

# ກອງທຶນປົກປັກຮັກສາສິ່ງແວດລ້ອມ Environment Protection Fund



ກ້ນຍາ  
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ວິໄສທັດ ຮອດປີ 2030  
ຍຸດທະສາດ ຮອດປີ 2025

**MISSION**

2025

**VISION**

2030

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## Foreword



To implement the Vision year 2030 and the 10-Year Strategy (2016-2025) on national social-economic development and on natural resources and environment sector as well as other relevant sectors in line with green growth and sustainable, the environmental protection fund has established a vision 2030 and strategy Eight-Year (2018-2025) to be its own focused plan with an aim to extend its strengths and resolve its weaknesses found during the past in operation, increase investment by broadening scope to cover priority issues raised by the government as well as strengthening the technical and management capacity of the government entities and every sector in managing the natural resources and protecting environment.

To ensure that the implementation of the EPF's Vision 2030 and 8-Year Strategy can achieve its goals, the EPF has strengthened its organization, personnel capacity, and ownership on cooperation and partnership with all relevant sectors in particular with donors and beneficiaries as well as ensuring that the EPF revenue will be increased and have a stability.

Finally, I would like to express my admiration and thanks to all participating sectors, development partners, and other donors including national and international which is involved in development and continuing supports to the implementation of the EPF's Vision 2030 and Strategy Eight-Year Plan.

Vientiane Capital, \_\_\_\_\_ 2018

Minister of Ministry of Natural Resource and environment,  
Chairman of the Board of Directors of the Environment Protection Fund.

## Table of Contents

<b>Part I. Introduction on Environment Protection Fund .....</b>	<b>4</b>
<b>1.1 EPF Organization Structure.....</b>	<b>4</b>
a. Board of Directors (BoD).....	4
b. Technical Committee (TC) .....	4
c. Environment Protection Fund Office.....	4
<b>1.2 EPF's Roles in National Socio-Economic Development Context.....</b>	<b>6</b>
<b>1.3 EPF Stakeholders and Income .....</b>	<b>7</b>
<b>1.4 The Rational on Policy and legislation for EPF.....</b>	<b>8</b>
<b>1.5 Assessment-Evaluation .....</b>	<b>10</b>
<b>1.6 Summary .....</b>	<b>11</b>
<b>Part II: EPF Vision up to 2030 and 8-year Strategy (2018-2025).....</b>	<b>12</b>
<b>2.1 EPF Vision 2030 .....</b>	<b>12</b>
2.1.1 Vision .....	12
2.1.2 Mission .....	12
2.1.3 EPF Target.....	12
2.1.4. EPF Principles .....	12
<b>2.2 EPF 8-Year Strategy (2018-2025).....</b>	<b>13</b>
2.2.1 General Direction.....	13
2.2.2 EPF goals by 2025.....	13
2.2.3 EPF strategy by 2025.....	13
2.2.4 Outcome from strategy .....	13
<b>Part III: Implementation Measures.....</b>	<b>17</b>

## Figures

FIGURE 1. EPF ORGANIZATION STRUCTURE.....	5
FIGURE 2. DIAGRAM OF EPF VISION, STRATEGY AND BUSINESS PLAN (1).....	15
FIGURE 3. DIAGRAM OF EPF VISION, STRATEGY AND BUSINESS PLAN (2).....	16

## **ABBREVIATIONS AND ACRONYMS**

ADB = Asian Development Bank

BOD = Board of Directors

CBI = Community and Biodiversity Investments

CCN = Community Conservation Network

EPF = Environment Protection Fund

EPFO = Environment Protection Fund Office

EO = Executive Office

IOC = Incremental Operation Cost

LDC = Least Developed Countries

LEnS2 = Second Lao Environment and Social Project

Lao PDR = Lao People's Democratic Republic

M & E = Monitoring and Evaluation

MONRE = Ministry of Natural Resources and Environment

NGO = Non-Governmental Organization

NREM = Natural Resources and Environmental Management

NUOL = National University of Laos

PA = Protected Area

PC = Pollution Control

PES = Payment for the Environment

PICE = Policy Implementation and Capacity Enhancement

PM = Prime Minister

REDD = Reducing Emission from Deforestation and Forest Degradation

ROI = Return on Environment

SDA = Subproject Delivery Agency

SFWs = Special Financing Windows

USD = United State Dollars

WB = World Bank

## *Part I. Introduction on Environment Protection Fund*

The Environmental Protection Fund (EPF) is a Governmental fund established on June 6, 2005 by the Prime Minister Decree No 146/PM and improved roles, rights and responsibility through the Decree No. 94/PM dated March 2017. Main role and responsibility of EPF is to mobilize fund with various forms within and outside the country to ensure sustainable in natural resources management and environmental protection. The EPF operates its own roles through an accounting system that called Financing Windows which consist: Policy Institution and Capacity Enhancement (PICE) window, Community and Biodiversity Investments (CBI) window, Pollution Control (PC) window, Sustainable Water Resource Management window, and Sustainable Land Management window.

### **1.1 EPF Organization Structure**

EPF operates based on the structure which consist:

- a. Board of Directors
- b. Technical Committee
- c. Environment Protection Fund Office

#### **a. Board of Directors (BoD)**

The EPF BOD leads and directs the operations of the EPF and is responsible for successful operations of EPF, achieve the intened purpose and to be in accordance with the EPF management principles which consists of representatives of line misnistries, mass organizations, local authorities, traded and industry council, research institutes or civil society and has the Minister of the Ministry of Natural Resources and Environment as Chairperson. The BOD consist of total member 11 persons includes a Chairperson, 3 deputy directors, and 7 committees from relevant Ministries, Lao Front for National Construction, Lao Women Union, and the Chamber of Industry and Commerce.

#### **b. Technical Committee (TC)**

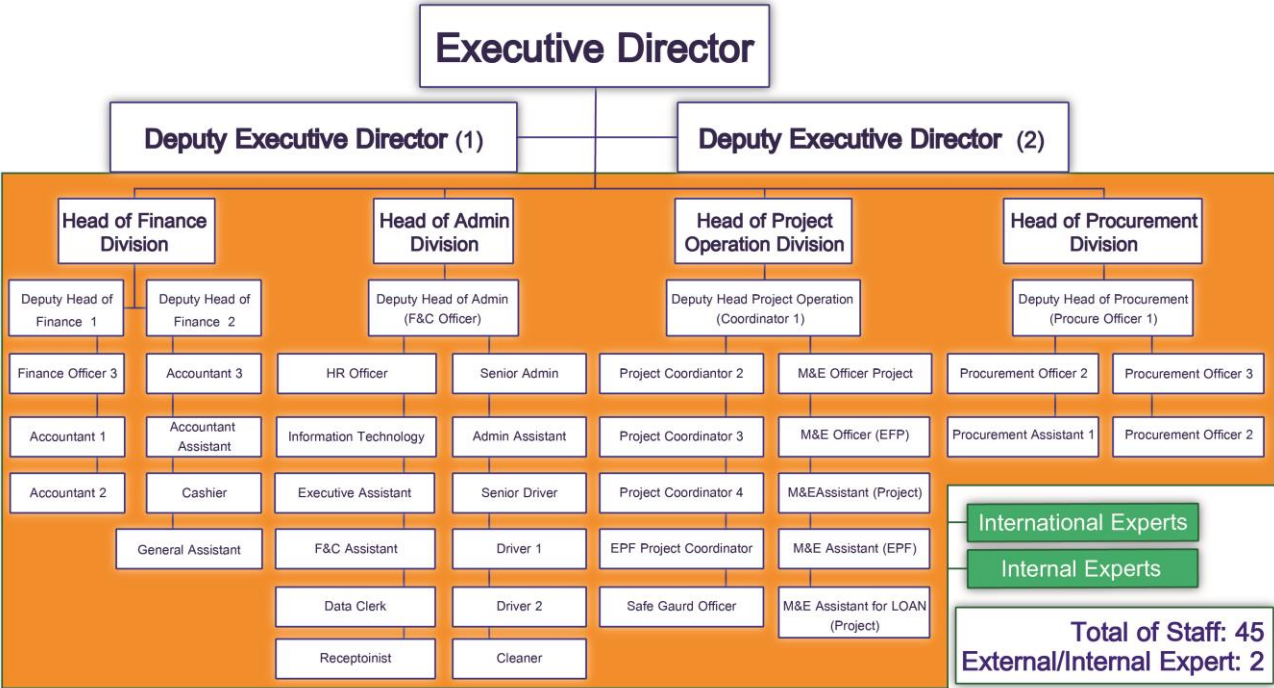
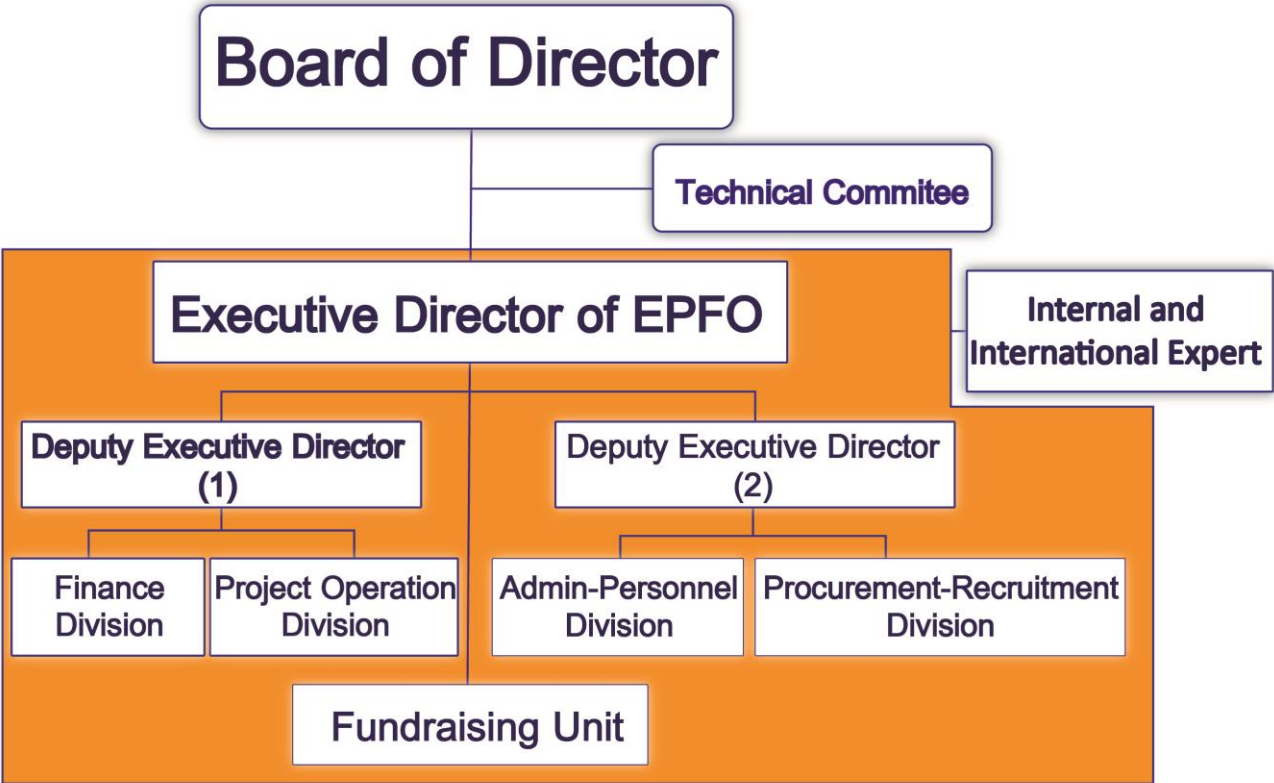
The TC is appointed by BOD, to assist in reviewing, evaluating and screening on technical of project proposal, monitoring of budget spent for each financing windows and other issues to ensure the financing goes in accordance with the national priorities on socio-economic development, natural resources management and environmental protection in line with green growth and sustainable policy. The TC comprises of representatives from relevant parties, start with the head of the deparment of planning and cooperation, the Ministry of Natural Resources and Environment as the head of the TC and the head of the deparment of planning and finance, the Ministry of Agriculture and Forestry as the deputy head of the TC.

#### **c. Environment Protection Fund Office**

The EPFO is a management and administrative office under supervision of the BOD, and mandated as secretariat of the BOD. The EPFO is consisted the Executive Director (ED), the Deputy Executive Director (DED), and technical staff which have been recruited according to procedures described in the EPF Bylaws. The EPFO is also consisted of necessary experts and specific advisors which have been selected according to procedures described in the EPF regulation and approved by EPF Board. The EPFO consists of 4 divisions and one unit. These

are Financial Management, Operation Management, Procurement, and Administration Division, and Fund raising and communication Unit. Up to now, the EPF consists of 45 staff, include 16 females.

**EPF organization structure**



**Figure 1. EPF organization structure**



## 1.2 EPF's Roles in National Socio-Economic Development Context

Lao PDR is still endowed with good environment and rich natural resources that are basis for further national socio-economic development, region, province, district especially in the form of comprehensive rural development and national poverty reduction.

Lao PDR's economy growth has been mainly from natural capital exploitation. To the issue, government is prioritizing newer paradigm of growth with onset of green growth, adoption of sustainable development goals, and commitment to the new Paris Agreement on climate change. While, the development priority of the government is to continue its national social-economic growth of the last decade towards graduation from the Least Developed Country (LDC) by 2020, reaching the upper-middle income country by 2025 and reaching the upper income country by 2030. To ensure the foundation of growth and achieve the target planned, Lao PDR has to ensure sustainable on natural resources management and environment protection together with the policy transformation that based on unsustainable natural resources sector towards the development on natural resources through potential of Lao PDR such the development of hydropower generation, natural and cultural tourism conservation, promoting medium-small scale sized businesses and agriculture production as industry.

The Lao government is identifying the challenges and introducing concrete policy interventions and implementing action plans to shift focus on the natural resource management and environment protection aspect of its economic growth. Green growth, a prominent growth paradigm in conjunction with sustainable development, is prioritizing clean, efficient, resilient to situation of climate change and inclusive growth. Environmental pollution is to be systematically monitored and managed for public health and for maintaining Lao's Clean, Green, and Beautiful motto. The country's image and branding as Clean, Green, and Beautiful country embodies the core essence of green growth, which sees investment in conservation and developing the environment as a key growth factor in positioning the country as a destination attracting responsible tourism.

To tackle these challenges of Lao development, it is necessary to strengthen the capacity of government institutions at all levels from central to local on monitoring and management on natural resources and environment in various investment projects and development activities, in particular, the concerned ministries and Ministry of Natural Resources and Environment still lack of technically qualified staff, lack of good coordination across sectors, development partners, NGOs and in the midst of decentralization process. In addition, it is essential to create favorable conditions for the affected communities and people to be accessible to all information and to be ownership in taking part in consideration and decision-making processes together with related stakeholders and to have a growing perception of the gravity of environmental pollution and the importance of the values of ecological services and biodiversity.

*The main role of the EPF is for fund mobilization, generation and financial support to ensure sustainable natural resources management and environmental protection that contributing to achievement of the national socioeconomic development plans in line with the green and sustainable directions.*

At first, EPF has roles to protect and to fulfil the financial gaps of the Lao State Budgets into strengthening on human resource in natural resources and environment sector and on

sustainable natural resources management and environmental protection and to contribute to the national socio-economic development plan in line with the green and sustainable direction. Second, the EPF has to further strengthen the responsibility in fund raising and sustainable financing mechanism to the natural resources management and environmental protection activities in accordance to the national priority on national green growth and sustainable socio-economic development. In addition, EPF has a role in coordination and synergy by mean of coordinating the subprojects at a more engaged level, by hosting coordination meetings. This is to support subprojects to ensure similar activities are coordinated, and support one another where appropriate. EPFO will continue to provide training on monitoring and evaluation (M&E) for resulted-based and forge effective coordination among related subprojects being implemented by the Subproject Delivery Agency (SDAs).

### **1.3 EPF Stakeholders and Income**

EPF began its activities from the initial fund provided by the Asian Development Bank (ADB) and the support from the World Bank (WB) to implement environmental and social projects in Laos. In addition, EPF still continue cooperated with various organization to protect environment in Lao PDR. The main sources of capital and income to the EPF may come from state budget; contributions through commitment under the concession agreement from the private investment projects, according to Electricity law, Minerals law and other relevant laws; direct grant aids from national and international organizations; contributions from person, legal entity and organization; interest and profits generated from capital investments of the EPF in the bank; environmental rehabilitation fees from investment projects and activities; payment for ecological services; and/or fines and indemnities of environmental damages.

During the past 10 years (2005-2015), EPF received and managed a USD 5.7 million endowments provided by the ADB to Lao Government and subsidized to EPF, USD 7 million grant by the WB to implement the Lao Environmental and Social project phase I (LEnS1), and funds from investment project contribution of about USD 200,000 in the first five years (2005-2010) and USD 2 millions in the second 5 Years (2011-2015). In 10 years, EPF received more than USD 11 millions which granted to 379 projects nationwide. The EPF provides financial support by means of: non-refundable grants and loans with low interest rate. Any person, commercial entities, government organizations or civil society entities are eligible to apply for EPF financial support. Eligible activities have to be consistent with the EPF Decree. EPF does not provide any forms of support to any project developers towards the financing of costs for mitigating or compensating environmental and social impacts of that project, unless where it is an eligible activity.

During the year 2016-2017, EPF has a balance of money raised by 2015 in amount of USD 3,4 million, all budget for implementation in 2016-2017 is USD 6,9 million which include LENS2 and EPF budget. In these years, EPF has monitored and advised on project management and finance for 36 LENS2 projects (24 projects for PICE window and 12 projects for CBI window and 2 funds for project preparation). While EPF fund, has invested for 36 projects with value of USD 1,7 million.

For the next 3 years (2018-2020), the EPF will be continued for project implement with financial support as a mixed of grant and loan from the WB of about USD 38.8 million and the project was approved as LENS2 started in 2014. As anticipated in next 5 years, EPF will be able to mobilize fund up to USD 11,9 million, since 2016 and until now its fund raising reached with value of USD 1,7 million.

## 1.4 The Rational on Policy and legislation for EPF

There are five main reasons to focus on its resources especially potential of natural resources to achieve on national social-economic development in line with the green growth and sustainable which was main reason for EPF implementation as follows:

1. Implementing the obligation on natural resources management as specified in article 19 of the national constitution with revised version 2015;
2. Implementing the obligation to implement the rights and duties of natural resources and environment protection as specified in article 65 of the law on the environment with revised version number 29/NA, dated 12 December 2012;
3. Contributing to the fulfillment of contractual concessions of investment on hydropower and mining projects which are essential to protect the reservoirs area, strengthen on protect forest management and improve the environment in the local communities as specified in forest, hydropower, mining, water resources and other laws;
4. Dealing the obligation in addressing emerging environmental issues, especially the impact from solid waste and pesticide contaminants from urban and agricultural areas, water pollutants and water resources, as well as improper land management as specified in environment law;
5. Adaptation and mitigation of negative impacts from climate change.

Policies, key related environmental legislation and international convention that used as fundamental reference, include:

- **Policies, strategies and plans**
1. Resolution of the 10th Party Congress;
  2. Vision up to 2030, strategy for 10 years on the socio-economic development and 8th national socio-economic development 5 year plan (2016-2020);
  3. Vision up to 2030, strategy for 10 years (2016-2025) and 5 year plan (2016-2020) of natural resource and environment sector;
  4. Master Plan on national land allocation 2018;
  5. Report on the implementation of 7th millennium goals on the environmental sustainability, MONRE (2013);
  6. Strategy on environment 2011- 2020;
  7. Strategy on agricultural development 2011- 2020 (2010);
  8. Strategy on climate change (2010);
  9. Strategy on forestry up to 2020 (2005);
  10. Draft Policy and strategy on water (2013);
  11. National strategy up to 2020 Action Plan on biodiversity up to 2010 (2004);
  12. National Action Plan on renewable energy development in Lao PDR (2011);
  13. National plan on energy and mining up to 2020;
  14. National tourism Action Plan up to 2020;
  15. National agricultural Action Plan, up to 2015

- **Key Legislations**

1. Constitution of LAO PDR, December 8, 2015.
2. Environmental Protection Law, No 29/NA, December 18, 2012;
3. Land Law, No 4/NA, October 21, 2003;
4. Forestry Law, No 6/NA, December 24, 2007;
5. Water and Water Resource Law, No 23/NA, May 11, 2017;
6. Agriculture Law, No 0198/NA, October 10, 1998;
7. Aquatic and Wildlife Law, No 7/NA, December 24, 2007;
8. Fishery Law, No 3/NA, July 9, 2009;
9. Mineral Law, No 31/NA, November 03, 2017;
10. Electricity Law, No 19/NA, May 09, 2017 ;
11. Law on Investment Promotion, No 14/NA, November 17, 2016;
12. Law on public investment, No 08/NA, November 26, 2009;
13. Presidential Decree on Renting and Land Concession Rate, No 02/Pr, November 18, 2009;
14. Decree on Renting and Land Concession, No 135/PM, May 25, 2009;
15. Decree on Compensation and Resettlement Management in Development Projects, No 84/PM, April 5, 2016;
16. Decree on Protection Forest, No 333/ PM, July 19, 2010;
17. Decree on Forestry Development and Forestry Resource, No 38/ PM, February 21, 2005;
18. Lao PDR Policy on the Environmentally and Socially Sustainable Hydropower, No 561/PC, July 7, 2005;
19. Lao PDR Policy on Health Impact Assessment, No 54/ PM, March 23, 2006;
20. Lao PDR Strategy on Renewable Energy, No 324/ GO, October 11, 2011;
21. Regulation on the National Environmental Standard, No 0832/MONRE, March 03, 2017;
22. Decree on social and environment impact assessment No 112/PM, February 16, 2010;
23. Guideline on initial impact study process to social environment and nature from investment project and activities, No 8029/MONRE, December 17, 2013; and
24. Guideline on the social environment and nature impact assessment process from investment and activities, No 8030/MONRE, December 17, 2013.

- **The obligations to International environment conventions**

1. United Nations Framework Convention on Climate Change, UNFCCC
2. United Nations Framework Convention on Biodiversity, UNF CBD
3. United Nations Convention to Combating Desertification, UNCCD
4. Vienna Convention and Montreal Protocol on Ozone
5. Convention on International Trade in Endangered Species of Wild Fauna and Flora.
6. Stockholm Convention on Persistent Organic Pollutants (POPs)
7. Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
8. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposals

9. Paris agreement on climate change
10. Mekong Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin and ASEAN Cooperation Framework for the Natural Resource and Environment Sector

## 1.5 Assessment-Evaluation

Based on EPF implementation since 2005 it can evaluate on key achievement, weakness and issue to be address, opportunity and risk as follows:

### a. Key potential

1. The EPF has legal especially the law on environmental protection and decree on EPF and other related legislations;
2. The EPF has a strong organization structure which consist of the board of directors, technical committee and EPFO;
3. The EPF has supported from government, world bank (LENS2) on technical, administration management and finance and Asian development bank through government;
4. The EPF has the rights and conditions to mobilize other sources of funds such from investment projects and development activities; and
5. The EPF has strong system on management-administration which has a project management manual as reference, also highly experienced staff.

### b. Weakness and issue to be address

1. The EPF still lacks the vision and strategy in turning the EPF to be sustainable financial mechanism for natural resources management and environmental protection;
2. Most of the staff work through contract's TOR of each other and look like not to be team work;
3. There is difficult in bringing staff into permanent system due to staff turn over condition;
4. Fund raising from contractual contributions under the concession contract of investment projects and development activities can not be achieved as planned; and
5. The public communication is not widespread and contunous manner.

### c. Opportunity

1. When EPF has an effective of management system, sustainable, transparent, the EPF will have the opportunity for seeking fund from the 8 fund sources listed in EPF decree;
2. The EPF has a good opportunity in a turning it to be partnership with the relevant state sectors, development partners, developer in both government and private sectors which is inside and outside the country to increase fund mobilization;
3. The EPF has the opportunity to develop itself as a stable financial institution, contributing to natural resource management and environment protection in line with green growth and sustainable.

### d. Risk

1. There is no specific legislation as reference in obligation contributing through concession agreement of investment project and development activities. EPF will not be able to meet the plan.
2. Stronger organizational upgrades and highly experienced staff in a turning one EPF one agenda is still slow.
3. Exploring sources of funding and linking to national, sub-regional and international networks is not good enough.

## 1.6 Summary

Since 2005 of implementation, EPF's lesson learned are as mentioned in paragraph above. To further improve, some things should do are as follow:

- a. Strengthening on organization, continuous upgrading staff with highly experienced and recognized in both internally and internationally, there is sufficient staff and ensure in quantity and quality; the role and function that are the financial mechanism of the EPF has been effectively implemented and mostly has its own accumulation capital; increase the role of appropriately contributing to natural resources management and environmental protection, including contributing to the national social-economic development plan in line with green growth and sustainable.
- b. The EPF should enhance its potential side, resolve weakness and enhance in implementation of key lessons learned in the past especially on administration management, project management, procurement and financial management that related with laws enforcement and relevant regulations of Lao PDR, partnership development with related state and private sectors in both domestically and internationally to ensure the mobilization of fund, contribution of obligations to achieve the plan.
- c. The EPF should enhance the lessons in providing fund to individual project, business unit, state agencies with a form of grant, loan with low interest rate and combined funding provided with a comprehensive system in financial monitoring and in line with the EPF's objectives; enhancing funding for natural resources management and sustainable environment protection, contributing to the national social-economic development process in line with green growth and sustainable.

## Part II: EPF Vision up to 2030 and 8-year Strategy (2018-2025)

The EPF Vision up to 2030 and 8-Year Strategy (2018-2025) has been developed based on the Resolution of the 10th Lao People Revolutionary Party Congress; Vision up to 2030 and 8-Year Strategy (2018 – 2025) on national socio-economic development, on natural resources and environment and other relevant sectors to achieve through line with the green growth and sustainable policy, as well as linking with sub-regions, regions and international network.

### 2.1 EPF Vision 2030

#### 2.1.1 Vision

By year 2030, 'EPF will become a stable financial institution, strong on organization and human resource with international standard, effective and sustainable on office, financial, project, procurement, raising and providing fund management mechanism for supporting the natural resources management and environmental protection activities and contributing to the national socio-economic development plan inline with the green growth and sustainable policy'.

#### 2.1.2 Mission

- By 2020: Completed the implementation of LENS2 successfully as setting objectives, including Board approval of "One EPF One Agenda" and EPF 5-Year Plan for 2021-2025 including preparation of new projects and/or programs;
- By 2025: Completed the implementation of the 2021-2025 Plan (new projects) successfully and the preparation of the EPF 5-Year Plan for 2026-2030;
- By 2030: Reviewed/established the EPF Vision and Strategy for 2031-2045 and the EPF 5-Year Plan for 2030-2035 including preparation of new projects and/or programs

#### 2.1.3 EPF Target

There are three specific targets of EPF to reach the vision as follows:

- *Specific target 1:* Strong organization operated by experienced and highly qualified staff to ensure it meets the EPF principles.
- *Specific target 2:* Sustainable income source and linked to national, sub-regional and international network.
- *Specific target 3:* Providing fund through windows based on the EPF principles.

#### 2.1.4. EPF Principles

To meet the above mission, the EPF will be operated as an umbrella fund with fund providing mechanism of financing windows, under the Lao PDR laws, the EPF decree, the EPF regulations and with following operational principles:

##### ➤ **Ownership**

The operation of the EPF should commit to results, knowing and understanding the details, taking responsibility, being disciplined, and focusing on improving results of the projects.

##### ➤ **Accountability**

EPF should promote accountability actions into daily schedule by providing timely feedback and measuring progress towards mission.

### ➤ **Transparency**

The operation of the EPF should be transparent and the information on its operation could be provided to the public, as needed.

### ➤ **Effectiveness**

The operation of the EPF should pursue right goals and efficient (high return on investment “ROI” and cost efficient)

## **2.2 EPF 8-Year Strategy (2018-2025)**

### **2.2.1 General Direction**

**The general direction of EPF 8-Year Strategy is to** “build institutional and human resource capacity, strengthen the sustainable financial mechanism to perform mandate of raising and providing fund for natural resources management and environmental protection activities, contribute for national social-economic development in line with green growth and sustainable together with the link to all relevant stakeholder networks”.

### **2.2.2 EPF goals by 2025**

To achieve the EPF Strategy by 2025, the EPF will achieve the following goals:

1. The EPF institution will be strengthened and locally and internationally credible with sufficient human resource in term of quantity and quality;
2. The EPF financial mechanism function will be effectively implemented and depended mostly on its own fund and
3. The EPF will contribute properly in the implementation of natural resources management and environmental protection, including contribution to the national social economic development plan inline with green growth and sustainable policy.

### **2.2.3 EPF strategy by 2025**

The EPF 8-year strategy (2018-2025) comprises of the followings:

- Strategy 1: Improve Organization and Management Capacity
- Strategy 2: Capability enhancement for EPF personnel
- Strategy 3: Improve sustainable fundraising and fund providing mechanism
- Strategy 4: Enhance collaboration and to become partnership

### **2.2.4 Outcome from strategy**

The outcome from each strategy is as follows:

**Strategy 1:** Improve Organization & Management Capacity:

- Outcome 1: clarity and suitability on organization structure and role
- Outcome 2: Administration and management capacity strengthened based on 8 functional capacity index
- Outcome 3: Bylaw and complete set of Project Implementation Manual provided
- Outcome 4: Effectively on financial management system

**Strategy 2:** Capability enhancement for EPF personnel



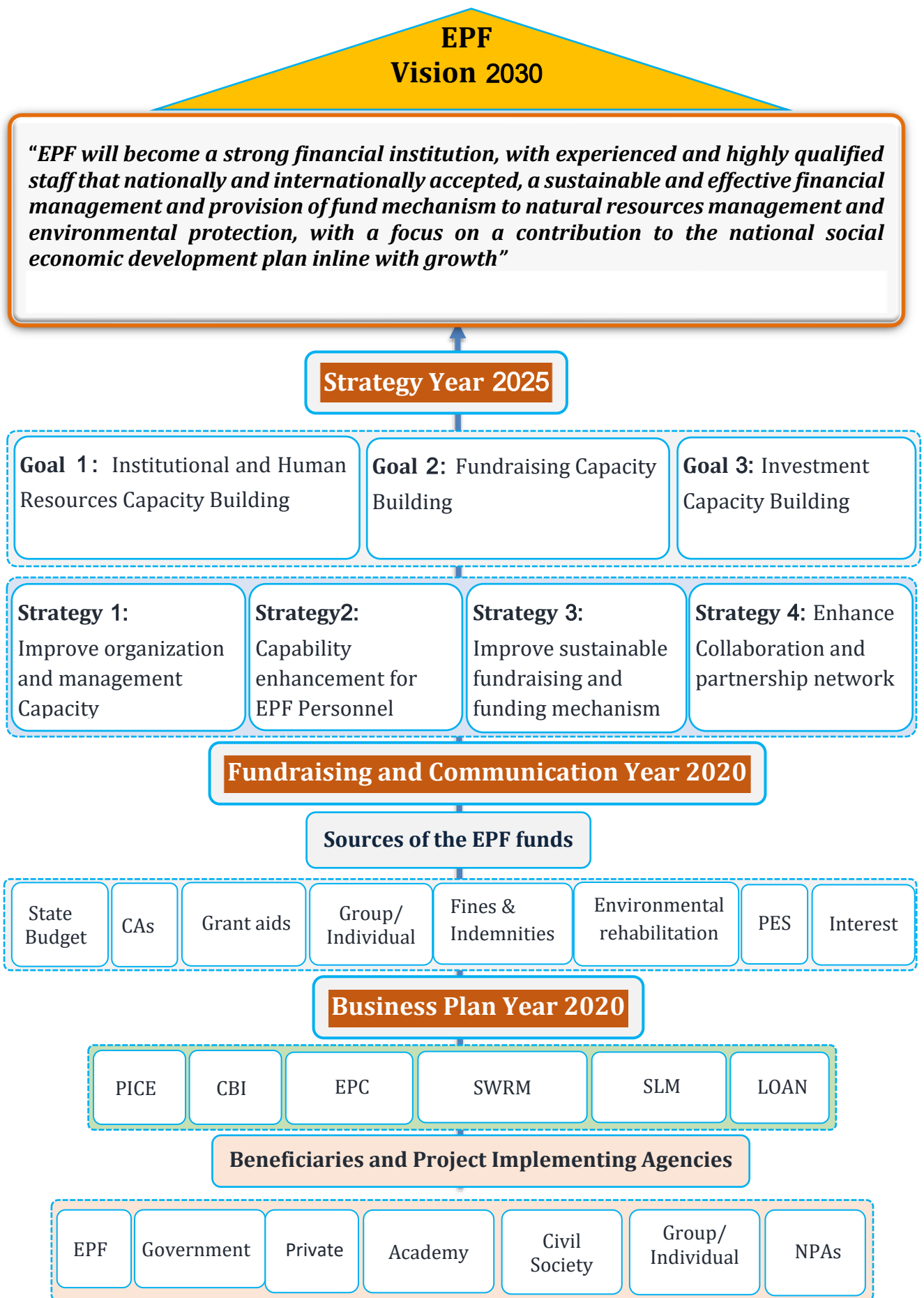
- Outcome 1: Personnel both in quantity and quality are provided
- Outcome 2: Suitable policy on personnel is provided
- Outcome 3: Human resource development plan is implemented

**Strategy 3:** Improve sustainable fundraising and fund providing mechanism

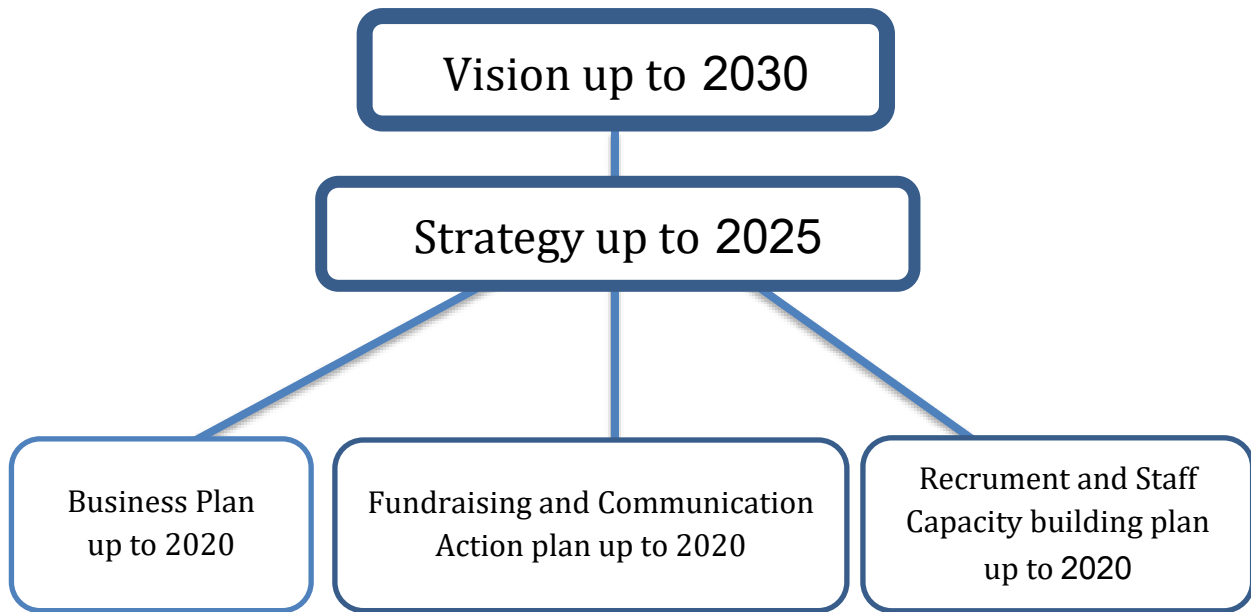
- Outcome 1: 5-Year plan on fundraising and communication are provided
- Outcome 2: 5-Year plan on fund providing based on 5 financing windows are provided
- Outcome 3: Additional funds from various sources base on Article 5 EPF Decree are provided

**Strategy 4:** Enhance collaboration and to become partnership

- Outcome 1: Collaboration network and domestic linked with relevant sectors from state and private sectors, as well as developer from central to local level are provided.
- Outcome 2: Collaboration network and linked with stakeholders in sub-region, region and international level are provided.
- Outcome 3: Media and magazine on the achievement of EPF are provided.



**Figure 2. Diagram of EPF Vision, Strategy and Business Plan (1)**



**Figure 3. Diagram of EPF vision, strategy and Business plan (2)**

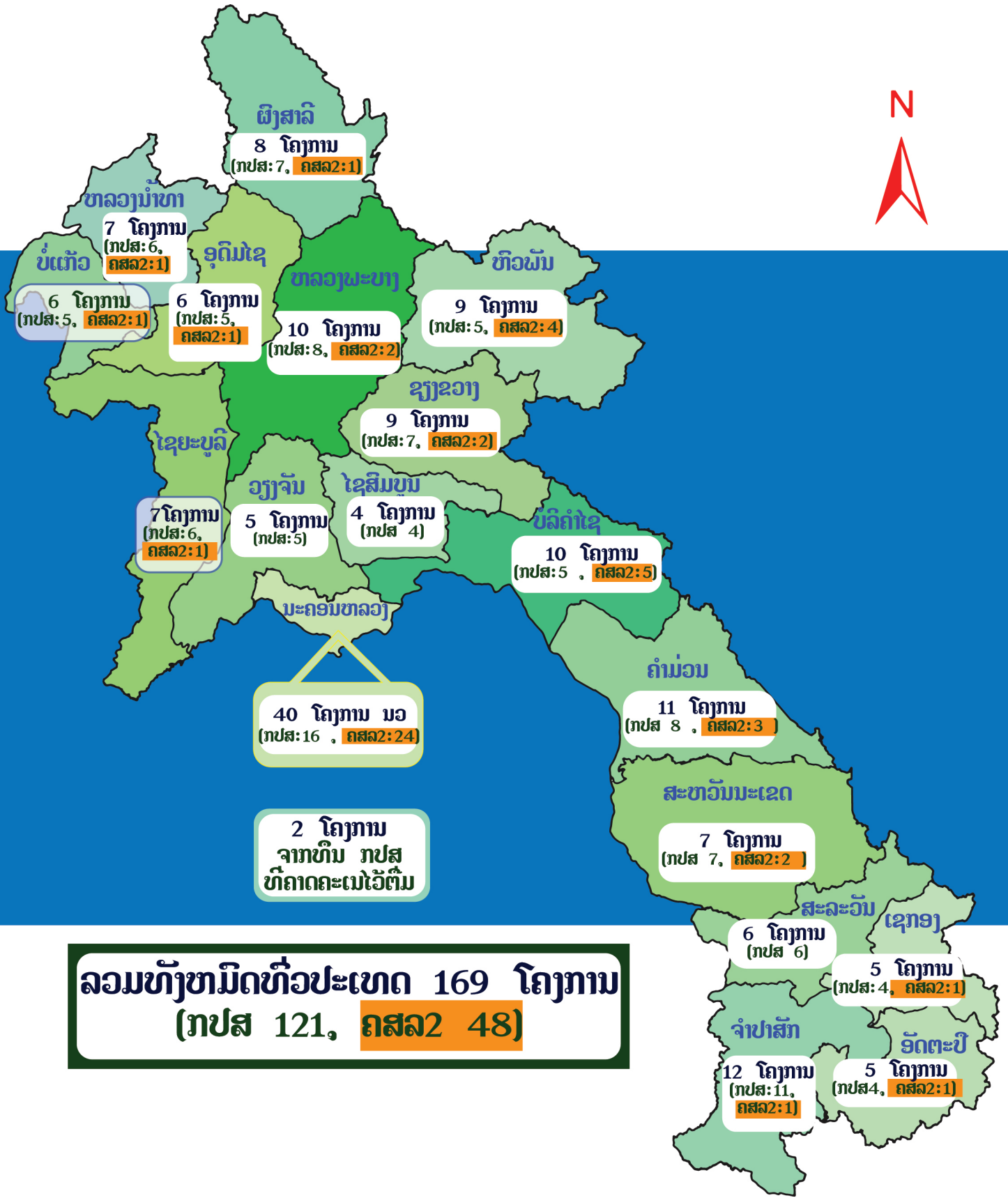
### *Part III: Implementation Measures*

To ensure the efficient and effective implementation of the Vision and the 8-Year Strategic Plan, the EPF will implement the following operational measures:

1. Giving EPFO the right to turn the Vision and Plan into detailed activities such as EPF 5-Year Plan (2021-2025), EPF 3-Year Fundraising and Communication Plan (2018-2020), EPF human resources development plan, EPF Bylaw and other project implementation manuals. Continue the improvement further for the next 5 years;
2. Enhance the outreach activities as well as raising awareness to all relevant sectors in a society to acknowledge the above documents.
3. Enhance collaboration with all relevant sectors inside the country as well as enhance collaboration with regional and global in line with the scope of work of EPF.
4. Establish the implementation mechanism, monitoring and evaluation of each implementation activities based on the above documents.
5. Improve and enhance the comprehensive organizational structure and personnel capability to ensure efficiency and effectiveness of the implementation of all the above documents.

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