



Food and Agriculture  
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**Institutional Mechanisms for  
Wetlands Governance in the Lao PDR in the Context of the Ramsar Convention  
for GCP/LAO/022/LDF  
Climate Change Adaptation in Wetlands Areas Project  
(CAWA)**



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## **Overview of Institutional Recommendations**

The following summary is based on Chapter Five of the full length report.

There are several possible ways forward for the Ramsar institutional mechanisms, and it will be up to the Government of the Lao PDR to decide what reforms, if any, should be implemented for the National and Provincial Ramsar Committees (NRC and PRCs). At national level there are several committee options that might be explored in order to improve upon the current situation whereby the national and provincial committees are largely inactive.

### **National Focal Points (NFPs)**

At the national level serious efforts are required to ensure that there are three functioning Ramsar NFPs: 1. General; 2. STRP; 3. CEPA.<sup>1</sup> The general NFP should not continue with the roles of the STRP and CEPA NFPs as well, as this both overburdens the general NFP and dilutes the quality of work that can be done. These three or four NFPs should get regular support and capacity building, for example, via the newly established Indo-Burma Regional Ramsar Initiative (IBRRI) or other support mechanisms that would allow exchange visits to countries where there are active Ramsar NFPs. The NFPs should aim to learn more about good practice examples of how to work in promoting the Convention and its wise use concept. Additionally, it will be important that the NFPs have clear TORs that spell out both their tasks and the expertise required on the Ramsar Convention's obligations. The Convention's resolutions may be used as guidelines.

IUCN, as the co-CEPA NFP, should provide more inputs for the CEPA NFP on a regular basis. In all cases, the NFP TORs need to specify the dissemination in the Lao language of the key instruments of the Ramsar Convention to the Provinces concerned. Examples of this would be the Convention's Strategic Action Plan and key resolutions.

The three NFPs should cooperate closely together, and be under the overall supervision of the Director-General of either the Department of Environmental Quality Promotion (DEQP) or Department of Environment depending on how MONRE's organisational restructuring is finalised. It should be double-checked as to whether the Lao Aquatic Resources Research Centre is prepared to designate a new person to be STRP NFP. The CEPA NFP should be from DEQP's Division of Environmental Promotion. Generally speaking, given the mandate of the Department of Water Resources (DWR) for all wetlands in the Lao PDR, there must also be closer cooperation between DEQP and this department than in the past.

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<sup>1</sup> STRP = Scientific and Technical Review Panel; CEPA = Communication, Education Participation and Awareness

### **The National Ramsar Committee: Different Forms, Improved Function?**

With only two designated Ramsar sites in the Lao PDR, there is limited need for a very high level leading committee such as has been established in 2011 under the Vice-Prime Minister, but which has only met twice (in 2011 and in 2014). There are, however, several options that could be pursued at this time.

Option 1: Under this option, the most passive one, no change is made to the existing structure. Pursuing this option, however, is unlikely to further the objective of the Lao PDR eventually meeting its obligations under the Ramsar Convention.

Option 1a: A variation of Option 1 would be to make slight changes to the existing NRC such as reconvening it with “lower” level Chairmen and members, but leaving it with roughly the same mandate as before.

Option 2: This is a broader committee option which would be the optimum choice in terms of the Lao PDR both meeting its Ramsar Convention obligations and stopping and/or stabilising the drivers of wetlands degradation and loss in the country. In brief, this option would entail setting up a National Wetlands Management Committee and Technical Working Group (TWG) under MONRE’s leadership. A National Wetlands Committee’s primary mandate should be to provide overall leadership and guidance on the wise use of all wetlands in the country, develop inter-ministerial consensus on their importance and on the main policy directions required. It should develop its own Strategic Plan of Action, taking guidance from the Ramsar Convention’s current Strategic Plan valid until 2024.

This Committee’s main concrete task would be to supervise the development of a Wetlands Master Plan by an inter-departmental TWG (rather than only DWR as at present), including representatives at least from MONRE and MAF, but also from Tourism, MPI, MEM and the LNMC.<sup>2</sup> Among others, a Wetlands Master Plan should provide a list of main wetlands in the Lao PDR, should include criteria for “wetlands of national importance” nomination, should determine “water resource” reserves and/or conservation areas, and should give clear guidance on what the wise use of wetlands means in the Lao PDR’s context. The Wetlands Committee should also oversee site selection for inclusion on the Ramsar list.

Additionally, a Wetlands Management Committee could also consider the Wetland Regulations already drafted for Xe Champhone and use them as an input in drafting Implementation Guidelines for Wetlands regulations and wise use. Such a Committee could also support Water Law Implementation Guidelines related to wetlands.

This National Wetlands Management Committee would require a steady source of budget for its own, and its TWG’s deliberations and work.

Option 3: This would see the merger of the NRC with a Convention on Biodiversity Committee (if it exists) or with the National Environment Committee, as there is likely

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<sup>2</sup> MPI=Ministry of Planning and Investment, MEM=Ministry of Energy and Mines, LNMC=Lao National Mekong Committee.

to be overlap in membership on these committees anyway. This option could only be pursued if either of the aforementioned committees is functional, and would also require strong advocacy for wetlands issues on a broader environment committee in order to maintain a wetlands priority.

### **Recommendations Pertaining to All Three Options:**

A general recommendation on the way forward for any of the committee options is to have a TWG under the committee rather than a Secretariat. It will be more straightforward to appoint the general NFP to arrange and perform the Secretariat functions for the Committee, while the TWG focuses on the technical issues related to wetlands management.

An additional recommendation, not a separate option, would be to include wetland considerations under River Basin Committees and as part of River Basin Management Plans as they are established. This would require cooperation between the Ramsar NFPs and the Mekong-Integrated Water Resources Management project implemented by DWR with support from the World Bank. The M-IWRM includes the priority Xe Bang Hieng Basin with some activities in the Xe Champhone Wetlands. The lead role in promoting this integration should, in fact, be a Wetlands Management Committee.

### **Provincial Level Committee Structure**

In the absence of a functioning Ramsar institutional mechanism, the way forward in Savannakhet and Champassak would be to look into interim measures based on the CAWA project<sup>3</sup> and its steering and management structures. CAWA has already officially established provincial steering committees in both the provinces with six members each. These committees should be supported by CAWA to meet regularly (twice per year) on both CAWA-related plans and activities, but *also* on wetlands management and wise use. The committees should invite other sectors to join their meetings besides those listed (examples would be from PAFO's Irrigation, Livestock and Fisheries, and Cropping/Extension sections).

CAWA should also assist the Provincial Ramsar "secretariats" to be TWGs that assist the Steering Committee on technical matters pertaining to the wetlands.<sup>4</sup> Therefore, CAWA should also ensure that various types of capacity building measures, as appropriate, are provided to both technical officers and leaders.

The Provincial CAWA Steering Committee should have concrete tasks related to wetlands, such as:

- Receive technical reports from CAWA-commissioned studies and have a chance to discuss them;

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<sup>3</sup> GCF/LAO/022/LDF – Climate Change Adaptation in Wetlands Areas (CAWA).

<sup>4</sup> According to the MONRE Instruction establishing the CAWA Steering Committees at different levels, the Steering Committees have the right to create their own Technical Groups (*nouayngan wisakan*).

- Provide technical support to district teams based on locally made action plans involving people's representatives;
- Assist in semi-annual monitoring and evaluation of CAWA's management plans *and* be involved in Ramsar site monitoring using the Ramsar Management Effectiveness Tracking Tool (R-METT), a simple monitoring tool endorsed by the Ramsar Convention at COP12;
- Be involved in cross-visits to discuss wetlands wise use with the other Province's Committee with CAWA's support;
- As part of awareness creation for the PRCs and TWGs, CAWA should also arrange discussions on "drivers of wetlands degradation and loss" for senior officials;
- Review and finalise draft of Xe Champhone Management Regulations.<sup>5</sup>

The Xe Champhone Management Regulations Draft may also be used as the basis or as a "model" to create wetlands-wide regulations at BKN (to the extent BKN does not yet have any approved regulations).

Towards the end of CAWA's implementation phase, it should then be considered, after some years of experiences gained and lessons learned, as to how the work of wetlands management and conservation can be best promoted in the Provinces.

### **District Level Site Management**

District Implementation Teams are required for site management and were already set up under the PRCs, although they have not been active without project support. Now that CAWA is starting its implementation, the District Implementation Teams should be reactivated but, unlike in the past, they should identify "Core Groups" that meet on a regular basis and are involved more directly in implementation compared to the overall District Team. Whether the District Implementation Teams are called Ramsar Site Teams or they are called CAWA Teams is not so important. The main thing is that they are supported to work *together* on wetlands management and conservation through the climate change adaptation activities that will be implemented in and around the wetlands.

The Districts are also supposed to have CAWA project "management or steering committees." Care should be taken not to overburden the districts with too many committees or working groups on which essentially the same people are always present. In any case, the district working groups or committees should avoid having overlapping membership, or holding multiple meetings about the same issues. In other words, the "District Core Group" should be directly involved in planning, implementation and monitoring, while the overall District Team should only meet to discuss and approve work plans.

At District level, there have not been efforts so far to specifically include women on either the District Implementation Teams or the CAWA District Management

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<sup>5</sup> It should be noted here that one of the responsibilities of the Provincial Ramsar Committees is to approve local regulations on wetlands use.

Committee. In both cases the member lists include *kumban* leaders, but no local women leaders are included. Several women should be nominated to be on the Management Committee, and they should definitely be included in Core Group meetings when these meetings are about activities that concern the areas where the women live.

Concrete tasks, among others, for the Team at Xe Champhone would be:

- Agreeing on Regulations for Wetlands (especially for the Core Zones);
- Assisting and working on clear demarcation of Wetlands Zones;
- Propagating Regulations to all *kumban*/village heads and finding effective ways to enforce them;
- Planning, implementing and monitoring climate change adapted livelihoods improvement together with village women and men;
- Monitoring the “health” of the wetlands using the Ramsar Convention’s tracking tool.

### List of Abbreviations and Acronyms

ADB	Asian Development Bank
BKN	Beung Kiat Ngong Ramsar Wetland
CAWA	Climate Change Adaptation in Wetland Areas
CBD	Convention on Biodiversity
CBNA	Capacity Building Needs Analysis
CEPA	Communication Education Participation and Awareness
COP	Conference of Contracting Parties
CP	Contracting Party
CSK	Champassak Province
CTA	Chief Technical Advisor
DAFO	District Agriculture and Forestry Office
DEQP	Department of Environment and Quality Promotion
DET	Division of Environmental Technology
DFRM	Department of Forest Resources Management
DONRE	District Office of Natural Resources and the Environment
DWR	Department of Water Resources
EIA	Environmental Impact Assessment
FAO	Food and Agriculture Organisation of the United Nations
GEF	Global Environment Facility
IUCN	International Union for the Conservation of Nature
IWRM	Integrated Water Resource Management
KfW	Kreditanstalt für Wiederaufbau (German development bank)
LARRec	Lao Aquatic Resources Research Centre (Department under NAFRI/MAF)
LNMC	Lao National Mekong Committee
LWU	Lao Women's Union
MAF	Ministry of Agriculture and Forests
MEA	Multilateral Environmental Agreement
MEM	Ministry of Energy and Mines
MOICT	Ministry of Information, Culture and Tourism
MONRE	Ministry of Natural Resources and the Environment
MPI	Ministry of Planning and Investment
MRC	Mekong River Commission
NABP	Nation Agrobiodiversity Programme
NAFRI	National Agriculture and Forestry Research institute
NAPA	National Adaptation Programme of Action
NBSAP	National Biodiversity Strategy and Action Plan
NFP	National Focal Point
NSEDP	National Social and Economic Development Plan
ODA	Overseas Development Assistance
PAFO	Provincial Agriculture and Forestry Office
PONRE	Provincial Office of Natural Resources and the Environment
PRC	Provincial Ramsar Committee
R-METT	Ramsar-Monitoring and Evaluation Tracking Tool
STRP	Scientific and Technical Review Panel
SVK	Savannakhet Province
TOR	Terms of Reference
XC	Xe Champhone (referring to the Ramsar-listed Wetland, not the river)

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## 1 Introduction

This assessment of the Ramsar Convention-related institutional bodies in the Lao People's Democratic Republic (Lao PDR) has been commissioned by the United Nations Food and Agriculture Organisation (FAO) on behalf of the Climate Change Adaptation in Wetlands Areas project GCP/LAO/022/LDF (CAWA) in Laos.<sup>6</sup> CAWA's project area comprises the communities based in and around two Ramsar Convention listed wetlands of international importance: Xe Champhone (XC) in Savannakhet Province and to a lesser extent Beung Kiat Ngong (BKN) in Champassak Province.<sup>7</sup> The main focus of CAWA is to help these local communities adapt to the impacts of climate change, while improving their livelihoods. The main concept is that at the same time that local livelihoods are supported, the two Ramsar wetlands will be sustainably managed to maintain their ecological character and ability to provide valuable ecosystem services.

Capacity building and organisational support belong to the pillars of CAWA's design with a primary focus from villagers' groups to relevant departments and divisions of the provincial government. Capacity building and organisational support measures should help ensure the sustainability of an adequate institutional framework at both local (district and provincial) and national levels that considers the complex cross-sector issues involved in climate change adaptation, wetlands management and conservation.

The CAWA project planners foresaw the use of existing multi-sector and multi-stakeholder management structures such as the Provincial Ramsar Committees (PRCs) and District Implementation Teams, Disaster Management Committees (Provincial, District and Village), Protected Area Committees and River Basin Committees to guarantee a more integrated programme approach under CAWA and beyond. The objective of this assessment is to look into the functionality of such committees especially related to the need for multi-sectoral coordination for both conservation and livelihood support activities. The focus of the assessment, however, is confined to the Ramsar committee structure.

CAWA's institutional counterpart is the Department of Environmental Quality Promotion (DEQP) under the Ministry of Natural Resources and Environment (MONRE). MONRE is the Administrative Authority for the Ramsar Convention, while the National Focal Point (NFP) is DEQP.

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<sup>6</sup> Lao PDR and Laos are used interchangeably throughout the report. The project GCP/LAO/022/LDF will hereafter be referred to as CAWA.

<sup>7</sup> With funds from the German government, the Kreditanstalt für Wiederaufbau (KfW) will also provide support to the BKN Ramsar site under a Lower Mekong regional project. It is expected to start implementation during 2017. Another regional project, Mekong-WET, also with support from the German government (Ministry of Environment and Nuclear Safety), may include some assistance to BKN.

## 1.1 Terms of Reference and Methodology

The Terms of Reference (TOR) for this assignment (attached at Annex 1) focus on assessing the Ramsar-related institutions as they have been constituted in the Lao PDR just after Laos became a Contracting Party (CP) to the Convention in 2010 (for further discussion on the Ramsar Convention see Section 2 below). An additional focus of the assignment is on awareness creation and capacity building needs at different levels.

### **Methodology**

The assignment was carried out using a twofold data collection approach. A document study was conducted including legal, policy and planning documents. Decrees and decisions related to the Committees themselves were also part of the analysis, along with available meeting minutes. The Ramsar Convention of Parties (COP) resolutions, project documents and relevant academic and other reports related to wetlands management and conservation provided more background and insights as to the CPs' obligations after agreeing to be bound by the Conventions' articles.

In Vientiane discussions were held with current and former Ramsar Focal Points, including the former Director General (DG) of DEQP, with the FAO Country Representative, with CAWA's Chief Technical Advisor (CTA) with representatives of the International Union for the Conservation of Nature (IUCN) based both in Laos and the region, with a senior staff of the FAO Global Environment Fund (GEF) Coordination Unit, and with the Mekong-Integrated Water Resources Management (M-IWRM) team under the Department of Water Resources (DWR), MONRE. Furthermore, many discussions were held with senior staff of the Division of Environmental Technology (DET) under DEQP. DET acts as the *de facto* Secretariat for the National Ramsar Committee (NRC) and as the NFP for the Ramsar Convention.

Interviews also took place in the two provinces of Champassak (CSK) and Savannakhet (SVK). At provincial level, discussions were held with appointees of the Ramsar Secretariats and/or PRCs, including from the Provincial Offices of Natural Resources and Environment (PONRE), Provincial Agriculture and Forest Offices (PAFO) (Irrigation and Livestock and Fisheries Divisions) and the Tourism Offices. Unfortunately, a planned visit to the BKN wetlands area in Pathumphone District did not take place because the logistics for this visit could not be arranged on time. The original focus of the mission was planned to be on Champassak and BKN because of the longer years of external support there, including institutional support. As it turned out, however, the years of support had not resulted in a sustainable committee structure at these local levels, and together with the Chief Technical Adviser (CTA) and DEQP, it was decided to include Savannakhet in the field trip schedule in order to gain more opinions and information.

In Savannakhet Province, a trip to Champhone District did take place, and discussions were held with the District Implementation Team, including DONRE, DAFO, Tourism, Women's Union and Justice. It was also possible to meet two village cluster (*kumban*) leaders. Useful discussions could also be held with the Deputy District Governor in

charge of Culture and Tourism, while additional and lengthy discussions were held with the DONRE Deputy. Site visits to a couple of villages roughly located in the XC core zones provided additional impressions of the opportunities and threats facing the wetlands.

A presentation and discussion on findings and recommendations was held in Vientiane on 21 March, 2017 where useful comments, feedback and additional information was received from the participants who attended the meeting. These comments have been incorporated in the report that follows. Finally, debriefings were held with the CAWA project National Project Coordinator (NPC), CAWA CTA and with the FAO Representative.

While every effort has been made to include the ideas and opinions of various stakeholders, this report does not reflect the official views of either the Government of the Lao PDR or the FAO.

The detailed mission schedule, including persons met, is at Annex 2.

## **2 The Ramsar Convention and Obligations of State Parties**

The Convention on Wetlands of International Importance Especially as Waterfowl Habitat (hereafter referred to as the Ramsar Convention) is the first multilateral environmental agreement (MEA) in the world. It was agreed upon in 1971 at Ramsar, Iran and gives recognition to the crucial importance of wetlands both as habitats for wildlife and for the many ecosystem services that wetlands provide to people. The Convention came into effect in 1975, and has a Secretariat based in Gland, Switzerland hosted by IUCN. The Convention's COP meets triennially in different member countries ("Contracting Parties," of which there are currently 168). The Convention's Mission is "the conservation and wise use of all wetlands through local and national actions and international cooperation, as a contribution towards achieving sustainable development throughout the world."

The Convention maintains a list of wetlands of international importance (hereafter referred to as the Ramsar List). The Ramsar List now includes 2,186 wetlands. The Ramsar Convention also maintains the so-called Montreux Record of listed wetlands that are under a higher level of threat because of major changes in their ecological character. The Montreux Record does not imply that wetlands listed under it should be removed from the Ramsar List, but that they should receive additional attention and support to stop or reverse the changes to their ecological character.

The concept of "wise use" is at the centre of wetlands management and conservation. The Ramsar Convention defines it as: *the maintenance of wetlands' ecological character, achieved through implementation of ecosystem approaches, within the context of sustainable development*. Therefore, "wise use" focuses on the balance between conservation and use of wetlands so that their resources benefit humankind sustainably. The Ramsar Convention defines both inland and coastal wetlands for

inclusion on the Ramsar List. The definition of wetlands relevant for the Lao PDR include: *Lakes and rivers, swamps and marshes, wet grasslands and peatlands, and human-made sites such as fish ponds, rice paddies, reservoirs, and salt pans.*

While the Ramsar Convention defines nine criteria that make a wetlands area eligible for inclusion on the list, none of these criteria relates to size. Rather, the nine criteria relate to such factors as sites containing representative, rare or unique wetland types (one criterion) and sites of international importance for conserving biological diversity (eight criteria related to birds, fish and other non-avian species). For more details please see the Ramsar website [www.ramsar.org](http://www.ramsar.org).

When a sovereign nation's government becomes a CP of the Ramsar Convention, it agrees to be bound by its twelve articles. This brings with it a number of obligations for every CP. These obligations in turn relate to the management and conservation of *all* wetlands within the CP's territory, whether they are of local, national or international importance.

Based on the twelve articles of the Convention, there are seven main obligations summarised below. These seven obligations represent in turn the "Three Pillars" of the Convention with wise use of wetlands at its core.<sup>8</sup>

**Article One:**

- Designate at least one wetlands site for the Ramsar list;
- Continue to designate more wetlands sites;
- Be informed if the "ecological character" of any Ramsar-listed wetland is changing *or likely to change* and inform the Ramsar Convention Secretariat;

**Article Three:**

- Include wetland conservation considerations in national land use planning and formulate and implement this planning to promote the wise use of wetlands;

**Article Four:**

- Establish nature reserves in wetlands, whether considered internationally important or not;
- Promote training in fields of wetland research, management and conservation;

**Article Five:**

- Consult internationally, especially on transboundary wetlands, shared water systems and species.

The obligations of the CPs under the Convention carry with them implications for the governance of water and wetlands resources. This refers to the policy, legal and regulatory (PLR) and institutional framework of each CP. In other words, the CPs must have (or actively develop) a PLR Framework along with appropriate institutional mechanisms to fulfil their obligations, resulting in the wise use of all wetlands within the territory. Both of these major aspects must go hand-in-hand, along with

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<sup>8</sup> Please see the Ramsar publication, *The Ramsar Convention Manual*, 6<sup>th</sup> edition (2012). It provides an excellent overview of the Convention, its history, the obligations of CPs, COP resolutions and the like.

appropriate implementation and/or enforcement of the PLRs, if the obligations under the Ramsar Convention are to be met.

### 3 Policy Legal and Regulatory Framework on Water and Wetlands

The Lao PDR is party to several MEAs, showing its positive intentions and commitments to sustainable use and management of natural resources. The MEAs include:

UN Framework Convention on Climate Change	acceded 1995
Mekong River Commission Agreement on Sustainable Development of the Mekong River Basin	signed 1995
Convention on Biodiversity	acceded 1996
Convention on International Trade in Exotic Species	acceded 2004
Convention on Wetlands of International Importance	acceded 2010

In addition to these MEAs, the Lao PDR is also a signatory to various Association of South East Asian Nations (ASEAN)-led environmental agreements, and takes part in ASEAN planning and working groups on environment.

It should be noted that the “Law on Making Legislation” passed by the National Assembly in 2012 states that Lao law must be consistent with agreements and treaties to which the Lao PDR is a party to. In the hierarchy of laws the articles of international conventions and treaties take precedence over domestic legislation.

#### 3.1 Domestic PLRs Pertaining to Wetlands Management

While progress has been made in recent years in developing an overall PLR framework for natural resources management in the Lao PDR, the framework on water resources and wetlands management remains rather fragmented and with gaps, such as on regulations and implementation guidelines. National level policies and plans for the most part provide only brief references to wetlands.

Under the Eighth National Socio-Economic and Development Plan (NSED) for 2016 – 2020, there are few mentions of wetlands and they are not accorded a high priority: they are not included under any Priority Activities and Projects. There is, however, a mention of wetlands under “Targets” when it mentions under 6.6.1 to “Formulate and implement a Wetlands Management Plan to strictly and effectively adopt the Ramsar Convention on Wetlands.” There is another brief mention of wetlands under 6.6.2 where it states “Implement policy in response to disaster, such as protecting wetlands and forests in sloping areas . . . “

At the same time, however, the NSED provides a contradictory policy direction in comparison with the Target shown under 6.6.1. It states another priority target as follows: “ensure food security and supply by establishing Xe Bang Fai and Xe Bang Hieng plains in Khammouane and Savannakhet provinces as national rice cultivation

focal points.” The implications of this would be a higher focus given to irrigated rice cultivation in these areas, resulting in an accelerated threat especially to the identified core zones of Xe Champhone Wetland which is part of the Xe Bang Hieng plains in Savannakhet.

The Ministry of Agriculture and Forestry’s (MAF) National Agrobiodiversity Programme (NABP) also makes references to wetlands, indicating they are at once of high importance for people’s lives and livelihoods and at the same time under severe threat by competing uses for water and land in and around wetlands. As part of its obligations under the Convention on Biodiversity (CBD), MONRE has produced two National Biodiversity Strategy and Action Plans (NBSAP). The current one covers the period 2016 – 2025 and recognises the need for improved wetlands management while noting that “work on the National Wetlands Inventory has not yet started.”<sup>9</sup>

River Basin Management Plans are considered a sound part of Integrated Water Resource Management (IWRM). The NSEDP identifies 10 priority river basins in the Lao PDR, including the Xe Bang Hieng Basin where the Xe Champhone River flows to join the Mekong. It would appear, however, that the Xe Bang Hieng Basin does not yet have a river basin management plan or committee overseeing an IWRM process. It may be that the only priority basin that has a Basin Plan so far is the Nam Ngum.<sup>10</sup>

Key legislation within the Lao PDR that relates to water resources and/or water management are currently undergoing updating and redrafting processes. These are the laws for Land, Forests and Water Resources. The original Water and Water Resources Law, for example, dates back to 1996. The current revision includes two articles on wetlands and another article on establishing “water resource reserves.”<sup>11</sup> The revised Water Law must be passed by the National Assembly, but it is not sure when this might happen. Once this important piece of legislation is passed, it will be of equal, if not greater importance to ensure that Implementing Guidelines are issued by MONRE for all stakeholders to follow.

In considering the obligation under the Ramsar Convention to integrate the wise use of wetlands in national land use plans, the Lao PDR does not yet have a National Land Use Master and/or Strategic Plan. As mentioned, the Land Law is still undergoing a lengthy revision process; a Land Use Master Plan cannot be drafted before the Land Law is finalised and passed by the National Assembly. As mentioned above, the NSEDP targets development of a National Wetlands Management Plan, and it seems that this may have started under DWR. Although the Lao PDR does now have legislation governing Environmental Impact Assessments (EIAs), according to its National Report prepared for COP 12, these are not being applied in any wetlands areas.

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<sup>9</sup> Gordon Claridge (1996) was hired by IUCN to conduct a national wetlands inventory with counterparts in the mid-1990s; it has not been updated since.

<sup>10</sup> A reference to a Nam Ngum Integrated Water Resources Basin Plan of early 2009 (produced with assistance from ADB and AFD) was found on the internet, but without additional information as to whether it has been implemented. <http://trove.nla.gov.au/work/162006042?versionId=176563522>.

<sup>11</sup> This is the wording in the draft, but essentially means a “protected area.”

At more local level, formal regulations governing either wetlands generally or specific wetland sites are not yet available. Under a previously implemented project that ended around 2013, IUCN staff worked closely with villagers, district and provincial staff in Savannakhet to draft wise use regulations for the Xe Champhone wetland.<sup>12</sup> These regulations, however, were not passed by the provincial government or submitted to higher level for consideration. Thus, the main regulations in place are those arising from customary practices in some parts of at least the Xe Champhone wetland that are helping, for example, to conserve a softshell turtle population at one location.

In conclusion, the PLR framework for water and wise use of wetlands is still incomplete in the Lao PDR. The existing framework does not accord high priority to wetlands conservation in Laos. Higher priority is given rather to the expansion of irrigation, hydropower and commercial agriculture, all of which may pose significant threats to wetlands. Efforts are under way to improve this framework, but it will certainly take more time before it is fully in place and a balance found between immediate development needs (such as for rice security) and long term conservation needs.

#### **4 Institutional Mechanisms Related to the Ramsar Convention**

The Ramsar Convention provides guidance to the CPs on possible institutional mechanisms to assist the implementation of their obligations. Figure One below represents the summary of the Convention's recommendations in this regard. In brief, the Convention asks that each CP nominate an Administrative Authority to liaise with, and report to, the Convention Secretariat. "[The Administrative Authority] is expected to consult and cooperate with as many other government ministries, agencies and non-governmental institutions as necessary in order to ensure the best possible results in implementing the Convention."<sup>13</sup>

Further, the COPs have agreed on and issued Resolutions on NFPs to liaise with the Convention's Subsidiary Bodies and Panels of the Standing Committee: they are the general NFP (to liaise with both the Convention's Secretariat or with any established Ramsar Regional Initiative Secretariats), the Communication Education Participation and Awareness (CEPA) NFP and the Scientific Technical Review Panel (STRP) NFP. The Standing Committee, for example issued guidelines on the CEPA NFPs based on the COP Resolution IX.18 from 2005. It says that the CEPA NFPs should comprise both a government and non-government CEPA NFP cooperating on CEPA matters. In addition to the NFPs, the Convention foresees the active involvement of site managers and various scientists in the wise use of all wetlands.

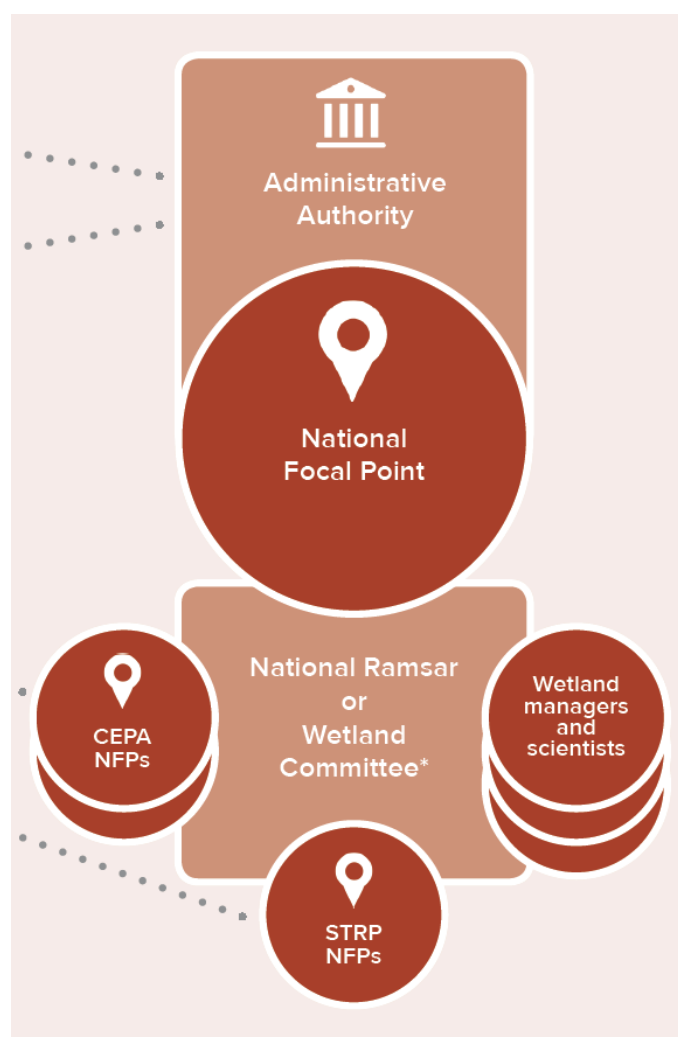
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<sup>12</sup> Personal Communication, Raphaël Glemet, IUCN. Draft Regulations on the XC Wetland are available with IUCN Laos.

<sup>13</sup> From the Ramsar Convention brochure entitled, "Delivering the Ramsar Convention in Your Country: National Focal Points and their roles."

The Convention also recommends establishing a National Ramsar or Wetlands Committee (see Figure One below). The Convention sees this as “a mechanism for spreading the Convention’s approach to wetland and water issues beyond the individuals and branches of government that are officially charged with its implementation.” Ideally, National Committees should include as many sectors of government and representatives of stakeholders as possible. In other words, the National Wetlands Committee should be tasked with creating and maintaining awareness on the importance of the wise use of all wetlands in its country, so that all relevant policy and regulatory decision-makers understand and integrate the wise use of wetlands in their own sectors or spheres of implementation.

**Figure One: Institutional Mechanism Suggested by the Ramsar Convention**



Source: Ramsar Convention Brochure: *Delivering the Ramsar Convention in Your Country: National Focal Points and their Roles*

In the final analysis, it is up to the CP to decide what form or forms its Ramsar or wetlands institutional mechanism should take. For further information and guidance on PLRs and institutions vis-à-vis the Ramsar Convention it is highly recommended to



read the Convention Handbook 3 (edition 4) entitled *Laws and Institutions: Reviewing Laws and Institutions to Promote the Conservation and Wise Use of Wetlands*.<sup>14</sup>

#### 4.1 Ramsar-Related Institutional Mechanisms in the Lao PDR

The Lao PDR, as mentioned, became a CP of the Ramsar Convention in 2010 after some years of negotiations and internal decision-making on which sites to nominate as being of international importance. In the Lao PDR, the Administrative Authority is MONRE, while the designated NFP on Ramsar Convention Matters is the DG of DEQP.<sup>15</sup> The designated CEPA NFPs are the Director of the Division of Environment Promotion and IUCN Laos. The designated STRP is the Deputy Director of the Living Aquatic Resources Research Centre (LARRec), a department of the National Agriculture and Forestry Research Institute (NAFRI) under MAF.

The National and Provincial Ramsar “Leading Committees” (*khanakamakan seenam*) were established in 2011 and are to meet twice (National) or three times (Provincial) per year. The National Ramsar Committee (NRC) was established by Prime Minister Decree 50 of 21 February, 2011, while the provincial committees have been instituted by the Chairman of the NRC. The NRC was decreed with a very high level membership under the Vice-Prime Minister responsible for Environment as the Chairman and the Minister of MAF as the Vice-Chairman along with the Head of at that time Water Resources and Environment Agency (WREA, the main predecessor of MONRE). Other Committee Members are at Vice-Minister level (Ministry of Information and Culture, Education and Sport, Justice, Public Works and Transportation) or Deputy Heads (Tourism Office, National Land Management Authority,<sup>16</sup> WREA) and the Deputy Governors of Champassak and Savannakhet who are Chairmen of their respective Provincial Environment Committees. The Lao Secretary for the UNESCO Committee<sup>17</sup> and DG of the Environment Department were also included (total of 14 persons).

The main mandate of the NRC is contained in five points under Article Two (the first article lists the Committee members, the third to seventh articles deal with meeting frequency and general agenda/purpose of the meetings, budgeting, accounting, official stamp, dissemination of the decree to relevant ministries and date of coming into effect). The five points are:

1. Lead [the organization of] implementing the work of managing the two Ramsar sites,
2. Lead investigations to propose additional sites of international importance,

<sup>14</sup> All the Ramsar Convention Handbooks are available for download at the Ramsar website in English, French and Spanish. At present there are some 18 of them.

<sup>15</sup> The DG of DEQP moved to take another position, meaning DEQP is currently under an Acting DG.

<sup>16</sup> As with WREA, the NLMA was also subsumed under MONRE.

<sup>17</sup> UNESCO had agreed to be the depositary of accessions for the Ramsar Convention, but does not play any other official role in the implementation of the Convention. Otherwise, the Convention Secretariat and UNESCO cooperate in the context of the latter’s Man and Biosphere Programme.

3. Receive reports, summarise lessons and provide the lead on “focus plans” for the next period,
4. Establish a Secretariat and consider a technical organization [presumably for the STRP],
5. Lead the coordination and facilitate cooperation with international organisations,

while a sixth point asks the Committee to implement “other” tasks as assigned by the Government.<sup>18</sup>

The National and Provincial Committees also established Secretariats based on their own decisions. As foreseen by the Ramsar Convention, the established committees in the Lao PDR should be seen as a mechanism to provide horizontal coordination and cooperation among the relevant sectors. In the Lao context, they should also be seen as bodies to promote consensus-building in terms of sector policy directions. At site level (in this case two districts: Patumphone for BKN and Champhone for XC<sup>19</sup>) “District or Field Implementing Teams” promoting horizontal coordination and cooperation among different sectors were also established. The establishment of such Committees is a reflection of the importance accorded in the Lao PDR to promoting multi-sectoral coordination and cooperation for decision-making that impacts the wetlands. The reporting requirements from the District Teams to the Provincial level and from the provincial to the national level should facilitate vertical cooperation and coordination on the wetlands.

## 4.2 Ramsar Institutional Mechanisms: Issues and Challenges

Despite a suggested meeting frequency of twice per year, the National Committee has, in fact, only met twice since 2011 (the last time was in May, 2014 with somewhat limited participation of different ministries, especially MAF). While the Provincial Committees are supposed to meet once per quarter, if they have actually met, people we spoke to couldn’t recall what the meeting was about. The Champassak Committee appears to have met twice but that was in 2011 and 2012. Some persons interviewed did not know they are nominated members of the Provincial Committee and actually never heard of it before. Moreover, since the Ramsar Committees are not meeting then their Secretariats are also not meeting and/or performing any other Convention-related function.

The committees do not “push” their Secretariats to function on their behalf. For some reason, there is a bit of overlap in membership between Secretariats and Committees

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<sup>18</sup> The Provincial Ramsar Committee (PRC) mandates are roughly similar to the national committee’s but with more details as befitting a committee that is set up closer to the implementation level. Please see Annex 3 for an unofficial translation of a Provincial Committee mandate.

<sup>19</sup> In fact, the Xe Champhone Wetland potentially includes a part of neighbouring Xonbuly District of SVK Province, but Xonbuly has not been involved in any wetlands management programmes so far and is also not mentioned in the mandate of the National or Savannakhet Provincial Ramsar Committees. A major problem here is that the XC site has never been properly demarcated.

(especially at provincial level). The overlap shows that there is a need for more clarity as to the differentiated functions between a secretariat and a committee. As an example of the relationship between Committee and Secretariat at national level, at its second meeting in 2014, the National Committee assigned DEQP to draft a decree on managing the Ramsar Wetlands in the name of the National Secretariat. Unfortunately, this task has not had active Committee supervision or involvement since.

There is a rather unique fragmentation of wetlands' responsibilities within MONRE which may have the effect of reducing efficiency and effectiveness in promoting the wise use concept for *all* wetlands of the Lao PDR (a key Convention obligation). That is, DEQP is responsible for only the two Ramsar Sites, while DWR has the mandate for all other wetlands.<sup>20</sup> This artificial fragmentation of wetlands' responsibility causes an additional layer of coordination and cooperation requirements between departments and divisions which would be unnecessary, were all wetland management and conservation responsibilities together under one department of MONRE. It also results in Committee decisions as noted immediately above. DEQP was tasked with creating a draft decree to manage only the Ramsar sites, whereas the obligation under the Convention would be to draft such a decree applicable to all wetlands in the country.<sup>21</sup>

Within DEQP, DET is already the *de facto* national focal point, and also acting as the Secretariat, so there appears to be some blurring of roles and responsibilities between a Secretariat and an NFP. An acknowledged difficulty is that no GO budgets have ever been made available at any level for the Committees or Secretariats to function, despite repeated requests to release budgets for the Committees at both national and provincial levels.<sup>22</sup>

The NFPs on STRP and on CEPA seem to be no longer active, with one of the designated persons having retired, and the other having moved position. This is a reflection of a certain lack of depth in the government system that if a person leaves a post, that person's successor is unable to take over the duties of his or her predecessor. The work of IUCN on CEPA in Laos appears also to be irregular. As a CEPA co-NFP, it should have some small core funds assigned for CEPA-related work and continue this with the government CEPA NFP even in the absence of specific projects. This apparently has not happened. In the absence of active NFPs, it means that a "critical mass" to implement at least a limited priority set of wetlands-related awareness and research activities is unavailable.

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<sup>20</sup> The consultant has never come across any other country where the responsibilities for wetlands are "artificially" divided between departments under a single ministry depending on Ramsar status. Although it is not under the purview of this assessment to review departmental mandates, it may be recommended that MONRE may look into this issue.

<sup>21</sup> Moreover, since DEQP does not have technical expertise directly available to it to draft a wetlands decree, it would then need to coordinate closely with DWR and LARRec for example to take the process forward.

<sup>22</sup> Personal communications from MONRE and PONRE officials.

The gist of the current NFP situation in Laos is that only the “general” NFP is active. This general NFP located in DET within DEQP largely performs an administrative function. Its staff still have too few technical skills, knowledge or capacities to provide guidance or do advocacy on the wise use of wetlands, as its regular tasks have nothing to do with wetlands or any aspect related to CEPA or STRP. Having the general NFP act also as Ramsar Secretariat means that too many functions are now resting within one division. When we review Figure One, we can see that this is not the intention of the Convention.

Since there is only one active Ramsar NFP, cooperation with other MEA NFPs in Laos has not yet been established as recommended by the Convention. The Ramsar Convention and the CBD have developed particularly close links, including joint work plans on the agro-biodiversity of wetlands, and thus the Convention pays high attention to cooperation between MEA NFPs.<sup>23</sup> In the Lao PDR during the past six years or so, there have been a number of ministerial reorganisations, particularly affecting the responsibilities in the forest resources and land sectors. For example, conservation forests have shifted from MAF to MONRE responsibility and then back to MAF. This shifting has affected the ability of different NFPs to cooperate well in the natural resource management sectors.

Given the situation described above, unless there are projects like CAWA that provide more comprehensive support regarding wetlands management, the provincial Committees and District-level site implementers will not receive adequate guidance from the national level.<sup>24</sup> District Implementation Teams so far could not manage the wetlands without project assistance: these Teams have received no wetlands-focussed budgets and they have no guiding PLRs that might help them use other budgets to apply in the wise use of wetlands.

The awareness in some of the leading sectors, the activities of which would have an impact on the ecological character of the wetlands also remains rather low.<sup>25</sup> For example, the interactions between expanding dry season rice irrigation and the ecological character of the wetlands have not been considered. If awareness were higher, simplified Environmental Impact Analyses (EIA) could flag some of the likely impacts—positive or negative—that a set of budgeted activities (like building more weirs or pumping water out of wetland ponds) might have on the wetland. This would provide an opportunity to adjust them as necessary. For this to take place, however, there needs to be both a high level of awareness on the value of conserving wetlands, the limits to their exploitation, the technical skills to know what to do, and a

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<sup>23</sup> See Ramsar COP Resolution VIII.5: Partnerships and synergies with Multilateral Environmental Agreements and other institutions. Available at: [http://archive.ramsar.org/cda/en/ramsar-documents-resol-resolution-viii-5/main/ramsar/1-31-107%5E21497\\_4000\\_0](http://archive.ramsar.org/cda/en/ramsar-documents-resol-resolution-viii-5/main/ramsar/1-31-107%5E21497_4000_0)

<sup>24</sup> Opinions expressed by provincial officials interviewed.

<sup>25</sup> Indeed, the main agency that consistently expressed strong interest in maintaining the ecological character of the wetlands was the respective provincial tourism offices, as the potential of the wetlands as natural tourism sites remains.

willingness for key sectors to work closely together to help adjust each other's plans and activities.

Finally, since neither the national nor the provincial committees are functioning according to expectation, there is no clear advocacy from national or provincial level for wetlands conservation or wise use. There is yet to be a push, for example, for increasing the number of sites of at least national, if not international, importance. Moreover, the committees have yet to bring about the emergence of a consensus in the Lao PDR on the significance of wetlands and the need for their wise use.

#### **4.2.1 Why Are the Ramsar Institutional Mechanisms Faced with Challenges?**

There are a number of contributing factors to explain the Ramsar committee structure's performance difficulties in the Lao PDR. In the first instance, the national priority accorded to the Ramsar wetlands, and to wetlands in general, is not that high. As pointed out, the wetlands are seldom mentioned in the NSEDP and other planning documents compared to forest cover expansion, hydropower, commercial agriculture and irrigation. While the expansion of forest cover could be anticipated to improve the health of the wetlands, the other priorities listed immediately above, could well have deleterious effects on the wetlands' ecological character. These potentially negative impacts are seldom mentioned in any official document. The root cause of the lower priority accorded to wetlands is a generally inadequate level of awareness of the high value of the wetlands' multiple services, including on climate change mitigation.<sup>26</sup>

The NRC was constituted on the highest inter-ministerial level, but not with a suitably "high level" mandate. Seen from another perspective, unless the committee were to provide leadership on the wise use of *all* wetlands, its membership is too high for the limited tasks at hand. The main purpose and top priority of a leading committee on wetlands should be to facilitate the relevant sectors' ministries to agree on a common vision for the wetlands. This consensus and vision would then be the basis for establishing policies to improve the coordination and cooperation required to plan and implement programmes and activities that pertain to wetlands management. The mandate of the NRC, however, has not been adequately focused on policy issues and inter-ministerial consensus, as the Minutes of the two meetings held attest.<sup>27</sup>

The appointed National Secretariat was also set up on too high a level, making it seem more like another committee. The outcome was that it never met (no record of it having met). The same is true of the provincial secretariats. As mentioned above, it has been "unofficially" replaced by DET which has no wetlands or water resource specific expertise to provide adequate inputs for the Committees' information, consensus-building and decision-making.

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<sup>26</sup> This is called ecosystem service valuation.

<sup>27</sup> The two meetings were held in January 2011 and May 2014. The second one was held owing to small grant support from the Ramsar Regional Centre – East West Fund for Wetland Conservation and Wise Use from Korea in 2014 (\$10,000).

Arguably, a consensus-building process requires participation of all major stakeholders. However, the NRC has left out key departments of MAF (Irrigation, for example), the Ministry of Planning and Investment (MPI) plus the Ministry of Energy and Mines (MEM) so far. Nonetheless, having different departmental or ministerial representatives attend a committee meeting does not lead necessarily to inter-ministerial consensus, coordination and cooperation.<sup>28</sup>

Aside from seeking consensus, a leading committee should make decisions about concrete matters relevant to its level. For example, the NRC should decide about approving another Ramsar site in the country, or on supporting the formulation of a National Wetlands Master Plan. It need not consider details of “promoting livelihood options” for local people, as this is a matter for the province and district to consider. An additional causal factor in the Ramsar Committees’ intermittent functioning is that they have not been required to decide on anything “concrete” that would contribute to consensus-building on wetlands.<sup>29</sup> Echoing the situation at the national level, the committee at provincial level has also not had enough concrete tasks to take care of (i.e., no plans or required decisions in the absence of vital, wetlands-related information from the site/district level).

Another factor is that since no national budgets have been allocated, decisions of the Committee, whether at national or provincial levels, will not be implemented unless overseas development assistance (ODA) is available. Thus, the leading committee can only advise without having the required resources to ensure its advice is actually incorporated into national policies and regulations, not to mention “focus development plans” for the wetlands areas.

The Ramsar Committee structure in Laos, despite good intentions, has not yet been able to promote active, integrated wetlands management as would be required for the wise use of all wetland areas. The wise use concept – the core of Ramsar – is not widely understood or propagated yet and there is not yet an emerging consensus on the crucial importance of preserving wetlands for future generations. Additionally, at the national level too many functions (NFPs and Secretariat) have become *de facto* concentrated in only one Division of DEQP. Therefore, the Lao PDR has not yet been able to fulfil its main obligations under the Convention after its designation of two sites for the Ramsar List.

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<sup>28</sup> One of the ongoing issues with all committee meetings in the Lao PDR is that there is inconsistency with regard to attendees. If the designated or invited person cannot attend, then he or she sends someone else who may have no background or understanding of the issues at hand. Another, deeper, issue is that the government line ministries work in fragmented hierarchies making it difficult to promote consensus and horizontal coordination in planning and implementation. (Personal observations plus personal communication, MONRE.)

<sup>29</sup> The exception to this was the NRC delegating the drafting of a PM Decree on Ramsar Wetlands Management from the Secretariat to DEQP (this had already been started with assistance from IUCN under a wetlands project it was supporting at the time). An example of a concrete output from a Committee is the one on climate change adaptation set up with a Technical Working Group (TWG) to develop and approve the National Adaptation Programme of Action to Climate Change (NAPA, 2009).

The prognosis is not so favourable for the Ramsar institutional mechanisms as they are currently constituted. As mentioned above, the NSEDP does not accord a high priority to wetlands. Therefore, we cannot expect more than a bare minimum, if any, government funding support to the Ramsar-specific committees, while ODA funds are likely to remain irregular as well in supporting national level committees.<sup>30</sup> This means that the NRC and PRCs are unlikely to have a strong role to play in the short and medium term unless, for example, the Minister of MONRE takes a strong interest in wetlands and their wise use.

In conclusion, the NRC as it is currently constituted does not have the mandate or resources to bring the different sectors together to build consensus, followed then by leading coordination and cooperation to ensure wise use of wetlands. Adjustment and reform of the Ramsar Committee structure are needed if Lao PDR will be able to fulfil its Ramsar obligations sustainably. Observations from the field, and the evidence of the That Luang Marsh among others, show that the potential for irreversible loss of wetlands still remains high.<sup>31</sup>

## **5 What Are Possible Ways Forward on the Ramsar Institutional Mechanisms?**

There are several possible ways forward for the Ramsar institutional mechanisms, and it will be up to the Government of the Lao PDR to decide what reforms, if any, should be implemented for the NRC and PRCs. Particularly at national level there are several options that might be explored. MONRE is, however, currently undergoing a reorganisation process, the outcome of which is unknown. It may result in a major restructuring that sees significant changes in the Departments and Divisions under the Ministry. This means that immediate action will not be taken on the Ramsar institutional mechanisms at national level until the restructuring is finalised. Moreover, some of the departmental or divisional designations mentioned below may not remain the same after the restructuring. It is not yet known when the deliberations on MONRE's restructuring will be finalised, but the end of April 2017 is possible.

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<sup>30</sup> CAWA, for example, is to cooperate with the Ramsar-related structures, but does not have funds and capacity to support them outright above District and Provincial level.

<sup>31</sup> According to an assessment from 2015 by CGIAR, wetlands loss in Laos amounts to some 30%, while in neighbouring Cambodia it is 45% (no time range given for these loss estimates). See <https://wle.cgiar.org/thrive/2015/02/02/wetlands-play-critical-role-economic-growth-mekong>

## 5.1 National Level: The NFPs

At the national level serious efforts are required to ensure that there are three functioning Ramsar NFPs: 1. General; 2. STRP; 3. CEPA. The general NFP should not continue with the roles of the STRP and CEPA NFPs as well, as this both overburdens the general NFP and dilutes the quality of work that can be done. These three or four NFPs should get regular support and capacity building, for example, via the newly established Indo-Burma Regional Ramsar Initiative (IBRRI)<sup>32</sup> or other support mechanisms that would allow exchange visits to countries where there are active Ramsar NFPs. The NFPs should aim to learn more about good practice examples of how to work in promoting the Convention and its wise use concept. Additionally, it will be important that the NFPs have clear TORs that spell out both their tasks and the expertise required on the Ramsar Convention's obligations. The Convention's resolution may be used as guidelines.

IUCN, as the co-CEPA NFP, should provide more inputs for the CEPA NFP on a regular basis. In all cases, the NFP TORs need to specify the dissemination in the Lao language of the key instruments of the Ramsar Convention to the Provinces concerned. Examples of this would be the Convention's Strategic Action Plan or key resolutions such as on monitoring Ramsar sites.<sup>33</sup> It cannot be expected that the English language skills among provincial officers, despite exceptions, will enable them to read key Convention documents.

The three NFPs should cooperate closely together, and be under the overall supervision of the DG of either DEQP or Department of Environment depending on how MONRE's organisational restructuring is finalised, but ultimately under the Vice-Minister or Minister of MONRE. It should be double-checked as to whether LARReC is prepared to designate a new person to be STRP NFP (previous person has retired). The CEPA NFP should be from DEQP's Division of Environmental Promotion. Generally speaking, given the mandate of DWR for all wetlands in the Lao PDR, there must also be closer cooperation with this department than there has in the past. This is related to the CP's obligation to ensure the wise use of all wetlands.<sup>34</sup>

In light of the Ramsar Convention's close cooperation with the CBD COP and Standing Committee, the Ramsar NFPs in the Lao PDR should also cooperate with NFPs of other

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<sup>32</sup> This initiative should be able to gain access to the Core Funding of the Ramsar Secretariat as long as it is in line with the Operational Guidelines of the Convention governing regional initiatives.

<sup>33</sup> The Convention text has been translated into Lao, but it would be useful to have key COP Resolutions and the Convention's Strategic Action Plan in Lao: Resolution XII.9 on CEPA Programme, the document "Roles and Responsibilities of the CEPA National Focal Points," at <http://www.ramsar.org/document/roles-and-responsibilities-of-the-cepa-national-focal-points>, Resolution XII.5 on the STRPs, Resolution XII.15 on R-METT, and Resolution VIII.5 on Partnerships and Synergies with other MEAs.

<sup>34</sup> See also the Ramsar Convention's Strategic Action Plan, 2016 – 2024 which continues to emphasise the wise use of *all* wetland areas, with the Ramsar-listed sites as the "backbone" for an ever-increasing list of sites of both national and international importance.



MEAs that the Lao PDR is party to, especially CBD<sup>35</sup> and UNFCCC. This should also assist in developing greater synergies between the conventions and their mutually supporting goals.

## 5.2 The National Ramsar Committee: Different Forms for Improved Function

With only two designated Ramsar sites in the Lao PDR, there is limited need for a very high level leading committee such as has been established under the Vice-Prime Minister. There are, however, several options that could be pursued at this time.<sup>36</sup>

Option 1: Under this option, the most passive one, no change to the existing structure is made. As explained above, however, pursuing this option is unlikely to further the objective of the Lao PDR eventually meeting its obligations under the Ramsar Convention.

Option 1a: A variation of Option 1 would be to make slight changes to the existing NRC such as reconvening it with “lower” level Chairmen and members, but leaving it with roughly the same mandate as before.

Option 2: This is a broader committee option which would be the optimal choice in terms of the Lao PDR both meeting its Ramsar Convention obligations and stopping and/or stabilising the drivers of wetlands degradation and loss in the country. In brief, this option would entail setting up a National Wetlands Management Committee and Technical Working Group under MONRE’s leadership. A National Wetlands Committee’s primary mandate should be to provide overall leadership and guidance on the wise use of all wetlands in the country, develop inter-ministerial consensus on their importance and on the main policy directions required. It should develop its own Strategic Plan of Action, taking guidance from the Ramsar Convention’s current Strategic Plan valid until 2024.

This Committee’s main concrete task would be to supervise the development of a Wetlands Master Plan by an inter-departmental TWG (rather than only DWR as at present), including representatives at least from MONRE and MAF, but also from Tourism, MPI, MEM and the LNMC. Among others, a Wetlands Master Plan should provide a list of main wetlands in the Lao PDR, should include criteria for “wetlands of national importance” nomination, should determine “water resource” reserves

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<sup>35</sup> What with recent changes in responsibilities and mandates between MONRE and MAF in the forest sector, it is not quite clear where the NFP on the CBD will be located. The former DG of MONRE’s Department of Forest Resources Management (now merged under the Department of Forestry of MAF) has moved to become the DG of the Lao National Mekong Committee (LNMC) and still retains responsibility for the time being as NFP on the CBD.

<sup>36</sup> It is worth noting that Vietnam, Cambodia and Myanmar do not have committee structures as such. Thailand is also pursuing a somewhat different approach, although it does involve a very high level committee as well. In the case of Vietnam, the wetlands sites are either under protected area (also known as “special use forest”) management boards or directly under the provincial governments which provide some funding. The national authority is Vietnam’s MONRE.

and/or conservation areas, and should give clear guidance on what the wise use of wetlands means in the Lao PDR's context. The Wetlands Committee should also oversee site selection for inclusion on the Ramsar list.

Additionally, a Wetlands Management Committee could also consider the Wetland Regulations already drafted for Xe Champhone and use them as an input in drafting Implementation Guidelines for Wetlands regulations and wise use. Such a Committee could also support Water Law Implementation Guidelines related to wetlands.

It is obvious from the general, and only partial, list of tasks and outputs of a Wetlands Management Committee that it would require a steady source of budget for its own, and its TWG's deliberations and work.

Option 3: This would see the merger of the NRC with a CBD Committee (if it exists) or with the National Environment Committee, as there is likely to be overlap in membership on these committees anyway. This option could only be pursued if either of the aforementioned committees is functional, and would also require strong advocacy for wetlands issues on a broader environment committee in order to maintain a wetlands priority.

### **Recommendations Pertaining to All Three Options:**

A general recommendation on the way forward for any of the committee options is to have a TWG under the committee rather than a Secretariat. It will be more straightforward to appoint the general NFP to arrange and perform the Secretariat functions for the Committee, while the TWG focuses on the technical issues related to wetlands management.

An additional recommendation, not a separate option, would be to include wetland considerations under River Basin Committees and as part of River Basin Management Plans as they are established. This would require cooperation between the Ramsar NFPs and the M-IWRM implemented by DWR with support from the World Bank. The M-IWRM includes the priority Xe Bang Hieng Basin with some activities in the XC Wetlands. The lead role in promoting this integration should, in fact, be a Wetlands Management Committee.<sup>37</sup>

Leading committees are not easy to maintain in Laos and do require a high level of commitment from all concerned parties in order to avoid a lapse into dysfunction. Information feedback loops that are required for committees to have meaningful deliberations are often rudimentary, and there is always a risk that a committee will collapse. In the absence of other workable consensus-building and coordination mechanisms for multi-sectoral issues, however, the leading committees are among the few options available to promote inter-ministerial cooperation.

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<sup>37</sup> The current Ramsar Strategic Action Plan, 2016 – 2024 includes the following: Target 9: The wise use of wetlands is strengthened through integrated resource management at the appropriate scale, inter alia, within a river basin or along a coastal zone.

### 5.3 Provincial Level Committee Structure

According to the Government of Laos and Lao People's Revolutionary Party directives on decentralization (based on the *sam sang* or "three builds" policy), the Province is the strategic unit for interpreting national plans and policies for provincially adjusted socio-economic and development plans. Thus, it is certainly justified to strengthen horizontal coordination mechanisms regarding wetlands management and conservation in the two provinces where CAWA works.

In the absence of a functioning Ramsar institutional mechanism, the way forward in Savannakhet and Champassak would be to look into interim measures based on the CAWA project and its steering and management structures. CAWA has already officially established provincial steering committees in both the provinces with six members each, although they have not yet met.<sup>38</sup> These committees should be supported by CAWA to meet regularly (twice per year) on both CAWA-related plans and activities, but *also* on wetlands management and wise use. The committees should invite other sectors to join their meetings besides those listed (examples would be from PAFO's Irrigation, Livestock and Fisheries, and Cropping/Extension sections).

CAWA should also assist the Provincial Ramsar "secretariats" to be TWGs that assist the Steering Committee on technical matters pertaining to the wetlands.<sup>39</sup> Therefore, CAWA should also ensure that various types of capacity building measures, as appropriate, are provided to both technical officers and leaders.

The Provincial CAWA Steering Committee should have concrete tasks related to wetlands, such as:

- Receive technical reports from CAWA-commissioned studies and have a chance to discuss them;
- Provide technical support to district teams based on locally made action plans involving people's representatives;
- Assist in semi-annual monitoring and evaluation of CAWA's management plans *and* be involved in Ramsar site monitoring using the Ramsar Management Effectiveness Tracking Tool (R-METT), a simple monitoring tool endorsed by the Ramsar Convention at COP12;
- Be involved in cross-visits to discuss wetlands wise use with the other Province's Committee with CAWA's support;
- As part of awareness creation for the PRCs and TWGs, CAWA should also arrange discussions on "drivers of wetlands degradation and loss" for senior officials;

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<sup>38</sup> The committees, including also the National Steering Committee, were established by MONRE in July 2016. The six persons listed are as follows: Vice-Governor in charge of Environment, District Governor, Deputy Head of PONRE, Head of PAFO, Head of POICT (Tourism), Deputy Head of PPI (Planning and Investment).

<sup>39</sup> According to the MONRE Instruction establishing the CAWA Steering Committees at different levels, the Steering Committees have the right to create their own Technical Groups (*nouayngan wisakan*).

- Review and finalise draft of Xe Champhone Management Regulations.<sup>40</sup>

The Xe Champhone Management Regulations Draft may also be used as the basis or as a “model” to create wetlands-wide regulations at BKN (to the extent BKN does not yet have any approved regulations).

Towards the end of CAWA’s implementation phase, it should then be considered, after some years of experiences gained and lessons learned, as to how the work of wetlands management and conservation can be best promoted in the Provinces, whether by “Ramsar Committee,” “Environment Committee,” “River Basin Committee,” no committee, Technical Working Group, etcetera.

#### 5.4 District Level Site Management

District Implementation Teams are required for site management and were already set up under the PRCs, although they have not been active without project support. Now that CAWA is starting its implementation, the District Implementation Teams should be reactivated but, unlike in the past, they should identify “Core Groups” that meet on a regular basis and are involved more directly in implementation compared to the overall District Team. Whether the District Implementation Teams are called Ramsar Site Teams or they are called CAWA Teams is not so important. The main thing is that they are supported to work *together* on wetlands management and conservation through the climate change adaptation activities that will be implemented in and around the wetlands.

The Districts are also supposed to have CAWA project “management or steering committees.” Care should be taken not to overburden the districts with too many committees or working groups on which essentially the same people are always present.<sup>41</sup> In any case, the district working groups or committees should avoid having overlapping membership, or holding multiple meetings about the same issues. In other words, the “District Core Group” should be directly involved in planning, implementation and monitoring (including being involved in using R-METT), while the overall District Team should only meet to discuss and approve work plans.

At District level, there have not been efforts so far to specifically include women on either the District Implementation Teams or the CAWA District Management Committee. In both cases the member lists include *kumban* leaders, but no local women leaders are included. Several women should be nominated to be on the Management Committee, and they should definitely be included in Core Group meetings when these meetings are about activities that concern the areas where the women live.

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<sup>40</sup> It should be noted here that one of the responsibilities of the Provincial Ramsar Committees is to approve local regulations on wetlands use (see unofficial translation at Annex 2).

<sup>41</sup> The Champhone District representatives expressed concern because a number of the nominated members on their Ramsar Implementing Team have either changed position, retired or died. In fact, such issues would not arise if the teams would be constituted by naming the positions rather than the individuals.

Concrete tasks, among others, for the Team at Xe Champhone would be:

- Agreeing on Regulations for Wetlands (especially for the Core Zones);
- Assisting and working on clear demarcation of Wetlands Zones;
- Propagating Regulations to all *kumban*/village heads and finding effective ways to enforce them;
- Planning, implementing and monitoring climate change adapted livelihoods improvement together with village women and men;
- Monitoring the “health” of the wetlands using R-METT.

Many of the tasks will require an accompanying programme of awareness raising and technical skills capacity building, as will be outlined in part in the section that follows.

## 6 Capacity Building Needs (Province and District)

Based on the tasks that have been identified in the sections above, some capacity building needs may be immediately identified.<sup>42</sup> Other capacity building needs, especially on technical topics, will require further identification during planning and implementation of the more detailed activities under CAWA. Indeed, capacity building may be broken into two main aspects: technical skills and knowledge (including management skills like planning and monitoring) and awareness creation.

Awareness is still required on the significance of wetlands and the crucial services (economic, ecological, climate change mitigation including as carbon sinks, cultural) they provide to support people’s lives and livelihoods. This is true for both government and civil society.

- For decision-makers it is suggested to take them on a short study tour whereby they can appreciate the importance of healthy wetlands and get more practical understanding of the wise use concept and how it may be applied in the Lao context.

Awareness creation is needed to help change attitudes from the existing exploitation orientation of wetlands to managing them wisely for both development and conservation purposes (for sustainability). Unfortunately, too many people still see the wetlands in “either or” terms: either to be [over-]exploited or to be strictly conserved; the Ramsar Convention, however, promotes sustainable use.

Considering that there is an urgent need for site boundary demarcation especially of the XC core zones, and also for rules enforcement, the district and province authorities will need:

- Awareness building on the importance of core zones so that they may be explained to villagers and have the villagers’ agreement (may be based on work started some four or five years ago with IUCN in XC). To the extent that

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<sup>42</sup> The reader is also directed to the Capacity Building Needs Assessment for CAWA that was done during the planning and preparation phase of the project. It is available with CAWA.

customary regulations are preventing overexploitation of wetlands and their resources, then there should be awareness creation on these as well so that are included in formalised regulations;

- Conflict resolution skills, as there will surely be conflicts if villagers feel they are “denied” access to areas they are already exploiting (encroachment into the wetlands with new paddy fields);
- Demarcation skills (using GPS equipment and the like);
- Organisation skills for enforcing the regulations (GO and villagers together).

Participatory skills on developing or refining rules and regulations for wise use of the wetlands, avoiding overexploitation of resources, and on how to do co-management of wetlands areas (given the low staff capacities of district governments wetlands co-management modalities would have more promise).

Wetlands monitoring skills are required, especially in using the Ramsar monitoring tool called R-METT (the National Report of the Lao PDR to the Ramsar Convention ensures that R-METT will be used).

Gender awareness training is an ongoing necessity and should be based on the gender mainstreaming plan that will be developed for CAWA. Extension services (agricultural and tree cropping, but also tourism, handicrafts, livestock, local prioritizing of needs, etc.) must reach both women and men as appropriate and must reflect the gender differences in rural livelihoods, including coping strategies.

There are three important general observations about capacity building:

1. Anything done in the name of capacity building or skills creation, especially for village women and men and their leaders, must be practical and hands-on using “farmer field school” type of approaches with “theory” and lectures kept to a minimum.
2. Capacity building should not be carried out as one-off exercises, but rather in a step-by-step series that allow women and men to practice what they have learned.
3. Capacity building should correspond to what women and men have identified as their priority needs (within the framework of the project, of course) rather than what the project defines as priority needs. If it is the latter, people will not practice what they learned.

## **7 A Few Lessons Learned**

In carrying out this institutional assessment and engaging in discussions with CAWA’s stakeholders at different administrative levels, a few lessons could be drawn.

- Committees must be enabled to function with appropriate mandates and budgets that are suitable for their level, and the members must have commitment on the main issues. If not, they will likely lapse into non-functioning bodies;

- Committee functioning will be better enabled when the basic PLR Framework governing the issue under consideration is fairly complete;
- The critical role that wetlands play in mitigating some of the worst effects of climate change (disasters from both flooding and drought) are too little understood, thus delaying the drafting of a national wetlands management plan (first discussed in the Lao PDR in the early 1990s);<sup>43</sup>
- Wetlands require active management and conservation with long term commitment to avoid the negative effects of the most common drivers of degradation and irreversible wetlands loss (population growth, land conversion, overharvesting, overuse of water and the like);
- Without effective monitoring, the real status of the wetlands will not be known;
- Awareness creation on the sustainable, wise use of wetlands must be done repeatedly and with all sectors of government and civil society, from the top leadership to the villagers living near the wetlands;
- The Ramsar Convention’s message that conservation and people’s use of wetlands go hand-in-hand (wise use concept) is often not well-understood and is misinterpreted to mean that Ramsar promotes conservation only.
- The message “Development without conservation will not be sustainable” needs much stronger focus;
- The message “Water is Life: Let’s Use It Wisely” also needs more focus.

## 8 Additional Observation and Recommendation on the Xe Champhone Wetland

During our short visit to Champhone District, we had the opportunity to discuss the status of the wetlands with a number of different stakeholders. Several key stakeholders (such as from DONRE and DAFO and a core zone *kumban* leader) have told us about major encroachments on the Xe Champhone Wetland through ever expanding dry season paddy fields. According to both DAFO and the *kumban* leader, these encroachments have accelerated rapidly within the last few seasons. The real cause for the increase in encroachments wasn’t known; it might well have been a case of a very few families encroaching and then others following suit when they saw that the first families were not stopped or punished in any way for the encroachment.

As a result of the encroachment, not to mention the rapid expansion of invasive species such as water hyacinth and *mimosa pigra*, the habitat of the Siamese Crocodile (a main reason to include this as a Ramsar Site) is becoming severely disturbed and/or fragmented. There are many accumulating threats that have changed and continue to change this ecosystem along with its flora and fauna, most probably for the worse. There is a risk that in future the XC Wetlands may no longer be able to provide the ecosystem services that they currently are still providing.

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<sup>43</sup> Gordon Claridge (1996) in *An Inventory of the Wetlands of the Lao PDR* mentions this point in his introduction to the first wetlands inventory ever completed in Laos.



Core Zone of Xe Champhone Ramsar Site widely encroached by dry season paddy fields (brighter green areas near the water bodies). *Photo taken on 17 March from Lao Airlines flight SVK – Pakse.*

As a CP of the Ramsar Convention the Lao PDR is *obliged* to inform the Ramsar Convention Secretariat about ecological changes (whether current or anticipated) to its listed site. Therefore, it is recommended that this be done. Furthermore, given the high level of threat to the overall status of the Xe Champhone Wetland it should be put on the “Montreux Record” of Ramsar wetlands where ecological changes have occurred to the detriment of the wetlands. Placement of a Ramsar site on the Montreux Record does not remove the wetland from the Ramsar List; it is to accord the wetland urgent attention so that higher priority is given to restorative actions.



Annex 1: Terms of Reference<sup>44</sup>

## FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

Terms of Reference for Consultant  /PSA Minimum number of years of relevant experience required: 1 year ; 5 years ; 12+years 

Job Title:	Multi-level institutional assessment to create a relevant capacity building programme for the Ramsar-related institution/committee in Lao PDR.		
Division/Department	FALAO		
Programme/Project Number:	GCP/LAO/022/LDF		
Location:	Vientiane Capital and Champasak province, Lao PDR		
Expected Start Date of Assignment:	1 March 2017	Duration:	21 days, NTE 31 March 2017
Reports to: Name:	Mr. Xavier Souan	Title:	CTA CAWA Project

**BACKGROUND, OBJECTIVES AND TASKS TO BE ACHIEVED AND QUALIFICATIONS****Background:**

The "Climate Change Adaptation in Wetlands Areas" (CAWA) project is designed to support local communities in two important wetland areas of Lao PDR in adapting to the impacts of climate change, and contribute to the sustainability of their livelihoods by supporting the restoration and sustainable management of two globally important Ramsar-designated wetlands on which they depend. Successful implementation of management plans for the wetlands and their related watersheds ultimately depends on how each organization and stakeholder fulfills their responsibilities. It is recognized in Lao PDR that improvements are needed in communication and coordination, both within and between organizations, to enhance the use of available information and human and financial resources. Therefore, the wetland management plans should include an "Institutional Plan for Implementation," to facilitate improved coordination among organizations and stakeholders and support integrated management of the wetlands and their related watersheds. The objective of institutional development can be summarized as improving inter- and intra-organization coordination, and clarifying environmental management responsibilities to improve the efficiency of environmental service provision.

Existing institutional arrangements in Lao PDR are not providing the degree of coordination and integration needed for proper environmental management of the wetlands and their related watersheds. Therefore, the CAWA project intends to strengthen bodies referred to as "Ramsar committees", as recognized forums of stakeholders that could make decisions related to wetlands management and execute them. The main strategy of the Institutional Plan is thus "strengthening of Ramsar committees."

Under the overall supervision of the FAO Representative in Lao PDR, and the direct supervision of the CTA of GCP /LAO/022/LDF, the International Consultant will review and assess the functioning of existing Ramsar committees in Lao PDR and propose ways to strengthen them with effective operational plans.

Those Ramsar "bodies" – mainly Committees – operating at different levels but not operational are :

National: Ramsar Committee – very high inter-ministerial level – set up by PM Decree

Provincial Ramsar Committees with Secretariats –in both provinces;

Ramsar Field Management Teams based at Districts.

Less formal structures at khum ban (village cluster) and village levels. In some cases, with traditional village management rules still in place.

Specifically, the short-term consultant – familiar with the governance and development situation in Lao PDR – will review and address more closely from provincial, district level and village level the following problems related to areas of the CAWA project and elaborate possible solutions as listed below:

**-Poor inter-organizational coordination:**

The National Ramsar committees should provide a mechanism for spreading the convention approach to wetland and water issues beyond the individuals and branches of government that are officially charged with its implementation. Ramsar committees will provide the forum for co-ordination between and among stakeholder organizations.

A more structured and active authority should emerge for the application of the treaty and as the focal point for communication. It is expected to consult and cooperate with as many other government ministries, agencies

<sup>44</sup> This is a scan, as received by the consultant from FAO, of the final version of the TOR. Apologies for its blurriness.

<p>and other non governmental institutions as necessary in order to ensure the best possible results in implementing the convention.</p> <p><b>Unclear responsibilities:</b> The responsibilities of the Ramsar committees will be clearly set out in the legislation and the Xe Champone and Beung Kiat Ngong wetland management plan will be implemented under the log frame of government policies, strategies law and other documents and reports of concerns.</p> <p><b>Inadequate budget:</b> The Ramsar committees will inherit the income-generating functions related to the responsibilities they takes on from existing organizations. Moreover, as a legal entity, it will be able to apply for national and international grants, etc., for specific projects and programs of work.</p> <p><b>Need for ecosystem approach:</b> The Ramsar committees at provincial and district levels should have mandates related to a specific ecosystem (following Ecosystem based Adaptation guidelines MoNRE 2013) (i.e. the specific wetland and its catchment) rather than any one government department or jurisdiction. At this point, these ecosystem-related mandates require clarification.</p> <p><b>Inadequate planning:</b> The Ramsar committees at provincial and district levels will be responsible for implementation of the Wetland Ecological Management Plan and its regular up-dating</p> <p><b>Lack of pro-active management:</b> The Ramsar committees at provincial and district level will have specific pro-active responsibilities, which will be defined and fine tuned in their officially mandated responsibilities and task descriptions.</p> <p><b>Lack of effective implementation:</b> The past lack of effective implementation has been partly due to the fact that Ramsar committees and working groups have no executive staff. A Ramsar Scientific and technical review panel committee ( for ex including NAFRI, LARREC, NUOL) couldbe established with some acknowledge expertise in wetland related subject to initiate technical collaboration and communication at national level through wide contact with scientific networks. It will have an advisory role towards real implementers.</p> <p>Under this consultancy focus will be on Beung Kiat Ngong in Champassak where more resources have been provided in the past for its management structures . An Assessment focusing on these structures will provide Lessons learned from Champassak, which could then be applied in both provinces/wetlands and for future capacity building.</p> <p>The consultant, after assessing all the above points in consultation with all stakeholders, will prepare and facilitate a workshop of 1 or 2 days duration at provincial level for both sites, with participation as inclusive as possible (national, provincial, –district and communities participation) to discuss the findings. Outline of capacity building will be presented</p> <p><b>Qualification:</b></p> <ul style="list-style-type: none"> <li>- Degree in a discipline related to social and international development.</li> <li>- At least 12 years of experience in development work, including on organisational issues</li> <li>- Good knowledge of Lao PDR</li> <li>- Strong oral and written English communication skills</li> <li>- Knowledge of Lao a strong asset.</li> </ul>	
KEY PERFORMANCE INDICATORS	
<b>Outputs:</b>	<b>Required Completion:</b>
Facilitation and reporting on final workshop to discuss findings and prepare next steps for institutional development.	20 March 2017
Comprehensive report of findings related to the challenges of Ramsar coordination and implementation listed above, and recommendations for addressing these challenges through strengthening and empowering Ramsar body	
Proposal for further learning and capacity development of Ramsar bodies at district and provincial levels.	

**Annex 2: Consultants' Schedule and Persons Met**

Date	Activity, Meetings, Persons Met
02.03	Arrival of Gebert. Meeting with Dr. Stephen Rudgard, FAO Representative and Mr. Xavier Bouan,
03.03	Initial briefing meeting on assignment with DEQP Acting DG Mr. Lonkham Atsanavong, Mr. Khonesavanh Louangraj Director of DETD/NPC of CAWA, Mr. Chanthala Onphan, Technical Staff DETD/CAWA and with CAWA CTA.
04.03	Document Study and making field trip schedule/contents/objectives
05.03	(Sunday: Day off)
06.03	Document study and discussions at CAWA. Meeting at IUCN with Ms. Phoutsakhone Ounchith, Head of Office.
07.03	Discussions at DEQP and CAWA, including with Mr. Sameer Karki (FAO HQ GEF Coordinator). Logistics preparations.
08.03	National Holiday; used for document study and follow up of logistics for trip.
09.03	Fly to Pakse. Discussions with PONRE (Mr. Sengsoulivanh), PAFO and Tourism Office (Mrs. Mala ).
10.03	Return to Vientiane. Discussions at CAWA and DEQP/DETP.
11.03	Study Lao National Plans for references to water/wetlands management.
12.03	(Sunday: Day off)
13.03	Discussions at CAWA/DETP about Ramsar Focal Points and logistics for forthcoming field trip. Meet with Mr. Khamphadith , Head of Environment Protection Fund. Afternoon: Join meeting with CAWA/DETP - DWR Mekong-IWRM Project Team, including River Basin Management Division Deputy DG, Mr. Thanongxay, plus Mr. Yongthong (Technician) and Mr. Vipaka (consultant to M-IWRM).
14.03	Field Trip Preparations. Meeting with Dr. Stephen Rudgard.
15.03	Fly to Savannakhet. Meet former Head of Water Resources Section/PONRE, Mr. Khamphanith Vongsa. Discussions with Tourism Office Head, Mr. Kongphan Thepavong. Discussions with Mr. Khamchanh Sidavong, Head of Livestock and Fisheries Section/PAFO and with Deputy of Section, Mr. Khamkhang Phandanouvong.
16.03	Drive to Champhone District. Meet District officials, especially Mrs. Keooudone, Deputy Head of DONRE. Other officers present from DAFO, Women's Union, Justice and Tourism. Afternoon: Meet with Mrs.Heuang, District Vice-Governor responsible for Culture and Tourism. Meet kumban leader of so-called Kumban 1 (Kaeng Kok). Meet Kumban leader of Kumban 5 (Taleo). Visit Done Daeng Village and see sacred turtle pond.
17.03	Meet IUCN survey team with Dr. Koi. Pay visit to Tan Soum village to see remnants of crocodile project. Return to Savannakhet town. Meet PAFO's Irrigation Section Head, Mr. Meet PONRE's Deputy Head, Mr. Noukan and Head of Water Section, Mr. Bounsone (not quite sure). Return to Vientiane; late afternoon flight.
18.03	Data analysis from field trip. Presentation preparation.
19.03	(Sunday: Day off)
20.03	Meeting with Deputy DG Lonkham, CAWA NPC Mr. Khonesavanh and with IUCN colleagues Mr. Jake Brunner (Head, Indo-Burma Group), Mr. Raphael Glemet, Mr. Le

	Phat Quoi and Ms. Angela Jöhl Cadena regarding the XC Wetland area. Preparation of Presentation.
21.03	Presentation and Discussion Meeting at DEQP Meeting Room.
22.03	Report preparation.
23.03	Report preparation. Debriefing with CAWA National Project Coordinator/Ramsar NFP.
24.03	Report preparation. Debriefing with CAWA CTA and FAO representative.
25.03	Report preparation. Gebert departure to Berlin

### **Annex 3: Unofficial Translation of TOR for Provincial Ramsar Committee and Secretariat**

Note: It is referred to as a Decision (*Khor Toklong*) and refers to the decisions at national (469/Sor Nor Nyor) and provincial level (3305/Sor Nor Nyor-Ah-Sor-Nor-Sor, in this case CSK) of 10/11/2010 and 23/11/2010 respectively.

**Article 1.** Local (*ladap thong thin*) Leading Committee on Managing Ramsar Wetland (the members; all ex officio):

1. Provincial Vice-Governor who is Head of the Provincial Environment Committee	Chairperson
2. Head of PAFO	Vice-Chairperson
3. Head of PONRE	Vice-Chairperson, and “permanent member”
4. District Governor of Pathoumphone	Vice-Chairperson
5. Deputy Head of Provincial Cabinet	Member
6. Head of Provincial Tourism Office	Member
7. Head of Land Division (was formerly separate)	Member
8. Deputy Head of Public Works Department	Member
9. Deputy Head of Education	Member

**Article 2.** Rights and duties of PRC in managing Ramsar Wetland:

1. Manage and conserve (include “maintain” – *pokpak haksa*) wetland area including water and moist land areas defined under the Ramsar Convention and surrounding areas at village, district, provincial levels;
2. Study and record data, and propose to higher level of the National Ramsar Committee any possible additional wetland areas that could be included under the Ramsar Convention;
3. Issue necessary agreements and regulations to “maintain” and conserve the Ramsar wetland;
4. Propose new members of the Ramsar Committee in the event that the current member moves/leaves his/her post;
5. Consider and propose persons to be members of the Provincial Ramsar Secretariat;
6. Provide awareness/train (*sueksa ophom*) to people to solve problems or disputes that may arise in managing, maintaining and conserving the Ramsar wetland at village, district and provincial levels;
7. Study [to find] budget sources that can be used to support/advance the work of maintaining and conserving the Ramsar wetland at village, district and provincial levels;
8. Coordinate and cooperate with the National Ramsar Committee in order to advance the work of maintaining and conserving the Ramsar Wetland at village, district and provincial levels.

**Article 3.** Distribution of Responsibilities within the PRC

The Chairman of the PRC is assigned the responsibility to consult and then divide responsibilities clearly for the committee’s work per each session and report to receive the opinion of the National Committee [I assume, it just says from “higher level.”]

**Article 4.** About Holding Meetings

The PRC shall hold meetings three times per year and additional meetings may be held as necessary as called by the Chairperson or Vice-Chairpersons; the meetings are [generally] to consider the work that has been done and to report on it to the higher levels (especially the National Committee).

**Article 5.** To increase the efficiency and effectiveness of the PRC, it shall appoint a Secretariat based in PONRE that shall be at the centre of advancing the work under the leadership of the named Committee.

**Article 6.** Duties and Responsibilities of the [Provincial] Secretariat

1. The Secretariat is a “unit” [*nouay ngan*] that assists the work of the Ramsar Convention;
2. Responsible to prepare, note and summarise the deliberations of the Ramsar Committee meetings, in order to send them to higher levels, including the National Committee;
3. Summarise and propose work plans to the PRC;
4. Coordinate with all relevant divisions and sections in order to advance the work according to plans related to the wetlands management and conservation;
5. Coordinate and cooperate with the national Ramsar secretariat on a regular basis to follow up and be informed about all aspects of the Ramsar Convention;
6. Propose to the PRC about suitable persons to work for the secretariat;
7. Carry out other tasks/work as decided on by the PRC at its meetings.

**Article 7.** Assign work tasks within the secretariat clearly for every period and report on this to higher levels.

**Article 8.** Involve all concerned agencies/sectors to know about and cooperate with the aforementioned Committee [Secretariat] to have good results of the work.

**Article 9.** This decision comes into effect from the date of its signing.

Signed  
Deputy Prime Minister  
Chairman of the National Committee  
on Wetlands Management