



The Gender and Equity Implications of Land-Related Investments on Land Access and Labour and Income-Generating Opportunities

A Case Study of Selected Agricultural Investments in LAO PDR



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by

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Abbreviations and Acronyms

ADB	Asian Development Bank
AIP	Agricultural Investment Plan 2011-2015
AMP	Agricultural Master Plan 2011-2015
ANR	Agriculture and Natural Resources Sector
AusAID	Australian Development Agency
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CFS	Committee on World Food Security, FAO
CIA	Central Intelligence Agency, USA
CPI	Committee for Planning and Investment, MPI
DAFO	District Agriculture and Forestry Office
DLMA	District Land Management Authority
EST	Trade and Markets Division, FAO
ESW	Gender Equity and Rural Employment Division, FAO
FAO	Food and Agriculture Organization of the United Nations
FDI	Foreign Direct Investment
GDP	Gross Domestic Product
GIZ	German Development Agency
GRID	Gender Resource Information and Development Center, LWU
ha	Hectare (unit of land size)
HLPE	High Level Panel of Experts on Food Security and Nutrition, CFS
IIED	International Institute for Environment and Development
IFAD	International Fund for Agricultural Development
ILC	International Land Coalition
INGO	International Non-Governmental Organization
IPD	Investment Promotion Department, MPI
IUCN	International Union for Conservation of Nature
kg	Kilogram (unit of weight)
kip	Lao Kip (currency)
Lao PDR	Lao People's Democratic Republic
LDC	Least Developed Country
LEAP	Laos Extension for Agriculture Project
LEA	Lao Extension Approach
LEA+	Lao Extension Approach Plus
LIWG	Land Issues Working Group
LNRRIC	Land and Natural Resource Research Information Center, NLMA
LSC	Land Survey Certificate
LTD	Land Tax Declaration
LUPLA	Land Use Planning and Land Allocation Programme
LWU	Lao Women's Union
MAF	Ministry of Agriculture and Forestry
MDG	Millennium Development Goal
MoNRE	Ministry of Natural Resources and Environment
MoU	Memorandum of Understanding
MPI	Ministry of Planning and Investment
NAFES	National Agricultural and Forestry Extension Service, MAF
NERI	National Economic Research Institute, MPI
NGO	Non-Governmental Organization
NGPES	National Growth and Poverty Eradication Strategy
NLMA	National Land Management Authority
NRC	Climate, Energy and Tenure Division, FAO
NCAW	National Committee for the Advancement of Women

NSAW	National Strategy for the Advancement of Women
NSEDP	National Socio-Economic Development Plan
NTFP	Non-Timber Forest Product
ODA	Official Development Assistance
PAFO	Provincial Agriculture and Forestry Office
PLMA	Provincial Land Management Authority
PPP	Purchasing Power Parity
rai	0.45 ha (unit of land size)
RAI	<i>Principles for Responsible Agricultural Investment that Respects Rights, Livelihoods and Resources</i>
SAD	Strategy for Agricultural Development 2011-2020
SDC	Swiss Development Cooperation
SOE	State-Owned Enterprise
SOFA	<i>State of Food and Agriculture 2010-11: Women in Agriculture, Closing the Gender Gap for Development</i>
sq km	Square kilometres (unit of distance)
subCAW	NCAW units at ministerial, departmental, provincial and district levels
TLUC	Temporary Land Use Certificate
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
US\$	American Dollar (currency)
UXO	Unexploded Ordinance
VG Right to Food	<i>Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security</i>
VG Tenure	<i>Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security</i>
WFP	World Food Programme
WHO FCTC	World Health Organization Framework Convention on Tobacco Control

1. Introduction



The Food and Agriculture Organization of the United Nations (FAO) plays a leading role in the achievement of Millennium Development Goal (MDG) 1 – the eradication of extreme poverty and hunger.¹ The majority of the world's poor live in rural areas and have labour and land as their only or main productive assets. Therefore, promoting secure access to and control and use of land as well as secure and productive employment and decent work for women and men in rural areas is vital to achieving MDG1.

The State of Food and Agriculture 2010-11: Women in Agriculture, Closing the Gender Gap for Development (FAO 2011a, the SOFA), FAO's flagship publication, provides solid evidence showing that gender inequalities in access to agricultural assets, inputs, services and rural employment opportunities are partially accountable for the underperformance of the agricultural sector in many developing countries. It also demonstrates that the gender gap imposes real costs on society in terms of lost agricultural output, food insecurity and poorer economic growth. Without sustainable improvements in gender equity in access to land, employment and income-generating opportunities, the achievement of global food security and poverty reduction targets will be seriously undermined.

At the same time, the global food and financial crises over recent years have led development policy-makers and international organizations to re-prioritize the role of agriculture within both international and national policy agendas. The importance of investing in agriculture and rural development has been widely emphasized, and several international initiatives have focused on ensuring such investment is responsible, sustainable and beneficial to the majority of poor people in rural areas. These initiatives include the *Principles for Responsible Agricultural Investment that Respects Rights, Livelihoods and Resources* (FAO et al 2010, the RAI), the *Voluntary Guidelines for the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security* (FAO 2011b, the VG Tenure), and the *Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security* (FAO 2005, the VG Right to Food) – all of which FAO's Committee on World Food Security (CFS) are involved with.

Within this context, private investment in the agricultural sector of developing countries, including through foreign direct investment (FDI), is considered necessary in order to help raise agricultural productivity and total agricultural production. As the recent SOFA has shown, however, it is clearly essential that such investments address gender and equity issues alongside efficiency and economic and agricultural growth.

Land-related investments in agriculture, especially foreign-financed ones, have been particularly heavily debated in recent years – often seen as a form of 'land grabbing'.² Many land-related investments in developing countries, especially involving large-scale land acquisition, are accompanied by promises of capital investments that build infrastructure, bring new technologies, and create employment, know-how and market access, among other benefits. Yet both opportunities and threats in terms of employment and income-generation arise for women and men farmers and agricultural workers when such investments take place.

Hard evidence on the implications of recent agricultural investments for the poverty status and food security of rural women and men is still limited, particularly from a perspective which looks at gender-differentiated implications and the potential consequences of these investments for rural development.³ The Gender Equity and Rural Employment (ESW) division of FAO, in consultation

¹ This section is partly based on a concept note developed by the Gender and Equity Policy team of FAO's ESW division. A substantial part of the text here comes from the Introduction section of the Tanzania case study in this series, *The Gender and Equity Implications of Land-Related Investments on Land Access and Labour and Income-Generating Opportunities: A Case Study of Selected Agricultural Investments in Northern Tanzania* (Daley and Park 2012).

² For reviews of the literature on the global 'land-grabbing' phenomenon see Palmer (2011a; 2011b; 2011c). For a broad global overview see Anseeuw et al (2011) and HLPE (2011), both of which only very briefly touch on gender. For a general overview of the situation in South-East Asia see Montemayor (2011), again with only very brief mention of gender.

³ Two exceptions to this, which make an initial attempt to explore the gender implications of the current 'land-grabbing', are Daley (2011) and Behrman et al (2011).

with the International Land Coalition (ILC), and the Trade and Markets (EST) and Climate, Energy and Tenure (NRC) divisions of FAO, has therefore developed a programme of work to contribute to filling this gap. The overall programme objective is to explore:

whether land-related investments have gender-differentiated implications in terms of labour, income-generation opportunities and access, access, control and use of land and thus affect the livelihood and food security of the rural populations that live in the areas where the investments take place.

The programme, entitled *Support for the formulation and implementation of gender-equitable and inclusive land-related investment policies, programs and strategies that contribute to enhance food security, reduce poverty and strengthen the livelihood of poor rural women and men*, seeks to develop a better understanding of the gendered implications of land-related investments on rural livelihoods and labour-related issues in order to:

- 1) generate knowledge, raise awareness and inform policy-making processes about gender-differentiated implications of land-related investments to promote more beneficial policy and legislative frameworks for investments to take place;
- 2) identify and showcase good practices in terms of gender-sensitive business models and strategies that have positive implications for rural employment and income-generating activities for both women and men; and
- 3) foster constructive dialogue among policy-makers, local government authorities, rural organizations and private sector companies so that more gender-equitable investments can be secured.

The FAO work programme has a number of complementary components, including a series of case studies in countries where private foreign investments are already operational.⁴ The present report, on agricultural investments in the Lao People's Democratic Republic (Lao PDR), is the second in this series of case studies. It is based primarily on a period of four weeks fieldwork in Laos in November 2011, in which interviews were held with over 68 key informants and with some 114 people (51 women and 63 men) who were consulted in 17 focus group discussions with local farmers and agricultural workers. The fieldwork was carried out in three of Lao PDR's 17 provinces – Borikhamxai, Vientiane and Vientiane Capital – with the active support and facilitation of the FAO Country Office and the Government of Lao PDR. Six companies covering a wide range of business models and crops were selected. Among those, there is a tobacco producer. Given the existing conflict of interest between the tobacco industry and public health⁵ and recognizing FAO's role, as part of the United Nations Ad Hoc Interagency Task Force on Tobacco Control, in promoting economically viable and sustainable alternatives for tobacco workers and growers, this report does not support nor endorse the tobacco value chain.

This report is organized as follows. Chapter 2 provides a brief background to the issues globally and describes the methodology. Chapter 3 comprises the main body of the case study, drawing on information gathered in the key informant interviews and focus group discussions, as well as on relevant secondary materials. It situates the case in Laos and explores the policy context and key gender and governance issues around land-related agricultural investments. It also presents from the fieldwork some primary data on agricultural investments and examples of good practices from companies and for an enabling environment for smallholders. Chapter 4 then ends the report with overall conclusions and policy recommendations for land-related investments in agriculture in Laos.

⁴ At the time of writing, a case study of Tanzania had been completed, case studies of Ghana and Zambia were in the process of being completed, and three additional case studies were due to be conducted in Sierra Leone, Philippines and Mozambique.

⁵ For further details, please see the WHO Framework Convention on Tobacco Control (WHO FCTC), entered into force on 27 February 2005, and of which the Government of Laos is a signatory.

2. Background and Methodology



2.1 Background⁶

Concerns about the potential gender and equity implications of land-related investments on labour and income-generating opportunities and access, use and control of land come in the context of the current global policy interest in supporting agricultural investment in developing countries in general. However, there is a long history of land-related investments in developing countries, particularly agricultural investments, which partially explains the current concerns. Over the last 60-70 years, large-scale rural development and agricultural investment schemes have been a feature of economic development efforts in many former colonies and newly-independent states, albeit mainly in the period up to the ‘structural adjustment’ crises of the 1980s when the importance of the private sector for sustainable development started to become increasingly clear. These land-related development schemes frequently had very strong government involvement and donor financial support, and they are therefore not directly comparable with the current situation where the private sector is generally much more involved.

Nevertheless, the “lessons from history...[are]...that large-scale rural development schemes involving technical change and new farming systems or practices often negatively impact on women” (Daley 2011, p.11). Irrigation and agricultural production schemes involving resettlement and land registration have famously seen women lose access to and control of their land and labour and the income from them, for example in Sri Lanka, the Gambia and the Sudan (Agarwal 1994, p.290; Bernal 1988; Carney 1988; Dey 1981; Watts 1993). Large-scale agricultural projects involving contract farming have also been heavily criticised, with one recent review of the literature on such schemes in Sub-Saharan Africa concluding that “women are generally not involved in contracting with agro-industrial firms and are disadvantaged in contract schemes” (Schneider & Gugerty 2010, pp.1-2). Similarly, in Latin America, although technological changes in agriculture led to a major expansion of women’s wage work in non-traditional agro-export production, this has brought both opportunities and threats, and benefits and costs, in terms of rural livelihoods and gender relations (Deere 2005).

Land-related investments in agriculture in developing countries have typically taken the form of one or other of two main business models – the plantation (or estate) model, where the project or investor acquires the land and employs wage workers and casual labourers to farm it, and the contract farming (or outgrower) model, where local small farmers produce crops for the project or investor with varying degrees of contractual obligations. The two models were/are not completely separate as outgrowing was and often still is associated with nucleus estates. Nevertheless, as a result of past experiences and their accompanying negative gender and equity implications, including concerns about negative implications for the livelihoods and food security of poor rural women and men, there is now growing interest in looking at the possibilities for agricultural development through a broader range of business models that allow for different scales of production and greater flexibility across the value chain. Thus, it is now accepted that there are a variety of possible alternatives to agricultural investments requiring large-scale land acquisition for plantations beyond conventional contract farming, including hybrid models, farmer-owned businesses, joint ventures, community-investor partnerships, public-private partnerships involving social investment funds, and a range of ethical (fair) trade initiatives (Cotula & Leonard 2010; de Schutter 2011).

⁶ The text in this section comes from the Background and Policy Context section of the Tanzania case study in this series (Daley and Park 2012).

2.2 Methodology

The country case studies under this FAO work programme are all qualitative case studies, designed from the outset to be an exploration of issues rather than any kind of systematic or statistically representative quantitative study. The overall aim of the case study methodology was to identify and analyze specific land-related agricultural investments in different countries in order to explore the extent to which:

- The selected investments/businesses have gender-differentiated implications with respect to labour and income generating opportunities for small scale farmers and wage workers directly involved in and/or affected by these initiatives;
- The selected schemes affect poor rural women and men differently in their access, use and control of land;
- The business models studied provide examples of good practice in relation to employment and land which can be used as models for regulatory frameworks for investment and policy-making; and
- The investment and agricultural policies and strategies in place support the establishment of land-related investments that are inclusive of local populations and conducive to rural development, while being sensitive to gender and equity concerns.

The original work plan for the Lao PDR mission – following from the approach used earlier in the Tanzania case study – had been to conduct in-depth analyses of two or three different agricultural investments, to examine potential good practices with regard to gender and equity for wider dissemination and lesson learning. However, at the start of the mission, the field team encountered a lack of clear, accurate and up to date information about the current nature and extent of land-related investments in agriculture in Laos. This called for primary data to be gathered during the mission on the overall context of agricultural investments in Laos, in order to try to obtain a clearer picture of the situation on the ground. Furthermore, it made it difficult to identify and select a small number of investments for detailed study at the outset. In response, the methodological approach was therefore changed to permit a wider range of stakeholders to be consulted at the national, provincial and district levels and more investments to be studied overall. Rather than focus in-depth on only two or three agricultural investments, the adapted approach moved instead to look into broader governance issues around land-related agricultural investments in Laos and examine their gender and equity implications for rural labour and income-generating opportunities more widely, in order to be able to identify key policy issues and make relevant recommendations.

Within the qualitative methodology, key informant interviews were combined with a series of structured focus group discussions and a desk-based review of background literature and collection of relevant supporting documents in the field. A full list of all key informant interviews is provided at Annex 1 and a full list of all focus groups at Annex 2. Annex 3 sets out the detailed demographic distribution of focus group participants, by sex and age and by marital status. Annex 4 presents some supplementary data from the focus group discussions on issues that might benefit from being more systematically researched in a follow-up survey or quantitative study. Annex 5 provides a full list of all documentary and literature references cited in this report.

Fieldwork took place in three of Lao PDR's 17 provinces – Borikhamxai (Borikhan, Pakkading and Pakksan districts), Vientiane (Vangvieng district) and Vientiane Capital (Thourakhon and Xaithani districts). In total, over 68 key informants were interviewed from 37 different national government ministries and organizations, provincial and district government offices, and development partner and civil society stakeholders, as well as from eight companies investing in agriculture and two smallholder development projects. These interviews were built around a series of structured question guides for different types of stakeholders.

In addition, within the two broad business models of contract farming and plantation agriculture, over 114 local farmers and agricultural workers (51 women and 63 men) involved with six different cases of agricultural investments were consulted in 17 focus group discussions across ten different villages. The main selection criterion for the choice of cases to explore through the focus groups was that they would represent a range of different approaches to land-related investments involving local farmers and agricultural workers, with different possibilities for labour and income-generating opportunities. However, they were foreign-financed and private sector-led to differing degrees. One case was a state-owned enterprise (SOE) with foreign marketing contracts (cassava), another was a private joint venture between a domestic company and a foreign firm (rice), and a third was a donor-funded smallholder development project operated by a government organization (feed corn, rice seeds and organic vegetables). The fourth case was a joint venture between a foreign firm and the Lao government (tobacco), while the remaining two cases were 100% private FDI (bananas and jatropa).

Among the 17 focus group discussions that were held, five sets were linked to companies and these were differentiated into women-only and men-only groups. A sixth set of focus groups was linked to the smallholder development project and these were all mixed. The focus group discussions were organized with the kind support of numerous government officials at national, provincial, district and village levels, as well as the assistance of managerial and field staff from four of the companies. As is to be expected with this type of fieldwork, the extent of openness within the discussions varied according to whom else was present both in general terms and at the particular moments in time when different questions were asked. On balance, however, through careful and judicious use of structured question guides, the field team felt confident that they were eliciting a fairly accurate and objective understanding from local people about the situation in rural Laos with respect to the gender and equity implications of land-related agricultural investments on labour and income-generating opportunities.

3. The Case Study



This chapter of the report presents the Lao PDR case study through analysis of the findings from the fieldwork, drawing on information gathered in the key informant interviews and focus group discussions as well as on relevant background literature and secondary materials collected in Laos. Section 3.1 situates the case within the broader country context, Section 3.2 explores the policy context for land-related investments in agriculture in Laos and Section 3.3 identifies some key governance issues. Section 3.4 presents primary data on selected agricultural investments from the fieldwork, Section 3.5 discusses examples of good initiatives from companies and Section 3.6, examples of alternative models for creating an enabling environment for smallholders. Conclusions are then drawn and recommendations made in Chapter 4.

3.1 Situating the Lao PDR Case

Lao PDR is a small, land-locked, mountainous and forested country located in South-East Asia. It covers 236,800 sq km in the heart of the Greater Mekong sub-region. One recent Lao government estimate put around 35% of the country's land area as being covered by forest at the end of 2007, while another claimed forest cover had increased to 50-51% of total land area by 2011, including areas of new plantations (MAF 2011, p.32; Schoenweger & Üllenberg 2009, p.6).

The country had an estimated population of 6.48 million in July 2011, of whom about 73% live in rural areas. Lao PDR's population comprises people from some 68 different ethnic groups within three major categories: Lao Loum, around 65% of the population, traditionally occupying the lowland plains and Mekong River valley; Lao Theung, around 22% of the population, traditionally occupying the mountain slopes (uplands) and some lowlands; and Lao Soung, around 13% of the population, traditionally occupying remote, mountainous areas above 1,000 metres (FAO 2012a).⁷

Lao PDR's economic growth averaged 6% per year between 1988 and 2008 – except for a brief drop with the 1997 Asian financial crisis. The estimated real growth rate of gross domestic product (GDP) in 2010 was 7.7%, with mining and hydropower (dams and electricity) the key sectors supporting growth, and agriculture the key sector contributing to poverty reduction (ADB 2010, p.208; 2011b, pp.1-2; Bestari et al. 2006, p.2; CIA World Fact Book 2012a; Economist 2011, p.9; MAF 2010a, p.viii; Sihavong 2007, pp.1-2). Neighbouring Thailand is Lao PDR's biggest trading partner, followed closely by two other neighbours, China and Vietnam. Major exports include timber, coffee, electricity (hydropower), tin, copper and gold, while major imports include machinery, equipment, vehicles, fuel and consumer goods.

Official poverty rates fell from 46% in 1992 to 26% in 2010. Despite progress on poverty reduction, Laos remains one of the twenty poorest countries in the world and has least developed country (LDC) status. Its GDP at purchasing power parity (PPP) was an estimated US\$ 15.69 billion in 2010, placing it 135th among the world's economies, but GDP (PPP) per capita was an estimated US\$ 2,500 in 2010, or just 181st in the world (CIA World Fact Book 2012b; 2012c). Lao PDR was ranked 122nd in the United Nations Development Programme (UNDP) *Human Development Index* in 2010 – with a life expectancy at birth of 65.9 years but a mean average of only 4.6 years of schooling – and 165th in the World Bank's global *Doing Business* rankings in June 2011 (UNDP 2010; World Bank 2012).

Widespread income inequalities and gender disparities exist in Laos, and poverty – like food security – is still largely defined by ethnicity and geography, being lower among the Lao Loum and in urban areas and those close to the Thai border (ADB 2011b, p.3; Bestari et al. 2006, p.12). National literacy rates are far higher among men than women – 75% of male members of agricultural households over 10 years old are able to read and write without difficulty, compared with 57% of female members –

⁷ These three categories are widely referred to in the literature and hence used in this report. However, the Lao government officially classifies ethnic groups under four ethno-linguistic headings: Lao-Tai (Lao Loum), Mon-Khmer (Lao Theung), and Sino-Tibetan and Hmong-Mien (both Lao Soung) (Mann & Luangkhot 2008, pp.14-16).

and school attendance of boys is much higher than that of girls (FAO 2012a; FAO & MAF 2010, pp.5, 11-18; Government of Lao PDR 2006, pp.1-2).

About 10% of Lao households are headed by women and these are concentrated in urban areas. Less than 5% of all agricultural households are headed by women, the majority being widows and Lao Loum, and only 9% of all agricultural holdings are managed by women. The main inequalities between female and male headed agricultural households lie in respect of land, livelihood diversification and cash income. Thus there are generally smaller holdings and fewer plots of land, fewer income-generating livestock, fishery and forest-related activities, and lower crop marketing rates in female than male headed agricultural households. Female headed agricultural households also generally spend a larger proportion of cash income on food and have less access to safe and improved drinking water sources than their male headed counterparts (FAO & MAF 2010, p.53).

The Lao economy depends heavily on agriculture, which accounts for 30.4% of GDP and employs 75% of the total labour force and 69.5% of the female labour force. Fifty-four percent of all those employed in agriculture are women. Almost a third of agricultural households – those with at least one member engaged in agriculture – hire workers, rising to 43% when labour exchange is considered alongside wages (ADB 2011c, p.1; CIA World Fact Book 2012a; FAO 2012a; FAO & MAF 2010, p.24; Government of Lao PDR 2010a, p.2).

The majority of the rural population depend for their livelihoods on a combination of rice farming, livestock production and the collection of forest products such as firewood, bamboo and forest vegetables. This is supplemented in most areas by fishing and, in some areas, hunting (FAO & MAF 2010, pp.1, 41-46). The value of forests to livelihoods, and especially non-timber forest products (NTFPs), is very high – in 2001 a rural household consumed about US\$ 280 equivalent per year of NTFPs, which was equivalent to about 40% of the then average rural household cash income (Bestari et al. 2006, p.10).

Farming itself is dominated by subsistence cultivation of local glutinous ‘sticky’ rice in the lowland areas, both irrigated paddy along the Mekong River and some rain-fed upland farms. In the upland farms, and in the country’s northern and eastern mountainous areas, rice farming is more generally practiced through shifting (or swidden) cultivation. Overall, rice farming accounts for some 72% of cultivated land in Laos, with mostly traditional varieties used in the uplands and improved varieties in the lowlands. Other important agricultural products include sweet potatoes, vegetables, corn, coffee, sugarcane, tobacco, cotton, tea and peanuts, as well as livestock such as water buffalo, cattle, pigs and poultry (CIA World Fact Book 2012a; FAO & MAF 2010, p.1; MAF 2010a, p.viii).

Food and nutrition insecurity is a problem throughout the country, particularly among rural children and minority ethnic groups living in remote mountainous areas, often inaccessible by road. Every second child under five years of age in rural Laos is chronically malnourished (WFP 2012; c.f. ADB 2011b, p.3; Fulbrook 2010). Concerns have been voiced that Laos suffers a food security “paradox” and may already “be falling under the resource curse” of growth without development, as pressures on its abundant natural resources and relatively cheap land intensify with increasing investments in dams, mines and industrial-scale plantations, thereby threatening both the environment and people’s livelihoods as self-sufficiency from farming and NTFP collection declines and people become more dependent on purchasing food to survive (Fulbrook 2010, pp.6-8).

3.1.2 Gender Dimensions in Agriculture

Income from agriculture is considered as the most importance source of income for most rural households. Women in rural Laos are traditionally responsible for family finances and for the household food security and nutrition, and they are widely involved in small businesses and employment (ADB 2011a, p.2). An informant at the district level explained that “all husbands give

their salary to their wives and women are mostly managing the income in general in Laos”. Women are also generally responsible for marketing all agricultural produce in local markets. However, the relatively low rates of female literacy and education in Laos reflect cultural preferences for the schooling of boys and the customary practice for girls to assist their mothers within the household (FAO 2012a).

Women farmers are responsible for over half of the agricultural activities and make up 54% of the total agricultural labor force (NSC 2004). Women traditionally do most of the farm work, such as planting, weeding and harvesting crops, they tend livestock, and they also spend long hours performing off-farm and household chores like collecting firewood, preparing meals and caring for children (FAO & MAF 2010, p.5). Within production of ‘sticky’ rice, men plough and prepare bunds and seedbeds, while women do more than half of the transplanting, weeding, harvesting, threshing and post-harvest operations. However, these labour divisions have changed in some areas due to shortages of male labour, particularly during the years of the Indo-China wars, and within rice farming women are now increasingly involved in ploughing and land preparation, irrigation, and preparing bunds and seedbeds (FAO 2012a).

For other crops, such as vegetables, sweet potatoes, tobacco, cassava, corn, bananas and other fruits, men traditionally do the ploughing, land preparation and fencing while women do the weeding. However, women and men jointly plant, apply manure, irrigate and harvest. From the forests, women collect mushrooms, wild berries, fruits, nuts, honey, earthworms, and medicinal herbs, while men hunt wild animals. Firewood collection is mostly done by women, while men cut trees for firewood. Both sexes are traditionally involved in fishing, with women especially engaged in the management of fish ponds and fish culture in the paddy fields, as well as in processing and marketing fish. In livestock production, women and men traditionally care jointly for cows and buffaloes but women pound most of the animal feed and feed the pigs and poultry, and they sell small livestock and products such as eggs in the market; sometimes men also feed the pigs. In households that have goats, girls often have responsibility for grazing and watching the goats (FAO 2012a).

Participants in the focus group discussions explained that while women do more of the work in farming and housework, men instead may leave their villages to do construction work in towns, or to go fishing or collecting aquatic products or NTFPs. One woman complained that her husband did not help with the housework and outlined a typical day:

Men do some heavy work such as land preparation, spraying, building the dykes of the paddy fields, and cutting grass on the dykes. Some families do the rest of the work together. Women are in charge of looking after children, cooking, house cleaning, vegetable growing and poultry husbandry. Men like drinking after work and come back late at midnight when their wives are asleep. They go fishing early morning and at lunchtime. The hooks and the fishing nets are usually prepared in the evening and sometimes all day long and this work is done by the men. After fishing in the morning, the men bring the fish back home for the wives to cook. After eating, they go to the paddy field together.

Despite their visibly strong economic role at the household level, Lao women are nevertheless circumscribed by land-related economic dependence on men – and particularly by socio-cultural conventions and land inheritance practices that promote the ‘household’ and tend to prohibit against single women living alone (Mann & Luangkhon 2008, p.47). Some ethnic minorities are widely considered more open in terms of gender relations, particularly among the Lao Loum, but some are more repressive for women, with domestic violence a serious issue throughout the country.⁸ One key informant summed up the situation thus: “It is true that decision-making is shared within Lao

⁸ Other major issues of concern for women and girls in Laos are trafficking, sexual exploitation, very poor health and high maternal mortality (ADB 2011a, p.2-3; 2011b, p.3; Government of Lao PDR 2006, pp.2-3; United Nations 2009, pp.5-8).

households, but beyond the rhetoric, when it comes to real power, the reality is different and only men participate.”

3.1.3 Gender and Policy Context

Laos is one of the few remaining one-party socialist states in the world, the Communist *Pathet Lao* having maintained power since 1975 (CIA World Fact Book 2012a). Following the failure of early attempts to develop agriculture through collectivization and state control, the Lao government began taking steps towards market-oriented reforms before embarking firmly on a path of gradual economic liberalization and encouragement for private enterprise and FDI with the *New Economic Mechanism* of 1986.

Lao PDR’s *National Growth and Poverty Eradication Strategy* (NGPES) sets out the government’s overall policy framework for growth and development, with a particular focus on reducing poverty in the poorest areas of the country (Government of Lao PDR 2004a). It is supported by the 7th *National Socio-Economic Development Plan 2011-2015* (NSEDP), whose objectives include ensuring continued economic growth, achieving the MDGs by 2015 and graduating the country from LDC status by 2020 (Government of Lao PDR 2010a, p.11). The overall policy emphasis is on economic growth, poverty reduction and social development via a “state-led market economy mechanism”, with lessons learned from the preceding 6th NSEDP including, among others, a need to improve the quality of governance and ensure “transparent management of the natural resource-based economy for the larger benefits of the Lao people” (Ibid, p.13; Government of Lao PDR 2010b, p.3). The NGPES emphasises gender as a crosscutting priority and expects all ministries to develop strategies and action plans to promote gender equality and mainstream gender concerns at all levels, while the 7th NSEDP highlights the promotion of inclusion, especially of women, minority ethnic groups and more remote areas of the country (ADB 2011a, p.3; Government of Lao PDR 2010b, p.3; FAO & MAF 2010, p.6).

In 2004 the Lao government enacted the *Law on Development and Protection of Women* to support and uphold women’s status and, in 2006, formulated the *National Strategy for the Advancement of Women* (NSAW). Key areas for action under the first NSAW (2006-2010) have included: enhancing women’s active participation and involvement in the implementation of the NGPES; promoting women and girls’ access to training and education and improving female literacy; increasing the number of women in decision-making positions at all levels of government; and strengthening capacity, gender awareness and coordination of the institutions established to protect and promote the advancement of women (Government of Lao PDR 2006).⁹ Implementation responsibility for the NSAW has been shared by the Committee for Planning and Investment (CPI) of the Ministry of Planning and Investment (MPI) and the National Committee for the Advancement of Women (NCAW), alongside relevant line ministries and local government authorities.

The NCAW was officially established by the Lao government in 2003 as an institutionally-independent national organization for the promotion of gender equality. It is thus distinct from the well-known Lao Women’s Union (LWU), which is a mass organization, founded in 1955, that is linked closely to the ruling party. Broadly, the NCAW is responsible for formulating and implementing national policy for the advancement of women, the promotion of gender equality and the elimination of discrimination against women, as well as being the focal point for mainstreaming gender in all sectors. The LWU is mandated to protect women’s rights and interests, promote and monitor women’s development programmes, and act as a link between the party, the government and rural and urban women. All national government ministries and provincial governments in Laos are also supposed to have a formal subCAW with an operational secretariat, whose role is to mainstream gender issues and ensure that all government departments understand and integrate gender issues into

⁹ A second NSAW (2011 to 2015) was under preparation but had not yet been published at the time of the fieldwork. One of four key action plans under the new strategy relates to the advancement of women in agricultural production.

their activities. These were only established in three ministries under the first NSAW, including the Ministry of Agriculture and Forestry (MAF), due to lack of capacity for implementation. Offices of all ministries and departments at provincial and district levels nevertheless have designated staff who coordinate and supervise gender issues and activities within their respective units, but this comes on top of their usual functions and they often lack financial resources, time, technical capacity and/or interest in fulfilling this role. NCAW's work is also supported by the awareness-raising, capacity building and training work of the Gender Resource Information and Development Center (GRID) of LWU (ADB 2011a, p3; FAO & MAF 2010, p.6; Government of Lao PDR 2006, pp.1, 25-26).

Laos has ratified the *Convention on the Elimination of all Forms of Discrimination against Women* (CEDAW), and its committee has commended the Lao government on the adoption of the NSAW and the ratification of various international instruments to support women's rights. However, concerns remain about lack of coordination between the various institutional mechanisms for promoting gender equality in Laos – as just described above – and about general inadequacy of knowledge about women's rights under the CEDAW, particularly among rural women and especially the most vulnerable such as elderly and disabled women and those from ethnic minorities living in remote areas (largely Lao Soung). In addition, women's role in political and public life remains limited in Laos, particularly in rural areas at the village level and more broadly at senior levels of government (United Nations 2009, pp.1-5, 8-9). For example, there are noticeably few women in management and supervisory positions in provincial, district and village governments in rural Laos. According to GRID, only 2 out of 143 district governors were women and none were provincial governors at the time of the fieldwork, while only 1.7% of all heads of villages were women, and 5% of deputy heads. An informant at the provincial government level claimed that it was hard in his province to involve women in village development fund management because “women are less active than men”. Men tend to dominate participation in meetings about village development because they are considered as heads of the household, and because the relatively higher rates of female illiteracy noted above make it more difficult for women to fully participate in the discussions held during village meetings. In sum, this limited participation of women in political and public life makes the likelihood of them being able to influence policy and decision-making processes very low.

3.2. Agriculture, Land and Investment in Lao PDR

3.2.1 Agricultural Investments and Policy

In the agricultural sector, the 7th NSEDP is supported by the government's *Strategy for Agricultural Development 2011-2020* (SAD). This aims to carry out agriculture, forestry, natural resource management and rural development in a way that makes a market-integrated and ecologically sustainable contribution to poverty reduction, with gender a crosscutting issue throughout (MAF 2010a, p.ix). The SAD's two long-term goals for 2020 are: first, increasing modernized lowland market-oriented agricultural production that is focused on smallholder farmers and addresses climate change adaptation issues; and, second, conserving upland ecosystems while ensuring food security and improved livelihoods for rural communities. The overall strategy is towards achieving a successful gradual transition from subsistence farming into more commercial smallholder production, through the development of farmers' organizations and cooperatives, the promotion of contract farming arrangements between smallholders and private investors, and the use of innovative technologies – including the promotion of ‘fair trade’ and organic agriculture, in which Laos has a comparative advantage because of its largely organic agricultural base. The SAD's four key objectives for programming relate to: increasing food production (including maintenance of the rice self-sufficiency achieved in 2000); supplying agricultural raw materials for processing and export (value chain development); ending shifting (swidden) cultivation practices in the uplands; and increasing forest cover for sustainable forest management and biodiversity conservation (Ibid, pp.ix-x, 15-17, 24-25, 32-35, 37; ADB 2011c, pp.1-2).

A detailed elaboration of how this strategy is to be implemented is set out in the *Agricultural Master Plan 2011-2015* (AMP), while the investment needs and modalities are set out in the accompanying *Agricultural Investment Plan 2011-2015* (AIP) (MAF 2012b; 2012c). The AMP describes eight different programmes through which it is intended to achieve the objectives of the SAD. It pays some attention to gender issues, particularly with respect to the programmes on agricultural research and extension and on human resource development. However, the AIP does not really address gender issues at all – the word ‘gender’ only appears five times in the whole document, the word ‘women’ three times and ‘men’ only once. Instead, the AIP is essentially a wish list of the financing sought from official development assistance (ODA) from development partners and FDI from the private sector to implement the programmes elaborated in the AMP. It is developed around three possible alternative investment scenarios, termed “realistic”, “conservative” and “optimistic”, which call for total investment volumes in the agriculture and natural resources (ANR) sector of 1,876, 1,006 and 4,060 million US\$, respectively. On the conservative scenario no private sector finance is assumed, on the realistic scenario it is hoped that FDI will provide 46% of all investment finance, and on the optimistic scenario, 63% (MAF 2012c, pp.1-3). This is in line with the Lao government’s broader policy on investment and *National Investment Strategy*, which sees FDI as a major requirement for achieving the various social and economic goals and objectives of the 7th NSEDP.

The perceived importance of agricultural investments, and particularly FDI, in Laos is therefore clear. However, the impact, scale and speed of the massive influx of FDI into the ANR sector over the past ten or so years, especially into the lowlands along the Mekong plains, has been far greater than was anticipated (Fraser 2009, p.13). Neither has it all been plain sailing, with many investments “considered environmentally and socially damaging due to insufficient due diligence” (ADB 2011c, p.1). To quote one national government informant:

FDI is coming quicker than the country is prepared to receive it, due to the lack of a comprehensive plan. I never thought rubber plantations would ever happen in Laos but now they are everywhere...The open door policy that is encouraging the incoming investment is far too advanced for the country.

Foreign investment in agriculture is not at all new in South-East Asia overall. Historically, FDI in the region has been driven by specific export-linked “crop booms”, including strong current demand for biofuels, timber and the products of industrial tree crops, as well as by concerns about their own food security on the part of some investing countries (Hall 2011, pp.838, 840; Montemayor 2011, p.20; Schoenweger & Üllenberg 2009, p.26). In Laos, the large inflows of FDI in recent years have been primarily attributed to rapidly increasing recognition of the potential of the ANR sector. According to data from MAF, there were some 600 foreign companies from over 30 countries investing in agriculture, livestock, fisheries and forestry in Laos at the time of the fieldwork – almost all with land concessions. The biggest sub-sector within ANR was industrial tree crops, especially rubber, but 163 foreign companies were investing directly in food crop production. Nevertheless, there remains a serious lack of accurate and official data about the true overall scale of the phenomenon, with one estimate putting some 2-3 million ha as having been granted to investors in land concessions across all sectors, or up to 13% of Lao PDR’s total land area. Specific concerns have also been raised about the process of granting land concessions to both domestic and foreign investors, for example over the transparency and fairness of site selection and compensation for lost farms (Fraser 2009, p.14; Schoenweger & Üllenberg 2009, pp-6-7). This is not surprising, as the investment process – described further below – was neither totally transparent nor clear at the time of the fieldwork.

3.2.2 Land Policy, Tenure and Use

The legal and policy framework regulating land and property rights in Laos is well established.¹⁰ Private property rights, including use, disposal and inheritance rights, are constitutionally protected, although the *Land Law* (No. 01/97/NA, amended as *Law on Land*, 21st October 2003, No. 04/NA) confirms state ownership and overall control of land, including through land allocation and land management (Government of Lao PDR 1997; 2003; Mann & Luangkhot 2008, p.80).¹¹ Furthermore, although local people's rights to use forest land and products in accordance with customary practices have been protected by law since 1992, these have been heavily watered down under the 2007 *Forestry Law* (No. 6/NA), which allows customary usage only if it has no "adverse impact on forest resources, and the environment" and is "practiced in accordance with a designed plan and with village regulations and laws and regulations on forests" (Government of Lao PDR 2007, Article 42; Mann & Luangkhot 2008, p.81; Sipaseuth & Hunt no date, pp.4-5).¹² This law classifies forests in Laos into three main categories – conservation, protection and production – and within each category it further classifies forest areas into dry forest, dense forest, degraded forest, regeneration forest, bare forestland and village use forest (Government of Lao PDR 2007). The classification system is intended to support land management but its complexities have exacerbated conflicts with local people over the allocation of land concessions, as described further in Section 3.3 below.

The majority of agricultural households in Laos have around 0.5 ha to 3 ha of agricultural land for private use, with an average of 1.6 ha of cultivated holdings, plus access to village and communal land, including forests, through the village level land and forest allocation policy put in place in 1996 under the *Land Use Planning and Land Allocation* (LUPLA) programme (Lund 2011, pp.892-893; Schoenweger & Üllenberg 2009, p.6; Sihavong 2007, p.2; Sipaseuth & Hunt no date, pp.6, 21). In contrast, according to one key informant, in upland areas where it is still practiced, each household manages up to 8 ha for shifting (swidden) cultivation. This is not seen as productively manageable by the Lao government, and hence current policy seeks to end this type of cultivation. The problem, however, may lie in the LUPLA programme and accompanying resettlement and relocation policies, which have given these households less land than they need. This reduces fallowing, and fallow land counts as degraded forest which after three years can be reclassified as regeneration forest under the *Forestry Law* – with the consequence that households practicing shifting cultivation then lose access to that land for future farming and become even less productive (Bestari et al. 2006, p.13; Sipaseuth & Hunt no date, pp.7-9).

Although all land is property of the state, individual households are allowed to register ownership rights over the land they hold privately for farming, grazing, housing, vegetable gardening, fish ponds and so on. This has been done through a systematic programme of full titling in most urban areas under the government's World Bank and AusAID-funded *Land Titling Project 1997-2002* and *Second Land Titling Project 2003-2009*, supported by the GIZ-funded *Land Policy Development Project 2008-2011*. Data from the National Land Management Authority (NLMA) at the time of the fieldwork indicated that 600,000 parcels of land in urban and peri-urban areas have been titled under this programme – with a Land Title including rights to use, inherit, lease, sell, mortgage and exclude others (Schoenweger & Üllenberg 2009, pp10-11; Sihavong 2007; World Bank 2009, p.31).¹³

Women and men in Laos have equal rights under the 1991 Constitution – strengthened by amendments made in 2003 to provide support for protecting women's rights and promoting their development. Female land inheritance within areas practising matrilineal land tenure¹⁴ is both legally

¹⁰ See Sihavong (2007) for a good historical overview of the development of land policy and administration in Laos.

¹¹ Further amendments to the Land Law had been put forward by the time of the fieldwork, linked to a forthcoming land policy paper and land use zoning master plan, but they seemed unlikely to be enacted before 2013.

¹² Parts of the Forestry Law were rewritten in 2008 and it was being further amended at the time of the fieldwork.

¹³ The systematic programme of land titling had been suspended by the time of the fieldwork and there had been no further development partner support to systematic land titling in Lao PDR since 2009, due to differences in priorities between the Lao government and its development partners, with the government seeing national land use planning through decentralization and digitization as more urgent priorities for Laos.

¹⁴ Over 50% of Lao women live in areas with strong matrifocal and matrilocal traditions, particularly among the Lao Loum ethnic groups.

recognized and common in Laos, and any property acquired within marriage throughout the country is legally considered as the joint property of both husband and wife (FAO 2012a; Mann & Luangkhot 2008, pp.81-82). On the other hand, women's inheritance is often transferred as "brideprice" and is thus dependent on marriage – "women are consistently disadvantaged with respect to land and property rights on divorce, widowhood, and remaining unmarried" – and in ethnic groups where patrilineal land tenure is practiced and women do not inherit the situation is worse (Mann & Luangkhot 2008, pp.24, 49). Management of village and communal land in Laos is also male-dominated, through (usually male) village elders and also because of socio-cultural connections between customary tenure and spiritual practices in relation to this type of land (Ibid, pp.25-26).

As joint ownership of property is recognized within marriage in Laos, in urban areas where systematic land titling has taken place, the names of both husband and wife have usually been recorded on documents. However the situation in rural areas is very different, as elaborated by one informant from the national government:

A wife always refuses to have her name on the title due to traditional practices and the belief that the husband will take care of her and the family. This is the majority of cases, especially for ethnic minorities. Women never think about what would happen in the case of divorce. More time and efforts are needed to raise women's awareness...In the case of the parents' death, the daughter sometimes does not accept her share of the property because of the traditional belief that a man will take care of her as a wife and of the family...Among the Hmong and hills ethnicities [Lao Soung and Lao Theung], most of the land and property will be given to sons only. Girls do not really dare to ask for it, even though they are supposed to have their share by law...Once I tried to speak to a young Hmong [Lao Soung] woman about this [putting her name on a land document], but she said 'no I could not do so and our village leader would not agree with that. This is our tradition.'

On the other hand, these attitudes around gender and land are subject to change, as shown in one village studied by researchers investigating women's property rights in Laos:

While pointing out that men are the household heads, Hmong [Lao Soung] men and women stressed that the household head will be the person who is better at planning and managing household land and property. The team spoke to women who are acknowledged as cleverer than their husbands and whose names are the ones found on land and property documents (Mann & Luangkhot 2008, p.45).

There is an active but largely informal urban land market in Laos and there are also land markets in rural areas – albeit more limited due to shortages of agricultural land (pushing up prices) and the possibility of independently clearing forest land and/or seeking land allocations and concessions from the government instead of purchasing land (Wehrmann et al 2006; 2007, pp.12, 14-16; c.f. Mann & Luangkhot 2008, pp.43-44). In rural areas there is no Land Title and the best equivalent is a Land Survey Certificate (LSC). However, most rural people who have formal documents have only registered for a Temporary Land Use Certificate (TLUC) at the district level. A TLUC is legally valid for only three years and obliges holders to pay taxes, but it does not include the rights to sell, mortgage or claim compensation on expropriation. Other documents used to prove private land ownership in rural areas of Laos include Land Tax Declarations (LTDs) – the most common land document in rural areas overall, with a high degree of tenure security and recognised as a base for compensation – Land Tax Receipts, and Village Heads Certificates on Land Ownership. All three of these latter documents are often used to support claims to full disposal rights and compensation on expropriation even though they all have limited legal validity beyond use rights (Schoenweger & Üllenberg 2009, pp10-11; Wehrmann et al. 2007, pp.5, 9-10, 25). However, as several informants emphasized, the majority of rural people in Laos do not have formal documents for all or any of their land, in order to avoid paying the taxes that registering their land would incur.

With regard to village and communal land, communal rights represent the blurred middle on a continuum between private rights and state rights (Sayaraj 2011, p.16). Communal Land Titles are legally permitted under the *Prime Minister's Decree on Land Titling* (No. 88 from 03/06/2006), but they remain undefined and have only recently been piloted by the NLMA in one district, Sangthong, in connection with an INGO-supported participatory community-based bamboo forest management project (Sayalath et al. 2011). Under this communal land titling pilot, 2,107 ha out of a total area of 24,889 ha in four pilot villages had been proposed for issuance of temporary (three-year) communal land titling deeds by October 2011. The proposed areas were identified through gender-sensitive participatory action research, including village consultations, mapping and boundary demarcation exercises, and identification of areas for communal natural resource management in conjunction with establishing village regulations for their use (Bounemany 2011, pp.12-13; LIWG 2011; Sayaraj 2011). A second experiment has taken place under the GIZ-funded *Land Management and Registration Project 2009-2011*, which piloted an approach to registering state, private and communal land in two provinces, Luangnamtha and Xayaboury, through a process of participatory land use planning and zoning and district-level systematic land surveying, adjudication and registration (Munelith & von Behaim 2011). Building on all this work, the NLMA plans to develop a format and detailed technical concept for communal titling to clarify who can register Communal Land Titles and what rights they imply, and then carry out concerted public awareness-raising on the subject. However, it is still a long way from any kind of systematic or national roll-out (Inthavong 2011, pp.40-41; LIWG 2011).

Land use planning is itself a high priority of the Lao government. The 7th NSEDP includes targets of establishing detailed land use plans at macro and micro level and land use planning at village level nation-wide, while the SAD envisages participatory land use planning exercises helping to ensure sustainable land use and land rights for the poorest farmers (Government of Lao PDR 2012a, p.22; MAF 2012a, p.36). The NLMA suggests that land use planning should allow for 2.4 ha of private land per household along with 1.5 ha each of community forest and village production forest – roughly in line with the figures for average household landholdings cited above (Inthavong 2011, pp.26-27).¹⁵

3.2.3 The Investment Process

Both domestic and foreign investment is promoted by the Lao government through a mixture of measures such as generous tax exemptions, low land rental rates, and facilitation through a national level “one-stop service unit”. This latter was set up in the MPI’s Investment Promotion Department (IPD) in October 2011 and is intended to include representatives of all relevant line ministries and be the initial point of contact for all applications to invest in Laos. However, sectoral ministries such as MAF have long been involved in the investment process and continue to play an important facilitation and approval role for investments in their sectors, and thus in practice investors still face a confusing set of licensing and documentation requirements involving many different parts of national and local government. The confusion surrounding the investment process was clearly acknowledged by government officials during the fieldwork – as one national-level informant put it, “foreign investors often ask questions that the one-stop service staff are not always able to provide answers to”.

Provinces also have their own IPDs, albeit with a supposed cap on authorization of investments and land concessions up to 150 ha. Once investors receive approval at the provincial level for a land concession, from the Provincial Agriculture and Forestry Office (PAFO) and the Provincial Land Management Authority (PLMA), the District Agriculture and Forestry Office (DAFO) has to make the land available, in conjunction with the District Land Management Authority (DLMA), tell the villagers, and, in the case of contract farming investments, take care of the enforcement of the contract. In some cases, the DAFO does not want to be involved in contract farming because it is stuck in the middle and has to enforce deals made at the provincial level that it was not involved in

¹⁵ See Bourgoin (2012) for a review of approaches to participatory land use planning in Laos.

negotiating with the investors. During the fieldwork, informants in DAFOs also said that many investors get approval at the provincial level and then go direct to the village level to look for and negotiate land, which causes bad relationships with the district officials and makes their role more difficult if investors and villagers get problems later on and come to the DAFO for help. Furthermore, although they were supposed to monitor investments and help solve any such problems between investors and local people, DAFOs felt constrained in their capacity and resources to do this.

Overall responsibility for issuing concessions of rural land for farms and natural resources legally lies with the NLMA. The NLMA¹⁶ was established in 2004, but before this any government agency could – and did – issue land concessions (Government of Lao PDR 2004b). For agricultural investments, once MPI and MAF approve an investment application it is the NLMA which recommends the land suitable for the concession and the general location. The provincial and district authorities then take over the process, as just described above. Box 1, below, presents a summary of the various steps in the investment process as described by key informants at different levels of government during the fieldwork.

¹⁶ The NLMA is now under the Ministry of Natural Resources and Environment, created in 2011 by merging the Water Resource and Environment Administration (WREA) with parts of NLMA and the Geology Department, as well as the Protection and Conservation Divisions of the Department of Forestry.

Box 1: Steps in the Investment Process in Laos

- 1) The investor visits MPI to introduce the idea. After fulfilling requirements at the national level such as business registration, the investor is directed to the relevant national level ministry (e.g. MAF for agricultural investments, other sectoral ministries for other types of investment).
- 2) For agricultural investments, MAF reviews the business idea and feasibility, helps the investor to identify the general location of suitable land in cooperation with NLMA, and directs the investor to the other relevant sectoral ministries for fulfilment of licensing needs and other conditions and criteria in line with national laws.
- 3) Once all national level conditions are met, MAF approves the investment and the investor returns to MPI to sign a formal Memorandum of Understanding (MoU) with the Lao government.

MPI's new "one-stop service unit" is planned to contain officials from all the relevant line ministries so once this is fully operational investors will no longer need to go door to door as described here in steps 2) and 3), but at the time of the fieldwork this was not yet the case. For investments up to 150 ha, the investor can bypass steps 1), 2) and 3) and liaise directly with the Provincial IPD from step 4) onwards.

- 4) The investor goes to the provincial government in the area identified as having suitable land for the investment.
- 5) The PAFO and PLMA review the business idea and then direct the investor to the relevant districts, where the DAFO and DLMA work with the investor to identify the specific land areas suitable for the investment and carry out a formal land survey. The investor (if foreign) also carries out social and environmental impact assessments in respect of the selected sites. These are reviewed by a committee at the provincial government level, comprising officials from all the relevant line ministries, and if deemed satisfactory at the provincial level, the DAFO then helps the investor to persuade villagers to give up their land and assess compensation (for plantations) and to sign up to the investment scheme (for contract farming).
- 6) Where the land is privately owned by individual households and they can prove this with documentation, their agreement is required to transfer the land for a plantation in return for compensation or to sign up for a contract farming scheme – in the form of the consent of the (usually male) household head.
- 7) Where the land is village or communal land, its transfer to the investors is agreed with the heads of villages but there is no formal wider participation by the community because communal land titling has not yet been implemented. This type of land is often preferred by investors as individual households can and do refuse to transfer privately owned land for plantations, or to join contract farming schemes.
- 8) The formal land survey may have to be carried out several times as the negotiations for specific land areas progress and agreement is reached (or not) on the selected sites, with the PAFO and PLMA providing technical support in the form of manpower and equipment to the districts in this process.
- 9) Once the survey process is complete and enough land for the investor is identified and agreed on at the village level, the investment is signed off by the district governor on the recommendations of a committee of officials at the district level (including from the DAFO and DLMA), the provincial governor (on similar recommendation of provincial government officials) and the investor then returns to the national level for the formal land concession agreement to be issued by NLMA.
- 10) Once the land concession is issued, the investor can start to use the land and also has to begin paying land rental to the relevant issuing authority, dependent on the size of the concession i.e. to provincial governments for land concessions up to 150 ha, to national government for larger concessions.

With respect to land concessions themselves, at least 36 different documents had been used to issue land concessions in Laos up to the time of the fieldwork, and there was no single model concession agreement. Rental rates for land concessions for agricultural investments ranged from US\$ 5 to US\$ 25 per ha per year, for land intended for production of cash crops, perennial crops, fruit trees and NTFPs, and they were only slightly higher for plantations of industrial tree crops such as rubber. These rates are substantially cheaper than those found in neighbouring countries (Glofcheski 2009,

p.7; Schoenweger & Üllenberg 2009, pp.11-13; Vientiane Capital 2010, pp.30-37). However, according to an informant at the provincial level, these are new rates which are much higher than those previously charged in Laos. This was confirmed by one foreign company that came to Laos in preference to Thailand, Vietnam or China because land was easier to obtain and the rent was much lower, only to find it then went up from US\$ 9 per ha to US\$ 30 per ha within five years.

The land concession agreement is like a land title in that, according to informants at both national and district levels, it is under the overall responsibility of the NLMA to ensure the land is properly allocated and used at the district level. However, in practice the investor operates under the guidance of MAF. Moreover, as a national government informant reported:

There are many cases of land being cleared without the investor going through the proper procedures. For instance, after having signed the MoU with MPI, the investors often go ahead clearing the land with bulldozers with no information and involvement of other sectors concerned.

Data from the NLMA at the time of the fieldwork was that less than 10% of land concession agreements in Laos have been duly signed off under the “proper procedures”.

In response to growing awareness within the Lao government that land concessions for agricultural investments have been granted without proper consideration of their long-term implications and have contributed to increasing loss of land access by rural people, a temporary moratorium on the award of any land concessions over 100 ha “for both local and foreign investors which are targeted for growing industrial tree crops or short rotation cash crops” was imposed for two years in May 2007 to enable MAF and the NLMA to evaluate the legality and impacts of all existing agricultural concessions (Government of Lao PDR 2007, pp.3-4; Fraser 2009, p.13; Inthavong 2011, p.5; Kenney-Lazar 2010, p.8). This moratorium was over but land concessions were being processed more slowly and carefully by the NLMA by the time of the fieldwork, and many concession applications were still on hold. Subsequent to the fieldwork, a new moratorium on land concessions with respect just to rubber plantations and mining was put in place in June 2012 (Agence France-Presse 2012). One of the priority objectives under the AMP is a nation-wide inventory of all foreign and domestic land concessions in Laos, and with GIZ funding the NLMA has also now carried this out (MAF 2012b, pp.18-19).¹⁷ This inventory work showed clearly that official data on land-related investments is frequently inconsistent with the actual situation on the ground.

A new Ministry of Natural Resources and Environment (MoNRE) was established by the National Assembly of Lao PDR in June 2011, which merges the NLMA with existing institutions responsible for water, environment, geology and some aspects of forestry (MoNRE 2011). However, the new Ministry was not yet operational by the time of the fieldwork and challenges had already arisen because the division of rights and responsibilities between different departments had not yet been clarified (LIWG 2011). The implications of this institutional change for the investment process and for policies towards land-related investments in agriculture, and their implementation, therefore remain to be seen.

3.2.4 Contract Farming Models in Laos

One unique feature of land-related agricultural investments in Laos has been for the government to promote two variations of a contract farming model of agricultural investment as an alternative to outright plantation-style land acquisitions, summarised in Box 2 overleaf. These are known as 1+4 and 2+3, and have different implications for land and labour. Under 1+4, which is closer to the conventional plantation model, villagers lend their land to the investor, while the investor is

¹⁷ Although fieldwork and analysis has been completed for the whole country, only reports on two provinces have so far been published in English (Nanthavong et al 2009a; 2009b).

responsible for planting and maintenance with hired labour. The investor retains a 70% share of the profits, while villagers retain their private ownership rights to the land and often a minority share of the crop harvest in addition to the wages received by some of them for working on it for the investor as employees or casual labourers. Under 2+3, which is more commonly promoted by the Lao government and closer to the conventional contract farming model, the villagers provide and use their own land and labour in return for a 70% share of the profits, while the investor provides capital (seedlings, fertilizers and equipment), technical know-how and marketing. However, the cost of the capital is deducted from the income before profits are shared, and the contracts in some cases are signed for as long as 30 or 35 years (Schoenweger & Üllenberg 2009, pp.15-16).

Box 2: Summary Comparison of 1+4 and 2+3 Contract Farming Models

1+4

Process of land acquisition: Investor negotiates with the village and persuades farmer households to sign up to contract farming

Land ownership: Land remains owned by farming households (or the village if common land) and is only lent to the investor

Employment effects: All labour hired by the investor, may be local or brought in from elsewhere

Capital inputs: Planting and maintenance done by the investor and they provide all technology and inputs

Farmer participation: Farmers receive a share of the crop harvest (in kind) and some get jobs from the investor

2+3

Process of land acquisition: Investor negotiates with the village and persuades farmer households to sign up to contract farming

Land ownership: Land used is owned or rented-in by farming households for the investment

Employment effects: Farming households provide unpaid family labour and/or take on paid casual labourers to farm the investment crops

Capital inputs: Initial capital (including land clearing) and all other technical inputs provided by the investor, but costs taken from farmer incomes after harvest

Farmer participation: Farmers receive income after the crop harvest has been sold by the investor, after deduction of input costs

There are clear distinctions by crop between the two broad types of investment, with large-scale conventional plantations the case for crops like sugarcane and fast-growing trees such as eucalyptus, and smallholder contract farming – conventional and 2+3 – more the case for crops like rice, cassava and tobacco; jatropha and rubber fall between the two and 1+4 contract farming is more common there (Hall 2011, p.842).

Under both models, households have to switch the use of their land to the investment crop and lose control of both land use decisions and production system decisions in respect of their land for the duration of the contract; they may also lose control of divisions of labour within farming on that land. Moreover, in both cases the total land area required by the investor still has to be allocated by the government as a land concession, and it is up to the investor to go to the district and village level to negotiate for the actual sites required and persuade local households to sign up to contract farming so that the land the investor wants to use can be turned over to the proposed investment crop. This means, for example, that instead of farming on a 100 ha plot (plantation-style), the investor may be farming 100 ha on different plots of land spread around one or more villages and which are not always contiguous, depending on the location of the land belonging to those who have signed contracts – with obvious implications for productivity and economies of scale. In other cases, the investor may end up farming a much smaller area than allocated in the land concession, because there is not enough interest from local farmers willing to sign contracts and become involved in the investment on either the 1+4 or 2+3 basis. Farmers are not obliged to sign up to contract farming

schemes and often do not – even though they may be heavily promoted by the investor; the district governments have a more ambiguous role and may not support them, as noted above. However, as outlined in Box 1 (above), where households do sign up to contract farming it is usually only the male household head who is required to give his consent, and the extent to which women participate in most of the negotiations around investments at the village level appeared to be very limited indeed.

3.3 Key Issues around Governance and Land-Related Agricultural Investments

One recent analysis of the situation in Laos suggests that “the main benefits of FDI to date has been to diversify the rural economy and provide more employment opportunities” but with little impact on traditional agricultural practices and increased risk of shortages of staple foods “in the near future due to the reduction in land available to smallholders” (Fraser 2009, p.14). Village and communal land, not claimed by individual households as privately owned, has been especially vulnerable to the land pressures arising from FDI. This is particularly the case for forested land, which, as described in Section 3.1 above, local people depend on heavily for their livelihoods – especially women with respect to the collection of NTFPs – but which has been widely allocated as land concessions for agricultural investments in industrial tree crops like rubber, teak, eucalyptus and acacia.

Within the literature, a number of recent studies have identified a range of specific negative implications of agricultural investments in Laos. For example, one study found evidence of foreign dominated investments in Champasak and Salavane provinces in southern Laos having transformed many local farmers into casual labourers depending on low paid and irregular work on the large-scale rubber plantations which cover up to 77% of land under rubber throughout Laos. There had also been many land conflicts between investors in rubber and local farmers over encroachment of village and communal land, including forests. Many households lost privately-owned land without compensation to the investors, including land where smallholder coffee – an important local source of cash income – had previously been grown, and overall food security had suffered from reduced rice harvests as well as reduced access to NTFPs (Laungaramsri et al 2009, pp.1, 3, 5, 9-16, 19). Another detailed study of a 10,000 ha land concession granted to a Vietnamese investor, HAGL, for logging and rubber plantation development in Attapeu province, also in southern Laos, found similarly negative implications for local livelihoods (Kenney-Lazar 2010). A third study in southern Laos, on the implications of investments in sugarcane plantations and a sugar processing factory by a Thai investor, Mitr Lao, in Savannakhet province, assessed their economic, social and environmental impacts and found no evidence to say that the benefits have outweighed the costs. In particular, although some employment was created, livestock production, cash income and food from NTFPs had all decreased, while the majority of local households who signed up to contract farming arrangements with the company had fallen into debt (IUCN & NERI 2011, pp.18-30).

In contrast, Fulbrook (2011) has documented a number of different types of smallholder production agreements in Laos and describes them as a “qualified success”, inspiring reason “to be quietly and cautiously optimistic about commercial smallholder agriculture in Laos” (p.8). According to this analysis, internal factors supporting successful contract farming in Laos and which could be applied more widely throughout the country are written production agreements, market prices, advance payments and certified production systems, while external factors include “valuing relationship, social interests, facilitators, highly complementary production and consumption, and market information” (Ibid, pp.8, 60-63). However, this differs from the view of one informant at the provincial government level who said that agricultural investments in Laos under both the 1+4 and 2+3 systems

have not yet demonstrated any success stories. Contract farming is indeed a good concept in general but in actual practice there have been no proven successes since it has been applied.

The key issues ultimately all revolve around governance, at the levels of households, investors, and local and national government, and in terms of both the governance of land-related agricultural investments directly and governance more broadly within Lao society in relation to gender, decentralization, institutions, and so on. Governance here is defined as “the process of governing”:

It is the way in which society is managed and how competing priorities and interests of different groups are reconciled. It includes the formal institutions of government but also informal arrangements. Governance is concerned with the processes by which citizens participate in decision-making, how government is accountable to its citizens and how society obliges its members to observe its rules and laws (FAO 2012b; c.f. FAO 2007; FAO 2009).

3.3.1 Key Issues around Land, Labour and Livelihoods

Land-related agricultural investments in Laos affect areas of both secure and insecure land tenure (c.f. Hall 2011, p.839). The vast majority of land concessions for plantations target village and communal land, particularly forest areas, where secure tenure is lacking. However, a number of investors are also working with local farmers under 1+4 and 2+3 contract farming arrangements on land that the individual farming households have private ownership and/or use rights to. Different governance issues arise from the different models with respect to land, labour and livelihoods at the household level.

In some cases in Laos, investors wanting land concessions for conventional plantations and 1+4 contract farming have deliberately sought out forest areas with insecure tenure in order to get access to the right to clear existing forest as well, including some allegedly straightforward logging operations only pretending to be legitimate plantation companies, such as the Lao World Coconut Plantation established in Borikhamxai province in 2006 (Hall 2011, p.843; Sipaseuth & Hunt no date, pp.10-15). This is particularly detrimental to rural people’s livelihoods when such land concessions are awarded in areas of ‘political forest’ – those classified as forest but which local people use regularly for farming and NTFP collection and sometimes even live in (Hall 2011, pp. 844, 848, citing Peluso & Vandergeest 2001). It is exactly these sorts of areas in Laos which would benefit the most from the protection and secure tenure that would be afforded through the communal land titling discussed in Section 3.2 above. This is important because social safety nets linked to community cooperation in local natural resource management are affected by the loss of communal land (Mann & Luangkhot 2008, p.47). As one national government informant explained:

In rural areas there is no official social safety network, and the only traditional one is food security from the wild land, including NTFPs. If farmers have crop crises in some years they can get roots to eat instead. But nowadays this is changing because of different land concessions that are coming to the villages. Those root crops are not available and even livestock have no grazing land.

As another informant added, where it is no longer possible for men to hunt and women to collect NTFPs, this can then “cause food shortages and stress in families and villages, which can lead to problems of violence and drinking”.

A further food security impact related to governance issues around forest and communal land arises from the loss of fallow land needed for shifting cultivation, when it is reclassified as degraded forest as described in Section 3.2 above. The main governance issue here is the lack of village authority and tenure over such land. One informant explained how after the national or provincial government authorities sign a land concession

the district and village governments get paid per diems by the companies to go out with them and find the land from their areas. If people have tax receipts or other documentation then they can claim the land is their land and it won’t be given over to

the concession areas, but for any land where no-one offers any documentary proof, that land is considered as government [usually village, communal or forest] land and therefore available for the concession area. And most people don't have any documents or tax receipts for either their farmed or fallowed land.

This process of identifying suitable land for investments is linked to the government's policy of ending shifting (swidden) cultivation, with one recent analysis therefore expressing concern that the policy has led to less respect for, and less careful recognition of, rights to village and communal land, including forest and fallow land, during land allocation processes (Hall 2011, p.849).

An informant from a provincial government explained how all the main problems with agricultural investments arise around land, labour and livelihoods. Some companies get land but do not use it all, while others try to plant on a larger area than they have been allocated. This can cause conflict with local people when it encroaches into areas they collect NTFPs from, as well as problems around disappointed expectations about job creation when the land is not used. This informant described how many companies do not have enough money to invest in further operations after getting provincial approval for a land concession:

Some sell the concession land use authorization to another company. Some just do the first step of clearing the land and taking the timber to sell but nothing more than that. Some promise to hire local labour, and they did in the beginning, but then they complain that local labourers do not have enough technical capacity and they ask to bring in foreign labourers instead, even from their own countries, especially the Chinese and Vietnamese investors. Most companies are not beneficial for the local populations and only show commitment at the beginning.

Even where land rights are more secure, a lack of a clear framework that sets out criteria and standards for socially responsible land-related investments can lead to contract arrangements or to investment schemes that might disadvantage local populations and threaten their livelihood.

In contract farming, for instance, problems have arisen for local farmers who get into debt through their involvement in conventional and 2+3 contract farming arrangements (c.f. Hall 2011, pp.851-852). Some informants from companies visited during the fieldwork mentioned that under a number of different 2+3 contract farming arrangements in Laos, part of the capital provided by the investor is in the form of physically clearing and opening-up 'unused' forested land for farming, with the costs of this being deducted from the farmers' income from the crops then grown. Often, these initial costs represent a major expense and mean that participating households rack up large debts to the company they contract with at the outset, leaving them in an extremely vulnerable position if the crops or the business model fail. This was the case for LAO Arrowny contract farmers when the company failed as a result of unexpected changes in trade policy.

With regards to employment creation in general either through plantation or 1+4 models, the stability of the investment and hence of the employment generated, and the quality and the number of jobs are all essential to determining the livelihood implications on women and men labourers. Several key informants during the fieldwork mentioned that many local farmers had switched to casual labour, thus now depending on low paid and irregular jobs with poor working conditions. Furthermore, none of the companies visited that were using either the traditional plantation model or 1+4 have provided employment on a regular basis and in a sustainable way since they started their operations - the jatropha investment fell into neglect and the banana company drastically reduced its operations because of technical problems, as described further below.

Good governance is essential to create the conditions for generating better and more sustainable jobs, both for farmers and wage workers. A key vehicle for setting up sustainable and responsible investments is through public-private partnerships and social dialogue between government and

representative bodies of producers/employers and workers. Unfortunately, despite some governmental efforts to strengthening producers and civil society organizations, farmers and workers were poorly represented and their participation in decision making in land related processes was completely absent at the time of the fieldwork.

Another important issue around land related investments in Laos but directly linked with the one just mentioned arises directly in relation to inclusiveness and gender equality. As noted above, men tend to be the ones to participate in negotiation processes and sign contract farming agreements with investors on behalf of their households, and none of the women in the focus groups carried out during the fieldwork had signed contracts in their own names. Informants from companies said that anyone in the household could sign a contract – including a wife or grown-up son or daughter – but that usually it was the husband who signed as head of the household. Cases where women signed contracts were usually only those of widows or divorced women. This reflects the overall lack of power and participation of women in decision-making processes in Laos, as described in Section 3.1 above.

3.3.2 Key issues for Investors and Governmental Institutions

Weak governance also has implications for investors. From the foreign company's perspective, it is not always easy to get the land needed for investments. For example, the Korean-owned KoLao Farm and Bio-Energy Co. Ltd. claimed it had had 10,000 ha surveyed by the DLMA in four districts of Vientiane province where it wanted a land concession for a 1+4 contract farming model jatropa plantation, but was then told that a second site survey would be needed before the land concession agreement could be issued in case some of the land had already been allocated to other investors. The company had signed an MoU with MPI in 2008 and had already planted on some of the land and hired both employees and wage labourers to farm it, even though it was not yet paying rental rates in respect of the land. However, an informant at the district level said KoLao had not followed the correct procedures after getting approval from the province, and that that was why the concession was pending further investigation before any documents could be issued. Another informant claimed that the company had bypassed the district authorities and gone to the villages using a well-known local man as a broker, and that it was this breach of procedures that had caused the delay.

In another case, the British-owned Lao Banana Company Ltd. needed nine months to obtain a land concession in Borikhamxai province and start operating a conventional banana plantation on only 100 ha of land. This included carrying out a site survey with the PAFO and PLMA six different times – “because each time we tried to survey the concession area someone else in the village said that part of the communal land was their land”. The company obtained its 100 ha but the plot is a different shape than initially envisaged, and a second 100 ha land concession it obtained in a different village is in three separate and non-contiguous pieces of land. The company described “lack of clear recording of land rights” as “a major problem for investors in Laos”.

From the domestic company's perspective, government capacity and policy are the major issues, as one well-connected entrepreneurial informant explained:

Frankly, it's hard to work with the government. We comply with government policy, but the government needs to pay more attention to supporting and facilitating investment. Instead, they just tell us to look for support from foreign sources. The problem is not the farming and the farmers, it is the government policy and the lack of support for investment.

Another informant from a domestic company focused on problems at the provincial level:

Many foreign companies get approval from the province for a land concession but then do nothing with the land and the local people get no benefit from the investment. Our company tried to establish a joint venture with a Korean firm and then a Vietnamese

one, but we found the terms proposed by the Koreans might lead us into increasing debt and we got no interest from the Vietnamese investors. So now we promote 2+3 contract farming and just market through our foreign links. As a Lao company we understand indigenous livelihoods better...I still do not understand about policy on business promotion with foreign investors, particularly at the provincial level where there are many steps and difficulties...Mostly when foreign investors come into different provinces the investment permissions are given to them straight away [despite the difficulties] but they don't properly utilise the land and they fail to make it a success. This has created problems because domestic investors then find it hard to get land for 2+3 contract farming promotion that could help farmers' livelihoods, because the land has already been given to foreign investors in land concessions.

At the local government level, staff in district planning offices visited during the fieldwork said they struggled with monitoring investments due to unclear mandates between different government departments and overall lack of budget. IPDs were also not yet established at district levels, only provincial levels. Lack of capacity was a major issue among DLMAs in particular. For example, one DLMA reported having only one GPS unit for the whole district for doing any kind of land survey and monitoring, and before that came they used measuring tapes. Another DLMA had two GPS units in their office but one did not work properly. This makes it very hard to check if companies are taking the right areas or encroaching onto farmers' land. The problem as summed up by one informant at the provincial level was that "the government policy is very nice but it is very poor in implementation because the land is being allocated in land concessions and not to the poor farmers".

At local levels, especially district and village levels, there is also limited law enforcement and governance capacity for analysis and policy formulation, implementation and feedback (Inthavong 2011, p.5). As one informant put it:

Law enforcement is really lacking and many violations take place. Corrective mechanisms are also missing. Districts and provinces are often part of the illegal practices. If a violation takes place and the central level learns about it, they might write a letter to the local government but nothing else is done in practice.

In addition, there are wider issues around governance at the national level in relation to land-related agricultural investments in Laos. The Lao political economy includes a number of features constituting weak governance, including weak civil society and judiciary, a bureaucratic and politicized civil service, and inadequate transparency and accountability. For example, although local NGOs had been able to register in Laos since 2009, the sector is relatively weak and only 10 local NGOs had succeeded in registering by the time of the fieldwork. Poor governance of natural resources is a particularly acknowledged problem, due to lack of transparency and accountability and the porosity of many international borders. Major governance issue in the ANR sector also include general allegations of corruption, deficiencies in legislation and implementation, and the presence of inadequately supervised and largely unaccountable SOEs. As noted in Section 3.2 above, different levels of government have all had differing powers to grant land concessions to investors, as have different line ministries and government agencies, but there has been inadequate coordination between them all. Provinces have particular autonomy in the ANR sector – as demonstrated by the fact that some provinces continued to authorize agricultural land concessions during the two-year moratorium noted above (Bestari 2006, pp.2-5; MAF 2010a, p.17; Schoenweger & Üllenberg 2009, p.17; Sipaseuth & Hunt no date, p.18). One informant summed up the wider governance issues by describing how "decentralization is supported and encouraged, but it is also causing chaos". The result – perhaps unsurprisingly – is a "scramble for land by companies" (Sipaseuth & Hunt no date, p.18).

As a result of all the various issues and problems around land-related investments in the ANR sector, the Lao government, with the support of a number of development partners, has started to work towards achieving improved governance in the sector. For example, the Land Issues Working Group

(LIWG) – which was set up in 2007 to exchange information on the negative impacts of land concessions – has produced an SDC-funded report mapping out the principles and process for preparing a voluntary environmental and social code of practice for industrial tree plantations in Laos, as a first step towards the establishment of international certification for the sector along the lines of that of the Forest Stewardship Council (Foley 2009). With respect to land-related agricultural investments more broadly, UNDP’s Poverty-Environment Initiative has launched a new programme with the MPI’s IPD to review agricultural concession contracts – particularly for large-scale plantations – with a view to ensuring that agricultural investments in Laos “generate maximum benefits for the country and particularly the poor, with least impact on the environment” (UNDP 2011a). This is to be achieved through improvements in the concession contracting process, including increased transparency and stricter application of environmental and social impact assessments, with the ultimate aim of developing a model contract for agricultural land concessions (Ibid; Wong 2011). The Lao government more broadly is in the process of reviewing 1+4 and 2+3 models of contract farming and identifying good practices from companies which follow the guidelines on social development within the 7th NSEDP and which can be taken into account in developing new regulatory frameworks. It has also recently put in place a new moratorium on land concessions for rubber plantations and mining, as noted above.

3.4 Primary Data on Selected Agricultural Investments and Main Findings from the Fieldwork

During the fieldwork, some fresh primary data on agricultural investments was gathered in the provinces of Borikhamxai (Borikhan, Pakkading and Pakksan districts), Vientiane (Vangvieng district) and Vientiane Capital (Thourakhon and Xaithani districts), covering farmers in the Mekong Corridor and the Vientiane Plain, two of the country’s six main agro-ecological zones. The Mekong Corridor includes the banks and floodplains of the Mekong River and the lower alluvial valleys of its tributaries. With altitudes of 100-200m on plains and modest slopes, it is well-watered, full of paddy fields and suited to a wide range of crops. The Vientiane Plain includes the higher plains and lower slopes of Lao PDR’s middle mountain areas, with relatively easy road access to the capital. It retains natural forests and upland shifting (swidden) rice cultivation is common, along with animal husbandry (MAF 2010a, p.4). Brief statistical profiles of the three provinces are given in Table 1 (overleaf), including the available statistical data on agricultural investments and land concession areas.

Table 1: Statistical Profiles of Borikhamxai, Vientiane and Vientiane Capital Provinces

	Borikhamxai	Vientiane	Vientiane Capital
Total provincial population	177,878	396,842	283,837
Female share of total provincial population	49.7%	50.3%	52.1%
Total agricultural households in the province	33,207	70,197	55,712
Female headed households as percentage of total agricultural households in the province	4.8%	3.4%	8.0%
Percentage of female agricultural household members 10 years and older that can read and write without difficulty	68%	68.7%	83%
Percentage of male agricultural household members 10 years and older that can read and write without difficulty	83.6%	85.4%	92%
Number of agricultural investment projects in the province (including industrial tree crops)	16 domestic and 16 FDI (including 3 joint ventures) – established between 1996 and 2011.	57 domestic and 37 FDI (including at least 14 joint ventures) – established between 2004 and 2011.	494 FDI (including joint ventures – established between 2000 and 2011.
Land concession areas of agricultural investment projects in the province (including for industrial tree crops)	37,782 ha allocated (for 21 of the above-mentioned projects only, ranging from 31.9 ha to 25,000 ha) but only 12,925 ha under production.	3,387 ha allocated and documented (for 26 of the above-mentioned projects only, ranging from 87 ha to 500 ha). Data on area under production not available. Separate report of around 11,000 ha of land concessions allocated to three cases of FDI, but not all with documents approved.	No data available.
Total land concessions in the province	No data available.	293,487 ha	No data available.
Total land area of the province	1,557,700 ha	1,900,000 ha (of which 1,300,000 ha is forest)	No data available.

Sources: FAO & MAF 2010; Schoenweger & Üllenberg 2009, p.19; Primary data obtained in November 2011 from Borikhamxai PAFO, Vientiane PAFO, Pakksan DLMA, Vientiane Province IPD, and Vientiane Capital Province IPD.

As seen from Table 1, an attempt was made to obtain the most up to date figures for numbers of agricultural investments and land concession areas in the provinces and districts visited. However, there remain problems with assessing the accuracy of the data. Different departments at both provincial and district levels held different sets of figures, which were often not directly comparable. Not all investments were operational, and not all areas of land concessions were in use – nor was it always clear what the legal status of the concessions and investments were and how far different companies had proceeded through the investment and land acquisition process. With these caveats in mind, brief summaries of the available primary data on land-related agricultural investments in the districts of Borikhan, Pakkading, Pakksan, Vangvieng and Xaithani are given in Table 2, below.¹⁸

¹⁸ No comparable statistical data was obtained for Thourakhon district during the fieldwork at all.

This data is presented to give at least some indication of the scale and extent of agricultural investments and land concessions in the immediate fieldwork areas.

Table 2: Summary of Available Data on Land-Related Agricultural Investments in Borikhan, Pakkading, Pakksan, Vangvieng and Xaithani Districts

	Borikhan	Pakkading	Pakksan	Vangvieng	Xaithani
Number of agricultural investment projects in the district as at November 2011 (including industrial tree crops)	At least 3 domestic and 4 FDI (including 1 joint venture) – established between 2004 and 2011.	No data available on project numbers.	5 domestic and 5 FDI – established between 2004 and 2008.	No data available on project numbers.	5 FDI (including 2 joint ventures) – established between 2010 and 2011.
Number of operational land concessions in the district as at November 2011 (areas under plantation, including for industrial tree crops)	1,598 ha of operational land concessions – 6 foreign investors – plus, a further 512 ha under plantation by villagers in 2+3 contract farming arrangements with 3 of these investors and 3 different investors.	15,280 ha of operational land concessions – 4 foreign investors with 10,900 ha under plantation, and 4,380 ha under plantation by villagers in at least 7 different crops.	No data available on land concessions.	359 ha of operational land concessions – 3 foreign investors with 342 ha under plantation, and 17 ha under plantation by villagers and the Lao government.	No data available on land concessions.
Land concession areas of agricultural investment projects in the district as at November 2011 (including for industrial tree crops)	2,030 ha allocated and all approved to 6 foreign investors in multiple sites.	No data available on land concession areas not yet under plantation.	No data available on land concessions.	3,733 ha allocated to 8 different foreign and domestic investors in at least 16 different sites.	No data available on land concessions.

Sources: Primary data obtained in November 2011 from Borikhan DAFO, Borikhan DLMA, Borikhan District Planning Office, Pakkading DAFO, Pakksan District Planning Office, Vangvieng DAFO, Vangvieng DLMA, and Xaithani District Planning Office.

Table 3, below, summarizes some basic data on the five cases linked to companies which are analyzed here. One additional case investigated in the focus group discussions was linked to a donor-funded smallholder development project operated by a government organization and it is addressed separately in Section 3.6 below.

Table 3: Basic Data on Companies Investigated in the Focus Group Discussions

	Dates	Ownership Structure	Crop	Business Model Studied	Number of Participating Households
Arrowny Corporation	2003-08 (no longer operational)	100% private domestic	Organic Japanese Rice	2+3 contract farming	6,000 contract farming families
KoLao Farm & Bio-Energy Co. Ltd. (a division of a larger conglomerate)	2006-11 (still operational as a company)	100% private FDI (Korean)	Jatropha	1+4 contract farming (no longer operational)	No data on number of contract farming families or workers under 1+4, but 30,000 contract farming families under 2+3 nationwide, plus around 20 factory workers (no data on sex)
Lao Banana Company Ltd.	2008-11 (still operational but not exporting at the time of the fieldwork)	100% private FDI (British)	Bananas	Conventional plantation	60-70 regular agricultural workers (of whom majority are women), mostly employees, some casual labourers
Lao Tobacco Limited	2001-11 (still operational)	Foreign-led joint venture 47% Lao government, 53% private FDI (British)	Tobacco	Conventional contract farming	3,200 contract farming families organized into 88 farmer groups, plus 700 factory employees (of whom at least 350 are women)
State Commerce-Food Stuff Enterprise	1996-11 (still operational)	100% Lao government (an SOE)	Cassava	2+3 contract farming	827 contract farming families

The following sections discuss the gender and equity implications of land-related investments on labour and income-generating opportunities, and on land, livelihoods and food security on the basis of the analysis of specific data obtained in the focus group discussions held with rural women and men associated with six different cases of agricultural investments presented above.

3.4.1 Implications for Land, Labour, Income Generation and Food Security

The implications from agricultural investments with respect to local people's access to land and their labour, cash incomes and food security, all tended to centre around the changes in land use brought about by the investments. In the case of KoLao's 1+4 jatropha investments in Vientiane province, for example, local women and men in one affected village said that before 1998 they had been farming upland rice under shifting cultivation in the plantation area, which was officially government forest. Then when the government banned this activity and allocated the area to the village as communal land, they – mostly women – had used the area for collecting NTFPs. Since the jatropha plantations started, they continued to use the land in the plantation area for NTFP collection, but many kinds of NTFPs have declined and the scale of collection was not the same as before. However, local women reported that they began to use another communal forested area in the village for NTFP collection

when the jatropha was first planted, so in practice they have not really gone back to using the plantation area for NTFP collection. Furthermore, although both women and men got some cash income from working as casual labourers for KoLao when the jatropha plantations started, their total household income from NTFPs reduced – with particular implications for women as they were the ones responsible for the collection and sale of NTFPs.

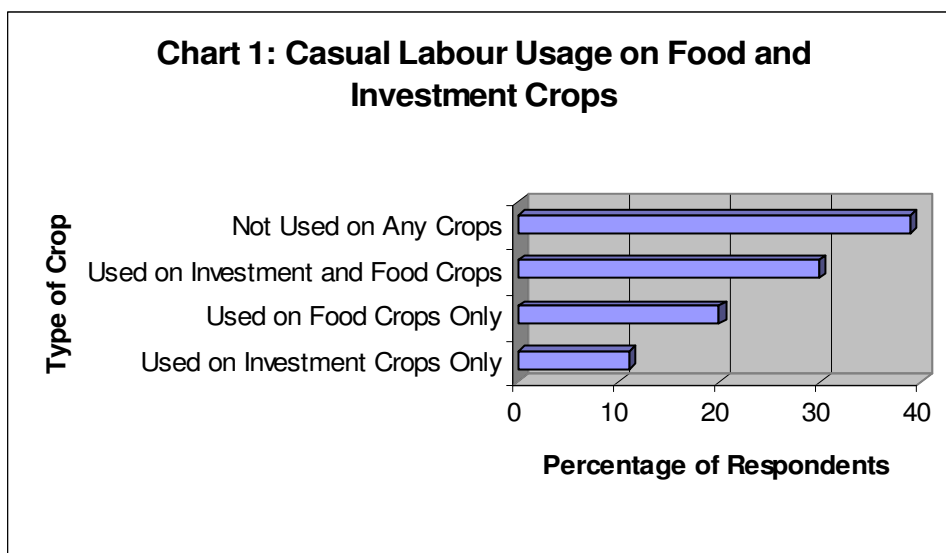
In the case of the State Commerce-Food Stuff Enterprise's 2+3 cassava contract farming investment, local women and men in one village involved with the investment said that they all owned the land they were using for cassava farming and had previously used it to plant upland rice for household consumption under shifting cultivation. However, they said they had not directly substituted the two crops as upland rice was not grown on the land every year under the fallowing required with shifting cultivation. In effect, they were therefore growing cassava on fallow rice land. Women cassava farmers said that NTFPs like bamboo, mushrooms and wild vegetables were all still available in the village but in more limited quantity compared to the past. But the women were worried that for the coming harvesting season, time would be too short for going to collect wild foods from the forests because they would be too busy harvesting cassava. Instead, they had started growing vegetables in their own vegetable gardens and are continuing with fishing, as they felt they could no longer rely on NTFPs for food.

Among participants in the focus groups, there was great diversity of means of access to land, and in most cases people had acquired different plots of land in a mixture of different ways: inheritance, purchase, government allocation, clearing uncultivated land and renting appeared to be relevant means of access to land in rural Laos.

Some participants in the focus groups with banana plantation workers and tobacco contract farmers had no owned land because of being either newcomers to the village or because they were young and still living with their parents. Among contract farmers we spoke to, in general, those renting land tended to be the land-poor, with the exception of wealthier households, such as farmers renting-in land near the Mekong river to grow tobacco. All those renting were usually doing so from others in their villages who were native to the area and had acquired more land, in particular through inheritance. Women rice contract farmers in a less remote area near Vientiane city, with more land pressures and a more developed land market, explained that rents were usually paid in kind. Men rice contract farmers said the rent for the paddy fields was one 70kg sack of rice per rai of land. Depending on the location of the paddy field they could harvest between 5 and 10 sacks of rice, making the price – counter-intuitively – relatively lower for more productive land.

A major issue here is that having access to land affects the possibility of participating in the income-generating opportunities offered by contract farming. Those with access to one or more plots of land can engage as contract farmers. However, even if the land is the woman's, it is the man who signs the contract. In contrast, those who are landless or have relatively less land, such as young people, poor people, and ethnic minorities, only have the possibility of working as casual labourers for other farmers or taking work as wage labourers directly for investors on plantations. In this case, among women, it was notably younger women from ethnic minorities who appeared to work more as casual labourers.

As well as land, the focus group discussions also enabled an exploration of issues around **labour**, including the use of casual labour in farming. Participants in 14 focus groups were asked about the use of casual labour by their household on both their food crops and the 'investment' crop. Chart 1 illustrates, below, the main answers. There were no obvious differences in response by gender as the question asked was about the household's use of casual labour and the vast majority of focus group participants were married.



Some focus group participants from households not using any casual labourers due to insufficient cash income to pay them (i.e. some of the women rice contract farmers) instead reported having performed casual labour for others. However, the majority of participants in the focus groups said they were too busy with their own farming to undertake any casual labour for others. A notable exception was the men rice contract farmers who said they all used casual labour for all their crops because they were old and did not have enough young labour in their households to manage without casual labourers. Household structure and number of active members thus had implications for the use of casual labour as much as the availability of cash income.

In a village where cassava contract farming was taking place, around 60 households out of the village total of 146 had members who worked as casual labourers for other households because of being land-poor – they had less land to farm and therefore also more time available to earn money for purchasing food. About 10 of these land-poor households were also renting land from other households for their own farming. Around 70% of those working as casual labourers in this village were women and only 30% were men. Casual labourers were paid a standard rate of 35,000 kip (US\$ 4.38) per day for any kind of work on any crop in this village. Men cassava contract farmers reported that nearly all 77 households in the village who were under contract with the State Commerce-Food Stuff Enterprise hired casual labour for both their rice and their cassava, and that some of the labourers now came from neighbouring villages because demand for casual labour had gone up.

Interestingly, however, the men cassava contract farmers said they appreciated cassava farming because overall it is less labour intensive than rice farming. One put the total labour input for cassava as 70% of the labour input for rice. However, some women cassava contract farmers pointed out in the focus groups discussions that since they have started growing cassava their workload has increased because everyone has also planted rice. The workload has increased but there is no difference between husband and wife because they help each other. This makes clear that perceptions of labour requirements within contract farming varied by gender, and suggests that on balance it increases the burdens on women's time.

One informant at the provincial government level elaborated on the labour problems within households that he felt 2+3 contract farming arrangements cause:

2+3 increases the labour requirements for farming which means farmers need to hire casual labourers and find the money to pay them every day before they receive any money from the crops. This is a big problem for poor households. Maybe 2+3 is only really suitable for households with big labour forces who are better off. For those poorer households with only 2 or 3 people who could provide labour and who have less

food and money, it is better for them to work as casual labourers themselves to earn money instead of having to find money to pay labourers while waiting to harvest crops if they start contract farming. They can't hire people to help farm cassava or tobacco if they don't even have enough food to eat – where would they get the money? This is a problem of poor policy implementation. Contract farming is promoted without considering the labour and income situation of the farmers first.

For another informant, at the district government level, who preferred 2+3 contract farming over either 1+4 contract farming or conventional plantations, the key labour issue was related to the choice of crop in terms of how much new employment it might create, and over what time period. This informant preferred investments in rubber to eucalyptus or cassava:

Companies investing in rubber hire labourers more continuously and increase forest cover in the longer term, but with eucalyptus they only hire labourers during planting and there is no long-term work. With cassava farming, this only succeeds for three years and then the land needs to rest, so there is no more work after that and farmers may even have to spend money improving their soil quality.

Within conventional contract farming in high-value cash crops, the issues arising around the use of casual labour were very highly gendered. For instance, tasks in tobacco growing include preparing seed beds, planting, weeding, harvesting, grading and curing the leaf, and generally within contract farming households women were making the seed beds and doing the weeding, harvesting and post-harvesting work. Moreover, although the focus group participants, women and men, presented tobacco growing as a household operation, the actual work seemed to be largely managed by women who perceived their workloads to have increased. This included having responsibility for managing and looking after the casual labourers required for production, in most cases two hired labourers for six months. These casual labourers were almost all men because the work of building and maintaining barns and collecting fuel wood for the flue-curing process was very heavy. This means that the beneficiaries of new labour and income-generating opportunities from tobacco growing also tended to be men.

Moreover, because of the amount of work involved in tobacco farming, farmers needed cash up-front and most households had got a bank loan to start growing tobacco. Thus, the high start up costs make tobacco farming potentially out of reach for the poorest households – including the 5% of agricultural households in Laos headed by women – who might have difficulties in obtaining the necessary bank loans to start operations. This highlights the point that in general, farmers tend to see the benefits of their involvement with the investment only after having repaid the initial capital costs – whether loaned by a company or loaned from a bank. The amount of capital invested and required for start-up, the terms and conditions of the contract farming arrangement, and the duration and stability of the investment are therefore all crucial to the likelihood of beneficial impacts arising for poor rural women and men from the livelihoods diversification possibilities of these kinds of investments.

While the plantation-style investments investigated have offered income generating opportunities to the women and men involved, both of them have faced problems as mentioned in the previous section. Both women and men who had worked for KoLao 1+4 jatropa model as casual labourers said that they appreciated the additional cash income from the jatropa plantations because the village was remote and people had limited access to other local sources of cash income. This was the case even though they only received 20,000 kip (US\$ 2.5) per day to clear land and plant jatropa, compared with wages for casual labour in rice farming in the village of 30,000 kip (US\$ 3.75) per day and 35,000 kip (US\$ 4.38) per day in other nearby villages. However, other informants suggested that the plantation had fallen into neglect because KoLao had set up an employment system whereby local households would receive an annual lump sum payment to maintain a specific area of jatropa plantation over a whole season, but had found it difficult to get workers as the wages were not considered enough for the work.

The initial prospects of employment creation by the conventional plantations of Lao Banana Company rapidly changed as the number of workers hired substantially decreased after the first year of operation. Lao Banana Company started operating in Laos in 2008 with a 30-year land concession of 100 ha, and in 2009 it obtained a second 100 ha land concession for a second plantation. On both plantations, 150 casual labourers were initially hired from the village where the plantation was based, to clear all the land and plant banana trees. Once this initial work was done, labour requirements dropped to around 30-35 permanent workers per site. This figure was also this low as the company was not exporting at the time of the fieldwork due to a number of technical problems with the crops that had forced it to temporarily halt exports and sell on the local market only. At the time of the fieldwork most of the plantation workers were married, but some were young people with little or no education who had not yet married. Many were from the minority Lao Soung ethnic group who seemed to have less and worse quality land than their Lao Loum neighbours, making the prospect of regular cash income from plantation work potentially a better opportunity for them than alternatives such as contract farming. The work is also year-round, in contrast to the case of eucalyptus, the other main plantation investment in the local area at the time of the fieldwork, and therefore likely to be more beneficial to both permanent workers and casual labourers if the business manages to be sustainable.

However, although local women and men wanted jobs on the plantation, the company had to overcome initial difficulties as it had not only to train its workers in growing bananas, but also in being **formally employed** as plantation workers – meaning that they had to come to work on time, work for a certain number of hours and leave at a certain time. This was because there was no culture of this kind of work in the villages nearby the plantations, as most people had never had any kind of regular formal employment before. One of the biggest problems was that workers would often go off with no notice to take part in their family's rice farming, particularly around the time of rice harvesting, leaving the company short of people to harvest the bananas growing ripe on the trees. Although some workers, particularly employees, would hire casual labourers for their rice, most wanted to take part in rice harvesting themselves because it is a social and culturally significant activity in Laos that people like to do with their families.

Participants in 11 focus groups involved in banana, tobacco, rice and jatropha production were asked about the impact of the agricultural investment they were involved with on their family's cash income levels; in 12 focus groups they were also asked separately about the impact on their family's food situation. The results are as set out in Charts 2 and 3, next page. Cassava contract farmers were excluded from this data set because those taking part in the focus groups had only just signed up to their contract farming arrangements and thus had yet to harvest their first crops. Nevertheless, women cassava farmers expressed concern that they would be in debt to the company if the harvest was not good enough in the first year for them to be able to repay the high initial land clearing costs described in Section 3.3 above; they also expressed concerns (noted above) about the possible impacts on their food security in relation to collection of NTFPs.

Chart 2: Impact on Family Cash Income of Involvement with the Agricultural Investment

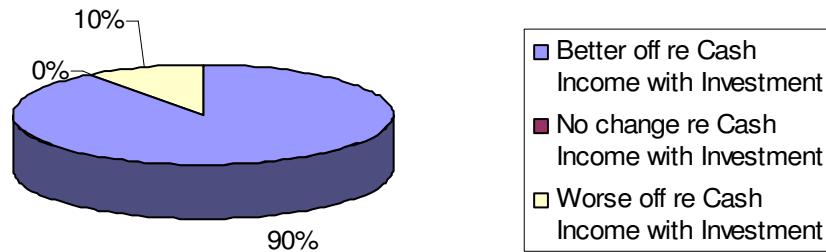
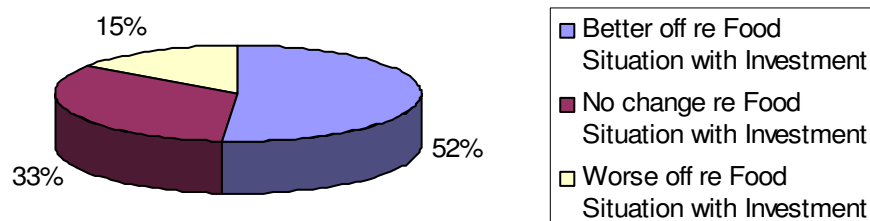


Chart 3: Impact on Family Food Situation of Involvement with the Agricultural Investment



As the two charts show, for the participants in these focus groups, the impact of their involvement with these specific land-related agricultural investments has been largely positive with respect to cash income, but much less so with respect to their food situation. Given that it is often the poorest households who are most vulnerable to the kind of changes in land and labour that might worsen their cash income and food security situations, it is instructive to look at the explanations behind these findings.

The sole negative responses with respect to impact on cash income came from some of the men rice farmers who had expressed negative feelings regarding their involvement with Arrowny Corporation. They complained about not being paid what they felt they were owed when the business failed, as noted in Section 3.3 above. However, women rice farmers' perceptions were completely different. They said that everyone in their village had been paid and the problem was rather that they had had to wait a long time for their money, suggesting that they were less aware of the details of the contractual arrangements than their husbands who had signed the contracts.

In contrast, all participants in the focus groups with tobacco contract farmers, banana plantation workers and jatropa plantation workers reported having been better off in terms of cash income through their involvement in these agricultural schemes. Among banana plantation workers, after six months of working for the company, many workers, both women and men and those who were

employees and casual labourers, had bought motorbikes for transportation to work. In the jatropa case, women who had worked as casual labourers for KoLao said that they got more cash income which they used on clothes, food, medicine, and, in one case, a motorbike. However, this benefit came at the expense of their workloads doubling because the extra casual labour was in addition to their usual rice farming and household work. Before the investor came their main source of cash income was working as casual labourers on rice farms, as well as some selling of fish and NTFPs and, for a minority of men, working as casual labourers on construction sites in towns. Since the jatropa plantations had fallen into neglect, the women had resumed these previous activities for generating cash income but felt worse off now because of the lost work.

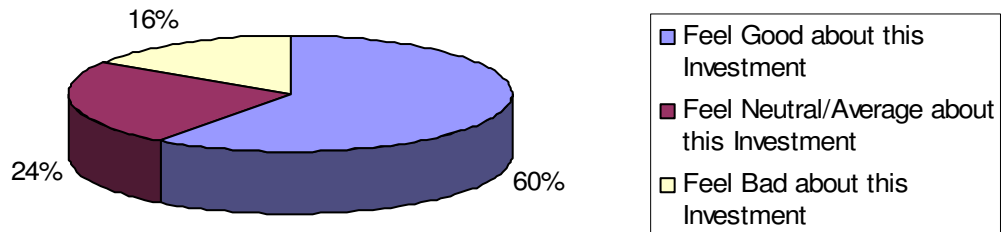
In terms of impact on family food situation, the majority of worse-off responses were attributable to the effects of the agricultural investment on local access to NTFPs and participants' related concerns about food security, particularly on the part of women. The majority of no change responses were cases where food security was not adversely affected and income from the investment was being used for non-food purchases, such as children's education or transportation, rather than to buy more or better food; in some cases it was also because the household already had a good food situation. However, three groups of banana plantation workers felt better off in terms of food security as they were buying more and better food. They also still had places to go in their villages for NTFP collection, so had not lost out on that source of food since the establishment of the banana plantations. Similarly, one group of women tobacco contract farmers reported no change in their family food situation because they usually rely on fish for protein from the Mekong River.

Women rice farmers who had been under contract with Arrowny Corporation reported that farming organic Japanese rice for cash income had not affected their family food supply as they had enough land to farm a surplus, and that they had been selling local rice and fish before joining the company anyway – the contract farming with Arrowny was therefore just a way of diversifying their product and market. Bamboos and wild mushrooms from the forest were available near their houses and paddy fields for their own consumption. They were also collecting an aquatic snail which can be eaten and sold at the local market, and growing their own vegetables for family consumption. So for these women, involvement in contract farming had made no perceptible change to their food security. On the other hand, as noted above, those who had been involved with jatropa farming, had found alternative areas within their village to access NTFPs, which mitigated the impact of the plantations on their food situation; but they still all felt that the overall impact from the investment was negative, because of lack of time to farm and collect NTFPs when working on the jatropa plantations.

3.4.2 Attitudes towards Agricultural Investments

Finally, participants in the 14 focus groups relating to the five cases of company-linked investments were asked about their feelings towards the specific agricultural investment they were involved with – the company and business model as well as the specific labour or income-generation opportunity they were engaged in. As Chart 4, below, shows, 60% reported a positive attitude to it, 24% a neutral or average attitude and 16% a negative attitude. In addition, these focus group participants were asked if they would welcome more agricultural investments of the same nature in their village and local area, and 71% responded positively.

Chart 4: Participants' Feelings Towards the Investment



The reasons behind the positive attitudes towards agricultural investments are interesting. For example, both women and men who had worked as casual labourers in jatropha for KoLao welcomed more investments, but had negative or neutral opinions about the company they had worked for. This was mainly because of feeling worse off in terms of their food situation from the investment as already described. On the other hand, both women and men said it would be good for their village if KoLao continued their investment as it would provide opportunities for them to get paid work, as there were fewer opportunities for work in the village since KoLao had left and they missed the extra cash income. Thus they would all welcome the company back, but they wanted to negotiate the terms to ensure that the employment opportunities would be sustainable in the longer term. They would also welcome other agricultural investments, particularly in cassava farming, because they felt this would bring more opportunities for villagers to get paid work where they live, and thereby increase their cash income. The village head in this case explained his view that the national government should screen investments better because of the impact on villages:

When the jatropha plantations came, jobs were created at the start to clear and plant the land, and many households lost their own crops or missed other opportunities because they spent their time working for KoLao, but these were not permanent jobs and so when the company stopped operating they lost their livelihoods and harvests because they had failed to spend time farming as they had been busy with KoLao... We welcome investment here but these should be good companies with stable financial situations and operations. These companies should also support the community and have a good vision for sustainable development.

Among those who had been involved in Arrowny Corporation's rice contract farming in the past, there was a divergence of opinion between the men and the women. All welcomed more agricultural investments to replace the rice contract farming that had ceased, but the men were overwhelmingly negative about their previous involvement in contract farming, while the women were overwhelmingly positive about it and were less aware of the details of the contractual arrangements as noted above. The men rice farmers felt badly about Arrowny because they said that it had not followed the agreement in terms of the price it would pay for their rice. Furthermore, they claimed that the company had not done what it said it would do for the community in terms of health-care and support for children's education. Despite the bad experience, the reason they welcomed more investments was that they felt they could not succeed by themselves since they grow rice for cash income anyway and need money for inputs and technical support for their farming. As a result, many had just agreed to start rice contract farming with a Thai company at the time of the fieldwork. The men said they could get some help from the DAFO but it was not regular and they wanted training and extension support which they felt could be better provided by a company. They also complained

that the government does not pay enough attention to supporting farmers and helping them to improve their technical knowledge whereas companies help with technical skills and training.

Moreover, when asked directly about different types of opportunities brought by agricultural investments, these men rice farmers said that given the choice – and despite their bad experience – they all preferred contract farming to plantation work. Even for the same cash income, but with the benefits of sick pay, pension and so on that they might get as an employee on a plantation, all the men rice farmers in this focus group were unanimous that they would prefer contract farming rather than work on plantations. The reason for this was that they would feel freer as contract farmers as they could manage their farming and their time by themselves, and they highly valued their independence. This attitude was confirmed by Lao Banana Company's experience, described above, of finding production to be very difficult at first because people would not show up for work when they had to harvest rice, preferring instead to give higher priority to their own rice farming and time management than to the demands of job.

Participants in three of the focus groups with banana plantation workers would welcome more agricultural investments in their area. However, male participants in the fourth group said they only felt average about the company because they would like higher wages. They also said that they would not welcome more investors to their area as there was no more land for plantations in the local area. For the same reason of no more land being available, men cassava contract farmers would also not welcome more investors to their area and thus they would prefer to stick with the agricultural investment that they had already begun. However, this was in contrast to the positive response from women in the same village, who – despite their concerns about possible food insecurity and debt noted above – said that they would be interested in expanding and diversifying into other agricultural investments if their current involvement in cassava contract farming succeeds.

Lastly, among tobacco contract farmers, one group of men – consisting of relatively well-off farmers living in a village close to the Mekong River and the main road – all felt positive about the company they were involved with and would welcome more agricultural investments in their area. However, another group of men – living in a more isolated village, further away from the Mekong and its tributaries – only felt average about the company because they wanted to be paid more for their crops but would also welcome more investors to their area. These men reported that they were considering taking up new contract farming agreements with a rival Chinese company which was paying farmers some cash up-front towards their costs of production. Both groups of women tobacco contract farmers felt positive about their involvement with Lao Tobacco Ltd., but only one woman among them would welcome more agricultural investment into the local area – specifically cassava contract farming. The other women in that focus group all felt they had enough work. In the other focus group with women tobacco contract farmers, they also said that they would not have enough spare time and labour to work with any new investors and so would prefer to stay as contract farmers under their existing arrangements. In their village, the women also said there was no surplus land available for plantations, so only contract farming could be possible. As already discussed, workloads go up significantly with tobacco and require casual labourers to be taken on semi-permanently. It was thus notable that this labour impact of agricultural investments seemed to be colouring these women's attitudes to agricultural investments in general – suggesting that, despite the strength of the household in rural Laos and the sharing of many tasks, the gender-differentiated impacts on labour from land-related agricultural investments are significant, because any increase in workload for women adds to their already-heavier domestic responsibilities.

A final relevant issue to emerge in the focus group discussions was associated with the decision making process – and particularly decisions about undertaking any kind of contract farming arrangement or other type of involvement with an agricultural investment – at the intra-household level. Participants in all the focus groups were insistent that these decisions were shared. The following quotations were indicative:

Women have more equality here so if our wives don't agree they won't help us farm. We can't join the project without consulting our wives and without them agreeing as we need them to help farm (male cassava contract farmer).

Issues are discussed and decisions are made together. Normally the men are the ones who receive the information but then decisions are taken together (female cassava contract farmer).

If my wife refuses to join I can't just tell her to obey! It is our culture to agree together before doing anything (male rice contract farmer).

Men are the head of the family but they discuss all issues within the family. The men will be in trouble if they make decisions without consulting us! We keep the family income because we are the accounts managers, while the husband is the managing director who has to ask the money to do things (female rice contract farmer).

100% of women are in charge of managing money. Men have to ask their wives when they want to spend money or buy some things. Decisions about all activities are made together. If a woman doesn't want to do something, the man can't do it. We have to share our labour and work together for the family, discussing problems and helping each other to solve them (male jatropha casual labourer).

We make decisions about farming together. Women control the money but before spending it we discuss together. If the husband wants money, he must ask for it and provide reasons for taking it. But this is also the same for the wife. Before buying any household equipment or materials we first inform each other and discuss before making decisions (female jatropha casual labourer).

Despite these statements suggesting the existence of a collaborative model of decision making within households, it is worth emphasising that during the focus groups discussions substantial differences in perceptions and views regarding the implications of land-related investments emerged between men and women, in particular with regards to the access to NTFPs and their role in the income generation and food situation of the households, as well as to impacts on the work burden. These findings, coupled with the available evidence on women's generally low literacy rates, more limited access to and control over land, low level of political representation and high rates of domestic violence, suggest that gender inequalities are pervasive in the country and present at all levels.

3.5 Some Examples of Good Initiatives and Measures Adopted by Investors

As outlined in Section 2.2 above, one aim of the fieldwork was to identify good practices with respect to land-related investments in agriculture in Laos that can support more beneficial outcomes around labour and income-generation for rural women and men. As also described there, a total of eight companies were visited during the fieldwork, foreign and domestic, supported in five cases by triangulation with the focus groups discussions just analyzed. A number of other companies were also reviewed through the literature. From this research, some good practices and promising initiatives emerged from companies undertaking land-related agricultural investments. These were not all directly related to gender, and thus there remains much room for improvement, but some of them deserve attention and incorporation into policy-making and regulatory frameworks on investments because they are indicative of the some of the practices and measures emerging in better quality examples of land-related agricultural investments in Laos.

With respect to contract farming, some interesting measures and practices emerged from Lao Tobacco Limited, a British-owned joint venture with the Lao government. Nevertheless, it is important to **emphasize that there are serious social and health implications from the production and sale of tobacco and tobacco-related products which call into question the long-term sustainability and desirability of tobacco farming as a poverty reduction strategy for smallholders. The interesting**

practices identified from this case should therefore be considered by the Lao government in the development and promotion of contract farming in other sectors and value chains, rather than in terms of promoting more tobacco farming within Laos. The Lao government has asked Lao Tobacco Limited to expand into several highland areas of the country – which the company acknowledges are not ideally suited to the crop – as part of efforts to reduce poverty and end shifting cultivation among ethnic minorities. However, at the same time, the Lao government is a signatory of the World Health Organization Framework Convention on Tobacco Control (WHO FCTC), which calls State Parties to promote and develop economically viable alternatives for tobacco workers and growers by shifting agricultural production to alternative crops in an economically viable manner (Articles 17 and 22).

The business model developed by Lao Tobacco Limited involves transparent processes at the start of each season for establishing crop growing policy in consultation with its farmers and with local governments of the areas involved in this crop and with MAF. The main aim of the policy is to help farmers focus on improving the quality of their production so as to generate higher yields and thus more cash income, as well as to enforce international standards of social responsibility through no use of chemicals or child labour (under 16 years old). Farmers are organized in groups in villages and the heads of the groups are responsible for enforcing adherence to the contract with each of their members. Farmers produce an agreed output for pre-set prices each season; if they produce too much the company will still buy it but at a reduced price. All documentation is written in Lao and countersigned by local authorities and farmers receive copies. Focus group participants praised the company's training and extension work, and its timely provision of inputs and protective clothing and equipment. However, all heads of farmers' groups are men, as are most of the farmers who sign up with the company, albeit as head of the household. The company said that sometimes a wife will sign for financial reasons, and the payment is made to the person who signs the contract, but nothing has been done specifically to promote contract farming to women, and households headed by women seemed unlikely to have either the labour or start-up capital resources to benefit much from involvement in this particular crop in their own right.

With regard to conventional plantation investments, a number of socially-sensitive initiatives emerged from Lao Banana Company, which an informant from Pakkading district praised for supporting technical training in small-scale aquaculture and mushroom farming to help develop and diversify local livelihoods for those who did not get jobs on its plantations. The company also repairs access roads and helps with electricity to the village school in the village it has worked in for the longest, and it participates in a World Vision project, donating banana plants and extension advice to villages which are being cleared of unexploded ordinances (UXOs). As discussed in Section 3.4 above, focus groups participants considered the banana plantations particularly important to the local economy by providing labour and income-generating opportunities for women, especially young ones, and for those from poorer households and minority ethnic groups who had less land, enabling them to earn money to improve their livelihoods.

Overall the company was reputed a good employer both by its permanent and casual workers. Lao Banana Company pays the same rate per day to permanent employees and casual labourers. Wages are also the same for men and women and are paid out weekly – some tasks each day may be different and women generally pack up fewer bags of bananas than men, but the company still pays the same rate per day. The working time on the banana plantations is 7am to 4pm and all workers are provided with a hot lunch. Participants in the focus group discussions acknowledged the company's good training for workers and its provision of protective clothing and equipment. No plantations workers were members of any kind of union or workers' organization, however, as any problems were dealt with between the company and the village authorities.

There were also examples of opportunities for promotion to supervisory work and accompanying pay rises, including for women. One female permanent employee dealing with local sales at Lao Banana Company's office at the time of the fieldwork, after being promoted from her former work in the fields, said:

It is better working here. At Oji Corporation where I used to work the supervisor did not always follow up in the fields. Lao Banana Company's supervisors are more helpful and friendly, and the boss is also working in the fields as well, getting dirty and providing training so we can learn directly from the boss.

Although there are some heavy tasks that women cannot do, women supervisors have generally found only the occasional problem when supervising older male workers and said they just have to be diplomatic when those workers are wrong.

A third example of an overall interesting and potentially inclusive approach to agricultural investment that emerged during the fieldwork came from the Finnish-owned company, Stora Enso.¹⁹ UNDP has carried out a detailed socio-economic assessment of this company's operations and considers it a best practice of FDI in Laos (Taimisto 2010, pp.42-49; UNDP 2011b). From the government side, according to one national government informant, MAF, the NLMA, the Ministry of Industry and Commerce and the Forestry Department would all like to promote this "as a model and an example of best practice in the country or even in the international arena".

Stora Enso is a private company which produces paper, packaging and wood products, and has developed an innovative model of agro-forestry in Salavane and, more recently, Savannakhet provinces in southern Laos. In the model, trees are planted in rows 9 metres apart so as to allow local farmers to plant rice and other cash crops in between. The trees belong to the company and the land is village communal land, acquired through negotiation with the villagers after Stora Enso was granted a land concession at national level. The company works in remote upland areas near the Ho Chi Minh trail, with many minority ethnic groups, and the new plantation model marks a change to the shifting (swidden) cultivation that was commonly practiced in those areas. Store Enso systematically clears the agreed plantation area of UXOs, to keep workers safe but also to enable farmers to grow crops more efficiently on what was previously UXO-contaminated land. According to the company, this has led to higher rice yields and a reduction in the amount of women's labour required for rice farming.

The Stora Enso model begins with a baseline socio-economic survey in a proposed new plantation area and participatory land survey and mapping exercises with villagers and local authorities to identify village boundaries and produce comprehensive maps of local natural resources and different land use areas. The company then asks villagers to identify which areas of land to allocate them, although it was not clear how equal participation of women and men was ensured in this process. Once operations start, Stora Enso arranges farmer-to-farmer exchanges to raise awareness about their model and share experiences, in an effort to expand operations with local support.

Within the plantation area allocated to the company, households are allocated their own individual areas for farming. These are planted on a 7-year rotation basis. Between the trees, farmers plant rice for two years and then a different crop in the third year, followed by livestock grazing for the remaining four years. Moreover, the company only plants a small area with new tree seedlings each year so as to spread out the labour requirements on the tree plantation side over a number of years and provide more regular employment to local people over the longer term. This marks a distinct contrast to many other plantation companies in Laos which only require labour for the first year or two of operations, for example as with the eucalyptus plantations of the Oji Corporation mentioned above. Stora Enso claimed that average annual cash income per household at the pilot site in Salavane province rose from US\$ 35 in 2007 to US\$ 200 in 2009 as a direct result of the local farmers starting to work through the company's model – obtaining casual labour for wages and also achieving higher rice yields from their own farming between the trees.

¹⁹ In the case of Stora Enso, the analysis is based on stakeholder interviews with company managers and line ministries' informants and on literature review only. Due to time and budget constraints, the operational sites of the company could not be visited during the fieldwork.

3.6 Alternative Models for Creating an Enabling Environment for Smallholders

Examples of alternative models for the creation of an enabling environment for promoting sustainable labour and income-generating opportunities for rural women and men also emerged from the government side during the fieldwork, with respect to two projects supporting smallholders beyond involvement in agricultural investments either as contract farmers using their own land or as permanent employees or casual labourers on plantations. The first was a government smallholder development project supporting the formation of farmer's groups and helping to link them to markets, while the second was a donor-funded agricultural extension project providing gender-sensitive technical support to farmers – in both cases to strengthen their production and income-generating capacities so they could gain more benefits from engaging with agricultural investments.

3.6.1 NAFES' Smallholder Development Project

The first project, funded by the ADB, was run by the National Agricultural and Forestry Extension Service (NAFES), part of MAF, whose mandate is to establish and strengthen the capacity of farmers' organizations through setting up smallholder groups and village extension systems. There were around 2,700 farmers' groups involved in different aspects of agricultural and livestock production in Laos at the time of the fieldwork, more in the lowland than highland areas, and some of which have been formed under NAFES' ADB-supported Smallholder Development Project. This project started in 2004 and was operating in 16 districts within the four provinces of Vientiane Capital, Champasak, Savannakhet and Khammouan at the time of the fieldwork. The project has coordination units at district level who visit target villages to talk to farmers about the possibilities for forming groups; those farmers who want to participate then form a group in their village. At the time of the fieldwork the project was working with some 50,000 agricultural households in total. Mixed focus group discussions were carried out with members of three groups, in three different villages of Thourakhon district in Vientiane Capital province. Details of the groups are provided in Box 3, overleaf.

The feedback from the focus groups was very positive about participation in this model of group-based smallholder development. The implications for both food security and cash income were reported to be positive, although more significant for cash income. For example, participants in the Choum focus group said they did not feel vulnerable to food problems in their area. They depend on rice and fish and both are plentiful; they also plant a domesticated species of edible bamboo shoots which they sell. When their farms are flooded they have problems with cash income but not with food. In general they reported an increase in cash income of around 40% since they started the NAFES project group in 2009. The extra income has been used by group members to reinvest in agriculture as well as to finance their children's education and purchase medicines and motorcycles. In Cheng village, the availability of additional cash has made a big difference to group members' lives, enabling member households to buy household appliances and send children to school. Participants in the Bungphao focus group similarly reported a key advantage of group membership to them as being that they now have higher cash income. In particular, they can get more money from selling their organic vegetables during the rainy season because they are using greenhouses; they are thus able to produce what other farmers cannot. In the dry season, however, prices drop because vegetables are more widely available.

Box 3: NAFES' ADB-Supported Smallholder Development Project Farmer Production Groups

The *Feed Corn Farmer Production Group of Choum village* comprised 98 households and was established in 2009. The group's total production area was 203 ha, with a mean average farmed area of around 1 ha per household. All the farmed land belonged to the individual household members of the group. The farmers in the group grow feed corn which is sold to private traders who market to feed mills. The NAFES project has supplied the Choum group with a grain dryer to add value to their feed corn by reducing the moisture content of the corn before sale, enabling them to obtain higher prices for their crop. The Choum group charges farmers to use the grain dryer and this money is used to meet administrative expenses. The group has been registered at the district level and it is run by a committee of five people, three women and two men; the three women are responsible for finance, marketing and technical matters.

The *Rice Seed Farmer Production Group of Cheng village* comprised 48 households (including two female headed households) growing rice seeds on 100 ha of their own land and it was also established in 2009. Each individual household in the group farms rice seeds on about 2 to 2.5 ha on average, while continuing to grow other cash crops such as feed corn, sweet corn, bananas, spices, chilli, eggplants and rice on additional plots of their own land. The Cheng group was specifically set up by NAFES to supplement government rice seed production which was no longer meeting demand. NAFES provided equipment to the group, including a transplanting machine, seedling machine, combine harvester, grain dryer and a grading machine. Half the purchase costs of the equipment were covered by the project, while the other half is covered by a revolving fund which all households in the group bought shares in. Farmers – both group members and other local farmers – pay the group fees for using the equipment. The equipment and storage facilities are located at the group site, where rice seeds are brought by individual households to be recorded and processed post-harvest, ready for sale. The Cheng group is managed by a committee of four men which sells the seeds on behalf of the group and distributes cash income according to individual household output, deducting a further fee for the group's account and administrative expenses.

The *Organic Vegetables Farmer Production Group of Bungphao village* comprised just 18 households growing organic vegetables on 4 ha of land. The land was formerly communal land but was allocated to the group for the NAFES project by the village government. Each member household farms their own plot within the group's land, using their own individual greenhouses whose construction was supported by the NAFES project when the group began in 2009. New members are welcome but have to abide by regulations on greenhouse construction and compost production; they are supported with information and informal training on this by the existing members. The Bungphao group is run by a committee of four people, two men and two women; the two women are in charge of finance and marketing. The group has a 3.5 million kip (US\$ 437.50) fund that is used for greenhouse reparations, maintenance and depreciation. Members pay a monthly fee of 30,000 kip (US\$ 3.75) per household, plus 2% of their income from selling their produce. They also pay a fee of 10,000 kip (US\$ 1.25) per household per trip to the farmers who go to Vientiane city to sell the group members' produce at the organic farmers' market there.

Other reported advantages of group membership in Bungphao village were improvements in health, because there are no chemicals being used for organic production, and lower input costs, again because chemicals are not being used but also because vegetable seeds were described as “usually cheap”. Participants in Choum highlighted an advantage of group membership as the possibility to get credit as a group without collateral, whereas normally individual households have to use their TLUCs as collateral for a loan. Additional reported advantages included being able to share experiences and get mutual assistance to boost individual household incomes, including through the increased negotiation power they now have with the feed corn traders – they get better prices because of negotiating sales of their feed corn as a group.

One woman, aged 56, benefited from joining the Bungphao group by being able to access bank credit without collateral to start growing organic vegetables. She and her husband have jointly borrowed 10 million kip (US\$ 1,250) to construct a greenhouse and open up the land allocated to them by the group from a formerly communal area within the village. The group guaranteed the loan so no

collateral was needed from her household. Before joining the group, she and her husband farmed upland rice on 1 ha of land which they stopped cultivating because of problems with flooding. They also worked as casual labourers for other farmers but have stopped doing this since joining the group as they are now too busy growing organic vegetables. Having heard of the benefits of group membership from other farmers, they were optimistic that these changes in their livelihood activities will lead to significant improvements in their household's cash income.

The NAFES project has also organised training and field days for group members to visit farmers in other areas. For example, corn was already being planted by individual households in Choum, but after the group was formed by the project, NAFES provided training on harvesting, marketing and planting techniques. In principle it is the head of the household (the husband) who attends trainings on the NAFES project, but in Choum it was mostly the wives who attended trainings because much of the work in feed corn production involves the use of machinery and is mostly done by men, so they were too busy to attend the trainings. In Cheng village, NAFES also provided group members with training on plantation and post-harvest techniques. In contrast to Choum, all women and men in the Cheng group attended trainings but only the men went on the overseas study visits that were organised by the project because "they involved travelling".

There were some interesting insights with regards to the labour dimension in Cheng village. Within rice seeds production, husbands and wives worked together in the fields for planting but the husbands were more involved in the post-harvesting work because it has been mechanised by the project and "requires more physical strength". Further, the mechanisation of production has eliminated the need for casual labour, whereas before joining the project, member households used casual labour for rice transplanting and harvesting because they were getting old and no longer had children living at home who could help them farm. Mechanisation has also reduced the labour contribution of women in harvesting. However, focus group participants reported that overall labour requirements in the fields have increased slightly with the NAFES project and more substantially on post-harvesting because of the rice seeds value chain. As a result, they "don't have any free time" but nonetheless reported being motivated to use their time "more effectively and intensively", following entrepreneurship training provided by the project. Group members thus worked harder overall but were earning more cash income. Women in Cheng village also used to be responsible for rice milling, but now they have rice mills and it has become men's job to carry bags of rice to and from the mills. In sum, participants felt that the project had increased men's work and reduced women's, thereby creating more balance between the sexes, while leaving the management of household money in the hands of the women, who were largely Lao Loum in this village.

The NAFES project also seemed to be having an influence on broader gender and social relations in Bungphao village among those taking part in organic vegetable farming. One woman explained how the project in Bungphao has benefited farmers at two levels. At the community level, group members now exchange experiences and communicate more, as well as assist each other with farming, whereas before joining the group all households worked individually. At the family level, there is now more cohesion within the family because husband and wife are working together within the project on the same plot of land and generating more cash income. Before the project started, this woman's husband would work on another plot of land across the river and on different crops, and they would see each other only in the evenings. Now they spend about four days per week farming organic vegetables together in their household's greenhouse at the project site, and the other two days on their land across the river growing and maintaining different kinds of cash crops such as corn and fruit trees.

In sum, this alternative for smallholders to either contract farming or plantation agriculture, seemed to have very positive gender and equity implications for local labour and income-generating opportunities. Challenges remain, however, with respect to sustainability beyond the project lifetime, in terms of developing partnerships between the farmer groups and private investors and of upgrading and strengthening the capacity of the farmer groups beyond the scope of the project. Moreover, there are challenges for gender equality and women's empowerment because women in general tended to

be left out of the extension side of the project under the assumption that they will benefit from onwards training and information provision from their husbands.

3.6.2 NAFES' Lao Extension Approach

NAFES has also been involved with the SDC-funded Laos Extension for Agriculture Project (LEAP) since 2002. This project has been providing technical assistances to the districts to support farmers in 100 villages across 7 districts in northern Laos. It recently established the Lao Extension Approach Plus (LEA+) programme to help PAFOs and DAFOs develop local markets and support farmers' organizations. Under LEAP itself, due to end in mid-2012 at the time of the fieldwork, some direct support has already been given to establishing informal farmers' groups, as well as one formal organization comprising 200 member households from 7 villages. This organization was formed around organic farming ten years ago with LEAP's help, and the president and several council members are women. Although promotion of farmers' organizations is now government policy, as noted above, informants explained that local people still need to get used to organizing because of the relatively weak civil society, also noted above. So far, producer's organizations are mainly project driven.

The basic Lao Extension Approach (LEA) developed under LEAP has since been officially adopted by the government and expanded into 200 villages across 30 districts in all 17 provinces under NAFES' coordination of a decentralised implementation framework (NAFES/LEAP 2006; MAF 2010a, p.18). The basic LEA is an inclusive, gender-sensitive and group-based approach that consists of a series of activities – including participatory needs assessment, formation of 'learning groups', development of village extension workers, practical training sessions, self-assessment, and farmer-to-farmer exchanges – that can be applied in almost all circumstances. LEA+ involves optional modules being added to this approach according to the particular local circumstances, including participatory land use planning, agro-enterprise development, establishing revolving funds and facilitating development of farmer organizations. A bottom-up process from the sub-district/village cluster level enables decisions to be made about what topics to use for learning activities under the basic LEA and what optional modules to add (NAFES/LEAP 2006; MAF 2010b, p.28). LEAP has helped to develop planning tools and training materials within the LEA+ programme, and development partners are adopting the approach in their projects. There is deemed sufficient evidence that LEA is well integrated into existing power structures at village level and that farmers living in villages where LEA has been introduced are benefiting through increased yields and incomes that MAF considers it a "best practice example of achievements" in agricultural extension services (MAF 2010a, p.18). However, now that the project is coming to a close, careful evaluation is needed of its main achievements and lessons for sustainability, including how it can be built on in order to ensure that it contributes to the development of gender-sensitive regulatory frameworks and policies for land-related investments in agriculture in Laos going forwards.

4. Conclusions and Policy Recommendations



The overall aim of this case study was to investigate the broad governance issues around agricultural investments in Laos and examine their gender and equity implications for rural labour and income-generating opportunities so as to identify key policy issues and make relevant recommendations. Specific questions investigated with respect to the individual agricultural investments examined during the fieldwork were:

- Do the selected investments/businesses have gender-differentiated implications with respect to labour and income-generating opportunities for farmers and agricultural workers directly involved in and/or affected by these initiatives?
- Do the land-related investments analyzed affect poor rural women and men differently in their access, use and control of land?
- Do the land-related investments analyzed provide good practices in relation to employment and land which can be used as models for gender-sensitive regulatory frameworks on investments and policy-making?

The case study has shown that there are indeed gender-differentiated implications with respect to labour and income-generating opportunities for local farmers and agricultural workers involved with agricultural investments in Laos. It has also shown that there are differences for poor rural women and men from land-related investments in terms of their access, use and control of land. However, because of the strength of the household in rural Laos, many of the visible gender differences are difficult to disentangle and thus would require further in-depth research and alternative approaches to tackle them. For the majority of people the impacts of agricultural investments are felt at the household level, and thus primarily in terms of equity between richer and poorer households – the latter including the minority of female headed households and many households of people from minority ethnic groups. The precise gender and equity implications in any given case depend on multiple factors such as the size of the investment, the type and structure of the business model, the practices of the company, the level of maturity and resilience of the business, the crop or product involved, the labour requirements and amount of land utilized, the socio-economic and cultural status and circumstances of the household engaging in the labour and/or income-generating opportunities presented, the complexities of intra-household relations, and so on. This makes it difficult to generalise about the overall implications of agricultural investments in Laos as compared to the implications of specific individual investments.

It is also clear from this case study that in general agricultural investments are creating new opportunities for the rural population in Laos and they were broadly welcomed by local people consulted during the fieldwork. The major problems arising with these investments relate to broader governance issues in Laos, at all levels. Four key conclusions stand out:

- The full scale and extent of foreign land-related investments in Laos, particularly in agriculture, remains hard to get a clear understanding of. In many cases domestic investments may pose greater or equally important challenges for beneficial gender and equity impacts than foreign ones; some foreign investments exhibit more good practices than others.
- Despite that employment creation and income generating opportunities might be one of the main benefits that foreign investments could bring to local populations, the lack of clear regulations in terms of high quality employment standards and blurred definition of responsibilities from investors frequently means that the quantity and quality of jobs generated rather than offering a sustainable long-term pathway out of poverty, lead to the perpetuation of insecure and low paid jobs.
- Governance in general is the most pressing issue of concern around land-related agricultural investments. Gender and equity implications are amplified by weak governance of land and natural resources across the board, so efforts to promote good practices to improve gender and equity outcomes – in addition to being commended

and supported in individual company cases – need to be accompanied by broader efforts to improve governance at all levels for greater gains.

- Policy implementation is a further weak area. Gender equality is heavily promoted at policy level within Laos, for example through the work of NCAW, and gender issues have been incorporated into agricultural and investment policies in broad terms, but the practice is a different matter, in particular at decentralized levels of government (provincial and district) and in terms of village authority vis-à-vis the state. Similarly, farmers' organizations and cooperatives have an important role in agricultural policy but are not yet playing a significant role in practice.

These four key conclusions link into two main issues for Lao PDR's ongoing development. The first of these relates to governance in general – lack of sectoral and inter-institutional coordination, and lack of mechanisms, procedures and processes to ensure transparent, accountable and equitable decision-making, including the full participation of women, over the allocation of land concessions and the establishment of contractual arrangements with local farmers and agricultural workers. The second of these relates to gender equality in general. The context of social and gender inequalities - evidenced through high illiteracy, low education, poor participation and representation of women in decision-making at all levels and so on - hinders the potential benefits that rural women could get from the opportunities created by the investments, including their economic and political empowerment. Both these two main issues need to be firmly addressed in order to ensure that women and men are able to benefit from the opportunities offered by land-related agricultural investments on an equal footing.

In terms of specific implications for labour and income-generating opportunities, the Lao PDR case study has found the following:

- Contract farming arrangements incur increased labour requirements for participating households. This adds to the workload of all household members as well as creating demand for casual labourers and therefore wider opportunities for income-generation at the local level. In most cases, the burden of increased workloads within the household from contract farming is felt more by women.
- Some contract farming arrangements involve substantial start-up costs for the household, or put households in debt at the outset when the company provides land clearing services as part of its capital input under the 2+3 model. This makes contract farming more risky for poorer households – including female headed households – for whom access to credit may be relatively more problematic.
- Plantation-style investments generally provide relatively more labour opportunities at the outset but in most cases this is not a sustainable source of either employment or casual labour in the longer-term (e.g. industrial tree crops). The sustainability of the employment generated is also directly linked to the overall sustainability of the operations of the investing company.
- While the land-related agricultural investments investigated in the fieldwork were clearly contributing to diversified livelihood strategies for rural women and men, there was no clear indication so far that they are able to contribute to a sustainable pathway out of poverty in terms of either employment or income generation, nor that the employment or income-generating opportunities arising will be of sufficiently high quality so as to be considered a beneficial improvement overall.
- Pressures on women's time because of their heavy domestic burdens, as well as greater cash income poverty among the minority of female headed households, combine to make it less likely that land-related agricultural investments will be of as much benefit to rural women as to rural men. For example, many investments seem to have increased women's workloads regardless of whether they have benefited them in terms of cash income and food security.

In terms of specific implications for access, use and control of land, the case study has found the following:

- Contract farming arrangements enable local farmers to utilize the land they already have. They also stimulate land markets in cases where wealthier farmers rent additional plots of land to be able to participate in investments. On the other hand, they also encourage the clearance of fallow and forest land, with potential long-term implications for the environmental sustainability of agricultural production, the financial sustainability of the income gains from particular crops, the employment sustainability from the jobs created, and the food security of households who rely heavily on the collection of NTFPs for their livelihoods – a task which falls largely under the responsibility of women. They may also contribute to the replacement of traditional rice farming by the cultivation of investment crops which are not sustainable in the longer-term (e.g. cassava).
- Plantation-style investments under the 1+4 model in Laos potentially have fewer implications for the ownership of privately-held household land than the allocation of outright land concessions to investors for conventional plantations. However, the pressures on village and communal land, including forest land, from all types of plantations and land concessions have major implications for local people's rights to access, use and control this type of land, with consequent implications for both their household's livelihood security and their food security in relation to reduced possibilities for the collection of NTFPs. This has particular equity implications in the poorest and most remote parts of Laos which are more heavily forested than in the richer lowland areas of the country, and where many people from minority ethnic groups live.

Through the fieldwork undertaken for this case study, some positive examples of initiatives and measures adopted in relation to land-related agricultural investments in Laos have nevertheless emerged, from both companies and smallholder development projects. Some of them deserve attention and incorporation into policy-making and regulatory frameworks on investments – they are not all directly related to gender and thus there remains much room for improvement, but they are indicative of some of the practices and measures emerging in better quality examples of land-related agricultural investments in Laos.

- In contract farming, one company's transparent process for developing each year's growing policy with contract farmers and attention given to improving quality through training and extension work, the timely provision of inputs and protective equipment etc.;
- In plantation agriculture, another's company's strong commitment to developing and supporting local livelihoods, its provision of labour and income-generating opportunities for women and people from minority ethnic groups, including promotion possibilities, its equitable payment policy towards both permanent employees and casual labourers, women and men etc.;
- A third company's model of sustainable community-based agro-forestry development, in particular the participatory methodology for plantation site selection and the provision of opportunities to local households, mainly from poorer minority ethnic groups, for both regular long-term work on the plantation and their own farming and grazing between the trees;
- A project supporting the development of mixed local farmers' production groups and linking them to markets, helping to create a positive enabling environment for rural women and men to engage in agricultural investments; and
- Another project's flexible, gender-sensitive and participatory agricultural extension and training approach, helping to support local farmers in improving their production

quality and capacity so that they can engage more effectively in agricultural investments and obtain greater benefits.

In addition, a number of specific policy recommendations for gender-sensitive land-related investments in agriculture have arisen from the fieldwork in Laos. At a general level, as has been seen, one of the biggest problems in Laos is that investments to date have been “failing to spread the benefits in a way which does not require sacrificing the environment or food security” (Fulbrook 2010, p.64). Thus, policy solutions need to include such measures as raising land prices for investors and encouraging rural women and men to stay on their land working in long-term partnership with investors, particularly through carefully-managed contract farming arrangements based on integrated and diversified farming built around shifting cultivation, inter-cropping and mixed crop varieties, such as through the Stora Enso model, rather than intensive mono-cropping (Ibid, pp.64-65). One way to achieve this would also be for links between foreign investors, domestic investors and development partners to be strengthened, for broad participatory and inclusive policy formulation, and for representatives of FDI in Laos to engage more at the policy level (Bres 2011, p.7; MAF 2011, p.44). There is also a need to promote and strengthen inclusive and participatory dialogues and effective partnerships that involve rural women and men, as well as farmer groups, within relevant policy-making and implementation processes. There is scope across the board to incorporate attention to gender issues in all ongoing initiatives around land-related agricultural investments, including MPI’s reviews of land concession contracts and contract farming arrangements, public consultation and impact assessment processes, and the development of guidelines for local government officials. This would help to ensure that substantial improvements are made so that investments contribute to gender-equitable rural development and to decent and sustainable long-term work opportunities and secure land rights for rural women and men.

The Lao government’s ability to plan, manage and regulate investments to ensure they do not damage the environment or people’s livelihoods remains questionable, given serious capacity and resource constraints and governance concerns (c.f. Fulbrook 2010, p.62). A massive investment is particularly needed to improve governance within the ANR sector and ensure that it is gender-equitable, as well as to review both investment promotion policy in general and the capacity requirements for ensuring that the policy is implemented in a way that is beneficial for all Lao women and men. For example, at the time of the fieldwork only foreign companies and not domestic ones have to carry out social impact assessments for their investments – this should be rectified immediately and measures should be undertaken to ensure that social impact assessments explicitly address gender issues for every investment as this has not always been the case. Both social and environmental impact assessments also need to be implemented rather than just seen as part of a procedure. The Lao government should also promote high standards of corporate social responsibility from investors, and monitor for compliance, including in the creation of decent and sustainable work for rural women and men. International regulatory frameworks provide a supporting role here, and the government should encourage investors in Laos to sign up to international frameworks, guidelines and standards and adhere to due diligence in order to at least avoid any detrimental impacts from their investments. Gender-sensitive public information and awareness-raising, and better screening of investments to ensure more high quality investments would also be helpful, as well as improving participation around local governance with respect to the allocation of land (c.f. Schoenweger & Ülkenberg 2009, pp.37-38). Although a new moratorium was instigated in June 2012 with respect to land concessions for rubber plantations and mining, a full moratorium on land concessions should be urgently considered until governance improves, including through the establishment of clearer lines of responsibility, accountability and coordination between MAF, MPI and the NLMA (Agence France-Press 2012).

MAF and the NLMA are key government stakeholders on the land side for working to improve the situation as regards the allocation of land concessions. Much research, awareness and policy development on land has already been carried out by these two government organizations in conjunction with INGOs and development partners (Sipaseuth & Hunt no date, pp.26-31). However,

there remains more to be done now in terms of capacity development and of mainstreaming and implementing policies based on all the research that has been generated to date, particularly with regard to including gender concerns. Capacity building for the NLMA is a major requirement to help support the organization's role in the management and control of land concessions. Projects around agricultural investments and land concessions should involve both MAF and NLMA henceforth, whereas in the past they have mainly involved MAF – because coordination between these two organizations will be a key element of ensuring that rural women and men benefit from land-related agricultural investments.

It is particularly relevant for the Lao government to guide the investment process and raise public awareness on the pros and cons, with participatory and gender-sensitive land use planning also important to making sure local women and men have the opportunity to take an active and meaningful part in the process as well as preserve adequate access to land for their farming, before all the land is given away. Government policy is already promoting participatory land use planning as a solution to some of the problems that have arisen around agricultural land concessions. However, during the fieldwork, some concerns were voiced that some rural people in Laos do not want land use planning, even if it follows a participatory process, because they see the local authorities as being there to support investors in obtaining land concessions. Even when participatory land use planning is done relatively well, it may constrain farmers' choices and diminish their adaptive capacity unless the process gives more authority to the villagers. Although many questions remain about how communal land titling can be implemented in Laos, the development of a participatory and gender-equitable communal titling process that grants villages decision-making authority over all land in their area is something that should urgently be addressed in order to provide protection to key areas of village land, including forests, from being granted as land concessions for inappropriate investments (c.f. Sayalath et al 2011, pp.23-25).

Additionally with respect to land tenure governance, tenure security is handicapped by loopholes and irregularities in the formal land registration and titling system. In particular, land administration implementation capacity needs to be boosted at the lowest levels of government, for example with training on rules and procedures for village heads and closer regulation from the national level, particularly with respect to gender issues (Wehrmann et al 2006, pp.4, 23-24). At the provincial level, corruption and poor governance in land administration also remain issues to be addressed. To improve tenure security in rural areas, efforts are needed to systematically issue LSCs in place of the more common LTDs, and to systematically upgrade TLUCs into LSCs through proper adjudication and survey procedures (Wehrmann et al 2007, pp.26-29; Mann & Luangkhot 2008, p.48). However, this needs to be done carefully, so as to overcome rural people's reluctance to acquire land documents in order to avoid paying related taxes, and with clear support for joint titling to protect women's land rights within the household and thereby ensure both women and men benefit. Further, lack of knowledge about legal rights in the rural areas must be addressed, as this particularly affects the land tenure security and land use choices of remote and minority ethnic groups on the receiving end of limited and sometimes incorrect information (Mann & Luangkhot 2008, pp.44-45). Major communication, public information and awareness-raising efforts are needed on land rights, legislation, concession allocation processes and so on, led by the NLMA and designed with attention to gender issues at the fore (c.f. Ibid, pp.49-50).

Given that the district is the main organization dealing with implementation in the field, there is a role for the DAFOs in the management of agricultural investments to support smallholders and help to ensure that farming agreements made with investors and especially contract farming arrangements, are gender-equitable. However, capacities at the local level need to be developed for effective implementation and monitoring (c.f. Fulbrook 2011, pp.71-74, 79). Gender-sensitive guidelines to support PAFOs, DAFOs, national government, farmers' organizations and private companies who want to develop contract farming in a more beneficial way are needed, such as those being developed by the LEAP project. Capacity building support is also necessary to help MAF implement the policy of supporting farmers' organizations and group-based farming. This would help to create a more level

playing field between smallholder farmers and investors and a more effective business environment, such that supporting local level agricultural extension efforts would help improve the overall level of governance in rural Laos in general (Fulbrook 2011, p.78). The issue here is one of establishing the conditions for gender-sensitive good practices and positive approaches to the development of an enabling environment for smallholders to be implemented.

At broader levels of governance, the three-pronged strategy of the NSAW – a rights-based approach and gender mainstreaming vis-à-vis government strategies and programmes aimed at economic growth, poverty reduction and human development, supported by temporary special measures to promote gender equality through the creation of an enabling environment for equal participation of women and men in decision-making and development – remains a valid strategy to support gender equality within Laos and its specific promotion within the ANR sector (Government of Lao PDR 2006, pp.4-6). However, NCAW still lacks critical capacity, resources and institutional support to carry out its mandate (ADB 2011a, p.3; United Nations 2009, pp.4-5). These issues need to be urgently addressed to help ensure improvements in the benefits to both women and men from land-related agricultural investments. In particular, within the process of decentralization that is taking place in Laos, monitoring and accountability mechanisms are essential to ensure that gender is not overlooked in the governance processes around land-related investments.

Some ministries have already made efforts to mainstream gender under the NSAW through, for example, collecting sex-disaggregated data, developing gender strategies and action plans, providing gender training and capacity building to staff, improving the gender and ethnic balance of staff, and identifying issues and problems relating to women's participation in their sectors and ensuring local women participate in project activities including extension services. MAF's own gender policy focuses on institution strengthening at all levels, raising awareness on gender and building capacity of female staff, integration of gender analysis in planning, and working to increase rural women's access to and control over resources (FAO & MAF 2010, p.6). However, problems remain from lack of human and other resources and blurred lines of responsibility, accountability and monitoring between MAF staff in the Division for the Advancement of Women, LWU focal points, and formal systems of performance evaluation under the Department of Personnel. For example, data on the number of MAF staff attending gender trainings has not been tracked due to the lack of appropriate information management systems and practices, so it has not been possible to monitor and evaluate the learning outcomes of these trainings and thus the wider impact within MAF's work of capacity building efforts on gender to date (FAO & MAF 2010, p.7). Policy implementation and training should therefore be a central objective for MAF in order to support women's advancement in MAF institutions and programmes and, consequently, broader improvements in the outcomes for gender and social equity of land-related agricultural investments in Laos.

More broadly, LWU's GRID's *Women Empowerment and Leadership for Gender Equality Project* (2011-13) aims to boost women's participation in political and public life, particularly through awareness-raising and by boosting numbers of female village heads and increasing their capacity through training for female candidates and elected leaders, monitoring their progress and setting up peer support networks. This kind of effort needs to be sustained so as to improve gender equality in governance in general at local levels, as this could make a big difference to outcomes from agricultural investments.

The findings of this case study also support the need for the governments and international organizations encouraging investments in agriculture globally to specifically address gender and equity concerns, and not just concerns about agricultural and economic growth, through gender-equitable investment policies, programmes and strategies. The RAI principles and the VG Tenure provide particular opportunities at the present time. The RAI principles should be revised to encourage gender analysis and specific provisions to support equity in agricultural investments alongside broader corporate social responsibility initiatives. Specific recommendations should also be provided to include gender and equity criteria in formulating more equitable investment contracts,

business models and legislative and policy frameworks (Knowledge and Exchange Platform for Responsible Agro-Investment (RAI) website).

In sum, the current global policy context, with its high level of interest in land-related agricultural investments and appreciation of the role of private sector companies in supporting improvements in livelihoods and sustainable natural resource management for long-term development, provides a potentially unique moment in which to push forward gender and equity concerns onto the mainstream policy-making agenda. Backed by the evidence-base presented in the most recent SOFA, there can be no doubt of the central importance of ensuring that gender and equity issues are properly and coherently addressed in all agricultural development policies, programmes and strategies. This case study of selected agricultural investment in Lao PDR demonstrates the clear value of bringing ground-level evidence of good practice from the field into these policy debates.

Annexes



Annex 1 – List of Key Informants

National Government Ministries and Organizations:

Lao Women's Union (LWU) – Ms. Ninphaseuth Vilayphone, Gender Resource Information and Development Center (GRID) National Focal Point, Ms. Vienglaypanh Dylapanh, Head of External Relations Department, and Ms. Viengvilay Dalakorn, Ms. Nimala Souksome, Ms. Phomphanchinda Lengsavath, and Ms. Keo Udone, Technical Staff, Women Development Department

Ministry of Agriculture and Forestry (MAF) – Mr. Khamtanh Thadavong, Deputy Director General, Department of Agriculture, Mr. Soudchay Nhouyvannisvong, Deputy Director, Division of Investment and Business, Department of Planning, Ms. Vivanh Souvannamethy, Deputy Director, Statistic and Information Department, and Mrs. Sisomphet Souvannalisith, Head of Advancement for Women Division, Department of Planning

MAF National Agriculture and Forestry Extension Service (NAFES) – Mr. Thongphath Vongmany, Director General, and Mr. Lam Ngeunh Phakaysone, Smallholder Development Project Coordinator

Ministry of Labor and Social Welfare – Ms. Viengsavanh, Women Division

Ministry of Planning and Investment (MPI) – Mr. Ouneheuane Chittaphong, Deputy Director General, Department of Planning, Mr. Lienthong Souphany, Director of Division, Department of Planning, and Mr. Phonethavong Singhalath, Director, Investment Promotion Department (IPD)

National Agriculture and Forestry Research Institute (NAFRI) – Mr. Linkham Douangsavanh, Director, Agriculture and Policy Research Center and Agriculture Land Research Center

National Commission for the Advancement of Women (NCAW) – Ms. Chansoda Phonethip, Deputy-Director of NCAW Secretariat

National Land Management Authority (NLMA) – Mr. Chanthaviphone Inthavong, Director General of Land and Natural Resource Research Information Center (LNRRIC), and Dr. Palikone Thalongsengchanh, Deputy Director General of LNRRIC

National Science Council – Office of the Prime Minister – Mr. Somphone Phanousith, Assistant Adviser to the Prime Minister/Permanent Secretary to the National Science Council

National University of Laos – Mr. Souklaty Sysaneth, Associate Professor, Faculty of Agriculture

Provincial and District Government Offices:

Borikhamxai Province Agriculture and Forestry Office (PAFO) – Mr. Bounluan, Administrative Office Head, and Mrs. Thinnakone, Gender Advisor

Borikhamxai Province Investment Promotion Department

Borikhan District Agriculture and Forestry Office (DAFO) – Mr. Sithanong Choummalavong, Deputy Head of DAFO

Borikhan District Planning Office

Borikhan District Land Management Authority (DLMA)

Pakkading District Agriculture and Forestry Office – Mr. Bouacan Kaiyalath, Deputy Head of DAFO, Mr. Dam Peunchit, Technical Deputy Head, and Mrs. Volachit Pavong, Administrative and Gender Supervisor

Pakkading District Land Management Authority

Pakkading District Planning Office – Head of Office

Pakksan District Agriculture and Forestry Office – Mr. Viengthong Manivongthong – Office Administrator and Gender Supervisor

Pakksan District Land Management Authority – Mr. Sengthong Souvannalath, Technical Staff, Land Administration Division, and Mr. Bounpeng Chindavong, Technical Staff seconded from NLMA

Pakksan District Planning Office – Mr. Bounseun Dovangmany, Technical Staff

Vientiane Province Agriculture and Forestry Office – Mr. Phetsamay Vongkhammounty, Director

Vientiane Province Land Management Authority (PLMA) – Mr. Khamphou Vongdala, Head of PLMA, Mr. Noukham Chanthavisay, Deputy Head of Investment Programs Division, and Mr. Sathoudy, Head of Land Administration Division

Vientiane Province Investment Promotion Department – Mr. Oudong Phongphaypadith, Director of Planning and Investment Department

Vangvieng District Agriculture and Forestry Office – Mr. Bounthai Thavonesouk, Head of DAFO, and Mr. Khamsing Keobounpan, Deputy Head of DAFO

Vangvieng District Land Management Authority – Mr. Phonekeo Kounphom, Head of DLMA

Vangvieng District Planning Office – Mr. Bouathong Souvong, Head of Office

Vientiane Capital Province Land Management Authority

Vientiane Capital Province Investment Promotion Department

Xaithani District Agriculture and Forestry Office – Mr. Thongsouk Boualikhhan, Deputy Head of DAFO, and Ms. Khampath Phouthavong, Irrigation Specialist and Gender Supervisor

Xaithani District Land Management Authority

Xaithani District Planning Office

Companies:

Arrowny Corporation – Mr. Khamsavang Mingboubpha, President (and Vice-President of the Lao National Chamber of Commerce and Industry)

C. P. Laos Co., Ltd. – Mr. Thamnong Pholthongmak, Vice-President

KoLao Farm & Bio-Energy Co. Ltd. – Dr. Vienthong Chanlivong, Director, and Mr. Viengmaha Manisy

Lao Banana Company – Mrs. Birgitte Hector, Financial Director, Mr. Ole Anderson, Managing Director, and Mr. Svend Pederson, Agricultural Specialist

Lao IndoChina Group Cassava Plantation Limited – Mr. Nanthalath Thirakul, Chief Financial Officer, Ms. Chidalak Savanhvilai, Plantation Supervisor, and Mr. Chanthanome Vongvixay, Factory Director

Lao Tobacco Limited – Mr. Alistair Brown, Managing Director, Mr. Philippe Metral, Leaf and Blend Manager, and Mr. Somphet Dokkeo, R&D Technical Support Executive

State Commerce-Food Stuff Enterprise – Mr. Samly Panyanouvong, Director

Stora Enso – Mr. Peter Fodge, Chief Operating Officer, and Ms. Helena Axelsson, Sustainability Operating Officer

Development Partners and Civil Society Stakeholders:

Gender Development Group – Ms. Boutsady Khounnouvong, Program Coordinator

GIZ – Ms. Dorith von Behaim, Principal Advisor, Land Management and Registration Project

Japan International Volunteer Centre in Lao PDR (JVC) – Mr. Glenn Hunt, Community Forestry Project Manager

Land Issues Working Group – Ms. Hanna Saarinen, Land Issues Coordinator

Laos Extension for Agriculture Project (LEAP) – Mr. Michael Jones, Chief Technical Advisor

UNDP – Ms. Grace Wong, Senior Technical Advisor, Poverty Environment Initiative, and Ms. Makiko Fujita, Programme Analyst, Poverty Reduction Unit

Mr. Vong Inthavong, former researcher with GIZ

Annex 2 – List of Focus Group Discussions

Na Long village, Borikhan district, Borikhamxai province – male cassava contract farmers
Na Long village, Borikhan district, Borikhamxai province – female cassava contract farmers
Na Oy Nou village, Pakksan district, Borikhamxai province – female banana plantation workers
Na Oy Nou village, Pakksan district, Borikhamxai province – male banana plantation workers
Paksa village, Pakkading district, Borikhamxai province – male tobacco contract farmers
Paksa village, Pakkading district, Borikhamxai province – female tobacco contract farmers
Phokham village, Xaithani district, Vientiane Capital province – male rice contract farmers
Phokham village, Xaithani district, Vientiane Capital province – female rice contract farmers
Na Douang village, Vangvieng district, Vientiane province – male jatropha plantation workers
Na Douang village, Vangvieng district, Vientiane province – female jatropha plantation workers
Somsanouk village, Pakkading district, Borikhamxai province – male tobacco contract farmers
Somsanouk village, Pakkading district, Borikhamxai province – female tobacco contract farmers
Na Hin village, Pakkading district, Borikhamxai province – male banana plantation workers
Na Hin village, Pakkading district, Borikhamxai province – female banana plantation workers
Choum village, Thourakhon district, Vientiane Capital province – mixed feed corn farmers
Cheng village, Thourakhon district, Vientiane Capital province – mixed rice seed farmers
Bungphao village, Thourakhon district, Vientiane Capital province – mixed organic vegetable farmers

Annex 3 – Demographic Distribution of Focus Group Participants

Table A1: Sex and Age Distribution of Focus Group Participants

Group Number	Location	Men - 15-24	Men - 25-35	Men - 36-45	Men - 46-55	Men - 56 and up	Total Men	Women - 15-24	Women - 25-35	Women - 36-45	Women - 46-55	Women - 56 and up	Total Women	Total
1	Na Long, Borikhan	0	1	2	3	0	6	0	0	0	0	0	0	6
2	Na Long, Borikhan	0	0	0	0	0	0	0	2	3	1	0	6	6
3	Na Oy Nou, Pakksan	0	0	0	0	0	0	3	1	2	0	0	6	6
4	Na Oy Nou, Pakksan	0	1	3	0	0	4	0	0	0	0	0	0	4
5	Paksa, Pakkading	0	6	1	2	0	9	0	0	0	0	0	0	9
6	Paksa, Pakkading	0	0	0	0	0	0	1	2	0	3	0	6	6
7	Phokham, Xaithani	0	0	2	1	4	7	0	0	0	0	0	0	7
8	Phokham, Xaithani	0	0	0	0	0	0	2	2	1	1	1	7	7
9	Na Douang, Vangvieng	0	3	2	2	0	7	0	0	0	0	0	0	7
10	Na Douang, Vangvieng	0	0	0	0	0	0	1	3	0	1	0	5	5
11	Somsanouk, Pakkading	0	2	0	4	2	8	0	0	0	0	0	0	8
12	Somsanouk, Pakkading	0	0	0	0	0	0	0	1	3	2	0	6	6
13	Na Hin, Pakkading	2	2	4	1	0	9	0	0	0	0	0	0	9
14	Na Hin, Pakkading	0	0	0	0	0	0	2	1	1	0	0	4	4
15	Choum, Thourakhon	0	0	1	1	0	2	0	1	1	1	1	4	6
16	Cheng, Thourakhon	0	0	0	1	2	3	0	0	0	2	1	3	6
17	Bungphao, Thourakhon						8						4	12
Totals		2	15	15	15	8	63	9	13	11	11	3	51	114

Table A2: Sex and Marital Status of Focus Group Participants

Group Number	Location	Men - Married	Men - Single (Never Married)	Total Men	Women - Married	Women - Single (Never Married)	Women - Widowed	Total Women	Total
1	Na Long, Borikhhan	6	0	6	0	0	0	0	6
2	Na Long, Borikhhan	0	0	0	6	0	0	6	6
3	Na Oy Nou, Pakksan	0	0	0	2	4	0	6	6
4	Na Oy Nou, Pakksan	4	0	4	0	0	0	0	4
5	Paksa, Pakkading	9	0	9	0	0	0	0	9
6	Paksa, Pakkading	0	0	0	6	0	0	6	6
7	Phokham, Xaithani	7	0	7	0	0	0	0	7
8	Phokham, Xaithani	0	0	0	6	1	0	7	7
9	Na Douang, Vangvieng	7	0	7	0	0	0	0	7
10	Na Douang, Vangvieng	0	0	0	5	0	0	5	5
11	Somsanouk, Pakkading	8	0	8	0	0	0	0	8
12	Somsanouk, Pakkading	0	0	0	6	0	0	6	6
13	Na Hin, Pakkading	8	1	9	0	0	0	0	9
14	Na Hin, Pakkading	0	0	0	3	1	0	4	4
15	Choum, Thourakhon	2	0	2	4	0	0	4	6
16	Cheng, Thourakhon	3	0	3	2	0	1	3	6
17	Bungphao, Thourakhon	8	0	8	4	0	0	4	12
Totals		62	1	63	44	6	1	51	114

Chart 5: Sex and Age of Focus Group Participants

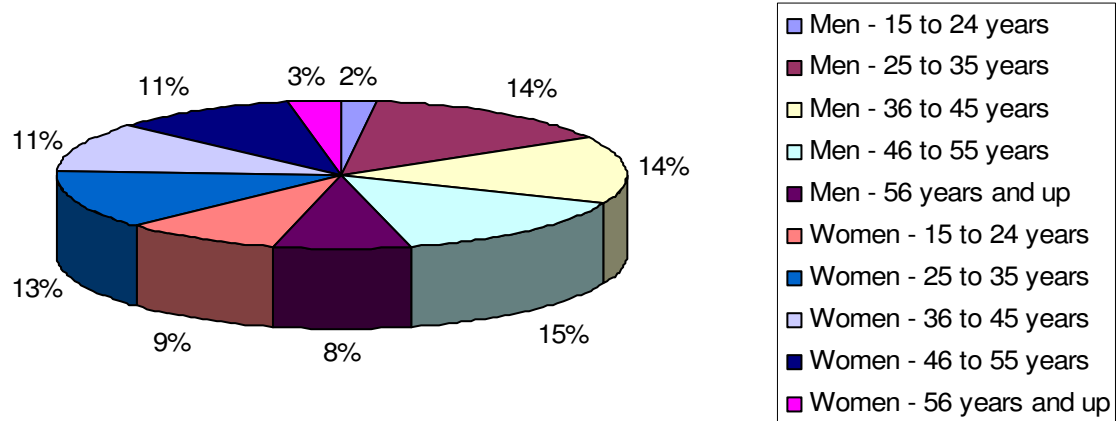
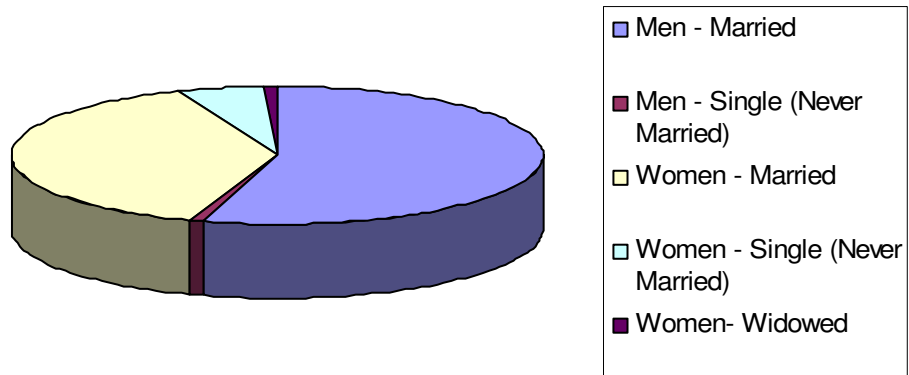


Chart 6: Sex and Marital Status of Focus Group Participants



Annex 4 – Supplementary Data from the Focus Groups

During the focus group discussions in Laos, some generic questions were used to gather some very basic data on issues relating to employment status, organization membership, training and input use. The aim was to provide some indicative data on supplementary issues that might benefit from being systematically researched in a follow-up survey or quantitative study under the broader FAO work programme. Due to time and resource constraints, this data was neither gender-disaggregated nor was it systematically gathered across all focus groups (whose main purpose was to facilitate qualitative discussion). The data collected is presented here with the important caveat that the focus groups themselves can in no way be considered as statistically representative of any population subset.

Employment Status

Eleven of the 17 focus groups were composed of local farmers growing cassava, tobacco, rice, feed corn, rice seeds and organic vegetables, all in either a formal contract farming arrangement or group-based informal farming arrangement. The remaining 6 focus groups were composed of agricultural workers, both employees with contracts and casual (daily) labourers, working in banana and jatropha plantations. Of all 114 people who took part in the focus group discussions, 79 were local contract or group-based farmers (70%) and 35 were agricultural workers (30%), of whom the majority were casual (daily) labourers.

Membership of Farmers' and Political Organizations

Participants in 16 of the focus groups were asked about their membership of farmers' organizations beyond any group membership related to their crops grown for the agricultural investment they were involved with, and in connection with which they were taking part in the focus group discussion. Fifteen percent reported such additional organizational membership. In one focus group, all participants were involved with the Village Development Fund in their village, while in another focus group, participants were in an agricultural production group and a handcraft group. Participants in all 7 of the women-only focus groups and women in one of the mixed focus groups were asked about their membership of LWU, and 77% were members. Participants in 14 focus groups were also directly asked about their membership of the ruling *Pathet Lao* political party; 7% were members.

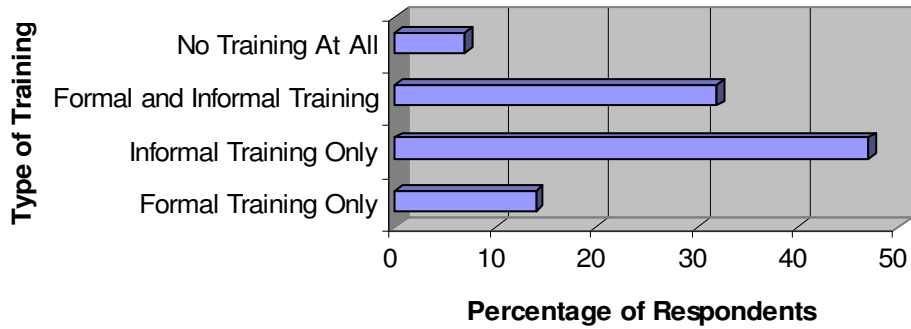
Training Issues

Participants in 15 of the focus groups were asked about any formal and/or informal training they may have received in relation to the agricultural investment they were involved with. Only 7% reported having received no training at all. However, 14% had received some formal training (formal seminar or meeting, at business location or in the village), 47% had received some informal training (on-the-job or on-field training and extension advice), and 32% had received both formal and informal training. Chart 7, next page, illustrates the data.

Inputs

Lastly, 94% of respondents in the 12 focus groups who were asked questions about the provision of farming inputs (seeds, fertilisers etc.) and/or equipment and tools (protective clothing, special equipment etc.) by the company they were involved with as contract farmers or agricultural workers reported positively that they received such inputs.

Chart 7: Investment-Related Training Received by Focus Group Participants



Recommendations for a Follow-up Systematic Quantitative Survey in Lao PDR:

- Investigation into the benefits of membership in different types of groups and organizations, both tangibles and intangibles and including investigation of any relative differences in benefits for different types of household (male versus female headed, poor versus less poor, etc.);
- Investigation of financial and opportunity costs of attendance at different types of training and the perceived impacts and benefits of attendance of those attending, including investigation of whether there are any differences by gender in either the costs or the benefits.

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