is defined as follows: With the support of the province and district authorities, the target population sustainably improves its economic and social living conditions.

In Sayaboury Province the program cooperates with the Rural Livelihood Improvement Program (RLIP), which is financially supported by the International Fund for Agricultural Development (IFAD) and implemented by Lao Government.

The joint program encompasses three components: (1) Sustainable use of natural resources and promotion of the local economy, (2) Strengthening capacity for self-help, establishing village organisations and social services and (3) Capacity-building and development planning at district and province level along with the use of programme experience at the national level.

Problem Analysis

Gender Dimension of Poverty. Gender-related Development Index in 2002 gives the Lao PDR a value of 0.528 and 107th out of 144 countries. Ethnic minority women and girls are the most disadvantaged segment of Lao society. Women work much longer hours than men, performing 70% of the agricultural and household tasks, while rearing young children. However, Lao women have a life expectancy of 55 years at birth, two years higher than men. Lao women have on average three years (two years in rural areas) of school, compared to four years for men. Women have a literacy rate of 54%, compared to 77% for men. Ethnic minority women comprise 70% of the illiterate population. Girls tend to drop out of primary school after grade 1 or 2. Consequently, few ethnic minority women retain a non-native tongue language, engage in formal or non-formal business or are employed in the manufacturing or government sectors. The overall impact of poverty is particularly severe on rural women, particularly upland minority women.

RDMA considers **gender** as a **cross-cutting issue** that is integrated part of all program supported activities.

The appraisal report, which is the main document for the implementation of the IFAD supported Rural Livelihoods Improvement Program (RLIP) in Sayaboury, incorporates already a gender analysis.

Gender analysis

1. **Sourcing Livelihoods.** There are many livelihood-related activities where both women and men work together, although their workload differs with their roles defined by tradition and social norms. Women engage in a range of livelihood-related activities including farming cleaning and preparing land, transplanting rice (jointly with men); home gardening (50-70% of the work); fruit trees (20-30%); raising livestock (50-60%); collecting firewood and NTFPs (30-60% for NTFPs); weaving and making bamboo handicrafts (60-90%). Raising poultry is basically a women's work while men are mainly responsible for rearing cattle. Making wine is more of women's job although the men help to the extent of 30%. Men tend to provide more money (50-80%) than women although in three out of 16 villages studied women contributed more cash than men. In addition, women have the primary responsibility for managing the household, including water collection and care of the children. As a result women have a much greater workload than men but men tend to perform strenuous and difficult jobs, e.g. clearing land for shifting cultivation. Women-headed households without adult children are at a disadvantage in terms of pursuing multiple sources of livelihoods. A higher proportion of women (50-70%) from the poorest group engage in wage labour compared to men.

2. **Knowledge and Skills.** Women believe that men are the head of the family and have more experience and skills than women, although women have more knowledge on household matters. Also women tend to believe that men are better custodians of valuable things.

3. **Decision-making.** When borrowing and repaying loans, men decide (50-80% of cases), although women are able to borrow small amounts of rice on their own. While women keep the cash, men decide how to spend it except for small items. Generally, women and men together decide about family planning, sending children to school and going to the district hospital when sick.

4. **Power and Status.** Women do not enjoy an equal social status with men. The man is considered superior in all respects and in most situations the parents will pay a bride price when their sons marry. For women marrying at a young age and bearing a large number of children increases the risk of maternal mortality and poor health, over-burdens them with work and increases food insecurity. Men wield power in the sphere of governance, institutions and processes as they fill the positions of influence. Programme and line agency staff are mostly men. The LWU has limited influence in the villages surveyed.

5. **Needs.** Women have many needs which include: (i) supplies of readily accessible and clean drinking water; (ii) access to a dispensary with health care and reproductive health services; (iii) savings and credit groups for emergencies and to finance income generating activities; and (iv) training in agriculture, animal

husbandry, child care and sanitation. These activities can empower women in terms of productive engagement, improve their human capacity and social status and increase their voice in the family and in society at large.

Lessons learnt from the previously implemented program (Northern Sayaboury Rural Development Project – NSRDP) are described as follows:

Gender Mainstreaming: Major lessons from the experience of NSRDP include: (i) the introduction of village water supply schemes reduces the workload of women and children, by an average of one hour per day; (ii) gender training at village level provided by the LWU does lead to a more equal division of labour between husbands and wives; (iii) projects can improve gender equality by specifically recruiting women to work in health and education, but for agriculture this is more difficult because very few Lao women are attracted by studies in agriculture, livestock or forestry; (iv) projects need to be pro-active to address gender inequalities in decision-making, distribution of labour and workload, employment opportunities and nutritional and health status; and (v) projects should include specific activities that will benefit women.

In preparation of the RLIP-RDMA Program the following problems related to gender aspects were identified:

- Lack of participation of women in decision-making at the community level.
- Lack of participation of women in skills training.
- High rate of illiteracy within women.
- Limited women staff in the extension services and program management.
- Women have a heavy workload and long working hours for both productive and non-productive activities.

The recommended actions to be taken are:

- Ensure that LWU are members of the Village Administrations and participate in the participatory impact assessments.
- Promote income generating activities for women so as to change the gender relations within the family.
- Give equal access to women for program supported training, technical support and social services.
- Provide literacy training to rural and ethnic women.
- Provide training to women as village extension workers, members of the savings and credit management committees and managers of the drinking water supply schemes.
- Wherever possible recruit and second women staff for program management and other program activities.
- Support the LWU in taking a lead role in gender mainstreaming, creating awareness and prevention of domestic violence and HIV/AIDS/STD, reduction of women's workload, promotion of reproductive rights and reproductive health services.

- Include gender awareness training in all staff and farmer training programs, to mainstream gender concerns into all program interventions and operations.

The appraisal report identifies therefore the following main intervention areas for Gender Mainstreaming:

Gender Mainstreaming at Village Level will include gender awareness training as part of all training provided for villagers and the VA members. LWU will provide this training, which will be designed to strengthen the capacity of women to play a greater role in family and community-decision making. The program will also: (i) provide equal access to women to participate in technical training programs; (ii) support income-generating activities that will specifically target women; (iii) issue temporary land use certificates in the names of both husband and wife; and (iv) create awareness concerning the problems of domestic violence, spread of HIV/AIDS/STD and the need to reduce the workload of women. The program will support the LWU to undertake awareness campaigns in the targeted villages and provide the necessary gender awareness training.

Gender considerations will be mainstreamed in all program activities at the village level through the support provided by the LWU and the CD workers and the district community development facilitators (preferably woman) who will raise gender awareness and provide the necessary training at village level. Training and extension activities will be targeted at those responsible for a particular activity; whether men or women or both, thereby removing the gender bias that can occur at present. This approach will enhance the role of women as agents of change and bring about a gradual transformation of gender relations in the process of social and economic development. The program will promote the participation of women in the decision making process within the local communities by ensuring that the LWU plays an active role in the VAs and also at the district and provincial levels. Women will also be encouraged to become village volunteers and extension workers. Finally, with the support of the LWU, all staff training programs will include gender awareness.

Objectives of the consultancy and specific tasks of the Consultants

The consultancy shall contribute to achieve the following program objectives:

- Women are benefiting equally from program services (**direct benefit**)
- Women taking leadership positions and decision making in VA(C)s and other village-based committees increased (**use of activities/services**)
- Gender issues are addressed in all relevant activities at village, district, provincial, and program level (**output**)

The **specific tasks** of the consultants are:

1. Conduct a gendered livelihood analysis in RLIP-RDMA program villages considering the different ethnic groups living as well as different economic situations in 3 of the 5 program districts Sayaboury, Hongsa, Ngeun, Xieng Hon,

and Khorp (preferable Sayaboury, Hongsa, and Ngeun) under special consideration of following aspects:

- Conduct participatory and gender-sensitive situation study; vulnerability analyses and livelihood assessments in a gender-specific and gender-sensitive manner; of which gender issues will be considered for contingency planning.
 - Conduct assessment of cultural practices that obstruct to the development and advancement of women in the society with reference to ethnic, beliefs, family issue, etc.
 - Review and advice RLIP-RDMA program approach for gender sensitivity, ensuring all program staff and partners are trained on gender mainstreaming and actively participate in addressing gender gaps in program implementation.
 - Advice RLIP-RDMA program approach to consider situation analysis in implementation where women and adolescent girls equally benefits from livelihood activities created by the project including management and use.
 - Establish contacts and exchange information with other organizations with solid gender programming.
2. Develop a framework on gender in the areas of programming, advocacy and human resources within the RDMA-RLIP program reflecting the Lao PDR commitment on CEDAW (United Nations Convention on the Elimination of all forms of Discrimination Against Women).
 3. Clarify the role of Lao Women's Union and other selected stakeholders in gender mainstreaming and assess the capacity at provincial, district and village level.
 4. Contribute to the elaboration of a training program and curriculum for LWU that enables them to:
 - Facilitate and advocate gender mainstreaming at village level by (a) by ensuring equal / improved access of women to training, (b) ensuring that income generating activities are targeting women, too, (c) by informing women about their rights regarding land use certificates and (d) by creating awareness about problems of domestic violence, HIV/AIDS, workload of women.
 - Facilitate and advocate gender mainstreaming at district / provincial level (a) by organising specific seminars and/or gender awareness sessions for staff and (b) by discussing specific problematic cases in relevant meetings.
Gender should be mainstreamed across all program training
 5. Draft TOR for a DED Development Advisor (envisaged time-frame 8-10 months), who shall contribute to the capacity development of LWU at province, district and village level.

Time Frame and Location

- June 2007,
- Representatively selected RLIP-RDMA program villages in the 5 districts Sayaboury, Hongsa, Ngeun, Xieng Hon, and Khop.

Presentation of findings, recommendations and reporting

- Presentation of findings and recommendations in Sayaboury Province for relevant Government institutions and RLIP-RDMA Program staff in form of a workshop (1/2 day).
- De-briefing for DED Country Director and/or Coordinator in Vientiane.
- Elaboration of a comprehensive report including analysis, recommendations and action plan in Lao and English language.

Annex Two: Study Team Schedule and Persons Met

Date	Activity/Meetings	Persons Met/Position ³⁹
5.06	Gebert arrival	
	Study Team Meeting	
	Meeting with GTZ RDMA Programme Leader	Dr. Ulrich Sabel-Koschella, GTZ Country Coordinator
6.06	Field Trip Preparation	
	Travel to Sayaboury via Luang Prabang	
7.06	Attend Annual Planning/Budgeting Workshop of RLIP-RDMA	
	Briefing on Study	Dr. Jens Kallabinski, RDMA-Sayaboury Team Leader
8.06	Meet with PWU and 5 DWU representatives	Mrs. Nongluck Sayavouth PWU Deputy, Mrs. Sangviene Pinthip DWU SB Director, Mrs. Bouakham T DWU Deputy Ngeun, Mrs. Chanthy Khamwongchan DWU Deputy Hongsa, Mrs. Hongkham Ngotboune DWU Deputy Xieng Hon, Mrs. Bouakhieu P DWU Deputy Khop
	Meet with PPCU and DPCU representatives along with PPD of RLIP	Mr. Chattawa Keokhamphet Director of RLIP SB, Mr. Khamphout Inthavong Deputy Director RLIP, Mr. Khamman PPCU Deputy, Mr. Khampheuy DPCU Deputy SB, Mr. Phouvang DPCU Director Hongsa, Mr. Saysana DPCU Director Ngeun, Mr. Chanpheng DPCU Director Khop, Mr. Siam DPCU Director Xieng Hon.
9.06	Village Visit: Phone Home with Mr. Keooudone CD Supervisor, and Ms. Khamfeuag CD Worker plus Mrs. Vannaphone Thor of DWU.	Village Authorities, VWU, better off women and poorer women of the village, poorer men of the village, women with hardships
	.	
10.06	Village Visit: Pak Thiao with CDW, Mr. Vilayvanh.	Village Authorities, VWU, better off and poorer women of the village, women with hardships.
	Travel to Hongsa	
11.06	Village Visit: Napoung with CDWs, Mr. Phouthep and Ms. Latsamee	Village Authorities, VWU, better off and poorer women of the village, women with hardships, men's group.
	RDMA/RLIP Meeting	All CD Team

³⁹ Persons Met are shown with full names and positions only at the first meeting with them.

12.06	Village Visit: Ban Nabalone (hamlet of Ban Don May) with CDW Latsamee and DWU Mrs. Khamphou	Village Authorities, VWU, better off and poorer women of the village, women with hardships.
	RDMA/RLIP Meeting	National Technical Advisers: Mrs. Viengvilay Sirimoungkhoun (CD), Mr. Somchith Sirimoungkhoun (Educ.), Mr. Bandit Sisouda (MF), Mr. Manivong Davaisanti (IKM), Mr. Thipamphone Saylath (NRM).
13.06	Village Visit: Kew Mouang with CDWs Mr. Daosone and Mr. Phouthep and DWU Mrs. Khamphou	Village Authorities, VWU, better off and poorer women of the village, women with hardships, men's group.
	Study Team Internal Review and Meeting	Mr. Phansy Veuyee (Agric Extn Assistant)
14.06	Meetings	Mr. Basanta Adikary (DED Adviser on Upland Agriculture)
	Travel to Ngeun District and Discussion	Ms. Veronika Utz, (DED Adviser on SME)
15.06	Village Visit to Houay Pheung with CD Sup. Mr. Amphone and CDWs, Ms. Phayvanh and Mr. Khamyath, and DWU Mrs. Bouakham.	Village Authorities, VWU, better off and poorer women of the village, women with hardships, men's group.
	Village Visit to Namthone with CD Sup. Mr. Amphone and CDWs, Mr. Khamyath and Mr. Phonesay, and DWU Mrs. Bouakham.	Village Authorities, VWU, better off and poorer women of the village, women with hardships, men's group.
16.06	Feedback meeting with CDWs and CD Sup.	
	Return to Hongsa	
	Document Review	
17.06	Study Team Internal Review and Discussion	
	Discussion	Mr. Phengphila, Livestock NTA
18.06	RLIP/RDMA Meeting and further data collection	Dr. Jens Kallabinski and Mr. Katha Lamache
	Return to Sayabouly	
19.06	Study Team Consolidation of Results	
20.06	Presentation Preparation	
21.06	Presentation Preparation	
22.06	Presentation of Study Results and Workshop	Provincial and District Staff, RLIP-RDMA staff

	Travel to Luang Prabang	
23.06	Return to Vientiane	
24.06	Consolidation of Field Study and Presentation Workshop Results	
25.06	Debriefing with RLIP – RDMA Managers and DED	Dr. Jens Kallabinski, Mr. Chattawa Keokhamphet, Dr. Adrian Schuhbeck, DED
	Study Team brief meeting at UNIFEM CEDAW project office	Mr. Somsouck Sananikone, UNIFEM Project Coordinator
26.06	Report Writing	
27.06	Report Writing	
28.06	Report Writing and Wrap-Up Discussion of Study Team to harmonise Lao and English versions.	
29.06	Report Writing	
30.06	Report Writing and Finalisation	
	Gebert departure.	

Annex Three:**List of Participants at Study Results Presentation, 22 June in Sayaboury**

No.	Name	Position	From sector/institution
1	Mr. Chanhthanome Vongsomchit	Deputy Head of Dept	Prov. Planning and Investment
2	Mr. Khamphout Inthvaong	Deputy Head	PPCU
3	Mr. Chanhpheng Khamunta	Head of division	Planning and Investment
4	Ms. Theavy PhanhHuck	President of LWU	Province LWU
5	Ms. NongLuck Sayavouth	Coordinator	Province LWU
6	Ms. Thongsouk	officer	Province LWU
7	Mr. Thongsak Phomachanh	Deputy Head	Province Commerce
8	Ms, PinhKeo	officer	PAFES
9	Mr. Kabkeo Sibounma	Deputy Head	Province Education depart.
10	Mr. Viengkhamchanh	Deputy Head	Province Info and Culture dep.
11	Mr. Phuangkham Visaked	Deputy Head	Province CTPC
12	Dr. Khamla	Deputy Head	Province Health office
13	Mr. Sichanh	Officer	Save Children Australia
14	Mr. Lay Phetsay	Deputy District Governor	Ngeun district
15	Ms. Buakham Thamavong	President of DWU	Ngeun district
16	Mr. Saysana Solangkoun	Director of DPCU	Ngeun district
17	Ms. Sithone Masouvang	Deputy of DWU	Ngeun district
18	Mr. Thongvanh Khuyang	District Governor	Khop District
19	Ms. Buakham Thamavong	Deputy DLUW	Khop District
20	Ms. Sone Khaikham	VWU	Khop District
21	Mr. Chanhpheng Outhuangkham	Director of DPCU	Khop District
22	Ms. Buaphanh Santi	officer DWU	Khop District
23	Mr. Chinhda	Deputy District Governor	Sayaboury District
24	Mr. Khampheui	Deputy Director of DPCU	Sayaboury District
25	Ms. Vannaphone Thooch	Coordinator	DWU Sayaboury
26	Mr. Khitthasack	Evaluation	Sayaboury
27	Ms. Buaphan Chantavong	VWU	Phon Home Sayaboury
28	Ms. Vanh Phenhya	President of DWU	Xieng Horn
29	Ms. Hongkham Nhod Boun	Deputy President of DWU	Xieng Horn
30	Ms. Seng PanyaThong	VWU	Xieng Horn
31	Buapheng Inthavong	Monitoring and Evaluation	DPCU Xieng Horn
32	Ms. Buakham Chanthavilay	President of DWU	Xieng Horn
33	Mr. Phouma Sisavath	Deputy Governor	Hongsa district
34	Mr. Phouvang Kongsab	Director of DPCU	Hongsa district
35	Ms. Chanhty	Deputy of DWU	Hongsa district
36	Ms. Khamphou Saguansit	DWU committee	Hongsa district
37	Mr. Bandith	Village Bank Advisor	RLIP - RDMA
38	Mr. Phuangkham Visaked	Drug Advisor	RLIP - RDMA
39	Mr. Somchit Sirimoungkhoun	Education Advisor	RLIP - RDMA
40	Ms. Veronika Utz	Marketing Advisor	RLIP - RDMA
41	Mr. Khatha Lamach	Regional Planning Advisor	RLIP - RDMA
42	Mr. Thiphamphone Saylath	NRM Advisor	RLIP - RDMA
43	Mr. Phengphila Keodavong	Livestock	RLIP - RDMA
44	Mr. Phanhsy	Assistant Agriculture Advisor	RLIP - RDMA
45	Ms. Sidavone	Assistant Land Management	RLIP - RDMA
46	Ms. Done	Project Liaison Officer	RLIP - RDMA
47	Ms. Nalee Souphoumee	Monitoring and Evaluation	RLIP - RDMA
48	Mr. Chanh	IKM	RLIP - RDMA

49	Mr. Amphone Souvanavong	District CD Supervisor	Ngeun district
50	Ms. Phayvanh	CDW	Ngeun district
51	Mr. Sengthong	District CD Supervisor	Hongsa district
52	Mr. Daosone Manivong	CDW	Hongsa district
53	Ms. Latsamy	CDW	Hongsa district
54	Mr. KeoOudone Khonesavanh	District CD Supervisor	Sayaboury
55	Ms. Khamfeaung	CDW	Sayaboury
56	Mr. Vilayvane	CDW	Sayaboury
57	Mr. XongMua	CDW	Khop
58	Ms. Soudaphone	CDW	Khop
59	Mr. KhuanChay	District CD Supervisor	Xieng Horn
60	Ms. Sisonephet	CDW	Xieng Horn
61	Mr. Lamathou	Village Bank responsible	Hongsa district
62	Ms. Viengvilay Sirimoungkhoun	CD Adviser	RLIP - RDMA

Annex Four:**Typical Gender Division of Labour in the Highland Field**

(The table should be seen as indicative, not exact.)

Task	Women	Men
• Upland Site Selection	Shared decision	Shared decision
• Land Clearing	Shrubs, Undergrowth, Small Trees	Bigger Trees
• Burning	Shared work	Shared work (timing of burning may be decided by community)
• Planting Decisions	Shared decision (some informants say women decide more than men.)	Shared decision
• Sowing	Shared: women put seeds into holes.	Shared: men make the holes with dibblestick
• Weeding	Women spend more time on this task (and daughters)	Men spend less time on this task
• Seed Selection for next Season	Woman's task.	Man only does this task if wife is ill.
• Harvest	Shared work.	Shared work.
• Storage of Harvest	Woman's task.	Man makes baskets/storage sheds required for storage.

Annex Five:

Article 14 of CEDAW on Women's Right to Participate in Rural Development

Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

- (a) To participate in the elaboration and implementation of development planning at all levels;
- (b) To have access to adequate health care facilities, including information, counselling and services in family planning;
- (c) To benefit directly from social security programmes;
- (d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
- (e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;
- (f) To participate in all community activities;
- (g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
- (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Annex Six:**Report of the Committee on the Elimination of Discrimination Against Women 2005 (Comments on the National Report submitted by the Lao PDR).**

From the 32nd and 33rd sessions (10-28 Jan and 5-22 July, 2005),
General Assembly Official Records, 60th Session, Supplement No. 38 (A/60/38).

2. Combined initial, second, third, fourth and fifth periodic report**Lao People's Democratic Republic**

71. The Committee considered the combined initial, second, third, fourth and fifth periodic report of the Lao People's Democratic Republic (CEDAW/C/LAO/1-5) at its 675th and 676th meetings, on 19 January 2005 (see CEDAW/C/SR.675 and 676).

Introduction by the State party

72. In introducing the report, the representative of the Lao People's Democratic Republic pointed to the many political and socio-economic challenges the country had faced prior to and since gaining independence in 1975. Women had been considered inferior and had been deprived of their right to freedom of expression and their right to enter political life. Approximately 80 per cent of the country's multi-ethnic population continued to live in rural and remote areas.

73. The Government was carrying out comprehensive reforms of the economy and of political institutions to address poverty and to exit from underdevelopment. Women had made a significant contribution to national development. A domestic legal framework based on the rule of law was being established that included provisions for the protection of women's rights. The Constitution of 1991 and its amendment of 2003 guaranteed equal rights between women and men in all sectors. The Law on the Development and Protection of Women of 2004, which was subsequently promulgated by presidential decree, further enhanced the rights of women and the responsibility of the State, society and family vis-à-vis women. The law's aim was to eliminate discrimination against women, combat violence against women and trafficking in women and children, and create an enabling environment for women's participation and empowerment. The Lao Women's Union played a dominant role in safeguarding women's rights and in forging solidarity among Lao women from all walks of life.

74. Women occupied leadership positions at all levels. The number of women in the National Assembly had increased from eight deputies in the period 1992-1997 to 25 deputies in the fifth legislature (2002-2007), or 22.9 per cent. For the first time, a woman from the Hmong ethnic group was serving as Vice-President of the National Assembly.

75. The Government had given priority to education and aimed to achieve nationwide compulsory primary education by 2010. Due attention was given to increasing the literacy rate of women, which had increased from 48 per cent in 1995 to 60 per cent in 2000 for women above 15 years of age. Primary school enrolment rates for girls had increased from 68 per cent in 1995 to 75 per cent in 2000. The Government had set targets for girls' enrolment and women's literacy rates for the years 2010 and 2020.

76. Initiatives to increase women's access to primary health care, particularly in rural and remote areas, had been undertaken and the network for medical treatment had been expanded. Those efforts included increased access by women to information about health care for themselves and projects on nutrition, safe motherhood and birth spacing, and sanitation. As a result, the aggregate fertility rates, as well as maternal, under-five and infant mortality rates, had decreased significantly between 1995 and 2000.

77. The Government's national growth and poverty eradication strategy was aimed at national development in pursuit of the Millennium Development Goals. The Lao Women's Union had been instrumental in developing various subprojects under this strategy, including

on microfinance and micro-credit, women's capacity-building, the promotion of agricultural and handicraft production and small and medium-sized enterprises. Village development funds had been established on a pilot basis to enhance access to credit.

78. A National Commission for the Advancement of Women had been set up to assist the Government in the formulation and implementation of a national policy and strategy for the advancement of women. It also worked on the follow-up to the Beijing Platform for Action and coordinated with local and foreign agencies. The Commission was in the process of drafting a national strategy for the advancement of women for the years 2005 to 2010. All ministries and local administrations had been instructed to establish a unit for the advancement of women within their respective institutions.

79. The representative noted that although results had been achieved initially, many difficulties and obstacles remained in the implementation of the Convention, including the general low level of education, the lack of detailed information about the situation of women and the existence of backward customs and traditions and entrenched stereotypes.

80. In concluding, the representative reiterated the Government's commitment to the elimination of all forms of discrimination and to promoting the advancement of women through the implementation of the Convention and the Committee's concluding comments. With the support of the international community, the remaining challenges would be overcome to ensure the enjoyment by women in the Lao People's Democratic Republic of their equal rights with men.

Concluding comments of the Committee

Introduction

81. The Committee commends the State party for ratifying the Convention without reservations and expresses its appreciation to the State party for its combined first, second, third, fourth and fifth periodic report, while regretting that it was overdue. The Committee expresses its appreciation to the State party for its written replies to the list of issues and questions raised by the pre-session working group and for the oral presentation and further clarifications offered in response to the questions posed orally by the Committee.

82. The Committee commends the State party for its delegation and expresses its appreciation for the constructive dialogue held between the delegation and the members of the Committee.

Positive aspects

83. The Committee appreciates the adoption of the Law on the Development and Protection of Women in 2004.

84. The Committee welcomes the establishment of the National Commission on the Advancement of Women, which strengthens the national machinery for gender equality.

85. The Committee commends the State party for increasing considerably the proportion of women in the National Assembly, from 9.4 per cent in the third legislature (1992-1997) to 21.1 per cent in the fourth legislature (1997-2002) and to 22.9 per cent in the fifth legislature (2002-2007).

86. The Committee notes with appreciation the various efforts to combat trafficking in women and children, including the establishment under the Deputy Prime Minister of the National Committee on the Fight against Human Trafficking, regional and bilateral agreements on cooperation with neighbouring countries and a new mechanism to provide services for victims of trafficking.

Principal areas of concern and recommendations

87. **The Committee notes the State party's obligation for the systematic and continuing implementation of all the provisions of the Convention. At the same time, it is the Committee's view that the concerns and recommendations identified in the**

present concluding comments require the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls on the State party to submit the present concluding comments to all relevant ministries and to Parliament so as to ensure their full implementation.

88. The Committee is concerned that the status of the Convention vis-à-vis domestic legislation is unclear. While noting that the legal framework of the Lao People's Democratic Republic is relatively new, the Committee is concerned that no definition of discrimination against women exists in national laws.

89. The Committee recommends that the State party take measures to bring the Convention into the domestic legal system and ensure that it can be invoked in the courts. It also recommends that the definition of discrimination against women set forth in article 1 of the Convention be incorporated in the Constitution or other appropriate legislation.

90. While noting the establishment of the National Commission on the Advancement of Women as the new national machinery, the Committee expresses its concern about the inadequate institutional structure and financial resources available to the secretariat of the Commission for gender mainstreaming and implementation of gender equality policies, as well as the heavy reliance on the Lao Women's Union, which is a mass organization without executive power.

91. The Committee recommends that the State party strengthen its national machinery by providing adequate human and financial resources as well as setting up mechanisms to strengthen gender mainstreaming in all ministries and at all levels of the Government. While recognizing the important work of the Lao Women's Union in advancing the status of women, the Committee recommends that the State party not relegate its obligation to implement the Convention only to a mass organization. It also recommends that the State party create governmental supervisory bodies at all levels to monitor the implementation of the national strategic plan for the advancement of women for the period 2005-2010.

92. While noting that 80 per cent of the population lives in rural areas, the Committee is deeply concerned about the pervasive poverty and underdevelopment of women, especially in rural and ethnic minority communities. The Committee is also concerned that ethnic minority women, having no alternative sources of income, depend on the production of opium poppies for their livelihood. While welcoming the reinvestigation into the matter of land titling, the Committee is concerned that the current reinvestigation and the reissuance of land titles are limited to nine provinces. The Committee is also concerned that, while rural women carry out more than half of total agricultural production in every field, the additional workloads of housework and child-rearing also fall primarily on their shoulders. The Committee is very concerned that rural women are not fully represented in important decision-making regarding development programmes, nor on the village council.

93. The Committee urges the State party to accelerate its plan to eradicate poverty among women, especially rural and ethnic minority women, by more actively seeking international assistance and at the same time by applying gender perspectives in all development programmes and fully integrating women into decision-making on those programmes, as well as in their implementation processes. The Committee also urges the State party to step up its efforts to provide ethnic minority women who depend on opium poppy production with alternative and sustainable means of livelihood. The Committee recommends that the reinvestigation and re-registration of land titles be carried out in all provinces, with the expected result of eradicating discrimination against women, and requests the State party to provide detailed information about the results achieved in its next report. The Committee also recommends that the State party take measures to ease the double burden of women, including by providing new technologies for women farmers and educating men regarding the sharing of family responsibilities. The Committee strongly recommends that the State party ensure the

full and equal representation of rural women on the various committees at the village level.

94. Despite some progress, the Committee is alarmed at the still very high illiteracy rate of women, 40 per cent, and the large discrepancy between male and female literacy rates and between urban and rural women's education. The Committee is especially concerned at the extremely low literacy rate among ethnic minority women. The Committee is concerned that the initial plan to make primary education compulsory was postponed from 2000 to 2010.

95. The Committee urges that the State party immediately take all appropriate measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures, to reduce the illiteracy rate of women and to provide education, both formal and informal, to women, including ethnic minority women, especially in rural areas. The Committee also recommends that free and compulsory primary education at the national level be implemented as soon as possible. It further recommends that the State party consider seeking international assistance for these purposes.

96. While noting improvement during the past few years, the Committee is seriously concerned about the very high maternal and infant mortality rates and the high fertility rate, especially among women in rural and remote areas and among ethnic minorities. The Committee is concerned about the lack of health-care facilities and medical professionals in rural villages and remote areas as well as the lack of awareness among women and adolescents regarding reproductive health and family planning, including the use of contraceptives and birth spacing.

97. The Committee recommends that the State party accelerate the implementation of its national population policy, focusing on expanding its network of health-care facilities and personnel throughout the nation and reaching out to rural and remote areas, inter alia to the benefit of ethnic minority women; that it enhance its educational programmes, not only for women, but also for men and adolescents, on reproductive health and family planning; and that it make contraceptives easily available.

98. The Committee is concerned about the prevalence of traditional gender-role stereotyping, which leads to disparities in leadership and decision-making in all spheres, including in the family, in the community and in public life.

99. The Committee recommends that a concerted nationwide campaign be undertaken to eliminate the pervasive traditional gender role stereotyping and to promote public awareness on issues of gender equality in all spheres of life.

100. The Committee is concerned that the Lao People's Democratic Republic is increasingly exposed to the danger of HIV/AIDS and other sexually transmitted diseases, in particular around construction sites and along trade routes.

101. The Committee recommends that the State party take all measures necessary to raise awareness among men and women, especially in rural areas, around construction sites and along existing and emerging trade routes, of the risk of HIV/AIDS infection.

102. While recognizing the new measures to combat the increasing incidence of trafficking in the country and in the region, including the strengthened law enforcement system, cooperation with neighbouring countries and the establishment of the service mechanism to assist and protect victims of trafficking, the Committee is concerned that no substantial information was provided on how the mechanism works and its impact on combating trafficking in women and girls. It is also concerned about the increasing occurrences of such trafficking. The Committee is concerned about the exploitation of prostitution of women and at the lack of information on the prevalence and magnitude of the problem.

103. The Committee requests that the State party provide detailed information on the impact of various measures to combat trafficking in women and girls, including the number of and trends in arrests of traffickers, the number of victims and the manner in

which they benefited from the return and repatriation services, as well as information on any additional measures to combat trafficking. The Committee also recommends that the State party collect information and carry out studies on the extent of exploitation of prostitution and take more proactive measures to address the problem, including through discouraging the demand for prostitution.

104. The Committee is concerned about the generally low representation of women in the administration, at both the national and local levels, and in the judiciary. Considering the fact that 80 per cent of the population lives in rural areas and that the village chiefs and the village councils handle most everyday matters, the Committee is very concerned that less than 1 per cent of the village chiefs are women and only one member of the Lao Women's Union represents women in the village council.

105. The Committee recommends that the State party take measures to increase the representation of women in administrative and judicial organs at the national, provincial and village levels, in accordance with the Committee's general recommendation 23 on women in political and public life. It also recommends that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25 on temporary special measures, to increase the percentage of women at all levels of decision-making and to make sure that the interests of women are fully reflected and that gender equality is guaranteed at all levels of decision-making. The Committee urges the State party to take measures to empower village women so that they can participate equally in village matters.

106. The Committee is concerned about the situation of women in the employment and labour areas, on which insufficient information was provided, especially about women's ability to take advantage of new economic opportunities and to benefit fully from the State party's reforms towards a market-based economy and its integration into the regional and world economy.

107. The Committee recommends that the State party study the impact of its economic reforms on women, with a view to improving equality between women and men in the labour market, including strengthening formal and informal mechanisms for the resolution of labour disputes through appropriate representation of women. It recommends that targeted measures be taken to upgrade and improve women's entrepreneurial skills and their access to technology, and to create opportunities for women in trade and commerce on the basis of equality between women and men. It also calls upon the State party to assess and to take remedial measures regarding any disadvantageous impact of economic reforms on women, including on women in the civil service.

108. The Committee is concerned that there is a lack of awareness or recognition of domestic violence, including marital rape, as a form of discrimination against women and as a violation of their human rights. The Committee is concerned that domestic violence is considered to be fairly normal by young people, both boys and girls, and that the Criminal Law grants exemption from penal liabilities in cases of physical violence without serious injury or physical damage. The Committee is also concerned that traditional attitudes on gender-role stereotyping keep women and girls in a subordinate position, preventing them from getting equal education and life opportunities, especially in rural areas.

109. The Committee recommends that the State party undertake measures to increase awareness of all forms of violence against women, including domestic violence and marital rape. It recommends that domestic violence and marital rape be criminalized and that more studies be undertaken and data collected on various forms of violence against women, especially domestic violence. The Committee also recommends that the State party take more active and proactive measures to bring about changes in the traditional patriarchal attitudes on gender-role stereotyping. The Committee draws the State party's attention to its general recommendation No. 19 on violence against women in support of its effort to prevent and combat all forms of violence against women.

110. The Committee is concerned that the law allows marriage under the age of 18 in “special and necessary cases” and that a considerable percentage of women do marry before they reach the age of 18.

111. **The Committee recommends that the State party prohibit under-age marriage in all circumstances. The Committee also recommends that the State party provide in its next report information on the results of the data collected on-site regarding early marriages and measures taken to prevent them.**

112. Noting the essential role of active women’s and human rights organizations for the effective implementation of the Convention and the achievement of gender equality, the Committee is concerned that the Lao People’s Democratic Republic is lacking lively, autonomous and active women’s and human rights organizations.

113. **The Committee recommends that the State party introduce measures, including legislative and administrative measures as necessary, to create space for autonomous women’s and human rights organizations.**

114. **The Committee encourages the State party to ratify the Optional Protocol to the Convention and to accept, as soon as possible, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.**

115. **The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report submitted under article 18 of the Convention. The Committee invites the State party to submit its sixth report, which was due in September 2002, and its seventh report, due in September 2006, in a combined report in 2006.**

116. Taking account of the gender dimensions of the declarations, programmes and platforms for action adopted by relevant United Nations conferences, summits and special sessions, such as the special session of the General Assembly for the overall review and appraisal of the implementation of the Programme of Action of the International Conference on Population and Development (twenty-first special session), the special session of the General Assembly on children (twenty-seventh special session), the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Second World Assembly on Ageing, the Committee requests the State party to include information on the implementation of aspects of those documents relating to relevant articles of the Convention in its next periodic report.

117. The Committee notes that States’ adherence to the seven major international human rights instruments, namely, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of the Lao People’s Democratic Republic to consider ratifying the treaties to which it is not yet a party, namely, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

118. **The Committee requests the wide dissemination in the Lao People’s Democratic Republic of the present concluding comments in order to make the people of the Lao People’s Democratic Republic, including government officials, politicians, parliamentarians and women’s and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality for women and the future steps**

required in that regard. It also requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention and its Optional Protocol, the Committee's general recommendations and the Beijing Declaration and Platform for Action, as well as the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".



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