



Over the coming months, the people of eight villages in Laos' Sayabouri Province will become the first in the country to formally give consent on whether or not to participate in a development project carried out in their areas. Consultations with villagers living close to the Lao-Thai border around the Nam Phui National Protected Area are currently being started by the Lao-German CliPAD project – implemented by the Department of Forestry, GIZ and KfW – which seeks to combat deforestation in the country.

“People living in our project areas should know how they will benefit and be able to give or withhold consent freely, without intimidation or force”, says Thongsoune Bounphasaisol, the GIZ REDD+ National Coordinator. The project is piloting REDD+ (Reducing Emissions through Avoided Deforestation and Forest Degradation) in Laos, a new financially-based approach which rewards local populations for keeping their forests intact. But since doing this could also affect their traditional livelihood systems, it is crucial to involve local communities from the start and seek their consent beforehand.

The consultation process, also known as FPIC (Free, Prior and Informed Consent), is the first of its kind in Laos. The lessons learned from it could lead the way for other development projects in the country as well as the wider region. “No organisation in Laos has ever formally attempted to apply the FPIC approach before this”, says Richard Hackman, who is involved in implementing the human rights-based approach on behalf of the GIZ-Cl-

imate Protection through avoided Deforestation Project (CliPAD). “You could say the GIZ is a pioneering organisation.”

Although the call for participatory approaches in development projects has become stronger over the last two decades, a formal, internationally sanctioned process had long been absent. It was only in 2007 when the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) was adopted by the UN General Assembly that a framework was established for how to involve host communities in projects impacting the resources upon which they depend. Although not legally binding, Laos has supported this declaration. While FPIC is a principle that is also relevant for other types of development projects and extractive private sector industries, it is especially relevant for REDD+ projects, which depend on the preservation of forests by the local population for their success. But critics warn that if carried out in the wrong way – i.e. without safeguards such as FPIC in place – REDD+ projects could also threaten rural communities whose livelihoods depend on the forest.

“Most development projects are implemented top-down and ignore the voices of local and indigenous people. This then often leads to complaints from villagers later on, but not many organisations take this into account”, says Douangprachanh Champa-phonvilay from the Lao Biodiversity Association (LBA), the civil society organisation carrying out the FPIC process. He and his colleague Khampaseuth Cheutchingthao work as part of LBA's

***“If you talk about drivers of deforestation in REDD+, local people have to be involved – they spend all of their lives with the forest.”***

team of external facilitators who will conduct the consultations in the villages on behalf of CliPAD. “For FPIC to be meaningful it must be conducted by an independent organisation such as LBA. Since it is the Lao government together with GIZ who want to implement REDD+ activities in the area, it would not be appropriate for them to go to the villages themselves and carry out the process”, Champaphonevilay says.

In the first phase, he adds, LBA will be visiting eight villages around the Nam Phui National Protected Area in Sayaboury Province. Altogether they will make four visits to each village, beginning with a meeting with the village committee. After this the team will hold information sessions for the village population, beginning by explaining climate change and the REDD+ approach, then discussing the villagers’ rights and how to establish grievance and recourse mechanisms. Only after this process has been completed will they ask the villagers to give or withhold their consent on whether to begin cooperation with the project. During and at the end of the project planning stage consent will also be needed. “In villages with three or four different ethnic groups and large populations we won’t be able to talk to every person. On the other hand, we don’t want to only speak to representatives such as village development or political committees, but really get as many people as possible involved”, says Hackman.

The LBA team will be supported by a team of so-called internal community facilitators who are recruited from the villages and can support LBA through giving details of their community’s customs and traditions as well as natural resource use, decision making and grievance mechanisms. Making sure that there is a gender balance across the teams of facilitators as well as the villagers consulted is an important aspect of FPIC. Mr Bounthiang from the Lao Women’s Union explains: “In Laos, it is mostly women who col-



lect forest products – so they are the ones that will potentially be most affected by REDD+. Also, if women are involved in FPIC it is more likely to succeed because women are better at disseminating knowledge.”

While the LBA team’s work, with support from all sides, is off to a promising start, everyone agrees that with no precedent of FPIC in Laos, it is going to be a case of learning by doing. And even after the first villages have been consulted, there will still be a lot of work ahead of the team – namely the development of FPIC guidelines that can set an example for other projects in Laos. “The legal standing of FPIC in the country is still weak,” Hackman adds. “If FPIC is supposed to be carried out on a bigger scale in the future and receive greater support, there will be a need for legal reform in this field.” But while many things are still unclear, there is also much cause for optimism. Since CliPAD is the first REDD+ project in Laos, it has the unique chance to act as a model for others. Bounphasaisol points out: “We are very lucky in this sense. We not only have the chance to pioneer REDD+ in the country, but to also introduce FPIC as a standard for other projects to come.”

## Interview with Oupakone Alounsavath, Director of the Planning Division, Lao Department of Forestry

### **Why does the Lao government want to conduct an FPIC process?**

FPIC is important, because if you are going to work with communities, you have to discuss with them beforehand. You have to get them involved and engaged in the new developments, otherwise the project will not succeed. If the community does not understand what is happening in their village, it is hard to get them to cooperate. If you talk about drivers of deforestation in REDD+, local people have to be involved – they spend all of their lives with the forest.

### **Who should be involved in the process?**

Stakeholders are of course the government agencies, especially those responsible for community development, such as the Lao Front for National Construction or the Lao Women’s Union. Also civil society needs to be involved and the local authorities in the provinces. Who the target group is, depends on the project and the area we are



talking about. In some places we would work, for example, with village organisations, but also with other organisations on the district level.

### **How will FPIC be implemented?**

First of all, it is important that the work we do benefits the communities and that their rights are respected.

The project should develop principles and indicators to measure what has been achieved. This is something we need to think about. Of course, FPIC is a new approach for Laos and so we are learning by doing. But at the same time we shouldn’t take risks. From my experience of working with communities, I know that we have to be sure about what we are doing before we inform the villagers.

### **What are the challenges you face?**

One great challenge is the uncertainty that comes with trying out an approach for the first time. In particular, we have to think

about how we communicate FPIC and develop guidelines, procedures and outreach materials. The term “FPIC” is difficult to translate literally into Lao – it might be better to adapt the meaning, but not translate the concept word for word. Also there are aspects of REDD+ that are difficult to convey to villagers, for example the idea of carbon emissions. A regulatory framework for FPIC is still missing, although we are working on this. Also, there is always the question over how you make UNDRIP country-specific. We hope to integrate FPIC into existing regulations, if possible.

### **What do you hope to achieve with FPIC?**

FPIC is an important prerequisite for REDD+, but in a wider sense it can also contribute to achieving our goal of poverty alleviation. Apart from that, it also supports our forestry strategy. Land-use stabilisation in particular can be helped, if local people agree to protect the forests in their areas. My hope is that we can communicate the process in a way that makes sense to local people, because their lives depend on these natural resources.