

Resettlement Plan (Draft)

25 April 2014

MYA: Maubin Pyapon Road Rehabilitation Project

Prepared by the Ministry of Construction for the Asian Development Bank.

CURRENCY EQUIVALENTS

(as of 15 April 2014)

Currency unit	–	Kyat (k)
K1.00	=	\$0.001
\$1.00	=	K960.90

ABBREVIATIONS

ADB	–	Asian Development Bank
COI	–	corridor of impact
CSC	–	construction supervision consultants
ft	–	feet
GAO	–	General Administration Office
GRM	–	grievance redress mechanism
IOL	–	inventory of losses
km	–	kilometer
LUC	–	land use certificate
m	–	meter
MOECF	–	Ministry of Environmental Conservation and Forestry
MOC	–	Ministry of Construction
PMU	–	project management unit
NGO	–	nongovernment organization
PW	–	Public Works
RCC	–	resettlement coordinating committee
ROW	–	right-of-way
SES	–	socioeconomic survey
SPS	–	safeguard policy statement
TA	–	technical assistance
VECC	–	village environmental compliance committee

NOTES

- (i) The fiscal year of the Government of the Republic of the Union of Myanmar and its agencies ends on 31 March.
- (ii) In this report, "\$" refers to US dollars unless otherwise stated.

This resettlement plan is a document of the borrower. The views expressed herein do not necessarily represent those of Asian Development Bank's (ADB) Board of Directors, Management, or staff, and may be preliminary in nature. Your attention is directed to the "terms of use" section of this website.

In preparing any country program or strategy, financing any project, or by making any designation of or reference to a particular territory or geographic area in this document, the Asian Development Bank does not intend to make any judgments as to the legal or other status of any territory or area.

Ministry of Construction

Resettlement Plan

MYANMAR: MAUBIN-PYAPON ROAD REHABILITATION PROJECT

25 April 2014

Abbreviations

ADB	Asian Development Bank
AH/APs	affected household / affected person
COI	corridor of impact
CSC	construction supervision consultant
GAO	General Administrative Office
NGO	non-government organization
IOL	inventory of losses
MOC	Ministry of Construction
PMU	project management unit
PWD	Public Works Department
RCC	resettlement coordinating committee
ROW	right-of-way
RP	resettlement plan
SPS	Safeguard Policy Statement
TA	technical assistance

Definition of Terms

Affected households*	Those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Cut-off date for eligibility	It refers to the date when the results of the census and inventory of losses were presented to the affected households. Any households who built after the Project's cut-off date will not be eligible for assistance.
Grievance redress mechanism*	A mechanism to receive and facilitate the resolution of affected persons' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the impacts on vulnerable groups.
Meaningful consultation*	A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.
Vulnerable groups*	Individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status. Vulnerable groups are those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land.

Source: ADB Safeguard Policy Statement

DEFINITION OF TERMS

Affected households	– Those who are physically displaced (relocation, loss of residential land, or loss of shelter) and/or economically displaced (loss of land, assets, access to assets, income sources, or means of livelihoods) as a result of (i) involuntary acquisition of land, or (ii) involuntary restrictions on land use or on access to legally designated parks and protected areas.
Cut-off date for eligibility	– It refers to the date when the results of the census and inventory of losses were presented to the affected households. Any households who built after the Project's cut-off date will not be eligible for assistance.
Grievance redress mechanism	– A mechanism to receive and facilitate the resolution of affected persons' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the impacts on vulnerable groups.
Meaningful consultation	– A process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.
Vulnerable groups	– Individuals and groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status. Vulnerable groups are those below the poverty line, the landless, the elderly, women and children, and Indigenous Peoples, and those without legal title to land.

Source: ADB Safeguard Policy Statement.

TABLE OF CONTENTS

	Page
EXECUTIVE SUMMARY	
I. PROJECT DESCRIPTION	4
II. SCOPE OF RESETTLEMENT IMPACTS	5
A. Cut-Off Date for Eligibility and Total Number of Affected Persons	5
B. Maubin District	5
C. Kyiaklat and Pyapon Districts	6
III. SOCIOECONOMIC PROFILE	8
A. Demographic Information	8
B. Livelihood and Household Income	9
C. Health and Sanitation	10
D. Amenities in Affected Households Surveyed	10
E. VULNERABLE GROUPS	11
IV. DISCLOSURE, CONSULTATION, AND PARTICIPATION	11
A. Consultation and Participation	11
B. INFORMATION DISCLOSURE	17
V. GRIEVANCE REDRESS MECHANISM	17
VI. LEGAL FRAMEWORK	19
A. Relevant Laws and Regulations	19
B. ADB Policies	20
C. Gaps Analysis and Project Principles	20
VII. ENTITLEMENTS, RELOCATION AND LIVELIHOOD TRAINING PROGRAM	25
A. Entitlements to Affected Households in Maubin Township	25
B. Entitlements to Affected Households In Kyiaklat And Pyapon Townships	26
VIII. RESETTLEMENT BUDGET AND INSTITUTIONAL ARRANGEMENTS	27
IX. IMPLEMENTATION ARRANGEMENTS	28
X. MONITORING	29

Figure 1: Km 0+000 - Km 32+410 and Km 35+610 – Km 53+310	30
Figure 2: Cross-section Km 32+410 - Km 33+540 (Kyiaklat Township Urban Center)	30
Figure 3: Cross-section Km 33+540 - Km 35+610 (Kyiaklat Township Urban Center)	30

Table 1: Cut-Off Date and Total Number of Affected Households	5
Table 2: Affected Households in Maubin Township	6
Table 3: Primary Occupation of Affected Households Heads	9
Table 4: Combined Monthly Income of Affected Households	9
Table 5: Meaningful Consultation During Resettlement Plan Planning	12
Table 6: Highlights of Pre-IOL Meeting with Stakeholders	12
Table 7: Nongovernment Organizations and Other Groups	16
Table 8: Grievance Redress Mechanism	17
Table 9: Gap Analysis and Gap-Filling Measures	21
Table 10: Entitlements to Affected Households in Maubin Township	25
Table 11: Entitlements to affected households in Kyiaklat and Pyapon Townships	26
Table 12: Entitlements to affected households in Kyiaklat and Pyapon Townships	27
Table 13: Cost Estimates	28
Table 14: Indicative Implementation Schedule	29
Table 14: Marital Status, Age, and Physical Condition of Heads of Affected Households	35
Table 15: Ethnic and Religious Affiliations of Heads of Affected Households	35
Table 16: Educational Attainment of Head of Affected Households	36
Table 17: Persons Living with the Affected Households and Number of Working Members	36
Table 18: Most Common Ailments of Members of Affected Households in the Past Year	37
Table 19: Main Source of Drinking Water of the Affected Households	37
Table 20: Main Source of Water of the Affected Households for Washing	38
Table 21: Toilet Facilities Used by the affected households	38
Table 22: Bathing Facilities Used by the affected households	39
Table 23: Garbage Disposal Used by the affected households	39
Table 24: Main Source of Fuel/Power for Lighting	40
Table 25: Main Source of Fuel/Power for Cooking	40
Table 26: Home Appliances of affected households	41
Table 27: Ownership of Means of Transportation	41
Table 28: Awareness of affected households about the Project	42
Table 29: Suggestions on Ensuring Affected Households Are Informed and Benefit from the Project	43

ANNEXES

1	Road Cross Section and Realignment
2	List of Affected Households
3	Socioeconomic Survey Summary Tables and SES/IOL Form
4	Highlights of Meetings
5	Resettlement Information Booklet
6	Grievance Redress Mechanism

EXECUTIVE SUMMARY

1. Project Description. The Maubin Pyapon Road Rehabilitation Project will rehabilitate a key north-south 54.5 kilometer section of road to two lanes with appropriate width shoulders, suitable for all standard highway traffic. Improvements to the Maubin to Pyapon road would improve access to this densely populated, poor, and productive agricultural area. The Maubin Pyapon Road is the principal north-south artery on the eastern edge of the Ayeyarwady Delta and provides an essential transport link connection to economic, health, education, and employment opportunities. Traffic volumes in the area are currently moderate, but are likely to increase rapidly as the country's economic liberalization program extends into the hinterland. By providing landing points at the numerous locations where waterways meet the road, the agricultural hinterland of this part of the delta region could be made more accessible and improve the lives of many of the regions' poor through increased opportunities for income generation and improved rural livelihoods.

2. Minimizing Resettlement Impacts. The Maubin-Kyiaklat-Pyapon road is classified by the Ministry of Construction (MOC) as a D-IV road with a total right-of-way (ROW) of 45.7 m (150 feet [ft]). To minimize resettlement impacts, the road will follow the present alignment, with an offset of 2 meters (m)-3 m left or right where necessary to avoid interfering with an existing telecommunications cable laid within or adjacent to the road embankment. The road will generally follow the existing vertical alignment, with some increase in height to improve the clearance over seasonal flood levels. The road cross section outside township areas will typically be 2x3.3m traffic lanes (i.e., 2 lane carriageway, 3.3 m wide) with surfaced shoulders on both sides, for use by non-motorized traffic and pedestrians. The pavement will be flexible, with asphaltic concrete surfacing. The cross section within the townships will be typically of 2x3.5m traffic lanes as a rigid unreinforced concrete pavement, with unsurfaced shoulders. Construction works outside the townships areas will be confined within a construction corridor or "corridor of impact (COI)" of 21.2 m (69.5 ft.), measured 10.6 m on both sides from the existing road centerline inside the established ROW. Construction works along the urban township which is under the jurisdiction of the General Administrative Office will be within the existing carriageway.

3. Current Land Use of Government Right-of-Way. Villages traversed by the project road have always been agricultural since the road was constructed, first from Maubin to Kyiaklat in 1991, then from Kyiaklat to Pyapon in 1995. The earthen canals that border the edges of the ROW are actually borrow-pits where filling materials were extracted during the construction of the road embankment. In the early 2000s, following the enactment of the Highways Act of 2000, the Public Works (PW) installed concrete monuments demarcating the road ROW. In spite of the Highways Law of 2000, residents have been tolerated by MOC and PW to set up temporary houses and shop, including growing crops, in parts of the ROW. The MOC and PW personnel in the Maubin and Pyapon districts expressed understanding of the need of roadside shop owners to earn a living, and for farmers growing crops inside the ROW to augment their incomes. However, the MOC and PW have not been remiss in continually reminding residents with structures and farms inside the ROW that their presence is only on a temporary basis and that these residents will remove willingly their structures and cease planting crops in the ROW when required so by MOC and PW. The names of residents with structures and those that grow crops in the ROW are recorded by the Township Office of PW and are made to sign a pledge to vacate the ROW when required by MOC and ROW. In August 2013, the Ayeyarwady Divisional Office of MOC issued an order for the clearing of the ROW in all national roads in the region, including the Maubin-Kyiaklat-Pyapon road, by December 2013. Such order from the Divisional Office of MOC is part of the effort of the Ministry to routinely clear the ROW and was not issued in anticipation of the Project.

4. Cut-off Date and Scope of Resettlement Impacts. The Project's cut-off date for eligibility coincides with the date when the results of the census and inventory of losses (IOL) were presented to the affected households. Any households who built structures after the Project's cut-off date will not be eligible for assistance. Based on the census and inventory of losses carried out from 4–6 December 2013 and post-IOL consultation meetings from 17–19 December 2013 to confirm the results of the IOL in the three townships, and in March 2014 (in Maubin for the KM 0+0 to KM 1+000), there are 62 affected households. Structures owned by the Government Administrative Office and Pagoda were also included in the inventory of losses since those structures are within the COI.

5. Project Entitlements. The assistance in the project entitlements in this Resettlement Plan will apply to all 62 affected households which include corrective actions specifically for the 26 affected households in Kyiaklat and Pyapon townships who already moved out of the ROW. The project entitlements are prepared for the: (i) 26 affected households in Maubin Township who are still in the ROW, (ii) 10 affected households in Kyiaklat and Pyapon townships who are still in the ROW, and (iii) corrective actions for the 26 affected households in Kyiaklat and Pyapon townships who moved out of the ROW in January-February 2014 based on the findings of the tracer study carried out in March 2014. Provision of assistance for those who already moved as per corrective actions will be carried out by early April 2014.

6. Socio-economic condition of the affected households. The socio-economic conditions of the affected households were obtained during the socio-economic survey which was carried out in parallel with the census and IOL in December 2014. The primary source of livelihood of affected households is from the operation of stalls and eateries which cater to road users and a small number of landless households were identified. The socio-economic situation of those who already moved out of the COI were also assessed as part of the tracer study which helped in the preparation of corrective actions.

7. Consultations with Affected Households and other Stakeholders. Consultation meetings were held with the affected households and nongovernment organizations in September 2013 (pre-IOL) and December 2013 (post-IOL). The affected households were informed about the proposed project; COI; ADB's safeguard policy; proposed assistance to affected households; participation of affected households in the resettlement coordinating committee that will be set up; and possible work opportunities for affected households during construction. The affected households were also informed not to build or improve their shops as part of the cut-off date for eligibility. The affected households expressed their support towards the project and will remove their structures. However, most of the issues raised by them were: (i) if they could be allowed to rebuild their shops on the remaining ROW for them to continue earning a living from their shops; and (ii) schedule of relocation so they could prepare and handover the site on time. MOC, together with village elders and local authorities, carried out further consultations with the affected households and discussed the amount of cash assistance to cover the moving expenses of each affected households in March 2014.

8. ADB Policy and Assistance to Affected Households. As per ADB's Safeguard Policy Statement (SPS, 2009), *"involuntary resettlement should be conceived of and executed as part of a development project or program"*. The objectives of ADB's SPS are *"to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups"*. Since the ROW is owned by the Government, the affected households fall under the ADB's SPS *"(iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land."* Type of assistance to be provided to affected households under the Project will be as follows: (i) all shops will be allowed to set up a moveable/umbrella-type structures in the residual ROW while those with houses will be allowed to rebuild on land between the ROW and adjacent farmland (i.e. easement area); (ii) if required, MOC will replace damaged and un-reusable building materials with new materials at no cost to the structure owners; (iii) cash allowance to cover costs during moving in consultation with the affected households and village elders; and (iv) 3 months advance notice to allow affected households to harvest annual crops before the start of construction. Since primary source of income of affected households are mostly from stalls and eateries, construction supervision consultants will provide the necessary training on financial literacy, savings, and bookkeeping. Trees within the COI are owned by the MOC.

9. Resettlement Plan Budget. Administration costs and cash assistance to be provided to affected households will be part of MOC's counterpart fund. Based on the Project's Investment Plan, resettlement costs fall under the "environment and social mitigation plan" estimated at \$800,000. Specific to training on livelihood, costs will be under the Construction Supervision Consultant's contract.

10. Implementation Arrangements. MOC is the Executing Agency of this Project, while the PW is the implementing agency. The PW will establish a project management unit (PMU) that will be responsible for the day-to-day implementation of the project and in the preparation of technical, safeguards, and financial reports. One staff from PW will be designated as social safeguards officer for the Project. In addition, an adhoc body, the resettlement coordinating committee will be set-up in each township to carry out further planning and implementation of the resettlement plan and corrective actions, to receive and resolve any grievances at the resettlement coordinating committee (RCC) level, and to ensure the active participation of affected households throughout the resettlement process. The RCC will be composed of but not limited to: PW Township Office, government administrative office; civil works contractor, construction supervision consultants, village tracts, other stakeholders such as village elders and non-government organizations; and affected households (male and female representatives). The construction supervision consultant will provide the necessary orientation and training to the PW staff responsible for resettlement and RCC members. As part of the overall capacity development of MOC, ADB, through a separate Regional Technical Assistance (TA), Strengthening and Use of Country Safeguards Systems, will provide grant funds to support MOC in strengthening its capacity on environment and social safeguards amounting to \$240,000.¹

11. Monitoring. Monitoring will be carried out by PW and RCC. Semi-annual reports will be submitted to ADB and will be uploaded on the ADB website. The principal indicators for monitoring will include: (i) timely provision of assistance to and relocation of affected households in the residual ROW/easement area as per agreed Resettlement Plan; (ii) meaningful consultation and information dissemination; (iii) participation of affected households, especially women, and other stakeholders throughout the resettlement process; (iv) effectiveness of resettlement coordinating committee in the planning and implementation of resettlement including its timely and satisfactory resolution of any grievances related to resettlement; (v) changes in the pre- and post- socio economic condition of affected households and ability of affected households to re-establish or improve their livelihoods and living standards; and (vi) number of men and women trained on financial literacy, savings, and bookkeeping.

12. Disclosure of Resettlement Plan and Submission to ADB for Review and Concurrence. MOC has disclosed the key information of the Resettlement Plan (project policies, impacts, assistance, RCC, schedule) to the 18 affected households in Maubin during the public meeting held 25 February 2014 while specific assistance for the affected households in Kyiaklat and Pyapon townships were discussed in early March 2014. Copies of resettlement information booklets in Myanmar language will be distributed to all affected households, and disclosure of corrective actions in Kyiaklat and Pyapon will be carried out by 7 April 2014. The Resettlement Plan, agreed between MOC and ADB, will be uploaded on the ADB website by 9 May 2014.

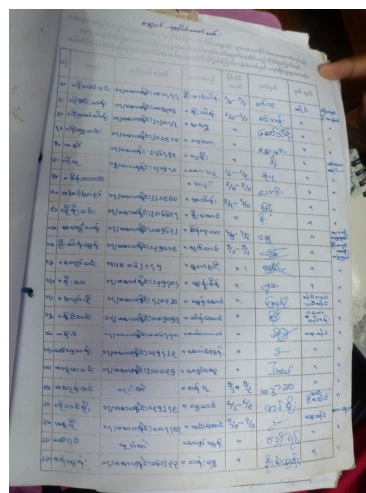
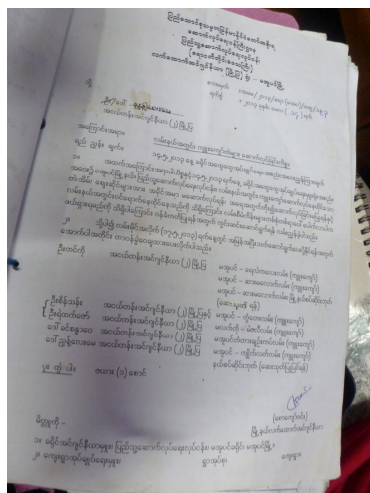
¹ ADB. 2010. *Technical Assistance for Strengthening and Use of Country Safeguards Systems into Regional Cooperation*. Manila (TA 7566-REG approved on 26 July 2010 for \$9,000,000).

I. PROJECT DESCRIPTION

1. The Maubin Pyapon Road Rehabilitation Project (Project) will rehabilitate a key north-south 54.5 kilometer (km) section of road to two lanes with appropriate width shoulders, suitable for all standard highway traffic. Improvements to the Maubin to Pyapon road would improve access to this densely populated, poor, and productive agricultural area. The Maubin Pyapon Road is the principal north-south artery on the eastern edge of the Ayeyarwady Delta and provides an essential transport link connection to economic, health, education, and employment opportunities. Traffic volumes in the area are currently moderate, but are likely to increase rapidly as the country's economic liberalization program extends into the hinterland. By providing landing points at the numerous locations where waterways meet the road, the agricultural hinterland of this part of the delta region could be made more accessible and improve the lives of many of the regions' poor through increased opportunities for income generation and improved rural livelihoods.

2. The Maubin-Kyiaklat-Pyapon road is classified by the Ministry of Construction (MOC) as a D-IV road with a total right-of-way (ROW) of 45.7 meter (m) (150 feet [ft]). To minimize resettlement impacts, the road will follow the present alignment, with an offset of 2m–3 m left or right where necessary to avoid interfering with an existing telecommunications cable laid within or adjacent to the road embankment. The road will generally follow the existing vertical alignment, with some increase in height to improve the clearance over seasonal flood levels. The road cross section outside township areas will typically be 2x3.3m traffic lanes (i.e. 2 lane carriageway, 3.3 m wide) with surfaced shoulders on both sides, for use by non-motorized traffic and pedestrians. The pavement will be flexible, with asphaltic concrete surfacing. The cross section within the townships will be typically of 2x3.5m traffic lanes as a rigid unreinforced concrete pavement, with unsurfaced shoulders. Construction works outside the townships areas will be confined within a construction corridor or "corridor of impact (COI)" of 21.2 m (69.5 ft.), measured 10.6 m on both sides from the existing road centerline inside the established ROW. Construction works along the urban township which is under the jurisdiction of the General Administrative Office (GAO) will be within the existing carriageway (See Annex 1 for the village tracts traversed by the road, road cross-section and re-alignment).

3. Villages traversed by the project road have always been agricultural since the road was constructed, first from Maubin to Kyiaklat in 1991, then from Kyiaklat to Pyapon in 1995. The earthen canals that border the edges of the ROW are actually borrow-pits where filling materials were extracted during the construction of the road embankment. In the early 2000s, following the enactment of the Highways Law of 2000, the Public Works (PW) installed concrete monuments demarcating the road ROW. In spite of the Highways Law of 2000, residents have been tolerated by MOC and PW to set up temporary houses and shop, including growing crops, in parts of the ROW. The MOC and PW personnel in the Maubin and Pyapon districts expressed understanding of the need of roadside shop owners to earn a living, and for farmers growing crops inside the ROW to augment their incomes. However, the MOC and PW have not been remiss in continually reminding residents with structures and farms inside the ROW that their presence is only on a temporary basis and that these residents will remove willingly their structures and cease planting crops in the ROW when required so by MOC and PW. The names of residents with structures and those that grow crops in the ROW are recorded by the Township Office of PW and are made to sign a pledge to vacate the ROW when required by MOC and ROW. In August 2013, the Ayeyarwady Divisional Office of MOC issued an order for the clearing of the ROW in all national roads in the region, including the Maubin-Kyiaklat-Pyapon road, by December 2013. Such order from the Divisional Office of MOC is part of the effort of the Ministry to routinely clear the ROW and was not issued in anticipation of the Project.



Sample of pledge to vacate the ROW when required by MOC in Maubin District.
The document is dated 14 May 2013.

II. SCOPE OF RESETTLEMENT IMPACTS

A. Cut-Off Date for Eligibility and Total Number of Affected Persons

4. The Project's cut-off date for eligibility coincides with the date when the results of the census and inventory of losses (IOL) were presented to the affected households. Any households who built structures after the Project's cut-off date will not be eligible for assistance. Based on the census and inventory of losses carried out from 4–6 December 2013 and post-IOL consultation meetings to confirm the results of the IOL in December 2013 in the three townships and March 2014 (in Maubin for the KM 0+0 to KM 1+000), there are 62 affected households. Structures owned by the GAO and Pagoda were also included in the inventory of losses since those structures are within the COI. The list of affected households is in Annex 2.

Table 1: Cut-Off Date and Total Number of Affected Households

Township	Cut-Off Date for Eligibility	Total No. of Affected Households	Other Affected Persons (Government/Pagoda)
Maubin	17 December 2013 4 March 2014 (KM 0+0 to KM 1+000)	26	1
Kyiaklat	18 December 2013	29	2
Pyapon	19 December 2013	7	0
		62	3

B. Maubin District

5. **Affected Households.** Based on the census and inventory of losses carried out from 4–6 December 2013 and post-IOL consultation meetings to confirm the results of the IOL in December 2013 and March 2014 in Maubin District, a total of 26 households were identified inside the COI who will be required to dismantle parts of structures (such as roof) due to partial impacts or relocate the house/shops outside the COI. All structures are made of temporary / light materials (palm leaves, cogon grass, bamboo, and wood). Shops are mostly small kiosks

(stalls) and eateries. With the exception of 3 shops which will require dismantling of roof, the 23 shops/house-with shops will be removed from COI.

Table 2: Affected Households in Maubin Township

Type of Structure	House-and-Shop	Shop (Store/Eatery)	Small shop (kiosk)	Total
No. of structures	2	14	10	26

6. **Other Affected Assets.** One government village office and about 700 trees (such as brown salwood, rain tree, and eucalyptus) will be affected by the Project. The trees are owned by MOC. There are no trees planted by households as there are no housing settlements bordering the ROW along the road. In addition, a total of 73 electric posts will be affected and will have to be relocated outside the COI. Portions of the COI and ROW are planted with crops but the cultivated portions are interspersed and not regularly cultivated.

C. Kyiaklat and Pyapon Districts

7. **Affected Households.** The census and IOL and post-IOL consultation meetings carried out in Kyiaklat and Pyapon districts on 18 December 2013 and 19 December 2013, respectively, identified 36 affected households.

8. **Other Affected Assets.** In Pyapon Township, 10 electric posts erected by the PW at the approach of the Pyapon Bridge, plus 39 electric posts of the Myanmar Electric Power Enterprise located between Km 52 and Km 53, in addition to a 6 square meter (m²) concrete bus stop waiting shed in Thai Leik Kyee Village, need to be removed from the COI. In Kyiaklat Township, public structures that need to be relocated behind the COI include an electric transformer at Km 13, a concrete pagoda archway at Km 13, a 6.5 m² concrete bus stop waiting shed at Km 19, a concrete pagoda archway at Km 31, and 2 electric posts at Km 42. There are about 3,000 trees that will be affected. These trees are owned by MOC. Portions of the COI and ROW are planted with crops but the cultivated portions are interspersed and not regularly cultivated.

9. **Relocation of Affected Households.** In January-February 2014, 26 affected households out of the total 36 affected households have dismantled their structures and moved out of the COI. As indicated in Section I above, the dismantling of structures, both houses and shops, in the 45.7 m (150 ft) ROW of the project road was part of the regular clearing operation carried out by the district offices of MOC on orders from the ministry's divisional offices. The Pyapon District Office, under which the PW offices of Kyiaklat Township and Pyapon Township fall, sought the assistance of the respective GAO of Pyapon and Kyiaklat in carrying out the clearing of the ROW of all national roads under their jurisdictions, including the project road Maubin-Kyiaklat-Pyapon. The GAO of the two townships issued letters of instruction to the Village GAOs to execute the clearing of the ROW. The deadline given to the Village GAOs to complete the clearing of the ROW was 28 February 2014. On learning about the clearing of the Kyiaklat and Pyapon sections of the project road during the ADB Loan Fact-Finding Mission in February–March 2014, MOC, and PW officials agreed to suspend further clearing of the COI in the 2 townships at the request of ADB Mission. It was further agreed that a tracer study be carried out, and corrective actions are identified and included in the Resettlement Plan.

10. The principal objective of the tracer study was to locate all affected households in the Pyapon and Kyiaklat sections of the project road and to find out their present socioeconomic situation. The tracer study was conducted from 28 February to 6 March 2014. With the aid of the masterlist of affected households identified during the census and IOL that was conducted by PW in December 2013, the tracer study team (i.e., the TA resettlement specialist, representative

of the PW, representatives of the Village GAO) talked with each of the affected households who still remain in the COI and those that have already relocated. A set of guide questions that focused on the following were used: (a) when was the structure set up, when was it dismantled; (b) was this the first time that the affected households dismantled its structure on orders by local authorities; (c) who carried out the dismantling and rebuilding of the structures; (d) how much did the affected households spend on the dismantling and rebuilding of its structures; (e) where has the affected households relocated; and, (f) what are the livelihood activities and level of daily income of the affected households before and after relocation.

11. **Tracer Study Findings.** The tracer study team was able to locate and met with 29 affected households in Kyiaklat² and 7 affected households in Pyapon. All but 6 of the 30 structures in Kyiaklat have been dismantled and removed from the COI. The dismantled structures included 11 house-shops, 2 houses, and 11 kiosks and shops. Structures that remain in the COI include 2 houses, 2 phone booths, 1 house-shop, and 1 tollbooth. In Pyapon, one affected households has complied with the order of the Village GAO to clear out of the COI and has dismantled his house-shop. The house-shops of 6 other affected households in Pyapon are still in the COI.

12. While 8 of the demolished structures were reportedly in the COI for 10 to 20 years, all of the interviewed affected households admitted having been told to remove their structures from the ROW in the past years. Some of the affected households candidly admitted having dismantled their structures and then rebuilding the same, 3 to 5 times in the past. However, the affected households did not totally dismantle their structures in the past. They would normally just remove the palm leaf roofing and replace it with a plastic cover. They would wait for a few weeks or months to let the situation “cool off” before putting back the palm leaf roofing of their structures. In January–February 2014, however, the dismantling of structures is complete.

13. Because the structures of the affected households were all made of very light materials, the affected households tore down their structures themselves, while some sought assistance from relatives and friends. Regarding the dismantled shops, while 1 or 2 affected households said that they practically did not stop selling during the demolition of their shops and the setting-up of their makeshift (umbrella-type) shop in the COI or in the residual area of the ROW, it was common to hear from the interviewed affected households that they stopped selling for a day or two. It was also common to hear from the affected households that they had to spend a few thousand kyats in the dismantling and rebuilding of their structures, including houses. With the exception of 4 affected households (2 in Ka Naung Village, and 1 in No. 1 Block Village, both in Kyiaklat; and 1 in Thaleik Kyee Village in Pyapon), all the affected households that have thus far dismantled and relocated their shops are back in business or are carrying out their usual livelihoods. The affected households in No. 1 Block Village was still going to set-up a makeshift shop in the previous location of its demolished shop. The only affected households that demolished his structure in Pyapon was not sure if it could still set-up a temporary shop in the residual area of the ROW. He subsequently learned from the ADB Loan Fact Finding Mission and from the tracer study in March 2014 that he could.

14. Three affected households, affected by the dismantling of their house-shops, were found to be landless. Two are in Kyiaklat and one in Pyapon. Both have resumed their selling business in makeshift structures while their houses have not been rebuilt and they are living in

² The master list of affected households in Kyiaklat has 30 entries. Two phone booths, located in 2 different villages, belong to one affected household.

makeshift structures. The affected household in Pyapon that dismantled his house-shop stays temporarily in the house of his brother-in-law and has not yet rebuilt his makeshift structures for selling.

15. **Corrective Actions.** Affected households in Kyiaklat and Pyapon Townships are eligible to receive assistance from the Project. Given that relocation has taken place, specific assistance, including timing of provision of assistance set out in this Resettlement Plan will be provided to all affected households as shown in Section VII. The assistance will be covered out of government counterpart funds as indicated in Section VIII.

III. SOCIOECONOMIC PROFILE

16. The IOL questionnaire also included questions on the socioeconomic information of affected households. Information from 59 households were obtained in December 2013 as some of the head of affected households were not present during the survey. This information will be used as benchmark for determining, following completion of Resettlement Plan implementation, on whether or not the objectives of resettlement have been met. See Annex 3 on summary tables, disaggregated by gender and by township; and IOL/socioeconomic survey (SES) Form.

17. It should be noted that the current socio-economic situation of the 26 affected households who have already moved out of the COI have been revisited as part of the tracer study (and as presented in Section II above) and that their socio-economic situation (post-relocation) as per tracer study will be used as benchmark for determining on whether or not assistance have been provided to them as per agreed timeframe and that the objectives of resettlement have been met.

A. Demographic Information

18. **Gender, Age, and Physical Condition of Head of Household.** Of the 59 head of households covered in the survey, 9 are headed by women (“female-headed households”). Four are married; 3, single; and 2, widows. Of the 50 households headed by males (“male-headed households”), 44 are married; 2 are single; 1 is a widower. No information was available on the marital status of 3 other male affected households heads. None of the women-headed households is of retirement age (i.e., 60 years old and above). Four of the male-headed households are 60 years old and over.

19. **Ethnicity of Head of Household.** Two male-headed households and 1 female-headed households belong to the Karen ethnic group, while the rest of the heads of households belong to the majority Bamar ethnic group. There was no information on the ethnic affiliation of 1 male-headed household. 1 Karen male-headed household and another Karen male-headed household are Christians, while the rest of the head of households are Buddhists. There was no information on the religious affiliation of 1 male-headed households.

20. **Educational Attainment of Head of Households.** Twenty-five of the household heads (5 females and 20 males) went to elementary school, while 12 household heads (all males) finished high school. Three female-headed households and 8 male-headed households attended middle school. Four households heads, all males, finished college.

21. **Household composition.** An average household size is 3.9 persons. A slight majority of 27 affected households (45.8% of the 59 affected households) reported that only one member of the affected households was working for a living. 26 other affected households (44.1%) reported that 2 members of the households, mostly husband and wife, were working for a living.

B. Livelihood and Household Income

22. **Occupation.** The primary occupation of 38 of the 59 affected households heads clearly indicate that their livelihood caters to road users; they run small businesses, such as retail shops and eateries. The female-headed households are all engaged in roadside business. Six male-headed households reported farming as their main occupation, one of whom is reportedly landless with a household monthly income of K10,000 and is affected with the entire loss of his house. Six other female-headed households are hired laborers, 2 of which are reportedly landless with a monthly income below the assumed poverty line of K33,347 (approximately \$34) and whose main structures (a house and a kiosk) are entirely affected.

Table 3: Primary Occupation of Affected Households Heads

Gender of Head	Farming	Gov't employee	Operate eatery	Operate retail shops*	Phone for hire	Trader	Rice Mill Operator	Mason	Hired labor	Welder	Retired/ None
Maubin											
Male	3	0	0	10	0	0	0	0	0	1	0
Female	0	0	0	6	0	1	0	0	0	0	0
Total	3	0	0	16	0	1	0	0	0	1	0
Kyiaklat											
Male	3	2	0	12	1	0	1	2	6	1	1
Female	0	0	0	2	0	0	0	0	0	0	0
Total	3	2	0	14	1	0	1	2	6	1	1
Pyapon											
Male	0	0	1	5	0	0	0	0	0	0	1
Female	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	1	5	0	0	0	0	0	0	1
GRAND TOTAL	6	2	1	35	1	1	1	2	6	2	2

* Retailed items include foodstuff and household items (groceries), motor vehicle fuel (mostly for motorbikes), cold drinks and snacks, betel nuts and leaves, etc.

23. **Income.** Eighteen (32.1%) of the 56 affected households that provided information on income reported an aggregate household monthly income of K33,347–K66,694, a notch above the poverty line of K33,347. Fourteen (25.0%) other affected households reported a monthly household income of K66,695–K100,000, while 10 affected households (17.9%) reported a monthly income of K100,001–K150,000

Table 4: Combined Monthly Income of Affected Households

Gender of Head	No Data/ Not Applicable	< 33,347	33,347 – 66,694	66,695– 100,000	100,001– 150,000	150,001– 200,000	200,001– 300,000	300,001– 400,000	400,001 and above
Maubin									
Male	2	0	4	3	4	0	1	0	0
Female	0	0	3	1	2	0	1	0	0
Total	2	0	7	4	6	0	2	0	0
Kyiaklat									
Male	1	3	9	10	0	4	1	0	1
Female	0	0	2	0	0	0	0	0	0

Gender of Head	No Data/ Not Applicable	< 33,347	33,347 – 66,694	66,695– 100,000	100,001– 150,000	150,001– 200,000	200,001– 300,000	300,001– 400,000	400,001 and above
Total	1	3	11	10	0	4	1	0	1
Pyapon									
Male	0	0	0	0	4	0	2	0	1
Female	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	4	0	2	0	1
GRAND TOTAL	3	3	18	14	10	4	5	0	2

C. Health and Sanitation

24. Majority (40 affected households) of the 56 affected households that responded to the question on health reported that none of the members of their households fell ill the past year. Common ailments cited by the rest of the affected households were fever, gastritis, cold, and bronchitis. Private and government medical clinics are available in the township centers. Health centers, operated by midwives, are common in the villages.

25. Of the 55 affected households that responded to the question on source of water used by the household, 36 affected households draw water for drinking from the river. 7 other affected households get water for drinking both from what they gather from the rain and from communal ponds. 3 affected households get water for drinking mainly from communal ponds, while 5 affected households get drinking water from communal wells. It should be pointed out that water for drinking in the project area is commonly drawn from the river and communal ponds, including in the township centers.

26. Of the 54 affected households that answered the query on water used for washing, 42 affected households (77.8%) get water from the river for washing. 7 other affected households use rainwater and water from communal ponds for washing.

27. Forty-two affected households (85.7%) of the 49 that responded to the question reported to use closed pit (i.e., concrete squat type that is not water sealed) toilets, while 5 other affected households reported to use open pit toilets.

28. Forty-two affected households (82.4%) of the 51 affected households that responded to the question on bathing facility reported to bathe in the river, while 7 other affected households reported to bathe either in irrigation canals or the river.

29. Fifty (96.2%) of the 52 that responded to the question on garbage disposal practice reportedly burn their refuse.

D. Amenities in Affected Households Surveyed

30. Majority (31 affected households or 60.8%) of the 51 affected households that answered the question on source of energy for lighting use rechargeable batteries. A number of these rechargeable batteries are connected to a solar panel that the affected households bought from a private company. 9 affected households use kerosene, while 7 affected households use electric generator, for lighting.

31. Of the 50 affected households that answered the question on fuel for cooking, 47 (94.0%) use firewood, while 1 uses both firewood and liquefied petroleum gas (LPG). 1 affected households uses only LPG for cooking.

32. Of the 49 affected households that answered the question on appliances owned by the household, 24 (49.0%) claimed to have none. Television set is the most common appliance (19 affected households) among those that reported to own an appliance. 11 affected households own a radio set, while 10 affected households own a telephone.

33. Of the 51 affected households that responded to the question on ownership of means of transportation, 22 (43.1%) do not own any, while 16 affected households (31.4%) claim to own a motorbike. 8 affected households own a bicycle, while 2 own a motorbike and a bicycle, and 1 a car and a motorbike. 1 affected households has a canoe.

E. VULNERABLE GROUPS

34. Vulnerable groups are individuals or groups who may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status. These groups, as per ADB Safeguard Policy Statement (SPS, 2009), are those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land. In Kyiaklat, of the three households whose income are below poverty line, two of them are found to be landless. Another household in Pyapon is also found to be poor. To assist these vulnerable groups, landless households will be allowed to build houses in the residual area of the ROW on condition that the houses will not be upgraded to a semi-permanent or permanent structure. The new location will be between the ROW and adjacent farmland (i.e. easement area) as per agreement between MOC Township engineer, farmland owner, and village elders. Houses built on the easement area will be based on condition that houses will not be upgraded to a semi-permanent or permanent structure. In addition, construction supervision consultants will provide the necessary training on financial literacy, savings, and bookkeeping. These training will also apply to other affected households whose income are mostly from stalls and eateries and whose educational attainment are quite low.

IV. DISCLOSURE, CONSULTATION, AND PARTICIPATION

A. Consultation and Participation

35. One of the ADB SPS policy principles, i.e., meaningful consultation, has to be carried out for any projects that have involuntary resettlement impacts. Meaningful consultation is a process that has five key elements which were followed during the preparation of this Resettlement Plan as shown in the table below. It should be noted that meaningful consultation is carried out throughout the project cycle, further consultations will be carried out during project implementation, and will be documented in the Implementation Plan to be prepared prior to resettlement implementation and in the project's progress reports.

Table 5: Meaningful Consultation During Resettlement Planning

5 Key Elements of Meaningful Consultation	Meaningful Consultation during Resettlement Planning
(i) Begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle	Affected households, non-government organizations and other stakeholders were consulted from September 2013 to March 2014 to discuss about the Project, ADB SPS, and Resettlement Plan. Households were also informed that they will be updated on the progress of the Project and that further consultations will be undertaken to continue to elicit their views.
(ii) Provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people	Meetings with the affected households were held in Myanmar language before and after the census, IOL, and SES; photos of census and IOL were presented to the affected people. Specific assistance to households were discussed.
(iii) Undertaken in an atmosphere free of intimidation or coercion	Meetings with the affected households were held in the Pagodas and village tract office; and affected households were encouraged to ask questions and provide suggestions.
(iv) Gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups	Both men and women were encouraged to attend the meetings. Since all of the affected households were in the COI, discussions were mostly on where they could relocate, and how they could continue operating their shops once the Project is completed.
(v) Enables the incorporation of all relevant views of affected people	Based on the concerns and suggestions raised by the affected households, the resettlement plan has identified strategies to encourage participation of the affected households (e.g. establishment of resettlement coordinating committee), and various assistance to affected households to address the affected households' concerns specific to relocation and possible loss of income due to relocation of shops, which are detailed in the project entitlement matrix.

36. **Pre-IOL meetings.** The views and suggestions of affected persons/affected households and local authorities have been incorporated in this Resettlement Plan (Highlights of meetings are in Annex 4). MOC and PW facilitated the holding of a public consultation in Maubin Township on 12 September 2013. During the consultation, which was attended by 67 people from government and non-government organizations from Maubin, Kyiaklat, and Pyapon, The resettlement planning activities were explained and it was also explained at length that only a construction limit or COI of 21.18 m (69.5 ft.) will be cleared and how impacts on households within the COI will be minimized. During the meeting, assistance was sought from local authorities and nongovernment organizations (NGOs) e.g., Mother and Child Organization and Women Affairs Organization to help ensure that existing structures in the COI are not further developed and that no new structures are built in the COI.

Table 6: Highlights of Pre-IOL Meeting with Stakeholders

Speaker	Opinion and Suggestion
Superintending Engineer Daw Hla Hla Thwe (MOC)	She explained that MOC and PW are cooperating with ADB in preparing for the proposed Maubin-Pyapon Road Rehabilitation Project. She cited the socioeconomic significance of the proposed project in the Ayeyarwaddy Region where rice is the major product. She explained that the project, once completed, will not only facilitate the transport of goods, it will also bring in many job opportunities to the local population. Moreover, since the road rehabilitation will be carried out within the existing 150 ft. road ROW, no forestland or farmland would be affected. She enjoined the people in the meeting to feel free to ask the questions to the ADB consultants.

Speaker	Opinion and Suggestion
Chief Engineer U Soe Myint (Ministry of Telecommunications)	He informed the people in the meeting about the fiber optic cable that is buried in the embankment of the project road. Removal or damaging this fiber optic would cut 80% of online computer service of the country and 10,000 phone lines. He advised that the utmost care should be exerted to avoid damaging the fiber optic cable.
Council Member (Pyapon)	He appreciates that the rehabilitation of the road includes the section inside the urban center of Kyiaklat Township, which is under the jurisdiction of the local government. He would like to propose to extend the road rehabilitation project into the urban center of Pyapon Township up to the junction leading to Bogalay Township. He explained that the current formation width of the road inside the township is 34 ft. and the traffic lane width is 18 ft.
Head of General Administration (Kyiaklat Township)	He wanted to know how encroachers into the ROW, especially from Tarpot to Kyiaklat, would be handled. He noted that rice crops are cultivated inside the ROW, or within 75 ft. from the centerline of the road. Moreover, since the rehabilitation of the road will also include the more than 2 mile section inside the Township center, he wanted to know how this would be carried out in view of the presence of lamp posts on the side of the road. He suggested close cooperation between project authorities and the local government.
Representative of Farmer Association	He pointed out that farmers are the ones that need land the most; their lives depend on their farm. So, if there would be land acquisition, he expects that compensation at reasonable level will be paid. He also added that farmer have do not know how to deal with the courts.
ADB TA Resettlement Consultant	The resettlement consultant of ADB discussed the COI, based on the preliminary design being considered by MOC and the ADB. He clarified that only 69.5 ft. (21.18 m) of the ROW will be needed in the rehabilitation of the road, and the present road alignment will be used. He further explained that the section of the road that crosses the Township center of Kyiaklat would not be widened and that the project will construct a 25 ft. (7.62 m) pavement only. On the matter about the fiber optic cable, he said that this was still being discussed between relevant government offices. Assuming that the rehabilitation works will start in 2015, the resettlement consultant said that clearing of the COI should be done before that, probably during the second half of 2014. He explained that road works could not commence in any particular segment of the project road unless it is clear of all obstructions. On measures to mitigate loss of assets among those who have occupied parts of the ROW, he said that he recognized that there are existing laws on the matter. He added, however, that the ADB also has a policy on ensuring that people affected by any project assisted by the Bank should be assisted in order that they will not be worse off because of the project. So, it is the task of the resettlement consultant to discuss with the government ways in which the COI could be cleared within the existing laws and regulations of Myanmar while at the same time satisfying the social safeguard policy of ADB. He enjoined local authorities and the NGOs present to help ensure that existing structures found in the COI will not be expanded and/or upgraded into permanent materials and that no new structures are built in the COI. He also added that during the meeting, they wanted to hear the views of stakeholders.
U Mya Khine, Mother and Child Organization (NGO representative)	She cited that the road rehabilitation project would help in the improvement of education and health services and boost trade and the economy. She said that they would cooperate in the implementation of the road project.
Representative of Women Affairs Organization (NGO)	She said that people in occupation of land that will be removed from the ROW should be provided compensation.
ADB TA Environmental	He enjoined women organizations to participate in the project. He added

Speaker	Opinion and Suggestion
Consultant	that women could be members of the VECC.
U Myint Htun (land transportation)	He expressed concern on the number of road accidents between mile 5 and mile 5 and 1 furlong. He hopes the design of the road curve in that location is appropriate in order to address this concern.
U Aye Thaung, Head of General Administration (Maubin District)	He pointed out that the project road is main road for the entire southern part of Ayeyarwaddy Region. For the Pyapon people, the Maubin-Kyiaklat-Pyapon road has been used mainly for business, while the Pyapon-Dedaye-Yangon road is used mainly by private vehicles. He said that 3 industrial zones would soon be established covering an area of about 5,000 acres close to the proposed project road. He concludes that the project road is very useful to the Pyapon people of all sectors, such as health, education, and business. In view thereof, he would like to request that the rehabilitation of the road would be done with good design and high standards.

37. **During IOL.** During the conduct of IOL and SES, affected households were also asked with regard to their perception about the project. Respondents from 19 affected households in Maubin that answered the question on awareness about the project reported that they learned about the project from village officials. They are all in favor of the project and have no negative opinion about it. Similarly in Kyiaklat, respondents from 30 affected households that replied to the query on awareness about the project said that they learned about this from village officials. On the positive side about the project, 8 respondents from Kyiaklat said that the project will pave the way for the expansion of their businesses, while 3 other respondents said that the project would make travelling easy. On the negative impacts of the project, 14 respondents said that it might be difficult for them to continue occupying parts of the ROW in anticipation of government restrictions following the completion of the project. Similarly, 9 respondents claimed that it might not be feasible anymore for them to continue doing business in the ROW and this would adversely affect their incomes. In Pyapon, all 7 affected households claimed that they did not know about the project. All of them voiced support for the project and none mentioned any negative impacts of the same.

38. On ensuring that affected households are informed about the Project, respondents from 19 affected households in Maubin that answered the query did not suggest anything and, instead, pledged to vacate the ROW when required by authorities. On suggestions to ensure that affected households benefit from the project, 11 respondents said that the project would surely be beneficial to the people, while 8 other respondents said that they expect to be given work during road construction. In Kyiaklat, respondents from the 30 affected households that answered the query on ways to ensure that affected households are informed about the project had nothing to suggest. On suggestions to ensure that affected households benefit from the project, 26 respondents claimed that the project would surely benefit the people because it will facilitate travel and communication between people. In Pyapon, none of the 7 affected households had anything to suggest in ensuring that affected households are informed about the project. On ways to ensure that affected households benefit from the project, all 7 affected households maintained that when the road upgrading is completed, people would surely benefit. Specific to grievance-handling, none of the affected households in the 3 townships provided any suggestions on ways to address complaints and grievances.

39. The survey questionnaire also includes a question on reconstruction preference of affected households. Based on the 56 affected households that responded to the question on relocation option, their preference was to reconstruct behind the COI (i.e., residual area of the ROW). No response was obtained from a male-headed household by the entire loss of his

house in Kyiaklat, and 2 male head of households affected by the entire loss of shops in Maubin.

40. **Post-IOL Meetings.** On 17–19 December 2013, the post-IOL consultation meetings were held with affected households and village tract officials to inform them about the proposed project, discuss the results of the IOL and confirm the total number of affected households, validate the usage of the inventoried affected structures (shops/houses), get comments and suggestions from the affected households regarding ways to mitigate the adverse impacts of their losses, and discuss the proposed resettlement policy.

- 17 December 2013 at 10:00–11:45 AM; Pagoda in Kyone Soat Village Tract. A total of 24 affected households (heads/representatives [11 females and 13 males]) attended the meeting in Maubin.
- 18 December 2013 at 11:30 AM–1:30 PM; Than Yan Wei Village Tract. There were 40 affected households (18 female-headed households) attended the meeting in Kyiaklat;
- 19 December 2013 at 9:30–10:45 AM; Thaleik Kalay Village. There were 10 affected households (2 female-headed households) attended in Pyapon.

41. **Verification of Affected Structures to Confirm the Total Number of Affected Households.** Pictures were presented to the participants to verify ownership and seek clarification on the types of the structures (if shops and houses or only shops and affected households have separate houses in the village or somewhere else).

42. **Information Provided to the Affected Households.** Information provided during the post-IOL meetings are as follows:

- Proposed project and clearing will be done only within 21 meters (10.5 meters from centerline) or 69.5 feet construction area (or COI).
- Before construction starts, PW will clear the structures within the defined construction area in the ROW.
- Proposed entitlements were such as providing advance notice of 3 months before the start of civil works; dismantling and relocation of structures may only begin after the Resettlement Plan has been agreed by the government and ADB and the go-ahead for such is given by project authorities; affected households to be assisted in dismantling and rebuilding their structures, and any building materials that are damaged or that cannot be used anymore would be replaced at no expense on the part of the affected households; affected households will be allowed to relocate their structures behind COI in the remaining area of the ROW on condition that they would not expand or improve the same into permanent structures and that they would willingly remove their structures from the ROW when asked so by MOC in future; and members of the affected households would be provided priority in the hiring of unskilled labor during road construction. During the meetings, it was explained at that time that the proposed assistance and relocation strategies mentioned are still being discussed with MOC and PW.
- Proposed resettlement coordinating committee to be set up to ensure that people are well informed about the schedule of the clearing and the start of the project, and on matters related to the proposed project, including the resolution of grievances.
- A copy of the list of affected households and the resettlement plan that MOC will submit to ADB will be made available at the Village Tract office, PW office, and

township office. A resettlement information booklet will likewise be distributed to the affected households following submission by MOC of the Resettlement Plan to ADB.

43. **Feedback from the Affected Households.** The affected households expressed their support towards the Project and confirmed that they are willing to remove their structures before construction starts. Questions mostly raised were on: when construction works will commence, and if affected households are allowed to construct shops along the road/outside the COI so they could continue earning a living.

44. **Meetings with non-government organizations and volunteer groups.** Separate meetings were also held with a number of NGOs and volunteer groups who are based in the townships on 25–26 February 2014. The aim is to determine planned and existing livelihood or community development programs of the NGOs and if such programs could be linked to the proposed livelihood training activities under the program. A number of them could be tapped as resource persons during Resettlement Plan implementation (on providing livelihood training, community awareness) and will be further explored during project implementation. As for the NGOs involved in self-help groups and micro-finance, they have their own workplans that could not be linked, however, their knowledge and experience will be further sought during implementation as they may be able to share good practice and lessons learned on livelihood activities

Table 7: Nongovernment Organizations and Other Groups

Organizations	Programs	Possible resources
Women's Affair Organization (Maubin)	<ul style="list-style-type: none"> • Provide counselling to the aged, old people, young women on health, maternal health, human trafficking, and HIV/AIDS • Provide financial support, operate micro-financing to victims of human trafficking and poor households • Provide training on livelihood (cooking, baking, handicrafts, tailoring, etc.) • Specific to micro-finance, provide guidance on financial management 	For the resettlement plan: resource persons on livelihood training, financial management
Women and Child Organization (Maubin)	Involved in operating nursery school, lying-in clinic, support HIV/AIDS patients through regular visits and providing medicines (from health office)	HIV/AIDS awareness program
Red Cross (Maubin)	Promote health awareness (tuberculosis/HIV/AIDS) and disaster management. The group also worked with other organizations such as Women's Affair Organization and Women and Child Organization to carry out awareness campaign	Project outreach activities
Network Action Group (Pyapon)	Focus on livelihood activities for fisherfolks by setting up self-help groups in the communities and provide revolving funds and training.	For the resettlement plan: resource person on good practice and lessons learned on livelihood
Proximity (Micro-finance institutions) (Pyapon)	Focus on providing loans to farmers. Committees are set-up to determine eligible farmers	For the resettlement plan: resource person on good practice and lessons learned on livelihood

B. INFORMATION DISCLOSURE

45. MOC has disclosed the key information of the Resettlement Plan (project policies, impacts, assistance, resettlement coordinating committee [RCC], schedule) to the 18 affected households in Maubin during the public meeting held 25 February 2014.³ Specific to cash assistance to be provided to the affected households in the three townships, meetings were held with the affected households in early March 2014. Copies of resettlement information booklets in Myanmar language (Annex 5) will be distributed to the affected households by 7 April 2014.

46. This Resettlement Plan, once agreed between MOC and ADB, will be uploaded on the ADB website. Copies of the Resettlement Plan will be made available in the district, township and village tract offices in Burmese language.

V. GRIEVANCE REDRESS MECHANISM

47. A grievance redress mechanism (GRM) has been set up for the Project following ADB SPS requirements.

Table 8: Grievance Redress Mechanism

ADB SPS on GRM	Project's GRM
The borrower/client will establish a mechanism to receive and facilitate the resolution of affected persons' concerns and grievances about physical and economic displacement and other project impacts, paying particular attention to the impacts on vulnerable groups.	An RCC, an ad hoc body, will be set-up in each township. Apart from representatives from the PW, village tract officials and village elders are also members since they are very familiar with the socio-economic situation and needs of the affected households in their village.
The grievance redress mechanism should be scaled to the risks and adverse impacts of the project.	The RCC is set up at the project level with representatives from PW, general administrative office, village elders, NGOs, and affected households
It should address affected persons' concerns and complaints promptly, using an understandable and transparent process that is gender responsive, culturally appropriate, and readily accessible to the affected persons at no costs and without retribution.	The village tract chief will be "point of contact" in the village. All RCC members will be provided with training and guidance by the construction supervision consultants in order to handle grievances.
The mechanism should not impede access to the country's judicial or administrative remedies	The RCC aims to receive and address concerns and grievances at the project level as part of the Project's good management; and it does not impede with the Government's judicial and administrative remedies
The borrower/client will inform affected persons about the mechanism"	The affected households have been informed during resettlement planning and the GRM is reflected in the resettlement information booklet.

48. Based on the above and given the scope of the project, an RCC, an adhoc body, will be set-up in each township. One of its roles and responsibilities is to ensure that any queries, or concerns made by the affected households and local communities are properly heard, logged

³ The affected households and village officials who were in the meeting were requested to convey the discussions to the remaining three affected households who were not able to attend.

(regardless of whether it was lodged verbally or in writing), and resolved in a transparent and timely manner at the RCC level. This set-up aims to address any concerns promptly, effectively, and transparently, accessible, and at no cost and retribution, to the affected households and communities at the project level. Lessons learned show that early and satisfactory resolutions of complaints help reduce project delays and costs to the Project. The RCC will follow a formalized process and procedures shown below. Annex 6 shows the GRM process and proposed grievance redress form.

- The RCC will be composed of but not limited to the following representatives: PW Township Office, government administrative office; civil works contractor, construction supervision consultants, village tracts, other stakeholders such as village elders and non-government organizations, and affected households (male and female representatives).
- The heads of village tracts will be the point of contact for affected households given their easy access to their constituents. They are responsible in receiving, recording, and facilitating the resolution of the affected households' concerns and grievances whether or not they were received verbally or in writing.
- A database will be set up by the RCC to manage and monitor grievances which shows name and contact details of the complainant, date and nature of complaint, any follow up actions, resolutions and how and where resolutions were communicated, and status of actions
- The indicative timeframe in addressing/resolving concerns/grievances will be:
- Within 7 days, send acknowledgement in writing to the affected households from date of receipt of the grievance
- Within 30 days from receipt of grievance, propose resolution. It is noted that some cases may need special and immediate attention and that earlier solution is necessary.
- The RCC will report all grievances and resolutions, and will be reflected in the progress reports as part of its monitoring function.
- If the grievance could not be resolved at the RCC level, RCC will request guidance from PW and MOC to resolve grievance. MOC to propose resolution within 15 days.
- If there is still disagreement after discussion with MOC on proposed resolution, the case will be brought to court.
- All costs incurred in grievance resolution will be covered out of the project funds.

49. The construction supervision consultant will provide the necessary training and guidance in setting up the RCC grievance mechanism to RCC members. The formalized RCC composition with clear roles and responsibilities; procedure and process will be reflected in the Implementation Plan which will be submitted to ADB for review and concurrence prior to Resettlement Plan implementation. It should be noted that this grievance redress mechanism does not impede with the Government's judicial and administrative remedies.

50. The grievance redress mechanism, through the setting up of a resettlement coordinating committee, has been discussed during the consultation meetings and it is also reflected in the resettlement information booklet.

VI. LEGAL FRAMEWORK

A. Relevant Laws and Regulations

51. The 2008 State Constitution⁴ of the Republic of the Union of Myanmar declares that the State “is the ultimate owner of all lands and all natural resources above and below the ground, above and beneath the water and in the atmosphere in the Union”. Moreover, while the 2008 constitution provides for citizens the right of private property, right of inheritance, and the right to settle in any place within country, these rights are subject to “existing laws”. Among other, these existing laws include: (i) the Transfer of Property Act (1882); (ii) the Land Acquisition Act (1894) that empowers the State to acquire land where it is needed for any public purpose; (iii) the Land Nationalization Act of 1953, (iv) the Disposal of Tenancies Law of 1963, (v) Towns Act of 1907, (vi) Village Act of 1907, (vii) Highways Act of 2000, (viii) Farmland Law of 2011, and (ix) Vacant, Fallow and Virgin Lands Management Law of 2012. The Transfer of Property Act (1882) provides the law relating to the transfer of property (movable and immovable), including, sales, mortgages, charges, leases, exchanges and gifts. Technically, it is said that the Transfer of Property Act (1892) is still in force. However, the Land Nationalization Act (1953) replaced the provisions of the Transfer of Property Act (1892) on housing, land, and properties rights.

52. While the Farmland Law of 2012 repealed the Land Nationalization Act of 1953 and the Disposal of Tenancies Law of 1963, the effects of these repealed laws remain unchanged. The following classifications of land in the country illustrate this. Basically, there are 11 general classifications of land in the country. These are freehold land; grant land; agricultural land; garden land; grazing land; culturable land, fallow land and waste land; forest land; town land; village land; cantonments; and monastery.

- Freehold land can be likened to ancestral land, and ownership of such land is transferable and the owner is not required to pay land tax. Most freehold lands are located in big cities, such as Yangon.
- Grant land belongs to the government and is leased to private individuals for a lease term of 10 years or more that is renewable. The lease is transferable and the leaseholder is bound to pay land tax. Grant lands are found in cities and towns and, in very few cases, in villages.
- Agricultural land belongs to the State and farmers who have been granted plots to till, mostly rice crops, are tenants. The Village tract Peace and Development Council is responsible for allocating agricultural land, which has to be approved and confirmed by the concerned Township Peace and Development Council. In 1988, the government set quotas on the amount of rice farmers have to produce from their allocated field in a year before they could plant other crops on their landholdings. Tenants also pay land revenue and until the promulgation of the Farmland Law of 2011, agricultural Land was not transferable.⁵
- Garden land is legally part of agricultural land. However, the crops that are grown on garden lands are different, and the land revenue is higher than agricultural land. Until

⁴ The new constitution came into force in 2010 following the holding of national elections.

⁵ Agricultural land may be used for other purposes, but subject to the approval of the Ministry of Agriculture and Irrigation. After approval of change of use is given, the State/Division Peace and Development Council will issue a document called La 39 (with reference to the requirements of Article 39 of the Land Nationalization Act of 1953). Land with La Na 39 document is transferable and may be upgraded to Grant Land.

the promulgation of the Farmland Law of 2011, garden land was also non-transferrable.

- Grazing land belongs to the government and designated by the Village Tract Peace and Development Councils. No residences are allowed on grazing land, which is reserved for the exclusive use of the village residents for their cattle.
- Culturable land, fallow land and wasteland are plots of land that the government may grant government and private enterprises the right to use for commercial use.
- Forestland is administered by the Ministry of Forestry in accordance with the 'Forest Law.
- Town land includes Freehold Land, Grant Land, and La 39 Land. Landholdings of residents in new towns or those that are still expanding are usually the La Na 39 type (which may be converted to grant land).
- Village lands are those located outside the towns and are either grant land or La Na 39 land. Village land is transferrable. Village land that is less than 100 m² and which has a building (residence) thereon is exempt from land revenue.
- Cantonments are lands are government lands used and administered by the military.
- Monastery lands are plots of land that the Ministry of Home Affairs may grant to religious organizations. Freehold land, grant land, or La Na 39 land that is designated by the Ministry of Home Affairs as monastery land will be acquired through the Land Acquisition Act and for which compensation is given to the landholder. No compensation is given to the holder of affected agricultural land, however. Monastery land is exempted from land revenue.

53. The Farmland Law of 2012 encompasses agricultural land, garden land, and other types of land that are used for cultivation, including orchards and those used to grow vegetables and flowers. Farmers that are holding or allocated the aforementioned lands may secure a land use certificate (LUC), which provides them a form of security of tenure. The Farmland Law of 2011 does not clearly stipulate the procedures for acquiring an LUC, however. Those with LUC may transfer, lease, sell, or use as collateral their agricultural lands, provided that the government is informed about these transactions. The holder of the LUC cannot change the use of the allocated land other than what is provided in the LUC. Neither can the holder of the LUC allow the farmland to fallow for no valid reason. Violation of the conditions set in the LUC could lead to the revocation of the LUC and the confiscation of the farmland. In other words, the Farmland Law of 2012 did not change the basic land tenure arrangements in the country; with the exception of freehold lands, all other types of lands technically belong to the State. What the Farmland Law of 2012 has granted is the right of the holder to transfer, lease, sell, or mortgage the land.

B. ADB Policies

54. The ADB SPS consolidates three existing safeguard policies: involuntary resettlement, indigenous peoples, and environment. The objectives of the involuntary resettlement policy are *"to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and improve the standards of living of the displaced poor and other vulnerable groups."*

C. Gaps Analysis and Project Principles

55. The Land Acquisition Act (1894) has provisions from informing the locality (published in the Gazette and public notice in convenient places) from planned acquisition to confirmation of

acquisition of land. There is also provision of preliminary survey and offer tender payment, including any objections from any “person interested”.⁶ Once the land is deemed to be acquired, provisions in the Act include measurements, enquiry on the value of land at the time of publication of notification and award for compensation. The Act also has a detailed provision to the objection process and reference to court and procedures. The Farmland Law (2012) has provisions for “compensation for the interests of the State or the public interests and development by building on such land and managing by other means” to person “who has ownership right to use farmland” (Chapter IX, Article 26).

56. However, neither the Land Acquisition Act of 1894 nor the Farmland Law (2012) has any provisions for persons who have no right to use land. Present occupants of portions of the ROW have been allowed by PW the use of the same for humanitarian reason, but with a well-understood agreement, albeit unwritten in some cases, that the occupants will vacate the occupied portions of the ROW on their own and at their own expense. None of the occupants of the ROW that have been deriving economic benefit from the use of the ROW have been required to pay any revenue, which in normal cases is a requirement for citizens allocated with agricultural lands to till. In the absence of such laws and regulations for households who have no right to land, specifically those who are in Government road right-of-way, the following are the gap-filling measures for the Project:

Table 9: Gap Analysis and Gap-Filling Measures

ADB Project Principles	Relevant Laws of Myanmar	Gap and Gap-Filling Measures
Screen the project early on to identify past, present, and future involuntary resettlement impacts and risks.	None	Affected households within the COI have been identified. Census, IOL, and SES were carried out during planning and results were verified by the affected households, PW, and village tract officials. Village elders to verify socio-economic conditions of affected households who were identified as vulnerable.
Determine the scope of resettlement planning through a survey and/or census of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.		Results of consultations and SES were disaggregated by gender and vulnerability to determine impacts on risks.
Carry out meaningful consultations with affected persons, host communities, and concerned NGOs.	None	Meaningful consultations with affected persons, host communities, and concerned NGOs were carried out and will continue throughout the project cycle.
Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs.		Affected households were informed of their entitlements and resettlement options during the consultation meetings. They will also be part of the RCC to be set up to ensure participation.

⁶ In the Land Acquisition Act, 1895, “persons interested” includes all persons claiming an interest in compensation to be made on account of the acquisition of land under the Act, and a person shall be deemed to be interested in land if he is interested in an easement affecting the land.

ADB Project Principles	Relevant Laws of Myanmar	Gap and Gap-Filling Measures
<p>Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations</p> <p>Establish a GRM to receive and facilitate resolution of the affected persons' concerns</p> <p>Support the social and cultural institutions of displaced persons and their host population.</p> <p>Where involuntary resettlement impacts and risks are highly complex and sensitive, compensation and resettlement decisions should be preceded by a social preparation phase</p>		<p>Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations.</p> <p>A GRM will be set up, through the RCC which is tasked to receive and resolve grievances.</p>
<p>Improve, or at least restore, the livelihoods of all displaced persons through: land-based resettlement strategies when affected livelihoods are land based where possible or cash compensation at replacement value for land when the loss of land does not undermine livelihoods, prompt replacement of assets with access to assets of equal or higher value, prompt compensation at full replacement cost for assets that cannot be restored, and additional revenues and services through benefit sharing schemes where possible</p>	None	<p>Assistance in-kind will be provided to affected households to restore livelihoods. Livelihood training programs will be carried out and job opportunities for affected households during construction will be explored. Strategy for relocation to consider no or minimum disruption to affected households.</p>
<p>Provide physically and economically displaced persons with needed assistance, including the following: (i) if there is relocation, secured tenure to relocation land, better housing at resettlement sites with comparable access to employment and production opportunities, integration of resettled persons economically and socially into their host communities, and extension of project benefits to host</p>	None	<p>Assistance in-kind will be provided to affected households to restore livelihoods. Livelihood training programs will be carried out and job opportunities for affected households during construction will be explored. Strategy for relocation to consider no or minimum disruption to affected households is reflected in the resettlement plan.</p>

ADB Project Principles	Relevant Laws of Myanmar	Gap and Gap-Filling Measures
<p>communities;</p> <p>(ii) transitional support and development assistance, such as land development, credit facilities, training, or employment opportunities; and</p> <p>(iii) civic infrastructure and community services, as required.</p>		
<p>Improve the standards of living of the displaced poor and other vulnerable groups, including women, to at least national minimum standards. In rural areas provide them with legal and affordable access to land and resources, and in urban areas provide them with appropriate income sources and legal and affordable access to adequate housing</p>	None	<p>The project will help establish links between the vulnerable affected households and existing government and NGO livelihood and micro-finance programs. Preference will be provided to members of the affected households in the hiring of unskilled labor during road construction.</p>
<p>Develop procedures in a transparent, consistent, and equitable manner if land acquisition is through negotiated settlement to ensure that those people who enter into negotiated settlements will maintain the same or better income and livelihood status.</p>	None	Not applicable since land is Government road ROW
<p>Ensure that displaced persons without titles to land or any recognizable legal rights to land are eligible for resettlement assistance and compensation for loss of nonland assets.</p>	None	<p>Affected households without titles to land or any recognizable legal rights to land will be identified and will be eligible for resettlement assistance.</p>
<p>Prepare a resettlement plan elaborating on displaced persons' entitlements, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule</p>	None	This resettlement plan is prepared by MOC PW.
<p>Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, before project appraisal, in an accessible place and a form and language(s) understandable to affected persons and other stakeholders. Disclose the final resettlement plan and its updates to affected persons and other stakeholders.</p>	None	<p>Pre-IOL and post-IOL consultations were held with stakeholders and the affected households to disclose findings and proposed assistance. Key information in the resettlement plan were disclosed during the meetings and will be disclosed by providing copies of resettlement information booklets in Myanmar language or in other forms and language understandable to them.</p>

ADB Project Principles	Relevant Laws of Myanmar	Gap and Gap-Filling Measures
<p>Conceive and execute involuntary resettlement as part of a development project or program. Include the full costs of resettlement in the presentation of project's costs and benefits.</p> <p>For a project with significant involuntary resettlement impacts, consider implementing the involuntary resettlement component of the project as a stand-alone operation</p>	None	<p>Affected households, regardless of tenure status, and local communities were consulted during resettlement planning to determine how the Project will adversely affect them and how such impacts could be avoided, if not minimized; and how the Project could benefit them during construction (by getting hired by civil works contractors) and after rehabilitation of the road (Improved roads connectivity will improve mobility, including access to public services and facilities, generate employment and could boost economic growth. Travel time will also be reduced and could provide greater opportunity for the people to participate in economic and productive activities. Reduced travel time is also expected to indirectly contribute to lower freight costs thus contributing to lower input costs and higher ex-farm prices for agricultural products).</p> <p>Not applicable as involuntary resettlement impacts are considered not significant.</p>
<p>Pay compensation and provide other resettlement entitlements before physical or economic displacement.</p> <p>Implement the resettlement plan under close supervision throughout project implementation</p>	None	<p>Assistance will be provided to affected households before physical or economic displacement. Corrective actions included in this resettlement for affected households who already moved out of the COI.</p> <p>MOC PW and RCC will be provided training by construction supervision consultants and through a separate grant under TA 7566-REG: Strengthening and Use of Country Safeguards Systems to support MOC in strengthening its capacity on environment and social safeguards.</p>
<p>Monitor and assess resettlement outcomes, their impacts on the standards of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.</p>	None	<p>The project management unit will internally monitor Resettlement Plan implementation. Monitoring indicators are included in the resettlement plan. Monitoring reports will be posted on the ADB website.</p>

VII. ENTITLEMENTS, RELOCATION AND LIVELIHOOD TRAINING PROGRAM

A. Entitlements to Affected Households in Maubin Township

57. Given that the ROW is owned by the Government, the affected households fall under the ADB SPS *“(iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land.”* Type of assistance to be provided to affected households under the Project will be as follows:

Table 10: Entitlements to Affected Households in Maubin Township

Type of Loss/Impacts	Entitlement Matrix
Affected house, house-and-shop, shop	<p>Affected households will be allowed to keep their partially affected houses in the residual area of the ROW on condition that the houses will not be upgraded to a semi-permanent or permanent structure. For totally affected houses, the new location will be between the ROW and adjacent farmland (i.e. easement area) as per agreement between MOC Township engineer, farmland owner, and village elders. Houses built on the easement area will be based on condition that houses will not be upgraded to a semi-permanent or permanent structure.</p> <p>Households with shops will be allowed to keep their shops in the residual ROW to continue business operation.</p> <p>Affected households will be provided 3 months advance notice on the start of civil works in a particular segment of the project road.</p> <p>Damaged and un-reusable building material will be replaced with new materials at no cost to the affected household.</p> <p>Moving allowance which is equivalent to labor and transportation, replacement of damaged materials that could no longer be used (if applicable), and business disruption (if applicable) will be provided based on the type of affected structure. Given that the different types of structures and impacts on each structures, cash allowance is estimated between K 10,000 and K 40,000 as per consultations with the affected households, village tract officials, and PW staff.</p>
Loss of, or damage to crops and trees	<p>Affected households will be provided 3 months advance notice to enable them to harvest the crops</p> <p>Trees within the COI are owned by the MOECF and cutting of trees will be based on the arrangements agreed between MOC and MOECF.</p>
Loss of, or damage to Public Facilities (Government-owned structures)	To be restored and relocated by the civil works contractor

58. **Livelihood Training Program and Job Opportunities During Construction.** Since primary source of income of affected households are mostly from stalls and eateries, the construction supervision consultants (CSC) will provide the necessary training on financial literacy, savings, and bookkeeping. The RCC will set up a mechanism wherein affected households, who are qualified to work during construction, will be included in the list of laborers which will be submitted to the civil works contractors. Civil works contractors will be encouraged to give priority hiring to affected households during road construction.

59. No relocation activities will take place until: (i) the RCC has been set-up; (ii) Implementation Plan, following review, that covers consultations carried out with affected households and other stakeholders, type of assistance to be provided to each affected household, relocation plan, implementation schedule, and budget as per agreed resettlement plan has been reviewed and accepted by ADB; and (iii) assistance detailed in the Implementation Plan has been provided to the affected households.

B. Entitlements to Affected Households In Kyiaklat And Pyapon Townships

60. Similar to the affected households in Maubin, the affected households in Kyiaklat and Pyapon townships fall under the ADB SPS *“(iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land.”* Type of assistance to be provided to affected households who have not yet relocated under the Project will be as follows:

Table 11: Entitlements to affected households in Kyiaklat and Pyapon Townships who are still in the COI

Type of Loss/Impacts	Entitlement Matrix
Affected house, house-and-shop, shop	<p>Affected households will be allowed to keep their partially affected houses in the residual area of the ROW on condition that the houses will not be upgraded to a semi-permanent or permanent structure. For totally affected houses, the new location will be between the ROW and adjacent farmland (i.e. easement area) as per agreement between MOC Township engineer, farmland owner, and village elders. Houses built on the easement area will be based on condition that houses will not be upgraded to a semi-permanent or permanent structure.</p> <p>Households with shops will be allowed to keep their shops in the residual ROW to continue business operation.</p> <p>Affected households will be provided 3 months advance notice on the start of civil works in a particular segment of the project road.</p> <p>Damaged and un-reusable building material will be replaced with new materials at no cost to the affected household.</p> <p>Moving allowance which is equivalent to labor and transportation, replacement of damaged materials that could no longer be used (if applicable), and business disruption (if applicable) will be provided based on the type of affected structure. Given that the different types of structures and impacts on each structures, cash allowance will be determined during implementation but prior to relocation of affected households.</p>
Loss of, or damage to Crops and trees	<p>Affected households will be provided 3 months advance notice to enable them to harvest the crops.</p> <p>Trees within the COI are owned by the MOECF and cutting of trees will be based on the arrangements agreed between MOC and MOECF.</p>
Loss of, or damage to Public Facilities (Government-owned structures)	To be restored and relocated by the civil works contractor.

61. **Livelihood Training Program and Job Opportunities During Construction.** Since primary source of income of affected households are mostly from stalls and eateries,

construction supervision consultants will provide the necessary training on financial literacy, savings, and bookkeeping. The RCC will set up a mechanism wherein affected households, who are qualified to work during construction, will be included in the list of laborers which will be submitted to the civil works contractors. Civil works contractors will be encouraged to give priority hiring to affected households during road construction.

62. However, specific to affected households in Kyiaklat and Pyapon townships who already moved out of the COI, their socio-economic situation have been assessed, and corrective actions have been determined. The following assistance will be provided to the affected households before 7 April 2014.

Table 12: Entitlements to affected households in Kyiaklat and Pyapon Townships who already moved out of the COI

Type of Loss/Impacts	Entitlement Matrix	Timeframe
Affected house, house-and-shop, shop	<p>Households with shops will be allowed to keep their shops in the residual ROW to continue business operation.</p> <p>Moving allowance which is equivalent to labor and transportation, replacement of damaged materials that could no longer be used (if applicable), and business disruption (if applicable) will be provided based on the type of affected structure. Cash allowance for each affected household has been estimated as per consultation with affected households, village tract officials, and PW staff to cover labor, transportation, and business disruption (if applicable).</p> <p>Landless households who have yet to rebuild their structures will be allowed to build houses in the residual area of the ROW on condition that the houses will not be upgraded to a semi-permanent or permanent structure. The new location will be between the ROW and adjacent farmland (i.e. easement area) as per agreement between MOC Township engineer, farmland owner, and village elders. Houses built on the easement area will be based on condition that houses will not be upgraded to a semi-permanent or permanent structure.</p>	By 7 April 2014

63. **Livelihood Training Program and Job Opportunities During Construction.** Since primary source of income of affected households are mostly from stalls and eateries, construction supervision consultants will provide the necessary training on financial literacy, savings, and bookkeeping. The RCC will set up a mechanism wherein affected households, even those who already moved out of the COI, who are qualified to work during construction, will be included in the list of laborers which will be submitted to the civil works contractors. Civil works contractors will be encouraged to give priority hiring to affected households during road construction.

64. No further relocation activities will take place until (i) the resettlement coordinating committee has been set-up; (ii) Implementation Plan, following review, that covers consultations carried out with affected households and other stakeholders, type of assistance to be provided to each affected household, relocation plan, implementation schedule, and budget as per agreed Resettlement Plan has been reviewed and accepted by ADB; (iii) assistance detailed in the Implementation Plan has been provided to the affected households.

VIII. RESETTLEMENT BUDGET AND INSTITUTIONAL ARRANGEMENTS

65. Administration costs and cash assistance to be provided to affected households will be part of MOC's counterpart fund. Based on the Project's Investment Plan, resettlement costs fall under the "environment and social mitigation plan" estimated at \$800,000. Specific to training on livelihood, costs will be under the CSC contract.

Table 13: Cost Estimates

	Cost Estimates	Notes
Provision of Cash Assistance, including corrective actions	\$2,700.00	Part of \$800,000 counterpart fund
Administration costs and contingencies	To be determined during the preparation of Implementation Plan	Part of \$800,000 counterpart fund

66. MOC is the executing agency of this Project, while PW is the implementing agency. The PW will establish a project management unit (PMU) that will be responsible for the day-to-day implementation of the project and in the preparation of technical, safeguards, and financial reports. One staff from PW will be designated as social safeguards officer for the Project.

67. In addition, an adhoc body, the resettlement coordinating committee will be set-up in each township to carry out further planning and implementation of the resettlement plan, set-up a mechanism wherein grievances are logged and resolved at the RCC level, and to ensure the active participation of affected households throughout the resettlement process. The RCC will be composed of the following representatives: PW Township Office, government administrative office; civil works contractor, construction supervision consultants, village tracts, other stakeholders such as village elders and non-government organizations; and affected households (male and female representatives). The CSC will provide the necessary orientation and training to the PW staff responsible for resettlement and RCC members.

68. As part of the overall capacity development of MOC, ADB, through a separate regional TA Strengthening and Use of Country Safeguards Systems,⁷ will provide grant funds to support MOC in strengthening its capacity on environment and social safeguards amounting to \$240,000. The TA's objectives are to: (i) develop staff awareness and capacity within MOC PW and its township offices⁸ on involuntary resettlement, indigenous peoples, and environment safeguards that meet ADB SPS policy principles, requirements and standards, and (ii) develop safeguards guidelines and manuals on involuntary resettlement, indigenous peoples, and environment that meet ADB SPS policy principles, requirements and standards for MOC PW. The TA will commence in the 3rd quarter of 2014 for a period of 8 months.

IX. IMPLEMENTATION ARRANGEMENTS

69. No further relocation activities will take place until: (i) the RCC has been set-up; (ii) Implementation Plan, following review, that covers consultations carried out with affected households and other stakeholders, type of assistance to be provided to each affected household, relocation plan, implementation schedule, and budget as per agreed resettlement plan has been reviewed and accepted by ADB; and (iii) assistance detailed in the Implementation Plan has been provided to the affected households.

⁷ ADB. 2010. *Technical Assistance for Strengthening and Use of Country Safeguards Systems into Regional Cooperation*. Manila (TA 7566-REG approved on 26 July 2010 for \$9,000,000).

⁸ Townships to be covered are those who have ongoing technical assistance/loans funded by ADB.

Table 14: Indicative Implementation Schedule

Activities	Schedule
During Loan Processing	
Preparation of Resettlement Plan	Sept 2013–March 2014
MOC Submission of Draft Resettlement Plan to ADB for review and concurrence	By 7 April 2014
Distribution of Project information booklet	By 7 April 2014
ADB concurrence to the Draft Resettlement Plan	By May 2014
Uploading of Final Resettlement Plan on the ADB website	9 May 2014
Implementation of Corrective Actions as per Resettlement Plan	7 April 2014
ADB Management Review Meeting	2nd Week April 2014
Loan Approval	September 2014
During Loan Implementation	
Design review	Q1/Q2 2015
Mobilization of resettlement consultant (Construction Supervision Consultants)	Q1/Q2 2015
Setting-up of RCC including setting up a mechanism to address grievances at the RCC level. Training of RCC by CSC on social safeguards	Q1/Q2 2015
Preparation of Implementation Plan as per agreed Resettlement Plan (based on consultations with affected households and other stakeholders, finalizing type of assistance to be provided to each affected household, implementation schedule, budget)	Q2 2015
MOC Submission of Implementation Plan to ADB for review and concurrence	Q3 2015
MOC and ADB agreement on the Implementation Plan	Q3 2015
Commence Resettlement Plan implementation	Q3 2015
Internal monitoring (submission of semi-annual reports)	Q1-Q4 2015

X. MONITORING

70. Monitoring will be carried out by PW and RCC. The principal indicators for monitoring will include the following:

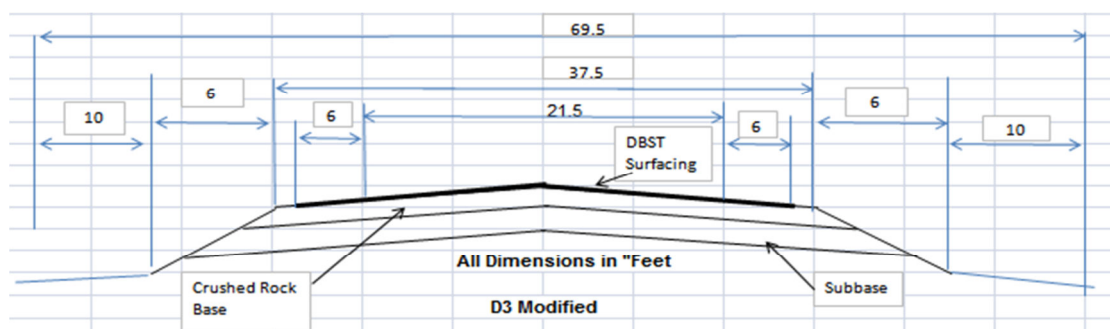
- (i) timely provision of assistance to and relocation of affected households in the residual ROW easement area as per agreed Resettlement Plan;
- (ii) meaningful consultation and information dissemination;
- (iii) participation of affected households, especially women, and other stakeholders throughout the resettlement process;
- (iv) effectiveness of RCC in the planning and implementation of resettlement including its timely and satisfactory resolution of any grievances related to resettlement;
- (v) changes in the pre- and post-socio economic condition of affected households and ability of affected households to reestablish or improve their livelihoods and living standards; and
- (vi) number of men and women trained on financial literacy, savings, and bookkeeping.

71. Semi-annual reports will be submitted to ADB and will be uploaded on the ADB website.

CROSS SECTION OF THE ROAD

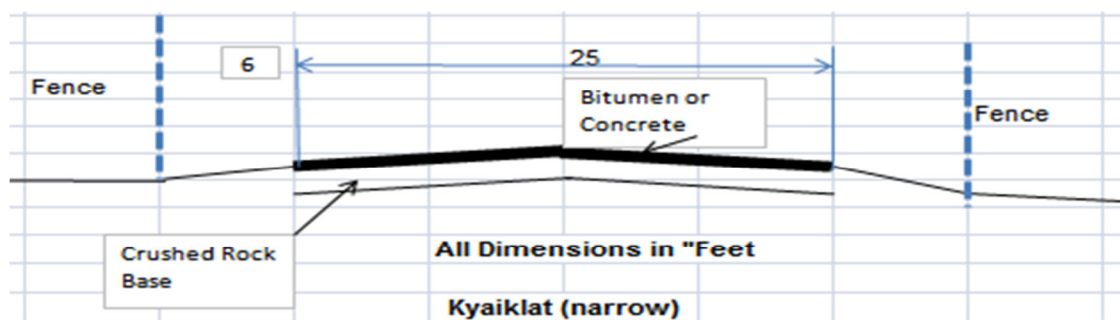
Village Tracts Traversed by Project Road

District	Townships	Village Tracts
Maubin	Maubin	Ahlan Gyi Kyone Soat Min Ball
	Kyiaklat	Tarpat West Khanaung Tapaytamock Panpelsu Kalatyat
Pyapon	Pyapon	Chaung Twin and Kan Chaung Thaleik Kalay and Thaleik Kyee Kyonetar and San Kwin



Notes: 1 foot = 0.30480 m; 69.5 ft. = 21.18 m; 37.5 ft. = 11.43 m; 21.5 ft. = 6.55 m; 10 ft. = 3.05 m; 6 ft. = 1.83 m

Figure 1: Km 0+000 - Km 32+410 and Km 35+610 – Km 53+310



Note: 25 ft. = 7.62 m

Figure 2: Cross-section Km 32+410 - Km 33+540 (Kyiaklat Township Urban Center)

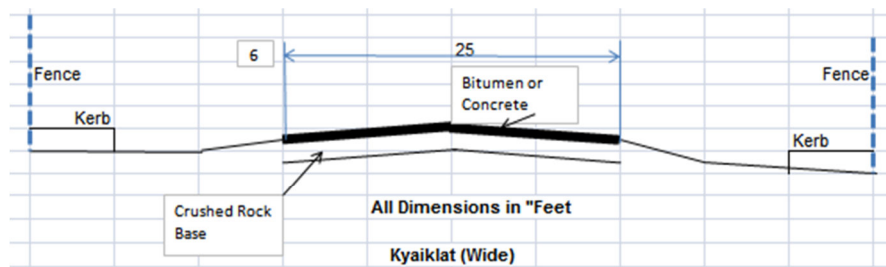
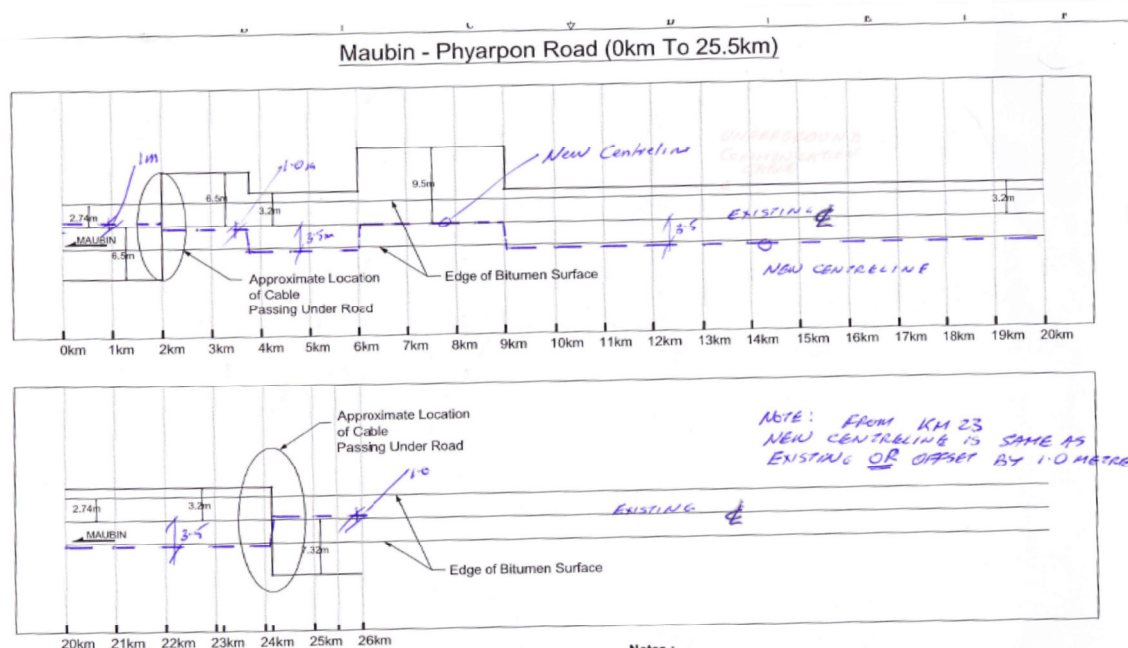


Figure 3: Cross-section Km 33+540 - Km 35+610 (Kyiaklat Township Urban Center)

Shifting of the Project Road Centerline. To avoid damaging the fiber optic cable during the road rehabilitation works, the road centerline will be shifted by 1 m to 3.5 m away from where the underground cable is located. Table below shows the shifting of the road centerline from the beginning up to the end of the project road.

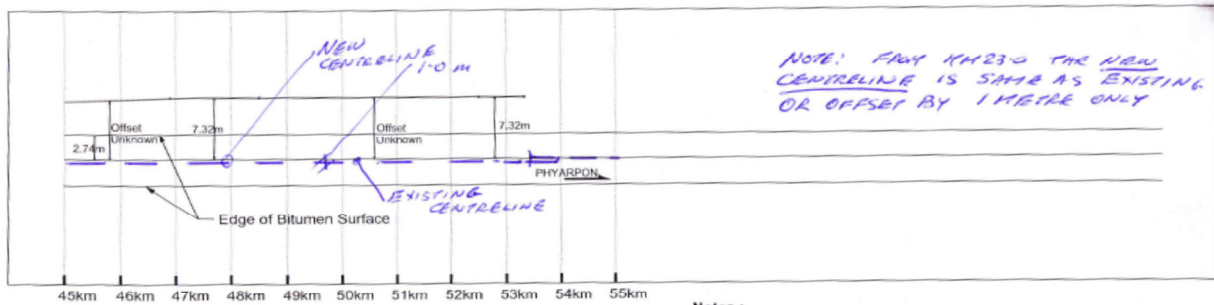
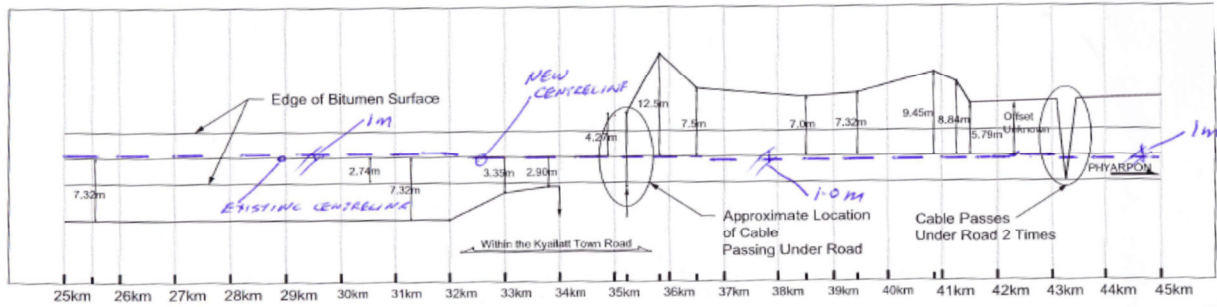
Stations	Shifting of Road Centerline from Existing Alignment
Km 0+000 – Km 2+000	1 m to the left
Km 2+000 – Km 3+500	1 m to the right
Km 3+500 – Km 6+000	3.5 m to the right
Km 6+000 – Km 9+000	0 (use existing centerline)
Km 9+000 – Km 24+000	3.5 m to the right
Km 24+00 – Km 32+200	1 m to the left
Km 32+200 – Km 36+500	0 (use existing centerline)
Km 36+500 – Km 54+000	1 m to the right

m = meter, km = kilometer.



- Notes :**
1. SHOWN OFFSETS TO COMMUNICATION CABLE ARE INDICATIVE ONLY. LOCATION WILL NEED TO BE DETERMINED ON SITE.
 2. UNDERGROUND TELECOMMUNICATION CABLE IS WITHIN 10 METRES OF EXISTING ROAD CENTRE LINE AT ALL BRIDGES AND DRAINAGE STRUCTURES. IT IS OFTEN ABOVE GROUND AT WATERWAYS.

Maubin - Phyarpon Road (25.5km To 54.5km)



Notes :

1. SHOWN OFFSETS TO COMMUNICATION CABLE ARE INDICATIVE ONLY. LOCATION WILL NEED TO BE DETERMINED ON SITE.
2. UNDERGROUND TELECOMMUNICATION CABLE IS WITHIN 10 METRES OF EXISTING ROAD CENTRE LINE AT ALL BRIDGES AND DRAINAGE STRUCTURES. IT IS OFTEN ABOVE GROUND AT WATERWAYS.

LIST OF AFFECTED HOUSEHOLDS / AFFECTED GOVERNMENT OFFICES

MYA: Maubin - Pyapon Rehabilitation Project

List of Affected Households / Affected Government Offices

Table 1: Maubin Township

No	Name	NRC No. (or) Father's Name	Location
1	U Zaw Win	U Tin Thein	1/0-1/1
2	Daw Khin Mar Kyi	14/Ma A Pa (N) 060316 U Nyo Gyi	2/0-2/1
3	Daw Shee Ku	14/Ma A Pa (N) 256383	2/0-2/1
4	U Say Nay	—	2/0-2/1
5	Ma Ei	14/Ma A Pa (N) 246457- U Hla Soe	2/1-2/1
6	Daw Sabai	U Maung Shwe	3/0-3/1
7	Daw Nwe ni Win	U Tin Maung	4/0-4/1
8	U Soe Khine	U Ohn Kyi	4/0-4/1
9	U Zaw Zaw	14/Ma A Pa (N) 0000707- u Toe	4/0-4/1
10	U Naing Linn	14/Ta La Na(N) 085857	5/1-5/2
11	U Kyi Po	U Htun Aung	5/1-5/2
12	Daw Ohn May	U Aye Phay	5/1-5/2
13	U Chit Kaung	14/Ma A Pa (N)180345- U Hla Htwe	5/1-5/2
14	Daw Myint Myint Khine	U Wan Kaut	5/1-5/2
15	U Thein Htun	U Chit Tin	5/1-5/2
16	U kyaw Win	U Kawt Kyi	5/1-5/2
17	Daw Hla Than	U San Lwin	5/1-5/2
18	U Myint Lwin	U Than Shwe	6/7-7/0
19	Daw Thida Hlaing	14/Ma A Pa (N)155059- U Aye Hlaing	6/7-7/0
20	U Zaw		7/1-7/2
21	U Thein San	14/Ma A Pa (N)176202- U Tin Myint	7/1-7/2
22	u Aung Than U	U San Maung	0/0-0/1
23	U Ohn Myint	14/Ma A Pa (N)133816- U Htun	0/0-0/1
24	U Nyan Htun	General Administrative Office (Village)	0/0-0/1
25	U Tin San	U Maung Hla Aung	0/0-0/1
26	Daw Nwe Nwe OO	U Myo Chit	0/5-0/6
27	U Hla Win	12/ Tha Ga Ta (N) 110909 - U Ohn Maung	0/5-0/6

Table 2: Kyiaklat Township

No.	Survey code	Name Village	Km Post	Name of head of Affected Household/ Name of AP	Name or use of affected structure
1	K-003	Kyiaklat Tarbat	Km13-14 Right	U Mya Oo	House-shop
2	K-002	Kyiaklat Tarbat	Km13-14 Right	U Khine Win	House-shop
3	K-006	Tha Yar Wei	Km19 Right	Daw Khin Hla	Shop
4	K-009	Tha Yar Wei	Km18-19 Right	U Than Tun	Shop
5	K-014	Tha Yar Wei	Km18-19 Right	U Tha Aung	House
6	K-015	Tha Yar Wei	Km19 Right	U Naing Linn	House-shop
7	K-016	Tha Yar Wei	Km 19 Right	U T Hla Wai	Welding shop
8	K-021	Tha Yar Wei	Km 19 Right	U Myint Swe	House
9	K-025	Su Ganan	Km 21-22 Right	U Yan Naing Tun	House
10	K-030	Kha Ya Bin	Km 24-26 Right	U Tin Kyaing	House
11	K-032	Bon Lon Kyaung	Km 26 Right	U Win Naing	Shop
12	K-033	Bon Lon Kyaung	Km 26 Right	U Saw Aung Myo	Tollbooth
13	K-034	Bon Lon Kyaung	Km 26-27 Right	U Thaug Gyi	Shop

No.	Survey code	Name Village	Km Post	Name of head of Affected Household/ Name of AP	Name or use of affected structure
14	K-035	Bon Lon Kyaung	Km 26-27 left	U La	Shop
15	K-036	Bon Lon Kyaung	Km 26-27 left	Daw Nu Kyi	Kiosk
16	K-037	Bon Lon Kyaung	Km 26-27 Right	U Aung Tin	Shop
17	K-038	Bon Lon Kyaung	Km 26-27 left	U Hla Myint Aung	Kiosk
18	K-039	Bon Lon Kyaung	Km 26-27 Right	U Poe Htaung	Phone booth
19	K-040	Bon Lon Kyaung	Km 26-27 left	U Pyo Min Thu	House-shop
20	K-042	Bon Lon Kyaung	Km 26 Right	U Kyaw Htet	House-shop
21	K-043	Pyin Daung Su	Km 27 Right	U Aung Min Tun	House-shop
22	K-044	Pyin Daung Su	Km 27 Right	U Than (Daw Nyo)	House-shop
23	K-045	Pyin Daung Su	Km 27 Right	U Saw Aung Myo	Phone booth
24	K-046	Pyin Daung Su	Km 27 Right	U Aye Thauung (Daw Nu)	House-shop
25	K-055	No.1 block	Km 0-1 right	U Naing Win	Kiosk
26	K-057	No.1 block	Km 0-1 right	U Than Hteik	Kiosk
27	K-058	No.1 block	Km 0-1 right	U Myo Ko	Kiosk-house
28	K-064	Ka Naung	Km 2 Right	U Zaw Win Naing	House-shop
29	K-065	Ka Naung	Km 2 Right	U Win Zaw	House-shop
30	-	Ka Naung	Km 2 Right	U Pu (Pauk)	House-shop
		Tha Yar Wei		Pagoda archway	
		No. 1 Block		Pagoda archway	
		2 Waiting sheds			

Table 3: PyaponTownship

Pyapon					
1	P-001	Kyone Tar Shan Quin	Km 43 Left	U Myint Than	House-shop
2	P-002	Kyone Tar	Km 44-45 Right	U Htein Win	House-shop
3	P-003	Kyone Tar	Km 44-45 Right	U Aung Than Kyaw	House-shop
4	P-004	Thaleik Kyee	Km48-49 Right	U Zay One	House-shop
5	P-005	Thaleik Kyee	Km48-49 Right	U Thura	House-shop
6	P-006	Thaleik Kyee	Km48-49 Right	U Aung Myo Oo	House-shop
7	P-007	Thaleik Kyee	Km48-49 Right	U Ne La	House-shop
		2 Waiting sheds			

SOCIOECONOMIC SURVEY

Table 15: Marital Status, Age, and Physical Condition of Heads of Affected Households

Gender of Head of affected households	Marital Status				Age			Physical Condition		
	Married	Single	Widow	No data/NA	< 60	60 and above	No data/NA	Normal	Disabled/Sickly	No data/NA
Maubin										
Male	8	2	1	3	13	0	1	13	0	1
Female	4	2	1	0	7	0	0	7	0	0
Total	12	4	2	3	20	0	1	20	0	1
Kyiaklat										
Male	29	0	0	0	26	3	0	28	1	0
Female	0	1	1	0	2	0	0	2	0	0
Total	29	1	1	0	28	3	0	30	1	0
Pyapon										
Male	7	0	0	0	6	1	0	6	1	0
Female	0	0	0	0	0	0	0	0	0	0
Total	7	0	0	0	6	1	0	6	1	0
Grand Total	48	5	3	3	54	4	1	56	2	1

Table 16: Ethnic and Religious Affiliations of Heads of Affected Households

Gender of Head of affected households	Ethnicity			Religion		
	Bamar	Karen	No data/NA	Buddhism	Christianity	No data/NA
Maubin						
Male	11	2	1	12	1	1
Female	6	1	0	6	1	0
Total	17	3	1	18	2	1
Kyiaklat						
Male	29	0	0	29	0	0
Female	2	0	0	2	0	0
Total	31	0	0	31	0	0
Pyapon						
Male	7	0	0	7	0	0
Female	0	0	0	0	0	0
Total	7	0	0	7	0	0
GRAND TOTAL	55	3	1	56	2	1

Table 17: Educational Attainment of Head of Affected Households

Gender of Head of affected households	No data/ NA	No Education	Primary	Elementary	Middle School	High School	Monastery	University
Maubin								
Male	1	0	0	6	4	3	0	0
Female	0	0	0	4	3	0	0	0
Total	1	0	0	10	7	3	0	0
Kyiaklat								
Male	0	3	1	12	4	6	0	3
Female	0	0	1	1	0	0	0	0
Total	0	3	2	13	4	6	0	3
Pyapon								
Male	0	0	0	2	0	3	1	1
Female	0	0	0	0	0	0	0	0
Total	0	0	0	2	0	3	1	1
Grand Total	1	3	2	25	11	12	1	4

Table 18: Persons Living with the Affected Households and Number of Working Members

Gender of Head of affected households	Number of Persons Living with affected households									Number of Working Members of affected households					
	1	2	3	4	5	6	7	8	No data/ NA	1	2	3	4	5	6
Maubin															
Male	0	3	2	0	0	1	0	0	8	8	6	0	0	0	0
Female	0	0	1	0	0	0	0	0	6	7	0	0	0	0	0
Total	0	3	3	0	0	1	0	0	14	15	6	0	0	0	0
Kyiaklat															
Male	0	4	9	5	5	4	1	0	0	7	17	2	0	2	1
Female	1	0	0	2	0	0	0	0	0	2	0	0	0	0	0
Total	1	4	9	7	5	4	1	0	0	9	17	2	0	2	1
Pyapon															
Male	0	1	1	1	2	0	1	1	0	3	3	1	0	0	0
Female	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	1	1	1	2	0	1	1	0	3	3	1	0	0	0
Grand Total	1	8	13	8	7	5	2	1	14	27	26	3	0	2	1

Table 19: Most Common Ailments of Members of Affected Households in the Past Year

Gender of Head of affected households	No data/NA	None	Skin disease	Gastritis	Fever	Cold	Appen- dicitis	Hepa- titis	Bron- chitis	Heart ailment	Anemia	Urinal infection	Chest pain
Maubin													
Male-headed	2	12	0	0	0	0	0	0	0	0	0	0	0
Female-headed	0	7	0	0	0	0	0	0	0	0	0	0	0
Total	2	19	0	0	0	0	0	0	0	0	0	0	0
Kyiaklat													
Male-headed	1	15	0	4	5	2	2	1	2	1	1	1	2
Female-headed	0	0	0	0	2	0	0	0	0	0	0	0	0
Total	1	15	0	4	7	2	2	1	2	1	1	1	2
Pyapon													
Male-headed	0	6	1	0	0	0	0	0	0	0	0	0	0
Female-headed	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	6	1	0	0	0	0	0	0	0	0	0	0
Grand Total	3	40	1	4	7	2	2	1	2	1	1	1	2

*Multiple answers per affected households possible

Table 20: Main Source of Drinking Water of the Affected Households

Gender of Head of affected households	Rain and Communal Pond	Communal Pond	River	Communal Well	Own (Motor Pump) Well	Buy	No data/NA
Maubin							
Male-headed	0	0	7	3	1	1	2
Female-headed	0	0	3	2	1	0	1
Total	0	0	10	5	2	1	3
Kyiaklat							
Male-headed	0	3	24	0	0	1	1
Female-headed	0	0	2	0	0	0	0
Total	0	3	26	0	0	1	1
Pyapon							
Male-headed	7	0	0	0	0	0	0
Female-headed	0	0	0	0	0	0	0
Total	7	0	0	0	0	0	0
Grand Total	7	3	36	5	2	2	4

Table 21: Main Source of Water of the Affected Households for Washing

Gender of Head of affected households	Rain and Communal Pond	Communal Pond	River	Communal Well	Own (Motor Pump) Well	Buy	No data/NA
Maubin							
Male-headed	0	0	9	2	0	0	3
Female-headed	0	0	3	2	1	0	1
Total	0	0	12	4	1	0	4
Kyiaklat							
Male-headed	0	0	28	0	0	0	1
Female-headed	0	0	2	0	0	0	0
Total	0	0	30	0	0	0	1
Pyapon							
Male-headed	7	0	0	0	0	0	0
Female-headed	0	0	0	0	0	0	0
Total	7	0	0	0	0	0	0
Grand Total	7	0	42	4	1	0	5

Table 22: Toilet Facilities Used by the affected households

Gender of Head of affected households	Open Pit	Closed Pit	Simple water sealed	No data/NA
Maubin				
Male-headed	2	7	0	5
Female-headed	0	3	0	4
Total	2	10	0	9
Kyiaklat				
Male-headed	0	27	1	1
Female-headed	0	1	1	0
Total	0	28	2	1
Pyapon				
Male-headed	3	4	0	0
Female-headed	0	0	0	0
Total	3	4	0	0
Grand Total	5	42	2	10

Table 23: Bathing Facilities Used by the affected households

Gender of Head of affected households	River/Canal	River	Own (Motor Pump) Well	No data/NA
Maubin				
Male-headed	0	9	1	4
Female-headed	0	3	1	3
Total	0	12	2	7
Kyiaklat				
Male-headed	0	28	0	1
Female-headed	0	2	0	0
Total	0	30	0	1
Pyapon				
Male-headed	7	0	0	0
Female-headed	0	0	0	0
Total	7	0	0	0
Grand Total	7	42	2	8

Table 24: Garbage Disposal Used by the affected households

Gender of Head of affected households	Burn	Bury	No data/NA
Maubin			
Male-headed	11	0	3
Female-headed	6	0	1
Total	17	0	4
Kyiaklat			
Male-headed	25	1	3
Female-headed	1	1	0
Total	26	2	3
Pyapon			
Male-headed	7	0	0
Female-headed	0	0	0
Total	7	0	0
Grand Total	50	2	7

Table 25: Main Source of Fuel/Power for Lighting

Gender of Head of affected households	Own Generator	Rechargeable Battery	Kerosene	Candle	Kerosene/Candle	Generator/Battery	No data/NA
Maubin							
Male-headed	1	7	0	1	1	0	4
Female-headed	2	2	0	0	0	0	3
Total	3	9	0	1	1	0	7
Kyiaklat							
Male-headed	2	15	9	0	0	1	1
Female-headed	0	1	0	1	0	0	0
Total	3	16	9	1	0	1	1
Pyapon							
Male-headed	1	6	0	0	0	0	0
Female-headed	0	0	0	0	0	0	0
Total	1	6	0	0	0	0	0
Grand Total	7	31	9	2	1	1	8

Table 26: Main Source of Fuel/Power for Cooking

Gender of Head of affected households	Wood	Kerosene/Wood	Wood/LPG	Wood/Rice Husk	No data/NA
Maubin					
Male-headed	8	0	0	1	5
Female-headed	4	0	0	0	3
Total	12	0	0	1	8
Kyiaklat					
Male-headed	27	0	1	0	1
Female-headed	1	1	0	0	0
Total	28	1	1	0	1
Pyapon					
Male-headed	7	0	0	0	0
Female-headed	0	0	0	0	0
Total	7	0	0	0	0
Grand Total	47	1	1	1	9

Table 27: Home Appliances of affected households

Gender of Head of affected households	Radio	TV	DVD/VCD	Phone	Electric Fan	Refrigerator	Tape Recorder	Rice Cooker	None	No data/NA
Maubin										
Male-headed	1	0	0	0	0	0	0	0	8	5
Female-headed	1	3	3	2	0	0	0	0	0	4
Total	2	3	3	2	0	0	0	0	8	9
Kyiaklat										
Male-headed	6	13	11	8	2	3	1	1	13	1
Female-headed	0	0	0	0	0	0	0	0	2	0
Total	6	13	11	8	2	3	1	1	15	1
Pyapon										
Male-headed	3	3	1	0	0	0	0	0	1	0
Female-headed	0	0	0	0	0	0	0	0	0	0
Total	3	3	1	0	0	0	0	0	1	0
GRAND TOTAL	11	19	15	10	2	3	1	1	24	10

Table 28: Ownership of Means of Transportation

Gender of Head of affected households	Motorbike	Bicycle	Canoe	Motorbike/Bicycle	Car/Motorbike/Bicycle	Car/Motorbike	None	No data/NA
Maubin								
Male-headed	7	1	0	0	0	0	2	4
Female-headed	1	0	0	1	0	0	2	3
Total	8	1	0	1	0	0	4	7
Kyiaklat								
Male-headed	5	7	0	1	1	1	13	1
Female-headed	0	0	0	0	0	0	2	0
Total	5	7	0	1	1	1	15	1
Pyapon								
Male-headed	3	0	1	0	0	0	3	0
Female-headed	0	0	0	0	0	0	0	0
Total	3	0	1	0	0	0	3	0
Grand Total	16	8	1	2	1	1	22	8

Table 29: Awareness of affected households about the Project

Items	Male-headed affected households	Female-headed affected households	Total
Maubin			
1. Aware of the proposed Project			
Yes, learned from village officials	12	7	19
No data/NA	2	0	2
2. Positive views about the proposed Project			
In favor	18	1	19
No data/NA	2	0	2
3. Negative views about the proposed Project			
None	18	1	19
No data/NA	2	0	2
Kyiaklat			
1. Aware of the proposed Project			
Yes, learned from village officials	28	2	30
Did not know	0	0	0
No data/NA	1	0	1
2. Positive views about the proposed Project			
Easy to travel and communicate	18	1	19
Will facilitate expansion of business	2	1	3
It is good	8	0	8
No data/NA	1	0	1
3. Negative views about the proposed Project***			
Inconvenient because they have to move	3	0	3
Hard to continue staying or living there (ROW)	13	1	14
Difficult to continue selling; affect the family finances	9	0	9
None	3	1	4
No data/NA	1	0	1
Pyapon			
1. Aware of the proposed Project			
Did not know	7	0	7
2. Positive views about the proposed Project			
In favor; positive	7	0	7
3. Negative views about the proposed Project			
None	7	0	7

Table 30: Suggestions on Ensuring Affected Households Are Informed and Benefit from the Project

Items	Male-headed affected households	Female-headed affected households	Total
Maubin			
1. Suggestions on ensuring affected households are adequately informed			
Affected household promised to vacate ROW when asked, communication will be good	12	7	19
No data/NA	2	0	2
2. Suggestions on ensuring affected households benefit from the project			
Road project will be very beneficial to the people	6	5	11
Affected household expects work during construction	6	2	8
No data/NA	2	0	2
Kyiaklat			
1. Suggestions on ensuring affected households are adequately informed			
None	28	2	30
No data/NA	1	0	1
2. Suggestions on ensuring affected households benefit from the project			
Project is good as it is because it will facilitate travel and communication	24	1	26
None	3	1	4
No data/NA	1	0	1
Pyapon			
1. Suggestions on ensuring affected households are adequately informed			
None	7	0	7
2. Suggestions on ensuring affected households benefit from the project			
When road is finished, people will benefit	7	0	7

IOL and SES Form

INVENTORY OF LOSSES AND SES OF AHS

INSTRUCTION: To be accomplished for all persons/households and organizations/institution with affected assets (e.g., houses, shops, waiting sheds, and crops) located within construction area or corridor of impact (COI) specified in the TA Consultants' preliminary road designs.

Survey Code of AP/AH: _____

I. Location of the affected asset of the affected person (AP), affected household (AH), or organization

A. Location of affected asset(s): District:	Township:	Village	Mile/kilometer post:
B. Name* of Occupant/Owner of the Affected Asset(s):			

***NOTE:** If a single-person household, write the name of the AP; if an AH, write the name of the head of the AH; if an institution or organization, write the name of the institution or organization. A person who lives alone by himself/herself is considered a single-person household.

II. Affected Assets (This section **WILL BE** filled-up for all AHs and organizations or institutions affected by the loss of assets)

A.1 Land: no private land affected; civil works will be confined within the existing 150 feet ROW.

B.1 Main structures* found in the occupied Project construction area/limit:

Type or use of the affected main structure	Structure classification**	Total area (m ²) of the structure	Area (m ²) of the affected portion of the structure	State whether the structure will have to be acquired/affected PARTIALLY or TOTALLY

***Main structures:** Regardless of structural condition and construction materials used, these are buildings that are fixed on the ground with at least four posts, with roof, and used as residence, shop or place of commerce, residence and shop at the same time, etc..

**** Specifics of classification:** Use structure classification system of the local government (district or township).

B.2 Tenure status over the affected main structures:

Main Structure	Tenure (check the appropriate box below)			
	Owner	Tenant/ renter	Occupying WITH permission of owner	Occupying WITHOUT permission of owner
	[]	[]	[]	[]

B.3 If the affected house/store/building does not belong to the AP/AH:

A. Name of owner of affected main structure	Address of owner of affected main structure	Paying Rent? Check appropriate box below		If Paying Rent, How much is Monthly Rent? (Indicate in Kyat)
		No	Yes	
U/Daw _____		[]	[]	
B. Does the tenant AH own a house/building elsewhere? [] No [] Yes, location: _____				

C. Secondary structures* found in the occupied Project construction area/limit:

Type of affected secondary structure	Structure classification**	Total area (m ²) / length (lm) of the structure	Affected area (m ²) / length (lm) of the structure
1.			
2.			
3.			

***Secondary structures:** Structures that are not moveable and not part of the main structures, such as fence, driveway, waiting sheds, farm sheds, irrigation canal, etc..

**** Specifics of classification:** Use structure classification system of the local government (district or township).

D. Annual crops found in the occupied Project construction area/limit:

Name / type of annual crops*	Actual area planted to the crop (m ²)

Name / type of annual crops*	Actual area planted to the crop (m ²) by Category**		
	A	B	C

*Examples of annual crops: rice, corn, sugarcane, cassava, etc.

E. Type and number (count) of perennials found in the occupied Project construction area/limit:

Name of perennial	Young and not yet bearing fruit	Bearing fruit (within age of peak production)	Bearing fruit (old)
1.			
2.			
3.			
4.			
Total			

F. Count of timber trees of commercial value found in the occupied Project construction area/limit:

Name of tree	Count
Total	

G. Loss of business and income:

Nature of Business*	Net Monthly Income (Kyat)	Duration of Disruption in Business Operation (Check appropriate box)	
		Permanent	Temporary
		[]	[]

*Examples of business: motor vehicle repair shop, grocery store, eatery

III. Socioeconomic information: (This section **WILL NOT** be filled-up if the affected asset belongs to an organization or institution)**A. Basic information about the head of the AH**

1. Name:		2. Home address: Village: _____ Township: _____ District: _____	
3. Gender: a. Male b. Female		4. Age: _____	5. Physical condition: a. Normal b. Disabled
6. Civil status: a. Single b. Married c. Widow/Widower d. Divorced			7. Religion: _____
8. Ethnic affiliation: a. Bamar/Burman b. Shan c. Rakhine d. Karen e. Chinese f. Mon g. Indian h. Other (specify) _____			
9. Educational attainment:		10. Main livelihood activity of the head of AH: a. _____ (specify) b. No work/looking for work c. Retired/not looking for work	

B. Socioeconomic information on the AH

1. Number of persons presently living with the household: 1 2 3 4 5 6 7 8 Other (specify number) _____									
2. Basic information on persons presently and actually living with the AH:									

Household member	Relationship with head of AH	Age	Gender	Educational attainment	Livelihood activity
1					
2					
3					
4					
5					
3. Average monthly income of the AH (combined from all members): Kyat _____			4. Average monthly savings: a. Kyat _____ b. None		
5. By percentage, how much of the average monthly income of the AH go to the following expense items (total should not exceed 100%): a. Food: _____% b. Clothing: _____% c. Health: _____% d. House maintenance: _____% e. Education: _____% f. Productive asset: _____%					
6. Health concerns: a. Most common ailments (sickness) that afflicted members of the AH the past one year: i. _____ ii. _____ b. For ailments of members of the AH the past year that required professional help, did you go to a doctor, medical clinic, or hospital? i. Yes ii. No Why not? _____ c. Where is the nearest medical clinic or hospital located from where you live? i. Same village of the AH ii. In another village in the same township iii. In the district/town center					
7. Sanitation concerns: a. Source(s) of water for drinking: i. Ground well belonging to the AH ii. Pump well belonging to the AH iii. Piped water from public provider iv. Public/neighbor's open well v. Public/neighbor's pump vi. River/canal vii. Buy from retailers viii. Other (specify) _____ b. Source(s) of water for washing: i. Ground well belonging to the AH ii. Pump well belonging to the AH iii. Piped water from public provider iv. Public/neighbor's open well v. Public/neighbor's pump vi. River/canal vii. Buy from retailers viii. Other (specify) _____ c. Toilet facility used by the AH: i. Simple water sealed (use pail for flushing) ii. Water sealed with flushing mechanism iii. Open pit iv. Closed pit v. None d. Bathing facility used by the AH: i. Enclosed bathroom in the house ii. Open bathing area beside the house iii. River/canal e. Garbage disposal practice: i. Burry by the AH ii. Collected by local government iii. Burn by the AH					
8. Main fuel/power used for lighting: i. Electricity from public provider ii. Kerosene iii. Rechargeable battery iv. Own generator v. Other _____					
9. Main fuel/power used for cooking: i. Electricity ii. Kerosene iii. LPG iv. Wood v. Other _____					
10. Owner of home appliances: i. Television ii. Refrigerator iii. Radio/cassette recorder iv. Telephone/cellphone v. DVD/CD player vi. Oven/stove vii. Electric fan viii. Others (specify) _____					
11. Ownership of transportation i. Car ii. Pick-up iii. Truck iv. Motorcycle v. Bicycle 6. Other (specify) _____ 7. None					
12. Availability of social facilities/services a. Primary school: i. Same village of the AH ii. In another village in the same township iii. In the district/town center b. Elementary school: i. Same village of the AH ii. In another village in the same township iii. In the district/town center c. High school: i. Same village of the AH ii. In another village in the same township iii. In the district/town center d. Vocational school: i. Same village of the AH ii. In another village in the same township iii. In the district/town center e. College/University: i. In the district/town center ii. In another district/town center f. Place of worship: i. Same village of the AH ii. In another village in the same township iii. In the district/town center					

g. Market: i. Same village of the AH ii. In another village in the same township iii. In the district/town center				
13. Other landholdings of the AHs that are away from (outside of) the road right-of-way (ROW):				
	Area of land in m²			
Tenure/Proof of Ownership	Residential/Commercial	Farmland	Forestland	Pond
Land use certificate				
Freehold				
Gay-an				
La Na 39				
TOTAL LAND AREA				

IV. Reconstruction option of AH losing entire house and/or store (This section **WILL NOT** be filled-up if the affected asset belongs to an organization or institution):

1. Build in the remaining area of ROW outside of the COI
2. Build on land of another person outside of the ROW
3. Relocate on another land owned by the AH outside of the ROW
4. Landless informal setter

V. Public Participation and perception about the Project (This section **WILL NOT** be filled-up if the affected asset belongs to an organization or institution):

1. Are you aware of the proposed rehabilitation of the road in your village?
 - a. Yes Where or how did you learn about the proposed rehabilitation of the road in your village?

b. No

2. What are your positive and/or negative views, if any, about the proposed rehabilitation of the road in your village?

a. Positive: _____

b. Negative: _____

3. What are your suggestions, if any, on how to ensure that local residents, especially those whose assets are affected, are adequately informed and their suggestions and complaints are considered by the authorities during the whole time that the road rehabilitation Project is carried out in your village?

a. _____

b. _____

4. What are your suggestions, if any, on how to ensure that local residents will derive benefit from the Project, during the construction of the road and after the road has been rehabilitated road is already operational?

a. _____

b. _____

VI. Grievance redress (This section **WILL NOT** be filled-up if the affected asset belongs to an organization or institution):

1. If you have any complaint or concern regarding any aspect related to the rehabilitation of the road in your village, such as accuracy of the inventory of your affected assets; amount or level of compensation for your affected assets; construction activities of the civil works contractor; etc.

a. To whom do you think your complaint or concern should be brought to?

b. In what way should you bring forward your complaint or concern? b.1 Oral b.2 Verbal

2. In the event that you are not satisfied with the action taken by the person or office where you first brought your complaint or concern, to whom do you want to bring your complaint or concern next for appropriate action?

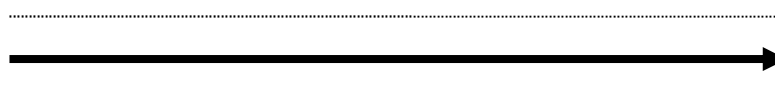
Name and Signature of AH or Representative

Relationship of representative with the AH

Name and Signature of Enumerator

Date accomplished:

VII. Sketch of affected assets relative to their location in the ROW: (Stationing: _____ mile)



Start of Road
Maubin

Centerline

End of Road
Pyapon

HIGHLIGHTS OF MEETINGS DURING RESETTLEMENT PLANNING

PRE-IOL PUBLIC MEETING, 12 September 2013, Maubin Township

Superintending Engineer Daw Hla Thwe (MOC)

She explained that the Ministry of Construction (MOC) and the Public Works (PW) are cooperating with the Asian Development Bank (ADB) in preparing for the proposed Maubin-Phyarpon Road Rehabilitation Project. She cited the socioeconomic significance of the proposed project in the Ayeyarwaddy Region where rice is the major product. She explained that the project, once completed, will not only facilitate the transport of goods, it will also bring in many job opportunities to the local population. Moreover, since the road rehabilitation will be carried out within the existing 150 ft. road right-of-way (ROW), no forestland or farmland would be affected. She enjoined the people in the meeting to feel free to ask the questions to the ABD consultants.

Chief Engineer U Soe Myint (Ministry of Telecommunication)

He informed the people in the meeting about the fiber optic cable that is buried in the embankment of the project road. Removal or damaging this fiber optic would cut 80% of online computer service of the country and 10,000 phone lines. He advised that the utmost care should be exerted to avoid damaging the fiber optic cable.

Superintending Engineer Daw Hla Thwe (MOC)

She responded by explaining that MOC has already communicated with the Telecommunication Ministry about the matter. Arrangements on ways to carry out the removal of the fiber optic cable, if needed, would be agreed between the two ministries before the anticipated start of the road construction in 2015.

Chief Engineer U Kyaw Shane (Moc)

He explained that the fiber optic cable was already in place before he was assigned to the district.

Council Member (Pyapon)

He appreciates that the rehabilitation of the road includes the section inside the urban center of Kyaiklat Township, which is under the jurisdiction of the local government. He would like to propose to extend the road rehabilitation project into the urban center of Phyarpon Township up to the junction leading to Bogalay Township. He explained that the current formation width of the road inside the township is 34 ft. and the traffic lane width is 18 ft.

Head of General Administration (Kyaiklat Township)

He wanted to know how encroachers into the ROW, especially from Tarpat to Kayiklat, would be handled. He noted that rice crops are cultivated inside the ROW, or within 75 ft. from the centerline of the road. Moreover, since the rehabilitation of the road will also include the more than 2 mile section inside the Township center, he wanted to know how would this be carried out in view of the presence of lamp posts on the side of the road. He suggested close cooperation between project authorities and the local government.

Deputy Engineer

He said that the matter of encroachers would be handled according to the road law.

Representative of Farmer Association

He pointed out that farmers are the ones that need land the most; their lives depend on their farm. So, if there would be land acquisition, he expects that compensation at reasonable level will be paid. He also added that farmer have do not know how to deal with the courts.

Chief Engineer

He said that the project might have to acquire land from which to get filling materials for the embankment of the rehabilitated road.

Representative of the Settlement and land Records Department of Maubin

He explained that if the borrow pit is beyond the 150 ft. ROW, then compensation should be paid to the land holder/owner.

Chief Engineer

In order to reduce the cost of earth fills, he suggested acquiring these from Twantay.

ADB TA Resettlement Consultant

The resettlement consultant of ADB discussed the corridor of impact (COI), based on the preliminary design being considered by MOC and the ADB. He clarified that only 69.5 ft. (21.18 m) of the ROW will

be needed in the rehabilitation of the road, and the present road alignment will be used. He further explained that the section of the road that crosses the Township center of Kayiklat would not be widened and that the project will construct a 25 ft. (7.62 m) pavement only. On the matter about the fiber optic cable, he said that this was still being discussed between relevant government offices.

Assuming that the rehabilitation works will start in 1015, the resettlement consultant said that clearing of the COI should be done before that, probably during the second half of 2014. He explained that road works could not commence in any particular segment of the project road unless it is clear of all obstructions. On measures to mitigate loss of assets among those who have occupied parts of the ROW, he said that he recognized that there are existing laws on the matter. He added, however, that the ADB also has a policy on ensuring that people affected by any project assisted by the Bank should be assisted in order that they will not be worse off because of the project. So, it is the task of the resettlement consultant to discuss with the government ways in which the COI could be cleared within the existing laws and regulations of Myanmar while at the same time satisfying the social safeguard policy of ADB. He enjoined local authorities and the NGOs present to help ensure that existing structures found in the COI will not be expanded upgraded into permanent materials and that no new structures are built in the COI. Meanwhile, the resettlement consultant added that during the meeting, they wanted to hear the views of stakeholders.

ADB TA Environmental Consultant

He explained that he was only going to prepare this year a preliminary environmental assessment. A more extensive report would be prepared next year, so it would be of help if people could provide information on adverse environmental impacts of the proposed project.

U Mya Khine, NGO

She cited that the road rehabilitation project would help in the improvement of education and health services and boost trade and the economy. She said that they would cooperate in the implementation of the road project.

Representative from the Ministry of Forestry

He said that the ministry planted big trees as part of environmental greening program. He wanted to know how those trees would be removed from the COI. He also wanted to know if ADB would assist?

ADB TA Environmental Consultant

He reiterated that a COI of 69.5 ft. only would be cleared.

Chief Engineer

He emphasized that even the forestry people can participate in the construction project.

Representative of Women Organization

She said that people in occupation of land that will be cleared should be provided compensation.

Maubin Township Police Officer:

He enjoined the people to cooperate in order to accomplish the project.

ADB TA Environmental Consultant

He enjoined women organizations to participate in the project. He added that women could be members of the village environmental compliance committee (VECC).

Representative of land transportation sector

He is grateful about the project. He said the transportation of goods transportation would be quicker and easier and that private car owners are to learn about the project.

U Myint Htun (land transportation)

He expressed concern on the number of road accidents between mile 5 and mile 5 and 1 furlong. He hopes the design of the road curve in that location is appropriate in order to address this concern.

Head of General Administrative (Pyapon District) U Kyaw Soe Oo

He voiced support for the road project and hopes that the road project would bring worthy benefits to the people.

Head of General Administration (Maubin District): U Aye Thaung

He pointed out that the project road is main road for the entire southern part of Ayeyarwaddy Region. For the Pyapon people, the Maubin- Pyapon road has been used mainly for business, while the Pyapon -

Dedaye-Yangon road is used mainly by private vehicle. He said that 3 industrial zones would soon be established covering an area of about 5,000 acres close to the proposed project road. He concludes that the project road is very useful to the Pyapon people of all sectors, such as health, education, and business. In view thereof, he would like to request that the rehabilitation of the road would be done with a good design and of high standards.

ADB TA Environmental Consultant

Thanked all the participants in the meeting.

=====

Minutes of the Post-IOL Consultation with AHs of Maubin Township

Date and Time: 17 December 2013 at 10:00-11:45 am

Venue: Pagoda in Kyone Soat Village Tract, Maubin Township

Total Number of Participants: 24 (11 females and 13 males).

- Daw Khin Wae, Assistant Engineer, PW of Maubin
- 3 Staff of PW Maubin
- 21 Affected Households (AHs) of Maubin Township
- Village Tract Administrators (from the villages with the AHs)
- Romeo B. Cleto (RBC), ADB TA Consultant (Resettlement)
- Ester M Felix (EMF), ADB TA Consultant (Social Development and Gender)

Purpose of the Consultation:

- Inform the AHs about the proposed project.
- Discuss the results of the IOL
- Validate the usage of the inventoried affected structures (shops/houses)
- Get comments and suggestions from the AHs regarding ways to mitigate the adverse impacts of their losses.
- Discuss the proposed resettlement policy

Highlights of the Meeting:

1. Introduction on the purpose of the consultation meeting given by Daw Khin Wae.
2. RBC explained about the proposed project and clearing will be done only within 21 meters (10.5 meters from centerline) or 69.5 feet construction area. During the IOL survey, there were 21 structures identified that will be affected by the proposed project. Before construction starts, PW will clear the structures within the defined construction area in the ROW. He also explained the ADB Safeguard Policy regarding resettlement and the proposed entitlements of the AHs.
3. Comments raised by the AHs:
 - (i) U Thein Hten (Kyone Soat) said for “the sake of the villages and the country as well, the affected HHs promised that they will remove the structures constructed in the defined ROW”. They would like to know the schedule or when the construction will start so that they could also prepare?
 - (ii) Daw Myent Myint suggested that when their shops are demolished or removed, they would like to construct new shops for them to be able to continue earning a living. They have no resistance on removing the shops prior to road construction.
 - (iii) Daw Thidor Hlaing mentioned that they will remove their shops although selling is their source of income. She asked if they will be allowed to construct again shops along the road after the road rehabilitation project has been completed.
 - (iv) Daw Thaw Thithtoo (Minball Village). She is willing to remove her shop prior to start of road construction.
4. RBC went through each of the pictures provided by PW in Maubin of the affected structures to seek clarification on the types of the structures (if shops and houses or only shops and HHs have separate houses in the village or somewhere else).
5. RBC explained to the AHs the resettlement policy that he proposed to Daw Hla Hla Thwe of MOC on 16 December 2013, as follows:

- (i) Before the road construction, AHs will be notified ahead of time to allow them enough time to prepare. A resettlement coordination committee (RCC) will be set-up, with representatives from PW, Village Tract (VT), Contractor, Township, and male and female representatives of the AHs. The functions of the RCC includes: (a) providing information to the AHs on the schedule of the commencement of the project and the clearing of the COI (b) serving as a channel in the submission of complaints and grievances, and (c) helping resolve complaints and grievances.
 - (ii) The contractors will help in removing or carrying out the demolition and transfer/construction of affected houses and shops behind or outside the construction area. Affected AHs with shops could still continue selling.
 - (iii) AHs may not improve their shops/houses. It will still be the same materials as before or prior to the start of road construction. The AHs will pledge in writing that in future when the Government needs the ROW, the AHs will leave the ROW at no cost to the government. Based on the IOL survey conducted by PW, 21 affected HHs were identified. Anybody who will construct new structures in the ROW will not be allowed and structures will be removed right away. PW will ensure that there will be no new structures in the ROW. No assistance will be provided to those who will construct new structures in the ROW.
 - (iv) AHs will be given priority by the contractors in the hiring of laborers during road construction. Local labor, including women and female-headed households, would be given priority in the hiring of unskilled labor as part of gender mainstreaming. The Social Development and Gender Specialist will include this in the Gender Action Plan (GAP) which will be submitted to ADB, including other activities related to road safety, HIV/AIDS and human trafficking prevention, etc.
 - (v) AHs with standing agricultural crops in the ROW will be given the opportunity to harvest their crops but no new planting should be done by next year or prior to the start of road construction, as this might complicate the clearing of the COI.
 - (vi) Schedule of removal of the structures in the construction area will be set out well ahead of the start of construction works. This will be planned with the resettlement coordinating committee.
6. The MOC through Daw Hla Hla Thwe will be provided with the list of the affected AHs in each Township/village, and will be furnished with a copy of the minutes of the post IOL consultation meeting.
7. A copy of the list of AHs and the resettlement plan (RP) that MOC will submit to ADB will be made available at the Village Tract office, PW office, and township office. A project information booklet will likewise be distributed to the AHs following submission by MOC of the RP to ADB.

=====

Minutes of the Post-IOL Consultation with AHs of Kyaiklat Township

Date and Time: 18 December 2013 at 11:30am-1:30 pm

Venue: Than Yan Wei Village Tract, Kyaiklat Township

Total Number of Participants: 40 Participants (18 Females)

- Daw Khin Tint (Assistant Engineer, PW of Kyaiklat Township)
- U Then Hto (Junior Engineer of PW Kyaiklat Township)
- 1 Staff of PW Kyaiklat Township
- Romeo B. Cleto (RBC), ADB TA Consultant (Resettlement)
- Ester M. Felix (EMF), ADB TA Consultant (Social Development and Gender)
- 31 Affected Households (AHs) of Kyaiklat Township
- Village Tracts (VTs) Administrators of the affected villages, Kyaiklat Township

Purpose of the Meeting:

- Inform the AHs about the proposed project.
- Discuss the results of the IOL
- Validate the usage of the inventoried affected structures (shops/houses)

- Get comments and suggestions from the AHs regarding ways to mitigate the adverse impacts of their losses.
- Discuss the proposed resettlement policy

Highlights of the Meeting:

1. Daw Khin Tint introduced the purpose of the meeting and discussed the policy of PW on the ROW. She said that she already collected the signatures of all households in the ROW and that they have been informed already to vacate the 150 ft. (45.75 m) ROW by the end of the year (2013)¹. If they fail to do so, they might be arrested because the PW would file a case against them in court for unlawfully occupying the ROW, a government property².
2. RBC explained to Daw Khin Tint and the AHs that for the Maubin-Phyarpon Road Rehabilitation Project, only 21.18 m (69.5 ft.) would be cleared and not the entire 45.75 m ROW as what was discussed during the September 12, 2013 public consultation-meeting held at Maubin. NGOs, PWs, LGUs and Village Tract (VT) leaders were present in that meeting. In light of the ADB Safeguard Policy, there could be serious problems, which might jeopardize the proposed project, if the entire ROW would be cleared. The 31 AHs identified in the IOL are those affected by the loss of assets in the 21.18 m corridor of impact (COI) only.
3. RBC inquired from the AHs about their views and concerns regarding the clearing of the 21.18 m (69.5 ft.) COI. Assuming that government and ADB approves the project loan 2014, then the clearing of the COI should commence in the last quarter of 2014 so that road construction could start by 2015.
4. Views and concerns raised by the AHs were as follows:
 - (i) U Tin Kyang raised a concern on another project when the road was constructed a long time ago and about 80 farmers were affected. They would like to know when they would be given compensation. Daw Khin Tint responded that the issue being raised is different and not included in the proposed project being discussed in the meeting.
 - (ii) U Aung Tin has a house and farmland that will be affected by the proposed project. The house is separate from the shop. He is willing to remove the shop before construction starts.
 - (iii) Daw Pot Thauang has a shop (phone booth) located in the COI. She is willing to remove the said structure and transfer the shop to another location outside the COI.
 - (iv) U Aung Tin and U Ayu Thauang own shops for ticketing business for vehicles. They are willing to remove the shops before the start of road construction, and inquired if it was possible to construct the same shops outside the COI later.
 - (v) Daw Ei The Phyo has a shop selling grocery items located along the road and within the COI. She will remove the shop before road construction starts.
 - (vi) U Than Then has a shop along the road but his house is separate from the shop. He will remove the shop before road constructions starts, when necessary.
 - (vii) U Than lives in a house-and-shop located in the ROW. He said he has no other place to stay if his shop/house was demolished. The PW Assistant Engineer and the Village Tract Administrator responded that this should not worry U Than because the Irrigation agency that employs him will take care for his shelter. He is employed as caretaker for an irrigation project in the village.
 - (viii) Other AHs also voiced out their views and confirmed that they have shops and/or houses in the COI. They also confirmed that they were willing to demolish or remove the structures before the start of road construction.

¹ Note for clarification, March 2014: This is part of the effort of the Ministry to routinely clear the ROW.

² Note for clarification, March 2014: In accordance with Article 7, Highways Act (2000): Whoever without the permission of the Public Works commits any of the following acts shall, on conviction, be punished with imprisonment for a term which may extend to 3 years or with fine or with both (a) building or constructing across the highway; (b) constructing the building within the boundary of the highway; (c) digging a pond within the boundary of the highway.

5. RBC expressed thanks for the views and suggestions of the AHs, and informed them that they will be notified/consulted prior to start of the project and/or removal of the structures. He is proposing the setting-up of a resettlement coordinating committee (RCC) to ensure that people are well informed about the schedule of the clearing and the start of the project, and on matters related to the proposed project, including the resolution of grievances. The proposed RCC will consist of the head of PW, VT and Township representatives, contractor, and male and female representatives of the AHs. He also clarified that the AHs that would be assisted were those included in the list of AHs provided per the IOL conducted by PW in Kyaiklat. A copy of the list of AHs and the resettlement plan (RP) that MOC will submit to ADB will be made available at the Village Tract office, PW office, and township office. A project information booklet will likewise be distributed to the AHs following submission by MOC of the RP to ADB.
6. The proposed resettlement mitigation measures (to be included in the resettlement plan or RP) that will be implemented once approved by ADB and MOC include the following:
 - (i) Before the road construction, AHs will be notified ahead of time to allow them enough time to prepare.
 - (ii) The contractors will help in removing or carrying out the demolition and transfer/construction of affected houses and shops behind or outside the construction area. Affected AHs with shops could still continue selling.
 - (iii) AHs may not improve their shops/houses. It will still be the same materials as before or prior to the start of road construction. The AHs will pledge in writing that in future when the Government needs the ROW, the AHs will leave the ROW at no cost to the government. Based on the IOL survey conducted by PW, 21 affected HHs were identified. Anybody who will construct new structures in the ROW will not be allowed and structures will be removed right away. PW will ensure that there will be no new structures in the ROW. No assistance will be provided to those who will construct new structures in the ROW.
 - (iv) AHs will be given priority in hiring by the contractors during the road construction. Hiring of unskilled labor will give priority to local labor including women and female-headed households, as part of gender mainstreaming. The Social Development and Gender Specialist will include this in the Gender Action Plan (GAP) which will be submitted to ADB, including other activities related to road safety, HIV/AIDS and human trafficking prevention, etc.
 - (v) AHs with standing agricultural crops in the ROW will be given the opportunity to harvest their crops but no new planting should be done by next year or prior to the start of road construction, as this might complicate the clearing of the COI.
7. During the construction, affected AHs, including women/female headed AHs, will be given priority by the contractors in the hiring of laborers. Participation of women is essential as part of gender mainstreaming and that includes hiring of female headed households willing to work during project implementation.
8. Before the meeting was adjourned, Daw. Khin Tint reiterated what she previously mentioned during her opening remarks, strongly emphasizing that the AHs should remove their structures from the 45.75 m (150 feet) ROW by end of the year. Otherwise they face persecution.
9. The meeting commenced at 11:30 AM and adjourned at 1:30 PM.

=====

Minutes of the Post IOL Consultation with AHs of Phyarpon Township

Date and Time: 19 December 2013 at 9:30 AM-10:45 AM

Venue: Thaleik Kalay and Thalei Kyee, Phyarpon Township

Total Number of Participants: 10 Participants (2 Females)

- Daw Su Mon (Assistant Engineer, PW of Phyarpon Township)
- 1 male staff of PW Phyarpon Township
- Village Tract (VT) Administrators
- 6 Affected Households (AHs) (1 affected HH could not attend because of ailment)

- Romeo B. Cleto (RBC), ADB TA Consultant (Resettlement)
- Ester M. Felix, ADB TA Consultant (Social Development and Gender)

Purpose of the Meeting:

- Inform the AHs about the proposed project.
- Discuss the results of the IOL
- Validate the usage of the inventoried affected structures (shops/houses)
- Get comments and suggestions from the AHs regarding ways to mitigate the adverse impacts of their losses.
- Discuss the proposed resettlement policy

Highlights of the Meeting:

1. Daw Su Mon of PW Phyarpon Township discussed the purpose of the consultation meeting.
2. RBC explained briefly the ADB Safeguard Policy on resettlement, and clarified that the clearing will be done within the construction area or corridor of impact (COI) of 21.18 m (69.5 ft.), or 10.5 m from the road centerline. During the IOL survey done by the PW Phyarpon, 7 AHs had been identified to have structures inside the COI. RBC explained that because there is a fiber optic communication cable on the left side of the existing road, the road centerline had to be adjusted by 1 m to the right during the IOL. MOC does not want to remove or “disturb” the fiber optic cable as it could disrupt or affect the communication system in the country.
3. RBC encouraged the 6 AHs present in the meeting to share their views/comments relative to the clearing of the COI. The 6 AHs expressed their support for the road rehabilitation project. They said they were willing to remove their shops/houses before the start of road construction.
4. RBC explained the proposed resettlement policy. The AHs will be informed prior to start of road construction. A resettlement coordinating committee will be formed which will comprise of representatives from PW, VT and Township administrators, male and female representatives of the AHs, and the contractor. The proposed resettlement policy needs to be approved by MOC and ADB. The RCC is tasked to disseminate information regarding the project, such as when clearing of the COI and road construction will start; help in the resolution of grievances; etc. The contractors will be tasked to assist in the removal of structures in the COI, and in transferring and reconstructing the structures to the same condition; AHs with standing crops in the COI will be allowed to harvest these; etc. RBC also explained that a copy of the list of AHs and the resettlement plan (RP) that MOC will submit to ADB will be made available at the Village Tract office, PW office, and township office. A project information booklet will likewise be distributed to the AHs following submission by MOC of the RP to ADB.
5. The AHs, including the women and female-headed households, will be given priority in the hiring of unskilled labor during the civil works.

Date: 12 September 2013 Location: Maubin

No.	Name	Designation	Organization	Signature
1	U Kyaw Shein	Deputy Chief Engineer	Public work	
2	Daw Hla Hla Rose	Symbolizing Engineer	R.D. (MOC)	
3	U THAN WIN		member of parliament	
4	U Aung Naing	Township Officer	G.A.D (Kyaiklati)	
5	U Kyaw Hla	District L.H		
6	U Than Soe Aung	District L.H		
7	Pol. Lt. Col. T. KESAWA	COMMANDER OF DISTRICT	AAURIN DISTRICT	
		POLICE FORCE		
8	U Phyu Phyu	Yat Pau Town	Kyaiklat	
9	U Myo Thant	Yat Pau Mu Pagoda	Kyaiklat	
10	U Zaws Aung	Town. Eng. Engineer	Kyaiklat	
11	U Aung Bin	Yat Pau Mu Pagoda	"	
12	U Sein Aung Tun	Town. Eng.	"	
13	U Tin Myung Cho.		"	
14	U THU YA	Township Development Comm.	"	
15	H Aung Fin		"	
16	U MYA AYE AUNG	Township Officer (S.L.R.D.)	"	

No.	Name	Designation	Organization	Signature
17	Daw Khin Tint	Township Engineer	Public work	
18	U Tin Myung Oo	Township officer	D.O.A. Kyaiklat	
19	U Chin Maung	Senior Engineer	Public work	
20	U Wai Lynn	Observer	-	
21	Daw Khin Ma Kyaw	Township Engineer, Chingon	Public Works	
22	U Myint Sun	P.C.	M.R.E.S	
23	U Khin Soe	Record Engineer	R.L.	
24	U Kyaw Emyar Lin	Township Officer	R.L.	
25	U Myo Myo Aung	N.L.D.	Pyawon	
26	U Tin Oo	Township	Public work	
27	U Shan Aye	Township	-	
28	Daw Khin Ma Myint	Assistant Director	Planning Department	
29	Daw Phyu Ma Myint	S.A.E	Directorate of water improvement of river systems	
30	Daw Hla Hla Khin	S.A.E	Ministry of Electric Power	
31	Dr. HAZIN ZAHANAR NAING	Assistant MS	Maubin General Hospital	
32	Daw Hla Hla Hlaing	S.A.E	Maubin mobile station	

No.	Name	Designation	Organization	Signature
33	U See Myint	E.E.	MPT	
34	U Hla Myo Myint	J.E. II	MPT	
35	U Bo Tint	J.E. II	MPT	
36	U Kyaw Ma Hlaing	J.E. II	MPT	
37	U Chann Thaw	Reporter	Daily New	
38	U AYE THAWING	P.C	G.A (MAUBIN)	

No.	Name	Designation	Organization	Signature
39	U Tin Aung	R.D.	Township Forest Dept.	
40	U Ma Thein	P.O	Township Planning	
41	U Tin Win	Staff Officer	B. S. L.R	
42	Daw Thaw Ngant	member	women association	
43	Daw Ah Thaw Oo	Se	"	
44	Daw Khin Hla Yee	member	"	
45	Daw Soe Soe Yee	regional fc	USDP	
46	U Myo Myint	chairman	district	
47	RTEE HAN HAN	(Maubin) - D.A.C.		
48	RVN HAN HAN	CONSULTANT - ADB	ADB	
49	ROUN H. CLOTO	CONSULTANT - ADB	ADB	
50	TARA JANN	consultant - ADB	ADB	

Date: 12 September 2013 Location: Maubin

No.	Name	Designation	Organization	Sig
	U Win Myint		Maubin	
	U Than Chawng			
	U Ngi Ngi Linn	T.O	General Administrative Department	
	U Soe Naung	Fire service officer	F-3-D	
	U Myo Khant	Assistant Director	Department of Agriculture	
	U Kyau Vin	Immigration officer	Asst. port	
	U Moe Kyaw Ag	D.T.O.	General administration	
	U Aung Kyaw So	A.B	T.D.C, Maubin	
	Aung Zaw Sein	Township Electric Engineer	M.O.E.P	
	U Khin Myathwe	2006.02		
	U Myat Khay			
	U San Hlin	Island Water Transport Manager		
	U Thein Hlaing			
	U Aung Myo So	Executive Engineer	Phayapon District	
	U Tin Aye Soe	E.E.E	T.D.C. Phayapon	
	U Myint Aung	A.B	Immigration Department	
	U San Win	Staff officer	D.O.A	

TA-8251 MYA: CAPACITY BUILDING SUPPORT FOR PROJECT IDENTIFICATION
(MAUBIN-PHYARPON ROAD REHABILITATION PROJECT)

ATTENDANCE SHEET

Name of Activity: Post T.O.L Public Consultation
Date: 12 Dec 2013
Name of Village/Township: Phayapon Sub Village, Maubin

No.	Name of Participant	Position & Name of Organization	Contact Details (Tel. Number)	Signature
1.	U Nialing Og			
2.	U Than Myay		0938812703	
3.	U Soe Khinlong		0938855585	
4.	U Aung Myo So	Executive Engineer		
5.	U Tin Aye Soe	E.E.E		
6.	U Myint Aung	A.B		
7.	U San Win	Staff officer		
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				

Noted:

Date:

Name and Signature: [Signature]
[Signature]

12 Dec 2013

TA-8251 MYA: CAPACITY BUILDING SUPPORT FOR PROJECT IDENTIFICATION
(MAUBIN-PHYARPON ROAD REHABILITATION PROJECT)

ATTENDANCE SHEET

Name of Activity: Post T.O.L Public Consultation
Date: 17 Dec 2013
Name of Village/Township: Phayapon Sub Village, Maubin

No.	Name of Participant	Position & Name of Organization	Contact Details (Tel. Number)	Signature
1.	U Thein San	Tarpat west	0938812762	
2.	Daw Sepat	Minball	09388124178	
3.	Daw Ngazun Nye Win			
4.	U Thein Hlin	Kyone Road		
5.	U Kyau Nye	"	0938812538	
6.	U Chit Khinlong	"	09388129350	
7.	Daw Myint Myint Khin	Kyone Road	09388127793	
8.	U Nialing Lin	"		
9.	Daw Hla Thon	"		
10.	U Kyi Pa	"		
11.	Daw Bidad Hlaing	Tarpat west	093881241854	
12.	U Khin Zaw			
13.	U Zaw Zaw			
14.	U Mya Aung			
15.	Zaw Ei		09388128066	
16.	Daw Chin Myay		09388127705	
17.	U Say Nye (Daw Khin) Minball			
18.	Daw Khin Mya Kyi			

Noted:

Date:

Name and Signature: [Signature]
[Signature]

17 Dec 2013

TA-8251 MYA: CAPACITY BUILDING SUPPORT FOR PROJECT IDENTIFICATION
(MAUBIN-PHYARPON ROAD REHABILITATION PROJECT)

ATTENDANCE SHEET

Name of Activity: Post T.O.L Consultation
Date: 18 Dec 2013
Name of Village/Township: Phayapon Sub Village, Maubin

No.	Name of Participant	Position & Name of Organization	Contact Details (Tel. Number)	Signature
1.	U Nialing Og			
2.	U Than Myay		0938812703	
3.	U Soe Khinlong		0938855585	
4.	U Aung Myo So	Executive Engineer		
5.	U Tin Aye Soe	E.E.E		
6.	U Myint Aung	A.B		
7.	U San Win	Staff officer		
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				

Noted:

Date:

Name and Signature: [Signature]
[Signature]

18 Dec 2013

TA-8251 MYA: CAPACITY BUILDING SUPPORT FOR PROJECT IDENTIFICATION
(MAUBIN-PHYARPON ROAD REHABILITATION PROJECT)

ATTENDANCE SHEET

Name of Activity: Post FOL Consultation
Date: 16 December 2013
Name of Village/Township: Thon Yan Lhe Village, Kyaukse Township

No.	Name of Participant	Position & Name of Organization	Contact Details (Tel. Number)	Signature
1	မောင်မောင်	သယံဇာတ (ဂရု.)	-	မောင်မောင်
21	ဦးကျော်စိုး	ကျွန်းမြေ (ဦးစီး)	09-31165116	ဦးကျော်စိုး
22	ဦးစိုးစိုး	မ (ငါ့)	-	ဦးစိုးစိုး
23	ဦးခင်စောစော	မ (ငါ့)	09-31165116	ဦးခင်စောစော
24	ဦးစောစော	မ (ငါ့)	09-31209092	ဦးစောစော
25	ဦးအောင်မောင်	မ (ငါ့)	09-3166648	ဦးအောင်မောင်
26	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	-	ဦးအောင်မောင်
27	ဦးအောင်မောင်	သယံဇာတ (ဦးစီး)	09-3180466	ဦးအောင်မောင်
28	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	-	ဦးအောင်မောင်
29	ဦးအောင်မောင်	မ (ငါ့)	09-31209092	ဦးအောင်မောင်
30	ဦးအောင်မောင်	သယံဇာတ (ဦးစီး)	-	ဦးအောင်မောင်
31	ဦးအောင်မောင်	မ (ငါ့)	09-31209092	ဦးအောင်မောင်
32	ဦးအောင်မောင်	မ (ငါ့)	09-31209092	ဦးအောင်မောင်
33	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
34	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
35	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
36	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
37	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
38	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
39	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
40	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
41	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
42	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
43	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
44	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
45	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
46	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
47	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
48	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
49	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်
50	ဦးအောင်မောင်	ကျွန်းမြေ (ဦးစီး)	09-31209092	ဦးအောင်မောင်

Noted: 16 Dec 2013
Name and Signature: 16 Dec 2013
ဦးအောင်မောင်
ဦးအောင်မောင်
ဦးအောင်မောင်
ဦးအောင်မောင်

TA-8251 MYA: CAPACITY BUILDING SUPPORT FOR PROJECT IDENTIFICATION
(MAUBIN-PHYARPON ROAD REHABILITATION PROJECT)

ATTENDANCE SHEET

Name of Activity: Post FOL Consultation
Date: 19 Dec 2013
Name of Village/Township: Thon Yan Lhe Village, Kyaukse Township

No.	Name of Participant	Position & Name of Organization	Contact Details (Tel. Number)
1	U Hein Win	Kyaukse	09-230520000
2	U Aung Mye Kyaw	Kyaukse	09-253707165
3	U Zaw Win	Thale Kyee	09-423995932
4	U Aung	Thale Kyee	-
5	U Aung Mye Kyaw	Thale Kyee	09-422505323
6	U Aung Kyaw	Thale Kyee	-
7	U Aung Kyaw	Kyaukse	09-31635764
8	ROMEO S. CLETO	ROMEO S. CLETO	-
9	Esther M. F. ...	Esther M. F. ...	-
10			
11			
12			
13			
14			
15			
16			
17			
18			

Noted: 19 Dec 2013
Name and Signature: 19 Dec 2013

Date: 19 Dec 2013

Resettlement Information Booklet

MYANMAR: MAUBIN-PYAPON ROAD REHABILITATION PROJECT

Question: What is the Maubin-Pyapon Road Rehabilitation Project?

Answer: The project will rehabilitate a key north-south 54.5 kilometer section of road to 2 lanes with appropriate width shoulders, suitable for all standard highway traffic. Improvements to the Maubin to Pyapon road would improve access to this densely populated, poor, and productive agricultural area. The Maubin Pyapon Road is the principal north-south artery on the eastern edge of the Ayeyarwady Delta and provides an essential transport link connection to economic, health, education, and employment opportunities. Traffic volumes in the area are currently moderate, but are likely to increase rapidly as the country's economic liberalization program extends into the hinterland. By providing landing points at the numerous locations where waterways meet the road, the agricultural hinterland of this part of the delta region could be made more accessible and improve the lives of many of the regions' poor through increased opportunities for income generation and improved rural livelihoods

Question: What do you mean by "construction area" or "corridor of impact (COI)"?

Answer: The Maubin-Kyiaklat-Pyapon road is classified by the Ministry of Construction (MOC) as a D-IV road with a total right-of-way (ROW) of 45.7 m (150 feet [ft]). To minimize resettlement impacts, the road will follow the present alignment, with an offset of 2-3 meters (m) left or right where necessary to avoid interfering with an existing telecommunications cable laid within or adjacent to the road embankment. Construction works outside the townships areas will be confined within a construction corridor or "corridor of impact (COI)" of 21.2 m (69.5 ft.), measured 10.6 m on both sides from the existing road centerline inside the established ROW. Construction works along the urban township which is under the

jurisdiction of the General Administrative Office will be within the existing carriageway.

Question: What is a project affected person?

Answer: Under the Asian Development Bank (ADB) Safeguard Policy Statement, a project affected person is a household or organizations who are physically and economically displaced due to acquisition of land or loss of land use. In the case of the project, these are households or shop owners whose structures are partially affected or totally affected due to the planned clearance of COI, and are therefore required to move out of the COI.

Question: Am I considered a project affected person?

Answer: If you were included in the census and inventory of losses (IOL) in early December 2013 and joined to post-IOL consultation meeting in December 17-19, 2013 to confirm your affected structures in the COI, then yes, you are a project affected person. Any household or shop owner who built a structure inside the COI after 19 December 2013 is not considered a project affected person. Specific to Maubin Township (KM0+00 to KM 1+100), the project affected persons were identified in early March 2014. Households who were identified in the IOL in December 2014 but already moved out of the COI in January-February 2014 are still considered project affected person since they are in the IOL list.

Township	No. of Affected Households
Maubin	26
Kyiaklat	29
Pyapon	7

Question: We were told that the Ministry of Construction will help us during relocation. Is this true?

Answer: Yes. Under the ADB Safeguard Policy Statement, households, "*involuntary resettlement should be conceived of and executed as part of a development project or program*". The objectives of ADB's SPS are "*to avoid involuntary resettlement wherever*

possible; to minimize involuntary resettlement by exploring project and design alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living of the displaced poor and other vulnerable groups". Since the ROW is owned by MOC, your household falls under the ADB's SPS" (iii) persons who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land."

You are not entitled to compensation for land, however, you will be assisted as follows: (i) all shops will be allowed to set up a moveable/umbrella-type structures in the residual ROW while those with houses will be allowed to rebuild on land between the ROW and adjacent farmland (i.e. easement area); (ii) if required, MOC will replace damaged and un-reusable building materials with new materials at no cost to the structure owners; (iii) cash allowance to cover costs during moving in consultation with the affected households and village elders; and (iv) 3 months advance notice to allow affected households to harvest annual crops before the start of construction. Since primary source of income of affected households are mostly from stalls and eateries, construction supervision consultants will provide the necessary training on financial literacy, savings, and bookkeeping.

Question: Who is involved in project implementation? Is there a mechanism wherein we, as affected persons, could also participate in the process?

Answer: The Ministry of Construction (MOC) is the Executing Agency of this Project, while the Public Works (PW) is the implementing agency (IA). The PW will establish a project management unit (PMU) that will be responsible for the day-to-day implementation of the project and in the preparation of technical, safeguards, and financial reports. One staff from PW will be designated as social safeguards officer for the Project.

In addition, an adhoc body, the resettlement coordinating committee will be set-up in Maubin Township to carry out further planning

and implementation of the resettlement plan, set-up a mechanism wherein grievances are logged and resolved at the RCC level, and to ensure the active participation of affected households throughout the resettlement process. The RCC will be composed of the following representatives: PW Township Office, government administrative office; civil works contractor, construction supervision consultants, village tracts, other stakeholders such as village elders and non-government organizations; and affected households (male and female representatives).

Question: When will construction starts?

Answer: It is planned that civil works construction will start in late 2015. However, the exact date will be communicated with you in due time. The RCC, once established, will carry out further consultations with you and the local communities on the project schedule, resettlement activities, and discuss any concerns that you may have.

Question: If we have other questions about the Project, where can we go?

Answer: The Public Works Department in your township has the information about the project and any updates. They can be reached at :

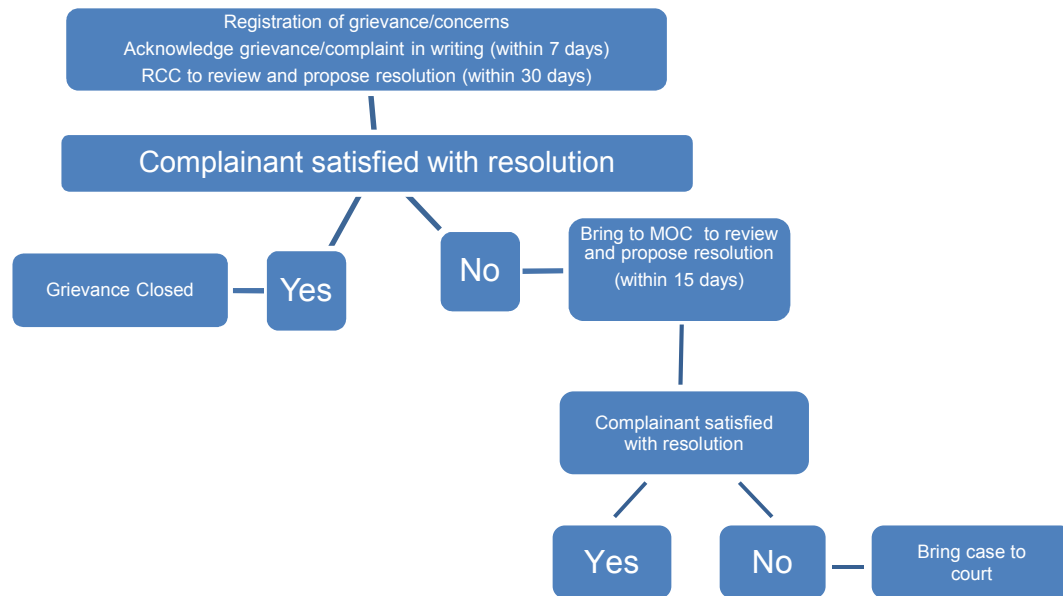
Public Works Department (Maubin):
Contact Person: _____
Address: _____
Contact Details: _____

Public Works Department (Kyiaklat):
Contact Person: _____
Address: _____
Contact Details: _____

Public Works Department (Pyapon):
Contact Person: _____
Address: _____
Contact Details: _____

GRIEVANCE REDRESS MECHANISM

MYA: Maubin - Pyapon Rehabilitation Project



Sample of Grievance Redress Form

Date: _____

Reference No: _____

Full Name

Note: You can remain anonymous if you prefer or request not to disclose your identity to the third parties without your consent

First name _____
Last name _____

☐

I wish to raise my grievance anonymously

☐

I request not to disclose my identity without my consent

Contact Information

(mail, phone, email).

☐

By Post: Please provide mailing address:

☐

By Telephone:

☐

By E-mail

Preferred Language for Communication☐

Myanmar

☐

Description of Incident Or Grievance:**Date of Incident/ Grievance**☐

Happened more than once (how many times? _____)
On-going (currently experiencing problem)

What would you like to See happen to resolve the problem?

Signature: _____

Date: _____

Please return this form to: Resettlement Coordinating Committee, _____ Township

Address _____: Tel: _____ or E-Mail: _____@____.com.

This form was personally received by RCC:

Name and Signature: _____

Position: _____

Resettlement Coordinating Committee, _____ Township