

National Multi-Stakeholder Dialogue on Responsible Agricultural Investment

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Investment Project Monitoring

Khankeo Oupravanh

Team Leader – Investment Quality Promotion

Land Program GIZ Laos

Khankeo.oupravanh@giz.de



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Content

- Overview of RGIL Project
- IQP Processes
- Investment Project Monitoring IPM
Why? What? How?
- Issues
- Lessons Learned & Outlook

Lao German Land Programme

LMDP

Land Management and
Decentralized Planning

ELTeS

Enhanced Land Tenure
Security

RGIL

Promoting Responsible
Governance of
Investments in Land



MRLG

Mekong Region Land
Governance

Co-funded by the European Union and BMZ



Why RAI in RGIL?



Focus 1



The **capacities of government authorities** to administer and guide investments in land in accordance with established legislation and recognised principles such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests (VGGT) and the Principles for Responsible Agricultural Investments (RAI) are strengthened;

RGIL specific objective

*“agriculture and forestry investments in land are productive, contribute to **sustainable land management**, and **respect the rights and needs of local populations in particular vulnerable groups and women.**”*

Focus 2



The **capacities of investors** to comply with internationally recognised **principles for responsible investments in land** are strengthened;

Focus 3



The capacities of **local land users**, especially smallholders, vulnerable groups and women, to defend **their legitimate rights to land and to advocate for their needs** in land investment processes are strengthened.

Project Areas

Target Areas under RGIL in Laos

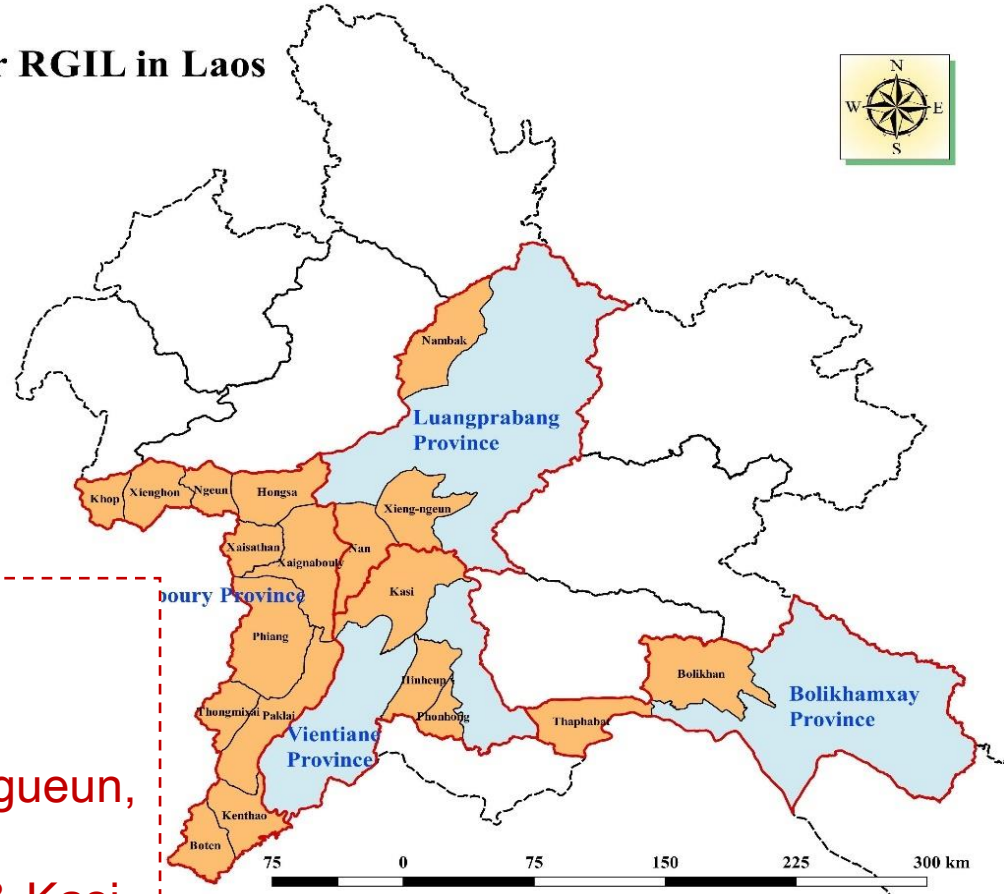


Legend

- Provinces Laos
- ▭ Target Provinces
- ▭ Target Districts

Luangprabang Province
(3 districts):
- Nambak
- Xieng-ngeun
- Nan

Sayaboury Province
(11 districts):
- Khop
- Xienghon
- Ngeun
- Hongsa
- Xaisathan
- Xaignabouly
- Phiang
- Thongxay



4 Provinces 19 districts

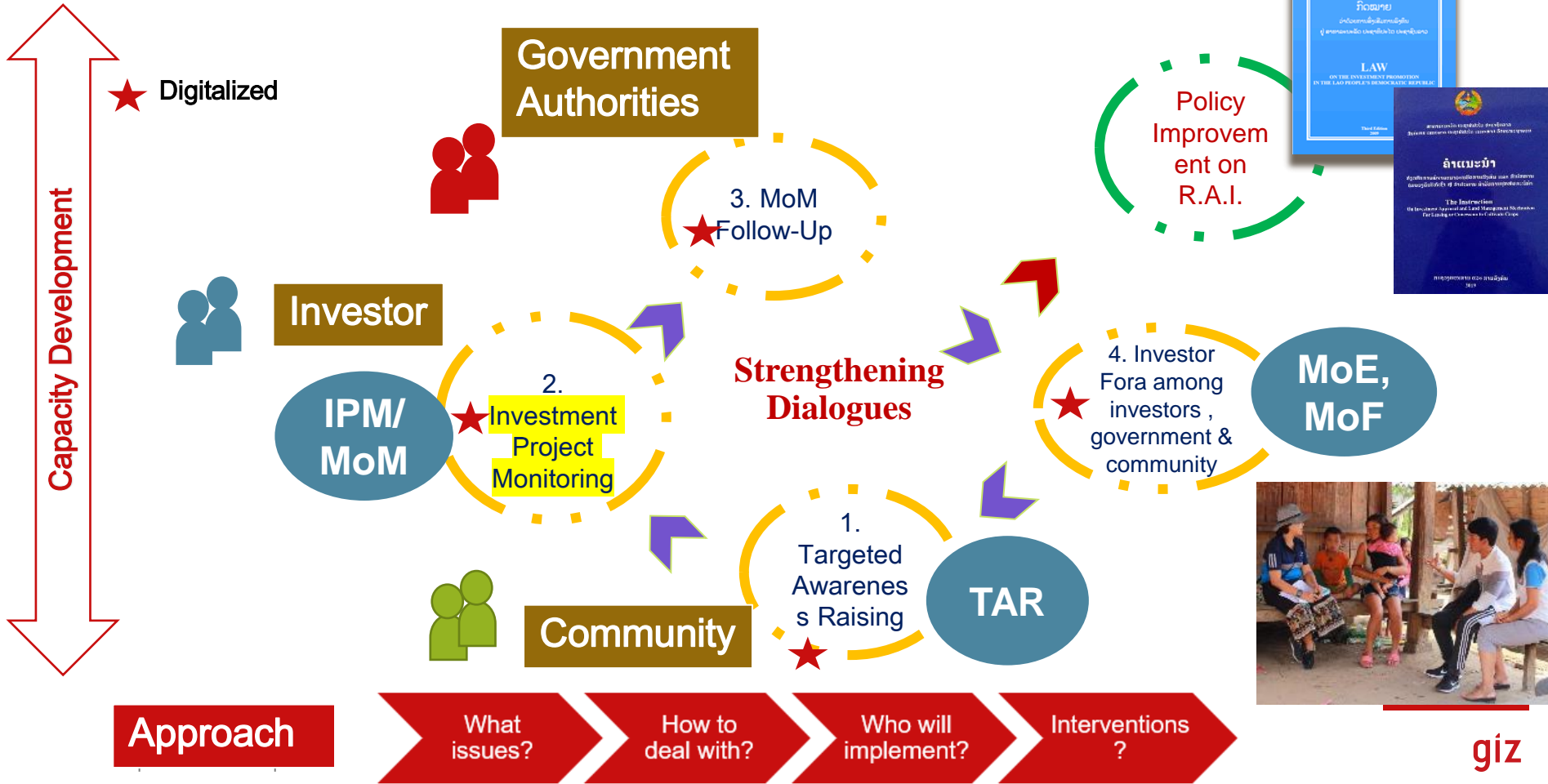
Sayaboury Province: 11 districts

Luangprabang Province: 3 districts –Xiengueun,
Nan & Nambak

Vientiane Province: Phonhong, Hinheup & Kasi

Bolikhamxay Province: Bolikhan & Thaphabat.

Investment Quality Promotion Approach - IQP



Why IPM-Investment Project Monitoring?

Why?

Law on Investment Promotion (2016) Part XI Investment Management
Chapter 2 Article 104

All activities of enterprises shall be managed, monitored and audited by **the audit authority of investment promotion** as follows:

1. Implementation of **investment agreements**;
2. Implementation of **investment procedures** as described in the feasibility studies;
3. **Environmental protection** based on the environmental impact assessment, including assets of the people, the Government and the investors;
4. Implementation of occupational **safety measures** for workers.
5. Implementation of **relevant laws and regulations**;



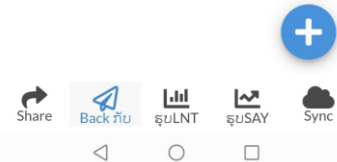
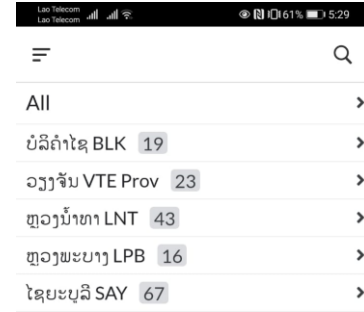
Why IPM-Investment Project Monitoring?

Why?

To **gather data & information** on the project's actual operation - what has been done well and what has not been done properly - in order to find solutions with projects **timely**;

Use the information for **activity planning**-capacity building for investors and to follow up on issues.

To promote **social and environmental responsibilities in investment projects, respect for people's rights**, and ensure benefits for all parties;



Build capacity of core team at central, provincial and district levels on legal framework and relevant instructions

How?

Int. Guide lines

A. Principles and Guidelines of the International VGGT, ASEAN RAI, Supply Chain of RAI.

Nat. Guide lines

=> Tools and implementation approaches based on Lao and international frameworks, rules, principles and guidelines

4. Laws and regulations on grievances, labor

1. Guidelines, rules, principles related to Lao investment - green strategy, 5-year socio-economic development plan

2. Instructions 0457 Lease and concession of agricultural land

3. Laws and regulations on agricultural and forestry land



RAI in IPM -Investment Project Monitoring

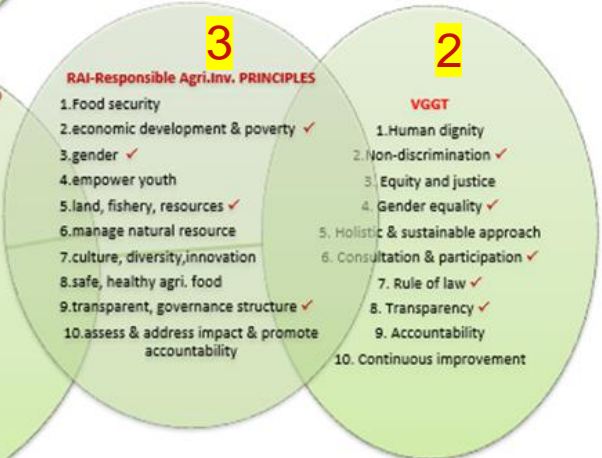
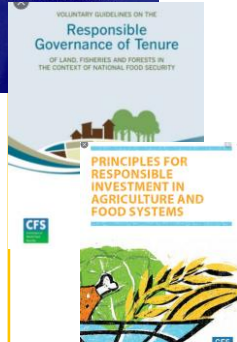
1. Investment Law, guidelines related to investment in land.

2. International VGGT

3. Principles for Responsible Agricultural Investment, **CFS RAI**

4. Investor Contracts with the government

5. Investment Monitoring Document of the Department of Investment Promotion



How?



IPM Questionnaires

6. Community Benefits

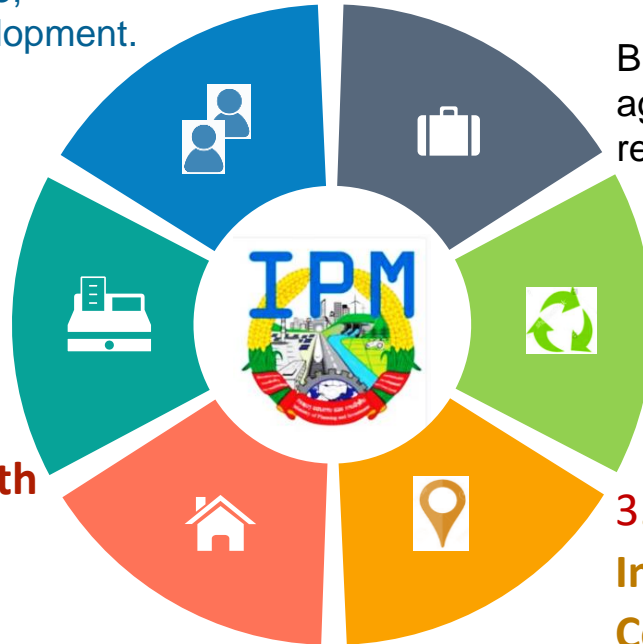
Job creation for local people, support for community development.

5. Accounting System & Reporting

Accounting and reporting system for project implementation.

4. Employment Policies, Employment Contract, Health Check and Socio-Economic Benefits

Employment contract, safety at work, policies for female employees, shelters, clean water, hygiene ...



1. Contract Compliance according to investment contract

Business permit in accordance with the agreed agreement, feasibility study, land rehabilitation fund

2. Environmental Compliance

Environmental certificate, waste management system, prevention of pollution, dust, smoke, smell, water.

3. COVERAGE AREA of Investment Project & Land Conflicts

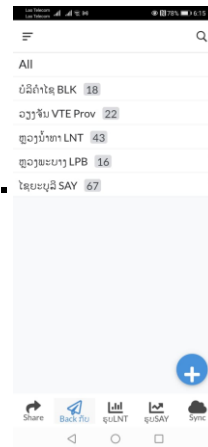
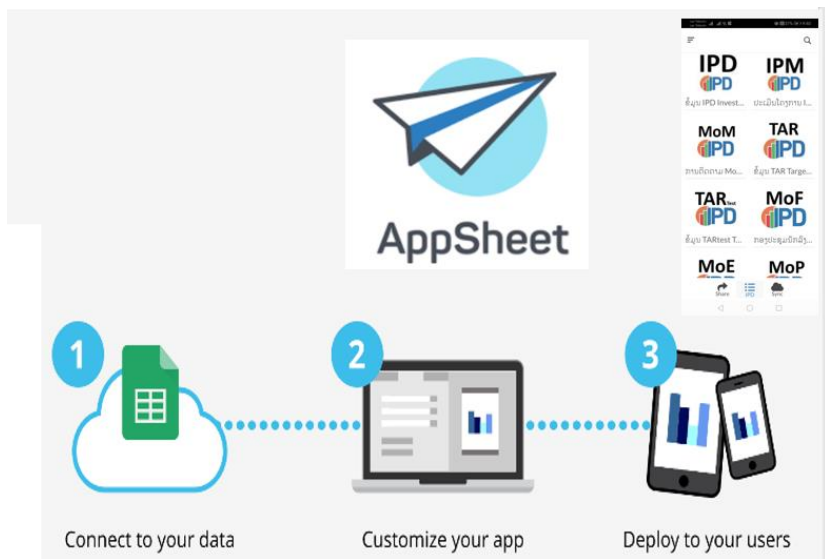
Overuse of land, disputes or land conflicts

How?



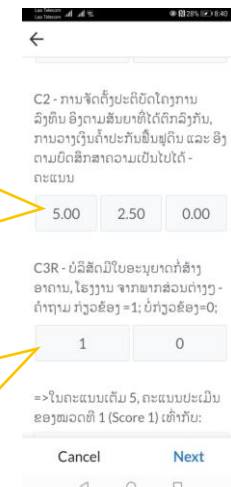
IPM Tools

- 2012: started IPM by using form-filing and data-recording through Excel.
- 2015: used **Kobotoolbox**, which is a one-time data collection feature and can not see the data on tablet once the data has been sent out.
- 2018 up to now: use **AppSheet** app to monitor investment projects.
- 166 projects are currently monitored under AppSheet



ຄະແນນ:
 5: ສໍາເລັດ;
 2.5:ເຄິ່ງກາງ;
 0:ບໍ່ໄດ້ເຮັດ

ການກ່ຽວຂ້ອງຂອງຄໍາຖາມ:
 1:ກ່ຽວ; 0:ບໍ່ກ່ຽວ



Why?

AppSheet in IPM

- **Easy to develop**, design, create, add themes or create new apps. Do not rely on programmers
- **Data officers** at the district, provincial and central levels **are able to use**, design and modify it by themselves if trained.
- **Suitable for monitoring progress** - retrieve data/information for dialogues in order to update and see progress, changes and comparisons.
- **It is a real time app**, updates can be seen to check quality of data once the data is recorded.
- It can be **integrated with other reporting tools** such as Power BI.
- With cost of \$5 per user account per month.
- Data can be stored on Google Drive and other archives, as well as synced and backed up on PC or server.



What is Investment Project Monitoring-IPM?



- Monitor the operation of investment projects by interviewing and gathering data/ information from investors, workers and communities;
- Discuss what the projects did well and issues in in compliance with the legal framework and international guidelines;
- Agree with the projects to improve responsible business operations;
- Report the results of IPM to high authorities and relevant sectors for the improvement of responsible investments;



Steps of Investment Project Monitoring - IPM

How?

2. Develop IPM schedule



1. Make appointments with investors

3. Send invitation to communities (50% female participants, 50% male participants)



4. Meet with district vice governor to get his advises



5. Conduct IPM with investors / workers & villagers



6. Conduct district wrap-up meeting



How?

IPM Implementation

1. Gather data/information by interviewing interviewees and record data by interview teams

At Company

Investor

Employee
, worker,
labor



At Community

Affected
villagers



How?

IPM Implementation



1. Interview Teams - Company & Workers

- Divide the interview team to interview company representatives and workers separately to make it **convenient for workers** to provide information.
- Interview based on forms and mobile App;
- Investors **show all relevant documents** to be recorded in the App;
- **Rate** business performance as 0 (not done), 2.5 (Medium) and 5 (Good)

How?

IPM Implementation

2. Interview Team - Villagers

- Interview villagers by using a questionnaire form; Record information to be combined later with data from the investor interview team.
- Ask villagers about their satisfaction with company's operations in each aspect by using **poster** to foster understanding and discussion by asking women to vote first through smileys of varying levels of satisfaction.



ລະດັບຄວາມເພິ່ງພໍໃຈຂອງຊາວບ້ານ
Land Users' Satisfaction



Implemented by giz



MoM - Minutes of Monitoring

1. During the interview, the team asked the company what needs to be improved? When to do it? In the Minutes of Monitoring-MoM, the team summarizes the proposals or comments from workers and communities so that the company shall have a plan to improve in the next 3 to 6 months: the content of MoM must be **clear, can be implemented and have a definite time frame**;
2. The team **reads through the MoM** for consensus between the team and the company;
3. The company **takes photo of a copy** of the MoM, even if it does not have complete signatures.
4. The district team shall send the complete document to the company within 5 days.



ສາທາລະນະລັດປະຊາທິປະໄຕປະຊາຊົນລາວ
ສັນຕິພາບ ເອກະລາດປະຊາທິປະໄຕ ເອກະພາບວັດທະນະຖາວອນ

ເມືອງ.....
ຫ້ອງການແຜນການ ແລະ ການລົງທຶນ

ເລກທີ...../ຫຜ.ກທ
ລົງວັນທີ...../...../20...

ບົດບັນທຶກ

ລະຫວ່າງ

ຫ້ອງການແຜນການ ແລະ ການລົງທຶນ ແລະ

ບໍລິສັດ.....

ຜ່ານການລົງຊຸກຍູ້ຕິດຕາມການຈັດຕັ້ງປະຕິບັດການລົງທຶນ, ຄັ້ງວັນທີ ຫ້ອງການແຜນການໄດ້ເຮັດບົດບັນທຶກໃນສິ່ງທີ່ບໍລິສັດຕ້ອງປັບປຸງ ເພື່ອໃຫ້ສອດຄ່ອງກັບລະບຽບກົດໝາຍທີ່ກ່ຽວຂ້ອງດັ່ງລຸ່ມນີ້:

ລ/ດ	ສິ່ງທີ່ບໍລິສັດຕ້ອງປັບປຸງ	ປະຕິບັດກ່ອນວັນທີ/ເດືອນ/ປີ
1		
2		
3		
4		

ດັ່ງນັ້ນ, ຫ້ອງການແຜນການ ແລະ ການລົງທຶນ ຈຶ່ງເຮັດບົດບັນທຶກສະບັບນີ້ໄວ້ເປັນຫຼັກຖານ ເພື່ອສືບຕໍ່ຕິດຕາມ-ຊຸກຍູ້ ໃນການຈັດຕັ້ງປະຕິບັດ, ຖ້າຫາກບໍລິສັດບໍ່ປະຕິບັດຕາມ, ຫ້ອງການແຜນການ ແລະ ການລົງທຶນ ຈະໄດ້ລາຍງານຂຶ້ນເທິງ ເພື່ອປະຕິບັດຕາມລະບຽບກົດໝາຍທີ່ກ່ຽວຂ້ອງຢ່າງເຂັ້ມງວດ.

ຫ້ອງການແຜນການ
ແລະ ການລົງທຶນ

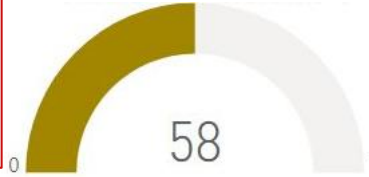
ອຳນວຍການບໍລິສັດ

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ຫົມງານປະເມີນຜົນ

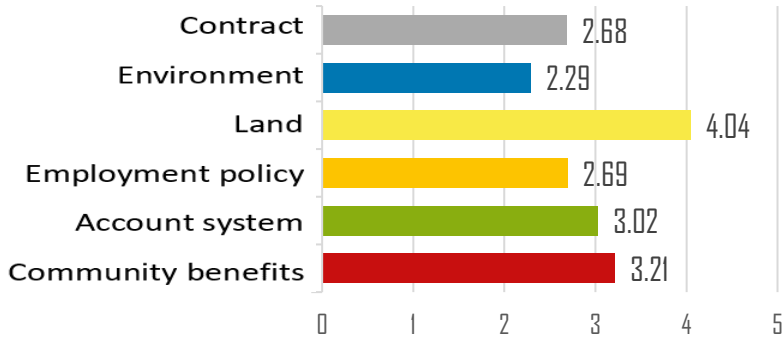
What does IPM tell us?

Number of Monitored Projects
131

Number of Projects with score > 3
58



Average Score = **2.75**



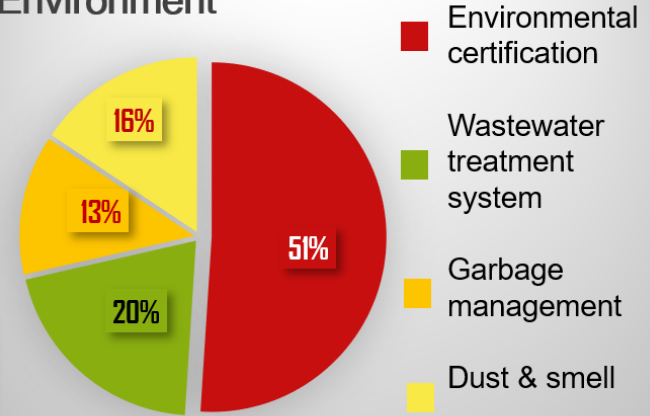
15 companies use land more than approval

75 companies do not have/renew environmental certificates

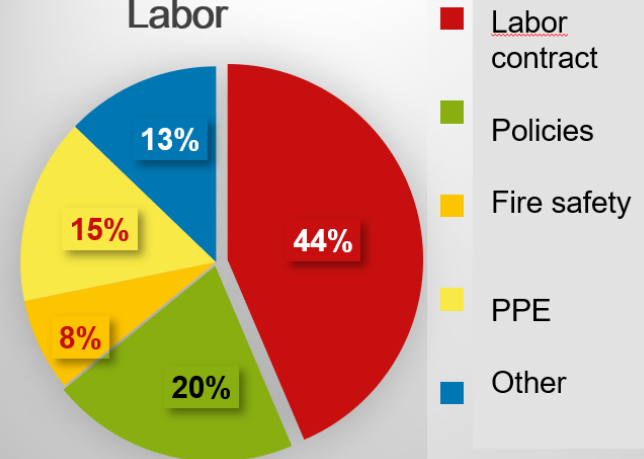
39 companies do not have a proper accounting system

Areas for Improvement

Environment



Labor



What does Investor and Community Fora tell us?

Number of Fora
44

Investor dialogue fora

52%

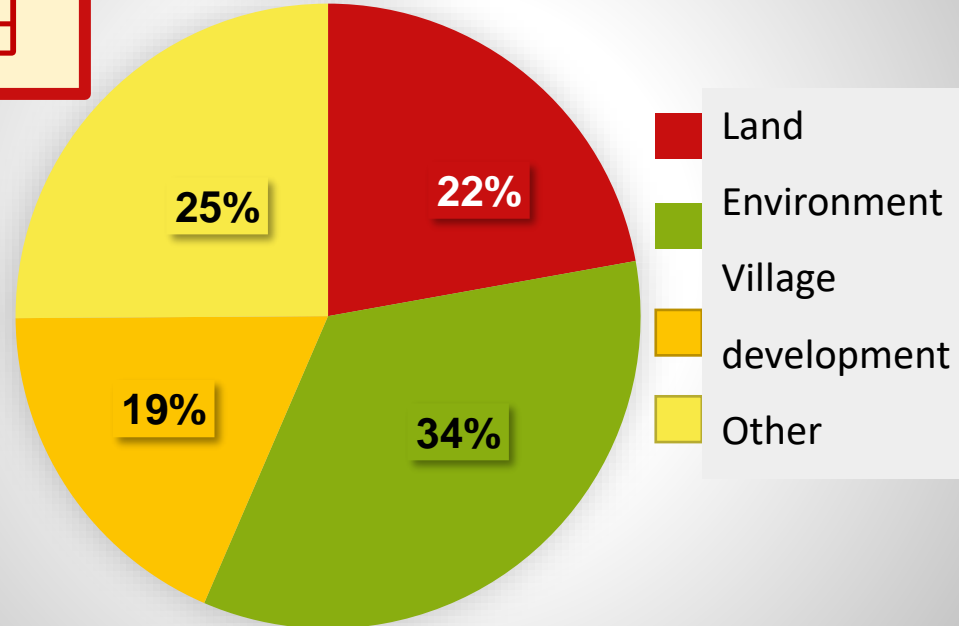
Female Villager Part.

Villagers at Investor Dialogue Fora



Number of issues
239

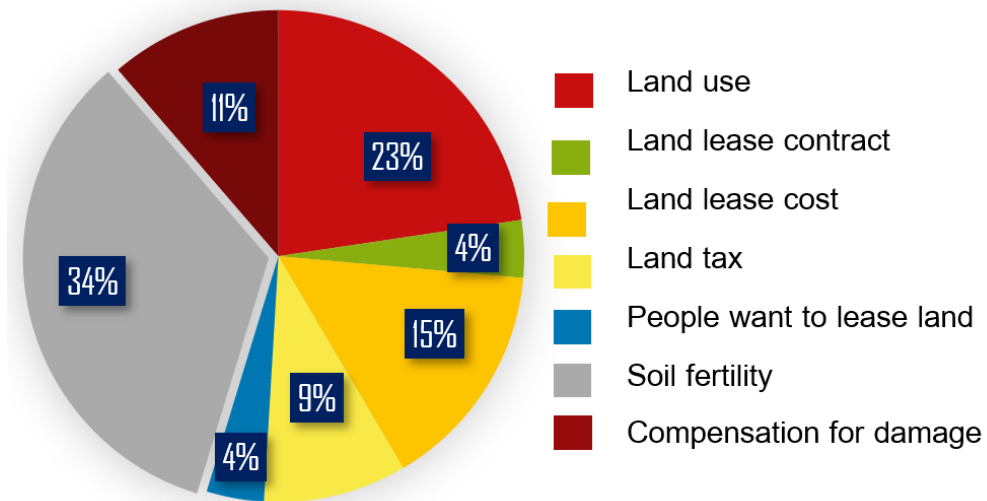
Agreed Issues for Improvement



What does Investor and Community Fora tell us?

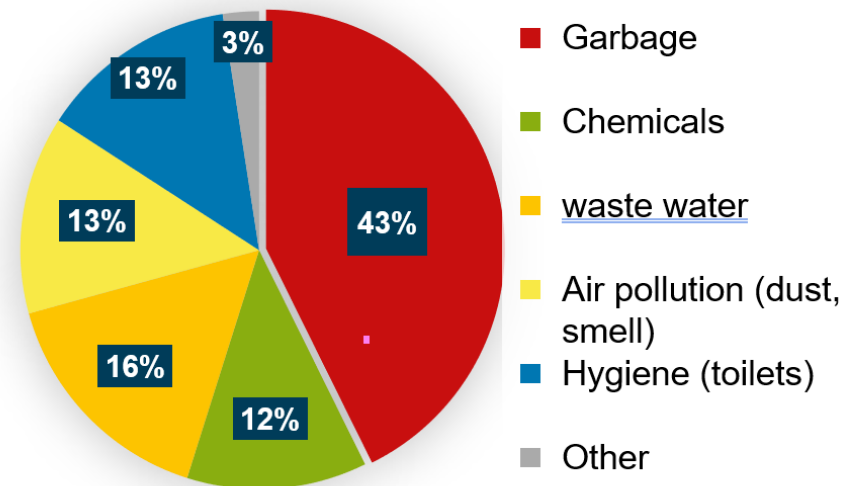
Number of Issues on Land:

53 (22%)

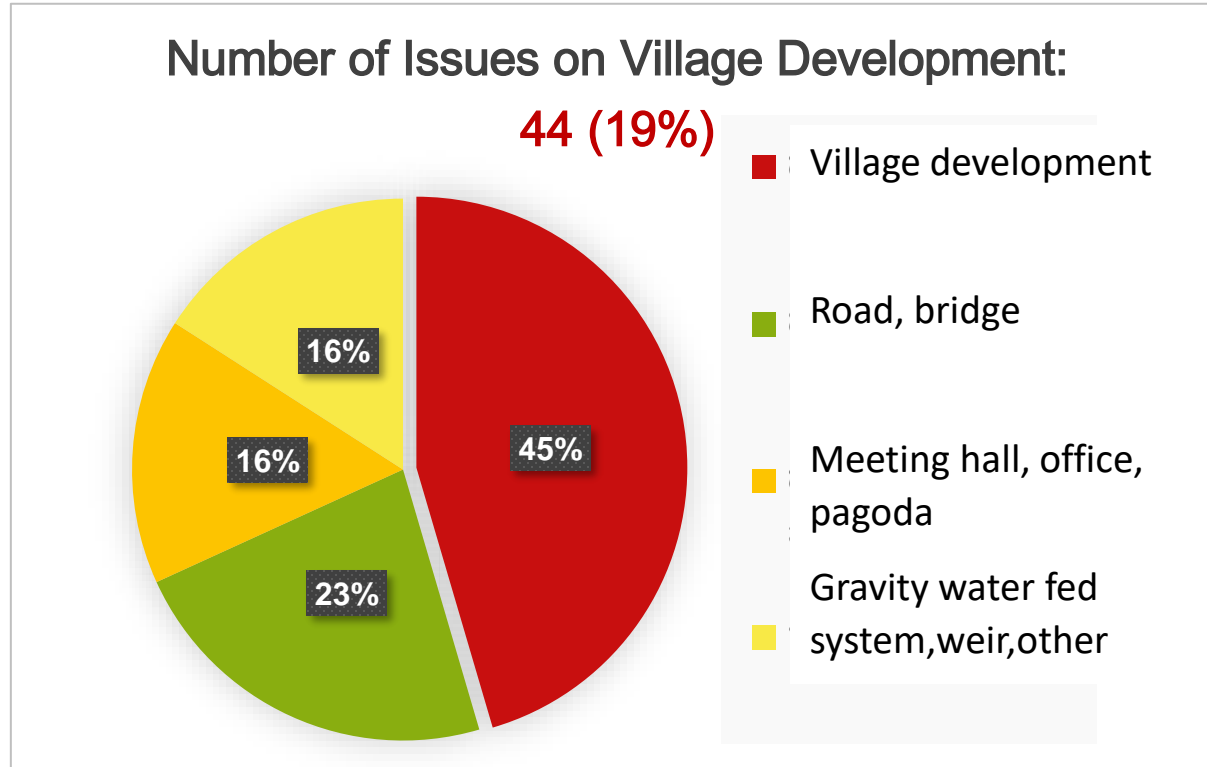


Number of Issues on Environment:

82 (34%)



What does Investor Fora tell us?



Lessons learned and Outlook

*Learning
Outlook?*

L1: District wrap-up meeting will be held **immediately** after the IPM implementation.

L2: Some key **RAI questions were added e.g.** access to food and water, suitable shelter for workers, and investors' RAI awareness.

O1: Train counterparts to become **trainers/users** at all levels as well as system administration.

O2: Train all three targets (government counterparts, investors, communities) to enhance RAI - **legal empowerment** in collaboration with the development partners and CSOs.

O3: Share IPM experiences and tools with **non-target districts, provinces, and institutions** so that they can be used. Enhance the use of IPM tools across the country.

O4: Respect **data security** of all stakeholders – recording, sharing, and using data.



Thank you!



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